

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE PUBLIC MEETING/REGULAR BOARD MEETING OF
April 6, 2005
9:30 a.m.

President Cheryl Tubbs called the Regular Meeting of the Board of Directors to order at 9:30 a.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
Arnold Wright, Director
Glenda Douglas, Director

BOARD MEMBERS ABSENT:

Division 1 Vacant

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:

James Walker, Tetra Tech Inc.

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.

2. RATIFICATION OF RESOLUTION NO. 405

It was moved Director Henriques-McDonald and seconded by Director Douglas to ratify Resolution No. 405, in appreciation for the services performed by retiring Director Bert "Pete" Marcum. The motion carried 6-0, with Division 1 vacant.

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

Mr. Libeu stated that the District had received four (4) applications for the Director position in Division 1, a vacancy created by the retirement of Director Pete Marcum. Interviews were scheduled for this date during open session of the Board meeting. Three candidates were to be interviewed in the morning hours, and the last candidate would be interviewed at 2:30 in the afternoon.

Between the hours of 9:30 a.m. and 11:30 a.m., interviews were conducted.

At 11:35 a.m., the meeting was recessed to Isabella's Restaurant for a luncheon honoring retiring Director Marcum.

At 1:55 p.m., the meeting reconvened.

4. AWARD PRESENTATION

A five-year award certificate was presented to Assistant General Manager Tom Crowley. Mr. Crowley's anniversary date was February 14, 2000.

5. PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE

Mr. Crowley advised the Board that to date there were no public comments, oral or written, on the 2005-2006 Engineering Report or on the proposed change in groundwater rates. He said that he would be making a presentation to the Upper Santa Ana Water Resources Association regarding this item on April 21, and would be receiving any comments from them or the public at that time.

It was moved by Vice President Day and seconded by Director Henriques-McDonald to close the Public Meeting and continue to the Public Hearing, to take place on April 27, 2005. The motion carried 6-0, with Division 1 vacant.

6. BOARD DISCUSSION ITEMS

President Tubbs and Directors Henriques-McDonald and Aranda reported on their activities for the month. President Tubbs also reported that Supervisor Hansberger would be preparing a resolution for Pete Marcum, to be sent directly to his home. Director Aranda reported on a bill that Senator Ortiz was preparing regarding Special Districts.

7. APPROVAL OF THE MINUTES

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

It was moved by Director Henriques-McDonald and seconded by Vice President Day to approve the minutes of the regular meeting of March 2, 2005, as amended. The motion carried 6-0, with Division 1 vacant.

8. BOARD COMMITTEE REPORTS

There were no committee reports for the month.

9. GENERAL MANAGER'S REPORT

Mr. Libeu summarized his General Manager's report. He also suggested that the Board meeting on April 27 include a budget workshop to begin at 11:00 a.m., with lunch served in the Board room. The Board agreed.

10. OPERATIONS AND MAINTENANCE REPORT

Mr. Crowley summarized the Operations and Maintenance Report, and answered questions from the Board.

At this time (2:30 p.m.), the Board interviewed the fourth candidate for the Division 1 vacancy.

At 3:10 p.m., the interview was concluded, and the Board took a five-minute break.

At 3:15, the Board meeting reconvened.

11. CONSENT CALENDAR

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

It was moved by Vice President Day and seconded by Director Aranda to approve the Consent Calendar, consisting of the Expenditures for the

month of March 2005, and the Un-audited Financial Reports for March 2005. The motion carried unanimously.

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

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

The Board reviewed the interviews of the four candidates for the position of Director for the vacancy in Division 1. After discussion, the Board decided to appoint candidate Richard Corneille, and to administer the Oath of Office at the April 27 meeting.

It was moved by Vice President Day and seconded by Director Wright to appoint candidate Richard Corneille to the position of Director for Division 1. The motion carried 6-0, with Division 1 vacant.

Staff was directed to notify the candidates of the decision.

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

Mr. Libeu discussed with the Board the recommendation 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 (Seven Oaks Dam and the Borrow Pit). After discussion, President Tubbs recommended referring this item to the Resources Committee, or tabling until July or August, in order to allow time for evaluation of the debris pool.

It was moved by Director Aranda and seconded by Vice President Day to table this item, Groundwater Hydrology Study of the Santa Ana River Spreading Grounds, at this time. The motion carried 6-0, with Division 1 vacant.

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

Mr. Crowley led a discussion on Resolution No. 406, the Adoption of the Articles of Association for the Upper Santa Ana Water Resources Association. He explained that on March 10, 2005 the Board of Directors of the Upper Santa Ana Resources Association approved revisions to the Association of Articles that were originally adopted on March 13, 1986. The changes better represent how the members interact and participate in the Upper Santa Ana Watershed. Mr. Crowley answered questions from the Board; some corrections to the Resolution were discussed.

It was moved by Director Wright and seconded by Vice President Day to adopt Resolution No. 406, as amended, approving the Articles of Association and also appointing the General Manager as representative

and the Assistant General Manager as the alternate representative to the Board of Directors of the Upper Santa Ana Water Resources Association. The motion carried 6-0, with Division 1 vacant.

D. BROWN ACT AND CONFLICT OF INTEREST OVERVIEW

Mr. Cosgrove discussed the written information presented in the Board Agenda package regarding the Brown Act and the Conflict of Interest Overview. He inquired as to whether the Board wanted to receive and file the information, or have a formal presentation at a future date. After discussion, staff was directed to defer a presentation until the beginning of the next fiscal year, at staff's discretion.

It was moved by Director Henriques-McDonald and seconded by Vice President Day to defer the presentation of the Brown Act and the Conflict of Interest Overview until after the beginning of the next fiscal year, at staff's discretion. The motion carried 6-0, with Division 1 vacant.

10. CLOSED SESSION

There was no Closed Session for this meeting.

11. ADJOURN MEETING

At 4:30 p.m., the meeting adjourned to the Board Budget Workshop on April 27, 2005 at District Headquarters, 1630 W. Redlands Blvd., Ste. A, Redlands, CA, at 11:00 a.m., followed by the regular Board meeting at 1:30 p.m.

Board Secretary