

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF  
March 3, 2004

President Cheryl Tubbs called the Regular Meeting of the Board of Directors to order at 1:30 p.m. All present stood for the pledge of allegiance, led by President Tubbs.

ROLL CALL:

BOARD MEMBERS PRESENT:

Cheryl Tubbs, President  
Clare Henry Day, Vice President  
Sterling Woodbury, Director  
Arnold L. Wright, Director  
Bert Marcum Jr., Director  
Manuel Aranda, Jr., Director  
Melody Henriques, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esquire

STAFF PRESENT:

Lawrence M. Libeu, General Manager/Board Secretary  
Tom Crowley, Assistant General Manager  
Colleen Theuer, Administrative Services Manager/Recording Secretary  
Steve Luhn, GIS/CAD Analyst

1. PUBLIC PARTICIPATION

President Tubbs announced this as the time for any persons present, who so desire, to make an oral petition to the Board of Directors. Hearing none, the meeting proceeded with the published agenda items.

Mr. Cosgrove proposed adding to the agenda a request from the Cucamonga Valley Water District for a resolution from the Board, supporting their nomination of Director Jerry Wilson to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA). This request was received

after the Board agenda had been posted. The addition would fall under Item No. 7, Approval of Resolution No. 398, concurring in the nomination of Jerry Wilson to the Executive Committee of ACWA/JPIA.

**It was moved by Director Henriques and seconded by Vice President Day to approve adding to the agenda, under Item No. 7, Approval of Resolution No. 398, concurring in the nomination of Jerry Wilson by the Cucamonga Valley Water District to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority. The motion carried unanimously.**

2. DISCUSSION, MONTHLY ACTIVITY REPORTS, AND/OR COMMENTS BY BOARD MEMBERS

President Tubbs reported on the WESTCAS Conference held February 18-20 in Las Vegas. The Western Governors' Association made a presentation and asked for support for a drought bill (S.1454 & HR 2871). She suggested staff inquire into the bill. Along with Director Henriques and Director Aranda, she also attended the Washington D.C. ACWA/DC Conference. While there, they met with the Corps of Engineers and discussed the District Wash Plan, and also met with the Bureau of Land Management, discussing the land transfer appraisal and land exchange. They also met with Congressman Lewis and Congressman Baca, and brought them up to date on the water rights and meetings with the San Bernardino Valley Municipal Water District.

Director Aranda reported on the ACWA/DC trip, and discussed the meeting with Congressman Lewis and Congressman Baca. He also attended a meeting with Senator Nell Soto, regarding perchlorate (she is Chairperson of the Committee on Perchlorate). He reported on Senator Brulte's Spot Bill 92, regarding consolidation of special districts by LAFCO. Currently, the law allows consolidation of special districts only if they are of the same organic act. Mr. Cosgrove said the bill has no text at this time, but preliminary text was directed at eliminating this requirement. Discussion ensued. Mr. Cosgrove suggested monitoring the bill carefully. Director Aranda said he would be discussing this item with the ACWA Legislative Committee.

3. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 4, 2004

There was a brief discussion on the minutes for the regular meeting of February 4, 2004. Minor corrections were noted.

**It was moved by Vice President Day and seconded by Director Woodbury to approve the minutes of the regular meeting of February 4, 2004, as amended. The motion carried unanimously.**

4. COMMITTEE REPORTS

There were no committee meetings during the month of February.

## 5. GENERAL MANAGER'S REPORT

Mr. Libeu updated the Board on the month's activities: (1) beginning with the April Board meeting, there would be an operations and maintenance report; (2) he discussed an outreach program for educating the public and the producers on District activities; and (3) he spoke on budget items for the next fiscal year, with plans to discuss specific budget items with the corresponding committees. After discussion, a financial ad hoc committee was formed, comprised of the chairs of each of the regular committees (Administrative Committee, Resources Committee, and Outreach Committee), which included President Tubbs, Director Marcum, and Director Aranda, with Director Woodbury as alternate. Mr. Libeu said he would schedule tentative dates for committee meetings for the month of April.

Mr. Libeu discussed upcoming meetings, and said he would be traveling to Washington D.C. in March for a Valley Group meeting and a NWRA Legislative Forum. He is also planning to attend the ACWA Symposium in Sacramento on March 29, along with Tom Crowley and Director Aranda. The Special Districts dinner meeting would be on March 15, at the Panda Inn in Ontario.

## 6. CONSENT CALENDAR

Using visual aids, Ms. Theuer presented the monthly financial reports.

**It was moved by Director Wright and seconded by Director Marcum to approve the Consent Calendar, consisting of the Expenditures for February 2004 and the un-audited Financial Reports for February 2004. The motion carried unanimously.**

## 7. BOARD LETTERS, ACTION ITEMS, NEW BUSINESS, FYI

Resolution No. 398, concurring with Cucamonga Valley Water District's nomination of Jerry Wilson to the ACWA/JPIA Executive Committee, was discussed.

**It was moved by Director Marcum and seconded by Director Henriques to approve Resolution No. 398, concurring in Cucamonga Valley Water District's nomination of Jerry Wilson to the ACWA/JPIA Executive Committee. The motion carried unanimously.**

**(Minute Order 03/002/04)**

Mr. Libeu complimented staff member Steve Luhn and overseer Tom Crowley on the quality of the 2003-2004 Engineering Investigation Report. Using visual aids, Mr. Crowley presented the 2003-2004 Engineering Investigation Report of the Bunker Hill Groundwater Basin, and answered questions from the Board.

**It was moved by Director Marcum and seconded by Director Henriques to receive and file the 2003-2004 Engineering Investigation Report (EI), pursuant to Water Code 75570, and direct staff to issue the appropriate notices and circulate the EI as required under Water Code 75571. The motion carried unanimously.**

**(Minute Order 03/003/04)**

Mr. Cosgrove said the District would present and discuss the EI during two meetings, a public meeting and a public hearing, and also during a public meeting for the Upper Santa Ana Water Resources Association. A specific producers meeting would also be scheduled. The public meeting and public hearing would be incorporated into regular board meetings, taking place on April 7 and April 28, 2004.

**8. CLOSED SESSION**

**It was moved by Director Day and seconded by Director Henriques to adjourn to Closed Session, at 3:00 p.m., as provided by the authority of Government Code Section 54956.1, relating to Application 31371, presently pending before the State Water Resources Board. The motion carried unanimously.**

Directors Marcum and Wright were excused due to a potential economic conflict of interest arising out of their Mutual Water Company stock.

At 4:00 p.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

**9. ADJOURN MEETING**

There being no further business, the meeting adjourned at 4:00 p.m.

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Board Secretary