

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
April 3, 2002

The Regular Meeting of the Board of Directors was called to order at 1:35 p.m. by President Sterling Woodbury. All present stood for the pledge of allegiance.

ROLL CALL:

BOARD MEMBERS PRESENT:

Sterling Woodbury, President
Cheryl A. Tubbs, Vice President
Clare Henry Day, Director
Manuel Aranda, Jr., Director
Melody Henriques, Director
Arnold L. Wright, Director
Bert Marcum Jr., Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esquire

STAFF PRESENT:

D. Burnell Cavender, General Manager/Board Secretary
Tom Crowley, Deputy Manager for Water Resources/Info. Systems
Walter Christensen, Project Manager
Steve Luhn, GIS/CAD Analyst
Colleen Theuer, Administrative Services Manager/Recording Secretary

CONSULTANTS PRESENT:

Susan Patane, SLP Communications
Suzanne Exeter, SLP Communications

1. PUBLIC PARTICIPATION

President Woodbury announced this as the time for any persons present, who so desire, to make an oral petition to the Board of Directors. Hearing none, the meeting proceeded with the published agenda items.

2. PUBLIC MEETING FOR ADOPTION OF GROUNDWATER CHARGE

President Woodbury opened the Public Meeting to receive oral or written communication regarding the proposal to increase the groundwater charge. Mr. Cosgrove said all information had been made available to the public regarding the Annual Engineering Investigation and the proposal of the groundwater charge. No oral or written communication had been received since the date of the first notice.

As there were no members of the public in attendance, the Public Meeting closed at 1:37 p.m.

3. THE CONSENT CALENDAR

This item was taken out of order. Upon consideration, Vice President Tubbs referred to page 3 of the minutes for clarification of the GSi/water contract. The minutes indicated that the GSi/water project was to be put on hold until further research on other technologies could be completed, but it was her understanding that the Board intended the project be formally terminated with the company. Discussion followed. It was agreed that this item would be brought back to the Board at the next Board meeting on April 30.

It was moved by Director Marcum and seconded by Director Day to approve the Consent Calendar, consisting of the minutes of the Regular Meeting of March 6, 2002; the Expenditures for the month of March 2002; and the un-audited Financial Reports for March 2002. The motion carried unanimously.

4. EVWD PERCHLORATE CONFERENCE - SPONSORSHIP

Mr. Cavender said that the East Valley Water District (EVWD) asked the District to become a sponsor at the EVWD 2002 Perchlorate Conference, to be held October 16-18, 2002. From several levels of sponsorship, a \$750 sponsorship was suggested. Ms. Patane suggested that the Board not commit to a sponsorship amount until she can discuss the benefits for each level of sponsorship with Jo McAndrews, the conference coordinator.

It was moved by Vice President Tubbs and seconded by Director Aranda to defer a decision on sponsorship until Ms. Patane confers with the conference coordinator. The motion carried unanimously.

5. PUBLIC AWARENESS/VISIBILITY PROGRAM

Ms. Patane introduced Suzanne Exeter as her new full time employee. She reported on the Citrus Festival held in March, and said that the District water model is a big draw. She said the news releases had been sent to the newspapers. Director Henriques suggested sending news releases to ACWA for their newsletter. The barbecue in the pit scheduled for September and the EXPO in April were briefly discussed.

Vice President Tubbs reported on the Board of Supervisors meeting that she and Mr. Cavender attended on March 19. She said the District received a Board of Supervisors' Resolution recognizing the District's 70 years of service to the community, and that Supervisor Hansberger commented that the District has become a very professional organization under Mr. Cavender's leadership.

Director Aranda reported on the ACWA Legislative Symposium that he attended along with President Woodbury and Director Henriques. He said continual visits from the District were encouraged by some of the legislators. They also could help obtain state money for District projects.

Director Henriques reported on the success of the ACWA Region 9 Board meeting that was hosted by the District on March 28.

6. STATUS OF THE "WASH PLAN" ENVIRONMENTAL PROCESS

Mr. Cavender said there was nothing new to report at this time.

7. INDEPENDENT SPECIAL DISTRICTS FUNDING OF LAFCO BUDGET

Mr. Cavender asked that this item be continued, as LAFCO has not yet provided the alternative funding formulas for the Board to consider.

It was moved by Director Henriques and seconded by Director Aranda to continue the item of the Independent Special Districts Funding of the LAFCO budget until the appropriate information is received from LAFCO. The motion carried unanimously.

8. INDEPENDENT SPECIAL DISTRICTS SELECTION COMMITTEE

Mr. Cavender said that correspondence was received from LAFCO advising that on April 4, a selection committee, consisting of the Presidents of the Boards of Directors of all Independent Special Districts in San Bernardino County, would be selecting the special districts representatives to the LAFCO Board. A voting member and an alternate were to be elected. Five candidates had expressed interest (profiles had been included in the Board package). The candidates and their qualifications were discussed.

It was moved by Vice President Tubbs and seconded by Director Henriques to vote for Donald J. Kurth, of Cucamonga County Water District, as the voting member of the LAFCO Board, and to vote for Bob Colven, of Big Bear Community Services District, as the alternate member. The motion carried unanimously.

9. LAND EASEMENTS AND LEASES

Mr. Cavender recommended that the Board continue this item as the proper materials and details have not yet been made available.

It was moved by Vice President Tubbs and seconded by Director Marcum to continue the item of Land Easements and Leases until such time proper materials and details are received. The motion carried unanimously.

10. ANNUAL INVESTMENT POLICY

The Annual Investment Policy was briefly discussed. It was noted that the date on the Statement of Investment Policy needed to be changed to reflect the year 2002.

It was moved by Director Marcum and seconded by Director Day to approve the District's proposed Statement of Investment Policy for 2002. The motion carried unanimously.

11. FY 2002-2003 DISTRICT OPERATING BUDGET

Mr. Cavender discussed the continuing process of preparing the FY 2002-2003 budget. He said the personnel budget would not exceed the current year's figures. The first draft of the budget will be presented to the Finance Committee on April 18. After discussion, it was decided that the Finance Committee meeting would be changed to April 25 at 2:30 p.m.

12. PERSONNEL

Mr. Cavender discussed the position description for the Assistant General Manager and assigning Mr. Crowley to the position. He said he took the two positions of Deputy Manager for Water Resources and Information Systems and Deputy Manager for Land Resources and combined them for the new position. It was presented to the Personnel Committee on March 26, and they recommended that the Board approve the position. However, as a pay range had not yet been established, the position should remain open at this time. Discussion continued.

It was moved by Director Henriques and seconded by Vice President Tubbs to accept the Personnel Committee's recommendation to approve the new position of Assistant General Manager. The motion carried unanimously.

13. COMMITTEE REPORTS

Director Aranda reported that he attended a recent Chamber of Commerce meeting in Loma Linda in which they thanked the District for participating in the Business Expo again this year. He said on May 22 he and Mr. Crowley would be presenting a lecture on endangered species at the Chamber.

14. GENERAL MANAGER'S REPORT

Mr. Cavender said that the Association of Ground Water Agencies (AGWA) meeting and the Federal Energy Regulatory Commission (FERC) Task Force meeting were both scheduled for April 15. As the Task Force will be setting their budget for next year, attendance at the FERC meeting would take precedence.

Mr. Crowley reported on the Source Water Assessment Program (SWAP). He said the program is moving forward and the first draft for East Valley Water District's wells had been submitted to them. He said he anticipates completing San Bernardino's and Riverside/Highland's report within the week, and anticipates the project should be completed by August/September.

Mr. Cavender said that ACWA was offering an ethics class on April 10 in San Francisco, and asked if any Board member was interested in attending. Director Aranda agreed to attend.

15. GENERAL MANAGER ANNUAL PERFORMANCE AND AGREEMENT REVIEW

This item was deferred until after Closed Session.

16. DIRECTORS' REPORTS

There were no Directors' reports for this meeting.

17. ATTORNEY'S REPORT

Mr. Cosgrove said he would give a report in the Closed Session.

18. CLOSED SESSION

It was moved by Director Day and seconded by Director Aranda to adjourn to Closed Session at 3:15 p.m., as provided by the authority of Government Code Section 54957, performance evaluation of the General Manager; Government Code Section 54956.9a, application before the State Water Resources Control Board to appropriate waters of the Santa Ana River; Government Code Section 54956.9a, applications by Southern California Edison to re-license hydroelectric plants; Government Code Section 54956.9(b)(3)(a) and Section 54956.9(c), confer with legal counsel regarding

significant exposure to litigation in one case; Government Code Section 54956.8, lease and/or real property negotiations with Robertson's Ready Mix; Government Code Section 54956.8, lease and/or real property negotiations with CEMEX, USA. The motion carried unanimously.

At 4:50 p.m., the Board reconvened in Open Session. The Board President briefly summarized the discussion regarding the deferred item, "General Manager Annual Performance and Agreement Review."

It was moved by Vice President Tubbs and seconded by Director Day to accept the Personnel Committee's recommendation to authorize the Board President to execute a new Agreement for Employment of the General Manager. The motion carried unanimously.

19. ADJOURN

There being no further business, the meeting adjourned at 4:55 p.m.

Board Secretary