

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING/PUBLIC MEETING OF
April 8, 2009
1:30 P.M.

President Melody McDonald called the Board Meeting/Public 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
Arnold Wright, Director
Richard Corneille, Director
John Longville, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

STAFF PRESENT:

R. Robert Neufeld, General Manager
Claud Seal, Assistant General Manager/District Engineer
Colleen Theuer, Admin. Mgr/Recording Secretary

GUESTS PRESENT:

Stacy Aldstadt, San Bernardino Municipal Water Department
Matt Litchfield, San Bernardino Municipal Water Department
Randy Van Gelder, San Bernardino Valley Municipal Water District
Susan Wilson, City of Riverside
Don Lee, Tetra Tech

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. ADDITIONS/DELETIONS TO AGENDA

There were no additions/deletions to the agenda.

3. PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE

President McDonald opened the Public Meeting related to the adoption of the groundwater charge. Mr. Neufeld said that the presentation of the Engineering Investigation Report had been made at the last Board meeting, in which Staff recommended an 18% increase in the groundwater rates, from \$1.85 to \$2.18 per acre-foot for agricultural purposes and from \$6.65 to \$7.85 per acre-foot for non-agricultural purposes. He said one written protest of the increase had been received from the San Bernardino Municipal Water Department (SBMWD), but there had not been any other written or oral comments to date. President McDonald asked for any oral comments from the audience. Stacy Aldstadt, General Manager for SBMWD, made an oral statement reiterating the written protest she had sent, and also expressed other concerns. Director Corneille noted that even with a 100% increase in the groundwater charge there would still be a deficit due to the dramatic reduction in the District mining revenues. Discussion continued. President McDonald asked if there were any other comments from the audience. Hearing none, President McDonald called for a motion to close the Public Meeting.

It was moved by Director Tubbs and seconded by Director Corneille to close the Public Meeting related to the adoption of the groundwater charge. The motion carried 6-1, with Director Wright abstaining due to a possible conflict of interest.

4. BOARD DISCUSSION ITEMS

Director Corneille said that there would be an Advisory Commission on Water Policy meeting on April 30 at 7:00 p.m. at the San Bernardino Valley Municipal Water District (SBVMWD). An agenda item for that meeting would be a status report on the Optimization Study; he requested that Mr. Seal give that presentation.

Director Tubbs reported attending an Administrative Committee meeting and three ad hoc committee meetings.

Director Day reported attending an Administrative Committee meeting and one ad hoc committee meeting.

Director Aranda reported attending an ad hoc committee meeting as an alternate.

Director Wright reported attending the Administrative Committee meeting.

Director Longville reported he attended a meeting in Orange County in which samples of a shut-off valve for broken sprinklers had been distributed. He said he brought a sample for each Board member and would distribute them at the end of the meeting.

President McDonald reported that she attended one ad hoc committee meeting.

5. CONSENT CALENDAR

It was moved by Director Tubbs and seconded by Director Corneille to approve the minutes from the March 25, 2009 Board meeting. The motion carried 6-1, with President McDonald abstaining due to an absence from the Board meeting.

It was moved by Director Tubbs and seconded by Director Wright to approve the un-audited Financial Reports for March 2009. The motion carried unanimously.

6. INFORMATION ITEMS

A. Board Committee Reports

Director Tubbs reported that the Administrative Committee meeting of March 26, 2009, regarding job descriptions and salary schedule reviews, was a short meeting, as the General Manager had gone home ill. The meeting was tabled to April 17, 2009 at 3:30 p.m.

B. Wash Plan Update

Mr. Cosgrove reported that the notice required for publication had been reviewed and approved by BLM and would be submitted to Washington D.C. Mr. Scott, the project manager for the Wash Plan, is currently working through the final comments that were made by BLM, with respect to the Administrative Draft of the EIS, which will be released to the Wash Plan group for review. Mr. Scott is preparing a request for proposals for work on the HCP that he anticipates completing by April 17. Additionally, comments have been received from BLM regarding the land exchange appraisal; they have issued a scope of work with a request for minor modifications.

C. Operations and Maintenance Report

Mr. Seal reported that the SAR flow through the North Fork Box had been restored.

Regarding field equipment, he recommended the replacement of the District dump truck with a newer one (four or five years old) at a cost of approximately \$24,000; a new air compressor at a cost of approximately \$14,000; and the addition of an excavator at a cost of approximately \$65,000. He said these items would be discussed at the next Resources Committee meeting.

D. Optimization Study Update

Mr. Seal reported that he met with Bob Tinch, of SBVMWD, and discussed the Optimization Study concepts, goals, and plans for the final testing and report summary. He said the concept of a floating log trash barrier, designed for low flow velocities, will be tried during the next flow test. Mr. Seal noted that the high flow test had not yet been set; however, he will let the Board know when it will occur in the event any of the Directors would like to attend.

E. Assistant General Manager's Report

Regarding the water damage that occurred at the District office due to a break in a pipe on the hot water heater, Mr. Seal reported that the damaged carpeting and hot water heater had been replaced. The cost for the carpet replacement amounted to \$4,619.97, paid by the Redlands Plaza, and will be reimbursable by JPIA. The Redlands Plaza water pressure was reduced to approximately 75 psi from 140 psi with a newly installed pressure reducer valve. He recommended that the rest of the carpet in the District offices be cleaned.

Mr. Seal said that quotes had been received regarding the upgrade of the District website. This item would be brought before the Board at the next Board meeting on April 29, 2009.

Mr. Seal indicated that an addendum to the Engineering Investigation Report was in the process of being prepared, which would be presented at the Upper Santa Ana Water Resources Association meeting on April 9, 2009. He noted that he attended the Basin Technical Advisory Committee (BTAC) meeting, where Matt Litchfield, from SBMWD, made a presentation showing water levels in the Bunker Hill Basin. His presentation was followed by a presentation from the US Geological Survey; there were slides and discussion on the ground level subsidence within the basin.

Mr. Seal said that on April 14, the District will have the opportunity to reintroduce recommended IRWMP projects to the BTAC Projects Implementation Group. The revised recommended projects list will be submitted for state Proposition 1E and 84 funding. Mr. Seal continued the discussion and answered questions from the Board.

F. General Manager's Report

Regarding the LAFCO consolidation issue, Mr. Neufeld reported that there would be a meeting on Monday, April 13, with Staff, SBVMWD, and LAFCO, for the purpose of gathering information for the independent financial analysis. He said that the first draft

of the analysis was due to LAFCO on May 1 and the 2nd draft due towards the end of May.

Mr. Neufeld said staff was in the process of preparing the 2009-2010 budget and anticipated bringing the first draft to the Administrative Committee at the end of the month. He said he anticipated bringing the budget to the full Board at the first meeting in May.

7. ACTION ITEMS, NEW BUSINESS, FYI

A. CONSIDER RETAINING MEDIA CONSULTANTS

Mr. Neufeld said Staff was recommending retaining a media consultant to assist in communicating the District's message to the public regarding the consolidation efforts. Director Tubbs reported that at the ad hoc committee meeting regarding this issue, concerns and a scope of work was discussed at length with CV Strategies. She said the committee recommended extending the contract with CV Strategies at \$25,000 a month for a period of three months, to be reviewed on a semi-monthly basis by the committee. Discussion ensued.

It was moved by Director Longville and seconded by Director Corneille to authorize the Board president to execute a contract with CV Strategies for media consulting work, not to exceed \$25,000 per month, with a not to exceed \$5,000 expense allowance, for a period of three months.

Further discussion ensued from the audience and the Board. Budgeting for this contract was also discussed. After discussion, President McDonald called for the vote.

The motion carried unanimously.

8. UPCOMING EVENTS

President McDonald noted that the California Special Districts Association was sponsoring Special Districts Legislative Days May 5-6, 2009 in Sacramento.

9. CLOSED SESSION

At 2:50 p.m., it was moved by Director Day and seconded by Director Corneille to adjourn to Closed Session, under Government Code Section 54956.8, consider Real Property negotiations with the City of Redlands regarding potential well sites along Orange Avenue; Government Code Section 54956.9(a), confer with legal counsel regarding the renewal of the temporary urgency permit No. 21212, filed with the State Water Resources Control Board; and Government Code Section 54956.9(c), consider whether to initiate litigation. The motion carried unanimously.

At 4:00 p.m., the meeting reconvened into Open Session. Under Government Code Section 54957.1, action taken was that Staff was directed to notify the Court of Appeal in the consolidation action that the District had no position with respect to the publication of the opinion issued.

10. ADJOURN MEETING

At 4:00 p.m., the meeting adjourned to the Board Meeting/Public Hearing scheduled for April 29, 2009, at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.

R. Robert Neufeld
Secretary of the Board