



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

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.

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

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

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.

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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

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, 20228
- B. Approval of Expenditure Report, January 2022..... 17
- C. Amendment 1 to AECOM Agreement for Mill Creek (M#1832)23
- D. Resolution No. 595 Board Policy Manual Revisions27
- E. Resolution No. 596 re Remote Meetings per AB 36128
- F. Groundwater Assessment Report for July 1, 2021 to December 31, 2021.....30
- G. District Board Priorities for 2022.....34

6. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

A. OPERATIONS COMMITTEE VERBAL REPORT - 10 minutes

Presenter: *Richard Corneille/Daniel Cozad*

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).....41
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).....49
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 BASISN FEASIBILITY STUDY SUPPORT PROFESSIONAL SERVICES AWARD OF CONTRACT – 5 Minutes (M#1837).....58
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)79
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).....81
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. SUCCESSION AND TRANSITION PLANNING STAFF CHANGES – 5 minutes (M#1840).....92
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)97
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)99
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 111
- C. Active Recharge Transfer Projects Status Report No. 9 – 5 minutes 113
- D. Mentone Shop Improvements Status Report – 5 minutes 117
- E. General Manager’s Report and Monthly Recharge Report – 5 Minutes 118
- 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.



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1831

To: Board of Directors
From: David B. Cosgrove, General Counsel
Date: February 9, 2022
Subject: Realignment of Component District Divisions

RECOMMENDATION

Conduct a Public Hearing regarding the “City Boundaries” potential scenario for the redrawing of the District’s five (5) divisions, and three (3) additional scenarios developed by staff based upon feedback received by the Board to date. Take any public input, provide any appropriate additional direction to staff, and continue this item for a public hearing, and adoption of the new district division boundaries, at the regular Board meeting for March 9, 2022.

BACKGROUND AND DISCUSSION

The Board in October 2021 reviewed the legal requirements and timetables for realignment of the District’s five divisions, as required by Elections Code section 22000. The Board then provided direction to staff on having population and demographic analyses implicated in the division boundary analysis done in-house, by March 2022. The Board reviewed preliminary scenarios for redrawing division boundaries at its regular meeting of January 12, 2022, and based upon input received at that meeting, staff has generated an additional three (3) scenarios, for review by the public and the Board.

As the Board knows, Elections Code section 22000 requires the District, after each decennial census to adjust the boundaries of any component divisions so that the divisions are, as far as practicable, equal in population and in accord with requirements of 52 U.S.C. Section 10301. That section prohibits any voting qualification, prerequisite, standard, practice, or procedure which results in the denial or abridgement of the right to vote, based on race or color.

Effectively, this means that the District must review and analyze any demographic changes in population indicated by the 2020 census, and redraw its division boundaries in such a way as to evenly distribute its population (generally, variances under five (5%) percent are permissible), and to assure that standards of the Federal And California Voting Rights Act are not violated.

Staff on January 12, 2022 presented the current alignment, showing the shifts in population reflected in the most recent census, which showed population changes among divisions that indicated material realignment will be required to meet legal requirements. Staff also presented realignment based upon zip code areas, as the Board requested, but that resulted in substantial disparity of population, beyond legal tolerances. The Board directed Staff not to pursue that scenario further. Finally, Staff offered a scenario based on City boundaries. This scenario

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GENERAL MANAGER

Daniel B. Cozad

permitted population equality among divisions well below the five (5%) percent rule of thumb. Staff was directed to refine that scenario further, and has done so, resulting in three (3) additional scenarios for further review today.

The Board may recall that Elections Code section 22001 requires at least one (1) public hearing prior to a public hearing at which the revised boundaries are actually adopted, Staff has noticed a public hearing for today, and has posted the additional scenarios it has formulated on the District's website, a week prior.

Scenario 3 was the City Boundary one, already reviewed on January 12, 2022. Briefly, here are the changes reflected in the newly generated scenarios:

Scenario 4: Moves District 5 somewhat easterly, and District 4 includes more territory northerly, where District 5 was previously. District 1 pushed westerly, and bit more to the south.

Scenario 5: District 5 again moves easterly, and District 4 moves north. District 3 includes the industrial area above Loma Linda near San Bernardino Avenue and Mountainview Avenue.

Scenario 6: Takes District 5 even further east, with District 4 again moving northerly, and District 2 moves southerly, and District 1 westerly, to adjust populations. In this scenario, most of Loma Linda in in District 1.

Demographic and population information regarding each of the proposed divisions is attached hereto. These have been reviewed by District Counsel, and it does not appear that any present any problems either with population disparity, or issues under the Federal or California Voting Rights Act.

The Board is reminded that the overriding criteria for division boundary drawing is equality of population. Each of the additional scenarios fits well within legal tolerances. Given this, the additional criteria for evaluation, under Elections Code section 22000, are: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) community of interests of the division. The Board's discussion should be directed towards these criteria. The public is also free to provide its own suggested scenarios, for the Board's consideration, at the public hearings attending this process.

Staff recommends the Board open the public hearing, provide additional input and direction to staff, and continue the matter to a public hearing to be held on March 9, 2022, when Staff proposes to return with a resolution recommending a division boundary reconfiguration resolution for adoption.

FISCAL IMPACT

The District is completing the demographic analyses in house, saving from \$15,000-\$50,000 of otherwise required consultant costs. There are no fiscal impacts, other than staff and intern costs expected from the required review of component voter district boundaries.

ATTACHMENTS OR MATERIALS

Redistricting Scenario Maps for Scenarios 3-6

Demographic Information for Scenarios 3-6

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF JANUARY 12, 2022
1:30 p.m.

President McDonald called the Board of Directors meeting to order at 1:31 pm. by in-person, 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
David E. Raley, Director
Robert Stewart, Director
Richard Corneille, Vice President
John Longville, Director (Arrival 1:50 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

Dave Cosgrove, District Counsel

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
Angie Quiroga, Administrative Analyst
Anna Frey, Intern

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District
Willow Green, Tetra Tech
Paul Kielhold, San Bernardino Valley Municipal Water District
June Hayes, San Bernardino Valley Municipal Water District
David E. Smith, East Valley Water District

1. PUBLIC PARTICIPATION

President McDonald announced that any persons 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.

President McDonald congratulated staff on the District's receipt of the ACWA/JPIA President's Special Recognition Awards for all insurance areas of coverage.

2. ADDITIONS/DELETIONS TO AGENDA

There were none.

3. GUEST RECOGNITIONS/SELF INTRODUCTIONS

The guests listed above introduced themselves.

4. DISTRICT STANDING COMMITTEE APPOINTMENTS

President McDonald introduced this item for discussion. She noted that she had been appointed by ACWA to their State Legislative Committee. She reviewed the standing committees on package page 9, noting that these will remain the same. There were several changes noted to Appendix C: Roster of Organizations and Committees with Assigned Representatives:

- #7 Basin Technical Advisory Committee: Director Stewart was appointed as primary and President McDonald as the alternate
- #8, previously the SBVMWD Advisory Commission on Water Policy, has been disbanded; this committee has been replaced by the Upper SAR Water Forum: Vice President Corneille will remain the primary and Director Raley will remain the alternate
- #9B SBVMWD Policy Workshop: Director Longville was appointed as primary and Director Stewart was appointed as alternate
- #9C SBVMWD Resources Workshop, Director Raley is appointed as primary and President McDonald as the alternate
- #13, previously the Partnership Agreement Policy Committee, has been renamed the ARTP Policy Committee: no changes were made to the primary or alternate

It was moved by Director Stewart and seconded by Vice President Corneille to approve Appendix C of the Board Policy Manual with revisions to be incorporated as noted by the Board of Directors. The motion carried 4-0, with all Board members present voting in the affirmative. Director Longville was absent from the vote.

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

Mr. Cozad noted that a resolution will be brought forward to the next regularly scheduled Board meeting that incorporates these changes.

5. CONSENT CALENDAR

President McDonald introduced this item for discussion.

It was moved by Vice President Corneille and seconded by Director Raley to approve the Consent Calendar: Item A: Board Minutes, December 8, 2021; and Item B: Expenditure Report, December 2021. The motion carried 4-0, with all Board members present voting in the affirmative. Director Longville was absent from the vote.

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

6. COMMITTEE REPORTS/ACTION ITEMS

A. 1ST QUARTER UNAUDITED FINANCIALS REVIEW 2021-2022

Mr. Cozad introduced this item for discussion, noting its inclusion beginning package page 30. The financials are in line with what was expected for this time of year. Interest income continues to be low, and staff is working with PFM to evaluate options for increased yields.

It was moved by Director Raley and seconded by Director Stewart to approve the 1st Quarter Unaudited Financial Reports for 2021-2022. The motion carried 4-0, with all Board members present voting in the affirmative. Director Longville was noted absent from the vote.

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

B. UNAUDITED FINANCIAL REPORT, DECEMBER 2021

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 34. He said that Robertson's Ready Mix delivered a check to pay their outstanding state and waters permitting costs. He said that mining royalty payments continue to be higher than anticipated. Vice President Corneille inquired about ARTP Professional Services Charges and the GL to which they are charged. Mr. Cozad indicated that they will be charged to capital costs under GL 7126-ARTP Engr/Prof Services. Vice President Corneille suggested ARTP professional services be broken out separately. Mr. Cozad indicated that staff can present the ARTP budget separately, which is accounted for as its own enterprise within QuickBooks. He said that the Profit & Loss statement must stay the same.

It was moved by Vice President Corneille and seconded by Director Longville to approve the Unaudited Financial Reports from December 2021. 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. ACTIVE RECHARGE TRANSFER PROJECTS AWARDS OF CONTRACT
WATERMAN, LYNWOOD BASINS AND TWIN CREEK SPREADING GROUNDS
FEASIBILITY STUDY SUPPORT PROFESSIONAL SERVICES AWARD OF
CONTRACT

Mr. Fogerson introduced this item for discussion. He said this item is the first feasibility stage of the Active Recharge Transfer Projects (ARTP) and will serve as the foundation for obtaining San Bernardino County Flood Control District (FCD) approval for project implementation. The project schedule is expected to be approximately eighteen months, with a detailed project data summary provided as a handout. Director Raley asked how the District selected Tetra Tech to perform this study and which other firms were considered. Mr. Fogerson referred to the Board memo included on package pages 40 to 41. Mr. Cozad stated that the firms considered for this contract were selected based on a previously posted request for qualifications. Tetra Tech has significant experience working with the U.S. Army Corps of Engineers (COE) on permits necessary for this work and also performed the levee certification for the FCD, indicating familiarity with the facilities to be evaluated.

Vice President Corneille asked if the selected firm would be allowed to develop the final design. Mr. Fogerson said that they would be able to prepare a final design because District staff developed the preliminary engineering design; this contract is to analyze the preliminary design prepared by District staff. Once the analysis included in this contract is complete, the District will prepare a final report that will be used to advertise for a contract to complete final design. Tetra Tech will not be prohibited from submitting a bid on this work. Mr. Cosgrove reviewed the contract requirements and FPPC guidelines. He requested a revision to contract section 2.1 to revise the cost stated there to be consistent with the staff report amount of \$1,530,615. Director Stewart requested details on the project budget. He asked about the concept of retrofitting these three flood control basins for groundwater recharge. He said that historically these basins appear to function to slow storm flows and may not be successfully function in additional capacities. Given these potential obstacles to project success, Director Stewart asked about the cost-benefit ratios and ultimate goals for the project. Mr. Cozad said that there is not currently a specific budget for engineering; however, one will be established as the project moves toward final design. He said that the initial conceptual designs were prepared by our partners at SBVMWD, with additional design work complete by District engineering staff: thus, the percentage of the total project cost utilized for engineering has not yet been determined. In terms of the cost-benefit analysis, geotechnical work is planned for the initial phase of the study to ensure that projects or portions of projects that do not yield acceptable cost-to-benefit ratios can be removed from the project list - in favor of more feasible projects – early in the process prior to the expenditure of significant additional funds. Mr. Cozad said that Twin Creek is expected to have good infiltration based on multiple factors, but modeling is required to understand its likely function. He said that Lynwood Basins include factors that could affect feasibility, which will be carefully reviewed to determine the appropriate path forward as part of the contract brought before the Board today. Director Stewart asked when the evaluation will occur. Mr. Fogerson said that geotechnical work will take place as soon as the requisite environmental permits are obtained, which is expected to take four to six months. Hydraulic modeling and field investigations will be conducted concurrent with applications for environmental permits. A brief discussion ensued regarding projects.

It was moved by Vice President Corneille and seconded by Director Longville to accept the proposal of Tetra Tech and authorize the

General Manager and General Counsel to complete the negotiation of services and fees and execute a professional consultant services agreement in an amount not to exceed \$1,530,615. 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. NEPA SERVICES TO SUPPORT BUREAU OF LAND MANAGEMENT RIGHT OF WAY PROFESSIONAL SERVICES CONTRACT AWARD

Ms. Miller introduced this item for discussion, noting its inclusion beginning package page 97. She said that this contract is with Dudek, an environmental firm that will support the District's application for a right of way from the Bureau of Land Management (BLM) to conduct Wash Plan Covered Activities. A detailed description of the work that Dudek will be performing is outlined within the staff report on package pages 97 to 98. In addition to standard tasks, the scope includes an optional task in the amount of \$4,560 which may be necessary to respond to comments from BLM. Mr. Cozad said that this expense is charged to the Land Enterprise. Vice President Corneille asked about the schedule for completion of this work. Ms. Miller said that once the District has a contract in place, we will meet with BLM to determine the project-specific categories that we will be required to analyzed under the NEPA; the project schedule will be based on these project-specific requirements. Dudek indicated that the first draft of the NEPA document may be expected approximately thirty days after the initial meeting with BLM. Staff is sharing relevant documents with Dudek to expedite the process.

It was moved by Director Raley and seconded by Director Longville to accept Dudek's proposal to conduct NEPA services to support the District's Bureau of Land Management Right of Way application, and authorize the General Manager and General Counsel to prepare and execute the professional consultant services agreement not to exceed \$39,670. 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**

E. WILDLAND TRAILS MOU WITH THE CITY OF HIGHLAND AND CITY OF REDLANDS

Mr. Cozad introduced this item for discussion, noting its inclusion beginning on package page 113. A handout of the maps for the MOU was provided. Mr. Cosgrove said that it is a twenty-year agreement and includes a funding split among the City of Redlands, City of Highland, and the District. He reviewed the MOU on package pages 115 to 123. He said that the City of Highland approved the MOU last night at their meeting. Exhibit A Planned Trails and Existing Local Trails and Connections and Exhibit B Planned Wildland Trails were reviewed. Discussion ensued regarding federal and state regulatory requirements. Vice President Corneille said he wanted to have a report on the requirement of CDFW for more mitigation land than allowed for in the Wash Plan for the proposed Highland-Redlands bikeway

interconnection project, which is stalled due to the cost for this additional mitigation land. He said he wanted staff to review how we can help the Cities obtain mitigation lands for this project. Director Raley said he supported the request.

It was moved by Vice President Corneille and second by Director Raley to approve the Trails MOU with attachments A and B, and authorize the Board president to sign it on behalf of the District. 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**

F. DISTRICT BOARD PRIORITIES FOR 2022

The Board Priorities from 2021, included on package page 128, were reviewed. Mr. Cozad discussed each priority and marked off items completed during the previous year. He said that in the five years since the District approved its current Strategic Plan, the District has become more focused on large project with longer timeframes. Mr. Cozad summarized the 2022 goals listed on package page 127. He said that number one, Existing Groundwater Recharge Operations, is a new item. Vice President Corneille said that the Strategic Plan Update should be completed in fiscal year 2022-2023. It was suggested that staff review the dates again on all the priority one items.

It was moved by Director Raley and seconded Vice President Corneille to approve the District Board Priorities for 2022 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**

G. STATEMENT OF INVESTMENT POLICY 2022

This item was included on package page 129 to 138. There were no changes recommended to existing policy.

It was moved by Director Raley and seconded by Director Longville the Statement of Investment Policy as presented for 2022. 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

H. REDISTRICTING UPDATE

This item, on package page 139, was reviewed. Mr. Cosgrove introduced this item for discussion, noting that updated maps have been provided as a handout. The revised maps were also shown via Zoom for public review. Scenario 2: Zip Code Boundary Map included substantial variations in population while Scenario 3: City Boundaries Map had more equal population numbers that are within legal tolerance ranges; thus, the District will focus on Scenario 3 as the basis for any additional scenarios. Mr. Cosgrove reviewed the election code requirements for considering boundary changes. He stated that this is a status update and that there will be a public hearing next month. Discussion ensued regarding boundaries. President McDonald requested that staff reevaluate the scenarios to see if the majority of her boundary can remain in Highland. Staff will revise scenarios and provide them at the February Board meeting. There was no action needed at this time.

7. INFORMATION ITEMS

A. WASH PLAN IMPLEMENTATION

Ms. Miller provided a verbal update. CDFW notified the District on December 28 that they are nearing completion on a second draft of our maintenance SAA that incorporates comments from the District on the initial draft permit provided in November. We are currently awaiting CDFW management review of this second draft. There are no updates on the COE permits. The Regional Water Quality Control Board has not confirmed that our item will be heard at their February meeting, and AECOM is working with them to commit to a hearing date. Ms. Scholte and Ms. Miller have been working closely with AECOM to respond to comments from CDFW on the construction SAA permit. Kick-off meetings were held with AECOM for the Mill Creek Groundwater Recharge Facility Permitting Project and the Vegetation Classification and Mapping Project. Staff submitted version 3.0 of the 2081 permit to CDFW. Staff is reviewing information submitted from Valley Municipal for their certificate of inclusion for the Enhanced Recharge facilities under the Wash Plan. Interviews for the Land Resources Manager position will be held Wednesday and Thursday of next week.

Mr. Cosgrove said that he is providing support to the appraisers on the BLM land exchange and they have obtained comparable information on nearby properties. He said that the appraisers are working with EnviroMine to additional relevant data. He hopes that the appraisal will be complete by the next Board meeting. The appraisal will need to be reviewed by BLM's appraisal directorate and the original appraiser. Director Stewart asked if any of the spineflower are subject to Plunge Creek inundation. Ms. Miller said that the focus of that project was the woolly star, so they are not being incorporated into the restoration program, but staff will identify if there are opportunities to incorporate them. This item was received and filed.

B. MENTONE SHOP IMPROVEMENT STATUS REPORT

Mr. Fogerson provided a verbal update on this item. He said that a 106-page bid package has been sent out for bid as of last week and posted on the District website. The Operations Committee will be able to review any bids received at their next committee meeting on February 4. Staff anticipates the contract will be available for Board consideration at its next Board meeting. This item was received and filed.

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 144 through 148. Mr. Cozad provided a handout of the 2020 Annual Basin Groundwater Report from the San Bernardino Basin Groundwater Council. He thanked Valley Municipal staff for their efforts. The Monthly Recharge Report was included on package page 149. This item was received and filed.

D. FUTURE AGENDA ITEMS AND STAFF TASKS

Vice President Corneille suggested that staff add the Operations Committee quarterly meeting to the Board calendar once they have been set. An ARTP tour was requested by the Policy Committee. Mr. Cozad indicated that if a quorum of the Board wishes to attend, it will have to be noticed as a special meeting. He said that this is a technical tour and requested that any Board member that desires to attend let him know in advance. Director Stewart asked how data on the Plunge Creek Conservation Project operations are being tracked. Ms. Miller indicated that our team collects spatial data on wetted areas after every storm event. Prepare an Agenda item to review the mitigation requirements by CDFW for the Highland-Redland bikeway and how we can help the Cities obtain mitigation lands requested (see item E in minutes)

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

Director Stewart said that he attended the ARTP Policy Committee on January 10, the Conservation Trust on January 5, and Ad Hoc Succession and Transition Committee on December 21.

Director Raley attended the Valley Municipal Board meeting on December 8, Valley Municipal Policy Workshop on December 9, and Valley Municipal Resources Workshop on December 16. He attended the Valley Municipal Board meeting on January 4, Valley Municipal Engineering Workshop on January 11, and Valley Municipal Resources Workshop on January 6. He attended the Conservation Trust meeting on January 5.

Vice President Corneille attended the Valley Municipal Engineering Workshop on December 14 and ARTP Policy Committee on January 10.

Director Longville attended the AdHoc Succession and Transition Committee on December 21, Conservation Trust on January 5, and Conservation District Board meeting on December 8.

President McDonald Valley Municipal Engineering Workshop on January 11, ACWA State Legislative Committee on January 7, Valley Municipal Resources Workshop on January 6, and WIFIA/ACWA Board meetings on January 5. She attended the Valley Municipal Board meeting on January 4, Valley Municipal Policy Workshop on December 29, and ASBCSD Special Districts Board meeting on January 13. She attended the Valley Municipal Engineering Workshop on December 14 and Valley Municipal Policy Workshop on December 9.

9. UPCOMING MEETINGS

There were none discussed.

10. CLOSED SESSION

It was moved by Director Longville and seconded by President McDonald to adjourn to Closed Session. 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**

General Counsel announced that the meeting would adjourn to a closed session under posted agenda items.

At 5:01 pm. the meeting reconvened into open session. Mr. Cosgrove noted that there was no reportable action.

11. ADJOURN MEETING

It was moved by Vice President Corneille and seconded by Director Stewart 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 5:02 pm. the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on February 9, 2022, in-person, teleconference, and Zoom meeting.

Daniel B. Cozad
General Manager

San Bernardino Valley Water Conservation District
Expenditure Report
January 2022

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
PC 01.12.22	01/12/2022	Paychex	1012 - Citizens Business Bank		-364.78
			6042 - Payroll Processing	4-General Fund Ent.	364.78
TOTAL					<u>364.78</u>
PC 01.26.22	01/26/2022	Paychex	1012 - Citizens Business Bank		-120.47
			6042 - Payroll Processing	4-General Fund Ent.	120.47
TOTAL					<u>120.47</u>
23264	01/04/2022	Citizens Business Bank	1012 - Citizens Business Bank		-5,757.64
	12/13/2021		5215 - Property Maintenance	1-Groundwater Ent.	43.37
			5215 - Property Maintenance	3-Land Resources	10.84
			5310 - Vehicle Maintenance	1-Groundwater Ent.	93.50
			6001 - General Administration - Other	4-General Fund Ent.	299.29
			6001 - General Administration - Other	1-Groundwater Ent.	299.29
			6002 - Website Administration	4-General Fund Ent.	365.00
			6016 - Redlands Plaza Maintenance	2-Redlands Plaza/Mentone Ent.	110.00
			6027 - Computer Software	4-General Fund Ent.	165.30
			6027 - Computer Software	1-Groundwater Ent.	11.02
			6027 - Computer Software	2-Redlands Plaza/Mentone Ent.	22.04
			6027 - Computer Software	3-Land Resources	22.04
			6030 - Office Supplies	4-General Fund Ent.	337.40
			6030 - Office Supplies	1-Groundwater Ent.	21.09
			6030 - Office Supplies	2-Redlands Plaza/Mentone Ent.	42.17
			6030 - Office Supplies	3-Land Resources	21.09
			6036 - Printing	4-General Fund Ent.	870.00
			6036 - Printing	1-Groundwater Ent.	696.00
			6036 - Printing	3-Land Resources	174.00
			6039 - Postage and Overnight Delivery	4-General Fund Ent.	5.90
			6039 - Postage and Overnight Delivery	4-General Fund Ent.	45.18
			6039 - Postage and Overnight Delivery	1-Groundwater Ent.	20.54
			6039 - Postage and Overnight Delivery	2-Redlands Plaza/Mentone Ent.	8.22
			6039 - Postage and Overnight Delivery	3-Land Resources	8.22
			6051 - Uniforms	4-General Fund Ent.	167.54
			6051 - Uniforms	1-Groundwater Ent.	390.93
			6430 - Lodging	4-General Fund Ent.	588.69
			6435 - Conf/Seminar Registrations	4-General Fund Ent.	450.00
			6530 - Lodging	4-General Fund Ent.	250.37
			6530 - Lodging	1-Groundwater Ent.	194.73
			6530 - Lodging	3-Land Resources	111.28
			6535 - Conf/Seminar Registrations	4-General Fund Ent.	173.25
			6535 - Conf/Seminar Registrations	1-Groundwater Ent.	134.75
			6535 - Conf/Seminar Registrations	3-Land Resources	77.00
TOTAL					<u>6,230.04</u>
23265	01/04/2022	Corneille, Richard	1012 - Citizens Business Bank		-300.53
	01/04/2022		6410 - Mileage	4-General Fund Ent.	34.72
			6530 - Lodging	4-General Fund Ent.	265.81
TOTAL					<u>300.53</u>
23266	01/04/2022	Diamond Environmental Services, Inc	1012 - Citizens Business Bank		-110.81
	12/17/2021		5223 - Temp. Field Labor	1-Groundwater Ent.	110.81
TOTAL					<u>110.81</u>
23267	01/04/2022	Frontier-7275	1012 - Citizens Business Bank		-118.13
	12/19/2021		5440 - Telephone	4-General Fund Ent.	30.20
			5440 - Telephone	1-Groundwater Ent.	12.94
			5470 - Internet Services	4-General Fund Ent.	37.50
			5470 - Internet Services	1-Groundwater Ent.	22.50
			5470 - Internet Services	2-Redlands Plaza/Mentone Ent.	3.75
			5470 - Internet Services	3-Land Resources	11.24
TOTAL					<u>118.13</u>
23268	01/04/2022	JAN-PRO Cleaning Systems of Ontario	1012 - Citizens Business Bank		-700.00

**San Bernardino Valley Water Conservation District
Expenditure Report
January 2022**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
	01/01/2022		6018 - Janitorial Services	4-General Fund Ent.	700.00
TOTAL					700.00
23269	01/04/2022	Mikael Romich	1012 - Citizens Business Bank		0.00
TOTAL					0.00
23270	01/04/2022	Partner Engineering and Science, Inc.	1012 - Citizens Business Bank		-3,000.00
	09/30/2021		5120 - Misc. Professional Services	3-Land Resources	3,000.00
TOTAL					3,000.00
23271	01/04/2022	Redlands Plumbing, Inc.	1012 - Citizens Business Bank		-1,112.00
	12/17/2021		6016 - Redlands Plaza Maintenance	2-Redlands Plaza/Mentone Ent.	1,112.00
TOTAL					1,112.00
23272	01/04/2022	WEX Bank-Valero	1012 - Citizens Business Bank		-1,293.64
	12/23/2021		5320 - Fuel	1-Groundwater Ent.	1,293.64
TOTAL					1,293.64
23273	01/19/2022	AAA Alarm Systems, Inc.	1012 - Citizens Business Bank		-165.00
	01/10/2022		5410 - Alarm Service	4-General Fund Ent.	82.50
			5410 - Alarm Service	1-Groundwater Ent.	82.50
TOTAL					165.00
23274	01/19/2022	ACWA JPIA - Workers Comp	1012 - Citizens Business Bank		-4,156.40
	01/06/2022		6120 - Workers' Comp. Insurance	4-General Fund Ent.	540.33
			6120 - Workers' Comp. Insurance	1-Groundwater Ent.	1,870.38
			6120 - Workers' Comp. Insurance	2-Redlands Plaza/Mentone Ent.	166.26
			6120 - Workers' Comp. Insurance	3-Land Resources	415.64
			6120 - Workers' Comp. Insurance	5-Wash Plan	290.95
			6120 - Workers' Comp. Insurance	6-Active Recharge TP	872.84
TOTAL					4,156.40
23275	01/19/2022	ACWA/JPIA-Health	1012 - Citizens Business Bank		-19,557.94
	01/06/2022		6110 - Vision Insurance	4-General Fund Ent.	30.76
			6110 - Vision Insurance	1-Groundwater Ent.	106.47
			6110 - Vision Insurance	2-Redlands Plaza/Mentone Ent.	9.46
			6110 - Vision Insurance	3-Land Resources	23.66
			6110 - Vision Insurance	5-Wash Plan	16.56
			6110 - Vision Insurance	6-Active Recharge TP	49.69
			6130 - Dental Insurance	4-General Fund Ent.	110.42
			6130 - Dental Insurance	1-Groundwater Ent.	382.23
			6130 - Dental Insurance	2-Redlands Plaza/Mentone Ent.	33.98
			6130 - Dental Insurance	3-Land Resources	84.94
			6130 - Dental Insurance	5-Wash Plan	59.46
			6130 - Dental Insurance	6-Active Recharge TP	178.37
			6150 - Medical Insurance	4-General Fund Ent.	2,401.35
			6150 - Medical Insurance	1-Groundwater Ent.	8,312.37
			6150 - Medical Insurance	2-Redlands Plaza/Mentone Ent.	738.88
			6150 - Medical Insurance	3-Land Resources	1,847.19
			6150 - Medical Insurance	5-Wash Plan	1,293.04
			6150 - Medical Insurance	6-Active Recharge TP	3,879.11
TOTAL					19,557.94
23276	01/19/2022	Assoc. San Bernardino County Special Dist	1012 - Citizens Business Bank		-69.00
	01/13/2022		6425 - Meals	4-General Fund Ent.	69.00
TOTAL					69.00
23277	01/19/2022	Best Iron Works	1012 - Citizens Business Bank		-1,468.12
	11/08/2021		6016 - Redlands Plaza Maintenance	2-Redlands Plaza/Mentone Ent.	1,468.12
TOTAL					1,468.12
23278	01/19/2022	Big Bear Grizzly	1012 - Citizens Business Bank		-60.00

**San Bernardino Valley Water Conservation District
Expenditure Report
January 2022**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
TOTAL	01/11/2022		6090 - Subscriptions/Publications	4-General Fund Ent.	60.00
					<u>60.00</u>
23279	01/19/2022	Brownstein Hyatt Farber Schreck, LLP	1012 - Citizens Business Bank		-15,375.00
TOTAL	01/13/2022		5122 - Wash Plan Professional Services	5-Wash Plan	15,375.00
					<u>15,375.00</u>
23280	01/19/2022	Castro Landscaping Services	1012 - Citizens Business Bank		-250.00
TOTAL	12/30/2021		6026 - Redlands Plaza CAM expenses	2-Redlands Plaza/Mentone Ent.	250.00
					<u>250.00</u>
23281	01/19/2022	Corneille, Richard	1012 - Citizens Business Bank		-15.00
TOTAL	01/10/2022		6520 - Travel, Other (rental car, taxi	4-General Fund Ent.	15.00
					<u>15.00</u>
23282	01/19/2022	Day Lite Maintenance, Inc.	1012 - Citizens Business Bank		-156.00
TOTAL	01/01/2022		6026 - Redlands Plaza CAM expenses	2-Redlands Plaza/Mentone Ent.	156.00
					<u>156.00</u>
23283	01/19/2022	Diamond Environmental Services, Inc	1012 - Citizens Business Bank		-455.51
TOTAL	01/05/2022		5460 - Water / Trash / Sewer	4-General Fund Ent.	44.39
			5460 - Water / Trash / Sewer	1-Groundwater Ent.	35.51
			5460 - Water / Trash / Sewer	3-Land Resources	8.88
			5223 - Temp. Field Labor	1-Groundwater Ent.	366.73
					<u>455.51</u>
23284	01/19/2022	Edison - 6256 (Redlands Plaza)	1012 - Citizens Business Bank		-182.17
TOTAL	12/30/2021		6026 - Redlands Plaza CAM expenses	2-Redlands Plaza/Mentone Ent.	182.17
					<u>182.17</u>
23285	01/19/2022	Edison - 6493	1012 - Citizens Business Bank		-61.29
TOTAL	01/11/2022		5420 - Electricity	4-General Fund Ent.	17.16
			5420 - Electricity	1-Groundwater Ent.	12.26
			5420 - Electricity	2-Redlands Plaza/Mentone Ent.	31.87
					<u>61.29</u>
23286	01/19/2022	Edison - 8958	1012 - Citizens Business Bank		-370.02
TOTAL	01/07/2022		5420 - Electricity	4-General Fund Ent.	103.61
			5420 - Electricity	1-Groundwater Ent.	74.00
			5420 - Electricity	2-Redlands Plaza/Mentone Ent.	192.41
					<u>370.02</u>
23287	01/19/2022	Edison - 9779	1012 - Citizens Business Bank		-220.92
TOTAL	12/30/2021		5420 - Electricity	4-General Fund Ent.	61.86
			5420 - Electricity	1-Groundwater Ent.	44.18
			5420 - Electricity	2-Redlands Plaza/Mentone Ent.	114.88
					<u>220.92</u>
23288	01/19/2022	Empire Disposal	1012 - Citizens Business Bank		-173.39
TOTAL	12/31/2021		5460 - Water / Trash / Sewer	4-General Fund Ent.	86.70
			5460 - Water / Trash / Sewer	1-Groundwater Ent.	69.35
			5460 - Water / Trash / Sewer	3-Land Resources	17.34
					<u>173.39</u>
23289	01/19/2022	Frontier-4860	1012 - Citizens Business Bank		-433.13
TOTAL	12/28/2021		5440 - Telephone	4-General Fund Ent.	236.70
			5440 - Telephone	1-Groundwater Ent.	101.45
			5470 - Internet Services	4-General Fund Ent.	47.49
			5470 - Internet Services	1-Groundwater Ent.	28.49

**San Bernardino Valley Water Conservation District
Expenditure Report
January 2022**

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
			5470 - Internet Services	2-Redlands Plaza/Mentone Ent.	4.75
			5470 - Internet Services	3-Land Resources	14.25
TOTAL					<u>433.13</u>
23290	01/19/2022	HCC Surety Group	1012 - Citizens Business Bank		-1,815.00
	01/13/2022		6010 - Surety Bond	3-Land Resources	1,815.00
TOTAL					<u>1,815.00</u>
23291	01/19/2022	Home Depot Credit Services	1012 - Citizens Business Bank		-123.16
	12/28/2021		5210 - Equipment Maintenance	1-Groundwater Ent.	23.50
			5215 - Property Maintenance	1-Groundwater Ent.	79.73
			5215 - Property Maintenance	3-Land Resources	19.93
TOTAL					<u>123.16</u>
23292	01/19/2022	IERCD	1012 - Citizens Business Bank		-6,854.66
	12/28/2021		5123 - Habitat Management-WP	5-Wash Plan	2,459.23
	12/28/2021		5123 - Habitat Management-WP	5-Wash Plan	4,395.43
TOTAL					<u>6,854.66</u>
23293	01/19/2022	Lowe's Companies, Inc.	1012 - Citizens Business Bank		-135.05
	12/25/2021		5210 - Equipment Maintenance	1-Groundwater Ent.	97.37
			6016 - Redlands Plaza Maintenance	2-Redlands Plaza/Mentone Ent.	37.68
TOTAL					<u>135.05</u>
23294	01/19/2022	Mikael Romich	1012 - Citizens Business Bank		-36,967.58
	12/29/2021		5120 - Misc. Professional Services	3-Land Resources	307.58
			5123 - Habitat Management-WP	5-Wash Plan	36,660.00
TOTAL					<u>36,967.58</u>
23295	01/19/2022	Netsteller	1012 - Citizens Business Bank		-657.25
	01/01/2022		6027 - Computer Software	4-General Fund Ent.	155.43
			6027 - Computer Software	1-Groundwater Ent.	10.36
			6027 - Computer Software	2-Redlands Plaza/Mentone Ent.	20.73
			6027 - Computer Software	3-Land Resources	20.73
	01/01/2022		5160 - IT Support	4-General Fund Ent.	180.00
			5160 - IT Support	1-Groundwater Ent.	225.00
			5160 - IT Support	3-Land Resources	45.00
TOTAL					<u>657.25</u>
23296	01/19/2022	ReadyRefresh by Nestle	1012 - Citizens Business Bank		-37.41
	12/28/2021		5460 - Water / Trash / Sewer	4-General Fund Ent.	18.71
			5460 - Water / Trash / Sewer	1-Groundwater Ent.	14.96
			5460 - Water / Trash / Sewer	3-Land Resources	3.74
TOTAL					<u>37.41</u>
23297	01/19/2022	State Water Resources Control Board	1012 - Citizens Business Bank		-2,354.00
	01/05/2022		1700 - Work in Progress	1-Groundwater Ent.	2,031.00
	01/05/2022		6006 - Permits	1-Groundwater Ent.	323.00
TOTAL					<u>2,354.00</u>
23298	01/19/2022	Terminix	1012 - Citizens Business Bank		-86.00
	12/16/2021		6026 - Redlands Plaza CAM expenses	2-Redlands Plaza/Mentone Ent.	86.00
TOTAL					<u>86.00</u>
23299	01/19/2022	WEX Bank-Shell	1012 - Citizens Business Bank		-508.36
	01/06/2022		5320 - Fuel	1-Groundwater Ent.	508.36
TOTAL					<u>508.36</u>
23300	01/19/2022	Wilbur's	1012 - Citizens Business Bank		-234.36
	12/29/2021		5215 - Property Maintenance	1-Groundwater Ent.	107.85

San Bernardino Valley Water Conservation District
Expenditure Report
January 2022

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
			5215 - Property Maintenance	3-Land Resources	26.96
			5210 - Equipment Maintenance	1-Groundwater Ent.	99.55
TOTAL					<u>234.36</u>
23301	01/19/2022	Xerox Financial Services	1012 - Citizens Business Bank		-337.44
	01/02/2022		6033 - Office Equipment Rental	4-General Fund Ent.	253.08
			6033 - Office Equipment Rental	1-Groundwater Ent.	16.87
			6033 - Office Equipment Rental	2-Redlands Plaza/Mentone Ent.	50.62
			6033 - Office Equipment Rental	3-Land Resources	16.87
TOTAL					<u>337.44</u>
100293N	01/11/2022	PERS	1012 - Citizens Business Bank		-31,630.73
			6170 - PERS Retirement	4-General Fund Ent.	3,212.92
			6170 - PERS Retirement	1-Groundwater Ent.	11,121.65
			6170 - PERS Retirement	2-Redlands Plaza/Mentone Ent.	988.59
			6170 - PERS Retirement	3-Land Resources	2,471.48
			6170 - PERS Retirement	5-Wash Plan	1,730.03
			6170 - PERS Retirement	6-Active Recharge TP	5,190.10
			6170 - PERS Retirement	4-General Fund Ent.	899.07
			6170 - PERS Retirement	1-Groundwater Ent.	3,112.18
			6170 - PERS Retirement	2-Redlands Plaza/Mentone Ent.	276.64
			6170 - PERS Retirement	3-Land Resources	691.60
			6170 - PERS Retirement	5-Wash Plan	484.12
			6170 - PERS Retirement	6-Active Recharge TP	1,452.35
TOTAL					<u>31,630.73</u>
100294N	01/26/2022	PERS	1012 - Citizens Business Bank		-24,714.80
			6170 - PERS Retirement	4-General Fund Ent.	3,212.92
			6170 - PERS Retirement	1-Groundwater Ent.	11,121.66
			6170 - PERS Retirement	2-Redlands Plaza/Mentone Ent.	988.59
			6170 - PERS Retirement	3-Land Resources	2,471.48
			6170 - PERS Retirement	5-Wash Plan	1,730.04
			6170 - PERS Retirement	6-Active Recharge TP	5,190.11
TOTAL					<u>24,714.80</u>
100295N	01/31/2022	PERS	1012 - Citizens Business Bank		-5,697.39
			6170 - PERS Retirement	4-General Fund Ent.	740.66
			6170 - PERS Retirement	1-Groundwater Ent.	2,563.83
			6170 - PERS Retirement	2-Redlands Plaza/Mentone Ent.	227.90
			6170 - PERS Retirement	3-Land Resources	569.74
			6170 - PERS Retirement	5-Wash Plan	398.82
			6170 - PERS Retirement	6-Active Recharge TP	1,196.44
TOTAL					<u>5,697.39</u>

San Bernardino Valley Water Conservation District
Director Fees Expenditure Payroll Report
January 2022

Pay Date	Name	For Period	Director Fees	Taxes Withheld	Check Amt
1/12/2022	Corneille, R	Dec-22	\$ 1,175.00	\$ 137.24	\$ 1,037.76
1/26/2022	McDonald, M	Jan-22	\$ 2,214.00	\$ 252.80	\$ 1,961.20
1/26/2022	Raley, D	Nov-22	\$ 235.00	\$ 235.00	\$ -



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1832

To: Board of Directors

From: Betsy Miller, Land Resources Manager/Assistant General Manager

Date: February 9, 2022

Subject: Amendment 1 to the Mill Creek Groundwater Recharge Facility Operations & Maintenance Permitting Professional Services Contract Award

RECOMMENDATION

Staff recommends that the Board 1) Amend the Mill Creek Groundwater Recharge Facility Operations and Maintenance Permitting Professional Services Contract with AECOM to authorize Optional Task 3f to conduct a long-term wetland study at the Mill Creek spreading grounds.

BACKGROUND AND DISCUSSION

On November 10, 2021, the Board approved the Mill Creek Groundwater Recharge Facility Operations and Maintenance Permitting Professional Services Contract with AECOM to evaluate the need for and obtain, where necessary, permits from the Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers (USACE), and U.S. Fish and Wildlife Service (USFWS) for continued operation and maintenance of these facilities. During presentation of the item, staff noted that several optional tasks were included in the project proposal which would only be authorized if necessary to respond to specific information requests from the permitting agencies.

This amendment will authorize a long-term wetland study at the Mill Creek spreading grounds in order to respond to comments received from the Santa Ana Regional Water Quality Control Board in regard to our ability to utilize a permitting exemption for groundwater recharge facilities. The study will include up to nine months of bi-weekly to monthly assessments of duration of inundation, evaluation of anaerobic soils, and vegetation surveys to evaluate the extent of anaerobic soils and hydrophytic vegetation which occurs at these seasonally inundated basins.

An additional amendment related to authorization of optional biological survey tasks may be brought before the Board in March, following a field reconnaissance survey and discussions with CDFW and USFWS which are scheduled for February.

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

FISCAL IMPACT

The recommended action would result in the expenditure of up to \$12,552, funded through the Groundwater Charge and associated Reserves and Land Resources enterprise. This action would bring the total expenditure for this project to \$262,738.

ATTACHMENTS OR MATERIALS

Scope of Work, Schedule, and Cost for Optional Task 3f in AECOM's Proposal for Mill Creek Groundwater Recharge Facility Operations & Maintenance Permitting

ATTACHMENT A

Scope of Work for Optional Task 3f – Conduct Long-Term Wetland Study at Mill Creek Basins

Preparation of applicable data sheets, GIS mapping, and hydrology analysis utilizing data collected in the field as well as Conservation District records. Fieldwork will take place over nine to twelve months (depending on basin inundation), and will include up to nine months of bi-weekly to monthly assessments of duration of inundation, evaluation of anaerobic soils, and vegetation surveys to evaluate the extent of anaerobic soils and hydrophytic vegetation which occurs at the seasonal wetland basins. This work is in addition to the standard one-week wetland delineation, which is included in the current contract.

Schedule

Actions related to Optional Task 3f will be conducted from March 2022 through February 2023.

Cost

The cost for Optional Task 3f is \$12,552.

RESOLUTION NO. 595

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
ADOPTING REVISIONS TO
THE BOARD POLICY MANUAL AND
REVISIONS TO BOARD POLICY**

WHEREAS, The Board of Directors (Board) of the San Bernardino Valley Water Conservation District as required by Ordinance No. 2014-1 must pass by resolution and adopt any revisions made to the Board Policy Manual of the Board of Directors of the San Bernardino Valley Water Conservation District; and

WHEREAS, the Board of Directors met on January 12, 2022 and revised its Board Policy Manual Appendix C; and

WHEREAS, the Board revised Appendix C appointing Director Stewart as primary for the Basin Technical Advisory Committee and President McDonald as the alternate District representatives; and

WHEREAS, the Board revised Appendix C to remove the San Bernardino Valley Municipal Water District (SBVMWD) Advisory Commission on Water Policy since it has been disbanded and add the Upper SAR Water Forum, appointing Vice President Corneille as primary and Director Raley as the alternate District representatives; and

WHEREAS, the Board added the SBVMWD Policy Workshop and Resources Workshop to Appendix C, appointing Director Longville as primary and Director Stewart as alternate District representatives for Policy Workshop and Director Raley as primary and President McDonald as the alternate District representatives for the Resources Workshop; and

WHEREAS, the Board revised Appendix C to rename the Partnership Agreement Policy Committee to ARTP Policy Committee with no changes to primary or alternate District representatives.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of San Bernardino Valley Water Conservation District does hereby adopt revisions to the Board Policy Manual as follows:

- A. Board Policy Manual Appendix C was revised and updated.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors this 9th day of February 2022, by the following vote:

YES: DIRECTORS:
NO: DIRECTORS:
ABSTAIN: DIRECTORS:
ABSENT: DIRECTORS:

Melody McDonald, President

ATTEST:

Daniel B. Cozad, Secretary

RESOLUTION NO. 595

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
ADOPTING REVISIONS TO
THE BOARD POLICY MANUAL AND
REVISIONS TO BOARD POLICY**

WHEREAS, The Board of Directors (Board) of the San Bernardino Valley Water Conservation District as required by Ordinance No. 2014-1 must pass by resolution and adopt any revisions made to the Board Policy Manual of the Board of Directors of the San Bernardino Valley Water Conservation District; and

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WHEREAS, the Board added the SBVMWD Policy Workshop and Resources Workshop to Appendix C, appointing Director Longville as primary and Director Stewart as alternate District representatives for Policy Workshop and Director Raley as primary and President McDonald as the alternate District representatives for the Resources Workshop; and

WHEREAS, the Board revised Appendix C to rename the Partnership Agreement Policy Committee to ARTP Policy Committee with no changes to primary or alternate District representatives.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of San Bernardino Valley Water Conservation District does hereby adopt revisions to the Board Policy Manual as follows:

- A. Board Policy Manual Appendix C was revised and updated.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors this 9th day of February 2022, by the following vote:

YES: DIRECTORS:
NO: DIRECTORS:
ABSTAIN: DIRECTORS:
ABSENT: DIRECTORS:

Melody McDonald, President

ATTEST:

Daniel B. Cozad, Secretary

RESOLUTION NO. 596

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT REGARDING A STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE DISTRICT'S BOARD OF DIRECTORS FOR THE THIRTY DAY PERIOD BEGINNING FEBRUARY 9, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the San Bernardino Valley Water Conservation District ("District") is committed to preserving and promoting public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District's Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code secs. 54950 et seq.), so that any member of the public may attend, participate, and watch the District's Board conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency exists caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the District's Board of Directors on or about October 13, 2021, passed its Resolution No. 592, and November 10, 2021 passed its Resolution No. 593 making findings consistent with Government Code section 54953(e), and authorizing

WHEREAS, such conditions now exist in the District, specifically, the District remains in an emergency state with respect to COVID-19, particularly given the impact of the recently prevalent Omicron variant, whose transmissibility exceeds that of prior variants, and continues to cause hospitalizations and deaths, particularly among unvaccinated populations, including vulnerable younger segments of the populations who are only recently eligible or remain ineligible, for vaccination; and

WHEREAS, as of January 27, 2022, the San Bernardino County Public Health Administration reported 513,418 confirmed cases of COVID and 6,250 deaths, with daily case rates having risen 7% since the previous day, and reported cases, which hovered at or below 1000 cases per day in the latter half of 2021, now routinely occur at between 2,000 and over 7,000 per day, indicating that the threat of transmission and infection from Omicron remains critical; and

WHEREAS, that same agency and health agencies statewide continue to recommend social distancing measures to prevent the spread of the infectious virus, particularly for persons who are unvaccinated; and

WHEREAS, the Board of Directors does hereby find that ongoing threats of infection from COVID-19, particularly given the complicating factors of the highly contagious Omicron variant, and the impact of it and all other COVID-19 virus strains upon segments of the population, especially the unvaccinated, has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District; and

WHEREAS, because of the emergency, the Board of Directors does hereby find that it shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the District shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the District is making its meetings open and accessible to the public through Zoom telephonic and internet-based remote participation vehicles, and in the conduct of its meetings, will comply with the restrictions upon same set out in A.B. 361, and its amendments to Government Code section 54953;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby finds that a local emergency now exists throughout the District in connection with COVID-19 and its continuing risk of infection transmission, particularly in indoor spaces among unvaccinated persons; and such infections can be and are carried to vulnerable and unvaccinated segments of the population even by vaccinated persons.

Section 3. Remote Teleconference Meetings. The staff and General Manager of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of March 11 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the San Bernardino Valley Water Conservation District this 9th day of February 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Melody McDonald, President

ATTEST:

Daniel B. Cozad, Secretary

SBWCD Groundwater Assessment Re

GWA Number **57**

Period July 1, 2021 to December 31, 2021

Ag/NonAgRate

\$14.54

Sustainability Rate

\$4.41

Owner	RecordationNumber	StateWellNumber	LocalName	Ag-Production	Ag Pymt	Non-AgProduction	Non-Ag Pymt	Amount Paid
AHD Limited								
	3601632	2S3W05A02S	Clock Canyon/Marcum Well					
Arrowhead Country Club								
	3601925	1N4W23E	1					
Calvary Chapel Packinghouse								
	3600449	01S03W20A	Bell Well	0.00	\$0.00	0.18	\$3.41	
	3603919		Calvary Well	0.00	\$0.00	36.64	\$694.33	
					\$0.00	\$535.36/\$162.38		<u>\$697.74</u>
Cemex USA								
	3601420	1S3W09E02S	Alabama Street 2	0.00	\$0.00	27.50	\$521.13	
	3603653	1S3W10J2S	Orange Street	0.00	\$0.00	327.10	\$6,198.55	
					\$0.00	\$5,155.88/\$1,563.80		<u>\$6,719.68</u>
DRC Industrial CBC 1, LP (So Cal Real Estate Serv								
	3601352	1S3W19N	Langford	0.00	\$0.00	64.85	\$1,228.91	
					\$0.00	\$942.92/\$285.99		<u>\$1,228.91</u>
Gage Canal Company								
	3600788	1S4W23H01S	27-1	316.00	\$4,594.64	49.00	\$712.46	
	3602331	1S4W23G03S	66-1	1214.00	\$17,651.56	187.00	\$2,718.98	
	3600796	1S4W23A05S	51-1	532.00	\$7,735.28	82.00	\$1,192.28	
	3600787	1S4W23A02S	26-1	352.00	\$5,118.08	54.00	\$785.16	

GWA Number **57**

Period July 1, 2021 to December 31, 2021

Ag/NonAg Rate **\$14.54**Sustainability Rate **\$4.41**

Owner	RecordationNumber	StateWellNumber	LocalName	Ag-Production	Ag Pymt	Non-AgProduction	Non-Ag Pymt	Amount Paid
	3600789	1S4W23K01S	27-2	360.00	\$5,234.40	55.00	\$799.70	
	3603728	01S04W23A06S	Gage 98-1	1365.00	\$19,847.10	210.00	\$3,053.40	
	3600798	1S4W23G01S	Cowlane	0.00	\$0.00	0.00	\$0.00	
	3600790	1S4W23K02S	29-1	0.00	\$0.00	0.00	\$0.00	
					\$60,181.06		\$9,261.98	\$69,443.04
George Everett								
	WP0003068		Everett Well	0.00	\$0.00	0.00	\$0.00	
					\$0.00		\$0.00	\$0.00
Jack Dangermond								
	3602188	01S02W29K01	Rancho Ladera Roladera	0.00	\$0.00	0.00	\$0.00	
					\$0.00		\$0.00	\$0.00
Meeks & Daley Water Co.								
	3603903	1S4W22H04S	Warren 1	0.00	\$0.00	0.00	\$0.00	
		01S04W22A01S	Warren 4R	0.00	\$0.00	0.00	\$0.00	
	3601238	1S4W23C03S	Raub 4R	0.00	\$0.00	0.00	\$0.00	
	3603215	1S4W15M11S	Station 91	0.40	\$5.82	0.00	\$0.00	
	3603905	1S4W14N115S	Raub 8	0.00	\$0.00	90.40	\$1,314.42	
	3602864	1S4W14N10S	Raub 6	0.00	\$0.00	586.40	\$8,526.26	
	3602484	1S4W14N09S	Raub 5R	0.00	\$0.00	313.80	\$4,562.65	
	3601887	1S4W15L03S	Station 59	0.60	\$8.72	0.00	\$0.00	
			Raub 7	0.00	\$0.00	286.50	\$4,165.71	
					\$14.54		\$18,569.04	\$18,583.58
Monte LLC (Dangermond)								
	3600493	01S03W29K	New Well	22.68	\$429.79	0.00	\$0.00	

GWA Number **57**

Period July 1, 2021 to December 31, 2021

Ag/NonAg Rate **\$14.54**Sustainability Rate **\$4.41**

Owner	RecordationNumber	StateWellNumber	LocalName	Ag-Production	Ag Pymt	Non-AgProduction	Non-Ag Pymt	Amount Paid
					\$329.77/\$100.02		\$0.00	<u>\$429.79</u>
Montecito Memorial Park and Mortuary								
	3600119	1S4W26F01S	1	110.60	\$2,095.87	0.00	\$0.00	
	3603949	1S4W26F	2	110.60	\$2,095.87	0.00	\$0.00	
					\$3,216.25/\$975.49		\$0.00	<u>\$4,191.74</u>
Mountainview Generating Station								
	3603795	01S03W18N06S	Edison Mid Aquifer Well A	0.00	\$0.00	186.20	\$3,528.49	
	3601015	1S3W18N02S	SB STMP2 67 (DW#1)	0.00	\$0.00	1.70	\$32.22	
	3603796	01S03W18N01S	Edison Mid Aquifer Well B	0.00	\$0.00	482.30	\$9,139.59	
	3601014	1S3W18N03S	SB STPM 66 (DW#2)	0.00	\$0.00	143.20	\$2,713.64	
					\$0.00	\$11,826.84/\$3,587.10		<u>\$15,413.94</u>
National Orange Show								
	3601924	1S4W15D		0.00	\$0.00	44.83	\$849.53	
					\$0.00	\$651.83/\$197.70		<u>\$849.53</u>
San Bernardino County								
	3603900	1S2W8A2	Seven Oaks Dam Domestic	0.00	\$0.00	0.00	\$0.00	
			Lovell Fire Suppression Wel	0.00	\$0.00	0.00	\$0.00	
					\$0.00		\$0.00	<u>\$0.00</u>
Tennessee Water Company								
	3600474	1S3W16L	1	0.00	\$0.00	0.00	\$0.00	
					\$0.00		\$0.00	<u>\$0.00</u>
TIAA-CREF Financial Services								
	3600757	1S3W19L	Mission Marigold/Well 2	0.00	\$0.00	0.00	\$0.00	
					\$0.00		\$0.00	<u>\$0.00</u>

GWA Number **57**

Period July 1, 2021 to December 31, 2021

Ag/NonAg Rate **\$14.54**

Sustainability Rate **\$4.41**

Owner	RecordationNumber	StateWellNumber	LocalName	Ag-Production	Ag Pymt	Non-AgProduction	Non-Ag Pymt	Amount Paid
University of California, Riverside								
	3601222	1S4W27A11S	Hunt 6	0.00	\$0.00	0.00	\$0.00	
	3601245	1S4W27A10S	Hunt 11	0.00	\$0.00	0.00	\$0.00	
	3601244	1S4W27A09S	Hunt 10	0.00	\$0.00	0.00	\$0.00	
					\$0.00	\$0.00		\$0.00
Total Ag Payment:		\$63,741.62	Total Non-Ag Payment:		\$46,943.85	Total Sustainability		\$6,872.48

SBVWCD Board Priorities 2022

Priorities are special efforts or emphasis items for the General Manager and staff. These are in addition to core mission elements such as water spreading, conservation, and policy principals such as collaboration, transparency, sustainability and safety.*

No.	Area or Item	Board Priority	Projected Completion	Resource Needs	Links to	Plan Goal #
1	Existing Groundwater Recharge Operations	1	Ongoing	👉👉👉 \$\$\$	⇒	1
2	Active Recharge Transfer Projects Feasibility Studies	1	Jun-23	👉👉👉 \$\$\$	⇒	1
3	ARTP Final Design (selected site)	1	Nov-23	👉👉👉 \$\$\$	⇒	1
4	Mill Creek Diversion Permits (408, 401, 404, 1600, ESA)	1	Apr-22	👉👉 \$\$\$	⇒	1
5	Mill Creek Diversion Construction	1	Dec-22	👉👉👉 \$\$	NEW	1
6	Wash Plan Permit State and Waters Permits Issued	1	May-22	👉👉👉 \$\$	⇒	4
7	Wash Plan - Land Exchange MOU Appraisal and ROW	1	Jun-22	👉👉👉 \$	⇒	4
8	2020 Census Based Redistricting	1	Mar-22	👉 \$	⇒	2
9	Wash Plan Natural Resources Management Plan	1	Jul-22	👉 \$	NEW	4
10	Mentone Shop Study Approved, Design, Permitting	2	Jul-22	👉👉 \$\$	⇒	1
11	Mentone Shop Construction	2	Jul-23	👉👉 \$\$	⇒	1
12	Mill Creek Operations Permitting	2	May-23	👉👉 \$\$	⇒	1
13	Wash Plan Trails MOU Approval	2	Mar-22	👉👉👉 \$	⇒	3
14	Five-Year Strategic Plan	3	Dec-22	👉👉 \$\$	NEW	N/A
15	Community Mitigation Conservation Easements	3	Dec-22	👉👉 \$\$	⇒	4
16	ARTP Final Design (remaining sites)	3	Dec-25	👉👉👉 \$\$\$	NEW	1/2

Priority Key		Staffing and Program Key		
1	Must Do in 2022/23 as noted	active Staffing Need	👉 -- 👉👉👉	Groundwater
2	Do based on resources	active Financial Cost	\$ -- \$\$\$	Land/Wash Plan
3	If possible, as needed	Ongoing or New Links	⇒ or NEW	District/GFE

* District Mission and Policy Principles are shown on the District website, boardroom and offices.



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1833

To: Board of Directors

From: General Manager, Daniel Cozad

Date: February 9, 2022

Subject: 2nd Quarter Financials for 2021-2022

RECOMMENDATION

The Finance & Administration Committee recommends the Board approve the 2nd Quarter Financials for 2021-2022 as presented.

BACKGROUND

The Finance & Administration Committee met on January 26, 2022, to review the Second Quarter Unaudited Financials. Clarification was requested for projected annual costs of GL 6000 General Administration. No changes were recommended.

DISCUSSION

Interest Income remains well below budget due to continued depression of interest rates due to the COVID-19 pandemic responses. However, the Fed has indicated the intention to raise rates over the next few two quarters. Total groundwater revenue is anticipated to be in line with the budget. Redlands Plaza and Redlands Plaza CAM revenue is under budget as deferred lease payments reimbursed along with delinquent tenant Red Dragonfly Spa. Some correction is expected with grant funds received to assist past due lease payments. GL 6000 General Administration Expenses are increased due to District portion of Wash Plan projects state permitting fees. Expenses are as expected.

FISCAL IMPACT

There is no fiscal impact from reporting the financial status of the District.

POTENTIAL MOTIONS

1. Move approval of the Second Quarter Financials for FY 2021-2022 as presented.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.

**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

ATTACHMENTS OR MATERIALS

2021-2022 2nd Quarter Rolled Up Budget Worksheet
SBVWCD Quarterly Investment Report

GL ACCT:	GL DESCRIPTION:	Approved 2021-2022 Budget	Expended/ Received to Date as of 12/31/21	Actual Over/Under Budget	Projected Annual Costs (7/1/21-6/30/22)	GENERAL FUND			GROUNDWATER RECHARGE ENTERPRISE			REDLANDS PLAZA & LEASED PROPERTY- MENTONE HOUSE			LAND RESOURCE			ACTIVE RECHARGE TRANSFER PROJECTS			WASH PLAN and TRUST SUPPORT			
						2021 BUDGET:	% BUDGET	BASIS:	2021 BUDGET:	% BUDGET	BASIS:	2021 BUDGET:	% BUDGET	BASIS:	2021 BUDGET:	% BUDGET	BASIS:	2021 Budget	% BUDGET	BASIS:	2021 BUDGET:	% BUDGET	BASIS:	
Approved 2021-2022 Budget																								
INCOME:																								
4012-15	INTEREST INCOME	273,460.00	247.72	-273,212.28	136,730.00	111,460.00												162,000.00			0.00			
4017	ARTP CAPITAL INCOME	615,000.00	0.00	-615,000.00	307,500.00	61,500.00	10.00%											553,500.00	90%		0.00			
4021-24	GROUNDWATER	1,263,295.07	972,619.82	-290,675.25	1,263,295.07	0.00			1,263,295.07	100.00%	PROPOSED							0.00			0.00			
4022	GROUNDWATER CHARGE	549,681.07	275,817.82	-273,863.25	549,681.07	0.00			549,681.07	100.00%	PROPOSED							0.00			0.00			
4024	GROUNDWATER COUNCIL REVENUE	696,800.00	696,802.00	2.00	696,800.00	0.00	5% increase		696,800.00	100.00%	PROPOSED							0.00			0.00			
4026	GW SUSTAINABILITY/REPLENISHMENT	16,814.00	0.00	-16,814.00	16,814.00	0.00			16,814.00	100.00%								0.00			0.00			
4031-34	MINING	648,000.00	453,739.22	-194,260.78	748,000.00	0.00			0.00									0.00			0.00			
4036,40,80	MISCELLANEOUS	70,000.00	50,267.04	-25,219.63	105,000.00	7,500.00			30,000.00									62,500.00			0.00			
4036	AGGREGATE MAINTENANCE	60,000.00	42,746.68	-17,253.32	75,000.00	0.00			0.00									60,000.00	100.00%	EST FROM 2010	0.00			
4050	PROPERTY TAX	130,817.65	106,282.93	-24,534.72	130,817.65	130,817.65	100.00% +5%		0.00									0.00			0.00			
4055	SBVMWD LEASE AGREEMENT	421,846.12	431,810.98	9,964.86	431,810.98	189,830.75	45.00% +1.6% CPI		232,015.36	55.00%								0.00			0.00			
4062-66	RENTALS	263,042.69	71,280.51	-191,762.18	263,042.69	0.00			0.00									0.00			0.00			
4080	EXCHANGE PLAN	30,000.00	0.00	-30,000.00	0.00	0.00			30,000.00	100.00%	HISTORIC							0.00			0.00			
4025	WASH PLAN REVENUE * from Reserves	220,000.00	786,004.66	566,004.66	914,569.26	0.00	State and Waters done		0.00									0.00			0.00			
	TOTAL INCOME:	4,527,961.52	2,872,252.88	-1,661,195.31	4,893,265.65	501,108.40			1,525,310.43					263,042.69				710,500.00			715,500.00			812,500.00
EXPENSES:																								
5000	MISCELLANEOUS	302,418.94	55,371.14	-247,047.80	302,418.94	32,418.94			75,000.00									60,000.00			135,000.00			
5100	PROFESSIONAL SERVICES	810,664.00	159,572.62	-651,091.38	819,051.50	46,870.00			141,009.00									104,411.00			145,850.00			
5120	MISC. PROFESSIONAL SERVICES	300,000.00	52,952.20	-247,047.80	300,000.00	30,000.00	10.00%	Includes GSC Support	75,000.00	25.00%	GSC and Bio Support							60,000.00	20.00%		135,000.00	45%		
5122	WASH PLAN PROFESSIONAL SERVICES	245,000.00	356,190.90	111,190.90	445,000.00	0.00		Per Wash Plan Budget	0.00									0.00			0.00		245,000.00	
52-53	FIELD OPERATIONS	190,325.00	38,988.20	-151,336.80	190,325.00	0.00			158,325.00									32,000.00			0.00			
5400	UTILITIES	27,993.62	14,707.23	-13,286.39	29,884.48	12,037.27			10,843.87									1,042.01			0.00			
6000	GENERAL ADMINISTRATION	331,002.73	278,609.22	-52,393.51	459,045.86	115,987.79			59,853.15									52,550.00			16,500.00			
6100	BENEFITS	592,263.29	211,769.40	-380,493.89	592,263.29	76,994.23			332,722.34									73,938.30			155,270.42			
6160	PAYROLL TAXES - EMPLOYER	102,949.70	35,122.16	-67,827.54	102,949.70	13,383.46	13%	Consolidated costs 2014	56,519.39	45%	Based on percent of hours							12,559.86	10%		26,375.71	21%		8,791.90
6170	PERS RETIREMENT	296,477.60	154,022.75	-142,454.85	296,477.60	38,542.09	13%	Noticed Increase	162,766.20	45%	Based on percent of hours							36,170.27	10%		75,957.56	21%		25,319.19
6170.01	PERS EMPLOYEE CONTRIBUTION	-45,326.73	-86,164.48	-40,837.75	-45,326.73	-5,892.47	13%		-20,397.03	45%								-4,532.67	10%		-9,518.61	21%		-3,172.87
	SALARIES:							Overhead Offset 22%																
6200	SALARIES	1,422,210.29	652,930.51	-769,279.78	1,422,210.29	192,617.90			664,482.46									194,793.97			404,556.85			171,190.70
6300	INSURANCE	38,071.87	48,992.15	10,920.28	40,537.73	1,903.59			28,553.90									1,903.59			0.00			0.00
6400	DIRECTOR EXPENSES	132,401.20	40,369.77	-92,031.43	132,401.20	132,401.20	8.00		0.00									0.00			0.00			0.00
6500	ADMINISTRATIVE/STAFF EXPENSES	18,285.00	8,358.45	-9,926.55	19,750.00	7,428.25			4,874.75									3,737.00			2,245.00			0.00
8010	Capital Reserve GWE/Rate Stabilization	0.00	0.00	0.00	0.00	0.00	0.00%		0.00	100.00%	Use not contribution							0.00			0.00			0.00
	TOTAL EXPENSES:	4,089,257.86	1,812,907.39	-2,276,350.47	4,431,510.21	588,659.17			1,529,286.39					193,532.11				614,375.86			724,422.28			823,672.50
	Operating Revenue	4,527,961.52	2,872,252.88	-1,661,195.31	4,893,265.65	501,108.40			1,525,310.43					263,042.69				710,500.00			715,500.00			812,500.00
	NET OPERATING REVENUE	438,703.66	1,059,345.49	615,155.16	-87,550.76				-3,975.95					69,510.58				96,124.14			(8,922.28)			-11,172.50
	OVERHEAD																							Significant Carryover
	NET GENERAL FUND ANNUAL																							From Prior year

San Bernardino Valley Water Conservation District

Quarterly Investment Report

Investment Instruments	Beginning Balance as of Jul 1, 2021	2nd Quarter Balance ending Dec 31, 2021	Yield	Cumulative Unrealized Gain (Loss)
Pooled Money Investment Accounts				
LAIF	\$ 430,623.48	\$ 431,237.50	0.28%	\$ -
CalTRUST Short-Term Fund	\$ 3,222,408.78	\$ 3,218,535.92	0.22%	\$ 16,949.77
Investment Accounts				
UBS Financial Services				
CDs	\$ 500,681.82	\$ 992,571.14	1.27%	\$ (398.38)
Cash Dep Acct	\$ -	\$ 7,158.81		
California Credit Union				
24 Mo. CD cashed out	\$ -	\$ -		
CAMP				
Investment Pool	\$ 18,754,702.89	\$ 18,759,512.91	0.05%	\$ -
OPEB-Other Postemployment Benefits				
CERBT-CA Employers' Retiree Benefit Trust	\$ 639,697.80	\$ 667,919.19	1.38%	\$ 31,024.04
TOTAL	\$ 23,548,114.77	\$ 24,076,935.47		\$ 47,575.43

Net Change

\$ 528,820.70
2.20%

Banking Institutions	Beginning Balance as of July 1, 2021	1st Quarter Balance ending Dec 31, 2021
Citizen's Business Bank	\$ 2,306,531.33	\$ 2,357,890.09
Cash and Cash Equivalents	\$ 2,306,531.33	\$ 2,357,890.09
Change in Value		\$ 51,358.76

Description	NAV	Annual Yield	Average Maturity	Shares
LAIF	N/A	28.00%	.92 years (335.8 days)	
CalTrust Short-Term Fund	\$10.07	22.00%	.86 years (313.9 days)	319,616.278
CERBT	\$22.72			28,795.870
UBS-CD's	see below			

UBS Investments

Certificates of Deposit (CDs)	Price	Rate	Maturity	Shares	Purchase Price	Market Value as of 12/31/21	CD Length
1. Morgan Stanley Bank UT fixed rate CD (Cusip: 61690UEV8)	\$1.042	2.80%	2/28/2022	245,000	\$245,000.00	\$246,033.90	3 yr
2. FHLB Bond 4 Yr Step-Up 0.300% Due 09/09/25 Callable 120921 (Cusip: 3130ANRAO)	\$0.993	0.30%	9/9/2025	250,000	\$250,005.25	\$248,340.00	3 yr
3. FHLB Bond Bond (Cusip: 3130APNR2)	\$1.000	1.00%	11/22/2024	250,000	\$250,005.25	\$249,447.50	3 yr
4. Sallie Mae Bank UT US fixed rate CD (Cusip: 795451BA0)	\$1.000	1.00%	12/16/2024	245,000	\$245,000.00	\$245,788.90	3 yr
Average	\$1.01	1.28%	Total Interest Withdrawals	\$0.00	TOTAL	\$990,010.50	\$2,960.84 Accrued Interest
						\$992,571.14	



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1834

To: Board of Directors
From: General Manager, Daniel Cozad
Date: February 9, 2022
Subject: Unaudited Financial Reports, January 2022

RECOMMENDATION

Review and approve the unaudited financials for January 2022.

BACKGROUND

Each month staff presents the unaudited financials for the District. The reports submitted with this Board Letter are through January 31, 2022.

DISCUSSION

City of Riverside has reported their groundwater production and payment of \$196,332.20 is expected in February. Of the remaining unpaid producers, late groundwater production statements have been sent out. Staff anticipates investment income will be well below budget at yearend due to the low interest rate support of the COVID 19 pandemic impacts on fixed investment yields. Wash Plan revenue is a District loan that includes expenses to complete the Wash Plan and State permitting costs to be reimbursed by Wash Plan participants. Mining income is expected to exceed its budget due to significant market sales. Valley District has paid the final \$18,437,500.00 payment under the Partnership Agreement for Joint Active Recharge Projects agreement. Funds have been invested with LAIF and are in GL 2700 Deferred Revenue. The expenses for this year are as anticipated to be within the approved budget.

FISCAL IMPACT

There is no fiscal impact from reporting the financial status of the District.

POTENTIAL MOTIONS

1. Move approval of the Unaudited Financials for January 2022 as presented.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.

ATTACHMENTS OR MATERIALS

Graph Financials for January 2022
Profit & Loss to Date vs. Annual Budget

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**

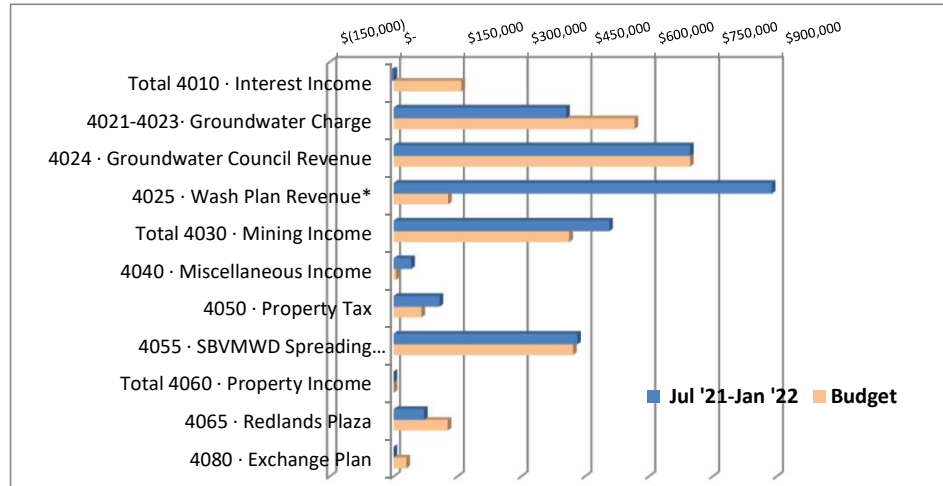
Daniel B. Cozad

SBVWCD - All Enterprises Budget and Actual

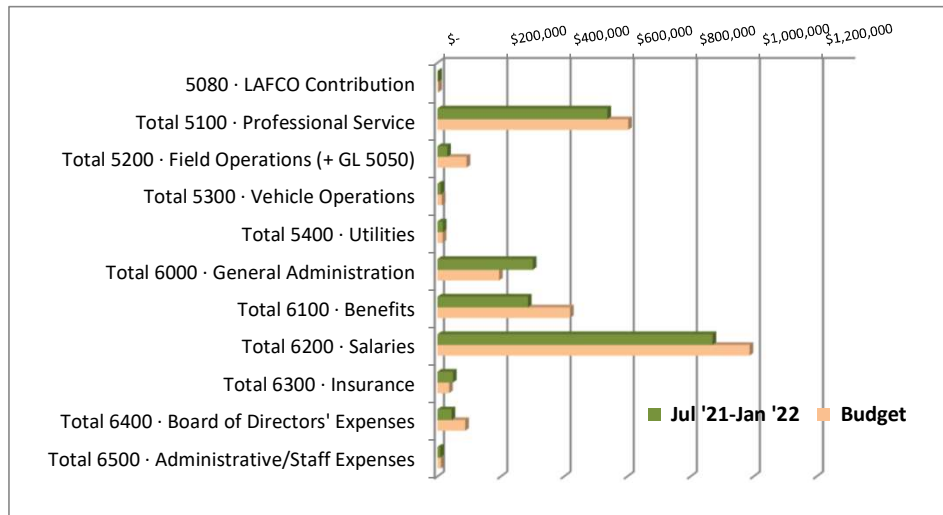
January 2022

REVENUE	Jul '21-Jan '22	Budget
Total 4010 · Interest Income	\$ (6,948)	\$ 159,518
4021-4023· Groundwater Charge	\$ 405,690	\$ 566,495
4024 · Groundwater Council Revenue	\$ 696,802	\$ 696,800
4025 · Wash Plan Revenue*	\$ 888,905	\$ 128,333
Total 4030 · Mining Income	\$ 506,760	\$ 413,000
4040 · Miscellaneous Income	\$ 41,226	\$ 5,833
4050 · Property Tax	\$ 108,042	\$ 65,409
4055 · SBVMWD Spreading Agreement	\$ 431,811	\$ 421,846
Total 4060 · Property Income	\$ -	\$ 100
4065 · Redlands Plaza	\$ 71,417	\$ 127,188
4080 · Exchange Plan	\$ -	\$ 30,000
Total Revenue	\$ 3,143,705	\$ 2,614,523

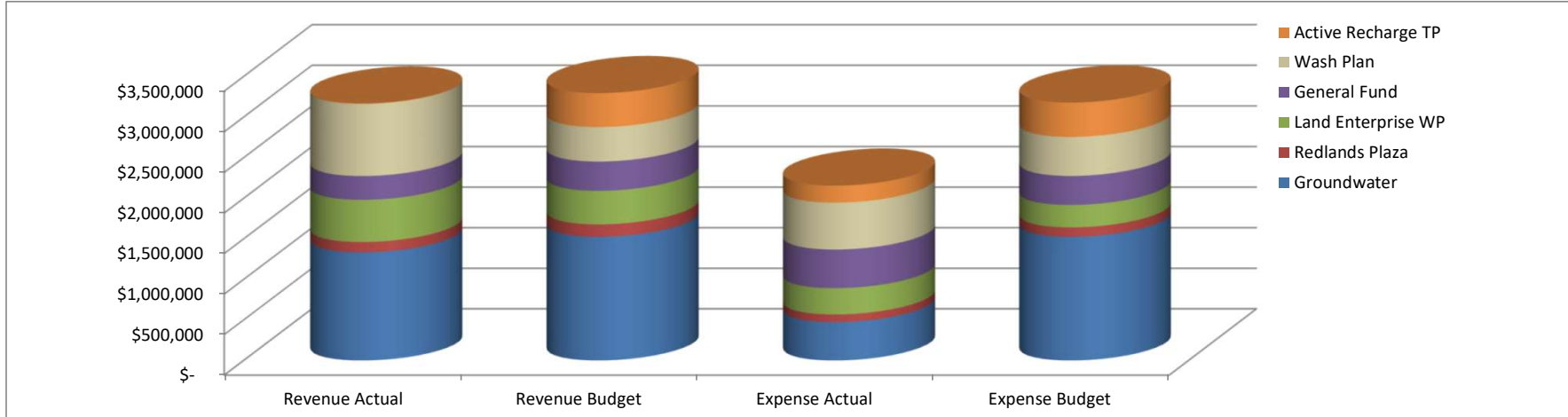
*District loans to the WP & State Permitting payments



EXPENSES Operating and Capital	Jul '21-Jan '22	Budget
5080 · LAFCO Contribution	\$ 2,419	\$ 2,419
Total 5100 · Professional Service	\$ 536,749	\$ 602,621
Total 5200 · Field Operations (+ GL 5050)	\$ 30,819	\$ 91,701
Total 5300 · Vehicle Operations	\$ 10,322	\$ 13,494
Total 5400 · Utilities	\$ 16,714	\$ 16,330
Total 6000 · General Administration	\$ 301,000	\$ 194,473
Total 6100 · Benefits	\$ 285,806	\$ 418,674
Total 6200 · Salaries	\$ 870,163	\$ 987,420
Total 6300 · Insurance	\$ 48,992	\$ 36,485
Total 6400 · Board of Directors' Expenses	\$ 44,661	\$ 87,651
Total 6500 · Administrative/Staff Expenses	\$ 8,639	\$ 10,665
Total Expense	\$ 2,156,285	\$ 2,461,932



Enterprises to Date (January 2022)



Enterprise	Actual	Budget	% of Budget
Groundwater Revenue	\$ 1,333,408	\$ 1,525,310	87%
Groundwater Expense	\$ 472,146	\$ 839,125	56%
Revenue -Expense	\$ 861,263	\$ 686,185	
Redlands Plaza Revenue	\$ 128,034	\$ 153,483	83%
Redlands Plaza Expense	\$ 95,318	\$ 116,887	82%
Revenue -Expense	\$ 32,716	\$ 36,596	
Land Enterprise Revenue	\$ 520,577	\$ 414,458	126%
Land Enterprise Expense	\$ 324,689	\$ 276,408	117%
Revenue -Expense	\$ 195,887	\$ 138,051	
General Fund Revenue *	\$ 292,933	\$ 360,508	81%
General Fund Expense	\$ 476,900	\$ 357,761	133%
Revenue -Expense	\$ (183,966)	\$ 2,746	
Wash Plan Revenue	\$ 888,905	\$ 424,583	209%
Wash Plan Expense	\$ 577,810	\$ 480,358	120%
Revenue-Expense	311,095	(55,774)	
Active Recharge TP Revenue	\$ 4,218	\$ 417,375	1%
Active Recharge TP Expense	\$ 209,900	\$ 422,226	50%
Revenue-Expense	\$ (205,682)	\$ (4,851)	
Total All Revenue - Expense	\$ 1,011,313	\$ 802,953	

Cash Status	As of 7/1/2021	As of 01/31/2022
LAIF	\$ 430,623.48	\$ 18,868,485.76
Cal Trust	\$ 3,222,408.78	\$ 3,215,731.08
Citizens Bank	\$ 2,306,531.33	\$ 2,312,134.81
UBS Financial Services	\$ 500,681.82	\$ 994,275.93
US Bank-CAMP	\$ 18,754,702.89	\$ 18,760,327.45
Total Cash	\$ 25,214,948.30	\$ 44,150,955.03
Less Prepaid Royalty	\$ (5,000,000.00)	\$ (5,000,000.00)
Less ARTP Obligation	\$ (18,437,500.00)	\$ (36,612,330.17)
Cash Position	\$ 1,777,448.30	\$ 2,538,624.86

Increase (decrease) of
Percent Increase \$761,176.56
42.8%

* General Fund Revenue shown here does not include overhead

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul '21 - Jan 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4002 · Decrease in FMV of Investments	0.00	0.00	0.00	0.0%
4010 · Interest Income				
4012 · LAIF	510.69	4,000.00	-3,489.31	12.77%
4013 · Caltrust Investment Income	-6,677.70	25,600.00	-32,277.70	-26.09%
4014 · CalCredit Union Interest Income	0.00	0.00	0.00	0.0%
4015 · UBS Interest Income	-6,405.89	27,860.00	-34,265.89	-22.99%
4016 · Interest Income ARTP	5,624.56	216,000.00	-210,375.44	2.6%
4010 · Interest Income - Other	0.00	0.00	0.00	0.0%
Total 4010 · Interest Income	-6,948.34	273,460.00	-280,408.34	-2.54%
4017 · ARTP Capital Income	0.00	615,000.00	-615,000.00	0.0%
4020 · Groundwater Charge				
4021 · Assessments - Ag	57,806.41	0.00	57,806.41	100.0%
4022 · Groundwater Charge	119,712.58	549,681.07	-429,968.49	21.78%
4023 · Assessments - Non-Ag	218,675.96	0.00	218,675.96	100.0%
4024 · Groundwater Council Revenue	696,802.00	696,800.00	2.00	100.0%
4026 · GW Sustainability/Replenishment	9,494.86	16,814.00	-7,319.14	56.47%
Total 4020 · Groundwater Charge	1,102,491.81	1,263,295.07	-160,803.26	87.27%
4025 · Wash Plan Revenue	888,904.72	220,000.00	668,904.72	404.05%
4030 · Mining Income				
4031 · Plant Site - CEMEX	20,000.00	48,000.00	-28,000.00	41.67%
4032 · Cemex - Royalty / Lease	433,739.22	600,000.00	-166,260.78	72.29%
4036 · Aggregate Maintenance	53,021.19	60,000.00	-6,978.81	88.37%
Total 4030 · Mining Income	506,760.41	708,000.00	-201,239.59	71.58%
4040 · Miscellaneous Income				
4041 · Reimbursed Expenses	487.00	0.00	487.00	100.0%
4040 · Miscellaneous Income - Other	40,738.89	10,000.00	30,738.89	407.39%
Total 4040 · Miscellaneous Income	41,225.89	10,000.00	31,225.89	412.26%
4043 · Project Salary Reimbursement	5,486.67			
4050 · Property Tax	108,042.46	130,817.65	-22,775.19	82.59%
4055 · SBVMWD Spreading Agreement Reim	431,810.98	421,846.11	9,964.87	102.36%
4060 · Property Income				
4062 · Mentone Property	0.00	100.00	-100.00	0.0%
Total 4060 · Property Income	0.00	100.00	-100.00	0.0%
4065 · Redlands Plaza	71,417.47	218,036.34	-146,618.87	32.76%
4066 · Redlands Plaza CAM	18,883.42	44,906.35	-26,022.93	42.05%
4080 · Exchange Plan	0.00	30,000.00	-30,000.00	0.0%
4086 · Plunge Creek IRWMP	0.00	0.00	0.00	0.0%
4999 · Trust Reimbursement-Wash Plan	0.00	592,500.00	-592,500.00	0.0%
Total Income	3,168,075.49	4,527,961.52	-1,359,886.03	69.97%
Gross Profit	3,168,075.49	4,527,961.52	-1,359,886.03	69.97%
Expense				
5040 · Regional Programs				
5080 · LAFCO Contribution	2,418.94	2,418.94	0.00	100.0%
Total 5040 · Regional Programs	2,418.94	2,418.94	0.00	100.0%
5050 · Basin Cleaning	0.00	50,000.00	-50,000.00	0.0%
5100 · Professional Service				
5120 · Misc. Professional Services	58,112.20	300,000.00	-241,887.80	19.37%
5122 · Wash Plan Professional Services				
5122.01 · Professional Services-Wash Plan	0.00	0.00	0.00	0.0%
5122 · Wash Plan Professional Services - Other	371,565.90	245,000.00	126,565.90	151.66%
Total 5122 · Wash Plan Professional Services	371,565.90	245,000.00	126,565.90	151.66%
5123 · Habitat Management-WP	64,332.92	346,250.00	-281,917.08	18.58%
5124 · Plunge Creek Prof Services	0.00	0.00	0.00	0.0%
5125 · Engineering Services	0.00	30,000.00	-30,000.00	0.0%
5130 · Aerial Photography & Surveying	0.00	2,200.00	-2,200.00	0.0%
5155 · WP Trails Professional Services	0.00	25,000.00	-25,000.00	0.0%
5160 · IT Support	2,700.00	8,500.00	-5,800.00	31.77%
5170 · Audit	24,500.00	26,900.00	-2,400.00	91.08%
5175 · Legal - Wash Plan	13,387.50	5,000.00	8,387.50	267.75%
5180 · Legal	2,150.00	25,000.00	-22,850.00	8.6%
Total 5100 · Professional Service	536,748.52	1,013,850.00	-477,101.48	52.94%
5133 · Regional River HCP Contribution	0.00	25,000.00	-25,000.00	0.0%
5200 · Field Operations				
5210 · Equipment Maintenance	5,264.51	7,200.00	-1,935.49	73.12%
5215 · Property Maintenance	2,532.98	40,000.00	-37,467.02	6.33%
5225 · Field Clean Up-Illegal dumping	23,021.81	60,000.00	-36,978.19	38.37%
Total 5200 · Field Operations	30,819.30	107,200.00	-76,380.70	28.75%

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	Jul '21 - Jan 22	Budget	\$ Over Budget	% of Budget
5223 · Temp. Field Labor	477.54	10,000.00	-9,522.46	4.78%
5300 · Vehicle Operations				
5310 · Vehicle Maintenance	1,779.84	8,000.00	-6,220.16	22.25%
5320 · Fuel	8,542.49	15,125.00	-6,582.51	56.48%
Total 5300 · Vehicle Operations	10,322.33	23,125.00	-12,802.67	44.64%
5400 · Utilities				
5410 · Alarm Service	1,210.50	1,545.00	-334.50	78.35%
5420 · Electricity	6,151.08	7,563.42	-1,412.34	81.33%
5430 · Mobile Phone	3,105.00	5,370.31	-2,265.31	57.82%
5440 · Telephone	2,442.92	6,000.00	-3,557.08	40.72%
5450 · Natural Gas	482.26	1,155.00	-672.74	41.75%
5460 · Water / Trash / Sewer	2,132.22	3,609.90	-1,477.68	59.07%
5470 · Internet Services	1,189.79	2,750.00	-1,560.21	43.27%
Total 5400 · Utilities	16,713.77	27,993.63	-11,279.86	59.71%
6000 · General Administration				
6001 · General Administration - Other	2,417.16	4,500.00	-2,082.84	53.72%
6002 · Website Administration	2,731.94	6,000.00	-3,268.06	45.53%
6004 · Meeting Expenses	1,487.12	2,060.00	-572.88	72.19%
6006 · Permits	170,421.33	45,000.00	125,421.33	378.71%
6007 · Inter District Costs	0.00	10,000.00	-10,000.00	0.0%
6009 · Licenses	1,627.62	1,712.06	-84.44	95.07%
6010 · Surety Bond	3,025.00	1,900.00	1,125.00	159.21%
6012 · Office Maintenance	151.73	2,550.80	-2,399.07	5.95%
6013 · Office Lease Payment	29,166.69	50,000.00	-20,833.31	58.33%
6015 · Mentone House Maintenance	408.00	3,500.00	-3,092.00	11.66%
6016 · Redlands Plaza Maintenance	9,994.73	35,000.00	-25,005.27	28.56%
6018 · Janitorial Services	5,110.00	10,400.00	-5,290.00	49.14%
6019 · Janitorial Supplies	204.24	515.00	-310.76	39.66%
6020 · Vacancy Marketing-Redlands Plaz	0.00	5,000.00	-5,000.00	0.0%
6026 · Redlands Plaza CAM expenses	25,767.54	32,936.31	-7,168.77	78.23%
6027 · Computer Software	2,839.64	2,000.00	839.64	141.98%
6030 · Office Supplies	5,134.06	3,500.00	1,634.06	146.69%
6033 · Office Equipment Rental	3,092.65	9,500.00	-6,407.35	32.55%
6036 · Printing	1,848.75	2,000.00	-151.25	92.44%
6039 · Postage and Overnight Delivery	483.12	1,200.00	-716.88	40.26%
6042 · Payroll Processing	2,026.75	2,859.13	-832.38	70.89%
6045 · Bank Service Charges	0.00	1,000.00	-1,000.00	0.0%
6051 · Uniforms	1,262.48	3,025.00	-1,762.52	41.74%
6060 · Outreach	0.00	63,000.00	-63,000.00	0.0%
6087 · Educational Reimbursement	0.00	5,000.00	-5,000.00	0.0%
6090 · Subscriptions/Publications	1,758.93	1,355.20	403.73	129.79%
6091 · Public Notices	0.00	3,200.00	-3,200.00	0.0%
6093 · Memberships	30,040.33	25,289.23	4,751.10	118.79%
Total 6000 · General Administration	300,999.81	334,002.73	-33,002.92	90.12%
6100 · Benefits				
6110 · Vision Insurance	1,632.54	3,433.34	-1,800.80	47.55%
6120 · Workers' Comp. Insurance	8,780.02	19,735.34	-10,955.32	44.49%
6130 · Dental Insurance	6,003.36	12,567.32	-6,563.96	47.77%
6150 · Medical Insurance				
6150.01 · Medical Employee Contribution	-16,234.59	-31,135.80	14,901.21	52.14%
6150 · Medical Insurance - Other	130,025.12	285,106.20	-155,081.08	45.61%
Total 6150 · Medical Insurance	113,790.53	253,970.40	-140,179.87	44.81%
6160 · Payroll Taxes-Employer	53,301.01	122,654.27	-69,353.26	43.46%
6170 · PERS Retirement				
6170.01 · PERS Employee Contributions	-113,766.86	-45,326.72	-68,440.14	250.99%
6170 · PERS Retirement - Other	216,065.67	353,223.42	-137,157.75	61.17%
Total 6170 · PERS Retirement	102,298.81	307,896.70	-205,597.89	33.23%
Total 6100 · Benefits	285,806.27	720,257.37	-434,451.10	39.68%
6185 · Actuarial expense	0.00	0.00	0.00	0.0%
6186 · Actuarial Expense-OPEB	0.00	0.00	0.00	0.0%
6200 · Salaries				
6230 · Regular Salaries	870,163.24	1,692,720.61	-822,557.37	51.41%
6200 · Salaries - Other	0.00	0.00	0.00	0.0%
Total 6200 · Salaries	870,163.24	1,692,720.61	-822,557.37	51.41%
6300 · Insurance				
6310 · Property/ Auto Insurance	4,828.74	4,420.14	408.60	109.24%
6320 · General Liability Insurance	44,163.41	33,651.74	10,511.67	131.24%
Total 6300 · Insurance	48,992.15	38,071.88	10,920.27	128.68%

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul '21 - Jan 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
6400 · Board of Directors' Expenses				
6401 · Directors' Fees				
6401.5 · Payroll Taxes-Directors	6,022.38	0.00	6,022.38	100.0%
6401 · Directors' Fees - Other	34,644.00	87,901.20	-53,257.20	39.41%
Total 6401 · Directors' Fees	40,666.38	87,901.20	-47,234.82	46.26%
6410 · Mileage	291.65	4,000.00	-3,708.35	7.29%
6415 · Air Fare	0.00	2,500.00	-2,500.00	0.0%
6420 · Other Travel	0.00	500.00	-500.00	0.0%
6425 · Meals	1,764.61	3,500.00	-1,735.39	50.42%
6430 · Lodging	588.69	4,000.00	-3,411.31	14.72%
6435 · Conf/Seminar Registrations	1,350.00	5,000.00	-3,650.00	27.0%
6440 · Election Fees / Re-Districting	0.00	25,000.00	-25,000.00	0.0%
Total 6400 · Board of Directors' Expenses	44,661.33	132,401.20	-87,739.87	33.73%
6500 · Administrative/Staff Expenses				
6510 · Mileage	820.40	2,500.00	-1,679.60	32.82%
6515 · Air Fare	369.17	4,500.00	-4,130.83	8.2%
6520 · Travel, Other (rental car, taxi)	383.79	1,500.00	-1,116.21	25.59%
6525 · Meals	3,055.34	2,035.00	1,020.34	150.14%
6530 · Lodging	2,675.56	3,750.00	-1,074.44	71.35%
6535 · Conf/Seminar Registrations	1,335.00	4,000.00	-2,665.00	33.38%
Total 6500 · Administrative/Staff Expenses	8,639.26	18,285.00	-9,645.74	47.25%
6700 · Depreciation Expense	0.00	0.00	0.00	0.0%
9999 · Contribution to Capital Maint.	0.00	278,621.92	-278,621.92	0.0%
Total Expense	2,156,762.46	4,473,948.28	-2,317,185.82	48.21%
Net Ordinary Income	1,011,313.03	54,013.24	957,299.79	1,872.34%
Other Income/Expense				
Other Expense				
7000 · Construction				
7010 · Materials	0.00	12,000.00	-12,000.00	0.0%
7055 · Plunge Creek Expansion	0.00	0.00	0.00	0.0%
Total 7000 · Construction	0.00	12,000.00	-12,000.00	0.0%
7100 · Land & Buildings				
7110 · Property Capital Repairs	0.00	511,971.00	-511,971.00	0.0%
7120 · Property-Land Purchase	0.00	0.00	0.00	0.0%
7126 · ARTP Engr/Prof Services	0.00	600,000.00	-600,000.00	0.0%
7130 · Mentone Property (House)-CapRep	0.00	25,000.00	-25,000.00	0.0%
7140 · Mentone Property (Shop)-CapRep	18,525.13	375,000.00	-356,474.87	4.94%
7150 · Mill Creek Diversion	0.00	1,100,000.00	-1,100,000.00	0.0%
7160 · Mendoza Property	0.00	137,000.00	-137,000.00	0.0%
Total 7100 · Land & Buildings	18,525.13	2,748,971.00	-2,730,445.87	0.67%
7200 · Equipment & Vehicles				
7210 · Computer Hardware-Capital Purch	11,578.47	5,000.00	6,578.47	231.57%
7220 · Computer Software	18,448.21	10,000.00	8,448.21	184.48%
7230 · Field Equipment / Vehicles	0.00	1,604.44	-1,604.44	0.0%
7240 · Office Equipment	3,265.38	1,500.00	1,765.38	217.69%
Total 7200 · Equipment & Vehicles	33,292.06	18,104.44	15,187.62	183.89%
7400 · Professional Services Capital				
7438 · Engineering Services-Other	0.00	125,000.00	-125,000.00	0.0%
Total 7400 · Professional Services Capital	0.00	125,000.00	-125,000.00	0.0%
Total Other Expense	51,817.19	2,904,075.44	-2,852,258.25	1.78%
Net Other Income	-51,817.19	-2,904,075.44	2,852,258.25	1.78%
Net Income	<u>959,495.84</u>	<u>-2,850,062.20</u>	<u>3,809,558.04</u>	<u>-33.67%</u>



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1835

To: Board of Directors
From: Daniel Cozad, General Manager
Date: February 9, 2022
Subject: 2022 District Board Meeting Calendar Revisions

RECOMMENDATION

Review, revise and consider approval of the proposed revisions to the District Board Meeting Calendar for calendar year 2022.

BACKGROUND

Staff prepared a draft Board Calendar for 2022 which was approved at the November 2021 Board meeting. Previously, staff suggested that the May Board meeting be set for the third Wednesday of the month due to historical conflict for some Board members related to the ACWA Annual Spring Conference and other miscellaneous symposiums. This year there is no conflict, and it was suggested that the May Board meeting be moved to the second Wednesdays of the month, May 11.

In addition, staff proposed the Finance & Administration Committee for November be moved from November 23, the day before Thanksgiving to November 16. Also, added are the quarterly Operations Committee meetings as set by the Operations Committee.

DISCUSSION

Staff prepared revised draft calendar in accordance with feedback received from various Board/Committee members. The Board may wish to make further changes before approval.

FISCAL IMPACTS AND BENEFITS

There is no fiscal impact related to setting meetings.

POTENTIAL MOTIONS

1. Move approval of the proposed revisions to the District Board Meeting Calendar as presented.
2. Move to request this item be tabled and referred to the Finance & Administration Committee for reconsideration of specific issues discussed.

ATTACHMENTS

Revised Board Calendar for 2022

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



2022 Board Calendar - San Bernardino Valley Water Conservation District

JANUARY						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Jan. 12 Board Meeting
Jan. 26 2nd Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jul. 11 Operations Committee Mtg.
Jul. 13 Board Meeting
Jul. 27 4th Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

Feb. 9 Board Meeting

AUGUST						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Aug. 10 Board Meeting

MARCH						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Mar. 9 Board Meeting
Engineering Investigation Report Presentation
Mar. 23 3rd Qtr. Finance & Admin Mtg.

SEPTEMBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Sept. 14 Board Meeting

APRIL						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Apr. 4 Operations Committee Mtg.
Apr. 13 Board Meeting
Public Meeting/Groundwater Charge
Apr. 27 Board Meeting
Public Hearing/Groundwater Charge

OCTOBER						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Oct. 3 Operations Committee Mtg.
Oct. 12 Board Meeting

MAY						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May 11 Board Meeting

NOVEMBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Nov. 9 Board Meeting
Nov. 16 1st Qtr. Finance & Admin Mtg.

JUNE						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Jun. 8 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Dec. 14 Board Meeting
(@ 9:30 a.m.)
Annual Luncheon



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1836

To: Board of Directors
From: General Manager, Daniel Cozad
Date: February 9, 2022
Subject: LAFCO Special Districts Selection Committee

RECOMMENDATION

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

BACKGROUND

The term of seated Regular Special District member, Jim Curatalo will expire on May 2, 2022. Staff would like direction from the Board on whether or not a Board member is interested in sitting on the Special Districts Selection Committee for LAFCO. The Committee has staged four-year terms. Both incumbent commissioners appear to be running for election.

Nominations must be received by February 14, 2022, by 5:00 p.m. Additional information is attached.

FISCAL IMPACT

The District will be required to pay any authorized per diem and mileage to attend meetings where an alternate is required; the number of meetings is unknown at this time but is not expected to be frequent and will likely be located in the valley within San Bernardino County.

POTENTIAL MOTIONS

1. Move to authorize staff to prepare nomination documents and submit them for the selected Board member.
2. Move to request this item be tabled and referred to the Finance & Administration Committee for reconsideration of specific issues discussed.

ATTACHMENTS OR MATERIALS

LAFCO Letter with attachments

**BOARD OF
DIRECTORS**

Division 1:
Richard Corneille

Division 2:
David E. Raley

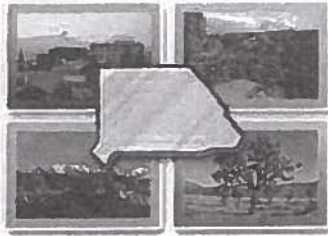
Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

**GENERAL
MANAGER**

Daniel B. Cozad



LAFCO

Local Agency Formation Commission for San Bernardino County

1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0450
909.388.0450 | Fax 909.388.0481
lafco@lafco.sbcounty.gov
www.sbcofco.org

COMMISSIONERS

JOE BACA, Jr.
Board of Supervisors

JIM BAGLEY, Chair
Public Member

DR. KIMBERLY COX
Special District

JAMES V. CURATALO
Special District

CURT HAGMAN
Board of Supervisors

LARRY McCALLON
City Member

ADQUANETTA WARREN, Vice Chair
City Member

ALTERNATES

DIETER C. DAMMEIER
Public Member

RICK DENISON
City Member

STEVEN FARRELL
Special District

DAWN ROYCE
Board of Supervisors

EXECUTIVE OFFICER

SAMUEL MARTINEZ

LEGAL COUNSEL

PALLA DE SOUSA

San Bernardino Valley

JAN 18 2022

Water Conservation
District

January 5, 2022

TO: Presidents of the Boards of Directors of the
Independent Special Districts in San Bernardino
County

SUBJECT: Special Districts Selection Committee

This letter officially opens the nomination period for the positions of one Regular Special District member and the Alternate Special District member on the Local Agency Formation Commission (LAFCO) for San Bernardino County. The regular voting member position is currently held by Jim Curatalo (Cucamonga Valley Water District) and the alternate voting member is currently held by Steven Farrell (Crestline Village Water District). The terms of office are scheduled to expire May 2, 2022 pursuant to the provisions of Government Code §56334. The nomination period for these positions will be 35 days, opening on Monday, January 10, 2022, and ending at 5:00 p.m. on Monday, February 14, 2022.

Per LAFCO's procedures, the original nomination form for each position:

- Requires a board vote, with the name of each voting Board Member outlined, and certifying signature with date.
- Must be received in the LAFCO office by 5:00 p.m. on **February 14, 2022**, via mail, fax, or email scan.
 - If a copy of the nomination form is provided by fax or email by the February 14 deadline, LAFCO must receive the original signed copy by 5:00 p.m. on **February 21**, or the nomination will be declared invalid.

Enclosed with this letter are sample nomination forms for the positions outlining the date of the action and District Board vote.

At the end of the nomination period, LAFCO staff will prepare and send, by certified mail, to each independent special district a ballot with the candidates nominated and the voting instructions. If only a single candidate is nominated for either position, pursuant to the provisions of Government Code §56332(f)(2), that candidate shall be deemed selected with no further vote required.

A long-standing policy of the Selection Committee is to encourage balanced geographic representation with valley, desert and mountain districts seated on the Commission as voting or alternate members. The positions up for nomination are now represented by the valley and mountain areas and represent county water districts. A copy of the Policy Statement is attached for your information.

Please let me know if you have any questions concerning the nomination process. You may contact me at the address listed above, by email at smartinez@lafco.sbcounty.gov, or by phone at (909) 388-0480.

Sincerely,


SAMUEL MARTINEZ
Executive Officer

SM/as

Enclosures:

- 1) Regular and Alternate Member Nomination Forms
- 2) Policy Statement

**NOMINATION FOR
REGULAR SPECIAL DISTRICT MEMBER
OF THE
LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby nominates the following person for the position on the Local Agency
Formation Commission

_____ REGULAR SPECIAL DISTRICT MEMBER
(Name of Nominee)

I, _____, do hereby certify that at a
(Name of President or Designee of District)
scheduled meeting of _____, the Board of Directors voted to
nominate the above-identified candidate for the Regular Special District Member
of the Local Agency Formation Commission of San Bernardino County, by the
following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

Dated: _____

Attach – Letter of Interest or Resume of Nominee

**NOMINATION FOR
ALTERNATE SPECIAL DISTRICT MEMBER
OF THE
LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby nominates the following person for the position on the Local Agency
Formation Commission

_____ ALTERNATE SPECIAL DISTRICT MEMBER
(Name of Nominee)

I, _____, do hereby certify that at a
(Name of President or Designee of District)
scheduled meeting of _____, the Board of Directors voted to
nominate the above-identified candidate for the Alternate Special District Member
of the Local Agency Formation Commission of San Bernardino County, by the
following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

Dated: _____

Attach – Letter of Interest or Resume of Nominee

SECTION VI **SPECIAL DISTRICTS**

CHAPTER 1: INTRODUCTION AND POLICIES

INTRODUCTION:

In 1975 the San Bernardino LAFCO received a request from the independent special districts within the County to approve the seating of Special Districts on the Commission pursuant to the provisions of the Knox-Nisbet Act (the predecessor of the Cortese-Knox-Hertzberg Reorganization Act of 2000). The original rules and regulations were adopted concurrent with an order for representation on the Commission by Independent Special Districts in 1976. As a function of the seating of Special Districts within San Bernardino County an inventory of the existing functions and classes of service were to be determined. The process that was undertaken at that time was that the Commission would:

1. Classify the various types of services which customarily are or can be provided within a single function of a special district.
2. Require existing districts to file written statements with the commission specifying the functions or classes of service provided by such district.
3. Establish the nature, location, and extent of any functions or classes of service provided by existing districts
4. Determine that, except as otherwise authorized by such rules and regulations, no new or different function or class of service shall be provided by any existing district.

Once the inventory was completed, the rules and regulations did not apply to the extension or enlargement, within the boundaries of an existing district, of any function or service which the commission, pursuant to these rules and regulations, has established as currently being provided by such special district. A listing of the Special Districts and the authorized functions and services was historically identified as the "Exhibit A" but is now outlined in Chapter 3 of the Special Districts Section of the Manual.

The San Bernardino County Special Districts Association has historically offered its services to work with the special districts and San Bernardino LAFCO to provide assistance and coordination, to act as a forum to air and discuss problems affecting all special districts, and to provide a forum for the review of candidates for the Special District seats on the Commission.

POLICIES:

1. METHOD OF SELECTION *(Amended April 17, 2002)*

An Independent Special Districts Selection Committee shall be composed of the presiding officers of the legislative body of each independent special district located wholly within the County of San Bernardino and those containing territory within said County representing 50% or more of the assessed value of taxable property of each district. The Selection Committee shall appoint all independent special district representatives and alternate. Each member of the Selection Committee shall be entitled to one vote for each independent special district for which they are presiding officer. The meetings of the Selection Committee shall be in accordance with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 et seq.

2. SPECIAL DISTRICT REPRESENTATIVES *(Amended April 17, 2002)*

It is the policy of San Bernardino LAFCO that special district representatives and alternate should represent districts located in the San Bernardino Valley area, the desert area, and the mountain area. Inasmuch as possible, they should not represent agencies that provide like service, (i.e., they should represent fire protection service, water service, sewer service, cemetery service, etc.). They shall be chosen as provided by the provisions within Government Code Section 56000 et seq.

3. ALTERNATIVE FUNDING FORMULA *(Adopted by Special District Vote July 2002; Amended by Special District Vote March 2, 2010)*

Pursuant to authority provided by Government Code Section 56381, the Independent Special Districts, by majority vote, have determined an Alternative Funding Formula to the Independent Special Districts' mandatory share of the LAFCO net operating costs as follows:

- A. Healthcare (Hospital) Districts shall be limited to payment of \$1,500 regardless of Total Revenue.
- B. Those districts with Total Revenue of more than \$50,000,000 shall pay \$30,000.
- C. Those districts with Total Revenue of between \$20,000,000 to \$50,000,000 shall pay \$20,000.
- D. Those districts with Total Revenue of between \$5,000,000 to \$20,000,000 shall pay \$10,000.

- E. Those districts with Total Revenue of between \$2,000,000 to \$5,000,000 shall contribute an amount not to exceed \$5,000.
- F. Those districts with Total Revenue of less than \$2,000,000 shall be apportioned an amount to be determined by the ratio of each district's Total Revenue as compared to the Total Revenues whose share does not exceed \$5,000.

4. CONVERSION TO ALL MAIL BALLOTING FOR SPECIAL DISTRICT SELECTION COMMITTEE BUSINESS (Adopted by Special District Vote April 2008; November 15, 2017)

The business of the Special District Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56332(f).

5. SELECTION OF INDEPENDENT SPECIAL DISTRICT REPRESENTATIVES (REGULAR AND ALTERNATE) TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD (Adopted November 15, 2017)

Effective July 1, 2018, the redevelopment oversight boards in each county in the State of California will be consolidated into one seven-member board (Health & Safety Code § 34179(j)). One of the members of the consolidated board "may be appointed by the independent special district selection committee established under Government Code Section 56332 for the types of special districts that are eligible to receive property tax revenues pursuant to the redevelopment agency (RDA) dissolution law. The Auditor-Controller/Treasurer/Tax Collector for San Bernardino County has requested that such representatives (regular and alternate) be selected.

Only the agencies that receive RDA funding are deemed eligible agencies for the purposes of appointing a special district representative and alternate to the countywide redevelopment oversight board per Health and Safety Code Section 34179(j)(3) and must be members of the Special Districts Selection Committee for San Bernardino County per Government Code Section 56332. In addition, eligibility requires special districts that have territory in the territorial jurisdiction of a former RDA and are eligible to receive property tax residual for the Redevelopment Property Tax Trust Fund (RPTTF) may serve on the new Oversight Board. In San Bernardino County, the committee members for the RPTTF-qualifying districts are:

- Apple Valley Fire Protection District
- Barstow Cemetery District
- Bear Valley Community Health Care
- Big Bear Airport District
- Big Bear Municipal Water District

*San Bernardino LAFCO Policy and Procedure Manual
Section VI – Special Districts*

Chino Basin Water Conservation District
Chino Valley Independent FPD
Crestline-Lake Arrowhead Water Agency
Hesperia Park and Recreation District
Hi-Desert Water District
Inland Empire Resource Conservation
Inland Empire Utilities Agency
Lake Arrowhead Community Services District
Mojave Desert Resource Conservation District
Mojave Water Agency
Monte Vista County Water District
Morongo Basin Healthcare District (formerly known as the Hi-Desert
Memorial Hospital District)
San Bernardino Valley Water Conservation District
San Bernardino Mountains Community Healthcare District
San Bernardino Valley Municipal Water District
Twentynine Palms Public Cemetery District
West Valley Water District
Yucaipa Valley Water District

The San Bernardino LAFCO Executive Officer is responsible for conducting the business of the Special Districts Selection Committee for the RPTTF-qualifying appointment and pursuant to local procedures the committee's business shall be conducted by mail to nominate and appoint a representative and alternate. Elections by mail shall be conducted in accordance with Government Code Section 56332(f). The independent special district members appointed to the consolidated redevelopment oversight board shall be appointed by a majority of those RPTTF-qualifying committee members voting once a quorum has been established. The terms of office for regular and alternate committee members shall be staggered by action of the Oversight Board following its reorganization in July 2018.



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1837

To: Board of Directors
From: Erwin Fogerson, Sr. Engineer/PM and Daniel Cozad, General Manager
Date: February 9, 2022
Subject: Plunge and Oak Creek Diversions and Basins Feasibility Study Support Professional Services Award of Contract

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.

BACKGROUND AND DISCUSSION

On November 14, 2018, the Board approved a PARTNERSHIP AGREEMENT FOR JOINT ACTIVE RECHARGE PROJECT DEVELOPMENT UNDER THE UPPER SANTA ANA RIVER HABITAT CONSERVATION PLAN with San Bernardino Valley Municipal Water District. The agreement was then executed on January 8, 2019 by the Board President. This agreement is a partnership where the Conservation District has received funds in return for conservation easements to be reserved for satisfying the anticipated habitat mitigation requirements for the Upper Santa Ana River Habitat Conservation Plan (HCP). The agreement furthermore requires that the funds paid to the Conservation District be used only in the furtherance of water conservation efforts, including “Transfer Projects” or related land acquisitions, water quality or supply facilities development, and other related projects contemplated hereunder with similar benefits, which projects are located within the jurisdictional boundaries of at least one of the two parties. The contemplated “Transfer Projects” within the agreement are labeled “Active Recharge Transfer Projects” (ARTP).

On December 9, 2020, the Board approved and executed a Planning Memorandum of Understanding (MOU) with the San Bernardino County Flood Control District (SBCFCD) to cooperatively plan and evaluate the practical, environmental, and financial feasibility of using SBCFCD’s facilities in conjunction with the previously identified ARTP. These sites are included in the MOU. A major component of the MOU is undertaking investigation and feasibility studies for each candidate project site, in order to allow SBCFCD to evaluate and approve recharge activities within their facilities. Within the MOU, the Conservation District is required to “submit to SBCFCD a preliminary report that includes the anticipated amount of storm water to be captured and diverted to that facility and an assessment of the secondary impacts such recharge might have on groundwater levels, migration of contaminant plumes, sand and gravel extraction or other land uses in the vicinity, subsidence protection, endangered and sensitive species habitat preservation, and related concerns.” Conservation District staff have titled this preliminary report “Feasibility Study”.

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:
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Division 2:
David E. Raley

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Daniel B. Cozad

Conservation District staff will author the Feasibility Study, with support from a consulting firm to complete the required technical analyses for each project. The analyses to be completed by the consulting firm include:

- Hydrology Studies
- Hydraulic Studies
- Sediment Transport Analysis
- Geotechnical Site Investigation
- Field Surveys
- Basin Routing
- Recharge Estimates
- Quantity Calculations (District staff will estimate costs)
- Value Engineering
- New focused Groundwater Model based upon the Upper Santa Ana River Integrated (SAR) Model and the estimated recharge amounts
- Preparation of exhibits and compilation of data for use in the Feasibility Study

The Feasibility Studies for the ARTP were divided into three separate Requests for Proposals (RFPs) based on inclusion of projects in the Planning MOU with SBCFCD, the presence/absence of USACE constructed levees, and FEMA Levee certifications. The RFP for Plunge and Oak Creek Diversions and Basins was released on November 13, 2021.

Six (6) firms, Q3 Consulting, Dudek, CASC Engineering, Webb Associates, Engineering Resources of Southern California and BKF Engineers, submitted proposals. Staff shortlisted to three (3) firms, CASC, Webb and BKF. District staff recommendation of award is based upon an extensive review of the proposals and a Zoom meeting question and answer session with the shortlisted firms. The proposals and modeling methodology were also reviewed by SBVMWD, WMWD and RPU staff. Based on these reviews, staff recommends entering into an Agreement with CASC Engineering and Consulting, Inc.

FISCAL IMPACT

The cost to enter into the Agreement is \$786,880. These costs will be funded through the ARTP capital budget, and no additional project implementation costs are obligated by the Agreement.

POTENTIAL MOTIONS

1. Accept the proposal of CASC Engineering and Consulting, Inc. and authorize the General Manager and General Counsel to complete the negotiation of services and fees and execute a professional consultant services agreement in an amount not to exceed \$786,880.
2. Move to table the items to a future meeting of the Board or the Operations Committee.
3. Table the items to a future meeting for consideration, noting the project delays.

ATTACHMENTS OR MATERIALS

Draft Professional Services Contract with CASC Engineering and Consulting for Plunge and Oak Creek Diversions and Basins Feasibility Study Support Professional Services.

APPROVALS

District Counsel

CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES FOR FEASIBILITY STUDY SUPPORT

THIS CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES FOR THE ACTIVE RECHARGE TRANSFER PROJECTS (ARTP) PLUNGE CREEK AND OAK CREEK DIVERSIONS AND BASINS PROJECTS FEASIBILITY STUDY SUPPORT (“Agreement”) is entered into by and between the **SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT**, a special district (“District”), and **CASC ENGINEERING AND CONSULTING, Inc.** a California corporation (“Consultant”), is effective upon signature by District and Consultant (“Effective Date”).

NOW THEREFORE, the parties hereto agree as follows:

1.0 SERVICES OF CONSULTANT

1.1 Scope of Services. In compliance with all of the terms and conditions of this Agreement, the Consultant shall provide and assist the District with providing expert technical assistance by analyzing potential impacts of certain proposed Active Recharge Transfer Project (ARTP) sites. Services to be performed include hydrological analyses, survey, geotechnical investigations, groundwater analyses, and constructability review. The scope does not include design-related tasks. Consultant shall perform all work according to the contract Scope of Work, schedule of performance, and Fee Schedule shown as Attachments A, B, and C to this Agreement, all of which are incorporated herein by reference.

1.2 Authorization to Begin and Schedule of Performance. Consultant's term to begin work or services, shall initiate upon receipt of a Notice to Proceed by District. Further, no work or services other than that described in the Scope of Work shall be initiated by the Consultant without express authorization of the District and documented as a Change Order to this Agreement. Consultant shall complete the Tasks specified in the Scope of Work in the time frames indicated in Attachment B, the Schedule of Performance.

1.3 Compliance With Law and Professional Competency. All work and services rendered hereunder shall be provided in accordance with applicable ordinances, resolutions, statutes, rules, and regulations of the District and any Federal, State, or local governmental agency of competent jurisdiction, and to a standard of care and professionalism consistent with no less than the level of skill and care ordinarily exercised by professionals in Consultant's field performing permitting assistance consulting work such as covered by this Agreement.

1.4 Licenses, Permits, Fees and Assessments. Consultant shall obtain at its sole cost and expense such licenses, permits, and approvals as may be required by law for the performance of the services required by this Agreement, unless otherwise noted in the Scope of Work.

2.0 COMPENSATION

2.1 Contract Sum. For the services rendered pursuant to this Agreement, the

Consultant shall be paid pursuant to the pricing specified in the Fee Schedule specified in Attachment C, for completion of each Task specified in the Scope of Work. Consultant shall invoice for work done to accomplish such tasks monthly, at the “Billable Rate” specified for Team Members performing the work, as set forth in Attachment C. Total compensation for each Task specified in the Scope of Work shall not exceed the fee specified for such Task in Attachment C, without prior written approval of the District. District may, in its sole discretion, authorize the transfer of portions of compensation from one Task to another, to account for variability in costs incurred to accomplish such Tasks, but in no event shall the total sum to be paid to Consultant for completion of all Tasks in the Scope of Work exceed the sum of listed in Attachment C, schedule of compensation.

2.2 Method of Payment. Provided that Consultant is not in default under the terms of the Agreement, the Consultant shall be paid upon receipt of a detailed record of services performed and time spent. Prior to payment of the final invoice, all work authorized by the District shall be completed. No later than the 15th of each month Consultant shall furnish to District an original invoice for all work performed and expenses incurred during the preceding month, which may be at the hourly rates specified in the “Schedule of Fees” appended to Attachment C. The hourly rates provided in Attachment “C” shall not increase for a period of two (2) years following the Effective Date. The invoice shall detail charges with reference to the Tasks specified in the Scope of Work, specifying the work performed, the person or team member performing the work, hourly rates, and a detailed description of the services performed. District shall independently review each invoice submitted by the Consultant to determine whether the work performed, and expenses incurred, comply with the provisions of this Agreement. If no charges or expenses are disputed, District will cause Consultant to be paid within thirty (30) days of receipt of Consultant’s invoice. Payment to Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant, nor to constitute any waiver of any type of relief or remedy, legal or equitable, arising out of any breach or nonperformance of any aspect of the Agreement by Consultant.

3.0 COORDINATION OF WORK

3.1 Representative of Consultant. Rick Sidor is hereby designated as the principal-in-charge by the Consultant, authorized to act on its behalf with respect to the work and services specified herein and to make all decisions in connection therewith. Mike Gentile has been designated by the Consultant as the Project Manager for the Project. Any substitution of these designated representatives must be approved in advance and in writing by the District.

3.2 Contract Officer. The Assistant General Manager, Betsy Miller, is hereby designated as the representative of the District, authorized to act on its behalf with respect to the work and services specified herein and make all decisions in connection therewith (“Contract Officer”). The District also designates Erwin Fogerson, PE, as Project Manager, who is authorized to direct work of the Consultant.

3.3 Prohibition Against Subcontracting or Assignment. Consultant shall not contract with any entity to perform in whole or in part the work and services required of Consultant herein without the prior express written approval of the District. Neither this Agreement nor any interest herein may be assigned or transferred, voluntarily or by operation of law, without the prior written approval of the District. Any such prohibited assignment or transfer shall be

void. Notwithstanding the foregoing, the District approves in advance Geoscience Support Services Inc., Wayne Chang, PE, and LOR Geotechnical Group, Inc as subcontractors for the provision of work under various tasks as listed in Attachment A, Scope of Work. Additional subcontractors maybe required for field exploration, drilling, survey mapping and other activities required to complete the scope of work, qualifications for these consultants will be submitted prior to the use for District approval.

3.4 Independent Consultant. Consultant shall perform all work and services required herein as an independent contractor of the District and shall remain under only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of the District.

4.0 INSURANCE AND INDEMNIFICATION

4.1 Insurance. The Consultant shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to District, during the entire term of this Agreement including any extension thereof, the following policies of insurance:

4.1-01 Workers' Compensation Insurance. By signature hereunder, Consultant certifies that Consultant is aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and Consultant will comply with such provisions before commencing the performance or the work of this Agreement.

4.1-02 Workers' Compensation and Employer's Liability Insurance. Consultant and all sub-consultants shall cover or insure under the applicable laws relating to workers' compensation insurance, all of their employees employed directly by them or through sub-consultants in carrying out the work contemplated under this Agreement, all in accordance with the Workers' Compensation and Insurance Act, Division IV of the Labor Code of the State of California and any Acts amendatory thereof. Consultant shall provide employer's liability insurance in the amount of, at least, \$1,000,000 per accident for bodily injury and disease.

4.1-03 Liability Insurance. The Consultant shall provide and maintain at all times during the performance of this Agreement, the following commercial general liability insurance:

4.1-03.01 Coverage. Coverage shall be at least as broad as the following:

Commercial General Liability. Commercial General Liability coverage (Occurrence Form CG 0001) in the amount of one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2501 or insurer's equivalent endorsement provided to the District) or the general aggregate limit shall be twice the required occurrence limit.

Professional Liability. Professional Liability appropriate to the Consultant's profession covering Consultant's wrongful acts, negligent actions, errors or omissions in the

amount of one million dollars (\$1,000,000) per claim and annual aggregate.

4.1-03.02 Required Provisions. The policies specified in Section 4.1-03.01 are to state or be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days (10 days for nonpayment of premium) prior written notice by U.S. mail has been given to the District.

4.1-03.03 Required Format. All of the liability insurance shall be provided on policy forms satisfactory to the District. All insurance correspondence, notations, certificates, or other documents from the insurance carrier or agent/broker shall each separately reference the District project number.

4.1-03.04 Deductibles and Self-Insured Retention. Any deductible or self-insurance retention must be declared to and approved by the District. At the option of the District, the insurer shall reduce or eliminate such deductibles or self-insured retention.

4.1-03.05 Acceptability of Insurers. Insurance is to be placed with insurers having a current A.M. Best's rating of no less than A:-VII or equivalent or as otherwise approved by the District.

4.1-03.06 Evidences and Cancellation of Insurance. Prior to execution of this Agreement, the Consultant shall file with the District evidence of insurance satisfactory to the District. The insurer will give by U.S. mail written notice to the District at least thirty (30) days prior to the effective date of any cancellation, except for nonpayment of premium for which ten (10) days prior written notice will be given. The Consultant shall, upon demand of the District, make available to the District all such policy or policies of insurance and the receipts for payment of premiums thereon, redacted to remove any proprietary or confidential information.

4.1-03.07 Errors and Omissions/Professional Negligence. Consultant shall procure and maintain errors and omissions insurance, or professional liability insurance, at all times this Agreement is in effect, covering the services to be provided hereunder in the amount of one million dollars per claim and annual aggregate.

4.1-03.08 Sub-Consultants. In the event that the Consultant employs other consultants as part of the services covered by this Agreement, consistent with Section 3.3 above, it shall be the Consultant's responsibility to confirm that each sub-consultant meets the minimum insurance requirements specified above.

4.2 Indemnification. To the fullest extent permitted by law, Consultant shall indemnify and hold harmless the District, and defend its directors, officers, employees or designated volunteers, and each of them from and against:

4.2-01 Any and all claims, demands, causes of action, damages, costs, expenses, losses, or liabilities, in law or in equity, of every kind of nature whatsoever for, but not limited to, injury to or death of any person including District and/or Consultant, or any directors, officers, employees or designated volunteers of District or Consultant, and damages to or destruction of property of any person, including but not limited to, District and/or Consultant and their directors, officers, employees or designated volunteers, arising out of or in any manner

directly or indirectly connected with the work to be performed under this Agreement, due to the Consultant's negligent acts, errors, or omissions committed or alleged to have been committed, except in those cases where the District is proven to be liable.

4.2-02 Any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind of nature whatsoever, arising out of, resulting from,

or on account of the violation of any governmental law or regulation, compliance with which is the responsibility of Consultant, except in those cases where the District is liable.

4.2-03 Consultant shall defend, at its own cost, expense and risk, with Counsel of District's approval, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against District or District's directors, officers, employees or designated volunteers.

4.2-04 Consultant shall pay and satisfy any judgment, award or decree that may be rendered against District or its directors, officers, employees or designated volunteers, in any and all such aforesaid suits, actions or other legal proceeding.

4.2-05 Consultant shall reimburse District and its directors, officers, employees or designated volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

4.2-06 Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the District, or its directors, officers, employees or designated volunteers.

4.3 Laws, Regulations and Permits. The Consultant shall give all notices required by law and comply with all laws, ordinances, rules, and regulations pertaining to the conduct of the work. The Consultant shall be liable for all violations of the law in connection with work furnished by the Consultant.

4.4 Safety. The Consultant shall execute and maintain Consultant's work so as to avoid injury or damage to any person or property. In carrying out the work, the Consultant shall at all times, exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed, and be in compliance with all federal, state and local statutory and regulatory requirements including State of California, Division of Industrial Safety (Cal/OSHA) regulations, and the U.S. Department of Transportation Omnibus Transportation Employee Testing Act (as applicable).

5.0 TERM OF AGREEMENT

5.1 Term. This Agreement shall be effective from date of signature of both parties and shall continue in full force and effect until completion and approval of the work and services described hereunder, unless extended by mutual consent, or until otherwise terminated under Section 6.11 below.

6.0 MISCELLANEOUS

6.1 Covenant Against Discrimination. The Consultant covenants that, by and for itself, its heirs, executors, assigns and all persons claiming under or through it, that there shall be no discrimination against, or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement.

6.2 Non-liability of District Officers and Employees. No officer or employee of the District shall be personally liable to the Consultant, or any successor in interest, in the event of any default or breach by the District or for any amount that may become due to the Consultant or to its successor, or for breach of any obligation of the terms of this Agreement.

6.3 Conflict of Interest. No officer or employee of the District shall have any financial interest, direct or indirect, in this Agreement, nor shall any such officer or employee participate in any decision relating to the Agreement which affects his or her financial interest or the financial interest of any corporation, partnership or association in which he or she is, directly or indirectly, interested, in violation of any State statute or regulation. The Consultant warrants that it has not paid or given and will not pay or give, any third party any money or other consideration for obtaining this Agreement.

6.4 Notice. Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of the District, to the General Manager and to the attention of the Contract Officer, San Bernardino Valley Water Conservation District, 1630 W. Redlands Boulevard, Suite A, Redlands, CA 92373-0581, and in the case of the Consultant, to the person at the address designated on the execution page of this Agreement.

6.5 Interpretation. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement.

6.6 Integration; Amendment. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time only by the mutual consent of the parties and only by an instrument in writing.

6.7 Severability. In the event that part of this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or inability to enforce shall not affect any of the remaining portions of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

6.8 Waiver. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's

consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

6.9 Attorney's Fees. If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees, whether or not the matter proceeds to judgment.

6.10 Ownership of Work. All work performed and all work product generated by the Consultant hereunder shall be the exclusive property of the District. The Consultant shall provide to the District all notes, maps, graphs, worksheets, reports, computer databases and programs, or any other analysis or analytical tools created or produced by the Consultant in connection with its work performed hereunder ("work"), no later than the time of the completion of the Consultant's work or earlier termination of this Agreement under Section 6.11 below. The Consultant shall not disclose or utilize its work under this Contract in any other assignment or for any other purpose, or otherwise disclose or utilize such work, without the prior written consent of the District, which consent shall not be unreasonably withheld.

6.11 Termination. This Agreement may be terminated by either party giving ninety (90) days' notice in writing to the other party and sent by registered mail to the principal place of business that such notice is addressed. The right, duties, and responsibilities of the Consultant shall continue in full force during the period of this 90-day notice, unless otherwise directed by District. After the expiration of the 90-day interval following notice, no rights or liabilities shall arise out of this relationship, except that the indemnification provisions of Section 4.2 above shall survive termination, and any task undertaken by Consultant on written District authorization, and still uncompleted at the expiration of the notice period, shall be carried to completion by Consultant and paid for by District at rates provided hereunder, unless mutually agreed in writing to the contrary, in accordance with the provisions herein.

6.12 Mediation. In the event of disagreement arising under this Agreement, the Consultant and District shall meet and confer in an attempt to resolve the issue. If the meet and confer process fails to resolve any controversy or claim arising out of or related to work performed under this Agreement, within 10 business days after written notice by one party to the other identifying the nature of the dispute and requesting a meet and confer conference, such claim or controversy shall be submitted to non-binding mediation unless the parties mutually agree otherwise. The submission to non-binding mediation shall be upon such terms, conditions, and procedures as the parties might mutually agree, and shall not preclude the initiation or exercise of any other remedy, legal, equitable, or otherwise, available to any party. The mediation proceedings shall take place in San Bernardino County, California.

6.13 Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which

said party is bound.

IN WITNESS WHEREOF, the parties have executed and entered into this Agreement and affirm same by signature below:

CONSULTANT
CASC ENGINEERING
AND CONSULTING, Inc.
1470 E. Cooley Drive
Colton, CA 92614
rsidor@cascinc.com

DISTRICT
SAN BERNARDINO VALLEY WATER
CONSERVATION DISTRICT
1630 West Redlands Blvd
Redlands, CA 92373
bmiller@sbywcd.org

By: _____

By: _____

Rick Sidor, PE
President

Daniel B. Cozad
General Manager

Date: _____

Date: _____

ATTACHMENT A

SCOPE OF SERVICES

1. PROJECT MANAGEMENT

1.1 PROJECT OVERSIGHT

CASC's Project Manager (PM) and Senior Engineer, both licensed Civil Engineers in the state of California, will work directly with and oversee the design team for the project. They will be responsible for managing subconsultants, providing Quality Control review of project deliverables, and coordinating project submittals.

CASC Subconsultants:

- Geoscience Support Services, Inc. – Groundwater Modeling and Basin Drawdown and Recharge Analysis
- LOR Geotechnical Group, Inc. – Preliminary Geotechnical Investigation and Infiltration Investigation
- Wayne Chang, PE – Sediment Transport Analysis

1.2 MEETINGS AND COORDINATION

The PM will be the primary point of contact for the District for the duration of the project and represent CASC at meetings with the District and other jurisdictional agencies as necessary. The PM will also oversee coordination between CASC and applicable jurisdictional agencies such as the District and SBCFCD. Assumes one (1) Kickoff Meeting, 1-hour monthly status meetings with the District, and 1-hour monthly virtual coordination meetings with the Consultant team.

1.3 PROJECT ADMINISTRATION

CASC's PM will oversee Project Administration. The following items are included:

- Progress Reports – CASC will prepare monthly progress reports which will include updates on work completed, new developments, and coordination items for continued discussion.
- Budgeting – Based on the project scope items and contract fees, the project budget will be reviewed, and staffing support provided. The PM will analyze project status weekly to confirm the Project is within budget.
- Cost Accounting – The PM will work with CASC Administrative staff in preparing monthly invoices for the District. The PM is responsible for reviewing the hours worked on the project against the milestones for CASC staff and Subconsultants.
- Scheduling – CASC will provide a schedule for the project. The schedule will identify the scope of work and milestones for the Project. CASC will be responsible for updating the schedule as needed, and it will be used in preparing any progress updates for the District. Staff will be adjusted accordingly to keep the project on schedule.

2. HYDROLOGY

2.1 REVIEW EXISTING HYDROLOGY REPORTS

The project team will obtain and review hydrology reports and other technical studies from the City of Highland, San Bernardino County and FEMA. The existing reports will provide useful data that will be used in the preparation of the hydrology model.

2.2 HYDROLOGY MODELING

Using the collect data from previous studies, the project team will develop a hydrology model for Plunge Creek and Oak Creek watershed areas. The hydrology modeling will utilize the San Bernardino County LiDAR DEM. This will require the assessment of a watershed area in excess of 20 square miles. The hydrology model will be developed several nodal points to establish the necessary flow rates for Plunge Creek and Oak Creek watershed areas. The hydrology analyses anticipate a total of 7-10 nodal points that will be used in developing the hydraulic models. The hydrology models will be prepared using the San Bernardino County Hydrology Manual, NOAA Atlas 14, and parameters from previous studies.

2.3 HISTORICAL RAINFALL & STREAM GAGE ASSESSMENT

Using historical rainfall data and the Upper Santa Ana River Integrated Model Summary Report prepared by Geoscience, the project team will perform a rainfall and stream gage assessment. The purpose of the assessment will be used to develop the average annual flow rate for Plunge Creek and Oak Creek. This assessment is critical since it will be the basis of design for the proposed diversion structures and recharge basins.

2.4 100-YEAR & AVERAGE ANNUAL FLOW RATE REPORT

The project team will develop a report that compiles the technical data performed for the Plunge Creek and Oak Creek watershed area. The report will include figures, tables, exhibits and the input & output files supporting the hydrology calculations. The project team will include the final approved hydrology models and hydrology work maps, in a digital form, to the District for future use.

Deliverables:

- ✓ 100-Year & Average Annual Flow Rate Report summarizing the hydrology analyses performed including final hydrology calculations and exhibits. Includes digital working files.
 - Deliverables to be submitted to District for review prior to District submittal to SBCFCD.

3. HYDRAULICS

3.1 REVIEW EXISTING HYDRAULIC REPORTS & MODELS

The project team will obtain and review hydraulic reports and other technical studies from the City of Highland, San Bernardino County and FEMA. The existing reports will provide useful data that will be used in the preparation of the hydraulic model.

3.2 TOPOGRAPHIC WORKMAP PREPARATION & SURFACE DEVELOPMENT

The project team will utilize the San Bernardino County LiDAR DEM to develop a workmap. The workmap will be updated using topographic mapping developed for the project and survey data that will be used to supplement LiDAR DEM file. The updated workmap will be used to develop a surface or DEM file that will be used to perform the hydraulic modeling.

3.3 ONE-DIMENSIONAL HYDRAULIC MODELING BASELINE CONDITION

The project team will develop hydraulic models to determine the baseline condition which represents that current 100-year operating levels for Plunge Creek and Oak Creek flood control systems. The project teams to develop a regional hydraulic model for the Plunge Creek and Oak Creek systems that will commence at State Route 210 and extend to the east to the upstream collection structures for Plunge Creek and Oak Creek. The hydraulic model will be a one-dimensional steady flow hydraulic model that will be used to establish the 100-year water surface elevation baseline condition. The baseline condition model is crucial since the project mitigation measures will be based on alternation to the floodplain that are associated with the proposed diversion structures.

3.4 DIVERSION STRUCTURE ASSESSMENT

Using the Baseline Condition Hydraulic Model, the project will implement the proposed diversion structure and basin recharge improvements into the model. This will be done for the following conditions: 1) proposed Plunge Creek stand-alone alternative in place 2) Oak Creek stand-alone alternative in place, 3) proposed Plunge Creek & Oak Creek alternative functioning together. Please note that the scope will not develop an assessment for the combinations of Plunge Creek and Oak Creek since the systems are not hydraulically connected. The modeling will be done for the 100-year flow rate that will be used to determine the most functional diversion structure alternative that will yield the least impacts to the FEMA flood hazard areas and the 100-year hydraulic operation to the Plunge Creek and Oak Creek flood control system.

3.5 HYDRAULIC MODELING USING 100-YR & AVERAGE ANNUAL FLOW RATE

The project team will model the 100-year and average annual flow rates to finalize the water surface elevations and develop the project impacts and mitigation measures that are needed for the diversion structure systems for the proposed alternatives. The hydraulic modelling will be done for the following conditions: 1) proposed Plunge Creek stand-alone alternative in place 2) Oak Creek stand-alone alternative in place, 3) proposed Plunge Creek & Oak Creek alternative functioning together.

3.6 FLOODPLAIN AND FLOW RATE DIVERSION REPORT

The project team will develop a report that compiles the technical data performed for the Plunge Creek and Oak Creek flood control system. The report will include figures, tables, exhibits and the input & output files supporting the hydraulic modeling and calculations. The project team will include the final approved hydraulic models and hydraulic work maps, in a digital form, to the District for future use.

Deliverables:

- ✓ Floodplain and Flow Rate Diversion Report summarizing the hydraulic analyses performed including final hydraulic calculations and exhibits. Includes digital working files.
 - Deliverables to be submitted to District for review prior to District submittal to SBCFCD.

4. BASIN ROUTING

4.1 BASIN STORAGE TOPOGRAPHIC WORKMAP & SURFACE PREPARATION

The project team will utilize aerial topography and survey data collected for the recharge basin areas to develop a workmap and digital surface for the project. The workmap will be used to develop design data that will be used for the basin routing analyses and design.

4.2 BASIN HYDRAULIC MODELING & DEVELOPMENT OF HYDRAULIC CONTROLS

The project team will develop hydraulic models for the outlet control structure, spillways and other hydraulic control structures that are required to perform basin routing for the recharge basin. The basin routing analyses will be done using CivilDesign or HEC-HMS. The basin routing modeling will assess the different alternatives to establish maximum water surface elevations, inflow, outflow and storage volume. The preliminary basin design will use the basin hydraulic modeling results to fine tune the design.

4.3 DRAIN TIME AND RECHARGE ANALYSIS

The project team will refine and utilize a reservoir spreadsheet model developed for the Valley District to manage recharge operations for stormwater capture, imported water recharge, and recycled water recharge to calculate the amount of groundwater recharge. The reservoir spreadsheet model refinement will include updating the model with the newly collected geohydrologic data including basin storage-area-depth relationships, infiltration rates, decay of infiltration rates, and stormwater inflow. For each of the

recharge site configurations (e.g., diversion structures, pipe sizes, routing, and gate open and close), groundwater recharge will be computed for the average annual storm.

Plunge Creek Basins

The project team will estimate recharge quantities using the refined reservoir spreadsheet model for an average annual storm event using the storage volume determined previously, infiltration test results, and clogging factors determined from sediment transport analysis. It is assumed that recharge quantities will be estimated for no clogging and clogging scenarios for the two alternatives for the average annual storm (4 scenario runs).

Note: Plunge Creek recharge analysis will be performed for the proposed Plunge Creek stand-alone alternative and the proposed Plunge Creek & Oak Creek alternatives functioning together.

Oak Creek Basins

The project team will calculate recharge quantities using the refined reservoir spreadsheet model for an average annual storm event for the Oak Creek Basins. It is assumed that recharge quantities will be estimated for four scenario runs to address clogged and unclogged scenarios for the two alternatives.

Deliverables:

- ✓ Draft and final Technical Memorandum summarizing recharge analysis results.
 - Deliverables to be submitted to District for review prior to District submittal to SBCFCD.

4.4 PRELIMINARY BASIN ASSESSMENT REPORT

The project team will develop a report that compiles the technical data performed for the Plunge Creek and Oak Creek Diversion Structure and Recharge Basins. The report will include figures, tables, exhibits and the input & output files supporting the hydrology & hydraulic modeling and calculations. The project team will include the final approved basin routing & hydraulic models and basin work maps, in a digital form, to the District for future use.

Deliverables:

- ✓ Preliminary Basin Assessment Report summarizing the basin routing analyses performed including supporting hydrology and hydraulic modeling. Includes digital working files.
 - Deliverables to be submitted to District for review prior to District submittal to SBCFCD.

5. FIELD SURVEYS AND BASE MAPPING

5.1 RESEARCH AND BASE MAPPING

CASC will research and review the project's existing survey documentation. Research will include obtaining record information (tract maps, parcel maps and records of survey) at the San Bernardino County Survey Office. CASC will coordinate with San Bernardino Valley Water Conservation District to obtain Right of Way Maps and Grant Deeds. CASC will calculate and establish the record centerlines, right of ways, and property lines based on record information obtained from the San Bernardino County Survey Office and the San Bernardino Valley Water Conservation District. CASC will prepare a digital base map.

The project team will obtain the contact information for the utilities in the project areas and send preliminary notices to the utility companies. The initial utility notices will include requests for atlas maps and plans (if available) for verification of existing utilities. After obtaining said documents, or a letter stating that the utility has no lines in the project area, CASC will plot the utilities on the project base map. The base map will be used for reference in the development of the project exhibits and Preliminary Design Plans.

5.2 PLUNGE CREEK & OAK CREEK FIELD SURVEYS

CASC will provide field and office time to equate client-provided topographic mapping to be consistent with the NAVD 88 vertical datum.

5.3 AERIAL TOPOGRAPHIC MAPPING

CASC will provide a field survey and office calculations as needed to establish horizontal and vertical control and set aerial targets for aerial mapping of the project. Basis of bearing will be referenced to CCS NAD 83 and elevations will be referenced to NAVD 88 vertical datum. CASC will provide a manuscript produced from an aerial survey (at a scale of 1"=40') with one-foot contour intervals. The estimated area of mapping comprises the limits of the low flow sandy area of Plunge Creek from Orange Street upstream to the extension of Abbey Way. CASC will provide office calculations to perform a check of the topographic information received from the photogrammetrist. Can be delivered within 14-19 business days.

6. GEOTECHNICAL SITE INVESTIGATION

6.1 PRELIMINARY GEOTECHNICAL INVESTIGATION

The purpose of the geotechnical investigation will be to obtain feasibility data regarding the nature, distribution, and strength of the existing earth materials. It will also provide data on the existing geology and potential geologic hazards at the site. This data will be obtained in order to prepare conclusions and recommendation for general grading procedures, earthwork evaluation, and soils and geology related design criteria for the subject site. The investigation will also specifically address the regional geologic setting, and site-specific soil and geologic condition. It is anticipated that additional future geotechnical studies that will be required. The geotechnical scope of services includes:

- Review of available geologic/geotechnical reports conducted for the site and regional geologic data available from local, state, and federal agencies.
- Subsurface investigation of the site utilizing a truck mounted drill rig equipped with 8-inch diameter hollow stem augers to advance 6 exploratory borings within the proposed Plunge Creek Basin to a maximum depth of approximately 50 feet or refusal, and advance 4 exploratory borings within the Oak Creek Basin to a maximum depth of approximately 50 feet or refusal and an additional 3 borings to a maximum depth of approximately 50 feet or refusal, within the proposed storm drain/open lined channel alignment.
- Sampling and in-place density testing of the natural earth materials encountered within the exploratory borings placed at the site.

Deliverables:

- ✓ Preliminary Geotechnical Investigation Report summarizing observations, conclusions, and recommendations for site development.

6.2 INFILTRATION INVESTIGATION

The purpose of the infiltration investigation will be to collect preliminary infiltration feasibility data for the proposed infiltration areas at depths of approximately 15 feet below the existing grade for the Oak Creek Basin and at maximum depths obtained, 50 feet or refusal, for the Plunge Creek Basin. This scope of services includes:

- Performance of four borehole method infiltration tests at each of the proposed basin sites (eight tests total) at depths of approximately 15 feet below the existing ground surface or refusal at the Oak Creek Basin project and 50 feet or refusal at the Plunge Creek Basin project.

- Development of conclusions and recommendations for the infiltration characteristics of the area.

Deliverables:

- ✓ Summary of infiltration investigation, with conclusions and recommendations regarding the feasibility of the subject area to be included in the Preliminary Geotechnical Investigation Report, prepared as part of Task 6.1 above.

7. SEDIMENT TRANSPORT ANALYSIS

7.1 FIELD RECONNAISSANCE AND STREAM ASSESSMENT

The project team will perform a Field Reconnaissance and Stream Assessment for the existing Plunge Creek and Oak Creek systems. The assessment will be based on the following reaches, 1) between Interstate 210 and Orange Street, 2) Orange Street to Greenspot Road, 3) Upstream of Greenspot Road to upstream channel improvements, and 4) upstream of channel improvements. As part of the Field Reconnaissance and Stream Assessment, sediment grab sample locations will be identified. A total of 10-12 grab sample locations will be identified.

7.2 SEDIMENT TRANSPORT MODELING

The project team will perform a sediment transport model using the Fluvial-12 program. The cross sections for the sediment transport model will be obtained from the HEC-RAS model. The sediment transport model will focus on reaches upstream of the diversion structures to develop an understanding of sediment loads that are being conveyed by the Plunge Creek and Oak Creek flood control system. The scope assumes that the topographic workmap developed for the hydraulic modeling is used to perform the assessment. Additionally, sediment transport models will be developed for the diversion structure alternatives that have been outlined in the RFP.

7.3 SEDIMENT TRANSPORT ASSESSMENT

The project team will perform an analysis using the Fluvial-12 sediment transport model and the flow rates for the average annual flow rate and 100-year flow rate to develop existing condition and proposed condition sediment transport trends along the project site. The sediment transport analyses will use the 8-10 grab samples to validate results and to validate the changes in sediment transport through the creeks. The results of the assessment will be used to develop longitudinal profiles and cross sections to show changes in the stream geometry. Moreover, tables will be developed for critical sections to show the changes in sediment loads and the potential sediment inflow that would be intercepted by the diversion structures. It should be noted that sediment loads will be assessed for each diversion structure alternative.

7.4 SEDIMENT TRANSPORT REPORT

The project team will prepare a report that includes the results and findings of the sediment transport assessment and how the diversion structure alternatives impact the existing condition sediment transport condition. Additionally, the report will determine the sediment loads intercepted by the diversion structures and to develop recommended clogging factors and bulking factors that will be required in the hydraulic design of the diversion structures. The report will include sediment inflow volumes that will be delivered into the proposed recharge basins. These inflow volumes will be used to develop a clogging factor for the basin bottom area which will impact infiltration potential and drawdown time.

Deliverables:

- ✓ Draft and final report summarizing the results of the sediment transport assessment.
 - Deliverables to be submitted to District for review prior to District submittal to SBCFCD.

8. REGULATORY COMPLIANCE REVIEW

8.1 SBCFCD, USACE, AND FEMA REVIEW

The project team will review the preliminary design and results of the technical analyses performed as part of this scope of services against SBCFCD and USACE design standards and FEMA guidelines to assess compliance with jurisdictional and regulatory agency requirements. A draft and final Technical Memorandum will be prepared to summarize the review results.

Deliverables:

- ✓ Draft and final Technical Memorandum summarizing observations and findings.

9. VALUE ENGINEERING AND CONSTRUCTABILITY REVIEW

9.1 PRELIMINARY QUANTITY ESTIMATE

The project team will review the proposed conceptual design alternatives provided by the District and prepare a preliminary quantity estimate for each alternative: four (4) alternatives for Plunge Creek, and (3) alternatives for Oak Creek. The preliminary quantity estimate will include the areas of disturbance and only major cost items, such as earthwork, concrete, rock, etc.

Deliverables:

- ✓ Draft and final Preliminary Quantity Estimate for Plunge Creek and Oak Creek sites.

9.2 VALUE ENGINEERING AND CONSTRUCTABILITY REVIEW

The project team will review the proposed conceptual design alternatives provided by the District for constructability and potential cost-saving opportunities. This review will be performed for each the four (4) alternatives for Plunge Creek and (3) alternatives for Oak Creek, and includes the following tasks:

- Review the Geotechnical Report and recommendations.
- Review the District's proposed conceptual alternatives.
- Review preliminary construction quantities and potential costs to the preliminary design plans.

Deliverables:

- ✓ Draft and final Technical Memorandum summarizing observations and recommendations.

10. GROUNDWATER ANALYSIS

10.1 CONSTRUCTION OF A FOCUSED GROUNDWATER MODEL

The project team will construct a new focused groundwater model using data from the existing Integrated Santa Ana River Model as well as newly collected geohydrologic data from this Project (e.g., land surface surveys) to simulate groundwater levels for the analysis of slope stability, potential liquefaction, and recharge capacity (e.g., any rejected recharge). This new focused model will be recalibrated to ensure that the calibration performance in the Plunge Creek Basins and Oak Creek Basins area meets industry standards. The computer code used for the groundwater model is the MODFLOW developed by the US Geological Survey.

10.2 RUN GROUNDWATER MODEL SCENARIOS

The project team will run the focused model developed from the existing Integrated Santa Ana River Model to simulate the highest estimated amount of groundwater recharge for Plunge Creek Basins and Oak Basins based on results of the recharge volume analysis discussed above. The modeling results (i.e., estimated depth to groundwater under Project conditions) will be used for an evaluation of the stability

of site features as well as potential liquefaction in the adjacent areas. If the maximum estimated groundwater recharge is projected cause negative impacts on slope stability or exceeds the potential liquefaction threshold, an evaluation using the second-highest estimated amount of groundwater recharge will be made. This iterative process will continue until no negative impacts from the groundwater recharge are anticipated.

10.3 TECHNICAL MEMORANDUM

The project team will prepare a draft and final Technical Memorandum summarizing the groundwater modeling results.

Deliverables:

- ✓ Draft and final Technical Memorandum summarizing groundwater modeling results.
 - Deliverables to be submitted to District for review prior to District submittal to SBCFCD.

11. EXHIBITS AND FINDINGS REPORTS

11.1 PRELIMINARY DESIGN PLANS

The project team will redraft the preliminary design plans provided by the District to incorporate the changes and refinements required based on the results of the technical analyses performed as part of this scope of services. The plans will also include preliminary earthwork and material quantities, construction notes, and pertinent references to standard drawings required for compliance review. Assumes digital files for District's preliminary drawings to be provided.

Deliverables:

- ✓ Draft and final submittals of revised plan set.

11.2 TECHNICAL REPORT

The project team will prepare a technical report summarizing the results of each technical analysis and review performed as part of this scope of services for each alternative for each site. The individual reports and technical memorandums prepared as part of this scope of services will be included as appendices for reference.

Deliverables:

- ✓ Draft and final submittals of report summarizing results of technical analyses and reviews.

12. REIMBURSABLES

12.1 PRINTING AND REPRODUCTION COSTS

Printing and reproduction expenses will be billed only as incurred and in accordance with the final contract services agreement.

12.2 ENGINEERING RESEARCH FEES

Agency and utility purveyor research fees for utility atlases, record drawings, as-built plans, etc. will be billed only as incurred and in accordance with the final contract services agreement.

12.3 DELIVERY SERVICES

Delivery and courier expenses will be billed only as incurred and in accordance with the final contract services agreement.

ATTACHMENT B - SCHEDULE OF PERFORMANCE

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Timeline																							
							Dec	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			1st Quarter			2nd Quart							
							Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr								
0		SBVWCD-ARTP	288 days	Mon 2/7/22	Thu 3/30/23																									
1		Notice to Proceed	1 day	Mon 2/7/22	Mon 2/7/22																									
2		Environmental Permitting	60 days	Tue 2/8/22	Mon 5/2/22	1																								
3		Geotechnical Investigation	30 days	Tue 5/3/22	Tue 6/14/22	2																								
4		Research and Base Mapping	20 days	Tue 2/8/22	Mon 3/7/22	1																								
5		Aerial & Field Surveys	20 days	Tue 2/8/22	Mon 3/7/22	1																								
6		Hydrology	60 days	Tue 3/8/22	Tue 5/31/22	1,4,5																								
7		Groundwater Analysis	70 days	Wed 6/1/22	Thu 9/8/22	6																								
8		Hydrology Review	35 days	Wed 6/1/22	Wed 7/20/22	6																								
9		1st Submittal to District & SBCFCD	5 days	Wed 6/1/22	Tue 6/7/22	6																								
10		SBCFCD 1st Review	15 days	Wed 6/8/22	Tue 6/28/22	9																								
11		2nd Submittal to District & SBCFCD	5 days	Wed 6/29/22	Wed 7/6/22	10																								
12		SBCFCD 2nd Review	10 days	Thu 7/7/22	Wed 7/20/22	11																								
13		Hydraulics	60 days	Wed 6/1/22	Wed 8/24/22	6																								
14		Hydraulics Review	35 days	Thu 8/25/22	Thu 10/13/22	13																								
15		1st Submittal to District & SBCFCD	5 days	Thu 8/25/22	Wed 8/31/22	13																								
16		SBCFCD 1st Review	15 days	Thu 9/1/22	Thu 9/22/22	15																								
17		2nd Submittal to District & SBCFCD	5 days	Fri 9/23/22	Thu 9/29/22	16																								
18		SBCFCD 2nd Review	10 days	Fri 9/30/22	Thu 10/13/22	17																								
19		Basin Routing	60 days	Wed 6/15/22	Thu 9/8/22	6,3																								
20		Basin Routing Review	35 days	Fri 9/9/22	Thu 10/27/22	19																								
21		1st Submittal to District & SBCFCD	5 days	Fri 9/9/22	Thu 9/15/22	19																								
22		SBCFCD 1st Review	15 days	Fri 9/16/22	Thu 10/6/22	21																								
23		2nd Submittal to District & SBCFCD	5 days	Fri 10/7/22	Thu 10/13/22	22																								
24		SBCFCD 2nd Review	10 days	Fri 10/14/22	Thu 10/27/22	23																								
25		Sediment Transport Analysis	40 days	Fri 9/23/22	Thu 11/17/22	13FS+20 days																								
26		Sediment Transport Review	35 days	Fri 11/18/22	Tue 1/17/23	25																								
27		1st Submittal to District & SBCFCD	5 days	Fri 11/18/22	Mon 11/28/22	25																								
28		SBCFCD 1st Review	15 days	Tue 11/29/22	Mon 12/19/22	27																								
29		2nd Submittal to District & SBCFCD	5 days	Tue 12/20/22	Tue 1/3/23	28																								
30		SBCFCD 2nd Review	10 days	Wed 1/4/23	Tue 1/17/23	29																								
31		Preliminary Design Plans	40 days	Fri 9/9/22	Thu 11/3/22	19																								
32		Regulatory Compliance Review	20 days	Fri 11/4/22	Mon 12/5/22	31																								
33		Preliminary Quantity Estimate	20 days	Fri 11/4/22	Mon 12/5/22	31																								
34		Value Engineering and Constructability Review	30 days	Tue 12/6/22	Tue 1/24/23	33,31																								
35		Technical Report	25 days	Wed 1/25/23	Tue 2/28/23	34,8,14,20,26,7																								
36		Technical Report & Plan Review	22 days	Wed 3/1/23	Thu 3/30/23	35																								
37		Submittal to District	1 day	Wed 3/1/23	Wed 3/1/23	35																								
38		District Review	10 days	Thu 3/2/23	Wed 3/15/23	37																								
39		Address District Comments	10 days	Thu 3/16/23	Wed 3/29/23	38																								
40		Final Submittal	1 day	Thu 3/30/23	Thu 3/30/23	39																								

Project: SBVWCD-ARTP
Date: January 31, 2022

Task		Project Summary		Manual Task		Start-only		Deadline	
Split		Inactive Task		Duration-only		Finish-only		Progress	
Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress	
Summary		Inactive Summary		Manual Summary		External Milestone			

ATTACHMENT C

FEE SCHEDULE

SBVWCD

ARTP PLUNGE CREEK AND OAK CREEK DIVERSION AND BASIN(S) FEASIBILITY STUDY SUPPORT SERVICES

TASK NO.	TASK DESCRIPTION	Project Manager/ QC	Senior Engineer	Senior Hydrologist	Project Engineer	Design Engineer	Survey Manager	Mapping Manager	Project Analyst	2-Man Survey Crew	Construction Manager	TOTAL Hours	Subconsultants ¹				TOTAL
		\$195.00	\$180.00	\$165.00	\$155.00	\$135.00	\$175.00	\$170.00	\$102.00	\$226.00	\$100.00		Geoscience	Inland Aerial	LOR	Chang	
1	Project Management																
1.1	Project Oversight	24	48									72					13,320.00
1.2	Project Meetings and Coordination	32	32	32	32							128	10,520.00			6,640.00	39,400.00
1.3	Project Administration	48	24						48			120	6,160.00				24,736.00
	Subtotal	104	104	32	32				48			320	16,680.00	-	-	6,640.00	77,456.00
2	Hydrology																
2.1	Review Existing Hydrology Reports	4	24	48								76					13,020.00
2.2	Plunge Creek Hydrology Modeling	4	16	400								420					69,660.00
2.3	Historical Rainfall & Stream Gage Assessment		4	80								84					13,920.00
2.4	Development of Average Annual Flow Rate		4	60								64					10,620.00
2.5	100-Year and Average Annual Flow Rate Report	4	12	80								96					16,140.00
	Subtotal	12	60	668								740	-	-	-	-	123,360.00
3	Hydraulics																
3.1	Review Existing Hydraulic Reports & Models	4	12	32								48					8,220.00
3.2	Plunge Creek Topographic Workmap Preparation & Surface Development		8	48								56					9,360.00
3.3	Plunge Creek 1D Hydraulic Modeling Baseline Condition		16	160								176					29,280.00
3.4	Plunge Creek Diversion Structure Assessments (4 Alternatives)	4	12	120								136					22,740.00
3.5	Plunge Creek Hydraulic Model using 100-Yr & Avg Annual Flowrate	2	8	60								70					11,730.00
3.6	Plunge Creek FloodPlain and Flowrate Diversion Report	8	16	120								144					24,240.00
	Subtotal	18	72	540								630	-	-	-	-	105,570.00
4	Basin Routing																
4.1	Basin Storage Topographic Workmap & Surface Preparation		8	32								40					6,720.00
4.2	Basin Hydraulic Modeling & Development of Hydraulic Controls		8	96								104					17,280.00
4.3	Drain Time and Recharge Analysis	4	16									20	35,490.00				39,150.00
4.4	Preliminary Basin Assessment Report	8	16	96								120					20,280.00
	Subtotal	12	48	224								284	35,490.00	-	-	-	83,430.00
5	Field Surveys & Base Mapping																
5.1	Research and Base Mapping		8			36		40				84					13,100.00
5.2	Plunge Creek & Oak Creek Field Surveys		4				16			24		44					8,944.00
5.3	Aerial Topographic Mapping		4				8			20		32		6,300.00			12,940.00
	Subtotal		16			36	24	40		44		160	-	6,300.00	-	-	34,984.00
6	Geotechnical Site Investigation																
6.1	Preliminary Geotechnical Investigation		8									8			26,670.00		28,110.00
6.2	Infiltration Investigation		4									4			11,130.00		11,850.00
	Subtotal		12									12	-	-	37,800.00	-	39,960.00
7	Sediment Transport Analysis																
7.1	Field Reconnaissance and Stream Assessment														3,990.00		3,990.00
7.2	Sediment Transport Modeling														13,280.00		13,280.00
7.3	Sediment Transport Assessment														19,910.00		19,910.00
7.4	Sediment Transport Report	2	4	8								14			13,280.00		15,710.00
	Subtotal	2	4	8								14	-	-	-	50,460.00	52,890.00
8	Regulatory Compliance Review																
8.1	SBCFCD, USACE, and FEMA Review	8	16	32	32	8						96					15,760.00
	Subtotal	8	16	32	32	8						96	-	-	-	-	15,760.00
9	Value Engineering and Constructability Review																
9.1	Preliminary Quantity Estimate	4	24		56							84					13,780.00
9.2	Value Engineering and Constructability Review	8	24		32						140	204					24,840.00
	Subtotal	12	48		88						140	288	-	-	-	-	38,620.00
10	Groundwater Analysis																
10.1	Construct a New Focused Groundwater Model		4									4	38,850.00				39,570.00
10.2	Run Scenarios for Plunge Creek and Oak Creek Basins (Cost for Three Model Runs for each site)	2	8									10	49,580.00				51,410.00
10.3	Technical Memorandum	4	8									12	25,410.00				27,630.00
	Subtotal	6	20									26	113,840.00	-	-	-	118,610.00
11	Exhibits and Findings Reports																

ATTACHMENT C

FEE SCHEDULE

SBVWCD

ARTP PLUNGE CREEK AND OAK CREEK DIVERSION AND BASIN(S) FEASIBILITY STUDY SUPPORT SERVICES

TASK NO.	TASK DESCRIPTION	Project Manager/ QC	Senior Engineer	Senior Hydrologist	Project Engineer	Design Engineer	Survey Manager	Mapping Manager	Project Analyst	2-Man Survey Crew	Construction Manager	TOTAL Hours	Subconsultants ¹				TOTAL
		\$195.00	\$180.00	\$165.00	\$155.00	\$135.00	\$175.00	\$170.00	\$102.00	\$226.00	\$100.00		Geoscience	Inland Aerial	LOR	Chang	
11.1	Preliminary Design Plans	16	32	32	32	120						232					35,320.00
11.2	Technical Report	24	40	80	48	16						208	14,525.00			5,815.00	55,020.00
	Subtotal	40	72	112	80	136						440	14,525.00	-	-	5,815.00	90,340.00
12	Reimbursables																
12.1	Printing and Reproduction Costs																5,000.00
12.2	Engineering Research Fees																500.00
12.3	Delivery Services																400.00
	Subtotal												-		-	-	5,900.00
	TOTAL	214	472	1,616	232	180	24	40	48	44	140	3,010	180,535.00	6,300.00	37,800.00	62,915.00	786,880.00

¹ The fees shown hereon reflect each subconsultant's proposal marked up 5%. Detailed subconsultant fee schedules by individual staff rate and task can be provide by request.



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1838

To: Board of Directors
From: Assistant Engineer, Katelyn Scholte
Date: February 4, 2022
Subject: Draft Engineering Investigation Report for 2022

RECOMMENDATION

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

BACKGROUND

Over five years ago, Staff prepared the first EI Report Plan after receiving considerable input and discussion with the BTAC and other parties in the Basin. Recently, Staff has updated the plan to incorporate changes and revisions that were identified from the production of the EI Report in 2021.

Staff developed the Draft 2022 EI Report in accordance with the updated EI plan approved by the Board last year. Staff posted the Draft EI Report and will present the report to the Board in the meeting. The next BTAC meeting will be in April and staff will offer a presentation if the BTAC is interested.

DISCUSSION

Generally, the EI Report process was very similar to prior years. Data for well location was requested and Christiana Kent and Katelyn Scholte verified locations, basins and wells to improve accuracy and mapping quality. This year when mapping we have locations for more than 200 wells giving a more accurate representation of the ground water elevation. Staff has not received any changes since posting, however, that is very recent. Data has not yet been received from several agencies due to delays related to the Covid-19 pandemic. SBVMWD will again run their model for the basin with our data to compare with the EI Report and results will be reported when complete.

The 2022 EI Report indicates precipitation was higher for the water year and for the calendar year. This year precipitation was approximately 56% of normal. The EI shows a general drop in basin water levels from the elevations from the prior year. Most of the basin declined between 5 and 30 ft due to a limited supply of native and State Water Project water recharged. Almost no State Project Water was available for recharge in the basin in 2021. This decreased availability of imported water for groundwater recharge and below average precipitation caused a decline in water levels resulting in a decrease of

about 91,000 AF for the Bunker Hill Basin. Groundwater production is higher than the previous period with 90,000 AF within SBVWCD boundaries and 170,000 AF within the Bunker Hill Basin boundary. These values are anticipated to increase as data has not yet been received from three agencies.

The Draft EI Report with appendices is available on the District's website <http://www.sbvwd.org/reports-and-data/engineering-investigation.html>. Limited copies of the Report will be produced with primary distribution by Adobe Acrobat file. Staff will provide a copy for any Board member who requests them.

FISCAL IMPACT

The EI Report preparation alone does not have a significant fiscal impact. Costs to produce the 2022 EI are similar to the last few years and lower than the past due to the exclusive use of in-house staff for data acquisition, management, analysis, and document preparation. This represents a savings to the Groundwater Enterprise and to the District. A primary purpose of the report is to provide the basis for the Groundwater Charge in compliance with Water Code §75523. The budget for the Groundwater Enterprise covers the cost for the EI Report.



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1839

To: Board of Directors

From: Daniel Cozad, General Manager

Date: February 9, 2022

Subject: Budget Planning for Groundwater Enterprise for 2022-2023, Proposed Groundwater Council Operations and Maintenance Fee and Advertised Groundwater Charge

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.

BACKGROUND

Each year, San Bernardino Valley Water Conservation District (District) staff projects revenue and expense estimates for the Groundwater Enterprise, as underlying support for the Board to determine a proposed amount for the Groundwater Charge, for Public Notice purposes. The estimated amount included in the public notice does not set the charge, but does provide public notice of the potential proposed rate, for discussion purposes.

Following this analysis, the proposed Groundwater Charge rate is noticed in the newspaper and via mail to groundwater producers, and an opportunity is provided to the public to provide feedback at a Public Meeting and a Board Public Hearing to determine the annual groundwater charge. It is now time to consider that process again for the 2022-23 Groundwater Charge.

Groundwater Charge rates held steady (\$3.23 Agricultural/\$11.62 Non-Agricultural) from 2014 to 2016. In 2017, the rate was increased by 4%, with the previously-established Rate Stabilization Reserve fund used to moderate rate increases. In 2018, the Board approved an additional 4% increase in Non-Agricultural rates. That same year, in response to legal developments¹, the Board determined that Agricultural rates should be incrementally raised over time, to match Non-Agricultural rates. The Board opted for a three-year phased approach to equalize Agricultural and Non-agricultural rates, relying again

¹ See, *City of San Buenaventura v. United Water Conservation District* (2017) 3 Cal. 5th 1191, which among other things, called into question the constitutionality of the rate differentials between the two types of rates, formerly required by Water Code section 75594. See discussion, *infra*.

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GENERAL MANAGER

Daniel B. Cozad

on the Rate Stabilization Reserve fund to bridge transitional shortfalls. In 2019 and 2020, the Board approved a 5% increase in Non-Agricultural rates, while Agricultural rates continued to be raised incrementally to match Non-Agricultural rates. There was no opposition to this change. For three years, the Rate Stabilization Reserve fund underwrote the shift from differential Agricultural and Non-Agricultural rates to a unitary rate, of \$13.85/AF

In 2021, the Board approved a change to rates increasing the unitary rate by 5% to \$14.54/AF and adding a replenishment sustainability component for SB County entities.

Over this same time period, Bunker Hill Groundwater Basin producers collaborated with the District to develop and approve a Groundwater Council (GC), formalized in 2018. The Groundwater Council offers a cooperative vehicle whereby members have created a method to equitably allocate basin recharge operations and maintenance costs, and to provide funding for basin replenishment with imported water, whenever feasible. Following two years of implementation, the GC payments and Groundwater Charge rates have proven effective to recover the majority of costs for the Groundwater Enterprise, as well as providing a cooperative regional funding source for taking advantage of variable imported water supplies, for local recharge.

DISCUSSION

The Groundwater Enterprise fund revenue has met its expenditures for the past six years. Based on performance for the first half of the fiscal year, staff has projected a budget for Groundwater Enterprise operations and updated capital expenses. Staff has estimated a preliminary Groundwater Charge rate and initial GC revenue budget needed to offset these expenses. Staff has coordinated this cost with the GC, and GC members have supported the proposal.

The GC effectively serves as an alternative method for members to cover the District groundwater recharge operations costs, previously paid through the Groundwater Charge. The GC agreement was effective on February 27, 2018, and Fiscal Year 2018-2019 was the first budget year to utilize the GC funding mechanism. The City of Redlands joined the GC in 2021.

Budget Approach:

The budget approach recommended by staff includes the following efforts and activities:

- Develop and review the draft budget with the GC and Groundwater Charge partners
- Utilize the Groundwater Enterprise Budget to develop the proposed Groundwater Charge
- Review the draft budget with the Finance & Administration Committee or in a Board Workshop before submitting it to the Board for approval
- Review other budgets with appropriate partners and stakeholders, as appropriate
- Utilize feedback from all of the above in the development of the final budget proposal

Assumptions

The budget process is expected to use similar assumptions, based on the same factors, as the previous budgets. The budget also includes the following specific assumptions:

Revenue:

- Groundwater Charge revenue is based on actual charges paid in the prior year, with a review from the GC agencies
- GC revenue as calculated by the Equitable Allocation Model (“EAM”²) and paid by GC member agencies
- Producers who are not parties to the GC will continue to pay the Groundwater Charge
- Property tax will be estimated at the 2021 actual receipts
- Mining revenue will be estimated based on lease guaranteed annual minimum payments
- Interest revenue will be based on investment forecasts
- Consideration of the needs of the Active Recharge Transfer Project capital costs and limited interest income
- Revenue for Wash Plan Implementation from the Conservation Trust

Expenses:

- Expenses are estimated on a zero basis, or actual costs/estimates modified based on specific needs and actual 2020 costs.
- Board administrative costs and Staff COLA increases are based on Bureau of Labor Statistics CPI-U All West at 6.1% based on actual December 2021 rate of 7.1 but subtracting 1% raised in the last budget year https://www.bls.gov/regions/west/news-release/consumerpriceindex_west.htm
- Utilities increase at approximately 5-7%, based on sector CPI or projected rate changes
- Salary forecast includes raise pool of up to 5% as a percentage of total salaries
- Miscellaneous expenses are generally increased at 5% where no other basis is available

During the 2016 budget process, the Board requested the full cost of capital improvements, repairs, and equipment in the budget. CEIP Costs are included at budget time as there are some operating revenue paid to capital projects and some capital funding of annual costs such as salaries and etc. CEIP costs in the current Groundwater Enterprise budget include the following:

- Mill Creek Diversion improvements, permitting, and construction
- Permitting for Mill Creek facilities
- Design and construction of the Mentone shop
- Replacement of heavy equipment
- On-going security repairs such as fencing, gates, boulders, and other barriers
- On-going land management such as removal of invasive, high-water-use species
- Design of the ARTP Projects

Based on the year-to-date budget information and the assumptions listed above, staff projects that a 5% increase in the Groundwater Charge is needed for 2022-2023.

² The EAM is the Groundwater Council’s method of assigning cost burdens to basin maintenance and operations, and to investments for purchase of imported water supplies, when available. It tries to balance historic water rights with later increases or decreases in production, to allocate burdens with an eye to respecting established rights, and current demand patterns of use. It therefore assigns costs based on equal weight to members’ (or their predecessors’) historical production (from 1959-1963), and more current production (from 2015-2019).

Legal Changes and the Move to a Unitary Rate

Throughout our history, the District has incorporated all requirements of the California Water Code (CWC), Prop 218, and Prop 26 into the rate setting process for the Groundwater Charge. We continue to carefully monitor legal cases related to the interpretation of voter initiatives, including Proposition (Prop) 13, Prop 218 and Prop 26, which seek to alter local governments' ability to raise taxes and fees without voter approval.

In *City of San Buenaventura v. United Water Conservation District, supra*, the California Supreme Court ruled that Groundwater Charges are not subject to Prop 218, but must meet the requirements of Prop 26. This requires that the charge or fee must 1) be no more than necessary to cover the costs of the activity; and 2) be allocated in a manner that bears a fair or reasonable relationship to the burdens or benefits from the activity. Further, the Court essentially invalidated CWC Section 75594, which required a 3-5:1 Non-Agricultural to Agricultural ratio for the charge. Before this decision, the District followed the requirements of CWC Section 75594, which resulted in a reduced Groundwater Charge for Agricultural production, which was also applied to parks, golf courses, schools, and cemeteries. This requirement that the Groundwater Charge be allocated in a manner related to the burden and benefit of the recharge replaced the statutorily-dictated cost ratio and, consistent with historical rate development, the District will continue to set the annual charge as necessary to recover the costs for the service provided (see attached Table on GW Charge History).

In setting the 2018 rates under these new legal parameters, the District did not believe there was sufficient factual record on variable costs between the Agricultural or Non-agricultural uses of groundwater production available to propose a defensible distinction of rate, based on relative burdens and benefits of the two categories of uses. No further information has become available since that time. Further, the District has not attempted to allocate its internal costs or field maintenance expenses based upon the distinction in use. Because Agricultural production is not limited to specific geographic areas within the District's boundaries, nor are District facilities designated solely, or even primarily, to Agricultural or Non-Agricultural use, the District Board approved a unitary rate for all production, regardless of type of use.

This change affected 30 producers producing approximately 10,815 acre feet from 52 wells. These producers paid groundwater charges of approximately \$35,879 in 2017. These users effectively received an increase in per acre foot rates of groundwater charges, due to the court-mandated discontinuance of the protected rate status for Agricultural use. Under a unitary rate in 2017, these 30 producers would have paid approximately \$131,300, with six users likely to be significantly affected due to the amount of recent production. These are primarily municipal users that now pay through the Groundwater Council.

To address these impacts to producers, the Board approved the utilization of the Groundwater Charge Stabilization Reserve over a three-year transition process, in which the Agricultural rate incrementally increased to a level of the Non-Agricultural rate. In 2018, staff undertook significant efforts to inform these producers of the change and provide multiple opportunities to participate in the process of setting the groundwater charge. Staff took the following actions at the Board's direction:

1. Produced and distributed information for all producers on the *Ventura v. UWCD* case and its implications
2. Held an informational workshop to explain the case, its effect on the Groundwater Charge and invited participants to attend the February 14 Board meeting to select the advertised rate
3. Mailed and advertised notices of Groundwater Charge change, including the potential phase-in period
4. Coordinated with Groundwater Council members
5. April 7th Public Meeting at Board meeting
6. April 21th Public Hearing to adopt rate at Board Meeting
7. Mailed an information sheet with the rate changes after adoption.

Throughout this time, including the informational workshop, Public Meeting, and Public Hearing, no Agricultural users indicated any opposition to the changes in rates. Certain Agricultural users who reached out for additional information noted their support for the Board's three-year transition process.

Groundwater Sustainability and Replenishment

The Board, as part of last year's rate setting process approved a request from the GC to include a Replenishment/Sustainability component, as part of the Groundwater Charge. This component serves to make sure that those basin producers who are not GC members contribute proportionately to replenishment supplies, which GC members fund through their participation in the GC. This portion of the groundwater charge would be remitted after collection by the District to the GC, which would then use it to purchase imported water from San Bernardino Valley Municipal Water District, to replenish the basin.

On October 12, 2020, the GC approved a plan to achieve full financial participation from those remaining agencies that produce groundwater from the basin but have not yet become GC members. The replenishment component of the Groundwater Charge is in a proportionate amount so as to assure ratable contribution by such producers to basin wide replenishment efforts, and funding, now implemented by the GC and its members. This charge component is assessed as permitted under the District's organic act, and constitutional requirements, on San Bernardino County production within the District's jurisdictional boundaries, and in a manner whose results would mimic the allocations through the GC's EAM.

To explain, the idea would be to track the GC expenditures for imported recharge water over a defined time period (for this cycle, only two years of data would be available), come up with a normalized annual estimate (perhaps a rolling average of all years until five have passed, then a rolling five year average), as the benchmark of total water replenishment expenditures benefitting the basin. The total production ratio of the Other Producers during that same period, as compared to the GC members, would then be determined, to derive a "reasonable relationship" between the benefits achieved by Other Producers from GC recharge. The proportionate ratio of the total production from the Other Producers would then be applied to the normalized basin recharge expenditure figure, to determine the aggregate amount to be collected from the Other Producers, as part of the Groundwater Charge. That total monetary sum would then be allocated among the Other Producers pursuant to the EAM allocation. In this way, the total amount of groundwater charge raised by this Replenishment/Sustainability component paid by such Other Producers, in aggregate, would be no more than their proportionate benefit from basin recharge generally. The total cost would therefore not exceed the cost of the recharge activity basin wide, and the burden to

Other Producers would be based on their production as a group, allocated among them individually in the same manner as the GC does with its members. The goal would be to meet Proposition 26 requirements for total costs and reasonable benefit, while use of the EAM would “carry forward” for the Other Producers the GC’s balance between historical rights and present production, and place all basin producers, both GC members and Other Producers, on an even footing.

Staff used the same methodology to calculate a rate for non-GC member producers in the District boundary³. The replenishment/sustainability fee is estimated in Table 2, and would be up to \$20.00 per AF of production.

Staff reviewed these analyses with the GC and with the District’s Finance and Administration Committee. In recognition of concerns Staff proposed a phase-in period of five or more years to implement the fee, and reduce “rate shock.” The GC approved this phase-in period, and other elements implemented by the District Board. Last year staff conducted outreach to the producers affected by the proposed change to obtain feedback. No producers indicated resistance to the new component.

POLICY CONSIDERATIONS

The Board provides direction to staff on the appropriate Groundwater Charge rate to advertise in the notices for the public meeting and hearing. Staff has reviewed the groundwater recharge operational costs to date for FY21-22 and Groundwater Recharge Enterprise revenue likely to be generated by the Groundwater Charge and the Groundwater Council. Staff believes that these data provide sufficient information to project the 2022-2023 Groundwater Recharge Enterprise needs. Following this analysis, staff recommends that the Board advertise a 5% increase in rates for the upcoming fiscal year. The recommendation is in keeping with prior Board direction to limit annual rate increases to 3-5% except in cases of significant policy or economic change. Because the Board acted proactively last year the 5% is still adequate for operations even though it is lower than overall inflation for the period.

ALTERNATIVES

Potential Board actions include:

- Direct staff to advertise a 5% rate increase in notices and direct staff to advertise and continue phase in of the replenishment/sustainability component of ultimately up to \$20 per Acre Foot at full phase in in four more years.
- Provide staff direction to alter assumptions or other rate calculation methodology and the authority for selecting another advertised rate.

FISCAL IMPACT

The annual development of the Groundwater Charge rate is supported by the Groundwater Recharge Enterprise. Without the proposed 5% rate increase in FY22, the impact to the Rate Stabilization Fund would be approximately \$31,778. The GC has recommended the proposed budget and will approve the budget in February or April. The replenishment/sustainability component is revenue neutral to the District as it would be segregated for exclusive use for transfer to the GC for purchased imported water.

³ The City of Redlands is not included in the analysis, since it is expected to become a member of the Council.

POTENTIAL MOTIONS

1. Move to direct staff to advertise a 5% increase in the overall groundwater charge and continue the phase in of the Sustainability replenishment component.
2. Direct staff to advertise a 5% rate increase in notices year two of the replenishment/sustainability component ultimately up to \$20 per Acre Foot.
3. Move to direct staff to advertise another rate and approve the budget plan as shown herein.

ATTACHMENTS OR MATERIALS

- Draft Groundwater Enterprise Budget
- Groundwater Production and Charge Revenue Projection
- Replenishment/Sustainability Cost Assessment Tables

GL ACCT: GL DESCRIPTION:		Approved 2021-2022 Budget	Projected Annual Costs (7/1/21- 6/30/22)	Draft 2022- 2023 Budget	GROUNDWATER RECHARGE ENTERPRISE		
Draft 2022-2023 Budget					2021 BUDGET:	% BUDGET	BASIS:
INCOME:							
4012	INTEREST INCOME-LAIF	4,000.00	2,000.00	3,234.28	0.00		
4013	INTEREST INCOME-CALTRUST	25,600.00	12,800.00	16,000.00	0.00		Groundwater Totals
4015	INTEREST INCOME-UBS	27,860.00	13,930.00	13,986.00	0.00		\$ 1,497,192
4016	INTEREST INCOME ARTP	216,000.00	108,000.00	216,000.00	0.00	0.00%	
4017	ARTP CAPITAL INCOME	615,000.00	307,500.00	615,000.00	0.00	0.00%	
4022	GROUNDWATER CHARGE	549,681.07	549,681.07	712,630.95	712,630.95	100.00%	PER OFFSET
4024	GROUNDWATER COUNCIL REVENUE	696,800.00	696,800.00	731,640.00	731,640.00	100.00%	PROPOSED
4025	GW SUSTAINABILITY/REPLENISHMENT	16,814.00	16,814.00	52,921.50	52,921.50	100.00%	
4031	PLANT SITE CEMEX	48,000.00	48,000.00	48,000.00	0.00		
4032	CEMEX - ROYALTY/LEASE	600,000.00	700,000.00	600,000.00	0.00		
4036	AGGREGATE MAINTENANCE	60,000.00	75,000.00	60,000.00	0.00		
4040	MISCELLANEOUS INCOME	10,000.00	10,000.00	10,000.00	0.00		
4043	PROJECT SALARY REIMBURSEMENT		20,000.00	20,000.00	0.00		
4050	PROPERTY TAX	130,817.65	130,817.65	137,358.53	0.00		
4055	SBVMWD LEASE AGREEMENT	421,846.12	431,810.98	449,083.42	246,995.88	55.00%	
4062	MENTONE PROPERTY INCOME	100.00	100.00	100.00	0.00		
4065	REDLANDS PLAZA	218,036.34	218,036.34	211,849.83	0.00		
4066	REDLANDS PLAZA CAM	44,906.35	44,906.35	45,707.27	0.00		
4080	EXCHANGE PLAN	30,000.00	0.00	0.00	0.00	100.00%	HISTORIC
4025	WASH PLAN REVENUE * from Reserves	220,000.00	914,569.26	220,000.00	0.00		
4086	PLUNGE CREEK IRWMP Grant	0.00	0.00	0.00	0.00		
4999	TRUST REIMBURSEMENT WASH PLAN	592,500.00	592,500.00	592,500.00	0.00		
TOTAL INCOME:		4,527,961.52	4,893,265.65	4,756,011.78	1,744,188.33		
EXPENSES:							
5080	LAFCO CONTRIBUTION/FEES	2,418.94	2,418.94	4,000.00	0.00		
5120	MISC. PROFESSIONAL SERVICES	300,000.00	300,000.00	300,000.00	75,000.00	25.00%	Mill Creek Permitting init.
5122	WASH PLAN PROFESSIONAL SERVICES	245,000.00	445,000.00	245,000.00	0.00		
5123	HABITAT MANAGEMENT-WP	346,250.00	346,250.00	346,250.00	0.00		
5124	PLUNGE CREEK PROFESSIONAL SERVICES	0.00	0.00	0.00	0.00		
5125	ENGINEERING SERVICES	30,000.00	30,000.00	30,000.00	30,000.00	100.00%	
5126	GW SUSTAINABILITY/REPLENISHMENT	16,814.00	16,814.00	16,814.00		100.00%	Pass through of GC cost
5127	PROJECT ACCOUNTING SERVICES						
5130	AERIAL PHOTO/SURVEYING/MARKET	2,200.00	2,200.00	2,200.00	0.00		
5133	Regional River HCP Contribution CIP #7	25,000.00	25,000.00	25,000.00	18,750.00	75.00%	
5155	WP TRAILS SERVICES	25,000.00	25,000.00	25,000.00	0.00		
5160	IT SUPPORT	8,500.00	8,500.00	8,500.00	3,825.00	45.00%	Share by need
5170	AUDIT	26,900.00	26,900.00	26,900.00	9,684.00	36.00%	Share based on Revenue
5175	LEGAL-WASH PLAN	5,000.00	13,387.50	5,000.00	0.00		
5180	LEGAL	25,000.00	25,000.00	25,000.00	3,750.00	15.00%	GSC and COE Litigation
FIELD OPERATIONS:							
5210	EQUIPMENT MAINTENANCE	7,200.00	7,200.00	7,200.00	7,200.00	100.00%	based on average actual
5215	PROPERTY MAINTENANCE	40,000.00	40,000.00	40,000.00	32,000.00	80.00%	Basin Maintenance Moved
5223	TEMP FIELD LABOR	10,000.00	10,000.00	10,000.00	10,000.00	100.00%	Invasive and canal cleaning
5225	FIELD CLEAN UP-DUMPING/VECTOR	60,000.00	60,000.00	60,000.00	36,000.00	60.00%	
5050	BASIN CLEANING FORMERLY 7050 CAPITA	50,000.00	50,000.00	50,000.00	50,000.00	100.00%	

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Draft 2022-2023 Budget					2021 BUDGET:	% BUDGET	BASIS:
VEHICLE OPERATIONS:							
5310	VEHICLE MAINTENANCE	8,000.00	8,000.00	8,000.00	8,000.00	100.00%	reduced from 2013-14 base
5320	FUEL	15,125.00	15,125.00	16,637.50	16,637.50	100.00%	EST. LOWER FUEL COST
UTILITIES:							
5410	ALARM SERVICE	1,545.00	1,545.00	1,800.00	900.00	50.00%	FACILITIES SHARE
5420	ELECTRICITY	7,563.42	9,454.28	11,438.00	2,287.60	20.00%	FACILITIES SHARE
5430	MOBILE PHONES	5,370.30	5,370.30	5,850.00	4,387.50	75.00%	FACILITIES SHARE
5440	TELEPHONE	6,000.00	6,000.00	6,000.00	1,800.00	30.00%	FACILITIES SHARE
5450	NATURAL GAS	1,155.00	1,155.00	1,000.00	400.00	40.00%	FACILITIES SHARE
5460	WATER / TRASH / SEWER	3,609.90	3,609.90	3,790.40	1,516.16	40.00%	FACILITIES SHARE
5470	INTERNET SERVICES	2,750.00	2,750.00	2,750.00	825.00	30.00%	FACILITIES SHARE
GENERAL ADMINISTRATION:							
6001	GENERAL ADMIN-OTHER	4,500.00	4,500.00	4,500.00	2,250.00	50.00%	ESTIMATE BY USE
6002	WEBSITE ADMINISTRATION	6,000.00	6,000.00	6,000.00	0.00		
6003	PROPERTY TAX	0.00	0.00	0.00	0.00		
6004	MEETING EXPENSES	2,060.00	2,060.00	2,060.00	0.00		
6006	PERMITS	45,000.00	170,098.33	45,000.00	33,750.00	75.00%	Fish and Wildlife
6007	INTER DISTRICT COSTS	10,000.00	10,000.00	10,000.00	5,000.00	50.00%	
6009	LICENSES	1,712.06	1,712.06	1,709.00	1,367.20	80.00%	
6010	SURETY BOND	1,900.00	1,900.00	1,900.00	0.00		
6012	OFFICE MAINTENANCE	2,550.80	2,550.80	5,101.60	0.00		
6013	OFFICE LEASE PAYMENT	50,000.00	50,000.00	50,000.00	10,000.00	20.00%	Share by allocation
6015	MENTONE HOUSE MAINTENANCE	3,500.00	3,500.00	3,500.00	0.00		
6016	REDLANDS PLAZA MAINTENANCE	35,000.00	35,000.00	35,000.00	0.00		
6026	REDLANDS PLAZA CAM EXPENSES	32,936.31	32,936.31	33,595.04	0.00		
6018	JANITORIAL SERVICES	10,400.00	10,400.00	10,200.00	0.00		
6019	JANITORIAL SUPPLIES	515.00	515.00	375.00	150.00	40.00%	FACILITIES SHARE
6020	VACANCY MARKETING-REDLANDS PLAZA	5,000.00	5,000.00	5,000.00	0.00		
6027	COMPUTER SOFTWARE	2,000.00	2,000.00	2,000.00	100.00	5.00%	FACILITIES SHARE
6030	OFFICE SUPPLIES	3,500.00	5,500.00	5,500.00	275.00	5.00%	FACILITIES SHARE
6033	OFFICE EQUIPMENT RENTAL	9,500.00	9,500.00	9,500.00	475.00	5.00%	FACILITIES SHARE
6036	PRINTING	2,000.00	2,500.00	2,200.00	880.00	40.00%	GW Charge
6039	POSTAGE AND OVERNIGHT DELIVERY	1,200.00	1,200.00	1,200.00	300.00	25.00%	GW Charge
6042	PAYROLL PROCESSING FEES	2,859.13	2,859.13	3,002.09	0.00		
6045	BANK INVESTMENT SERVICE CHARGES	1,000.00	1,000.00	750.00	0.00		
6051	UNIFORMS	3,025.00	3,025.00	3,025.00	2,117.50	70.00%	Field Uniforms
6060	OUTREACH	60,000.00	60,000.00	60,000.00	12,000.00	20.00%	share by mission
6087	EDUCATIONAL REIMBURSEMENT	5,000.00	5,000.00	5,000.00	0.00		
6090	SUBSCRIPTIONS/PUBLICATIONS	1,355.20	1,800.00	2,150.00	0.00		
6091	PUBLIC NOTICES	3,200.00	3,200.00	3,200.00	2,560.00	80.00%	% OF 2010
6093	MEMBERSHIPS	25,289.23	25,289.23	24,276.15	0.00		
BENEFITS:							
6110	VISION INSURANCE	2,881.79	2,881.79	3,169.97	1,740.31	45%	Based on percent of hours
6120	WORKER'S COMP INSURANCE	16,564.84	16,564.84	17,925.35	9,841.02	45%	Based on percent of hours
6130	DENTAL INSURANCE	10,548.37	10,548.37	11,227.52	6,163.91	45%	Based on percent of hours
6150	MEDICAL INSURANCE	239,303.51	239,303.51	251,727.10	138,198.18	45%	Based on percent of hours
6150.01	MEDICAL EMPLOYEE CONTRIBUTION	-31,135.79	-31,135.79	-28,211.94	-12,695.37	45%	
6160	PAYROLL TAXES - EMPLOYER	102,949.70	102,949.70	101,231.56	55,576.13	45%	Based on percent of hours

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Draft 2022-2023 Budget					2021 BUDGET:	% BUDGET	BASIS:
6170	PERS RETIREMENT	296,477.60	296,477.60	245,457.40	134,756.11	45%	Based on percent of hours
6170.01	PERS EMPLOYEE CONTRIBUTION	-45,326.73	-45,326.73	-53,466.60	-24,059.97	45%	
SALARIES:							
6210	OVERTIME				0.00		763,181.04
6230	REGULAR SALARIES	1,422,210.29	1,422,210.29	1,404,966.92			
Sub	Field Staff Part Time				0.00	50.00%	Salary+overhead 22% % time
Sub	Field Supervisor	90,898.08	90,898.08	93,682.06	114,292.11	100.00%	Salary+overhead 22% time
Sub	Field Operations Spec I	55,582.80	55,582.80	60,086.21	73,305.17	100.00%	Salary+overhead 22% time
Sub	Field Operations Spec I	45,339.84	45,339.84	48,995.11	53,796.63	90.00%	Salary+overhead 22% time
Sub	Lands Resources Mgr.	214,503.33	214,503.33	195,565.00	95,435.72	40.00%	Salary+overhead 22% time
Sub	Admin Services Spec.	87,709.44	87,709.44	90,393.80	44,112.18	40.00%	Salary+overhead 22% time
Sub	Admin Analyst	88,932.48	88,932.48	91,651.73	33,544.53	30.00%	Salary+overhead 22% time
Sub	Senior Engineer (Part-time)	169,827.84	169,827.84	94,900.00	23,155.60	20.00%	Salary+overhead 22% time
Sub	District Engineer	78,689.52	78,689.52	88,252.51	53,834.03	50.00%	Salary+overhead 22% time
Sub	Assistant Engineer			77,392.00	47,209.12	50.00%	Salary+overhead 22% time
Sub	Legal Counsel	250,000.00	250,000.00	265,253.40	97,082.74	30.00%	Salary+overhead 22% time
Sub	GIS Intern/contract	15,695.62	15,695.62	16,531.68	20,168.65	100.00%	Salary+overhead 22% time
Sub	General Manager	296,783.34	296,783.34	250,000.00	91,500.00	30.00%	Salary+overhead 22% time
Sub	Doc Imaging Intern	12,840.00	12,840.00	15,731.76	7,677.10	40.00%	Salary+overhead 22% time
sub	Engineering Intern	15,408.00	15,408.00	16,531.68	8,067.46	40.00%	Salary+overhead 22% time
INSURANCE:							
6310	PROPERTY / AUTO INSURANCE	4,420.13	4,828.74	5,070.18	3,802.63	75.00%	Approximate from Insurer
6320	GENERAL LIABILITY INSURANCE	33,651.74	35,708.99	36,423.17	27,317.38	75.00%	Approximate from Insurer
DIRECTOR'S EXPENSES:							
6401	DIRECTOR'S FEES	87,901.20	87,901.20	90,632.40	0.00		
6410	MILEAGE	4,000.00	4,000.00	4,000.00	0.00		
6415	AIR FARE	2,500.00	2,500.00	3,000.00	0.00		
6420	OTHER TRAVEL	500.00	500.00	500.00	0.00		
6425	MEALS	3,500.00	3,500.00	3,500.00	0.00		
6430	LODGING	4,000.00	4,000.00	4,000.00	0.00		
6435	CONF/SEMINAR REGISTRATIONS	5,000.00	5,000.00	5,000.00	0.00		
6440	ELECTION FEES/REDISTRICTING	25,000.00	25,000.00	0.00	0.00		
ADMINISTRATIVE/STAFF EXPENSES:							
6510	MILEAGE	2,500.00	2,500.00	2,500.00	625.00	25.00%	Allocation basis 2011
6515	AIR FARE	4,500.00	4,500.00	4,500.00	450.00	10.00%	Allocation basis 2011
6520	OTHER TRAVEL	1,500.00	1,500.00	1,500.00	375.00	25.00%	Allocation basis 2011
6525	MEALS	2,035.00	3,500.00	2,177.45	762.11	35.00%	Allocation basis 2011
6530	LODGING	3,750.00	3,750.00	3,825.00	1,338.75	35.00%	Allocation basis 2011
6535	CONF/SEMINAR REGISTRATIONS	4,000.00	4,000.00	4,000.00	1,400.00	35.00%	
6600	REPLENISHMENT WATER PURCHASE GC	16,814.00	16,814.00	52,921.50	52,921.50	100.00%	
9999	Contribution toward Capital Maint.	278,621.92	278,621.92	350,000.00	200,000.00		Reduced Allocation
8010	Capital Reserve GWE/Rate Stabilization	0.00	0.00	0.00	0.00	100.00%	Use not contribution
TOTAL EXPENSES:		4,106,071.84	4,448,324.21	4,147,450.74	1,745,881.18		8%
Operating Revenue		4,527,961.52	4,893,265.65	4,756,011.78	1,744,188.33		25%
NET OPERATING REVENUE		421,889.69	444,941.44	608,561.04	-1,692.84		

GL ACCT: GL DESCRIPTION:		Approved 2021-2022 Budget	Projected Annual Costs (7/1/21- 6/30/22)	Draft 2022- 2023 Budget	GROUNDWATER RECHARGE ENTERPRISE		
Draft 2022-2023 Budget					2021 BUDGET:	% BUDGET	BASIS:
Multiyear Capital projects							
7010	MATERIALS LAND & BUILDINGS	12,000.00	12,000.00	12,000.00	6,000.00	50.00% Field Security Changes	
7110	PROPERTY - CAPITAL REPAIRS	511,971.00	511,971.00	511,971.00	361,971.00	70.70% CIP #11 #15	
7120	PROPERTY - LAND PURCHASE	0.00	22,722.32	0.00			
7130	MENTONE PROPERTY (HOUSE) CAPITAL R	25,000.00	25,000.00	25,000.00	0.00		
7140	MENTONE PROPERTY (SHOP) CIP #3 b& c	375,000.00	330,000.00	375,000.00	375,000.00	100.00%	
7160	MENDOZA PROPERTY CIP\ #12 EQUIPMENT & VEHICLES	137,000.00	137,000.00	137,000.00			
7210	COMPUTER HARDWARE CAPITAL REPAIRS	5,000.00	5,000.00	5,000.00	1,250.00	25.00% Allocation basis 2011	
7220	COMPUTER SOFTWARE	10,000.00	20,000.00	10,000.00	3,000.00	30.00% Allocation basis 2011	
7230	FIELD EQUIPMENT / VEHICLES CIP #8 & #1	1,604.44	72,500.00	1,604.44	1,283.55	80.00%	
7240	OFFICE EQUIPMENT PROFESSIONAL SERVICES:	1,500.00	1,500.00	1,500.00	0.00		
7126	ARTP ENGR/PROF SERVICES #23 #31	500,000.00	500,000.00	500,000.00	0.00	0.00%	
7150	MILL CREEK DIVERSION PROJECT CIP #1	1,100,000.00	1,100,000.00	1,100,000.00	1,100,000.00	100.00% In WIP Acct until completion	
7438	ENGINEERING SERVICES-OTHER	125,000.00	125,000.00	125,000.00	20,000.00	16.00% Mill Creek O&M Plans	
CAPITAL EXPENSE		2,804,075.44	2,862,693.32	2,804,075.44	1,868,504.55		
CAPITAL REVENUE				350,000.00	200,000.00		
CAPITAL SUBTOTAL ANNUAL NET				-2,554,075.44	-1,668,504.55		
RESERVE CONTRIBUTION OR (-USE)			TOTAL	-1,945,514.40	-1,670,197.39	Total Multi year Pay Go Capital Project	



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 1840

To: Board of Directors

From: Daniel Cozad, General Manager/David Cosgrove, District Counsel

Date: February 9, 2022

Subject: Staffing and Succession Plan Staff Changes

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.

BACKGROUND

The Board approved a staffing plan in 2013 and a revised staffing and succession plan in 2021. An Ad Hoc Succession and Transition Committee reviewed the proposed transitional staffing changes in August 2021, and the Board reviewed and generally concurred with the direction in October 2021. Each of the changes reviewed have different timelines and approvals. The Ad Hoc committee and Board have implemented steps in furtherance of such plan scheduled for this agenda.

First, approval of the current general manager’s proposed May 2022, retirement date is on today’s agenda. Additional staffing recommendations from the recent workshop included the revision on the Senior Engineer/Project Manager to a part time retired annuitant position, creation of Principal Engineer position, and addition of an Assistant Engineer position. These are described in more detail below.

DISCUSSION

Due to upcoming retirement of various staff members, multiple revisions to staff positions were proposed at the workshop. The following positions are affected: Senior Engineer/Project Manager (revised), Principal Engineer (new position), Assistant Engineer/Engineer Technician, and Land Resources Manager II (revised).

Senior Engineer/Project Manager – Retired Annuitant Position (revision)

The Board discussed the position of Senior Engineer/Project Manager held by Erwin Fogerson, in light of his expressed desire to retire. This critical position was of concern to the Board, and is of key importance for the development of the Active Recharge Transfer Projects (ARTP). The ARTP are at a crucial stage and will require continuity of staffing for a limited time in order to maintain consistency in the oversight/evaluation of feasibility studies which are now being undertaken, and which will be undertaken in the near future. These studies will assess the practicability of utilizing San Bernardino County Flood Control District properties and facilities for dual use, serving both flood control and water recharge purposes. Mr. Fogerson is uniquely qualified for this limited duration,

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Melody McDonald

GENERAL MANAGER

Daniel B. Cozad

special project task, given his decades of experience with Flood Control's design and operational requirements, and his knowledge of how water recharge activities may operate compatibly with Flood Control's properties and facilities, consistent with their overriding flood control purposes. Mr. Fogerson has overseen the formulation of scopes of work for feasibility studies on a series of potential ARTP facilities, and the District wishes to continue to utilize that institutional knowledge as ARTP moves from feasibility to design and ultimately implementation.

CalPERS permits a retiring regular employee to take a part-time retired annuitant position in such circumstances, which is proposed for Mr. Fogerson as part of this action. The revision of this position as a temporary retired annuitant would accommodate the District's need and Mr. Fogerson more limited time availability. He plans to retire on March 31, 2022.

In general, a retired annuitant must wait 180 days after retiring to assume a retired annuitant position. However, exceptions may be made for critical positions that must be filled sooner than the 180 days. With key ARTP feasibility contracts recently approved, and others currently in negotiations, staff recommends the Board take action now to both create the retired annuitant position and appoint Mr. Fogerson to that position immediately upon his retirement, without a 180-day gap. This will permit the District to continue to fully support these important early phases of ARTP design and coordination with the San Bernardino County Flood Control District. This position will be needed for three to four years. This position works 960 hours annually and would continue at Range 38 (\$164,955 control point).

Principal Engineer Position (revision)

With the transition of Mr. Fogerson to a part-time retired annuitant role, the District needs to replace his full-time role in order to continue fully supporting District operations. As discussed at the Succession and Transition Workshop, staff noted that a Principal Engineer position, with less experience than the Senior Engineer/Project Manager, would provide for the District's full time engineering needs and assume certain tasks currently performed by the Senior Engineer/Project Manager, including supervising one or more Assistant Engineers. Staff expects that Katelyn Scholte, who has done an exceptional job as Assistant Engineer, would be promoted to the newly created Principal Engineer position. Staff would advertise to fill the vacancy in her current position left by this promotion. This new position is proposed as exempt Range 35 (\$142,495 Control Point)

Assistant Engineer/Engineer Technician Position

The Ad Hoc Committee supported adding additional engineering capacity to ensure success of current District projects. In addition to filling the existing Assistant Engineer position, staff proposed a second Assistant Engineer or Engineering Technician to accommodate the District's increased engineering efforts, primarily for the Active Recharge Transfer Projects (ARTP). This position would continue to be Range 25 (\$87,479 Control Point).

Land Resources Manager II

With the General Manager's retirement, the current Assistant General Manager (AGM)/Land Resources Manager is anticipated to be promoted to fill the General Manager role. As supported by the Board in the October Workshop, it is critical that there be no loss of capacity in the District's on-going permitting efforts and compliance with Wash Plan requirements. To provide overlap in positions, staff advertised for a new Land Resources Manager position without the additional duties of AGM. Staff believes an AGM is not needed within the next few years, and recommends that the position remain as an unfilled position on the District's job classification table until this position is needed again, such as during a future leadership transition period. Following the recruitment process, staff offered this position to a highly qualified candidate, Milan Mitrovich, Ph.D. He accepted and will start February 16, 2022. This position is proposed as exempt Range 39 (\$173,203 Control Point)

Staff has proposed several changes in salaries related to the above noted changes. The approved Salary Range Placement Table, adjusted to 2021, is attached for reference. The fiscal impact of additional staff was identified and evaluated in detail in the annual budget, and has been reviewed by the Finance & Administration Committee.

ALTERNATIVES

Potential Board Actions include:

- Approve the position changes as indicated
 - Senior Engineer/Project Manager position transition to part time temporary retired annuitant position with reduced hours, effective immediately upon retirement
 - Land Resources Manager II position without AGM responsibilities
 - New Principal Engineer position for District support
 - Additional Assistant Engineer position for ARTP needs
- Provide other direction or requests as staff implements the plan

FISCAL IMPACT

Because of savings anticipated through reductions in compensation for the positions of General Manager, AGM/Land Resources Manager, and the reduction in hours for the Senior Engineer/Project Manager, the impacts to current salary budget are positive. Staff anticipates a saving of approximately \$6,500 in the current fiscal year (refer to attached estimate as updated from the 2021 Board workshop for details). Staff is preparing the 2022-2023 budget and expects these positions can be carried forward without need for increase in the salary budget, except for cost of living.

Alternatives for contract staffing of the Assistant Engineer position may include minimal to moderate savings for benefits; however, direct staffing costs are expected to be higher and the retention of a single individual for the role would likely be significantly lower. As such, Staff recommends filling this role with a District employee, as described above.

POTENTIAL MOTIONS

1. Move to approve Senior Engineer/Project Manager position transition to part time temporary retired annuitant position with reduced hours; revise the Land Resource Manager II position to exclude AGM responsibilities; create a Principal Engineer position for District support; and add an Assistant Engineer position for ARTP needs.
2. Move to direct staff on specific changes to positions or placement.
3. Move to table the item to a future meeting of the Board.

ATTACHMENTS OR MATERIALS

Updated Workshop Table showing cost implications of position changes
Position Salary Schedule and Range Placement

APPROVALS

Discussed with the Finance & Administration Committee and Operations Committees
Reviewed by General Manager
Reviewed by District Counsel
Reviewed by the Board at Succession and Transition Workshop

Estimated 2021-22 Impacts due to Revised and additional Engineering Positions – with timing

	Current	2022/3**	Delta
Current Former GM - May	\$297,000	\$0	-\$297,000
New GM	\$0	\$250,000	\$250,000
New LRM/Bio* - February	\$212,000	\$145,000	-\$72,000
Current Sr. Eng - March	\$165,000	\$82,500	-\$82,500
New District Eng* - March	\$80,000	\$130,000	\$50,000
Fill Assist Eng. - April	\$0	\$70,000	\$70,000
New Assist Eng./Tech. – May	\$0	\$70,000	\$70,000
Total	<hr/> \$754,000	<hr/> \$747,500	<hr/> -\$6,500
Temporary costs			
New LRM/Bio*	2 months prehire		\$23,333
Total All Changes			\$10,833
Remaining Salary 2022			<hr/> \$12,000
Under Salary Budget			\$1,167

* Revised Position ** Preliminary

**San Bernardino Valley Water Conservation District
Salary Schedule
Adjusted to June 2021**

	2019 Salary Survey			FY 2021-2022				
	Salary Range	Annual		5.10% Total COLA				
		Minimum	Control Point	Maximum	Minimum	Control Point		Maximum
H o u r l y	14	40,555	48,665	53,532	42,623	51,147	56,262	
	15	42,582	51,099	56,209	44,754	53,705	59,075	Field Operations Specialist I
	16	44,711	53,654	59,019	46,992	56,390	62,029	
	17	46,947	56,336	61,970	49,341	59,209	65,130	Field Operations Specialist II
	18	49,294	59,153	65,068	51,808	62,170	68,387	
	19	51,759	62,111	68,322	54,399	65,278	71,806	
	20	54,347	65,216	71,738	57,119	68,542	75,397	
	21	57,064	68,477	75,325	59,975	71,970	79,166	
	22	59,918	71,901	79,091	62,973	75,568	83,125	
	23	62,913	75,496	83,046	66,122	79,346	87,281	Administrative Specialist II
24	66,059	79,271	87,198	69,428	83,314	91,645	Administrative Analyst	
25	69,362	83,234	91,558	72,899	87,479	96,227	Field Operations Supervisor and Assistant Engineer	
26	72,830	87,396	96,136	76,544	91,853	101,039		
27	76,472	91,766	100,943	80,372	96,446	106,091		
28	80,295	96,354	105,990	84,390	101,268	111,395		
29	84,310	101,172	111,289	88,610	106,332	116,965		
30	88,525	106,231	116,854	93,040	111,648	122,813		
35	112,983	135,580	149,138	118,746	142,495	156,744	Principal Engineer and Lands Manager I	
36	118,633	142,359	156,595	124,683	149,619	164,581		
37	124,564	149,477	164,425	130,917	157,100	172,810		
38	130,792	156,951	172,646	137,463	164,955	181,451	Senior Engineer/Project Manager	
39	137,332	164,798	181,278	144,336	173,203	190,524	Land Manager II	
40	144,199	173,038	190,342	151,553	181,863	200,050		
41	151,409	181,690	199,859	159,130	190,957	210,052		
42	158,979	190,775	209,852	167,087	200,504	220,555		
43	166,928	200,314	220,345	175,441	210,530	231,583		
44	175,274	210,329	231,362	184,213	221,056	243,162	AGM Land Resources Manager	
45	184,038	220,846	242,930	193,424	232,109	255,320		
46	193,240	231,888	255,077	203,095	243,714	268,086		
47	202,902	243,482	267,831	213,250	255,900	281,490		
48	213,047	255,657	281,222	223,913	268,695	295,565		
49	223,699	268,439	295,283	235,108	282,130	310,343	General Manager	



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1841

To: Board of Directors

From: Daniel Cozad, District Manager and David B. Cosgrove, General Counsel

Date: February 9, 2022

Subject: General Manager Retirement Date Approval

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.

BACKGROUND AND DISCUSSION

The General Manager’s Employment Agreement specifies the position’s at will status, and requires not less than 30 days notice in the event the employee seeks to terminate employment or retire. A notice of resignation is to be provided to the President of the Board. Under the Employment Agreement, the effective date of any resignation/retirement occurs at the end of the 30 day period, unless an alternate date (earlier or later) is approved by the Board of Directors.

The General Manager has indicated his intention to transition out of his position on or about May 18, 2022. As the end of succession and transition planning nears, it would appear to serve all parties’ interest to set a fixed retirement date, instead of simply letting the contract notice period define the end date. CalPERS requires more than 30 days notice to process an application of the retirement, such that the General Manager would have to give public notice earlier than the 30 day contract period, in any event.

Further, having certainty in the end date of Mr; Cozad’s tenure will assist the District’s succession planning, and the May time period provides a transitional period for bringing his replacement up to speed, training staff members added due to the reorganization, and gives the General Manager time to make sure affairs are in orderly shape for handoff to the staff who will remain. Staff and District Council therefore recommend the Board accept the General Managers proposed May 18, 2022 retirement date, and agree under the Employment Agreement to that as the ending date of his employment, notwithstanding earlier notice.

FISCAL IMPACT

There is no fiscal impact to setting the retirement date.

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

POLICY OPTIONS

1. Accept the General Managers proposed retirement date
2. Do not accept the General Managers proposed requirement date, requiring precisely thirty days notice.

POTENTIAL MOTIONS

1. Move to accept the General Managers proposed retirement date of May 18, 2022
2. Move to table the issue to a future meeting.



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 1842

To: Board of Directors

From: David B. Cosgrove, General Counsel
Ad Hoc Succession and Transition Planning Committee

Date: February 9, 2022

Subject: Betsy Miller General Manager Employment Agreement

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.

BACKGROUND AND DISCUSSION

The Ad Hoc Succession Committee and General Counsel are pleased and proud to present the last step in the District’s process of succession planning for the General Manager position, and the first step in what all believe will be an exciting and productive new era for our District.

The Ad Hoc Committee has, with the consent and direction of the Board, been exploring the possibility of filling the General Manager position expected to be vacated in May of this year, due to Daniel Cozad’s retirement, with an in-house candidate, Betsy Miller. Those explorations have been successful and presented now to the Board for its consideration is the “Agreement for Employment for General Manager” to have our current Assistant General Manager/Land Resources Manager Betsy Miller, to the position.

Salient features of the proposed agreement are as follows:

- Three (3) year term of at-will employment
- Base Salary of Two Hundred Fifty Thousand dollars (\$250,000.00)
- Merit Bonus eligibility for up to Fifteen Thousand dollars (\$15,000.00)
- Four (4) weeks’ vacation, with an accrual limit of forty-five (45) days
- Availability of six (6) weeks paid Maternity Leave
- Three (3) months’ severance provision in the event of termination without cause

The terms of the Agreement have been extensively discussed and negotiated between the Ad Hoc Committee, General Counsel, and Ms. Miller, and Ms. Miller is in agreement with them. The Ad Hoc Committee recommends approval and is excited at the opportunity to blend continuity in existing management direction and philosophies with the talents of an impressively qualified candidate to lead the District into its next era.

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**GENERAL
MANAGER**

Daniel B. Cozad

FISCAL IMPACT

As described in the Agreement terms, above. Ultimately, this Agreement will result in net savings from the existing General Manager compensation package, which reflects Mr. Cozad's seniority and commensurate benefits.

POTENTIAL MOTIONS

1. Approve the "Agreement for Employment of General Manager," to be effective May 19, 2022.
2. Provide other direction to Staff.
3. Table the item to a future meeting for consideration.

AGREEMENT FOR EMPLOYMENT OF GENERAL MANAGER

This AGREEMENT FOR EMPLOYMENT OF GENERAL MANAGER (“Agreement”) is entered into effective on the 19th day of May, 2022 (“Effective Date”) by and between the SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT, a public agency and water conservation district duly formed and existing under the Water Conservation Act, California Water Code sections 74000 *et seq.* (“District”) and Betsy Miller (“Employee”) on the terms and conditions stated herein.

1. Duties of Employee

A. District hereby agrees to employ Employee, and Employee hereby accepts employment with District, as District’s General Manager, beginning on the Effective Date. Employee shall perform all managerial duties of the District, including, but not limited to, all of those duties set forth in Resolution No. 587, a copy of which is attached hereto as Exhibit A, and incorporated herein by reference, and as may be amended. Employee shall perform such other legally permissible and proper duties as may be necessary or beneficial to manage and conduct the District’s business and operations, as the District’s Board of Directors may assign or require. Employee agrees to fulfill and abide by the terms of Resolution No. 587 and by all other District adopted policies and procedures. Employee specifically will work to implement the Board of Director’s approved Strategic Plan, and Policies and the Priorities establishes each January, including any additions or changes to the priorities made by the Board from time to time.

B. It is expressly understood that Employee shall be required to devote full time and effort to the business of the District during the term of this Agreement. This Agreement shall not be interpreted to prohibit Employee from making personal investments, conducting private business affairs, or pursuing personal political activities, so long as such activities do not materially interfere with the duties and services Employee is required to perform under this Agreement.

C. It is the duty of the Employee acting as General Manager to serve also as the Executive Director and Chief Financial Officer of the San Bernardino Valley Conservation Trust (“SBVCT”), unless removed or replaced by a majority vote of the Board of Directors of SBVCT. In so doing, Employee shall exercise reasonably prudent business judgment and administrative discretion in the oversight of the collection and application of funds deposited in the SBVCT non-wasting endowment, shall observe and comply with investment strategies and policies promulgated by SBVCT, shall report regularly to the SBVCT Board of Directors on the status of SBVCT activities and funds, and shall explore potential opportunities for SBVCT to fulfill or expand its mission, as may be directed or approved by the SBVCT Board of Directors. In such capacity, Employee may exercise such other powers as may be delegated to her from time to time by action of the Board of Directors. Employee shall not receive additional compensation, apart from that otherwise provided for in this Agreement, for the performance of such SBVCT duties.

2. Term of Agreement and At-Will Status

A. Employee shall serve at the pleasure of the District’s Board of Directors and is specifically employed on an “at-will” basis. Employee’s employment hereunder may be

terminated at any time by a majority vote of the District's Board of Directors, with or without cause.

B. This Agreement shall commence as of May 19, 2022, and shall remain in effect until May 18, 2025, unless terminated earlier in accordance with the provisions of this Agreement.

3. Termination and Severance

This Agreement may be terminated by District at any time, with or without cause, consistent with Employee's at will status. This Agreement may be terminated by Employee upon no less than sixty (60) days written notice to the President of the Board of Directors of the intent to resign, retire, or otherwise separate from employment with the District. In the event of termination by Employee, Employee's employment shall be terminated at the end of the 60-day period, unless District's Board of Directors determines, in its sole discretion, to designate the operative date of the termination at an earlier date. Employee and District may, by mutual agreement, extend Employee's termination date beyond the 60-day notice period.

Upon termination or other separation from employment with the District, Employee shall be paid all accrued salary and benefits, including a pro rata monthly amount for any partial year, and for all accrued, unused vacation, and sick leave consistent with the District's Personnel Manual policies applicable to other District employees in effect at the time of separation or termination. Upon termination or separation, Employee shall turn over to the District all District's property, including but not limited to, any credit cards, computer hardware or software, and all files, reports, or presentation materials.

If Employee's employment is terminated without cause, Employee shall, upon delivery to the District of a signed full waiver and release of claims for any claims, demands, or causes of action arising out of her employment, be entitled to payment of the lesser of three (3) months' base salary at Employee's then-current rate, exclusive of merit bonus pay or any other benefits, or the same amounts as may be applicable to the number of months remaining in the contract term.

4. Disability

In the event Employee becomes permanently disabled or is otherwise unable to perform her duties, as determined by a licensed physician designated by the District's Board of Directors, because of sickness, accident, injury, mental incapacity or other medical condition ("qualifying event") for a period of twelve (12) weeks in any one (1) year period measured from the first date of absence for such reason, this absence shall be defined as "FMLA/CFRA Leave" for a qualifying event. During the Employee's FMLA/CFRA Leave, to the extent Employee seeks such leave to be compensated, and except as otherwise provided in Paragraph 13 regarding Maternity Leave below, Employee shall be required to utilize all accrued and unused sick leave and paid leave concurrently during this time period. Employee may choose to take unpaid leave, consistent with time frames provided by the FMLA/CFRA, at her option, in which case no vacation or sick leave shall be required. Employee, in her capacity as General Manager, is deemed a key employee under the FMLA/CFRA. Employee is therefore not entitled to reinstatement to her former position of General Manager at the expiration of the FMLA/CFRA Leave of twelve (12) weeks in a one (1)

year period measured from the first day of Employee's absence for a qualifying event, and such inability to return to work constitutes just cause for Employee's termination.

5. Salary

Employee shall be paid as determined by the Board of Directors, in accordance with District's standard payroll procedures. Employee's base salary for the term of this contract shall be Two Hundred Fifty Thousand dollars (\$250,000.00). Beginning in the second year of the term of this contract, Employee shall receive a Cost of Living ("COLA") adjustment to her base salary amount, in the same percentage as the COLA adjustment granted to other COLA-eligible employees of the District, to be effective at the same time such other employees' COLA adjustments are effective.

Employee's performance shall be subject to review by the District's Board of Directors, or any committee of the Board to which such responsibility has been delegated, and shall occur at least once before the anniversary of the Effective Date. Such review shall serve as the basis for any salary adjustment or benefits adjustment during the term of this Agreement, and consideration of extension of this Agreement at the end of its term. Such review shall also serve as the basis for any determination of a discretionary merit performance bonus, as provided below.

Employee shall be eligible for a merit performance bonus, in addition to the salary provided for herein, in an amount up to fifteen thousand dollars (\$15,000.00). Such merit performance bonus may be awarded by the Board of Directors in its sole and absolute discretion, in any amount up to fifteen thousand dollars (\$15,000.00), or no amount at all, or any figure in between. The merit performance bonus shall be determined based upon Employee's perceived progress in successfully implementing the District Strategic Plan, Policies, and Priorities as referenced in paragraph 1(A) above. Employee's job performance may be evaluated by the Board of Directors at any time, but Board consideration of salary adjustment, benefits adjustment, or merit performance bonus shall be made only one time per year. The merit performance bonus shall be in addition to the base salary provided for hereunder, but shall not be included as salary for determination of Employee's base salary for any future extension of this Agreement to subsequent employment terms, nor for any other retirement or other benefits. Any base salary increase or Cost of Living increase that may be made to Employee's salary in subsequent years shall be credited as additional salary for consideration of any future base year salary for Employee, however, to the effect that only the merit performance bonus shall be excluded from Employee's future base salary determination. It shall be the responsibility of Employee to work with the Board President to place Employee's reviews and consideration of salary adjustments on a meeting agenda for consideration by the Board of Directors in a timely fashion, and to place before the Board any consideration of extension or renewal of this Agreement at the end of its three (3)-year term no later than six (6) months prior to the expiration of such term.

6. Uniqueness of Services

Employee represents and agrees that the services to be performed by this Agreement are special, unique, unusual, extraordinary, and of an intellectual character, that gives her a peculiar value to the District, the loss of which cannot be reasonably or adequately compensated for monetary damages.

7. Vacation

In addition to any vacation already accrued by Employee in her prior employment tenure with the District, Employee shall accrue additional vacation at a rate of 1.67 days per month of completed employment, up to a maximum total accrual of forty-five (45) days. Employee may at any time elect to cash out some or all of then-currently accrued vacation. Any unused vacation or compensable sick leave shall be compensated at the base salary rate in effect when paid.

8. Sick Leave

Sick leave is a protection to Employee granted by District to assist Employee in times or circumstances of illness, incapacity, or physical adversity, and is intended to serve as a protection for Employee's health and welfare; it is not an earned right to time off work. In addition to any sick leave already accrued by Employee in her prior employment tenure with the District, Employee shall accrue sick leave at a rate of one (1) day per month of completed employment as stipulated in the Personnel Manual for all employees, except the Manager may accrue sick time without limitation during the term of employment and may at any time elect to cash out for compensation some or all of currently accrued sick time, provided such cash out is consistent with sick leave compensability amounts provided for other employees in the District's Personnel Manual in effect at the time.

Except as otherwise specifically provided for herein, any sick leave which has accrued but is unused and not cashed out by Employee at the time of termination of Employee's employment shall be treated in the same manner as sick leave upon termination for District's employees, as provided for in the District's Employee Handbook in effect at the time of Employee's termination of employment.

9. Mileage Reimbursement

Employee shall be reimbursed for actual mileage travelled in Employee's own automobile, for such meetings and other events outside of the District's main offices as District reasonably requires Employee to attend. Mileage for commuting to and from employee's residence to the District offices shall not be eligible for reimbursement. Reimbursement shall be at the IRS forced mileage rate then in effect. Employee shall maintain collision and liability insurance on any automobile Employee uses for any District business, at Employee's own expense, with coverage no less than \$100,000 per occurrence, \$300,000 per incident.

10. Retirement and Other Benefits

Employee shall be provided medical, dental, and vision benefits under District's medical and health insurance policies in effect as of the Effective Date, at District's expense, and as such medical and health insurance benefits may change through action of the District's Board of Directors, over the course of Employee's employment. In addition, Employee shall be provided with retirement benefit contributions covering both the employer and percentage of the employee cost in accordance with District Policy applicable to District's employees, at District's expense under District's PERS retirement plan participation, at the 2.5% at 55 rate in effect on the Effective Date, and as may be thereafter be amended or further defined by District's Board of Directors.

11. Expense Reimbursements

Employee may receive reimbursement for expenses incurred by Employee in the direct prosecution of the District's business, as may be approved by the District's Board of Directors. Such expenses may be reimbursed regularly as they are incurred, and submitted to the Board monthly for ratification, or otherwise processed in compliance with any policies or procedures the District's Board of Directors has adopted or may adopt, which are applicable to the General Manager. Employee shall be provided with a cellular phone reimbursement allowance in accordance with District Policy applicable to District's employees. In all cases, final approval of all such expenses rests with the District's President or Vice President.

12. Professional Development.

Employee shall be entitled to one (1) week of paid time off work annually, to pursue classes, seminars, or other professional development courses or training. Such courses or training shall be as selected by Employee, and approved in advance in writing by the District's Board of Directors. Prior to enrolling in any such training or courses, Employee shall secure approval of the District's Board of Directors of the course, its location, any travel, lodging, and tuition or course enrollment fee costs, which may be reasonably estimated, if not capable of being ascertained precisely at the time of consideration by the District's Board of Directors. Employee shall be responsible to schedule such courses or training at such times that Employee's duties and responsibilities are not unreasonably impacted.

13. Maternity Leave.

In the event Employee experiences pregnancy disability, and notwithstanding Section 4 above, Employee shall be entitled to up to six (6) weeks of paid maternity leave. Such maternity leave pay may be taken as full pay for six (6) weeks, or one-half pay for twelve (12) weeks, at Employee's option. Such maternity leave shall not disqualify Employee for any FMLA/CFRA leave Employee may otherwise qualify for arising out of any reason other than pregnancy within the applicable twelve (12) month period.

14. Integration

This Agreement contains the entire agreement between the District and Employee, and supersedes any and all prior negotiations, representations, or agreements, oral, written or otherwise. This Agreement may only be modified by an instrument in writing signed by both parties, and approved by District's Board of Directors.

15. Waiver

The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by any other party shall not be deemed the waiver of that term, covenant, or condition, nor shall waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

16. Governing Law

This Agreement is entered into, and is to be governed by, the laws of the State of California.

17. Severance

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, unconstitutional or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

Dated: February 9, 2022

SAN BERNARDINO VALLEY WATER
CONSERVATION DISTRICT

By: _____
Melody McDonald, President
"District"

Dated: February 9, 2022

Betsy Miller
"Employee"

ATTACHMENT

Exhibit A Resolution No. 587

RESOLUTION NO. 587

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT SUPERSEDING RESOLUTIONS NO. 347, 441, 459 AND 493, 537, 544, 558, 573, 578 AND DEFINING THE RESPONSIBILITIES AND AUTHORITY OF THE GENERAL MANAGER

WHEREAS, the General Manager (Manager) of the San Bernardino Valley Water Conservation District (“District”) is employed by the Board to serve as the Chief Executive of the District and is responsible for: implementing the decisions of the Board; determining and executing administrative policies through subordinate Managers; supervising the operations and staffing of the District as prescribed by the Board; managing all engineering, planning, design and inspection for construction activities; and supervising and controlling the administrative, operational and financial affairs of the District, including all administrative, executive and ministerial powers not specifically reserved by law for the Board of Directors, General Counsel or District Auditor.

NOW THEREFORE, BE IT RESOLVED that the responsibilities and authority of the Manager shall be as follows:

A. Director-Manager Relations. The Board of Directors will deal with the administrative services of the District only through the Manager. Neither the Board of Directors nor any Director will give orders or direct subordinates of the Manager. The Manager shall take his or her orders and instructions from the Board of Directors, and only in a duly held meeting of the Board of Directors, and no individual Director will give any orders or instructions to the Manager, except the officers of the District acting within the scope of their respective offices, Board committee chair authorized by the Board of Directors to so direct the General Manager on items within their purview or as otherwise permitted under provisions of the Board’s Policy Manual.

B. Authority Over Employees. The Manager will have the authority to control and give directions to all employees and to consultants. The Manager will also hire, remove, promote, and demote any and all employees of the District, consistent with the District’s Personnel Manual. The Manager will coordinate with District’s General Counsel and District Auditor, but General Counsel and District Auditor will be hired, supervised, or removed only by the Board of Directors.

C. Manager’s Power and Duties. The Manager is the administrative head of the San Bernardino Valley Water Conservation District, under policy direction and control of the Board of Directors. He or she is responsible for the administration of all the affairs of the District under his or her control. In addition to general administrative powers, the Manager’s powers and duties shall include, but not be limited to the following:

1. Employee Positions and Job Classifications. It shall be the duty of the Manager to propose District employee positions and job classifications, subject to approval or amendment by the Board of Directors.

2. Attendance at Board Meetings. It is the duty of the Manager to attend all regular and special meetings of the Board of Directors, unless excused. The Manager is expected to be available to respond to emergency situations outside of normal business hours, and it shall be understood that no overtime or compensatory time will be allowed for such service.

3. Financial Reports. It is the duty of the Manager to keep the Board of Directors fully advised as to the financial condition and needs of the District. The Manager shall be responsible for maintaining the District’s books of accounts, and will arrange to have said books audited at the end of each fiscal period by an independent auditor. It is the duty of the Manager to prepare the monthly accounting reports of the District’s revenues, expenditures, and comparisons of both to yearly budgets, for presentation to the Board in connection with the Board’s regular meetings.

4. Investments. It is the duty of the Manager to invest District reserves and fiduciary assets in accordance with the approved Statement of Investment Policy. The Manager

shall authorize and direct investment and changes to holding in the best interest of the District. Significant changes shall be reported to the Board at their next meeting. The Manager shall work with investment managers and advisors to seek the best possible use of District funds based on need for capital, cash flow and accordance with District Statement of Investment policy and applicable laws and regulations.

5. Budget. It is the duty of the Manager to prepare the annual budget and submit it to the Board of Directors no later than the Board's regular meeting in May of the fiscal year preceding the year for which the budget is prepared. The Manager shall contain expenditures to the limit of the budget unless otherwise directed by the Board, and shall utilize the system of accounting for expenditures. The Manager shall regularly review the status of the budget with the Board, and propose appropriate corrective action if revenues or expenditures vary materially from the approved budget.

6. Purchasing. It is the duty of the Manager to be responsible for the purchase of all supplies and equipment for the District. The General Manager's discretionary expenditure authority, without the requirement of prior Board of Directors' approval, is Thirty Thousand Dollars (\$30,000.00): for capital assets, professional services, maintenance, equipment vehicles and supplies subject to budget limitations. In cases of emergency, the General Manager may contract for construction work, services, or the purchase of materials without competitive bidding or prior Board approval. If possible, the General Manager will attempt to seek the concurrence of the Board President or Vice President prior to awarding any emergency contract. If the Board President and Vice-President are unavailable, the General Manager will attempt to seek the concurrence of another member of the Board of Directors. For purposes of this paragraph, "emergency" is defined as those circumstances requiring immediate work, services, equipment, materials, supplies, or construction to prevent the immediate interruption or cessation of necessary District services or to safeguard life, property or the public health and welfare. The General Manager must report on the award of any such contract for emergency work, services, or materials not later than the next meeting of the Board of Directors.

i) Any expenditure in excess of Thirty Thousand Dollars (\$30,000.00) shall be submitted to the Board of Directors for approval.

Except as may relate to emergency expenditures under subparagraph (ii) above, no such expenditures shall be made by the Manager unless consistent with the budget adopted for the fiscal year in which the expenditures are made. The Manager shall report to the Board of Directors an itemized listing of all expenditures, made pursuant to any of the authorizations stated above, in the monthly check register at each regular meeting of Board, specifying the amount, the payee, and the budget category of expenditure.

7. Public Complaints. It is the duty of the Manager to investigate all complaints concerning the administration and operations of the District and report his findings to the Board of Directors. In the event the complaint concerns the Manager, the manager shall immediately refer the complaint to the Board President and General Counsel.

8. Public Property. It is the duty of the Manager to exercise general supervision over all property belonging to the San Bernardino Valley Water Conservation District, including administrative offices, field offices, storage facilities, spreading grounds, preserve lands, and all other properties and facilities. The Manager shall regularly review the status, condition, capacity, and efficiency of the District's property, and shall report to the Board any recommendations for new facilities, maintenance or repair of existing facilities, upgrades or modifications, to same, and all other matters pertaining to District property. It is the duty of the Manager to accept, on behalf of the District, easements, and other real property rights and interests required for performance of the District's legitimate functions. By way of this resolution, the manager is delegated the authority to execute the form of District's formal acceptances of all instruments, deeds, easements, conveyances, etc. whose transfer is otherwise approved by the Board.

9. Hours of Employment. It shall be the duty of the Manager to devote his or her, full time efforts to the duties of the office. Any outside employment shall be set out in the terms of the Employment Contract of the General Manager and approved by the Board of Directors. The Manager shall see that the office is open to the public regularly in accordance with

the posted hours or as needed, except in case of emergency, or as ordered the State or County Health Officials.

10. Payment of Bills. Salaries of employees of the District will be paid when due and paid without Board approval. All other bills will be paid with the ratification of the Board of Directors.

11. Preparations for Board Meetings. It is the duty of the Manager to see that notice of all meetings, agendas, and staff reports or other agenda-related materials are timely delivered to the individual members of the Board, to the District's General Counsel, and to all persons who have requested such notice in writing. The Manager will be responsible for providing the services of a recording secretary at all Board Meetings and he or she will supervise the preparation of the agenda, minutes and resolutions of all regular and special meetings.

12. Correspondence. It is the duty of the Manager to reply to all correspondence to the District, except letters addressed to the Board of Directors requiring a Board President or Vice-President's signature, unless such authority is delegated to the Manager. The Manager will keep the members of the Board of Directors informed by furnishing copies or memoranda of appropriate replies or notices.

13. Reports to the Board.

i) It is the duty of the Manager to provide a monthly report of District and Managers activities at the regular Board Meetings.

ii) It is the duty of the Manager to prepare such reports or information as is required by approved agreements or plans, to which the District is a party, as to water conservation and water spreading operations of the District, including daily flow reports, water rights license filings, and similar information.

iii) It is the duty of the Manager to oversee the planning, data collection, compilation and calculations for the District's Annual Engineering Investigation, Report prepared in connection with the District's annual Groundwater Charge, and to provide revenue and expense reports as well as a proposed budget and backup for a full accounting of the charge collection, application, and justification of any rate adjustment activities in connection with the Groundwater Charge.

14. Filing. It is the duty of the Manager to see that the District's files are kept up to date.

15. Committee Meetings. It is the duty of the Manager to attend all Board of Directors' committee meetings, unless otherwise instructed or excused.

16. Urgent Issues. It is the duty of the Manager to call to the attention of the President urgent problems or situations not under the authority of the Manager, which must be resolved prior to the next regular Board meeting and assist as appropriate with resolution such issues.

17. News and Social Media. It is the duty of the Manager to prepare and dispense such press releases and posts to social media outlets as may be directed by the Board, are constant with the outreach plan, or as Manager in his or her discretion determines is in the best interest of the District and that depict the activities of the District.

18. District's Website. It is the duty of the Manager to ensure that the District's website contains current and relevant information about District activities consistent with the District's Communications Plan and legal posting requirements.

19. Response to Pending Legislation or Policy Matters. The General Manager may, from time to time, communicate District responses to proposed statutes, regulations, or other legislative or quasi-legislative acts, or other items of policy facing or affecting the District or its operations, when such acts directly impact the District and its functions. Communications shall conform to the District Strategic Plan, Legislative Platform, and Annual Board Priorities. If there is any question about the position of the District and to the extent of the response without sufficient time for the General Manager to consult the Board President or Vice-President, or Board of

Directors, the General Manager may respond to the legislative or quasi-legislative body considering them, or the persons, institutions, corporations, or agency or agencies implicated in the policy matter, on District letterhead, consistent with what the General Manager perceives to be in the District's best interest. No such response shall reflect that the General Manager's position is the position of the Board of Directors unless the Board of Directors has so authorized the General Manager. In the event the General Manager undertakes to comment on such acts in the manner provided herein, a copy of any and all communications so made shall be provided to the Board of Directors at its next regularly scheduled meeting.

20. San Bernardino Valley Conservation Trust, Executive Director. It is the duty of the General Manager to serve as the Executive Director and Chief Financial Officer of the Conservation Trust and exercise such other powers as may be delegated to him or her from time to time by action of the Board of Directors of the Trust.

21. Additional Duties. It is the duty of the Manager to perform such other duties and exercise such other powers as may be delegated to him or her from time to time by resolution or other action of the Board of Directors.

D. Removal of Manager. The removal of the Manager shall be only upon a vote by a majority of the then-sitting members of the Board, taken at a meeting held in compliance with Government Code Sections 54950 et seq.

E. Title of General Manager. The Manager is authorized to use the title "General Manager and Board Secretary" of the San Bernardino Valley Water Conservation District.

F. Reimbursement for Expenses. The Manager will be reimbursed for all reasonable sums incurred by him or her in the performance of his or her duties, in a manner consistent with, and following the same procedures specified for, reimbursement of Directors in the Board Policy Manual. Reimbursement will be made when an itemized expense report is approved by the President or Vice President of the Board. The District will reimburse the Manager for the use of his or her personal automobile at the established rate per mile while on District business.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors of the San Bernardino Valley Water Conservation District this 12th day of May, 2021, by the following vote:

YES: McDonald, Corneille, Longville, Stewart

NO:

ABSTAIN: Raley

ABSENT:

Melody McDonald, President

ATTEST:

Daniel B. Cozad,
General Manager/Board Secretary

Wash Plan Trails Status Report

February 2022



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Project Management Approach / Work Plan

- a. Develop/obtain support from Cities on trails MOU
- b. Complete trail permitting, including 1) Wash Plan HCP Certificate of Inclusion and 2) State/waters permits
- c. Record public access easements, if necessary
- d. Install signs/fencing
- e. Open trail(s) that do not require ancillary facilities such as trailheads or parking lots
- f. Obtain grant funding for ancillary trail facilities such as trailheads and parking lots
- g. Bid construction of/build ancillary trail facilities



Current Status

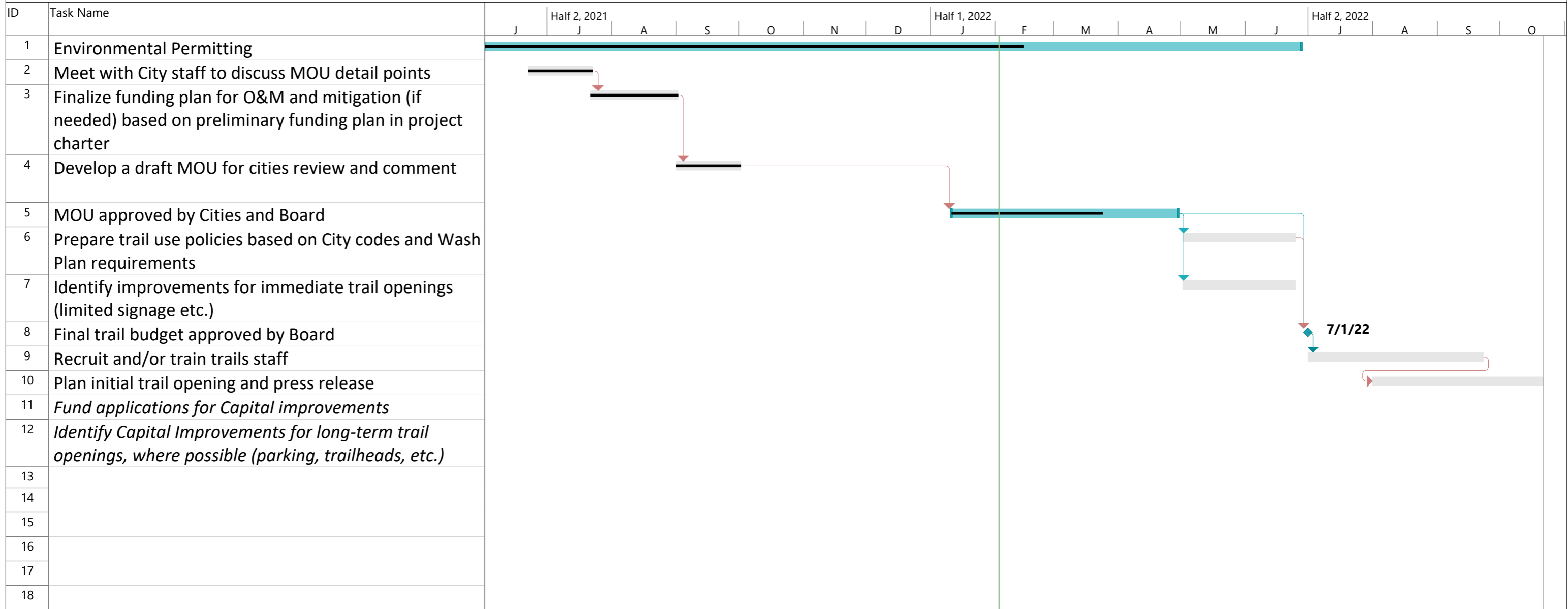
Highland City Council approved the Trail MOU on January 11, 2022, and the Conservation District Board of Directors approved the Trail MOU on January 12, 2022. District staff continue to work with the City of Redlands towards adoption of the Trail MOU, with a tentative Council hearing in March.

Trails were included in the Wash Plan state and waters permitting applications which were submitted to the regulatory agencies in 2021. Trail opening will be dependent upon receipt of these permits, as well as final approval from USFWS, which included conditional approval in the Wash Plan HCP.



TRAILS MASTER PLAN

PROJECT SCHEDULE





San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

ARTP Status Report No.9

To: Partnership Agreement Policy Committee
From: Erwin Fogerson, Senior Engineer/Project Manager
Date: January 10, 2022
Subject: Active Recharge Project Status Report

BACKGROUND

The boards of the San Bernardino Valley Water Conservation District (Conservation District) and San Bernardino Valley Municipal Water District (Valley District) have agreed to draw from the best of both districts to promote a brighter future for groundwater storage and protection of threatened species in the region. This collaborative effort has been realized through the execution of the Partnership Agreement for Active Recharge Project Development under the Upper Santa Ana River Habitat Conservation Plan (Agreement).

The Agreement includes the requirement for the formation of a Partnership Agreement Policy Committee to review and advise the Conservation District staff on a number of items covered in the Agreement. The committee is to meet quarterly throughout the duration of the development of Active Recharge Transfer Projects. Major items of work in the partnership include:

- The Conservation District will provide up to 295 acres of conservation easements to the San Bernardino Valley Conservation Trust, to help offset the environmental impacts of active recharge projects being undertaken to enhance groundwater recharge and storage.
- Valley District will provide funding to the Conservation District, for building new recharge projects, for each acre of conservation easement the Conservation District transfers to the trust.
- Valley District will fund a permanent endowment with the Conservation Trust to support the management of habitat mitigation land.
- Valley District will transfer to the Conservation District the implementation, management, and eventual ownership of the following tentative list of proposed Active Recharge Projects:
 1. Mill Creek Diversion (expansion, construction, and operations)
 2. Plunge Creek Basins 1 (construction and operations)
 3. Plunge Creek Basins 2 (construction and operations)
 4. City Creek Basins (construction and operations)
 5. Waterman Percolation Basins (reconstruction and maintenance)
 6. East Twin Creek Basin (repairs and maintenance)

- The Conservation District will develop plans, specifications, estimates and bid packages (Construction Package) on planned projects and submit to the Committee for review and concurrence.
- Valley District will draft, and process all required permits and any items of work required under NEPA or CEQA including Water Rights.

This status report is a summary of work completed to date on these major items and provides a look ahead to the planned work in the upcoming quarter.

PROGRAM UPDATE

Conservation Easement (CE) Payment Obligation

The agreement requires payment of 50% of the funds for the CE at completion of the Due Diligence which was paid on June 20, 2019. The remainder is paid when obligated by commitment or by January 8, 2022.

The total paid to date is \$18,437,500. As of this report the payment has not been received.

Conservation Easement Usage Status (295 Acres initially set aside)

Covered Activity (project)	Implementing Agency	Easement Area required (ac)	Easement recordation date	Remaining Available Acreage
				295

Program Management

The following items of work have been performed:

1. A Program Management Plan to guide the long-term implementation of the program has been developed and is being adhered to.
2. A planning level Memo of Understanding (MOU) has been developed and adopted by SBVWCD and SBFCD. Monthly meetings have been regularly held to keep the coordination and approval processes moving forward.
3. Request for Qualifications (RFQ) process has been completed to develop a list of qualified consultants to use for proposal requests. The process resulted in summary matrix of the fourteen consulting firms based on category and type of work for which they are qualified.
4. Three (3) Requests for Proposals (RFP) has been issued for Feasibility Study Support Services that cover all of the current project locations.
5. A draft contract for the Waterman, Lynwood Basins And Twin Creek Spreading Grounds Feasibility Study Support with Tetra Tech has been completed and will be submitted to the District Board for approval later this month.

6. A consultant has been tentatively awarded a contract for the Mill and City Creek Feasibility Study Support Services. Proposed City Creek diversion improvements have been removed from the scope at the request of SBVMWD.
7. Responding consultants have been shortlisted for Plunge Creek and Oak Creek Feasibility Study Support Services interviews. Interviews will be held later this month.

Active Recharge Transfer Projects (as listed in the Agreement) PS&E Status

Project Name	Project Priority	Current Plan Phase	CEQA Status	Required Agreements / Permits w/ status	Construction Target date	Recent Activity
Mill Creek Diversion	3	Concept	Not started	ACOE – Not started SBCFCD – Not Started	Not determined	GIS Conceptual level design concept completed for downstream basins. Preliminary design included in scope of RFP.
Plunge Creek Basin 1 &2 (now Plunge Creek Quarry Basins)	1	Preliminary Design	Not started	RRM – Initiated Concept Level Discussion SBCFCD – Initiated through MOU	Not determined	Alternative location and layout completed and labeled ‘Former Plunge Creek Silt Pond Quarry Basin’. Coordination for plan is on-going. Preliminary design completed and included in RFP.
City Creek	2	Concept	Not started	SBCFCD – Initiated through MOU	Not determined	GIS Conceptual level design concept completed for downstream basins. Preliminary design was originally part of the scope in the RFP which has been revised to study only the diversion from Bledsoe Creek at this time.
Waterman Spreading Grounds	2	Preliminary Design	Not started	SBCFCD - Initiated through MOU	Not determined	Preliminary Design Plans completed. Contract for Feasibility Report support services is being submitted to District Board for approval this month.
Twin Creek	1	Preliminary Design	Not started	SBCFCD – Initiated through MOU	Not determined	Preliminary Design Plans completed. Contract for Feasibility Report support services is being submitted to District Board for approval this month.

Additional Active Recharge Transfer Projects (not listed in the ARTP Agreement) Status

Oak Creek Basin	1	Preliminary Design	Not started	SBVMWD–Initiated SBCFCD – Initiated through MOU	Not determined	Preliminary Design Plans completed and included in RFP.
Lynwood Basins	1	Preliminary Design	Not started	SBCFCD – Initiated through MOU	Not determined	Preliminary Design Plans completed. Contract for Feasibility Report support services is being submitted to District Board for approval this month.

“Next Steps” - Planned Work upcoming Quarter

Project	Planned Activity
Mill Creek Diversion	Award and execute contract for Feasibility Study support services including preliminary design. Initiate the geotechnical exploration permitting process.
Plunge Creek Quarry Basins	Award and execute contract for Feasibility Study support services. Submit preliminary concept of diversion to City of Highland to analyze potential impacts to future bridge project. Initiate the geotechnical exploration permitting process.
City Creek	Award and execute contract for Feasibility Study support services including preliminary design (only diversion from Bledsoe Creek is being planned at this time). Initiate the geotechnical exploration permitting process.
Waterman Spreading Grounds	Execute contract for Feasibility Study support services and continue coordination for geotechnical work permitting. Meet with SBCFCD and confirm the hydrological scenarios that are to be studied. Hold kickoff meeting and initiate the required various hydrology studies.
Twin Creek	See Waterman Spreading Grounds.
Oak Creek Diversion	Award and execute contract for Feasibility Study support services. Meet with City of Highland to discuss proposed design alternatives. Initiate the geotechnical exploration permitting process.
Lynwood Basins	See Waterman Spreading Grounds. Initiate coordination with the City of San Bernardino.

EXHIBITS

1. Preliminary Design and Environmental Approval Phase Progress Table
2. Preliminary Project Schedule

Mentone Yard Shop Project Summary & Status Report No. 9



**San Bernardino Valley
Water Conservation District**
Helping Nature Store Our Water

February 2022

Project Management Approach / Work Plan

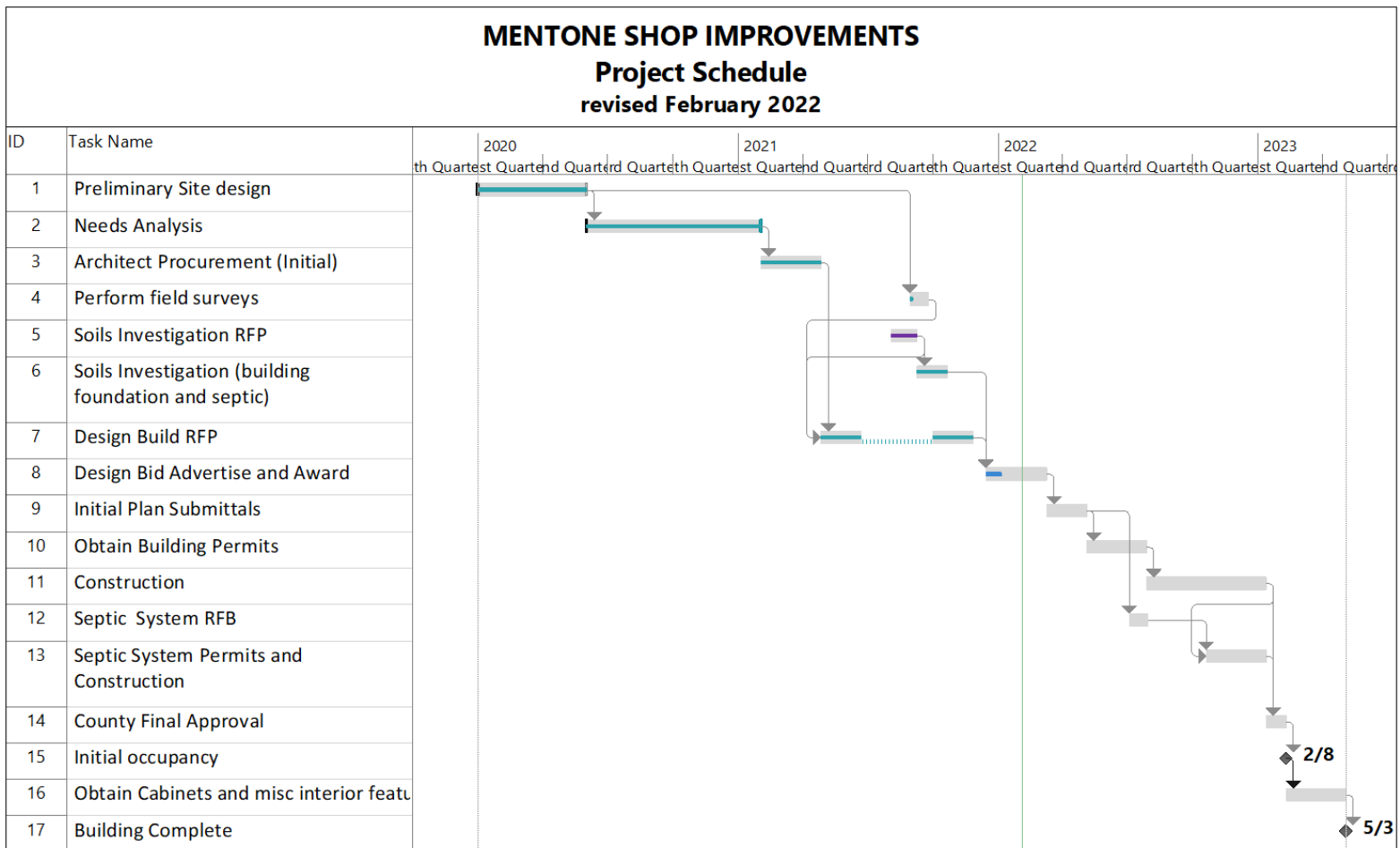
- a. District prepared initial site plan, needs analysis and preliminary design - COMPLETE
- b. Bid out building as a Design / Build contract
- c. Bid out septic improvements as a separate design / build contract
- d. District staff to perform construction management and oversee permitting
- e. Bid out storage cabinets / install including hazardous material cabinets separately (portion may be done by Ops staff)



Current Status

Geotechnical investigation field work report is complete - results indicate that fill is not suitable for placement of building. Design/Build bid package has been issued and bids received. Results of bids were discussed with the Operations Committee. Award of design / build contract is anticipated to be brought to Board next month.

Project Schedule



General Manager's Report

From January 7, 2022, to February 4, 2022

Daniel B. Cozad



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

The District currently remains at Phase 2 COVID 19 response level; however, some staff are working from home after potential contacts, and one of our field staff tested positive. CalOSHA Standards for COVID require masks by unvaccinated or undocumented staff in the office's common areas. CDC and State Health guidelines require masks by all staff in common areas. San Bernardino County and California cases and transmission rates are begging to fall from peak levels in January. Staff will notice all Board meetings as in-person/hybrid as allowed by the Brown Act or health guidance allows.

The following report covers the weeks between meetings and the efforts and activities during the reporting period.

- 1. Water Conservation – Plan Goal 1** – Santa Ana River, Mill, and Plunge Creeks were dry for several months. December storms added significant flow and some fire-related sediment; however, January was dry. Mill Creek's total recharge for the Water Year is just over 1000 AF. The Santa Ana River recharge is projected to be nearly 4600 AF for the Water year beginning in October. Plunge Creek recharge is still showing good recharge at about 815 AF. The total recharge is just over 6,400 AF.
- 2. Facility Maintenance and Cleanout – Plan Goal 1** – Normal winter water operations are underway, and all facilities are in operation.
- 3. Aggregate Management – Plan Goal 1** – Upland Rock continues screening and selling sand and rock from District basin cleaning efforts and supporting land management efforts and costs.
- 4. Personnel/Administration/Staff** – Staff continues to monitor and implement the District Extreme Flu/COVID19 plan. Staff is using the modified work program to increase effectiveness and maintain office occupation limits. One new organizational case occurred. Staff presents several staff position changes related to retirements and transitions in this month's agenda. All changes were discussed with the Ad Hoc Transition and Succession Committee and reviewed by the Board at the October Workshop. Five excellent candidates were interviewed for the Land Manager position, and Milan Mitrovich PhD. was selected. His first day working for the District will be February 16, 2022.
- 5. Finance/Budget/Audit** – Support for the Board's financial reporting and standard accounting efforts were completed. Staff was implementing the annual budget and reviewed it compared to Second Quarter operating results. Staff developed the 2022-2023 budget for groundwater and related revenue and expenses. Staff released the auditor RFP in January and answered questions from prospective firms. The Board will select the new District auditor selection in March or April.

6. **Mill Creek Diversion Engineering** – *Plan Goals 1/4* – Erwin reports on the engineering and construction projects at meetings when updates are not included in agenda items. Staff continues to provide the additional requested information for environmental and engineering questions in the hopes of having permits in time to construct in 2022.
7. **Plunge Creek Conservation Project** – *Plan Goals 1/4* – Both operations and habitat management and monitoring efforts are ongoing. December storms made significant changes in the project and expanded the footprint of the waters area by more than eight acres. Recharge for this water year has been good, about 815 AF.
8. **Enhanced Recharge Project** – *Plan Goal 1* – The Enhanced Recharge Phase 1A is completed. Engineering design is nearing completion for the new basins scheduled for construction in 2022. State and Waters permitting are needed to proceed and being processed by SBVMWD.
9. **Active Recharge Transfer Project Partnership** – *Plan Goals 1, 2, and 4* – The Committee met on October 11, 2021. Staff has negotiated proposals for design support, and these agreements are on the agenda for Board consideration again this month. An additional contract will be on a future agenda. The final Conservation Easement payment from SBVMWD was received, and \$18,437,000 was transferred to LAIF while higher-yielding options were determined.
10. **Edison Divestiture to Water Users** – *Plan Goals 1/4* – The Committee held a meeting on January 6, 2022, updating the group on SCE feedback.
11. **Groundwater Council** – *Plan Goal 1* – The Groundwater Council meets on February 14, 2022, to continue discussing the draft budget, credits, and other issues.
12. **Shop Facilities for Field Staff** – *Plan Goals - 1* – Geotechnical fieldwork for the Design-Build delivery method was completed in November. Staff released the package for bids on January 4, 2022, and reviewed bids with the Operations Committee on February 5, 2022. Erwin will provide a separate report for the Board.
13. **Wildland Trails** – *Plan Goal 3* – Developing and opening Wildland Trails on District property is a Board priority and now has a separate report listed on the agenda. The Highland City Council approved the Agreement on January 11, 2022, and the Board approved it on January 12, 2022. Staff has been working on several comments from Redlands to get the agreement on the Council agenda for consideration in March 2022.
14. **Wash Plan** – *Plan Goal 4* – The Wash Plan has a separate report listed on the agenda. Staff continues to work with AECOM on permitting, and staff working with CDFW staff on the 1602 permit and with the Regional Board to review the permits and negotiate terms. Staff submitted the second revised 2081 application in December, deemed complete and Staff will be working on the permit terms in February. First-year reporting is underway.

- 15. Santa Ana River Wash Plan Land Exchange Act Implementation – Plan Goal 4 – S.-** 47 was passed and signed by the President, becoming PL 119-6. Staff, District Counsel, answered questions for the Appraiser and Reviewing Appraiser assisting BLM. Staff and the BLM are working on the description of work needed in the Right of Way to support the District’s activities under the land transferred to BLM. Staf and Dudekc held a kickoff meeting to start the fast-track EA supporting the ROW issuance for BLM.
- 16. Conservation Trust – Plan Goal 4 –** The Conservation Trust Board of Directors met on January 5, and staff has met with entities with which a deposit agreement is on file. The District and Trust have been reimbursed for services and funding for conservation easements and contributions to the endowment. Most projects continue to move forward slowly with the SBCTA efforts in the lead.
- 17. Property/Redlands Plaza –** Staff continues to manage Redlands Plaza tenants and maintenance issues. All units are now fully leased, with the church is working with the City on permitting the changes needed for the CUP. Many tenants have utilized the Board's payment plan to weather the COVID 19 downturn and have begun repayment. Staff applied for California Grant Funding for Water District impacts and arrearages from COVID. The grant was successful, and we were awarded over \$37,000. Staff allocated the funding to cover District costs and pay off most of the back payments from tenants to allow them to dedicate funds to getting back to business. District Counsel is working with Red Dragonfly Spa to vacate the suite as their lease has expired.
- 18. Mining –** Mining efforts by CEMEX contractors continue at the Plant Site quarry. Mining above the guaranteed minimum continues resulting in additional revenue to the Land Enterprise and large stockpiles for ongoing freeway and construction projects.
- 19. Public Outreach and Legislative – Plan Goal 5** Staff worked with consultants to coordinate outreach and award applications. Staff and consultants have worked on the 90th Anniversary celebration of the District's founding and the video of history that has been underway for some time.
- 20. Current Board Action Implementation –** Many priority efforts have separate sections of the General Manager's Report, or independent Board requested reports. Staff and District Counsel worked closely on EHL/CBD v. USACOE settlement-related studies. Trails MOU with Redlands is a priority and support for Redistricting scenarios.
- 21. Future Board Activities –** Expected short-term items for consideration or note
- Exchange Plan Amendment – the Task Force reviewed in provided legal and other comments, and after the resolution, Board consideration is planned for early 2022.
 - BLM Land MOU/ROW working with regional manager to complete in early/mid-2022
 - Alliance JPA for River HCP when completed

22. District Successes

- Staff applied for a District Arrearages Grant to cover costs of COVID and unpaid lease payments from tenants. The grant proposal was successful, and the District received \$37,549 to cover the District's direct costs and covers lease arrearages for tenants, see attached.
- The District received the final purchase of Conservation Easement on behalf of the River HCP by SBVMWD. This payment brings the ARTP Capital Reserve to more than \$36,000,000. These funds were transferred to LAIF as our best short-term investment. Staff will continue to look for better yields for this capital.
- We want to welcome our new Lands Manager, Milan Mitrovich, and Biological Intern Jazmin Serrato.
- Finally, the water in the spreading grounds, while dwindling, is still a beautiful sight. Thanks to Manuel for this beautiful early morning photo.



CSDA \$100 MILLION COVID-19 INDEPENDENT SPECIAL DISTRICT RELIEF FUND

Application submitted: October 12, 2021	Requested grant:	\$58,500.00
Award Notification: December 16, 2021	Grant received:	\$37,549.00
Funds received: January 05, 2022	Percentage Received:	64%

Breakdown for application:

Deferred lease/lease payments due at 06/30/21:	\$ 57,275.00
District paid employee covid testing fees:	\$ 375.00
Masks, hand sanitizer, cleaning wipes:	\$ 266.00
Meeting Expenses: Zoom, WebCam	\$ 584.00
	<u>\$ 58,500.00</u>

Suggested Dispersement of Grant funds received:

District Reimbursement: Yucaipa Physical Therapy deferred lease waiver	\$ 2,033.33
District Reimbursement: Covid testing fees, sanitizers, Zoom, WebCam, etc.	\$ 1,307.23
Discover Cruises total deferred lease balance + one month lease	\$ 6,722.72
Dr. Ojano total deferred lease balance less \$2,000	\$ 10,894.25
Help For Future Leaders total deferred lease balance	\$ 7,239.36
LightWay Church total deferred lease balance	\$ 9,352.11
	<u><u>\$ 37,549.00</u></u>

San Bernardino Valley Water Conservation District

Monthly Recharge Report

From: 1/1/2022
To: 1/31/2022



	January				
	Avg Daily Recharge	Monthly Recharge	Recharge WYTD	10yr Avg Recharge*	BTAC Max**
Santa Ana River	118.8	3,684	4,760	10,018	176,625
Mill Creek	5.0	156	781	3,354	105,975
Plunge Creek	10.1	312.5	815	107	#N/A
State Water Project	0.0	-	9	6,681	#N/A
In River Channel Recharge***	0.2	7	384	#N/A	#N/A
Total	134	4159	6,749	20,160	282,600

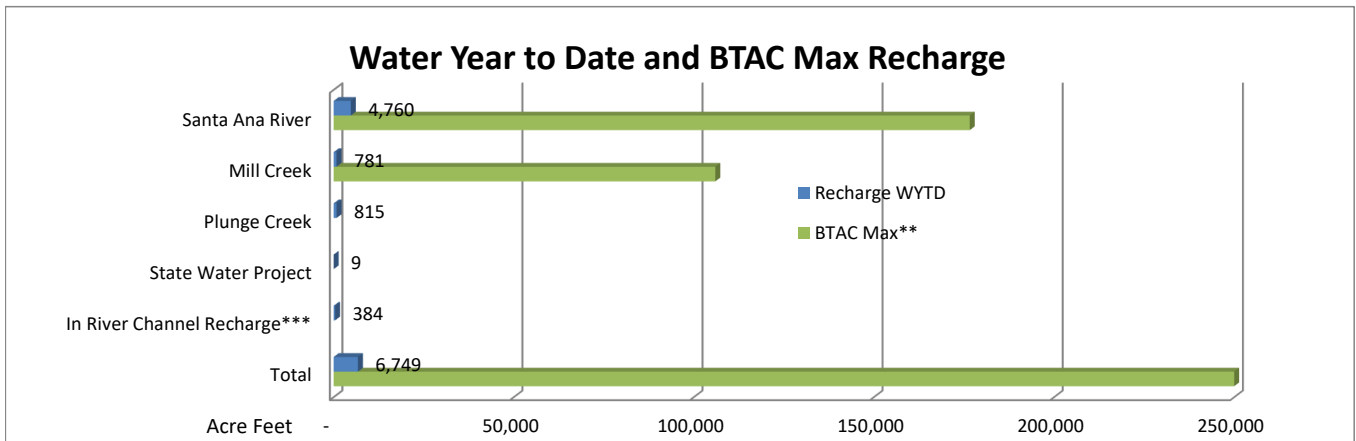
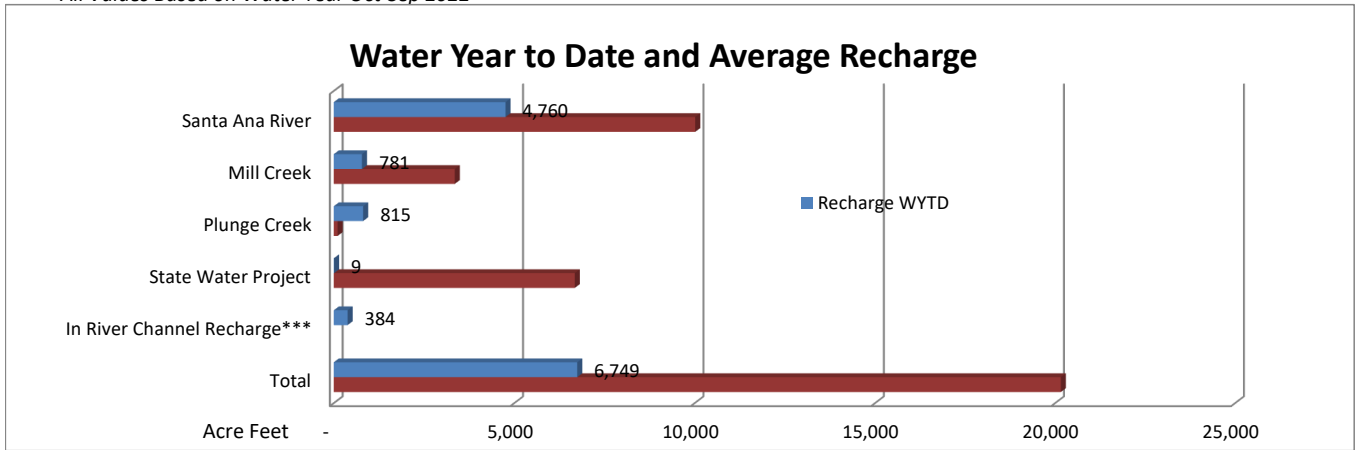
Values in Acre Feet

* Plunge Creek only has 1 year of available data

**BTAC Revised Max in December 2021

***Monitoring began in Mid-April 2011

**** All Values Based on Water Year Oct-Sep 2022





2022 Board Calendar - San Bernardino Valley Water Conservation District

JANUARY						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Jan. 12 Board Meeting
Jan. 26 2nd Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jul. 13 Board Meeting
Jul. 27 4th Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

Feb. 9 Board Meeting

AUGUST						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Aug. 10 Board Meeting

MARCH						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Mar. 9 Board Meeting
Engineering Investigation Report Presentation
Mar. 23 3rd Qtr. Finance & Admin Mtg.

SEPTEMBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Sept. 14 Board Meeting

APRIL						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Apr. 13 Board Meeting
Public Meeting/Groundwater Charge
Apr. 27 Board Meeting
Public Hearing/Groundwater Charge

OCTOBER						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Oct. 12 Board Meeting

MAY						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May 18 Board Meeting

NOVEMBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Nov. 9 Board Meeting
Nov. 23 1st Qtr. Finance & Admin Mtg.

JUNE						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Jun. 8 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Dec. 14 Board Meeting
(@ 9:30 a.m.)
Annual Luncheon

