

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF January 13, 2021  
1:30 p.m.

President McDonald called the meeting of the Board of Directors to order at 1:30 p.m. by teleconference and Zoom meeting; all those in attendance stood for the pledge of allegiance led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President  
Richard Corneille, Vice President  
David E. Raley, Director  
Robert Stewart, Director  
John Longville, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

STAFF PRESENT:

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

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
June Hayes, San Bernardino Valley Municipal Water District  
Cindy Saks, San Bernardino Valley Municipal Water District  
David E. Smith, East Valley Water District  
Clayton Larkin, Tetra Tech

1. PUBLIC PARTICIPATION

President McDonald announced that any person present, who so desired, may make an oral presentation to the Board of Directors. There being none, the meeting continued with the posted agenda items.

## 2. ADDITIONS/DELETIONS TO AGENDA

There were none.

## 3. DISTRICT STANDING COMMITTEE APPOINTMENTS

President McDonald introduced this item for discussion, noting its inclusion on package page 4. Director Stewart asked to be notified of the Operations Committee meetings; he is an alternate. Mr. Cosgrove cautioned against circulation of materials to those that are not a regular member of the Committee to avoid potential Brown Act issues. The alternate typically only attends or receives the materials if one of the active members is unable to attend. President McDonald appointed Vice President Corneille as the alternate for the Outreach & Communications Committee for Appendix B. All other appointments remain the same as last year.

President McDonald introduced Appendix C, Roster of Organizations and Committees with Assigned Representatives, included on package page 5. She noted that the ACWA/JPIA Executive Committee appointment has no fiscal impact to the District. She asked that the San Bernardino Valley Municipal Water District Engineering Workshops be added as item 9A within the appendices with herself and Vice President Corneille able to attend as primary appointed members. All other appointments remain the same as last year.

**It was moved by Director Longville and seconded by Director Raley to add the San Bernardino Valley Municipal Water District Engineering Workshops to Appendix C as Item 9A with both President McDonald and Vice President Corneille listed to attend as primary District appointed members. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

## 4. CONSENT CALENDAR

President McDonald introduced this item.

**It was moved by Vice President Corneille and seconded by Director Longville to approve the Consent Calendar: Item A: Board Minutes, December 9, 2020 and Item B: Expenditure Report, December 2020. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

## 5. COMMITTEE REPORTS/ACTION ITEMS

### A. UNAUDITED FINANCIAL REPORTS, DECEMBER 2020

Mr. Cozad presented this item for discussion, noting its inclusion on package page 23. He noted that interest earnings and investments are lower than prior years and stated that the District is in the process of delimiting some of its CDs as they mature. The City of San Bernardino Groundwater Council contribution has been delayed but is expected soon. Mr. Cozad said that the mining revenue is above budget for December. The deferred lease payments for the Redlands Plaza tenants authorized by the Board have reduced enterprise revenue. The District is awaiting grant reimbursement for the Plunge Creek Conservation Project. The cash status is shown on package page 25. Staff indicated that they will meet with PFM in April to review and discuss investments and any potential market changes. Director Raley indicated that the District needs to ensure it is diversified. Director Stewart inquired about the variance in GL 4050-Property Tax revenue. Mr. Cozad indicated that the funds come in a variety of periods and believes that the pandemic may have delayed these payments.

**It was moved by Director Stewart and seconded Director Longville to approve the Unaudited Financial Reports for December 2020 as presented. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

### B. STATEMENT OF INVESTMENT POLICY 2021

Mr. Cozad introduced this item which is shown on package page 29. There are no recommended changes to the Statement of Investment Policy this year, but it requires Board approval annually.

**It was moved by Director Longville and seconded by Director Raley to approve the existing Statement of Investment Policy for use in calendar year 2021, delegating authority to the General Manager to make necessary investments. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

### C. DISTRICT BOARD PRIORITIES FOR 2021

Mr. Cozad presented the 2020 Board Priorities that were included on package page 42, and Draft 2021 Board Priorities are included on page 43. Mr. Cozad summarized the 2020 Board Priorities. Vice President Corneille asked for an overview of the 2017 Community Strategic Plan (CSP) goals. The goals that were carried forward are: 1) additional recharge, 2) boundary service expansion, 3) trail recreation, 4) habitat management, 5) outreach, 6) mining area reuse and 7) treatment wetlands. The plan goal

numbers within Board Priorities table correspond with the CSP goals. The 2021 Board Priorities review continued and feedback from the Board was received as follows:

- Item 8: Mentone Shop Study Approved and Item 10: Mentone Shop Design/Permitting/Approved – Mr. Cozad said that these items will be reviewed and discussed at the January 27 Operations Committee meeting. Vice President Corneille is supportive of this project and the approach that staff is taking and the Committee should have a recommendation after the meeting on the 27th. He suggested moving this item up in priority noting that this project should begin immediately after the plan is approved.
- Add Item: Vice President Corneille suggested the addition of “Active Recharge Transfer Projects Final Design” to priorities list as item number 2 as a priority 1; should be separate from concept design.
- Item 4: Wash Plan-Land Exchange Agreements – Vice President Corneille asked if there was more than one agreement. Mr. Cosgrove indicated that there is a Memorandum of Understanding with Bureau of Land Management and there will need to be an agreement with the appraiser and an amendment to the partnership agreement and others as needed to finalize the land exchange.
- Item 7: Community Mitigation Conservation Easements – Vice President Corneille suggested this item be moved down to priority three. Mr. Cozad indicated that these are essential to the Wash Plan Task Force.
- Item 2: Mill Creek Diversion Permitted and Item 5: Mill Creek Diversion Procurement – Director Stewart expressed concern over permitting and said that he would like for these items to continued to be pushed because they are imperative to District operations. The Board would like to see these as a priority one. Mr. Fogerson provided feedback on item 2 and is optimistic that all issues have been addressed to date. He is hopeful the permit will be completed within the next five months.

**It was moved by Vice President Corneille and seconded by Director Stewart for staff to consider comments provided by the Board and bring revised 2021 Board Priorities to the February Board meeting for review and final approval. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

#### **D. ACWA JPIA EXECUTIVE COMMITTEE NOMINATION**

Mr. Cozad introduced this item for discussion, noting that a resolution of support for President McDonald is needed for her to run for the ACWA JPIA Executive Committee Board. President McDonald reiterated that there is no fiscal impact to the District for her appointment on this Board.

**It was moved by Director Raley and seconded by Vice President Corneille to approve Resolution No. 581 Nominating President McDonald for the ACWA JPIA Executive Committee Board. The motion carried 5-0 with all Board members present voting in the affirmative.**

**President McDonald: Yes  
Vice President Corneille: Yes**

**Director Longville: Yes**  
**Director Raley: Yes**  
**Director Stewart: Yes**

**6. INFORMATION ITEMS**

**A. WASH PLAN IMPLEMENTATION AND STATE PERMITTING UPDATE**

Ms. Miller provided a verbal update. The Year 1 management and monitoring workplan and budget have been approved by the Preserve Management Committee, with monitoring and management contracts nearing completion. Ms. Miller indicated that she is working on the monitoring plan for the San Bernardino kangaroo rat (SBKR). She has scheduled coordination meetings with colleagues at the Western Riverside HCP and Woolly Star Preserve Area. With the help of AECOM, the District sent out correspondence to each of the Wash Plan partners whom have covered activities within the Wash Plan to verify project information prior to submitting permit applications. The 2081 application related to the California Endangered Species Act has been submitted and the California Department of Fish & Wildlife Service (CDFW) has approved it and deemed it complete. Ms. Miller thanked Ms. Scholte for her help in preparing the document and CDFW for their support. President McDonald congratulated Ms. Scholte and Ms. Miller on completing the permitting submittal. Vice President Corneille asked who was on the Preserve Management Committee. Ms. Miller stated that it consisted of herself, Mr. Cozad and a representative from BLM and CDFW. This item was received and filed.

**B. ACTIVE RECHARGE TRANSFER PROJECTS UPDATE**

Mr. Fogerson provided a verbal update on the Active Recharge Transfer Projects (ARTP) Policy Committee held on January 12. The Memorandum of Understanding (MOU) with San Bernardino County Flood Control District (SBCFCD) has been approved by the District Board and the ARTP Policy Committee and will be considered by the SBCFCD Board next month for approval. A kick off meeting is being scheduled for March. There is a Request for Qualifications posted for Statement of Qualifications to develop a consultant list for the ARTP projects with responses due tomorrow. The District has received a number of responses with approximately 400 hits on the District website. Staff will develop the consultant list this coming week based on responses received. Director Raley asked if there will be a written report included on the ARTP included in the Board package. Mr. Cozad indicated that these projects are still in conceptual planning and that Mr. Fogerson prepares a ARTP Status Report after each Policy Committee meeting and those are brought to the Board for review after committee approval. He also indicated that the ARTP has its own enterprise and any related financials will be brought to the Board under the monthly Unaudited Financial Reports or at a minimum the Quarterly Unaudited Financials. Vice President Corneille complimented Mr. Fogerson on his very comprehensive ARTP status report. He said that once agreements and consultants are in place the projects will be ramping up.

**C. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT**

Mr. Cozad indicated that the written General Manager's Report was included in the Board package on pages 46 through 49. Mr. Cozad said that the District has developed a COVID Injury and Illness Prevention Policy based on CalOSHA's temporary directive orders, and mandatory training has been conducted. Staff will have a State of the Trust report prepared soon and brought back to the Board. There has been a link included to the Monthly Newsletter on package page 49. Staff received a request from the Groundwater Council to develop a replenishment charge, which has been included on package

pages 50 to 54. Mr. Cozad reviewed the historic and current production table, preliminary rate impacts and discussed the potential phase in process. Staff is collecting feedback from local producers and agencies on the potential charge and will bring that forward to the Board next month. Mr. Cosgrove stated that the District is under Prop 26 and discussed those requirements. Mr. Cozad indicated that the District is one of the very few agencies that has not yet implemented a replenishment charge. Discussion ensued. Director Longville asked that staff consider when rate setting if there are any projects that have not been completed that need to be included under the Groundwater Enterprise. The Monthly Recharge Report was included on package page 55. This item was received and filed.

#### D. FUTURE AGENDA ITEMS AND STAFF TASKS

There were none discussed.

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

Vice President Corneille attended a meeting with Valley Municipal staff for agenda planning on the Advisory Commission on January 14. He attended the Redlands Chamber of Commerce meeting on January 8 and ARTP Policy Committee meeting on January 12.

Director Stewart made no report other than today's District Board meeting.

Director Longville met with the General Manager to assist with legislative issues on January 11.

President McDonald attended the Valley Municipal Engineering Workshop on January 12, Valley Municipal Resources Workshop on January 7 and attend the Valley Municipal Board meeting on January 5. She attended the Valley Municipal Policy Workshop on December 10.

Director Ralley attended the Valley Municipal Engineering Workshop on January 12, Valley Municipal Resources Workshop on January 7 and Valley Municipal Board meeting on January 5.

#### 8. UPCOMING MEETINGS

There were none discussed.

#### 9. CLOSED SESSION

**It was moved by Vice President Corneille and seconded by Director Longville to adjourn to Closed Session. The motion carried with all directors present voting in the affirmative.**

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

General Counsel announced that the meeting would adjourn to Closed Session under item number four on the published agenda.

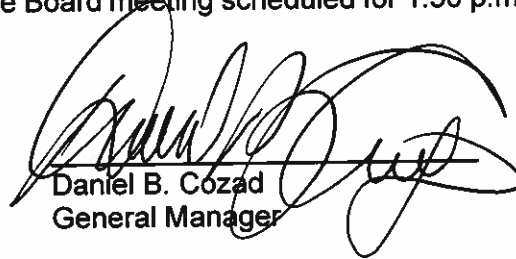
At 3:53 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted while in Closed Session under Government Code section 54954.8 that there was no reportable action.

10. ADJOURN MEETING

**It was moved by Director Longville and seconded by Vice President Corneille to adjourn. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

At 3:55 p.m., the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on February 10, 2021, via Zoom.



Daniel B. Cozad  
General Manager