

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

**REGULAR BOARD MEETING  
AGENDA**

**October 12, 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 office 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 office and on the Districts website.

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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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**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. CONSENT CALENDAR**

1. Approval of the Board Minutes from September 14, 2011
2. Unaudited Financials
3. Groundwater Charges –Income Summary

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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.

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

##### **A. FALL 2011 BASIN CLEANING AND REPAIRS**

**Recommendation:** The Resources Committee recommends the Board authorize the General Manager to execute Fall 2010 Cleaning and Repairs efforts for Mill Creek and Santa Ana Basins. This effort would utilize Jacinto Construction under their October 2010 approved contract or other contracts as appropriate for an amount of not to exceed \$80,000.

##### **B. ELECTRICAL GATE OPERATOR - PHASE 2**

**Recommendation:** The Resources Committee recommends the Board authorize the General Manager to procure electrical gate operators for deployment to the four main gates in Mill Creek. The procurement would utilize the selection process from the procurement of the three Cuttle Weir Gates earlier in 2011. Authorize procurement and installation not to exceed \$8,000.

##### **C. GROUNDWATER CHARGE PAST DUE COLLECTION PLAN**

**Recommendation:** Staff recommends the Board review, revise and approve the collections plan for past due, non-filing and production discrepancy. Staff developed this policy in accordance with the water code and board direction and will bring back the results of investigations.

##### **D. EMPLOYEE HANDBOOK**

**Recommendation:** Staff recommends the Board review changes/additions to the Employee Handbook by General Counsel and approve final revision for immediate distribution to Staff.

##### **E. BOARD POLICY HANDBOOK/APPENDIX C**

**Recommendation:** Staff recommends the Board review and approve expense changes to the Board Policy Handbook based on Board approved changes to Appendix "C".

##### **F. ENTERPRISE FINANCIAL REPORTING**

**Recommendation:** Staff recommends the Board review, discuss, receive and file the enterprise financial reporting documents.

##### **G. HARMONY DEVELOPMENT CONCEPT PROPOSAL**

**Recommendation:** Staff recommends the Board review, discuss and authorize the General Manager to indicate conceptual approval and continue to work with Lewis Operating Group to develop water recharge operations for the Harmony proposed development.

##### **H. USI CONSULTING NONEXCLUSIVE REPRESENTATION OF 21 ACRES**

**Recommendation:** Staff recommends the Board review, discuss and approve finder's fee agreement with any changes recommended by counsel for the nonexclusive representation of the 21 acres previously declared by the District.

##### **I. SW WILLOW FLYCATCHER CRITICAL HABITAT COMMENTS**

**Recommendation:** Staff Recommends the Board discuss and ratify staff's decision to contribute to consensus comments with partner agencies and contribute to their preparation in an amount not to exceed \$1,000.

5. **INFORMATION ITEMS:**

- A. General Managers Report and Field Operations/Recharge Update
- B. Collaborative Principles Update
- C. Audit Update
- D. ACWA State Legislative Committee Bill Packet
- E. Santa Ana Sucker Update
- F. Future Agenda Items & Staff Task requests from Directors

6. **MONTHLY BOARD MEMBER COMMITTEE ACTIVITY REPORTS, AND/OR COMMENTS BY BOARD MEMBERS**

- A. Board approval for Director Selected meetings/travel cost proposals

7. **UPCOMING MEETINGS:**

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| 1. October 13, 2011     | Upper Santa Ana Water Resources Association, at SBVWCD, 9:30 a.m.   |
| 2. October 18, 2011     | San Bernardino Valley Municipal Water District at SBVMWD, 2:30 p.m.   |
| 3. October 19, 20, 2011 | Joint ACWA Region 8, 9 & 10 Fall Event, Doubletree Golf Resort, San Diego, CA., Wed, 10 a.m., Th, 9:00 a.m. |
| 4. October 20, 2011     | Congressman Joe Baca's Water Conference, Inland Regional Center, San Bernardino, at 9:00 a.m.               |
| 5. October 21, 2011     | ACWA Legislative Committee – 2011 Annual Planning Meeting, Sacramento, CA.                                  |
| 6. October 25, 2011     | HCC-State of the Community Luncheon, Spring Lake Clubhouse, 11:30 a.m.                                      |
| 7. October 27, 2011     | Seven Oaks Dam, USACOE at Prado, SBVMWD/WMWD/EVWD, City of Redlands, 10:00 a.m.                             |

8. November 1, 2011 San Bernardino Valley Municipal Water District at SBVMWD, 2:30 p.m.
9. November 7, 2011 Basic Technical Advisory Committee Meeting at SBVMWD, 1:30 p.m.
10. November 9, 2011 Reservoir Committee Meeting, at SBVMWD, 11:30 a.m.
11. November 10, 2011 Upper Santa Ana Water Resources Association, at SBVMWD, 9:30 a.m.

## 8. CLOSED SESSION

1. Under authority of government code section 54956.8, the board may recess to a Closed Session for a 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.
  2. The Board may convene in Closed Session to discuss exposure to litigation, under Government Code section 54956.9(b)(3)(b), relating to communications regarding the mineral lease status between the District and Cemex Construction Materials Pacific, LLC.
  3. The Board may convene in Closed Session under Government Code section 54956.8, to discuss real property negotiations, relating to a potential new lease on portions of property located in the Santa Ana River Wash, and depicted as "Cemex" in Figure 3.7 of the Final Environmental Impact Report for the Upper Santa Ana Wash Land Management and Habitat Conservation Plan, with Cemex Construction Materials Pacific, LLC. Daniel B. Cozad and David B. Cosgrove are the negotiators for the District. Scott Hess and Christine Jones are the negotiators for Cemex.
  4. The Board may convene in Closed Session to discuss exposure to litigation, under Government Code section 54956.9(b)(3)(e).
  5. Under authority of Government Code section 54956.9 (c), the Board may meet in Closed Session to decide whether to initiate litigation.
9. **ADJOURN MEETING.** The next regular Board meeting will be on November 9, 2011 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.