



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

## **BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, November 10, 2021 – 1:30 p.m.**

In accordance with Government Code 54953 (as amended by A.B. 361 signed September 16, 2021 and effective October 1, 2021 via Governor Newsome’s Executive Order N-15-21), and Resolution No. 592 adopted by the Board on October 13, 2021, this meeting is being conducted in a hybrid fashion, via Zoom, or with an option to attend in person, subject to heightened COVID-19 safety protocols.

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

**Call in (669) 900-6833, Meeting ID: 923 48389922**

To join the Zoom Meeting on <https://us02web.zoom.us/j/92348389922>

Members of the public participating via remote teleconferencing will have the opportunity to comment on any item within the jurisdiction of the District during the public comment period on the agenda, and to address the Board on individual agenda items as they are called and considered. Public comments submitted in advance are encouraged, but not required. Remote participants will be asked to identify themselves and on which item they wish to address the Board, and will be instructed at the outset of the meeting how to make their wish to address the Board known during the meeting.

Members of the Board, staff, or members of the public who may wish to attend in person will be required to self-certify their vaccinated status, or that they have received a COVID-19 negative test which remains valid as of the meeting date. All in-person attendees shall be required to wear masks covering both their nose and mouths at all times within the meeting room, at all times that social distance spacing requirements cannot be met. Masks will be made available for in-person attendees who do not have them. The District’s meeting facilities have limited space, and in-person attendees may be requested to leave the room, or participate via internet or telephone, until the number of any unmasked attendees at the District’s facility can be accommodated consistent with social distancing guidelines.

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

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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

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 Lokelani 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.

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**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

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**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. GUEST RECOGNITION/SELF INTRODUCTIONS**

**4. CONSENT CALENDAR**

- A. Approval of Succession and Transition Workshop Minutes, October 6, 2021 .....5
- B. Approval of Board Minutes, October 13, 2021 .....7
- C. Approval of Expenditure Report, October 2021 ..... 14
- D. Resolution No. 593 AB 361 .....22

**5. COMMITTEE REPORTS /ACTION ITEMS**

**Committee Reports**

**A. OPERATIONS COMMITTEE VERBAL REPORT - 10 minutes**

***Presenter:*** Richard Corneille

***Recommendation:*** The chair of the Operations Committee will provide a verbal report on the meeting held on November 4.

**Action Items**

**B. UNAUDITED FINANCIAL REPORTS, October 2021 - 5 minutes (M#1811) .....24**

***Presenter:*** Daniel Cozad

***Recommendation:*** Review and approve the unaudited financials for October 2021.

**C. ENGINEERING INVESTIGATION PLAN FOR 2022 - 5 minutes (M#1812) .....30**

***Presenter:*** Katelyn Scholte

***Recommendation:*** Staff is requesting that the Board review, discuss and recommend any changes to the Engineering Investigation Report Plan (EI Report plan) and consider approval of the 2022 EI Report plan.

- D. YEAR TWO AMENDMENT TO CONSERVATION SERVICES AGREEMENT WITH INLAND EMPIRE RESOURCE CONSERVATION DISTRICT FOR IMPLEMENTATION OF PERMIT CONDITIONS FOR THE PLUNGE CREEK CONSERVATION PROJECTS  
– 5 minutes (M#1813) .....37

**Presenter:** *Betsy Miller*

**Recommendation:** Approve Amendment 1 to the Conservation Services Agreement with Inland Empire Resources Conservation District (IERCD) for implementation of permit conditions associated with the Plunge Creek Conservation Project.

- E. MILL CREEK GROUNDWATER RECHARGE FACILITY OPERATIONS & MAINTENANCE PERMITTING PROFESSIONAL SERVICES CONTRACT AWARD– 5 minutes (M#1814) .....46

**Presenter:** *Betsy Miller*

**Recommendation:** Staff recommends that the Board 1) Accept AECOM’s proposal to obtain applicable environmental permits for operations and maintenance of the Mill Creek Groundwater Recharge Facility, and authorize the General Manager and General Counsel to prepare and execute a professional consultant services agreement substantially consistent both with AECOM’s proposal and the District’s form consultant services contract included in the Request for Proposals.

- F. PROFESSIONAL SERVICES CONTRACT FOR VEGETATION CLASSIFICATION AND MAPPING – 5 minutes (M#1815) .....113

**Presenter:** *Betsy Miller*

**Recommendation:** Staff recommends that the Board 1) Accept AECOM’s proposal to prepare a vegetation classification and associated map for the Upper Santa Ana River Wash and authorize the General Manager and General Counsel to prepare and execute a professional consultant services agreement substantially consistent both with AECOM’s proposal and the District’s form consultant services contract included in the Request for Proposals.

- G. WASH PLAN SLENDER-HORNED SPINEFLOWER RESTORATION PROGRAM PROFESIONAL SERVICES CONTRACT AWARD – 5 minutes (M#1816) .....150

**Presenter:** *Betsy Miller*

**Recommendation:** Staff recommends that the Board 1) Accept Dudek’s proposal to prepare the Slender-horned Spineflower Restoration Program and authorize the General Manager and General Counsel to prepare and execute a professional consultant services agreement substantially consistent both with Dudek’s proposal and the District’s form consultant services contract included in the Request for Proposals.

- H. 2022 BOARD MEETING CALENDAR REVIEW– 5 minutes (M#1817) .....216

**Presenter:** *Daniel Cozad*

**Recommendation:** Review, discuss and consider approval of the proposed District Board Meeting Calendar for calendar year 2022.

6. **INFORMATION ITEMS:**

- A. Wash Plan Implementation Update – 5 Minutes
- B. Wash Plan Trails Status Report.....218
- C. Mentone Shop Improvements Status Report.....220
- D. Overview and Update Report for the Active Recharge Partnership Agreement for the Upper Santa Ana River Habitat Conservation Plan (M#1818) .....221
- E. General Manager’s Report and Monthly Recharge Report – 5 Minutes .....248

F. 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:**

**\*Please note: All future District meetings may be held remotely via zoom. See Agendas for detailed information.**

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|---|---|
| A. November 11, 2021                      | Offices Closed in Observance of Veteran’s Day   |
| B. November 12, 2021                      | Special Meeting of the Board of Directors, 2:00 p.m. at Valley Municipal  |
| C. November 15, 2021                      | Finance & Administration Committee, 1:30 p.m. via Zoom  |
| D. November 15, 2021                      | Association of the San Bernardino County Special Districts, 6:00 p.m. at Yucaipa Valley WD Crystal Creek Facility, hosted by Yucaipa Valley Water District<br><i>(Topic: 7 Solutions for Addressing Your CalPERS Liability)</i> |
| E. November 16, 2021                      | San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal   |
| F. November 17, 2021                      | WIFIA Meeting, 8:30 a.m. via Teleconference   |
| G. November 18, 2021                      | San Bernardino Valley Municipal Water District Policy Committee Workshop, 2:00 p.m. at Valley Municipal   |
| H. November 30, 2021-<br>December 2, 2021 | ACWA Fall Conference, Pasadena<br><b><i>(Board Approval Required)</i></b>   |
| I. December 8, 2021                       | Board of Directors Meeting, 9:30 a.m. at Conservation District  |

9. **CLOSED SESSION**

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 §54956.9 (a), and (d) (4) regarding anticipated litigation. Pursuant to Government Code §54956.9(2), the facts and circumstances concern a potential trespass onto District property in connection with the Dr. Horton and Slater Construction.

3. The Board will meet in Closed Session under authority of Government Code §54956.8, to discuss real property negotiations, regarding 1630 West Redlands Boulevard, Suite K, to discuss terms and conditions

of a lease. The District's negotiators are Daniel Cozad and David Cosgrove. The Lessee's negotiator is Mark Bacher.

10. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on December 8, 2021 at 9:30 a.m., at via Zoom/teleconference.