



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA

Wednesday, September 11, 2024 – 1:30 p.m.

Location – 1630 W. Redlands Blvd., Ste. A, Redlands, CA 92373

Secondary Location – Stardust Lake Tahoe, 4601 South Lake Tahoe, 91650 California

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

Call in (669) 900-6833, Meeting ID: 846 8609 6002

To join the Zoom Meeting on <https://us02web.zoom.us/j/84686096002>

While the District makes every attempt to follow all guidance regarding 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. 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 pertaining to agenda topics listed, received, or generated by the District after posting 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. The San Bernardino Valley Water Conservation District intends to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance concerning 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 Angie Quiroga at (909) 793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC PARTICIPATION

Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.

2. ADDITIONS/DELETIONS TO AGENDA

Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more

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BOARD OF DIRECTORS

Division 1:
Richard Corneille

Division 2:
Hillary Jenkins

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Betsy Miller

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. **DISTRICT COMMITTEE APPOINTMENTS**
 - A. Appendix “B” Board Committees6
 - B. Appendix “C” Roster of Organizations and Committees with Assigned Representatives7
- 5. **CONSENT CALENDAR**
 - A. Approval of Board Minutes, August 14, 2024.....10
 - B. Approval of Expenditure Report, August 202422
 - C. Report of Excused Absences
- 6. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

A. OPERATIONS COMMITTEE VERBAL UPDATE

Presenter: Richard Corneille, Chair

Recommendation: The chair of the Operations Committee will provide a verbal update of the committee meeting held on August 28.

Action Items

B. UNAUDITED FINANCIAL REPORTS FOR AUGUST 2024 – 5 Minutes (M#2046)33

Presenter: Angie Quiroga/Betsy Miller

Recommendation: Review and approve the unaudited financials for August 2024.

C. AMENDMENT TO THE CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES TO PROVIDE FRACTIONAL, AS-NEEDED EXECUTIVE ASSISTANT SERVICES – 5 Minutes (M#2047).....39

Presenter: Betsy Miller

Recommendation: Authorize the Amendment to the Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services at an amount not-to-exceed \$35,000.

D. AMENDMENT TO UPLAND ROCK SANTA ANA RIVER GROUNDWATER RECHARGE FACILITY MATERIAL PROCESSING LICENSE – 5 Minutes (M#2048).....44

Presenter: Betsy Miller

Recommendation: Approve the Material Processing License Amendment for the Santa Ana River Basin Facility with Upland Rock.

- E. APPROVE AN AMENDMENT TO THE TEMPORARY AGREEMENT TO HARMONIZE MINING AND GROUNDWATER RECHARGE OPERATIONS – 5 Minutes (M#2049).....48

Presenter: David B. Cosgrove/Betsy Miller

Recommendation: Approve the Amendment to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations with Cemex Construction Materials Pacific, LLC (“Cemex”), for a six-month period effective October 1, 2024.

- F. AMENDMENT TO THE WATERMAN PERCOLATION BASINS, TWIN CREEK SPREADING GROUNDS, AND LYNWOOD BASINS FEASIBILITY STUDY PROFESSIONAL SERVICES CONTRACT WITH TETRA TECH INC – 5 Minutes (M#2050).....52

Presenter: John M. Lambie

Recommendation: Approve the proposed Scope and Contract Amendment of Tetra Tech Inc. and authorize the General Manager to execute an amendment to the professional consultant services agreement in an amount not to exceed \$148,500.

- G. EQUIPMENT LEASE AUTHORIZATION FOR BASIN MAINTENANCE – 5 Minutes (M#2051).....63

Presenter: Betsy Miller

Recommendation: Authorize the General Manager to expend up to \$45,000 for loader and excavator rentals in FY25.

- H. CSDA 2025 COMMITTEE AND EXPERT FEEDBACK TEAM APPOINTMENTS – 5 Minutes (M#2052).....77

Presenter: Betsy Miller

Recommendation: Provide direction to staff regarding submission of interest forms for Director service on California Special Districts Association (CSDA) committees and/or Expert Feedback Teams for 2025. The yearly terms of office run from January 1, 2025, to December 31, 2026.

- I. ASSOCIATION OF SAN BERNARDINO COUNTY SPECIAL DISTRICT’S 2025 DINNER MEETING – 5 Minutes (M#2053).....79

Presenter: Betsy Miller

Recommendation: Select primary and secondary dates to host the Association of San Bernardino County Special District’s dinner in 2025, if desired.

- J. INVESTIGATION LIST FOR GROUNDWATER ASSESSMENT NO. 62 - 5 Minutes (M#2054).....80

Presenter: Betsy Miller

Recommendation: Review, discuss, and direct staff to investigate registered well owners who have not responded to or failed to pay Groundwater Assessment No. 62.

7. **INFORMATION ITEMS:**

- A. Environmental Update82
- B. Engineering Update84
- C. General Manager’s Report and Monthly Recharge Report86
- D. Future Agenda Items & Staff Tasks

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

- A. Travel Request for Fall Conference Registration – Director John Longville.....97
- B. Travel Request for Fall Conference Registration – Director Richard Corneille 98
- C. Travel Request for Fall Conference Registration – Director Hillary Jenkins..... 99

9. **UPCOMING MEETINGS:**

- A. October 3-4, 2024 H2O Women Conference, Santa Barbara, CA

- B. October 9, 2024 Board of Directors Meeting, 1:30 p.m. at Conservation District

- C. October 16, 2024 San Bernardino Valley Conservation Trust Quarterly Meeting, 2:00 p.m. at Conservation District
(Zoom Meeting ID: 886 2301 8796)

- D. October 22, 2024 Big Bear Watermaster Committee, 11:00 a.m. at Bear Valley Mutual Water Company
(Zoom Meeting ID: 865 0509 9301)

- E. October 30, 2024 Finance & Administration Committee, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 848 1088 7598)

- F. November 5, 2024 Operations Committee, 8:00 a.m. at Conservation District
(Zoom Meeting ID: 862 1272 9548)

- G. December 3-5, 2024 ACWA Fall Conference, Palm Desert, CA
(Board Approval Required)

- H. December 10-12, 2024 National Habitat Conservation Planning Coalition 2024 Annual Meeting in Palm Springs, CA
(Board Approval Required)

I. December 11, 2024 Board of Directors Meeting, 9:30 a.m. at Conservation District
(Zoom Meeting ID: 846 8609 6002)

10. **CLOSED SESSION**

1. The Board may meet in Closed Session under Government Code section 54956.8, to discuss the terms and conditions of the potential acquisition of Federal properties as part of the Wash Plan land exchange with BLM, consisting of 327.5 acres of the Federal Exchange Parcel, and 90 acres of the Federal Equalization Parcels, in exchange for District property of Assessor Parcel Nos. 0291-151-01, -02, and-05. David Cosgrove and Betsy Miller are the District's negotiators, and Dara Glass is the lead negotiator for BLM.
2. The Board may convene in Closed Session for Conference to discuss real property negotiations pursuant to Government Code §54956.8, namely East End Hydroelectric Generation Plant properties located on various parcels and easements in Mill Creek and Santa Ana River Canyons. The District's negotiators are Betsy Miller and David Cosgrove. Owner: Southern California Edison. The parties with whom the District is negotiating are Allison Bahen, Property Manager, and Steven Powell, Vice President.
3. The Board will meet in closed session under authority of Government code Section 54956.8 to discuss potential terms and conditions of the acquisition of real property, consisting of San Bernardino County Assessor parcel numbers 0298-251-04, 0298-251-05, and 0302-101-09. The District's negotiators are Betsy Miller and David Cosgrove. The party with whom the District is negotiating is Tom Robinson, Vantage One Real Estate.
4. The Board may meet in closed session under authority of Government Code Sections 54956.9(d)(2) and (e) (2), exposure to potential litigation, relating to high groundwater conditions and their potential impact on Cemex Materials Pacific, LLC mining areas.
5. The Board may meet in closed session under authority of Government Code Section 54956.9(d)(4), regarding the District's decision to initiate potential litigation, in one case.

11. **ADJOURN MEETING.** The next regularly scheduled Board of Directors meeting will be on October 9, 2024, at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.

APPENDIX “B”
BOARD COMMITTEES

STANDING COMMITTEES

COMMITTEE CHARTER

FINANCE/ADMINISTRATION

Chair – John Longville
Member – Robert Stewart
Alternate –

The Finance and Administration Committee may review or be referred items by the Board or General Manager in the areas of Finance, Budget, Investments and Reporting, Staffing and Human Resources, Benefits, Board and Employee Administrative Policies and Procedures, and other issues designated by the Board.

OPERATIONS (formerly Resources)

Chair – Richard Corneille
Member – Robert Stewart
Alternate – Melody McDonald

The Operations Committee may review or be referred items by the Board or General Manager in the areas of Water Management, Land and Habitat Resource Planning, Groundwater Recharge Monitoring and Reporting, Engineering Investigation, Groundwater Charge Rates. Facilities Operation, Maintenance and Development, Regulatory Compliance, Mineral Lease Oversight or other issues designated by the Board.

OUTREACH AND COMMUNICATIONS

Chair – John Longville
Member – Robert Stewart
Alternate – Richard Corneille

The Outreach and Communications Committee may review or be referred items by the Board or General Manager in the areas of Public Information, Outreach Programs, Conservation and Landscape Education, District Legislative Monitoring, Intergovernmental Press and Media Coordination or other issues designated by the Board.

AD HOC COMMITTEES

Ad Hoc Committees are informal, temporarily formed advisory committees to investigate or address situation specific occurrences, and are created by appointment of the President of the Board of Directors. For example, an Ad Hoc Audit committee is formed each year to oversee the District’s Annual Audit.

APPENDIX “C”

Roster of Organizations and Committees with Assigned Representatives

District Requested Meetings

District Requested Meetings are organizations that the Board has determined as essential for participation. The Board designates a primary and alternate; the alternate only attends if the primary indicates they are unavailable to attend. Included are all District Board meetings and Standing and Ad Hoc committees the member is appointed to, and those meetings or events a member is required to attend as a part of his or her role as a member of any other committee, board, or organization to which the member was appointed by the entire Board, or whose appointment was solicited or approved by the entire Board. If service on a committee requires travel or other costs such costs must be disclosed prior to appointment. Attendance by another Board member, other than the primary or alternate designee, may only be eligible for per diem compensation as a Director Selected meeting. Travel costs include conference registration, airfare car rental, hotel or similar reimbursable costs. Meeting Expenses include local mileage, meals, and parking. A cost estimate (Travel and Per Diem) must be presented to the Board in advance at its regularly scheduled Board meeting for approval for meetings listed as “Set by Board Action”. Once “Set by Board Action” meetings are approved by the Board they may be claimed as District Requested meetings. Any District Requested or Director Selected meetings beyond ten per month are eligible for reimbursement of Expenses only. California Government Code § 53232.3 requires Board members to report on each compensated meeting outside of meetings District Board or Committee meetings at the next regular Board Meeting as designated in the Agenda. The reports may be made verbally or provided in writing at the discretion of the director.

<u>Organization/Committee</u>	<u>Primary/Alternate</u>
1. Association of California Water Agencies/JPIA	McDonald/ Vacant
2. Association of California Water Agencies (Spring/Fall Conferences)	Set by Board Action
3. California Special Districts Association Annual Conference **	Set by Board Action
4. Association of San Bernardino County Special Districts	McDonald/Stewart
5. Special Presentations [only one per month per director]	All Board Limited
6. ACWA Region 9 Meetings	All Board Limited
7. Basin Technical Advisory Committee	Stewart/McDonald

8. Upper SAR Water Forum	Corneille/ Vacant
9. SBVMWD Board Meetings	McDonald/ Vacant
9A. Resources & Engineering Workshop***	McDonald/Corneille
9B. Policy & Administration Workshop***	Longville/Stewart
10. East Valley Water District Board Meetings	Vacant
11. Wash Plan Task Force	Longville/Corneille
12. Big Bear Watermaster Committee (Court Appointed Attendee-Scholte)	Stewart/Corneille
13. San Bernardino Valley Conservation Trust	Corneille & Longville
14. Program for the Expansion of Recharge Capacity (PERC) Policy Committee	Corneille/McDonald
15. Meeting(s) Requested by the General Manager and/or Board President	All Board Limited
16. Any District Required/Mandated Training	All Board Limited
17. Director attendance at District offices or elsewhere for tasks as requested by District staff, for internal staff meetings or administrative matters such as review of agendas or staff reports incident to committee or Board meetings, review of warrants or financial statements, signing checks, or the like.	All Board Limited

Organization/Committee's selected by Outside Organization subject to Board Approval

Other Activities:

<u>Organization/Committee</u>	<u>Primary/Alternate</u>
a. Sacramento Legislative Forums	Set by Board Action
b. Washington DC Legislative Forum	Set by Board Action
c. ACWA Committees	When appointed**
d. CSDA Committees	When appointed**
e. Local Government Commission	Longville/No Alternate

*Only one member should attend meeting on behalf of the District

** If appointed and while appointed.

***Both appointed members may attend as primary.

Director Selected Meetings - Maximum of 3

The Director Selected meetings are pre-approved; discretionary meetings that each Director may attend, in a number not to exceed three (3) per month, and are eligible for meeting per diem compensation and eligible Expense (local mileage, meals, and parking) reimbursement. Directors may attend more than three (3) Director Selected meetings in a single month; such attendance will be eligible only for reimbursement of Expenses, and ineligible for meeting per diem reimbursement. Reimbursement for Travel expenses (conference registration, airfare car rental, hotel or etc.) for any Director Selected meeting shall be paid only upon prior approval of the Board. A cost estimate must be presented to the Board in advance at a regularly scheduled Board meeting for approval. Expenses are subject to limitations provided for in the Board Policy Handbook Section 4025.1 for all Director Selected meeting.

Organization

A. Redlands Chamber of Commerce	Director Selected
B. Highland Area Chamber of Commerce	Director Selected
C. Loma Linda Chamber of Commerce	Director Selected
D. Mentone Chamber of Commerce	Director Selected
E. San Bernardino Chamber of Commerce	Director Selected
F. Various Water Related Meetings	Director Selected

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF AUGUST 14, 2024
1:30 p.m.

President McDonald called the Board of Directors meeting to order at 1:30 p.m. with participation in person, via teleconference, and through Zoom. All those in attendance stood for the pledge of allegiance led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President
Richard Corneille, Director
John Longville, Director
Hillary Jenkins, Director
Robert Stewart, Vice President

BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Betsy Miller, General Manager
David Cosgrove, District Counsel
Milan Mitrovich, Land Resources Manager
Ms. Quiroga, Senior Administrative Analyst
Laura Torres, Assistant Engineer
Anna Frey, Assistant Biologist
John Lambie, Consulting Chief Engineer and Geohydrologist
Zach Blum, Intern
Randy Do, IT Contractor
Ashima Thomas, Executive Assistant (contractor)

GUESTS PRESENT:

Paul Kielhold, San Bernardino Valley Municipal Water District
David E. Smith, East Valley Water District
John Harris, City of Redlands
Joseph Aguirre, Tetra Tech
Mark Falcone, Highland Resident

1. PUBLIC PARTICIPATION

No public participation.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the posted agenda.

3. GUEST RECOGNITIONS/SELF INTRODUCTIONS

The Board, staff, in-person attendees and Zoom attendees made self-introductions.

4. DISTRICT COMMITTEE APPOINTMENTS

President McDonald introduced this item for discussion noting its inclusion on Package Page 8 and made several committee appointments. Director Longville was appointed Chair of the Finance & Administration Committee while Vice President Stewart was moved to a permanent member of the Committee. There are no changes to the membership of the Operations Committee or the Outreach and Communications Committee

Director Longville was appointed as primary on the Wash Plan Task Force while Director Corneille was appointed as alternate. Vice President Stewart was appointed as the primary on the Big Bear Water Master Committee. Director Corneille was moved to alternate on the Big Bear Water Master Committee.

President McDonald deferred further Committee appointments to the Board of Directors meeting scheduled for December 11. She requested that Directors provide her with feedback if they are interested in being appointed to any committees or other meetings listed within Appendix B or C.

5. CONSENT CALENDAR

It was moved by Director Corneille and seconded by Director Longville to approve the Consent Calendar: Item A: Approval of Board Minutes, July 10, 2024; Item B: Approval of Board Minutes, July 24, 2024; and Item C: Approval of Expenditure Report, July 2024. The motion carried 5-0, with all Board members present voting in the affirmative.

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

6. COMMITTEE REPORTS/ACTION ITEMS

A. AD HOC AUDIT COMMITTEE VERBAL UPDATE

Director Corneille reported that he and Director Longville met with the auditor, Ms. Quiroga, and General Manager Miller on July 23rd to initiate the audit process. All board members should have received a letter with questions from the auditors. The Directors requested that the auditors review the PERC accounts for best practices related to Capital projects.

Ms. Quiroga informed the Board that the final audit reports are expected by the October board meeting. Discussion ensued regarding planned Director absences, and it was agreed that the audit should be presented to the Board in November.

B. FINANCE & ADMINISTRATION COMMITTEE VERBAL UPDATE

General Manager Miller reported that at the July 24th meeting, the committee discussed the fourth quarter and audited financials, which are on today's agenda. They also reviewed recent mining revenue and discussed effects of high groundwater levels and the current agreement with Cemex.

C. OPERATIONS COMMITTEE VERBAL UPDATE

Director Corneille reported on the August 6th meeting. The meeting opened with a field operations report by Mr. Manuel Colunga, Field Supervisor, and it was noted that Mr. Guizar passed his drone pilot license exam, enabling aerial inspections of facilities.

The Mentor Shop contractor has indicated that he does not anticipate being able to complete the project. Staff are reviewing next steps.

Director Corneille reported that the Enhanced Recharge project construction is progressing well and extended the District's appreciation to Valley for their efforts and close coordination to maximize recharge throughout construction.

Director Corneille shared that Mr. Lambie provided a report on the PERC projects. A PERC Policy Council meeting is scheduled for September 3. As requested by Vice President Stewart, John provided detailed evaluation criteria for prioritizing the various PERC projects.

Ms. Torres gave a comprehensive report on facility maintenance, including the draft multi-year maintenance plan and ranking criteria. The Committee appreciated the detail of the plan and the maps of the spreading facilities showing the planned maintenance activities.

The Committee reviewed groundwater levels and hydrographs from monitoring wells, noting significant fluctuations based on wet and dry years. Ms. Torres also reported on Santa Ana River flows and river recharge beyond the District boundary during wet years. Vice President Stewart noted that storm flows, which often carry debris, are challenging to recharge and should be considered in future project cost-benefit analyses.

D. UNAUDITED FINANCIAL REPORTS FOR JULY 2024

Ms. Quiroga presented the financial reports for July 2024, as shown on Package Page 37. Significant payments from the January to June 2024 groundwater assessment period have been received, totaling \$335,335 for groundwater charges and \$76,794 for sustainability. The sustainability funds, which will not be collected in future assessments due to the cessation of the Groundwater Council, will be used to purchase water from Valley. The Land Resources Enterprise revenue shows \$0 for July as mining revenue is typically received in August. PERC revenue from investments is \$195,920 for the fiscal year.

Key expenditures highlighted include:

- Package Page 40 - GL 5123: \$14,494 for Habitat Management (third quarterly payment to IERCD).
- Package Page 41 - GL 6060: \$8,450 payment for Outreach, including sponsorships to the National HCP Coalition and Santa Ana Watershed displays.
- Package Page 42 – GL7140: \$22,985 payment for Mentone property shop construction (CS-NK Construction).
- Package Page 42 - GL 7220: \$5,000 payment for GIS software (ESRI).

It was moved by Director Corneille and seconded by Vice President Stewart to approve unaudited Financial Reports for July 2024. The motion carried 5-0, with all Board members present voting in the affirmative.

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

E. 4th QUARTER UNAUDITED FINANCIAL REPORTS FOR FY 2023-2024

Ms. Quiroga presented the fourth quarter unaudited financials for FY 2023 – 2024 found on Package Page 44. Overall revenue exceeded budget expectations, with interest revenue at \$2.1 million. Mining revenue was also over budget, while groundwater revenue was slightly under budget. Adjustments will be made for the high groundwater temporary agreement with Cemex for the three-month minimum royalty payments. Total income (including reimbursements) was \$8.3 million. Less the reimbursements, total income is approximately \$6.7 million and expenses just over \$4.4 million. Ms. Quiroga noted the following items:

- GL5120: Professional Services came in under budget, partly due to the additional time required for several projects, including the GeoScience groundwater model update.
- GL5123: Habitat Management Wash Plan remained under budget.
- GL6000: General Administration remained under budget.
- GL6170: Pers Retirement came in over budget due to former employee benefits contributions:
- GL6200: Salaries were under budget by approximately \$60,000.
- GL6400: Director Expenses came in under budget but will end slightly higher than presented (estimated at \$93,000) with final expenditures still being entered.
- GL6500: Administrative expenses were slightly over budget due to additional costs for conferences and travel. Capital budget project costs are expected to be approximately \$3 million as final invoices are received.

Ms. Quiroga discussed the Investment Report and Performance shown on Package Page 48. Interest income exceeded expectations at \$358,591, with an overall net change of \$113,355. The Citizens Business Bank cash account has decreased by \$265,209 since the beginning of the fiscal year.

It was moved by Vice President Stewart and seconded by Director Jenkins to approve the 4th Quarter Unaudited Financial Reports for FY2023-2024. The motion carried 5-0, with all Board members present voting in the affirmative.

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

F. MOU with San Bernardino County Museum for Water-Wise Garden

General Manager Miller shared a status update on an opportunity to expand the District's outreach education for water conservation through a water-wise garden at the San Bernardino County Museum. The Memorandum of Understanding (MOU) presented to the Board outlines a partnership between the two agencies where the District will design and install the garden while the County will maintain it. This agreement involves in-kind services only, with no payments required from either party.

The approved FY25 budget includes \$35,000 for garden design and, possibly, initial installation. Directors Corneille and Jenkins requested information on the total cost of the project prior to proceeding. Director Corneille expressed concerns about the deadline for the project to be installed by December 2025.

Directors Jenkins and Corneille expressed their support for the project and its potential to reach a wide audience.

General Manager Miller noted that she is unable to obtain a final bid for the project without the MOU in place, but she will seek estimates from qualified contractors for presentation to the Outreach Committee.

It was moved by Director Corneille and seconded by Director Longville to table the item to a future meeting and provide directions to staff to request a longer term within which to design and install the garden in the MOU and to seek detailed quotes on design and installation, while noting the Board's support for the item.

The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes

Vice President Stewart: Yes
Director Corneille: Yes
Director Jenkins: Yes
Director Longville: Yes

G. License Agreement with Upland Rock to Process and Remove Sediment from the Mill Creek Spreading Grounds

General Manager Miller reported that the District is currently contracting with Upland Rock to process sand, gravel, and rock stockpiled at our Santa Ana facilities as part of routine maintenance of our recharge basins. This contract generates revenue from the sale of these materials, which would otherwise cost approximately \$20 per cubic yard to haul away at current market rates. Recently, a market was identified for stockpiled materials at Mill Creek, leading to a thorough field assessment by the Operations and Natural Resources teams to evaluate appropriate work locations, schedules, and potential concerns. If approved, the license will run from August 14, 2024, through December 2025, with a similar royalty structure, legal provisions, and protections as the Santa Ana agreement. District Counsel Cosgrove addressed CEQA considerations, requesting that the Board find this project exempt from CEQA review under Regulation Section 15301, which applies to maintenance of existing facilities. To protect sensitive environmental habitats, the license includes five special conditions detailed on Packet Page 96, numbers 3.5 through 3.10. Operations will be limited to 6 AM to 6 PM, work is scheduled to occur in fall and winter to avoid the bird nesting season, and all activities will take place at the bottom of existing recharge basins to avoid impacts to habitat. A resident complaint procedure is also included.

Director Stewart requested information on the exclusion of Mill Creek Basin 1 from the agreement. Dr. Mitrovich clarified that the current market is for boulders, rather than sand which is found near Basin 1. Director Stewart also requested details on compliance with NPDES and Stormwater Pollution Prevention requirements. District Counsel Cosgrove noted that general compliance with all required permits is covered under Section 2.3.3 on Package Page 87 Director Stewart requested that work under the license be completed at one location at a time, and asked for details on how tonnage is measured.

It was moved by Director Longville and seconded by Vice President Stewart to approve the Approve the Mill Creek Basin Facility Maintenance Material Processing License with Upland Rock with the three amendments, including addition of a requirement to comply with NPDES under Section 2.3.3, addition of a provision to Section 2.6.8 that the District reserves the right to instruct the licensee on the appropriate areas and timing for operations, and additional of clear language throughout the license as needed to ensure that all risk transfers and insurance requirements apply to subcontractors and third-party vendors involved in the project. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes

Director Jenkins: Yes
Director Longville: Yes

H. Contract with Origin Biological for Biological Services in FY25

Dr. Mitrovich discussed the request to approve a Contract Services Agreement with Origin Biological for on-call biological services, not to exceed \$112,000, beginning on Package Page 100. The proposed agreement includes endangered species surveys completed by qualified biologists holding permits from the U.S. Fish and Wildlife Service and California Department of Fish and Game to support the Wash Plan implementation, the draft Mill Creek Conservation Benefit Agreement, and work related to SBCTA's State Route 210 Mixed Flow Addition Project. Details of the specific tasks are shown on Package Page 101. In addition to surveys for San Bernardino kangaroo rat and California gnatcatcher, the scope of work includes participation in coordination meetings, quality assurance of collected data, and preparation of reports. Eleven percent of the contract (\$12,655) is reserved for as-needed tasks that may arise during the fiscal year for other District programs. Dr. Mitrovich provided details of rate comparisons to the Board, noting that the proposed consultant charges the lowest rate reviewed, has the most biological experience in the Wash, and is located in Redlands.

It was moved by Director Corneille and seconded by Director Longville to approve the Contract Services Agreement for Professional Services (Agreement) with Origin Biological (Consultant) for biological services at an amount not-to-exceed \$112,000. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes
Director Jenks: Yes
Director Longville: Yes

I. Update Bank Signatories to Include David Cosgrove as a Check Signer

It was moved by Director Corneille and seconded by Director Longville to approve Resolution No. 625 to add David Cosgrove, District Counsel, as a check signatory. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes
Director Jenkins: Yes
Director Longville: Yes

7. INFORMATION ITEMS

A. ENVIRONMENTAL UPDATE

Dr. Mitrovich reviewed the written report highlighting the following under the Wash Plan Implementation:

- On Package Page 114, under the SPKR Monitoring section, an addendum to the approved comprehensive SPKR monitoring protocol report, completed by the USGS in 2023, was delivered to the Preserve Management Committee on August 2nd. The data from 2023, collected last fall, is now ready for analysis, allowing us to observe trends in occupancy, density, and abundance over a three-year period. This milestone marks a significant advancement in our monitoring efforts, and the Preserve Management Committee has expressed their appreciation for this progress.
- Dr. Mitrovich reported that District intern Karen Iwanaga presented her analysis of SBKR habitat conditions data collected within the Wash Plan Preserve during 2022 and 2023 on July 30th as part of the District's first-ever Lunch and Learn session with the Land Resources team and marked Ms. Iwanaga's last day with the District. Ms. Iwanaga will begin her doctoral studies in biology at the University of Oregon this fall. The District appreciates Ms. Iwanaga's contributions and wishes her the best in her future academic endeavors.
- District staff and Dudek collected all available seeds from the slender-horned spineflower (SHSF) bulking site between July 16th and July 22nd. It is anticipated that seed production will exceed the previous year's total of over a quarter of a million seeds. A second round of planting activities using a subset of these seeds is scheduled for this fall.
- At the San Bernardino Valley Conservation Trust meeting held on July 17th, District Director Longville was named President of the Trust, and District Director Corneille was appointed Vice President of the Trust Board.
- Under partnership activities, Dr. Mitrovich reported that on July 24th and 25th, eight members of the district staff and two staff members from the San Manuel Band of Mission Indians, participated in a wilderness first aid training offered by the District. This two-day course was designed to address the specific local field conditions encountered by District team members during their fieldwork on District lands.

President McDonald expressed appreciation for the work presented and invited questions or comments. Director Longville remarked on the professionalism of the District team and expressed appreciation for details provided regarding the Conservation Benefit Agreement (CBA).

B. ENGINEERING UPDATE

Ms. Torres provided the Engineering Update, noting its inclusion on Package Page 119.

- Mentone Shop: Septic work for the Mentone shop took place from July 7 to July 18, 2024. However, construction has been halted after the contractor notified us that they do not expect to be able to complete the project. District staff are now pursuing the next steps outlined in the contract to ensure project completion.
- Enhanced Recharge Phase 1B: Ms. Torres directed the Board to Package Page 123 for an update on the Enhanced Recharge Project. To date, ten different new basins have recharged water.

General Manager Miller noted the excellent coordination between inter-agency teams on this project. Director Jenkins expressed support for the project and commended the team.

Mr. Lambie and Ms. Torres reviewed the PERC project map. Mr. Lambie provided an update on the ongoing analysis of historical flow data at the Plunge Creek and Oak Basins, and the progress with defining flow requirements, maintenance, and capacity at the Mill Creek site.

General Manager Miller reported that on July 10th, the Board approved the Second Amendment to the PERC Agreement, and Valley Districts also approved it. As a result, BTAC was invited to join the Policy Committee in place of the Groundwater Council, and Ryan Shaw from Western was appointed to represent BTAC at the BTAC meeting held on August 5th.

Mr. Lambie provided an updated on the groundwater modeling project, and discussed a related calibration project that the District is working on in collaboration with Valley District and the City of San Bernardino.

President McDonald emphasized the importance of reviewing flood history relevant to the PERC projects, such as the historic floods in the 40th Street area.

C. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

General Manager Miller indicated that the written General Manager's Report is included in the Board package on pages 119 through 123. She highlighted the following items:

- Recharge Update: The District has is on track for our fourth highest recharge year since 1912 with 67,000 acre-feet recharged to-date.
- Administrative Updates: Mr. Guizar will celebrate his five-year anniversary with the district on August 19th. Ashima Thomas, a fractional executive assistant, has joined us through a company that offers support to multiple clients. General Manager Miller invited the Board and other attendees to enjoy cake in honor of Mr. Cosgrove's birthday, which was yesterday.
- Financial Updates: The meeting was directed to the top of Package Page 120. The actuarial valuation for our Other Post-Employment Benefit (OPEB) program indicates that our trust is well-funded, eliminating the need for a contribution this year. We will continue to review this annually. With the OPEB liability funded, extra funds may be allocated to the trust that supports CalPERS liability.
- Grants and Agreements: We have received and approved the draft agreement for a U.S. Bureau of Reclamation grant for knowledge systems development through integrated Santa Ana River model enhancements. The draft general warranty and patent for the BLM land exchange were received on August 2nd.
- Consistency Determination: We received a formal response regarding our consistency determination request for wash plan projects, which we will share with partners.
- Outreach and Internships: The District provided financial support for a senior project at Cal Poly Pomona focused on PERC projects. Mr. Lambie and General Manager Miller will attend their class to discuss the District's work. We are discussing collaboration with

Jennifer Alford from CSU San Bernardino to support a program for professional readiness in the water field, including a presentation from Dr. Alford to the Board.

- Contract Updates: We are preparing a website update and expect to bring a contract for PR consulting to the Outreach Committee.
- Wash Plan Trails MOU Status: The City of Redlands plans to present the Wash Plan Trails MOU to their Council on September 17th.

D. FUTURE AGENDA ITEMS AND STAFF TASKS

General Manager Miller reported that she completed the review of the Outreach Plan. The team is scheduled to review the findings and will reconvene in a week. This item will be ready for presentation at the next Outreach Committee or Board Meeting, as desired by the Board.

The board consensus was to bring the Outreach Plan to the Board directly to limit delays, with an Outreach Committee meeting scheduled in advance.

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

Vice President Stewart attended the following meetings:

- PERC Policy meeting and check signing on July 16
- SBV Conservation Trust on July 17
- SBVWCD Finance and Administrative Meeting on July 24
- SBVWCD Special Board Meeting on July 24
- Bear Valley Mutual Water Company Meeting on July 23
- Check Signing on July 22
- BTAC on August 5
- Operations Committee on August 8

Director Corneille attended the following meetings:

- Completed Ethics Training on July 12th
- PERC Policy meeting on July 16th
- San Bernadino Valley Conservation Trust on July 17th
- Audit Ad Hoc Committee on July 23rd
- Special Board Meeting on July 24th
- Met with Bear Valley General Manager George Hanson on August 5th
- Attended Redlands Chamber Rise and Shine Meeting on August 2nd
- Southern California Water Conference on August 9th
- Operations Committee Meeting on August 6th

Director Longville attended the following meetings:

- SBVWCD Board meeting on July 10th
- SBVMWD Board of Directors Meeting on July 16th
- San Bernadino Valley Conservation Trust on July 17th
- Audit Ad Hoc Committee meeting on July 23rd
- Special Board Meeting on July 24th
- SBVMWD Resources Engineering Meeting on August 13th

Director Jenkins attending the following meetings:

- Swearing in of Director Jenkins on August 2nd

President McDonald attended the following meetings:

- Special Districts Board of Directors July 8th
- SBVMWD Engineering July 9th
- SBVMWD Policy Administrative Committee Meeting on July 11th
- SBVMWD Board of Directors' Meeting on July 16th
- Highland Chamber of Commerce on July 23rd
- SBVWCD Special Board Meeting on July 24th
- SBVMWD Policy Administrative Meeting on August 1st
- BTAC Meeting on August 5th
- ACWA State Legislative Committee on August 9th
- SBVMWD Resources Engineering Meeting on August 13th

A. Travel Request for Director Longville

A travel request for Director Longville was discussed, referring to the details found on Package Page 128.

It was moved by President McDonald and seconded by Director Corneille to approve the Travel Request for Director Longville to attend the H2O Women's Conference in Santa Barbara. The motion carried 5-0, with all Board members present voting in the affirmative.

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

9. UPCOMING MEETINGS

The upcoming Fall ACWA Conference was briefly discussed, with registration details to be provided to the Board soon. The National Habitat Conservation Planning Conference, typically in West Virginia, will be in Palm Springs this year.

3. CLOSED SESSION

It was moved by Director Longville and seconded by Director Corneille to adjourn to Closed Session on Item 3. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes
Director Jenkins: Yes
Director Longville: Yes

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

At 4:07 p.m., the meeting reconvened to an open session. Under Government Code Section 54957.1, there was no other reportable action during Closed Session.

4. ADJOURN MEETING

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

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes
Director Jenkins: Yes
Director Longville: Yes

At 4:07 p.m. the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on September 11, 2024, in-person, teleconference, and Zoom meeting.

Betsy Miller
General Manager

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
	08/13/2024	O'Reilly	1012 · Citizens Busine...		0.00
	07/29/2024	O'Reilly	2000 · Accounts Payable		-9.87
TOTAL					-9.87
QB Intuit	08/27/2024	Intuit	1012 · Citizens Busine...		-358.55
			6030 · Office Supplies	4-General Fund Ent.	107.57
			6030 · Office Supplies	1-Groundwater Ent.	71.71
			6030 · Office Supplies	2-Redlands Plaza/...	35.85
			6030 · Office Supplies	3-Land Resources	53.78
			6030 · Office Supplies	5-Wash Plan	17.93
			6030 · Office Supplies	6-Active Recharge ...	71.71
TOTAL					358.55
PC 08.07.24	08/07/2024	Paychex	1012 · Citizens Busine...		-149.65
			6042 · Payroll Processing	4-General Fund Ent.	149.65
TOTAL					149.65
PC 08.21.24	08/21/2024	Paychex	1012 · Citizens Busine...		-145.92
			6042 · Payroll Processing	4-General Fund Ent.	145.92
TOTAL					145.92
25116	08/13/2024	ACWA/JPIA	1012 · Citizens Busine...		-1,695.00
	08/06/2024		6535 · Conf/Seminar R...	4-General Fund Ent.	762.75
			6320 · General Liability ...	1-Groundwater Ent.	593.25
			6320 · General Liability ...	3-Land Resources	339.00
TOTAL					1,695.00
25117	08/13/2024	ACWA/JPIA-Health	1012 · Citizens Busine...		-24,833.08
	08/01/2024		6110 · Vision Insurance	4-General Fund Ent.	55.36
			6110 · Vision Insurance	1-Groundwater Ent.	126.11
			6110 · Vision Insurance	2-Redlands Plaza/...	12.30
			6110 · Vision Insurance	3-Land Resources	43.06
			6110 · Vision Insurance	5-Wash Plan	3.08
			6110 · Vision Insurance	6-Active Recharge ...	67.67
			6130 · Dental Insurance	4-General Fund Ent.	192.79
			6130 · Dental Insurance	1-Groundwater Ent.	439.14
			6130 · Dental Insurance	2-Redlands Plaza/...	42.84
			6130 · Dental Insurance	3-Land Resources	149.95
			6130 · Dental Insurance	5-Wash Plan	10.72
			6130 · Dental Insurance	6-Active Recharge ...	235.64
			6150 · Medical Insurance	4-General Fund Ent.	4,221.80
			6150 · Medical Insurance	1-Groundwater Ent.	9,616.31
			6150 · Medical Insurance	2-Redlands Plaza/...	938.18
			6150 · Medical Insurance	3-Land Resources	3,283.62
			6150 · Medical Insurance	5-Wash Plan	234.54
			6150 · Medical Insurance	6-Active Recharge ...	5,159.97
TOTAL					24,833.08

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25118	08/13/2024	AECOM Technical Serv...	1012 · Citizens Busine...		-2,185.83
	08/08/2024		7151 · Mill Creek Permi...	1-Groundwater Ent.	2,185.83
TOTAL					2,185.83
25119	08/13/2024	American Express	1012 · Citizens Busine...		-350.12
	07/24/2024		6002 · Website Adminis...	4-General Fund Ent.	365.00
TOTAL					365.00
25120	08/13/2024	American Power Security	1012 · Citizens Busine...		-732.00
	07/31/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	732.00
TOTAL					732.00
25121	08/13/2024	Blum, Zachary	1012 · Citizens Busine...		-15.12
	01/03/2024		6510 · Mileage	1-Groundwater Ent.	15.12
TOTAL					15.12
25122	08/13/2024	Bureau of Land Manag...	1012 · Citizens Busine...		-26,013.01
	07/30/2024		7120 · Property-Land P...	3-Land Resources	26,013.01
TOTAL					26,013.01
25123	08/13/2024	California State Univer...	1012 · Citizens Busine...		-500.00
	08/05/2024		6060 · Outreach	4-General Fund Ent.	150.00
			6060 · Outreach	1-Groundwater Ent.	100.00
			6060 · Outreach	3-Land Resources	150.00
			6060 · Outreach	5-Wash Plan	25.00
			6060 · Outreach	6-Active Recharge ...	75.00
TOTAL					500.00
25124	08/13/2024	California Tool & Weldi...	1012 · Citizens Busine...		-243.94
	08/08/2024		5210 · Equipment Maint...	1-Groundwater Ent.	243.94
TOTAL					243.94
25125	08/13/2024	City of Redlands -Muni...	1012 · Citizens Busine...		-2,273.07
	08/01/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	2,273.07
TOTAL					2,273.07
25126	08/13/2024	Corneille, Richard	1012 · Citizens Busine...		-5.36
	08/05/2024		6410 · Mileage	4-General Fund Ent.	5.36
TOTAL					5.36

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25127	08/13/2024	County of San Bernardi...	1012 · Citizens Busine...		-24,355.00
	08/01/2024		5225 · Field Clean Up-II...	1-Groundwater Ent.	24,355.00
TOTAL					24,355.00
25128	08/13/2024	CPS HR Consulting	1012 · Citizens Busine...		-315.00
	07/27/2024		5120 · Misc. Profession...	4-General Fund Ent.	315.00
TOTAL					315.00
25129	08/13/2024	Daily Journal Corporati...	1012 · Citizens Busine...		-119.60
	07/31/2024		6091 · Public Notices	4-General Fund Ent.	119.60
TOTAL					119.60
25130	08/13/2024	E-PUR LLC	1012 · Citizens Busine...		-9,636.00
	08/12/2024		5120 · Misc. Profession...	1-Groundwater Ent.	3,914.63
			5120 · Misc. Profession...	6-Active Recharge ...	5,721.37
TOTAL					9,636.00
25131	08/13/2024	Edison - 6256 (Redland...	1012 · Citizens Busine...		-195.35
	07/31/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	195.35
TOTAL					195.35
25132	08/13/2024	Edison - 8958	1012 · Citizens Busine...		-907.39
	08/07/2024		5420 · Electricity	4-General Fund Ent.	254.07
			5420 · Electricity	1-Groundwater Ent.	181.48
			5420 · Electricity	2-Redlands Plaza/...	381.10
			5420 · Electricity	6-Active Recharge ...	90.74
TOTAL					907.39
25133	08/13/2024	Edison - 9779	1012 · Citizens Busine...		-855.77
	07/31/2024		5420 · Electricity	4-General Fund Ent.	239.62
			5420 · Electricity	1-Groundwater Ent.	171.15
			5420 · Electricity	2-Redlands Plaza/...	359.42
			5420 · Electricity	6-Active Recharge ...	85.58
TOTAL					855.77
25134	08/13/2024	Empire Disposal	1012 · Citizens Busine...		-225.03
	07/31/2024		5460 · Water / Trash / ...	4-General Fund Ent.	101.26
			5460 · Water / Trash / ...	1-Groundwater Ent.	78.77
			5460 · Water / Trash / ...	3-Land Resources	22.50
			5460 · Water / Trash / ...	6-Active Recharge ...	22.50
TOTAL					225.03

San Bernardino Valley Water Conservation District
Expenditure Report
August 2024

Num	Date	Name	Account	Class	Original Amount
25135	08/13/2024	Enterprise UAS, LLC d...	1012 · Citizens Busine...		-6,739.24
	08/06/2024		7230 · Field Equipment ... 7230 · Field Equipment ...	1-Groundwater Ent. 3-Land Resources	5,391.39 1,347.85
TOTAL					6,739.24
25136	08/13/2024	Frontier-4860	1012 · Citizens Busine...		-384.18
	07/28/2024		5440 · Telephone 5440 · Telephone 5440 · Telephone 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services	4-General Fund Ent. 1-Groundwater Ent. 6-Active Recharge ... 4-General Fund Ent. 1-Groundwater Ent. 2-Redlands Plaza/... 3-Land Resources 6-Active Recharge ...	167.60 69.83 41.90 47.18 26.21 5.24 15.73 10.49
TOTAL					384.18
25137	08/13/2024	Home Depot Credit Ser...	1012 · Citizens Busine...		-589.91
	07/28/2024		5210 · Equipment Maint... 5215 · Property Mainte... 5215 · Property Mainte... 6012 · Office Maintenan... 6012 · Office Maintenan...	1-Groundwater Ent. 1-Groundwater Ent. 3-Land Resources 4-General Fund Ent. 2-Redlands Plaza/...	276.04 246.35 61.59 3.56 2.37
TOTAL					589.91
25138	08/13/2024	IERCD	1012 · Citizens Busine...		-40,838.00
	04/30/2024 07/17/2024		5123 · Habitat Manage... 6060 · Outreach 6060 · Outreach 6060 · Outreach 6060 · Outreach	5-Wash Plan 4-General Fund Ent. 1-Groundwater Ent. 3-Land Resources 6-Active Recharge ...	14,494.00 1,350.00 1,215.00 1,350.00 585.00
	07/26/2024		6060 · Outreach 6060 · Outreach 6060 · Outreach 6060 · Outreach	4-General Fund Ent. 1-Groundwater Ent. 3-Land Resources 6-Active Recharge ...	2,205.00 1,984.50 2,205.00 955.50
	07/31/2024		5123 · Habitat Manage...	5-Wash Plan	14,494.00
TOTAL					40,838.00
25139	08/13/2024	Larry Jacinto Construc...	1012 · Citizens Busine...		-3,020.00
	07/17/2024		5050 · Basin Cleaning	1-Groundwater Ent...	3,020.00
TOTAL					3,020.00
25140	08/13/2024	Lowe's Companies, Inc.	1012 · Citizens Busine...		-208.98
	07/25/2024		5210 · Equipment Maint...	1-Groundwater Ent.	211.68
TOTAL					211.68

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25141	08/13/2024	Mikael Romich	1012 · Citizens Busine...		-2,815.00
	08/06/2024		5123 · Habitat Manage...	5-Wash Plan	980.00
			7151 · Mill Creek Permi...	1-Groundwater Ent.	980.00
	08/06/2024		5123 · Habitat Manage...	5-Wash Plan	427.50
			7151 · Mill Creek Permi...	1-Groundwater Ent.	427.50
TOTAL					2,815.00
25142	08/13/2024	Minds Illustrated	1012 · Citizens Busine...		-2,160.00
	08/02/2024		6060 · Outreach	1-Groundwater Ent.	1,260.00
			5120 · Misc. Profession...	4-General Fund Ent.	720.00
			5120 · Misc. Profession...	4-General Fund Ent.	180.00
TOTAL					2,160.00
25143	08/13/2024	PCtronics	1012 · Citizens Busine...		-2,853.30
	08/01/2024		5160 · IT Support	4-General Fund Ent.	750.00
			5160 · IT Support	1-Groundwater Ent.	1,125.00
			5160 · IT Support	3-Land Resources	250.00
			5160 · IT Support	5-Wash Plan	125.00
			5160 · IT Support	6-Active Recharge ...	250.00
	08/01/2024		6027 · Computer Softw...	4-General Fund Ent.	134.24
			6027 · Computer Softw...	1-Groundwater Ent.	35.33
			6027 · Computer Softw...	2-Redlands Plaza/...	53.00
			6027 · Computer Softw...	3-Land Resources	53.00
			6027 · Computer Softw...	5-Wash Plan	17.67
			6027 · Computer Softw...	6-Active Recharge ...	60.06
TOTAL					2,853.30
25144	08/13/2024	Redlands Tire Pros & S...	1012 · Citizens Busine...		-20.00
	08/07/2024		5210 · Equipment Maint...	1-Groundwater Ent.	20.00
TOTAL					20.00
25145	08/13/2024	Smart & Final	1012 · Citizens Busine...		-293.17
	07/17/2024		6019 · Janitorial Supplies	4-General Fund Ent.	64.07
			6019 · Janitorial Supplies	1-Groundwater Ent.	42.71
			6030 · Office Supplies	4-General Fund Ent.	1.07
			6030 · Office Supplies	1-Groundwater Ent.	0.71
			6030 · Office Supplies	2-Redlands Plaza/...	0.36
			6030 · Office Supplies	3-Land Resources	0.54
			6030 · Office Supplies	5-Wash Plan	0.18
			6030 · Office Supplies	6-Active Recharge ...	0.71
			6004 · Meeting Expenses	4-General Fund Ent.	91.41
			6004 · Meeting Expenses	3-Land Resources	91.41
TOTAL					293.17

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25146	08/13/2024	Terminix	1012 · Citizens Busine...		-586.00
	02/29/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	91.00
	03/18/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	96.00
	04/10/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	96.00
	05/13/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	101.00
	06/07/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	101.00
	07/02/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	101.00
TOTAL					586.00
25147	08/13/2024	Thompson Reuters	1012 · Citizens Busine...		-561.43
	08/01/2024		5180 · Legal	4-General Fund Ent.	140.36
			5180 · Legal	1-Groundwater Ent.	140.36
			5180 · Legal	3-Land Resources	112.29
			5180 · Legal	6-Active Recharge ...	168.42
TOTAL					561.43
25148	08/13/2024	Unlimited Services	1012 · Citizens Busine...		-695.66
	08/01/2024		6018 · Janitorial Services	4-General Fund Ent.	695.66
TOTAL					695.66
25149	08/13/2024	WEX Bank-Shell	1012 · Citizens Busine...		-976.27
	08/06/2024		5320 · Fuel	1-Groundwater Ent.	976.27
TOTAL					976.27
25150	08/13/2024	WEX Bank-Valero	1012 · Citizens Busine...		-409.99
	07/23/2024		5320 · Fuel	1-Groundwater Ent.	409.99
TOTAL					409.99
25151	08/13/2024	SBVWCD	1012 · Citizens Busine...		0.00
TOTAL					0.00
25152	08/13/2024	San Bernardino Valley ...	1012 · Citizens Busine...		0.00
TOTAL					0.00
25153	08/21/2024	California Dept of Fish ...	1012 · Citizens Busine...		-6,580.50
	08/21/2024		7151 · Mill Creek Permi...	1-Groundwater Ent.	6,580.50
TOTAL					6,580.50

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25154	08/27/2024	ACWA/JPIA	1012 · Citizens Busine...		-11,598.27
	07/05/2024		6320 · General Liability ...	4-General Fund Ent.	113.78
			6320 · General Liability ...	1-Groundwater Ent.	1,706.72
			6320 · General Liability ...	2-Redlands Plaza/...	341.35
			6320 · General Liability ...	3-Land Resources	113.78
	07/16/2024		6310 · Property/ Auto In...	4-General Fund Ent.	466.13
			6310 · Property/ Auto In...	1-Groundwater Ent.	6,991.98
			6310 · Property/ Auto In...	2-Redlands Plaza/...	1,398.40
			6310 · Property/ Auto In...	3-Land Resources	466.13
TOTAL					11,598.27
25155	08/27/2024	Assoc. San Bernardino...	1012 · Citizens Busine...		-40.00
	08/27/2024		6425 · Meals	4-General Fund Ent.	40.00
TOTAL					40.00
25156	08/27/2024	California Tool & Weldi...	1012 · Citizens Busine...		-7,780.15
	08/14/2024		7230 · Field Equipment ...	1-Groundwater Ent.	5,433.15
			7230 · Field Equipment ...	3-Land Resources	1,358.29
			5210 · Equipment Maint...	1-Groundwater Ent.	988.71
TOTAL					7,780.15
25157	08/27/2024	Cities Digital, Inc.	1012 · Citizens Busine...		-693.00
	07/01/2024		6027 · Computer Softw...	4-General Fund Ent.	263.34
			6027 · Computer Softw...	1-Groundwater Ent.	69.30
			6027 · Computer Softw...	2-Redlands Plaza/...	103.95
			6027 · Computer Softw...	3-Land Resources	103.95
			6027 · Computer Softw...	5-Wash Plan	34.65
			6027 · Computer Softw...	6-Active Recharge ...	117.81
TOTAL					693.00
25158	08/27/2024	Citizens Business Bank	1012 · Citizens Busine...		-6,328.78
	08/13/2024		6001 · General Adminis...	4-General Fund Ent.	6,328.78
TOTAL					6,328.78
25159	08/27/2024	Diamond Environment...	1012 · Citizens Busine...		-100.48
	08/12/2024		5460 · Water / Trash / ...	4-General Fund Ent.	45.22
			5460 · Water / Trash / ...	1-Groundwater Ent.	35.17
			5460 · Water / Trash / ...	3-Land Resources	10.05
			5460 · Water / Trash / ...	6-Active Recharge ...	10.04
TOTAL					100.48
25160	08/27/2024	Dion and Sons, Inc.	1012 · Citizens Busine...		-1,108.69
	08/16/2024		5320 · Fuel	1-Groundwater Ent.	1,108.69
TOTAL					1,108.69

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25161	08/27/2024	E-PUR LLC	1012 · Citizens Busine...		-9,636.00
	08/26/2024		5120 · Misc. Profession... 5120 · Misc. Profession...	1-Groundwater Ent. 6-Active Recharge ...	2,439.11 7,196.89
TOTAL					9,636.00
25162	08/27/2024	Edison - 6493	1012 · Citizens Busine...		-106.31
	08/09/2024		5420 · Electricity 5420 · Electricity 5420 · Electricity 5420 · Electricity	4-General Fund Ent. 1-Groundwater Ent. 2-Redlands Plaza/... 6-Active Recharge ...	29.77 21.26 44.65 10.63
TOTAL					106.31
25163	08/27/2024	Frontier-7275	1012 · Citizens Busine...		-169.38
	08/19/2024		5440 · Telephone 5440 · Telephone 5440 · Telephone 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services	4-General Fund Ent. 1-Groundwater Ent. 6-Active Recharge ... 4-General Fund Ent. 1-Groundwater Ent. 2-Redlands Plaza/... 3-Land Resources 6-Active Recharge ...	36.24 15.10 9.06 49.03 27.25 5.45 16.35 10.90
TOTAL					169.38
25164	08/27/2024	Frontier-9942	1012 · Citizens Busine...		-73.48
	08/15/2024		5470 · Internet Services 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services 5470 · Internet Services	4-General Fund Ent. 1-Groundwater Ent. 2-Redlands Plaza/... 3-Land Resources 6-Active Recharge ...	33.07 18.37 3.67 11.02 7.35
TOTAL					73.48
25165	08/27/2024	Geoscience	1012 · Citizens Busine...		-2,216.00
	08/13/2024		5120 · Misc. Profession...	3-Land Resources	2,216.00
TOTAL					2,216.00
25166	08/27/2024	Highland Area Chambe...	1012 · Citizens Busine...		-600.00
	08/21/2024		6093 · Memberships	4-General Fund Ent.	600.00
TOTAL					600.00
25167	08/27/2024	Horizon Water	1012 · Citizens Busine...		-36.00
	08/13/2024		5460 · Water / Trash / ... 5460 · Water / Trash / ... 5460 · Water / Trash / ... 5460 · Water / Trash / ...	4-General Fund Ent. 1-Groundwater Ent. 3-Land Resources 6-Active Recharge ...	16.20 12.60 3.60 3.60
TOTAL					36.00

San Bernardino Valley Water Conservation District
Expenditure Report
August 2024

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Original Amount</u>
25168	08/27/2024	Katelyn Scholte	1012 · Citizens Busine...		-75.04
	08/15/2024		6510 · Mileage	4-General Fund Ent.	30.02
			6510 · Mileage	1-Groundwater Ent.	18.76
			6510 · Mileage	3-Land Resources	7.50
			6510 · Mileage	6-Active Recharge ...	18.76
TOTAL					75.04
25169	08/27/2024	Kelly Printing Supplies	1012 · Citizens Busine...		-352.30
	08/15/2024		6030 · Office Supplies	4-General Fund Ent.	105.68
			6030 · Office Supplies	1-Groundwater Ent.	70.46
			6030 · Office Supplies	2-Redlands Plaza/...	35.23
			6030 · Office Supplies	3-Land Resources	52.85
			6030 · Office Supplies	5-Wash Plan	17.62
			6030 · Office Supplies	6-Active Recharge ...	70.46
TOTAL					352.30
25170	08/27/2024	Loma Linda Chamber o...	1012 · Citizens Busine...		-275.00
	08/21/2024		6093 · Memberships	4-General Fund Ent.	275.00
TOTAL					275.00
25171	08/27/2024	Patton Sales Corp	1012 · Citizens Busine...		-95.69
	08/01/2024		5210 · Equipment Maint...	1-Groundwater Ent.	60.02
	08/07/2024		5210 · Equipment Maint...	1-Groundwater Ent.	52.26
TOTAL					112.28
25172	08/27/2024	Q3 Consulting, Inc.	1012 · Citizens Busine...		-18,742.25
	07/31/2024		7126 · PERC Engr/Prof...	6-Active Recharge ...	6,016.00
	08/13/2024		7126 · PERC Engr/Prof...	6-Active Recharge ...	12,726.25
TOTAL					18,742.25
25173	08/27/2024	Tetra Tech	1012 · Citizens Busine...		-20,350.46
	08/14/2024		7126 · PERC Engr/Prof...	6-Active Recharge ...	10,150.66
	08/26/2024		7126 · PERC Engr/Prof...	6-Active Recharge ...	10,199.80
TOTAL					20,350.46
25174	08/27/2024	The Gas Company	1012 · Citizens Busine...		-1.56
	08/13/2024		5450 · Natural Gas	4-General Fund Ent.	0.78
			5450 · Natural Gas	1-Groundwater Ent.	0.47
			5450 · Natural Gas	6-Active Recharge ...	0.31
TOTAL					1.56
25175	08/27/2024	TLC Landscape Servic...	1012 · Citizens Busine...		-1,253.50
	07/19/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	823.50
	08/20/2024		6026 · Redlands Plaza ...	2-Redlands Plaza/...	430.00
TOTAL					1,253.50

San Bernardino Valley Water Conservation District Expenditure Report August 2024

Num	Date	Name	Account	Class	Original Amount
25176	08/27/2024	Watermaster Support S...	1012 · Citizens Busine...		-2,100.00
	08/26/2024		5120 · Misc. Profession...	1-Groundwater Ent.	2,100.00
TOTAL					2,100.00
25177	08/27/2024	Xerox Financial Services	1012 · Citizens Busine...		-337.44
	08/02/2024		6033 · Office Equipmen...	4-General Fund Ent.	253.08
			6033 · Office Equipmen...	1-Groundwater Ent.	16.87
			6033 · Office Equipmen...	2-Redlands Plaza/...	50.62
			6033 · Office Equipmen...	3-Land Resources	16.87
TOTAL					337.44
100363N	08/01/2024	PERS	1012 · Citizens Busine...		-10,140.57
			6170 · PERS Retirement	4-General Fund Ent.	1,825.30
			6170 · PERS Retirement	1-Groundwater Ent.	4,157.63
			6170 · PERS Retirement	2-Redlands Plaza/...	405.62
			6170 · PERS Retirement	3-Land Resources	1,419.68
			6170 · PERS Retirement	5-Wash Plan	101.41
			6170 · PERS Retirement	6-Active Recharge ...	2,230.93
TOTAL					10,140.57
100364N	08/05/2024	PERS	1012 · Citizens Busine...		-10,679.69
			6170 · PERS Retirement	4-General Fund Ent.	1,922.34
			6170 · PERS Retirement	1-Groundwater Ent.	4,378.67
			6170 · PERS Retirement	2-Redlands Plaza/...	427.19
			6170 · PERS Retirement	3-Land Resources	1,495.16
			6170 · PERS Retirement	5-Wash Plan	106.80
			6170 · PERS Retirement	6-Active Recharge ...	2,349.53
TOTAL					10,679.69

San Bernardino Valley Water Conservation District
Director Fees Expenditure Payroll Report
 Aug 2024

Pay Date	Name	For Period	Director Fees	Taxes Withheld	Check Amt
8/7/2024	Corneille, R	Jul-24	\$ 1,890.00		\$ 1,890.00
8/7/2024	Longville, J	Apr-Jun 24	\$ 2,430.00	\$ 1,155.39	\$ 1,274.61
8/7/2024	McDonald, M	Jul-Aug 24	\$ 810.00	\$ 70.88	\$ 739.12
8/21/2024	McDonald, M	Aug-24	\$ 1,350.00	\$ 157.35	\$ 1,192.65



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2046

To: Board of Directors

**From: Angie Quiroga, Senior Administrative Analyst
Betsy Miller, General Manager**

Date: September 11, 2024

Subject: Unaudited Financial Reports for August 2024

RECOMMENDATION

Review and approve the unaudited financial report for August 2024.

BACKGROUND AND DISCUSSION

Staff present a monthly unaudited financial report for the District at each Board meeting. The reports presented here cover the period ending August 31, 2024. The majority of groundwater producers have reported for period January-June 30, 2024 under GL 4022 Groundwater Charge and GL 4026 GW Sustainability/Replenishment. GL 4026 Sustainability/Replenishment will be used to purchase State Project water from San Bernardino Valley Municipal Water District. GL 4031 Plant Site-Cemex and GL 4032 Cemex Royalty/Lease are under budget due to the High Groundwater Temporary Agreement with Cemex. The first Promissory Note payment of \$91,000 was received from the Conservation Trust under GL 4999 Trust Reimbursement-Wash Plan. A Bobcat Kohler welder and Anzu Raptor drone were purchased under GL 7230 Field Equipment/Vehicles for the operations team. All other expenses are as expected. The financials are attached for Board review and approval.

FISCAL IMPACT

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

POTENTIAL MOTIONS

1. Move approval of the Unaudited Financial Report for August 2024 as presented.
2. Move to request this item be tabled and referred to the Finance & Administration Committee for reconsideration of specific issues discussed.

ATTACHMENTS OR MATERIALS

Graph Financials for August 2024
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:
Hillary Jenkins

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

**GENERAL
MANAGER**

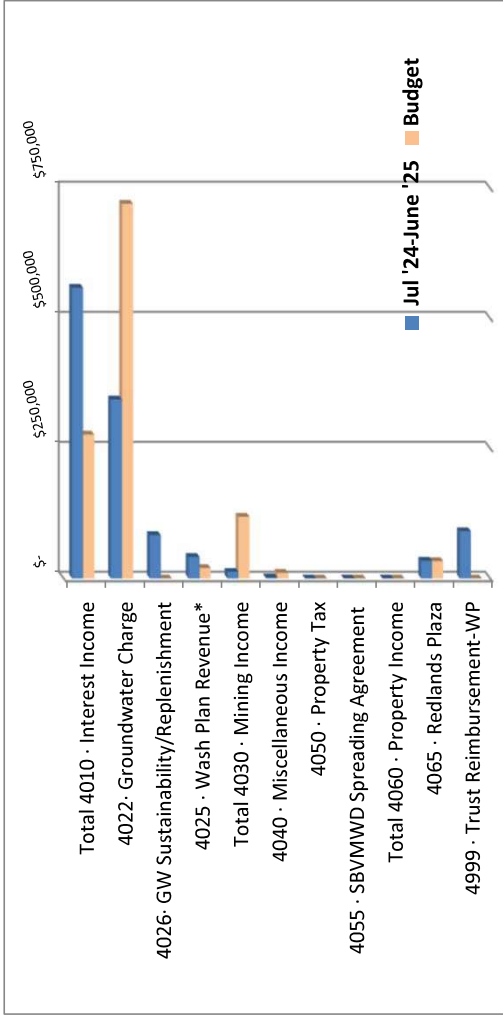
Betsy Miller

SBVMCD - All Enterprises Budget and Actual

Aug 2024

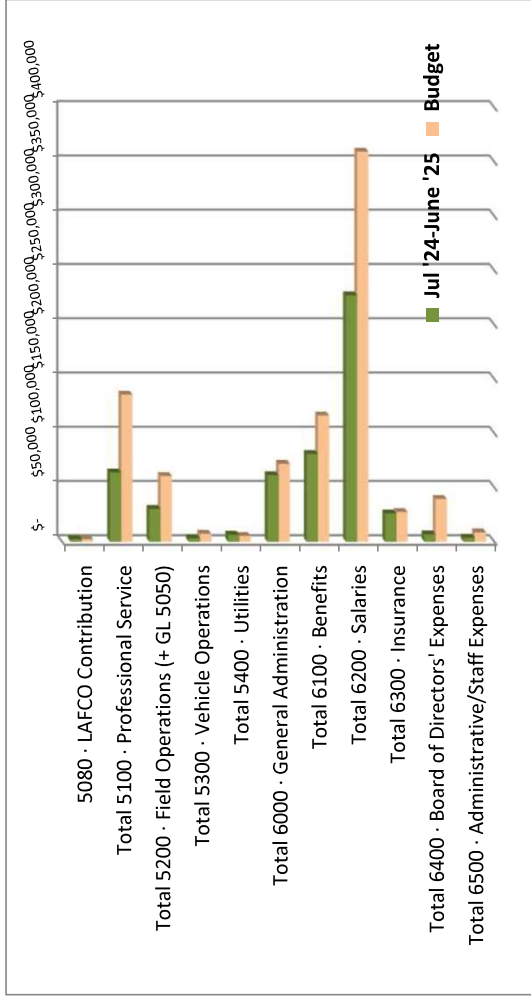
REVENUE	Jul '24-June '25	Budget
Total 4010 - Interest Income	\$ 558,970	\$ 276,667
4022- Groundwater Charge	\$ 344,417	\$ 720,175
4026- GW Sustainability/Replenishment	\$ 83,388	\$ -
4025 - Wash Plan Revenue*	\$ 41,417	\$ 20,043
Total 4030 - Mining Income	\$ 12,678	\$ 118,833
4040 - Miscellaneous Income	\$ 2,006	\$ 10,667
4050 - Property Tax	\$ -	\$ -
4055 - SBVMWD Spreading Agreement	\$ -	\$ -
Total 4060 - Property Income	\$ -	\$ -
4065 - Redlands Plaza	\$ 34,030	\$ 33,527
4999 - Trust Reimbursement-WP	\$ 91,000	\$ -
Total Revenue	\$ 1,167,905	\$ 1,179,911

*District loans to the WP & State Permitting payments

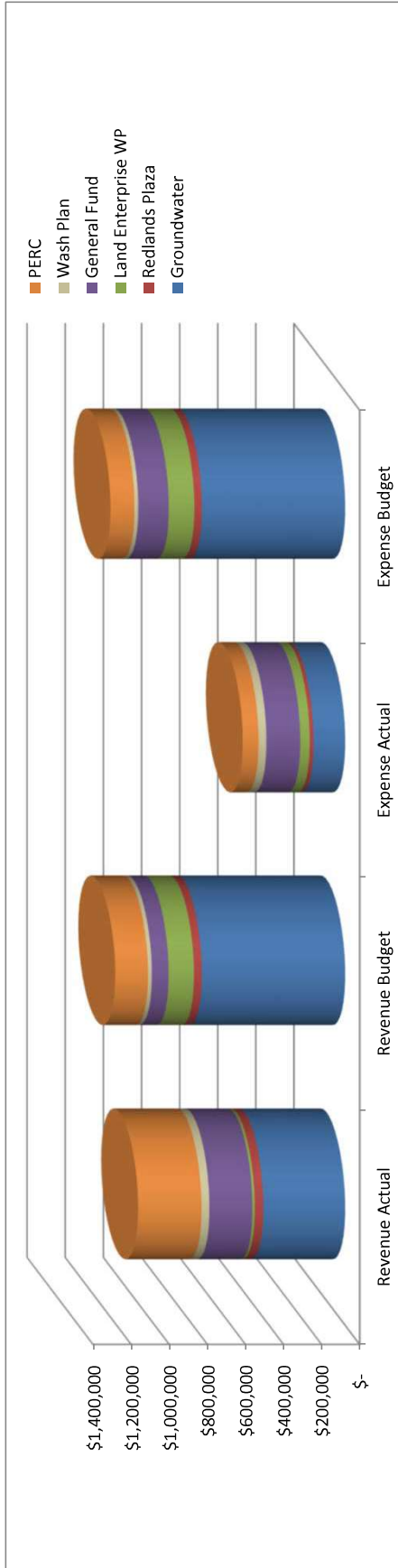


EXPENSES Operating and Capital

EXPENSES Operating and Capital	Jul '24-June '25	Budget
5080 - LAFCO Contribution	\$ 2,580	\$ 2,580
Total 5100 - Professional Service	\$ 64,082	\$ 135,793
Total 5200 - Field Operations (+ GL 5050)	\$ 30,474	\$ 60,797
Total 5300 - Vehicle Operations	\$ 3,449	\$ 7,604
Total 5400 - Utilities	\$ 6,676	\$ 5,523
Total 6000 - General Administration	\$ 61,557	\$ 72,041
Total 6100 - Benefits	\$ 81,182	\$ 116,569
Total 6200 - Salaries	\$ 227,361	\$ 359,623
Total 6300 - Insurance	\$ 26,254	\$ 27,628
Total 6400 - Board of Directors' Expenses	\$ 7,135	\$ 39,685
Total 6500 - Administrative/Staff Expenses	\$ 3,933	\$ 8,846
Total Expense	\$ 514,683	\$ 836,689



Enterprises to Date (August 2024)



Enterprise

	Actual	Budget	% of Budget
Groundwater Revenue	\$ 430,251	\$ 753,323	57%
Groundwater Expense	\$ 166,072	\$ 364,188	46%
Redlands Plaza Revenue	\$ 44,684	\$ 41,453	108%
Redlands Plaza Expense	\$ 20,124	\$ 39,185	51%
Land Enterprise Revenue	\$ 12,678	\$ 132,750	10%
Land Enterprise Expense	\$ 50,223	\$ 134,186	37%
General Fund Revenue *	\$ 225,755	\$ 88,122	256%
General Fund Expense	\$ 177,612	\$ 159,997	111%
Wash Plan Revenue	\$ 41,417	\$ 20,043	207%
Wash Plan Expense	\$ 41,125	\$ 20,004	206%
PERC Revenue	\$ 332,775	\$ 171,875	194%
PERC Expense	\$ 83,454	\$ 125,797	66%
Total All Revenue - Expense	\$ 548,950	\$ 364,209	

Cash Status	As of 7/1/2024	As of 08/31/24
LAIIF	\$ 1,026.17	\$ 1,037.75
Cal Trust	\$ -	\$ -
Citizens Bank	\$ 601,274.36	\$ 718,799.72
UBS Financial-Gen	\$ 5,618,122.33	\$ 3,608,243.21
UBS Financial-PERC	\$ 28,215,679.82	\$ 30,647,187.11
US Bank-CAMP Gen	\$ 4,307,416.23	\$ 3,816,900.84
US Bank-CAMP PERC	\$ 5,188,179.38	\$ 5,217,541.53
Total Cash	\$ 43,931,698.29	\$ 44,009,710.16
Less Prepaid Royalty	\$ (5,000,000.00)	\$ (5,000,000.00)
Less PERC Obligation	\$ (35,292,240.70)	\$ (35,540,330.16)
Cash Position	\$ 3,639,457.59	\$ 3,469,380.00

Increase (decrease) of -\$170,077.59

Percent Increase -4.7%

* General Fund Revenue shown here does not include overhead

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

12:40 PM
 08/31/2024
 Accrual Basis

	Jul - Aug 24	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4010 · Interest Income				
4012 · LAIF	0.00	0.00	0.00	0.0%
4013 · Caltrust Investment Income	0.00	0.00	0.00	0.0%
4015 · UBS Interest Income	520,123.21	1,275,000.00	-754,876.79	40.79%
4016 · Interest Income CAMP	38,846.76	385,000.00	-346,153.24	10.09%
Total 4010 · Interest Income	558,969.97	1,660,000.00	-1,101,030.03	33.67%
4017 · PERC Capital Income	0.00	0.00	0.00	0.0%
4020 · Groundwater Charge				
4022 · Groundwater Charge	344,417.36	1,440,349.41	-1,095,932.05	23.91%
4024 · Groundwater Council Revenue	0.00	0.00	0.00	0.0%
4026 · GW Sustainability/Replenishment	83,387.63	0.00	83,387.63	100.0%
Total 4020 · Groundwater Charge	427,804.99	1,440,349.41	-1,012,544.42	29.7%
4025 · Wash Plan Revenue	41,416.50	120,255.44	-78,838.94	34.44%
4030 · Mining Income				
4031 · Plant Site - CEMEX	0.00	48,000.00	-48,000.00	0.0%
4032 · Cemex - Royalty / Lease	0.00	600,000.00	-600,000.00	0.0%
4036 · Aggregate Maintenance	12,677.50	65,000.00	-52,322.50	19.5%
Total 4030 · Mining Income	12,677.50	713,000.00	-700,322.50	1.78%
4040 · Miscellaneous Income				
4041 · Reimbursed Expenses	1,445.74	0.00	1,445.74	100.0%
4040 · Miscellaneous Income - Other	560.00	64,000.00	-63,440.00	0.88%
Total 4040 · Miscellaneous Income	2,005.74	64,000.00	-61,994.26	3.13%
4043 · Project Salary Reimbursement	0.00	52,373.50	-52,373.50	0.0%
4050 · Property Tax	0.00	169,775.15	-169,775.15	0.0%
4051 · Wash Plan Trails	0.00	66,000.00	-66,000.00	0.0%
4055 · SBVMWD Spreading Agreement Reim	0.00	502,542.31	-502,542.31	0.0%
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	34,029.95	201,162.26	-167,132.31	16.92%
4066 · Redlands Plaza CAM	10,654.49	47,553.84	-36,899.35	22.41%
4999 · Trust Reimbursement-Wash Plan	91,000.00	0.00	91,000.00	100.0%
Total Income	1,178,559.14	5,037,111.91	-3,858,552.77	23.4%
Gross Profit	1,178,559.14	5,037,111.91	-3,858,552.77	23.4%
Expense				
5040 · Regional Programs				
5080 · LAFCO Contribution	2,579.88	2,579.88	0.00	100.0%
Total 5040 · Regional Programs	2,579.88	2,579.88	0.00	100.0%
5050 · Basin Cleaning	3,020.00	250,000.00	-246,980.00	1.21%
5100 · Professional Service				
5120 · Misc. Professional Services	44,126.29	477,500.00	-433,373.71	9.24%
5122 · Wash Plan Professional Services	0.00	0.00	0.00	0.0%
5123 · Habitat Management-WP	15,901.50	87,589.78	-71,688.28	18.16%
5125 · Engineering Services	0.00	35,000.00	-35,000.00	0.0%
5126 · GW Sustainability/Replenishment	0.00	0.00	0.00	0.0%
5127 · Project Accounting Services	0.00	7,500.00	-7,500.00	0.0%
5130 · Aerial Photography & Surveying	0.00	2,546.78	-2,546.78	0.0%
5155 · WP Trails Professional Services	0.00	100,000.00	-100,000.00	0.0%
5160 · IT Support	2,500.00	34,500.00	-32,000.00	7.25%
5170 · Audit	0.00	31,350.00	-31,350.00	0.0%
5175 · Legal - Wash Plan	0.00	0.00	0.00	0.0%
5180 · Legal	1,554.66	25,000.00	-23,445.34	6.22%
Total 5100 · Professional Service	64,082.45	800,986.56	-736,904.11	8.0%
5133 · Regional River HCP Contribution	0.00	30,000.00	-30,000.00	0.0%
5200 · Field Operations				
5210 · Equipment Maintenance	2,221.25	15,000.00	-12,778.75	14.81%
5215 · Property Maintenance	877.63	40,000.00	-39,122.37	2.19%
5225 · Field Clean Up-Illegal dumping	24,355.00	60,000.00	-35,645.00	40.59%
Total 5200 · Field Operations	27,453.88	115,000.00	-87,546.12	23.87%
5223 · Temp. Field Labor	0.00	10,000.00	-10,000.00	0.0%

	Jul - Aug 24	Budget	\$ Over Budget	% of Budget
5300 · Vehicle Operations				
5310 · Vehicle Maintenance	953.88	10,626.00	-9,672.12	8.98%
5320 · Fuel	2,494.95	35,000.00	-32,505.05	7.13%
Total 5300 · Vehicle Operations	3,448.83	45,626.00	-42,177.17	7.56%
5400 · Utilities				
5410 · Alarm Service	1,247.28	1,260.00	-12.72	98.99%
5420 · Electricity	2,649.36	11,032.00	-8,382.64	24.02%
5430 · Mobile Phone	925.00	7,507.51	-6,582.51	12.32%
5440 · Telephone	692.01	3,240.00	-2,547.99	21.36%
5450 · Natural Gas	1.56	2,350.00	-2,348.44	0.07%
5460 · Water / Trash / Sewer	548.24	4,489.72	-3,941.48	12.21%
5470 · Internet Services	612.80	3,257.38	-2,644.58	18.81%
Total 5400 · Utilities	6,676.25	33,136.61	-26,460.36	20.15%
6000 · General Administration				
6001 · General Administration - Other	8,017.42	6,000.00	2,017.42	133.62%
6002 · Website Administration	365.00	6,300.00	-5,935.00	5.79%
6004 · Meeting Expenses	276.01	2,500.00	-2,223.99	11.04%
6006 · Permits	0.00	15,000.00	-15,000.00	0.0%
6007 · Inter District Costs	0.00	10,000.00	-10,000.00	0.0%
6009 · Licenses	0.00	2,000.00	-2,000.00	0.0%
6010 · Surety Bond	1,210.00	1,900.00	-690.00	63.68%
6012 · Office Maintenance	5.93	10,000.00	-9,994.07	0.06%
6013 · Office Lease Payment	8,333.34	50,000.00	-41,666.66	16.67%
6015 · Mentone House Maintenance	0.00	4,000.00	-4,000.00	0.0%
6016 · Redlands Plaza Maintenance	209.85	20,000.00	-19,790.15	1.05%
6018 · Janitorial Services	1,535.66	10,560.00	-9,024.34	14.54%
6019 · Janitorial Supplies	227.48	450.00	-222.52	50.55%
6020 · Vacancy Marketing-Redlands Plaz	0.00	5,000.00	-5,000.00	0.0%
6024 · Computer Equip Maint.	0.00	3,150.00	-3,150.00	0.0%
6026 · Redlands Plaza CAM expenses	6,745.68	47,553.84	-40,808.16	14.19%
6027 · Computer Software	1,696.30	23,250.00	-21,553.70	7.3%
6030 · Office Supplies	1,055.47	10,000.00	-8,944.53	10.56%
6033 · Office Equipment Rental	923.50	8,100.00	-7,176.50	11.4%
6036 · Printing	0.00	2,500.00	-2,500.00	0.0%
6039 · Postage and Overnight Delivery	100.00	1,200.00	-1,100.00	8.33%
6042 · Payroll Processing	605.41	5,000.00	-4,394.59	12.11%
6045 · Bank Service Charges	477.39	10,000.00	-9,522.61	4.77%
6051 · Uniforms	0.00	3,209.23	-3,209.23	0.0%
6060 · Outreach	8,950.00	130,000.00	-121,050.00	6.89%
6087 · Educational Reimbursement	0.00	5,000.00	-5,000.00	0.0%
6090 · Subscriptions/Publications	654.84	3,150.00	-2,495.16	20.79%
6091 · Public Notices	327.26	4,000.00	-3,672.74	8.18%
6093 · Memberships	19,840.58	37,582.60	-17,742.02	52.79%
Total 6000 · General Administration	61,557.12	437,405.67	-375,848.55	14.07%
6100 · Benefits				
6110 · Vision Insurance	615.16	3,734.85	-3,119.69	16.47%
6120 · Workers' Comp. Insurance	0.00	27,435.32	-27,435.32	0.0%
6130 · Dental Insurance	2,224.00	14,299.40	-12,075.40	15.55%
6150 · Medical Insurance				
6150.01 · Medical Employee Contribution	-4,660.72	-39,230.38	34,569.66	11.88%
6150 · Medical Insurance - Other	48,149.96	328,026.84	-279,876.88	14.68%
Total 6150 · Medical Insurance	43,489.24	288,796.46	-245,307.22	15.06%
6160 · Payroll Taxes-Employer	15,106.21	138,848.71	-123,742.50	10.88%
6170 · PERS Retirement				
6170.01 · PERS Employee Contributions	-9,491.63	-85,805.46	76,313.83	11.06%
6170.02 · 457 Plan Employee Contributions	-9,346.05	0.00	-9,346.05	100.0%
6170 · PERS Retirement - Other	38,585.26	333,292.72	-294,707.46	11.58%
Total 6170 · PERS Retirement	19,747.58	247,487.26	-227,739.68	7.98%
Total 6100 · Benefits	81,182.19	720,602.00	-639,419.81	11.27%
6200 · Salaries				
6230 · Regular Salaries	227,361.17	2,157,738.33	-1,930,377.16	10.54%
Total 6200 · Salaries	227,361.17	2,157,738.33	-1,930,377.16	10.54%
6300 · Insurance				
6310 · Property/ Auto Insurance	9,322.64	8,036.04	1,286.60	116.01%
6320 · General Liability Insurance	16,931.13	47,220.40	-30,289.27	35.86%
Total 6300 · Insurance	26,253.77	55,256.44	-29,002.67	47.51%

	Jul - Aug 24	Budget	\$ Over Budget	% of Budget
6400 · Board of Directors' Expenses				
6401 · Directors' Fees				
6401.5 · Payroll Taxes-Directors	455.76	0.00	455.76	100.0%
6401 · Directors' Fees - Other	5,940.00	110,600.00	-104,660.00	5.37%
Total 6401 · Directors' Fees	6,395.76	110,600.00	-104,204.24	5.78%
6410 · Mileage	38.86	5,324.00	-5,285.14	0.73%
6415 · Air Fare	659.96	4,882.81	-4,222.85	13.52%
6420 · Other Travel	0.00	665.50	-665.50	0.0%
6425 · Meals	40.00	4,658.50	-4,618.50	0.86%
6430 · Lodging	0.00	5,324.00	-5,324.00	0.0%
6435 · Conf/Seminar Registrations	0.00	6,655.00	-6,655.00	0.0%
6440 · Election Fees / Re-Districting	0.00	50,000.00	-50,000.00	0.0%
Total 6400 · Board of Directors' Expenses	7,134.58	188,109.81	-180,975.23	3.79%
6500 · Administrative/Staff Expenses				
6510 · Mileage	75.04	3,025.00	-2,949.96	2.48%
6515 · Air Fare	0.00	6,750.00	-6,750.00	0.0%
6520 · Travel, Other (rental car, taxi)	0.00	1,500.00	-1,500.00	0.0%
6525 · Meals	0.00	4,725.00	-4,725.00	0.0%
6530 · Lodging	0.00	8,800.00	-8,800.00	0.0%
6535 · Conf/Seminar Registrations	3,857.75	28,275.00	-24,417.25	13.64%
Total 6500 · Administrative/Staff Expenses	3,932.79	53,075.00	-49,142.21	7.41%
9999 · Contribution to Capital Maint.	0.00	50,000.00	-50,000.00	0.0%
Total Expense	514,682.91	4,949,516.30	-4,434,833.39	10.4%
Net Ordinary Income	663,876.23	87,595.61	576,280.62	757.89%
Other Income/Expense				
Other Expense				
7000 · Construction				
7010 · Materials	0.00	12,000.00	-12,000.00	0.0%
Total 7000 · Construction	0.00	12,000.00	-12,000.00	0.0%
7100 · Land & Buildings				
7110 · Property Capital Repairs	0.00	589,999.50	-589,999.50	0.0%
7120 · Property-Land Purchase	26,013.01	70,000.00	-43,986.99	37.16%
7126 · PERC Engr/Prof Services	22,926.05	2,419,256.35	-2,396,330.30	0.95%
7130 · Mentone Property (House)-CapRep	0.00	7,000.00	-7,000.00	0.0%
7140 · Mentone Property (Shop)-CapRep	22,985.49	854,204.37	-831,218.88	2.69%
7150 · Mill Creek Diversion	0.00	250,000.00	-250,000.00	0.0%
7151 · Mill Creek Permitting	16,956.39	187,101.11	-170,144.72	9.06%
7160 · Mendoza Property	0.00	137,000.00	-137,000.00	0.0%
Total 7100 · Land & Buildings	88,880.94	4,514,561.33	-4,425,680.39	1.97%
7200 · Equipment & Vehicles				
7210 · Computer Hardware-Capital Purch	0.00	10,000.00	-10,000.00	0.0%
7220 · Computer Software	5,416.67	5,000.00	416.67	108.33%
7230 · Field Equipment / Vehicles	13,530.68	140,000.00	-126,469.32	9.67%
7240 · Office Equipment	0.00	30,400.00	-30,400.00	0.0%
Total 7200 · Equipment & Vehicles	18,947.35	185,400.00	-166,452.65	10.22%
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	107,828.29	4,836,961.33	-4,729,133.04	2.23%
Net Other Income	-107,828.29	-4,836,961.33	4,729,133.04	2.23%
Net Income	556,047.94	-4,749,365.72	5,305,413.66	-11.71%



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2047

To: Board of Directors
From: Betsy Miller, General Manager
Date: September 11, 2024
Subject: Amendment to the Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services

RECOMMENDATION

Authorize the Amendment to the Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services at an amount not-to-exceed \$35,000.

BACKGROUND AND DISCUSSION

On July 23, 2024, the District entered into a Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services with Hamilton Raye in an amount not-to-exceed \$27,000, which is within the General Manager’s signature authority. Following a vacancy in our Administrative Specialist II role on August 12, 2024, Hamilton Raye has been providing administrative and Board support services while District completes the recruitment process for the vacant position. At this time, costs for Hamilton Raye’s contract have not exceeded \$27,000; however, staff requests an increase in the not-to-exceed contract amount to allow for this extra support to continue through the remainder of the recruitment and on-boarding process.

The existing contract and the proposed amendment provide for scheduling, word processing, editing and assignment tracking tasks for 40 hours per calendar month for \$2,080.00, with additional pre-approved work at a rate of \$55.00 per hour. The existing contract includes a not-to-exceed amount of \$27,000, which is increased to \$35,000 in the proposed contract.

FISCAL IMPACT

Approval of the recommended action would result in expenditure of up to an additional \$8,000 to Hamilton Raye in FY25 from GL 5120, Professional Services. Alternatively, District staff may be approved for overtime to complete these tasks.

POTENTIAL MOTIONS

1. Authorize the Amendment to the Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services at an amount not-to-exceed \$35,000.
2. Provide other directions to staff.

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Division 5:
Melody McDonald

GENERAL MANAGER

Betsy Miller

ATTACHMENTS

Amendment to the Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services

AMENDMENT TO CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES TO PROVIDE FRACTIONAL, AS-NEEDED EXECUTIVE ASSISTANT SERVICES

THIS AMENDMENT TO CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES TO PROVIDE FRACTIONAL, AS-NEEDED EXECUTIVE ASSISTANT SERVICES (“Amendment”) is entered into by and between the **SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT**, a special district (“District”), and **HAMILTON RAYE, LLC** (“Consultant”), is entered into this 11th day of September, 2024” (“Effective Date”).

This Amendment is entered into in consideration of all of the following:

- A. The partes entered into that certain “Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services” on or about July 23, 2024 (“Original Agreement”).
- B. The Original Agreement provided for Consultant to provide fractional, as-needed Executive Assistant Services to District, for a not to exceed annual sum of Twenty-Seven Thousand dollars (\$27,000.00).
- C. The parties have been performing under the Original Agreement, but changes in permanent staffing at District now make it appear likely that the services of Consultant will be needed in an amount that will require total annual compensation to exceed the figure stated in the Original Agreement.
- D. The parties therefore now desire to increase the total, not-to-exceed annual amount for Consultant’s services to be performed under the Original Agreement, and to effectuate that end, have entered into this Amendment.

NOW THEREFORE, the parties hereto agree as follows:

- 1. Amendment to Original Agreement section 2.0 (c): Section 2.0(c) of the Original Agreement is hereby amended to read as follows: (c) Total compensation under the Original Agreement shall not exceed the sum of Thirty-Five Thousand Dollars (\$35,000.00) without prior written approval of the District.
- 2. Remainder of Original Agreement Unaffected. Except as specifically amended by this Amendment, the Original Agreement remains in full force and effect, as to all of its

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particulars.

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

CONSULTANT
HAMILTON RAYE, LLC
Attn: Amanda Hamilton

8584 Washington Street #2024
Chagrin Falls, OH 44023
amanda@hamiltonraye.com

By: _____

Amanda Hamilton

Date: _____

DISTRICT
SAN BERNARDINO VALLEY WATER
CONSERVATION DISTRICT

1630 West Redlands Blvd
Redlands, CA 92373
bmiller@sbywcd.org

By: _____

Betsy Miller

General Manager

Date: _____

ATTACHMENT A

SCHEDULE OF COMPENSATION

- A. Monthly Retainer (up to 40 hours per calendar month): \$2,080.00
- B. Hourly Rate for Pre-Approved hours in excess of forty (40) per month, up to forty-eight (48) per calendar month: \$52.00
- C. Hourly Rate for Pre-Approved hours in excess of Forty-Eight (48) hours per calendar month: \$55.00
- D. Onboarding Services by Consultant: 7 hours-No Charge
- E. Pre-Approved Expenses: None



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2048

To: Board of Directors
From: Betsy Miller, General Manager
Date: September 11, 2024
**Subject: Amendment to Upland Rock Santa Ana River Groundwater Recharge Facility
Material Processing License**

RECOMMENDATION

Approve the Material Processing License Amendment for the Santa Ana River Basin Facility with Upland Rock.

BACKGROUND AND DISCUSSION

For a number of years, the District has contracted with Upland Rock for the processing of sand, gravel, and rock that is stockpiled in and around the District’s spreading basins as part of routine maintenance and cleaning, or material that is stockpiled on District property in connection with the District’s cooperation on other projects. These license arrangements allow the District to gain revenue from the processing and sale of materials excavated and otherwise stockpiled from its basin maintenance activities, while simultaneously avoiding the significant clearing and hauling costs (currently approximately \$20/cubic yard) that are incurred in otherwise removing such materials from the Wash area.

On January 11, 2023, the Board approved a renewal of this license for operations solely within the Santa Ana River Groundwater Recharge Facility, where materials processing occurs within a portion of the Borrow Pit. Under this agreement, Upland Rock was granted rights to continue activities through January 15, 2024, as well as process previously stockpiled materials within the Borrow Pit through January 15, 2025.

Working under this authorization, Upland Rock requested that a new rate category for one-to-four inch diameter rock of one dollar per ton be added to the existing license. The proposed amendment incorporates this request. In addition, the draft amendment includes an extension of the license through January 15, 2026, if desired by the Board.

CEQA STATUS AND FINDING OF EXEMPTION

Staff recommends that as part of approval of the Mill Creek License with Upland, the District find that the project is exempt from CEQA review under CEQA Regs. Section 15301, relating the maintenance of

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Betsy Miller

existing facilities. That provision exempts from CEQA review: "...operation, repair, maintenance permitting, leasing, licensing, and minor alteration of existing public or private structures, facilities, mechanical equipment, or topographic features, involving negligible or no expansion of existing or former use." Here, the activity Upland is permitted to undertake per the License is limited to previously deposited material in existing basin areas, and rock crushing and stockpiling operations are limited to designated, previously disturbed areas. Haul roads are on existing District maintenance areas and public rights of way, with truck traffic on public rights of way limited to no more than five round trips daily. The processing and removal of material will result in no geographic expansion of the basin boundaries, and the only increase in recharge capacity will be from achieving the design existing efficiency of such basins. Indeed, Section 15301(h) of the exemption lists as a specific example of exempt projects the maintenance of existing water supply reservoirs, leading staff to conclude that this License, and the activity contemplated to be pursued under it, fits well within the intended scope of the CEQA Regulations. Staff recommends that the Board so determine in any approval it may provide to the License.

FISCAL IMPACT

Approval of this item will result in estimated revenue of approximately \$67,000 to GL 4036 Aggregate Maintenance through the duration of the License, based on recent monthly revenue for the existing license.

POTENTIAL MOTIONS

1. Move to approve the Materials Processing License Amendment with Upland Rock, and find that doing so is exempt from further CEQA review under Section 15301 of the CEQA Regulations, maintenance of Existing Facilities.
2. Move to approve the Materials Processing License, with the exception of the extension.
3. Reject the Materials Processing License.
4. Provide other directions to staff.

ATTACHMENTS

Material Processing License Amendment

MATERIAL PROCESSING LICENSE AMENDMENT

THIS MATERIAL PROCESSING LICENSE EXTENSION AMENDMENT (“Amendment”) is made and entered into as of September 11, 2024, by and between the SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT, a California water conservation district formed and operating under the Water Conservation District Law of 1931, Water Code Section 74000, *et seq.* (“District”) and Upland Rock, Inc. (“Licensee”).

This Amendment is entered into in consideration of all of the following:

- A. The parties entered into that certain “Material Processing License Extension Agreement” on or about January 11, 2023, relating to Licensee’s activity in processing and sale of materials previously excavated though District’s basin maintenance activities (“Extension”).
- B. Under the Extension, Licensee had the rights to conduct its activities until January 15, 2024, now passed, but with a holdover right to process materials previously processed and stockpiled by Licensee, which rights appeared at Section 1.3(c) of the Extension. Under this holdover provision, Licensee had until July 15, 2024, to reduce stockpiles outside of the Borrow Pit area, as referenced in the Extension, and until January 15, 2025, for stockpiles within the Borrow Pit area.
- C. The parties have reviewed the Schedule of License Fees listed as Section Five to the Extension, and have determined it is in their mutual best interest to add a category to that section, to reflect a rate for boulders between eight (8) and twelve (12) inches in diameter, which are reduced to between one (1) and four (4) inches in diameter, to be charges at a rate of one (\$1.00) per ton.
- D. The parties have also determined that it is in their mutual best interest to extend the holdover period for processing stockpiles in the Borrow Pit from January 15, 2025, to January 15, 2026, in order to achieve the mutual benefit of Licensee being able to take advantage of potentially favorable market conditions to sell material from such stockpiles, and District achieving the benefit of removal of such materials with reduced or eliminated hauling costs.

NOW, THEREFORE, IN CONSIDERATION OF ALL OF THE FOREGOING, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

1. Section 1.3 (c) of the Extension is hereby amended to read as follows:

In the event of any such termination by District without cause and without breach by Licensee, or in the event Licensee has stockpiles of Materials previously processed by Licensee, which stockpiles remained on the Premises at the end of the term of the License on January 15, 2024, Licensee shall have the right to utilize those portions of the Premises necessary to sell or remove such previously processed stockpiles, as follows: (1.) For such previously processed stockpiles within the Seven Oaks Dam Borrow Pit, a period until December 31, 2025; (2) For such previously processed stockpiles elsewhere on the Premises in location(s) previously approved by the District, such rights are expired, and are not being renewed. Any stockpiles placed or processed by Licensee on locations not approved by District on the Premises shall be immediately removed or relocated by Licensee upon the termination or expiration of the License. Licensee shall have no rights to process or import any Materials onto the Premises during the holdover period, but all other obligation of Licensee hereunder, including all insurance, indemnity, compensation, and priorities of District operations, shall continue in full force and effect.

2. Section Five of the Extension is hereby amended by adding the following category to the Schedule of License Fees:

Class Five Boulders (8" to 12" in diameter) \$1.00/ ton

3. Except as specifically amended by this Amendment, the Extension remains in full force and effect, as to all of its particulars, including without limitation all General and Special License provisions thereof.

IN WITNESS WHEREOF, the parties have executed and entered into this Amendment as of the date first set forth above.

<p>SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT</p> <p>By: _____ Betsy Miller General Manager</p>	<p>By: _____ Name: Neal Grabowski Title: President</p> <p>Licensee Information:</p> <hr/> <p>Upland Rock Inc. 8780 119th Street #373 Alta Loma, California 91701 (909) 981-2700</p>
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**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2049

To: Board of Directors
**From: Betsy Miller, General Manager
David B. Cosgrove, General Counsel**
Date: September 11, 2024
Subject: Approve an Amendment to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations

RECOMMENDATION

Approve the Amendment to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations with Cemex Construction Materials Pacific, LLC (“Cemex”), for a six-month period effective October 1, 2024, to allow Cemex to offset its costs of groundwater pumping against guaranteed annual rental amounts, as part of a joint effort by Cemex and the District to assure recharge of all available groundwater supplies, while preserving mining operations from high groundwater conditions.

BACKGROUND AND DISCUSSION

On June 12, 2024, the Board approved the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations with Cemex Construction Materials Pacific, LLC (“Cemex”), for a six-month period effective April 1, 2024, to allow Cemex to offset its costs of groundwater pumping against guaranteed annual rental amounts, as part of a joint effort by Cemex and the District to assure recharge of all available groundwater supplies, while preserving mining operations from high groundwater conditions. Since that time, water levels within CEMEX’s permitted mining areas and associated production facilities at Orange Street have decreased; however, pumping is still needed to maintain operations.

Cemex and District staff have continued to coordinate pursuant to protocols in the “Mineral Lease for Extraction of Sand and Gravel Materials” dated January 1, 2021, and recorded on February 11, 2021, as Document No. 2021-0067742 in the official records of San Bernardino County (“Lease”). Based on these discussions as well as review of well depths, staff recommends that the Board approve an Amendment to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations with Cemex Construction Materials Pacific, LLC (“Cemex”), for a six-month period effective October 1, 2024. As under the original Agreement, Cemex may credit its documented pumping costs against guaranteed

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Melody McDonald

GENERAL MANAGER

Betsy Miller

annual rental amounts otherwise due under the Lease. The current guaranteed annual royalty rate is \$56,652.75 per month.

This Agreement represents a compromise, which both Cemex and District staff believe is preferable to potential forensic debate about potential alternative groundwater recharge strategies, potential alternative mining operations or permitting scenarios, and most especially, potential work curtailments or layoffs that might occur if mining operations must be suspended. Without any admission of liability, it permits the status quo of parallel operations, while the parties mutually monitor groundwater levels, and attempt to accelerate permitting of potential alternative mining or processing sites. It represents a continuing investment in our partnership with Cemex, while we work to take advantage of favorable water supply conditions that may not reoccur for many years.

This item was discussed by the Finance and Administration Committee on July 24, and by the Operations Committee on August 6.

FISCAL IMPACT

Approval of the recommended action could result in a decrease in revenue of up to \$339,617 into GL 4032, CEMEX – Royalty/Lease over the six-month term of the Amendment, for a total decrease in revenue of up to \$679,833 in GL 4032 over the twelve month term of the amended Agreement.

POTENTIAL MOTIONS

1. Approve the Amendment to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations, in the form attached hereto.
2. Provide other directions to staff.

ATTACHMENTS

Amendment to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations

AMENDMENT TO TEMPORARY AGREEMENT TO HARMONIZE
MINING AND GROUNDWATER RECHARGE OPERATIONS

This Amendment to Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations (“Amendment”) is entered into effective the 11th day of September 2024, by and between the SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT (“District”) and CEMEX CONSTRUCTION MATERIALS PACIFIC, LLC (“Cemex”). This Temporary Agreement is entered into in consideration of all the following:

RECITALS:

- A. District and Cemex entered that certain “Temporary Agreement to Harmonize Mining and Groundwater Operations” (“Temporary Agreement”) on or about June 12, 2024.
- B. The Temporary Agreement proceeded from the parties’ “Mineral Lease for Extraction of Sand and Gravel Materials” dated January 1, 2021, and recorded on February 11, 2021, as Document No. 2021-0067742 in the official records of San Bernardino County (“Lease”).
- C. The Temporary Agreement represented a temporary accommodation for conflicts between mining operations on the Lease premises, and groundwater conditions in areas of active mining under the Lease.
- D. The Temporary Agreement provided, among other things, that Cemex could offset costs related to pumping groundwater from active mining areas under the Lease, against guaranteed annual rental amounts, as more fully specified in the Temporary Agreement;
- E. The Temporary Agreement was authorized for an original term until September 30, 2024.
- F. The conditions leading to the Temporary Agreement still prevail, such that the parties have decided it is in their mutual best interest to extend the Temporary Agreement, for a period of another six (6) months, and now enter into this Amendment to document and effectuate that extension.

NOW, THEREFORE, IN CONSIDERATION OF ALL OF THE FOREGOING, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

- 1. Recitals. The forgoing recitals are true and correct.

2. Term. Section 2 of the Temporary Agreement is hereby amended to read as follows: This Temporary Agreement shall be effective as of April 1, 2024, and shall continue in full force and effect until March 30, 2025. unless extended in writing by both parties.
3. Remainder of Temporary Agreement Unaffected. Except as specifically amended by this Amendment, the Temporary Agreement shall remain in full force and effect, as to all of its particulars.

ENTERED INTO EFFECTIVE THE DATE FIRST ABOVE WRITTEN.

SAN BERNARDINO VALLEY
WATER CONSERVATION DISTRICT

By: _____
Melody McDonald, President

Approved as to Form:

David B. Cosgrove, General Counsel

CEMEX CONSTRUCTION MATERIALS
PACIFIC, LLC

By: _____

Name: _____

Its: _____



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2050

To: Board of Directors
From: John M. Lambie, P.E., Chief Engineer
Date: September 11, 2024
Subject: Amendment to the Waterman Percolation Basins, Twin Creek Spreading Grounds, and Lynwood Basins Feasibility Study Professional Services Contract with TetraTech Inc

RECOMMENDATION

Approve the proposed Scope and Contract Amendment of Tetra Tech Inc. and authorize the General Manager to execute an amendment to the professional consultant services agreement in an amount not to exceed \$148,500.

BACKGROUND

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 (Valley District). This five-year agreement created an important partnership between these agencies, providing conservation easements on Conservation District-owned lands to satisfy anticipated habitat mitigation requirements for the HCP in exchange for funds dedicated to increasing groundwater recharge in accordance with the Conservation District's mission. These Agreement Transfer Projects were initially termed the Active Recharge Transfer Projects (ARTP) and are now referred to as the Program for the Expansion of Recharge Capacity (PERC).

On December 13, 2023, the Board approved a First Amendment to that Agreement to extend it through January 8, 2029. On July 10, 2024, the Board approved a Second Amendment to that Agreement to include a representative of the Basin Technical Advisory Committee on the PERC Policy Committee.

These agreements specified certain planned PERC projects be analyzed for feasibility by the Conservation District, including the San Bernardino County Flood Control District facilities along the Twin Creek flood control alignment. These facilities include Waterman Percolation Basins, Twin Creek Spreading Grounds, and Lynwood Basins each within the City of San Bernardino, California.

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**GENERAL
MANAGER**

Betsy Miller

Following a Request for Proposals (RFP) released on November 13, 2021, the Conservation District entered into a contract with Tetra Tech on January 28, 2022, to prepare and analyze hydrology studies, hydraulic studies, sediment transport analyses, geotechnical site investigations, field surveys, basin routing, recharge estimates, quantity calculations, value engineering, groundwater modeling, and preparation of exhibits and compilation of results into a feasibility study report.

DISCUSSION

Tetra Tech’s consulting team has been performing commendable work under their Scope of Work, providing feasibility study support services for the Conservation District’s PERC project alternatives analysis at the San Bernardino County Flood Control District’s facilities. However, as the project has progressed, it has encountered delays and required adjustments to the original scope, necessitating additional funding to complete all aspects of the original Scope of Work. To date (July 31, 2024), \$1,118,828 (77.1%) of the contracted funds have been expended.

Staff recommends a contract amendment to increase funding by \$148,500 (10%) to address both delays in the project schedule and revisions to two of the original grading alternatives to comply with the Flood Control District’s requirements and to ensure optimal groundwater recharge performance. Specifically, additional funds are requested for the following tasks:

Task 1 - Project Management: The project timeline has been extended by 19 months (from June 2023 to January 2025). *Additional Task 1 funding requested: \$23,200.*

Task 7 - Hydraulic Modeling: Revisions to the grading alternatives are necessary to align with the Flood Control District’s objectives for water and sediment management. Additional hydraulic modeling efforts are required. *Additional Task 7 funding requested: \$106,000.*

Task 11 - Grading Plan and Cost Estimates: Modifications to the grading plans are essential to meet the project’s goals of maximizing groundwater recharge while avoiding any increase in flood stage for a 100-year return frequency flood, in accordance with the Flood Control District’s requirements. This necessitates additional support in estimating earthwork quantities. *Additional Task 11 funding requested: \$19,300.*

Contract	Approval Date	Project Scope Description	Cost
Original Contract	January 12, 2022	PERC Project Alternatives Development and Analysis for Waterman, Lynwood Basins, and Twin Creek Spreading Grounds Feasibility Studies Support	\$1,530,615
Amendment 1 to Scope of Services	N/A	PERC Project Management, Hydraulic Modeling, Quantity and Cost Calculations for Waterman, Lynwood Basins, and Twin Creek Spreading Grounds Project Sites	\$148,500

FISCAL IMPACT

Approval of this item would result in expenditure of up to \$148,500 from Capital GL 7126, PERC

Engineering/Professional Services, increasing the total contract amount to \$1,679,115.

POTENTIAL MOTIONS

1. Approve the Amendment to Contract Services Agreement for Professional Services for the Active Recharge Transfer Projects (ARTP) Waterman, Lynwood Basins, and Twin Creek Spreading Grounds Projects Feasibility Study Support (“Amendment”), and authorize the General Manager to execute an amendment to the professional consultant services agreement in an amount not to exceed \$148,500.
2. Direct staff to move forward with the analyses currently available, noting lack of consistency between various PERC sites.

ATTACHMENTS

Amendment to Contract Services Agreement for Professional Services for the Active Recharge Transfer Projects (ARTP) Waterman, Lynwood Basins, and Twin Creek Spreading Grounds Projects Feasibility Study Support

**AMENDMENT TO CONTRACT SERVICES AGREEMENT
FOR PROFESSIONAL SERVICES FOR
FEASIBILITY STUDY SUPPORT**

This Amendment to Contract Services Agreement for Feasibility Study Support (“Amendment”) is entered into this 11th day of September 2024, by and between the **SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT** (“District”) a special district, and **TETRA TECH**, a California corporation (“Consultant”). This Amendment is entered into in consideration of all of the following:

- A. The parties entered into that certain “Contract Services Agreement for Professional Services for Feasibility Study Support” on or about January 12, 2022 (“Original Agreement”). The Original Agreement related to a series of studies and support analyses Consultant was to provide, in support of the Program for Enhanced Recharge Capacity (“PERC”), formerly called the Active Recharge Transfer Project (“ARTP”).
- B. The parties have performed under the Original Agreement, but delays in project timing as well as compliance with standards of the San Bernardino County Flood Control District have caused the parties to assess, negotiate, and now agree to an expanded scope of services, with attendant appropriate compensation.
- C. The expanded scope includes increased costs for project management (\$23,200), hydraulic modeling (\$106,000) and changes in grading plans (\$19,300), for a total amount of additional compensation of \$148,500.

**NOW THEREFORE, IN CONSIDERATION OF ALL THE FOREGOING,
THE PARTIES DO HEREBY AGREE AS FOLLOWS:**

- 1. Section 2.1 of the Original Agreement is hereby amended to read as follows:
“For the services rendered pursuant to the Original Agreement, the Consultant shall be paid pursuant to the pricing specified in the Fee Schedule specified in Attachment C to the Original Agreement, for completion of each Task specified in the Scope of Work. For the additional services to be performed pursuant to this Amendment, Consultant shall accomplish the supplemental tasks specified below, as directed by and subject to the approval of the District’s Contract Officer, and shall be paid at the same hourly rates as specified in the Original Agreement, for the supplemental tasks and for the additional compensation specified as follows:

Task 1 Project Management: Coverage for additional tasks from the date of this Amendment until the expected Original Contract completion date of January 31, 2025. This task will address performing additional general project management and attending monthly meetings by Tetra Tech team members during the extended schedule. It will also include additional meetings or correspondences, as needed or requested by the Conservation District – Not to Exceed \$23,200.00.

Task 7 Hydraulic Modeling: Revisions to grading alternatives to meet Flood District objectives of water and sediment management, and additional hydraulic modeling efforts, more specifically detailed in Attachment 1 hereto, generally consisting of the following:

Waterman Basin – one operational alternative and one grading alternative (total fifteen hydraulic runs)

Waterman Creek Diversion Channel – one design alternative (total of three hydraulic runs)

Twin Creek Spreading Ground – one operational alternative and two grading alternatives (total of twenty-two hydraulic runs)

Lynwood Basin – one operational alternative (total of one hydraulic run) deemed necessary by the District’s Contract Officer – Not to Exceed \$106,000.00.

Task 11 Grading Plan and Cost Estimates: Based on the Conservation District-provided design alternatives on hard copy sketches (provided in July 2024) and directions, Civil 3D grading plans with 3-dimensional surfaces will be prepared for a one new grading alternative for Waterman Basin and two new grading alternatives for Twin Creek Spreading Grounds. The Civil 3D grading plans will be used as a basis for hydraulic modeling (Task 7) and for determination of construction quantities of each design alternatives. A Civil 3D drafted exhibit of the proposed Waterman Creek Diversion Structure (with no 3-dimensional surface) will also be prepared based on the Conservation District-provided hard copy sketch and directions. Once Civil 3D grading plans are completed, major construction cost items will be identified, and their rough quantities will be developed at a planning-level estimate for the total of three new grading alternatives. For the construction items identified, cost estimates will be prepared in Excel spreadsheet, using unit costs, developed based on the recent projects in the area and USACE’s MCACES software. New operational features at existing basins will also be included in

high level cost estimating (e.g., replacement of existing radial gates at Waterman Creek to be serviceable). Changes in grading plans to meet project objective of maximizing recharge and avoiding any increase in flood stage for a 100-year return frequency flood, including meeting Flood District requirements for estimating quantities of earthwork – Not to Exceed \$19,300.00.

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 Original Agreement Attachment C. Total compensation for each Task specified in the Scope of Work shall not exceed the fee specified for such Task in Original Agreement Attachment C, except as specifically revised by this Amendment for Tasks 1, 7, and 11 above, 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 total contract amount.

2. Section 3.2 of the Original Agreement is amended to read as follows:

“The 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 John Lambie, PE, as Project Manager, who is authorized to direct work of the Consultant.”

3. Except as specifically amended by this Amendment, the Original Agreement remains in full force and effect, as to all of its particulars.

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

CONSULTANT
TETRA TECH, INC.
Attn: Aric Torreyson, PE

17885 Van Karman Ave.
Irvine, CA
Aric.Torreyson@tetrattech.com

DISTRICT
SAN BERNARDINO VALLEY WATER
CONSERVATION DISTRICT

1630 West Redlands Blvd
Redlands, CA 92373
bmiller@sbvwcd.org

By: _____

Aric Torreyson, PE
Project Manager

By: _____

Betsy Miller
General Manager

Attachment 1

Spreadsheet of Hydraulic Modeling Runs Under Task 7

Hydraulic Modeling Run No.	Task	PM	Staff HE	Labor	Simulation Hours	Assumptions
	Waterman Creek Diversion Channel			\$ 5,824.00		
	Create Grading Alt. 1 in RAS model	2	12	\$ 2,371.20		Tt to provide grading and structure geometry
1	Grading Alt. 1 - Q ₁₀₀	1	4	\$ 863.20	32	
2	Grading Alt. 1 - Q _{AvgAnn}	1	4	\$ 863.20	32	
	Create Grading Alt. 1, It. 1 in RAS model	1	4	\$ 863.20		Verdantas to revised berm height in Tt-provided surface
3	Grading Alt. 1, Iteration 1 - Q ₁₀₀	1	4	\$ 863.20	32	
	Waterman Basins			\$ 30,326.40		
	Revise Existing Conditions			\$ 7,758.40		
4	Revised infiltration rating curves - Q _{AvgAnn} no clogging	2	10	\$ 2,048.80	72	Update all infiltration rating curves (only infiltration rate, not geometry)
5	Revised infiltration rating curves - Q _{flat6} no clogging	1	10	\$ 1,830.40	192	New simulation, flat 6-day hydrograph (Tt provided), new infiltration rate
6	Revised infiltration rating curves - Q _{peak6} no clogging	1	10	\$ 1,830.40	192	New simulation, peaked 6-day hydrograph (Tt provided), new infiltration rate
7	Revised infiltration rating curves - Q _{peak6} clogged	2	10	\$ 2,048.80	192	New simulation, peaked 6-day hydrograph (Tt provided), clogged infiltration rate
	Operational Alternative			\$ 8,481.20		
8	Op. Alt. 1, 1D - Q ₁₀₀	8		\$ 1,747.20		For FCD to evaluate levee performance
9	Op. Alt. 1, - Q _{AvgAnn} no clogging	1	5	\$ 1,024.40	72	New infiltration rate, only changing low flow outlets
10	Op. Alt. 1, - Q _{flat6} no clogging	1	10	\$ 1,830.40	192	Flat 6-day hydrograph (Tt provided), new infiltration rate, only changing low flow outlets
11	Op. Alt. 1, - Q _{peak6} no clogging	1	10	\$ 1,830.40	192	Peaked 6-day hydrograph (Tt provided), new infiltration rate, only changing low flow outlets
12	Op. Alt. 1, - Q _{peak6} clogged	2	10	\$ 2,048.80	192	Peaked 6-day hydrograph (Tt provided), clogged infiltration rate, only changing low flow outlets
	Grading Alternative 1			\$ 14,086.80		
	Create Grading Alt. 1 in RAS model	4	24	\$ 4,742.40		Tt to provide grading and structure geometry
13	Grading Alt. 1, 1D - Q ₁₀₀	8		\$ 1,747.20		For FCD to evaluate levee performance
14	Grading Alt. 1 - Q ₁₀₀	1	4	\$ 863.20	96	
15	Grading Alt. 1, - Q _{AvgAnn} no clogging	1	5	\$ 1,024.40	72	New infiltration rate
16	Grading Alt. 1, - Q _{flat6} no clogging	1	10	\$ 1,830.40	192	Flat 6-day hydrograph (Tt provided), new infiltration rate
17	Grading Alt. 1, - Q _{peak6} no clogging	1	10	\$ 1,830.40	192	Peaked 6-day hydrograph (Tt provided), new infiltration rate
18	Grading Alt. 1, - Q _{peak6} clogged	2	10	\$ 2,048.80	192	Peaked 6-day hydrograph (Tt provided), clogged infiltration rate
19	Twin Creek Spreading Grounds			\$ 45,162.00		
	Revise Existing Conditions			\$ 7,758.40		

Hydraulic Modeling Run No.	Task	PM	Staff HE	Labor	Simulation Hours	Assumptions
20	Revised infiltration rating curves- Q_{AvgAnn} no clogging	2	10	\$ 2,048.80	72	Update all infiltration rating curves (only infiltration rate, not geometry)
21	Revised infiltration rating curves - Q_{flat6} no clogging	1	10	\$ 1,830.40	168	New simulation, flat 6-day hydrograph (Tt provided), new infiltration rate
22	Revised infiltration rating curves - Q_{peak6} no clogging	1	10	\$ 1,830.40	168	New simulation, peaked 6-day hydrograph (Tt provided), new infiltration rate
23	Revised infiltration rating curves - Q_{peak6} clogged	2	10	\$ 2,048.80	168	New simulation, peaked 6-day hydrograph (Tt provided), clogged infiltration rate
	Operational Alternative			\$ 7,597.20		
24	Op. Alt. 1, 1D - Q_{100}	1	4	\$ 863.20		For FCD to evaluate levee performance, only change low flow from Hold 1 to Hold 2
	Op. Alt. 1 - Q_{100}			\$ -		Only change low flow from Hold 1 to Hold 2
25	Op. Alt. 1, - Q_{AvgAnn} no clogging	1	5	\$ 1,024.40	72	New infiltration rate, only change low flow from Hold 1 to Hold 2
26	Op. Alt. 1, - Q_{flat6} no clogging	1	10	\$ 1,830.40	168	Flat 6-day hydrograph (Tt provided), new infiltration rate, only change low flow from Hold 1 to Hold 2
27	Op. Alt. 1, - Q_{peak6} no clogging	1	10	\$ 1,830.40	168	Peaked 6-day hydrograph (Tt provided), new infiltration rate, only change low flow from Hold 1 to Hold 2
28	Op. Alt. 1, - Q_{peak6} clogged	2	10	\$ 2,048.80	168	Peaked 6-day hydrograph (Tt provided), clogged infiltration rate, only change low flow from Hold 1 to Hold 2
	Grading Alternative 1			\$ 15,397.20		
	Create Grading Alt. 1 in RAS model	2	16	\$ 3,016.00		Tt to provide grading and structure geometry
29	Grading Alt. 1, 1D - Q_{100}	8		\$ 1,747.20		For FCD to evaluate levee performance
	1D evaluation of berm saddle elevations	8	8	\$ 3,036.80		1D RAS modeling only for Berm 1 and Berm 2
30	Grading Alt. 1 - Q_{100}	1	4	\$ 863.20	72	
31	Grading Alt. 1, - Q_{AvgAnn} no clogging	1	5	\$ 1,024.40	72	New infiltration rate
32	Grading Alt. 1, - Q_{flat6} no clogging	1	10	\$ 1,830.40	168	Flat 6-day hydrograph (Tt provided), new infiltration rate
33	Grading Alt. 1, - Q_{peak6} no clogging	1	10	\$ 1,830.40	168	Peaked 6-day hydrograph (Tt provided), new infiltration rate
34	Grading Alt. 1, - Q_{peak6} clogged	2	10	\$ 2,048.80	168	Peaked 6-day hydrograph (Tt provided), clogged infiltration rate
	Grading Alternative 2			\$ 14,409.20		
	Create Grading Alt. 2 in RAS model	2	16	\$ 3,016.00		Tt to provide grading and structure geometry
35	Grading Alt. 2, 1D - Q_{100}	8		\$ 1,747.20		For FCD to evaluate levee performance
36	Grading Alt. 2 - Q_{100}	1	4	\$ 863.20	72	
37	Grading Alt. 2, - Q_{AvgAnn} no clogging	1	5	\$ 1,024.40	72	New infiltration rate, only changing low flow outlets

Hydraulic Modeling Run No.	Task	PM	Staff HE	Labor	Simulation Hours	Assumptions
38	Grading Alt. 2, - Q _{flat} no clogging	1	10	\$ 1,830.40	168	Flat 6-day hydrograph (Tt provided), new infiltration rate, only changing low flow outlets
39	Grading Alt. 2, - Q _{peak6} no clogging	1	10	\$ 1,830.40	168	Peaked 6-day hydrograph (Tt provided), new infiltration rate, only changing low flow outlets
40	Grading Alt. 2, - Q _{peak6} clogged	2	10	\$ 2,048.80	168	Peaked 6-day hydrograph (Tt provided), clogged infiltration rate, only changing low flow outlets
41	Grading Alt. 2, - Q _{flush}	2	10	\$ 2,048.80	168	Determine inflow that produces flushing sheet velocity over the floor of the holds, single trial
	Lynwood Basins			\$ 5,179.20		
42	Op. Alt. - match inflow to infiltration	6	24	\$ 5,179.20	32	Assume up to 4 iterations to match inflow into Basin 1 to infiltration across all 4 basins, single infiltration rate
	Documentation			\$ 18,808.40		
	FCD Memo and Exhibits	6	29	\$ 5,985.20		Assume 1 draft (up to 7 exhibits) to WCD to review, address comments, WCD submits to FCD, no revisions if FCD comments
	SBVWCD Memo and Exhibits	10	66	\$ 12,823.20		Assume 1 draft (up to 24 exhibits) to WCD to review, address comments
	Management			\$ 9,172.80		
	Monthly staffing and invoicing	24		\$ 5,241.60		July - December 2024
	Monthly meetings with SBVWCD and Tt	18		\$ 3,931.20		Assume 2-hour meeting with prep and follow-up for July - December 2024
	Total Hours	161	492			
	Total high-powered desktop simulation hours				4784	
	Fee for high-powered desktop simulations				\$4,000.00	
	Run prepared for Flood District Report					
	Run believed to have an equivalent already performed					
	Agreed upon revision to hydraulic run type and characteristics in projects status meeting of August 16 between Conservation District and Tetra Tech Team					



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2051

To: Board of Directors
From: Betsy Miller, General Manager
Date: September 11, 2024
Subject: Equipment Lease Authorization for Basin Maintenance

RECOMMENDATION

Authorize the General Manager to expend up to \$45,000 for loader and excavator rentals in FY25.

BACKGROUND AND DISCUSSION

As water levels decrease this fall, District staff seek to complete maintenance activities at Mill Creek Basins 40-53. Optimal completion of this work, including removal of accumulated sediment, will require larger equipment than what is owned by the District in addition to varying types of equipment.

Staff have test drove equipment and obtained quotes for mid-sized excavators and large loaders from three rental companies in accordance with the District’s procurement policy, which range from \$2,899/week to \$6,290/week, respectively. Staff requests authorization to expend up to \$45,000 for loader and excavator rentals from Clairemont Equipment, RDO Equipment, and/or Sonsray to rent the appropriate equipment needed to complete the proposed maintenance activities per their quoted costs in FY25.

FISCAL IMPACT

Approval of the recommended action would result in expenditure of up to \$45,000 from GL 5050 Basin Cleaning.

POTENTIAL MOTIONS

1. Authorize the General Manager to expend up to \$45,000 for equipment rentals as needed by the Operations team in FY25.
2. Authorize the General Manager to expend up to \$45,000 on specific equipment from specific vendor(s) in FY25.
3. Provide other directions to staff.

ATTACHMENTS

Clairemont Equipment Quote
RDO Equipment Quote

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:
Hillary Jenkins

Division 3:
Robert Stewart
Division 4:
John Longville
Division 5:
Melody McDonald

**GENERAL
MANAGER**
Betsy Miller

Sonsray Quote



8520 CHERRY AVENUE
FONTANA, CA 92335

Rental Quote

Agreement: RQ1023
Start Date: 8/29/2024 7:00 AM
Est. End Date: 9/25/2024

Bill To:

Customer No. SBVWCD001
 SAN BERNARDINO VALLEY WATER CONS.
 DIST.
 1630 W REDLANDS BLVD STE A
 REDLANDS, CA 92373
 Cod

Contact: CHRIS PORTER 951-287-4303
Phone: 951-287-4303
Email: CPORTER@CLAIREMONTEQUIPM
 ENT.COM
Jobsite: SAN BERNARDINO
 2181 MENTONE BLVD
 MENTONE, CA 92359-9594

Signed By:
 Order By: CHRIS

Written By: Steve Charleston
Sales Rep: CHRIS PORTER
PO #: QUOTE

Qty	Description	Day	Week	4 Week
-----	-------------	-----	------	--------

Rental Items

*****QUOTE FOR (1) MONTH RENTAL*****

1	331-0114 14000-19999 Lb Mini Excavator	\$450.00	\$1,800.00	\$4,500.00
	Hours Allowed: 8/40/160			
1	366-0112 24 In Mini Excavator Bucket			

Miscellaneous Items

1	Environmental			\$126.00
1	Rental Protection Plan			\$675.00
	Delivery - Internal Haul 05			\$175.00
	Pickup - Internal Haul 05			\$175.00
			Subtotal:	\$5,651.00
			Sales Tax (7.75%):	\$385.66
			Total:	\$6,036.66

I accept the Rental Protection Plan, as provided on the reverse side; and I agree to pay the above described additional charges therefore.

Signature

Print Name

Date

CE Agent

Subject to terms and conditions on reverse side

Lessor hereby grants to Lessee and Lessee hereby hires from Lessor the equipment described on the facing page subject to the provisions set forth on the front side of contract and page below.

RENTAL PERIOD

The rental shall start immediately upon delivery to the Lessee or instructed delivery site of the equipment and shall end upon return of the equipment to Lessor's premises and possession. Lessee shall return equipment in the same condition as received and shall deliver same to the Lessor's premises on the date specified in the agreement or sooner. Lessor may terminate rental at any time by written notice to Lessee or by retaking the equipment. Lessee is responsible for the equipment until properly checked in at the Lessors place of business by Lessor.

NOTICE ABOUT YOUR FINANCIAL RESPONSIBILITY AND RENTAL PROTECTION PLAN

Lessee hereby acknowledges **Rental Protection Plan is not insurance**. You are responsible for all damages to the rented equipment even if someone else caused it or the cause is unknown. You are responsible for the cost of repair up to the value of the equipment, loss of use, and pick up charges. Your own insurance may cover all or part of your financial responsibility for the rented equipment. You should check with your insurance company to find out about your coverage. The Rental Protection Plan WILL NOT COVER YOU IF:

1. Equipment is operated on a job location other than the one authorized in this agreement or otherwise authorized in writing by Lessor;
2. Damage results from willful, wanton, reckless or intentional conduct;
3. Damage results from lack of lubrication or maintenance of necessary oil, water and air pressure levels, or a lack of servicing or preventative maintenance as suggested in the manufacturer's Operation and Maintenance Manual; **Damage to tubes and tires caused by blowout, bruise cuts and road hazards.**
4. Damage results from a natural disaster, mysterious disappearance, theft, or fire; or
5. Damage results from obvious neglect, including but not limited to operating the equipment in excess of its capacity or violation of any restriction of operation noted on this page.

Unless you can specifically provide a certificate of insurance naming Clairemont Equipment Company as loss payee for all rental equipment, **we are required to charge you a 15% fee on the total rental charge.** Lessor leases to the undersigned Lessee the above-described equipment upon the terms and conditions set forth on this page and on the front side hereof. Lessee promises to pay all charges provided herein and to return the above-described equipment no later than the date the equipment is to be returned as set forth above. Lessee warrants and represents that all dates and information furnished to Lessor including identification presented, have been furnished by Lessee as an inducement to Lessor to lease the equipment, and that all such information, data, names, and addresses are true and correct. Lessee warrants and represents that the leased equipment will be used for business purposes only and not for personal, family or household purposes.

REPAIRS

Lessee acknowledges receipt of the equipment covered by this agreement in good working condition and repair, and further acknowledges that Lessee has examined the equipment and understands its proper use. In the case of mechanical failure of Lessor's equipment for any cause, Lessee, at Lessee's expense, shall return it immediately to Lessor's premises and Lessee further acknowledges that without Lessor's specific written authority Lessee has no authority to incur any expense for the repair of the equipment or otherwise.

DISCLAIMER OF WARRANTIES

LESSEE TAKES EQUIPMENT AS IS. LESSOR MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE EQUIPMENT'S MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. Lessee's sole remedy for any failure or defect in the equipment shall be the right to return the equipment to the Lessor, at which time all rental charges shall cease. Lessor shall not be responsible to Lessee or any agent or employee of Lessee, or to any other party for any loss, damages or injury of any kind and every nature whatsoever, including any special or consequential damages caused by, resulting from, or in any way connected with the rental of this equipment, the operation or use of this equipment, or any defect or failure of the equipment.

HOLD HARMLESS AGREEMENT

Lessee hereby agrees to hold harmless, indemnify and defend Lessor against any and all costs, defense expenses and court costs, on account of any personal injury or property damage sustained by anyone while Lessee has possession, custody or control of the leased equipment, arising out of the use or misuse of the equipment herein leased, or arising out of any defect in the design or manufacture of said equipment, or arising out of Lessor's negligence or failure to warn people or from any other contributing cause.

SERVICE

Lessee shall perform and pay for all normal periodic and other service adjustments and lubrication of equipment. If equipment should at any time fail to properly operate or need repair, Lessee shall immediately cease using the equipment and notify the Lessor.

COMPLIANCE WITH LAW AND SAFETY REGULATIONS

As Lessor has no control over the use of the equipment by Lessee, Lessee agrees at its sole expense to comply with all laws and regulations, including the Occupational Safety and Health Administration Act of 1970 (OSHA) and all other federal, state, and local laws, regulations, and ordinances which may affect the equipment while it is in the possession of Lessee and Lessee shall indemnify and hold Lessor harmless from any liability or expense including attorney's fees resulting from actual or asserted violations of such laws, regulations and ordinances.

LIABILITY FOR DAMAGED EQUIPMENT

If the equipment is returned in a damaged or excessively worn condition, Lessee shall pay Lessor the reasonable cost of repair and pay rental on the equipment at the regular rental rate until repairs have been completed. Lessor shall be under no obligation to commence repair work until Lessee has paid for rent and repairs. Lessee shall not be responsible for reasonable wear and tear. Reasonable wear and tear shall mean only the normal deterioration of equipment caused by ordinary and reasonable use on a one-shift (8 hours per day, 5 days per week) basis.

The following shall not be deemed reasonable wear and tear:

1. Damage resulting from lack of lubrication or maintenance of necessary oil, water and air pressure levels.
2. Damage resulting from lack of servicing or preventative maintenance suggested in the manufacturer's Operation and Maintenance Manual.
3. Damage resulting from any collision, overturning, or improper operation of the equipment, including overloading or exceeding the rated capacity of the equipment.
4. Damage in the nature of dents, bending, tearing, straining and misalignment to the equipment or any part thereof; and where resulting from use in excess of a one shift basis.

SUBLETTING AND LOCATION OF USE

Subletting, re-letting or assignment of the leased equipment is strictly prohibited. The leased equipment may be operated only at the job location authorized in this contract. Removal of the leased equipment from the authorized location constitutes a breach of contract. Should Lessee desire to use the leased equipment at a job location other than authorized in this contract, Lessee must obtain the prior written authorization of Lessor before the equipment is moved. Failure to fully comply with this provision constitutes a breach of contract, and the use of the equipment at an unauthorized location could result in Lessor reporting the equipment stolen or embezzled.

DEFAULT AND RETAKING OF EQUIPMENT

In the case of default or breach of this agreement by Lessee, or if Lessor for any reason deems it necessary to recall the equipment, Lessor may enter the premises where the equipment is located and remove same with or without process of law, and without notice to Lessee, and may return this agreement without prejudice to any other remedies or claims for rent which Lessor may otherwise have. Lessee waives for himself, agent and employees, all rights of damage and loss, physical and pecuniary caused by the retaking by Lessor. Lessee agrees to pay all costs and expenses incurred by Lessor in retaking the equipment.

RETURN OF EQUIPMENT / DAMAGED & LOST EQUIPMENT

At the expiration of the rental period, Lessee will return the equipment to the Store Location during the Lessor's regular business hours, such equipment to be in the condition and repair as when delivered to Lessee, subject to reasonable wear and tear, as defined below. Lessee shall be liable for all damages to or loss of the equipment from the time the equipment leaves the Store Location until the equipment is returned to and accepted by the Store Location, including any damage during transit to or from Lessee. In the case of the loss or destruction of any equipment, or inability or failure to return same to Lessor for any reason whatsoever, Lessee will pay Lessor the then full replacement list value together with the full rental rate as specified until such equipment is replaced. If the equipment is returned in a damaged or excessively worn condition, Lessee shall pay Lessor the reasonable cost of repair and pay rental on the equipment at the regular rate until all repairs have been completed. Lessor shall be under no obligation to commence repair work until Lessee has paid to Lessor the rent due and estimated cost thereof. Reasonable wear and tear is that normal condition resulting from designed use of equipment.

PAYMENT / INTEREST ON OVERDUE ACCOUNTS

All amounts due hereunder shall be payable in full upon the end of the rental period, return of the equipment to Lessor or 30 days following Lessor's invoice to Lessee, whichever comes first. A late charge of 1.5% per month shall be charged on all past due amounts. All payments received shall be applied first to service charges, then to costs and other expenses relating to this lease and then to rent.

APPLICABLE LAW

Lessor and Lessee agree that this contract shall be interpreted under and governed by the laws of the State of California. Any litigation to enforce or interpret the provisions of this Lease or the party's rights and liabilities arising out of this Lease or the performance hereunder shall be maintained only in the courts in the County of San Diego, California. Both parties agree to WAIVE THE JURY BY TRIAL and accept a Jury by Judge only.

ATTORNEY'S FEES

Lessee agrees to pay Lessor's reasonable costs and attorney's fees incurred in the enforcement of any terms or conditions of this contract. The prevailing party to any litigation to enforce this contract shall also be entitled to his reasonable costs and attorney's fees incurred in enforcing a judgment, defending a judgment on appeal, or prosecuting a successful appeal. It is expressly recognized by the parties to this contract that the allowance of post-judgment attorney's fees, as provided in this paragraph, are distinct and severable from the rights sued upon, and the rights granted hereunder are not to be merged into any judgment.

RENTAL PERIOD / CALCULATION OF CHARGES

Rental charges commence when the equipment leaves the Store Location and ends when the equipment is returned to the Store Location during Lessor's regular business hours. Rental charges accrue during Saturdays, Sundays and Holidays. Rental rates are for normal usage based on an 8 hour day, 40 hours per week and 160 hours per 4 week period. On power equipment, operations in excess of one shift, add 50% for 2 shifts, 100% for 3 shifts. Lessee will truthfully and accurately certify to Lessor the number of shifts the equipment was operated. Lessee's right to possess the equipment terminates on the expiration of the rental period and retention of possession after this time is a material breach of this Rental Agreement. TIME IS OF THE ESSENCE.

DEPOSITS

In addition to securing the payment of rental charges hereunder, Lessee agrees that any rental deposit shall be deemed to be a guarantee by Lessee of the full and complete performance of each and all of the terms, covenants, and agreements to be performed by Lessee hereunder, and in the event of any breach by Lessee, the deposit will be credited against any damages, cost or expense incurred by Lessor as a result of the breach.

TERMS AND CONDITIONS OF SALE (APPLIES ONLY TO ITEMS SOLD, NOT RENTED)

In consideration of the purchase of the equipment described by the undersigned (herein after referred to as the "Buyer") from the company name on the reverse side (herein after referred to as the "Dealer"), upon the terms and conditions and the price herein specified, it is agreed as follows:

"When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>." Additionally, "An on-road heavy-duty diesel or alternative-diesel vehicle operated in California may be subject to the California Air Resources Board Regulation to reduce particulate matter and criteria pollutant emissions from In-Use Heavy-Duty Diesel Vehicles. These vehicles could be subject to exhaust retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at <http://www.arb.ca.gov/dieseltruck>."

USED PRODUCTS

The Buyer hereby acknowledges that the product(s) described on the front side of contract hereof, which is the subject of this sale is a "used product" and is being sold on an "as is" and "with all faults" basis. The Dealer as the seller makes NO expressed warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE and the DEALER does NOT make any implied warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE or any other warranties unless the DEALER has so provided in writing and the writing is signed by an AUTHORIZED REPRESENTATIVE of the DEALER. "When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants." I, the buyer, hereby acknowledge that I have read all of the above terms and conditions of sales and that I understand that this is an "as is" sale of used goods.

NEW PRODUCTS

Buyer acknowledges that the ONLY warranties provided with this product(s) are those provided by the manufacturer and that the DEALER makes NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, either expressed or implied.

Lessor hereby grants to Lessee and Lessee hereby hires from Lessor the equipment described on the facing page subject to the provisions set forth on the front side of contract and page below.

RENTAL PERIOD

The rental shall start immediately upon delivery to the Lessee or instructed delivery site of the equipment and shall end upon return of the equipment to Lessor's premises and possession. Lessee shall return equipment in the same condition as received and shall deliver same to the Lessor's premises on the date specified in the agreement or sooner. Lessor may terminate rental at any time by written notice to Lessee or by retaking the equipment. Lessee is responsible for the equipment until properly checked in at the Lessors place of business by Lessor.

NOTICE ABOUT YOUR FINANCIAL RESPONSIBILITY AND RENTAL PROTECTION PLAN

Lessee hereby acknowledges **Rental Protection Plan is not insurance**. You are responsible for all damages to the rented equipment even if someone else caused it or the cause is unknown. You are responsible for the cost of repair up to the value of the equipment, loss of use, and pick up charges. Your own insurance may cover all or part of your financial responsibility for the rented equipment. You should check with your insurance company to find out about your coverage. The Rental Protection Plan WILL NOT COVER YOU IF:

1. Equipment is operated on a job location other than the one authorized in this agreement or otherwise authorized in writing by Lessor;
2. Damage results from willful, wanton, reckless or intentional conduct;
3. Damage results from lack of lubrication or maintenance of necessary oil, water and air pressure levels, or a lack of servicing or preventative maintenance as suggested in the manufacturer's Operation and Maintenance Manual; **Damage to tubes and tires caused by blowout, bruise cuts and road hazards.**
4. Damage results from a natural disaster, mysterious disappearance, theft, or fire; or
5. Damage results from obvious neglect, including but not limited to operating the equipment in excess of its capacity or violation of any restriction of operation noted on this page.

Unless you can specifically provide a certificate of insurance naming Clairemont Equipment Company as loss payee for all rental equipment, **we are required to charge you a 15% fee on the total rental charge.** Lessor leases to the undersigned Lessee the above-described equipment upon the terms and conditions set forth on this page and on the front side hereof. Lessee promises to pay all charges provided herein and to return the above-described equipment no later than the date the equipment is to be returned as set forth above. Lessee warrants and represents that all dates and information furnished to Lessor including identification presented, have been furnished by Lessee as an inducement to Lessor to lease the equipment, and that all such information, data, names, and addresses are true and correct. Lessee warrants and represents that the leased equipment will be used for business purposes only and not for personal, family or household purposes.

REPAIRS

Lessee acknowledges receipt of the equipment covered by this agreement in good working condition and repair, and further acknowledges that Lessee has examined the equipment and understands its proper use. In the case of mechanical failure of Lessor's equipment for any cause, Lessee, at Lessee's expense, shall return it immediately to Lessor's premises and Lessee further acknowledges that without Lessor's specific written authority Lessee has no authority to incur any expense for the repair of the equipment or otherwise.

DISCLAIMER OF WARRANTIES

LESSEE TAKES EQUIPMENT AS IS. LESSOR MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE EQUIPMENT'S MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. Lessee's sole remedy for any failure or defect in the equipment shall be the right to return the equipment to the Lessor, at which time all rental charges shall cease. Lessor shall not be responsible to Lessee or any agent or employee of Lessee, or to any other party for any loss, damages or injury of any kind and every nature whatsoever, including any special or consequential damages caused by, resulting from, or in any way connected with the rental of this equipment, the operation or use of this equipment, or any defect or failure of the equipment.

HOLD HARMLESS AGREEMENT

Lessee hereby agrees to hold harmless, indemnify and defend Lessor against any and all costs, defense expenses and court costs, on account of any personal injury or property damage sustained by anyone while Lessee has possession, custody or control of the leased equipment, arising out of the use or misuse of the equipment herein leased, or arising out of any defect in the design or manufacture of said equipment, or arising out of Lessor's negligence or failure to warn people or from any other contributing cause.

SERVICE

Lessee shall perform and pay for all normal periodic and other service adjustments and lubrication of equipment. If equipment should at any time fail to properly operate or need repair, Lessee shall immediately cease using the equipment and notify the Lessor.

COMPLIANCE WITH LAW AND SAFETY REGULATIONS

As Lessor has no control over the use of the equipment by Lessee, Lessee agrees at its sole expense to comply with all laws and regulations, including the Occupational Safety and Health Administration Act of 1970 (OSHA) and all other federal, state, and local laws, regulations, and ordinances which may affect the equipment while it is in the possession of Lessee and Lessee shall indemnify and hold Lessor harmless from any liability or expense including attorney's fees resulting from actual or asserted violations of such laws, regulations and ordinances.

LIABILITY FOR DAMAGED EQUIPMENT

If the equipment is returned in a damaged or excessively worn condition, Lessee shall pay Lessor the reasonable cost of repair and pay rental on the equipment at the regular rental rate until repairs have been completed. Lessor shall be under no obligation to commence repair work until Lessee has paid for rent and repairs. Lessee shall not be responsible for reasonable wear and tear. Reasonable wear and tear shall mean only the normal deterioration of equipment caused by ordinary and reasonable use on a one-shift (8 hours per day, 5 days per week) basis.

The following shall not be deemed reasonable wear and tear:

1. Damage resulting from lack of lubrication or maintenance of necessary oil, water and air pressure levels.
2. Damage resulting from lack of servicing or preventative maintenance suggested in the manufacturer's Operation and Maintenance Manual.
3. Damage resulting from any collision, overturning, or improper operation of the equipment, including overloading or exceeding the rated capacity of the equipment.
4. Damage in the nature of dents, bending, tearing, straining and misalignment to the equipment or any part thereof; and where resulting from use in excess of a one shift basis.

SUBLETTING AND LOCATION OF USE

Subletting, re-letting or assignment of the leased equipment is strictly prohibited. The leased equipment may be operated only at the job location authorized in this contract. Removal of the leased equipment from the authorized location constitutes a breach of contract. Should Lessee desire to use the leased equipment at a job location other than authorized in this contract, Lessee must obtain the prior written authorization of Lessor before the equipment is moved. Failure to fully comply with this provision constitutes a breach of contract, and the use of the equipment at an unauthorized location could result in Lessor reporting the equipment stolen or embezzled.

DEFAULT AND RETAKING OF EQUIPMENT

In the case of default or breach of this agreement by Lessee, or if Lessor for any reason deems it necessary to recall the equipment, Lessor may enter the premises where the equipment is located and remove same with or without process of law, and without notice to Lessee, and may return this agreement without prejudice to any other remedies or claims for rent which Lessor may otherwise have. Lessee waives for himself, agent and employees, all rights of damage and loss, physical and pecuniary caused by the retaking by Lessor. Lessee agrees to pay all costs and expenses incurred by Lessor in retaking the equipment.

RETURN OF EQUIPMENT / DAMAGED & LOST EQUIPMENT

At the expiration of the rental period, Lessee will return the equipment to the Store Location during the Lessor's regular business hours, such equipment to be in the condition and repair as when delivered to Lessee, subject to reasonable wear and tear, as defined below. Lessee shall be liable for all damages to or loss of the equipment from the time the equipment leaves the Store Location until the equipment is returned to and accepted by the Store Location, including any damage during transit to or from Lessee. In the case of the loss or destruction of any equipment, or inability or failure to return same to Lessor for any reason whatsoever, Lessee will pay Lessor the then full replacement list value together with the full rental rate as specified until such equipment is replaced. If the equipment is returned in a damaged or excessively worn condition, Lessee shall pay Lessor the reasonable cost of repair and pay rental on the equipment at the regular rate until all repairs have been completed. Lessor shall be under no obligation to commence repair work until Lessee has paid to Lessor the rent due and estimated cost thereof. Reasonable wear and tear is that normal condition resulting from designed use of equipment.

PAYMENT / INTEREST ON OVERDUE ACCOUNTS

All amounts due hereunder shall be payable in full upon the end of the rental period, return of the equipment to Lessor or 30 days following Lessor's invoice to Lessee, whichever comes first. A late charge of 1.5% per month shall be charged on all past due amounts. All payments received shall be applied first to service charges, then to costs and other expenses relating to this lease and then to rent.

APPLICABLE LAW

Lessor and Lessee agree that this contract shall be interpreted under and governed by the laws of the State of California. Any litigation to enforce or interpret the provisions of this Lease or the party's rights and liabilities arising out of this Lease or the performance hereunder shall be maintained only in the courts in the County of San Diego, California. Both parties agree to WAIVE THE JURY BY TRIAL and accept a Jury by Judge only.

ATTORNEY'S FEES

Lessee agrees to pay Lessor's reasonable costs and attorney's fees incurred in the enforcement of any terms or conditions of this contract. The prevailing party to any litigation to enforce this contract shall also be entitled to his reasonable costs and attorney's fees incurred in enforcing a judgment, defending a judgment on appeal, or prosecuting a successful appeal. It is expressly recognized by the parties to this contract that the allowance of post-judgment attorney's fees, as provided in this paragraph, are distinct and severable from the rights sued upon, and the rights granted hereunder are not to be merged into any judgment.

RENTAL PERIOD / CALCULATION OF CHARGES

Rental charges commence when the equipment leaves the Store Location and ends when the equipment is returned to the Store Location during Lessor's regular business hours. Rental charges accrue during Saturdays, Sundays and Holidays. Rental rates are for normal usage based on an 8 hour day, 40 hours per week and 160 hours per 4 week period. On power equipment, operations in excess of one shift, add 50% for 2 shifts, 100% for 3 shifts. Lessee will truthfully and accurately certify to Lessor the number of shifts the equipment was operated. Lessee's right to possess the equipment terminates on the expiration of the rental period and retention of possession after this time is a material breach of this Rental Agreement. TIME IS OF THE ESSENCE.

DEPOSITS

In addition to securing the payment of rental charges hereunder, Lessee agrees that any rental deposit shall be deemed to be a guarantee by Lessee of the full and complete performance of each and all of the terms, covenants, and agreements to be performed by Lessee hereunder, and in the event of any breach by Lessee, the deposit will be credited against any damages, cost or expense incurred by Lessor as a result of the breach.

TERMS AND CONDITIONS OF SALE (APPLIES ONLY TO ITEMS SOLD, NOT RENTED)

In consideration of the purchase of the equipment described by the undersigned (herein after referred to as the "Buyer") from the company name on the reverse side (herein after referred to as the "Dealer"), upon the terms and conditions and the price herein specified, it is agreed as follows:

"When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>." Additionally, "An on-road heavy-duty diesel or alternative-diesel vehicle operated in California may be subject to the California Air Resources Board Regulation to reduce particulate matter and criteria pollutant emissions from In-Use Heavy-Duty Diesel Vehicles. These vehicles could be subject to exhaust retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at <http://www.arb.ca.gov/dieseltruck>."

USED PRODUCTS

The Buyer hereby acknowledges that the product(s) described on the front side of contract hereof, which is the subject of this sale is a "used product" and is being sold on an "as is" and "with all faults" basis. The Dealer as the seller makes NO expressed warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE and the DEALER does NOT make any implied warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE or any other warranties unless the DEALER has so provided in writing and the writing is signed by an AUTHORIZED REPRESENTATIVE of the DEALER. "When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants." I, the buyer, hereby acknowledge that I have read all of the above terms and conditions of sales and that I understand that this is an "as is" sale of used goods.

NEW PRODUCTS

Buyer acknowledges that the ONLY warranties provided with this product(s) are those provided by the manufacturer and that the DEALER makes NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, either expressed or implied.



Rental Schedule

RDO Equipment Co.
 20 Iowa Avenue
 Riverside CA, 92507
 Phone: (951) 778-3700 - Fax: (951) 778-3746



Invoice To:
 SAN BERNARDINO WATER CONS
 1630 WEST REDLANDS BLVD
 PO BOX 1839
 REDLANDS, CA, 92373
 County: SAN BERNARDINO
 (909) 793-2503

Rental Type: Rental
Deal Number: 1812855
Customer Account#: 2503032
Rental Sales Professional: Walker Keller
Phone: (951) 778-3700
Fax:
Email: wkeller@rdoequipment.com

Rental Information

Ordered By: MANUEL COLUNGA
Estimated Rental Schedule: Starting on: 9/9/2024, Ending on: 12/30/2024
Billing Dates: Starting on: 9/9/2024, Ending on: 12/30/2024
Job Number: 2181
Job Site Address: 2181 MENTONE BLVD
 MENTONE, CA 92359

Equipment Rental Rates

Serial	Stock	Year/Make/Model	Quantity	OT/Hourly	Daily	Weekly	Monthly
1DW624PAHRLX22395	Z016958	2023 JOHN DEERE 624P	1	\$39.31	\$825.00	\$2,470.00	\$6,290.00
PXBUSGP300040	X849420	Attachment - 2019 JOHN DEERE 544L3.0C	1	\$0.00	\$0.00	\$0.00	\$0.00

Rental Rate Totals

	Daily	Weekly	Monthly
Base Rental Rate:	\$825.00	\$2,470.00	\$6,290.00
LDW: (14% of Rental) (described in Legal Information section below)	\$115.50	\$345.80	\$880.60
Environmental Fee: (3% of Rental)	\$24.75	\$74.10	\$188.70
Estimated Rental Taxes: CA STATE TAX 6%	\$49.50	\$148.20	\$377.40
CA COUNTY TAX 0.25%	\$2.06	\$6.17	\$15.73
CA SPECIAL TAX 0.5%	\$12.38	\$37.05	\$94.35
Cost Per Term (Before Additional Charges)	\$1,029.19	\$3,081.32	\$7,846.78

Additional Charges

Unit	Type	Amount	Taxes	Total
2023 JOHN DEERE 624P	Inside Trucking	\$467.50	\$0.00	\$467.50
	Inside Trucking (Taxable)	\$467.50	\$36.23	\$503.73
Total Additional Charges		\$935.00	\$36.23	\$971.23

Legal Information

Term, start, end dates, rental rates, and sales tax are all approximated and subject to change. RDO Equipment Co. reserve the right to replace equipment with 'like' equipment at any time. The rental rate for Equipment covers normal use only not to exceed **8-hours/1day, 40 hours/week, or 160 hours/month**, based on **20** working days. Any excess hours will be charged at the designated Overtime Rate (OT Rate). Equipment returned that require fuel, cleanup, repair work or replacement parts due to unusual wear & tear will warrant additional charges. Should you not provide RDO Equipment Co. with physical damage insurance coverage, a Loss Damage Waiver fee of 14% of the rental charge will be applied. Applicable sales tax, property and environmental fees to apply. Use only Low Sulfur Diesel (ULSD). Applicant agrees this be a Schedule to the Rental Agreement.

By placing this order and receiving a copy of this Schedule (whether in person or by email or facsimile), customer agrees to be bound by the Terms contained herein as well as those of the Master Rental Agreement, and is accepting the equipment, including attachments, in "AS IS" condition, and agreeing to notify RDO Equipment Co. within 24 hours of any damages or discrepancies found upon receipt of equipment.

Signature Area

Applicant:

(Customer's Signature)

(Customer's Printed Name)

(Applicant Title)

(Date Signed)

This is not an invoice. You will receive an invoice when the first billing cycle is complete, or when the machines are returned, whichever occurs first.
This Rental Schedule was created on 8/28/2024 and is valid until 9/27/2024. After that date, the terms may need to be revised



Rental Schedule

RDO Equipment Co.
 20 Iowa Avenue
 Riverside CA, 92507
 Phone: (951) 778-3700 - Fax: (951) 778-3746



Invoice To:
 SAN BERNARDINO WATER CONS
 1630 WEST REDLANDS BLVD
 PO BOX 1839
 REDLANDS, CA, 92373
 County: SAN BERNARDINO
 (909) 793-2503

Rental Type: Rental
Deal Number: 1812862
Customer Account#: 2503032
Rental Sales Professional: Walker Keller
Phone: (951) 778-3700
Fax:
Email: wkeller@rdoequipment.com

Rental Information

Ordered By: MANUEL COLUNGA
Estimated Rental Schedule: Starting on: 9/9/2024, Ending on: 10/7/2024
Billing Dates: Starting on: 9/9/2024, Ending on: 10/7/2024
Job Number: HIGHLAND
Job Site Address: 31000-31798 GREENSPOT ROAD
 34.096667, -117.125000
 HIGHLAND, CA 92346

Equipment Rental Rates

Serial	Stock	Year/Make/Model	Quantity	OT/Hourly	Daily	Weekly	Monthly
1FF085GXJNJ024095	X576964	2023 JOHN DEERE 85G	1	\$23.38	\$490.00	\$1,470.00	\$3,740.00
132323-30020-1	Z084665	Attachment - 2024 WERK-BRAU 410WR30	1	\$0.00	\$0.00	\$0.00	\$0.00

Rental Rate Totals

	Daily	Weekly	Monthly
Base Rental Rate:	\$490.00	\$1,470.00	\$3,740.00
LDW: (14% of Rental)(described in Legal Information section below)	\$68.60	\$205.80	\$523.60
Environmental Fee: (3% of Rental)	\$14.70	\$44.10	\$112.20
Estimated Rental Taxes: CA STATE TAX 6%	\$29.40	\$88.20	\$224.40
CA COUNTY TAX 0.25%	\$1.22	\$3.68	\$9.35
CA SPECIAL TAX 0.5%	\$7.35	\$22.05	\$56.10
Cost Per Term (Before Additional Charges)	\$611.27	\$1,833.83	\$4,665.65

Additional Charges

Unit	Type	Amount	Taxes	Total
2023 JOHN DEERE 85G	Inside Trucking	\$385.00	\$0.00	\$385.00
	Inside Trucking (Taxable)	\$385.00	\$29.84	\$414.84
Total Additional Charges		\$770.00	\$29.84	\$799.84

Legal Information

Term, start, end dates, rental rates, and sales tax are all approximated and subject to change. RDO Equipment Co. reserve the right to replace equipment with 'like' equipment at any time. The rental rate for Equipment covers normal use only not to exceed 8-hours/1day, 40 hours/week, or 160 hours/month, based on 20 working days. Any excess hours will be charged at the designated Overtime Rate (OT Rate). Equipment returned that require fuel, cleanup, repair work or replacement parts due to unusual wear & tear will warrant additional charges. Should you not provide RDO Equipment Co. with physical damage insurance coverage, a Loss Damage Waiver fee of 14% of the rental charge will be applied. Applicable sales tax, property and environmental fees to apply. Use only Low Sulfur Diesel (ULSD). Applicant agrees this be a Schedule to the Rental Agreement.

By placing this order and receiving a copy of this Schedule (whether in person or by email or facsimile), customer agrees to be bound by the Terms contained herein as well as those of the Master Rental Agreement, and is accepting the equipment, including attachments, in "AS IS" condition, and agreeing to notify RDO Equipment Co. within 24 hours of any damages or discrepancies found upon receipt of equipment.

Signature Area

Applicant:

(Customer's Signature)

(Customer's Printed Name)

(Applicant Title)

(Date Signed)

This is not an invoice. You will receive an invoice when the first billing cycle is complete, or when the machines are returned, whichever occurs first.
This Rental Schedule was created on 8/28/2024 and is valid until 9/27/2024. After that date, the terms may need to be revised



REMIT TO:
SONSRAY MACHINERY LLC.
PO BOX 745021
LOS ANGELES, CA 90074-5021

QUOTATION NO RQT000613	DATE 08-19-2024
PAYMENT TERMS NET 30 DAYS	

Sonsray Machinery
 10950 South Norwalk Blvd
 Santa Fe Springs CA 90670
 (562) 903-7377

CUSTOMER NO BP0017734
CUSTOMER PO 821G

RENTAL QUOTATION

INVOICE TO:

SAN BERNARDINO VALLEY WATER DIS
 1630 W REDLANDS BLVD SUITE A
 REDLANDS CA 92373

SHIP TO:

SAN BERNARDINO VALLEY WATER
 DIS
 MENTONE CA

SALESMAN : Richard Vasquez

DELIVERY TERMS :

CONTACT :

UNIT(S) TO BE RETURNED CLEAN, FULL TANK OF FUEL & WITH A KEY. CUSTOMER LIABLE FOR ANY DAMAGE INCURRED DURING RENTAL. WORKING OR MACHINE HOURS ARE NOT TO EXCEED 8 HOURS PER DAY, 40 HOURS IN A WEEK AND 160 HOURS IN ONE MONTH (28 DAYS). ADDITIONAL CHARGES FOR OVERTIME USAGE, MISSING KEYS & EQUIPMENT NOT RETURNED WITH FULL TANK OF FUEL.

RENTAL BEGINS : 08-19-2024

EST RETURN : 09-16-2024

UNIT	PRICE	TOTAL
10 821G WHEEL LOADER	5,499.00	5,499.00
CASE EQUIPMENT MODEL:		
RATES: 599.00/DAY 1499.00/WEEK 5499.00/4 WEEKS		
10 PROPERTY TAX	41.24	41.24
10 DELIVERY	400.00	400.00
10 PICK UP	400.00	400.00
10 HAULING SURCHARGE	80.00	80.00

SALES TAX DETAILS:

CA -CA STATE TAX 7.25% : 456.68
 CACOSANBE-SAN BERNARDINO COUNTY
 TAX 0.5% : 31.50

TOTAL RENTAL	5,499.00
SUBTOTAL	921.24
SALES TAX	488.18
ENVIRONMENTAL	109.98
TOTAL AMOUNT (USD)	7,018.40

Sonsray Machinery

CUSTOMER ACCEPTANCE

CUSTOMER PO



REMIT TO:
SONSRAY MACHINERY LLC.
PO BOX 745021
LOS ANGELES, CA 90074-5021

QUOTATION NO RQT000613	DATE 08-19-2024
PAYMENT TERMS NET 30 DAYS	

Sonsray Machinery
10950 South Norwalk Blvd
Santa Fe Springs CA 90670
(562) 903-7377

CUSTOMER NO BP0017734
CUSTOMER PO 821G

RENTAL QUOTATION

THESE ARE THE STANDARD TERMS FOR ALL ESTABLISHED SONSRAY MACHINERY LLC. CREDIT ACCOUNTS IN GOOD STANDING AT THE TIME OF PURCHASE.

PARTS & SERVICE: NET 30 DAYS
RENTALS: PAYMENT IN ADVANCE
MACHINE SALES: IN FULL UPON DELIVERY

TERMS AND CONDITIONS

A 1.5% SERVICE CHARGE WILL BE IMPOSED ON ALL PAST DUE BALANCES.

UNIT PRICES ARE BASED UPON SELLING PRICES IN EFFECT AT TIME OF SHIPMENT NOT AT DATE OF YOUR ORDER.

NO PARTS MAY BE RETURNED WITHOUT PERMISSION FROM SONSRAY MACHINERY LLC. AND IN NO CASE WILL ANY RETURNED PARTS BE ACCEPTED IF RETURN DATE IS IN EXCESS OF 10 DAYS FROM PURCHASE DATE. ALL PARTS ARE SUBJECT TO 15% RESTOCKING CHARGE. PARTS WHICH ARE NON-RETURNABLE TO THE FACTORY ARE NON-RETURNABLE TO SONSRAY MACHINERY LLC. IT IS THE RESPONSIBILITY OF THE PURCHASER TO NOTIFY SONSRAY MACHINERY IN WRITING OF ANY DAMAGES OR DEFECTIVE MERCHANDISE WITHIN 10 DAYS OF DELIVERY OR PICKUP, IF NOTIFICATION IS NOT RECEIVED IN WRITING WITHIN 10 DAYS OF DELIVERY, SONSRAY MACHINERY LLC. SHALL NOT BE HELD LIABLE FOR ANY CLAIMS.

IN THE EVENT ANY LEGAL PROCEEDING IS COMMENCED FOR THE PURPOSE OF INTERPRETING OR ENFORCING ANY PROVISION OF THIS INVOICE OR TO COLLECT ANY INDEBTEDNESS EVIDENCED HEREBY, THE PREVAILING PARTY IN SUCH PROCEEDING SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEY FEES IN THE PROCEEDING, OR ANY APPEAL THEREOF, TO BE SET BY THE COURT WITHOUT THE NECESSITY OF HEARING TESTIMONY OR RECEIVING EVIDENCE, IN ADDITION TO THE COSTS AND DISBURSEMENT S ALLOWED BY LAW. SUCH SUM SHALL INCLUDE AN AMOUNT ESTIMATED BY THE COURT AS THE REASONABLE COSTS AND FEES TO BE INCURRED BY THE PREVAILING PARTY IN COLLECTING ANY MONETARY JUDGEMENT OR AWARD OR OTHERWISE ENFORCING ANY ORDER, JUDGEMENT OR DECREE ENTERED IN SUCH SUIT OR ACTION. IN ADDITION, IN THE EVENT OF NON-PAYMENT BY THE CUSTOMER, AGREES TO PAY ALL REASONABLE ATTORNEY FEES AND LEGAL EXPENSES INCURRED BY SONSRAY MACHINERY LLC. IN COLLECTING ANY SUCH SUMS DUE HEREUNDER EVEN THOUGH NO LITIGATION IS FILED.

ANY DISPUTE IN REGARDS TO PARTS OR SERVICE MUST BE SUBMITTED IN WRITING TO SONSRAY MACHINERY LLC. WITHIN 30 DAYS. ALL PORTION OF ACCOUNT NOT IN DISPUTE MUST BE PAID BEFORE DISPUTED ITEMS ARE ADDRESSED.

SONSRAY WARRANTY: CASE AND NON-CASE PRODUCT WORKMANSHIP ONLY, IS COVERED BY A 90 DAY WARRANTY AS LONG AS THE OEM PARTS WERE BOUGHT AT OUR DEALERSHIP. IF CASE PARTS USED HAVE LONGER WARRANTY THE WORKMANSHIP LABOR WARRANTY FOLLOWS THE SAME COVERAGE LENGTH. IF NON-CASE PARTS USED HAVE LONGER WARRANTY THE WORKMANSHIP WILL FOLLOW THE SAME WARRANTY COVERAGE LENGTH. WORKMANSHIP WARRANTY ONLY APPLIES TO THE RECOMMENDED SOLUTION BY THE SONSRAY SHOP. WORKMANSHIP WARRANTY COVERAGE WILL BE VOIDED IF THE ORIGINAL WORK ORDER INVOICES BALANCE HAS NOT BEEN PAID IN FULL.



REMIT TO:
SONSRAY MACHINERY LLC.
PO BOX 745021
LOS ANGELES, CA 90074-5021

QUOTATION NO RQT000614	DATE 08-19-2024
PAYMENT TERMS NET 30 DAYS	

Sonsray Machinery
 10950 South Norwalk Blvd
 Santa Fe Springs CA 90670
 (562) 903-7377

CUSTOMER NO BP0017734
CUSTOMER PO CX80C

RENTAL QUOTATION

INVOICE TO:

SAN BERNARDINO VALLEY WATER DIS
 1630 W REDLANDS BLVD SUITE A
 REDLANDS CA 92373

SHIP TO:

SAN BERNARDINO VALLEY WATER
 DIS
 MENTONE CA

SALESMAN : Richard Vasquez

DELIVERY TERMS :

CONTACT :

UNIT(S) TO BE RETURNED CLEAN, FULL TANK OF FUEL & WITH A KEY. CUSTOMER LIABLE FOR ANY DAMAGE INCURRED DURING RENTAL. WORKING OR MACHINE HOURS ARE NOT TO EXCEED 8 HOURS PER DAY, 40 HOURS IN A WEEK AND 160 HOURS IN ONE MONTH (28 DAYS). ADDITIONAL CHARGES FOR OVERTIME USAGE, MISSING KEYS & EQUIPMENT NOT RETURNED WITH FULL TANK OF FUEL.

RENTAL BEGINS : 08-19-2024

EST RETURN : 09-16-2024

UNIT	PRICE	TOTAL
10 CX80C MIDI EXCAVATOR	2,899.00	2,899.00
CASE EQUIPMENT MODEL:		
RATES: 399.00/DAY 999.00/WEEK 2899.00/4 WEEKS		
10 PROPERTY TAX	21.74	21.74
10 DELIVERY	150.00	150.00
10 PICK UP	150.00	150.00
10 HAULING SURCHARGE	30.00	30.00

SALES TAX DETAILS:

CA -CA STATE TAX 7.25% : 231.94
 CACOSANBE-SAN BERNARDINO COUNTY TAX 0.5% : 16.00

TOTAL RENTAL	2,899.00
SUBTOTAL	351.74
SALES TAX	247.94
ENVIRONMENTAL	57.98
TOTAL AMOUNT (USD)	3,556.66

Sonsray Machinery

CUSTOMER ACCEPTANCE

CUSTOMER PO



REMIT TO:
SONSRAY MACHINERY LLC.
PO BOX 745021
LOS ANGELES, CA 90074-5021

QUOTATION NO RQT000614	DATE 08-19-2024
PAYMENT TERMS NET 30 DAYS	

Sonsray Machinery
10950 South Norwalk Blvd
Santa Fe Springs CA 90670
(562) 903-7377

CUSTOMER NO BP0017734
CUSTOMER PO CX80C

RENTAL QUOTATION

THESE ARE THE STANDARD TERMS FOR ALL ESTABLISHED SONSRAY MACHINERY LLC. CREDIT ACCOUNTS IN GOOD STANDING AT THE TIME OF PURCHASE.

PARTS & SERVICE: NET 30 DAYS
RENTALS: PAYMENT IN ADVANCE
MACHINE SALES: IN FULL UPON DELIVERY

TERMS AND CONDITIONS

A 1.5% SERVICE CHARGE WILL BE IMPOSED ON ALL PAST DUE BALANCES.

UNIT PRICES ARE BASED UPON SELLING PRICES IN EFFECT AT TIME OF SHIPMENT NOT AT DATE OF YOUR ORDER.

NO PARTS MAY BE RETURNED WITHOUT PERMISSION FROM SONSRAY MACHINERY LLC. AND IN NO CASE WILL ANY RETURNED PARTS BE ACCEPTED IF RETURN DATE IS IN EXCESS OF 10 DAYS FROM PURCHASE DATE. ALL PARTS ARE SUBJECT TO 15% RESTOCKING CHARGE. PARTS WHICH ARE NON-RETURNABLE TO THE FACTORY ARE NON-RETURNABLE TO SONSRAY MACHINERY LLC. IT IS THE RESPONSIBILITY OF THE PURCHASER TO NOTIFY SONSRAY MACHINERY IN WRITING OF ANY DAMAGES OR DEFECTIVE MERCHANDISE WITHIN 10 DAYS OF DELIVERY OR PICKUP, IF NOTIFICATION IS NOT RECEIVED IN WRITING WITHIN 10 DAYS OF DELIVERY, SONSRAY MACHINERY LLC. SHALL NOT BE HELD LIABLE FOR ANY CLAIMS.

IN THE EVENT ANY LEGAL PROCEEDING IS COMMENCED FOR THE PURPOSE OF INTERPRETING OR ENFORCING ANY PROVISION OF THIS INVOICE OR TO COLLECT ANY INDEBTEDNESS EVIDENCED HEREBY, THE PREVAILING PARTY IN SUCH PROCEEDING SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEY FEES IN THE PROCEEDING, OR ANY APPEAL THEREOF, TO BE SET BY THE COURT WITHOUT THE NECESSITY OF HEARING TESTIMONY OR RECEIVING EVIDENCE, IN ADDITION TO THE COSTS AND DISBURSEMENT S ALLOWED BY LAW. SUCH SUM SHALL INCLUDE AN AMOUNT ESTIMATED BY THE COURT AS THE REASONABLE COSTS AND FEES TO BE INCURRED BY THE PREVAILING PARTY IN COLLECTING ANY MONETARY JUDGEMENT OR AWARD OR OTHERWISE ENFORCING ANY ORDER, JUDGEMENT OR DECREE ENTERED IN SUCH SUIT OR ACTION. IN ADDITION, IN THE EVENT OF NON-PAYMENT BY THE CUSTOMER, AGREES TO PAY ALL REASONABLE ATTORNEY FEES AND LEGAL EXPENSES INCURRED BY SONSRAY MACHINERY LLC. IN COLLECTING ANY SUCH SUMS DUE HEREUNDER EVEN THOUGH NO LITIGATION IS FILED.

ANY DISPUTE IN REGARDS TO PARTS OR SERVICE MUST BE SUBMITTED IN WRITING TO SONSRAY MACHINERY LLC. WITHIN 30 DAYS. ALL PORTION OF ACCOUNT NOT IN DISPUTE MUST BE PAID BEFORE DISPUTED ITEMS ARE ADDRESSED.

SONSRAY WARRANTY: CASE AND NON-CASE PRODUCT WORKMANSHIP ONLY, IS COVERED BY A 90 DAY WARRANTY AS LONG AS THE OEM PARTS WERE BOUGHT AT OUR DEALERSHIP. IF CASE PARTS USED HAVE LONGER WARRANTY THE WORKMANSHIP LABOR WARRANTY FOLLOWS THE SAME COVERAGE LENGTH. IF NON-CASE PARTS USED HAVE LONGER WARRANTY THE WORKMANSHIP WILL FOLLOW THE SAME WARRANTY COVERAGE LENGTH. WORKMANSHIP WARRANTY ONLY APPLIES TO THE RECOMMENDED SOLUTION BY THE SONSRAY SHOP. WORKMANSHIP WARRANTY COVERAGE WILL BE VOIDED IF THE ORIGINAL WORK ORDER INVOICES BALANCE HAS NOT BEEN PAID IN FULL.



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

Memorandum No. 2052

To: Board of Directors
From: Betsy Miller, General Manager
Date: September 11, 2024
Subject: CSDA 2025 Committee and Expert Feedback Team Appointments

RECOMMENDATION

Provide direction to staff regarding submission of interest forms for Director service on California Special Districts Association (CSDA) committees and/or Expert Feedback Teams for 2025. The yearly terms of office run from January 1, 2025, to December 31, 2026.

BACKGROUND

CSDA is a 501c (6), not-for-profit association that was formed in 1969 to promote good governance and improved core local services through professional development, advocacy, and other services for all types of independent special districts. CSDA invites Directors from member agencies to serve on their committees and Expert Feedback Teams dedicated to issues that concern special districts in California.

CSDA Committees

CSDA Committees meet at least twice annually, with minimum mandatory attendance by committee members at one of the two annual meetings. Additionally, the CSDA Legislative Committee requires member attendance at CSDA Special District Legislative Days and the Annual Conference in addition to the committee meetings. Although the locations may vary, meetings are typically held in Sacramento.

The Committees are:

- Audit Committee
- Elections & Bylaws Committee
- Fiscal Committee
- Legislative Committee
- Membership Services Committee
- Professional Development Committee

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:
Hillary Jenkins

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Betsy Miller

Expert Feedback Teams

Expert Feedback Teams provide input to CSDA advocacy staff on specific areas of public policy facing special districts. Team members demonstrate firsthand experience in the issue(s) and need only reply to periodic emails with their thoughts, opinions, and experiences. Expert feedback team members will not be required to travel; however, they should expect to receive a handful of e-mails each month and, on rare occasions, they may be contacted by phone.

The Teams are:

- Environment
- Formation and Reorganization
- Governance
- Human Resources and Personnel
- Legal
- Public Works and Facilities
- Revenue

The District has been a member of CSDA since December 22, 2008, and we primarily utilize CSDA for training, conferences, and legislative support. District Board members do not currently serve on a CSDA committees or Expert Feedback Team.

The deadline for submission of the interest form is October 4, 2024.

FISCAL IMPACT

The District is responsible for all costs associated with the Director service to CSDA committees. Committees meet 1-3 times annually. Meetings not held online or at the conferences may require per diem, food, and travel to Sacramento, with an estimated average trip cost of \$805 including \$270 for per diem, \$135 for one day of food reimbursement, and \$400 for refundable Business Select tickets from Ontario to Sacramento; note that this cost does not include costs for an overnight stay if needed.

Using the estimates above, approval of this item will result in expenditure of approximately \$2,415 from GL 6401 Director's Fees, GL 6415 Airfare, and GL 6425 Meals, if up to three meetings are held in person in Sacramento.

POTENTIAL MOTIONS

1. Direct staff to submit CSDA Committee interest forms for one or more Directors for one or more committees.
2. Provide other direction to staff.
3. Take no action.

ATTACHMENTS

None



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2053

To: Board of Directors

From: Betsy Miller, General Manager

Date: September 11, 2024

Subject: Association of San Bernardino County Special District's 2025 Dinner Meeting

RECOMMENDATION

Select primary and secondary dates to host the Association of San Bernardino County Special District's dinner in 2025, if desired.

BACKGROUND AND DISCUSSION

The Association of San Bernardino County Special District's (ASBCSD) has extended a request for hosts for the 2025 monthly dinner series. Staff seeks Board direction on whether the District would like to host in 2025, as we did in 2022. Available 2025 dates include March 17, May 12, July 21, August 18, and November 17. If the Board seeks to host, the selected date will be included on the draft 2025 Board Calendar to be presented to the Board.

FISCAL IMPACT

Approval of the recommended action would result in expenditure of up to \$2,950 from GL 6007, Inter-district Costs. Costs were estimated based on expenses from the June 2022 dinner hosted by the District and include staff time to support the event, per diem for Board members in attendance, portions of the dinner costs not reimbursed by ASBCSD, and costs for centerpieces, Board member and staff dinners, and raffle items to support the ASBCSD scholarship fund.

ATTACHMENTS

None

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www.sbvwd.org Email: info@sbvwd.org

**BOARD OF
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Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

**GENERAL
MANAGER**

Betsy Miller



**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

Memorandum No. 2054

To: Board of Directors
From: Betsy Miller, General Manager
Date: September 11, 2024
Subject: Investigation List for Groundwater Assessment No. 62

RECOMMENDATION

Review, discuss, and direct staff to investigate registered well owners who have not responded to or failed to pay Groundwater Assessment No. 62.

BACKGROUND AND DISCUSSION

In June 2024, the District sent notices to all producers for groundwater assessment (GWA) #62 covering the period from January 1, 2024, through June 30, 2024. After each assessment period’s payment deadline, staff sends late notices, calls producers who have not responded, and offers aid to those who have filed incorrect statements, failed to file, and/or failed to pay, in accordance with Board-approved procedures.

For GWA #62, late statements were mailed in mid-August to each registered well owner who has not responded to or failed to pay GWA #62, with follow-ups by phone and email as needed. At this time, contact has been made with two of the eleven well owners. The outstanding remaining groundwater assessment payments for GWA #62 are estimated at less than \$2,000.

FISCAL IMPACT

Approximately \$500 of staff time was spent to follow up and work with non-respondents and late payers.

ATTACHMENTS

Past Due GW #62 Producers Investigation List

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

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Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Betsy Miller

PAST DUE GW #62 PRODUCERS Investigation list

Producers	Well Code	Recordation	Last Payment/Reporting	Expect Pymt/Report	Late Reporters	Field Visit Needed
1. Doug Guyette	1N4W36M01S	3600458	\$0/GW #60 (Jan-Jun 2023)		X	
		3610007	\$0/GW #60 (Jan-Jun 2023)		X	
2. DRC Industrial	3601352					
3. George Everett/New Owner		WP0003068	\$0/GW #57 (Jul-Dec 2021)			X
4. George Meadows		WP0002552	\$0/GW #61 (Jan-Jun 2024)		X	
5. Inland Valley Development Agency		87	\$0/GW #61 (Jan-Jun 2024)		X	
		89	\$0/GW #61 (Jan-Jun 2024)		X	
		91	\$0/GW #61 (Jan-Jun 2024)		X	
		86	\$0/GW #61 (Jan-Jun 2024)		X	
6. Lucky Farms, Inc./Spring Pacific	1S3W19A01S	3603554	\$0/GW #55 (Jul-Dec 2020)			
7. Mroland Management Services	1S2W30H	3601126	\$191.69/GW #60 (Jan-Jun 2023)		X	
8. Montecito Memorial Park and Mortuary		3600119	\$334.75/GW #61 (Jan-Jun 2024)		X	
		3603949	\$334.75/GW #61 (Jan-Jun 2024)		X	
9. Highpointes Groves LLC		3601728	\$0/GW #61 (Jan-Jun 2024)		X	
10. San Bernardino, County of		3601171	\$0/GW #61 (Jan-Jun 2024)		X	
11. Splash Kingdom Waterpark	1S3W19J07S	3602549	\$0/GW #59 (Jul-Dec 2022)		X	



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

Environmental Update
as of August 30, 2024

Wash Plan Implementation – Monitoring Activities

- San Bernardino Kangaroo Rate (SBKR) Monitoring Program
 - Survey locations for fall 2024 SBKR monitoring was provided to District consultants on August 14. Data included the location of 101 plots (91 permanent and 10 random) to be trapped in the Wash and 32 plots (28 permanent and 4 random) to be trapped at Mill Creek consistent with the Wash Plan and draft Conservation Benefit Agreement, respectively.
- California Gnatcatcher (CAGN) Monitoring Program
 - Final reports detailing the results of the 2024 monitoring activities at Mill Creek and in the Wash were received from Mikael Romich on August 6 and 21, respectively. In total, 40 breeding pairs of California gnatcatchers were observed in the two sampled areas (with 21 in Mill Creek and 19 in the Wash Plan Preserve), up from 27 observed in 2023.

Wash Plan Implementation – Management Activities

- Slender-horned Spineflower (SHSF) Restoration Program
 - A primer for SHSF restoration has been drafted by District staff for presentation to the Preserve Management Committee and SHSF Working Group. The primer serves to capture the work completed by the Conservation District in developing a restoration program and principal steps in framing a restoration plan for SHSF since signing of the Wash Plan in 2020.
- BLM Fuels Management Grant and Wildland Fire
 - Following production of a draft plan by Mikael Romich for addressing fuel loads and improving habitat conditions for SBKR in areas of the Wash treated for grasses last winter, field meetings were held by District staff with BLM, Nakae & Associates, and Mikael Romich on August 22 and 28 to discuss plans for preparing areas west of Railroad Line Road to receive and spread sand to be transported from the Mill Creek Facilities.

Wash Plan Implementation – Organizational Structure, Planning, and Reporting

- On August 29, District staff shared monitoring data for SBKR and SHSF collected by the District as part of Wash Plan implementation with San Bernardino County and the Army Corps of Engineers in support of the Corps' effort to finalize the Multi-species Habitat Management Plan (MSHMP) for the Woolly Star Preserve Area.

Wash Plan Programmatic Permits

- USACE 404 Programmatic Individual Agreement – District staff and AECOM continue to meet with USACE weekly in support of completion of the Environmental Assessment



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

(EA) and eventual issuance of the standard individual permit estimated to be completed by the end of 2024.

- On August 8, CDFW informed the District the Department determined the federal findings tied to approval of the Wash Plan were not consistent with the requirements of the California Endangered Species Act and filed an Inconsistency Determination with the state (No. 2080-2024-014-06).

Mill Creek Programmatic Permits

- On August 28, District staff submitted to CDFW a 1602 Notification for the Mill Creek Groundwater Recharge Project. This agreement would provide CDFW coverage for continued O&M activities that are essential to its long-term operation of the Mill Creek Facility.

Community Mitigation Program

- On August 20, District staff met with the Blossom Trails development team to discuss mitigation measures to be implemented by the Trust and District required by CDFW and USFWS for expected impacts to SBKR caused by the development located off Greenspot Road. Discussions focused on the purchase of a conservation easement for and long-term management of approximately 20 acres of District property in the Wash.



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

Engineering Update
as of September 3, 2024

Mentone Shop

- Construction has halted following notice by the contractor that they can no longer complete the project
- District staff are pursuing next steps per the contract to complete the project

Enhanced Recharge Phase 1B

- Rough Grading of basins J, K, and L continue
- Pipe placement between inlet structures in ongoing
- Pouring final drop structures

PERC (Active Recharge Transfer) Projects

- Multiple objectives decision support system (MODSS) concepts as a tool to prioritize projects was presented to the District Operations Committee and PERC Policy Committee

PERC Projects: Waterman, Twin Creek, and Lynwood Basins (Tetra Tech Consulting Team)

- Vetted project alternatives with technical team and developed one grading alternative at Waterman Percolation Basins, and two grading alternatives at Twin Creek Spreading Grounds along with an operational alternative for each of the three facilities relying upon existing infrastructure with upgrades
- Conservation District staff provided written and graphical updates on progress on the Waterman Percolation Basin and the Lynwood Basins project alternatives to County Flood Control District
- Drafting of Twin Creeks project alternatives is in progress
- The project hydrology report of water availability in Waterman Creek, Twin Creek, and the Lynwood drainage area was adopted for the hydraulic modeling of the different project alternatives comparative groundwater recharge benefits; typical hydrographs generated for a 1-day storm, a 6-day storm, and a 6-day constant flow rate condition
- The number of hydraulic model runs needed is large and completing this work by early November will be challenging; completion by that time is necessary to complete at year's end

PERC Projects: Plunge and Oak Creeks (CASC Consulting Team)

- The scope amendment authorized in July 2024 to develop statistically based stormwater hydrographs (rather than model-based hydrographs) is nearing completion

PERC Projects: Mill Creek (Q3 Consulting Team)

- Mill Creek upgraded facility project Alternative 1 is being hydraulically modeled by Q3 Consulting with initial water routing model runs through the basins completed in August;



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

currently, scenarios of percolation basin groups being out of operation for maintenance are being modeled for the Conservation District's proposed alternative and existing conditions

- Engineering is working with Q3 to use their hydraulic model to identify working aspects of two additional Mill Creek grading alternatives

Upper SAR Watershed Models for Surface Water to Groundwater Interaction

- Work is on-going to review spreading ground footprints over time with Valley District and City of San Bernardino
- Development of an RFP for a separate but related model refinement and calibration project for the Rialto-Colton and San Bernardino basins with Valley District and City of San Bernardino (and other regional project partners) is underway

General Manager's Report



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

September 2024

Betsy Miller, General Manager

To implement the Board’s Goals and directed actions, significant staff resources were allocated last month to groundwater recharge, PERC, and construction of the Mentone Shop.

AUGUST 2024 HIGHLIGHTS

- District recharge to date for WY24 totals 71,022 AF.
- Fully executed award agreement with U.S. Bureau of Reclamation for the District’s Knowledge Systems Development through Integrated Santa Ana River Model Enhancements to Quantify a Century of Managed Aquifer Recharge and Build Forecasting Capacity for the San Bernardino Basin WaterSMART Applied Science Grant.
- Hosted Qualified Water Efficient Landscaper training on August 21-23 and September 3-5.

💧 Water Conservation Update 💧

Santa Ana River and Mill Creek continue to receive flows from snowmelt and the State Water Project (SWP). Total District recharge in WY24 is 71,022 AF to date, including 23,504 of SWP water.

AUGUST 2024 RECHARGE SUMMARY		
Mill Creek	Santa Ana River	Plunge Creek
1,688 AF <i>(including 1,319 AF SWP)</i>	1,793 AF <i>(including 1,265 AF SWP)</i>	0 AF

Administrative Updates

TOPIC	PERSONNEL	GOAL #	1
<ul style="list-style-type: none"> • None 			
TOPIC	FINANCE	GOAL #	1
<ul style="list-style-type: none"> • Significant work has been completed towards the FY24 Audit 			

TOPIC	PROPERTY	GOAL #	1
<u>Redlands Plaza</u> <ul style="list-style-type: none"> Discussions are underway regarding the relocation of tenants to support expansion of District offices 			

Project and Program Updates

PROJECT	PROGRAM FOR EXPANSION OF RECHARGE CAPACITY (PERC)	GOAL #	1, 2, 4
<ul style="list-style-type: none"> Refer to Engineering Update for details 			
PROJECT	ENHANCED RECHARGE	GOAL #	1
<ul style="list-style-type: none"> Ten of the new basins have received water for recharge District biologists and engineers meet weekly with Valley District team for project coordination, updates, and problem-solving 			
PROJECT	MENTONE SHOP CONSTRUCTION	GOAL #	2
<ul style="list-style-type: none"> Construction has halted following notice by the contractor that they can no longer complete the project District staff are pursuing next steps per the contract to complete the project 			
PROJECT	GRANTS	GOAL #	6
<ul style="list-style-type: none"> The final Agreement for the Bureau of Reclamation Award No. R24AP00399 for the Knowledge Systems Development through Integrated Santa Ana River Model Enhancements to Quantify a Century of Managed Aquifer Recharge and Build Forecasting Capacity for the San Bernardino Basin was received on August 16 			
PROJECT	FORECAST-INFORMED RESERVOIR OPERATIONS	GOAL #	1
<ul style="list-style-type: none"> None 			
PROJECT	PLUNGE CREEK CONSERVATION	GOAL #	1, 4
<ul style="list-style-type: none"> Total project recharge for this water year to date is 1,324 AF 			
PROJECT	WASH PLAN HCP	GOAL #	4
<ul style="list-style-type: none"> Wash Plan-required San Bernardino kangaroo rat monitoring for 2024 will begin this month Refer to Environmental Update for additional details 			

Santa Ana River Wash Plan Land Exchange Act Implementation

- District staff provided comments on the draft General Warranty and Patent on August 14

PROJECT	WILDLANDS TRAILS	GOAL #	3
<ul style="list-style-type: none"> • On August 8, Redlands staff indicated that the MOU will be presented to City Council on September 17 			

Operations & Maintenance Updates

TOPIC	FACILITIES	GOAL #	1
<p>Water recharge operations are focused on:</p> <ul style="list-style-type: none"> • Coordination with the Enhanced Recharge team to maximize recharge during construction • Operation of the completed Enhanced Recharge basins • On-going recharge operations at existing facilities, with a focus on State Project Water 			
TOPIC	AGGREGATE MANAGEMENT	GOAL #	1
<ul style="list-style-type: none"> • Upland Rock continues processing and selling sand/rock from District basin maintenance efforts to support efficient recharge operations 			

Partnership Updates

TOPIC	CONSERVATION TRUST	GOAL #	4
<ul style="list-style-type: none"> • None 			
TOPIC	MINING	GOAL #	N/A
<ul style="list-style-type: none"> • CEMEX continues to mine the Plant Site quarry under their lease with the District 			

Communication & Engagement Updates

TOPIC	EDUCATION	GOAL #	5
<ul style="list-style-type: none"> • Inland Empire Resources Conservation District education staff updated materials used for the District’s water conservation efforts in preparation for the up-coming school year 			

- Ms. Miller met with California-based staff for Sustainable Agriculture to share the District’s experience with groundwater recharge and learn more about Sustainable Agriculture’s water-related focus areas on August 12
- Ms. Miller and Mr. Lambie provided a presentation for the Senior Project related to the PERC Projects to the Cal Poly Pomona College of Engineering on August 26
- The District hosted Qualified Water Efficient Landscaper training on August 21-23 and September 3-5

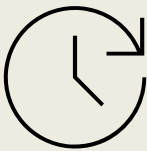
TOPIC	CONFERENCES	GOAL #	5
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- Ms. Miller attended the Urban Water Institute’s 2024 Annual Conference on August 23
- Ms. Miller attended ACWA’s Executive Edge Leadership Forum on August 29-30

TOPIC	MEDIA/LEGISLATIVE	GOAL #	5
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- None

FUTURE ACTIVITIES



Expected short-term items for Board consideration:

- Outreach Plan
- PR contracts
- Consideration of website update
- Maintenance contract for removal of sand at Mill Creek

Photo Gallery



Water flowing into the canal upgraded by the Enhanced Recharge project on August 8



Water flowing into the canal upgraded by the Enhanced Recharge project on August 8



Water flowing into the canal upgraded by the Enhanced Recharge project on August 8

San Bernardino Valley Water Conservation District

Monthly Recharge Report

From: 8/1/2024
To: 8/31/2024



	August				
	Avg Daily Recharge	Monthly Recharge	Recharge WYTD	10yr Avg Recharge*	BTAC Max**
Santa Ana River	17.0	528	27,927	14,913	71,250
Mill Creek	11.8	367	12,097	4,568	42,750
Plunge Creek	0.0	-	1,324	1,233	#N/A
State Water Project	83.3	2,584	23,504	7,093	#N/A
In River Channel Recharge***	1.0	31	6,171	#N/A	#N/A
Total	113	3,510	71,022	27,807	114,000

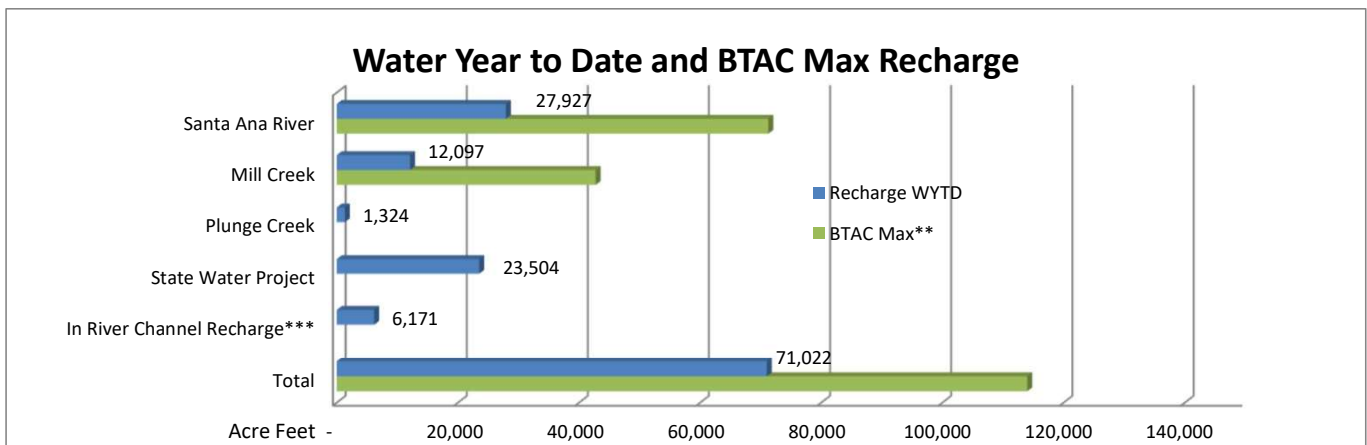
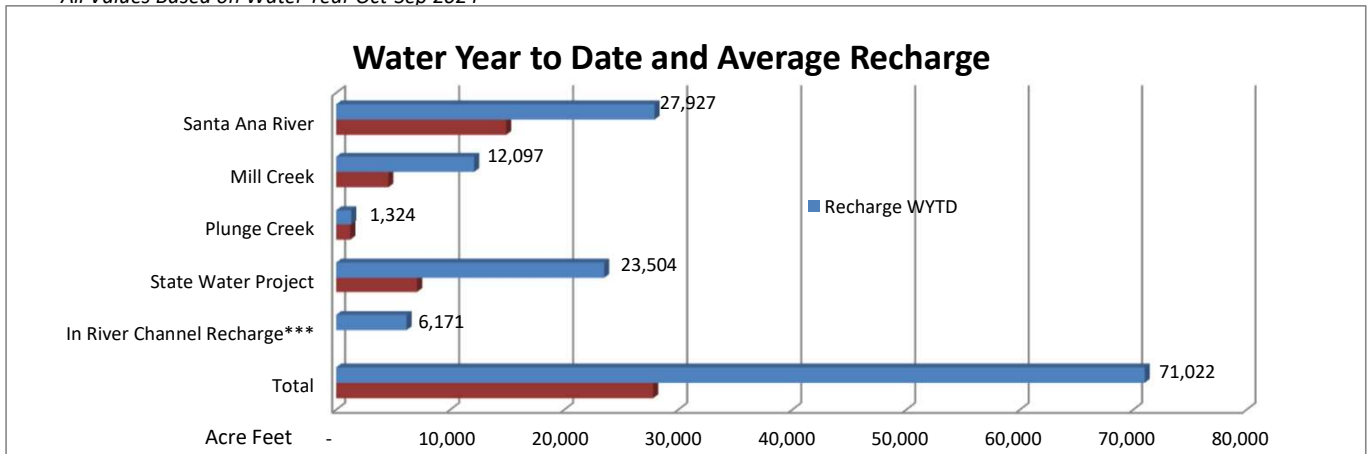
Values in Acre Feet

* Plunge Creek only has 3 years of available data

**BTAC Revised Max in December 2023

***Monitoring began in Mid-April 2011

**** All Values Based on Water Year Oct-Sep 2024





**San Bernardino Valley
Water Conservation District**

Helping Nature Store Our Water

QWEL

TRAINING & CERTIFICATION

In collaboration with regional partners, SBVWCD and SBMWD are proud to offer Qualified Water Efficient Landscaper (QWEL) training to key community stakeholders. This training will highlight techniques to improve water efficiency and enhance landscapes using sustainable practices.

Space is limited. Please reserve now by clicking [here](#) or contacting Darian.Brown@SBMWD.org



**25318 5th St.
San Bernardino
92410**



8:30 AM - 3:00 PM

Package Page 93 of 99



**August 21-23
2024**



*****Senate FLOOR ALERT*****

AB 2257 (Wilson) – SUPPORT

We, the above coalition of public agencies, associations, environmental and labor groups, respectfully request your support and urge your “Aye” vote on AB 2257, which would improve the financial stability of public water and sewer agencies by enhancing public engagement during the ratemaking process.

Public water and sewer agencies provide essential government services for the benefit of communities, agriculture, industries, and the environment. These agencies are responsible for ensuring a consistent and reliable water supply, safeguarding the quality of drinking water, planning, constructing, and maintaining critical infrastructure, and much more. With climate change presenting unprecedented challenges, these agencies are also making generational investments in water supply infrastructure to mitigate the impacts of increasingly frequent and severe climate-related events.

The revenue necessary for public agencies to fulfill their essential government functions and adapt to a changing climate predominantly comes from service rates and assessments. While these agencies require financial stability to meet ever increasing demands, a rise in Proposition 218 litigation is making it increasingly difficult to ensure agencies can pass fair and reasonable rates to cover the costs of operations and investments.

AB 2257 would improve the ratemaking process by authorizing public agencies to adopt procedures for the submittal and consideration of public comments regarding proposed water and sewer rates and assessments.

PROMOTES INCREASED DIALOGUE AND TRANSPARENCY IN THE RATEMAKING PROCESS

Oftentimes, Proposition 218 lawsuits are filed without first having raised concerns with the public agency during the public notice-and-comment process leading up to the decision to adopt rates or assessments. This prevents public agencies from responding to, and endeavoring to resolve, the dispute and avoid litigation.

If an agency elects to adopt the procedures proposed in **AB 2257**, a person would be required to timely submit a written objection specifying the particular Proposition 218 compliance concern during the ratemaking process, in order to challenge the adopted rates or assessments in court. Public agencies would be required to consider and respond in writing to the objections. This process would help agencies develop more defensible rates and build rapport and trust with their ratepayers.

ALLOWS A PUBLIC AGENCY TO BETTER UNDERSTAND PUBLIC CONCERNS DURING THE RATEMAKING PROCESS

AB 2257 would create a greater understanding of potential concerns and the agency's responses to those concerns, providing the agency's board the opportunity to abandon its ratemaking/assessment proposal, change it (reduce it), or to better explain why it complies with Proposition 218's substantive limitations. **AB 2257** would foster better-informed administrative decisions, which benefit the objector, the public agency, and members of the public within the public agency's jurisdiction.

PROTECTS BOTH LEGISLATIVE AND ADJUDICATIVE FUNCTIONS

Litigation should not be the option of first resort to resolve disputes, particularly when a public process exists to raise and hear concerns. **AB 2257** would enhance this process by allowing the board of directors of a public agency—a legislative body—to hear the evidence, apply its reasoned discretion and expertise, and create a better administrative record to in the event of judicial review.

AMENDMENTS CLARIFY AB 2257 ONLY APPLIES TO LITIGATION RELATED TO PROPOSITION 218

Amendments to **AB 2257** have been largely technical in nature. The amendments help clarify the public noticing process, the fees that would be subject to the provisions of the bill, and specify the bill is not

intended to preclude lawsuits related to a local agency's failure to implement a fee or assessment in compliance with existing law.

We urge your “Aye” Vote on AB 2257

Association of California Water Agencies
Alta Irrigation District
Amador Water Agency
Bella Vista Water District
Brooktrails Township Community Services District
California Alliance For Jobs
California Association of Sanitation Agencies
California Municipal Utilities Association
California Stormwater Quality Association
Calleguas Municipal Water District
Camrosa Water District
City of Sacramento
City of Santa Rosa
Coastside County Water District
Contra Costa Water District
Crescenta Valley Water District
Crestline-Lake Arrowhead Water Agency
Cucamonga Valley Water District
Diablo Water District
Dublin San Ramon Services District
Eastern Municipal Water District
El Toro Water District
Environmental Defense Fund
Fallbrook Public Utility District
Florin Resource Conservation District/Elk Grove Water District
Georgetown Divide Public Utility District
Helix Water District
Hidden Valley Lake Community Services District
Irvine Ranch Water District
Las Virgenes Municipal Water District
Marin Municipal Water District

McKinleyville Community Services District
McMullin Area Groundwater Sustainability Agency
Mendocino County Russian River Flood Control & Water Conservation Improvement District
Mid-Peninsula Water District
Monte Vista Water District
Montecito Water District
Nevada Irrigation District
Olivenhain Municipal Water District
Otay Water District
Padre Dam Municipal Water District
Pajaro Valley Water Management Agency
Placer County Water Agency
Rosedale-Rio Bravo Water Storage District
San Bernardino Valley Water Conservation District
San Juan Water District
Santa Clarita Valley Water Agency
Santa Fe Irrigation District
South San Joaquin Irrigation District
Stockton East Water District
Sweetwater Authority
Tahoe City Public Utility District
Three Valleys Municipal Water District
Tri-County Water Authority
Tuolumne Utilities District
Union Public Utility District
Vallejo Flood and Wastewater District
Valley Center Municipal Water District
Walnut Valley Water District
Western Municipal Water District

TRAVEL AND EXPENSES COST ESTIMATE

Name of Event:	2024 Fall Conference & Expo - Association of California Water Agencies
Event Dates:	12/3/2024 - 12/5/2024
Conference Location:	Palm Desert, CA
Requested by:	John Longville

GL	GL Name	Cost	Notes
	6401 Directors Fees (\$270)	\$ 810.00	3 days
	6410 Mileage (.67)	\$ 93.13	
	6415 Air Fare		
	6420 Other Travel	\$ -	(Parking/Taxi/Rental Car)
	6425 Meals	\$ 172.50	
	6430 Lodging	\$ 501.62	2 nights
	6435 Conference Registration (Full)	\$ 899.00	
	Estimated Total	\$ 2,476.25	

TRAVEL AND EXPENSES COST ESTIMATE

Name of Event:	2024 Fall Conference & Expo - Association of California Water Agencies
Event Dates:	12/3/2024 - 12/5/2024
Conference Location:	Palm Desert, CA
Requested by:	Richard Corneille

GL	GL Name	Cost	Notes
6401	Directors Fees (\$270)	\$ 810.00	3 days
6410	Mileage (.67)	\$ 76.38	
6415	Air Fare		
6420	Other Travel	\$ -	(Parking/Taxi/Rental Car)
6425	Meals	\$ 172.50	
6430	Lodging	\$ 501.62	2 nights
6435	Conference Registration (Full)	\$ 899.00	
Estimated Total		\$ 2,459.50	

TRAVEL AND EXPENSES COST ESTIMATE

Name of Event:	2024 Fall Conference & Expo - Association of California Water Agencies
Event Dates:	12/3/2024 - 12/4/2024
Conference Location:	Palm Desert, CA
Requested by:	Hillary Jenkins

GL	GL Name	Cost	Notes
	6401 Directors Fees (\$270)	\$ 405.00	1.5 days
	6410 Mileage (.67)	\$ 80.40	
	6415 Air Fare		
	6420 Other Travel	\$ -	(Parking/Taxi/Rental Car)
	6425 Meals	\$ 120.75	
	6430 Lodging	\$ 501.62	2 nights
	6435 Conference Registration (Full)	\$ 899.00	
	Estimated Total	\$ 2,006.77	