

DIVISION 1
John Aguilar
Director



Steve Robbins
Administration Building
Board Chambers

DIVISION 2
Anthony Bianco
Director

DIVISION 3
John Powell
President

DIVISION 4
Peter G. Nelson
Director

DIVISION 5
Castulo Estrada
Vice President

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

75515 Hovley Lane East
Palm Desert, CA

www.cvwd.org

January 26, 2021

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Vice President Estrada called the regular meeting of the Board of Directors of the Coachella Valley Water District to order at 8:01 a.m., Tuesday, January 26, 2021 at the office of the District in Palm Desert, California. Pledge of Allegiance was led by Vice President Estrada.

2. TELECONFERENCE

The January 26, 2021 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
Vice President Cástulo R. Estrada
Director Anthony Bianco
Director John Aguilar
Director Peter Nelson

Absent: None

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. No item(s) removed or continued from the Agenda
- B. No emergency item(s) added to the Agenda
- C. No changes to the order of the Agenda

5. PUBLIC COMMENT

No general public comment received.

6. PRESENTATION

- A. Presentation regarding Lake Cahuilla, presentation by Kyla Brown - General Manager/Parks Director, Riverside County Regional Park and Open-Space District; Kevin Kalman - General Manager, Desert Recreation District and Linda Evans - Mayor, City of La Quinta.

The following individuals provided comments regarding the presentation and the extension of the existing lease agreement between CVWD and the County of Riverside for the use of land at Lake Cahuilla: *Hugh Van Horn, Joanie Thompson, Edmund Morris, Chris Bonaddio, Jess Lillyman, and Julian Rangel.*

7. ACTION ITEM

- A. **Approve and authorize the General Manager to execute a Letter Agreement for a one year extension to the existing Lease and Agreement dated March 22, 1971, between CVWD and the County of Riverside for the use of land at Lake Cahuilla.**

Following a presentation by Carrie Oliphant, Director of Engineering, the Board discussed the existing lease agreement between CVWD and the County of Riverside for the use of land at Lake Cahuilla.

On a motion by Director Nelson, second by Director Bianco, the Board approved and authorized the General Manager to execute a Letter Agreement for a one year extension to the existing Lease and Agreement dated March 22, 1971, between CVWD and the County of Riverside for the use of land at Lake Cahuilla, with the following additional conditions to be met by the County: install signage in locations which will make it clear that boating is prohibited; and provide every visitor with materials which make it clear that boating is prohibited and which explain the threat posed by quagga mussels.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, Aguilar, Nelson

NOES: None
ABSENT: None
Motion Passed: 5-0

8. APPROVAL OF THE CONSENT CALENDAR

Consent calendar items are expected to be routine and 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. Approved minutes of the January 12, 2021 Coachella Valley Water District Board of Director's Meeting
- B. Accepted and filed the General Manager's Report of Activities during the month of December 2020
- C. Accepted and filed the General Manager's Report of Authorizations, Executions, and Acceptance of Documents during the month of December 2020
- D. Accepted and filed the Secretary's Report of Written Instruments Accepted and Recorded during the month of December 2020
- E. Approved Resolution No. 2021-02, changing CVWD Board appointments to the Colorado River Board
- F. Approved Payment of 2021 Annual Contribution to Water Education Foundation in the amount of \$7,500
- G. Approved and authorized the General Manager to execute Task Order No. 8 to CDM Smith in the amount of \$49,480 for the Sanitation System Master Plan and Program Environmental Impact Report

On a motion by Director Estrada, second by Director Bianco, the Board approved the Consent Calendar.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

9. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR

None

10. PRESENTATIONS AND RECOGNITIONS

Anniversary

- Ruben Montiel - Development Services Aide, 20 years

Retirements

- Rodney Nason - Canal Maintenance Supervisor, 35 years
- Karen Frane - Administrative Assistant II, 6 years
- Patrick McDaniel - Stormwater Supervisor, 35 years
- Art Vasquez - Domestic Crew Chief, 33 years

- Rick Bennett - Senior Domestic Water Serviceworker, 29 years

11. INFORMATIONAL REPORTS

- A. Written Communications Received; on file
- B. Informational Reports to the Board
- State Legislative "look ahead", presentation by Chris Kahn, Lobbyist
 - Congressional "look ahead" and Administrative transition review, presentation by Ana Schwab and Lowry Crook, Federal Advocacy Team - BB&K

12. ACTION ITEMS

- A. **Approve and authorize the General Manger to execute a Special Domestic Water System and Sanitation System Installation Agreement with EC Rancho Mirage Holdings, ECRM Residential Limited Partnership, ECRM Commercial Limited Partnership, and ECRM Resort Limited Partnership.**

Following a presentation by Carrie Oliphant, Director of Engineering, the Board discussed a Special Domestic Water System and Sanitation System Installation Agreement with EC Rancho Mirage Holdings.

On a motion by Director Bianco, second by Director Aguilar, the Board approved and authorized the General Manger to execute a Special Domestic Water System and Sanitation System Installation Agreement with EC Rancho Mirage Holdings, ECRM Residential Limited Partnership, ECRM Commercial Limited Partnership, and ECRM Resort Limited Partnership

Approved by the following vote:

AYES: Powell, Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

- B. **Approve and adopt the proposed changes to the district Reserve Policy.**

Following a presentation by Geoffrey Kiehl, Director of Finance, the Board discussed the proposed changes to the Reserve Policy.

On a motion by Director Bianco, second by Director Aguilar, the Board approved and adopted the proposed changes to the district Reserve Policy.

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

- C. **Rescind Resolution No. 2018-46 regarding authority to take action of Government Tort Claims and approve updated proposed Resolution No. 2021-03.**

Following a presentation by Elizabeth Tan, Risk Manager, the Board discussed the amendments to the approval authority levels for the Tort Claims process.

On a motion by Director Estrada, second by Director Bianco, the Board rescinded Resolution No. 2018-46 regarding authority to take action of Government Tort Claims and approved Resolution No. 2021-03.

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

- D. **Rescind Resolution No. 2018-47 regarding the authority to settle Workers Compensation Claims and approve updated proposed Resolution No. 2021-04.**

Following a presentation by Elizabeth Tan, Risk Manager, the Board discussed amendments to the settlement authority for Workers Compensation Claims.

On a motion by Director Nelson, second by Director Aguilar, the Board rescinded Resolution No. 2018-47 regarding the authority to settle Workers Compensation Claims and approved Resolution No. 2021-04.

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

- E. **Approve and authorize the General Manager to execute a professional services agreement to Willis Towers Watson for a term of three years, with one optional three-year contract extension, for Property and Casualty Insurance Broker Services, and approve additional expenditures for a total request of \$313,500.**

Following a presentation by Elizabeth Tan, Risk Manager, the Board discussed a services agreement for property and casualty insurance.

On a motion by Director Bianco, second by Director Aguilar, the Board approved and authorized the General Manager to execute a professional services agreement to Willis Towers Watson for a term of three years, with one optional three-year contract extension, for Property and Casualty Insurance Broker Services, and approved additional expenditures for a total request of \$313,500.

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

- F. **Approve and authorize the General Manager to approve a check request in the amount of \$208,087.08 to Imperial Irrigation District to relocate existing transmission poles for the North Indio Regional Flood Control Project (SW0005), and approve additional expenditures for a total request of \$228,896.**

Following a presentation by David Wilson, Engineer Manager, the Board discussed the check request to Imperial Irrigation District to relocate existing transmission poles for the North Indio Regional Flood Control Project.

On a motion by Director Bianco, second by Director Aguilar, the Board approved and authorized the General Manager to approve a check request in the amount of \$208,087.08 to Imperial Irrigation District to relocate existing transmission poles for the North Indio Regional Flood Control Project (SW0005), and approved additional expenditures for a total request of \$228,896.

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

- G. **Approve and authorize the General Manager to execute Purchase and Sale Agreement and Joint Escrow Instructions with Continental East Fund IX, LLC APN 607-240-031 for the North Indio Flood Control Project (SW0005), and approve additional expenditures for a total request of \$162,750.**

Following presentation by David Wilson, Engineer Manager, the Board discussed the Purchase and Sale Agreement and Joint Escrow Instructions with Continental East Fund IX, LLC for the North Indio Flood Control Project.

On a motion by Director Aguilar, second by Director Bianco, the Board approved and authorized the General Manager to execute Purchase and Sale Agreement and Joint Escrow Instructions with Continental East Fund IX, LLC APN 607-240-031 for the North Indio Flood Control Project (SW0005), and approved additional expenditures for a total request of \$162,750.

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

13. BOARD COMMENTS AND REPORTS

A. Board Member General Comments

- Director Bianco commented on the passing of community member Paul Thompson and on COVID-19 vaccines being made available to farm workers in the eastern Coachella Valley area.
- Directors Nelson, Aguilar, Estrada and Powell had no comments.

B. Meetings and Conference Reports

- i January 13, 2021 Colorado River Board Teleconference Meeting (Director Nelson)
- ii January 14, 2021 Coachella Valley Conservation Commission Teleconference Meeting (Director Bianco)
- iii January 14, 2021 Energy & Environmental Resources Committee Teleconference Meeting (Director Bianco)
- iv January 14, 2021 American Ground Water Trust CA TCP Webinar (Director Nelson)
- v January 14, 2021 Desert Valley's Builders Association Teleconference Meeting (Director Powell)
- vi January 19, 2021 Desert Shores Channel Restoration Project & Potential Water Sources (Director's Bianco and Estrada)
- vii January 19, 2021 Disadvantaged Communities Infrastructure Task Force Teleconference Meeting (Director's Powell and Estrada)
- viii January 25, 2021 Standing CVWD Legislative Committee Meeting (Director's Aguilar and Estrada)

Additional Meetings Reported

- ix January 14, 2021 Meeting with State, County of Riverside and Salton Sea Authority to discuss the North Lake project.
- x January 20, 2021 Meeting with agency representatives on the Lake Cahuilla project.

C. Approval of per diem for meetings reported.

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

Approved by the following vote:

AYES: Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: Powell

Motion Passed: 4-0

14. STAFF REPORTS

- A. General Manager, Jim Barrett provided an update on COVID numbers within CVWD and CIP at 35%, \$103 million total value and \$250million in grants and loans.
- B. Counsel, Jeff Ferre had no report
- C. Departments

15. CLOSED SESSION AGENDA

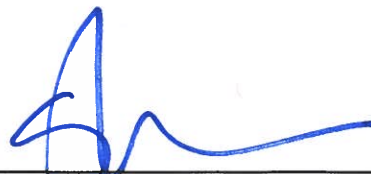
- A. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6 - Agency negotiator: Jay Trinnaman, Robert Cheng and Bill Walters- Employees' organization: Association of Supervisory Support Evaluation Team (ASSET)
- B. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: President John Powell
Unrepresented employee: General Manager

16. RECONVENE


- A. Report out of Closed Session
Vice President Estrada reconvened the meeting back into Open Session and reported there were no other reportable actions.

17. ADJOURNMENT

There being no further business before the Board, Vice President Estrada adjourned the meeting at 11:24 a.m. The next scheduled regular meeting of the Coachella Valley Water District Board of Directors is Tuesday, February 9, 2021 at 8:00 a.m.



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



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