

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF  
July 2, 2008  
1:30 p.m.

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

BOARD MEMBERS ABSENT:

Arnold Wright, Director

GENERAL COUNSEL PRESENT:

Bill Irhke, Rutan & Tucker, LLP  
Jess Senecal, Lagerlof, Senecal, Bradley, et al

STAFF PRESENT:

R. Robert Neufeld, General Manager  
Colleen Theuer, Admin. Services Mgr./Recording Secretary  
Jackie Silber, IT/GIS Administrator  
Shanae Smith, Executive Assistant

GUESTS PRESENT:

Greg Gage, San Bernardino Valley Municipal Water District

## 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.

Mr. Neufeld requested the Closed Session be moved to the beginning of the meeting in order to accommodate a request from Special Counsel Jess Senecal, as Mr. Senecal would need to leave the meeting by 2:30 p.m. Mr. Neufeld also cancelled Agenda Item 2, Water Master Support Presentation.

**It was moved by Director Tubbs and seconded by Director Longville to adjourn into Closed Session under 54956.9(c) regarding potential litigation; and 54956.9(a) regarding Case No. SCVSS 147526 San Bernardino Valley Water Conservation District vs. San Bernardino County Local Agency Formation Commission. The motion carried 6-0, with Director Wright noted absent.**

At 2:40 p.m., the meeting reconvened into Open Session. Under Government Code Section 54957.1, there was no reportable action taken during Closed Session.

## 2. WATERMASTER SUPPORT PRESENTATION

This item was cancelled.

## 3. BOARD DISCUSSION ITEMS

Director Corneille reported that the next Advisory Commission on Water Policy meeting would be held on July 10, 2008 at 7:00 p.m., at the San Bernardino Valley Municipal Water District (SBVMWD).

President McDonald reported attending the BTAC meeting at SBVMWD; the Highland Chamber breakfast; and the Upper Santa Ana Water Resources Association meeting.

Director Aranda reported attending chamber meetings; the Three Valley Municipal Water District breakfast; the Loma Linda Chamber of Commerce Golf Tournament, in which the District donated water; and the WESTCAS meeting.

Director Longville reported attending the Special Districts meeting and the San Bernardino Chamber of Commerce meeting, in which Mr. Bill Leonard spoke. He briefly discussed the LAFCO consolidation of fire stations.

## 4. CONSENT CALENDAR

The minutes from the Board meeting of June 4, 2008 were briefly discussed. A minor change in the wording under Item 6A was noted.

**It was moved by Director Corneille and seconded by Director Tubbs to approve the minutes of June 4, 2008, as amended. The motion carried 6-0, with Director Wright noted absent.**

The minutes from the Board meeting of June 9, 2008 were briefly discussed. A minor change in the wording under Item 2 was noted.

**It was moved by Director Day and seconded by Director Tubbs to approve the minutes of June 9, 2008, as amended. The motion carried 6-0, with Director Wright noted absent.**

The un-audited financial reports ending June 30, 2008 were discussed.

**It was moved by Director Day and seconded by Director Longville to approve the un-audited financial reports ending June 30, 2008. The motion carried 6-0, with Director Wright noted absent.**

5. INFORMATION ITEMS

A. Wash Plan Update

Mr. Randy Scott, the Wash Plan Project Manager, reported on the status of the Wash Plan. He said that work continues on the DEIR and that a meeting was held with LSA regarding the comments received on the DEIR. The comments focused more on biological issues, for which assistance from Dudek Inc. would be needed. Draft responses to the comments are anticipated to be completed by mid-to-late August. Mr. Scott discussed the LSA contract and budget, noting that a new contract amendment request was received from LSA in the amount of \$175,000, addressing what they consider to be out-of-scope work. He said that while some additional work is warranted, it should not amount to more than \$50,000 - \$75,000. Regarding the preparation of the EIS, an interview panel was being formed consisting of staff, a board representative, a mining company representative, and a Bureau of Land Management representative, to conduct interviews of interested firms. Mr. Scott continued discussion and answered questions from the Board.

B. Board Committee Reports

There were no Board Committee reports for this meeting.

C. Operations and Maintenance Report

Ms. Jackie Silber summarized her written report, and noted that the new field truck would arrive on July 4, 2008.

D. General Manager's Report

Mr. Neufeld requested that his report be taken last.

E. Optimization Study Update

Ms. Silber summarized her written report.

F. USACE Lakes & Streams Update

Ms. Silber summarized her written report. Mr. Neufeld noted that the rehabilitation of the borrow pit had been accepted as part of the USACE Lakes & Streams study.

G. AB 303 Update

Ms. Shanae Smith reported that she attended a meeting in Sacramento regarding the Local Groundwater Assistance Grant Program (AB 303). The purpose of the meeting was to review the recommendations by the Department of Water Resources for the grant awards to the various District applicants. Applicants were given the opportunity to give oral presentations in an effort to increase their standing; however, as a result of the District's high score and the subsequent award of the full amount of \$250,000, a presentation by the District was not necessary. Ms. Smith noted that she had also attended grant management classes, in order to ensure that the grant would be handled properly and efficiently. She continued the discussion and answered questions from the Board.

D. General Manager's Report

Mr. Neufeld discussed current staff positions and noted that a staff meeting was held earlier in the day, in which long-range plans were discussed. He reported on various meetings he had attended during the month, in particular noting the WESTCAS meeting.

6. ACTION ITEMS, NEW BUSINESS, FYI

A. Approve Amendment to Contract for General Counsel

There was a brief discussion on the amendment to the General Counsel's contract.

**It was moved by Director Tubbs and seconded by Director Aranda to approve the amendment to the contract for General Counsel (Rutan & Tucker), increasing General Counsel's rates from \$250/hour to \$300/hour. The motion carried 6-0, with Director Wright noted absent.**

B. Approve 3% COLA for District Staff

**It was moved by Director Longville and seconded by Director Corneille to approve a 3% COLA for District Staff for FY 2008-2009. The motion carried 6-0, with Director Wright noted absent.**

- C. Consider Gold Level Participation in 2008 Water Quality & Regulatory Conference for \$5,000

**It was moved by Director Corneille and seconded by Director Aranda to approve the Gold Level participation for the 2008 Water Quality & Regulatory Conference, sponsored by East Valley Water District and AWWA Research, in the amount of \$5,000. The motion carried 6-0, with Director Wright noted absent.**

- D. Resolution No. 439, Update of the District Conflict of Interest Code

**It was moved by Director Tubbs and seconded by Director Day to approve Resolution No. 439, Update of the District Conflict of Interest Code. The motion carried 6-0, with Director Wright noted absent.**

- E. Approve General Manager Attendance at the Utility Executive Leadership Institute (UELI) Conference August 6-9, 2008

Mr. Neufeld discussed attending the Utility Executive Leadership Institute in Santa Fe, New Mexico. He said it is an "invitation only" conference, and sponsored by Black & Veatch. The only cost to the District would be for transportation, as Black & Veatch would pay the cost of the hotel. Mr. Neufeld continued discussion and answered questions from the Board.

**It was moved by Director Day and seconded by Director Aranda to approve the General Manager attendance to the Utility Executive Leadership Institute Conference August 6-9, 2008. The motion carried 6-0, with Director Wright noted absent.**

- F. Consider Change of Date for August Board Meeting from August 6 to August 13, 2008

Due to the General Manager's attendance to the Utility Executive Leadership Institute Conference during the normal date of the August Board meeting (August 6, 2008), an alternate date of August 13 was discussed.

**It was moved by Director Tubbs and seconded by Director Day to move the August Board meeting from August 6, 2008 to August 13, 2008, at 1:30 p.m. The motion carried 6-0, with Director Wright noted absent.**

- G. Discussion and Possible Action on Proposed Organizational Chart and Personnel Replacements

Mr. Neufeld discussed the organization of the District and recommended the following: (1) the hiring of an Assistant General Manager; (2) the hiring of a replacement for the IT/GIS Administrator position, and (3) the hiring of a temporary clerical employee. He discussed the reasons for his recommendations, noting that the Assistant General

Manager position had been long vacant, and suggested hiring a person with an engineering background, thereby satisfying two important functions for the District. He suggested a salary range of \$130,000/year to \$150,000/year for this position. For the IT/GIS position, he suggested hiring Joseph Bonadiman & Associates in the interim until the position could be filled. For the temporary clerical position, he noted that current staff was working over and beyond their job requirements due to the staff shortage, and a temporary clerk would help relieve staff of this overload. Discussion ensued.

**It was moved by Director Tubbs and seconded by Director Aranda to approve recruiting for the positions of Assistant General Manager, IT/GIS Administrator, and a temporary clerical employee.**

Discussion continued. Director Corneille discussed keeping within the budget in the hiring of the new staff; and said he was not convinced the District needs a full-time IT/GIS person. Mr. Neufeld said he could forego hiring an IT/GIS person and use a consultant on an as-needed basis instead. Director Corneille suggested hiring an engineer with GIS capabilities, alleviating the need to hire a full-time GIS person. After further discussion, Director Tubbs amended the motion:

**Director Tubbs amended the motion to direct the General Manager to begin recruitment for an Assistant General Manager, and also to hire a part-time temporary clerical person. The motion carried 6-0, with Director Wright noted absent.**

Mr. Neufeld indicated that this would require revamping the organizational chart. An Administrative Committee meeting would be set for a later date to discuss.

## 7. UPCOMING MEETINGS

There was no discussion on the upcoming meetings.

At 4:45 p.m. a 5-minute break was taken.

Director Tubbs was excused from discussion in Closed Session regarding Government Code Section 54956.8, due to a possible conflict of interest.

## 8. CLOSED SESSION

**At 4:50 p.m., the meeting adjourned into Closed Session, under Government Code Section 54956.8, consider real property negotiations re: purchase agreement with the City of Redlands; and consider lease and/or real property negotiations with CEMEX, USA. The motion carried 5-0, with Directors Wright and Tubbs noted absent.**

At 5:35 p.m. the meeting reconvened into Open Session. Under Government Code Section 54957.1, there was no reportable action taken.

9. ADJOURN MEETING

At 5:35 p.m., the meeting adjourned to the Board meeting scheduled for August 13, 2008, at 1:30 p.m., at District headquarters, 1630 W Redlands Blvd., Ste. A, Redlands, CA.

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Secretary of the Board