

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
March 24, 2010
1:30 P.M.

President Clare Henry Day called the Board Meeting of the Board of Directors to order at 1:30 p.m. All present stood for the pledge of allegiance, led by President Day.

ROLL CALL:

BOARD MEMBERS PRESENT:

Clare Henry Day, President
Manuel Aranda, Director
Arnold Wright, Director
John Longville, Director (1:36 p.m.)
Richard Corneille, Director
David E. Raley, Director

BOARD MEMBERS ABSENT:

Melody McDonald, Vice President

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

R. Robert Neufeld, General Manager
Samantha Brown, Finance Supervisor
Lisa Pierce, GIS Coordinator

GUESTS PRESENT:

Christine Goeyvarts, Robertson's Ready Mix

1. PUBLIC PARTICIPATION

President Day 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

Mr. Neufeld requested 2 (two) items be added to the open session portion of the agenda.

Ms. Brown distributed material for the requested open session item additions.

Mr. Neufeld stated that both items came in after the posting of the agenda Friday at 5:00 p. m. One is a letter of requests from Director Raley and the other is a letter from Wash Plan consultant D. Burnell Cavendar requesting termination of his contract.

Mr. Cosgrove stated staff is requesting an additional item be added under closed session. It is a proposal in regards to the easement agreement with San Bernardino Valley Municipal Water District (Valley District) under Government Code 54956.8 relative to real property negotiations with Doug Headrick of Valley District, and John Rossi of Western Municipal Water District proposal.

It was moved by Director Corneille and seconded by Director Aranda to add Director Raley's letter of requests and Wash Plan consultant D. Burnell Cavendar contract as 5C and 5D, respectively, to open session and the Easement agreement to closed session. The motion carried 6-0, with Director McDonald noted absent.

3. CONSENT CALENDAR

Approval of the Board Meeting Minutes, February 10, 2010

It was moved by Director Corneille and seconded by Director Wright to approve the Minutes of the February 10, 2010 Board meeting. The motion carried 6-0, with Director McDonald noted absent.

Approval of the Board Meeting Minutes, March 3, 2010

It was moved by Director Corneille and seconded by Director Raley to approve the Minutes of the March 3, 2010 Board meeting, with minor revisions. The motion carried 6-0, with Director McDonald noted absent.

Approval of the Board Meeting Minutes, March 10, 2010

It was moved by Director Longville and seconded by Director Aranda to approve the Minutes of the March 10, 2010 Board meeting, with

minor revisions. The motion carried 6-0, with Director McDonald noted absent.

Approval of the Un-Audited Financial Reports for February, 2010.

It was moved by Director Longville and seconded by Director Aranda to approve the un-audited Financial Reports for February 2010. The motion carried 6-0. With Director McDonald noted absent.

4. REPORTS AND INFORMATION ITEMS

A. Monthly Activity Reports, and/or Comments by Board Members

Director Corneille reported that he will not be at the April 14th, 2010 Regular Board of Directors Meeting, as he will be out of state.

Director Raley reported attending Redlands Conservancy and Outreach Committee Meeting.

Director Aranda reported attending the Outreach Committee Meeting, California Special Districts Association Dinner, and the ACWA legislative symposium, where they discussed desalination.

Director Longville reported attending the Outreach Committee Meeting, and the ACWA legislative symposium, where he attended the formal program, as well as was able to visit with several legislators in the area.

B. Board Committee Reports

As the Chair of the Outreach Committee Director Aranda summarized the Outreach Committee Meeting that took place on March 22, 2010. The main discussion focused on the concern of what is it going to cost the district to educate the public. Director Aranda discussed how the ACWA Communications Committee and other programs could help. Outreach Committee will be requesting a budget of \$15,000; \$10,000 for grant writing and \$5000 on other expenditures. Director Longville summarized grants and revenue discussed in the committee meeting.

Discussion ensued regarding potential grant revenue.

C. Financial Report

Ms. Brown reported about the Brown Act Reimbursement for Special Districts deadline has been extended to May, also Staff is working on the 2010-2011 Budget. Ms. Brown answered questions asked by the Board of Directors.

D. Assistant General Manager's Report

In Mr. Seal's absence Mr. Neufeld reported that the Final Engineering Investigation is completed and each Board member has a bound copy. Mr. Neufeld answered questions asked by the Board regarding the Engineering Investigation.

Discussion ensued regarding the groundwater income and charges based on the Engineering Investigation.

Discussion continued regarding the Bunker Hill Basin maintenance.

E. General Manager's Report

Mr. Neufeld gave an update on the Field Supervisor Randy Carisle's condition, as he is on disability and had surgery. He also reported participating in several meetings: a conference call with Senator Feinstein's office environmentalist Leah Russin about the Critical Habitat Designation for the Santa Ana Sucker, which included many other representatives from the local area as well as from the San Gabriel Basin, Ms. Russin informed the callers that the US Army Corp Of Engineers is being delayed in the release of their ongoing studies of water quality behind the Seven Oaks Dam until US Fish and Wildlife Service due to changing priorities. Mr. Neufeld further reported about the meeting with the Department of Water Resources that took place at the District headquarters regarding the East Branch Extension Phase II development, which consisted of a presentation of the design documents and potential construction schedule. In addition during the construction stage there will be weekly construction meetings and monthly manager meetings when the project is passing through our District.

Mr. Neufeld distributed a handout from the Legislative Analyst's office on how to improve management of the State's Groundwater resources; he felt it was would be very informative.

Mr. Neufeld also briefly explained the two (2) additional items to come back to the Regular Board meeting on April 14th, 2010 are: on Wednesday April 21, 2010 at the Loma Linda Senior Center the Loma Linda Chamber of Commerce is sponsoring the Mayor's breakfast and the final vote for the LAFCO commissioners Special District is due by April 19th to the LAFCO offices.

F. Information Items

i. Groundwater Financial Information

Mr. Neufeld stated that this is an information item; the Groundwater Financial Information, as requested by the Board, which is also presented in the Engineering Investigation.

ii. News Release: Prepare for Natural Disaster

Mr. Neufeld summarized the News Release, which provides information on how to prepare for a natural disaster and the resources that are available from the County of San Bernardino.

iii. Review Ordinance for Board Member Compensation

Mr. Cosgrove introduced Ordinance 2010-1 and explained the requirements the Board must follow to pass this item at the next Board of Directors meetings, as well as summarized proposed changes to the Ordinance.

Discussion ensued regarding the Ordinance 2010-1.

G. Future Agenda Items and Staff Tasks

None to report at this time.

5. ACTION ITEMS, NEW BUSINESS, FYI

A. Discuss City of Redlands proposed Solid Waste Rate Increase

Mr. Neufeld requested that the Board of Directors provide staff with direction on how to proceed with the City of Redlands proposed Solid Waste Fee Increase.

It was moved by Director Corneille and seconded by Director Raley to take no opposing action to the Solid Waste increase. The motion carried 6-0, with Director McDonald noted absent.

B. Discuss and Consider Participation in WESTCAS at the Request of Director Aranda

Director Aranda summarized his involvement in WESTCAS and its importance. He also requested the District continue membership with WESTCAS.

Discussion ensued regarding WESTCAS events and financial obligations.

It was moved by Director Wright and seconded by Director Longville to direct General Manager to approve compensation for WESTCAS thru June 2010 and thereafter any attendance would require special Board approval. The motion carried 6-0, with Director McDonald noted absent.

C. Director Raley's requests

Director Raley presented his concerns and the handout given to the Board of Directors. He proposed that the Board adopt the following recommendations: a hiring freeze to be implemented until such time as a detailed personnel plan can be developed, establish an ad-hoc personnel committee to be appointed to develop and prepare job descriptions, salary ranges, and benefits for minimum staffing levels for the next two years, an ad-hoc budget committee be appointed consisting of 3 staff members and 2 directors, the ad-hoc committee to report recommendations to the Administrative Committee within 30 days of appointment and the ad-hoc budget committee be directed to present a one and two year budget that will maintain the unreserved fund balance at or above \$1 million at the end of 2 years (June 30, 2012).

It was moved by Director Raley and seconded by Director Corneille to approve Director Raley's request for the purpose of discussion.

Discussion ensued regarding funding and spending.

Mr. Neufeld summarized the different circumstances regarding the proposed requests. Mr. Neufeld stated staff is opposed to some of these requests, as all as the requests of Director Raley to establish an ad-hoc committee as these tasks are already assigned to the Administrative Committee.

Discussion continued on the proposed recommendations.

Director Raley and Director Corneille withdrew their motions.

It was moved by Director Longville and seconded by Director Wright to refer to the Administrative Committee the request to present a one and two year budget that will maintain the unreserved fund balance at or above \$1 million at the end of 2 years (June 30, 2012) with direction for staff to take a specific look at what the District can do to achieve this goal.

The motion carried 6-0, with Director McDonald noted absent.

D. Wash Plan Consultant D. Burnell Cavendar Contract

Mr. Neufeld presented a letter from Mr. Cavendar requesting termination of his contract effective 30 days from the date of the letter, March 11th, 2010.

It was moved by Director Corneille and seconded by Director Longville to approve request for termination of D. Burnell Cavender's

contract effective April 11th, 2010. The motion carried 6-0, with Director McDonald noted absent.

6. UPCOMING EVENTS

Director Raley requested approval to attend the Santa Ana Water Shed Conference in Anaheim, California.

It was moved by Director Longville and seconded by Director Aranda to approve Director Raley to attend the Santa Ana Water Shed Conference . The motion carried 6-0, with Director McDonald noted absent.

7. CLOSED SESSION

At 3:55 p.m., it was moved by Director Longville and seconded by Director Wright to adjourn to Closed Session with approval for Finance Supervisor Samantha Brown to participate, under Government Code Section 54956.9(c), consider whether to initiate litigation and Government Code Section 54956.9(b)(3)(a), and Section 54956.0(c), and Section 54956.0(b)(1), confer with legal counsel regarding significant exposure to litigation in one case. The motion carried 6-0 with Director McDonald noted absent.

The Closed Session adjourned at 5:31 p.m., and the regular meeting reconvened, with no reportable action under Government Code 54957.1.

8. ADJOURN MEETING

At 5:32 p.m., the meeting adjourned to the Special Board Meeting scheduled for April 7, 2010, at 8:00 a.m., 1630 W. Redlands Blvd., Redlands, CA.

R. Robert Neufeld
Secretary of the Board