

**DIVISION 1**  
*John Aguilar*  
*Director*



**DIVISION 2**  
*Anthony Bianco*  
*Director*

**DIVISION 3**  
*John Powell*  
*President*

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

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

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

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

**March 08, 2022**

**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, March 8, 2022 at the office of the District in Palm Desert, California. The Pledge of Allegiance was led by President Powell.

**2. ROLL CALL**

*Present:* President John P. Powell, Jr  
Vice President Cástulo R. Estrada  
Director John Aguilar  
Director Anthony Bianco  
Director Peter Nelson

*Absent:* None

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

**3. 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

**4. PUBLIC COMMENT**

No public comment received.

**5. 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 the Minutes of the February 22, 2022 regular meeting of the Coachella Valley Water District Board of Directors meeting.
- B. Approved and authorized the General Manager to execute Amendment No. 4 with ESRI Enterprise License Agreement (ELA), to extend the existing ELA through additional years in the amount of \$165,000 annually
- C. ***PULLED FOR DISCUSSION***--Approve the revised CVWD Investment Policy and the Revised Investment Policy for Other Post-Employment Benefit (OPEB) Trust
- D. Approved Resolution No. 2022-08, A Resolution Approving Submission of Grant Application with United States Bureau of Reclamation (USBR) under the Title XVI WIIN Program for the WRP 10 Non-Potable Water System Expansion Project and authorize the General Manager to execute application documents to be submitted to USBR for the WIIN grant program.
- E. Approved the following actions related to the Aeration Blower Maintenance at Water Reclamation Plant No. 4
  - awarded a Contract Services Agreement in the amount of \$82,612 to BCV Systems, LLC
  - authorized the General Manager to execute contract with BCV Systems, LLC with an initial three-year contract term and two additional one-year options

***On a motion by Director Bianco second by Director Nelson***, the Board approved the Consent Calendar, with exception of 5C.

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

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

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

- 5C. **Approve the revised CVWD Investment Policy and the Revised Investment Policy for Other Post-Employment Benefit (OPEB) Trust.**

Following a presentation by Geoffrey Kiehl, Director of Finance, the Board discussed the revised policies.

**On a motion by Director Nelson second by Director Aguilar**, the Board approved and authorized the General Manager to execute the revised CVWD Investment Policy and the Revised Investment Policy for Other Post-Employment Benefit (OPEB) Trust.

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

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

## 7. PRESENTATIONS AND RECOGNITIONS

### **Anniversaries**

- *Zacarias Bacilio, Irrigation System Worker III, 20 years (not attending)*
- *Joey Lucas – Domestic Water Service worker III, 20 year*
- *Emmanuel Aceves – Domestic Crew Chief, 20 years*
- *Sara Lopez – Development Services Technician II, 20 years (not attending)*

### **Retirements**

- *Tina Donahue – Financial Analyst III, 21 years (not attending)*
- *Jan Noffsinger – Accounts Receivable Technician, 27 years (not attending)*
- *Anthony Zamudio – Safety & Training Manager, 22 years (not attending)*
- *Diane Carmony – Communication Specialist, 10 years (not attending)*
- *Corey Cullen – Distribution Operator II, 5 years (not attending)*
- *Magdalena Anaya – Assistant Records Supervisor, 31 years (not attending)*

## 8. PUBLIC HEARING

### A. **Conduct a public hearing regarding Redistricting of Coachella Valley Water District Division Boundaries as required by Election Code Section 22000 et seq.**

Following a presentation by Sylvia Bermudez, Clerk of the Board and Jeremy Holm, Best, Best & Krieger, Board President Powell opened the public hearing.

President Powell opened the public hearing to receive public input regarding the redistricting of CVWD Division Boundaries. Prior to the receipt of public testimony, Clerk of the Board Bermudez, provided information regarding the notice and hearing procedures. There were no public input received. President Powell closed the public hearing.

The Board discussed the two proposed Map options for CVWD boundaries and the potential for an additional map to be created.

***On a motion by Director Powell second by Director Estrada,*** the Board approved Resolution No. 2022-09, a Resolution of the Board of Directors of the Coachella Valley Water District Adjusting Boundaries of Director Electoral Division by adopting Map #\_1\_.

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

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

**NOES:** Bianco

**ABSENT:** None

**Motion Passed: 4-1**

## 9. INFORMATIONAL REPORTS

- A. Written Communications Received – on file
- B. Informational Reports to the Board
  - i Sustainable Groundwater Management Act - Water Year 2020-2021 Annual Reports for the Indio and Mission Creek Subbasins, presentation by Zoe Rodriguez del Rey, Water Resources Manager.
  - ii State Legislative "look ahead" for 2022, presentation by Chris Kahn.
  - iii Congressional "look ahead" for 2022, presentation by Ana Schwab and Lowry Crook, Best, Best & Krieger.
  - iv Annual Review of CVWD's Investment Portfolio for Period Ending December 31, 2021, presentation by Jayson Schmidt, Chandler Asset Management.
  - v Annual Review of the CVWD's Other Post-Employment Benefits (OPEB) Trust Account for Period Ending December 31, 2021, presentation by Ellen Clark, PFM Asset Management.
  - vi Update on the Sanitation Cost of Service Study, presentation by Eric Callocchia from NewGen Strategies and Solutions, LLC.

## 10. ACTION ITEMS

- A. **Authorize staff to proceed with Option 1 for the Palm Desert Groundwater Replenishment Project, Phase 2, Project Update.**

Following a presentation by Armando Rodriguez, Engineer Manager and William Patterson, Environmental Services Supervisor, the Board discussed the Palm Desert Groundwater Replenishment project, phase 2.

***On a motion by Director Nelson second by Director Aguilar,*** the Board approved and authorized staff to proceed with Option 1

for the Palm Desert Groundwater Replenishment Project, Phase 2, Project Update.

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

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

**NOES:** Bianco

**ABSENT:** None

**Motion Passed: 4-1**

B. **Approve solicitation of bids for the construction of the North Shore Water Main Replacement Project and Dale Kiler Road Water Main Replacement Project, Specification No. 2022-1.**

Following a presentation by Dan Ruiz, Engineer Manager, the Board discussed the solicitation of bids for the construction of the North Shore Water Main Replacement Project.

*On a motion by Director Nelson second by Director Estrada,* the Board approved the solicitation of bids for the construction of the North Shore Water Main Replacement Project and Dale Kiler Road Water Main Replacement Project, Specification No. 2022-1

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

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

C. **Third Amendment to 2019 Sites Reservoir Project Agreement.**

Following a presentation by Robert Cheng, Assistant General Manager, the Board discussed the status of the Sites Reservoir Project and further participation through the Third Amendment.

*On a motion by Director Bianco second by Director Nelson,* the Board approved and authorized the General Manager to execute the Third Amendment to the 2019 Sites Reservoir Project Agreement.

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

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

**11. BOARD COMMENTS AND REPORTS**

A. Board Member General Comments

B. Meetings and Conference Reports

i February 23, 2022 Environmental Assessment Committee meeting (Director Estrada)

- ii February 24, 2022 Salton Sea Authority Board of Directors meeting (Directors Bianco and Estrada) \*Estrada did not attend
- iii February 24, 2022 Meeting with CVWD staff to discuss the State of the District Address (Director Powell)
- iv February 24, 2022 DVBA Board Installation Dinner (Director Powell)
- v February 25, 2022 Upper Basin States Planning Meeting (Director Nelson)
- vi February 25, 2022 Palm Springs Life Webinar: A Tale of Nine Cities - Real Estate and the Coachella Valley Economy (Director Aguilar)
- vii February 28, 2022 California Farm Water Coalition (CFWC) Meeting (Director Nelson)
- viii February 28, 2022 Discussion with CVWD staff regarding Cathedral City Stormwater (Director Aguilar)
- ix March 4, 2022 Rancho Mirage Town Hall Meeting & Update (Director Aguilar)

**Other meetings reported**

- x March 2, 2022 California Agencies Powell/Mead Operational Alternative discussion meeting (Director Nelson)
- xi March 3, 2022 SAFER Advisor Group Meeting (Director Estrada)
- xii March 3, 2022 meeting with Salton Sea Authority, County of Riverside and Supervisor V. M. Perez's office regarding lithium extraction proposals for the Salton Sea (Director Estrada)
- xiii March 4, 2022 7 Basins States Principals Board Meeting (Director Nelson)

- C. Approval of per diem for meetings reported  
***On a motion by Director Bianco second by Director Aguilar,***  
 the Board approved per diem for meetings reported.

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

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

**NOES:** None

**ABSENT:** None

**Motion Passed: 5-0**

**12. STAFF REPORTS**

- A. General Manager, Jim Barrett provided an update on COVID numbers.
- B. Counsel, Jeff Ferre had no report.
- C. Departments – none

**13. CLOSED SESSION AGENDA**


- A. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION Pursuant to Government Code § 54956.9 (a) Name of Case: Arbitration in re: Gabriela Aguirre
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9  
One (1) case
- C. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION Pursuant to Government Code § 54956.9 (a) Name of Case: Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District, et al., Case No. 5:20-cv-00174-JGB-SPx
- D. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION Pursuant to Government Code § 54956.9 (a) Name of Case: Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District, et al., Case No. 5:13-cv-00883-JGB (SPx)
- E. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Government Code Section 54956.9) GCUBE Insurance Services, Inc., and GCUBE Underwriting Limited, on behalf of Certain Underwriters subscribing to policy SO174591001 vs. Mamco Inc., et al, including Coachella Valley Water District, Riverside County Superior Court Case No. .: CVPS2105173

**14. RECONVENE**

- A. Report out of Closed Session  
President Powell reconvened the meeting into Open Session and stated that there were no reportable actions.


**15. ADJOURNMENT**

There being no further business before the Board, President Powell adjourned the regular meeting of the Coachella Valley Water District Board of Directors at 1:07 p.m. The next regular scheduled meeting will be on Tuesday, March 22, 2022, at 8:00 a.m. in Coachella.



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



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