



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

Wednesday, April 8, 2020 – 1:30 p.m.

In accordance with [Governor Newsom's Executive Order N-25-20 and N-29-20](#), this meeting is being conducted via teleconference/Zoom. Anyone wishing to join the meeting can join via

Zoom: Call in (669) 900-6833, Meeting ID: 814 663 647

To join the Zoom Meeting online: <https://zoom.us/j/814663647>

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 an attendee or a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Monge 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.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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.

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. PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE –

10 minutes

Article 1, Section 75560 of the California Water Code requires that a Water Conservation District that proposes to levy a groundwater charge "...shall annually cause to be made an engineering investigation and report upon groundwater conditions of the District." District staff will present the annual Bunker Hill Engineering Investigation Report and review the Groundwater

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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

Replenishment Program annual budget. District staff is recommending to the District's Board of Directors that an increase take place for fiscal year 2020-2021 in the amount of \$13.85 for all groundwater production. The purpose of the groundwater charge is to fund the District's continuing groundwater replenishment efforts. District staff will present any written comments received and the board will hear oral comments.

- *Open Public Meeting*
- *Receive Public Comments or Testimony*
- [Draft Resolution No. 577 Groundwater Charge for 2020-2021](#)
- [2020 Engineering Investigation Report Presentation](#)
- *Close Public Meeting*

4. **CONSENT CALENDAR**

- A. Approval of Board Minutes, March 11, 20205
- B. Approval of Expenditure Report, March 2020..... 12

5. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

- A. 3RD QUARTER UNAUDITED FINANCIALS FOR 2019-2020 – 5 minutes (M#1711)20
Presenter: Daniel Cozad
Recommendation: The Finance & Administration Committee recommend the Board review and receive and file the 3rd Quarter Unaudited Financial Reports for 2019-2020.

Action Items

- B. UNAUDITED FINANCIAL REPORTS, MARCH 2020 - 5 minutes (M#1712)23
Presenter: Daniel Cozad
Recommendation: Review and approve the unaudited financials for March 2020.
- C. RECONSIDERATION OF CONSERVATION EASEMENT AND ENDOWMENT AGREEMENTS WITH SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY - 5 minutes (M#1710)29
Presenter: Daniel Cozad
Recommendation: Requested reconsideration of the Conservation Easement and the Endowment Agreement for the Deposit, Disbursement, and Use of Funds for Wasting and Non-Wasting Endowments related to the San Bernardino County Transportation Authority’s (SBCTA) State Route 210 Mixed Flow Lane Addition Project, as acted upon during the April 2, 2020 Special Board Meeting.
- D. EXCHANGE PLAN RELATED AGREEMENT TO EXCHANGE WATER FOR SANTA ANA RIVER WATER DURING PERIOD OF POOR WATER QUALITY - 5 minutes (M#1713).....60
Presenter: Daniel Cozad
Recommendation: Review and consider approving the Agreement to Exchange State Water Project Water for Santa Ana River Water during periods of poor water quality and authorize the General Manager to execute the Agreement.

- E. REVIEW OF LEGAL COUNSEL FEES - 5 minutes (M#1714).....73

Presenter: Daniel Cozad

Recommendation: Review and consider approval of legal counsels’ request to increase legal fees.

6. **INFORMATION ITEMS:**

- A. Wash Plan Verbal Update – 5 Minutes
- B. General Manager’s Report and Monthly Recharge Report – 5 Minutes78
- C. Construction Projects Plunge/Mill/ARTP Verbal Update – 5 Minutes
- D. Future Agenda Items & Staff Tasks

7. **MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS**

- A. Board Member Meeting Reports – 15 minutes

8. **UPCOMING MEETINGS:**

- A. April 13, 2020 Santa Ana-Mill Creek Cooperative Management Committee (Exchange Plan), 12:00 p.m. via Zoom/Teleconference
- B. April 21, 2020 San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal
- C. April 22, 2020 Groundwater Public Hearing/Board of Directors Meeting, 1:30 p.m. via Zoom/Teleconference
- D. April 22, 2020 Budget Workshop, 3:00 p.m. (*or immediately following Board meeting*) at via Zoom/Teleconference
- E. May 15, 2019 San Bernardino Valley Municipal Water District Board Workshop, 3:00 p.m. at Valley Municipal
- F. July 9, 2020 Active Recharge Transfer Projects Policy Committee, 9:00 a.m. at Conservation District
- G. July 15, 2020 Big Bear Watermaster Committee, 1:30 p.m. at Conservation District
- H. July 28-31, 2020 ACWA Summer Conference, Monterey, CA
(Board Approval Required)

9. **CLOSED SESSION (Note: Zoom meeting will be paused and a separate conference call line will be used.)**

- 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 §54956.8 regarding the potential renewal of lease of various properties located within section 11 and 12 more specifically described in “Mineral Lease for Extraction of Sand and Gravel Materials” dated November 1, 2011. The discussion will concern the price and terms of a potential renewal of the lease. The District’s negotiators are Daniel Cozad and David Cosgrove. The party with whom the District will negotiate is Cemex Materials Pacific, LLC, and its negotiators are Sean Palmer and Christine Jones.

3. The Board will meet in closed session under authority of Government Code §54956.8 regarding the lease of various tenant suites at 1630 West Redlands Boulevard, Redlands, CA. The parties with whom the District may negotiate are listed below. The discussion will concern the price and terms of a potential revision of applicable leases. The District’s negotiators are Daniel Cozad and David Cosgrove. The parties with whom the District may negotiate are: Chris Pohren, Discover Cruises; Dr. Ojano, Dr. Ojano Dentistry; Ted Park, Hello Sushi; Reverend Daniel Yeboah, Help for Future Leaders and Lightway Church; Mark Bacher, Red Dragonfly Spa and Eric Laudenslager, Yucaipa Physical Therapy.

10. **ADJOURN MEETING.** The next regularly scheduled Public Hearing will be on April 22, 2020 at 1:30 p.m., via Zoom/Teleconference.