



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**

December 13, 2022

www.cvwd.org

DIRECTOR
John Aguilar
DIVISION 1

DIRECTOR
Anthony Bianco
DIVISION 2

DIRECTOR
Peter G. Nelson
DIVISION 4

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Vice President Estrada called the regular meeting of the Coachella Valley Water District Board of Directors to order at 8:00 a.m., Tuesday, December 13, 2022, at the office of the District in Palm Desert, California.

2. ROLL CALL

Present: Board President John Powell
Vice President Castulo Estrada
Director John Aguilar
Director Anthony Bianco
Director Peter Nelson

Absent: None

Staff Present: General Manager Jim Barrett
General Counsel Jeff Ferre
Clerk Sylvia Bermudez

3. 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. No items removed or continued from the agenda
- B. No emergency items added to the agenda
- C. No changes to the order of the agenda

4. PUBLIC COMMENT

Steve Reid and Jai Ghatnekar provided public comment.

5. SPECIAL PRESENTATION & RECOGNITIONS

- A. Employee recognitions for the months of November and December 2022
Anniversary

- Edward Tapia, Domestic Crew Chief, 20 years (not attending)

Retirements

- Mike Garcia, Assistant Director of Operations-Sanitation, 35 years
- Dave Anderson, Mechanical Technician II, 15 years

6. CONSENT CALENDAR

- A. Administration – Accept and file the General Manager's Report of Activities for October 2022
- B. Administration – Accept and file the General Manager's Report of Authorizations, Executions, and Acceptances of Documents in October 2022
- C. Administration – Approve payment of California Farm Water Coalition 2023 Annual Membership Dues in the amount of \$9090
- D. Clerk of the Board – Affirm Resolution No. 2022-10, extending the use of provisions found in Government Code Section 54956(e), and findings related to the State of Emergency due to COVID-19 that authorize the continued use of remote teleconferencing provisions pursuant to AB 361 and Government Code Section 54953
- E. Clerk of the Board – Approve the Minutes of the November 8, 2022, Coachella Valley Water District Board of Directors Meeting
- F. Clerk of the Board – Accept and file the Secretary's Report of Written Instruments Accepted and Recorded during the month of October 2022
- G. Engineering – Authorize the expenditure of \$124,607.83 for the Rehabilitation of Non-Potable Water Pump 8305 and additional expenditures in the amount of \$90,000 for a total authorization of \$214,607.83 for the Water Reclamation Plant No. 10 Process Optimization Project
- H. Engineering – Approve and authorize the General Manager to execute Amendment No.1 to Task Order No.1 to the Biennial Professional Services Agreement with Black & Veatch, Inc. in the amount of \$36,240 for Continued Engineering Support on the Winged Foot Sewer Pipeline and approve additional expenditures for a total request of \$44,240

- I. Engineering – Approve and authorize the General Manager to execute Professional Services Agreements for Biennial Soil and Concrete Testing Services for Calendar Years 2023 and 2024 with Atlas Technical Consultants, LLC, NV5 West, Inc., RMA Group and Leighton Consulting, Inc.
- J. Engineering – Approve and authorize the General Manager to execute the First Amendment to the Special Domestic Water and Stormwater System Installation Agreement with H.N. and Frances C. Berger Foundation
- K. Engineering – Approve and authorize the General Manager to reimburse the City of Palm Desert for Valve and Manhole Adjustments for the Cook Street Pavement Rehabilitation Project 752-21 in the amount of \$99,600 and approve additional expenditures for a total request of \$109,560
- L. Engineering – Approve and authorize the General Manager to execute Task Order No.2 to the Biennial Professional Services Agreement with Black & Veatch, Inc. in the amount of \$258,498 for the Lift Station 55-12 and Lift Station 81-07 Upgrade Project and approve additional expenditures for a total request of \$317,498
- M. Finance – Approve Resolution Nos. 2022-61 and 2022-62, and authorize the General Manager to execute the Clean Water State Revolving Fund Loan Application for Fiscal Year 2023-2024 Phase 1 Nonpotable Water Improvement Projects: WRP 7 Tertiary Improvements, MP 113.2 Pump Station Rehabilitation, and Young’s Farmland Nonpotable Water Connection
- N. Human Resources-Risk – Approval of successor Memorandum of Understanding (MOU) between the Coachella Valley Water District (The "District") and the Coachella Valley Water District Employee Association (The "Association")
- O. Operations – Approve and authorize the General Manager to execute a Two-Year Professional Services Agreement with Cost Control Associates, Inc., in the amount of \$27,420 annually, with three additional one-year extension options for a maximum five-year cumulative total for Electrical Utility Bill Processing, Payment, and Data Management Services, and approve additional expenditures for a total request of \$150,000
- P. Service & Communication – Approve and authorize the General Manager to execute the Coachella Valley Water District and City of Indian Wells Cost-Share Agreement for Cooperative Turf Rebate Program

On a motion by Director, Anthony Bianco second by Director, John Aguilar, the board approved Consent Calendar items 6A through 6P, as presented.

Approved by the following roll vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

7. ITEMS PULLED FROM CONSENT CALENDAR FOR DISCUSSION

No items pulled.

8. ACTION CALENDAR

Administration

A. **General Manager Employment Agreement - Payment of Incentive Compensation for 2022 Performance Goals**

RECOMMENDED ACTION: Consider approving a discretionary bonus in the amount of \$32,441.80 for meeting a certain percentage of the 2022 performance goals under the Seventh Amendment to the Employment Agreement with the General Manager.

On a motion by Director, Anthony Bianco second by Vice President, Castulo Estrada, the board approved a discretionary bonus in the amount of \$32,441.80 for meeting a certain percentage of the 2022 performance goals under the seventh amendment to the Employment Agreement with the General Manager.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

Engineering

- B. **Waive the immaterial deviations in Weka, Inc.'s bid, reject the bid protest of Sukut Construction, LLC, award a Construction Contract to Weka, Inc., as the lowest responsive and responsible bidder for the FY 2020-21 Non-Potable Water (NPW) Off-Site Pipeline Projects, Specification No. 2022-22 in the amount of \$21,057,581, authorize the General Manager to execute a construction contract with Weka, Inc., and approve additional expenditures for a total request of \$24,793,671**
- RECOMMENDED ACTION:** Approve actions related to the FY 2020-21 Non-Potable Water (NPW) Off-Site Pipeline Projects, Specification No. 2022-22: Waive the immaterial deviations in Weka, Inc's bid, reject the bid protest of Sukut Construction, LLC, award a Construction Contract to Weka, Inc., as the lowest responsive and responsible bidder for the FY 2020-21 Non-Potable Water (NPW) Off-Site Pipeline Projects, Specification No.

2022-22 in the amount of \$21,057,581, authorize the General Manager to execute a construction contract with Weka, Inc., and approve additional expenditures for a total request of \$24,793,671.

On a motion by Director, John Aguilar second by Vice President, Castulo Estrada, the board approved the following actions related to the FY 2020-21 Non-Potable Water (NPW) Off-Site Pipeline Projects, Specification No. 2022-22:

- Waived the immaterial deviations in Weka, Inc.'s bid,
- Rejected the bid protest of Sukut, Construction, LLC, as moot
- Awarded the Construction Contract to Weka, Inc., as the lowest responsive and responsible bidder for the FY 2020-21 Non-Potable Water (NPW) Off-Site Pipeline Projects, Specification No. 2022-22 in the amount of \$21,057,581
- Authorized the General Manager to execute the Construction Contract with Weka, Inc. for the FY 2020-21 Non-Potable Water (NPW) Off-Site Pipeline Projects, Specification No. 2022-22
- Authorized the following expenditures for a total request of \$24,793,671
 - Professional Services Agreement with Michael Baker Corporation for engineering services during construction – \$517,100
 - Task Order No. 6 with RMA Group for soils and concrete testing services – \$192,770
 - Task Order No. 1 with Vanir Construction Management for Clean Water State Revolving Fund (CWSRF) loan compliance support – \$282,920
 - CVWD Project Management – \$300,000
 - Construction Inspection – \$245,000
 - Contingency (4%) – \$842,300 Estimated interest on loan – \$1,356,000 based on loan terms of 30 years at 0.8% interest

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- C. **Reject all bids for the Replacement of Ion Exchange Treatment Plant No. 7991 Project, Specification No. 2022-04, authorize the General Manager to execute a Professional Services Agreement with Michael Baker International to modify the design of the Project, and approve the solicitation of bids for the modified project**

RECOMMENDED ACTION: Authorize the General Manager to reject all bids for the Replacement of Ion Exchange Treatment Plant No. 7991 Project, Specification No. 2022-04 (Project),

authorize the General Manager to execute a Professional Services Agreement (PSA) with Michael Baker International (MBI) to modify the design of the Project. The total cost of this request is \$202,095.

On a motion by Director, Castulo Estrada second by Director, Anthony Bianco, the board approved the following actions:

- Authorized the General Manager to reject all bids for the Replacement of Ion Exchange Treatment Plant No. 7991 Project, Specification No. 2022-04 (Project)
- Authorized the General Manager to execute a Professional Services Agreement (PSA) with Michael Baker International (MBI) in the amount of \$172,095 to modify the design of the Project.
- Approved the solicitation of bids for the Project following the design modifications
- Authorized the following expenditures, for a total cost of \$202,095
 - CVWD Project Management and Engineering – \$20,000
 - Project Contingency – \$10,000

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- D. **Authorize the General Manager to execute a Purchase Agreement with Tesco Controls, LLC, in the amount of \$725,500 for the Purchase of Motor Control Centers (MCCs) for Well 4529-1 and Well 4530-1 Projects, Specification No. 2022-50, approve Budget Amendment Resolution No. 22-23-003, and authorize additional expenditures for a total request of \$760,000**

RECOMMENDED ACTION: Authorize the General Manager to execute a purchase agreement with Tesco Controls, LLC, in the amount of \$725,500 for the Purchase of Motor Control Centers (MCCs) for the Well 4529-1 and Well 4530-1 Projects, Specification No. 2022-50, and approve Budget Amendment Resolution No. 22-23-003.

On a motion by Director, John Aguilar second by Director, Anthony Bianco, the board approved the following actions:

- Authorized the General Manager to execute a purchase agreement with Tesco Controls, LLC, in the amount of \$725,500 for the Purchase of Motor Control Centers (MCCs) for the Well 4529-1 and Well 4530-1 Projects, Specification No. 2022-50
- Approved Budget Amendment Resolution No. 22-23-003

- Approved the following additional expenditures, for a total request of \$760,000:
 - Engineering and Project Management - \$10,000
 - CVWD Forces - \$5,000
 - Contingency (3%) – \$19,500

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- E. **Award a Construction Contract to The Van Dyke Corporation, as the lowest responsive and responsible bidder, in the amount of \$841,607 for the Johnson Street Drain Improvement Project (IR2101), Specification No. 2020-38, authorize the General Manager to execute the Construction Contract with The Van Dyke Corporation, approve Budget Amendment Resolution No. 22-23-004, and approve additional expenditures for the total request of \$1,160,967**
- RECOMMENDED ACTION:** Approve actions related to the Johnson Street Drain Improvement Project, Specification No. 2020-38
- Award the Construction Contract to The Van Dyke Corporation, as the lowest responsive and responsible bidder, in the amount of \$841,607 for the construction of the Johnson Street Drain Improvement Project, Specification No. 2020-38
 - Authorize the General Manager to execute a construction contract with the Van Dyke Corporation for the Johnson Street Drain Improvement Project, Specification No. 2020-38
 - Approve Budget Amendment Resolution No. 22-23-004
 - Authorize the following expenditures for a total cost of \$1,160,967:
 - Amendment No. 1 to Task Order No. 20, with Krieger & Stewart, Inc. (K&S) in the amount of \$44,000 to provide engineering services during construction as the Engineer of Record
 - Task Order No. 7 to the Biennial Soil and Concrete Testing Professional Services Agreement with RMA to provide geotechnical services during construction in the amount of \$69,360
 - CVWD Project Management and Engineering - \$25,000
 - CVWD Inspection Services - \$85,000 Inspection services for this project will be provided by CVWD inspection staff and/or CVWD's on-call inspection firms. If an on-call inspection firm is used a Task Order will be

executed and issued in substantially the same form and content as the attached task order

- Caltrans Encroachment Permit - \$15,000
- Riverside County Encroachment Permit - \$25,000
- Contingency (5%) - \$56,000

On a motion by Vice President, Castulo Estrada second by Director, John Aguilar, the board approved the following actions:

- Awarded the Construction Contract to The Van Dyke Corporation, as the lowest responsive and responsible bidder, in the amount of \$841,607 for the construction of the Johnson Street Drain Improvement Project, Specification No. 2020-38
- Authorized the General Manager to execute a construction contract with the Van Dyke Corporation for the Johnson Street Drain Improvement Project, Specification No. 2020-38
- Approved Budget Amendment Resolution No. 22-23-004
- Authorized the following expenditures for a total cost of \$1,160,967:
 - Amendment No. 1 to Task Order No. 20, with Krieger & Stewart, Inc. (K&S) in the amount of \$44,000 to provide engineering services during construction as the Engineer of Record
 - Task Order No. 7 to the Biennial Soil and Concrete Testing Professional Services Agreement with RMA to provide geotechnical services during construction in the amount of \$69,360
 - CVWD Project Management and Engineering - \$25,000
 - CVWD Inspection Services - \$85,000 Inspection services for this project will be provided by CVWD inspection staff and/or CVWD's on-call inspection firms. If an on-call inspection firm is used a Task Order will be executed and issued in substantially the same form and content as the attached task order
 - Caltrans Encroachment Permit - \$15,000
 - Riverside County Encroachment Permit - \$25,000
 - Contingency (5%) - \$56,000

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- F. **Authorize the General Manager to execute a Reimbursement Agreement with the City of Cathedral City for Construction of the Via De Anza Water Main Replacement - Phase 2 Project, and approve Budget Amendment Resolution No. 22-23-005:**

RECOMMENDED ACTION: Authorize the General Manager to execute a Reimbursement Agreement (Agreement) with the City of Cathedral City (City) for the Via De Anza Water Main Replacement - Phase 2 Project (Project) located along Via De Anza between Dinah Shore Drive and Olancha Road with an estimated construction cost of \$470,000. It is also recommended that the Board authorize the following expenditures in the amount of \$120,000: Project Management and Engineering - \$25,000 CVWD Inspection - \$15,000 CVWD Forces (tie-in connections) - \$60,000 Contingency (3.5%) - \$20,000 The total cost of this request is \$590,000.

On a motion by Director, John Aguilar second by Vice President, Castulo Estrada, the board approved the following actions:

- Authorized the General Manager to execute a Reimbursement Agreement (Agreement) with the City of Cathedral City (City) for the Via De Anza Water Main Replacement - Phase 2 Project (Project) located along Via De Anza between Dinah Shore Drive and Olancha Road with an estimated construction cost of \$470,000
- Authorized the following expenditures in the amount of \$120,000:
 - Project Management and Engineering - \$25,000
 - CVWD Inspection - \$15,000
 - CVWD Forces (tie-in connections) - \$60,000
 - Contingency (3.5%) - \$20,000 The total cost of this request is \$590,000.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- G. **Authorize the General Manager to execute Task Order No. 1 to the Biennial Professional Services Agreement with Albert A. Webb Associates in the amount of \$403,989 to provide engineering design services for the Rehabilitation and Upgrade of Booster Pump Stations 07101, 07102, and 07990 Project and approve additional expenditures for a total request of \$450,000**

RECOMMENDED ACTION: Authorize the General Manager to execute Task Order No. 1 to the Biennial Professional Services Agreement with Albert A. Webb Associates (Webb Associates) in the amount of \$403,989 to provide engineering design services for the preparation of construction plans and specifications for the Rehabilitation and Upgrade of Booster Pump Stations 07101, 07102, and 07990 Project (Project). This request includes the

following additional expenditures: · Project Management and Engineering - \$25,000 · Contingency (4.9%) - \$21,011 The total cost of this request is \$450,000.

On a motion by Vice President, Castulo Estrada second by Director, Anthony Bianco, the board approved and authorized the General Manager to execute Task Order No. 1 to the Biennial Professional Services Agreement with Albert A. Webb Associates (Webb Associates) in the amount of \$403,989 to provide engineering design services for the preparation of construction plans and specifications for the Rehabilitation and Upgrade of Booster Pump Stations 07101, 07102, and 07990 Project (Project). This request includes the following additional expenditures: · Project Management and Engineering - \$25,000 · Contingency (4.9%) - \$21,011 The total cost of this request is \$450,000.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

H. **Authorize the General Manager to execute the Bureau of Indian Affairs application documents for Acquisition of Water Pipeline Easements with Allotment No. 292, Allotment No. 324E, Allotment No. 324, and Tribal Parcel 321 for the Avenue 66 Water Transmission Main, Phase 2 Project**

RECOMMENDED ACTION: Authorize the General Manager to execute the Bureau of Indian Affairs (BIA) application documents for acquisition of water pipeline easements with Allotment No. 292, Allotment No. 324E, Allotment No. 324, and Torres-Martinez Tribal Parcel No. 321 for the Avenue 66 Water Transmission Main, Phase 2 Project. This request also authorizes the General Manager to execute any additional documents related to the acquisition of these easements. It is also requested that the Board of Directors approve the following additional expenditures for purchase of the water pipeline easements as negotiated with the allottees: · Allotment 292 - \$24,000 · Allotment 324 - \$28,000 · Allotment 324E - \$11,000 · Contingency - \$10,000 The total cost of this request is \$73,000.

On a motion by Vice President, Castulo Estrada second by Director, Anthony Bianco, the board approved the following actions:

- Authorized the General Manager to execute the Bureau of Indian Affairs (BIA) application documents for acquisition of water pipeline easements with Allotment No. 292, Allotment No. 324E, Allotment No. 324, and Torres-Martinez Tribal

Parcel No. 321 for the Avenue 66 Water Transmission Main, Phase 2 Project

- Authorized the General Manager to execute any additional documents related to the acquisition of these easements
- Approved the following additional expenditures for purchase of the water pipeline easements as negotiated with the allottees, for a total request of \$73,000:
 - Allotment 292 - \$24,000 ·
 - Allotment 324 - \$28,000 ·
 - Allotment 324E - \$11,000 ·
 - Contingency - \$10,000

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

Environmental Services

- I. **Authorize the General Manager to approve a Modification of the East Whitewater River Subbasin Area of Benefit**

RECOMMENDED ACTION: Authorize the General Manager to approve a modification to the East Whitewater River Subbasin Area of Benefit (East AOB) boundary.

On a motion by Vice President, Castulo Estrada second by Director, John Aguilar, the board approved and authorized the General Manager to approve a modification to the East Whitewater River Subbasin Area of Benefit (East AOB) boundary.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- J. **Certify the California Environmental Quality Act (CEQA) Certification Thousand Palms Flood Control Project Final Program Environmental Impact Report, Adoption of the Mitigation Monitoring and Reporting Program, Findings of Facts, and Statement of Overriding Considerations, and authorize staff to file a Notice of Determination**
- RECOMMENDED ACTION:** 1) Certify the Final Environmental Impact Report; 2) Adopt the Mitigation Monitoring and Reporting Program; 3) Adopt the Findings of Facts and Statement of Overriding Considerations; and 4) Authorize CVWD's Clerk of the Board to file a Notice of Determination with the Riverside County

Clerk and State Clearinghouse within 5 working days of Project approval.

On a motion by Vice President, Castulo Estrada second by Director, Anthony Bianco, the board certified the Final Environmental Impact Report, adopted the Mitigation Monitoring and Reporting program, adopted the Findings of Fact and Statement of Overriding Considerations, and authorized the CVWD's Clerk of the Board to file a Notice of Determination with the Riverside County Clerk and State Clearinghouse within 5 working days of the Project approval.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- K. **Certify the California Environmental Quality Act (CEQA) Sanitation Master Plan Update 2020 Final Program Environmental Impact Report, Adoption of the Mitigation Monitoring and Reporting Program, Findings of Facts, approval of the Sanitation Master Plan Update 2020, and authorize staff to file a Notice of Determination**

RECOMMENDED ACTION: 1) Certify the Final Program Environmental Impact Report; 2) Adopt the Mitigation Monitoring and Reporting Program; 3) Adopt the Findings of Facts; 4) Authorize CVWD's Clerk of the Board to file a Notice of Determination with the Riverside County Clerk and State Clearinghouse within 5 working days of Project approval; and 5) Approve the Sanitation Master Plan Update 2020 (Volumes 1-4).

On a motion by Director, John Aguilar second by Vice President, Castulo Estrada, the board certified the Final Program Environmental Impact Report, adopted the Mitigation Monitoring and Reporting Program, adopted the Findings of Facts, authorized CVWD's Clerk of the Board to file a Notice of Determination with the Riverside County Clerk and State Clearinghouse within 5 working days of project approval, and approved the Sanitation Master Plan Update 2020 (Volumes 1-4).

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

Operations

- L. **Authorize the General Manager to execute a Purchase Agreement with Northern Digital, Inc., in the amount of**

\$723,078 for Programmable Logic Control Materials – Telemetry Upgrade Project Phase II, and approve additional expenditures for a total request of \$800,000

RECOMMENDED ACTION: Authorize the General Manager to execute a Purchase Agreement (PA) with Northern Digital, Inc., (NDI) in the amount of \$723,078 for the Potable Telemetry Upgrade Project, Phase II (Project). It is also recommended that the Board authorize a contingency in the amount of \$76,922, for a total requested authorization of \$800,000.

On a motion by Vice President, Castulo Estrada second by Board President, John Powell, the board approved and authorized the General Manager to execute a Purchase Agreement (PA) with Northern Digital, Inc., (NDI) in the amount of \$723,078 for the Potable Telemetry Upgrade Project, Phase II (Project). It is also recommended that the Board authorize a contingency in the amount of \$76,922, for a total requested authorization of \$800,000

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

Service & Communication

- M. **Award a Two-Year Contract to Best, Best & Krieger, LLP from January 1, 2023, to December 31, 2024 (renewable for up to four years) for new State Lobbying services, and authorize the General Manager to execute contract**

RECOMMENDED ACTION: Award a two-year contract to Best, Best and Krieger, LLP from January 1, 2023, to December 31, 2024 (renewable for up to four years) for state lobbying services and authorize the General Manager to execute contract.

On a motion by Vice President, Castulo Estrada second by Director, John Aguilar, the board awarded a two-year contract to Best, Best and Krieger, LLP from January 1, 2023, to December 31, 2024 (renewable for up to four years) for state lobbying services and authorize the General Manager to execute contract.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

- N. **Adoption of the Coachella Valley Water District Legislative & Policy Platform for 2023-2024**

RECOMMENDED ACTION: Staff requests adoption of the District's biennial Legislative & Policy Platform for 2023-2024.

On a motion by Director, Peter Nelson second by Vice President, Castulo Estrada, the board adopted the District's biennial Legislative and Policy Platform for 2023-2024.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

9. INFORMATIONAL ITEMS AND REPORTS

A. Written Communications to the Board as filed

Recess as the Board of Directors; reconvene as the Public Facilities Corporation

On a motion by Vice President, Castulo Estrada second by Director, John Aguilar, the board approved the minutes of the December 7, 2021, Public Facilities Corporation Annual Meeting.

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

Recess as the Public Facilities Corporation; reconvene as the Board of Directors

11. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

A. Board General Comments

- Director Aguilar thanked his supporters for his successful re-election.
- Director Nelson congratulated Director Aguilar on his re-election; reported snow levels higher than normal in project area, Colorado River, and Mammoth; expects wetter/snowier season. Currently in Vegas for the Seven Basin States meeting 12/14/2022, and Conference this week.
- Director Powell congratulated Director Aguilar on his re-election.
- Vice President Estrada Congratulated Director Aguilar on his re-election; reported attending the swearing in of Assemblyman Garcia in Sacramento, welcomed him and the new legislation. Informed Board that state speaker Anthony Rendon's term ends June 30, 2023, and Assemblyman Robert Rivas will take his place. Vice President Estrada requested information on the date change of the Employee Recognition Dinner.

B. Board Requests for Future Agenda Items – None

12. BOARD MEETING REPORTS

A. Meetings and Conference Reports

1. October 3, 2022, Agua Caliente Mediation (Director Estrada)
2. October 11, 2022, Palm Springs 40 under 40 Reception (Director Estrada)
3. October 17, 2022, Press Conference on the passing of AB 2877 (Director Estrada)
4. November 9, 2022, Colorado River Board Meeting (Directors Nelson and Estrada) **Estrada did not attend
5. November 10, 2022, USBR, CNRA, CVWD, IID coordinated Salton Sea Mitigation Call (Director Nelson)
6. November 16, 2022, Coachella Valley Irrigated Lands Coalition Board Meeting (Directors Powell and Nelson)
7. November 16, 2022, Disadvantaged Community Infrastructure Task Force Meeting (Director Estrada)
8. November 17, 2022, Imperial Irrigation District Agricultural Irrigation Advisory Board Meeting (Director Nelson)
9. November 17, 2022, SAFER Advisory Group Meeting (Director Estrada)
10. November 18, 2022, The Living Desert Board of Trustees Organization Meeting (Director Bianco)
11. November 18, 2022, USBR, DOI, 7 Basin States Negotiating Discussion (Director Nelson)
12. November 22, 2022, CA Section 5 Contractors coordinating Zoom Call regarding Department of Interior, Notice of Intent, Supplemental Environmental Impact Statement (Director Nelson)
13. November 29, 2022, State Water Contractors: Briefing on the Status of the Delta Conveyance Project (Directors Nelson and Bianco)
14. November 29, 2022, to December 1, 2022, ACWA 2022 Conference and Exhibition (Director Nelson)
15. November 29, 2022, Metropolitan Water District and Desert Water Agency Reception at ACWA Conference (Directors Nelson and Estrada) **Estrada did not attend
16. November 30, 2022, Golf and Water Task Force Meeting (Director Powell)
17. December 6, 2022, Discussion on Joint LAFCO: Alternative Governance and Electrical Services Study (Director Powell)
18. December 8, 2022, Salton Sea Authority Board Meeting (Directors Bianco and Estrada)
19. December 10, 2022, Alianza Community Kermes Event (Director Estrada)
20. December 12, 2022, California Farm Water Coalition Meeting (Director Nelson)
21. December 12, 2022, Desert Valley Builders Association Board of Directors Meeting (Director Powell)

Additional Meetings Reported

22. November 9, 2022, Preparatory call meeting with Salton Sea Authority members for meeting held 11/10/2022 (Vice President Estrada)
23. November 10, 2022, Call Meeting with Secretary Crowfoot, and Commissioner Touton regarding continued discussion about litigation efforts regarding Salton Sea impact mitigation (Vice President Estrada)

24. November 11, 2022, Phone interview with Ian James, LA Times, regarding recent approval for CVWD water conservation efforts for 2022-2023 (Vice President Estrada)
 25. November 21, 2022, Call with CVWD engineering staff to prepare for visit from Antonio Villaraigosa and staff (CA Infrastructure Advisor), for a tour which took place 12/7/2022, of the Eastern Coachella Valley Projects, namely housing related projects (Vice President Estrada)
 26. December 5, 2022, Seven Basin States met to discuss sending a Seven Basin States letter to SEIS about the study (Director Nelson)
 27. December 7, 2022, Tour with Antonio Villaraigosa and staff of the Eastern Coachella Valley infrastructure projects (Director Estrada)
 28. December 8, 2022, Meeting with fellow panelists regarding CRWUA Conference; Jeff Kightlinger to moderate (Director Nelson)
 29. December 9, 2022, Meeting with Mike Wade via Zoom to discuss the nominating committee for California Farm Water Coalition (CFWC) Board (Director Nelson)
- B. Approval of Per Diem for Meetings Reported

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

Approved by the following vote:

Ayes: Powell, Estrada, Aguilar, Bianco, Nelson

Noes: None

Absent: None

Abstain: None

Recuse: None

Motion Passed: 5-0

13. REPORTS

- A. General Manager, Jim Barrett provided an update on COVID numbers; finalized the Salton Sea Authority MOU commitment with the Department of Interior; and reported the lobby area remodel was recently completed, which includes new ballistic glass barriers and doors.
- B. Counsel, Jeff Ferre had no report.
- C. Departments – None

14. CLOSED SESSION AGENDA

- A. CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: General Manager
Unrepresented Employees: Administrative, Supervisory, and Executives Employees

15. RECONVENE

- A. Report out of Closed Session
Vice President Estrada convened the meeting to open session and reported there were no reportable actions.

16. ADJOURNMENT

There being no further business to discuss, Vice President Estrada adjourned the meeting at 10:58 a.m. The next regularly scheduled meeting is on Tuesday, January 10, 2023, at 8:00 a.m. in Palm Desert.