

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF  
November 7, 2007  
1:30 P.M.

President Melody McDonald 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 McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President  
Manuel Aranda, Vice President  
Cheryl Tubbs, Director  
Clare Henry Day, Director  
John Longville, Director

BOARD MEMBERS ABSENT:

Arnold Wright, Director  
Richard Corneille, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Marvin Shaw, General Manager  
Colleen Theuer, Admin. Services Mgr./Recording Secretary

GUESTS PRESENT:

David McAlister, Tetrattech

1. PUBLIC PARTICIPATION

President McDonald 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. CONSENT CALENDAR

The minutes for October 3, 2007 were briefly discussed; minor changes were noted. Ms. Theuer reported on the un-audited financial reports for the month of October, 2007.

**It was moved by Director Longville and seconded by Director Aranda to approve the minutes of the regular meeting of October 3, 2007 as amended; and to approve the un-audited financial statements for the month of October, 2007. The motion carried 5-0, with Director Wright and Director Corneille noted absent.**

## 3. INFORMATION ITEMS

### A. Wash Plan Update

Mr. Shaw and Mr. Cavender (by conference phone) updated the Board on the Wash Plan. Mr. Shaw indicated that the new administrative draft EIR would be available before year end, and that there should be an accurate project schedule in December. He discussed his meeting with U.S. Fish & Wildlife that included Mr. Cosgrove and Mr. Cavender. At the conclusion of their discussion, Mr. Shaw and Mr. Cavender answered questions from the Board.

### B. Integrated Regional Water Management Plan

Mr. Shaw provided an update on the Integrated Regional Water Management Plan, and discussed the possibility of adopting the Plan in December. He noted that comments on the document were to be received no later than November 12, 2007. Discussion ensued. The time of the December Board meeting, scheduled for December 14, 2007 at 10:00 a.m., was changed to 8:30 a.m. in order to allow time to consider adoption of the IRWMP.

### C. Conceptual Design for Groundwater Recharge Facilities

Mr. Shaw discussed the District's Capital Improvement Program (CIP). He indicated that staff had completed an initial CIP review that included developing new spreading facilities and the possibility of a joint feasibility study with the San Bernardino Valley Municipal Water District (Muni). He suggested scheduling a meeting of the Resources Committee to discuss further, and include a field trip to the District's spreading grounds. The entire Board would be notified of the date of the meeting in the event they would want to participate in the committee's field trip.

### D. Board Committee Reports

There were no committee reports for this meeting.

#### E. Operations and Maintenance Report

Mr. Shaw noted that after the fires, areas of concern were inspected and found not to have sustained any damage. He discussed the Bunker Hill Basin, the Santa Ana River, and the Mill Creek areas and reported that upon inspection, these areas were in adequate condition as well.

#### F. General Manager's Report

Mr. Shaw reported that he met with Southern California Edison (SCE) regarding the Mill Creek property license that expires on January 1, 2008. He suggested composing a letter to SCE summarizing their meeting and the alternatives that might be considered for the District's future use of a portion of SCE's Mill Creek property. After discussion, the Board directed the General Manager to compose the letter to Edison, asking for another opportunity to meet with representatives of SCE for further discussion of alternatives.

Mr. Shaw updated the Board regarding the Bunker Hill Regional Water Supply Project, to which the District contributed \$10,000. He said a consultant had been selected and the kickoff meeting was November 6. The project manager has advised the District that he will keep the District informed as the project progresses.

Mr. Shaw discussed the San Bernardino Lakes & Streams Ecosystem Restoration Feasibility Study, and indicated that the kickoff meeting was originally scheduled for November 7, but will be rescheduled. The meeting would also include a field trip of the wash area.

Mr. Shaw discussed the recent Big Bear Watermaster Committee meeting. He reported that it has been the driest year on record on Big Bear Lake, and Bear Valley Mutual Water Company is receiving state water project water in lieu of lake water. He noted that the 7-Oaks Dam operation compromises the Watermaster's ability to perform his court-ordered duties.

Ms. Jackie Silber reported that the aerial photography, which was done for the purpose of monitoring mined material, had been completed and should be ready by November 8.

Other items Mr. Shaw reported on were the Engineering Investigation Report and the recent meeting with General Managers from other agencies.

#### 4. ACTION ITEMS, NEW BUSINESS, FYI

##### A. Integrated Management Program Demonstration Project Agreement

Mr. Cosgrove provided the background regarding the Integrated Management Program Demonstration Project Agreement (IMPDP) and the request for approval of a one-year extension to the agreement. The original agreement between the District, the City of

Redlands, San Bernardino Valley Municipal Water District, the City of San Bernardino Municipal Water Department, the East Valley Water District, and Western Municipal Water District of Riverside County was approved October 6, 2004, and provided for four one-year extensions. Approval of the one-year extension would be the District's third extension of this agreement. Included in this year's extension is an agreement among the participating agencies to increase the recharge targets by 50%. If the IRWMP is approved by the District, there would be no further need to consider future extensions of the IMPDPA Agreement. Mr. Cosgrove recommended approval of the one-year extension, with direction to staff to prepare and file the appropriate Notice of Exemption under CEQA Regs. Section 15062.

**It was moved by Director Tubbs and seconded by Vice President Aranda to approve the one-year extension term and the revised replenishment targets under the IMPDPA, and to direct staff to prepare and file the appropriate Notice of Exemption under CEQA Regs. Section 15062. The motion carried 5-0, with Director Wright and Director Corneille noted absent.**

B. Receive and File FY 2006-2007 Audit Report

Mr. Matthew Wilson, of Rogers, Anderson, Malody & Scott, LLP, presented the annual audit report, and answered questions from the Board.

**It was moved by Director Tubbs and seconded by Director Day to receive and file the FY 2006-2007 Audit Report. The motion carried 5-0, with Director Wright and Director Corneille noted absent.**

C. ACWA'S Statewide Public Education Effort on Water

President McDonald reported on ACWA's request for support for their efforts towards public education on water.

**It was moved by Vice President Aranda and seconded by Director Longville to approve a contribution amount of \$2,000 to ACWA for support in their public education efforts on water. The motion carried 5-0, with Director Wright and Director Corneille noted absent.**

D. NWRA California Caucus Ballots

President McDonald led a discussion on the NWRA California Caucus ballots and the nominated candidates. Twelve candidates were listed on the ballot; each agency is allowed to vote for up to five of the candidates. The three individuals receiving the highest number of votes will serve on the NWRA Board of Directors.

**It was moved by Director Longville and seconded by Director Tubbs to cast a vote for Terry King and Wayne Clark to serve as representatives on the NWRA California Caucus. The motion carried 5-0, with Director Wright and Director Corneille noted absent.**

5. UPCOMING MEETINGS

The upcoming meetings for the month were briefly discussed.

6. BOARD DISCUSSION ITEMS

Vice President Aranda reported that he attended the regular chamber meetings during the month, and gave a presentation to the Loma Linda Chamber of Commerce regarding the water crisis. He also attended the WESTCAS Conference in Arizona.

Director Tubbs reported that she attended the Special Districts dinner meeting in Apple Valley.

President McDonald reported that she attended the City of Highland City Council meeting; the Muni Board meeting, the Advisory Commission on Water Policy meeting; the Highland Chamber luncheon; and the Building Committee meeting with JPIA.

7. CLOSED SESSION

**It was moved by Director Day and seconded by Vice President Aranda to adjourn to Closed Session at 4:10 p.m., under Government Code Section 54956.9(c), SBVWCD vs. LAFCO; and Government Code Section 54956.8, to consider real property negotiations re: easement agreement with San Bernardino Valley Municipal Water District/Western Municipal Water District. The motion carried 5-0, with Director Wright and Director Corneille noted absent.**

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

8. ADJOURN MEETING

At 4:51 p.m., the meeting adjourned to the Board meeting scheduled for December 14, 2007 at 10:00 a.m., at District Headquarters, 1630 W Redlands Blvd., Suite A, Redlands, CA.

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Secretary of the Board