

THE PUBLIC IS INVITED

COACHELLA VALLEY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

AGENDA – January 10, 2012, Tuesday, 9:00 a.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Palm Desert Administration Facility
75-515 Hovley Lane East
Palm Desert
www.cvwd.org

STATEMENT OF THE SECRETARY—AFFIDAVIT OF POSTING NOTICE OF
ADJOURNMENT OF REGULAR MEETING OF DECEMBER 27, 2011

MINUTES – Regular meetings of December 13, 2011, and December 27, 2011

COMMENTS FROM AUDIENCE -- This is the time set aside for public comment on any matter on the consent calendar or on items not appearing on the agenda. Please come to the podium and limit your remarks to three (3) minutes and give your name and address.

ORDER OF BUSINESS

1. WRITTEN COMMUNICATIONS

2. REPORTS

A. General Manager's Reports

1) Dues

- Association of California Water Agencies
- California Special Districts Association
- California Farm Water Coalition
- Agricultural Water Management Council
- National Water Resources Association Municipal Caucus

2) General Manager's report of activities for November 2011

3) General Manager's report of authorizations, executions and acceptances of documents for November 2011

B. Secretary's record of written instruments accepted and recorded during the month of November 2011

C. Meetings

1) Meeting with Secretary John Laird of December 13, 2011

2) Colorado River Water Users Association 66th Annual Conference of December 14, 2011

- C. Meetings, *continued*
 - 3) Colorado River Board meeting of December 14, 2011
 - 4) Basin states meeting of December 14, 2011
 - 5) Imperial Dam Advisory Board meeting of December 19, 2011
 - 6) Meeting of January 4, 2012, with General Managers/Directors on the Delta Habitat Conservation and Conveyance Program matters
- 3. Board Members', General Manager-Chief Engineer's and Counsel's comments
- 4. CONSENT CALENDAR—Consent calendar items are expected to be routine and noncontroversial, 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. Preparation of the Annual Engineer's Reports for the 2012-2013 Water Supply and Replenishment Assessment Program for Upper Whitewater River Subbasin Area of Benefit, Mission Creek Subbasin Area of Benefit, and Lower Whitewater River Subbasin Area of Benefit
 - B. Award Contract for Water Reclamation Plant No. 10 Replacement Groundwater Monitoring System, Specification No. 2011-34, sections 14 and 16-5-6

(End of Consent Calendar)
- 5. OTHER BUSINESS
 - A. Professional Services Agreement to convert District canal drawing data to Geographic Information System
 - B. Investment Policy
 - C. Contract for investment advisory services with Public Financial Management Asset Management, LLC on a trial basis
 - D. Designate Special Purpose Reserve Funds
 - E. Claim Settlement Authority Resolutions
 - 1) Authorizing the General Manager-Chief Engineer to enter into Workers' Compensation Claim Settlement Agreements
 - 2) Authorizing the General Manager-Chief Engineer to enter into Government Tort Claims Act Settlement Agreements and to deny claims which do not exceed \$2,000
 - F. Retirement of the Mid-Valley Stormwater Project
 - G. Purchase of a Vactor Model 2115 sewer cleaning truck

5. OTHER BUSINESS, *continued*

- H. Award Contract to Downing Construction for Coachella Canal road repair work
- I. Agreement for Supplemental Funding with the Department of Water Resources for the costs of environmental analysis, planning and design of Delta conservation measures, including Delta Conveyance Options

6. ORDINANCES FOR ADOPTION--none

7. RECESS TO CLOSED SESSION

- A. Conference with legal counsel—anticipated litigation
Significant exposure to litigation pursuant to Government Code subdivision (b) of Section 54956.9: Two potential cases
- B. Personnel matters
Pursuant to Government Code Section 54957
Title: Tom Levy, Consultant
- C. Conference with legal counsel—existing litigations
Pursuant to Government Code subdivision (a) of Section 54956.9
 - 1) QSA Cases JCCP No. 4353
 - 2) Name of Case: Bobbie Ray Preckwinkle, Stephen Rice and Chad Siva v. Coachella Valley Water District, Case No. EDCV05-626 VAP (SGLx)
 - 3) Landmark Properties, U.S., Inc., v. Coachella Valley Association of Governments, Case No. INC 071351
 - 4) State Water Project Cases
 - a. County of Butte v. California Department of Water Resources, Butte County Superior Court Case No. 144283
 - b. Plumas County et al. v. California Department of Water Resources, Butte County Superior Court Case No. 144282
 - c. Solano County Water Agency et al. v. State of California Department of Water Resources, Sacramento Superior Court Case No. 34-2008-00016338
 - d. Central Delta Water Agency et al. v. Department of Water Resources, et. al., Case No. 34-2010-80000561
 - e. Alameda County Flood Control and Water Conservation District Zone 7 v. State of California DWR/05AS01775
 - 5) Southern California Edison Company v. Coachella Valley Water District and ARB, Inc., Case No. INC 080654

7. RECESS TO CLOSED SESSION, *continued*

- 6) Gail Reitz and John Harmon v. Dave Marshall, Bill Taylor, Remax Realty, Douglas Ecklund and CVWD, Case No. INC 10002966
- 7) The Westin Mission Hills Resort & Villas v. The Coachella Valley Water District, Zim Industries, Inc., dba Bakersfield Well & Pump Company, Case No. INC 082398
 - a. Defendant, The Westin Mission Hills Resort and Villas' Cross-Complaint for Indemnity and Contribution Elliot J. Fearnley, plaintiff, v. The Westin Mission Hills Resort and Villas, defendant; The Westin Mission Hills Resort and Villas, Cross-complainant, v. The Coachella Valley Water District; Zim Industries, Inc., dba Bakersfield Well & Pump Company; Southern California Edison Company; Utilquest, LLC, cross-defendants, Case No. RIC 541 753
- 8) Julian Delgado and Jack Jennings v. CVWD, Case No. INC 10005523
- 9) People of the State of California v. Martindale, et al., Case No. INC 10005929
- 10) Lexington Insurance Company, Beazley Group, Beaufort Group, Argo International, CV Starr/Lloyds, CV Starr/Steadfast, Allied World, Federal Insurance Company, and Liberty Mutual Insurance, as subrogees for Felcor Lodging Trust dba Renaissance Esmeralda Resort vs. CVWD, Case No. RIC 10016693
- 11) Quorum Realty Fund V, LLC v. CVWD, Case No. INC 10009866
- 12) Ferguson Fire & Fabrication, Inc., v. CVWD Case No. INC 1104436
- 13) CVWD v. Chapula, Escobar-Diaz, Case No. INC090120
- 14) Barrett v. Coachella Valley Water District, Case No. ECU06714

8. RECONVENE

- A. Report on closed session

9. ADJOURNMENT

Next scheduled Board meeting is January 24, 2012, at the ***CVWD's Coachella office; Forbes Auditorium, 85-995 Avenue 52, Coachella***

Writings relating to open session agenda items distributed to the Board of Directors less than 72 hours prior to a regular meeting are available for public inspection at the Coachella Valley Water District's offices located at 85-995 Avenue 52, Coachella; and 75-515 Hovley Lane East, Palm Desert, California.

Assistance for those with disabilities: If you have a disability and need accommodation to participate in the meeting, please call Julia Fernandez, Board Secretary, at (760) 398-2651, extension 2217, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Fernandez may also be contacted in writing at the Coachella Valley Water District, Post Office Box 1058, Coachella, California 92236.

At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.