

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

MINUTES OF THE REGULAR BOARD MEETING OF
November 8, 2006
1:30 P.M.

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

ROLL CALL:

BOARD MEMBERS PRESENT:

Cheryl Tubbs, President
Manuel Aranda, Vice President
Richard Corneille, Director
Clare Henry Day, Director
Glenda Douglas, Director
Melody McDonald, Director
Arnold Wright, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David B. Cosgrove, Esq.

STAFF PRESENT:

Lawrence M. Libeu, General Manager/Board Secretary
Colleen Theuer, Assistant to the General Manager/Recording Secretary

GUESTS PRESENT:

Marc Lusebrink, Attorney at Law, Manatt, Phelps, Phillips

1. PUBLIC PARTICIPATION

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

2. BOARD DISCUSSION ITEMS

Director Douglas reported attending the Highland Chamber luncheon.

Vice-President Aranda reported attending WESTCAS; the regular Chamber meetings; the ACWA legislative meeting, in which ACWA rejected supporting the proposal made by the San Bernardino Valley Municipal Water District for extension of the sunset clause of the Harmon bill by ten years, with a vote of 45-2; and meetings with Senator Dutton and Assemblyman Emmerson.

President Tubbs reported attending WESTCAS and discussed the WESTCAS program.

Director McDonald reported attending WESTCAS; the Rancho Cucamonga Water District's solar plant dedication; chamber functions; and the Special District's dinner meeting.

Director Corneille reported attending the American Water Works Association meeting; the East Valley Water District's Water Conference; and the Special Districts meeting.

3. APPROVAL OF THE MINUTES

There was a brief discussion on the minutes for October 2006. Minor changes were noted.

It was moved by Director Corneille and seconded by Director Day to approve the minutes of the regular meeting October 4, 2006, as amended. The motion carried unanimously.

4. BOARD COMMITTEE REPORTS

There were no Board Committee reports for this meeting.

5. GENERAL MANAGER'S REPORT

Mr. Libeu summarized his General Manager's report. He introduced Kevin Reagan, the District's GIS temp employee, and discussed current job openings. He requested that the Administrative Committee meet to discuss further. Director Corneille said he was interested in combining the two positions of Assistant General Manager and Director of Land and Water Resources.

6. OPERATIONS AND MAINTENANCE REPORT

Mr. Libeu summarized the Operations and Maintenance Report, and discussed and answered questions regarding the new water year.

7. WASH PLAN UPDATE

Mr. Cosgrove updated the Board on the Wash Plan. He said there would be an HCP Working Group meeting on November 28 in Carlsbad, and a meeting with BLM and LSA on November 29. Fish & Wildlife Service has been out to the property; they are confirming where endangered habitat is located so that they can map the impact sections. With respect to trails, Mr. Cosgrove said there would probably have to be a meeting with the Trails Group to discuss who will own and fund the trails. BLM is presently underway in obtaining an appraisal and has secured their potential mineral report. Mr. Cosgrove then answered questions from the Board.

8. CONSENT CALENDAR

The financial statements were briefly discussed.

It was moved by Director Day and seconded by Vice-President Aranda to approve the Consent Calendar, consisting of the Warrant Table for October 2006 and the un-audited financial reports for October 2006. The motion carried unanimously.

9. BOARD LETTERS, ACTION ITEMS, NEW BUSINESS, FYI

- A. Ratification of the Integrated Management Program Demonstration Project Agreement for the Water Year Beginning October 1, 2006 and Ending September 30, 2007

Mr. Libeu, along with Mr. Cosgrove, briefly discussed and requested ratification of the IMPDPA for the new water year. Mr. Cosgrove said that this is the third year for this agreement, and in the fourth year it would be reassessed.

It was moved by Director McDonald and seconded by Director Corneille to ratify the Integrated Management Program Demonstration Project Agreement for the water year beginning October 1, 2006 and ending September 30, 2007. The motion carried unanimously.

- B. Resolution No. 424 - Update of the District Conflict of Interest Code

Mr. Cosgrove explained that the Political Reform Act requires every local agency to review its Conflict of Interest Code biennially to determine if it needs to be amended. Staff determined that the code needed to include new staff positions and delete other positions that had been abolished; therefore Resolution No. 424 amends the code and requires Board approval.

It was moved by Vice-President Aranda and seconded by Director Douglas to approve Resolution No. 424, updating the District's Conflict of Interest Code. The motion carried unanimously.

At 2:30 p.m., a short break was taken. At 2:40 p.m., the meeting reconvened.

10. CLOSED SESSION

It was moved by Director Day and seconded by Director McDonald to adjourn to Closed Session at 2:40 p.m., as provided by the authority of Government Code Section 54956.9a, Application No. 31371 before the State Water Resources Control Board to appropriate waters of the Santa Ana River. The motion carried 6-0, with Director Wright excused due to a possible conflict of interest.

At 3:20 p.m., the meeting reconvened into Open Session. In accordance with Government Code Section 54957.1, there was no reportable action taken.

An Administrative Committee was set for November 13, 2006 at 4:00 p.m. at the District office.

11. ADJOURN MEETING

At 4:00 p.m., the meeting adjourned to the Board meeting scheduled for **Friday, December 15, 2006** at District Headquarters, 1630 W Redlands Blvd., Suite A, Redlands, CA at **10:00 a.m.**, followed by the Christmas luncheon at the Black Angus Restaurant, 290 East Hospitality Lane, San Bernardino, CA.

Board Secretary