



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

Wednesday, December 9, 2020 – 1:30 p.m.

In accordance with [Governor Newsom's Executive Order N-25-20 and N-29-20](#), this meeting is being conducted via teleconference/Zoom. Anyone wishing to join the meeting can join via

Zoom: Call in (669) 900-6833, Meeting ID: 875 5346 1676

To join the Zoom Meeting online: <https://zoom.us/j/87553461676>

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District office and are available for public review during normal District business hours. New information relating to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District office and in the Agenda Package on the District's website. It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance with respect to the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as an attendee or a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Monge at (909) 793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC PARTICIPATION

Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.

2. ADDITIONS/DELETIONS TO AGENDA

Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

3. OATH OF OFFICE

Administration of Oaths of Office for reelected and reappointed Directors:

Richard Corneille, Division 1

Robert Stewart, Division 3

BOARD OF DIRECTORS

Division 1:
Richard Corneille

Division 2:
David E. Raley

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Daniel B. Cozad

4. **ELECTION OF BOARD OFFICERS**
1. Open Nominations for President and Vice President
2. Close Nominations and Call Vote

5. **CONSENT CALENDAR**
A. Approval of Board Minutes, November 18, 20205
B. Approval of Expenditure Report, November 2020 11

6. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

A. 2021 PER DIEM RATE – 15 minutes (M#1749).....18
Presenter: Finance & Administration Chair, Director David Raley
Recommendation: The Finance & Administration Committee recommends the Board increase the Board Per Diem Rate by \$4.00 to \$235.00 for calendar year 2021, and approve Resolution No. 580.

Action Items

B. UNAUDITED FINANCIAL REPORTS, November 2020 - 5 minutes (M#1750)20
Presenter: Daniel Cozad
Recommendation: Review and approve the unaudited financials for November 2020.

C. WASH PLAN COVERED ACTIVITIES CALIFORNIA ENDANGERED SPECIES ACT PERMIT APPLICATION - 10 minutes (M#1751)26
Presenter: Daniel Cozad
Recommendation: Staff recommends that the Board authorize the General Manager to prepare and submit a permit application for Wash Plan Covered Activities and pay up to \$45,000 in associated permit application fees to California Department of Fish and Wildlife.

D. MEMORANDUM OF UNDERSTANDING WITH SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT TO SUPPORT CONSERVATION AND HABITAT MANAGEMENT ACTIVITIES ASSOCIATED WITH WASH PLAN IMPLEMENTATION - 10 minutes (M#1752)28
Presenter: Daniel Cozad
Recommendation: Staff recommends that the Board review and consider approval the Agreement for Management of Conservation Easement, Funding for Conservation Activities, and Memorandum of Understanding Regarding Habitat Management Activities with San Bernardino County Flood Control District.

E. PLANNING MEMORANDUM OF UNDERSTANDING BY AND BETWEEN SAN BERNARDINO COUNTY FLOOD DISTRICT (SBCFCD) AND THE DISTRICT FOR THE POTENTIAL GROUNDWATER RECHARGE PROJECTS WITHIN SBCFCD LAND - 10 minutes (M#1753).....44
Presenter: Daniel Cozad
Recommendation: Staff and District Counsel recommend that the Board approve and execute the Planning Memorandum of Understanding by and between the San Bernardino County Flood Control District (SBCFCD) and the San Bernardino Valley Water Conservation District.

- F. CONSIDER THE REAPPOINTMENT OF VICE PRESIDENT MCDONALD TO THE ASSOCIATION OF SAN BERNARDINO COUNTY SPECIAL DISTRICTS BOARD
 - 5 minutes (M#1754)54

Presenter: *Daniel Cozad*

Recommendation: Staff recommends that the Board reappoint Vice President McDonald to the Association of San Bernardino County Special Districts Board.

7. **INFORMATION ITEMS:**

- A. Wash Plan Implementation and State Permitting Update – 5 Minutes
- B. General Manager’s Report and Monthly Recharge Report – 5 Minutes55
- C. Future Agenda Items & Staff Tasks

8. **MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS**

- A. Board Member Meeting Reports – 15 minutes

9. **UPCOMING MEETINGS:**

***Please note: All future District meetings may be held remotely via zoom. See Agendas for detailed information.**

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| A. December 10, 2020 | San Bernardino Valley Municipal Water District Policy Committee Workshop, 2:00 p.m. at Valley Municipal |
| B. December 15, 2020 | San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal |
| C. December 24-25, 2020 | Office Closed in Observance of Christmas Eve and Christmas Day |
| D. December 31, 2020-January 1, 2021 | Office Closed in Observance of New Year’s Eve and New Year’s Day |
| E. January 13, 2021 | Board of Directors meeting, 1:30 p.m. at Conservation District |
| F. January 14, 2021 | Advisory Commission on Water Policy, 6:30 p.m. at Valley Municipal |
| G. January 27, 2020 | Finance & Administration Committee, 9:00 a.m. at Conservation District |

10. **CLOSED SESSION**

1. The Board will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, Endangered Habitats League et al. vs. U.S. Army Corps of Engineers, Central District Court Case no. Case No.: 2:16-cv-09178-MWF-E.

2. The Board may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: Southern California Edison East End Hydroelectric Generation Plant property located on various parcels and easements in Mill Creek and Santa Ana River Canyons, Negotiator: Daniel Cozad and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.

3. The Board may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: San Bernardino County Flood Control District for parcels or easements as part of the Active Recharge Transfer Projects. Negotiators: Daniel Cozad and David Cosgrove Owner: SBCFCD David Doublet.

4. The Board will meet in closed session under authority of Government Code section 54954.8, real estate negotiations, to discuss price and terms of a transfer of a conservation easement over some 0.64 acres of property in connection with the Elder Creek Channel Improvement project, which will involve construction work along 1,200 linear feet of Elder Creek Channel, grading and reconfiguration within East Highland Storm Drain, and vegetation removal within Church Street Channel, located between Old Greenspot Road and Abbey Way, east of Church Street. The party with whom the District will be negotiating is San Bernardino County Flood Control District, and Michele Derry. The District's negotiators are Daniel Cozad and David B. Cosgrove.

11. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on January 13, 2020 at 1:30 p.m., location to be determined.