



BOARD OF DIRECTORS MEETING AGENDA

Wednesday, November 8, 2017 – 1:30 p.m.

Location--1630 West Redlands Boulevard, Suite A, Redlands, California

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District office and are available for public review during regular District business hours. New information pertaining to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District office and in the Agenda Package on the Districts website. It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance concerning the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as an attendee or a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Monge at (909) 793-2503 at least 48 hours before the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC PARTICIPATION

Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.

2. ADDITIONS/DELETIONS TO AGENDA

Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

3. PRESENTATION ON THE SANTA ANA RIVER TRAIL – Patricia Lock Dawson, Santa Ana River Trail and Parkway Partnership

4. CONSENT CALENDAR

- A. Approval of Board Minutes, October 18, 2017 4
- B. Approval of Expenditure Report, October 2017 10

5. COMMITTEE REPORTS /ACTION ITEMS

Committee Reports

- A. OPERATIONS COMMITTEE VERBAL REPORT - 15 minutes
Presenter: Committee Chair, Richard Corneille
Recommendation: Committee Chair will provide a verbal report on items discussed at October 30, 2017, Operations Committee meeting.
- B. REDLANDS PLAZA PARKING LOT AND SIDEWALK IMPROVEMENTS – 5 minutes
 (M#1530)..... 19
Presenter: Daniel Cozad
Recommendation: The Operations Committee recommends authorizing the general manager to contract with International Paving Services for the parking lot and sidewalk improvements not to exceed \$100,000 and modifying the 2017-2018 Budget for Redlands Plaza.

Action Items

- C. UNAUDITED FINANCIAL REPORTS, OCTOBER 2017 – 5 minutes
 (M#1531).....22
Presenter: Daniel Cozad
Recommendation: Review and approve the unaudited financials for October 2017.

6. INFORMATION ITEMS:

- A. Wash Plan Report – 10 Minutes 28
- B. General Manager’s Report and Monthly Recharge Report – 5 Minutes 35
- C. Groundwater Council Verbal Report – 5 Minutes
- D. Rail to Redlands Verbal Update – 5 Minutes
- E. Draft 2018 Board Calendar for Feedback 39
- F. ACWA General Session Voting Delegate 40
- G. December Board Luncheon Information
- H. Future Agenda Items & Staff Tasks

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

- A. Board Member Meeting Reports – 15 minutes
- B. Travel Requests..... 74

8. UPCOMING MEETINGS:

- A. November 10, 2017 Office Closed in Observance of Veteran’s Day
- B. November 13, 2017 Association of San Bernardino County Special Districts, 6:00 p.m. at The Wood Grill Buffet, Hesperia
 Program: Conservation with Assemblyman Jay Obernolte
- C. November 14, 2017 San Bernardino Valley Municipal Water District Board of Directors Workshop, 3:00 p.m. at Valley Municipal

- D. November 15, 2017 Finance & Administration Committee, 1:30 p.m. at Conservation District
- E. November 21, 2017 San Bernardino Valley Municipal Water District Board of Directors, 2:30 p.m. at Valley Municipal
- F. November 28-December 1, 2017 ACWA Fall Conference, Anaheim
(Board Approval Required)
- G. December 13, 2017 Board of Directors Meeting, 9:30 a.m. at Conservation District
- H. December 13, 2017 Holiday Luncheon, 12:00 p.m. at Isabella's Restaurant
- I. December 14, 2017 Advisory Commission on Water Policy, 6:30 p.m. at Valley Municipal

9. **CLOSED SESSION**

1. The Board will meet in Closed Session under the authority of Government Code §54956.9 (a), in order to discuss existing litigation, Endangered Habitats League et al. vs. U.S. Army Corps of Engineers, Central District Court Case no. Case No.: 2:16-cv-09178-MWF-E.

10. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on December 13, 2017, at 9:30 a.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA.

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF October 18, 2017
1:30 p.m.

President Corneille called the Board Meeting of the Board of Directors to order at 1:33 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 (Arrival 1:40 p.m.)
John Longville, Director

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:

Charles Roberts, Highland Community News
David Smith, East Valley Water District
Socorro Pantaleon, Representative of Marc Steinorth

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. Absent public participation, the meeting continued with published agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

There were none.

3. CONSENT CALENDAR

It was moved by Director Raley and seconded by Director Longville to approve Consent Calendar Item A: Board Minutes, September 13, 2017; Item B: Expenditure Report, September 2017; and Item C: Appendix C Revisions to Board Policy Manual. The motion carried 4-0 with all Directors present voting in the affirmative and Director Harrison noted as absent from the vote.

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

4. COMMITTEE REPORTS/ACTION ITEMS

A. OUTREACH & COMMUNICATIONS COMMITTEE VERBAL REPORT AND PRESENTATION OF THE OUTREACH PLAN

This item was taken out of order.

Director Harrison stated that the Outreach & Communications Committee (Committee) met with the public relations consultants on October 9. He requested that the Board review the Outreach Plan as provided to the Board as a handout at the meeting and provide staff with feedback. Director Harrison said he is supportive of the Outreach Plan, noting that it focuses on the items that the Board members indicated are essential based on Strategic Planning Workshops. Mr. Cozad noted that the public relations consultants would adjust the scope of work according to recommendations made by the Board. Director Longville reminded the Board that their prior decision indicated they would re-evaluate costs if additional services were needed. Vice President McDonald asked if the District has a boilerplate slide presentation directors can utilize for presentations. Mr. Cozad said that the public relations consultants are reviewing the existing slides and a new one would be ready within a month or two. Director Longville noted that the Committee would like to see broader Board involvement. Directors agreed the presentations should be made primarily to groups which are active in the community such as elected officials, legislators and service clubs. Mr. Cozad requested comments be submitted by November 8.

B. UNAUDITED FINANCIAL REPORTS, SEPTEMBER 2017

It was moved by Director Longville and seconded by Vice President McDonald to approve the Unaudited Financial Reports for September 2017. The motion carried 4-0 with all Directors present voting in the affirmative, with Director Harrison noted absent from the vote.

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

C. CONSERVATION TRUST CONTRACT FOR SERVICES WITH DISTRICT

Mr. Cozad presented this item for discussion. He stated that the agreement outlines the relationship between the San Bernardino Valley Conservation Trust (Conservation Trust) and the San Bernardino Valley Water Conservation District (Conservation District). The Conservation Trust approved the agreement included on package pages 32-38 at its Board meeting on October 5. Mr. Cozad noted it is a permissive agreement and can be terminated by either party. He stated that the agreement describes the relationship between the two entities and how endowment funding and issuance costs are to be managed. Mr. Cosgrove added that the Conservation District is the primary service provider for the Conservation Trust at this time; however, that could change in the future. He noted that the Conservation Trust would reimburse the Conservation District at the standard hourly rate for administrative services. In response to a question from Vice President McDonald, Mr. Cozad indicated that the Conservation Trust could hire a separate Executive Director, Legal Counsel, Biologists, and Consultants; and could add additional Board Members. President Corneille requested clarification as to the circumstances in which the Conservation Trust Board might expand its Board of Directors. Mr. Cosgrove said the Conservation Trust Board may wish to make changes if it decides to begin private habitat management or to support the River HCP or other projects. In response to a question from President Corneille, the members of the Conservation Trust Board, Directors Raley and Longville, indicated that they had approved the agreement.

It was moved by Vice President McDonald and seconded by Director Harrison to approve the Contract for the Provision of Administrative Services between the Conservation District and the Conservation Trust. 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. DRAFT COMMUNITY STRATEGIC PLAN FOR CIRCULATION

Mr. Cozad indicated that all feedback provided by the Board was incorporated into the current Draft Community Strategic Plan as presented on package pages 40-61.

It was moved by President Corneille and seconded by Director Raley that the Board accept the Draft Community Strategic Plan with typographical edits and direct staff to circulate it for public review and comment. 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. REDLANDS PLAZA PARKING LOT AND SIDEWALK IMPROVEMENTS

President Corneille said there are several options available for the Redlands Plaza parking lot and sidewalk improvements. He requested the item be tabled and referred to the Operations Committee meeting on October 30.

It was moved by President Corneille and seconded by Vice President McDonald to refer this item to the Operations Committee for further discussion and clarification. 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**

5. INFORMATION ITEMS

A. WASH PLAN REPORT

Mr. Beehler indicated that the Wash Plan Report is included on package page 65. He noted that AB52 Compliance Letters have been mailed to area tribes. The Gabrieleño and San Manuel Band of Mission Indians have requested consultations; once the consultations are complete, the results will be included in the Plan Documents. There is a 30-day response period to request the AB52 consultations. Mr. Beehler said there would also be a Federal Section 106 Consultation. The U.S. Fish and Wildlife Service and Bureau of Land Management will be working together to complete this consultation before posting in the Federal Register. Four participants in the Wash Plan are moving forward with their projects using the HCP: the City of Highland, City of Redlands, Valley Municipal and the Conservation District. Valley Municipal is working on the preconstruction survey for their well p-roject. The Conservation District has completed draft permits, and CEQA documents for Plunge Creek will come back to the Board in January 2018 for review and consideration. AB52 Compliance for Plunge Creek is scheduled for December. Director Raley requested that staff notify the Wash Plan Task Force members of the progress to date. This item was received and filed.

B. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report is included on package page 68. The letter to the State Water Board regarding the dredge and fill issue discussed at the last Board meeting has been submitted, and a summary is included on package page 72; the actual letter was 28 pages long. Mr. Cozad noted that there would be a Dredge and Fill Regulation Session held at the upcoming Association of California Water Agencies Fall Conference. S. 357 has had its first hearing and received testimony from the BLM. District staff has met with the BLM legislative liaison for California and is working on getting changes from the BLM for S. 357. Additional meetings to discuss the next steps for the bill are scheduled for next week. This item was received and filed.

C. GROUNDWATER COUNCIL VERBAL UPDATE

Mr. Cozad said that Monday's meeting was canceled since not all comments had been received on the Framework Agreement. Staff did receive comments from Western Municipal Water District (Western) on behalf of plaintiff entities of the Western Judgment. Mr. Cosgrove expanded on comments received by Western. He said that there is a term sheet available with a proposed side agreement which will be reviewed to understand how it will affect all Groundwater Council members. This item was received and filed.

D. FUTURE AGENDA ITEMS & STAFF TASKS

Director Harrison asked to be nominated to the California Special Districts Association RDA Oversight Board. The Board requested additional information be presented at the next meeting for consideration.

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

President Corneille chaired the September 14 Advisory Commission on Water Policy. He attended the Mentone Area Chamber Association meeting on September 18 and the Association of San Bernardino County Special Districts Dinner Meeting on October 16.

Director Longville attended the Black Rose Award Banquet held on September 8, the Advisory Commission on Water Policy on September 14, and the Rainbow Leadership Summit on September 23.

Director Raley attended the Advisory Commission on Water Policy on September 14, Valley Municipal's Water Use Efficiency Committee Workshop on September 20, and East Valley Water District Board Meeting on September 27. He attended the Redland Rise N Shine on October 6, EVWD Board Meeting on October 11, Big Bear Watermaster Meeting on October 10, and City of Redlands Walking with the Council on October 14.

Director Harrison attended the CSDA Conference from September 25-28, BTAC Meeting on October 2, Loma Linda Chamber of Commerce on October 3, and ACWA Region 9 Prado Dam Tour on October 6. He also attended the Outreach & Communications Committee meeting October 9, Three Valley Municipal Water District Board Meeting on October 12, and Valley Municipal Board Meeting on October 17.

Vice President McDonald attended the Valley Municipal Board Meeting on October 3 and October 17, ASBCSD Dinner Meeting on October 16, and BTAC Meeting on October 2. She attended the San Bernardino Regional Water Resource Authority and Valley Municipal Joint Meeting on September 25, and Baseline Feeder on September 21. Vice President McDonald also attended the ASBCSD Dinner Meeting on September 18 and Highland Area Chamber of Commerce Luncheon on September 26.

7. UPCOMING MEETINGS

The Operations Committee will be held at 10:00 a.m. October 30.

8. 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 would adjourn to closed session under all items posted on the published agenda.

At 3:57 p.m., the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

9. ADJOURN MEETING

It was moved by Vice President Corneille 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 3:59 p.m. the meeting adjourned to the Board of Directors Meeting scheduled for 1:30 p.m. November 8, 2017, at District Headquarters, 1630 W. Redlands Blvd., Redlands, Calif.

Daniel B. Cozad
General Manager

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
PC 10.11.17	10/11/2017	Paychex	1012 · Citizens Busine...		-94.27
			6042 · Payroll Processing	4-General Fund Ent.	94.27
TOTAL					94.27
PC 10.16.17	10/16/2017	Paychex	1012 · Citizens Busine...		-131.95
			6042 · Payroll Processing	4-General Fund Ent.	131.95
TOTAL					131.95
PC 10.25.17	10/25/2017	Paychex	1012 · Citizens Busine...		-82.06
			6042 · Payroll Processing	4-General Fund Ent.	82.06
TOTAL					82.06
PC 10.30.17	10/30/2017	Paychex	1012 · Citizens Busine...		-71.95
			6042 · Payroll Processing	4-General Fund Ent.	71.95
TOTAL					71.95
ACH0114	10/03/2017	Raley, David	1012 · Citizens Busine...		-36.40
			6410 · Mileage	4-General Fund Ent.	36.40
TOTAL					36.40
ACH0115	10/16/2017	T. Milford Harrison	1012 · Citizens Busine...		-107.31
			6425 · Meals	4-General Fund Ent.	107.31
TOTAL					107.31
ACH0116	10/17/2017	T. Milford Harrison	1012 · Citizens Busine...		-533.93
			6410 · Mileage	4-General Fund Ent.	533.93
TOTAL					533.93
ACH0117	10/17/2017	Raley, David	1012 · Citizens Busine...		-27.29
			6410 · Mileage	4-General Fund Ent.	27.29
TOTAL					27.29
ACH0118	10/26/2017	T. Milford Harrison	1012 · Citizens Busine...		-69.55
			6410 · Mileage	4-General Fund Ent.	69.55
TOTAL					69.55
ACH0119	10/26/2017	Melody McDonald	1012 · Citizens Busine...		-72.79
			6410 · Mileage	4-General Fund Ent.	72.79
TOTAL					72.79

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20882	10/03/2017	AAA Alarm Systems, Inc.	1012 · Citizens Busine...		-129.00
	10/01/2017		5410 · Alarm Service	4-General Fund Ent.	64.50
			5410 · Alarm Service	1-Groundwater Ent.	64.50
TOTAL					129.00
20883	10/03/2017	ACWA/JPIA	1012 · Citizens Busine...		-27,496.00
	09/18/2017		6320 · General Liability ...	4-General Fund Ent.	1,374.80
			6320 · General Liability ...	1-Groundwater Ent.	20,622.00
			6320 · General Liability ...	2-Redlands Plaza/...	4,124.40
			6320 · General Liability ...	3-Land Resources	1,374.80
TOTAL					27,496.00
20884	10/03/2017	Assoc. San Bernardino...	1012 · Citizens Busine...		-140.00
	10/02/2017		6425 · Meals	4-General Fund Ent.	70.00
			6525 · Meals	4-General Fund Ent.	31.50
			6525 · Meals	1-Groundwater Ent.	24.50
			6525 · Meals	3-Land Resources	14.00
TOTAL					140.00
20885	10/03/2017	Citizens Business Bank	1012 · Citizens Busine...		-4,370.83
	09/13/2017		5215 · Property Mainte...	1-Groundwater Ent.	209.24
			5215 · Property Mainte...	3-Land Resources	52.31
			6001 · General Adminis...	4-General Fund Ent.	200.00
			6001 · General Adminis...	1-Groundwater Ent.	200.00
			6002 · Website Adminis...	4-General Fund Ent.	272.97
			6039 · Postage and Ov...	4-General Fund Ent.	55.00
			6039 · Postage and Ov...	1-Groundwater Ent.	25.00
			6039 · Postage and Ov...	2-Redlands Plaza/...	10.00
			6039 · Postage and Ov...	3-Land Resources	10.00
			6051 · Uniforms	4-General Fund Ent.	27.39
			6051 · Uniforms	1-Groundwater Ent.	63.91
			6060 · Outreach	4-General Fund Ent.	5.00
			6060 · Outreach	1-Groundwater Ent.	2.00
			6060 · Outreach	3-Land Resources	3.00
			6435 · Conf/Seminar R...	4-General Fund Ent.	1,034.00
			6425 · Meals	4-General Fund Ent.	95.00
			6515 · Air Fare	4-General Fund Ent.	138.58
			6515 · Air Fare	1-Groundwater Ent.	76.99
			6515 · Air Fare	3-Land Resources	92.39
			6520 · Travel, Other (re...	4-General Fund Ent.	9.28
			6520 · Travel, Other (re...	1-Groundwater Ent.	5.15
			6520 · Travel, Other (re...	3-Land Resources	6.18
			6525 · Meals	4-General Fund Ent.	8.66
			6525 · Meals	1-Groundwater Ent.	6.73
			6525 · Meals	3-Land Resources	3.85
			6530 · Lodging	4-General Fund Ent.	102.46
			6530 · Lodging	1-Groundwater Ent.	79.68
			6530 · Lodging	3-Land Resources	45.53
			6535 · Conf/Seminar R...	4-General Fund Ent.	703.80
			6535 · Conf/Seminar R...	1-Groundwater Ent.	547.40
			6535 · Conf/Seminar R...	3-Land Resources	312.80
TOTAL					4,404.30

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20886	10/03/2017	Corneille, Richard	1012 · Citizens Busine...		-11.77
	10/03/2017		6410 · Mileage	4-General Fund Ent.	11.77
TOTAL					11.77
20887	10/03/2017	Day Lite Maintenance, I...	1012 · Citizens Busine...		-408.59
	09/19/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	408.59
TOTAL					408.59
20888	10/03/2017	Edison - 8812	1012 · Citizens Busine...		-264.30
	09/30/2017		5420 · Electricity	4-General Fund Ent.	74.00
			5420 · Electricity	1-Groundwater Ent.	52.86
			5420 · Electricity	2-Redlands Plaza/...	137.44
TOTAL					264.30
20889	10/03/2017	Edison - Redlands Plaza	1012 · Citizens Busine...		-82.28
	09/30/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	82.28
TOTAL					82.28
20890	10/03/2017	Frontier-4860	1012 · Citizens Busine...		-482.76
	09/28/2017		5440 · Telephone	4-General Fund Ent.	236.44
			5440 · Telephone	1-Groundwater Ent.	101.33
			5470 · Internet Services	4-General Fund Ent.	72.50
			5470 · Internet Services	1-Groundwater Ent.	43.50
			5470 · Internet Services	2-Redlands Plaza/...	7.25
			5470 · Internet Services	3-Land Resources	21.74
TOTAL					482.76
20891	10/03/2017	Frontier-7275	1012 · Citizens Busine...		-144.96
	09/19/2017		5440 · Telephone	4-General Fund Ent.	48.98
			5440 · Telephone	1-Groundwater Ent.	20.99
			5470 · Internet Services	4-General Fund Ent.	37.50
			5470 · Internet Services	1-Groundwater Ent.	22.50
			5470 · Internet Services	2-Redlands Plaza/...	3.75
			5470 · Internet Services	3-Land Resources	11.24
TOTAL					144.96
20892	10/03/2017	ICF Jones & Stokes, Inc	1012 · Citizens Busine...		-2,335.00
	09/19/2017		5124 · Plunge Creek Pr...	3-Land Resources	2,335.00
TOTAL					2,335.00
20893	10/03/2017	Image Source	1012 · Citizens Busine...		-564.85
	09/15/2017		6033 · Office Equipmen...	4-General Fund Ent.	423.64
			6033 · Office Equipmen...	1-Groundwater Ent.	28.24
			6033 · Office Equipmen...	2-Redlands Plaza/...	84.73
			6033 · Office Equipmen...	3-Land Resources	28.24
TOTAL					564.85

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20894	10/03/2017	JAN-PRO Cleaning Sys...	1012 · Citizens Busine...		-618.00
	10/01/2017		6018 · Janitorial Services	4-General Fund Ent.	618.00
TOTAL					618.00
20895	10/03/2017	Kelly Associates Mana...	1012 · Citizens Busine...		-948.75
	10/02/2017		5120 · Misc. Profession...	4-General Fund Ent.	276.75
			5120 · Misc. Profession...	1-Groundwater Ent.	197.62
			5120 · Misc. Profession...	3-Land Resources	474.38
TOTAL					948.75
20896	10/03/2017	Lowe's Companies, Inc.	1012 · Citizens Busine...		-177.55
	09/25/2017		5210 · Equipment Maint...	1-Groundwater Ent.	53.20
			5215 · Property Mainte...	1-Groundwater Ent.	99.48
			5215 · Property Mainte...	3-Land Resources	24.87
TOTAL					177.55
20897	10/03/2017	Netsteller	1012 · Citizens Busine...		-450.00
	10/01/2017		5160 · IT Support	4-General Fund Ent.	180.00
			5160 · IT Support	1-Groundwater Ent.	225.00
			5160 · IT Support	3-Land Resources	45.00
TOTAL					450.00
20898	10/03/2017	Nossaman LLP	1012 · Citizens Busine...		-17,043.41
	09/27/2017		5120 · Misc. Profession...	4-General Fund Ent.	4,971.56
			5120 · Misc. Profession...	1-Groundwater Ent.	3,550.14
			5120 · Misc. Profession...	3-Land Resources	8,521.71
TOTAL					17,043.41
20899	10/03/2017	ReadyRefresh by Nestle	1012 · Citizens Busine...		-106.83
	09/25/2017		5460 · Water / Trash / ...	4-General Fund Ent.	53.42
			5460 · Water / Trash / ...	1-Groundwater Ent.	42.73
			5460 · Water / Trash / ...	3-Land Resources	10.68
TOTAL					106.83
20900	10/03/2017	Schubert Landscaping,...	1012 · Citizens Busine...		-250.00
	09/20/2017		6015 · Mentone House ...	2-Redlands Plaza/...	250.00
TOTAL					250.00
20901	10/03/2017	Smart & Final	1012 · Citizens Busine...		-149.93
	09/18/2017		6004 · Meeting Expenses	4-General Fund Ent.	59.87
			6004 · Meeting Expenses	3-Land Resources	59.87
			6019 · Janitorial Supplies	4-General Fund Ent.	18.11
			6019 · Janitorial Supplies	1-Groundwater Ent.	12.08
TOTAL					149.93

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20902	10/03/2017	Three Valleys Municipa...	1012 · Citizens Busine...		-20.00
	10/01/2017		6425 · Meals	4-General Fund Ent.	20.00
TOTAL					20.00
20903	10/03/2017	U.S. Bank Equipment F...	1012 · Citizens Busine...		-361.36
	09/13/2017		6033 · Office Equipmen...	4-General Fund Ent.	271.02
			6033 · Office Equipmen...	1-Groundwater Ent.	18.07
			6033 · Office Equipmen...	2-Redlands Plaza/...	54.20
			6033 · Office Equipmen...	3-Land Resources	18.07
TOTAL					361.36
20904	10/03/2017	Valero Marketing & Su...	1012 · Citizens Busine...		-659.01
	09/28/2017		5320 · Fuel	1-Groundwater Ent.	659.01
TOTAL					659.01
20905	10/03/2017	Wilbur's	1012 · Citizens Busine...		-241.36
	09/22/2017		5215 · Property Mainte...	1-Groundwater Ent.	193.09
			5215 · Property Mainte...	3-Land Resources	48.27
TOTAL					241.36
20906	10/17/2017	Aaron Pederson	1012 · Citizens Busine...		-35.00
	10/07/2017		6018 · Janitorial Services	4-General Fund Ent.	35.00
TOTAL					35.00
20907	10/17/2017	ACWA	1012 · Citizens Busine...		-8,075.00
	10/11/2017		6093 · Memberships	4-General Fund Ent.	8,075.00
TOTAL					8,075.00
20908	10/17/2017	ACWA JPIA - Workers ...	1012 · Citizens Busine...		-2,922.82
	10/11/2017		6120 · Workers' Comp. ...	4-General Fund Ent.	469.40
			6120 · Workers' Comp. ...	1-Groundwater Ent.	1,486.84
			6120 · Workers' Comp. ...	2-Redlands Plaza/...	149.06
			6120 · Workers' Comp. ...	3-Land Resources	493.96
			6120 · Workers' Comp. ...	5-Wash Plan	323.56
TOTAL					2,922.82

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20909	10/17/2017	ACWA/JPIA-Health	1012 · Citizens Busine...		-12,635.43
	10/04/2017		6110 · Vision Insurance	4-General Fund Ent.	26.60
			6110 · Vision Insurance	1-Groundwater Ent.	84.25
			6110 · Vision Insurance	2-Redlands Plaza/...	8.45
			6110 · Vision Insurance	3-Land Resources	27.99
			6110 · Vision Insurance	5-Wash Plan	18.33
			6130 · Dental Insurance	4-General Fund Ent.	112.74
			6130 · Dental Insurance	1-Groundwater Ent.	357.06
			6130 · Dental Insurance	2-Redlands Plaza/...	35.80
			6130 · Dental Insurance	3-Land Resources	118.62
			6130 · Dental Insurance	5-Wash Plan	77.70
			6150 · Medical Insurance	4-General Fund Ent.	1,889.92
			6150 · Medical Insurance	1-Groundwater Ent.	5,986.33
			6150 · Medical Insurance	2-Redlands Plaza/...	600.16
			6150 · Medical Insurance	3-Land Resources	1,988.77
			6150 · Medical Insurance	5-Wash Plan	1,302.71
TOTAL					12,635.43
20910	10/17/2017	Aguilar Consulting Inc.	1012 · Citizens Busine...		-8,675.00
	09/30/2017		1700 · Work in Progress	3-Land Resources	8,675.00
TOTAL					8,675.00
20911	10/17/2017	American Power Security	1012 · Citizens Busine...		-475.00
	10/06/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	475.00
TOTAL					475.00
20912	10/17/2017	AttyGeneral's Registry...	1012 · Citizens Busine...		-75.00
	10/05/2017		5122 · Wash Plan Profe...	5-Wash Plan	75.00
TOTAL					75.00
20913	10/17/2017	Beach Boyz Auto Service	1012 · Citizens Busine...		-270.00
	10/04/2017		5310 · Vehicle Mainten...	1-Groundwater Ent.	270.00
TOTAL					270.00
20914	10/17/2017	Capitol Enquiry	1012 · Citizens Busine...		-85.05
	10/11/2017		6090 · Subscriptions/Pu...	4-General Fund Ent.	85.05
TOTAL					85.05
20915	10/17/2017	Castro Landscaping Se...	1012 · Citizens Busine...		-250.00
	09/30/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	250.00
TOTAL					250.00
20916	10/17/2017	City of Redlands -Muni...	1012 · Citizens Busine...		-2,144.66
	10/12/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	2,144.66
TOTAL					2,144.66

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20917	10/17/2017	Day Lite Maintenance, I...	1012 · Citizens Busine...		-408.58
	09/30/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	408.58
TOTAL					408.58
20918	10/17/2017	Edison - 7241	1012 · Citizens Busine...		-50.09
	10/11/2017		5420 · Electricity	4-General Fund Ent.	14.03
			5420 · Electricity	1-Groundwater Ent.	10.02
			5420 · Electricity	2-Redlands Plaza/...	26.04
TOTAL					50.09
20919	10/17/2017	Edison -5552	1012 · Citizens Busine...		-441.50
	10/10/2017		5420 · Electricity	4-General Fund Ent.	116.76
			5420 · Electricity	1-Groundwater Ent.	83.40
			5420 · Electricity	2-Redlands Plaza/...	216.84
			6020 · Vacancy Marketi...	2-Redlands Plaza/...	24.50
TOTAL					441.50
20920	10/17/2017	Gage Canal Company-V	1012 · Citizens Busine...		-6,190.04
	08/09/2017		4021 · Assessments - Ag	1-Groundwater Ent.	6,190.04
TOTAL					6,190.04
20921	10/17/2017	Home Depot Credit Ser...	1012 · Citizens Busine...		-124.59
	09/28/2017		5210 · Equipment Maint...	1-Groundwater Ent.	85.95
			5215 · Property Mainte...	1-Groundwater Ent.	30.91
			5215 · Property Mainte...	3-Land Resources	7.73
TOTAL					124.59
20922	10/17/2017	Loma Linda Plumbing I...	1012 · Citizens Busine...		-2,056.41
	10/05/2017		6016 · Redlands Plaza ...	2-Redlands Plaza/...	2,056.41
TOTAL					2,056.41
20923	10/17/2017	Rutan & Tucker	1012 · Citizens Busine...		-13,927.69
	09/25/2017		5180 · Legal	4-General Fund Ent.	2,374.39
			5180 · Legal	1-Groundwater Ent.	2,374.39
			5180 · Legal	2-Redlands Plaza/...	791.46
			5180 · Legal	3-Land Resources	2,374.39
			5180 · Legal	4-General Fund Ent.	6,013.06
TOTAL					13,927.69
20924	10/17/2017	Stanley Convergent Se...	1012 · Citizens Busine...		-340.14
	10/02/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	340.14
TOTAL					340.14

San Bernardino Valley Water Conservation District
Expenditure Report
October 2017

Num	Date	Name	Account	Class	Original Amount
20925	10/17/2017	Terminix	1012 · Citizens Busine...		-66.00
	09/26/2017		6026 · Redlands Plaza ...	2-Redlands Plaza/...	66.00
TOTAL					66.00
20926	10/17/2017	ThunderWheel Commu...	1012 · Citizens Busine...		-825.00
	09/18/2017		5120 · Misc. Profession...	4-General Fund Ent.	240.65
			5120 · Misc. Profession...	1-Groundwater Ent.	171.85
			5120 · Misc. Profession...	3-Land Resources	412.50
TOTAL					825.00
20927	10/17/2017	Wilbur's	1012 · Citizens Busine...		-133.66
	10/11/2017		5210 · Equipment Maint...	1-Groundwater Ent.	133.66
TOTAL					133.66
100178N	10/02/2017	PERS	1012 · Citizens Busine...		-5,559.77
			6170 · PERS Retirement	4-General Fund Ent.	892.90
			6170 · PERS Retirement	1-Groundwater Ent.	2,828.25
			6170 · PERS Retirement	2-Redlands Plaza/...	283.55
			6170 · PERS Retirement	3-Land Resources	828.41
			6170 · PERS Retirement	5-Wash Plan	726.66
TOTAL					5,559.77
100179N	10/16/2017	PERS	1012 · Citizens Busine...		-5,545.04
			6170 · PERS Retirement	4-General Fund Ent.	890.53
			6170 · PERS Retirement	1-Groundwater Ent.	2,820.76
			6170 · PERS Retirement	2-Redlands Plaza/...	282.80
			6170 · PERS Retirement	3-Land Resources	826.21
			6170 · PERS Retirement	5-Wash Plan	724.74
TOTAL					5,545.04

San Bernardino Valley Water Conservation District

Director Fees Expenditure Payroll Report

October 2017

Pay Date	Name	For Period	Director Fees	Taxes Withheld	Check Amt
10/11/2017	Corneille, R	Sep-17	\$ 824.00	\$ 88.44	\$ 735.56
10/11/2017	Harrison, T.M	Sept-Oct 17	\$ 1,442.00	\$ 275.28	\$ 1,166.72
10/11/2017	McDonald, M	Sep-17	\$ 1,854.00	\$ 195.12	\$ 1,658.88
10/11/2017	Raley, D	Jul-17	\$ 1,030.00	\$ 276.65	\$ 753.35
10/11/2017	Raley, D	Sep-17	\$ 824.00	\$ 238.44	\$ 585.56
10/25/2017	Harrison, T.M	Oct-17	\$ 1,030.00	\$ 170.18	\$ 859.82
10/25/2017	Longville, J	Jul-17	\$ 618.00	\$ 242.97	\$ 375.03
10/25/2017	Longville, J	Aug-17	\$ 412.00	\$ 202.02	\$ 209.98



SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT

Established 1932

1630 West Redlands Boulevard, Suite A
Redlands, CA 92373-8032
(909) 793-2503
Fax: (909) 793-0188

Email: info@sbvwcd.org
www.sbvwcd.org

Memorandum No. 1530

To: Board of Directors

From: Operations Committee/General Manager, Daniel Cozad

Date: November 8, 2017

Subject: Redlands Plaza Parking Lot and Sidewalk Improvements

RECOMMENDATION

The Operations Committee recommends authorizing the general manager to contract with International Paving Services for the parking lot and sidewalk improvements not to exceed \$100,000 and modifying the 2017-2018 Budget for Redlands Plaza.

BACKGROUND

Staff budgeted for \$50,000 to repave and re-stripe the parking lot in the 2017-2018 Budget based on paving alone. The ADA changes that have been identified were not included in the budget, but adequate reserves are available to cover the paving options. The Board reviewed options provided by Staff at the October 18, 2017, Board meeting. The Board referred to Committee for a more detailed review and recommendation to the Board. Following the Committees review, they recommended International Paving Services and included a not to exceed cost with the expectation of changes needed due to trees.

DISCUSSION

Staff began obtaining parking lot repaving proposals in April 2017 based on a recommendation from ACWA JPIA, the District's insurer. Several companies indicated the parking lot would have to be re-graded to meet Americans Disability Act (ADA) requirements. They alerted staff that the handicap ramps of Redlands Plaza sidewalk would need to be adjusted. To be sure all ADA compliance requirements have been identified, staff hired a California certified accessibility inspector. The inspector confirmed the sidewalk requires several changes to become ADA compliant. Parking and outside areas are the responsibility of the owner.

Three companies that provide asphalt re-pavement have included sidewalk repairs or replacement options to achieve compliance. Staff also considered an opportunity for more permeable paving its recharge value. Using permeable pavers would provide a more aesthetically pleasing alternative with percolation benefits. The staff has provided both paving and permeable paver estimates in the attached table. The permeable paver companies do not offer sidewalk replacement so Staff would have to obtain another firm to complete that task if the Board directs that option.

BOARD
OF
DIRECTORS

Division 1:
Richard Corneille
Division 2: David E.
Raley

Division 3:
T. Milford Harrison
Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL
MANAGER

Daniel B. Cozad

FISCAL IMPACT

Costs for making improvements to Redlands Plaza parking lot and sidewalk range will cost at least \$87,729 as proposed. The Operations Committee recommends authorizing up to \$100,000 due to known but unbudgeted damage due to roots. The Redlands Plaza Reserve balance is approximately \$186,000 which can provide adequate funding for the recommended authorization.

POTENTIAL MOTIONS

1. Move the Operations Committee's recommendation.
2. Move to defer back to the Operations Committee for further review and consideration.

ATTACHMENTS OR MATERIALS

Parking Lot Repair Estimates Spreadsheet

Parking Lot Repair Estimates Asphalt or Permeable Pavers

Company		Total	
Estes Paving Construction	Overlay lot up to 2", grind where needed, place tac oil 88 l.f. gutter repair, slurry seal entrance, re-stripe	\$ 34,288.00	*sidewalk not included
United Paving Company	Asphalt removal and replacement (partial) Mill/coldplane up to 1.5" T top of lot 142 l.f. curb repair, seal and re-stripe entire lot	\$ 30,525.00	*sidewalk not included
	*ADA curb cut ramp installation in 2 locations and concrete sidewalk repair 288 s.f. in 3 locations	\$ 39,125.00	*with sidewalk repairs
International Paving Services	Asphalt removal and replacement (partial), adjust ADA stalls to <2% slope, remove/replace (1) sidewalk ramp, 160 l.f. curb repair, crackfill, slurry seal, re-stripe	\$ 37,867.00	*sidewalk not included
	Sidewalk removal & repair-fence removal/re-installation & permit fees not included	\$ 87,729.00	*with sidewalk replacement
Titan Contractors	Grind & overlay 394 sq ft, remove & replace 324 sq ft, 1,800 l.f. crack fill , overlay 846 sq ft, 2 coat application of sealer, re-stripe	Not indicated	
	Remove & replace sidewalk & curbing, install truncated domes-permit fees not included	\$ 98,765.38	*with sidewalk replacement
Edson Pavers, Inc	23,000 sq ft permeable interlocking pavers, 80MM thick over 2" of #8 rock	\$ 126,500.00	
	23,000 sq ft 6" of #57 rock	\$ 36,800.00	
	Additional Cost if requested: 23,000 sq ft Joint Stabilizing sealer	\$ 21,850.00	
	Demolition and removal of asphalt	\$ 109,250.00	
	Total	\$ 294,400.00	*sidewalk not included
Paver Décor Masonry, Inc.	23,000 sq ft Cascada permeable pavers, 80MM thick over 2# of #8 rock	\$ 117,300.00	
	23,000 sq ft permeable base 4" of #57 rock and 6" of #2 rock, 1 layer of Mirafi 140N	\$ 55,200.00	
	NO DEMOLITION of asphalt (will need separate company for removal) estimated	\$ 110,000.00	
	Total	\$ 282,500.00	*sidewalk not included
Alternative	Top of parking lot only (in front of suites) permeable pavers 80MM over 2" of #8 rock	\$ 92,341.00	
	Base 4" of #57 rock and 6" of #2 rock, 1 layer of Mirafi 140N	\$ 42,287.00	
	Leaving parking lot entrance as asphalt	\$ 134,628.00	*sidewalk not included

*Sidewalk repairs or replacement are needed to meet ADA compliance requirements (estimated \$50,000 additional cost)



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Memorandum No. 1531

To: Board of Directors

From: General Manager, Daniel Cozad

Date: November 8, 2017

Subject: Unaudited Financial Reports, October 2017

RECOMMENDATION

Review and approve the unaudited financials for October 2017.

BACKGROUND

Each month staff presents the unaudited financial for the District. The presented reports are as of October 31, 2017.

DISCUSSION

Most income funds and expense accounts are as expected for completing one third of the fiscal year. Interest income is above budget due to higher yields earned compared to those forecast. Miscellaneous income is slightly elevated due to auction sale proceeds from the excess 1997 Zieman trailer.

The financials are attached for the Board review and approval.

FISCAL IMPACT

There is no fiscal impact from reporting the financial status of the District.

POTENTIAL MOTIONS

1. Move approval of the Unaudited Financials for October 2017 as presented.
2. Move to request this item be tabled and referred to Finance & Administration Committee for reconsideration of specific issues discussed.

ATTACHMENTS OR MATERIALS

Graph Financials for October 2017
Profit & Loss to Date vs. Annual Budget

BOARD
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GENERAL
MANAGER

Daniel B. Cozad

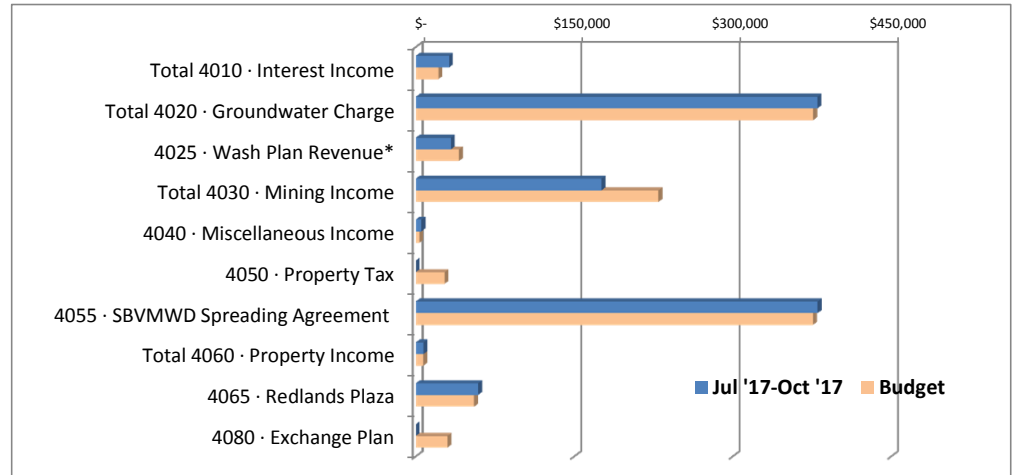
SBVWCD - All Enterprises Budget and Actual

October 2017

REVENUE

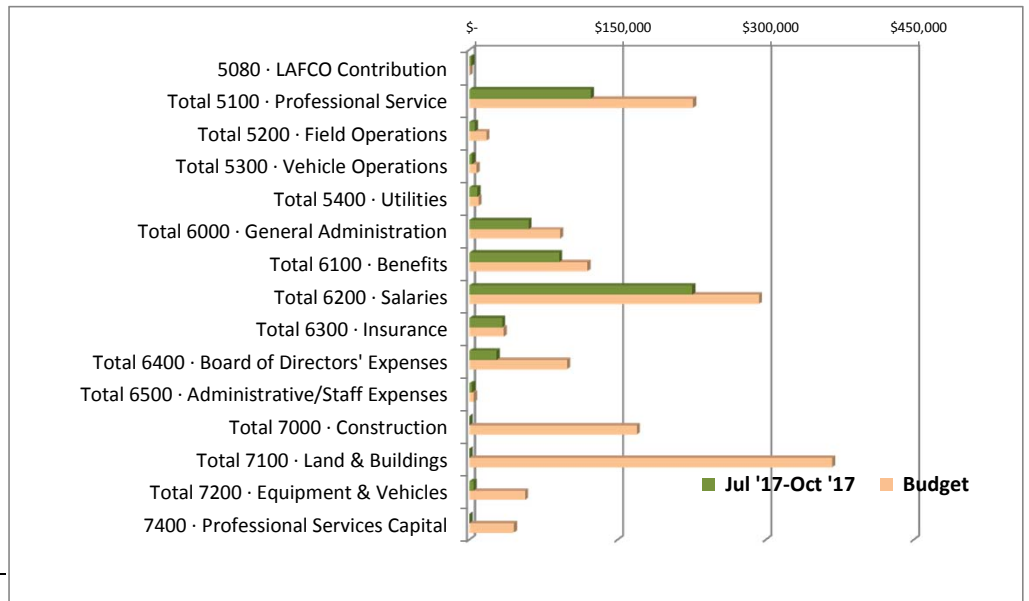
	Jul '17-Oct '17	Budget
Total 4010 · Interest Income	\$ 31,429	\$ 21,435
Total 4020 · Groundwater Charge	\$ 380,255	\$ 376,311
4025 · Wash Plan Revenue*	\$ 33,239	\$ 40,833
Total 4030 · Mining Income	\$ 175,824	\$ 229,667
4040 · Miscellaneous Income	\$ 5,504	\$ 3,333
4050 · Property Tax	\$ -	\$ 27,267
4055 · SBVMWD Spreading Agreement	\$ 380,371	\$ 376,067
Total 4060 · Property Income	\$ 7,300	\$ 7,200
4065 · Redlands Plaza	\$ 59,062	\$ 55,274
4080 · Exchange Plan	\$ -	\$ 30,000
Total Revenue	\$ 1,072,984	\$ 1,167,387

*District loans to the WP

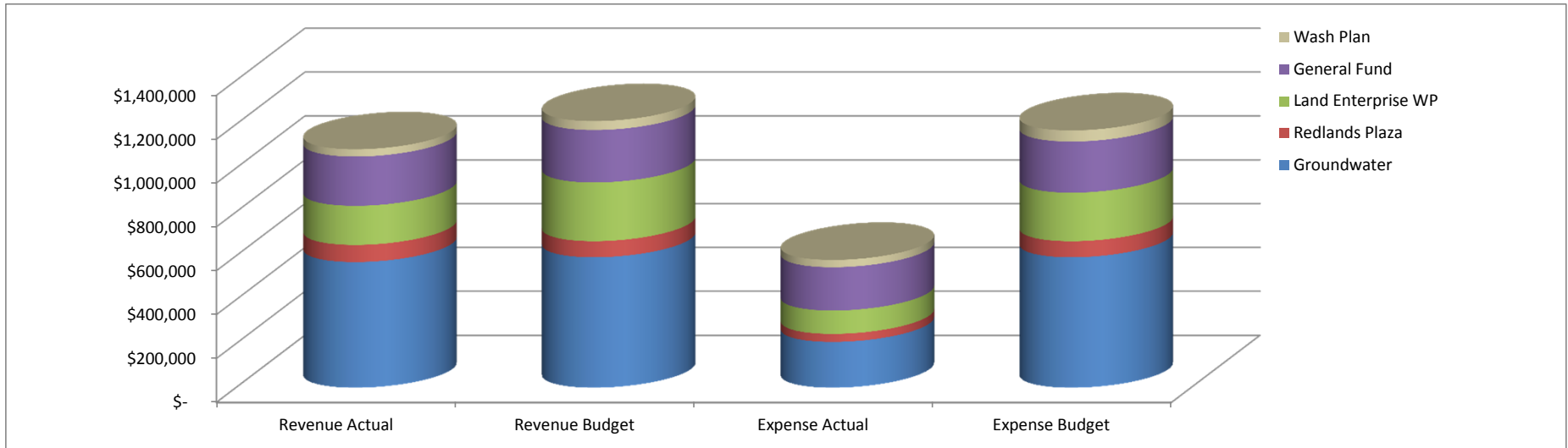


EXPENSES Operating and Capital

	Jul '17-Oct '17	Budget
5080 · LAFCO Contribution	\$ 2,153	\$ 400
Total 5100 · Professional Service	\$ 122,710	\$ 226,132
Total 5200 · Field Operations	\$ 5,630	\$ 17,328
Total 5300 · Vehicle Operations	\$ 2,961	\$ 7,417
Total 5400 · Utilities	\$ 8,128	\$ 9,370
Total 6000 · General Administration	\$ 59,812	\$ 91,715
Total 6100 · Benefits	\$ 90,739	\$ 119,333
Total 6200 · Salaries	\$ 225,504	\$ 293,087
Total 6300 · Insurance	\$ 33,198	\$ 34,833
Total 6400 · Board of Directors' Expenses	\$ 27,529	\$ 98,753
Total 6500 · Administrative/Staff Expenses	\$ 2,639	\$ 4,564
Total 7000 · Construction	\$ -	\$ 169,331
Total 7100 · Land & Buildings	\$ -	\$ 367,325
Total 7200 · Equipment & Vehicles	\$ 4,259	\$ 56,333
7400 · Professional Services Capital	\$ -	\$ 45,000
Total Expense	\$ 585,260	\$ 1,540,921



Enterprises to Date (October 2017)



Enterprise	Actual	Budget	% of Budget
Groundwater Revenue	\$ 572,513	\$ 594,344	96%
Groundwater Expense	\$ 208,502	\$ 345,890	60%
Revenue -Expense	\$ 364,012	\$ 248,454	
Redlands Plaza Revenue	\$ 78,014	\$ 73,138	107%
Redlands Plaza Expense	\$ 36,514	\$ 72,954	50%
Revenue -Expense	\$ 41,500	\$ 184	
Land Enterprise Revenue	\$ 178,363	\$ 268,000	67%
Land Enterprise Expense	\$ 106,622	\$ 221,486	48%
Revenue -Expense	\$ 71,741	\$ 46,514	
General Fund Revenue *	\$ 224,818	\$ 239,235	94%
General Fund Expense	\$ 197,228	\$ 233,309	85%
Revenue -Expense	\$ 27,590	\$ 5,926	
Wash Plan Revenue	\$ 33,239	\$ 40,833	81%
Wash Plan Expense	\$ 33,239	\$ 50,971	65%
Revenue-Expense	-	(10,137)	
Total All Revenue - Expense	\$ 504,843	\$ 290,941	174%

Cash Status	As of 7/1/2017	As of 10/31/2017
LAIF	\$ 450,847.82	\$ 453,109.12
Cal Trust	\$ 3,003,802.30	\$ 3,018,951.94
Citizens Bank	\$ 425,411.04	\$ 851,422.78
UBS Financial Services	\$ 1,868,928.62	\$ 1,869,848.67
Cal Credit Union	\$ 3,276,349.50	\$ 3,285,144.28
Total Cash	\$ 9,025,339.28	\$ 9,478,476.79
Less Prepaid Royalty	\$ (5,000,000.00)	\$ (5,000,000.00)
Cash Position	\$ 4,025,339.28	\$ 4,478,476.79

Increase (decrease) of
Percent Increase \$ 453,137.51
11.3%

* General Fund Revenue shown here does not include overhead

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul - Oct 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4010 · Interest Income				
4012 · LAIF	2,261.30	1,800.00	461.30	125.63%
4013 · Caltrust Investment Income	15,149.64	20,000.00	-4,850.36	75.75%
4014 · CalCredit Union Interest Income	8,794.78	25,000.00	-16,205.22	35.18%
4015 · UBS Interest Income	5,223.33	17,500.00	-12,276.67	29.85%
Total 4010 · Interest Income	31,429.05	64,300.00	-32,870.95	48.88%
4020 · Groundwater Charge				
4021 · Assessments - Ag	16,145.43	38,921.24	-22,775.81	41.48%
4023 · Assessments - Non-Ag	364,109.26	713,700.40	-349,591.14	51.02%
Total 4020 · Groundwater Charge	380,254.69	752,621.64	-372,366.95	50.52%
4025 · Wash Plan Revenue	33,238.89	70,000.00	-36,761.11	47.48%
4030 · Mining Income				
4031 · Plant Site - CEMEX	16,000.00	48,000.00	-32,000.00	33.33%
4032 · Cemex - Royalty / Lease	146,499.99	586,000.00	-439,500.01	25.0%
4034 · Redlands Aggregate 5% Royalty	0.00	0.00	0.00	0.0%
4036 · Aggregate Maintenance	13,323.87	55,000.00	-41,676.13	24.23%
4030 · Mining Income - Other	0.00	0.00	0.00	0.0%
Total 4030 · Mining Income	175,823.86	689,000.00	-513,176.14	25.52%
4040 · Miscellaneous Income				
4041 · Reimbursed Expenses	0.00	0.00	0.00	0.0%
4040 · Miscellaneous Income - Other	5,503.93	10,000.00	-4,496.07	55.04%
Total 4040 · Miscellaneous Income	5,503.93	10,000.00	-4,496.07	55.04%
4050 · Property Tax	-227.94	81,800.00	-82,027.94	-0.28%
4055 · SBVMWD Spreading Agreement Reim	380,371.00	376,066.70	4,304.30	101.15%
4060 · Property Income				
4062 · Mentone Property	7,300.00	21,600.00	-14,300.00	33.8%
Total 4060 · Property Income	7,300.00	21,600.00	-14,300.00	33.8%
4065 · Redlands Plaza	59,062.39	165,822.65	-106,760.26	35.62%
4066 · Redlands Plaza CAM	11,651.83	32,000.00	-20,348.17	36.41%
4080 · Exchange Plan	0.00	30,000.00	-30,000.00	0.0%
4086 · Plunge Creek IRWMP	2,539.61	150,000.00	-147,460.39	1.69%
4998 · Rate Stabilization From Reserve	0.00	35,000.00	-35,000.00	0.0%
Total Income	1,086,947.31	2,478,210.99	-1,391,263.68	43.86%
Gross Profit	1,086,947.31	2,478,210.99	-1,391,263.68	43.86%
Expense				
5040 · Regional Programs				
5080 · LAFCO Contribution	2,152.67	400.00	1,752.67	538.17%
Total 5040 · Regional Programs	2,152.67	400.00	1,752.67	538.17%
5050 · Basin Cleaning	0.00	50,000.00	-50,000.00	0.0%
5100 · Professional Service				
5120 · Misc. Professional Services	23,800.91	150,000.00	-126,199.09	15.87%
5122 · Wash Plan Professional Services				
5122.01 · Professional Services-Wash Plan	-251.80			
5122 · Wash Plan Professional Services - Other	133.95	50,000.00	-49,866.05	0.27%
Total 5122 · Wash Plan Professional Services	-117.85	50,000.00	-50,117.85	-0.24%
5124 · Plunge Creek Prof Services	11,661.51	150,000.00	-138,338.49	7.77%
5125 · Engineering Services	0.00	18,000.00	-18,000.00	0.0%
5130 · Aerial Photography & Surveying	0.00	1,000.00	-1,000.00	0.0%
5145 · Environmental Services (WP)	0.00	0.00	0.00	0.0%
5160 · IT Support	1,350.00	7,000.00	-5,650.00	19.29%
5170 · Audit	23,500.00	27,135.00	-3,635.00	86.6%
5175 · Legal - Wash Plan	155.00	10,000.00	-9,845.00	1.55%
5180 · Legal	62,359.99	209,000.00	-146,640.01	29.84%
Total 5100 · Professional Service	122,709.56	622,135.00	-499,425.44	19.72%
5123 · Temp. Field Labor	0.00	11,000.00	-11,000.00	0.0%
5133 · Regional River HCP Contribution	0.00	40,000.00	-40,000.00	0.0%
5143 · SBVCT District Contribution	0.00	4,042.00	-4,042.00	0.0%
5200 · Field Operations				
5210 · Equipment Maintenance	2,608.71	6,000.00	-3,391.29	43.48%
5215 · Property Maintenance	3,020.91	40,000.00	-36,979.09	7.55%
5220 · Maintenance Materials/Shop/Flid	0.00	3,000.00	-3,000.00	0.0%
5225 · Field Clean Up-Illegal dumping	0.00	3,000.00	-3,000.00	0.0%
Total 5200 · Field Operations	5,629.62	52,000.00	-46,370.38	10.83%

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul - Oct 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
5300 · Vehicle Operations				
5310 · Vehicle Maintenance	1,031.16	10,000.00	-8,968.84	10.31%
5320 · Fuel	1,929.68	12,250.00	-10,320.32	15.75%
Total 5300 · Vehicle Operations	<u>2,960.84</u>	<u>22,250.00</u>	<u>-19,289.16</u>	<u>13.31%</u>
5400 · Utilities				
5410 · Alarm Service	516.00	1,500.00	-984.00	34.4%
5420 · Electricity	3,337.54	9,500.00	-6,162.46	35.13%
5430 · Mobile Phone	1,080.00	3,550.00	-2,470.00	30.42%
5440 · Telephone	1,618.93	8,000.00	-6,381.07	20.24%
5450 · Natural Gas	11.71	900.00	-888.29	1.3%
5460 · Water / Trash / Sewer	683.79	2,160.00	-1,476.21	31.66%
5470 · Internet Services	879.92	2,500.00	-1,620.08	35.2%
Total 5400 · Utilities	<u>8,127.89</u>	<u>28,110.00</u>	<u>-19,982.11</u>	<u>28.92%</u>
6000 · General Administration				
6001 · General Administration - Other	607.16	5,500.00	-4,892.84	11.04%
6002 · Website Administration	1,017.94	3,100.00	-2,082.06	32.84%
6003 · Property Tax	0.00	235.10	-235.10	0.0%
6004 · Meeting Expenses	428.77	2,000.00	-1,571.23	21.44%
6006 · Permits	2,266.25	10,000.00	-7,733.75	22.66%
6007 · Inter District Costs	0.00	10,000.00	-10,000.00	0.0%
6009 · Licenses	0.00	1,639.00	-1,639.00	0.0%
6010 · Surety Bond	1,210.00	1,900.00	-690.00	63.68%
6012 · Office Maintenance	15.02	3,180.00	-3,164.98	0.47%
6013 · Office Lease Payment	20,000.00	60,000.00	-40,000.00	33.33%
6015 · Mentone House Maintenance	1,000.00	5,000.00	-4,000.00	20.0%
6016 · Redlands Plaza Maintenance	2,245.41	65,000.00	-62,754.59	3.45%
6018 · Janitorial Services	2,577.00	9,108.89	-6,531.89	28.29%
6019 · Janitorial Supplies	118.33	500.00	-381.67	23.67%
6020 · Vacancy Marketing-Redlands Plaz	106.50	5,050.00	-4,943.50	2.11%
6024 · Computer Equip Maint.	0.00	0.00	0.00	0.0%
6026 · Redlands Plaza CAM expenses	8,661.85	28,500.00	-19,838.15	30.39%
6027 · Computer Supplies	0.00	689.00	-689.00	0.0%
6030 · Office Supplies	483.85	4,250.67	-3,766.82	11.38%
6033 · Office Equipment Rental	2,776.59	8,900.00	-6,123.41	31.2%
6036 · Printing	52.92	980.00	-927.08	5.4%
6039 · Postage and Overnight Delivery	117.08	1,200.00	-1,082.92	9.76%
6042 · Payroll Processing	889.65	2,450.00	-1,560.35	36.31%
6045 · Bank Service Charges	668.82	2,500.00	-1,831.18	26.75%
6051 · Uniforms	407.62	2,000.00	-1,592.38	20.38%
6060 · Outreach	5,047.42	20,000.00	-14,952.58	25.24%
6087 · Educational Reimbursement	0.00	2,500.00	-2,500.00	0.0%
6090 · Subscriptions/Publications	1,038.99	1,000.00	38.99	103.9%
6091 · Public Notices	0.00	3,000.00	-3,000.00	0.0%
6093 · Memberships	8,075.00	18,500.00	-10,425.00	43.65%
Total 6000 · General Administration	<u>59,812.17</u>	<u>278,682.66</u>	<u>-218,870.49</u>	<u>21.46%</u>
6100 · Benefits				
6110 · Vision Insurance	662.48	2,355.91	-1,693.43	28.12%
6120 · Workers' Comp. Insurance	2,922.82	13,265.35	-10,342.53	22.03%
6130 · Dental Insurance	2,807.68	10,566.73	-7,759.05	26.57%
6150 · Medical Insurance				
6150.01 · Medical Employee Contribution	-5,051.28	-22,217.51	17,166.23	22.74%
6150 · Medical Insurance - Other	47,071.56	167,161.64	-120,090.08	28.16%
Total 6150 · Medical Insurance	<u>42,020.28</u>	<u>144,944.13</u>	<u>-102,923.85</u>	<u>28.99%</u>
6160 · Payroll Taxes-Employer	12,581.70	64,235.94	-51,654.24	19.59%
6170 · PERS Retirement				
6170.01 · PERS Employee Contributions	-10,805.18	-26,015.02	15,209.84	41.53%
6170 · PERS Retirement - Other	40,549.20	148,647.12	-108,097.92	27.28%
Total 6170 · PERS Retirement	<u>29,744.02</u>	<u>122,632.10</u>	<u>-92,888.08</u>	<u>24.26%</u>
Total 6100 · Benefits	<u>90,738.98</u>	<u>358,000.16</u>	<u>-267,261.18</u>	<u>25.35%</u>
6200 · Salaries				
6220 · Contingency/Temporary	0.00	0.00	0.00	0.0%
6230 · Regular Salaries	225,503.83	879,260.46	-653,756.63	25.65%
Total 6200 · Salaries	<u>225,503.83</u>	<u>879,260.46</u>	<u>-653,756.63</u>	<u>25.65%</u>
6300 · Insurance				
6310 · Property/ Auto Insurance	0.00	7,000.00	-7,000.00	0.0%
6320 · General Liability Insurance	33,197.95	32,500.00	697.95	102.15%

San Bernardino Valley Water Conservation District
Profit & Loss To Date vs. Annual Budget

	<u>Jul - Oct 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Total 6300 · Insurance	33,197.95	39,500.00	-6,302.05	84.05%
6400 · Board of Directors' Expenses				
6401 · Directors' Fees				
6401.5 · Payroll Taxes-Directors	1,670.31	0.00	1,670.31	100.0%
6401 · Directors' Fees - Other	21,424.00	78,718.78	-57,294.78	27.22%
Total 6401 · Directors' Fees	23,094.31	78,718.78	-55,624.47	29.34%
6410 · Mileage	1,261.18	4,000.00	-2,738.82	31.53%
6415 · Air Fare	0.00	2,500.00	-2,500.00	0.0%
6420 · Other Travel	60.00	500.00	-440.00	12.0%
6425 · Meals	430.31	2,500.00	-2,069.69	17.21%
6430 · Lodging	644.04	3,000.00	-2,355.96	21.47%
6435 · Conf/Seminar Registrations	2,039.00	5,000.00	-2,961.00	40.78%
6440 · Election Fees / Re-Districting	0.00	100,000.00	-100,000.00	0.0%
Total 6400 · Board of Directors' Expenses	27,528.84	196,218.78	-168,689.94	14.03%
6500 · Administrative/Staff Expenses				
6510 · Mileage	103.79	1,800.00	-1,696.21	5.77%
6515 · Air Fare	307.96	2,000.00	-1,692.04	15.4%
6520 · Travel, Other (rental car, taxi)	20.61	1,400.00	-1,379.39	1.47%
6525 · Meals	139.52	1,500.00	-1,360.48	9.3%
6530 · Lodging	227.67	3,000.00	-2,772.33	7.59%
6535 · Conf/Seminar Registrations	1,839.00	4,000.00	-2,161.00	45.98%
Total 6500 · Administrative/Staff Expenses	2,638.55	13,700.00	-11,061.45	19.26%
9999 · Contribution to Capital Maint.	0.00	280,500.00	-280,500.00	0.0%
Total Expense	581,000.90	2,875,799.06	-2,294,798.16	20.2%
Net Ordinary Income	505,946.41	-397,588.07	903,534.48	-127.25%
Other Income/Expense				
Other Expense				
7000 · Construction				
7010 · Materials	0.00	8,000.00	-8,000.00	0.0%
7050 · Basins- Capital Annual Repair	0.00	0.00	0.00	0.0%
7053 · HCP Endowment	0.00	0.00	0.00	0.0%
7055 · Plunge Creek Expansion	0.00	500,000.00	-500,000.00	0.0%
Total 7000 · Construction	0.00	508,000.00	-508,000.00	0.0%
7100 · Land & Buildings				
7110 · Property Capital Repairs	0.00	260,000.00	-260,000.00	0.0%
7130 · Mentone Property (House)-CapRep	0.00	0.00	0.00	0.0%
7140 · Mentone Property (Shop)-CapRep	0.00	50,000.00	-50,000.00	0.0%
7150 · Mill Creek Diversion	0.00	577,000.00	-577,000.00	0.0%
7160 · Mendoza Property	0.00	215,000.00	-215,000.00	0.0%
Total 7100 · Land & Buildings	0.00	1,102,000.00	-1,102,000.00	0.0%
7200 · Equipment & Vehicles				
7210 · Computer Hardware-Capital Purch	0.00	5,000.00	-5,000.00	0.0%
7220 · Computer Software	4,259.00	12,500.00	-8,241.00	34.07%
7230 · Field Equipment / Vehicles	0.00	150,000.00	-150,000.00	0.0%
7240 · Office Equipment	0.00	1,500.00	-1,500.00	0.0%
Total 7200 · Equipment & Vehicles	4,259.00	169,000.00	-164,741.00	2.52%
7400 · Professional Services Capital				
7438 · Engineering Services-Other	0.00	135,000.00	-135,000.00	0.0%
Total 7400 · Professional Services Capital	0.00	135,000.00	-135,000.00	0.0%
Total Other Expense	4,259.00	1,914,000.00	-1,909,741.00	0.22%
Net Other Income	-4,259.00	-1,914,000.00	1,909,741.00	0.22%
Net Income	<u>501,687.41</u>	<u>-2,311,588.07</u>	<u>2,813,275.48</u>	<u>-21.7%</u>



Wash Plan Update

Oct. 12 through Nov. 3, 2017



Staff continues to estimate publication in the Federal Register of the HCP in the late Fall/early winter of 2017 and no additional financial resources will be needed. The earliest scheduled project implementation of HCP projects is the District's Plunge Creek Project scheduled for summer/fall of 2018. Draft permit documents have been finalized for this project and will be submitted this month. Staff continues to coordinate with those having projects under development and most recently analyzed impacts associated with Valley District's revised description for their well project. FWS is confident that the the Incidental Take Permit will be complete for all projects and the HCP implemented prior to construction. Staff will be meeting with FWS to discuss forming the Preserve Management Committee and early implementation steps in December.

Staff additionally initiated discussion with FWS about the passage for kangaroo rat over the D dike allowing full use of the 1969 breakout by the species. A preliminary design is included as an attachment to this report. Staff is negotiating an implementation strategy that will likely be implemented under a CEQA exemption.

Wash Plan Habitat Conservation Plan (HCP) Document. Complete.

Implementing Agreement (IA). Complete.

Environmental Documents. The Environmental Impact Report (EIR) and the Environmental Impact Statement (EIS) are the review documents that disclose impacts related to implementation of the HCP. These documents are combined in a single EIR/EIS document with the Federal Partners (the FWS and the Bureau of Land Management) using the EIS section and the District using the EIR as their decision support documents. The "screen check" version completed last fall is being updated to reflect updates to the HCP.

Staff and partners have completed the required revised hydrology and water quality, land use, socioeconomic, and visual resources chapters. Traffic, air quality, and noise will be completed by Thanksgiving. FWS continues to do simultaneous review at their regional office in Sacramento and recently requested additional review of the findings of the biological resources chapter. They suggested findings underestimated the benefits of the HCP and requested they be modified.

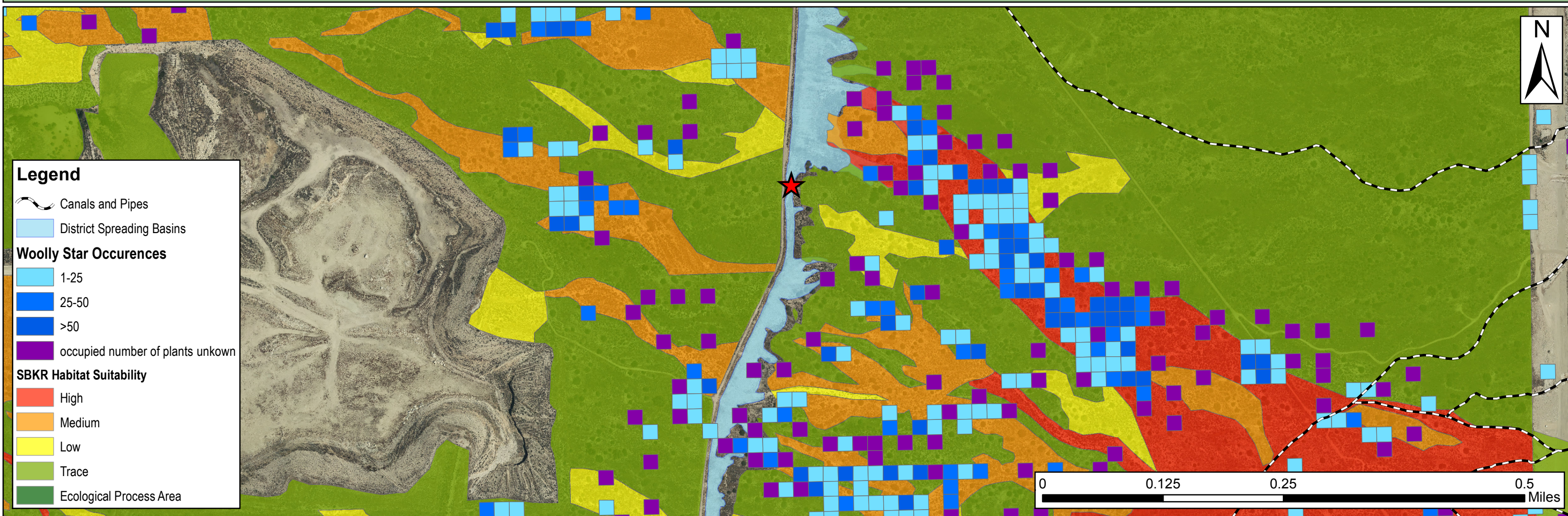
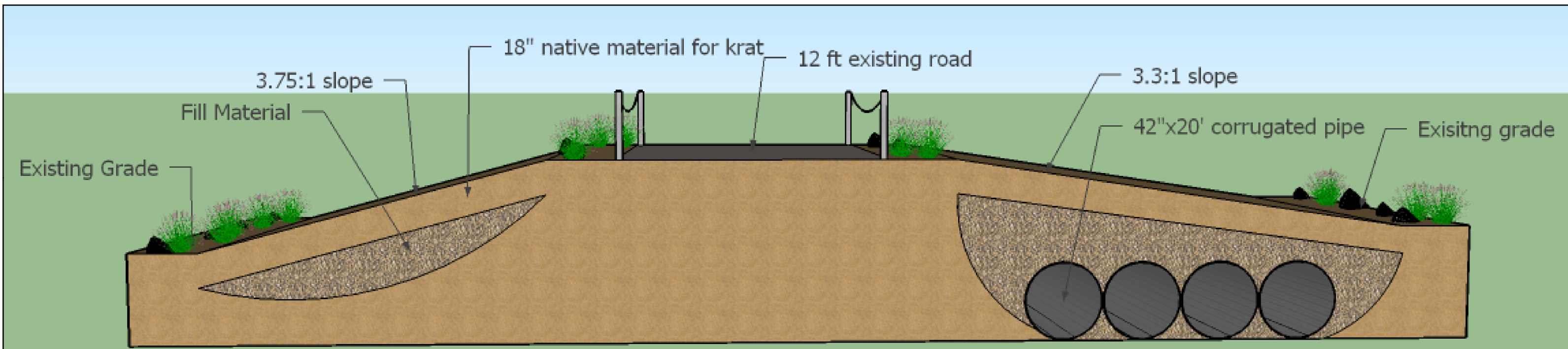
Land Transfers. There are two land transfers required for full implementation of the HCP. The first is a land transfer between Robertson's and the Flood Control District. The County of San Bernardino still estimates consideration of the transfer later this calendar year. The second transfer, a transfer of land between the District and the BLM, requires Congressional approval. The Senate version of the land transfer bill, S357, has passed out of the Senate Committee on

Energy and Natural Resources and will be heard by the full Senate this fall.. Senate staff has formally requested comments from BLM to prepare the bill for further consideration. Full implementation of the mining activities described in the HCP requires the land transfer to be completed.

Additionally, the HCP calls for the transfer of approximately 114 acres of land fee title to the District from Redlands. This land will be managed as part of the Wash Plan preserve.

D-Dike Habitat Enhancement Wash Plan Habitat Conservation

Coordinate System:
 NAD 1983 StatePlane California V FIPS 0405 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
 Source: SBVWCD, CASIL, SBVMWD
 GIS Contact: K. Scholte & J. Zhou
 M:\2016 Projects\Wash Plan\Habitat Enhancement
 October 12, 2017



NEWS > NATIONAL NEWS

Is the California gnatcatcher truly endangered? Lawsuit wants feds to take another look



The coastal California gnatcatcher is a small blue-gray songbird that was listed as threatened with extinction in 1993. It once thrived in Southern California's coastal sage scrub habitat between San Barbara and the Mexico border. (Photo Courtesy U.S. Fish and Wildlife Service)

By **JIM STEINBERG** | Press-Enterprise

PUBLISHED: November 2, 2017 at 12:34 pm | UPDATED: November 2, 2017 at 2:43 pm

Seeking to free up about 200,000 acres from Ventura County to San Diego for housing, a group representing property owners, homebuilders and others has filed a lawsuit seeking to loosen the endangered species status for the coastal California gnatcatcher.

The lawsuit, filed Thursday, Nov. 2, by the Pacific Legal Foundation, asks the U.S. Fish and Wildlife Service to conduct a fair review of scientific evidence that has emerged casting doubt on the rarity of the bird.

The evidence comes from DNA findings produced by Robert Zink, a professor of ornithology at the University of Nebraska, and several other biologists.

According to the foundation, the data shows “that the gnatcatcher is not an imperiled subspecies living only in Southern California, but part of a large and healthy species found from Southern California to the southern tip of Baja, Mexico.”

The lawsuit contends federal officials were presented with that information in 2014, but they rejected it two years later.

“Instead of giving Dr. Zink’s peer-reviewed findings the objective analysis required by law, federal bureaucrats used an agenda-driven process that lacked transparency,” the foundation’s senior attorney Damien Schiff said in a statement.

If the bird isn’t rare, developers should be allowed to build on land that’s currently off-limits, the suit argues.

“The gnatcatcher regulations cause significant social harm by blocking the development of needed homes and roadways in many areas of Southern California,” said Bruce Colbert, executive director of the Property Owners Association of Riverside County, one of Pacific Legal Foundation’s clients.

“They create uncertainty for development and reduced property values for landowners,” he said.

In addition to the Property Owners Association of Riverside County, the lawsuit was filed on behalf of the Center for Environmental Science, Accuracy & Reliability; the Coalition of Labor, Agriculture, and Business; the California Building Industry Association; the National Association of Home Builders of the United States; and the Building Industry Legal Defense Foundation.

Tags: **Echo Code**, **environment**, **Top Stories PE**



Jim Steinberg

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Homeowners Born Before 1985 Are Getting a Huge Reward

If you own a home, you should read this. Thousands of homeowners did this yesterday, and banks ...

BY MORNINGFINANCE

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General Manager's Report

For October 14, 2017 to November 3, 2017

Daniel B. Cozad

The following report covers the weeks between meetings and the efforts and activities during the reporting period.

- 1. Water Conservation – Plan Goal 1** – The Field staff are recharging very small residual watershed flows instream. Edison facilities are in operation, and no flood control activity has occurred in the month. Significant State Project Water flows recharged throughout the month.

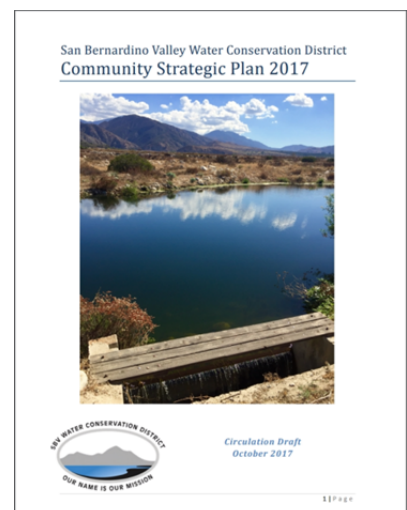
Santa Ana recharge totals for the Water Year beginning October 1, 2017, total 2,963 AF with a small amount of intentional instream recharge. Virtually all of the flows are from State Project Water recharged in Santa Ana.

- 2. Facility Maintenance and Cleanout – Plan Goal 1** – Field staff are operating basins in Santa Ana on a weekly rotating basis to force drying to reduce algae concerns. The Mill Creek diversion is dry without storms, and all flows are from State Project water. Staff coordinated with CalFire crews for maintenance and brush removal and have chipped and cleared the cuttle wier diversion. Field staff and Jacinto staff rebuilt rock and reset soft



plugs in Mill Creek and repaired the Garnet South Canal levee in preparation for winter rains. Upland rock is cleaning Mill Creek basin 1 and 2 in the coming weeks ahead of winter rains.

- 3. Aggregate Management – Plan Goal 2** – Upland Rock finished tamarisk clearing from the pit area. Upland is also working with contractors to facilitate accepting rock and taking sand for the pipeline and other facilities.
- 4. Personnel/Administration/Staff – Plan Goal 6** – Staff worked to incorporate Board changes to the Community Strategic Plan. The Circulation Draft was approved and posted on the District website for Distribution. Staff emailed the plan to more than 50 partners and community managers and executives for comment or questions. [Click here to download a copy of the 2017 Circulation Draft](#)



5. **Finance/Budget/Audit** – *Plan Goal 6* – The District is implementing the budget for 2017-2018. Staff prepared the Annual Financial Statements for the San Bernardino Valley Conservation Trust and emailed them to the Board of Directors. Staff is also completing the Form 990 for submittal.
6. **Mill Creek Diversion Engineering** – *Plan Goals 1/7* – Final signed plans for Mill Creek along with the Stormwater quality management plan were delivered to Flood Control so they can seek a Section 408 permit from USACOE. Other permits will be timed to coordinate with the 408 permit.
7. **Plunge Creek Project** – *Plan Goals 1/4/7* – Permit applications for the 401 and 404 permits are being finalized for submittal. Staff have had pre-permit meetings with the resources agencies.
8. **Collaborative Enhanced Recharge Project** – *Plan Goal 7* – The Enhanced Recharge contractor, J.F. Shea Construction is making excellent progress and is likely to complete early efforts for our facilities to be back in service by November 15. The building will continue outside of the District’s operations until the end of August 2018. In the river, recharge is monitored and recorded during the outage. The Enhanced Recharge Basins are programmed for 2020 with the improvements at the Cuttle Weir to follow the approval of the River Habitat Conservation Plan.
9. **Groundwater Council** – *Plan Goal 1* – The next Groundwater Council meeting will be November 13th. Because this meeting occurs after the board meeting staff will provide an oral update. The staff has worked with the City of San Bernardino, Western Municipal Water District, and West Valley Water District on their comments related to the Equitable Allocation Model and the Groundwater Council Agreement.
10. **Wash Plan** – *Plan Goal 2* – The Wash Plan has a separate report listed in the agenda.
11. **Santa Ana River Wash Plan Land Exchange Act** – S. 357 (Feinstein) Bill hearing was in July before the Senate Energy and Natural Resources Committee. Staff and Lobbyists set up in person meetings with Feinstein's staff, Senior staff from the Senate Energy and Natural Resources Committee. Committee staff indicated that they do not have a schedule for the bill markups. They tentatively believe there may be an Energy bill that could be considered by the Senate to which S.357 may be attached. Staff and lobbyists continue to receive support letters from Task Force Members and others. Fienstien and Cook staffs are coordinating amendments from BLM to complete the bill for markup.



- 12. Conservation Trust** – The Conservation Trust Board of Directors met on October 9th, 2017. They addressed mitigation need for the District projects and Community Mitigation opportunities. Staff and District Legal Counsel developed an initial draft of a District – Trust agreement for reimbursement and related needs to be considered by both Boards. The staff has also coordinated with Development interests adjoining the Wash Plan for mitigation needs and conservation easements.
- 13. Property/Redlands Plaza** – *Plan Goal 3* – Staff continues to manage Redlands Plaza. We have one vacant unit, and a potential new tenant for the open vacancy found other options for space.
- 14. Mining** – *Plan Goal 2/3* – Mining efforts by CEMEX Contractors continue on the Plant Site quarry. CEMEX and Robertson’s will shortly be submitting a mining plan to the District to detail the areas to be mined by each company. CEMEX and the District are working on the verification of excavations using the jointly approved methodology. This process is planned to take about 3-4 months and is somewhat behind schedule.
- 15. Public Outreach and Legislative** – *Plan Goal 4* – Staff continued working with the BTAC group on Conservation Outreach efforts, formerly iEfficient. The Outreach & Communications Committee met and reviewed the Communication Plan and outreach scope for recommendation to the Board. Staff worked on follow-up efforts related to the State Water Boards’ Dredge and Fill Regulations. Copies of the regulatory comment submission were provided to the Operations Committee.
- 16. Current Board Action Implementation** – *Plan Goal 3* – Staff is implementing the updated priorities of the Board. Most priority efforts have separate sections of the General Manager’s Report, or independent Board requested reports. Staff and District Counsel worked closely on EHL/CBD v. USACOE settlement as well as other closed session items.
- 17. Future Board Activities** – Expected short-term items for consideration or note
- December Board meeting has many action items and will precede the Holiday Lunch
 - Per Diem review will be on the Agenda for December
 - Review and consideration of approval of the Memorandum of Agreement with the BLM.
- 18. District Successes** – *Plan Goal 6*
- The Enhanced Recharge project is making excellent progress. Facility operation is on track for November 15, 2017.
 - Staff and consultants worked with the Outreach & Communications Committee resulting in good press articles in the Daily Facts, Press-Enterprise and SB Sun as well as the Highland Community News.
 - Field Staff members recertified their pesticide applicators certification in Palm Springs.

San Bernardino Valley Water Conservation District

Monthly Recharge Report

From: 10/1/2017
To: 10/31/2017



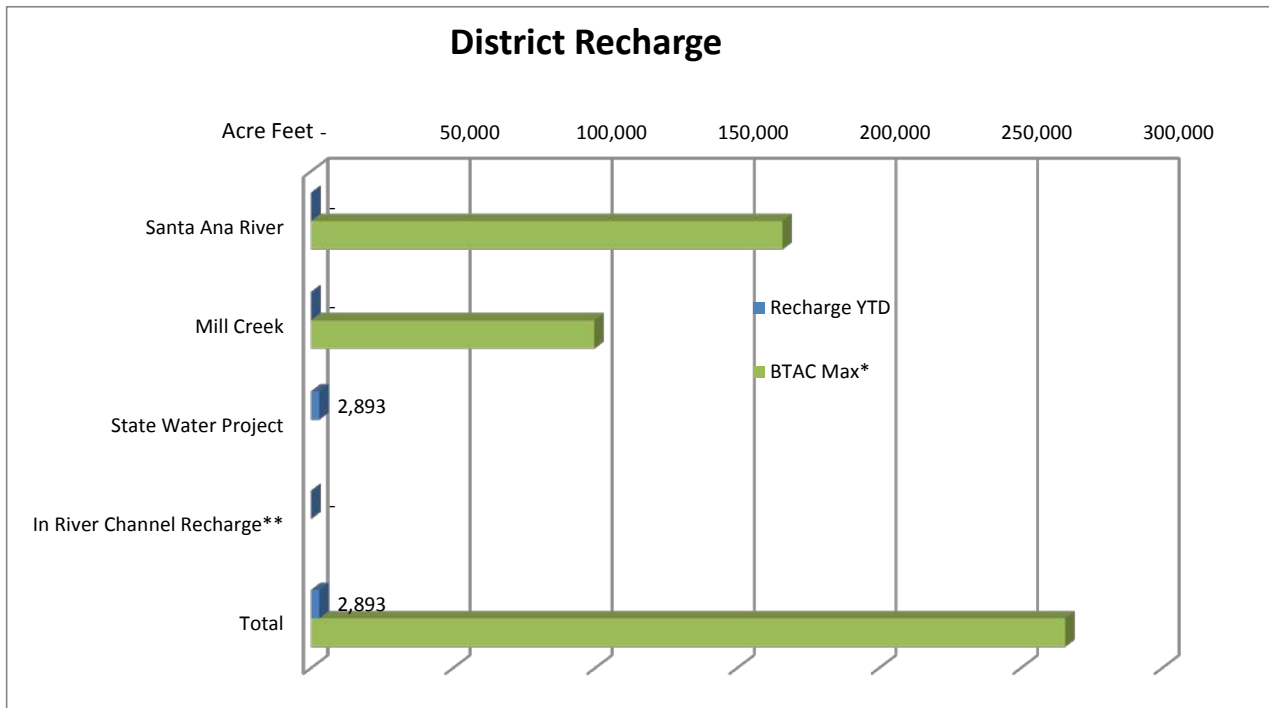
	October				
	Avg Daily Recharge	Monthly Recharge	Recharge YTD	BTAC Max*	% Max
Santa Ana River	0.0	-	-	166,000	0%
Mill Creek	0.0	-	-	99,700	0%
State Water Project	93.3	2,893	2,893	NA	NA
In River Channel Recharge**	0.0	-	-	NA	NA
Total	93	2,893	2,893	265,700	1%

Values in Acre Feet

*BTAC Revised Max in December 2016

**Monitoring began in Mid-April 2011

*** All Values Based on Water Year Oct-Sep 2018





2018 Board Calendar - San Bernardino Valley Water Conservation District

JANUARY						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Jan. 10 Board Meeting
 Jan. 24 2nd Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Jul. 11 Board Meeting
 Jul. 19 4th Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

Feb. 07 Board Meeting

AUGUST						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Aug. 08 Board Meeting

MARCH						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Mar. 14 Board Meeting
Engineering Investigation Report Presentation

SEPTEMBER						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Sept. 12 Board Meeting

APRIL						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Apr. 11 Board Meeting
Public Meeting/Groundwater Charge
 Apr. 27 3rd Qtr. Finance & Admin Mtg.
 Apr. 25 Board Meeting
Public Hearing/Groundwater Charge

OCTOBER						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Oct. 10 Board Meeting

MAY						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May 9 Board Meeting

NOVEMBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Nov. 07 Board Meeting
 Nov. 14 1st Qtr. Admin Mtg.

JUNE						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Jun. 13 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Dec. 12 Board Meeting
 (@ 9:30 a.m.)
Holiday Luncheon

MEMORANDUM

TO: ACWA Members: General Managers and Board Presidents
CC: ACWA Board of Directors
FROM: Timothy Quinn, ACWA Executive Director
DATE: October 11, 2017
SUBJECT: General Session Membership Meeting at ACWA 2017 Fall Conference

There will be a General Session Membership Meeting at the 2017 Fall Conference in Anaheim, California, on Wednesday, November 29. The meeting will be held in the Platinum Ballroom 1-6, Marriott Anaheim, at 1:20 p.m. The purpose of the meeting is to formally nominate and elect ACWA's President and Vice President for the 2018-2019 term and to conduct a vote by the membership on proposed amendments to ACWA's Bylaws as recommended by the Board of Directors at its meeting on September 29, 2017.

Election of President/Vice President

The ACWA Nominating Committee has announced a 2018-2019 slate that recommends current **Vice President Brent Hastey for ACWA President** and current **Federal Affairs Committee Chair Steven LaMar for ACWA Vice President**. As provided by ACWA's Bylaws (Article 9, Section 9) nominations from the floor will be accepted prior to the vote. Such nominations and seconds must be supported by a resolution of the governing body of the member agency making and seconding such nomination. **(See attached for General Session/Election Procedures.)**

Proposed Amendments to ACWA's Bylaws

As part of the ongoing efforts to ensure ACWA's Bylaws are current and reflect consistency with other governance documents and daily operations, the Board of Directors is recommending several amendments to the bylaws for consideration by the membership. A Legal Affairs Committee (LAC) Workgroup reviewed the proposed amendments and provided an analysis pursuant to ACWA's Bylaws (Article 9, Section 8).

Following is a list of the proposed amendments to the bylaws along with the rationale for the change and the LAC Workgroup's analysis.

Article 7 – Standing Committees

1. **Section 4. Committee Composition.** Each limited standing committee shall have a membership composition that is comprised of members in the quantity and with qualifications as defined by the provisions of these bylaws. The committee chair position shall not be included in the maximum count for determining the committee composition total of any given limited committee. The committee chair shall, however, be a voting member of their respective committee subject to the rules and procedures of each committee.

Rationale: Staff is recommending this amendment to the bylaws to allow the President flexibility in appointing members to limited standing committees and to provide an odd number committee composition total.

LAC Workgroup Analysis: The proposed revision is clear and meets its intended purpose.

2. **Committee Composition Terms in Sections 5 through 17.**

Rationale. Staff noted that the use of the term “individual” versus “representative” (and one instance of “member”) was inconsistent throughout the committee composition description for each of the standing committees in Article 7. Staff asked the LAC Workgroup to review Section 1, Qualifications, as well as each of the committee descriptions to make a determination as to which term best applies for all of the committees for purposes of consistency throughout Article 7.

LAC Workgroup Analysis: Reading of the various ACWA committee sections suggests that “Member” would be the most appropriate word for consistency throughout the bylaws. However, the use of a single term, may require some minor revisions to surrounding text for clarity (for an example see Section 15 (State Legislative Committee) where “member” is separately used to denote a “member agency” and so would need to state “member-agency” consistently to accommodate the more general use of “member” throughout the bylaws).

Staff Response: Staff revised the terms in the committee section descriptions (Sections 5 through 17) to “member” for consistency and the surrounding language where needed in response to the LAC Workgroup’s analysis. **(See attached bylaws for proposed amendments to these sections.)**

3. **Section 5. Agriculture Committee.** There shall be an Agriculture Committee whose duty it shall be to recommend Association policy, positions and programs to the Board of Directors, State Legislative Committee, Federal Affairs Committee or other committees, as appropriate, regarding agricultural issues affecting the interests of ACWA and its members. The committee shall consist of at least one member from each region.

Rationale: The 2016-2017 Business and Strategic Plan initiative to increase involvement and engagement from ACWA’s agricultural members has successfully generated momentum amongst ACWA’s agricultural members and a renewed attention to and involvement in key policy issues that uniquely affect agricultural water suppliers. Amidst this success, a concern has arisen that the momentum could be lost once the Board of Directors finishes its current term and the initiative sunsets. This concern has sparked the suggestion that ACWA should consider creating an Agriculture Committee as the thirteenth standing committee of the Association to continue the objectives of the Ag Initiative long-term.

LAC Workgroup Analysis: The proposed revision is clean and meets its intended purpose.

4. **Section 12. Legal Affairs Committee.** There shall be a Legal Affairs Committee whose duty it shall be to support the mission of the Association, and more particularly to deal with requests for assistance involving legal matters of significance to members of the Association agencies, including but not limited to state and federal court litigation, water rights matters, selected regulatory and resources agency matters, proposed bylaw revisions, review of legislation as requested by the State Legislative Committee, etc. The committee shall consider matters and issues submitted to it in order to determine which ones are of major significance to the members of the Association agencies and, assuming a finding of major significance, recommend to the Board of Directors the position(s) which the committee believes the Association should take with respect thereto. The committee shall be composed of between ~~35~~ 34 and ~~45~~ 44 attorneys, each of whom shall be a member of the California Bar and shall be, or act as, counsel for a member of the Association agency, representing diverse interests within the Association, including but not limited to, different geographical areas throughout the state, large and small agencies, agricultural and urban agencies, agencies created under the various enabling statutes, etc. ~~Further, there shall be at least one representative from each region on the committee.~~ The committee shall consist of a least one member from each region.

Rationale: Change the committee composition range so there is a resulting odd number total when the chair is added.

LAC Workgroup Analysis: Considered together with the general change in Section 4, Committee Composition, above, this change accomplishes its purposes and maintains the current overall LAC membership numbers.

Article 9 – Meeting of Members

5. **Section 8. Amendments, Revisions, and Resolutions.** Before any amendments or revisions to the bylaws, or resolutions, may be considered at any meeting of the Association, any such amendment, revision, or resolution shall be submitted to the executive director/secretary at least ~~30~~ 90 days prior to the first day of such meeting. The executive director/secretary shall promptly distribute any

proposed amendments or revisions to the Legal Affairs Committee for the Legal Affairs Committee to develop an unbiased analysis of the amendments or revisions. Following development of an analysis for the proposed amendments or revisions, the executive director/secretary shall distribute copies of any resolutions, amendments or revisions, including any applicable analyses, to all members of the Association ~~at least five~~ not less than 10 days or more than 90 days prior to presentation at such meeting. The written notice of the membership meeting shall be given to each voting member of the Association consistent with the provisions defined in Section 3. The ~~30~~ 90-day rule may be suspended at any meeting of the Association by consent of three-fourths of the members present. Voting on resolutions, amendments, or revisions shall proceed as provided by Sections ~~3~~ 5 and 4 ~~6~~ of this Article.

Rationale: Staff recommended that the deadline for submitting requests for amendments, revisions, and resolutions be changed from 30 to 120 days prior to any membership meeting to provide the Legal Affairs Committee sufficient time to review and develop the required analysis and for staff to provide adequate notice to the members as set forth in Article 9, Sections 3 and 4 of the bylaws. **Note: Staff typically notifies ACWA members at least 45 days prior to a given membership meeting to allow the member agency boards adequate time to designate their authorized voting representative.**

LAC Workgroup Analysis: This proposed revision is clear and meets its intended purpose. However, workgroup members did express some concern that the 120-day submission requirement may unduly limit the Association's ability to quickly respond to state or federal legislative or administrative acts appropriately. A supermajority of the Association may vote to suspend the requirement, however, it may be advisable to require only 90-days for submission while retaining the general Association distribution timing of no later than 10-days and no earlier than 90-days prior to presentation at an Association meeting.

Staff Response: Staff revised the proposed amendment to state 90 days instead of 120 days in response to the LAC Workgroup's analysis.

The Board of Directors recommends adoption of the proposed amendments to ACWA's Bylaws through a vote of the membership.

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ACWA staff is hosting a webinar on **Tuesday, November 7, at 10:00 a.m.** in advance of the membership meeting to answer any questions members may have pertaining to the proposed amendments to the bylaws. Please register for the webinar at the link listed below:

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dgp

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San Bernardino Valley
OCT 18 2017
Water Conservation
District

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dgp

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GENERAL SESSION/ELECTION PROCEDURES FOR ACWA 2017 FALL CONFERENCE

The following information is provided to inform the ACWA member agency delegates attending the 2017 Fall Conference of the procedures to be used pertaining to the nomination and election of ACWA officers and the vote by the membership on proposed amendments to the bylaws during the General Session Membership Meeting.

PROXY CARDS – (REQUIRED FOR VOTING)

ACWA will issue each member agency **present** one proxy card for voting purposes based on the designated voting representative identified by the member agency. In order to vote during the General Session Membership Meeting, the designated voting representative is required to register and sign as the proxy holder by 12:00 p.m. on Wednesday, November 29. Upon registration and sign-in, the voting delegate will receive the required proxy cards. Proxy cards will be available for pick-up on **Wednesday, November 29, between 9:00 a.m. and 12:00 p.m.** at the ACWA General Session Desk in the main foyer outside of the **Marquis Ballroom Center, Marriott Anaheim**. The luncheon and General Session Membership Meeting will be held in the Platinum Ballroom 1-6.

GENERAL SESSION MEMBERSHIP MEETING, WEDNESDAY, NOV. 29 (DOORS OPEN AT 1:05 P.M.)

1. The General Session Membership Meeting will be called to order at 1:20 p.m. and a quorum will be determined. The presence of 50 authorized voting representatives is required to establish a quorum for transacting business.
2. Legal Affairs Committee Chair Jeni Buckman will provide an overview of the agenda and election procedures.
3. Nominating Committee Chair John Coleman will present the committee's report and announce the candidate for ACWA President.
4. President Kathy Tiegs will call for floor nominations for ACWA President.
5. If there are no floor nominations for President, the election will proceed. President Tiegs will close the nominations and delegates will vote by holding up their "Yes" or "No" proxy voting cards.
6. If there are floor nominations for President, the nomination will follow the procedures established by Article 9 of ACWA's Bylaws, stating floor nominations and seconds must be supported by a resolution of the governing body of the member agency making and seconding such nomination. **Note: If there are floor nominations, the election of officers will proceed during Wednesday's General Session as outlined below and the proposed bylaws amendments will move to the Thursday General Session Membership Meeting as outlined in item 12 below.**
 - a. Ballots will be distributed to the voting delegates.
 - b. Delegates will complete their ballots and place them in the ballot box, which will be centrally located in the Platinum Ballroom 1-6 meeting room.
 - c. Tellers' Committee will count the ballots. President Tiegs has appointed the following staff members to serve as the Tellers' Committee: Clerk of the Board Donna Pangborn; Director, Business Development & Events Paula Currie; and Executive Assistant Lili Vogelsang.
 - d. Legal Affairs Committee Chair Jeni Buckman will serve as the proctor to oversee the ballot counting process.
 - e. Candidates are welcome to designate an observer to be present during the ballot counting process.
 - f. Results of the ballot count will be announced. Election of ACWA's officers will be determined by a majority of the members present and voting. If any one candidate does not receive a majority of the vote, successive ballot counts will be conducted until a candidate is elected, consistent with Robert's Rules of Order.

➤ next page

7. Nominating Committee Chair John Coleman will announce the candidate for ACWA Vice President.
8. President Kathy Tiegs will call for floor nominations for ACWA Vice President.
9. If there are no floor nominations for Vice President, the election will proceed. President Tiegs will close the nominations and delegates will vote by holding up their "Yes" or "No" proxy voting cards.
10. If there are floor nominations for Vice President, the nominations will follow the procedures described in item 6 above, and the election will proceed according to the steps outlined in 6.a. through 6.f.

IF THERE ARE NO FLOOR NOMINATIONS FOR THE ELECTION OF OFFICERS, THE WEDNESDAY GENERAL SESSION MEMBERSHIP MEETING WILL PROCEED WITH A VOTE ON THE PROPOSED AMENDMENTS TO THE BYLAWS.

11. Legal Affairs Committee Chair Jeni Buckman will provide an overview of the proposed amendments to the bylaws.
 - a. Consideration of amendments to the bylaws.
 - b. Request for motion / second from the floor to approve the proposed amendments to the bylaws.
 - c. Discussion of proposed amendments.
 - d. Opportunity for members to offer changes to proposed amendments to the bylaws. Any proposed changes to the bylaw amendments as currently proposed require **a majority vote of the voting members present**.
 - e. Call for the question. A two-thirds vote of the members present and voting is required to amend the ACWA Bylaws.

IF THERE ARE FLOOR NOMINATIONS FOR THE ELECTION OF OFFICERS, THE OVERVIEW AND VOTE ON THE PROPOSED AMENDMENTS TO THE BYLAWS WILL BE TAKEN UP AT THE GENERAL SESSION MEMBERSHIP MEETING ON THURSDAY AS FOLLOWS.

12. The vote by the membership on the proposed amendments to the bylaws will occur at the Thursday, General Session Membership Meeting, at the Platinum Ballroom 1-6, Anaheim Marriott, at 1:20 p.m.
 - a. The General Session Membership Meeting will be called to order at 1:20 p.m. and a quorum will be determined. The presence of 50 formally designated voting representatives is required to establish a quorum for transacting business.
 - b. Legal Affairs Committee Chair Jeni Buckman will provide an overview of the proposed bylaws amendments.
 - c. The meeting will proceed according to the steps outlined 11.a. through 11.e. above.



BYLAWS of the Association of California Water Agencies

Proposed Amendments – redline version: September 29, 2017

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(As amended by the Members on December 2, 2015)

ARTICLE 1 – GENERAL

Section 1. Name. The name of this California nonprofit corporation shall be the Association of California Water Agencies (hereinafter referred to as the Association).

Section 2. Principal Office. The principal office for the transaction of business of the Association is located at 910 K Street, Suite 100, Sacramento, California; provided, however, that the Board of Directors may change the location of the principal office by resolution and without amendment of these bylaws.

Section 3. Purposes. The purposes of the Association shall be to work together with its members and others for the best interests of California and its citizens and landowners who use, need and depend upon water; to encourage the orderly development of the waters of the state; to seek means of obtaining and making available to all of California a dependable water supply of the best possible quality at the lowest possible cost, giving due consideration to environmental factors involved therein; to provide inspiration and leadership in meeting and solving the water supply problems of this state; to propose and advocate such policies and measures—local, state and federal—that serve the best interests of the Association, opposing those of contrary nature; to assist in promoting the health, safety and welfare of the employees of its members; and to do all other things that are in the best interests of its members.

ARTICLE 2 – MEMBERSHIP AND DUES

Section 1. Membership.

- A. **Members.** Only a public district, public agency, or public organization created and operated for the purpose of controlling, treating, developing, acquiring, using or supplying water for any purpose for inhabitants or lands within the state of California, or for the protection, drainage or reclamation of lands within the state of California, may become a member of the Association. Such an entity will become a member upon written application, approval by the Board of Directors, and the payment of the required dues. Acceptance to membership shall authorize full participation in Association activities. Except as otherwise provided in subsection (B) below, in no case may an organization other than a state, a political subdivision (as defined in § 1.103-1(b) of the Income Tax Regulations) of a state or an entity the income of which is excluded from gross income under § 115 of the Internal Revenue Code be a member of the Association.
- B. **Honorary Life Members.** Any person who has rendered conspicuous service in furthering the purposes of the Association may, by vote of the Board of Directors, be granted an honorary life membership in the Association without payment of dues or assessments. All past presidents of the Association shall automatically be honorary life members without vote of the Board of Directors. Honorary life members shall not be entitled to a vote or to hold office automatically because of their status as honorary life members.
- C. **Termination of Members.** Membership shall cease upon the failure of any member to pay the dues provided for in Section 2 of this Article. The membership of any member may be terminated at any time by such member sending written notification of its intention to withdraw to the Association's principal office. The Board of Directors may terminate the membership of any member upon 30 days' written notice by first-class mail when it is determined at any regular Board meeting or at any special Board meeting called for that purpose that continuance of such membership would not be in the best interests of the Association. Withdrawal or termination of membership ends any participation in Association activities and shall terminate a member's interest in the Association's assets.

Section 2. Dues. The annual dues of each member of the Association shall be established by the Board of Directors; provided, however, that any member may apply for a change in its dues because of conditions that differentiate such applicant from other members.

Section 3. Liability of Members. No member shall be liable for any obligation incurred by the Association with the following exception: (1) the payment of the annual dues while it remains a member; and (2) the payment of emergency assessments, which shall not exceed 10 percent of current annual dues for each member in any calendar year while it remains a member. No emergency assessment may be levied against any member during its first two years of membership in the Association.

ARTICLE 3 – OFFICERS

Section 1. President and Vice President.

- A. **General.** The president and vice president of the Association shall be the elected officers of the Association. At the time of their election the president and vice president shall each be an elected or appointed member of the governing body or commission (as appropriate) of a member agency of the Association. The president and vice president shall be elected by the members of the Association at its fall conference in each odd-numbered year, shall take office on January 1 of the calendar year following election, and shall hold office until such time as their successors take office or are appointed. An elected president shall not be permitted to succeed himself/herself to that office. Except as provided in this Article, should vacancies occur in either office of the president or vice president, the Board of Directors shall appoint persons to fill such offices for the unexpired terms thereof.
- B. **President.** The president shall preside at all meetings of the Board of Directors, the Executive Committee, and the general membership; shall appoint members of all committees, including the chair and vice chair of each, upon recommendation from members and regions (as communicated by the region chairs), with each such committee chair and vice chair ratified by the Board of Directors; and shall perform all other duties necessary to carry out the functions of the office. The president shall be a non-voting *ex officio* member of each committee, but shall not be an *ex officio* member of the Nominating Committee or the region boards.

The president may be expelled from office with or without cause, upon the satisfaction of the following two events: (1) a two-thirds vote of the Board of Directors; and (2) a subsequent simple majority vote of the members of the Association during a meeting of the membership.

- C. **Vice President.** The vice president shall, in the absence of the president, assume all of the duties of that office and, if a vacancy occurs, succeed thereto for the unexpired term. The vice president shall sit as a member of the Executive Committee of the ACWA Joint Powers Insurance Authority and shall perform such other duties as assigned by the president.

Section 2. Executive Director/Secretary and Controller/Treasurer.

- A. **General.** The executive director/secretary and controller/treasurer of the Association shall also be officers of the Association. The executive director/secretary shall be appointed by and hold office at the pleasure of the Board of Directors of the Association.
- B. **Executive Director/Secretary.** The executive director/secretary shall: (1) advise and assist the Board of Directors, all committees, the boards of each region, and the workgroups of each region; (2) be responsible for administering the total operations of the Association; (3) employ, direct, and release all employed staff in accordance with the policies adopted by the Board of Directors and consistent with the budget adopted by the Board of Directors; (4) provide relevant

information to the Board of Directors needed by the Board to take actions; (5) give members notice and record minutes of all meetings of the membership, Board of Directors, and Executive Committee; and (6) have such other powers and perform such other duties as may be provided and assigned by the Board of Directors directly or through the president of the Board or the Executive Committee. The executive director/secretary, with the assistance of the controller/treasurer, shall render a report to the Board of Directors at the first meeting following the close of each calendar year showing the membership of the Association, the receipts and expenditures during the year, and the work accomplished during the previous year.

- C. **Controller/Treasurer.** The controller/treasurer shall report to and act under the direction of the executive director/secretary. The controller/treasurer shall be a signatory on all accounts held by the Association and shall act as a fiduciary for all assets of the Association.

ARTICLE 4 – BOARD OF DIRECTORS

Section 1. Membership. The Board of Directors shall consist of:

- A. The Association president and vice president.
- B. The chair and vice chair of each region.
- C. The chair of each standing committee.
- D. The most immediate active past president.
- E. The vice president of the ACWA/Joint Powers Insurance Authority.

Section 2. Term of Office. The term of office of all members of the Board of Directors shall commence on January 1 of the calendar year following election of the president and vice president, except for those persons who serve on the Board of Directors by nature of their position as chairs of standing committees, whose terms shall instead commence upon their ratification by the Board of Directors. Except as provided in Article 4, Section 11, the term of office for all members of the Board of Directors shall terminate on December 31 of the following odd-numbered year two years later, or until their successors take office.

Section 3. Attendance Requirement. Any member of the Board of Directors who misses two consecutive regular Board meetings without being excused by the Board will no longer be a member of the Board of Directors.

Section 4. Regular Meetings. Regular meetings of the Board of Directors shall be held bimonthly at such times and places as the Board may determine.

Section 5. Special Meetings. Special meetings may be called by the president upon the president's own volition or shall be called by the president when requested in writing by five directors. Prior to conducting such a special meeting, the president shall consult with the Executive Committee to ensure

that adequate information is available to the Board of Directors for any necessary decisions; and where such meeting is called upon the president's own volition, the president shall also consult with the Executive Committee as to the necessity of the special meeting. Notice for special meetings shall be provided in the following manner: (1) upon 10 days' written notice sent by mail to each director and addressed to each at the address as shown upon the records of the Association; or (2) upon 48 hours' notice with notice provided by electronic means. When the meeting is called upon the president's own volition, the president shall choose the form of notice; when the meeting is called by a request of five directors, the five directors shall choose the form of notice and the president shall promptly call the meeting. No business except those items described in the notice shall be transacted at any special meeting, except by consent of three-fourths of the members of the Board of Directors present.

Section 6. Meeting Requirements and Quorums. Any meeting, regular or special, may be held in person or by telephone conference, web video conference, or other electronic video screen communication or electronic transmission. At any meeting of the Board of Directors, the attendance of 50 percent of the voting members of the Board of Directors, or their permitted alternates as specified in these bylaws, shall constitute a quorum for the transaction of any business. The Board may hold a closed session for discussion of personnel matters or enforcement of violations of the code of conduct.

Section 7. Alternates. Each region shall designate an alternate for each chair and vice chair, who shall meet the qualification requirements for chair and vice chair, to act at meetings of the Board of Directors when the chair or vice chair is unable to attend. The vice chair of each standing committee will be the alternate to act at meetings of the Board of Directors when the chair is unable to attend. An alternate may not act or vote on behalf of more than one member of the Board of Directors. A member of the Board of Directors may not act as an alternate for any other member.

Section 8. Vacancies for Standing Committee Chairs and Vice Chairs. Should a vacancy occur in the office of any standing committee chair or vice chair before the end of the term, the president shall appoint a new committee chair or vice chair to fulfill the unexpired term of such committee chair or vice chair subject to ratification by the Board of Directors. A vacancy in the office of any such standing committee chair or vice chair as described in the previous sentence shall be deemed to exist when the chair or vice chair: (1) resigns the office; (2) no longer is an officer, employee, or member of the governing body of a member agency of the Association, or other representative duly designated by a member agency of the Association to represent that member; or (3) is otherwise removed by a member agency of the Association.

Section 9. Duties, Authorities, and Delegation. Subject to the provisions and limitations of California Nonprofit Corporation Law, other applicable laws, and the provisions of these bylaws, the Association's activities and affairs are to be exercised by or under the direction of the Association's Board of Directors. The Board of Directors is responsible for the overall supervision, control, and direction of the Association. The Board of Directors shall: (1) employ and release the executive director/secretary; (2) set performance expectations for the executive director/secretary; (3) receive, review, and consider approval of executive director/secretary recommended compensation, other terms and conditions of

employment, and annual evaluations as prepared by the Executive Committee; (4) annually adopt a budget; and (5) set the level of dues for the Association. Except as to the duties listed in the previous sentence, and subject to Article 3, Section 2, the Board of Directors may delegate the supervision, control, and direction of the Association's affairs to any person or group, including a committee, provided the Association Board retains ultimate responsibility for the actions of such person or group. Where such powers are delegated, the delegation shall be documented in writing.

Section 10. Immediate Past President. The immediate past president automatically assumes this position after serving as the Association's elected president and is a voting member of the Board of Directors and Executive Committee. The term of office for the immediate past president shall commence on January 1 of the calendar year following election of the president and vice president and shall terminate on December 31 of the following odd-numbered year two years later. In the event the most immediate active past president is unavailable to serve, the most recent and available active past president in succession shall serve in this capacity.

Section 11. Code of Conduct of Board Members.

- A. **Code of Conduct: Purpose and Adoption.** The Board of Directors shall establish, and update as appropriate, a code of conduct for its Directors that recognizes the Association's commitment of integrity, respect, and fair representation to its members and the public they serve and establishes minimum ethical standards for the performance of the duties of office. The code shall be consistent with the procedural processes contained in this section. The code shall be distributed to all new Directors and shall be distributed annually to all members of the Association.
- B. **Violations and Enforcement Process.** A violation of the code of conduct may result in removal, public censure, or private reprimand of a Director, or such other action as contained in the code of conduct. However, removal and public censure shall be reserved only for serious violations. A Director may not be removed or publically censured absent an affirmative vote of two-thirds of the voting members of the Board of Directors. A Director may be privately reprimanded for a violation of the code of conduct upon the majority vote of the quorum. Complaints of violation of the code of conduct may be filed with the president, or the vice-president if the allegations are made against the president. The president may refer a complaint of violation to the executive director/secretary for investigation. The executive director/secretary may retain a special investigator or special counsel to conduct or assist the investigation. A Director accused of a violation shall be provided a copy of the complaint. A Director that takes any hostile or retaliatory action, directly or indirectly, against a complainant is subject to removal from the Board in conformance with the process identified above. Prior to scheduling a Board action on a complaint, the president shall consult with the Executive Committee and the chair of the Legal Affairs Committee. A Director accused of a violation of the code of conduct shall be provided at least 15 days' written notice of any meeting of the Board at which a determination of enforcement will be considered. A determination of enforcement may be made only at a regular

meeting of the Board and shall be made in closed session. The determinations of the Board under this section shall not be admissible in any criminal or civil proceeding brought against the Director for conduct that violates any other law.

ARTICLE 5 – REGIONS

Section 1. Boundaries of Each Region.

- A. There shall be a maximum of 10 regions within the state. The Board of Directors shall determine the regional boundaries. Insofar as is practicable, the regions shall have a numerical balance in members of the Association; make geographic sense; and promote regional problem solving.
- B. A member of the Association may file a written petition to the Board of Directors requesting a change in regions. Such petition shall set forth the reasons for such requested change. The Board shall, within a reasonable time, act upon such petition and set forth the reasons for its action. Such action by the Board shall be based on factors in (A) above, as well as others deemed by the Board of Directors to be relevant to the decision.

Section 2. Officers.

- A. The officers of each region shall be a chair and vice chair and three to five region board members who shall be elected by the region by September 30, or the preceding Friday if September 30 falls on a weekend, of odd-numbered years. A region may maintain a board of fewer than five but not less than three members as provided in the region's rules and regulations. The officers of the region board shall take office on January 1 of the calendar year following election and shall hold office for two years, or until their successors take office. Regions shall hold elections by electronic ballot. ACWA staff shall verify the legitimacy of the ballots.
- B. The officers of each region shall: (1) exercise the powers and perform duties of the region during the interim between region meetings; and (2) make recommendations to the president regarding appointments to committees. The chair and vice chair shall be the region's representatives to the ACWA Board of Directors.
- C. Each officer of a region shall be an officer, employee, or member of the governing body of a member agency of the Association, or other representative duly designated by a member agency of the Association to represent that member at the time of the appointment. Where an individual ceases to meet these criteria during the term of the office, the individual may not serve during the remaining term of that office unless that individual can again meet the criteria for the office and is appointed to complete the term. The region board may adopt more stringent criteria for board member qualifications as part of the region's rules and regulations.
- D. Should a vacancy occur in any of the region board positions before the end of the term, the remaining members of the region board shall appoint a new member. A vacancy in the office of

any region board position shall be deemed to exist when a region board member: (1) resigns the office; (2) no longer is an officer, employee, or member of the governing body of a member agency of the Association, or other representative duly designated by a member of the Association to represent that member; or (3) is otherwise removed by a member agency of the Association.

Section 3. Nominating Committees. There shall be a nominating committee for each region consisting of three or more designees, each representing a member of the Association located within the region, appointed by the chair of the region and approved by the region board. Nominating committees shall be formed by February 28 of each odd-numbered year. The nominating committee shall announce its nominations for chair, vice chair, and region board members by August 1 of an election year. All regions must complete the election process by September 30 of the election year, or the preceding Friday if the September 30 falls on a weekend.

Section 4. Meetings. The meetings of each region shall be held at both the spring and fall conferences and at such other times and places as may be determined by the region chair. Representatives of five or more members of the Association from the region present at any region meeting shall constitute a quorum for purposes of conducting the business of the region. Any meeting, regular or special, may be held in person or by telephone conference, web video conference, or other electronic video screen communication or electronic transmission.

Section 5. Workgroups. Workgroups may be appointed by the region chair as needed.

Section 6. Rules. Each region shall organize and adopt rules and regulations for the conduct of its meetings and affairs not inconsistent with the Articles of Incorporation or bylaws of the Association. Each region shall abide by the code of conduct adopted by the Board of Directors of the Association.

ARTICLE 6 – EXECUTIVE COMMITTEE

Section 1. Membership. There shall be an Executive Committee consisting of the following: the president of the Association, who shall be the chair thereof; the vice president; the most immediate active past president; the chair of the Finance Committee; and three at-large representatives selected from and by the members of the Board of Directors. The election of the three at-large representatives to the Executive Committee shall occur at the first Board of Directors meeting held in each even-numbered year and the elected representatives shall serve immediately following their election and until such time as their successors take office. To the extent practical, the Executive Committee should be constituted so as to reflect the geographic extent of the Association and the functions of the members of the Association.

Section 2. Powers. The Executive Committee shall have the following authority:

- A. **Personnel.** Subject to the budget adopted by the Board of Directors, the Executive Committee shall perform the following personnel actions: (1) recommend compensation for the executive

director/secretary to the Board of Directors for approval; (2) perform annual reviews of the executive director/secretary and submit that review to the Board of Directors; (3) review and approve the classification and compensation plan and publicly posted salary schedule for Association employees submitted by the executive director/secretary, which shall be reviewable by the Board of Directors, in closed session, upon request of the Board of Directors; (4) establish personnel policies for the conduct and behavior of employees, which shall be reviewable by the Board of Directors; and (5) undertake such other personnel actions as may be requested by the executive director/secretary in support of his or her oversight of all other personnel matters, which shall be reviewable by the Board of Directors, in closed session, upon request of the Board of Directors.

- B. **Delegation.** The Executive Committee may act pursuant to any authority specifically delegated to it by the Board of Directors. The delegation shall indicate whether the authority is still subject to the ultimate authority of the Board.
- C. **Authority to Act Between Meetings.** The Executive Committee may act for the Board of Directors between Board meetings when calling a special meeting of the Board of Directors is impracticable, provided that no such action of the Executive Committee shall be binding on the Board of Directors until authorized or approved by the Board. The Executive Committee has the authority to authorize actions recommended by the Legal Affairs Committee (such as the filing of letter briefs and amicus curiae briefs) by electronic means without the need for an in-person or telephonic meeting, but such actions shall be ratified by the Board of Directors at its next meeting.

Section 3. Reporting. The president, or any person designated by the president, shall report to the Board of Directors, at each regular Board meeting, any action taken by the Executive Committee since the last preceding regular Board meeting. The minutes of Executive Committee meetings, which at that time may still be in draft form, shall be mailed (using the U.S. Postal Service, express delivery, electronic means, or otherwise) to each member of the Board of Directors at least five days prior to Board meetings, except in cases in which the Executive Committee meets during or immediately prior to a conference of the Association or immediately prior to a Board meeting, in which case the minutes, which may still be in draft form, shall be mailed to each director promptly thereafter.

Section 4. Meetings. The Executive Committee shall hold regularly scheduled meetings as set by the president. Special meetings of the Executive Committee may be called by the president upon notice to the members of that committee or upon written request of three Executive Committee members. Notice for special Executive Committee meetings shall be provided to the entire Board: (1) upon five days' written notice sent by mail, or (2) upon 24 hours' notice with notice provided by electronic means; and all such meetings shall be open to the Board of Directors. Any meeting, regular or special, may be held in person or by telephone conference, web video conference or other electronic video screen communication or electronic transmission. All members of the Board of Directors may attend any meeting of the Executive Committee. Meetings of the Executive Committee may be closed to others at

the discretion of the President or committee. Only members of the Executive Committee are allowed to vote on matters at a meeting of the committee.

Section 5. Minutes. The minutes of the Executive Committee meetings shall be kept by the executive director/secretary at the Association's principal office. Actions of the Executive Committee shall be reported to the Board of Directors as provided in Section 3 of this Article and shall be available to any member of the Board of Directors upon request to the executive director/secretary.

ARTICLE 7 – STANDING COMMITTEES

Section 1. Qualification. In order to serve on any ACWA standing committee, an individual must be an officer, employee, or member of the governing body of a member agency of the Association, or other representative duly designated by a member agency of the Association to represent that member at the time of the appointment. Where an individual ceases to meet these criteria during the term of the appointment, the individual may not serve during the remaining term of that appointment unless that individual can again meet the criteria for appointment and is appointed to complete the term.

Section 2. Term of Office. The term of office of standing committee members shall be two years commencing on January 1 of each even-numbered year. The term of office of standing committee chairs and vice chairs shall be approximately two years and shall commence as soon after January 1 of the even-numbered year as they may be appointed by the president and ratified by the then-seated Board of Directors, and shall terminate on December 31 of the odd-numbered year approximately two years later or until their successors are appointed and ratified.

Section 3. Meetings. Meetings of standing committees may be called at such times and places designated by the respective chair thereof except where provided otherwise by these bylaws. Subject to the provisions of these bylaws and any actions that may be taken by the Board of Directors, the chairs of each standing committee may establish their own rules for the efficient operation of the committee they each chair. The chairs of each standing committee are authorized to create subcommittees and workgroups in order to complete the work of the committee.

Section 4. Committee Composition. Each limited standing committee shall have a membership composition that is comprised of members in the quantity and with qualifications as defined by the provisions of these bylaws. The committee chair position shall not be included in the maximum count for determining the committee composition total of any given limited committee. The committee chair shall, however, be a voting member of their respective committees subject to the rules and procedures of each committee.

Rationale: Staff is recommending this amendment to the Bylaws to allow the President flexibility in appointing members to limited standing committees and to provide an odd number committee composition total.

LAC Workgroup Analysis: The proposed revision is clear and meets its intended purpose.

Committee Composition Terms in Sections 5 through 17.

Rationale: Review of Committee Composition Terms: Staff noted that the use of the term “individual” versus “representative” (and one instance of “member”) was inconsistent throughout the committee composition description for each of the standing committees in Article 7. Staff asked the LAC Workgroup to review Section 1, Qualifications, as well as each of the committee descriptions to make a determination as to which term would best apply for all of the committees for purposes of consistency throughout Article 7.

LAC Workgroup Analysis: Reading of the various ACWA committee sections suggests that “Member” would be the most appropriate word for consistency throughout the By-Laws. However, the use of a single term, may require some minor revisions to surrounding text for clarity (for an example see Section 15 (State Legislative Committee) where “member” is separately used to denote a “member agency” and so would need to state “member-agency” consistently to accommodate the more general use of “member” throughout the By-Laws).

Staff Response: Staff revised the terms in the committee sections to “member” for consistency and the surrounding language where needed in response to the LAC Workgroup’s analysis.

Section 5. Agriculture Committee. There shall be an Agriculture Committee whose duty it shall be to recommend Association policy, positions and programs to the Board of Directors, State Legislative Committee, Federal Affairs Committee or other committees, as appropriate, regarding agricultural issues affecting the interests of ACWA and its members. The committee shall consist of at least one member from each region.

Rationale: The 2016-2017 Business and Strategic Plan initiative to increase involvement and engagement from ACWA’s agricultural members has successfully generated momentum amongst ACWA’s agricultural members and a renewed attention to and involvement in key policy issues that uniquely affect agricultural water suppliers. Amidst this success, a concern has arisen that the momentum could be lost once the Board of Directors finishes its current term and the initiative sunsets. This concern has sparked the suggestion that ACWA should consider creating an Agriculture Committee as the thirteenth standing committee of the Association to continue the objectives of the Ag Initiative long-term.

LAC Workgroup Analysis: The proposed revision is clean and meets its intended purpose.

Section-4 6. Business Development Committee. There shall be a Business Development Committee whose duty it is to develop and recommend to the Board of Directors programs and activities to be provided or administered by the Association that generate non-dues revenue and provide a service or benefit to Association members/member agencies. The committee shall consist of at least one representative member from each region and one representative may include members from the any of the other standing committees.

Section-5 7. Communications Committee. There shall be a Communications Committee whose duty it shall be to develop and make recommendations to the Board of Directors regarding a comprehensive internal and external communications program for the Association and to promote development of sound public information and education programs and practices among members ~~of the Association agencies~~. The committee shall consist of no more than 40 ~~individuals~~ members. ~~Of that number, The committee shall consist of~~ at least one ~~individual~~ member shall be from each region.

Section-6 8. Energy Committee. There shall be an Energy Committee whose duty it shall be to recommend policies and programs to the Board of Directors and to the State Legislative Committee and/or Federal Affairs Committee as appropriate. The committee shall consist of at least one ~~representative~~ member from each region.

Section-7 9. Federal Affairs Committee. There shall be a Federal Affairs Committee whose duty it shall be to review all federal legislative proposals and regulatory proposals affecting ~~members of the Association member agencies~~, after consulting with other appropriate committees, and to develop Association positions consistent with existing policy, where it has been established; recommend sponsorship of bills that will resolve problems or improve conditions for ~~members of the Association agencies~~; and assist in the establishment of the Association's federal legislative program. The committee shall consist of at least one ~~and, but~~ no more than five ~~individuals~~ members from each region.

Section-8 10. Finance Committee. There shall be a Finance Committee whose duty it shall be to make recommendations to the Board of Directors regarding annual budgets, dues formula and schedules and other revenue-producing income, annual audit and selection of an auditor, and investment strategies. The committee shall consist of the president and vice president of the Association as *ex officio* members, ~~the Finance Committee chair, one member~~ either the chair or vice chair from each of the Association's ~~of the region board from each of the Association's-10 regions boards (either chair or vice chair),~~ and one additional ~~representative~~ member from each region with experience in financial matters.

Section-9 11. Groundwater Committee. There shall be a Groundwater Committee whose duty it shall be to recommend policies and programs to the Board of Directors and to the State Legislative Committee and/or Federal Affairs Committee as appropriate. The committee shall consist of at least one ~~representative~~ member from each region.

Section-10 12. Legal Affairs Committee. There shall be a Legal Affairs Committee whose duty it shall be to support the mission of the Association, and more particularly to deal with requests for assistance involving legal matters of significance to ~~members of the Association agencies~~, including but not limited to state and federal court litigation, water rights matters, selected regulatory and resources agency matters, proposed bylaw revisions, review of legislation as requested by the State Legislative Committee, etc. The committee shall consider matters and issues submitted to it in order to determine which ones are of major significance to the ~~members of the Association agencies~~ and, assuming a finding of major significance, recommend to the Board of Directors the position(s) which the committee believes the Association should take with respect thereto. The committee shall be composed of ~~between 35 34 and 45 44~~ attorneys, each of whom shall be a member of the California Bar and shall be,

or act as, counsel for a member ~~of the Association~~agency, representing diverse interests within the Association, including but not limited to, different geographical areas throughout the state, large and small agencies, agricultural and urban agencies, agencies created under the various enabling statutes, etc. ~~Further, there shall be at least one representative from each region on the committee~~The committee shall consist of at least one member from each region.

Rationale: Change the committee composition range so there is a resulting odd number total when the chair is added.

LAC Workgroup Analysis: Considered together with the general change in Section 4, Committee Composition above, this change accomplishes its purposes and maintains the current overall LAC membership numbers.

Section-~~11~~ 13. Local Government Committee. There shall be a Local Government Committee whose duty it shall be to recommend policies to the State Legislative Committee, as appropriate, and Board of Directors on matters affecting water agencies as a segment of local government in California. The committee shall consist of at least one, ~~and~~ but no more than three ~~individuals~~-members from each region.

Section-~~12~~ 14. Membership Committee. There shall be a Membership Committee whose duty it shall be to assist staff in developing membership recruitment and retention programs, make recommendations to the Board of Directors regarding membership policies, eligibility, and applications for membership and review and make recommendations to the Finance Committee regarding an equitable dues structure. The committee shall consist of at least one member from each region.

Section-~~13~~ 15. State Legislative Committee. There shall be a State Legislative Committee whose duty it shall be to review all state legislative proposals affecting members ~~of the Association~~agencies and to establish Association positions, consistent with existing policy, where it has been established; sponsor bills that will resolve problems or improve conditions for member ~~s~~s ~~of the Association~~agencies; and assist in the establishment of the Association's legislative program. The committee shall consist of ~~individuals~~-members representing a variety of types of ~~members~~-member agencies and at least one ~~and~~, but no more than four ~~individuals~~-members from each region.

Section-~~14~~ 16. Water Management Committee. There shall be a Water Management Committee whose duty it shall be to recommend policy and programs to the Board of Directors on any area of concern in water management. The committee shall consist of at least one, but ~~and~~ no more than four ~~individuals~~members from each region.

Section-~~15~~ 17. Water Quality Committee. There shall be a Water Quality Committee whose duty it shall be to develop and recommend Association policy, positions, and programs to the Board of Directors, to promote cost-effective state and federal water quality regulations that protect the public health, to enable interested members ~~of the Association~~agencies to join together to develop and coordinate with

other organizations, and to present unified comments regarding agricultural and domestic water quality regulations. The committee shall consist of at least one ~~individual~~ member from each region.

ARTICLE 8 – SPECIAL COUNCILS, COMMITTEES, AND TASK FORCES

Section 1. Council of Past Presidents. There shall be a Council of Past Presidents composed of all past presidents of the Association who serve on the council until each is no longer able to or wishes to serve. The council shall provide a mechanism for past presidents to continue to make valuable contributions to the Association. With approval of the Board of Directors, the president and/or executive director/secretary may assign specific responsibilities to the council from time to time. Members of the Council of Past Presidents are invited to attend and participate in the Association’s Board meetings.

Section 2. Nominating Committee. There shall be a Nominating Committee consisting of five or more persons appointed by the president prior to the Association’s fall conference in each odd-numbered year, whose purpose shall be to nominate qualified individuals for the offices of president and vice president of the Association. The Nominating Committee shall publish its nominations for the offices of president and vice president of the Association not less than 10 or more than 90 days before the membership meeting is held at fall conference. Additional nominations may be made by any member of the Association for candidates for the office of president and vice president. Additional nominations shall be made from the floor during the election of president and vice president at the membership meeting scheduled for said purposes.

Section 3. Other Committees and Task Forces. Other committees and task forces may be appointed by the president from time to time as needed, consistent with and supportive of the mission of the Association.

ARTICLE 9 – MEETINGS OF MEMBERS

Section 1. Meetings. Meetings of the members of the Association shall be held at the Association’s conferences at such times as may be determined by the Board of Directors to conduct necessary business and to elect the president and vice president, which occurs at the fall conference in each odd-numbered year.

Section 2. Special Meetings. Special meetings of the members of the Association may be called by the Board of Directors, the president of the Board of Directors, or by 5 percent or more of the members of the Association. Except when called by the Board, a request for a special meeting must be in writing and must be delivered in person or mailed by first-class mail addressed to the president of the Board at the principal office of the Association, with a copy to the executive director/secretary. The request must state the general nature of the business proposed to be transacted at the meeting.

A special meeting that has been called by written request of 5 percent of the member agencies of the Association to the Board of Directors shall be set by the Board of Directors on a date that is not less than 35 or more than 90 days after receipt of the request.

Section 3. Notice Requirements for Membership Meetings. Written notice of any membership meeting shall be given to each voting member of the Association. The notice shall state the date, time, and place of the meeting; the means by which members may participate; and the general nature of the business to be transacted. The notice of any meeting at which Board officers are to be formally nominated and elected shall include the names of the recommended slate of candidates for the offices of president and vice president in addition to the election procedures. The member notification information shall also be posted on the Association's website.

Except as otherwise provided in these bylaws or California law, a written notice of regular membership meetings shall be given not less than 10 or more than 90 days before the date of the meeting to each member who, on the record date for notice of the meeting, is entitled to vote; provided, however, that if notice is given by mail, and the notice is not mailed by first-class, registered, or certified mail, that notice shall be given not less than 20 days before the meeting.

Section 4. Notice Requirements for Special Meetings. The executive director/secretary shall cause notice to be given to all members of the Association of the date, time, and place of the meeting and the general nature of the business to be transacted at the meeting. No business except that specified in the request and notice may be transacted at said special meeting. If notice of the requested special meeting is not given within 20 days after receipt of the request, the person or persons requesting the meeting may give the notice.

Section 5. Voting. Each member of the Association shall be entitled to one vote that shall be cast by its authorized representative. All questions, except amendments or revisions of these bylaws, shall be determined by a majority of the members present and voting. A roll call may be requested by any representative.

Section 6. Amendment of Bylaws. These bylaws may be amended or revised by two-thirds of the member agencies of the Association present and voting at any meeting.

Section 7. Quorums. The presence of the authorized representative of 50 members of the Association at any meeting of the members shall constitute a quorum for transacting business.

Section 8. Amendments, Revisions, and Resolutions. Before any amendments or revisions to the bylaws, or resolutions, may be considered at any meeting of the Association, any such amendment, revision, or resolution shall be submitted to the executive director/secretary at least ~~30~~ 90 days prior to the first day of such meeting. The executive director/secretary shall promptly distribute any proposed amendments or revisions to the Legal Affairs Committee for the Legal Affairs Committee to develop an unbiased analysis of the amendments or revisions. Following development of an analysis for the proposed amendments or revisions, the executive director/secretary shall distribute copies of any resolutions, amendments or revisions, including any applicable analyses, to all members of the Association at least five not less than 10 days or more than 90 days prior to presentation at such meeting. The written notice of the membership meeting shall be given to each voting member of the Association consistent with the provisions defined in Section 3. The ~~30~~ 90-day rule may be suspended at

any meeting of the Association by consent of three-fourths of the members present. Voting on resolutions, amendments, or revisions shall proceed as provided by Sections ~~3~~ 5 and ~~4~~ 6 of this Article.

Staff Rationale: Staff is recommended that the deadline for submitting requests for amendments, revisions, and resolutions be changed from 30 to 120 days prior to any membership meeting to provide Legal Affairs Committee sufficient time to review and develop the required analysis and for staff to provide adequate notice to the members as set forth in Article 9, Sections 3 and 4 of the Bylaws. Note: Staff typically notifies ACWA members at least 45 prior to a given membership meeting to allow the agency boards to designate their authorized representative.

LAC Workgroup Analysis: This proposed revision is clear and meets its intended purpose. However, subcommittee members did express some concern that the 120-day submission requirement may unduly limit the Association's ability to quickly respond to state or federal legislative or administrative acts appropriately. A supermajority of the Association may vote to suspend the requirement, however, it may be advisable to require only 90-days for submission while retaining the general Association distribution timing of no later than 10-days and no earlier than 90-days prior to presentation at an Association meeting.

Staff Response: Staff revised the proposed amendment to state 90 days instead of 120 days in response to the LAC Workgroup's analysis.

Section 9. Nomination of President and Vice President.

- A. **Qualification.** At the time of their election, the president and vice president of the Association shall each be an elected or appointed member of the governing body or commission (as appropriate) of a member agency of the Association.
- B. **Nominating Committee Process.** All nominations for the positions of president and vice president shall be accompanied by an official resolution from the Association member agency on whose board the nominee serves. Said resolution shall be signed by an authorized signatory of the member agency's Board of Directors.
- C. **Nominations from the Floor.** Additional nominations may be made by any member of the Association for the office of president and vice president. Said nominations and seconds shall be made from the floor during the election of the offices of president and vice president at the membership meeting scheduled for said purposes (as provided for in the penultimate sentence of Article 8, Section 2). Such nominations and seconds shall be made by a member of the Association and must be supported by a resolution of the governing body of the member making and seconding such nomination. The member agency on whose board the nominee serves shall submit a resolution of support if they are not the agency making the floor nomination or second.

Section 10. Additional Procedures for Election of Officers. The Board shall have the authority to develop additional procedures for elections of president and vice president when not otherwise covered by these bylaws.

ARTICLE 10 – INDEMNIFICATION OF DIRECTORS, OFFICERS, AND OTHER AGENTS

Section 1. Right of Indemnity. To the fullest extent permitted by law, this Corporation shall indemnify its Directors, Officers, employees, and other persons described in Section 7237(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any “proceeding,” as that term is used in that Section, and including an action by or in the right of the Corporation, by reason of the fact that the person is or was a person described in that section. “Expenses,” as used in this bylaw, shall have the same meaning as in Section 7237(a) of the California Corporations Code.

Section 2. Approval of Indemnity. On written request to the Board by any person seeking indemnification under Section 7237(b) or Section 7237(c) of the California Corporations Code, the Board shall promptly determine under Section 7237(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the Board shall authorize indemnification.

Section 3. Advancement of Expenses. To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification under these bylaws in defending any proceeding covered by those Sections shall be advanced by the Corporation before final disposition of the proceeding, on receipt by the Corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Corporation for those expenses.

Section 4. Insurance. The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its Officers, Directors, employees, and other agents, against any liability asserted against or incurred by any officer, director, employee, or agent in such capacity or arising out of the officer’s, director’s, employee’s or agent’s status as such.

ARTICLE 11 – MISCELLANEOUS

Section 1. Conduct of Meetings. All meetings of the Association shall be conducted in accord with the code of conduct and in substantial accordance with the latest edition of Robert’s Rules of Order Newly Revised unless the Board adopts alternate rules of conduct for itself and/or its committees, region boards, and region workgroups.

Section 2. Funds. The funds of the Association shall be used to further the aims and purposes of this Association. They shall be kept by the controller/treasurer and paid out by checks or other electronic means, which shall only be valid with two authorized signatures. The Board of Directors shall designate

by resolution which persons, other than the controller/treasurer, may sign for expenditures. The Finance Committee shall implement procedures to ensure necessary internal controls over the receipt and expenditures of Association funds and arrange for an external audit. Audit reports shall be presented to the Board of Directors.

Section 3. Disposition of Assets upon Dissolution. The Association's properties and assets are irrevocably dedicated to the fulfillment of the Association's purposes as described in Article 2 of the Articles of Incorporation. No part of the Association's net earnings, properties and assets, on dissolution or otherwise, may inure to the benefit of any private person. Upon the dissolution of the Association, all debts thereof shall be paid and its affairs settled, and all remaining assets shall be distributed to the Association's member political subdivisions for a public purpose, consistent with the provisions of the California Nonprofit Corporation Law relating to public benefit corporations then in effect and with the Articles of Incorporation.

Section 3. Definitions. As used in these bylaws, the term "notice provided by electronic means" shall refer to notice given by fax or e-mail.

Amended comprehensively December 1, 2010

Amended May 9, 2012

Amended May 7, 2014

Amended December 2, 2015



PROXY DESIGNATION FORM

ASSOCIATION OF CALIFORNIA WATER AGENCIES GENERAL SESSION MEMBERSHIP MEETING(S)

WEDNESDAY, NOVEMBER 29, 2017 AT 1:20PM
THURSDAY, NOVEMBER 30, 2017 AT 1:20PM (IF NEEDED)

TO: Donna Pangborn, Clerk of the Board

EMAIL: donnap@acwa.com

FAX: 916-325-4857

The person designated below will be attending the ACWA General Session Membership Meeting(s) on **Wednesday, November 29, 2017 (and November 30, 2017 if necessary)** as our voting delegate.

<i>MEMBER AGENCY'S NAME</i>	<i>AGENCY'S TELEPHONE No.</i>
<i>MEMBER AGENCY'S AUTHORIZING REPRESENTATIVE</i>	<i>SIGNATURE</i>
<i>DELEGATE'S NAME</i>	<i>SIGNATURE</i>
<i>DELEGATE'S EMAIL</i>	<i>DELEGATE'S TELEPHONE No.</i>
<i>DELEGATE'S AFFILIATION (if different from assigning agency)¹</i>	<i>DATE</i>

¹ If your agency designates a delegate from another entity to serve as its authorized voting representative, please indicate the delegate's entity in the appropriate space above. Note: Delegates need to sign the proxy form indicating they have accepted the responsibility of carrying the proxy.

REMINDER: Proxy cards will be available for pick up on **Wednesday, November 29**, between **9:00 a.m.** and **12:00 p.m.** at the **ACWA General Session Desk** in the main foyer outside of the **Marquis Ballroom Center, Marriott Anaheim**. The luncheon and General Session Membership Meeting will be held in the Platinum Ballroom 1-6.

TRAVEL AND EXPENSES COST ESTIMATE

Name of Event:	DC Legislative Meetings
Event Dates:	November 16-19, 2017
Requested by:	Longville

GL	GL Name	Cost	Notes
6401	Directors Fees	\$ 824.00	4 days
6410	Mileage	\$ -	
6415	Air Fare	\$ 427.60	
6420	Other Travel	\$ 100.00	
6425	Meals	\$ 500.00	
6430	Lodging	\$ -	
6435	Conference Registration	\$ -	
Estimated Total		\$ 1,851.60	

*Mileage Rate is \$0.535

*Per Diem is \$206 per day



2017 Board Calendar - San Bernardino Valley Water Conservation District

JANUARY						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Jan. 11 Board Meeting
 Jan. 25 2nd Qtr. Finance & Admin Mtg.

JULY						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Jul. 12 Board Meeting
 July 18th Strategic Planning Workshop
 Jul. 19 4th Qtr. Finance & Admin Mtg.

FEBRUARY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Feb. 08 Board Meeting

AUGUST						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Aug. 09 Board Meeting

MARCH						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Mar. 1 Special Board Meeting (@ 1:00 p.m.)

Mar. 15 Board Meeting (@ 9:00 a.m.)
Engineering Investigation Report Presentation

Mar. 23 Strategic Planning Workshop

SEPTEMBER						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Sept. 13 Board Meeting

APRIL						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Apr. 12 Board Meeting
Public Meeting/Groundwater Charge

Apr. 21st 3rd Qtr. Finance & Admin Mtg.

Apr. 26 Board Meeting
Public Hearing/Groundwater Charge

OCTOBER						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Oct. 18 Board Meeting

MAY						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

May 3 Strategic Planning Workshop

May 31 Board Meeting
Public Hearing/Groundwater Charge

NOVEMBER						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Nov. 08 Board Meeting
 Nov. 15 1st Qtr. Admin Mtg.

JUNE						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Jun. 7 Strategic Planning Workshop

Jun. 14 Board Meeting

DECEMBER						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Dec. 13 Board Meeting (@ 9:30 a.m.)
Holiday Luncheon