

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF March 11, 2020
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
Melody McDonald, Vice President
John Longville, Director (Arrived 1:45 p.m.)
Richard Corneille, President
Robert Stewart, Director

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker, LLP

STAFF PRESENT:

Daniel Cozad, General Manager
Athena Monge, Administrative Specialist
Erwin Fogerson, Senior Engineer/Project Manager
Betsy Miller, Land Resources Manager/Assistant General Manager
Katelyn Scholte, Assistant Engineer

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District
Clay Larkins, 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

There were none.

3. CONSENT CALENDAR

It was moved by Vice President McDonald and seconded by Director Raley to approve the Consent Calendar: Item A: Board Minutes, February 12, 2020, and Item B: Expenditure Report, February 2020. 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, FEBRUARY 2020

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 23.

It was moved by Director Raley and seconded by Vice President McDonald to approve the Unaudited Financial Reports for February 2020. 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

B. GROUNDWATER LATE PAYER, NON-RESPONDENTS AND INVESTIGATION LIST FOR GWA #53

President Corneille introduced this item for discussion, noting that a revised handout has been provided. Mr. Cozad said that Gage Canal had some changes in their process, but payment is expected soon. There is no specific request to investigate, and no action was required.

C. FINAL ENGINEERING INVESTIGATION AND DRAFT GROUNDWATER RESOLUTION

Ms. Scholte indicated that there was no change from the previous presentation at the February 12 Board meeting. Staff offered to make the presentation again if anyone was interested; no members of the public requested presentation. The Draft Groundwater Resolution was provided as a handout for review; there were no suggested revisions. The resolution will be voted on after the Public Hearing scheduled for April 22. The draft resolution includes the projection of a 5% increase and the final step in the transition to one a unitary rate.

It was moved by Vice President McDonald and seconded by President Corneille to approve the Final Engineering Investigation Report for 2020. 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

D. PLUNGE CREEK CONSERVATION PROJECT CONSTRUCTION CONTRACT AWARD

Mr. Fogerson said that the District received four bids including those from Noho Constructors, H&H General Constructors, Inc., Norstar Plumbing and Engineering Inc., and Spiess Construction Co., Inc. Staff is proposing to the District engage in an agreement with Noho Constructors for an amount not to exceed, \$387,632 with a contingency fund of \$38,763 for Plunge Creek Conservation Project (Plunge Creek). Mr. Fogerson provided a handout of the revised agreement with Noho Constructors with nonsubstantial edits recommended by District Counsel. This item is included beginning on package page 31. President Corneille asked about the timeline and SAWPA grant funding. Mr. Cozad indicated that all work has to be billed and paid out no later than December 31, 2020.

It was moved by Director Stewart and seconded by Director Longville to approve the contract with Noho Constructors in the amount not to exceed \$387,632 with a contingency fund of \$38,763. 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

E. PLUNGE CREEK CONSERVATION PROJECT PROFESSIONAL SERVICES CONTRACT AWARD

Mr. Fogerson also introduced this item for discussion, noting its inclusion beginning on package page 52. There were three proposals received, and staff is recommending contracting with Joseph E. Bonadiman & Associates. President Corneille asked who will perform the construction staking, and based on construction staking will Bonadiman do the topography before and after. He also asked if the amount included for ICF Jones & Stokes is enough if the District identifies areas inhabited by endangered species within the project area. Mr. Cozad said that the District is required to move them, but the District surveyed and did not identify any burrows within the alignment of the project. The District and consultant will walk the alignment, and Bonadiman will perform construction staking based on that alignment and the survey. Director Stewart asked if it was going to be an aerial photograph in relation to the as-built drawings. Mr. Fogerson confirmed that was planned. After discussion, it was recommended to authorize a not-to-exceed amount of \$49,500.

It was moved by Director Longville and seconded by Director Stewart to authorize the General Manager to enter into an agreement with Joseph E. Bonadiman & Associates, Inc. for an amount not to exceed \$49,500 for the Plunge Creek Conservation Project. 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

F. RATIFICATION OF CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH MIKAEL ROMICH

Mr. Cozad introduced this item for discussion. This item is included on package page 63. He stated that Mikael Romich, owner of Origin Biological, performs biological work for the District and the Trust, but does not have a Master Services Agreement with the District. Staff believes it is best to have a Professional Services Agreement with Mr. Romich in an amount not to exceed \$100,000 for biological tasks, as directed by staff.

It was moved by Director Raley and seconded by Vice President McDonald to ratify the Professional Services Agreement with Mikael Romich in an amount not to exceed \$100,000. 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

G. CSDA BOARD OF DIRECTORS REQUESTS FOR CONCURRING NOMINATION

President Corneille introduced this item for discussion. The District has not received any requests for concurring nominations; no action was taken.

H. LAFCO SPECIAL DISTRICTS SELECTION COMMITTEE NOMINATIONS

President Corneille introduced this item for discussion. Previously the Board took action to approve and support Director Raley, but he has since decided against running. The District received a request for support from Kimberly Cox and T. Milford Harrison.

It was moved by Vice President McDonald and seconded by Director Longville to support T. Milford Harrison for the LAFCO Special Districts Selection Committee. 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

5. INFORMATION ITEMS

A. WASH PLAN VERBAL UPDATE

Ms. Miller provided a verbal update. She said that staff and resource agencies have made significant progress in developing responses to public comments on the HCP. USFWS staff will come by later this afternoon to continue work. Staff anticipates having the response to comments completed by Friday. Staff has set up meetings with some of the commenters to answer any questions they may have. Ms. Scholte has performed the calculations to respond to air quality questions and prepared the draft General Conformity Assessment. President Corneille thanked Ms. Scholte and Ms. Miller for their efforts in responding to comments on the Wash Plan. President Corneille asked about the next steps. Ms. Miller said that the estimated time table is for District Staff to be done by the end of March, and there will be a twenty-day review period for USFWS legal staff. ICF Jones & Stokes is preparing materials to be reviewed by the District and submitted to USFWS for development of the Biological Opinion. Issuance of a Record of Decision and incidental take permit are the next steps to complete the process and are anticipated this summer.

B. 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 78 through 81. The Monthly Recharge Report was included on package page 82. Mr. Cozad met with the District's outreach consultants and provided the Board with a handout showing Council or Board presentations for the year. President Corneille completed his presentation to the Mentone Area Chamber of Commerce last month. President Corneille requested to be included in the presentation to the County of San Bernardino, and Vice President McDonald requested to be included in a presentation to the City of San Bernardino. Director Raley suggested presenting to the Advisory Commission. The Board recommended adding a presentation to the Highland Area Chamber of Commerce. Mr. Cozad noted that the Mentone Area Chamber of Commerce was previously added to Appendix C of the Board Policy Manual, so no further action is needed from the Board. He stated that the District has a plan to monitor the Corona Virus and will implement the three-stage plan. To date there have been no confirmed cases in the Inland Empire, and the District is in stage one, monitoring and preparation. This item was received and filed.

C. CONSTRUCTION PROJECTS PLUNGE/MILL/ARTP VERBAL UPDATE

Mr. Fogerson said that the 401 and 404 permits for Mill Creek have been submitted. Staff is working on the Mentone Shop enhancements.

D. FUTURE AGENDA ITEMS AND STAFF TASKS

The Ad Hoc Trails Committee has been scheduled for May 12.

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

Director Stewart attended the San Bernardino State of the County on February 5, Santa Ana-Mill Creek (Exchange Plan) Management Committee on March 3, and Loma Linda Chamber of Commerce on March 4. He attended the Bear Valley Mutual Stockholder meeting on February 18.

President Corneille met with Mentone Area Chamber Association Members on February 14, attended the Association of San Bernardino County Special Districts (ASBCSD) on February 24, and Exchange Plan meeting on March 3. He attended the Redlands Rise N Shine on March 6 and Highland Area Chamber of Commerce (HACC) Breakfast on March 10. He also made a presentation to the Mentone Area Community Association on March 10.

Vice President McDonald attended the Valley Municipal Engineering Workshop on March 10, Valley Municipal Board of Directors meeting on March 3 and HACC Luncheon on February 25. She attended the State Legislative meeting on February 21, Koffee Klatch on February 19 and Valley Municipal Board of Directors meeting on February 18. She attended the Valley Municipal Resources Workshop on February 13.

Director Raley attended the Valley Municipal Resources Workshop on February 13, Conservation Trust meeting on March 2 and Valley Municipal Board of Directors meeting on March 3. He attended the Valley Municipal Resources Workshop on March 5 and Redlands Rise N Shine on March 6.

Director Longville attended the Valley Municipal Board of Directors meeting on February 18 and Local Government Commission Conference on March 5-8.

President Corneille requested approval of his attendance to attend the ACWA Spring Conference in May with an estimated travel cost of \$2,979.

It was moved by Director Longville and seconded by Vice President McDonald to approve President Corneille's travel request for the amount of \$2,979 to attend the ACWA Spring Conference as presented. 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**

7. UPCOMING MEETINGS

There were none discussed.

8. CLOSED SESSION

There was none held.

9. ADJOURN MEETING

It was moved by Director Longville 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 3:20 p.m., the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on April 8, 2020, at District Headquarters, 1630 W. Redlands Blvd., Redlands, California.



Daniel B. Cozad
General Manager