

THE PUBLIC IS INVITED

COACHELLA VALLEY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

AGENDA – November 13, 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 23, 2007

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)
 - A. Rescind Resolution No. 2007-254, Resolution of Necessity
 - B. Adopt Resolution of Necessity
2. APNs 766-120-009 and 766-120-010 (DiAntonio)
(Vincent A. DiAntonio will be participating via teleconferencing)
 - A. Adopt Resolution of Necessity
3. APNs 766-110-014 and 766-110-015 (Estate of Dennis Richard Conney, Richard D. Cleary James Gerard and Douglas L. Mahaffey)
 - A. Adopt Resolution of Necessity
4. APNs 766-120-004, 766-120-012, 766-120-013 and 766-120-014 (Meyer)
 - A. Adopt Resolution of Necessity
5. APNs 766-110-011 and 766-110-013 (William [Willard] Kelsey and Jacque Becker)
 - A. Adopt Resolution of Necessity
6. APN 766-110-012 (Timothy Y. Kraushaar)
 - A. Adopt Resolution of Necessity

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. General Manager's Reports
 - 1) Dues
 - Association of Metropolitan Water Agencies
 - 2) Longevity and retirement
 - B. Salton Sea Authority board of directors meeting of October 25, 2007
 - C. WESTCAS 2007 fall conference of October 31, 2007
 - D. Growers monthly meeting of November 5, 2007
 - E. Dinner meeting of November 6, 2007, with State Senator Denise Moreno Ducheny
 - F. National Water Resources Association annual conference of November 7, 2007
 - G. Coachella Valley Conservation Commission meeting of November 8, 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. Funding for the 2008 Riverside County Fair and National Date Festival exhibit
 - B. Award Construction Contract for replacement of portions of Irrigation Lateral No. 119.64-3.1 within Tract No. 33363, section 13-6-7

(End of Consent Calendar)

5. OTHER BUSINESS

- A. Adoption of Debt and Financial Management Policies
- B. Renewal of Recycled Water Agreement with Desert Springs JW Marriott Spa and Resort, section 9-5-6
- C. Settlement Agreement with Pulte Homes Corporation for outstanding sewer and water fees
- D. Supplemental budget request of Salton Sea Authority

6. ORDINANCES FOR ADOPTION

- A. Amend Ordinance 1138, Regulations Governing Sanitation Service, to reflect changes in the pumper truck effluent charge (also known as septage disposal fee)
- B. Establishing a Schedule of Special Charges for Miscellaneous Services, clarify Item No. 10, Encroachment Permit Fees

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
- 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

Property: APNs 766-120-009 and 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

Property: APNs 766-110-014 and 766-110-015

Negotiating parties: Steve Robbins for Coachella Valley Water District and Estate of Dennis Richard Conney/Richard D. Cleary/James Gerard/Douglas L. Mahaffey

Under negotiation: Instructions to negotiator will concern price and terms

Property: APNs 766-120-004, 766-120-012, 766-120-013 and 766-120-014

Negotiating parties: Steve Robbins for Coachella Valley Water District and Richard J. Meyer

Under negotiation: Instructions to negotiator will concern price and terms

B. Conference with real property negotiator

Pursuant to Government Code Section 54956.8, continued

Property: APNs 766-110-011 and 766-110-013

Negotiating parties: Steve Robbins for Coachella Valley Water District and William (Willard) Kelsey and Jacque Becker

Under negotiation: Instructions to negotiator will concern price and terms

Property: APN 766-110-012

Negotiating parties: Steve Robbins for Coachella Valley Water District and Timothy Y, Kraushaar

Under negotiation: Instructions to negotiator will concern price and terms

C. 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) Coachella Valley Water District v. City of Indio, Sun-Cal Companies as Real Party in Interest, Case No. INC 065049
- 5) Landmark Properties, U.S., Inc., v. Coachella Valley Association of Governments

8. RECONVENE

A. Report on closed session

9. ADJOURNMENT

Next Board Meeting will be an adjourned meeting, November 26, 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.