

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
August 2, 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

BOARD MEMBERS ABSENT:

Arnold Wright, Director

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
Steve Luhn, IT/GIS Systems Administrator

GUESTS PRESENT:

D. Burnell Cavender, Special Consultant
Cindy Wang, 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. AWARD PRESENTATION

President Tubbs and General Manager Larry Libeu presented Steve Luhn, the District's IT/GIS Systems Administrator, with a certificate acknowledging his five years of service with the District.

3. BOARD DISCUSSION ITEMS

Director Douglas reported that she attended the West Valley Water District's re-dedication of their water treatment facility, and attended a Highland Chamber luncheon on July 25.

Vice President Aranda reported that he attended the regular chamber meetings, visited Senator Dutton's office, noting that Senator Dutton had been in a serious accident resulting in nerve damage and requiring surgery; attended a Special Districts Conference in Los Angeles; and attended a breakfast for Assemblyman Emmerson. He said the California Legislature would be back in session on August 6. He noted that if Proposition 84 passes in November, it would provide ample funds for water projects. He said he was also planning to attend the Urban Water Institute's 13th Annual Conference in San Diego August 28-29.

President Tubbs reported that she also attended the Highland Chamber luncheon on July 25. She noted that the tree near one of the District's ponds had been removed, alleviating the public's use of the tree's branches used to swing out into the pond.

Director McDonald reported that she attended the Special Districts dinner in Hesperia; the Highland Chamber meeting; the breakfast for Assemblyman Emmerson; and the re-dedication of the West Valley Water District's water treatment facility.

4. APPROVAL OF THE MINUTES

There was a brief discussion on the minutes from the meeting of July 5, 2006. Minor changes were noted.

It was moved by Director Corneille and seconded by Vice President Aranda to approve the minutes of the regular meeting of July 5, 2006, as amended. The motion carried 6-0, with Director Wright absent.

5. BOARD COMMITTEE REPORTS

There were no Board Committee reports for this meeting.

6. GENERAL MANAGER'S REPORT

Mr. Libeu summarized his General Manager's report, noting that the estimated cost for the purchase of a new truck was \$33,000.

7. OPERATIONS AND MAINTENANCE REPORT

Mr. Libeu summarized the Operations and Maintenance report, discussing the need to remove invasive plants and weeds from the pit area.

8. WASH PLAN UPDATE

Mr. Cosgrove updated the Board on the Wash Plan. He reported that currently the primary focus is the draft of the Habitat Conservation Plan (HCP). A meeting was held on July 18, and while the draft is in progress, the HCP cannot be completed until the trails portion is finished, and the base maps are completed. He said Mr. Cavender would address the trails portion later, and District staff is working on the maps. Regarding the contract with Dudek that contained irregularities, Dudek agrees that the contract is null and void, and any further work would be contracted through LSA. Discussion followed. After discussion, Mr. Cosgrove said that he also attended the Woolly Star Preservation Habitat Management Group meeting on July 27, the focus being coordination of the trails issue.

Mr. Cavender reported that at the June meeting with the Technical Group, a Trails Working Group (TWG) was organized, which included the City of Redlands, the City of Highland, the San Bernardino County Parks, Planning, & Public Works, East Valley Water District and SBVWCD. The City of Redlands, acting as lead for the TWG, prepared a draft trails concept proposal, which was sent out for review. Comments received from the Fish & Wildlife Service (FWS) indicated the draft needed more detail, so another meeting was called to see if issues could be resolved. Using visual aids, Mr. Cavender presented a map of the Wash Plan area and pointed out where the trails might be located, subject to approvals. In particular, the SBVWCD Board would need to accept that trails could cross its property, especially around the large "pit" in the Santa Ana River spreading area. A lengthy discussion ensued. After discussion, Mr. Cavender indicated that the City of Highland (for the TWG) would update the proposal to respond to the FWS concerns and the agreed-upon trails locations made during the TWG meeting.

Mr. Cavender said that while in California on this trip, he has been working with Lisa Donnell from LSA to determine remaining EIR/EIS requirements, and will be meeting with the San Bernardino County Flood Control this date at 3:00 p.m., to obtain information on properties they hold, all with reference to mapping the Woolly Star Preserve Area. Additionally, he said he would be meeting with BLM Thursday morning to obtain more detailed procedures for federal actions in support of the EIR/EIS. After returning to Missouri, he said he would update the Time Chart and the action plan, as well as an "Action by Agency" plan. Discussion continued. President Tubbs said that she likes the trails concept plan and suggested that if the District's JPIA approved, it would be beneficial for the District to own and name the trails. Director Corneille inquired as to the budget for the project; Mr. Cavender replied that he would have that information for the next meeting.

9. CONSENT CALENDAR

The financial reports were briefly discussed.

It was moved by Director Day and seconded by Director Douglas to approve the Consent Calendar, consisting of the Warrant Table for July 2006 and the un-audited financial reports for July 2006. The motion carried 6-0, with Director Wright absent.

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

- A. Approve and Adopt Resolution No. 423, Authorizing Investment of Monies in the LAIF Fund

Mr. Libeu said that LAIF requires an annual information update to ensure that the most current information is on file. A new resolution would need to be adopted if two persons or positions authorized by resolution are no longer at the agency to verify account information or to request account changes. Mr. Libeu asked the Board to approve and adopt Resolution No. 423, updating the necessary information.

It was moved by Director Day and seconded by Director McDonald to adopt Resolution No. 423, re-certifying current signatories and deleting/adding other signatories for the Local Agency Investment Fund (LAIF). The motion carried 6-0, with Director Wright absent.

- B. Approve and Authorize Sponsorship for East Valley Water District 2006 Water Quality Regulatory Conference

It was moved by Director Corneille and seconded by Director McDonald to approve and authorize the District's participation in the East Valley Water District 2006 Water Quality/Regulatory Conference as a Gold Level Sponsor, in the amount of \$5,000. The motion carried 6-0, with Director Wright absent.

- C. Review Request for Contract Amendment for Wes Green Realty

Mr. Libeu discussed and answered questions from the Board regarding the District property manager's (Wes Green Realty) request for an increase in their monthly rate from \$800/month to \$950/month. After discussion, the following motion was made:

It was moved by Director Corneille and seconded by Director Douglas to disapprove Wes Green Realty's request for an increase in monthly fees and to terminate the contract with Wes Green Realty; and to direct and authorize staff to pursue proposals from other management companies for property management services; and in the interim the District will handle

the property management duties. The motion carried 6-0, with Director Wright absent.

11. CLOSED SESSION

There was not a Closed Session for this meeting.

12. ADJOURN MEETING

At 2:55 p.m., the meeting adjourned to the Board meeting scheduled for **September 6, 2006** at District Headquarters, 1630 W Redlands Blvd., Suite A, Redlands, CA at 1:30 p.m.

Board Secretary