

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
SPECIAL BOARD WORKSHOP

MINUTES OF August 29, 2012
1:30 P.M.

President Corneille 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 Corneille.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President
Melody McDonald, Vice President
Bob Glaubig, Director
David E. Raley, Director
Manuel Aranda, Director
Clare Henry Day, Director

BOARD MEMBERS ABSENT:

John Longville, Director

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Athena Medina, Administrative Services Specialist

GUESTS PRESENT:

Charles Roberts, Highland Community News

1. PUBLIC PARTICIPATION

President Corneille 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 continued with published agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

3. CONSENT CALENDAR

Approval of the Board Minutes from July 25, 2012

It was moved by Director Aranda and seconded by Director Day to approve the minutes from July 25, 2012. The motion carried 6-0. Director Longville noted absent.

Approval of the Board Minutes from August 8, 2012

It was moved by Director Day and seconded by Director Aranda to approve the revised minutes from August 8, 2012 that were handed out at the meeting. The motion carried 6-0. Director Longville noted absent.

4. ACTION ITEMS, NEW BUSINESS

A. REDISTRICTING MAP AND RESOLUTION

Mr. Cozad presented this item for the Board, he reviewed the scenarios that staff prepared. Director McDonald noted that Scenario 4 has an error in the scenario summary table. He reviewed in brief the first seven scenarios that were presented at the Board meeting on August 8th. Mr. Cozad stated that Scenario 1 is replaced by an updated version, which is Scenario 12. Scenario 2 has been updated and is replaced by Scenario 11. Scenario 5 & 6 are variances of Scenarios 11 & 12. There were a number of demonstrations requested by the Board, which required a total of twelve scenarios to be completed by staff to date. President Corneille asked the Board Members if they had confirmed their residence addresses and locations shown on the scenarios. Mr. Cozad reviewed staff's work and notes on the scenario summary table related to each scenario and he said staff recommends either Scenario 11 or 12. Mr. Cozad noted there were two demonstrations requested that could not be performed simultaneously and therefore staff could not recommend a single map. Mr. Cozad continued his presentation at Scenario 8, which had Director

Corneille and Raley in one division as well as Director Aranda and Day in another division. Director McDonald noted that she did not like this scenario. Mr. Cozad described Scenario 9 which has Director Aranda and Day in one division and Director Longville and McDonald in another. Director Glaubig pointed out there was an error on the Scenario 9 map legend where three divisions contained two Directors; however the map appeared correct. Directors Corneille, McDonald and Aranda noted their concern over community of interest not being well covered in some of the scenarios.

Mr. Cozad noted the Board's disinterest in Scenarios 9 & 10. He presented Scenario 11 which he noted does not meet one of the recommended criteria provided by the Board pertaining to the simultaneous ending of elected terms. There would still be balance of offices in each election but dissimilar term endings.

Director McDonald stated that her first choice is Scenario 6, second choice is Scenario 7, third choice is Scenario 5 and last choice would be Scenario 12. She noted in Scenario 12 that there will be six directors for a two year period. Mr. Cosgrove stated that Director McDonald is correct due to the fact you must allow the directors' terms to run until their term ends. Director Day stated that 5 ideal divisions and boundaries need to be selected today and that personal preference should not be considered. Discussion ensued.

Mr. Cozad stated that you will not find a scenario where Redlands and San Bernardino are not divided in at least two divisions because of the population density in these areas. President Corneille asked District Counsel to re-review the criteria required for redistricting. Mr. Cosgrove stated the criterion is specified in Elections Code Section 22000, which include the following factors: topography, geography, cohesiveness, contiguity, integrity and compactness of territory as well as community of interest of the division. As requested by the Board, Staff has looked at sequencing of election terms as well. Director Raley stated that the Board is performing two processes at once which is the ten year redistricting and reduction of the Board. Director Aranda prefers Scenario 12 and believes it to be the best balance. Mr. Cosgrove summarized that Staff has provided the best analysis of the statutory criteria provided including the recommendations of the Board and presented statistical analysis of the balance of population included in the twelve scenarios.

President Corneille stated that he did not like Scenarios 6 & 7 because of the way Director Longville's division crosses the river and that he supports Scenario 11, because it best provides community of interest continuity. Director Day stated he was in support of Scenario 12 because the freeway divides the end of the District; there is no overlap, the diversity, overall geography and close percentage of inhabitants. Director Glaubig supports Staff's recommendations, specifically Scenario 12, due to its meeting the criteria, the continuity of election terms ending dates, and only one of the divisions crosses the wash.

Director Aranda and McDonald were in support of Scenario 12 as well. Mr. Cozad stated that the only disadvantage of Scenario 12 is how to split Redlands. Discussion ensued. Director Raley stated he is in support of Scenario 12 and noted that if he wins the election for City of Redlands Treasurer that he will have to resign from his current seat at the District. President Corneille stated that Scenario 12 significantly changes his division's community of interest, but said if the majority of the Board has strong concurrence for 12 he will support it. He stated that Scenario 11 is much more consistent in regards to community of interest for the current divisions. Mr. Cozad noted that when he spoke with Director Longville he was in support of both of Staff's recommendations. Discussion ensued.

It was moved by Director McDonald and seconded by Director Aranda to approve Scenario 12 and provide direction to Staff to move forward with Scenario 12 as the new division boundaries. The motion carried 6-0. Director Longville was noted absent.

B. WORKSHOP ON COLLABORATIVE AGREEMENT

Mr. Cozad introduced this item for discussion. He indicated that the groundwater charge credit system is not fully developed and that Staff recommends reducing the contract amount rather than develop a complex credit system. Mr. Cosgrove stated that the credit system would not be in the control of the District. Staff and District Counsel would prefer to change agreement amount to \$350,000 rather than the \$400,000 to include the groundwater charge being paid outside the agreement. Mr. Cozad reiterated that all groundwater producers will continue to pay the groundwater charge, except in emergencies or when water needs to be moved for appropriate groundwater management. Director Glaubig questioned whether SBVMWD would find this new approach as beneficial. Mr. Cosgrove stated that it is basically a comprehensive lease agreement that would allow SBVMWD access to District properties for water spreading and to build additional facilities. Mr. Cozad stated that this agreement would replace the Easement and Spreading Agreements currently in place between SBVMWD and the District. Discussion ensued.

It was moved by Director Raley to approve and accept the new terms of the agreement at \$350,000 with no credit for groundwater charges. It was seconded by Director Aranda. The motion carried 6-0. Director Longville was noted absent.

5. ADJOURN MEETING

It was moved by Director Day and seconded by Director McDonald to adjourn to the next scheduled meeting. The motion carried 6-0. Director Longville was noted absent.

At 2:41 p.m. the meeting adjourned to the regular Board of Directors Meeting on September 12, 2012 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.



Daniel B. Cozad
General Manager