

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF May 27, 2020  
1:30 p.m.

President Corneille called the meeting of the Board of Directors to order at 1:35 p.m. by teleconference and Zoom meeting.

ROLL CALL:

BOARD MEMBERS PRESENT:

Richard Corneille, President  
Melody McDonald, Vice President  
David E. Raley, Director  
Robert Stewart, Director  
John Longville, Director (Arrived 1:44 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

None

STAFF PRESENT:

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

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
Gil Navarro, San Bernardino Valley Municipal Water District  
June Hayes, San Bernardino Valley Municipal Water District  
Paul Kielhold, San Bernardino Valley Municipal Water District  
Willow Green

1. PUBLIC PARTICIPATION

President Corneille announced that any person present, who so desired, may make an oral presentation to the Board of Directors. Gil Navarro of Valley Municipal spoke on behalf of himself and read an excerpt on water conservation. June Hayes of Valley Municipal noted that West Valley Water District's Board voted unanimously to join the Groundwater Council. The Board thanked Ms Hayes and the Valley Municipal's Board for their efforts.

## 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: Budget Workshop Minutes, April 22, 2020; Item B: Board Minutes, April 22, 2020, and Item C: Expenditure Report, April 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. AD HOC TRAILS COMMITTEE VERBAL UPDATE

Mr. Cozad provided a verbal update. The Trail Plan that was approved by the Board was discussed with the cities. The District received support from the City of Highland (Highland) on the conceptual approach following a discussion of preliminary draft deal points for a Memorandum of Understanding (MOU) for Trails. Staff will set up a time and date to meet with the Public Works Director and Planning Director for the City of Redlands to discuss the preliminary draft deal points for trails subject to availability; Redlands is currently focused on budget and COVID-19 related issues. Staff will obtain feedback from the cities and bring this item back to the Ad-Hoc Committee.

### B. OPERATIONS COMMITTEE VERBAL UPDATE

President Corneille provided a verbal update on this item. Manuel Colunga, Field Supervisor, gave a field update via PowerPoint presentation. Staff thanked the Board for their new dump truck. The field updates included information related to vandalism and trespassing that have occurred on District property. President Corneille noted that the Committee discussed the Mentone Shop Enhancements in detail. The Committee requested that staff provide a memo detailing their desired uses for the new shop to serve as guidelines for conceptual design. The Committee suggested that the District hire an architect to assist in some aspects of the design of the new facilities. This may delay the implementation, but the Committee would like to see it done. Director Raley indicated he was supportive of the approach and thanked the Committee for their efforts. President Corneille said that the Committee reviewed Plunge Creek and Twin Creek, which are Active Recharge Transfer Projects (ARTP). The Wash Plan 1-Year Implementation schedule was reviewed as well as the Capital Improvements and Equipment Projects (CEIP) list; both of these items are to be discussed with the budget on today's agenda.

**C. GENERAL MANAGER ANNUAL PERFORMANCE EVALUATION, RESOLUTION NO. 578 AND EMPLOYMENT AGREEMENT**

Vice President McDonald provided an update on the Ad Hoc General Manager's Evaluation Committee meeting held on May 20. She provided the history of the evaluation process. The Committee reviewed the 2019 and 2020 Board Priorities. Vice President McDonald expressed her appreciation for Mr. Cozad's leadership. The Ad Hoc Committee notes are included in the Board Package on page 46. Vice President McDonald said that the Ad Hoc Committee is recommending that Mr. Cozad receive his 5% discretionary bonus for accomplishments in 2019-2020 in the amount of \$13,198, approval of Resolution No. 578, and a merit salary increase of 4.5% and COLA of 3.1% for a total increase of 7.6% to current salary for next fiscal year. Director Stewart said that the Ad Hoc Committee discussed the organization planning, including the Staffing and Succession Plan. He indicated that the Committee is pleased with the momentum the District is gaining on various fronts and the work that is being accomplished efficiently with minimal staff. Director Raley said that he is happy with the General Manager's performance. President Corneille spoke in support of the recommendations of the Ad Hoc Committee. He said that Mr. Cozad has substantially increased the status and regional importance of the District.

**It was moved by President Corneille and seconded by Director Raley to approve the discretionary bonus to be paid to the General Manager in the amount of \$13,198 for 2019-2020 accomplishments. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

**It was moved by Director Longville and seconded by Director Raley to approve Resolution No. 578 with minor revision. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

President Corneille requested clarifying language to be added in section five of Employment Agreement, where it references a multi-year term. A brief discussion ensued. He proposed that District Counsel review and approve final non-substantive revisions and, if consistent with the Board's intent, he would review and sign the agreement.

**It was moved by Vice President McDonald and seconded by Director Longville to approve the Employment Agreement for the General Manager with a 3.1% COLA increase and merit increase of 4.5% (total of 7.6% increase) for fiscal year 2020-2021 with non-substantive changes to be approved by General Counsel and the Board President.**

**The motion carried 5-0 with all Board members present voting in the affirmative.**

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

Mr. Cozad thanked the Board for their support and commended all staff on their efforts.

**D. UNAUDITED FINANCIAL REPORTS, APRIL 2020**

Mr. Cozad introduced this item for discussion, noting its inclusion on package pages 47 to 52. Staff does not anticipate a significant impact from COVID-19 compared to some other agencies that have experienced significant impacts. He noted that the District would move to accrual accounting for the audit in June. Director Stewart requested a cost-benefit analysis on aggressive recharge. Mr. Cozad stated that it should be available close to the end of the fiscal year.

**It was moved by Director Stewart and seconded by Director Raley to approve the Unaudited Financial Reports for April 2020. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

**E. RESERVE POLICY REVISIONS**

Mr. Cozad introduced this item for discussion, noting its inclusion beginning package page 53. The Board reviewed this item at the April 22 Budget Workshop. The revisions to the policy are shown in blue on package page 56.

**It was moved by President Corneille and seconded by Vice President McDonald to approve the Reserve Policy with minor revisions. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

**F. WASH PLAN STATE PERMITTING STRATEGY AND CONTRACT AUTHORITY**

Ms. Miller introduced this item for discussion and presented a PowerPoint presentation. She said that the District expects to finalize the Habitat Conservation Plan (HCP) in July. The

District will be reviewing any other needs that are required to fully execute our covered activities. As part of the CEQA compliance, the District is required to review all regulations that could apply to Wash Plan projects. Discussion ensued regarding potential permitting options and requirements. The following four regulations were discussed: 1) California Endangered Species Act (CESA)-Incidental Take Permit required by California Department of Fish and Wildlife (CDFW), 2) Fish and Game Code 1602-Streambed alteration agreement issued by CDFW, 3) Federal Clean Water Act and State Porter-Cologne Water Quality Act-401 permit issued by Regional Water Quality Control Board and 4) Federal Clean Water Act-404 permit issued by U.S. Army Corps of Engineers. The opportunity for joint permitting and mitigation was discussed. There could be potential savings to the District and Wash Plan participants by pursuing joint permitting and/or mitigation. The proposed approach was reviewed in-depth with the first three steps to be done right away are 1) Develop permitting matrix from existing data, 2) Preliminary meeting (s) with regulatory agencies, and 3) Develop project scope and procurement materials. The preliminary costs and preliminary timeline were reviewed. Mr. Cozad said that we are at the very beginning of the process and that Ms. Miller did a great job of outlining the process for the Task Force. The District will need to identify with the Task Force members which projects they would like included in the first batch of joint permitting. President Corneille asked about the joint permitting process being voluntary. Ms. Miller said that the estimated \$715,000 cost for joint permitting is if all Task Force participants want their projects included. She said that if they did not want their project included, it would not be an issue for the District or those that want to seek a joint permit. Director Stewart asked about the duration of the permits. Ms. Miller indicated that staff is determining the best approach, which may determine the duration, and term will be part of that determination. The smaller projects may be able to be batched together and receive permits quickly. Mr. Cozad said not every project needs to be permitted at the same pace. Staff is working on a comprehensive project matrix. Staff is requesting an additional \$120,000 in funding to begin the joint permit process.

**It was moved by President Corneille and seconded by Vice President McDonald to authorize advance funding of \$120,000 in the 2020-2021 budget for District costs associated with State permitting for Wash Plan Covered Activities to be repaid by Task Force Members. The motion carried 5-0 with all Board members present voting in the affirmative.**

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

#### **G. ANNUAL ENTERPRISE AND DISTRICT INTEGRATED BUDGET FOR 2020-2021**

Mr. Cozad introduced this item for discussion, noting its inclusion in Board package beginning package page 61. This item was reviewed at the April 22 Budget Workshop as well as the May 13 Operations Committee. There were minor revisions made, as suggested by both the Board and Operations Committee.

**It was moved by Director Raley and seconded by Director Longville to approve the Annual Budget for 2020-2021. 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. The Department of Interior held its secretarial briefing on May 1. NEPA findings were drafted by District staff in support of United States Fish and Wildlife Service (USFWS) and were transmitted to USFWS on May 13. The Final Habitat Conservation Plan (HCP) and environmental documents were published in the Federal Registrar on May 15 with a Notice of Availability; that starts the 30 day period. Staff sent draft CEQA and NEPA finalization schedules to legal counsel for review yesterday; staff hopes to bring the final HCP and FEIS/SIER to the Board for adoption/certification at the July Board meeting. Federal partners will write the Record of Decision to publish in the Federal Register.

### B. SAN BERNARDINO VALLEY CONSERVATION TRUST UPDATE

Ms. Miller indicated that the check from SBCTA for an additional \$52,000 was received by the District for the work District staff is performing on behalf of SBCTA in relation to their CDFW permit for the 210 freeway widening project. Director Raley noted that the Conservation Trust meeting had been rescheduled to July.

### C. 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 71 through 74. The letter sent to West Valley Water District is included on package page 75. The Monthly Recharge Report was included on package page 76. Mr. Cozad said that the staff is in Stage 3 of the District Extreme Flu/COVID19 plan; there will be minimal staffing in the office, and this will likely run through June. The Safe Harbor Agreement for Plunge Creek is in Management Approval; it is in Sacramento. Due to District Counsel's absence, there will be no Closed Session today; staff will continue to work with Counsel on these items. President Corneille said that there was an article in the Highland Community News on the front page. He asked if staff has been reviewing the plans for the Enhanced Recharge Project. Mr. Cozad said that staff has been attending meetings and reviewed plans with the consultant. President Corneille requested an overview of the project to be presented to the Operations Committee. He also asked about legislative and outreach efforts. It was indicated that legislative responses are coordinated with Director Longville, and they have been primarily technical responses. This item was received and filed.

### D. FUTURE AGENDA ITEMS AND STAFF TASKS

There were none discussed.

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

President Corneille attended the PFM seminar on "Funding Public Pension Post Pandemic" on May 20, the Wash Plan Task Force (Task Force) meeting on April 28 and Exchange Plan meeting on April 27. He also chaired the Operations Committee on May 13. He also attended a meeting to finalize our letter to West Valley Water District.

Director Raley attended Valley Municipal's Policy Workshop on April 9, Valley Municipal Engineering Workshop on April 14 and Conservation Trust meeting on April 20. He attended the Task Force Meeting on April 28, Valley Municipal Board meeting on May 19 and Ad Hoc Trails Committee on May 12. He attended the Valley Municipal Policy Workshop on May 14.

Director Longville attended the Conservation Trust on April 20.

Director Stewart attended the Ad Hoc Trails Committee on May 12 and Ad Hoc General Manager's Evaluation Committee on May 20.

Vice President McDonald attended the Valley Municipal Strategic Planning Workshop on April 23, ACWA State Leg Committee on April 24 and Ad Hoc General Manager's Evaluation Committee on May 20. She attended the Valley Municipal Board meeting on May 19, ACWA State Leg Committee on May 15 and Valley Municipal Policy Workshop on May 14. She attended the Operations Committee on May 13, Valley Municipal Engineering Workshop on May 12, Valley Municipal Resources Workshop on May 7, Ad Hoc for WVWD with Valley District and Valley Municipal Board meeting on May 5.

7. UPCOMING MEETINGS

The Valley Municipal Board meeting will be on June 16, and the SBC Water Conference will be held on August 14.

8. CLOSED SESSION

There was none held.

9. ADJOURN MEETING

**It was moved by 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 Stewart: Yes**

At 3:38 p.m., the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on June 10, 2020, location to be determined.



Daniel B. Cozad  
General Manager