

THE PUBLIC IS INVITED

COACHELLA VALLEY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

AGENDA – April 22, 2008, 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 April 8, 2008

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.

PUBLIC HEARINGS

1. Upper Whitewater River Subbasin Area of Benefit
 - 1) Hearing on proposed water replenishment assessment for the Upper Whitewater River Subbasin Area of Benefit as authorized by Chapter 7, Sections 31630 through 31639 of the State Water Code
 - 2) Resolution making findings of fact relevant and material to levy of replenishment assessment pursuant to Section 31630 through 31639 of the State Water Code
 - 3) Resolution levying a replenishment assessment for 2008-2009 fiscal year
2. Mission Creek Subbasin Area of Benefit
 - 1) Hearing on proposed water replenishment assessment for the Mission Creek Subbasin Area of Benefit as authorized by Chapter 7, Sections 31630 through 31639 of the State Water Code
 - 2) Resolution making findings of fact relevant and material to levy of replenishment assessment pursuant to Section 31630 through 31639 of the State Water Code
 - 3) Resolution levying a replenishment assessment for 2008-2009 fiscal year

3. Lower Whitewater River Subbasin Area of Benefit
 - 1) Hearing on proposed water replenishment assessment for the Lower Whitewater River Subbasin Area of Benefit as authorized by Chapter 7, Sections 31630 through 31639 of the State Water Code
 - 2) Resolution making findings of fact relevant and material to levy of replenishment assessment pursuant to Section 31630 through 31639 of the State Water Code
 - 3) Resolution levying a replenishment assessment for 2008-2009 fiscal year

ORDER OF BUSINESS

1. WRITTEN COMMUNICATIONS
2. REPORTS
 - A. General Manager's Reports
 - 1) General Manager's report of activities for March 2008
 - 2) General Manager's report of authorizations, executions and acceptances of documents for March 2008
 - B. Secretary's record of written instruments accepted and recorded during the month of March 2008
 - C. Special Districts Association of Riverside County annual directors meeting and election of Local Agency Formation Commission officers, April 10, 2008
 - D. Colorado River Board meeting of April 16, 2008
 - E. Bay Delta and State Water Contractors meetings of April 16 and 17, 2008
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. Amend the Consulting Services Agreement with JMLord, Inc., to increase the monetary amount for the Coachella Valley Water Management Plan Update
 - B. Block wall and gates modifications at Reservoir Site No. 7992 by District forces, section 8-7-9

4. CONSENT CALENDAR, continued

- C. Reimbursement Agreement with the City of La Quinta for the abandonment, replacement and relocation of 6-inch water pipeline within the Villas of La Quinta, sections 31 and 32-5-7
- D. Booster Station 05657 Phase I- construction project by District forces, section 1-5-6
- E. Increase the monetary amount for the Palm Desert Water Reclamation Plant No. 10 Biosolids Improvement Project
- F. Renewal of Contract Services Agreement with National Environments Solutions, Inc., for manhole vector control (spraying of sewer manholes) for Fiscal Year 2007-2008
- G. Residential curbside conservation buffer demonstration project

(End of Consent Calendar)

5. OTHER BUSINESS

- A. Award construction Contract for the Dike No. 4 Groundwater Recharge Pump Station, Specification No. 2008-2, section 34-6-7
- B. Award drilling Contract for Well No. 6808-1, Specification 2008-7, and a fencing Contract for the construction of a perimeter chainlink fence around the well site, section 19-6-8
- C. Authorize a Professional Services Agreement for the hydraulic analysis of capacity and storage availability for the Coachella Canal
- D. Authorize Confidentiality Agreement for the use of the Coachella Valley groundwater model in the development of the Mission Creek and Garnet Hill Water Management Plan
- E. Claim of Joseph R. Sanders, subsidence of residential property

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
- B. Public Employee Performance Evaluation
Pursuant to Government Code Section 54957
Title: General Manager-Chief Engineer

7. ADJOURN TO CLOSED SESSION, continued

C. 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 766-110-014 and 766-110-015

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

Under negotiation: Instructions to negotiator will concern price and terms

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: 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

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

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: Bobbie Ray Preckwinkle, Stephen Rice and Chad Siva v. Coachella Valley Water District, complaint

3) Name of Case: Riverside County Superior Court Case No. 18035 in regards to Waters of Whitewater River and its Tributaries

4) CVWD v. Roger Snellenberger Development Corporation, etc., et al RSC No. INC 057641

5) 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. ADJOURN TO CLOSED SESSION, continued
 - 6) Landmark Properties, U.S., Inc., v. Coachella Valley Association of Governments, Case No. INC071351
 - 7) State of California ex rel. Nora Armenta v. James Jones Company, et al., Civil No. BC 173487
 - 8) Richard J. Meyer vs. Coachella Valley Water District, Case No. INC 063043, Complaint for Inverse Condemnation; and precondemnation damages
 - 9) Coachella Valley Water District v. City of Indio, Sun-Cal Companies as Real Party in Interest, Case No. INC 065049
 - 10) Coachella Valley Water District v. City of Indio, Riverside County Superior Court Case No. INC 073838
 - 11) Mary Justice, an individual vs. Coachella Valley Water District; County of Riverside; Coachella Valley Association of Governments, Case RIC No. 451297
 - 12) James L. Milne, et al. vs. Coachella Valley Water District Public Facilities Corporation, Case No. INC076069
 - 13) Bashford Hot Mineral Spa, LLC, a California Limited Liability Company, and Imperial Hot Mineral Spa, Inc., a California Corporation vs. Coachella Valley Water District, et al., Case No. ECU 02997
8. RECONVENE
 - A. Report on closed session
9. ADJOURNMENT

Next Scheduled Board Meeting: May 13, 2008

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.