

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
March 5, 2008
1:30 p.m.

President Melody McDonald called the Regular 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
Richard Corneille, Director
Clare Henry Day, Director
John Longville, Director

BOARD MEMBERS ABSENT:

Arnold Wright, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Marvin Shaw, General Manager
Colleen Theuer, Admin. Services Mgr./Recording Secretary

GUESTS PRESENT:

None

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.

It was moved by Director Day and seconded by Director Tubbs to take out of order a Closed Session item, Government Code Section 54956.9(c), confer with legal counsel regarding potential litigation. The motion carried 6-0, with Director Wright noted absent.

At 2:10 p.m., the meeting reconvened to Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

2. ANNUAL ENGINEERING INVESTIGATION REPORT

Kate White, of Todd Engineers, presented the 2007-2008 Annual Engineering Investigation Report of the Bunker Hill Basin, and answered questions from the Board. Mr. Shaw said that based on the findings of the report, District staff determined that the groundwater charge should continue to help defray the increasing costs of operations and investigations necessary to conduct the recharge program, and maintain the groundwater charge at \$1.85 per acre-foot for agriculture and \$6.65 per acre-foot for all other uses.

It was moved by Director Longville and seconded by Director Corneille to receive and file the 2007-2008 Annual Engineering Investigation Report of the Bunker Hill Basin. The motion carried 6-0, with Director Wright noted absent.

A brief discussion on the groundwater rates ensued.

It was moved by Director Tubbs and seconded by Director Aranda to direct staff to publish the rates for the proposed groundwater charge at its current rate, \$1.85 per acre-foot for agriculture and \$6.65 per acre-foot for non-agriculture. The motion carried 6-0, with Director Wright noted absent.

3. CONSENT CALENDAR

It was moved by Director Corneille and seconded by Director Aranda to approve the minutes from February 6, 2008; February 11, 2008; and February 22, 2008. The motion carried 6-0, with Director Wright noted absent.

It was moved by Director Day and seconded by Director Aranda to approve the un-audited financial reports for the month of February, 2008. The motion carried 6-0, with Director Wright noted absent.

4. INFORMATION ITEMS

A. Wash Plan Update

Mr. Cosgrove updated the Board on the Wash Plan. The final revisions of the DEIR are in process, with a Wash Plan meeting scheduled for March 25 for its presentation; a 60-day comment period is anticipated. The public brochure is also being finalized. Work has resumed on the Habitat Conservation Plan (HCP), with a meeting scheduled with U.S. Fish & Wildlife Service and the California Department of Fish & Game on March 20. He said he is also currently coordinating with BLM a review of the land appraisal.

B. Board Committee Reports

There were no committee reports for this meeting.

C. Operations and Maintenance Report

Mr. Shaw summarized his written report.

D. General Manager's Report

Mr. Shaw reported that MWH Americas, Inc. (MWH) had been chosen by an interview panel as the consultant for the Evaluation and Conceptual Design to Optimize Santa Ana River Groundwater Recharge Facilities and Operations. They will be providing a revised proposal at the March 17 or 25th Board meeting. Mr. Shaw briefly discussed the USACOE Lakes & Streams project, noting that Jackie Silber was acting as the District's lead person. He noted that the City of Highland has issued an environmental document for the Greenspot Road alignment.

E. Dike #10 Improvements Status Report

This item was deferred to the Board meeting on March 25, 2008.

5. ACTION ITEMS, NEW BUSINESS, FYI

A. Approve and Authorize Contract for Wash Plan Consultant

It was moved by Director Tubbs and seconded by Director Day to approve a Contract Services Agreement for Wash Plan Project Manager Services with consultant Randy Scott. The motion carried 6-0, with Director Wright noted absent.

B. San Bernardino Lakes and Streams Ecosystem Restoration Feasibility Study

Mr. Shaw briefly discussed the San Bernardino Lakes and Streams Ecosystem Restoration Feasibility Study. He recommended releasing the ADEIR for the Wash Plan to the U.S. Army Corps of Engineers or the County of San Bernardino, and forwarding a letter of request to become a Lakes & Streams Project Local Sponsor.

It was moved by Director Day and seconded by Director Longville to direct the General Manager to forward a letter of request on behalf of the District

to become a Lakes & Streams Project Local Sponsor, and to provide them the ADEIR and related information. The motion carried 6-0, with Director Wright noted absent.

- C. Consider Adoption of Resolution No. 437, Concurring in Nomination of Mary M. Gibson to ACWA/JPIA Executive Committee

It was moved by Director Corneille and seconded by Director Longville to adopt Resolution No. 437, concurring in the nomination of Mary M. Gibson to the ACWA/JPIA Executive Committee. The motion carried 6-0, with Director Wright noted absent.

6. UPCOMING MEETINGS

This was an information item.

7. BOARD DISCUSSION ITEMS

Director Corneille reported that he attended the Water Crisis Roundtable and the Special Districts meeting.

Director Tubbs reported that she attended the Special Districts meeting.

Director Day reported that he attended the Water Crisis Roundtable and the Loma Linda Chamber of Commerce Mayor's Breakfast.

Director Longville reported that he attended the Special Districts meeting.

Director Aranda reported that he attended WESTCAS and the Region 9 Board meeting.

President McDonald reported that she attended the Upper Santa Ana Water Resources Association meeting; the San Bernardino Valley Municipal Water District Board meeting; and the ACWA Washington D.C. Conference.

8. CLOSED SESSION

It was moved by Director Longville and seconded by Director Day to adjourn to Closed Session at 3:40 p.m., under Government Code Section 54956.9(a), confer with legal counsel regarding Case No. SCVSS 147526 San Bernardino Valley Water Conservation District vs. San Bernardino County Local Agency Formation Commission; Government Code Section 54956.9(a), confer with legal counsel regarding the applications pending before the State Water Resources Control Board regarding the Santa Ana River, including Nos. 31169, 31170, AND 31371; and Government Code Section 54956.9(c), confer with legal counsel regarding potential litigation. The motion carried unanimously.

At 4:50 p.m., the meeting reconvened into Open Session. There was no reportable action taken.

9. ADJOURN MEETING

At 5:00 p.m., the meeting adjourned to the Board meeting scheduled for March 25, 2008 at 1:30 p.m., at District Headquarters, 1630 W Redlands Blvd., Suite A, Redlands, CA.

Secretary of the Board