

**DIVISION 1**  
*John Aguilar*  
Director



*Steve Robbins*  
Administration Building  
Board Chambers

**DIVISION 2**  
*Anthony Bianco*  
Director

75515 Hovley Lane East  
Palm Desert, CA

**DIVISION 3**  
*John Powell*  
President

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

[www.cvwd.org](http://www.cvwd.org)

**DIVISION 4**  
*Peter G. Nelson*  
Director

**APRIL 27, 2021**

**DIVISION 5**  
*Castulo Estrada*  
Vice President

**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 8:00 a.m., Tuesday, April 27, 2021 at the office of the District in Palm Desert, California. Pledge of Allegiance was led by President Powell.

**2. TELECONFERENCE**

The meeting of the Coachella Valley Water District Board of Directors is being 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 items removed or continued from the Agenda
- B. No emergency items added to the Agenda
- C. No changes to the order of the Agenda

**5. PUBLIC COMMENT**

No general public comment received.

**6. 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. Approve minutes of the April 13, 2021 CVWD Regular Meeting of the Board of Directors
- B. Accept and file the General Manager's Report of Activities March 2021
- C. Accept and file the General Manager's Report of Authorizations, Executions, and Acceptance of Documents during the month of March 2021
- D. Accept and file the Secretary's Report of Written Instruments Accepted and Recorded during the month of March 2021
- E. Approve and authorize the General Manager to execute a Two-year Extension of Professional Services Contract with Chard, Snyder & Associates, Inc.
- F. Approve and authorize payment of 2021 National Water Resources Association Irrigation Caucus Annual Dues in the amount of \$400

***On a motion by Director Bianco, second by Director Nelson,*** the Board approved Consent Calendar items 6A through 6F.

**Approved by the following vote:**

**AYES:** Powell, Estrada, Bianco, Aguilar, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

**7. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDAR**

No items were pulled for discussion.

**8. PRESENTATIONS AND RECOGNITIONS**

***ANNIVERSARIES - March***

- Brent Stewart - Lead Water Management Specialist II, 30 years
- Mary "Lena" Zamudio - Administrative Assistant I, 20 years
- Donald Ackley - Water Management Supervisor, 20 years
- Larry Cobb - Wastewater Reclamation Supervisor, 20 years
- Brian Fogg - Assistant Engineer, 20 years

**ANNIVERSARIES - April**

- James Kreizinger - Construction Inspector II, 35 years
- Amer Hassouneh - Assistant Engineer, 20 years

**RETIREMENTS**

- Raul Limon - Meter & Valve Technician II, 15 years

**9. PUBLIC HEARING**

A. **Public Hearing to Consider Adoption of Canal Service Rates and Charges for Fiscal Years 2022 to 2026 and approval of Ordinance No. 1434.1.**

Geoffrey Kiehl, Director of Finance provided a brief presentation on the proposed Canal Service Rates and Charges FY 2022 to 2026 and later requested that if the Ordinance is adopted, there should be a correction to a clerical error at the end of the eighth recital. President Powell opened the public hearing to receive input concerning a proposed ordinance adopting the proposed Canal Service Rates and Charges for FY 2022-2026.

Prior to the receipt of public testimony, President Powell, Clerk of the Board Bermudez, and General Counsel Ferre provided information regarding the notice and hearing procedures which have been followed in accordance with the requirements of Proposition 218. Given the floor by President Powell, the following members of the public spoke during the public hearing: Larry Strasbaugh. President Powell then closed the public hearing. The Clerk of the Board then reported that there are **845** property owners/customers; a majority would be **423** ; and that **61** written protests were received. As a result, a majority protest was not present under the requirements of Proposition 218 and as a result, the Board could then consider the proposed Ordinance. Following a discussion of this matter, ***a motion was made by Director Aguilar, second by Director Nelson***, to adopt Ordinance 1434.1 with the clerical correction mentioned by Mr. Kiehl. The Board approved Ordinance No. 1434.1, as amended, adopting Canal Service Rates and Charges for Fiscal Years 2022 to 2026.

**Approved by the following vote:****AYES:** Powell, Estrada, Bianco, Aguilar, Nelson**NOES:** None**ABSENT:** None**Motion Passed: 5-0**

B. **Public Hearing to Consider Adoption of Resolution of Necessity to Commence an Eminent Domain Proceeding to Acquire a 0.609 Acre Easement within Vacant Land Located in the County of Riverside, California, APN 727-100-006.**

A presentation was made by Carrie Oliphant, Director of Engineering to go over the proposed Resolution and provided information to substantiate the findings required to be made by the Board.

President Powell opened the public hearing and requested any public comment. As no public comment was received, the hearing was then closed.

***On a motion by Director Bianco, second by Director Nelson,*** the Board approved Resolution No. 2021-21, A Resolution of Necessity to Commence an Eminent Domain Proceeding to Acquire a 0.609 Acre Easement within Vacant Land Located in the County of Riverside, California, APN 727-100-006.

**Approved by the following vote:**

**AYES:** Powell, Estrada, Bianco, Aguilar, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

## 10. INFORMATIONAL REPORTS

- A. Written Communications Received – on file
- B. Informational Reports to the Board
  - i Climate Action and Adaptation Plan, presentation by Ryan Gardner, Climate Action Program Manager, Rincon Consultants
  - ii Salton Sea Activities Update, presentation by William Patterson, Environmental Services Supervisor

## 11. ACTION ITEMS

- A. **Presenting the 2021/2022 Engineer's Report on Water Supply and Replenishment Assessment for the Mission Creek Subbasin, West Whitewater River Subbasin, and East Whitewater River Subbasin Areas of Benefit and Complying with Notification Requirements.**

Following a presentation by Zoe Rodriguez del Rey, Water Resources Manager, the Board discussed the 2021-2022 Engineer's Report on Water Supply and Replenishment Assessment for Mission Creek Subbasin, West Whitewater River Subbasin, and East Whitewater River Subbasin Areas of Benefit.

***On a motion by Director Bianco, second by Director Nelson,*** the Board approved acknowledgement and receipt of the 2021-2022 Engineer's Report on Water Supply and Replenishment Assessment for the Mission Creek Subbasin, West Whitewater

River Subbasin, and East Whitewater River Subbasin Areas of Benefit and Complying with Notification Requirements; and authorized staff to publish and mailed notices of proposed Replenishment Assessment Chart (RAC) increases for Fiscal Year 2021-2022 to producers of records in the West Whitewater River Subbasin and East Whitewater River Subbasin AOBs as required under specific sections of Water Code Section 31631.5.

**Approved by the following vote:**

**AYES:** Powell, Estrada, Bianco, Aguilar, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

B. **Approve and authorize the General Manger to execute a Stormwater System Installation Agreement with GID ESPANA, LLC for the Espana Development and North Indio Flood Control Project.**

Following a presentation by Carrie Oliphant, Director of Engineering, the Board discussed a Stormwater System Installation Agreement with GID ESPANA, LLC for the Espana Development.

***On a motion by Director Nelson, second by Director Bianco,*** the Board approved the following actions:

- authorized the General Manger to execute a Stormwater System Installation Agreement with GID ESPANA, LLC for the Espana Development and North Indio Flood Control Project
- authorized the General Manager to execute easements and any other document(s) associated with this agreement

**Approved by the following vote:**

**AYES:** Powell, Estrada, Bianco, Aguilar, Nelson

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

C. **Approve the Solicitation of Bids for Construction of the Sewer Pipeline Rehabilitation Fairway Drive Project, Specification 2020-65.**

Following a presentation by Armando Rodriguez, Engineer Manager, the Board discussed the Solicitation of Bids for Construction of the Sewer Pipeline Rehabilitation Fairway Drive Project, Specification 2020-65.

***On a motion by Director Bianco, second by Director Estrada,*** the Board approved and authorized the Solicitation of Bids for Construction of the Sewer Pipeline Rehabilitation Fairway Drive Project, Specification 2020-65.

**Approved by the following vote:****AYES:** Powell, Estrada, Bianco, Aguilar, Nelson**NOES:** None**ABSENT:** None**Motion Passed: 5-0**

- D. **Approve and authorize the General Manager to execute a Professional Services Agreement with Aspen Environmental Group, in the amount of \$97,094 to Perform Additional Environmental Study Services for the Thousand Palms Flood Control Project (SW0004), and approve additional expenditures for a total request of \$107,094.**

Following a presentation by David Wilson, Engineer Manager, the Board discussed a professional services agreement with Aspen Environmental Group for additional environmental study services for the Thousand Palms Flood Control Project.

***On a motion by Director Bianco, second by Director Aguilar,*** the Board approved the following actions:

- authorized the General Manager to execute a Professional Services Agreement with Aspen Environmental Group, in the amount of \$97,094 to perform additional environmental study services for the Thousand Palms Flood Control Project (SW0004)
- approved a contingency budget of \$10,000 for a total request of \$107,094

**Approved by the following vote:****AYES:** Powell, Estrada, Bianco, Aguilar, Nelson**NOES:** None**ABSENT:** None**Motion Passed: 5-0**

*Prior to discussion of item E. Directors Bianco and Nelson recused themselves from the meeting and left the dais and board room during consideration of this matter. The recusal of Directors Bianco and Nelson, and the requalification of President Powell are in place as a result of the requalification process previously conducted due to financial interests and addressing conflicts of interest in connection with the Oasis Project.*

- E. **Approve and authorize the General Manager to execute a Purchase and Sale Agreement and Joint Escrow Instructions with Theodore J. Fish III and Donna Bramel Fish, and execute an \$8,855,475 Budget Amendment for the Oasis In-Lieu Recharge Project, Phase II (C02001).**

Following a presentation by David Wilson, Engineer Manager, the Board discussed the purchase and sale agreement for the Oasis in-lieu Recharge Project, Phase II.

**On a motion by Director Aguilar, second by Director Estrada,** the Board approved the following actions:

- authorized the purchase price of \$150,000 for 1.04 acre fee title for the Oasis West Pump Station within, APN 751-290-015
- authorized the General Manager to execute a Purchase and Sale Agreement and Joint Escrow Instructions with Theodore J. Fish III and Donna Bramel Fish; and additional documents related to this transaction
- approved the following additional expenditures for a total cost of \$162,750
  - Title, escrow, closing costs \$5,000
  - Contingency (5%) \$7,750

**Approved by the following vote:**

**AYES:** Powell, Estrada, Aguilar

**NOES:** None

**ABSENT:** Bianco, Nelson

**Motion Passed: 3-0-2**

## 12. BOARD COMMENTS AND REPORTS

### A. Board Member General Comments

- Directors Bianco, Aguilar and President Powell had no report.
- Director Nelson commented on the process for notifications for hearings and the old agenda process of distributing agenda packets.
- Vice President Estrada reported he attended the Fish Derby on April 17 at Lake Cahuilla.

### B. Meetings and Conference Reports

- i April 13, 2021 Two-on-two meeting between Imperial Irrigation District (IID) and CVWD (Director's Powell and Estrada)
- ii April 15, 2021 USBR Interior Region 8: Lower Colorado River Basin - April 2021 24-Month Study Rollout webinar (Director Nelson)
- iii April 20, 2021 Special Board Meeting - COSS Acceptance of Domestic, Prop 218 Notices - All Board members present
- iv April 20, 2021 Discussion of MCL Compliance Bill (Director Estrada)
- v April 21, 2021 Board Study Session - CIP & Motorpool Discussion
- vi April 22, 2021 Salton Sea Authority Board of Director's Meeting (Director's Bianco and Estrada)
- vii April 22 - 23, 2021 Water 101 Workshop: The Basics and Beyond (Director Aguilar)
- viii April 23, 2021 Riverside County Water Task Force Event (Director Estrada)

- ix April 26, 2021 California Farm Water Coalition Zoom Meeting (Director Nelson)

**Additional Meetings Reported**

- x. April 22, 2021 SAFER Meeting (Director Estrada)
- xi. April 22, 2021 Meeting with Bureau of Indian Affairs (BIA), Environmental Protection Agency (EPA), County of Riverside, and others at the Oasis Mobile Home Park (Director Estrada)
- xii. April 23, 2021 Colorado River Hydrology Assessment follow-up meeting to the Bureau of Reclamation’s reporting in conjunction with the Secure Water Act (Director Nelson)

- C. Approval of per diem for meetings reported

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

**Approved by the following vote:**

**AYES:** Powell, Estrada, Bianco, Aguilar, Nelson

**NOES:** None

**ABSENT:** None

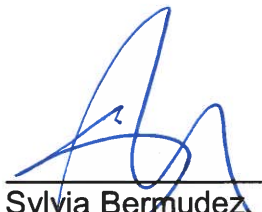
**Motion Passed: 5-0**

**13. STAFF REPORTS**

- A. General Manager – Jim Barrett provided an update on COVID numbers and CVWD’s vaccine clinic turnout.
- B. Counsel – Jeff Ferre had no report
- C. Departments - none


**14. ADJOURNMENT**

There being no further business before the Board, President Powell adjourned the meeting at 11:33 a.m. The next scheduled regular meeting of the Coachella Valley Water District Board of Directors is Tuesday, May 11, 2021 at 8:00 a.m.




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Sylvia Bermudez, Clerk of the Board  
Coachella Valley Water District




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