

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
March 6, 2002

The Regular Meeting of the Board of Directors was called to order at 1:30 p.m. by President Sterling Woodbury. All present stood for the pledge of allegiance.

ROLL CALL:

BOARD MEMBERS PRESENT:

Sterling Woodbury, President
Cheryl A. Tubbs, Vice President
Clare Henry Day, Director
Manuel Aranda, Jr., Director
Melody Henriques, Director
Arnold L. Wright, Director
Bert Marcum Jr., Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esquire

STAFF PRESENT:

D. Burnell Cavender, General Manager/Board Secretary
Tom Crowley, Deputy Manager for Water Resources/Info. Systems
Walter Christensen, Project Manager
Steve Luhn, GIS/CAD Analyst
Colleen Theuer, Administrative Services Manager/Recording Secretary

CONSULTANTS PRESENT:

Susan Patane, SLP Communications
Florence Adams, National Demographics Corporation
Douglas Johnson, National Demographics Corporation
Joe Birman, GSi/water
Linda Bell, GSi/water

1. PUBLIC PARTICIPATION

President Woodbury announced this as the time for any persons present, who so desire, to make an oral petition to the Board of Directors. Hearing none, the meeting proceeded with the published agenda items.

3. REDISTRICTING PROGRAM

This item was taken out of order. Florence Adams and Douglas Johnson, from National Demographics Corporation (NDC), presented two proposals for the new District division boundaries. Using visual aids, Ms. Adams explained the process for dividing the division boundaries, and said they work with the Registrar of Voters to ensure correctness. The new divisions would have to be completed prior to six months before the next election, which takes place in November 2003. Discussion followed. Mr. Cosgrove said the proposals given by NDC were based on minimum requirements for equalizing population as much as possible, in order to comply with the Voting Requirements Act. Director Henriques suggested alternatives to the proposals. After further discussion, Ms. Adams agreed to look at other alternatives submitted by members of the Board and return for another meeting to discuss further. Upon conclusion of the presentation, Ms. Adams and Mr. Johnson left the Board meeting at 2:30 p.m.

5. PUBLIC AWARENESS/VISIBILITY PROGRAM

This item was taken out of order. Ms. Patane reported on current activities of the Public Awareness program. She said the Environmental EXPO flyers, which include the District's name on them, have been sent out. Regarding the District's fact sheets, she said she has been working with a new writer, Darrel Smith, and he has produced very satisfactory work. She concluded by briefly discussing the barbecue in the pit, tentatively scheduled for September.

Mr. Cavender said the next Public Affairs meeting would be March 14, at 3:00 p.m. Ms. Patane left the Board meeting at 2:35 p.m.

4. GROUNDWATER RESEARCH PROGRAM

Mr. Crowley introduced Joe Birman, President of GSi/water, and Linda Bell, a geologist with GSi/water. They provided a presentation on temperature probe technology and how the technology applies to the District's groundwater research program. Using visual aids, Mr. Birman first spoke on the basic objectives of the project: (1) to find out where the water is going; (2) to monitor the water over time; and (3) to determine how affordable the project is for the District. He said if the District pursues the project, a monitoring system would be left in place that could be used at any time in the future. Since drilling is the only way to identify a water table and is extremely expensive, the goal would be to reduce the amount of drilling. He named several techniques that could be used, and explained the process for them all: (1) seismic, electrical, and gravity

techniques; (2) remote sensing techniques; and (3) thermal techniques. He suggested using a "thermal lay" for the District project, showing on a map the areas that would be targeted. Upon conclusion of the presentation, Mr. Birman and Ms. Bell left the meeting at 4:05 p.m.

The Board meeting broke for ten minutes and reconvened at 4:15 p.m.

The Board discussed the GSi/water presentation and the advantages and disadvantages of continuing the temperature probe project. After discussion, the project was put on hold in order for staff to continue research on other technologies.

2. CONSENT CALENDAR

It was moved by Vice President Tubbs and seconded by Director Wright to approve the Consent Calendar, consisting of the minutes of the Regular Meeting of February 6, 2002; the Expenditures for the month of February 2002; and the un-audited Financial Reports for February 2002. The motion carried unanimously.

6. STATUS OF THE "WASH PLAN" ENVIRONMENTAL PROCESS

Mr. Cavender reported that at the PAC and TAC meeting of March 6, the mining companies and the City of Highland (Highland) asked for a 30-day extension to complete a settlement agreement, which would be needed before the Highland City Council could approve to participate in the Task Force Agreement. The PAC and TAC granted the extension.

7. ENGINEERING INVESTIGATION REPORT

Mr. Crowley presented the 2001-2002 Engineering Investigation Report (Report). Using visual aids, he discussed the annual change in storage of groundwater for the Bunker Hill Groundwater Basin for the last ten years; the current year's calculations; and the ensuing year's calculations. He said the precipitation was below normal last year and is expected to be the same in the ensuing year. After the investigation was concluded, the basin storage is 212,200 acre-feet below what would be considered full. He said a total of 415,100 acre-feet would have to be recharged from all sources to bring the basin back to the full amount. Mr. Crowley said that the District should take the necessary steps to continue the construction and maintenance of new and existing facilities to continue recharge operations. Discussion continued.

Mr. Crowley then discussed the proposed budget for the 2002-2003 Groundwater Replenishment Program (GRP), included in the Report. He said the District has had a deficit for the past nine years, and mining revenues and interest from the District reserves have been subsidizing the expenses of the GRP. The rates have not been raised in seven years, but should now be considered.

It was moved by Director Henriques and seconded by Vice President Tubbs to accept the 2001-2002 Engineering Investigation of the Bunker Hill Groundwater Basin. The motion carried unanimously.

The issue of raising the groundwater rates was discussed, after Directors Marcum and Wright were excused from the meeting due to a possible conflict of interest. Mr. Cavender advised the Board that the Finance Committee had met on March 4 and discussed a possible increase in the groundwater rates. He said the water code required that the non-agricultural (non-ag) rate must be between three and five times the rate for agricultural (ag) use. The recommendation of the Finance Committee was to increase the ag rate from \$1.25 to \$1.50 and the non-ag rate from \$4.50 to \$5.00. Director Henriques suggested raising the ag rate to \$5.50. Discussion continued.

It was moved by Director Henriques and seconded by Director Aranda to propose, for purposes of the public hearing and public notices, an increase in the agricultural rate from \$1.25 to \$1.50, and an increase in the non-agricultural rate from \$4.50 to \$5.50 for fiscal year 2002-2003. The motion carried 5-0, with Directors Marcum and Wright excused.

8. COMMITTEE REPORTS

Mr. Cavender said that the next Finance Committee meeting scheduled for April 24 would need to be changed due to a WESTCAS meeting in Washington D.C. The new date was set for April 18, at 2:00 p.m.

9. GENERAL MANAGER'S REPORT

Mr. Cavender reported that the District would be hosting several upcoming meetings. He said the Exchange Plan meeting would take place at the District office on March 20, at 1:30 pm.; the Region 9 Board meeting would also be at the District office on March 28, at 10:00 a.m.; and the Special Districts dinner meeting would be held at the Castaway Restaurant on April 15, at 6:00 p.m.

Mr. Cavender reported that he and President Woodbury would be attending the LAFCO meeting on March 7 to discuss special districts funding for LAFCO in FY 2002-2003. On April 4, the Presidents of the Boards of Directors of all county special districts will meet to elect the representative and alternate to LAFCO.

Mr. Cavender said that the Metropolitan Water District requested that the District grant them a permanent easement on some District property in the Wash. However, the District already leases the property to Southern California Edison. He advised them they would need to contact Southern California Edison.

Mr. Cavender advised the Board that Space K of the District building has been leased to a therapist.

10. ATTORNEY'S REPORT

There was not an attorney's report for this meeting.

11. DIRECTORS' REPORTS

There were no Directors' reports for this meeting.

12. CLOSED SESSION

It was moved by Director Marcum and seconded by Director Henriques to adjourn to Closed Session at 6:10 p.m., as provided by the authority of Government Code Section 54956.9a, application before the State Water Resources Control Board to appropriate waters of the Santa Ana River; Government Code Section 54956.9a, applications by Southern California Edison to re-license hydroelectric plants; Government Code Section 54956.9(b)(3)(a) and Section 54956.9(c), confer with legal counsel regarding significant exposure to litigation in one case; Government Code Section 54956.8, lease and/or real property negotiations with Robertson's Ready Mix; Government Code Section 54956.8, lease and/or real property negotiations with CEMEX, USA.

At 6:15 p.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

13. ADJOURN

There being no further business, the meeting adjourned at 6:15 p.m.

Board Secretary