

THE PUBLIC IS INVITED

COACHELLA VALLEY WATER DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

AGENDA – February 14, 2012, Tuesday, 9:00 a.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – Regular meeting of January 24, 2012

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

- Water Education Foundation Support for 2012 Colorado River tour

2) Longevity

B. Meetings

1) Salton Sea Authority Board of Directors meeting of January 26, 2012

2) Southern California Water Committee first quarterly meeting of 2012 held January 27, 2012

3) Desert Cahuilla Wetlands (Temal Pa' lekish) Board of Directors meeting of February 2, 2012

4) Grand reopening of the Salton Sea History Museum and Visitor Center of February 3, 2012

5) Growers' monthly meeting of February 6, 2012

6) Colorado River Stakeholders' Roundtable for the US Geological Survey Cooperative Water Program of February 8, 2012

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

- B. Meetings, *continued*
 - 7) Coachella Valley Association of Governments meetings of February 9, 2012
 - a. Coachella Valley Conservation Commission
 - b. Energy and Environmental Resources Committee
 - 8) Urban Water Institute Spring Water Conference of February 9, 2012
- 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. Special Domestic Water System Installation Agreement with Hort Tech, Inc., section 8-5-7
 - B. Task Order No. 3 to Professional Services Agreement with CH2M Hill to increase the monetary amount for additional design of the Headworks Facilities at Water Reclamation Plant Nos. 4 and 7, section 2-7-8 and section 4-5-7, respectively
 - C. Change Order No. 1 to Granite Construction Company to increase the monetary amount for the Coachella Canal Lining Project, Concrete Lining Repair, Specification No. 2011-30
 - D. Amend Professional Services Agreement with Northwest Hydraulic Consultants to increase the monetary amount for the completion of the Regional Flood Control Plan for the North Indio and Surrounding Area

(End of Consent Calendar)
- 5. OTHER BUSINESS
 - A. Water Reclamation Plant No. 10 Automated Process Air Control System Aeration Blower System Prepurchase, Specification No. 2011-9, and Task Order No. 5 to Parsons Water and Infrastructure, Inc., to increase the monetary amount for additional engineering services
 - B. Professional Services Agreement for design of the Water Reclamation Plant No. 10 Septage Receiving Facility and Screenings and Grit Handling Equipment Improvements, section 15-5-6
 - C. Amended Investment Policy
 - D. Appointment of District representatives to five separate municipal Oversight Boards for the assets of their respective redevelopment agencies
 - E. Mitigated Negative Declaration and file a Notice of Determination for Lift Station 55-11 Capacity Upgrade Project, section 17-7-9

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. 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
 - 6) Gail Reitz and John Harmon v. Dave Marshall, Bill Taylor, Remax Realty, Douglas Ecklund and CVWD, Case No. INC 10002966
 - 7) 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
 - 8) People of the State of California v. Martindale, et al., Case No. INC 10005929

7. RECESS TO CLOSED SESSION, *continued*

- 9) 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
- 10) Quorum Realty Fund V, LLC v. CVWD, Case No. INC 10009866
- 11) Ferguson Fire & Fabrication, Inc., v. CVWD Case No. INC 1104436
- 12) CVWD v. Chapula, Escobar-Diaz, Case No. INC090120
- 13) Barrett v. Coachella Valley Water District, Case No. ECU06714
- 14) CVWD v. Southern California Gas Company, et al. No. INC 1102372

8. RECONVENE

- A. Report on closed session

9. ADJOURNMENT

Next scheduled Board meeting is February 28, 2012, at the *CVWD's Coachella office; Dr. 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.