

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE SPECIAL BOARD MEETING OF
November 17, 2006
9:30 A.M.

President Cheryl Tubbs called the Special Meeting of the Board of Directors to order at 9:30 a.m. All present stood for the pledge of allegiance, led by President Tubbs.

ROLL CALL:

BOARD MEMBERS PRESENT:

Cheryl Tubbs, President
Manuel Aranda, Vice President
Richard Corneille, Director
Clare Henry Day, Director
Glenda Douglas, Director
Arnold Wright, Director

BOARD MEMBERS ABSENT:

Melody McDonald, Director

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esq.

STAFF PRESENT:

Lawrence M. Libeu, General Manager/Board Secretary
Colleen Theuer, Assistant to the General Manager/Recording Secretary

GUESTS PRESENT:

Jim Ciampa, Attorney at Law, Lagerlof, Senecal, Bradley, et al

1. PUBLIC PARTICIPATION

President Tubbs 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 proceeded with the published agenda items.

2. RESOLUTION NO. 425, AUTHORIZING STAFF AND SPECIAL COUNSEL TO SEEK A DETERMINATION FROM LAFCO UNDER GOVERNMENT CODE SECTIONS 56127-28

Mr. Cosgrove advised the Board that the San Bernardino Valley Municipal Water District (Muni), on November 15, 2006 passed a resolution authorizing LAFCO to initiate a proceeding to consolidate Muni and the District. He briefed the Board on the general procedures that the District would need to follow once Muni makes the application to LAFCO. Resolution No. 425 authorizes staff and special counsel to proceed with the necessary actions required, once notification is received from LAFCO that an application for consolidation has been filed.

It was moved by Vice President Aranda and seconded by Director Douglas to approve Resolution No. 425, authorizing staff and special counsel to seek a determination from LAFCO under Government Code Sections 56127-28. The motion carried 6-0, with Director McDonald absent.

3. CLOSED SESSION

It was moved by Director Day and seconded by Vice President Aranda to adjourn to Closed Session at 9:40 a.m., as provided by the authority of Government Code Section 54956.9(a), Application No. 31371 before the State Water Resources Control Board to appropriate waters of the Santa Ana River; Government Code Section 54956.8, real property negotiations re: easement agreement with San Bernardino Valley Municipal Water District/Western Municipal Water District concerning the District's Santa Ana River facilities; and Government Code Section 54956.9(a), regarding pending litigation entitled Center for Biological Diversity v. Local Agency Formation Commission of the County of San Bernardino, et al. The motion carried 6-0, with Director McDonald absent.

Director Wright was excused from Closed Session only for Government Code Section 54956.9(a), Application No. 31371 before the State Water Resources Control Board to appropriate waters of the Santa Ana River, due to a possible conflict of interest. After discussion in Closed Session for this item, Director Wright returned to the meeting.

At 10:30 a.m., the meeting reconvened into Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

4. ADJOURN MEETING

At 10:30 a.m., the meeting adjourned to the Board meeting scheduled for Friday, December 15, 2006 at District Headquarters, 1630 W Redlands Blvd., Suite A, Redlands, CA at 10:00 a.m., to be followed by the Christmas luncheon at the Hilton Hotel, 285 East Hospitality Lane, San Bernardino, CA.

Board Secretary