

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING/PUBLIC HEARING OF
April 30, 2008
1:30 p.m.

President Melody McDonald called the Regular Board Meeting/Public Hearing 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
John Longville, Director

BOARD MEMBERS ABSENT:

Richard Corneille, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Colleen Theuer, Admin. Services Mgr./Recording Secretary

GUESTS PRESENT:

R. Robert Neufeld

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. PUBLIC HEARING RELATED TO ADOPTION OF GROUNDWATER CHARGE

Director Wright excused himself due to a potential conflict of interest.

Mr. Cosgrove explained that the Public Hearing would be one of two hearings related to the adoption of the annual groundwater charge. He said the Engineering Investigation Report (EI) had been previously presented at the March 5, 2008 Board meeting and at the Upper Santa Ana Water Resources Association (USAWRA) meeting of April 10, 2008. A Public Meeting had also been held at the Board meeting of April 2, 2008. Normally after the Public Hearing at the end of April each year, the groundwater charge is finalized. This year staff recommended an additional Public Hearing to be held at the regular Board meeting on June 4, 2008, due to a delay in the mailing of the groundwater notices, and in order to eliminate any question regarding compliance with procedures under Proposition 218. Staff has notified all groundwater producers of the additional Public Hearing. Thus far, the District has not received any written comments; oral comments were made at the USAWRA meeting, and will be made available at the June 4 hearing. President McDonald opened the Public Hearing at 1:35 p.m. There were no public present for this meeting.

It was moved by Director Aranda and seconded by Director Tubbs to close the Public Hearing, to be continued to the June 4, 2008 Board meeting. The motion carried 5-1-0, with Director Wright excused and Director Corneille noted absent.

3. CONSENT CALENDAR

The minutes of the March 21, March 25, and April 7, 2008 were discussed. Minor changes were noted.

It was moved by Director Tubbs and seconded by Director Aranda to approve the minutes of March 21, March 25, and April 7, 2008, as amended. The motion carried 6-0, with Director Corneille noted absent.

The un-audited financial reports for March 31, 2008 and April 30, 2008 were discussed.

It was moved by Director Tubbs and seconded by Director Aranda to approve the un-audited financial reports for March 31, 2008 and April 30, 2008. The motion carried 6-0, with Director Corneille noted absent.

4. INFORMATION ITEMS:

A. Wash Plan Update

Mr. Randy Scott reported on the Wash Plan. He said he was in the process of making presentations of the Wash Plan DEIR to several entities, including the City of Highland, the City of Redlands, and the Upper Santa Ana Water Resources Association; he noted that the presentations thus far were well received.

B. Optimization Study Report

Mr. Shaw summarized his written report on the Evaluation and Conceptual Design to Optimize Santa Ana River Groundwater Recharge Facilities and Operations (Optimization Study). He said a stress test (a controlled release of water) had been conducted on March 27 at the Seven Oaks Dam to evaluate the operation of the Santa Ana River diversion and conveyance facilities; Jackie Silber attended the test and took several pictures, which she presented to the Board. Mr. Shaw said that a second stress test was not necessary; however, tests are being planned for Basins 1-3, the easterly most basins located in the borrow pit.

Mr. Shaw noted that MWH Americas, Inc. and Joe Bonadiman, project manager for the Optimization Study, would be providing monthly status reports.

Mr. Shaw reported that he had been contacted by the City of Highland (City) regarding an informal agreement between the District and the City on the realignment of Greenspot Road and the sharing of costs for the realignment. The agreement specified that the City would fund the cost of designing and constructing a culvert equal to the capacity of the existing culvert, while the cost of any increased capacity would be borne by the District. After discussion, staff was directed to open dialogue with the City of Highland regarding this matter to establish a formal agreement.

Mr. Shaw noted the letter agreement between the District and the San Bernardino Valley Municipal Water District for the Optimization Study.

C. Capital Improvement Project - Construction at Basins #10 N & S

Mr. Shaw discussed a possible capital improvement project involving the construction of a headwall and gate structures at basins #10 north and south. The purpose of the project would be to improve operational flexibility of the District's Santa Ana River spreading facilities. Mr. Shaw suggested including this item in the FY 2008-2009 budget for an estimated amount of \$20,000.

D. Lakes and Streams Project

Jackie Silber summarized her written report on the status of the U.S. Army Corps of Engineers Lakes and Streams Project (Project). While the District had been advised that the Wash Plan in-kind contribution of \$761,000 had been accepted as credit towards the Project, the District's request to become a local sponsor of the Project is still pending.

E. Board Committee Reports

There were no Board committee reports for this meeting.

F. Operations and Maintenance Report

Mr. Shaw summarized his written report. Mr. Cosgrove noted that the District reached the 10,400 acre-feet spreading threshold. All water in excess of this threshold would now be reported by the San Bernardino Valley Municipal Water District (SBVMWD), under the Temporary Urgency Permit No. 21212 (Permit), until the expiration of the initial 180 day period of the Permit.

G. General Manager's Report

Mr. Shaw reported that the District had been approached by the Flood Control District, the City of Highland elected officials, and the City of Highland (City) staff regarding the City's "triangle" (Flood Control land where debris is stockpiled). They discussed the possibility of relocating this operation, possibly on District property currently being leased by CEMEX for mining. Mr. Shaw said that he indicated to Flood Control and the City that the District would work cooperatively in their efforts.

Mr. Shaw said that the SBVMWD Board president had suggested he and the SBVWCD Board president brief Congressman Lewis, on his next visit in town, on the need to make reconstruction of the borrow pit a high priority for federal funding.

Mr. Shaw indicated that California Advocates and Hicks-Richardson Associates had been notified that their contracts would not be renewed for the FY 2008-2009.

5. ACTION ITEMS, NEW BUSINESS, FYI

A. Approve and Authorize Purchase of New Field Truck

Mr. Shaw requested authorization for the purchase of a new field truck to replace the 1995 Ford F-250 truck, not to exceed \$21,000.

It was moved by Director Aranda and seconded by Director Wright to approve the purchase of a new field truck, not to exceed \$21,000. The motion carried 6-0, with Director Corneille noted absent.

6. UPCOMING MEETINGS

It was noted that the Upper Santa Ana Water Resources Association meeting had been moved to May 16, 2008. Director Aranda said that the Loma Linda City Arsenic Removal Facility would have their grand opening on May 13, 2008.

7. BOARD DISCUSSION ITEMS

Director Longville reported that he attended the Special Districts dinner meeting.

Director Aranda reported that he attended the LAFCO court hearing on April 9 in Simi Valley; a groundwater meeting at Western Municipal Water District; and a legislative meeting in Sacramento.

Director Tubbs reported that she had had a conversation with Dennis Johnson, representing the City of Highland. He discussed the gun club that is situated on BLM property, and the need to relocate it due to complaints of noise by Highland residents. Mr. Johnson inquired about the possibility of relocating the gun club to District property. Discussion continued as to the issues involved with moving the gun club to District land. Director Tubbs also reported that she would be attending the ACWA Spring Conference.

Director Day thanked the Board for the Edible Arrangement he received after his surgery.

President McDonald reported that she attended the LAFCO court hearing in Simi Valley; the Upper Santa Ana Water Resources Association meeting; the Special Districts meeting; and a Highland Chamber meeting.

8. CLOSED SESSION

There was no Closed Session for this meeting.

9. ADJOURN MEETING

At 3:20 p.m., the meeting adjourned to a Board Meeting/Public Hearing scheduled for June 4, 2008 at 1:30 p.m., at District Headquarters, 1630 W Redlands Blvd., Suite A, Redlands, CA.

Secretary of the Board