

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF November 13, 2019
1:30 p.m.

President Corneille called the meeting of the Board of Directors to order at 1:33 p.m. All present stood for the Pledge of Allegiance, led by President Corneille.

ROLL CALL:

BOARD MEMBERS PRESENT:

David E. Raley, Director
Melody McDonald, Vice President
Richard Corneille, President
John Longville, Director (Arrived 1:36 p.m.)

BOARD MEMBERS ABSENT:

Robert Stewart, Director

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Athena Monge, Administrative Specialist
Erwin Fogerson, Senior Engineer/Project Manager

GUESTS PRESENT:

Gil Navarro, San Bernardino Valley Municipal Water District
June Hayes, San Bernardino Valley Municipal Water District
David Smith, East Valley Water District
Tatiana Moiseeva, Tetra Tech

1. PUBLIC PARTICIPATION

President Corneille announced that any person present, who so desired, may make an oral presentation to the Board of Directors. Vice President McDonald presented the District with a Presidential Recognition Award for Liability and Workers' Compensation based on its lower loss ratio for both. She thanked staff for their efforts in keeping these costs and claims down.

2. ADDITIONS/DELETIONS TO AGENDA

There were none.

3. CONSENT CALENDAR

It was moved by Vice President McDonald and seconded by Director Raley to approve the Consent Calendar: Item A: Board Minutes, October 9, 2019; and Item B: Expenditure Report, October 2019. The motion carried 3-0 with all Board members present voting in the affirmative, and Director Longville and Stewart noted absent from the vote.

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

4. COMMITTEE REPORTS/ACTION ITEMS

A. OPERATIONS COMMITTEE VERBAL UPDATE

President Corneille gave a brief verbal report on the Operations Committee (Committee) held on October 15. He stated that Katelyn Scholte, Assistant Engineer, provided a field update and tour after the meeting adjourned. The Committee discussed the Plunge Creek phased approach which was approved at the last meeting. President Corneille informed the Board that the Operations and Maintenance Manual has been updated and is available on the District's website for review. Director Raley inquired about the progress on the capital improvement project for the Mentone Shop. Mr. Cozad indicated that Mr. Fogerson is currently reviewing this item. This item was received and filed.

B. UNAUDITED FINANCIAL REPORTS, OCTOBER 2019

It was moved by Director Longville and seconded by Vice President McDonald to approve the Unaudited Financial Reports for October 2019 as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

C. PERSONNEL MANUAL REVISIONS

Mr. Cozad introduced this item for discussion, noting its inclusion beginning on package page 29. The Board reviewed and approved revisions to the Personnel Manual on August 14; however upon review by Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) additional revisions were needed. Below are the recommended revisions from ACWA/JPIA:

"If a full-time employee has attained the age of sixty (60) and has been continuously employed by the District for a minimum of five (5) years upon retirement, the District may continue to pay the entire premium for existing medical insurance coverage at time of retirement for both the retiree and their spouse, until the younger of the retiree or spouse reach the age of Medicare eligibility. Employees in the Management/Exempt Class who were hired prior to July 1, 2011, shall receive the benefit above but must only have attained the age of fifty-seven (57) and five (5) years service. At the time a retiree or spouse reaches Medicare eligibility age, if enrolled in the District's plan, enrollment in Medicare Parts A and B is required in order to remain eligible for District coverage. Should the retiree predecease the spouse coverage shall be maintained until the spouse reaches the age of Medicare eligibility but not more than 6 years. "

The proposed language was also reviewed by District Counsel. Mr. Cozad said that the Board could not have discretion as to whether the benefit applies to any individual or not. ACWA/JPIA could not provide health coverage for a spouse if the employee is not covered unless they are deceased; therefore the Board would need to cover both spouse and employee. The time for coverage cannot exceed six years as noted above. Discussion ensued.

It was moved by Vice President McDonald and seconded by Director Longville to approve the revisions to the Personnel Manual as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

D. GENERAL SESSION VOTING DELEGATE

It was moved by President Corneille and seconded by Director Raley to appoint Vice President McDonald as the General Session Voting Delegate for the ACWA Fall Conference. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

E. 2020 BOARD MEETING CALENDAR REVIEW

Vice President McDonald requested that the September 9 Board meeting be rescheduled. She has a California Joint Powers Authority (CAJPA) conference to attend on that day. Director Raley and Longville spoke in favor of leaving the meeting on September 9. Brief discussion ensued. Vice President McDonald withdrew her request to change the meeting date. Director Longville has a standing meeting every Thursday and is unavailable to attend the proposed date of November 12. It was the consensus of the Board to move the November Board meeting date to November 18 since the District will be closed on November 11 in observance of Veteran's Day. The Finance & Administration Committee will be held in the morning and the Board meeting will be held at its usual time at 1:30 p.m.

It was moved by Vice President McDonald and seconded by Director Longville to approve the 2020 Board Meeting Calendar with proposed revisions. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

F. MILL CREEK DIVERSION CONTRACT AMENDMENT WITH CWE

Mr. Fogerson presented this item for discussion. The proposed changes to the CWE contract for Mill Creek Diversion included addition of three items: 1) 408 permit processing, 2) Revision of plans as directed by the District and 3) Construction phase support. This item begins on Board package page 47. The resubmittal of the 408 permit will likely be done in January 2020 and construction in Spring of 2021. Ms. Scholte and Mr. Fogerson will conduct the necessary modeling in-house, resulting in cost savings for the District. President Corneille inquired about the construction cost estimate and who will be providing that. Mr. Fogerson indicated that he will be preparing the construction cost estimate. President Corneille suggested placing a target date within the Project Charter. Mr. Cozad indicated that the completion date depends on other entities and length of time it takes to obtain permits from them.

It was moved by Vice President McDonald and seconded by President Corneille to approve the amendment to the CWE contract for Mill Creek Diversion Project as presented with an amount not to exceed \$70,164. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

G. ENGINEERING INVESTIGATION PLAN FOR 2020

Mr. Cozad reviewed this item in brief noting its inclusion in the Board package on pages 57 to 62.

It was moved by President Corneille and seconded by Director Longville to approve the Engineering Investigation Plan for 2020 as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

H. LAND EXCHANGE BLM AGREEMENTS

Mr. Cozad presented this item for discussion. The Bureau of Land Management (BLM) accepted the proposed revisions to the Memorandum of Understanding regarding the Land Exchange suggested by Mr. Cosgrove at the October Board meeting. This item is included on package page 65 to 72 for review and approval. Mr. Cozad noted that the Land Management Agreement with BLM is likely to come to the Board in December for review and approval.

It was moved by Vice President McDonald and seconded by Director Raley to approve the Memorandum of Understanding with the Bureau of Land Management as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Stewart noted absent from the vote.

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

I. RESOLUTION FOR DOUGLAS HEADRICK'S RETIREMENT

It was moved by Vice President McDonald and seconded by Director Longville to approve Resolution No. 575 as presented. 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: Yes
Director Raley: Yes
Director Stewart: Absent**

5. INFORMATION ITEMS

A. WASH PLAN VERBAL UPDATE

Mr. Cozad presented this item for discussion. He said that the EIR/EIS has been completed and surnamed by the solicitor's office and minor revisions were made by the solicitor. Mr. Cozad indicated that the Secretarial briefing where it will be reviewed will be held on November 21. The District has met with the California Department of Fish and Wildlife (CDFW) to discuss permitting and noted that a Task Force meeting will be held soon to discuss with partners how they would like their projects permitted. The Task Force members will need to determine whether they would like permitting done as a group or individually.

Mr. Cozad reviewed Plunge Creek. The District has finished trapping for San Bernardino Kangaroo Rat (SBKR) and there are some areas that are heavily inhabited with SBKR and some that are not. Mr. Cozad indicated that the phased approach discussed previously will likely be the best alternative. The District has filed the amended 2081 permit application with CDFW. Mr. Cozad indicated that the mitigation increased by a tenth of an acre. The final Biological Opinion has been finalized and is awaiting signature in Sacramento. This item was received and filed.

B. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report was included in the Board package on pages 73 through 76. The Outreach Program Reports for IERCD are included on package page 77 to 80 and the Monthly Recharge Report was included on package page 81. Mr. Cozad said the District will be moving approximately 8,000 yards of aggregate to Plunge Creek when AB-5 takes effect in January 2020. The District is working on scheduling Active Recharge Transfer Project Policy Committee meeting in December and a Groundwater Council meeting will be held on December 9. District Staff, Valley Municipal Staff and City of Redlands held a meeting to discuss the Groundwater Council and staff believes it went well. A link is included in the General Manager's Report to the Operations & Maintenance Manual if the Board would like to review it. This item was received and filed.

C. FUTURE AGENDA ITEMS AND STAFF TASKS

President Corneille requested a presentation on the updated PowerPoint presentation for outreach and the schedule of presentations. Mr. Cozad said that once it is completed it will be presented to the Board. Director Raley asked for a Ad Hoc Trails Committee. Mr. Cozad indicated that staff is working on preparing the Plan for Service as requested by the Board, and will meet to discuss and review.

6. MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS

President Corneille chaired the Advisory Commission meeting on October 10 and the Operations Committee meeting on October 15.

Vice President McDonad attended the ACWA Region 9 meeting on October 9, Operations Committee on October 15 and the Highland Area Chamber of Commerce (HACC) Business Mixer on October 16. She attended the CSDA Membership meeting conference call on October 25, Valley Municipal Policy Workshop on November 7 and Valley Municipal Engineering Workshop on November 12.

Director Raley attended the Valley Municipal Board Meeting on October 21 and November 5. He attended the Valley Municipal Policy Workshop on November 7 and Conservation Trust meeting on October 10.

Director Longville attended the Conservation Trust meeting on October 10 and Valley Municipal Board Meeting on October 21. He met with the Regional Government members at Cal Poly Pomona on October 22 and met with Assemblyman Jose Medina on November 12.

7. UPCOMING MEETINGS

There were none discussed.

8. CLOSED SESSION

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

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

General Counsel announced that the meeting would adjourn to closed session under Closed Session item one.

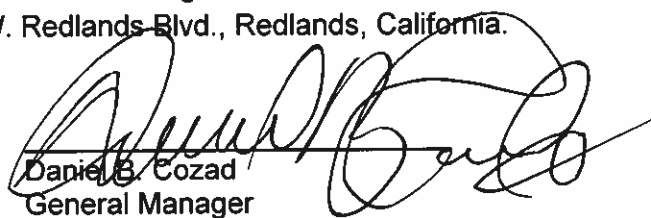
At 3:17 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

9. ADJOURN MEETING

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

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

At 3:18 p.m., the meeting adjourned to the Board meeting scheduled for 9:30 a.m. on December 11, 2019, at District Headquarters, 1630 W. Redlands Blvd., Redlands, California.



Daniel B. Cozad
General Manager