

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF  
March 2, 2005  
1:30 p.m.

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  
Manuel Aranda, Jr., Director  
Melody Henriques-McDonald, Director  
Burt Marcum Jr., Director  
Arnold Wright, Director  
Glenda Douglas, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esq.

STAFF PRESENT:

Lawrence M. Libeu, General Manager/Board Secretary  
Tom Crowley, Assistant General Manager  
Colleen Theuer, Assistant to the General Manager/Recording Secretary

GUESTS PRESENT:

Representatives from the Highland Library & Environmental Learning Ctr

## 1. PUBLIC PARTICIPATION

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

A presentation for Item 8A was taken out of order.

### 8A. Water Exhibits Grant Request - Highland Environmental Learning Center

Mr. Crowley introduced representatives from the Highland Library and Environmental Learning Center, who made a presentation regarding their request for a \$5,000 grant from the District for use in preparing a water conservation exhibit at their facilities. They explained that the Highland Library and Environmental Learning Center is a collaborative project among several agencies to form a combination of a county public library and a formal environmental learning center. The water exhibit planned would include themed and integrated elements within the library and on the library's grounds, as well as a rooftop garden. At the end of the presentation, the representatives thanked the Board for their time and left the meeting. Discussion was deferred to the normal agenda order.

## 2. BOARD DISCUSSION ITEMS

President Tubbs reported on the WESTCAS strategic plan and the ACWA Washington DC Conference attended by her, Mr. Libeu, and Directors Aranda, Henriques-McDonald, and Douglas.

Director Marcum briefly discussed his resignation from the District, and expressed his appreciation of the District over the 29+ years that he has been a Director.

Director Aranda reported on several meetings he attended during the month, including the ACWA Washington DC Conference.

## 3. APPROVAL OF THE MINUTES

There was a brief discussion on the minutes for the regular meeting of February 2, 2005.

**It was moved by Director Douglas and seconded by Vice President Day to approve the minutes of the regular meeting of February 2, 2005, as amended. The motion carried unanimously.**

## 4. BOARD COMMITTEE REPORTS

There were no committee reports for the month.

5. GENERAL MANAGER'S REPORT

Mr. Libeu summarized his General Manager's report, noting that the WESTCAS summer meeting will be hosted by California on June 22-25 in San Diego.

6. OPERATIONS AND MAINTENANCE REPORT

Mr. Crowley summarized the Operations and Maintenance Report, and distributed an up-to-date Recharge Summary as of March 1, 2005.

7. CONSENT CALENDAR

Ms. Theuer briefly discussed the un-audited monthly financial reports for the month of February 2005.

**It was moved by Vice President Day and seconded by Director Wright to approve the Consent Calendar, consisting of the Expenditures for the month of February 2005, and the Un-audited Financial Reports for February 2005. The motion carried unanimously.**

8. BOARD LETTERS, ACTION ITEMS, NEW BUSINESS, FYI

A. Water Exhibits Grant Request - Highland Environmental Learning Center

Mr. Crowley summarized the presentation given earlier in the meeting from the Highland Environmental Learning Center, and their request for a \$5,000 grant. He said the grant could be budgeted in the 2005-2006 fiscal year. Discussion followed, and Mr. Crowley answered questions from the Board. After discussion, this item was to be continued and included as part of the 2005-2006 budget process, where it could further be discussed.

B. Director Bert (Pete) Marcum's Resignation; Vacancy on the Board

**It was moved by Vice President Day and seconded by Director Wright to receive Director Marcum's resignation (retirement), with regrets, and declare his position vacant. The motion carried 6-0, with Division 1 vacant.**

At this time, former Director Marcum again thanked the Board and staff, bid farewell, and left the meeting.

Mr. Cosgrove led a discussion as to how the Division 1 vacancy could be filled, either by special election or by appointment, and answered questions from the Board.

**It was moved by Vice President Day and seconded by Director Henriques-McDonald to fill the vacancy in Division 1 by appointment. The motion carried 6-0, with Division 1 vacant.**

Mr. Cosgrove said that the date of appointment would need to be by April 27, the legal time frame allowed (within 60 days) after the declaration of the vacancy. Staff was directed to proceed with the necessary process for posting the vacancy.

C. Annual Engineering Investigation Report

Mr. Crowley presented and discussed the Annual Engineering Investigation Report for the Bunker Hill Groundwater Basin. The report includes a recommendation for a 10% increase in the groundwater fees, raising the non-agricultural rate from \$6.05 to \$6.65, and the agricultural rate from \$1.65 to \$1.85. The proposed increase would need to be posted three times, and the District will receive comments during that time period. This will also be discussed at the Upper Santa Ana Water Resources Association meeting on April 14. The Public Meeting for this issue would be on April 6 (a regular Board meeting) and the Public Hearing would be on April 27 (also a regular Board meeting).

**It was moved by Director Henriques-McDonald and seconded by Director Aranda to receive the annual Engineering Investigation Report of the Bunker Hill Groundwater Basin, and direct staff to notice the proposed groundwater charge rate increase. The motion carried 6-0, with Division 1 vacant.**

D. Groundwater Hydrology Study of the Santa Ana River Spreading Grounds

Mr. Libeu led a discussion on a proposal for entering 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. Concerns from the San Bernardino Valley Municipal Water District had been expressed regarding the impact of the District's recharging activities on the Redlands Aggregate mining pit. After discussion, this item was tabled.

**It was moved by Director Douglas and seconded by Director Aranda to table the item of the Groundwater Hydrology Study of the Santa Ana River Spreading Grounds to the regular Board meeting of April 6, 2005. The motion carried 6-0, with Division 1 vacant.**

E. ACWA/JPIA Election

A request from Walnut Valley Water District for concurrence in their nomination of Edward Layton for the office of Vice President of ACWA/JPIA was discussed.

**It was moved by Director Henriques-McDonald and seconded by Director Aranda to adopt and sign Resolution No. 404, concurring in the nomination of Edward Layton by Walnut Valley Water District for the office of Vice President of ACWA/JPIA. The motion carried 6-0, with Division 1 vacant.**

F. Board Workshop

This item was for information only, regarding the upcoming Board Workshop to be held on March 30, 2005 at 10:00 a.m., at the Arrowhead Country Club in San Bernardino.

At 3:30 p.m., the meeting adjourned for a five-minute break.

At 3:35 p.m., the Board meeting reconvened.

9. CLOSED SESSION

**It was moved by Director Henriques-McDonald and seconded by Director Douglas to adjourn to Closed Session, at 3:35 p.m., as provided by the authority of Government Code Section 54956.9a, with respect to Application 31371 before the State Water Resources Control Board to appropriate waters of the Santa Ana River. The motion carried 6-0, with Division 1 vacant.**

At 4:14 p.m., the meeting reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

10. ADJOURN MEETING

At 4:15 p.m., the meeting adjourned to the Board Workshop on March 30, 2005 at the Arrowhead Country Club, 3433 Parkside Drive, San Bernardino, at 10:00 a.m.

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Board Secretary