

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
March 8, 2006
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
Manuel Aranda, Vice President
Clare Henry Day, Director
Glenda Douglas, Director
Richard Corneille, Director
Melody Henriques-McDonald, Director
Arnold Wright, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esq.

STAFF PRESENT:

Lawrence M. Libeu, General Manager/Board Secretary
Colleen Theuer, Assistant to the General Manager/Recording Secretary
Walter Christensen, Project Manager

GUESTS PRESENT:

Brendan Shire, Tetra Tech

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. BOARD DISCUSSION ITEMS

Director Corneille reported that he attended the LAFCO hearing as well as the WESTCAS meeting where he represented his company. Director McDonald reported that she attended several chamber functions in addition to the Water Management Committee meeting; the Special Districts meeting; Senator Feinstein's luncheon; and the ACWA Conference in Washington DC. President Tubbs reported that she also attended the LAFCO hearing, as well as the WESTCAS and Special Districts meetings. She said the WESTCAS meeting was very informative, particularly in regard to global warming. Vice President Aranda reported that he attended those same meetings as well as several chamber meetings, and the Legislative Reception for the Inland Empire in Sacramento. Director Wright reported that he also attended the LAFCO hearing. Director Douglas attended the WRI breakfast, the LAFCO hearing, and the Special Districts dinner meeting.

3. APPROVAL OF THE MINUTES

There was a brief discussion regarding the minutes submitted for the month of February 1, 2006. A minor change was noted.

It was moved by Director Corneille and seconded by Vice President Aranda to approve the minutes of the regular meeting of February 1, 2006, as amended. The motion carried unanimously.

4. BOARD COMMITTEE REPORTS

There were no committee reports for this meeting.

5. GENERAL MANAGER'S REPORT

Mr. Libeu summarized his report. He briefly discussed LAFCO and noted that the consolidation issue was deferred until March 15. He said that the District's work on the Big Bear Watermaster Annual Report had been completed, and staff was currently working on the Engineering Investigation Report (EI), a draft copy of which had been distributed to Board members. The public meeting for the EI report was scheduled for April 5 and the public hearing for April 26. The EI would also be presented at the Upper Santa Ana Resources Association meeting on April 13, 2006.

He briefly discussed the Seven Oaks Dam water quality problem. He attended a meeting with the Corp. of Engineers (Corp), and they estimated it would take two years at a cost of approximately \$4 million to resolve.

6. OPERATIONS AND MAINTENANCE REPORT

Mr. Libeu reported that Monteloene Co. cleaned up spreading ponds 13, 14, and 15 within one week. He said the Orange County Flood Control and the Corp were testing

the tunnel to check on the repairs that had been made the previous year and were releasing 500 cfs for the test. Water quality was still below par. He briefly discussed the flow report that had been distributed earlier.

7. CONSENT CALENDAR

The financial statements were briefly discussed.

It was moved by Director Day and seconded by Director Douglas to approve the Consent Calendar, consisting of the Warrants for February 2006 and the Un-audited Financial Reports for February 2006. The motion carried unanimously.

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

A. Ratify Resolution No. 417

It was moved by Director McDonald and seconded by Director Wright to ratify Resolution No. 417, in appreciation for the services performed by Assistant General Manager Tom Crowley. The motion carried unanimously.

B. ACWA/JPIA Election

Mr. Cosgrove requested that the Board approve an addition to Item B, and include Resolution No. 421, concurring in the nomination of Lou Reinkens of the Tahoe City Public Utility District for a position on the ACWA/JPIA Executive Committee.

It was moved by Director McDonald and seconded by Director Wright to add to Item B, ACWA/JPIA Election, Resolution No. 421, concurring in the nomination of Lou Reinkens of the Tahoe City Public Utility District for a position on the ACWA/JPIA Executive Committee. The motion carried unanimously.

Resolution Nos. 419, 420, and 421 were discussed. Director McDonald explained the Executive Committee process.

It was moved by Director McDonald and seconded by Vice President Aranda to approve Resolution No. 419 and 421, concurring in the nominations of Thomas A. Cuquet of the South Sutter Water District and Lou Reinkens of the Tahoe City Public Utility District, respectively, for a position on the Executive Committee of the ACWA/JPIA, . The motion carried unanimously.

C. Muni Advisory Commission

Mr. Libeu advised the Board that the Muni Advisory Commission (Commission), which had been inactive for some time, was to be reactivated to fill the Stakeholders role as part of the Integrated Regional Groundwater Management Program grant process. The Commission includes all of the Upper Santa Ana Water Resources Association agencies as well as several other agencies outside the Santa Ana River basin; all were asked to designate a representative and an alternate to the Commission. Currently, the District's representative is Director Melody McDonald and Director Douglas is the alternate. It was indicated by Mr. Libeu that Director Corneille had previously expressed interest in becoming the District's representative. Discussion followed, in which Director Douglas volunteered to step down as the alternate, and Director McDonald volunteered to become the alternate so that Director Corneille could represent the District.

It was moved by Director Wright and seconded by Vice President Aranda to appoint Director Corneille as representative and Director McDonald as alternate to the Muni Advisory Commission. The motion carried unanimously.

D. Wash Plan - Revised Budget Augment Request

Walter Christensen gave an update to the Board on the Wash Plan. He said that there had been some delay in implementing the plan due to some concerns of the U.S. Fish & Wildlife Service. The delay and other factors caused a revision to the budget augment request, which had been brought to the Board in August 2005. At that time the augment request was \$79,333, but since that time, due to the aforementioned reasons, it has increased to \$103,598. The District's share would be approximately \$24,000. Discussion ensued. After discussion, the following motion was made:

It was moved by Director Corneille and seconded by Director McDonald to approve the revised augment request and approve payment of \$24,000 to the Wash Plan. The motion carried unanimously.

E. Annual Engineering Investigation Report

Mr. Libeu discussed the procedure for the Engineering Investigation report (EI), noting the requirement of a yearly public meeting and a public hearing in which the EI must be presented, in order to set the groundwater rates for the coming year. The public meeting was scheduled for April 5 and the public hearing for April 26. Due to conflicts, the date for the public hearing was changed to April 28. Mr. Christensen then presented the EI report to the Board, using visual aids. A lengthy discussion ensued concerning the groundwater rates for the upcoming year, as well as the rebate system set in place during the current year. After discussion, the following motion was made for the notice in the newspapers:

It was moved by Director McDonald and seconded by Director Douglas to direct staff to publish, for notification purposes, the current rate of \$6.65 for non-agricultural and \$1.85 for agricultural for the ensuing fiscal year of 2006-2007, to continue with the rebate program, amount depending on the year's income, and to allow producers to use their rebate towards the forthcoming year. The motion carried 5-2, with Director Corneille opposed and Director Wright abstaining.

F. Board Workshop

Mr. Libeu said that the Board Workshop was scheduled for Friday, March 31, 2006 at the Arrowhead Country Club, from 9:00 a.m. - 3:00 p.m.; lunch would be served.

9. CLOSED SESSION

It was moved by Director Day and seconded by Director Wright to adjourn to Closed Session, at 3:15 p.m., as provided by the authority of Government Code Section 54956.9(a) to consider Application No. 31371 before the State Water Resources Control Board to appropriate waters of the Santa Ana River; and Government Code Section 54956.9(c), to determine on whether to initiate litigation. The motion carried unanimously.

At 4:50 p.m., the meeting reconvened into Open Session. Under Government Code Section 54957.1, there was no reportable action taken.

10. ADJOURN MEETING

At 4:50 p.m., the meeting adjourned to the Board meeting scheduled for **Wednesday, March 8, 2006** at District Headquarters, 1630 W. Redlands Blvd., Ste. A, Redlands, CA, at 1:30 p.m.

Board Secretary