

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
June 10, 2009
1:30 P.M.

President Melody McDonald called the Board Meeting of the Board of Directors to order at 1:30 p.m. All present stood for the pledge of allegiance, led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President
Manuel Aranda, Vice President
Cheryl Tubbs, Director
Clare Henry Day, Director
Arnold Wright, Director
Richard Corneille, Director
John Longville, Director (1:45 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

STAFF PRESENT:

R. Robert Neufeld, General Manager
Claud Seal, Assistant General Manager/District Engineer
Colleen Theuer, Admin. Mgr/Recording Secretary
Randy Scott, Wash Plan Project Manager

GUESTS PRESENT:

Don Lee, Tetra Tech
Douglas Headrick, San Bernardino Valley Municipal Water District
Charles Roberts, Highland Community News

1. PUBLIC PARTICIPATION

President McDonald 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 proceeded with the published agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions/deletions to the agenda.

3. BOARD DISCUSSION ITEMS

Director Corneille reported that he attended the Resources Committee meeting.

Director Tubbs reported attending the Special Districts meeting; two ad hoc committee meetings; an Administrative Committee meeting; and an Outreach Committee meeting. She also reported taking the Ethics Training class online.

Director Day reported attending the Resources Committee and the Administrative Committee meetings.

Director Wright reported attending the Resources Committee and the Administrative Committee meetings.

Director Aranda reported attending the ACWA Conference; the Water Symposium in Palm Springs; the San Bernardino Chamber Law Enforcement Recognition dinner; a UCR Extension class on *LAFCO, Cities, and Special Districts*; and the West Valley Water District Board and Loma Linda City Council meetings, where he addressed both entities regarding consolidation.

President McDonald reported attending the West Valley Water District Board meeting; the Upper Santa Ana Water Resources Association meeting; the ACWA Conference; two ad hoc committee meetings; the Basin Technical Advisory Committee meeting; and the San Bernardino Valley Municipal Water District's Budget Committee meeting.

4. CONSENT CALENDAR

It was moved by Director Tubbs and seconded by Director Wright to approve the minutes from the Board meeting of May 13, 2009. The motion carried unanimously.

It was moved by Director Tubbs and seconded by Director Day to approve the un-audited financial reports for the month of May, 2009. The motion carried unanimously.

5. INFORMATION ITEMS

A. Board Committee Reports

Director Tubbs reported that the Administrative Committee met and reviewed the second proposed update to the Board Policy Manual, which will be brought to the full Board for approval at the June 24, 2009 Board meeting. Mr. Cosgrove indicated that he would need to review the manual before bringing it to the Board.

B. Wash Plan Update

Mr. Scott reported that the EIS Notice of Intent was still under review by the Bureau of Land Management (BLM) Washington office. BLM anticipated completing the process within the next two weeks. Regarding the Habitat Conservation Plan (HCP) budget, the invoices have been sent to the various contributing agencies for payment. Mr. Scott said he anticipated that the Wash Plan would be completed by March 2010. Mr. Cosgrove noted that the San Bernardino Valley Municipal Water District (SBVMWD) has indicated that they are committed to completing the Wash Plan should a consolidation occur between the two agencies. However, SBVMWD has also requested that the Conservation District consider adding new facilities into the Wash Plan at this time; Mr. Cosgrove indicated that implementing anything new now would slow down the completion of the Wash Plan. Regarding the appraisal issue with BLM on the land exchange, Mr. Scott indicated that four appraisers from a pre-approved list from the Department of Interior will be asked to provide him with their costs and availability to perform another appraisal. Discussion continued and Mr. Scott answered questions from the Board.

C. Operations and Maintenance Report

Mr. Seal reported that the District had purchased a 2002 GMC dump truck for \$19,900.

Mr. Seal said that the District had been spreading water from SAR but that the flows had been significantly reduced since the Seven Oaks Dam had released all of its stored water. Current spreading had been between 9 and 10 cfs. Water spreading ceased in Mill Creek due to available minimum flows being taken by upstream users.

Other items Mr. Seal discussed concerned the repair of the main channel rebar that has been exposed through natural water erosion, and a meeting with East Valley Water District (EV), the City of Redlands, the SBVMWD, SCE, and USGS regarding the problems with the BVMWC River pickup inlet, and the channel to the SCE Plant No. 2 after bay.

D. Santa Ana River Groundwater Recharge Optimization Study Update

Mr. Seal reported that the final report from MWH would be completed by the end of the month. A slide show presentation on the project, scheduled for this date, was changed to the next Board meeting on June 24, 2009. Mr. Neufeld indicated that the report

projected a cost of \$18 million in capital improvements to upgrade the District's facilities in order to handle up to 500 cfs; SBVMWD has been a very strong advocate for this. Director Tubbs asked if the report indicated that the property could be used for wetlands. Mr. Seal replied that it was; discussion followed, and Mr. Seal continued to answer questions from the Board.

E. Assistant General Manager's Report

Mr. Seal reported that the Resources Committee had met to discuss capital projects for FY 2009-2010.

Mr. Seal reported attending the ACWA Spring Conference in Sacramento.

F. General Manager's Report

Mr. Neufeld expanded on Mr. Seal's earlier report regarding the Bear Valley diversion. He said in the meeting with EV, the City of Redlands, the SBVMWD, SCE, and USGS, a problem at Edison Power House No. 3 was discussed. The diversion point at that power house takes the water to Bear Valley and is also the same box that includes the diversion point to EV. EV has been exposed to some problems with the water flow that comes from the river pick-up. In the after bay are two sources of water, the high quality water that comes through the Edison plume at a high velocity, and the water that comes into the north side that doesn't have the same velocity. The high velocity water in the after bay forces the lower quality water out of the river pick-up into the pick-up point for EV. The high quality water ends up going into the Bear Valley pick-up and over to the City of Redlands. EV was not able to take the poor quality water, and so has blocked that turnout. However, some water still gets spilled into that area and causes problems for the USGS at their gauging station, which is close to the river pick-up. Mr. Neufeld said that after the meeting, a potential solution was reached; he will keep the Board apprised of the progress in resolving the problem.

Mr. Neufeld reported that the three standing committees have all met and discussed the proposed 2009-2010 budget, slated for approval later in the meeting. He discussed highlights of the proposed budget.

Mr. Neufeld reported that on June 4 the District received the 2nd Administrative Draft from LAFCO's auditor, RSG. He said he was working with the Ad Hoc Committee on Consolidation on the District's response.

Director Longville commented on the renovation of his own lawn for conserving water. He noted that in the converting of his landscape, the City rules appeared to be vague and incomplete. He said he now has reason to look into the local water conservation regulations and perhaps assist in upgrading them.

6. ACTION ITEMS, NEW BUSINESS, FYI

A. Approve and Adopt Proposed FY 2009-2010 Budget

Mr. Neufeld led a discussion on the proposed FY 2009-2010 Budget. He said all three committees had met to look at all aspects of the budget. He highlighted the budget projections: revenue for next year would be down 45%; operating expenses would be down by 49%; and capital improvements would be up 58%. The overall projected difference was 12% lower than the prior fiscal year. Discussion continued on more possible cuts in the budget; Director Corneille requested taking a second look at the automatic increase of 5% in Directors' fees approved by Ordinance several years ago. This item would be included on the agenda at a future meeting. Director Day suggested a quarterly review of the budget.

It was moved by Director Day and seconded by Director Longville to approve and adopt the proposed FY 2009-2010 budget, with the additional requirement of a quarterly review of the budget. The motion carried unanimously.

- B. Approve and Adopt Resolution No. 452, Supporting the "One Water One Watershed" Santa Ana River Watershed Integrated Regional Water Management Plan and its Submission to the Department of Water Resources for Proposition 84, Chapter 2 Program First-Round Funding

Mr. Neufeld explained that as a part of the Integrated Regional Water Management Plan (IRWMP), the Santa Ana Watershed Project Authority (SAWPA) is the agency that would be approving the disbursement of funds identified in the IRWMP for various capital projects. In order to be eligible for a disbursement, each agency would need to adopt a resolution. He requested that the Board adopt Resolution No. 452 confirming support of the "One Water One Watershed" SAR Watershed Integrated Regional Water Management Plan and its submission to DWR for Prop 84, Chapter 2 Program, First-Round Funding.

It was moved by Director Tubbs and seconded by Director Corneille to approve and adopt Resolution No. 452, supporting the "One Water One Watershed" Santa Ana River Watershed Integrated Regional Water Management Plan and its Submission to the Department of Water Resources for Proposition 84, Chapter 2 Program First-Round Funding. The motion carried unanimously.

7. UPCOMING EVENTS

No attendees from the District would be attending the Special Districts dinner for the month of June. Regarding the WESTCAS meeting, Director Aranda was planning to attend as he is a director on their board.

Mr. Neufeld said that there would be a special Board meeting on June 22, 2009, from 11:30 a.m. to 1:30 p.m., regarding the General Manager's annual evaluation.

8. CLOSED SESSION

At 3:10 p.m., it was moved by Director Day and seconded by Director Aranda to adjourn to Closed Session, under Government Code Section 54956.8, consider Real Property negotiations with the City of Redlands regarding potential well sites along Orange Avenue; Government Code Section 54956.9(c), consider whether to initiate litigation; and Government Code Section 54956.9(b)(3)(a), and Section 54956.0(c), and Section 54956.0(b)(1), confer with legal counsel regarding significant exposure to litigation in one case. The motion carried unanimously.

At 3:55 p.m., the meeting reconvened into Open Session. Under Government Code Section 54957.1, there was no reportable action taken.

9. ADJOURN MEETING

At 3:55 p.m., the meeting adjourned to the Special Board Meeting scheduled for June 22, 2009, at 11:30 a.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.

R. Robert Neufeld
Secretary of the Board