



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

MINUTES

JUNE 2, 2021

**Steve Robbins
Administration Building
75515 Hovley Lane East,
Palm Desert
www.cvwd.org**

1. CALL TO ORDER

President Powell called the special meeting of the Board of Directors of the Coachella Valley Water District to order at 1:32 p.m., Tuesday, May 25, 2021 at the office of the District in Palm Desert, California.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by President Powell

3. 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.

4. 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

5. PUBLIC COMMENT

No general public comment received.

6. ACTION ITEMS

- A. **Conduct a Public Hearing to Consider Adoption of Replenishment Rates for Fiscal Years 2022 to 2026 for the East Whitewater River Subbasin and West Whitewater River Subbasin.**

Geoffrey Kiehl, Director of Finance, provided a presentation on the

proposed replenishment rates for the **West Whitewater River Basin** for FYs 2022 to 2026. President Powell opened the public hearing to receive input concerning a proposed resolution adopting the proposed replenishment assessment charges for FYs 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.

There were no members of the public who provided public testimony during the public hearing. President Powell closed the public hearing. The Clerk noted for the record that the Notice of Public Hearing and the proposed rate increases was given by direct mail to property owners and tenants of 5,446 parcels which could be affected by the proposed rate increases to the Replenishment Assessment Charge in the West Whitewater River Subbasin Area of Benefit and was published in a newspaper of general circulation. The Clerk also noted that 5,446 parcels were identified that could be affected by the proposed rate increases to the Replenishment Assessment Charge in the West Whitewater River Subbasin Area of Benefit. In this instance, a majority protest would exist if the District received 2,724 written protests prior to the close of the Public Hearing. Prior to the close of the Public Hearing, the District received zero (0) written protests from qualifying owners and tenants of the identified parcels

It was determined by the Clerk of the Board that a majority protest was not present, under the requirements of the Proposition 218, and as a result, the Board could then consider the proposed resolution.

Following a discussion of the matter, **on a motion by Director Nelson, second by Director Aguilar**, the board took action to adopt Resolution No. 2021-16, adopting the proposed replenishment rates for the West Whitewater River Subbasin for FYs 2022 to 2026.

Approved by the following vote:

AYES: Powell, Estrada, Aguilar, Nelson

NOES: Bianco

ABSENT: None

Motion Passed: 4-1

Geoffrey Kiehl, Director of Finance, provided a presentation on the proposed replenishment rates for the **East Whitewater River Subbasin** for FYs 2022 to 2026. President Powell opened the public hearing to receive input concerning a proposed resolution adopting the proposed replenishment assessment charges for FYs 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.

There were no members of the public who provided public testimony

during the public hearing. President Powell closed the public hearing. The Clerk noted for the record that the Notice of Public Hearing and the proposed rate increases was given by direct mail to property owners and tenants of 7,411 parcels, which could be affected by the proposed rate increases to the Replenishment Assessment Charge in the East Whitewater River Subbasin Area of Benefit and was published in a newspaper of general circulation. The Clerk also noted that 7,411 parcels were identified that could be affected by the proposed rate increases to the Replenishment Assessment Charge in the East Whitewater River Subbasin Area of Benefit. In this instance, a majority protest would exist if the District received 3,706 written protests prior to the close of the Public Hearing. Prior to the close of the Public Hearing, the District received sixty-six (66) written protests from qualifying owners and tenants of the identified parcels

It was determined by the Clerk of the Board that a majority protest was not present under the requirements of the Proposition 218, and as a result, the Board could then consider the proposed resolution.

Following a discussion of the matter, **on a motion by Director Aguilar, second by Director Nelson**, the board took action to adopt Resolution No. 2021-17, adopting the proposed replenishment rates for the East Whitewater River Subbasin for FYs 2022 to 2026.

Approved by the following vote:

AYES: Powell, Estrada, Bianco, Aguilar, Nelson

NOES: None

ABSENT: None

Motion Passed: 5-0

7. RECESS TO CLOSED SESSION

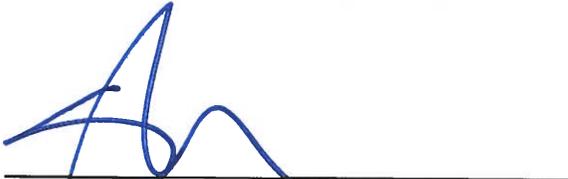
- A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: Two (2) potential cases

8. RECONVENE

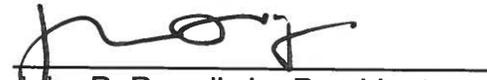
- A. Report out of closed session
President Powell reconvened the meeting back into Open Session and announced there was no reportable action for either of the two (2) potential cases..

9. ADJOURNMENT

There being no further business before the Board, President Powell adjourned the meeting at 2:58 p.m. The next scheduled regular meeting of the Coachella Valley Water District Board of Directors is Tuesday, June 8, 2021 at 8:00 a.m.



Sylvia Bermudez, Clerk of the Board
Coachella Valley Water District



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