



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

Wednesday, May 15, 2024 – 1:30 p.m.

Location-1630 West Redlands Boulevard, Suite A, Redlands, California

Anyone wishing to listen to or participate in the meeting can join via Zoom:

Call in (669) 900-6833, Meeting ID: 846 8609 6002

To join the Zoom Meeting on <https://us02web.zoom.us/j/84686096002>

While the District makes every attempt to follow all guidance re COVID-19 safety protocols, the District cannot assure in-person attendees that they will not be exposed to COVID-19 or persons who have been so exposed, and attendees are advised to exercise caution in limiting their own incidences of exposure, particularly those who may be in groups at higher risk of infection, or serious symptoms of COVID-19 if infected.

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

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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

Betsy Miller

3. **GUEST RECOGNITION/SELF INTRODUCTIONS**

4. **CONSENT CALENDAR**

- A. Approval of Board Minutes, April 24, 2024.....6
- B. Approval of Budget Workshop Minutes, April 24, 202410
- C. Approval of Expenditure Report, April 202414
- D. Report of Excused Absences
 - o Director Longville, April 24, 2024 Board Meeting and Budget Workshop

5. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

- A. FINANCE & ADMINISTRATION COMMITTEE VERBAL UPDATE - 5 minutes
Presenter: John Longville, Finance & Administration Committee Chair
Recommendation: The Operations Committee will provide a verbal update of the meeting held on April 16.
- B. OPERATIONS COMMITTEE VERBAL UPDATE - 5 minutes
Presenter: Richard Corneille, Operations Committee Chair
Recommendation: The Operations Committee will provide a verbal update of the meeting held on April 17.
- C. AD HOC GM EVALUATION COMMITTEE VERBAL UPDATE - 5 minutes
Presenter: Richard Corneille, Ad Hoc GM Evaluation Committee Chair
Recommendation: The Ad Hoc GM Evaluation Committee will provide a verbal update of the meeting held on April 30.

Action Items

- D. UNAUDITED FINANCIAL REPORTS FOR APRIL 2024 – 5 Minutes (M#2021)26
Presenter: Angie Quiroga/Betsy Miller
Recommendation: Review and approve the Unaudited Financial Reports for April 2024.
- E. THIRD QUARTER UANUDITED FINANCIALS FOR FY24 – 5 Minutes (M#2022).....33
Presenter: Finance & Administration Committee Chair/Angie Quiroga/Betsy Miller
Recommendation: The Finance & Administration Committee recommends the Board approve the Third Quarter Unaudited Financial Reports for FY24 as presented.
- F. SETTLEMENT AGREEMENT IN ENHANCED HABITATS LEAGUE LITIGATION – 5 Minutes (M#2023)40
Presenter: David Cosgrove
Recommendation: Approve the Settlement Agreement negotiated through mediation in the suit Endangered Habitats League, et al. v. U.S. Army Corps of Engineers, et al., Case No. 2:16-CV-09178-MWF-E, and authorize the Board President to sign it on behalf of the District.

- G. CONTRACT WITH THE COUNTY OF SAN BERNARDINO DEPARTMENT OF PUBLIC HEALTH FOR VECTOR CONTROL SERVICES – 5 minutes (M#2024)72
Presenter: Betsy Miller
Recommendation: Approve a five-year Contract with County of San Bernardino Department of Public Health for vector control services in an amount not to exceed \$266,370.
- H. AMENDMENT TO AGREEMENT FOR CONSULTING ENGINEERING SERVICES WITH E-PUR LLC – 5 Minutes (M#2025)81
Presenter: Betsy Miller
Recommendation: Authorize the Amendment to Agreement for Consulting Engineering Services with E-PUR LLC to support the PERC and other District engineering needs in an amount not to exceed \$118,646.
- I. AWARD OF CONTRACT SERVICES FOR SANTA ANA SPREADING BASIN MAINTENANCE – 5 Minutes (M#2026)85
Presenter: Betsy Miller
Recommendation: Authorize the General Manager to enter into a contract services agreement with Larry Jacinto Construction for spreading basin maintenance for a not to exceed amount of \$320,603.75; amend the FY24 budget to increase GL 5050 Basin Maintenance by \$320,603.75 from the Groundwater Recharge Enterprise Reserve; and find the project to be exempt from CEQA review under title 14 CCR section 15301, relating to maintenance of existing facilities; and direct staff to file a Notice of Exemption accordingly.
- J. MENTONE SHOP IMPROVEMENTS CONSTRUCTION BUDGET AND CONTRACT AMENDMENT – 5 Minutes (M#2027)99
Presenter: Betsy Miller
Recommendation: 1. Approve an amendment to CS-NK Construction contract from \$313,373.40 to \$480,966.21; 2. Amend a contingency fund, not included in the agreement, to \$43,816 for the construction phase for verified quantity overruns based on unit prices; 3. Authorize the General Manager to approve the expenditure of the contract and contingency funds, if needed, and order any necessary changes or additions in work performed under the contract with CS-NK Construction. 4. Authorize the General Manager to spend up to \$98,000 to obtain permits; additional property fencing, general cabinetry, and shelving, fuel, and pesticide storage; and perform field testing; and 5. Accept the quote from CS-NK Construction Services in the amount of \$34,740 for septic tank installation and permitting at the Mentone shop.
- K. U. S. BUREAU OF RECLAMATION WATERSMART PLANNING AND PROJECT DESIGN GRANT APPLICATION AND MATCHING FUNDS – 5 Minutes (M#2028)105
Presenter: Betsy Miller
Recommendation: Adopt Resolution No. 623 and authorize the use of budgeted costs for appropriate tasks as matching funds for the U.S. Bureau of Reclamation WaterSmart Planning and Project Design Grant, up to a total of \$359,322 in FY24, FY25, and FY26.
- L. DISTRICT ENTERPRISE BUDGET APPROVAL FOR FISCAL YEAR 2024-2025 – 15 Minutes (M#2029)109
Presenter: Finance & Administration Committee/Betsy Miller
Recommendation: The Finance & Administration Committee recommends the Board approve the FY25 District Enterprise Budget as presented with incorporated changes from the Budget Workshop held on April 24, 2024, and adopt Resolution No. 624 to authorize a prior period adjustment for the

Upper Santa Ana River Wash Habitat Conservation Plan to remove certain administrative expenses from those costs reimbursed to the District through issuance or other reimbursable costs and assign those costs to the District.

6. INFORMATION ITEMS:

- A. Environmental Update – 5 Minutes123
- B. Engineering Update126
- C. General Manager’s Report and Monthly Recharge Report – 5 Minutes129
- D. Future Agenda Items & Staff Tasks

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

- A. Board Member Travel Request.....141

8. UPCOMING MEETINGS:

- A. May 20, 2024 Association of San Bernardino County Special District Dinner hosted by Hesperia Recreation and Park District & SiteloIQ, 6:00 pm at Percy Bakker Community Center in Hesperia
(Topic: The Science of Well-Being in Government Spaces)
- B. May 21, 2024 Operations Committee, 9:00 a.m. at Conservation District
(Zoom Meeting ID: 869 3816 1542)
- C. May 27, 2024 Office Closed in Observance of Memorial Day
- D. June 4, 2024 PERC Policy Committee, 10:00 a.m. at Conservation District
(Zoom Meeting ID: 874 6107 0953)
- E. June 5, 2024 Basin Technical Advisory Committee, 1:30 p.m. at Valley Municipal
- F. June 12, 2024 Board of Directors Meeting, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 846 8609 6002)
- G. June 17-20, 2024 Toward Sustainable Groundwater in Agriculture: Linking Science & Policy, hosted by Water Education Foundation in Burlingame, CA
(Board Approval Required)
- H. July 10, 2024 Board of Directors Meeting, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 846 8609 6002)

- I. July 16, 2024 Big Bear Watermaster Committee, 11:00 a.m. at Big Bear Municipal Water District
(Zoom Meeting ID: 839 9548 4124)
- J. July 17, 2024 San Bernardino Valley Conservation Trust Quarterly Meeting, 2:00 p.m. at Conservation District
(Zoom Meeting ID: 841 9759 4280)
- K. July 24, 2024 Finance & Administration Committee, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 886 6464 5742)
- L. October 3-4, 2024 H2O Women Conference, Santa Barbara, CA
(Board Approval Required)

9. **CLOSED SESSION**

1. The Board may meet in Closed Session under Government Code section 54956.8, to discuss the terms and conditions of the potential acquisition of Federal properties as part of the Wash Plan land exchange with BLM, consisting of 327.5 acres of the Federal Exchange Parcel, and 90 acres of the Federal Equalization Parcels, in exchange for District property of Assessor Parcel Nos. 0291-151-01, -02, and-05. David Cosgrove and Betsy Miller are the District's negotiators, and Dara Glass is the lead negotiator for BLM.

2. The Board may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: Southern California Edison East End Hydroelectric Generation Plant property located on various parcels and easements in Mill Creek and Santa Ana River Canyons, Negotiator: Betsy Miller and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.

3. The Board may meet in closed session under authority of Government Code Sections 54956.9(d)(2) and (e) (2), exposure to potential litigation, relating to high groundwater conditions and their potential impact on CemexMaterials Pacific, LLC mining areas.

4. The Board may convene in closed Session under authority of Government Code section 54957 (b) to consider the report of the ad hoc committee for the General Manager performance review, and to conduct the annual performance evaluation of the General Manager.

10. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on June 12, 2024 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.