

**SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

**REGULAR BOARD MEETING
AGENDA**

April 13, 2011 – 1:30 p.m.

Location--1630 West Redlands Boulevard, Suite A, Redlands, California

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District offices and are available for public review during normal District business hours. New information relating to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District offices and on the Districts website.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC PARTICIPATION

Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.

2. ADDITIONS/DELETIONS TO AGENDA

Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

3. PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE

- Presentation Engineering Investigation (EI) and rate Proposal
- Public questions and answers
- Public hearing scheduled for April 27th

Article 1, Section 75560 of the California Water Code requires that a Water Conservation District that proposes to levy a groundwater charge "...shall annually cause to be made an engineering investigation and report upon groundwater conditions of the District."

It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance with respect to the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as an attendee or a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Eunice Griffith at (909)793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

District staff will present the annual Bunker Hill Engineering Investigation Report and review the Groundwater Replenishment Program annual budget. Staff is recommending to the Board of Directors to raise the current amount of the groundwater charge of \$2.18 per acre-foot for groundwater production for agricultural purposes to \$2.73, and raise the current amount of \$7.85 per acre-foot for groundwater production for non-agricultural purposes to \$9.81, for the ensuing year (July 1, 2011 to June 30, 2012). The purpose of the groundwater charge is to fund the District's continuing groundwater replenishment efforts. District staff will present any written comments received and the Board hear oral comments.

4. **CONSENT CALENDAR**

- Approval of the Board Minutes, March 9, 2011
- Un-audited Financials and Check Register, March, 2011
- Groundwater Assessment 35 Status Report

5. **INFORMATION ITEMS:**

- A. Board Committee Reports
- B. Field Operations Update
- C. General Manager Report
- D. Legislative Update on SB-235
- E. Santa Ana Sucker Update
- F. Big Bear Watermaster Thirty-Fourth Annual Report
- G. Future Agenda Items & Staff Task requests from Directors

6. **ACTION ITEMS, NEW BUSINESS**

A. RESIGNATION OF DIRECTOR ARNOLD WRIGHT – FAREWELL PLANNING

Recommendation: Staff recommends the Board discuss the acceptance of Director Wright's resignation and schedule date for farewell and any festivities.

B. DIVISION 3 – APPOINTMENT PROCESS

Recommendation: Staff recommends the Board initiate and approve a process to appoint a Director for Division 3.

C. ALL MAIL BALLOT RESOLUTION

Recommendation: Staff recommends the Committee and Board review the draft resolution, discuss implications of mail ballot and if appropriate approve the resolution and Authorize the General Manager to work with the San Bernardino Registrar of voters to implement the change.

D. STATUS UPDATES ON REDLANDS AND MENTONE PROPERTY

Recommendation: Staff will provide an update on Redlands Plaza and Mentone House properties. The Administrative Committee recommends the Board agree that the leasing agreement for Redlands Plaza should not go below \$1.00 per square foot. Per Hello Sushi's request to use Unit I as storage, the Committee did not approve any long term leases at a reduced rate. Additionally, Staff is recommending the Board authorize staff to obtain competitive proposals for a complete reroof and white coating Redlands Plaza roof.

E. CEMEX LEASE EXTENSION (exercise of 5 year option)

Recommendation: Staff recommends the Board accept the request from CEMEX to exercise their lease option and authorize the General Manager and District Counsel to verify compliance with the terms of the lease, prepare required documentation and execute request for extending the lease.

G. BASIN 11 SOUTH RESTORATION

Recommendation: Staff recommends the Board authorize the General Manager to implement restoration of Basin 11 South and authorize an amendment to existing contracts for emergency repairs with Larry Jacinto Construction for an amount not to exceed \$19,250 and to file a notice of CEQA exemption.

H. CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS SEAT C

Recommendation: Staff recommends the Board discuss request by California Special Districts Association (CSDA) call for independent special District Board Members or their General Managers who are interested in leading the direction of the CSDA for the 2011-2014 term and recommend nominees as appropriate.

I. ACWA/JPIA STATE LEGISLATIVE COMMITTEE BILL PACKET

Recommendation: Staff recommends the Board review and file the State Legislative bill packets and provide direction to staff, as needed. Packets are available for viewing on the District website. A direct link will be provided.

J. CONFLICT OF INTEREST CODE UPDATE AND AMENDMENT

Recommendation: Staff recommends the Board review and approve request to amend Resolution No. 460 and Appendix to list District officials and employees and revise to include their designated disclosure category based on the FPPC Model.

H. HR 1042 - LETTER OF SUPPORT

Recommendation: Staff recommends the Board discuss HR1042 and authorize the attached letter of support.

7. **MONTHLY ACTIVITY REPORTS, AND/OR COMMENTS BY BOARD MEMBERS**

8. **ACTION - RESCHEDULE MAY BOARD MEETING**

Reschedule May Board Meeting from May 11th to May 18th due to ACWA Spring Conference, (May 9th – May 13th).

9. **UPCOMING MEETINGS:**

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| 1. April 14, 2011 | Upper Santa Ana Water Resources Association
9:30 a.m. held at SBVWD |
| 2. April 18 2011 | Special Districts Meeting (Hosted by CVWD)
Meeting 6:00 p.m. (Frontier Project) |
| 3. April 19, 2011 | San Bernardino Valley Municipal Water District
Meeting 2:30 p.m. held ad SBVMWD |
| 4. April 21, 2011 | Advisory Commission on Water Meeting
Held at SBVMWD 7:00 p.m. |
| 5. April 28, 2011 | Baseline Feeder Committee Workshop, 3:00 p.m.
SBVMWD |
| 6. April 26, 2011 | HCC Luncheon, 11:30 a.m., Hampton Inn & Suite
in Highland |
| 7. April 28, 2011 | US Army Core of Engineers Meeting (USACOE,
SBVMWD/WMWD/EVWD/City of Redlands)
10:00 a.m. held at Prado Dam |
| 8. May 9 – 13, 2011 | ACWA Spring Conference |

10. **CLOSED SESSION**

1. 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.
2. Under the authority of Government Code Section 54956.9(c), the Board may recess to Closed Session to consider whether to initiate litigation;

11. **ADJOURN MEETING.** The next regular Board meeting will be on April 27, 2011 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.