

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF October 8, 2014
1:30 P.M.

President Corneille called the Board Meeting of the Board of Directors to order at 1:32 p.m. All present stood for the pledge of allegiance, led by President Corneille.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President
Melody McDonald, Vice President
David E. Raley, Director
Manuel Aranda, Director (Departure 2:40 p.m.)
John Longville, Director (Arrival 1:47 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Jeff Beehler, Land Resources Manager
Athena Monge, Administrative Services Specialist
Gustavo Gomez, Engineering Intern

GUESTS PRESENT:

Senator Mike Morrell, California 23rd District
Aaron Jimenez, District Representative for Senator Morrell
Charles Roberts, Highland Community News
Michelle Diamond, Tetra Tech
Ron Coats, East Valley Water District

1. PUBLIC PARTICIPATION

President Corneille 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 or deletions to the Agenda.

3. PRESENTATIONS

Senator Mike Morrell and his District Representative, Aaron Jimenez presented Certificates of Recognition to the Board and Staff of the District in recognition of the District's receipt of the CSDA Transparency Certificate and District of Distinction accreditation. Senator Morrell spoke highly of the District's functions and commitment to transparency and thanked the District staff and Board Members for the services they provide during the drought when the value of these services is most clear.

4. CONSENT CALENDAR

It was moved by Director Raley and seconded by Director Aranda to approve Consent Calendar Item A: Board Minutes, September 10, 2014 and Item B: Expenditure Report, September 2014. The motion carried 4-0 with all Directors present voting in the affirmative and Director Longville noted absent from the vote.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Absent
Director Raley: Yes
Director Aranda: Yes**

5. COMMITTEE REPORTS/ACTION ITEMS

A. MILL CREEK DIVERSION ENGINEERING REDESIGN

President Corneille chaired the September 12th Operations Committee where they reviewed several preliminary concepts for the Mill Creek Diversion Debris Management Improvement Design. Engineering Intern, Gustavo Gomez prepared several upgrade concepts which are included in the Board package for review. The Committee toured Mill Creek and viewed field operation issues related to debris impeding intake. President Corneille said that because of the need for a robust design to manage debris in Mill Creek during storms he is in support of using a professional engineer to ensure appropriate design of the project. The Board received the scope of work as a handout for review and comment. Director Aranda commended Mr. Gomez on his efforts and is in support of the concepts presented. Director Raley asked how long the Mill Creek Diversion has been in operation. Mr. Cozad indicated that diversion of water from Mill Creek started around 1820, but the current diversion features were implemented with flood control changes around 1970. He explained that over time there have been issues operating the diversion effectively. Since water is vital the District needs to ensure its capability to retrieve water out of Mill Creek by being able to alleviate debris and increase flows. Brief discussion ensued. Director Raley asked what the capital outlay is. Mr. Cozad estimates anywhere from \$100,000-\$200,000 but is unable to present actual cost before design is done and will ask the engineer to provide estimates. Staff desires to obtain an engineer to develop the design and

costs associated. Vice President McDonald asked if this project would qualify for grant funding. Mr. Cozad indicated that is dependent upon the engineer's analysis and that sometimes grant funding can delay a project. He expressed staff's view that the work is urgent to ensure the District captures all possible creek flow during the drought. Mr. Cozad said that there may be the potential to partner with other local agencies to complete the work if project costs are in excess of District budget.

It was moved by Director Raley and seconded by Director Aranda to authorize staff to issue a request for proposals for engineering design work for capital improvements for the Mill Creek Diversion. The motion carried with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Yes**

B. UNAUDITED FINANCIALS, SEPTEMBER 2014

Mr. Cozad stated that the District is on budget with revenue and slightly under budget for expenses.

It was moved by Vice President McDonald and seconded by Director Raley to approve the Unaudited Financials for September 2014. The motion carried 4-0 with all Directors present voting in the affirmative and Director Aranda noted absent from the vote.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Absent**

C. PLUNGE CREEK CONSERVATION PROJECT APPROVAL

Mr. Cozad gave the Board a brief overview of the project. He said that the agreement included in the Board package is a standard agreement required by DWR to receive the \$500,000 in grant funding. The Plunge Creek Conservation Project was developed to perform multiple functions such as: clear and create a more natural braided stream in Plunge Creek, create additional habitat for SBKR and slow down flows in the river to allow for percolation into the ground. This project coordinates well with FCD's project to rework Elder Creek to avoid flooding in the City of Highland and both are covered under Wash Plan covered activities. Mr. Cozad said that by approving this agreement the Board is accepting the grant funding in the amount of \$500,000 and committing District reserve funds of \$210,000 to this project. The District issued an RFP for engineering and is in the process of reviewing proposals. President Corneille asked District Counsel if he has reviewed the agreement and is comfortable with language. Mr. Cosgrove confirmed that he has reviewed the agreement and is comfortable with the verbiage. President Corneille asked if the District owns all of the land involved within this project. Mr.

Cozad indicated that the District owns the vast majority of the land; the furthest west part is owned by BLM which the District is working on obtaining an MOU with them. He stated that independent CEQA and permitting may be required but is included in the scope of work. Mr. Beehler confirmed that the take will be covered under the Wash Plan HCP.

It was moved by Director Longville and seconded by Director Aranda to approve the Plunge Creek Conservation Project Agreement for \$500,000 and authorize President Corneille to execute the agreement and the General Manager to execute any other materials or changes required for the Plunge Creek Conservation Project. The motion carried with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Yes**

D. REDLANDS PLAZA CAPITAL IMPROVEMENTS

Staff has been working for several months to stay in compliance with new mandates on water usage and options for water conserving landscaping have been researched. Mr. Cozad said that landscape proposals have been received and a table is included in package of the various options identified. There is grass that staff would like to remove and replace with drought tolerant plants. Mr. Cozad indicated that there is also an issue regarding fencing that staff would like to install to minimize illegal access to the building. Non-tenants have stolen HVAC equipment from the roof, have left debris and damaged facilities so staff is recommending fencing in those areas. Mr. Cozad said that funds are included in the budget for both of these items. President Corneille asked if staff is proposing rod iron or chain link fencing. Staff is in favor of rod iron since the appearance is more appropriate and it is more effective to prevent climbing. Director Longville spoke in opposition of installing security fencing solely to prevent non-tenants from accessing Redlands Plaza.

It was moved by Director Aranda and seconded by Vice President McDonald to authorize staff to execute contracts for security fencing and landscaping replacement due to drought. The motion carried 4-1 with Director Longville noted as the only dissenting vote.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: No
Director Raley: Yes
Director Aranda: Yes**

E. RETIREMENT OF SBVMWD DIRECTOR MILLIGAN, RESOLUTION NO. 515

President Corneille noted that Vice President McDonald will present the resolution to Director Milligan at the November 7th WRI Water Legends Awards Reception.

It was moved by Vice President McDonald and seconded by Director Aranda to approve Resolution No. 515 celebrating the public services of Director Patrick Milligan. The motion carried with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Yes**

F. DISTRICT POLICY PRINCIPLES

President Corneille stated that since the workshop on policy principles was deferred he recommended it be brought to today's meeting. His comments were provided to and incorporated into the current draft by staff. President Corneille recommended approval of the policy principles as presented today and requested any further feedback from the Board. Vice President McDonald asked staff to clarify the changes that were incorporated. Mr. Cozad indicated that there was a reduction from 10 to 9 principles because of redundancy but there was no change in purpose of the principles. In response to a question from Director Longville, Mr. Cozad said that he incorporated the comments into the final draft. President Corneille suggested that the policy principles be posted in the lobby and the Board room along with the mission statement. Vice President McDonald thanked President Corneille for ensuring the policy principles were finalized in a timely manner.

It was moved by Vice President McDonald and seconded by Director Aranda to adopt the District Policy Principles. The motion carried with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Yes**

6. INFORMATION ITEMS

A. BOARD COMMITTEE REPORTS-WITHOUT ACTION

There were none.

B. WASH PLAN REPORT

Mr. Beehler said that the screen check version of the HCP will be posted on the District's website on Friday morning. Scott Fleury will walk everyone through the HCP at the Wash Plan Task Force meeting on Friday afternoon, October 10th. Staff is asking that comments be in within the next two weeks. Once the draft is complete the USFWS will review and comment on document. Staff has held meetings with BLM on the land transfer and is working on moving that forward. Mr. Beehler stated that from this point forward any entity that desires to change their covered activities will be required to cover that cost since it affects the whole document and

related databases. President Corneille said that it's important for partner agencies to be made aware that any changes made to covered activities cannot only cost their agency but also can delay the Wash Plan's implementation. He indicated that staying on schedule is of the upmost importance. This item was received and filed.

C. STREAMBED ALTERATION AGREEMENT

Mr. Beehler noted that the Board will be presented with a mitigated negative declaration and master streambed alteration agreement with CDFW for activities that the District performs in water of the state for consideration. He said that when the District performs maintenance to its facilities it will need to cover those activities under the CDFWS permit. The two areas that the District will be mitigating are historic resources and any activities that can potentially impact endangered species. Mr. Beehler confirmed that the permit covers both Santa Ana and Mill Creek facilities, in response to questions from President Corneille. Mr. Beehler stated that this agreement will cover any of the District's ongoing maintenance activities and take to those species related to our ongoing maintenance activities. He has a draft project description available for review by Board Members or the public. The value of the permit is that rather than have to obtain permitting every time the District performs an activity; the District will be covered by a single master agreement. The permit will be a long term permit, but first the Board will need to make a CEQA determination before applying for the permit. The Board will be presented with CEQA analysis and public comments for review and approval. Mr. Cozad indicated that including maintenance and SBVMWD expansion under covered activities together is the most cost effective approach. This item will be brought back at the November Board meeting. Mr. Beehler also noted that staff is also working with consultants for the Jurisdictional Determination, related to waters of the US, for both Mill Creek and Santa Ana facilities.

D. GENERAL MANAGER'S REPORT

Mr. Cozad indicated that the written General Manager's Report is included in the Board package on page 55. He said that the brown lawn signs have come in and have been distributed. Staff met with groundwater producers that were on the non-respondent list. The meetings were beneficial and some groundwater producers paid their delinquent assessments. Mr. Cozad indicated that the groundwater producers they met with thanked the District for percolating water back into the ground as most are obtaining 50% less well water due to declining water levels with the drought. This item was received and filed.

E. MONTHLY RECHARGE REPORT

The water year ended September 30th with the ending recharge of 2500 AF.

F. FUTURE AGENDA ITEMS & STAFF TASKS

There were no items discussed.

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

Director Raley attended the Redlands Rise N Shine where they discussed a near burglar study that they will be performing. He also indicated that TBM does live camera monitoring and believes the District might consider looking into obtaining this service.

Director Aranda attended the CSDA Annual Conference where he took his Ethics training. Additional written reports are included in Board package.

Director Longville made no report. He did express his appreciation to Board and Staff for their efficiency.

Vice President McDonald and President Corneille presented to SBACC on the history of the District, Wash Plan and drought. She attended the SBVMWD Board meeting where they discussed a cost sharing agreement and contracting with Sam Fuller on the Western-San Bernardino Watermaster. Vice President McDonald attended BTAC where they discussed joint projects. She attended USAWRA and ASBCSD dinner meeting. Additional written reports are included in Board package.

President Corneille attended the Mentone Area Community Association meeting where they expressed interest in developing a garden/park in Mentone. He said they expressed interest in using District property in Mentone and that there may be potential for a joint project with IERCD. President Corneille attended EVWD Board meeting where they discussed USAWRA. He met with Director Levesque and presented to Lois Lauer Realty. Additional written reports are included in Board package.

8. UPCOMING MEETINGS

President Corneille noted the SBVMWD district facilities tour on October 24th. The expenses for the ACWA Fall Conference will need to be submitted to staff prior to the next Board meeting. Mr. Cozad noted that the City of Highland has a trails committee and they are considering the District for the next trails day location to be held in April 2015.

9. CLOSED SESSION

It was moved by Director Longville and seconded by Vice President McDonald to adjourn to Closed Session. The motion was carried 4-0 with Director Aranda noted absent from the vote and with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Absent**

General Counsel announced that the meeting will adjourn to closed session under all items posted on the published agenda.

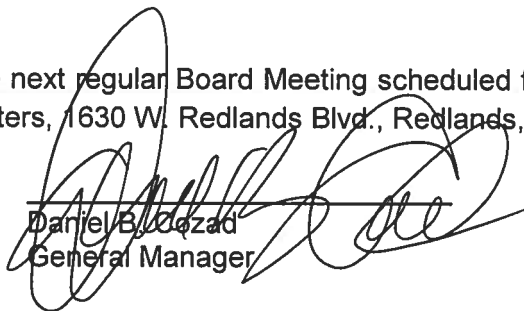
At 3:59 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted while in Closed Session under Government Code section 54957.1 there was no reportable action taken.

10. ADJOURN MEETING

It was moved by Director Longville and seconded by Vice President McDonald to adjourn. The motion carried 4-0 with Director Aranda noted absent from the vote and with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes
Director Aranda: Absent**

At 4:00 p.m. the meeting adjourned to the next regular Board Meeting scheduled for November 19, 2014 at 1:30 p.m. at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.


Daniel B. Bozad
General Manager