

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
November 10, 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
Melody McDonald, Vice President
Arnold Wright, Director
John Longville, Director
David E. Raley, Director
Manuel Aranda, Director

BOARD MEMBERS ABSENT:

Richard Corneille, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Randy Carlisle, Field Supervisor

GUESTS PRESENT:

Charles Roberts, Highland Community News

1. PUBLIC PARTICIPATION

President Clare Henry Day announced this as the time for any persons present, who so desire, to make an oral presentation to the Board of Directors. There were no presentations made at the meeting by members of the public.

2. ADDITIONS/DELETIONS TO AGENDA

One addition to the agenda was proposed for an item which was received after publication of the agenda. Conference with Real Property Negotiators related to the East Branch Extension Easement, located in the Santa Ana and Mill Creek Spreading Grounds APN 0168-321-10; 0168-341-04; 0168-342-04, 06, 09; 0168-381-02; 0297-051-01, 02; 0297-011-07, and 0168-311-06. Real Property negotiators are Daniel B. Cozad and David B. Cosgrove for the District and Doug Headrick for SBVMWD. Instructions are related to price and terms of payment.

It was moved by Director McDonald and seconded by Director Aranda to, "Add the closed session item to the agenda under Government Code 54956.8. The motion carried unanimously.

3. CONSENT CALENDAR

Approval of the Board Minutes from October 27, 2010 and un-audited Financials and Check Register from September and October, 2010.

It was moved by Director McDonald and seconded by Director Aranda, "Approve the Consent Calendar with changes to the minutes as noted. The motion carried unanimously.

4. INFORMATION ITEMS

A. Board Committee Reports

Director Longville reported the Ad Hoc Committee on Budget Revisions met and agenda items would be discussed in the items on the agenda.

In discussion of the meeting report it was determined to take item 5. D. out of order.

It was moved by Director McDonald and seconded by Director Wright, "Take Item 5 D. (Amendments to the Policy Handbook of the Conduct of the Business of the Board) out of order." The motion carried unanimously.

Discussion continued with explanation on the changes proposed by the Ad Hoc committee especially with respect to the District Requested meetings and the Director Selected meetings. Director Aranda discussed the meetings he attends and the presentations he makes which would fall under the Director Selected meetings. It is understood that there were reductions in otherwise valuable efforts that the district can no longer afford. A correction by Counsel to "Appendix C" item b. Washington DC Legislative Forum was changed from "not attended in 2011" to Board selected so the policy did not need to be changed for 2012. Also typographic errors were identified for correction.

It was moved by Director Longville and seconded by Director McDonald, "Approve the changes to the Policy Handbook for the Conduct of the Business of the Board, with noted corrections". The motion carried unanimously.

B. Wash Plan Update

General Counsel Cosgrove provided a detailed update on the meetings held with Wash Plan Project Manager, Randy Scott, the Bureau of Land Management (BLM) and US Fish and Wildlife Service (USFWS) relative to the project. Mr. Cosgrove stated that USFWS had changed their position and wanted to review the property transaction documents with the EIS and HCP. Staff plans to reconvene both federal agencies to discuss the expansion of the scope of the Environmental Impact Statement (EIS). After meeting with the partners the next steps will be for the general manager, project manager and legal counsel to decide what to take back to the consultants with regard to revisions to the HCP and EIS and potential out of scope work, and not to exceed estimated costs associated.

C. Canyon House Update

Staff updated the Board on the status of efforts related to the Mentone property and Canyon House. The prior Board Direction to review the house and yard/shop separately and to obtain a market assessment of sale and rental to complete the analysis is underway and staff will have a complete update in December. Staff believes that a separate septic system is not permissible and will be evaluating other solutions for the Shop.

D. General Manager's Report

A written General Manager's Report was distributed to the Board and summarized by Mr. Cozad. Additionally, Mr. Cozad discussed the By-law changes proposed by ACWA and inquired if any Director would be attending the Wednesday session to vote, as there were none, he will cast the vote for the District. Mr. Cozad asked for volunteers for

interviews with candidates for the Board Secretary/Admin Manager position. Mr. Cozad also indicated the Ad Hoc Committee had recommended pot luck for the Holiday Luncheon with the staff and directors bringing sides and deserts. Athena will coordinate.

E. Future Agenda Items and Staff Tasks

No items were identified

5. ACTION ITEMS/NEW BUSINESS

A. Association of California Water Agencies Health Benefits Authority (ACWA/HBA) Election

Mr. Cozad identified the ballot and materials in the package. Director McDonald identified candidates that she thought would be appropriate. Discussion ensued on the candidates.

It was moved by Director McDonald and seconded by Director Aranda to, "Cast the District ballot voting for Gilmore, Gladbach, Boatman, Wilson, Moore, and Reed" The motion carried unanimously.

B. 2010-2011 Engineering Investigation Report

Staff provided an update on the changes. Director McDonald commended Staff on the work to outreach to the other districts and reported on SBVMWD's willingness to help being very beneficial.

It was moved by Director McDonald and seconded by Director Aranda to, "approved the Engineering Investigation Plan as recommended by staff". The motion carried unanimously.

C. Budget Revision and Amendment for 2010

Mr. Cozad provided an update of the items that were changed which were included in the staff report. Mr. Cozad summarized staff's efforts concerning budget revisions for the current fiscal year and staff's estimate of each line item based upon year to date cumulative totals. Mr. Cozad thanked the Ad Hoc Committee for their leadership and support on the budget changes. Director Day commended the Ad Hoc Committee and Staff for their work on the budget and making sure we are working from reality and minimizing District costs.

It was moved by Director Raley and seconded by Director McDonald to, "approve the Revised Budget for 2010-2011 for the General Fund

**and Redlands Plaza as recommended by the Ad Hoc Committee.”
The motion carried unanimously.**

D. Proposed Board of Directors Expenses Policy

This item was taken out of order and shown above.

E. 2011 Schedule of Board Meetings

It was moved by Director McDonald and seconded by Director Aranda to, “Approve Proposed Schedule of Board Meetings, as recommended by the staff.” The motion carried unanimously.

F. Temporary Staffing and Financial Assistance/Oversight

It was moved by Director McDonald and seconded by Director Wright to, “Approve Staff’s recommendation and authorize the General Manager to 1. Enter into contract for services for temporary or temporary to permanent staffing to fill vacancies in the District and; 2. Contract for financial assistance and oversight support from an independent contractor not to exceed \$25,000 for fiscal 2010-2011.” The motion unanimously.

6. Monthly Activity Reports, AND/OR Comments by Board Members

Director McDonald reported that she attended the Santa Ana Sucker Task Force meeting and the BTAC Meeting. Directors Longville, McDonald, Raley reported attending the Ad Hoc Committee.

7. UPCOMING EVENTS

Upcoming events were received and filed.

At 3:26 p.m., the Board took a ten minute break before going into Closed Session.

8. CLOSED SESSION

At approximately 3:35 p.m., it was moved by Director McDonald and seconded by Director Wright to adjourn to Closed Session, under the authority of Government Code Section 54956.8, Conference with Real Property Negotiators related to the East Branch Extension Easement, located in the Santa Ana and Mill Creek Spreading Grounds APN 0168-321-10; 0168-341-04; 0168-342-04, 06, 09; 0168-381-02; 0297-051-01, 02; 0297-011-07, and 0168-311-06. Real Property negotiators are Daniel B. Cozad and David B. Cosgrove for the District and Doug Headrick for SBVMWD. Instructions are related to price and terms of payment. The motion carried unanimously.

At approximately 4:15 p.m., the meeting reconvened into Open Session, direction to negotiators was provided, with no other reportable action under Government Code 54956.8.

9. ADJOURN MEETING

At 4:15 p.m., the meeting adjourned to the regular Board meeting scheduled for December 10, 2010, at 9:00 a.m., at 1630 W. Redlands Blvd., Redlands, CA.

Daniel B. Cozad
General Manager