

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
October 2, 2002

The Regular Meeting of the Board of Directors was called to order at 1:30 p.m. by President 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, Assistant General Manager
Walter Christensen, Project Manager
Colleen Theuer, Administrative Services Manager/Recording Secretary

CONSULTANTS PRESENT:

Susan Patane, SLP Communications

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 regular meeting proceeded with the published agenda items.

2. CONSENT CALENDAR

This item was deferred until later in the meeting.

Mr. Cavender requested adding an item to the agenda, item 8b, regarding the Local Groundwater Assistance Act of 2002. The present item 8 would change to 8a.

It was moved by Director Henriques and seconded by Director Day to add item 8b to the agenda, and change item 8 to 8a. The motion carried unanimously.

At 2:15, the Consent Calendar was discussed.

It was moved by Director Wright and seconded for discussion by Vice President Tubbs to approve the Consent Calendar, consisting of the minutes of the Regular Meeting of September 4, 2002; the Expenditures for the month of September 2002; and the un-audited Financial Reports for September 2002.

Discussion followed on the minutes for the September 4 meeting. President Woodbury suggested changing the way the votes on motions were listed, for clarification in showing that he was absent that day. For example, "The motion carried 6-1, with President Woodbury absent" should read "The motion carried 6-0, with President Woodbury absent." The vote on item #11, Land Management - Mentone House, was also discussed, and it was decided that the meeting tape would need to be checked for confirmation of the vote.

Director Wright amended his motion to approve the Consent Calendar, but table the minutes from the September 2002 meeting until verification of the vote from item #11 could be done by review of the tape. The motion carried unanimously.

3. PUBLIC AWARENESS/VISIBILITY PROGRAM

Mr. Cavender reported on District participation in various activities for the month of September. He said the Quarterly WRI breakfast was held on September 11, at the Hilton Hotel in San Bernardino. Regarding legislative matters, staff made contact with several local candidates/local legislative members during the month. He reported that he and Vice President Tubbs had visited Washington D.C. September 21-26. The primary purpose for the trip was to visit with the staff of Congressman Jerry Lewis about inserting \$300,000 in the U.S. Army Corps of Engineers Environmental Restoration Program (Section 1135) budget for federal fiscal year 2003, to be used for the District's proposed project in the borrow pit. Their staff could offer no guarantees, but indicated they would try their best. Mr. Cavender said they also visited other congressional offices and were well received in all of them.

Ms. Patane discussed the current public affairs activities, including National Groundwater Month in November, the Environmental Expo, and Make a Difference Day. She said two District displays had been ordered. Director Aranda said that on October 4 the San Bernardino Chamber of Commerce would be holding their annual golf tournament, for which the District would be supplying water.

Ms. Patane was excused at 2:00 p.m.

4. STATUS OF THE "WASH PLAN" ENVIRONMENTAL PROCESS

Mr. Christensen reported that the District had received most of the signed copies of the Task Force Agreement and should be receiving the Bureau of Land Management's signed copies soon. Robertson's is still waiting for the completion of negotiations with the District before signing.

5. DROUGHT MANAGEMENT RECHARGE PROJECT

Mr. Crowley updated the Board on the Drought Management Recharge Project. He said there are currently two main areas where recharge is taking place. The first area is the Santa Ana River (SAR) spreading facilities, and the second at the Seven Oaks Dam borrow pit basins. There had been two temporary pipelines constructed at the borrow pit; one has been removed because it was found two were not needed, due to the recharge capacity of the new basins. Currently 7-8 cfs is being recharged in basins 1, 2, and 3 in the borrow pit area. Discussion continued. On the Mill Creek side, Mr. Crowley said he expects to have the construction of the crossover structure on the Redlands Aqueduct completed by October 5, which will permit spreading SAR water, perhaps up to 20 cfs. Since construction at the Greenspot pipeline is still in progress, he does not anticipate recharging in other parts of the Mill Creek spreading grounds until completion of the construction. As of September 27, Santa Ana has recharged about 2500 acre feet; Redlands Aqueduct about 250 acre feet; Sweetwater 750 acre feet; and Waterman about 475 acre feet, for a total of about 4,000 acre feet, in the first 25 days of the program.

Mr. Crowley said that a documentary project on the Drought Management Recharge Project has been proposed by East Valley Water District. They plan to make a video of still photography, and have proposed cost sharing with the District. The cost would be approximately \$10,000, and could possibly be split between four agencies.

6. GROUNDWATER RESEARCH PROJECT

There was a discussion on the Groundwater Research Project. Mr. Crowley said that the District had requested and received a proposal from Geomatrix Consultants, Inc. for the purpose of conducting hydrogeologic studies to support the District's recharge activities. These studies would evaluate the operations of the existing spreading basins as well as the three new recharge basins in the Seven Oaks Dam borrow pit, which

would help the District develop designs for future basins. The costs for the services would be \$18,100. Discussion continued.

It was moved by Director Day and seconded by Director Marcum to approve a contract with Geomatrix Consultants, Inc., in the amount of \$18,100, with reimbursable expenses not to exceed 5%. The motion carried unanimously.

7. LAND MANAGEMENT - RIGHT OF ENTRY PERMIT

Mr. Christensen reported that the Metropolitan Water District of Southern California had requested a temporary right of entry permit for the District's Basin 17, in order for them to perform construction in that area, related to their Inland Feeder project.

It was moved by Director Henriques and seconded by Vice President Tubbs to approve the Temporary Right of Entry Permit with Metropolitan Water District of Southern California, associated with their Inland Feeder project. The motion carried unanimously.

8a. PROFESSIONAL SERVICES CONTRACT

Mr. Cavender discussed the professional services contract with Hicks-Richardson Associates, for Legislative Advocacy Services, due to expire on October 31. He said the current contract was for an introductory period of six months, and staff has been extremely satisfied with their work. The monthly fee of the current contract is \$2,500/month; Hicks-Richardson has requested an increase to \$4,000/month, the usual amount charged to other water agencies. Director Aranda voiced concern that this proposed amount, combined with other consultants' fees, would amount to \$10,000/month. Discussion continued.

It was moved by Director Day and seconded by Director Henriques to approve the First Amendment to Contract Services Agreement for Legislative Advocacy Services with Hicks-Richardson Associates, at a monthly fee of \$4,000. The motion carried 6-1.

8b. LOCAL GROUNDWATER ASSISTANCE ACT OF 2002 GRANT APPLICATION

Mr. Crowley distributed a copy of a memo and a copy of Resolution No. 389 regarding a grant application through the Local Groundwater Assistance Act of 2002. He said grants up to \$250,000 are available to conduct groundwater studies, monitoring, or groundwater activities. If a project cost was over \$250,000 and the District was granted \$100,000, the District would be required to pay the difference. The District proposal would be to develop two multi-port monitoring wells in the area of the Santa Ana River and Mill Creek. Mr. Crowley said he would identify a project scope and cost for the project of not more than \$250,000. Resolution No. 389, authorizing application to the California Department of Water Resources to obtain a local groundwater assistance

grant, is the required first step in the grant process. Staff also contacted Todd Engineers for their assistance in submitting a proposal. Their cost would be \$2,500. The grant proposals are due October 24, 2002. Discussion continued.

It was moved by Director Henriques and seconded by Vice President Tubbs to adopt Resolution No. 389, and to authorize the General Manager to direct Todd Engineers to prepare a grant application at a cost of \$2,500. The motion carried unanimously.

9. COMMITTEE REPORTS

Director Aranda updated the Board on Proposition 50, "Clean Water and Coastal Protection Bond of 2002," and said that his legislative sources have indicated there would be many applications for funds from this Bond, and suggested the District apply as soon as possible after passage of the Bond. Regarding AB 1986, which provides retirement benefits to board members, ACWA and the House and Senate supported this Bill, but it was vetoed by the Governor.

10. GENERAL MANAGER'S REPORT

Mr. Cavender said that items for the General Manager's report were previously discussed in the meeting.

Mr. Cavender discussed the Redlands Plaza financial report.

11. ATTORNEY'S REPORT

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

12. DIRECTORS' REPORTS

There were no Directors' reports for this meeting.

13. CLOSED SESSION

It was moved by Director Day and seconded by Director Aranda to adjourn to Closed Session at 3:30 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

unanimously. Vice President Tubbs was excused from a portion of the Closed Session.

At 3:30 p.m., the meeting broke for a ten-minute recess.

At 3:40 p.m. the Closed Session reconvened.

At 4:25 p.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

14. NEXT MEETING

The next regular Board meeting was scheduled for Wednesday, November 6, 2002 at 1:30 p.m.

15. ADJOURN

There being no further business, the meeting adjourned at 4:25 p.m.

Board Secretary