



**COACHELLA VALLEY WATER DISTRICT  
SPECIAL MEETING  
OF THE BOARD OF DIRECTORS  
OFFICIAL MINUTES**

**1. CALL TO ORDER**

President Powell called the special meeting of the Board of Directors of the Coachella Valley Water District to order at 5:24 p.m., Tuesday, November 3, 2020, at the office of the District in Palm Desert, California.

**2. PLEDGE OF ALLEGIANCE**

President Powell led the Pledge of Allegiance.

**3. TELECONFERENCE**

The November 3, 2020 Special Meeting of the Coachella Valley Water District Board of Directors Meeting was conducted pursuant to the Governor's Executive Order N-29-20

**4. ROLL CALL**

Prior to roll call, Counsel Jeff Ferre explained that there were three board members, opposed as to five, attending this meeting due to the procedures that were followed two years ago to recuse three of the five Directors due to financial interests in property within the area of the Oasis In-Lieu Recharge Phase II Project. At that time, in order to achieve a quorum of three for conducting business, the Board implemented the legal procedures for randomly re-qualifying one of those three Directors, which resulted in President Powell being re-qualified to sit on the Board for this matter along with the other two Directors who did not have such financial interests. Consequently, Directors Nelson and Bianco, who are the other two Directors with such financial interests, are recused and are not attending this meeting.

*Present:* President John P. Powell, Jr  
Vice President Cástulo R. Estrada  
Director G. Patrick O'Dowd

*Absent:* Director Anthony Bianco  
Director Peter Nelson

*Staff Present:* Jim Barrett, General Manager  
Jeff Ferre, Counsel – attending telephonically  
Sylvia M. Bermudez, Clerk of the Board

**5. COMMENTS FROM AUDIENCE**

No general public comment received.

**6. ACTION ITEMS****A. Award Construction Contract for the Oasis In-Lieu Recharge Project - Phase II (Specification No. 2020-36).**

Following a presentation by David Wilson, Engineer Manager, the Board discussed awarding of a construction contract for the Oasis In-Lieu Recharge Project, Phase II.

Tim Wilson, Vice President of Ames Construction, and J. Andrew Howard, an attorney representing Ames, provided public comment.

***On a motion by Director O'Dowd, second by Director Powell,*** the Board approved the following actions:

- rejected the bid submitted by Ames Construction, Inc. as non-responsive
- rejected the bid protest received from Sukut Construction, LLC as moot, and
- approved awarding of a construction contract and authorized the General Manager to execute the contract with Sukut Construction, LLC, as the lowest responsive and responsible bidder, in the amount of \$46,088,353.70 for the Oasis In-Lieu Recharge Project - Phase II, Specification No. 2020-36.
- authorized the General Manager to execute Amendment 1 to Task Order No. 1 with Dahl Consultants, Inc. in the amount of \$794,124 to provide engineering services during construction as the Engineer of Record, and
- authorized the General Manager to execute Task Order No. 12 with Atlas Technical Consultants LLC (formerly SCST, LLC) to provide geotechnical services during construction in the amount of \$249,860

**Approved by the following roll call vote:**

**AYES:** Powell, Estrada, O'Dowd

**NOES:** None

**ABSENT:** Bianco, Nelson

**Motion Passed: 3-0**

**7. CLOSED SESSION****A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9

One potential case

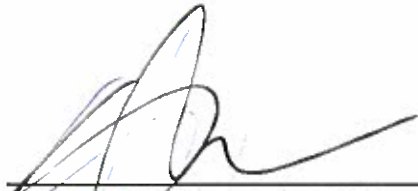
**8. RECONVENE**

A. Report out of Closed Session – ***closed session item not discussed.***

**9. ADJOURNMENT**

Prior to adjournment of the meeting, Director O'Dowd announced that he plans on resigning from the CVWD Board, effective at midnight on November 3, 2020, due to his plans to accept the Executive Director/General Manager position with the Salton Sea Authority.

There being no further business before the Board, Director O'Dowd adjourned the special meeting of the Coachella Valley Water District Board of Directors at 5:54 p.m. The next regular scheduled meeting will be on Tuesday, November 10, 2020 at 8:00 a.m. at the Steve Robbins Administration Building, 75515 Hovley Lane, Palm Desert



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Sylvia M. Bermudez, CMC  
Clerk of the Board  
Coachella Valley Water District



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John P. Powell, Jr, President  
Coachella Valley Water District

