

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
September 24, 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
Arnold Wright, Director

BOARD MEMBERS ABSENT:

John Longville, Director

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

STAFF PRESENT:

R. Robert Neufeld, 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.

2. BOARD DISCUSSION ITEMS

Director Tubbs reported that she attended the San Bernardino Board of Water Commissioners meeting on September 16, 2008.

Director Corneille attended the Ad Hoc Administrative Committee meeting on September 10, 2008. He also attended a meeting at East Valley Water District, noting that he encouraged them to attend the next Advisory Commission on Water Policy meeting, to be held on November 6, 2008.

Director Day reported that he attended the Ad Hoc Administrative Committee meeting, and attended the San Bernardino County Special Districts meeting at Oak Glen.

President McDonald reported that she met with the Editorial Board from the Sun Newspaper; attended the BTAC meeting; the ACWA Water Management Committee meeting; and the San Bernardino Board of Water Commissioners meeting with Director Tubbs and Mr. Neufeld.

Director Aranda reported attending the San Bernardino County Special Districts meeting. He noted that he continues to make presentations at various service clubs on the water crisis.

Director Wright reported that he attended the San Bernardino County Special Districts meeting.

3. INFORMATION ITEMS

A. Wash Plan Update

Randy Scott reported that a Task Force meeting was held on September 23, 2008, and said that the Task Force endorsed a contract with URS for the EIS work, which was scheduled for approval later in the Board meeting. He also discussed the budget augment from LSA for the completion of the EIR.

B. Board Committee Reports

There were no Board Committee reports for this meeting.

C. Optimization Study Update

Mr. Neufeld reported that the next meeting is scheduled for October 13. President McDonald inquired as to why the meetings were being held at the SBVMWD office rather than at the District, since the District is lead agency. She suggested that future meetings be held at the District office. Mr. Neufeld then updated the Board on the current status of the project.

D. General Manager's Report

Mr. Neufeld reported and discussed his meeting with the San Bernardino Sun newspaper.

4. ACTION ITEMS, NEW BUSINESS, FYI

A. Discussion and Possible Action on Wash Plan EIS Contract with URS

It was moved by Director Corneille and seconded by Director Day to approve and authorize the Board President to sign the contract with URS for the Wash Plan EIS, subject to final language changes and approval by legal counsel. The motion carried 6-0, with Director Longville noted absent.

B. Approve Resolution No. 441, Amending Resolution No. 347, "...Defining the Responsibilities and Authority of the General Manager," Changing General Manager's Discretionary Expenditure Limit from \$2,500 to \$25,000

It was moved by Director Day and seconded by Director Aranda to approve Resolution No. 441, changing the General Manager's discretionary expenditure limit from \$2,500 to \$25,000. The motion carried 6-0, with Director Longville noted absent.

C. Authorize General Counsel to Prepare Amendment to General Manager's Contract to Include Car Allowance in the Amount of \$1,500 Per Month, and Authorize President to Execute Same

This item was discussed and staff was directed to obtain additional information to be brought back for discussion at the October 8, 2008 meeting.

It was moved by Director Tubbs and seconded by Director Day to continue the item of a car allowance for the General Manager in the amount of \$1,500 until the next Board meeting on October 8, 2008, at which time the General Manager would bring additional information; and to also authorize the General Manager to submit mileage reimbursement at the IRS mileage rate of \$0.585 until the matter is resolved. The motion carried 6-0, with Director Longville noted absent.

5. UPCOMING MEETINGS

Upcoming meetings were briefly discussed.

6. CLOSED SESSION

Mr. Cosgrove said that the District received a proposal from the City of Redlands for a water well site after the agenda was posted. He asked that the Board approve adding this item to the Closed Session.

It was moved by Director Aranda and seconded by Director Day to add to the Closed Session agenda: Government Code Section 54956.8, consider lease and/or Real Property negotiations regarding a water well site with the City of Redlands Municipal Utilities Department. The motion carried 6-0, with Director Longville noted absent.

It was moved by Director Day and seconded by Director Aranda to adjourn to Closed Session under Government Code Section 54956.8, consider lease and/or Real Property negotiations regarding a water well site with the City of Redlands Municipal Utilities Department; if action is directed, the negotiators will be David Cosgrove and R. Robert Neufeld with the District, and Chris Diggs with the City of Redlands Municipal Utilities Department; Government Code Section 54956.8, consider Real Property negotiations regarding borrow pit property APN 297-071-13; if action is directed, the negotiators will be R. Robert Neufeld and David Cosgrove with the District, and Mark Hamud, representing the owner of the property; Government Code Section 54956.9(c), the Board may recess to Closed Session to consider whether to initiate litigation; 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 54957, consider performance evaluation for the General Manager.

At 4:30 p.m., the meeting reconvened into Open Session. Under Government Code Section 54957.1, there was no reportable action taken.

7. ADJOURN MEETING

At 4:30 p.m., the meeting adjourned to the Board meeting scheduled for October 8, 2008, at 1:30 p.m., at District headquarters, 1630 W Redlands Blvd., Ste. A, Redlands, CA.

R. Robert Neufeld
Secretary of the Board