



BOARD PRESIDENT
John P. Powell Jr.
DIVISION 3

VICE PRESIDENT
Castulo R. Estrada
DIVISION 5

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

October 11, 2022

DIRECTOR
John Aguilar
DIVISION 1

DIRECTOR
Anthony Bianco
DIVISION 2

DIRECTOR
Peter G. Nelson
DIVISION 4

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

President Powell called the regular meeting of the Board of Directors of the Coachella Valley Water District to order at 5:00 p.m., Tuesday, October 11, 2022, at the office of the District in Palm Desert, California. The Pledge of Allegiance was led by President Powell.

2. ROLL CALL

Present: President John P. Powell, Jr
Director Anthony Bianco
Director John Aguilar
Director Peter Nelson

Absent: Vice President Cástulo R. Estrada
General Manager, Jim Barrett

Staff Present: Robert Cheng, Assistant General Manager
Jeff Ferre, Counsel
Sylvia M. Bermudez, Clerk of the Board

3. 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. 5:13-cv-00883-JGB (SPx)
- B. 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. 5:20-cv-00174-JGB-SPx
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
California Department of Water Resources v. All Persons Interested etc. (“Contract Extension Amendments”) and consolidated cases, Sacramento Superior Court Case Nos. 34-2018-00246183, 34-2019-80003053, No.

34-2019-80003047; California Court of Appeal Case Nos. C096304, C096316, C096384

- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9.
One (1) Case

4. RECONVENE

- A. Report out of Closed Session
President Powell convened the meeting back to open session and announced there were no reportable actions.

5. ADDITIONS/DELETIONS/ADJUSTMENTS TO THE AGENDA

In accordance with the section 54954.2 of the Government Code additions to the agenda require a two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the Agenda.

- A. Item No. 10 B was removed from the Agenda
B. No emergency items added to the Agenda
C. No changes to the order of the Agenda

6. PUBLIC COMMENT

There was no public comment.

7. SPECIAL PRESENTATION & RECOGNITIONS

- A. Employee recognition for the month of October 2022
Anniversary
- Jeff Sodja, Domestic Crew Chief, 35 years

8. CONSENT CALENDAR

- A. Clerk of the Board – Minutes of the September 27, 2022, Regular Meeting of the Coachella Valley Water District Board of Directors
B. Engineering – Approve Additional Deposit in the amount of \$12,708 to continue to Fund a Cost Recovery Agreement with the Bureau of Land

Management for the Whitewater River Groundwater Replenishment Facility
Right-of-Way Grant Application

- C. Engineering – Approve and authorize the General Manager to execute Task Order No. 6 to a Professional Services Agreement with Black & Veatch in the amount of \$68,451 to prepare Title XVI Feasibility Study Report for the WRP 7 Phase 1 Non-Potable Water Improvements Project
- D. Environmental Services – Approve and authorize the General Manger to execute Task Order No. 10 to the Professional Services Agreement with Woodard & Curran, in the amount of \$132,304 to Prepare a Grant Application for the 2022 Urban Community Drought Relief Grant Program, and authorize staff to submit the 2022 Urban Community Drought Relief Grant Program application on behalf of the Coachella Valley Regional Water Management Group (CVRWMG)
- E. Environmental Services – Approve and authorize the General Manager to execute Task Order No. 12 to the Professional Services Agreement with Todd Groundwater, Inc. in the amount of \$95,440 to Prepare Applications for the Sustainable Groundwater Management Grant Program and authorize staff to submit individual applications to the SGMA Implementation Round 2 funding solicitation on behalf of the Indio Subbasin Groundwater Sustainability Agencies (GSAs) and of the Mission Creek Subbasin GSAs
- F. Environmental Services – Approve and authorize the General Manager to execute Task Order No. 13 to the Professional Services Agreement with Todd Groundwater, Inc. for \$113,405 to Complete an Agricultural Drain Flow Study identified in the Projects and Management Actions of the 2022 Indio Subbasin Water Management Plan Update (2022 Alternative Plan Update)
- G. Operations – Approve and authorize the General Manager to execute a Contract Services Agreement with Kartal Corporation, dba American Car Wash, in an amount not-to-exceed \$120,000 for Mobile Vehicle Cleaning Services
- H. Operations – Approve and authorize the General Manager to execute a Contract Services Agreement with J.R. Filanc Construction Company, Inc., (Filanc) in an amount not-to-exceed \$250,000 for On-call Pipeline Maintenance and Repair Services

On a motion by Director, Peter Nelson second by Director, John Aguilar, the board approved the Consent Calendar as presented.

Approved by the following roll vote:

Ayes: Powell, Aguilar, Bianco, Nelson

Noes: None

Absent: Estrada

Abstain: None
Recuse: None
Motion : 4-0

9. ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

No items pulled for discussion.

10. ACTION CALENDAR

Engineering

- A. **Approve the Solicitation of Bids for the Purchase of Motor Control Centers (MCCs) for the Well 4529-1 and Well 4530-1 Projects, Specification No. 2022-50**

RECOMMENDED ACTION: Approve the solicitation of bids for the purchase of Motor Control Centers (MCCs) for the Well 4529-1 and Verano Well 4530-1 Projects, Specification No. 2022-50

On a motion by Director, John Aguilar second by Director, Peter Nelson, the board approved the solicitation of bids for the purchase of Motor Control Centers (MCCs) for the Well 4529-1 and Well 4530-1 Projects, Specification No. 2022-50.

Approved by the following vote:

Ayes: Powell, Aguilar, Bianco, Nelson

Noes: None

Absent: Estrada

Abstain: None

Recuse: None

Motion Passed: 4-0

Environmental Services

- B. **Determine and Fix Unreported Groundwater Production for January 2020 through September 2022 for Hung Chin Shun**

RECOMMENDED ACTION: Determine and Fix Unreported Groundwater Production for January 2020 through September 2022 for Hung Chin Shun

Item No. 10B was removed from the agenda; no discussion or action taken.

Finance

- C. **Approve additional funding of \$52,000 to SDI Presence, LLC (SDI) to the procurement phase related to the replacement of the existing NaviLine Enterprise Resource Planning (ERP) and Utility Billing (UB) systems, plus 10% contingency of \$5,200**

RECOMMENDED ACTION: Approve additional funding of \$52,000 to SDI Presence, LLC to complete the procurement phase related to the

replacement of the existing ERP and UB systems and an additional 10% contingency in the amount of \$5,200.

On a motion by Director, Peter Nelson second by Director, Anthony Bianco, the board approved additional funding of \$52,000 to SDI Presence, LLC to complete the procurement phase, related to the replacement of the existing ERP and UB systems, and an additional 10% contingency in the amount of \$52,000.

Approved by the following vote:

Ayes: Powell, Aguilar, Bianco, Nelson

Noes: None

Absent: Estrada

Abstain: None

Recuse: None

Motion Passed: 4-0

11. INFORMATIONAL ITEMS AND REPORTS

- A. Written Communications to the Board (on file)

12. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

- A. Board General Comments

- Director Nelson commented on California's offer to conserve 400-acre ft of water in 2023, contingent upon compensation; and reported that there was a meeting on 10/7/2022 where the CA Natural Resources and USBR continue to make Salton Sea efforts a high priority.

- B. Board Requests for Future Agenda Items - No requests.

13. BOARD MEETING REPORTS

- A. Meetings and Conference Reports

- 1) September 7, 2022, North Shore Elementary School Predevelopment Meeting (Director Estrada) **continue report*
- 2) September 26, 2022, FY24 Strategic Planning Board Input Meeting (Director Aguilar)
- 3) September 28, 2022, Golf and Water Task Force (Director Powell and Bianco)
- 4) September 29, 2022, All Valley Mayors and Tribal Chairpersons Luncheon (Director Estrada) **continue report*

- 5) October 4, 2022, Strategic Planning Workshop 2022 (Directors Powell, Aguilar, Bianco, Estrada)
- 6) October 6, 2022, Southern California Water Coalition (SCWC) A Collaborative Approach to Colorado River Management Webinar (Directors Bianco and Nelson)
- 7) October 10, 2022, Desert Valleys Builders Association Meeting (Director Powell)

B. Approval of Per Diem for Meetings Reported

On a motion by Director, John Aguilar second by Director, Peter Nelson, the board approved per diem for meetings reported.

Approved by the following vote:

Ayes: Powell, Aguilar, Bianco, Nelson

Noes: None

Absent: Estrada

Abstain: None

Recuse: None

Motion Passed: 4-0

14. REPORTS

- A. General Manager – Assistant General Manager, Robert Cheng provided an update on COVID.
- B. Counsel – Jeff Ferre, General Counsel, reported on AB 2449. Will provided a detailed memo to Board with all the legal details.
- C. Departments – no reports

15. ADJOURNMENT

There being no further business, President Powell adjourned the meeting at 6:35 p.m. The next regularly scheduled meeting is 8:00 a.m. on Tuesday, October 25, 2022, in Coachella.