

MINUTES OF THE REGULAR BOARD MEETING

BOARD OF DIRECTORS
INDIAN WELLS VALLEY WATER DISTRICT

November 9, 2009

The Regular Meeting of the Board of Directors of the Indian Wells Valley Water District was called to order by President Corlett at 7:02 p.m. in the Board of Directors Hearing Room, 500 West Ridgecrest Boulevard, Ridgecrest, California.

CALL TO ORDER

The Pledge of Allegiance was led by Chuck Krieger.

PLEDGE

DIRECTORS PRESENT: President Leroy H. Corlett
Vice-President Peter E. Brown
Director Margaret "Peggy" L. Breeden
Director Donald J. Cortichiato via Tele-
conference
Director Harold W. Manning

ROLL CALL

DIRECTORS ABSENT: None

ALSO PRESENT: Jim Worth, Attorney;
Chuck Krieger, Consulting Engineer;
Tom Mulvihill, General Manager;
Larry DeGano, Operations Superintendent;
Jennifer Keep, Chief Financial Officer;
Reneé Morquecho, District Engineer;
Lucinda Crosby, Public Education and
Conservation Coordinator;
Rose Koch, Recording Secretary

AGENDA DECLARATION

**AGENDA
DECLARATION**

Recording Secretary, Rose Koch, reported that the agenda for tonight's Regular Board Meeting was posted on Friday, November 6, 2009 at 500 W. Ridgecrest Blvd. and posted on Sunday, November 8, 2009 at teleconference location, 4900 S. Syracuse St., Denver, Colorado.

CONFLICT OF INTEREST DECLARATION

**CONFLICT OF
INTEREST**

None.

PUBLIC QUESTIONS AND COMMENTS

**PUBLIC
COMMENTS**

None.

**PRESENTATION BY RON WERMUTH AND PHIL METZ, SOLFOCUS CORPORATION
BRIAN MORFORD, HONEYWELL CORPORATION**

**PRESENTATION:
SOLFOCUS**

Phil Metz, Director of Business Development for SolFocus gave a Power Point presentation of a high yield/low cost solar energy solution for the Indian Wells Valley Water District.

Brian Morford of Honeywell provided a sample Memorandum of Understanding (MOU) between SolFocus and Indian Wells Valley Water District (IWWVD) for a Feasibility Study to build renewable energy generation on IWWVD well sites to support operations. SolFocus would develop the solution along with Honeywell International who can provide single source project services to design, finance, build, operate, and maintain the project. IWWVD would use either California Code 4217 or Power Purchase Agreements to implement the project. SolFocus and Honeywell will perform a Feasibility Study at no cost to IWWVD to determine if a renewable energy project can be financed and constructed to support IWWVD operations at various sites. This would include preliminary product evaluation, preliminary financial proforma, engineering and design concepts, utility bill and power analysis, and project logistics.

Questions and comments concerning the project included the following:

- 1) How much property is needed at each well site? Ideal well sites must have adequate acreage for reflective (mirror panel) optics to supply sufficient amount of kilowatts to run each well. One hundred mirror panels (approximately one acre of land) can produce up to one megawatt.
- 2) There is a possibility of not being able to use the power produced. There is a good possibility to sell the power back on to the grid and become a source of revenue for the District.
- 3) If the District buys the system, you cannot pull the equipment out.
- 4) Would both sources of power be available during the summer to handle peak demand? Yes, it would switch over.
- 5) What is the lifespan of the equipment? Approximately 25 years.
- 6) Periodic maintenance is required and will be included in the program.
- 7) How much water will be used? Water is only used to clean the mirrors.
- 8) There are SolFocus photovoltaic sites located in Spain and Greece. There is a test facility located in Mesa, Arizona. SolFocus invited the Board to tour the test facility.

President Corlett thanked them for coming and giving a presentation. President Corlett assigned the Plant and Equipment Committee to look at SolFocus proposed MOU. Director Breeden asked legal counsel to review California Government Code Section 4217.10 and see if it is applicable to the District.

CONSENT CALENDAR

**CONSENT
CALENDAR**

MOTION: was made by Vice-President Brown and seconded by Director Breeden, to approve the Minutes of the October 13, 2009 Regular Board Meeting and to approve payment of Accounts Payable totaling \$1,077,950.10. The Motion was carried, by the following roll call vote:

Director Breeden: Yes
Director Cortichiato: Yes
Director Manning: Yes
President Corlett: Yes
Vice-President Brown: Yes

FINANCE COMMITTEE

FINANCE

Director Manning announced that the Finance Committee would like to consider the conservation rates as previously presented and recommend scheduling a Board Workshop for December to review the different proposals.

COST OF
SERVICE
STUDY

MOTION: was made by Director Manning and seconded by Director Cortichiato, to conduct a Board Workshop in December to review the different proposals. The Motion was carried, by the following roll call vote:

Director Breeden: Yes
Director Cortichiato: Yes
Director Manning: Yes
President Corlett: Yes
Vice-President Brown: Yes

Staff was asked to notify Board Members of dates available in December for the Board Workshop.

PLANT AND EQUIPMENT COMMITTEE

P & E

Vice-President Brown reported that the Plant and Equipment Committee reviewed a recommendation for award of contract from Krieger & Stewart for Wells 9A/10 and Wells 11/13 Arsenic Removal Facilities and Well Pumping Plant No. 34 project. The District received six bids for the project:

AWARD OF
CONTRACT

<u>Contractor</u>	<u>Total Bid</u>
Pascal & Ludwig Constructors	\$12,062,467.00
GSE Construction Company, Inc.	\$12,441,000.00
W.M. Lyles Co.	\$12,987,859.00
Brutoco Engineering & Construction	\$13,158,788.00
R.C. Foster Corporation	\$13,698,188.00
C.W. Roen Construction Company	\$15,180,188.00

Pascal & Ludwig was the apparent low bidder and has recently completed similar work for some of Krieger & Stewart's other public agency clients, and said work was satisfactory. All references indicated they would use Pascal & Ludwig again for future projects.

The Plant and Equipment Committee recommended awarding the contract for the Wells 9A/10 and Wells 11/13 Arsenic Removal Facilities and Well Pumping Plant No. 34 Project to low bidder Pascal & Ludwig Constructors in the amount of \$12,062,467.00.

MOTION: was made by Vice-President Brown and seconded by Director Breeden, to award contract for the Wells 9A/10 and Wells 11/13 Arsenic Removal Facilities and Well Pumping Plant No. 34 Project to low bidder Pascal & Ludwig Constructors in the amount of \$12,062,467.00. The Motion was carried, by the following roll call vote:

Director Breeden:	Yes
Director Cortichiato:	Yes
Director Manning:	Yes
President Corlett:	Yes
Vice-President Brown:	Yes

The Plant and Equipment Committee reviewed a Scope of Services from Krieger & Stewart to provide construction engineering services related to the Arsenic Removal Facilities and Well Pumping Plant No. 34 that will be constructed over a 12 month period. In addition to the Scope of Services, Krieger and Stewart included a schedule of estimated fees and an estimated construction/inspection schedule for the project (included in the Board Package). The Committee recommended approval of a new work order for Krieger & Stewart in the amount of \$1,222,000.00 to provide construction phase engineering services for the Wells 9A/10 and Wells 11/13 Arsenic Removal Facilities and Well Pumping Plant No. 34.

WORK ORDER
K & S

MOTION: was made by Vice-President Brown and seconded by Director Breeden, to approve the Work Order for Krieger & Stewart in the amount of \$1,222,000.00 to provide construction phase engineering services for the Wells 9A/10 and Wells 11/13 Arsenic Removal Facilities and Well Pumping Plant No. 34. The Motion was carried, by the following roll call vote:

Director Breeden:	Yes
Director Cortichiato:	Yes
Director Manning:	Yes
President Corlett:	Yes
Vice-President Brown:	Yes

Chuck Krieger clarified that the additional Capital and Operating & Maintenance costs for arsenic treatment is estimated to increase Capital and Operating & Maintenance costs from \$150 per acre-foot to \$350 per acre-foot of water.

ADMINISTRATION/EXECUTIVE COMMITTEE

ADMIN/EXEC

President Corlett reminded the Board that the Administration/Executive Committee was tasked with looking at additional training requirements for the Board of Directors. The Committee recommended the additional verbiage be added to Director's Manual as presented in April 7, 2009 memo (included in the Board Package).

DIRECTOR
TRAINING

MOTION: was made by Vice-President Brown and seconded by Director Manning, to add verbiage to the Director's Manual as presented. The Motion was carried, by the following roll call vote:

- Director Breeden: Yes
- Director Cortichiato: Yes
- Director Manning: Yes
- President Corlett: Yes
- Vice-President Brown: Yes

President Corlett updated the Board on the Integrated Regional Water Management Plan (IRWMP). The Inyo-Mono IRWMP has set a goal to have a Plan completed by May 31, 2010. They are asking for contributions of \$5,000.00 from each participating agency to assist in preparing the plan. There has been more participation of Indian tribes at the last meeting. Mono County is joining with Nevada Counties to form an alliance on water issues in the Walker Basin. Mono County successfully received several millions of dollars in Bureau of Reclamation grants. President Corlett has volunteered to work on the part of the plan that covers the south part of the IRWMP.

IRWMP

Vice-President Brown announced that the Administration/Executive Committee recommended designating Director Cortichiato as the District's voting delegate for the Association of California Water Agencies Officer Election.

NOMINATION

MOTION: was made by Vice-President Brown and seconded by President Corlett, to designate Director Cortichiato as voting delegate for Association of California Water Agencies Officer Elections. The Motion was carried, by the following roll call vote:

- Director Breeden: Yes
- Director Cortichiato: Yes
- Director Manning: Yes
- President Corlett: Yes
- Vice-President Brown: Yes

GENERAL MANAGER AND STAFF UPDATE

**GENERAL
MANAGER &
STAFF UPDATE**

Tom Mulvihill reported that there were six new residential services for the month of October.

NEW SERVICES

At last week's City Council meeting, the Council approved the first reading of the proposed Water Efficient Landscape Ordinance. Most of the discussion was about the Mandatory Measures. The District is

WATER
EFFICIENT
LANDSCAPE
ORDINANCE

waiting for the City Clerk to make the following changes agreed upon by the City Council to Section 12-9.17 Mandatory Measures:

RE: 1.a. Landscape irrigation in a manner or to an extent which allows water to runoff the area being irrigated, specifically onto sidewalks and streets.

The City Council agreed to add a qualifier to be enforced to the degree necessary to prevent the waste of water.

RE: 1.b. Using water to wash or rinse sidewalks, driveways, parking areas, tennis courts or other exterior paved areas.

The City Council agreed to add a qualifier to alleviate concerns of members of the public that have asthma and wanted the ability to occasionally wash off their driveway.

RE: Section 12-9.21 Administrative Exceptions, the General Manager of the Indian Wells Valley Water District, or designee, may provide administrative exceptions to the landscape and irrigation plan requirements of this article on a case by case basis.

The City Council has added another provision that the General Manager shall notify the City Manager of any administrative exceptions granted.

The second reading of the Water Efficient Landscape Ordinance will be held on November 18th, 2009.

Larry DeGano reported that the Drummond Avenue Mainline Replacement Project was separated into two different sections: Jessica Street east to Norma Street and Jessica Street west to Downs Street. The lines are completed and installed in both sections. The Construction Crew pressurized Jessica Street to Downs Street. There is a leak. The Crew flushed the lines for sampling and will be looking for the leak. There is one commercial service to be run off the line. The Crew will pressurize the line, flush and sample. When the Drummond Avenue Mainline Replacement Project has been completed, the Construction Crew will move on to replacing valves located in Cimarron Gardens.

MAINLINE
REPLACEMENT
PROJECTS

Tom Mulvihill reported on the 2009 Fall Xeriscape Workshop held on Saturday, November 7th in the Historic USO Building. Both guest speakers were outstanding: Mike Mumford, Outdoor Metal Artist, and Renée Günter, Los Angeles Landscape Designer. Mr. Mulvihill thanked the Garden Club, Desert Planters of Ridgecrest and Ambassadors. There were 120 attendees. Lucinda Crosby thanked everyone at the Historical Society for assisting in setting everything up for the presentations. Ms. Crosby received comments that it was the best presentation so far. President Corlett thanked Ms. Crosby for all her effort and asked her to thank the USO Building staff for all of their support.

FALL
XERISCAPE
WORKSHOP

BOARD COMMENTS/FUTURE AGENDA ITEMS

**BOARD
COMMENTS**

Vice-President Brown thanked staff and Chuck Krieger for doing a good job in putting together the bid package for the Arsenic Removal Facilities and Well Pumping Plant No. 34. The bids were very close and there was a good response.

With no further Board comments, President Corlett recessed the meeting and adjourned to Closed Session at 8:12 p.m.

CLOSED SESSION

**CLOSED
SESSION**

The meeting was reconvened in Closed Session at 8:20 p.m.

The meeting was recalled to Open Session at 9:19 p.m.

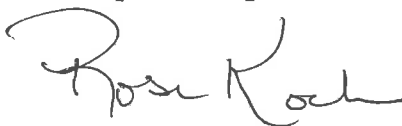
There was no action taken which would require disclosure under the Brown Act.

ADJOURNMENT

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned by President Corlett at 9:19 p.m.

Respectfully submitted,



Rose Koch
Recording Secretary

APPROVED: December 14, 2009