

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF September 14, 2016
1:30 P.M.

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

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President
Melody McDonald, Vice President
David E. Raley, Director
John Longville, Director (Arrival 1:36 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

Jeremy Jungreis, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Jeff Beehler, Land Resources Manager
Athena Monge, Administrative Services Specialist

GUESTS PRESENT:

Charles Roberts, Highland Community News
Bob Tincher, San Bernardino Valley Municipal Water District
Michelle Diamond, Tetra Tech
Milford Harrison

1. PUBLIC PARTICIPATION

President Corneille 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 continued with published agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

There were none.

3. PRESENTATIONS

Bob Tincher of San Bernardino Valley Municipal Water District (Valley District) presented a PowerPoint presentation about the Regional Urban Water Management Plan 2015 Update (RUWMP). The advantage of developing a RUWMP is improved coordination, cost effectiveness and better results. There has been an estimated 63% cost savings to various partner agencies from working together as a region. Mr. Tincher reviewed the history of RUWMP noting that these must be prepared every five years as required by the UWMP Act. The purpose of the plan is to ensure supplies are available to meet existing and future water demands. He reviewed the comparison from 2010 to 2015 where numbers changed due to the current drought conditions. In dry years water is coming out of groundwater storage. In wet years agencies will utilize surface water and put imported water into the ground. The fall back if assumptions do not pan out is to drill wells deeper. Mr. Tincher briefly discussed the limited subsidence risk. The Board thanked Mr. Tincher for his presentation.

4. CONSENT CALENDAR

It was moved by Vice President McDonald and seconded by President Corneille to approve Consent Calendar Item A: Board Minutes, August 10, 2016 and Item B: Expenditure Report, August 2016. The motion carried 4-0 with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes**

5. COMMITTEE REPORTS/ACTION ITEMS

A. UNAUDITED FINANCIAL REPORTS, AUGUST 2016

It was moved by Director Longville and seconded by Vice President McDonald to approve the Unaudited Financials for August 2016. The motion carried 4-0 with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes**

B. GROUNDWATER TOP FIVE PRODUCERS AND INVESTIGATION LIST

Mr. Cozad presented this item. This list is reviewed every 6 months to show who is utilizing the basin and who pays large portions of the groundwater charge revenue. The top five producers are for the last 6 months are: City of Riverside, East Valley Water District, Meeks and Daley, City of Redlands, City of San Bernardino and the City of Loma Linda. Mr. Cozad reviewed the Past Due Groundwater Producers list on package page 27. He noted that AHD Limited has been a difficult producer to get a hold of and suggested that a site visit be done. Mr. Cozad

stated that they may be non-operational because a large portion of the area has been developed. However, they are required by Water Code to properly destroy and abandon the well obtaining certification of such and submitting to the District and the County. Once properly destroyed and reported to the District the producer would not have to report any more. Director Raley asked what the issues would be for not properly destroying a well that is not being utilized. Mr. Cozad indicated that if the water near the well gets contaminated it becomes spread and old wells are a liability issue. The county requires wells to be properly abandoned. This item was received and filed.

C. DISTRICT RECORDS DESTRUCTION

It was moved by Director Longville and seconded by Vice President McDonald to approve the Destruction Log #0009 as presented. The motion carried 4-0 with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes**

D. ASSISTANT ENGINEER BENEFITS APPROVAL

Mr. Cozad introduced this item for discussion. He stated that the Personnel Manual clearly outlines benefits for part-time and full time employees, but does not cover irregular time employees who work more than 20 hours and less than 40 hours. Due to this ambiguity Staff is asking for direction regarding whether or not Katelyn Scholte is eligible for benefits since the Board has recently increased her hours in the budget. The fiscal impact is estimated at \$10,387.31 in total for medical, dental and vision for the remainder of the fiscal year 2016-2017. Mr. Cozad indicated that staff will bring this back at the next budget review if Ms. Scholte remains with the District for the next fiscal year. President Corneille requested that the Finance & Administration Committee review the Personnel Manual; specifically the employee categories and benefits associated with each category. President Corneille and Vice President McDonald spoke in support of the motion noting that for an employee that works relatively close to full time it is appropriate that full benefits be provided.

It was moved by Vice President McDonald and seconded by Director Longville to approve Katelyn Scholte, Assistant Engineer for enrollment in full benefits for remainder of 2016-2017. The motion carried 4-0 with all Directors present voting in the affirmative.

**President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes**

6. INFORMATION ITEMS

A. WASH PLAN REPORT AND PRESENTATION

Mr. Beehler presented his written report which is included on package page 32. He is working with consultants on finalizing the Habitat Conservation Plan (HCP); the schedule has not been updated but will be at the October Board meeting. Mr. Beehler indicated that the HCP analysis is being revised based on UFWS solicitor's comments now. The final tables and maps should be completed by next week for review by Bureau of Land Management (BLM). The consultants are also working on EIR/EIS portion and addressing comments. They are currently working with BLM staff to address the South Coast Resource Management Plan (SCRMP). There will be a new field manager for BLM which will not begin until October; staff is working on scheduling a meeting with him to bring him up to speed. Mr. Beehler spoke to Congressman Pete Aguilar's staff which indicated that they are optimistic there will be a fall committee hearing where the BLM Land Exchange legislation will be discussed. The District has received the fully executed MOU from the San Manuel Band of Mission Indians. Mr. Beehler briefly discussed the lawsuit between the Endangered Habitats League who has notified the US Corp of Engineers and flood control districts of their intent to sue. Mr. Beehler stated that the posting of the HCP and related documents in the federal register has been delayed by approximately four weeks. Director Raley asked how much this delay is costing us. Mr. Beehler stated the consultants should not cost anything additional; everyone is working in sync. Mr. Beehler presented a brief review of the District's Wash Plan construction projects: 1) Plunge Creek-Prop 84 grant project that will reactivate isolated channels as well as create habitat for endangered species; 2) Greenspot Levee Removal-levee no longer needed since Seven Oaks Dam was built and may offset costs with the revenue from the sale of aggregate materials and 3) Dike D Habitat Enhancement-access ramp will be built for San Bernardino Kangaroo Rats to have a way in and out of the channel as well as allow for District to move heavy equipment easily This item was received and filed.

B. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad made his report verbally as he has been on vacation for the past few weeks. He thanked staff and the Board for making it possible for him to be gone. He said that the District purchased 18 AF of State Water Project (SWP) Water for Mill Creek flow meter testing. The testing has been completed and the Weir operated well. The District will need to request alternative compliance with SB-88; it will not be able to demonstrate better than 10% accuracy. Tamarisk removal was completed in the Borrow Pit. The Request for Proposals for Aggregate Management was sent out. In regards to the yearly financial audit, an employer specific GASB 68 report will need to be prepared and will take two-three weeks for completion delaying the completion of the audit. CalPERS completed this report previously. The jurisdictional delineation was done for Plunge Creek and the design permitting is underway. The cultural investigation will be contracted out to be able to move forward with permitting. President Corneille asked if the District is recharging any of the supplemental water from SWP for any agencies. Mr. Cozad stated that the District still has flow on the Santa Ana side for East Valley Water District. Monthly recharge thru August 31st is 3,718 AF. This item was received and filed.

C. GROUNDWATER SUSTAINABILITY COUNCIL UPDATE

Mr. Cozad introduced this item for discussion. He said that Rutan & Tucker has been developing the Framework Agreement for the Groundwater Sustainability Council (GSC). Ms. Scholte is staffing the BTAC Committee with Mr. Tincher to develop the "equitable allocation model". They are looking at the gap between need and supply on hand (agency by agency), using adjudicated base period 1959-1963 and calculating it using actual use from 2009-2013 with most recent years of drought subtracted out to avoid skewing the numbers. They are also using actual production. These will be presented at the October Council meeting. This item was received and filed.

D. NOTICE OF VACANCY AND APPOINTMENT PROCESS-DIVISION 3

The District received three applications for the vacant Division 3 Board seat. One of the applicants was outside of Division boundaries. T. Milford Harrison, one of the applicants is present today and the other applicant Dr. Ryan Sinclair works in water quality and is professor at the Loma Linda University School of Public Health. The board selected September 27th for the Special Board meeting with interviews to be held at 10:00 a.m. and 11:00 a.m.; lunch break at 12:00 p.m. and reconvene at 1:00 p.m. to appoint.

E. FUTURE AGENDA ITEMS & STAFF TASKS

President Corneille requested that the Trails Plan be summarized and be presented to the Board at its October meeting.

7. MONTHLY BOARD MEMBER MEETING REPORTS, AND/OR BOARD MEMBER COMMENTS

Director Raley attended the SBV Conservation Trust Board meeting on August 15th. He attended the East Valley Water District (EVWD) Board meeting on August 24th and San Bernardino Valley Municipal Water District (SBVMWD) Board of Directors' Workshop on September 12th.

Director Longville attended the SBV Conservation Trust Board meeting on August 15th. He also attended the SBC Water Conference on August 12th.

Vice President McDonald attended the Basin Technical Advisory Commission on August 1st. She also attended the SBC Water Conference on August 12th and the SBVMWD August 16th Board Meeting. Vice President McDonald attended the Highland Chamber of Commerce Luncheon on August 23rd. She attended the September 6th SBVMWD Board meeting.

President Corneille met with the Board of the Mentone Area Community Association to discuss their request for changes to the Community Garden Report. He attended the Loma Linda Chamber of Commerce meeting on September 7th. He attended on September 13th an Agenda planning meeting for the Advisory Commission on Water Policy's next meeting on September 22nd.

President Corneille noted that his travel request to the ACWA Fall Conference is included on package page 36.

It was moved by Director Longville and seconded by Vice President McDonald to approve President Corneille's travel request in the amount of \$1,814 to the ACWA Fall Conference. The motion carried 4-0 with all Directors present voting in the affirmative.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes

8. UPCOMING MEETINGS

President Corneille stated that the next Advisory Commission on Water Policy will be held September 22nd.

9. CLOSED SESSION

It was moved by Director Longville and seconded by Vice President McDonald to go into Closed Session under the items listed on the published agenda specifically Government Code 54956.8 related to Property APN No. 0302-131-14 and pending litigation under 54956.9 (a) IVDA vs. Michael Cohen. The motion carried 4-0 with all Directors present voting in the affirmative.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes

General Counsel announced that the meeting will adjourn to closed session under all items posted on the published agenda.

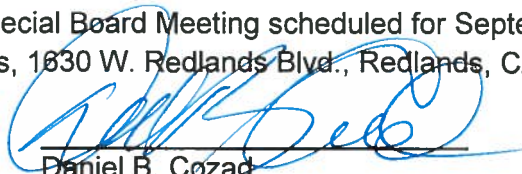
At 3:27 p.m., the meeting reconvened into Open Session. Mr. Jungreis noted while in Closed Session under Government Code section 54957.1 that there was no reportable action taken.

10. ADJOURN MEETING

It was moved by Vice President McDonald and seconded by President Corneille to adjourn in memory of John K. Longville whom passed on August 25th. The motion carried 4-0 with all Directors present voting in the affirmative.

President Corneille: Yes
Vice President McDonald: Yes
Director Longville: Yes
Director Raley: Yes

At 3:29 p.m. the meeting adjourned to Special Board Meeting scheduled for September 27, 2016 at 1:30 p.m. at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.



Daniel B. Cozad
General Manager