



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

## **BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, January 12, 2022 – 1:30 p.m.**

All in-person attendees shall be required to wear masks covering both their nose and mouths at all times within the meeting room, at all times that social distance spacing requirements cannot be met. Masks will be made available for in-person attendees who do not have them. The District's meeting facilities have limited space, and in-person attendees may be requested to leave the room, or participate via internet or telephone, until the number of any unmasked attendees at the District's facility can be accommodated consistent with social distancing guidelines.

Any member of the public wishing to listen to or participate in the meeting can join via Zoom:

**Call in (669) 900-6833, Meeting ID: 828 2351 1711\_**

To join the Zoom Meeting on <https://us02web.zoom.us/j/82823511711>

While the District makes every attempt to follow all guidance re COVID-19 safety protocols, the District cannot assure in-person attendees that they will not be exposed to COVID-19 or persons who have been so exposed, and attendees are advised to exercise caution in limiting their own incidences of exposure, particularly those who may be in groups at higher risk of infection, or serious symptoms of COVID-19 if infected.

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District office and are available for public review during normal District business hours. New information relating to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District office and in the Agenda Package on the District's website. It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance with respect to the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Lokelani at (909) 793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

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### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

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#### **1. PUBLIC PARTICIPATION**

*Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.*

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#### **BOARD OF DIRECTORS**

Division 1:  
Richard Corneille

Division 2:  
David E. Raley

Division 3:  
Robert Stewart

Division 4:  
John Longville

Division 5:  
Melody McDonald

#### **GENERAL MANAGER**

Daniel B. Cozad

2. **ADDITIONS/DELETIONS TO AGENDA**

*Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.*

3. **GUEST RECOGNITION/SELF INTRODUCTIONS**

4. **DISTRICT STANDING COMMITTEE APPOINTMENTS**

**A. BOARD PRESIDENT APPOINTMENTS**

- ACWA Committee Appointments .....6
- Appendix B-Standing Committees .....9
- Appendix C-Roster of Organizations and Committees with Assigned Representatives ..... 10

5. **CONSENT CALENDAR**

- A. Approval of Board Minutes, December 8, 2021 ..... 13
- B. Approval of Expenditure Report, December 2021 .....21

6. **COMMITTEE REPORTS /ACTION ITEMS**

**Committee Reports**

- A. 1<sup>st</sup> QUARTER UNAUDITED FINANCIALS REVIEW 2021-2022 - 5 minutes (M#1822).....29

**Presenter:** Daniel Cozad

**Recommendation:** The Finance & Administration Committee recommends approval of the first quarter unaudited financials for FY 2021-2022 as presented.

**Action Items**

- B. UNAUDITED FINANCIAL REPORTS, December 2021 - 5 minutes (M#1823).....34

**Presenter:** Daniel Cozad

**Recommendation:** Review and approve the unaudited financials for December 2021.

- C. ACTIVE RECHARGE TRANSFER PROJECTS AWARD OF CONTRACT WATERMAN, LYNWOOD BASINS AND TWIN CREEK SPREADING GROUNDS FEASIBILITY STUDY SUPPORT PROFESSIONAL SERVICES AWARD OF CONTRACT– 5 minutes (M#1824) .....40

**Presenter:** Erwin Fogerson

**Recommendation:** Staff recommends the Board accept the proposal of Tetra Tech, authorize the General Manager to complete the negotiation of services and fees, and execute a professional consultant services agreement in an amount not to exceed \$1,530,615 as show in Attachment 1.

- D. NEPA SERVICES TO SUPPORT BUREAU OF LAND MANAGEMENT RIGHT OF WAY PROFESSIONAL SERVICES CONTRACT AWARD – 5 minutes (M#1825) .....97

**Presenter:** Betsy Miller

**Recommendation:** Staff recommends that the Board accept Dudek’s proposal to conduct NEPA services to support the District’s Bureau of Land Management Right of Way application and

authorize the General Manager and General Counsel to prepare and execute the professional consultant services agreement included as Attachment 1, not to exceed \$39,670.

- E. WILDLAND TRAILS MOU WITH THE CITY OF HIGHLAND AND CITY OF REDLANDS  
 – 10 minutes (M#1826)..... 113  
*Presenter: Daniel Cozad/David Cosgrove*  
*Recommendation:* Review and approve the “Memorandum of Understanding Regarding Planning and Funding of Santa Ana Wash Wildland Trails by and between the City of Highland, the City of Redlands, and the San Bernardino Valley Water Conservation District.” (“Trails MOU”) including non-substantive edits acceptable to District Counsel and General Manager.
  
- F. DISTRICT BOARD PRIORITIES FOR 2022 – 20 minutes (M#1827)..... 124  
*Presenter: Daniel Cozad*  
*Recommendation:* Review, provide new or revised priorities, feedback and ranking or consider approval of the 2022 District Board Priorities.
  
- G. STATEMENT OF INVESTMENT POLICY 2022 – 5 minutes (M#1828) ..... 128  
*Presenter: Daniel Cozad*  
*Recommendation:* Staff recommends no changes to the Statement of Investment Policy and recommends the Board reapprove the existing Policy for calendar year 2022.
  
- H. REDISTRICTING UPDATE- 5 minutes (M#1829)..... 139  
*Presenter: David Cosgrove*  
*Recommendation:* Review preliminary realignment scenarios for the District’s required realignment of divisions, consistent with the 2020 census, and provide direction to staff for refinement of scenarios to be brought forward for a public hearing in February 2022, for ultimate adoption by March 2022. Direct staff on refinements of initially studied scenarios, as appropriate to review and analyze 2020 census data, with an eye toward possible adjustment to the District’s five constituent voter divisions, in such a way as to conform to Federal and California Voting Rights Acts.
  
- 7. **INFORMATION ITEMS:**
  - A. Wash Plan Implementation Update – 5 Minutes
  - B. Mentone Shop Improvements Verbal Report – 5 Minutes
  - C. General Manager’s Report and Monthly Recharge Report – 5 Minutes .....144
  - D. Future Agenda Items & Staff Tasks
  
- 8. **MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS**
  - A. Board Member Meeting Reports – 15 minutes

9. **UPCOMING MEETINGS:**

**\*Please note: All future District meetings may be held remotely via zoom. See Agendas for detailed information.**

- A. January 13, 2022 San Bernardino Valley Municipal Water District Policy Committee Workshop, 2:00 p.m. at Valley Municipal
- B. January 17, 2022 Offices Closed in Observance of Martin Luther King Jr. Birthday
- C. January 18, 2022 San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal
- D. January 18, 2022 Big Bear Watermaster Meeting, 10:00 a.m. via Zoom  
(Zoom Meeting ID: 857 6925 9037)
- E. January 24, 2022 Association of San Bernardino County Special Districts Dinner, 6:30 p.m. at Cara Mia Italian Restaurant, Rancho Cucamonga hosted by Cucamonga Valley Water District
- F. January 26, 2022 WIFIA Meeting, 8:30 a.m. via Teleconference
- G. January 26, 2022 Finance & Administration Committee, 1:30 p.m. via In-person/Zoom  
(Zoom Meeting ID: 822 3989 9907)
- H. February 4, 2022 Operations Committee, 9:00 a.m. via In-person/Zoom  
(Zoom Meeting ID: 847 7398 9126)
- I. February 9, 2021 Board of Directors Meeting, 1:30 p.m. at Conservation District
- J. March 9, 2022 Redlands Installation Dinner, 6:00 p.m. at University of Redlands Orton Center
- K. March 17-20, 2022 Local Government Commission Yosemite Policymakers Conference, Yosemite National Park  
***(Board Approval Required)***
- L. March 18, 2022 Form 700's Due to District
- M. May 3-May 6, 2022 ACWA Spring Conference, Sacramento  
***(Board Approval Required)***

10. **CLOSED SESSION**

1. The Board will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, Endangered Habitats League et al. vs. U.S. Army Corps of Engineers, Central District Court Case no. Case No.: 2:16-cv-09178-MWF-E.
2. The Board will meet in closed session under authority of Government Code §54956.9 (a), and (d) (4) regarding anticipated litigation. Pursuant to Government Code §54956.9(2), the facts and circumstances concern a potential trespass onto District property in connection with the Dr. Horton and Slater Construction.

3. The Board will meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, San Bernardino Valley Water Conservation District v. Mark J. Bacher dba Red Dragonfly Spa, SBCSC Case No. LLTVA 2103055.
  4. The Board may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: Southern California Edison East End Hydroelectric Generation Plant property located on various parcels and easements in Mill Creek and Santa Ana River Canyons, Negotiator: Daniel Cozad and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.
  5. The Board will meet in closed session under authority of Government Code section 54957(b)(1) to consider the appointment of a public employee-General Manager.
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11. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on February 9, 2022 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via In-Person and Zoom Meeting ID: 828 2351 1711/teleconference.