

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
June 4, 2003

President Sterling Woodbury called the Regular Meeting of the Board of Directors to order at 1:30 p.m. All present stood for the pledge of allegiance.

ROLL CALL:

BOARD MEMBERS PRESENT:

Sterling Woodbury, President
Cheryl A. Tubbs, Vice President
Arnold L. Wright, Director
Bert Marcum Jr., Director
Clare Henry Day, Director
Manuel Aranda, Jr., Director
Melody Henriques, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esquire

STAFF PRESENT:

Lawrence M. Libeu, General Manager/Board Secretary
Tom Crowley, Assistant General Manager
Walter Christensen, Project Manager
Stephen Luhn, GIS/CAD Analyst
Colleen Theuer, Administrative Services Manager/Recording Secretary
Holly A. Haberli, Administrative Assistant

GUESTS:

Kip Sturgeon, East Valley Water District

1. PUBLIC PARTICIPATION

President Woodbury announced this as the time for any persons present, who so desire, to make an oral petition to the Board of Directors. Hearing none, the meeting proceeded with the published agenda items.

2. DIRECTORS' REPORTS

President Woodbury led a discussion on the possibility of meeting with San Bernardino Valley Municipal Water District (Muni) to discuss solutions to problems encountered between the two Districts. After discussion, Director Aranda suggested scheduling a Public Affairs Committee meeting to discuss further. Mr. Cosgrove advised this issue should also be placed on the agenda for the next Board meeting in July 2003. Mr. Libeu stated the District should consider a broader outreach program to include all water agencies in the San Bernardino valley, and suggested setting up ad hoc committees that would meet monthly with the major water users such as East Valley, the City of Redlands, and West Valley.

Director Henriques reported on the ACWA Board of Directors meeting held on May 30. There was discussion regarding the Local Agency Investment Fund (LAIF) and their possible vulnerability to the State's budget deficit. However, state statute protects LAIF. She also reported that the Sacramento Bee newspaper had requested expense information on their Board members, and though ACWA is not a public agency and not required to release the information, ACWA agreed to release accounting records to them for review.

Director Aranda updated the Board on discussions he had with Senator Nell Soto, Assemblyman Bob Dutton, and Congressman Joe Baca, and their interest in water issues.

Vice-President Tubbs reported that she would be traveling to Washington, D.C. in the coming week and plans to meet with Fred Hicks, the District's federal lobbyist.

3. CONSENT CALENDAR

There was a brief discussion on the April 30, 2003 minutes. Minor changes were noted.

It was moved by Vice President Tubbs and seconded by Director Day to approve the Consent Calendar, consisting of the minutes of the Regular Meeting of April 30, 2003, as amended; the un-audited financial reports for May 2003; the Expenditures for May 2003; and to ratify Resolution No. 395 as presented to D. Burnell Cavender upon his retirement. The motion carried 7-0.

4. COMMITTEE REPORTS

Director Henriques reported on the Public Affairs Committee meeting of May 12, 2003. She advised that the committee recommends a Public Affairs consultant be budgeted for \$20,000, with no name attached to it, and retain the services of California Advocates (Legislative Services) at a budget of \$29,000.

Director Day reported on the Finance Committee meeting of May 27, 2003, and advised that after review of the Public Affairs and Legislative Services proposed consultants, the committee recommends Board approval of the proposed \$20,000 budget for Public Affairs, and retain California Advocates (Legislative Services) at \$29,000.

5. FY 2003-2004 DISTRICT OPERATING BUDGET

Mr. Libeu said the Finance Committee recommends the approval of the FY 2003-2004 budget as amended.

It was moved by Director Henriques and seconded by Director Aranda to approve the FY 2003-2004 budget as amended. The motion carried 7-0.

6. LAND RESOURCES

No report was available for discussion.

7. MENTONE PROPERTY/EVRCD DEMONSTRATION GARDEN

No report was available for discussion. Mr. Libeu, however, reviewed the concept of the demonstration garden with the Board.

8. GENERAL MANAGER'S REPORT

Mr. Libeu advised the Board of upcoming activities that he would be attending: the SAWPA Awards Banquet and Conference at the Mission Inn on June 5th and 6th; the ACWA Legislative Symposium in Sacramento on June 10th and 11th; and a WESTCAS meeting on June 25th through June 27th in San Diego. He said he would also be attending the various Chambers' activities.

Mr. Libeu said the next Special District's meeting would be held on June 16th at the El Rancho Verde Royal Vista Golf Course in Rialto.

9. ATTORNEY'S REPORT

Mr. Cosgrove reported on Senate Bill 456 (Ortiz), which proposes a flat \$1,000 per year for Directors' fees, and additionally, upon any administrative or judicial finding that a Director had improperly used funds that were advanced for travel or otherwise

improperly used funds, those funds would have to be paid back within 30 days of that finding, with interest. He said he would keep the Board updated on this bill.

10. CLOSED SESSION

It was moved by Vice President Tubbs and seconded by Director Henriques to adjourn to Closed Session at 2:28 p.m., as provided by the authority of Government Code Section 54956.9a, application before the State Water Resources Control Board to appropriate waters of the Santa Ana River (applications 31165, 31370, and 31371); Government Code Section 54956.9c, applications by Southern California Edison to re-license hydroelectric plants; Government Code Section 54956.9(b)(3)(a) and Section 54956.9(c), confer with legal counsel regarding significant exposure to litigation in one case; Government Code Section 54956.8, lease and/or Real Property negotiations with Robertson's Ready Mix; and Government Code Section 54956.8, consider lease and/or Real Property negotiations with CEMEX, USA. The motion carried 7-0.

Director Marcum and Director Wright were excused due to a potential conflict of interest for Government Code 54956.9a.

At 2:52 p.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

11. NEXT MEETING

The next regular Board meeting will be on July 2, 2003, at 1:30 p.m. Director Henriques requested that the regular Board meeting in September be changed due to a scheduling conflict, and the request be placed on the July agenda.

12. ADJOURN MEETING

There being no further business, the meeting adjourned at 2:53 p.m.

Board Secretary