

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS

MINUTES OF THE PUBLIC HEARING/REGULAR BOARD MEETING OF  
April 27, 2005  
1:30 P.M.

President Cheryl Tubbs called the Public Hearing/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  
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:

Richard and Colleen Corneille

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. OATH OF OFFICE

President Tubbs announced that Mr. Richard Corneille had accepted the Board's appointment of Director to fill the vacancy in Division 1 created by the retirement of Bert "Pete" Marcum. She asked Mr. Corneille to come forward from the audience, and she administered the oath of office to him. He then took his seat as a new Director.

3. PUBLIC HEARING FOR ADOPTION OF GROUNDWATER CHARGE

President Tubbs opened the Public Hearing at 1:40 p.m. The purpose of the Public Hearing was to receive comments and testimony regarding the proposed groundwater charge for the fiscal year 2005-2006. District Counsel David Cosgrove advised the Board that Director Wright had a potential conflict of interest with this item as well as item #4 (adopting the groundwater charge), and asked that the Board excuse Mr. Wright from this portion of the Board meeting. Mr. Wright left the Boardroom at that time. President Tubbs said that the proposed groundwater charge would be a change from \$1.65 to \$1.85 per acre-foot for groundwater production for agricultural purposes, and from \$6.05 to \$6.65 per acre-foot for groundwater production for non-agricultural purposes for the ensuing year (July 1, 2005 to June 30, 2006). She asked for comments from the floor; there were none. For the benefit of Mr. Corneille, Mr. Libeu addressed the purpose of the hearing, and gave an overview of the process. Mr. Crowley also presented an overview of the process for establishing a groundwater charge, highlighting the annual Engineering Investigation Report of the Bunker Hill Basin. Mr. Crowley answered several questions from the Board, and noted that the District had not received any comments, either written or oral, on the proposed increase. President Tubbs called for a motion to close the Public Hearing.

**It was moved by Director Day and seconded by Director Henriques-McDonald to close the Public Hearing. The motion carried 6-0-1, with Director Wright abstaining due to a potential conflict of interest.**

4. ADOPT RESOLUTION NO 407 ESTABLISHING GROUNDWATER CHARGE

Mr. Libeu reported that it was staff's recommendation that the Board of Directors adopt Resolution No. 407, a resolution establishing a groundwater charge on the production of groundwater within the District boundaries, and making certain findings thereto, for Fiscal Year 2005-2006.

**It was moved by Director Henriques-McDonald and seconded by Director Douglas to adopt Resolution No. 407, increasing the groundwater charge rates from \$1.65 to \$1.85 per acre-foot for agricultural purposes, and from \$6.05 to \$6.65 per acre-foot for non-agricultural purposes, for the ensuing fiscal year (July 1, 2005 to June 30, 2006). The motion carried 6-0-1, with Director Wright abstaining due to a potential conflict of interest.**

At this time, Director Wright rejoined the Board meeting.

5. BOARD DISCUSSION ITEMS

Each of the Directors summarized their activities for the month of April 2005. Director Aranda informed the Board about outgoing written correspondence, representing the District, to State and Federal legislators. He expressed his concern that fellow Board members may not have been aware of the type of correspondence that the District was sending. It was duly noted by staff that this issue needed to be addressed, and Director Aranda suggested that an Outreach Committee meeting be scheduled to address the subject.

Director Corneille indicated that he would be out of the State from May 22 to June 6, and would miss the next regular Board meeting. President Tubbs indicated she would be in Sacramento May 2nd and 3rd, and again on May 11th.

6. APPROVAL OF THE MINUTES

**It was moved by Director Day and seconded by Director Wright to approve the minutes of the Public Meeting/Regular Meeting of April 6, 2005. The motion carried 6-0-1, with Director Corneille abstaining.**

7. BOARD COMMITTEE REPORTS

There were no committee reports for the month of April 2005.

8. GENERAL MANAGER'S REPORT

Mr. Libeu summarized his written report as well as informing the Board of upcoming events. He indicated that he would be bringing a request for an easement to the Board for approval in either June or July for flood control purposes, on a portion of the District's property near Plunge Creek. It was also noted that Mr. Libeu had completed two years of service with the District.

9. OPERATIONS AND MAINTENANCE REPORT

Mr. Crowley summarized his written report. Additionally, he updated the Board as to the progress Crown Group was making on the cleanup of several of the District's recharge

basins. He also answered questions from the Board as to the status of the storage and water quality of the water being held behind the Seven Oaks Dam.

10. CONSENT CALENDAR

There were no items for the Consent Calendar for this meeting.

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

A. Adopt Resolution No. 408 in Support of Developing an Integrated Regional Water Management Plan

Mr. Libeu and Mr. Crowley briefed the Board regarding this item. They indicated that the plan is a joint stakeholders effort for the Upper Santa Ana Water Resources Association to secure funds from the Prop. 50 program to prepare an Integrated Regional Water Management Plan. The stakeholders have selected the San Bernardino Valley Municipal Water District to act as lead for this project. Each stakeholder's governing body would be required to adopt a resolution in support of this effort. Additionally, he asked that the Board authorize and expenditure not to exceed \$10,000 for this work. It was anticipated that each stakeholder's share would be less than \$10,000. Mr. Libeu recommended that the Board adopt the resolution and authorize the expenditure.

**It was moved by Director Henriques-McDonald and seconded by Director Day to adopt Resolution No. 408, supporting the development of an Integrated Regional Water Management Plan, and to further authorize the General Manager to commit to an expenditure not to exceed \$10,000 for this effort. The motion carried unanimously.**

B. FYI - Financial Reports to Current Date of April 27, 2005

Mr. Libeu reviewed the financial statements as of April 27, 2005 with the Board; the financial reports for the full month of April 2005 would be included for approval at the June 2005 meeting.

At this time, Mr. Libeu presented a video regarding WESTCAS. Included within the video were discussions by Board President Tubbs and General Manager Libeu.

A short break was taken at 3:10 p.m.

At 3:20 p.m., the Board meeting reconvened.

12. CLOSED SESSION

**It was moved by Director Day and seconded by Director Henriques-McDonald to adjourn to Closed Session, at 3:20 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.**

Director Wright was excused due to a potential conflict of interest.

At 4:20 p.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

13. ADJOURN MEETING

At 4:20 p.m., the meeting adjourned to the regular Board meeting on June 1, 2005, at District Headquarters, 1630 W. Redlands Blvd., Ste. A, Redlands, CA, at 1:30 p.m.

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Board Secretary