

DIVISION 1
Patrick O'Dowd
Director



8:00 AM

DIVISION 2
Anthony Bianco
Director

CVWD's Coachella Office
Forbes Auditorium

DIVISION 3
John Powell
President

51-501 Tyler Street
Coachella

DIVISION 4
Peter G. Nelson
Director

OFFICIAL MINUTES
REGULAR MEETING OF THE
COACHELLA VALLEY WATER DISTRICT
BOARD OF DIRECTORS

www.cvwd.org

DIVISION 5
Castulo Estrada
Vice President

September 26, 2017

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The regular meeting of the Board of Directors of the Coachella Valley Water District was called to order by President John Powell at 8:00 a.m., Tuesday, September 26, 2017, at the office of the District in Coachella, California. President Powell led the Pledge of Allegiance.

2. ROLL CALL

Present: President John P. Powell, Jr.
Vice President Cástulo R. Estrada
Director Anthony Bianco
Director G. Patrick O'Dowd
Director Peter Nelson

Absent: None

Staff Present: Jim Barrett, General Manager
Jeff Ferre, Counsel
Sylvia Bermudez, Clerk of the Board

3. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

- A. No Item(s) to be removed or continued from the Agenda
- B. No Emergency Item(s) to be added to the Agenda
- C. No Changes to the order of the Agenda

4. PUBLIC COMMENT

No public comment.

5. APPROVAL OF THE CONSENT CALENDAR

Item 5E was pulled for discussion by Director Bianco; Director O'Dowd abstained from voting on item 5K;

On a motion by Director Nelson, seconded by Director Powell; the Board approved the Consent Calendar, with the exception of 5E.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

- A. Approved Minutes of September 12, 2017 CVWD Board of Directors Meeting
- B. Accepted and Filed Secretary's Record of Written Instruments Accepted and Recorded during the month of August 2017
- C. Accepted and Filed General Manager's Report of Authorizations, Executions, and Acceptances of Documents during the month of August 2017
- D. Accepted and Filed General Manager's Report of Activities during the month of August 2017
- E. (PULLED for discussion) Purchase of new vehicles and equipment in the amount of \$1,624,751 and disposal of 17 fleet units through public auction
- F. Authorized Funding Agreements with U.S. Geological Survey for Water Resources Investigations in the amount of \$135,450 to continue funding cooperative water resources investigations for the period of November 1, 2017 through October 31, 2018.
- G. Approved and authorized the General Manager to execute Second Amendment to Ground Lease with STC One LLC for the Bighorn Faux Rock Cell Site and any future amendments and related documents, including estoppels and consents (which are not monetary or material in nature).
- H. Authorized the General Manager to execute Task Order No. 14 to the Professional Services Agreement with Lee & Ro, Inc., (L&R) in the amount of \$12,355 to provide additional engineering design services for the Water Reclamation Plant No. 2 Improvement Project (WRP 2 Improvement Project).
- I. Authorized the General Manager to execute a Task Order to the Professional Services Agreement with Lee & Ro, Inc. (Lee & Ro) in the amount of \$279,294 for the Water Reclamation Plant No. 7 PLC Upgrade Project and approved \$65,000 in additional expenditures, for a total request of \$344,294.
- J. Approved and authorized the General Manager to execute a Task Order to the Professional Services Agreement with Lee & Ro, Inc. (Lee & Ro) in

the amount of \$228,016 for the Lift Station 81-01 Rehabilitation Project and approved \$49,000 in additional expenditures, for a total request of \$277,016.

- K. Approved Water Supply Assessment and Water Supply Verification for the California State University San Bernardino 2016 Palm Desert Campus Master Plan Project
Director O'Dowd abstained from voting on item 5K due to his involvement with an organization affiliated with Cal State University. Even though that affiliation would not constitute a strict conflict of interest, in order to avoid even the appearance of a conflict, Director O'Dowd abstained .

6. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

5. E. Purchase of new vehicles and equipment in the amount of \$1,624,751 and disposal of 17 fleet units through public auction.
Following a presentation by John Moran, Fleet Manager, the Board discussed the purchase of new vehicles and equipment.

On a motion by Director O'Dowd, seconded by Director Powell, the Board approved the purchase of new vehicles and equipment in the amount of \$1,624,751 and authorized the disposal of 17 fleet units through public auction.

Approved by the following vote:

AYES: Powell, Estrada, O'Dowd, Nelson

NOES: Bianco

ABSENT: None

Motion Passed: 4-1-0

7. PRESENTATIONS AND RECOGNITIONS

- A. Employee Recognitions
President Powell and General Manager Barrett, recognized the following employees:

Longevity:

Jaime Aguirre, Sanitation Collections Maintenance Crew Chief, 30 Years (not present)

Dennis Cross, Equipment Operator II, 30 Years

Hector Ruiz, Auto Shop Supervisor, 30 Years

Retirements:

Gary Palomino, Senior Information Systems Analyst, 14 Years (not present)

8. INFORMATIONAL REPORTS

- A. Written Communications – on file

9. ACTION ITEMS

- A. Approve the sole sourcing of the engineering design services for the Whitewater Groundwater Replenishment Facility Intake Improvements to Dahl Consultants and authorize the General Manager to execute Professional Services Agreement with Dahl Consultants in the amount of \$108,280.

Following a presentation by Dan Charlton, Director, Facilities and Maintenance, the board discussed a design services professional services agreement with Dahl Consultants.

On a motion by Director O’Dowd, seconded by Director Nelson, the Board approved the sole sourcing of the engineering design services for the Whitewater Groundwater Replenishment Facility Intake Improvements to Dahl Consultants and authorized the General Manager to execute Professional Services Agreement with Dahl Consultants in the amount of \$108,280.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, O’Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. Authorize the Installation of Foundations, Relocation of Power Towers and Transmission Lines for the Fillmore Street Irrigation Ditch Project.

Following a presentation by Craig Parker, Director of Engineering and David Wilson, Engineer Manager, the Board discussed the installation and relocation of power towers and transmission lines for the Fillmore Street Irrigation Ditch Project.

On a motion by Director Nelson, seconded by Director O’Dowd, the Board approved the following actions:

- Authorized the General Manager to execute an amendment to contract with Mamco Inc., dba Alabbasi for the Fillmore Street Irrigation Ditch Project, to include Change Order No. 7 in the amount of \$571,193 to drill four holes (with diameters ranging from 8.0 to 9.5 feet and depths ranging from 32 to 39 feet) and install foundations for the lattice towers (2) and steel poles (2) in preparation for the Imperial Irrigation District's (IID's) relocation of 161 kV existing transmission towers that are in conflict with the Project;
- Authorized a reimbursement of the cost of relocation to IID in the

amount not to exceed \$1,120,200.

- Approved the following expenditures, for a total request of \$2,214,037.
 - Soil and concrete testing - \$25,000
 - Engineering services during construction (Dudek) - 29,550
 - Tribal monitoring during excavation - \$15,000
 - CVWD project management and Inspection - \$70,000
 - Contingency - \$383,094

Approved by the following vote:

AYES: Powell, Estrada, O'Dowd, Nelson

NOES: Bianco

ABSENT: None

Motion Passed: 4-1-0

- C. Authorize the General Manager to execute a Task Order to the Professional Services Agreement with Lee & Ro, Inc. (Lee & Ro) in the amount of \$464,830 for the Lift Station 81-03 Capacity Upgrade and Force Main Project and approve additional expenditures, for a total request of \$554,830.

Following a presentation by Armando Rodriguez, Engineer Manager, the Board discussed Task Order to professional services agreement with Lee & Ro, Inc.,

On a motion by Director Nelson, seconded by Director Estrada, the Board approved a task order to the professional services agreement with Lee & Ro, Inc., in the amount of \$464,830, for the Lift Station 81-03 Capacity Upgrade and Force Main Project.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

- D. Request Certification of the Eastern Coachella Valley Stormwater Master Plan Final Program Environmental Impact Report, Adoption of the Mitigation Monitoring and Reporting Program, and Findings & Statement of Overriding Considerations, and Approval of the Master Plan.

Following a presentation by Steve Bigley, Director, Environmental Services and Cheryl Degano of Webb Associates, the Board discussed the Certification of the Eastern Coachella Valley Stormwater Master Plan Final Program Environmental Impact Report.

The discussion then proceeded to consider whether to expand certain boundaries of the study area. At that point, and in order to avoid even the appearance of a conflict of interest, President Powell recused himself from further discussion on this matter since his business owns property which may be affected by an expanded boundary. Legal Counsel stated that he would look into this matter further to determine the extent of any such potential conflict of interest taking into account the general nature of the study and plan.

On a motion by Director O'Dowd, seconded by Director Estrada, the Board approved the continuance of this item to a future board meeting when staff is ready to make a new presentation to address the issues raised by the Board.

Approved by the following vote:

AYES: Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: Powell – abstention/recusal

Motion Passed: 4-0-1

E. Adoption of Financial Policies.

Following a presentation by Amy Aguer, Controller, the Board discussed the Financial Policies.

On a motion by Director O'Dowd, seconded by Director Nelson, the Board approved and adopted the following Financial Policies. These policies supersede any previously adopted Financial Policies in their related policy areas:

- Accounts Payable and Cash Disbursement Policy
- Accounts Receivable Collection and Debt Write-Off Policy
- Comprehensive Debt Management Policy
- Financial and Budget Policy
- Grant Administration Policy
- Internal Control Policy
- Revenue Control Policy

Approved by the following vote:

AYES: Powell, Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

F. Approve updates to the Procurement & Project Administration Manual.

Following a presentation by Brice Kirk, Procurement Manager and Craig Parker, Director of Engineering Services, the Board discussed the

Procurement and Project Administration Manual.

On a motion by Director Bianco, seconded by Director Estrada, the Board approved the updated Procurement & Project Administration Manual as presented with a change to the draft to increase the General Manager's procurement authority level from \$50,000 to \$75,000.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

10. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Director Nelson – reported on Westlands vote on California WaterFix; agricultural plantation meeting and spoke with EMWD regarding remote meter reading. Requested staff explore moving towards remote meters or create a pilot program
- Director O'Dowd – reported on ACWA's Region 9 Board meeting – reminded the Board of the tour – tickets are \$65
- Director Bianco – reported on the strategic planning workshop and found it very helpful and informative.
- Director Estrada – reported on projects relating to consolidation / infrastructure of projects – state technical funding
- Director Powell – plantation way to construct – possible split in water meters;

B. Meetings and Conference Reports

- i September 13, 2017 Colorado River Board Meeting (Director Nelson)
- ii September 13, 2017 Cathedral City/CVWD Two and Two Meeting (Directors Powell and O'Dowd)
- iii September 14, 2017 Fiscal Year 2019 Strategic Plan Workshop (Directors Powell, O'Dowd, Estrada, and Bianco)
- iv September 15, 2017 Meeting with District staff regarding Shady Lane Project (Director Estrada)-**Meeting to be removed from reports.**
- v September 18, 2017 Association of California Water Agencies Region 9 Planning Meeting - Conference Call (Director O'Dowd)
- vi September 18, 2017 Imperial Dam Advisory Board Meeting (Director Bianco)
- vii September 19, 2017 Grants Oversight Committee Meeting (Director Estrada)
- viii September 19, 2017 Disadvantaged Communities Infrastructure Committee Meeting (Directors Powell and Estrada)

- ix September 19, 2017 Rancho Mirage Chamber of Commerce September Mixer (Director O'Dowd)
- x September 20, 2017 Building Industry Association Affordable Housing and Homelessness Panel (Director Powell)
- xi September 20, 2017 Agricultural Water Advisory Group Meeting (Directors Powell and Bianco)
- xii September 21, 2017 City of Indio/CVWD Triannual Meeting (Directors Nelson and Estrada)
- xiii September 23, 2017 Assemblymember Garcia's Salton Sea Update and Community Education Event (Directors O'Dowd and Estrada)
- xiv September 25, 2017 Golf and Water Task Force Meeting (Directors O'Dowd and Bianco)

Additional Meetings reported:

- September 1, 2017 Business lunch meeting with Assemblymember Eduardo Garcia (Director Estrada)
- September 22, 2017 Meeting with Coachella Valley Unified School District and CVWD staff to discuss Westside School grant funding for offsite/onsite water facilities (Director Estrada)
- September 25, 2017 Meeting with Phil Rosentrater and Phil Johnson (Director O'Dowd)

- C. Approval of per diem for meetings reported
On a motion by Director O'Dowd, seconded by Director Bianco, the Board approved per diem for meetings reported.
Approved by the following vote:

AYES: Powell, Estrada, Bianco, O'Dowd, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

- D. Reports Oversight Boards of the Successor Agencies of the Redevelopment Agencies

Director O'Dowd reported Riverside County would be looking at consolidating all Oversight Boards in the county.

11. STAFF REPORTS

- A. General Manager, Jim Barrett, reported on the following:
- Discussion on selection process for a third member of the Board to participate in future discussions of Oasis project
 - Meeting with Director Powell and Ellen Trover regarding the history of the Colorado River irrigation history
 - Westlands Vote on California WaterFix

- B. Counsel, Jeff Ferre, reported on the Little Hoover Commission report which made recommendations to the Legislature and Governor regarding special districts.
- C. Departments
 - Communication & Conservation Director Heather Engel, reported all signs in the Coachella location are now bilingual part of the strategic planning

12. CLOSED SESSION AGENDA

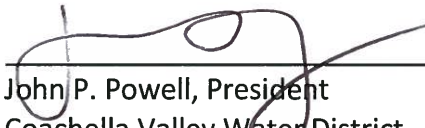
- A. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Pursuant to Government Code § 54956.9 (a) Name of Case: Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District, et al., Case No. EDCV 13-883 JGB
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Section 54956.9 (d)(1)
Name of case: Andrade, et al v. Coachella Valley Water District; Imperial County Superior Court Case No. ECU 08499
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957 Title: General Counsel

13. RECONVENE

- A. Report out of Closed Session
President Powell convened the meeting back into Open Session; Jeff Ferre, Counsel reported there were no reportable actions for closed session items 12A, 12B or 12C.

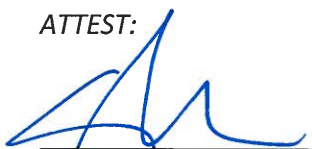
14. ADJOURNMENT

There being no further business before the Board, President Powell adjourned the meeting at 12:36 PM; the next regular meeting of the Coachella Valley Board of Directors is scheduled for Tuesday, October 10, 2017 in the Palm Desert location.



John P. Powell, President
Coachella Valley Water District

ATTEST:



Sylvia M. Bermudez, Clerk of the Board
Coachella Valley Water District