

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

AGENDA

April 6, 2005 --- 9:30 A.M.
(NOTE SPECIAL TIME)

Location--1630 West Redlands Boulevard, Suite A, Redlands, California

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District offices and are available for public review during normal District business hours.

CALL TO ORDER / PLEDGE OF ALLEGIANCE

ROLL CALL

1. **PUBLIC PARTICIPATION**

Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.

2. **RATIFICATION OF RESOLUTION NO. 405**

Ratify Resolution No. 405 for Retiring Board Member Bert "Pete" Marcum

3. **BOARD INTERVIEWS WITH POTENTIAL CANDIDATES FOR APPOINTMENT TO REMAINING TERM OF DIVISION 1**

The Board will interview candidates who have expressed an interest in seeking appointment to the Board of Directors to fill the vacancy in Division 1. (Interviews are anticipated to last until a lunch break, and the meeting is expected to reconvene at 1:30 p.m.)

4. **AWARD PRESENTATION**

5. **PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE**

Article 1, Section 75560 of the California Water Code requires that a Water Conservation District that proposes to levy a groundwater charge "...shall annually cause to be made an engineering investigation and report upon groundwater conditions of the District." District staff will present the annual Bunker Hill Engineering Investigation Report and review the Groundwater Replenishment Program annual budget. District staff is

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recommending to the District's Board of Directors to change the current amount of the groundwater charge of \$1.65 per acre-foot for groundwater production for agricultural purposes, and \$6.05 per acre-foot for groundwater production for non-agricultural purposes, to \$1.85 per acre-foot for groundwater production for agricultural purposes and \$6.65 per acre-foot for groundwater production for non-agricultural purposes for the ensuing year (July 1, 2005 to June 30, 2006). The purpose of the groundwater charge is to fund the District's continuing groundwater replenishment efforts. District staff will present any written comments received and hear oral comments.

6. **BOARD DISCUSSION ITEMS**

Monthly Activity Reports, and/or Comments by Board Members

7. **APPROVAL OF THE MINUTES**

The Regular Meeting of March 2, 2005

8. **BOARD COMMITTEE REPORTS**

9. **GENERAL MANAGER'S REPORT**

10. **OPERATIONS AND MAINTENANCE REPORT**

11. **CONSENT CALENDAR**

A. Approval of Expenditures for March 2005

B. Approval of the Un-audited Financial Reports for March 2005

12. **BOARD LETTERS, ACTION ITEMS, NEW BUSINESS, FYI**

A. **CONSIDER APPOINTMENT OF DIRECTOR TO FILL VACANCY IN DIVISION 1**

Recommended Action: Review results of interviews of Board candidates, and either make appointment, continue to receive/solicit additional candidates, or otherwise direct staff action.

B. **GROUNDWATER HYDROLOGY STUDY OF THE SANTA ANA RIVER SPREADING GROUNDS**

Recommended Action: Authorize the General Manager to enter into a contract with Black & Veatch, not to exceed \$15,000, for the purpose of a groundwater hydrology study in the Santa Ana River spreading grounds.

C. **CONSIDER THE ADOPTION OF THE ARTICLES OF ASSOCIATION FOR THE UPPER SANTA ANA WATER RESOURCES ASSOCIATION**

Recommended Action: Adopt Resolution No. 406, approving the Articles of Association for the Upper Santa Ana Water Resources Association, including designation, as required by the Articles of Association, of a representative and alternate representative for the District.

D. **BROWN ACT AND CONFLICT OF INTEREST OVERVIEW**

Recommended Action: Receive and file written memoranda from agency counsel regarding the Brown Act and Conflict of Interest and schedule date for presentation regarding same to Board.

13. **CLOSED SESSION**

Under the authority of Government Code Section 54956.9(a), the Board of Directors may recess to Closed Session to consider the Application No. 31371 before the State Water Resources Control Board to appropriate waters of the Santa Ana River.

and/or

Under the authority of Government Code Section 54956.9(a), the Board of Directors may recess to Closed Session to consider the applications by Southern California Edison before the Federal Energy Regulatory Commission to re-license hydroelectric plants on the Santa Ana River, Mill Creek, and Lytle Creek.

and/or

Under the authority of Government Code Section 54956.9 (b)(3)(a), and Section 54956.9(c), the Board may recess to Closed Session to confer with legal counsel regarding significant exposure to litigation in one case.

and/or

Under the authority of Government Code Section 54956.8, the Board of Directors may recess to Closed Session to consider lease and/or Real Property negotiations with Robertson's Ready Mix; if action is directed, the negotiators will be Lawrence Libeu and David Cosgrove with the District; and Dennis Troesh of Robertson's Ready Mix.

and/or

Under the authority of Government Code Section 54956.8, the Board of Directors may recess to Closed Session to consider lease and/or Real Property negotiations with CEMEX, USA; if action is directed, the negotiators will be Lawrence Libeu and David Cosgrove with the District; and Tom Powell and Christine Jones of CEMEX, USA.

and/or

Under the authority of Government Code Section 54957 and 54957.6, the Board of Directors may recess to Closed Session to consider public employee items.

14. **ADJOURN MEETING.** The meeting will adjourn to a regular Board meeting on April 27, 2005, at District headquarters, 1630 W Redlands Blvd., Ste. A, Redlands, CA at 1:30 p.m.