

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
September 4, 2002

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

ROLL CALL:

BOARD MEMBERS PRESENT:

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:

Sterling Woodbury, President

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esquire

STAFF PRESENT:

D. Burnell Cavender, General Manager/Board Secretary
Tom Crowley, Assistant General Manager
Walter Christensen, Project Manager
Steve Luhn, GIS/CADD Analyst
Colleen Theuer, Administrative Services Manager/Recording Secretary

CONSULTANTS PRESENT:

Susan Patane, SLP Communications

1. PUBLIC PARTICIPATION

Vice President Tubbs 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 regular meeting proceeded with the published agenda items.

2. CONSENT CALENDAR

There was a brief discussion regarding the minutes of the Regular Meeting of August 14.

It was moved by Director Day and seconded by Director Aranda to approve the Consent Calendar, consisting of the minutes of the Board Workshop of August 14, 2002; the minutes of the Regular Meeting of August 14, 2002, as amended; the Expenditures for the month of August 2002; and the un-audited Financial Reports for August 2002. The motion carried 6-0, with President Woodbury absent.

3. PUBLIC AWARENESS/VISIBILITY PROGRAM

Sue Patane reported on current public awareness activities for the District. She said she contacted Steve Lambert, editor of the Sun newspaper, who said he would be willing to do an editorial on the District. The Public Affairs Committee would need to meet to discuss this item further. She has continued to try and contact Representative Bono, but has not been successful. Mr. Cavender said he and Vice President Tubbs would be in Washington D.C. the week of September 23, and they would try to contact Representative Bono at that time. Ms. Patane discussed other possible activities for District participation, including the possibility of a student visit to observe the activities of the engineers.

Mr. Cavender said that Assembly candidate Bob Dutton and his father would be touring the District facilities and field area on September 17. Mr. Dutton's father, Ted Dutton, has been involved in the county's multi-species program.

Mr. Cavender said the next quarterly breakfast that the District co-hosts with the Water Resources Institute would be held on September 11. Ron Gastelum, CEO of the Metropolitan Water District of Southern California, will be the guest speaker.

4. STATUS OF THE "WASH PLAN" ENVIRONMENTAL PROCESS

Mr. Cavender said that on August 27, the City of Highland voted to approve the Task Force Agreement (Agreement) as a full participant. The County of San Bernardino and the San Bernardino County Flood Control District plan to seek approval for the Agreement at their meeting on September 10, and the Bureau of Land Management plans to submit the signed Agreement shortly after Labor Day. Robertson's Ready Mix would be the last remaining agency to sign, which will not occur until other issues of concern are resolved.

5. DROUGHT MANAGEMENT RECHARGE PROJECT

Mr. Crowley reported that after the Board approved District participation in the purchase of State Water Project (SWP) water at the last Board meeting, the Upper Santa Ana

Water Resources Association (USAWRA) drafted a letter to the San Bernardino Valley Municipal Water District (Muni) requesting that they make available up to 40,000 acre feet of SWP water for spreading, at a reduced price of \$50.00/acre-feet (50% of the \$99 per acre foot normally charged). Muni agreed to this proposal. On August 22 the Upper Santa Ana Recharge Committee met to work out the details of the project. Five agencies want to purchase water: East Valley Water District, City of Redlands, City of San Bernardino Municipal Water Department, West San Bernardino County Water District, and Yucaipa Valley Water District. Mr. Crowley used visual aids to show the areas where the water would flow.

Mr. Cavender said that one of the delivery locations, to the newly constructed basins in the SOD Borrow Pit, required a connection of a temporary pipeline from the SARC pipeline. East Valley Water District (EVWD) rented the pipeline required for this connection and had asked the District to pay half of the rental amount of approximately \$15,400. Mr. Cavender said he agreed, due to the importance of the project, and requested the Board ratify this decision. Meanwhile, after the September Board meeting agenda had been published, new information was received from Bob Martin, General Manager of EVWD. Since this new information would require action from the Board, Mr. Cavender requested a finding from the Board to authorize him to bring the new information for action by adding it to the agenda.

It was moved by Director Marcum and seconded by Director Aranda to add an item to the agenda that will consider a request for additional expenditures. The motion carried 6-0, with President Woodbury absent.

Mr. Cavender continued. He said the new information received from Mr. Martin indicated that it would be possible to place a second temporary connection to the first pipeline, allowing the amount of water to increase from 6 to 12 cfs, or approximately from 12 to 24 acre-feet per day. Mr. Martin again requested that the District help pay the cost of renting the second connection. The District's share would amount to \$15,400, or \$7,700 for each of the two pipelines. Discussion continued.

It was moved by Director Marcum and seconded by Director Henriques to ratify action taken by staff to pay 50% of the East Valley Water District cost to rent surface-lay piping to direct water into the District's recharge facilities, approximately \$7,700, and to authorize an additional \$7,700 for the second temporary, above ground pipeline to service the Drought Management Recharge Project, for a total of \$15,400. The motion carried 6-0, with President Woodbury absent.

6. BUDGET AMENDMENT FOR DROUGHT MANAGEMENT RECHARGE PROJECT

Mr. Cavender said that at the last Board meeting of August 14, 2002, the Board directed staff to make \$400,000 available for subsidizing the purchase of State Water Project water. He explained that a budget amendment is necessary and can be accomplished

with changes in several budget accounts. He presented and discussed the revised budget.

It was moved by Director Henriques and seconded by Director Aranda to approve the budget amendment for the Drought Management Recharge Project. The motion carried 6-0, with President Woodbury absent.

7. PROPOSITION 50

Vice President Tubbs recalled that at the Board meeting of August 14, the Board had decided to take no position on Proposition 50, "Clean Water and Costal Protection Bond of 2002". However, after two Board members and the General Manager met with State Senator Mike Machado, Honorary Chair of the Proposition, it was decided that the Proposition should be reconsidered by the Board. The District could possibly qualify for funding support under several categories of Proposition 50; however, Senator Machado, during the District visit with him, indicated that in the competition for those funds, the agencies supporting Proposition 50 would be noted. Discussion continued.

It was moved by Director Aranda and seconded by Director Wright to reconsider Proposition 50. The motion carried 5-0-1, with President Woodbury absent.

Director Day said that if the District is eligible to receive money from Proposition 50, the Board should support it. Discussion continued.

It was moved by Director Aranda and seconded by Director Wright to support Proposition 50, "Clean Water and Costal Protection Bond of 2002." The motion carried 5-1, with President Woodbury absent.

8. SUPPORT OF ACWA ARSENIC RESIDUALS RESEARCH PROJECT

Mr. Cavender said the ACWA Water Quality Committee is soliciting contributions to establish a research fund concerning arsenic in drinking water. The federal standard is 10 parts per billion (ppb); the research fund would be used to determine the cost impact of establishing a lower California standard of 3 ppb.

It was moved by Director Henriques and seconded by Director Aranda to approve a financial contribution of \$500 to ACWA to support continued research into arsenic in drinking water. The motion carried 6-0, with President Woodbury absent.

9. 70TH ANNIVERSARY RESOLUTIONS

Mr. Cavender discussed ratification for Resolution No. 386 to Congressman Lewis and Resolution No. 387 to ACWA, both of which had been presented at the ACWA Regional meeting in August. He said Resolution No. 388 was to be presented at the WRI

breakfast on September 11, but the recipient would not be in town; however it could be presented in absentia. Discussion continued.

It was moved by Director Henriques and seconded by Director Aranda to ratify Resolutions No. 386 and 387 as presented to Congressman Lewis and ACWA, respectively, and approve Resolution No. 388, to be presented at the last WRI Breakfast of the year in November, 2002. The motion carried 6-0, with President Woodbury absent.

Director Henriques commented that ACWA was surprised and very pleased to receive a Resolution from the District commending them on their work.

10. LAND MANAGEMENT-AGREEMENT WITH CEMEX

Mr. Cavender said that the land management agreement with Cemex had not yet been completed.

It was moved by Director Henriques and seconded by Director Marcum to continue this item until the land management agreement with Cemex is complete. The motion carried 6-0, with President Woodbury absent.

11. LAND MANAGEMENT-MENTONE HOUSE

Mr. Crowley discussed replacing the carpet at the Mentone house. He said he personally inspected the carpet and it appears to be fairly worn. It was also discovered that the sub-floor of the house was constructed of wood planks that has allowed dirt and a draft to enter into the house. Mr. Carlisle, the District Field Operations supervisor who resides in the house, volunteered to install a plywood sub-floor prior to installing new carpet. Mr. Carlisle obtained three bids, ranging from \$2,490 to \$2,635. The Board offered several suggestions of other retailers that might give lower prices. Vice President Tubbs suggested giving Mr. Carlisle an allowance of \$1,500 for him to use as he sees fit in repairing the floor and purchasing new carpet. Discussion continued.

It was moved by Director Henriques and seconded by Director Day to allow \$1,500 for carpet and padding, and for the District to pay for the plywood to correct the sub-flooring. The motion failed 3-3, with President Woodbury absent.

Discussion continued.

It was moved by Director Day and seconded by Director Aranda to provide funds to Mr. Carlisle, not to exceed \$1,800, for the purchase of 1/4" plywood for sub-flooring, and for the purchase of carpeting or other type of flooring of his choice, to be installed by Mr. Carlisle, with any additional costs over \$1,800 to be covered by Mr. Carlisle. The motion carried 6-0, with President Woodbury absent.

12. COMMITTEE REPORTS

Mr. Cavender reported on the Finance Committee meeting held shortly before the Board meeting on this date, regarding District investments. He said the District has funds in the Local Agency Investment Fund (LAIF), currently earning 2.7% interest, and the California Asset Management Program (CAMP), currently earning 1.7%. Staff recommended to the Finance Committee to move all funds from CAMP to LAIF. The Committee agreed, but this action would require an amendment to the District Investment Policy.

It was moved by Director Marcum and seconded by Director Henriques to approve the District's revised Statement of Investment Policy, move all funds in CAMP to LAIF, and discontinue investing in CAMP. The motion carried 6-0, with President Woodbury absent.

13. GENERAL MANAGER'S REPORT

Mr. Cavender advised the Board that reservations needed to be made for the Special District's Dinner meeting on September 16.

Mr. Cavender asked Mr. Crowley to report on the Source Water Assessment Program. Mr. Crowley said that all the fieldwork has been completed, and one intern is finalizing the reports. The project should be completed by the end of the year.

Mr. Cavender reported on the City of Redlands' request that the District support a proposed Orange Street well field. After discussion, the Board directed Mr. Cavender to send a letter to the City of Redlands in support of the proposal.

14. ATTORNEY'S REPORT

There was no attorney's report for this meeting.

15. DIRECTORS' REPORT

There were no Directors' reports for this meeting.

16. CLOSED SESSION

It was moved by Director Day and seconded by Director Aranda to adjourn to Closed Session at 3:15 p.m., as provided by the authority of Government Code Section 54956.9a, Applications 31165 and XOO3288 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 Government Code 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. The motion carried 6-0, with President Woodbury absent. Vice President Tubbs was excused due to a possible conflict of interest.

At 3:15 p.m., the meeting broke for a five-minute recess.

At 3:20 p.m. the Closed Session reconvened.

At 4:20 p.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

17. NEXT MEETING

The next Board meeting was scheduled for Wednesday, October 2, 2002 at 1:30 p.m.

18. ADJOURN

There being no further business, the meeting adjourned at 4:20 p.m.

Board Secretary