

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF October 31, 2011
10:00 A.M.

President Day called the Board Meeting of the Board of Directors to order at 10:00 a.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
Richard Corneille, Director
Bob Glaubig, Director
David E. Raley, Director
Manuel Aranda, Director

BOARD MEMBERS ABSENT:

John Longville, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Eunice L. Griffith, Administrative Manager

GUESTS PRESENT:

None

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 continued with published agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions/deletions to the agenda.

3. CLOSED SESSION

It was moved by Director Corneille and seconded by Director McDonald to convene to Closed Session under Government Code section 54956.8 to discuss real property negotiations with CEMEX and other items as listed on the agenda.

1. 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.
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 to discuss exposure to litigation, under Government Code section 54956.9(b)(3)(e).

At 10:45 a.m., the meeting reconvened into Open Session, with no reportable action under Government Code 54957.1.

4. ACTION ITEMS, NEW BUSINESS

A. DRAFT CEMEX LEASE AGREEMENT

It was moved by Director Corneille and seconded by Director Aranda to approve the CEMEX lease agreement as presented by Staff and delegate authority to the General Manager to make minor changes to the legal descriptions subject to the approval of General Counsel.

The motion carried unanimously.

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

Director Corneille and Director Raley attended the Ad Hoc Committee meeting where terms of the CEMEX lease were discussed.

Director Aranda reported attending the Special Districts meeting. He asked the Board to allow his Water presentations to be classified as District Requested meetings. It was suggested that Director Aranda bring his Public Relations request to the next regularly scheduled Board Meeting.

Director Glaubig attended and provided an overview of the SAS Congressional Hearing.

Director McDonald attended SBVWCD and reported that Valley signed an agreement with MWD to be used in the event of an extreme emergency.

Director McDonald also attended the ACWA Joint Region 8, 9 and 10 Conference and reported that it was one of the best Regional meetings ever. She mentioned improvements in the San Diego County Water Authority under the leadership of Maureen Stapleton, General Manager and noted that San Vicente Dam has constructed infrastructure which makes a 6 month water supply available. Director McDonald also informed the Board of an interesting presentation given by Stephanie Grainger, Sr. Scientist from NASA JPL, California Institute of Technology on studies of the Colorado Rocky Mountains and Radar studies along the delta.

6. UPCOMING MEETINGS

There was no report on this item.

7. ADJOURN MEETING

It was moved by Director Aranda and seconded by Director McDonald to adjourn. The motion carried.

At 11:25 a.m. the meeting adjourned to the regular Board meeting scheduled for November 9, 2011 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.

Daniel B. Cozad
General Manager