

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF April 12, 2017  
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  
T. Milford Harrison, Director  
John Longville, Director (Arrival 1:33 a.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

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

GUESTS PRESENT:

Chris Palmer, California Special Districts Association  
Charles Roberts, Highland Community News  
Michelle Diamond, Tetra Tech  
Chet F. Anderson, Citizen of Redlands  
David E. Smith, East Valley Water District  
Socorro Pantaleon, Representative of Assemblyman Steinorth  
Shane Massoud, Representative of Senator Morrell

1. PUBLIC PARTICIPATION

President Corneille announced this as the time for any persons present, who so desired, 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. PUBLIC MEETING RELATED TO ADOPTION OF GROUNDWATER CHARGE AND CONSIDER ADOPT OF EI REPORT

President Corneille opened the Groundwater Public Meeting. He asked if any public present would like a PowerPoint presentation of the Engineering Investigation Report (EI Report); there being no public requesting the presentation the Board waived the presentation of the report. President Corneille noted that presentation of EI Report was made on February 8<sup>th</sup>, March 15<sup>th</sup> and at BTAC on April 3<sup>rd</sup>. He asked if any public present would like to speak on the groundwater charge. There being none President Corneille closed the Groundwater Public Meeting.

**It was moved by Director Longville and seconded by Vice President McDonald to adopt the Engineering Investigation Report for 2017. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

Mr. Cosgrove noted that a Groundwater Public Hearing is scheduled for April 26<sup>th</sup> and consideration of action will be held on the groundwater charge until the second public hearing on May 31<sup>st</sup> at 1:30 p.m.

## 4. PRESENTATIONS

President Corneille introduced Chris Palmer from California Special Districts Association. Mr. Palmer presented the Transparency District Certificate of Excellence to the District. Mr. Palmer also presented the District with the Districts of Distinction Reaccreditation. In order to be awarded with this accreditation the District had to have clear financial audits for past three years, proof that the District has essential policies and procedures in place, and Board and Staff have completed comprehensive training.

Shane Massoud with Senator Morrell's office presented the District with a Certificate of Recognition from the California State Senate for its dedication and hard work in obtaining its Transparency District Certificate of Excellence as well as its Districts of Distinction.

Socorro Pantaleon with Assemblyman Steinorth's office presented the District with a Certificate from the California State Assembly for achieving the Transparency District Certificate of Excellence as well as its Districts of Distinction.

5. CONSENT CALENDAR

**It was moved by Director Harrison and seconded by Vice President McDonald to approve Consent Calendar Item A: Board Minutes, March 15, 2017, Item B: Strategic Planning Workshop Minutes, March 23, 2017 and Item C: Expenditure Report, March 2017. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

6. COMMITTEE REPORTS/ACTION ITEMS

A. VERBAL REPORT ON OPERATIONS COMMITTEE FIELD TOUR

President Corneille introduced this item for discussion. The Operations Committee met on April 4<sup>th</sup> and provided feedback on items presented at the March 13<sup>th</sup> Operations Committee meeting and went out into the field to view both the Mill Creek and Santa Ana spreading facilities, and the newly acquired Mendoza property. President Corneille indicated that it was exciting to see all the water flowing out into the spreading basins. Prior to the field tour the Operations Committee took action on several items including approving the Mill Creek and Plunge Creek permitting approaches. It also approved the Preliminary Mendoza Property Plan and discussed options for usage of property. Director Harrison noted that while on field tour the Operations Committee met a resident near the Mendoza Property and she spoke highly of the fact that the property was purchased by the District and will not be developed. The Operations Committee provided feedback to staff on the draft Capital Improvement Plan Budget (CIP) and it will come back to the Board after the Finance & Administration Committee review. President Corneille noted that the Committee discussed SB-88 and the requirement to have flow metering that has to be accurate within 10% on both the main Santa Ana and Mill Creek channels. The Operations Committee thanked staff for the extensive information provided and the field tour. This item was received and filed.

B. UNAUDITED FINANCIAL REPORTS, MARCH 2017

**It was moved by Vice President McDonald and seconded by Director Harrison to approve the March 2017 Unaudited Financial Reports. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

C. WASH PLAN LAND EXCHANGE ACT RESOLUTIONS OF SUPPORT

Mr. Cozad presented this for discussion. Bills are in both the House and Senate. Congressman Aguilar and Cook are co-authors of H.R. 497 and there was a hearing last week attended by Mr. Cozad and the Bill has moved on to full Natural Resources Committee. Senator Feinstein introduced S.B. 357 which is a companion bill to H.R. 497. S.B. 357 will likely be heard in its committee this summer. President Corneille noted that this is part of the Wash Plan and the exchange of land between the District and BLM requires congressional approval to be able to fully implement the Wash Plan. Resolution No. 550 and 551 are required to show the full support of the Board for the land exchange.

**It was moved by Director Raley and seconded by Director Longville to adopt Resolution No. 550 in support of H.R. 497. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

**It was moved by Director Raley and seconded by Director Harrison to adopt Resolution No. 551 in support of S.B. 357. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

D. DESTRUCTION OF OBSOLETE RECORDS

Director Harrison recommended that Destruction of Obsolete Records be added to consent calendar in the future. Mr. Cosgrove indicated that would be permissible.

**It was moved by Vice President McDonald and seconded by Director Longville to approve items listed in Destruction Logs #00013, 00015-00019 for destruction. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

E. RESOLUTION NO. 552 ENDORSING ACWA FLOW STANDARDS POLICY

President Corneille noted that the ACWA Fact Sheet was provided as a handout. Mr. Cozad said that the State Water Resources Control Board developed a Plan on how to regulate state

rivers using a base flow on percentage of unimpaired flow. ACWA is proposing a more collaborative approach where each river is analyzed independently. Resolution No. 552 supports ACWA's Policy Statement on the Bay-Delta flow requirements. There will be two additional hearings on this item. President Corneille is in support of ACWA's Policy Statement. Director Harrison provided mark-ups to staff with non-substantial revisions to the resolution.

**It was moved by Director Raley and seconded by Director Harrison that Resolution No. 552 in support of ACWA's Policy Statement on Bay-Delta flow requirements be adopted with non-substantial revisions. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

#### F. OCTOBER BOARD MEETING DATE RESCHEDULING

President Corneille will not be available on October 11<sup>th</sup> and requested the date be changed. He proposed October 18<sup>th</sup> as the new date. Mr. Cosgrove is unable to attend the 18<sup>th</sup>, but will send someone from his office.

**It was moved by Director Harrison and seconded by President Corneille to move the regularly scheduled Board meeting of October 11<sup>th</sup> to October 18<sup>th</sup>. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

Mr. Cozad said that the Board moved the May meeting to May 24<sup>th</sup> due to the conflict with the ACWA Spring Conference, and as noted under Agenda item 3 the Board will have a special meeting on May 31<sup>st</sup> to adopt the Groundwater Charge; he asked if the two meetings could be combined to May 31<sup>st</sup>. President Corneille is unable to attend the May 24<sup>th</sup> meeting. Vice President McDonald is unable to attend the May 31<sup>st</sup> meeting and would rather not miss a regular Board meeting. This item will be discussed further at the April 26<sup>th</sup> Board meeting.

#### 7. INFORMATION ITEMS

##### A. BOARD COMMITTEE REPORTS WITHOUT ACTION

This item was previously discussed.

## B. WASH PLAN REPORT

Mr. Beehler introduced this item for discussion and indicated his written report is included on package page 66. The HCP is complete and ready for publication in the Federal Register. The Implementing Agreement is back from Federal Solicitor. Mr. Beehler said that FWS asked the District to adopt an additional alternative in the EIR/EIS. FWS will adopt the EIS under NEPA and the District will adopt the EIR under CEQA. The Wash Plan Task Force will meet April 18<sup>th</sup> to discuss the current status of Wash Plan and how to prepare the Certificates of Inclusion (COI) with partner agencies. There are three projects that are likely to move forward in the next fiscal year 1) Conservation District's Plunge Creek Restoration Project, 2) Valley Municipal's Well Project and 3) City of Highland's Bicycle Trail Project. Director Raley asked when the HCP will be published in the Federal Register. Mr. Beehler indicated that it depends on when FWS is complete with their review. There are two senior staff within the Department of the Interior that have to agree; one of those representatives has not been appointed yet, but staff is hopeful that it will be in the federal register in June. Mr. Cozad noted that the issues with primary contractor on Wash Plan have been resolved. This item was received and filed.

## C. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report is included in the Board Package on pages 69-72. He provided a handout from the CSDA magazine on recreational trail liability. Santa Ana Recharge is at 22,023 AF and Mill Creek is at 5,630 AF; 21,500 AF is native water and the rest is State Water Project water as of today's date. Mr. Cozad provided a summary on the Strategic Planning issues to be ranked by priority by the Board and returned to staff. The Board will review ranking of issues at the April 26<sup>th</sup> meeting and hold Strategic Planning Workshop on May 3<sup>rd</sup> at 1:30 p.m. This item was received and filed.

## D. FUTURE AGENDA ITEMS & STAFF TASKS

President Corneille appointed Ad Hoc Committee for GM Evaluation; Vice President McDonald and Director Raley. The Ad Hoc Committee will need to meet in May. Director Raley asked when the Ad Hoc Trails Committee will meet. Mr. Cozad indicated that the meeting with the City of Highland had just occurred and staff will schedule one soon.

### 8. MONTHLY BOARD MEMBER COMMITTEE ACTIVITY REPORTS, AND/OR COMMENTS BY BOARD MEMBERS

Director Harrison attended the ASBCSD Dinner Meeting on March 20<sup>th</sup>, Valley Municipal Board Meeting on March 21<sup>st</sup>, LAFCO Training on March 22<sup>nd</sup> and the Operations Committee meeting on April 4. He also attended the Loma Linda Chamber of Commerce on April 5<sup>th</sup> and Redlands Rise N Shine on April 7<sup>th</sup>.

Director Raley attended the Valley Municipal Board Workshop on April 11<sup>th</sup>, East Valley Water District's Board Meeting on March 22<sup>nd</sup>, and Redlands Rise N Shine on April 7<sup>th</sup>.

President Corneille attended the ASBCSD Dinner Meeting on March 20<sup>th</sup>, Strategic Planning Workshop on March 23<sup>rd</sup>, Operations Committee meeting on April 4, and BTAC Meeting on April 3<sup>rd</sup>.

Vice President McDonald attended the Valley Municipal Board Workshop on April 11<sup>th</sup>, Valley Municipal Board Meeting on April 4<sup>th</sup>, and BTAC Meeting on April 3<sup>rd</sup>. She also attended the JPIA Liability Program Meeting where she was appointed Vice Chair on April 4<sup>th</sup>. Vice President McDonald attended the March 28<sup>th</sup> Highland Area Community Luncheon, Strategic Planning Workshop on March 23<sup>rd</sup>, San Bernardino Area Chamber Meeting on March 22<sup>nd</sup> and Valley Municipal Board Meeting on March 21<sup>st</sup>.

Director Longville attended the Strategic Planning Workshop on March 23<sup>rd</sup> and George Brown Foundation presentation on April 2<sup>nd</sup>.

#### 9. UPCOMING MEETINGS

President Corneille noted that Valley Municipal will hold field tour on May 5<sup>th</sup>.

#### 10. CLOSED SESSION

**It was moved by Vice President McDonald and seconded by Director Longville to adjourn to Closed Session. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

General Counsel announced that the meeting will adjourn to closed session to discuss filed litigation under 549546.9 (a) related to Case #216-CV-09178-MWF-E.

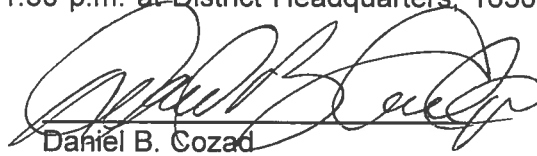
At 3:37 p.m., the meeting reconvened into Open Session. Under 54957.1 (a) there was no reportable action.

#### 11. ADJOURN MEETING

**It was moved by Vice President McDonald and seconded by Director Longville to adjourn. The motion carried 5-0 with all Directors present voting in the affirmative.**

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

At 3:38 p.m. the meeting adjourned to the next regular Board Meeting and Groundwater Public Hearing scheduled for April 26, 2017 at 1:30 p.m. at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.



Daniel B. Cozad  
General Manager