

THE PUBLIC IS INVITED

COACHELLA VALLEY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

AGENDA – October 23, 2007, Tuesday, 9:00 a.m.

Dr. Forbes Auditorium
Coachella Office
85-995 Avenue 52
Coachella

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – Regular meeting of October 9, 2007

SPECIAL RESOLUTION

To recognize the leadership of State Senator Denise Moreno Ducheny

PUBLIC HEARINGS

To authorize the acquisition through eminent domain of certain real property located in the city of La Quinta for the Dike 4 Groundwater Recharge Facility Project

1. APN 766-120-007 (Desert Community Foundation)
2. APN 766-120-009 and APN 766-120-010 (DiAntonio)
(Vincent A. DiAntonio will be participating via teleconferencing)

COMMENTS FROM AUDIENCE -- This is the time set aside for public comment on any matter on the consent calendar or on items not appearing on the agenda. Please come to the podium and limit your remarks to five (5) minutes and give your name and address.

ORDER OF BUSINESS

1. WRITTEN COMMUNICATIONS
2. REPORTS
 - A. Dues
 - American Water Works Association
 - B. General Manager's Reports
 - 1) Employee Computer purchase program
 - 2) Staff report on Key Projects Update
 - 3) General Manager's report of activities for September 2007

2. REPORTS, continued
 - 4) General Manager's report of authorizations, executions and acceptances of documents for September 2007
 - C. Secretary's record of written instruments accepted and recorded during the month of September 2007
 - D. Seven Basin States meeting of October 9, 2007
 - E. Coachella Valley Conservation Commission meeting of October 11, 2007
 - F. Building Industry Association general membership meeting of October 11, 2007
 - G. Southern California Water Committee meeting of October 12, 2007
 - H. 2007 Drought Workshop: From Plans to Actions of October 16, 2007 (California Urban Water Conservation Council)
 - I. Coachella Valley Economic Partnership Annual Event of October 17, 2007
 - J. Bay Delta and State Water Contractors meetings of October 17 and 18, 2007
 - K. California Farm Water Coalition of October 22, 2007
3. Board Members', General Manager-Chief Engineer's and Counsel's comments
4. CONSENT CALENDAR—Consent calendar items are expected to be routine and noncontroversial, to be acted upon by the board of directors at one time without discussion. If any board member requests that an item be removed from the consent calendar, it will be removed so that it may be acted upon separately.
 - A. Upgrade air conditioning system in the Control Building at Palm Desert Water Reclamation Plant No. 10
 - B. Purchases
 - 1) Three 500 kW mobile generators, Specification No. 2007-35
 - 2) One towable power boom, Specification No. 2007-37
 - C. Authorize Change Order Nos. 5 and 6 to ARB, Inc., to increase the monetary amount for Improvement District No. 53 Trunk Sewer project, sections 4, 5 and 9-5-6

(End of Consent Calendar)

5. OTHER BUSINESS

A. Annexations

- 1) Improvement District No. 54, annexation 69
- 2) Improvement District No. 55, annexation 34
- 3) Improvement District No. 58, annexation 35

B. Authorize execution of the Restatement and Second Amendment Joint Powers Agreement Creating the Coachella Conservation Commission

C. Purchases

- 1) Supervisory Control and Data Acquisition (SCADA) development workstation from Scipar, Inc.
- 2) One 1-ton cargo-van type truck, Specification No. 2007-33
- 3) One utility vehicle four-wheel drive, Specification No. 2007-50

D. Ratification of Agreement with Salton Sea Authority for Acceptance of Indian Gaming Grant for Salton Sea Restoration

E. Upgrade the air conditioning system in the Administration Building at Headquarters in Coachella

F. Authorize Change Order No. 2 to L.H. Woods and Sons, Inc., for a monetary increase for construction of the Schedule B/Stage II of the Mid-Valley Pipeline, Phase I, project

G. Adopt a Mitigated Negative Declaration and prepare and file a Notice of Determination for the Highway 86 Domestic Water Transmission Main

6. ORDINANCES FOR ADOPTION

7. ADJOURN TO CLOSED SESSION

- A. Conference with legal counsel—anticipated litigation
Significant exposure to litigation pursuant to Government Code subdivision (b) of Section 54956.9: Four potential cases

7. ADJOURN TO CLOSED SESSION, continued

B. Conference with real property negotiator
Pursuant to Government Code Section 54956.8

Property: APN 766-120-007

Negotiating parties: Steve Robbins for Coachella Valley Water District and Desert Community Foundation

Under negotiation: Instructions to negotiator will concern price and terms

C. Conference with real property negotiator
Pursuant to Government Code Section 54956.8

Property: APN 766-120-009 and APN 766-120-010

Negotiating parties: Steve Robbins for Coachella Valley Water District and Shannon Gray/Vincent A. DiAntonio/Americo DiAntonio

Under negotiation: Instructions to negotiator will concern price and terms

D. Conference with legal counsel—existing litigations
Pursuant to Government Code subdivision (a) of Section 54956.9

- 1) QSA Cases JCCP No. 4353
- 2) Name of Case: Coachella Valley Water District v. Imperial Irrigation District, complaint for declaratory relief, breach of contract, open book account, accounting and breach of fiduciary duty, Case No. 78863
- 3) Name of Case: Bobbie Ray Preckwinkle, Stephen Rice and Chad Siva v. Coachella Valley Water District, complaint
- 4) Name of Case: Riverside County Superior Court Case No. 18035 in regards to Waters of Whitewater River and its Tributaries
- 5) CVWD v. Roger Snellenberger Development Corporation, etc., et al RSC No. INC 057641

7. ADJOURN TO CLOSED SESSION, continued
 - D. Conference with legal counsel—existing litigations
Pursuant to Government Code subdivision (a) of Section 54956.9
 - 6) Alameda County Flood Control and Water Conservation District Zone 7, et. al., plaintiffs, v. State of California Department of Water Resources, et. al., defendants, Antelope Valley-East Kern Water Agency, et. al., intervenors, Case No. 05AS01775
 - 7) Coachella Valley Water District v. City of Indio, Sun-Cal Companies as Real Party in Interest, Case No. INC 065049
8. RECONVENE
 - A. Report on closed session
 - B. Claim from Catherine Goldstein, canal drowning
 - C. Consider adoption of Resolutions of Necessity
 - 1) Purchase 5.02 acres of vacant land (APN 766-120-007) from Desert Community Foundation
 - 2) Purchase 25.63 acres of vacant land (APNs 766-120-009 and 766-120-010) from Vincent A. DiAntonio
9. ADJOURNMENT

Next Scheduled Board Meeting: November 13, 2007

Request for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary, Julia Hernandez, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Hernandez may be contacted by telephone at (760) 398-2661, extension 2217, or in writing at the Coachella Valley Water District, Post Office Box 1058, Coachella, California 92236.