

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
December 13, 2002

The Regular Meeting of the Board of Directors was called to order at 8:34 a.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, Assistant General Manager
Walter Christensen III, Project Manager
Stephen Luhn, GIS/CAD Analyst
Holly Haberli, Administrative Assistant/Recording Secretary

CONSULTANTS PRESENT:

Susan Patane, SLP Communications
Ralph Simoni, California Advocates

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.

2. CLOSED SESSION

It was moved by Vice President Tubbs and seconded by Director Day to adjourn to Closed Session at 8:35 a.m., as provided by the authority of Government Code 54956.9a, Application before the State Water Resources Control Board to appropriate waters of the Santa Ana River; Government Code Section 54956.9c, 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, consider lease and/or Real Property negotiations with CEMEX, USA; and Government Code Section 54957, consider employment of a public employee. The motion carried unanimously.

At 10:12 a.m., the Board reconvened in Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

President Woodbury welcomed the guest consultants present.

3. CONSENT CALENDAR

It was moved by Vice President Tubbs and seconded by Director Aranda to approve the Consent Calendar, consisting of the minutes of the Regular Meeting of November 6, 2002; the Expenditures for the month of November 2002; and the un-audited Financial Reports as of November 30, 2002. The motion carried unanimously.

It was moved by Director Aranda and seconded by Vice President Tubbs to reverse the agenda sequence of No. 4, Eradication of the Tamarix (Salt Cedar) Tree and No. 5, Recording Board Member Votes on the Agenda. The motion carried unanimously.

4. RECORDING BOARD MEMBER VOTES

Mr. Cavender said that during the last Board meeting, staff was directed to establish a procedure policy for recording member votes when the vote is less than unanimous. Two alternatives for recording Board member votes were presented to the Board for discussion.

It was moved by Vice President Tubbs and seconded by Director Henriques to adopt the following policy: When a vote is less than unanimous, record the names who vote against the motion, are absent, or abstain from voting. The motion carried unanimously.

5. ERADICATION OF THE TAMARIX (SALT CEDAR) TREE

Mr. Cavender said the High Desert Water Agency requested District support in the form of a resolution in the eradication of the Tamarix (Salt Cedar) tree, due to its harmful effects on the environment. Discussion followed.

It was moved by Director Henriques and seconded by Director Day to adopt Resolution No. 391, Supporting Eradication of the Salt Cedar Tree.

Discussion continued. Director Marcum proposed amending the resolution to eradicate the Salt Cedar in drainage and waterways. Director Aranda said he would like more information on the Salt Cedar. Director Henriques asked whether staff time should be spent on this item. Mr. Cavender said at this time, the District has no policy dealing with any other invasive species.

It was moved by Vice President Tubbs and seconded by Director Aranda to table this item until the next regular Board meeting. The motion failed 3-4, with Directors Wright, Day, Marcum and Henriques opposing.

Discussion continued.

President Woodbury called for the question on the first motion of adopting Resolution No. 391, Supporting Eradication of the Salt Cedar Tree. The motion failed 1-5 with Directors Day, Wright, Marcum, Vice President Tubbs and President Woodbury opposing, and Director Aranda abstaining.

6. ACWA MEETINGS

Mr. Cavender said a notice was received regarding the ACWA 2003 DC Conference on March 2 - 5, 2003, and of the 2003 Spring Conference in South Lake Tahoe. He asked that the District consider sending a delegation to the DC Conference to solicit project support for District activities. Discussion followed.

Mr. Cavender asked that those interested in attending the 2003 Spring ACWA Conference submit their registration forms to obtain the early bird rates.

It was moved by Director Marcum and seconded by Director Henriques that the District be represented at the ACWA 2003 DC Conference by Vice President Tubbs and Director Henriques, and submit early bird registrations for the Spring Conference. The motion carried unanimously.

7. MEETING SCHEDULE

Mr. Cavender presented a schedule for Board meetings for the upcoming year. He said the March 5th meeting would need to be changed due to the ACWA DC Conference. The date for the March meeting was changed to Monday, March 10, 2003. The dates for the Board Workshops were scheduled for 9:00 a.m. on January 29th and February 25th.

It was moved by Director Henriques and seconded by Director Aranda to approve the schedule of Board meetings, as amended. The motion carried unanimously.

8. DROUGHT MANAGEMENT RECHARGE PROJECT

Mr. Crowley presented an update on the Drought Management Recharge Project (DMRP). He said the DMRP was shut down on November 25th at the east end of the basin, because the Foothill Pipeline was shut down until the end of December. No further State Water Project water (SWP) would be spread on the east end of the basin this year. SWP water is still being spread in the west end of the basin. Through the end of November, approximately 19,500 af of water has been spread, with another 2,000 af of water anticipated to be spread by the end of December, making a project total of 21,500 af spread this year. Mr. Crowley said four invoices have been received (two from City of Redlands and two from East Valley Water District) for approximately \$161,000. Invoices are expected from the City of San Bernardino. He said the District anticipates spending the remainder of the budgeted \$400,000 by the end of the project.

9. STATUS OF THE "WASH PLAN" ENVIRONMENTAL PROCESS

Mr. Christensen said the signed Task Force Agreements have been received from all parties, and a TAC meeting is scheduled for December 20, 2002 to discuss the consultant's scope of work (LSA Associates).

10. PUBLIC AWARENESS/VISIBILITY PROGRAM

Ms. Patane reported on current public awareness activities for the District. She said she submitted an application for an environmental award to the San Bernardino Area Chamber of Commerce on behalf of the District. The District's 70th Anniversary story will be in the January 2003 San Bernardino Area Chamber of Commerce publication. She said the District received a resolution from the City of Loma Linda, and a resolution should be received from the City of Highland and the City of San Bernardino.

Ms. Patane said the Highland Environmental Learning Center, in conjunction with the County Library System, is building a new library in Highland, featuring endangered species, a garden on the roof, and trails. She said the District should be involved in the

learning center with a display. This subject was tabled until the next Public Affairs Committee meeting.

Ms. Patane provided her schedule for the next few months.

11. ANNUAL LEGISLATIVE REPORT

Ralph Simoni, of California Advocates, provided an update on current legislation in the state. He updated the Board on legislative special funds, tuitions and enhancements in vehicle license fees. He said that two of the most influential public policy advocates, Senator Jim Costa and Assemblyman Dave Kelley, would be leaving office. They made great progress in water policy issues. Senator Machado would be heading the Senate Ag and Water Committee. For the 2003 year, the Governor announced budget cuts for FY 02-03 and 03-04, which included a reduction of \$2.4 million in the State Board's budget to review and process water rights applications. Mr. Simoni continued his discussion on other current legislation.

12. COMMITTEE REPORTS

There were no Committee Reports for this meeting.

13. GENERAL MANAGER'S REPORT

Mr. Cavender reported that future AGWA meetings would be held on Mondays at 1:30 p.m. The next meeting was scheduled for December 16, 2002.

Mr. Cavender said that an invitation had been received from Jeff Davis, of the Water Resources Institute (WRI), for an awards dinner on Saturday, February 8, 2003. WRI will be presenting a lifetime achievement award to Lois Krieger. He said there are three levels of sponsorship, a table for 8 for \$1,000, a contributing level for \$2,500, and a corporate sponsorship for \$5,000. Vice President Tubbs said that the dinner is a scholarship fundraiser, and recommended Louis Fletcher be the guest of the District. Interest in attending the dinner was expressed, and obtaining a table for 8 at the cost of \$1,000 was approved.

Mr. Cavender reported that the City of Redlands is in the process of surveying land for placement of production wells on District property, and will be giving the District a proposal for joint use of the property.

Mr. Cavender reported that Shogun Restaurant will change management, effective February 1, 2003.

14. ATTORNEY'S REPORT

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

15. DIRECTORS' REPORTS

There were no Directors' reports for this meeting.

16. NEXT MEETING

The next Board meeting will be on Wednesday, January 8, at 1:30 p.m.

17. ADJOURN MEETING TO CHRISTMAS LUNCHEON

There being no further business, the meeting adjourned to the Christmas luncheon at 12:00 p.m.

Board Secretary