



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

## **BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, April 13, 2022 – 1:30 p.m.**

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

**Call in (669) 900-6833, Meeting ID: 828 2351 1711**

To join the Zoom Meeting on <https://us02web.zoom.us/j/82823511711>

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 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.

---

### **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.*

1630 W. Redlands Blvd, Suite A  
Redlands, CA 92373  
Phone: 909.793.2503  
Fax: 909.793.0188  
www.sbvwd.org Email: info@sbvwd.org

#### **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

- 3. **GUEST RECOGNITION/SELF INTRODUCTIONS**
- 4. **UPPER SANTA ANA RIVER HCP UPDATE, provided by Joanna Gibson of San Bernardino Valley Municipal Water District**
- 5. **PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE – 10 minutes**

*Article 1, Section 75560 of the California Water Code requires that a Water Conservation District that proposes to levy a groundwater charge "...shall annually cause to be made an engineering investigation and report upon groundwater conditions of the District." District staff will present the annual Bunker Hill Engineering Investigation Report and review the Groundwater Replenishment Program annual budget. District staff is recommending to the District's Board of Directors that an increase take place for fiscal year 2022-2023 in the amount of \$15.27 groundwater charge per acre-foot (af) for all groundwater production. As requested by the San Bernardino Basin Groundwater Council ("Council:), the District is also considering the addition of a Replenishment/Sustainability component to the groundwater charge, to be imposed on entities subject to the District's Groundwater Charge that are not members of the Council. The Council supports phasing in this charge over several years The proposed amount of such component is \$18.37 per acre foot but for the upcoming water year is proposed at the phase-in rate of seven dollars and thirty-five cents (\$7.35) per acre foot. District staff will present any written comments received and the board will hear oral comments.*

- *Open Public Meeting*
- [2022 Engineering Investigation Report Presentation \(if requested\)](#)
- *Staff Presentation on GW Sustainability/Replenishment Component and Groundwater Charge*
- *Groundwater Charge for FY 2022-2023 (M#1855) and Review Draft Resolution No. 599 for Groundwater Charge for 2022-2023.....6*
- *Receive Public Comments or Testimony*
- *Close Public Meeting*

- 6. **CONSENT CALENDAR**
  - A. Approval of Board Minutes, March 9, 2022 .....27
  - B. Approval of Expenditure Report, March 2022.....38
  - C. Absence Excusal for Board Member, March 9, 2022

7. **COMMITTEE REPORTS /ACTION ITEMS**

**Committee Reports**

A. **FINANCE & ADMINISTRATION VERBAL UPDATE**

**Presenter:** David E. Raley

**Recommendation:** The Chair of the Finance & Administration Committee will provide a verbal update of the meeting held on March 23.

B. **AD HOC AUDIT COMMITTEE VERBAL UPDATE**

**Presenter:** David E. Raley

**Recommendation:** The Chair of the Ad Hoc Audit Committee will provide a verbal update of the meeting held on March 30.

C. OPERATIONS COMMITTEE VERBAL UPDATE

**Presenter:** Richard Corneille

**Recommendation:** The Chair of the Operations Committee will provide a verbal update of the meeting held on April 4.

**Action Items**

D. 3<sup>RD</sup> QUARTER UNAUDITED FINANCIALS FOR 2021-2022 – 5 minutes (M#1856) .....49

**Presenter:** David E. Raley/Betsy Miller

**Recommendation:** The Finance & Administration Committee recommend the Board approve the 3<sup>rd</sup> Quarter 2021-2022 Financial reports as presented.

E. AGREEMENT AND ELECTION TO PREFUND EMPLOYER CONTRIBUTIONS TO A DEFINED BENEFIT PENSION PLAN WITH THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM INTERNAL REVENUE CODE SECTION 115 CALIFORNIA EMPLOYERS’ PENSION PREFUNDING TRUST – 5 Minutes (M#1857) .....54

**Presenter:** Betsy Miller

**Recommendation:** The Finance and Administration Committee recommend the Board: 1) Approve an Agreement and Election to Prefund Employer Contributions to a Defined Benefit Pension Plan; 2) Approve the Delegation of Authority to Request Disbursements to the General Manager; 3) Authorize the Board President to sign the Agreement and all associated documents; and 4) Approve as part of the annual budget an amount of up to two years annual CalPERS regular costs plus \$50,000 for future unfunded liabilities for deposit into the California Employers’ Pension Prefunding Trust from reserves.

F. UNAUDITED FINANCIAL REPORTS, March 2022 - 5 minutes (M#1858).....68

**Presenter:** Betsy Miller

**Recommendation:** Review and approve the unaudited financials for March 2022.

G. AUDITOR PROCUREMENT AND SELECTION FOR 2022 – 5 minutes (M#1859).....74

**Presenter:** Betsy Miller

**Recommendation:** The Ad Hoc Audit Selection Committee recommends the selection of Rogers, Anderson, Malody and Scott (RAMS) as the District’s Auditor for the 2022 audit and authorizes the General Manager to enter into an agreement for an amount not to exceed \$27,550 for the 2021-2022 audit. The agreement may be extended two additional years based on performance.

H. MENTONE SHOP IMPROVEMENTS CONSTRUCTION AWARD OF CONTRACT – 5 Minutes (M#1860) .....77

**Presenter:** Katelyn Scholte

**Recommendation:** 1. Accept the bid of CS-NK Construction Services in the amount of \$294,065 for design/build of the Mentone shop. 2. Accept the proposal for \$19,308.40 from CS-NK Construction Services to construct water and electrical service for the new shop. 3. Approve an agreement with CS-NK Construction Services in the amount of \$313,373.40 for design and construction services. 4. Approve a contingency fund, not included in the agreement, of \$7,000 for the design/build phase. 5. Approve a contingency fund, not included in the agreement, of \$29,406 for the construction phase for verified quantity overruns based on unit prices. 6. 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. 7. Authorize the General Manager to spend up to \$70,000 to obtain permits; install a septic system, additional property fencing, general cabinetry and shelving, fuel and



- E. April 27, 2022 Board of Directors Meeting/Groundwater Public Hearing, 1:30 p.m.
- F. April 27, 2022 Budget Workshop, 3:00 p.m. (*or immediately following Board meeting*) via Zoom/Teleconference
- G. May 3-May 6, 2022 ACWA Spring Conference, Sacramento  
***(Board Approval Required)***
- H. May 11, 2022 A Wellspring of Celebration Honoring 90 years of Preservation and Daniel Cozad, retiring General Manager 6:00 pm., Cuttle Weir
- I. June 6, 2022 Basin Technical Advisory Committee, 1:30 p.m. at Valley Municipal
- J. June 20, 2022 Association of San Bernardino County Special Districts Dinner hosted by the San Bernardino Valley Water Conservation District, 6:00 p.m. (location TBD)

11. **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), in order to discuss existing litigation, San Bernardino Valley Water Conservation District v. Mark J. Bacher dba Red Dragonfly Spa, SBCSC Case No. LLTVA 2103055.
3. 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 Mil Creek and Santa Ana River Canyons, Negotiator: Daniel Cozad and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.

12. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting/Groundwater Public Hearing will be on April 27, 2022 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.