

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE BOARD MEETING OF
October 8, 2008
1:30 p.m.

Vice President Manuel Aranda 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 Vice President Aranda.

ROLL CALL:

BOARD MEMBERS PRESENT:

Manuel Aranda, Vice President
Cheryl Tubbs, Director
Clare Henry Day, Director
Richard Corneille, Director
Arnold Wright, Director
John Longville, Director

BOARD MEMBERS ABSENT:

Melody McDonald, President

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

STAFF PRESENT:

R. Robert Neufeld, General Manager
Colleen Theuer, Admin. Services Mgr./Recording Secretary

GUESTS PRESENT:

Matt Wilson, Auditor, Rogers, Anderson, Malody & Scott
William Schmidt, Aero Tech Surveys
Mike Stockstill, California Strategies

1. PUBLIC PARTICIPATION

Vice President Aranda 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 Corneille advised the Board that he would not be in attendance at the Board meeting scheduled for October 22, 2008.

Director Day reported that he attended the ACWA Region 9 meeting.

Director Aranda reported attending the ACWA Region 9 meeting.

3. CONSENT CALENDAR

It was moved by Director Tubbs and seconded by Director Corneille to approve the minutes from the September 3, 2008 meeting and the minutes from the September 24, 2008 meeting. The motion carried 6-0, with President McDonald noted absent.

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

4. INFORMATION ITEMS

A. Board Committee Reports

There were no Board Committee reports for this meeting.

B. Operations and Maintenance Report

Mr. Neufeld reported that Larry Jacinto Construction has completed the clean-out of both basins 13 and 15. The percolation tests requested by MWH Americas (MWH), as a part of the Optimization Study, have also been completed by Larry Jacinto Construction.

C. Optimization Study Update

Mr. Neufeld reported that the next Optimization Study meeting is scheduled for Monday, October 13, 2008 at the San Bernardino Valley Municipal Water District (SBVMWD). He said that he would discuss rotating meeting places between the SBVMWD and the District offices at that time. During discussion, the suggestion was made to ask MWH to make a presentation at the next Board meeting. It was also suggested that a

Resources Committee meeting be called to discuss the study further. After further discussion, staff was directed to call a Resources Committee meeting.

D. General Manager's Report

Mr. Neufeld introduced Mike Stockstill, of California Strategies, to discuss outreach goals for the District. Mr. Stockstill suggested inviting community leaders to a complimentary breakfast, one set for October 29 and the other for November 6, at the new Ayres Hotel in Redlands. A presentation by Mr. Neufeld would emphasize the District's mission and the current threat of consolidation. Discussion followed. Staff was directed to proceed with letter invitations for the outreach breakfasts.

Mr. Neufeld discussed being a co-host of SAWPA (One Water One Watershed (OWOW) conference entitled, The State of Santa Ana Watershed: Overcoming Boundaries) scheduled January 29, 2009 at the Ontario Convention Center, at no cost to the District. He also advised that the District would be host to the Association of the San Bernardino County Special Districts meeting on February 23, 2009.

5. ACTION ITEMS, NEW BUSINESS, FYI

A. Receive and File 2007-2008 Annual Report

Mr. Matt Wilson, of Rogers, Anderson, Malody, and Scott, LLP, presented the 2007-2008 audit report and answered questions from the Board. The possibility of an audit committee was discussed. The management company for the Redlands Plaza was also discussed, and the possibility of an outside bookkeeping company for the handling of their books was raised.

C. Approve Contract with Aero Tech Surveys for Ground Control Survey, Aerial Photography, Photogrammetric Mapping, and Volume Calculations on CEMEX Mining Areas, in the Amount of \$26,680.00

This item was taken out of order.

Mr. William Schmidt, of Aero Tech Surveys, made a presentation on the services that he would provide in order to calculate the change in volume of mining materials on District property leased to CEMEX, from November 2007 to November 2008. Mr. Schmidt discussed his background as president of Schmidt Geomatic Mapping, Inc., dba Aero Tech Surveys. Using visual aids, he gave a detailed explanation of how the aerial photography and calculations are made. He noted that the aerial measurements are not as precise as field measurements, but are nevertheless used very well, with a 10% variable. Discussion followed the presentation. Director Corneille said that he would approve the maximum amount requested in the contract, but would want flexibility in mapping where activity takes place, since the entire area was mapped last year and would not need to be mapped again.

It was moved by Director Tubbs and seconded by Director Longville to approve and authorize the General Manager to execute a contract with the firm Aero Tech Surveys, in an amount not to exceed \$26,680, for aerial services, for the purpose of calculating the change in volume of mining materials on District property leased to CEMEX. The motion carried 6-0, with President McDonald noted absent.

- B. Approve Contract with Todd Engineers for Assisting in Preparation of the 2008-2009 Engineering Investigation Report, in the Amount of \$19,060

A brief discussion ensued regarding the possible contract and the costs for assistance in the preparation of the 2008-2009 Engineering Investigation Report. After discussion, the following motion was made:

It was moved by Director Corneille and seconded by Director Wright to approve a contract with Todd Engineers for the purpose of assisting the District in the preparation of the 2008-2009 Engineering Investigation Report, in an amount not to exceed \$19,060. The motion carried 6-0, with President McDonald noted absent.

- D. Approve Resolution No. 442, In Appreciation of Supervisor Dennis Hansberger

Director Tubbs said that Resolution No. 442 would be presented to Supervisor Dennis Hansberger at the Mentone Chamber of Commerce.

It was moved by Director Corneille and seconded by Director Wright to approve Resolution No. 442, in appreciation of Supervisor Dennis Hansberger. The motion carried 6-0, with President McDonald noted absent.

- E. Consideration of Membership in CSDA

Mr. Neufeld discussed renewing membership with the California Special Districts Association, at a cost of \$2,896.00, if paid before the end of the year, including membership for the remaining year and 2009. If paid after January 1, the cost would increase to \$3,396.00. After discussion, the following motion was made:

It was moved by Director Tubbs and seconded by Director Day to renew the membership with the California Special Districts Association, at a cost of \$2,896.00. The motion carried 6-0, with President McDonald noted absent.

6. UPCOMING MEETINGS

Upcoming meetings were briefly discussed.

7. CLOSED SESSION

At 3:45 p.m., the meeting adjourned into Closed Session, under Government Code Section 54956.8, to consider Real Property negotiations with the City of Redlands; Government Code Section 54956.8, Real Property negotiations regarding borrow pit property APN 297-071-13; Government Code Section 54956.9(c), consider whether to initiate litigation; and 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. The motion carried 6-0, with President McDonald noted absent.

At 4:30 p.m., the meeting reconvened into Open Session. Action taken was for District Staff to negotiate a right of way with the City of Redlands.

8. ADJOURN MEETING

At 4:30 p.m., the meeting adjourned to the Board meeting scheduled for October 22, 2008, at 1:30 p.m., at District headquarters, 1630 W Redlands Blvd., Ste. A, Redlands, CA.

R. Robert Neufeld
Secretary of the Board