



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA - Revised **Wednesday, February 9, 2022 – 1:30 p.m.**

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.

Location: 1630 W. Redlands Blvd., Ste. A Redlands, CA 92373
Secondary Location: 254 E. Valley St., San Bernardino, CA 92408

Anyone wishing to listen in or participate via Zoom may join using information below:

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

- **Receive Oral Presentation from Chino Basin Water Conservation District**

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

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. PUBLIC HEARING RELATED TO REDISTRICTING

The District is required under Elections Code section 22000 to review division boundaries after the decennial US Census. Elections Code section 22001 requires two (2) public hearings in connection with any adjustment to the District’s division boundaries, as a result of the census. The goal of division boundary review is to ensure each Division of District is fairly distributed as to population, and otherwise compliant with the Federal and California Voting Rights Acts. In adjusting the boundaries of the district, the board may give consideration to the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) community of interests of the district. A public hearing will be held on at this meeting and on March 9, 2022 to take public comment, and to discuss, review and after both hearings, approve the potential redrawing of the District’s five (5) divisions.

- *Open Public Hearing*
- *Redistricting (M#1831)6*
- *Receive Public Comments or Testimony*
- *Close Public Hearing*

5. CONSENT CALENDAR

- A. Approval of Board Minutes, January 12, 202216
- B. Approval of Expenditure Report, January 2022.....25
- C. Amendment 1 to AECOM Agreement for Mill Creek (M#1832)31
- D. Resolution No. 595 Board Policy Manual Revisions34
- E. Resolution No. 596 Remote Meetings per AB 36135
- F. Groundwater Assessment Report for July 1, 2021 to December 31, 2021.....37
- G. District Board Priorities for 2022.....41

6. 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 February 4.

B. FINANCE & ADMINISTRATION COMMITTEE VERBAL REPORT - 10 minutes

Presenter: Daniel Cozad

Recommendation: The chair of the Finance & Administration Committee will provide a verbal report on the meeting held on January 26.

C. 2nd QUARTER ANNUAL UNAUDITED FINANCIALS FOR 2021-2022 – 5 minutes

(M#1833)35

Presenter: David E. Raley/Daniel Cozad

Recommendation: The Finance & Administration Committee recommends the Board receive and file the 2nd Quarter Annual Unaudited Financials for 2021-2022 as presented.

Action Items

D. UNAUDITED FINANCIAL REPORTS, January 2022 - 5 minutes (M#1834).....48

Presenter: Daniel Cozad

Recommendation: Review and approve the unaudited financials for January 2022.

E. 2022 BOARD CALENDAR REVISIONS - 5 minutes (M#1835).....47

Presenter: Daniel Cozad

Recommendation: Review and approve the proposed revisions to the 2022 Board Calendar as presented.

F. LAFCO SPECIAL DISTRICTS SELECTION COMMITTEE – 5 minutes (M#1836).....56

Presenter: Daniel Cozad

Recommendation: Review and provide direction to staff to nominate a Board member if interested in the LAFCO Special Districts Selection Committee.

G. PLUNGE AND OAK CREEK DIVERSIONS AND BASIN FEASIBILITY STUDY SUPPORT PROFESSIONAL SERVICES AWARD OF CONTRACT – 5 Minutes (M#1837).....65

Presenter: Erwin Fogerson

Recommendation: Accept the proposal of CASC Engineering and Consulting, Inc. and authorize the General Manager to complete the negotiation of services and fees and execute a professional consultant services agreement in an amount not to exceed \$786,880.

H. DRAFT ENGINEERING INVESTIGATION REPORT FOR 2022 – 10 Minutes (M#1838)86

Presenter: Katelyn Scholte

Recommendation: Receive and file staff's presentation, provide any comments or changes to the Engineering Investigation Report (EI Report).

I. BUDGET PLANNING FOR GROUNDWATER ENTERPRISE FOR 2022-2023, PROPOSED GROUNDWATER COUNCIL O&M FEE AND ADVERTISED GROUNDWATER CHARGE – 20 minutes (M#1839).....107

Presenter: Daniel Cozad/Finance & Administration Committee

Recommendation: Review, discuss and approve issues for inclusion in the 2022-2023 Groundwater Enterprise Budget and provide direction to staff on Public Notice for the Groundwater Charge.

J. STAFFING AND SUCCESSION PLAN STAFF CHANGES – 5 minutes (M#1840)119

Presenter: Daniel Cozad

Recommendation: Staff and District Counsel recommend the Board review and approve the staff position changes, including for Engineering and Land Resources Manager, presented in line the Succession and Transition Planning Workshop held in October 2021.

K. GENERAL MANAGER RETIREMENT DATE APPROVAL – 5 minutes (M#1841)124

Presenter: Daniel Cozad

Recommendation: Staff and District Counsel recommend the Board accept notice of the General Manager’s retirement effective in May of this calendar year, and approve the final date of employment for his tenure.

L. BETSY MILLER GENERAL MANAGER EMPLOYMENT AGREEMENT – 5 minutes
(M#1842)126

Presenter: David Cosgrove and Ad Hoc Committee

Recommendation: Review and Approve the “Agreement for Employment of General Manager” for the District’s incoming General Manager, Betsy Miller, to be effective May 19, 2022, the day following the existing General Manager’s proposed retirement date.

7. **INFORMATION ITEMS:**

- A. Wash Plan Implementation Update – 5 minutes
- B. Wash Plan Trails Status Report – 5 minutes 138
- C. Active Recharge Transfer Projects Status Report No. 9 – 5 minutes 140
- D. Mentone Shop Improvements Status Report – 5 minutes 144
- E. General Manager’s Report and Monthly Recharge Report – 5 Minutes 145
- F. Future Agenda Items & Staff Tasks

8. **MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS**

- A. Board Member Meeting Reports – 15 minutes

9. **UPCOMING MEETINGS:**

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

- | | |
|-------------------------|---|
| A. February 10, 2022 | San Bernardino Valley Municipal Water District Policy Workshop, 2:00 p.m. at Valley Municipal |
| B. February 15, 2022 | San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal |
| C. February 16, 2022 | WIFIA Meeting, 8:30 a.m. via teleconference |
| D. February 16-17, 2022 | CSDA Governance Training Virtual Workshop, 9 am-12 p.m. (each day) |
| E. February 16, 2022 | Water Forum, 11:30 a.m.-1:00 p.m. at Yucaipa VWD Crystal Creek Treatment Plant |
| F. February 21, 2022 | Offices Closed in Observance of President’s Day |

- G. February 28, 2022 Association of the San Bernardino County Special Districts, 6:00 p.m. at Shandin Hills Golf Club, hosted by SitelogiQ
(Topic: Modernizing Infrastructure: Why, When & How!)
- H. March 1, 2022 San Bernardino Valley Municipal Water District Board Meeting, 2:00 p.m. at Valley Municipal
- I. March 3, 2022 ARTP Policy Committee Field Tour, 8:00 a.m. to 12:00 p.m., District Office/Field
- J. March 9, 2022 Board of Directors Meeting, 1:30 p.m. at District
(Zoom Meeting ID: 828 2351 1711)
- K. March 9, 2022 Redlands Installation Dinner, 6:00 p.m. at University of Redlands Orton Center
- L. March 10, 2022 ACWA Virtual Legislative Symposium, 9:00 a.m. – 12:30 p.m. (Webinar)
- M. March 17-20, 2022 Local Government Commission Yosemite Policymakers Conference, Yosemite National Park
(Board Approval Required)
- N. March 18, 2022 ***Form 700's Due to District***
- O. March 22, 2022 Big Bear Watermaster Committee, 10:00 a.m.
(Zoom Meeting ID: 870 0089 4033)
- P. April 25, 2022 ARTP Policy Committee, 9:00 a.m.
(Zoom Meeting ID: 889 5274 0760)
- Q. May 3-May 6, 2022 ACWA Spring Conference, Sacramento
(Board Approval Required)

10. **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 Mill 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.

11. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on March 9, 2022 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.