



DIVISION 1
VACANT
Director

DIVISION 2
Anthony Bianco
Director

DIVISION 3
John Powell
President

DIVISION 4
Peter G. Nelson
Director

DIVISION 5
Castulo Estrada
Vice President

Steve Robbins
Administration Building
Board Chambers

75515 Hovley Lane East
Palm Desert, CA

www.cvwd.org

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

November 10, 2020

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 8:02 a.m., Tuesday, November 10, 2020, at the office of the District in Palm Desert, California. President Powell led the Pledge of Allegiance.

2. TELECONFERENCE

The November 10, 2020 Coachella Valley Water District Board of Directors Meeting was conducted pursuant to the Governor's Executive Order N-29-20.

3. ROLL CALL

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

Absent: Vice President Cástulo R. Estrada

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

4. 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 9A was removed from the Agenda
- B. No emergency Items were added to the Agenda
- C. Changes to the order of the Agenda
 - Pulled item 6G for discussion
 - Staff will provide a report under Department Reports 11C.

5. PUBLIC COMMENT

No general public comment received. A comment letter in regards to item 6G was submitted and filed as part of the record.

6. APPROVAL OF THE CONSENT CALENDAR

Item 6G was pulled for discussion; ***On a motion by Director Nelson, second by Director Bianco***, the Board approved the remainder of the Consent Calendar items.

Approved by the following vote:

AYES: Powell, Bianco, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 3-0

- A. Approved minutes of the October 27, 2020 Coachella Valley Water District Board of Director's Meeting
- B. Approved minutes of the November 3, 2020 Special Meeting of the Coachella Valley Water District Board of Director's
- C. Authorized the General Manager to Execute a Drinking Water State Revolving Fund Grant Application for the Saint Anthony and Valley View Projects, and approved Resolution No. 2020-28
- D. Authorized the General Manager to Execute a Special Domestic Water System and Stormwater System Installation Agreement with Desert Recreation District for a Public Park located on 76th Avenue in Thermal
- E. Authorized the General Manager to Execute a Contract Services Agreement to Jeremy Harris Construction, Inc., in the amount of 264,541 for a two-year contract period with the option for up to three (3) additional one-year extensions for the Operation, Maintenance, and Repair of Facilities along the Canal and within the Dos Palmas Preserve as part of the Coachella Canal Lining Project Mitigation
- F. Authorized the General Manager to Execute Amendment No. 1 to Task Order No. 4 with Woodard and Curran, in the amount of \$53,050 for Consulting Services for the Ion Exchange Treatment Plant No. 7991 Replacement Project
- G. ***PULLED FOR DISCUSSION*** - Authorize the General Manager to Award an Agreement to Urban Habitat, as the lowest responsible bidder, in the amount of \$112,404 for Reservoirs Nos. 5643-1 and 5643-2 Landscape Improvements Project, Specification No. 2020-

32, and approve additional expenditures for a total request of \$130,000

- H. Approved payment of American Water Works Association (AWWA) 2021 Annual Membership dues in the amount of \$15,390

7. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

- 6.G. **Authorize the General Manager to Award an Agreement to Urban Habitat, as the lowest responsible bidder, in the amount of \$112,404 for Reservoirs Nos. 5643-1 and 5643-2 Landscape Improvements Project, Specification No. 2020-32, and approve additional expenditures for a total request of \$130,000.**

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed an agreement with Urban Habitat for landscape improvements project, Specification No. 2020-32.

On a motion by Director Nelson, second by Director Bianco, the Board approved and authorized the General Manager to Award an Agreement to Urban Habitat, as the lowest responsible bidder, in the amount of \$112,404 for Reservoirs Nos. 5643-1 and 5643-2 Landscape Improvements Project, Specification No. 2020-32, and approved additional expenditures for a total request of \$140,000.

Approved by the following vote:

AYES: Powell, Bianco, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 3-0

8. INFORMATIONAL REPORTS

- A. Written Communications Received
- B. Informational Reports to the Board
- i Input and Direction on Salton Sea Public Health Protection Act and Salton Sea Authority Resolution No. 20-04, presentation by Kristen Johnson, Government Affairs Specialist

9. ACTION ITEMS

- A. ***ITEM WAS REMOVED FROM AGENDA*** - Authorize the General Manager to Execute a Purchase and Sale Agreement and Joint Escrow Instructions and Irrigation Water Service Agreement with the Tudor Family and Dica Partners, T S Lemon Ranch, Inc., and Citrine Enterprises, LLC for the Oasis In-Lieu Recharge Project, Phase II (C02001), and approve additional expenditures for a total request of \$19,600, presentation by David Wilson, Engineer Manager.
- Staff requested that this item be brought back at a future Board meeting.

- B. **Authorize the General Manager to Award a Construction Contract to Metro Builders & Engineers Group, Ltd, as the lowest responsive bidder, in the amount of \$2,357,732 for the Check Structure at MP 88.6 Replacement Project, Specification No. 2020-39, and approve additional expenditures for a total request of \$2,739,660.**

Following a presentation by David Wilson, Engineer Manager, the Board discussed a construction contract with Metro Builders & Engineers Group, Ltd., for the MP 88.6 Replacement project.

On a motion by Director Nelson, second by Director Powell, the Board approved and authorized the General Manager to Award a Construction Contract to Metro Builders & Engineers Group, Ltd, as the lowest responsive bidder, in the amount of \$2,357,732 for the Check Structure at MP 88.6 Replacement Project, Specification No. 2020-39, and approve additional expenditures for a total request of \$2,739,660.

Approved by the following vote:

AYES: Powell, Bianco, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 3-0

- C. **Authorize the General Manager to Award a Construction Contract to Pacific Hydrotech Corporation, in the amount of \$9,520,800 for Reservoir 4605-2 (Sky Mountain Pressure Zone), Specification No. 2020-6, and approve additional expenditures for a total request of \$10,495,000.**

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed a construction contract for Reservoir 4605-2 (Sky Mountain Pressure Zone), Specification No. 2020-6.

The Board provided direction to staff to return at a future meeting with additional information and a list of other pending projects and costs that the Board will need to consider in the coming months. No action taken.

- D. **Authorize Participation in the Delta Conveyance Project, Execute Funding Agreement and Approve Funding for Planning and Design Costs, Approve Amendments to the Design and Construction Authority Joint Powers Agreement, Approve MOU for Class 8 Election Procedures to DCA Board, Make Determination that the Actions are Exempt from CEQA, and approve Resolution No. 2020-29.**

Following a presentation by Robert Cheng, Assistant General Manager, the Board discussed the Delta Conveyance Project, Funding Agreement, funding for planning and design costs, and amendments to the Design and Construction Authority Joint Powers Agreement.

On a motion by Director Nelson, second by Director Powell, the Board approved Resolution No 2020-29, which includes the following actions:

- authorized Coachella Valley Water District's (CVWD's) participation level of 3.78% in the Delta Conveyance Project
- authorized the General Manager to execute the Agreement for the Advance or Contribution of Money to the California Department of Water Resources (DWR) for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (Funding Agreement)
- authorized funding for CVWD's share of the planning costs for 2021 and 2022, not to exceed \$4,261,248
- authorized the General Manager to execute amendments to the Delta Conveyance Design and Construction Authority (DCA) Joint Powers Agreement
- authorized the General Manager to enter into the Memorandum of Understanding for Class 8 Member Agencies Election Procedures for the DCA Board of Directors; and
- made the determination that the actions are exempt from the California Environmental Quality Act (CEQA)

Approved by the following roll call vote:

AYES: Powell, Bianco, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 3-0

E. **General Manager Employment Agreement - Payment of Incentive Compensation for 2020 Performance Goals.**

The Board discussed employment agreement and payment of incentive compensation for 2020 performance goals for the General Manager. As required by the Brown Act, a summary of the proposed compensation and terms was presented prior to action on this item.

On a motion by Director Nelson, second by Director Bianco, the Board approved the General Manager employment agreement and payment of incentive compensation for 2020 performance goals.

Approved by the following vote:

AYES: Powell, Bianco, Nelson

NOES: None
ABSENT: Estrada
Motion Passed: 3-0

F. **Decision to fill Board vacancy in Division 1 by appointment and authorize the posting of notice of vacancy.**

The Board discussed the vacancy in Division 1 and filling of vacancy by appointment.

On a motion by Director Nelson, second by Director Bianco, the Board approved the filling of the vacancy in Division 1 by appointment and approved the posting of the Notice of Vacancy.

Approved by the following vote:

AYES: Powell, Bianco, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 3-0

10. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Director Nelson - Thanked the General Manager for his work and contributions; thanked Director O'Dowd for his years of service on the Board.
- Director Powell – thanked staff for their work and contribution on the Agua Caliente lawsuit.

B. Meetings and Conference Reports

- i October 14, 2020 Colorado River Board Zoom Meeting (Director Nelson)
- ii October 28, 2020 U.S. Dept. of the Interior Bureau of Reclamation - Stakeholder Virtual Webinar Series - Creatively Addressing Water Challenges in the West (Director O'Dowd) ****remove from agenda***
- iii October 28, 2020 Association of California Water Agencies (ACWA) DAC Safe Drinking Water Initiative Task Force Virtual Meeting (Director O'Dowd) *****remove from agenda***
- iv October 29, 2020 Salton Sea Authority Board Meeting (Director's O'Dowd and Estrada) ****remove for O'Dowd and continue for Estrada***
- v November 2, 2020 ACWA Special Executive Committee to conduct Executive Director's 2020 Evaluation (Director O'Dowd) ****report on file***
- vi November 2, 2020 Solutions MRG - Executive Committee Closed Session Zoom Meeting (Director O'Dowd) ****report on file***

- vii November 3, 2020 ACWA Region 8 Developing a Local Recycled Water Supply through Regional Partnerships (Director O'Dowd) ****did not attend***
- viii November 3, 2020 Special Meeting of the Board - Oasis Project Phase II (Director's Powell, O'Dowd and Estrada)

Additional meetings reported:

- ix. October 15, 2020 Meeting with Jim Barrett, GM, Robert Cheng, Assist. GM and district staff regarding one item on the GM's incentive plan from last year regarding using Colorado River water (Director Powell)
 - x. October 28, 2020 Meeting with Nachhattar Chandi regarding concerns on Avenue 66 domestic water pipeline (Director Powell)
 - xi. November 2, 2020 Prep call with Buzz Thompson regarding call with meditators on Agua Caliente case
 - xii. November 5, 2020 Meeting with Nachhattar Chandi and CVWD staff (Director Powell)
 - xiii. November 5, 2020 Mediation meet and greet regarding Agua Caliente case (Director Powell)
- C. Approval of per diem for meetings reported
On a motion by Director Powell, second by Director Nelson,
the Board approved per diem for meetings reported.

Approved by the following vote:

AYES: Powell, Bianco, Nelson

NOES: None

ABSENT: Estrada

Motion Passed: 3-0

11. STAFF REPORTS

- A. General Manager, Jim Barrett provided an update on current CVWD COVID numbers.
- B. Counsel, Jeff Ferre, had no report.
- C. Departments
 - Service Department – Scott Burritt, Director of Service provided a report on providing canal water for the growing of industrial hemp.

12. CLOSED SESSION AGENDA

- A. **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code Section 54957.6 - Agency negotiator: Jay Trinnaman, Robert Cheng and Fran Neilon - Employees' organization: Association of Supervisory Support Evaluation Team (ASSET)


President Powell reconvened the meeting back into open session and announced there were no reportable actions for item 12A.

14. ADJOURNMENT

There being no further business before the Board, President Powell adjourned the meeting of the Coachella Valley Water District Board of Directors at 11:38 a.m. The next regular scheduled meeting will be on Tuesday, December 8, 2020 at 8:00 a.m. at the Steve Robbins Administration Building, 75515 Hovley Lane, Palm Desert.



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



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

