

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF October 9, 2019
1:30 p.m.

President Corneille called the meeting of the Board of Directors to order at 1:36 p.m. All present stood for the Pledge of Allegiance, led by President Corneille.

ROLL CALL:

BOARD MEMBERS PRESENT:

David E. Raley, Director
Robert Stewart, Director
Melody McDonald, Vice President
Richard Corneille, President
John Longville, Director (Arrived 2:11 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Betsy Miller, Land Resources Manager/Assistant General Manager
Athena Monge, Administrative Specialist

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District
Paul Kielhold, San Bernardino Valley Municipal Water District
June Hayes, San Bernardino Valley Municipal Water District
Tatiana Moiseeva, Tetra Tech

1. PUBLIC PARTICIPATION

President Corneille announced that any person present, who so desired, may make an oral presentation to the Board of Directors. There being none, the meeting continued with the posted agenda items.

2. ADDITIONS/DELETIONS TO AGENDA

It was the consensus of the Board to pull action Item 4D: Land Exchange BLM Agreements from the posted agenda at the request of staff, due to agreements not being ready for approval.

3. CONSENT CALENDAR

It was moved by Vice President McDonald and seconded by Director Stewart to approve the Consent Calendar: Item A: Board Minutes, September 11, 2019, with minor revisions; and Item B: Expenditure Report, September 2019. The motion carried 4-0 with all Board members present voting in the affirmative, and Director Longville noted absent from the vote.

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

4. COMMITTEE REPORTS/ACTION ITEMS

A. UNAUDITED FINANCIAL REPORTS, SEPTEMBER 2019

Mr. Cozad presented this item for discussion, noting its inclusion in Board package page 20. He said that the Exchange Plan has revenue and expenses not included in the approved budget due to relaunch of the Santa Ana River-Mill Creek Cooperative Management Committee. Mr. Cozad indicated that professional services and engineering expenses would be slightly higher than anticipated due to various projects including the Active Recharge Transfer Projects.

It was moved by Director Raley and seconded by Vice President McDonald to approve the Unaudited Financial Reports for September 2019 as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Longville noted absent from the vote.

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

B. STAFFING AND SUCCESSION PLANNING

Mr. Cozad introduced this item for discussion, noting its inclusion beginning on package page 26. The Staffing and Succession Plan (Plan) has been updated based on the staffing changes and positions recently added. This item was presented to the Finance & Administration Committee on July 24, and the committee recommend approval of the Plan as presented. Mr. Cozad said he expects staffing to stay the same except for small increases due to the Wash Plan Trust and the biological requirements of that, and the Active Recharge Transfer Projects, all of which will require additional support. The succession plan is covered beginning on package page 31. President Corneille and Vice President McDonald spoke in support of the Plan. Director Stewart also spoke in support and said that as growth continues it may open up additional opportunities to shift some reporting responsibility from the general manager so that he can take more vacation time.

It was moved by Director Raley and seconded by Director Stewart to approve the Staffing and Succession Plan as presented. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Longville noted absent from the vote.

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

C. PLUNGE CREEK PROJECT CHARTER

Ms. Miller presented this item for discussion, noting its inclusion beginning on package page 39. She indicated that the updates to the project charter are due to the recent listing of the San Bernardino Kangaroo Rat (SBKR) as a candidate species with California Department of Fish and Wildlife (CDFW). She reviewed the phased approach which would allow the District to complete this phase within the grant timeframe because that area does not include any listed species covered by CDFW. She indicated that there is potential that the state could issue the District an amended permit for the SBKR to allow for construction of the full project within the timeframe needed. The SBKR surveys required to obtain the amended permit began last week and will be sent to CDFW. Staff has contacted all resource agencies that have issued the District a permit, and they have provided their approval letters supporting the phased approach in case the amended permit is not received within the grant timeline. If the phased approach is approved today, staff will prepare the bid documents and move forward with the phased approach, which includes pursuing a permit for the full project while planning for construction of Phase 1 of the project if a permit is not obtained. Ms. Miller said the District should know by March 2020 if the amended permit will be approved. Vice President McDonald spoke in support of the phased approach as a backup plan. President Corneille asked if construction had to be completed by next summer. Mr. Cozad said the deadline to complete construction would be late fall because the District would need to receive and pay the contractor's invoice by no later than December 2020.

It was moved by President Corneille and seconded by Vice President McDonald to approve the Plunge Creek Charter as presented and direct staff to pursue the phased approach for Plunge Creek. The motion carried 4-0 with all Directors present voting in the affirmative, and Director Longville noted absent from the vote.

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

5. INFORMATION ITEMS

A. WASH PLAN VERBAL UPDATE

Ms. Miller said staff has continued to meet with the Bureau of Land Management (BLM) to discuss the Land Exchange. There was a field visit with BLM and staff at the beginning of October. Staff performed a final check of the EIR/EIS and sent it to the U.S. Fish and Wildlife Service (FWS) solicitor. Mr. Cozad said that they are scheduled for their briefing in November, and it may take four weeks after that to get published in the federal registrar. He is hopeful it will be published in December 2019. This item was received and filed.

B. TRAILS APPROACH VERBAL UPDATE

Ms. Miller presented a PowerPoint presentation on the Trails Approach. She reviewed both informal and formal project charters. President Corneille asked if the District spoke with the Redlands Conservancy regarding trails. Mr. Cozad said that the District met with the Board of Directors' Executive Committee, which gave them an informal proposal indicating they would be willing to help. However, the District would need to commit to several years of funding for a part-time trails manager. Director Stewart asked when the trails are typically used the most. Ms. Miller stated that on weekends, holidays and mid-week they tend to be used the most, but use also varies with the weather and season. If the District makes trails available to the public it may have to seek LAFCO approval to activate latent powers. Mr. Cosgrove said Water Code §74540-74541 authorizes Water Conservation Districts to operate recreational facilities, but those powers are not activated. Discussion ensued. President Corneille requested a conceptual Plan for Service before the Board decides whether to move forward with trails, including financial, legal and staffing implications. Vice President McDonald spoke in support of trails, but also indicated that it is important for the Board to identify the legal, financial, and other liabilities prior to moving forward. Staff will work with those entities interested in pursuing trails and bring feedback to the Ad Hoc Trails Committee. Mr. Cosgrove said staff would also work to develop a conceptual Plan for Service and begin to contact potential parties who may have jurisdiction and explore any partnership opportunities. This will come to the Ad Hoc Trails Committee and the Board to discuss next steps. President Corneille said he would like to see the plan in the case where the District implemented trails independently, with alternatives if it were to partner. This item was received and filed.

C. SALT AND NUTRIENT STUDY

Mr. Cozad presented this item for discussion and presented a PowerPoint presentation. The primary goals are to maximize water supply, diversify water portfolio, support the development of recycled water, minimize unnecessary costs, and assure regulatory compliance. The scope of work for this study is included on package page 49; black has been completed, and red still needs to be done. The PowerPoint presentation is included in the Board package on pages 51 to 65. The study takes two to three years to complete. The Regional Water Quality Control Board, State Water Resources Control Board, the Office of Administrative Law, and Environmental Protection Agency have to approve the Salt & Nitrate Management Plan as

written into the Basin Plan Amendment. Staff will bring back the Draft Salt and Nutrient Study in November or December. This item was received and filed.

D. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Mr. Cozad indicated that the written General Manager's Report was included in the Board package on pages 66 through 69. The Monthly Recharge Report was included on package page 70. Mr. Cozad said the District is the Project Manager of the Santa Ana River-Mill Creek Cooperative Project, also known as the Exchange Plan. He said Valley Municipal was the originator of the plan. The group has been dormant since April 2003, but recently started meeting again. The District, along with members of the Exchange Plan, are working on updating the agreement and re-educating entities on how the Exchange Plan operates. The water behind Seven Oaks Dam had poor water quality, and Bear Valley Mutual Water Company (Mutual), along with water treatment plants and other partners, were not able to utilize it, and because of this issue Mutual was forced to purchase water from Valley Municipal. Mutual and Valley Municipal are working on a Memorandum of Understanding (MOU) to fix this issue. WSC is the consultant working on updating the agreement. The District forwarded the August 2019 revisions made to the personnel manual regarding Other Post Employee Benefits (OPEB) to JPIA, and provided additional revisions. Staff is working with JPIA and District Counsel to fix these issues, and this item will be brought back for Board approval. This item was received and filed.

E. FUTURE AGENDA ITEMS AND STAFF TASKS

The Operations Committee will discuss the Active Recharge Transfer Projects and permitting for Mill Creek. Director Raley asked for an updated approach on trails at the next Ad Hoc Trails Committee meeting. The Board requested an update on the Outreach & Communications Committee and the updated PowerPoint presentation.

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

Director Stewart attended the Loma Linda Chamber (LLC) meeting on August 12 and LLC Luncheon on September 20. He attended the Santa River-Mill Creek Cooperative Management Committee (Exchange Plan) meeting on October 7.

President Corneille attended the Association of San Bernardino County Special Districts (ASBCSD) dinner on September 16, Highland Area Chamber of Commerce (HACC) Luncheon on September 24 and met with the General Manager of Valley Municipal to discuss the Advisory Commission agenda on September 30. He attended the Redlands Rise N Shine on October 4 and Exchange Plan meeting on October 7.

Vice President McDonald attended the HACC Luncheon on September 24, ASBCSD dinner on September 16 and San Bernardino Area Chamber of Commerce (SBACC) meeting on September 18. She attended the Valley Municipal Engineering Workshop on October 8, Valley Municipal Policy Workshop on October 3 and Valley Board Meeting on October 1. She attended the Valley Municipal Joint Board Meeting on September 25, Valley Municipal Board

Meeting on September 17 and Valley Municipal Resources Workshop on September 12 and SBACC Koffee Klatch on October 2.

Direct Raley attended the Valley Municipal Joint Board Meeting on September 25, Valley Municipal Board Meeting on September 17 and Redlands Rise N Shine on October 4. He attended the Valley Board Meeting on October 1 and Valley Municipal Policy Workshop on October 3.

Director Longville attended the Valley Municipal Board Meeting on October 1 and Local Government Commission on September 10.

7. UPCOMING MEETINGS

There were none discussed.

8. CLOSED SESSION

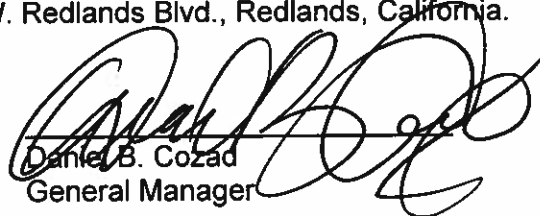
There was none held.

9. ADJOURN MEETING

It was moved by Director Stewart and seconded by Vice President McDonald 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 Stewart: Yes**

At 3:42 p.m., the meeting adjourned to the Board meeting scheduled for 1:30 p.m. November 13, 2019, at District Headquarters, 1630 W. Redlands Blvd., Redlands, California.


Daniel B. Cozad
General Manager