

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF April 22, 2020  
1:30 p.m.

President Corneille called the meeting of the Board of Directors to order at 1:36 p.m. by teleconference and Zoom meeting.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President  
Melody McDonald, Vice President  
John Longville, Director (Arrived 2:02 p.m.)  
David E. Raley, Director  
Robert Stewart, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP (via phone)

STAFF PRESENT:

Daniel Cozad, General Manager  
Betsy Miller, Land Resources Manager/Assistant General Manager  
Erwin Fogerson, Senior Engineer/Project Manager  
Athena Monge, Administrative Specialist

GUESTS PRESENT:

June Hayes, San Bernardino Valley Municipal Water District  
T. Milford Harrison, San Bernardino Valley Municipal Water District  
Heather Dyer, San Bernardino Valley Municipal Water District  
David Smith, East Valley Water District

1. PUBLIC PARTICIPATION

President Corneille announced that any persons present, who so desired, may 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 none.

### 3. PUBLIC HEARING RELATED TO ADOPTION OF GROUNDWATER CHARGE

President Corneille opened the public hearing to invite members of the public to comment on the Engineering Investigation Report and groundwater charge. He asked if any written comments were received by staff. Mr. Cozad indicated that no written comments were received. The Engineering Investigation Report was presented to the Basin Technical Advisory Commission on April 8. There being no public present wishing to address the Board, President Corneille closed the public hearing.

**It was moved by Director Raley and seconded by Vice President McDonald to approve Resolution No. 577 as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Longville noted absent from the vote.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Absent  
Director Raley: Yes  
Director Stewart: Yes**

President Corneille appointed Vice President McDonald and Director Stewart to the Ad Hoc General Manager Evaluation Committee. He appointed Director Raley and Director Longville to the Ad Hoc Audit Committee.

### 4. CONSENT CALENDAR

**It was moved by Director Raley and seconded by Director Stewart to approve the Consent Calendar: Item A: Special Board Minutes, April 2, 2020, and Item B: Board Minutes, April 8, 2020. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Longville noted absent from the vote.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Absent  
Director Raley: Yes  
Director Stewart: Yes**

### 5. COMMITTEE REPORTS/ACTION ITEMS

#### A. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR ON-CALL BIOLOGICAL SERVICES WITH MIKAEL ROMICH

Ms. Miller introduced this item for discussion, beginning on package page 19. The San Bernardino Valley Conservation Trust (Trust) has been approached by the San Bernardino County Transit Authority (SBCTA) to assist with the environmental permits associated with the 210 freeway widening. The agreement with SBCTA requires surveying or handling of San Bernardino Kangaroo Rat (SBKR). Staff is asking for an amendment to Mikael 'Romichs' contract for Biological Services in order to support the SBCTA project in an amount not to exceed \$243,560, with the additional expenses covered by the prepaid agreement with SBCTA. There is an incorrect line in Section 1.1 of the amended Agreement that references the Mill

Creek project, but that was corrected in a previous version on package page 21. President Corneille asked if we are accounting for the money and provide this information back to SBCTA. Mr. Cozad said that the District does not have to report back to SBCTA. The District will be tracking individual task orders. Some of the SBKR will be fitted with a radio transmitter, which was briefly discussed. Ms. Hayes asked about the interaction between this project and the HCP. Ms. Miller said that they are entirely two different projects, but the data provided will benefit both projects. Ms. Dyer also indicated that the data would be helpful for the River HCP as well.

**It was moved by Vice President McDonald and seconded by Director Raley to approve the amendment to Mikael Romich's contract. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Longville noted absent from the vote.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Absent  
Director Raley: Yes  
Director Stewart: Yes**

#### **B. GROUNDWATER COUNCIL MEMBERSHIP CLARIFICATION RELATED TO ANNEXATIONS**

Mr. Cozad introduced this item for discussion. The District has been working with the City of Redlands related to joining the Groundwater Council (Council), and Valley Municipal has been working with West Valley Water District (WVWD) related to their agency joining the Council. WVWD asked for a letter clarifying that they would not be annexed by the District or that the District would not request that LAFCO annex them. Ms. Dyer said that WVWD would like to make it clear that their wells will not be annexed by the Conservation District due to the agreement. The Board thanked the Board and Staff of Valley Municipal in assisting with WVWD joining the Council. Mr. Cosgrove said that his concerns about the letter requested are the broad statements that could bind future 'Boards' of the District. That is why he changed the language as was proposed. After discussion on the letter it was determined to have the General Manager and District Counsel revise the letter and delegate the approval to an Ad Hoc Committee.

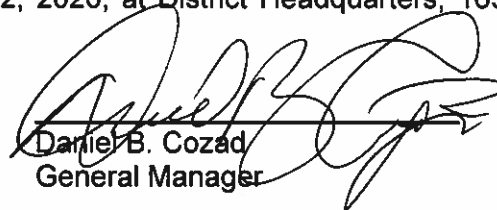
President Corneille appointed himself and Vice President McDonald to an Ad Hoc Committee, which would review the revised letter and approve when acceptable.

**It was moved by Director Longville and seconded by Vice President McDonald to delegate final revisions to staff and counsel to address concerns with West Valley Water District and have Ad Hoc committee review and approve the final letter. The motion carried 5-0 with all Directors present voting in the affirmative.**

**President Corneille: Yes  
Vice President McDonald: Yes  
Director Longville: Yes  
Director Raley: Yes  
Director Stewart: Yes**

**President Corneille: Yes**  
**Vice President McDonald: Absent**  
**Director Longville: Yes**  
**Director Raley: Yes**  
**Director Stewart: Yes**

At 3:05 p.m., the meeting adjourned to the Budget Workshop immediately following the Board meeting scheduled for 1:30 p.m., April 22, 2020, at District Headquarters, 1630 W. Redlands Blvd., Redlands, California.



Daniel B. Cozad  
General Manager