



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

Wednesday, November 9, 2022– 1:30 p.m.

Anyone wishing to listen to or participate in the meeting can join via Zoom:

Call in (669) 900-6833, Meeting ID: 828 2351 1711

To join the Zoom Meeting on <https://us02web.zoom.us/j/82823511711>

While the District makes every attempt to follow all guidance re COVID-19 safety protocols, the District cannot assure in-person attendees that they will not be exposed to COVID-19 or persons who have been so exposed, and attendees are advised to exercise caution in limiting their own incidences of exposure, particularly those who may be in groups at higher risk of infection, or serious symptoms of COVID-19 if infected.

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 a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Laroche 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.

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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

Betsy Miller

3. **GUEST RECOGNITION/SELF INTRODUCTIONS**
4. **CONSENT CALENDAR**
 - A. Approval of Board Minutes, October 12, 20225
 - B. Approval of Expenditure Report, October 2022 12
5. **COMMITTEE REPORTS /ACTION ITEMS**

Action Items

- A. UNAUDITED FINANCIAL REPORTS, October 2022 - 5 minutes (M#1893)24
Presenter: *Angie Quiroga/Betsy Miller*
Recommendation: Review and approve the unaudited financials for October 2022.
- B. ENGINEERING INVESTIGATION PLAN FOR 2023 - 5 minutes (M#1894)30
Presenter: *Katelyn Scholte*
Recommendation: Staff is requesting that the Board review, discuss and recommend any changes to the Engineering Investigation Report Plan (EI Report plan) and consider approval of the 2023 EI Report plan.
- C. 2ND AMENDMENT TO CONTRACT SERVICES AGREEMENT FOR EXPERT TECHNICAL CONSULTANT SERVICES TO PURSUE AND OBTAIN STATE AND SELECTED FEDERAL PERMITS FOR THE UPPER SANTA ANA RIVER WASH HABITAT CONSERVATION PLAN COVERED ACTIVITIES - 5 minutes (M#1895)37
Presenter: *Milan Mitrovich*
Recommendation: Staff recommends the Board accept the 2nd Amendment to Contract Services Agreement from AECOM and authorize the General Manager, subject to concurrence by the Wash Plan Task Force, to complete the negotiation of services and fees and execute a change order agreement in an amount not to exceed \$36,091 as shown in the Attachments.
- D. EXTENSION OF LEASE AGREEMENT WITH STEPS 4 LIFE – 5 minutes (M#1896).....45
Presenter: *David Cosgrove*
Recommendation: Review and approve: an Amendment to Memorandum of Understanding and Lease Agreement for the provision of transitional housing support services (“Amendment”), extending its term to November 30, 2024, with three (3) potential additional one-year extensions.
- E. AMENDING GENERAL MANAGER CONTRACT AND RESOLUTION TO REMOVE DUTIES AS EXECUTIVE OFFICER/SECRETARY OF THE SAN BERNARDINO VALLEY CONSERVATION TRUST – 5 minutes (M#1897)51
Presenter: *David Cosgrove*
Recommendation: Review and approve: 1) Resolution No. 604, removing therefrom those duties related to serving as the secretary and executive officer of the San Bernardino Valley Conservation Trust (“Trust”); and 2) approving a confirming amendment to the General Manager’s employment contract.
- F. ACWA REGION 9 CALL FOR CANDIDATES – 5 minutes (M#1898).....58
Presenter: *Betsy Miller*
Recommendation: Consider nominating a Board member for a seat on the ACWA Region 9 Board of Directors for the remainder of the 2022-2023 term.

G. 2023 DISTRICT BOARD MEETING CALENDAR – 5 minutes (M#1899)67

Presenter: *Betsy Miller*

Recommendation: Review and consider approval of the draft 2023 District Board Meeting Calendar.

6. **INFORMATION ITEMS:**

- A. Environmental Update – 5 Minutes.....69
- B. Wash Plan Trails Status Report – 5 Minutes.....72
- C. Engineering Update – 5 Minutes.....73
- D. Groundwater Council Renewal Update – 5 Minutes
- E. General Manager’s Report and Monthly Recharge Report – 5 Minutes.....74
- F. Future Agenda Items & Staff Tasks – 5 Minutes

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

8. **UPCOMING MEETINGS:**

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| A. November 10, 2022 | San Bernardino Valley Municipal Water District Board Policy Workshop, 2:00 p.m. at Valley Municipal |
| B. November 11, 2022 | Office Closed in Observance of Veteran’s Day |
| C. November 15, 2022 | San Bernardino Valley Municipal Water District Board of Directors Meeting, 2:00 p.m. at Valley Municipal |
| D. November 16, 2022 | USAR WIFA Meeting, 8:30 a.m. via Zoom/Teleconference |
| E. November 16, 2022 | San Bernardino Valley Municipal Water District Board Branding Workshop, 9:30 a.m. at Valley Municipal |
| F. November 16, 2022 | Finance & Administration Committee Meeting, 1:30 p.m. at Conservation District
(<i>Zoom Meeting ID: 894 6254 7301</i>) |
| G. November 21, 2022 | Association of San Bernardino Special Districts Dinner, 6:00 p.m. hosted by Yucaipa Valley Water District (Yucaipa Valley Water District’s Crystal Creek Facility, Yucaipa)
Topic: Atmospheric Rivers Research & Applications at CW3E |
| H. November 23, 2022 | USAR WIFA Technical Advisory Committee Meeting, 8:30 a.m. via Zoom/Teleconference |
| I. November 24-25, 2022 | Office Closed in Observance of Thanksgiving |
| J. November 28-December 1, 2022 | ACWA Fall Conference (Indian Wells, CA)
(Board Approval Required) |
| K. December 2, 2022 | Ad Hoc Audit Committee, 1:00 p.m. at Conservation District |

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| L. December 5, 2022 | Basin Technical Advisory Committee, 1:30 p.m. at Valley Municipal |
| M. December 14, 2022 | Board of Directors Meeting, 9:30 a.m. at Conservation District
(Zoom Meeting ID: 828 2351 1711) |
| N. December 14, 2022 | District Annual Luncheon, 12:00 p.m.-3:00 p.m. at Romano's Macaroni Grills (Redlands) |
| O. December 23 & 26, 2022 | Office Closed in Observance of Christmas |

9. **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 will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, San Bernardino Valley Water Conservation District v. Mark J. Bacher dba Red Dragonfly Spa, SBCSC Case No. LLTVA 2103055.

3. 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: Betsy Miller and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.

4. The Board will meet in Closed Session under authority of Government Code 54956.9 (d)(2), (d)(3) and (e)(1), to discuss exposure to litigation in one case.

5. The Board will meet in Closed Session under Government Code section 54956.8, to discuss the terms and conditions of potential acquisition of Federal properties as part of the Wash Plan land exchange with BLM, consisting of 327.5 acres of the Federal Exchange Parcel, and 90 acres of the Federal Equalization Parcels, in exchange for District property of Assessor Parcel Nos. 0291-151-01, -02, and-05. David Cosgrove and Betsy Miller are the District's negotiators, and Victoria Ramirez is the lead negotiator for BLM.

10. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on December 14, 2022 at 9:30 a.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.