

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF DECEMBER 8, 2021  
9:30 am

President McDonald called the Board of Directors meeting to order at 9:35 am by in-person, teleconference, and Zoom meeting; all those in attendance stood for the pledge of allegiance led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President  
David E. Raley, Director  
Robert Stewart, Director  
Richard Corneille, Vice President  
John Longville, Director (Arrival 9:48 am)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

Dave Cosgrove, District Counsel

STAFF PRESENT:

Daniel Cozad, General Manager  
Betsy Miller, Land Resources Manager/Assistant General Manager  
Erwin Fogerson, Senior Engineer/Project Manager  
Katelyn Scholte, Assistant Engineer  
Athena Lokelani, Administrative Specialist  
Angie Quiroga, Administrative Analyst  
Christiana Kent, Intern  
Anna Frey, Intern

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
Tatiana Moiseeva, Tetra Tech  
Paul Kielhold, San Bernardino Valley Municipal Water District  
Ernie Wong  
Bill Hemsley, American Public Works Association  
Brian Dickinson, City of Colton

## 1. PUBLIC PARTICIPATION

President McDonald announced that any persons 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.

Mr. Cosgrove stated that the District is conducting a hybrid meeting consistent with applicable government codes and Resolution No. 592, adopted by the Board on November 10, 2021. He noted that for those that are in attendance are masked and the District is observing heightened Covid-19 protocols with social distancing.

Bill Hemsley of the American Public Works Association (APWA) presented an award to the District for Project of the Year for its Plunge Creek Conservation Project. The projects were evaluated based on their service to the community, environmental enhancement, sustainability, unique design and planning, cost effectiveness, and improvement of public safety awareness. The APWA selection committee found the Plunge Creek project to excel in all of these criteria. Mr. Cozad presented on the project at the APWA luncheon, and Ms. Scholte and Field Operations Specialists Mr. Purvis and Mr. Guizar provided a field tour to APWA of the project submitted. Mr. Hemsley said that this project is an example of how public works organizations and projects improves the lives of our communities and he commended staff on their efforts to make this project successful. President McDonald thanked the APWA and staff. Mr. Cozad thanked the City of Highland that suggested the District apply for this award. Mr. Wong, former Board member of APWA and former staff member of City of Highland, also spoke in favor of the project and spoke highly of the Board and staff. He indicated that this is an amazing accomplishment.

## 2. ADDITIONS/DELETIONS TO AGENDA

There were none.

## 3. GUEST RECOGNITIONS/SELF INTRODUCTIONS

The guests listed above made self-introductions.

## 4. CONSENT CALENDAR

President McDonald introduced this item for discussion.

**It was moved by Vice President Corneille and seconded by Director Raley to approve the Consent Calendar: Item A: Special Board Minutes, November 3, 2021; Item B: Board Minutes, November 10, 2021; and Item C: Expenditure Report, November 2021, with minor revisions on Item A. The motion carried 4-0, with all Board members present voting in the affirmative. Director Longville was absent from the vote.**

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

5. COMMITTEE REPORTS/ACTION ITEMS

A. FINANCE & ADMINISTRATION COMMITTEE VERBAL UPDATE

Mr. Cozad provided a verbal update of the Finance & Administration Committee meeting held on November 15. The first quarter unaudited financial reports were reviewed and will be brought back in January for review and approval by the Board. The Personnel Manual was also discussed and will be presented later in this agenda. This item was received and filed.

B. UNAUDITED FINANCIAL REPORT, NOVEMBER 2021

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 24. The revenues are above budget and most expenses are on budget. General administration costs have been higher, but are expected to even out at the end of the year. Vice President Corneille asked about the negative interest number shown on package page 27 under ordinary income and expenses. Mr. Cozad said that current market is lower than what we estimated. Ms. Quiroga said that these reflect unrealized loss from CD investments. Vice President Corneille asked if the GL 4021-Assessment – Ag will be removed from GLs since the District is going to one unitary rate. Staff responded that this is the last year it will be reported separately. Vice President Corneille asked why GL 4065-Redlands Plaza is under budget. Mr. Cozad said that it is early in the year, and that there are arrears based primarily on the Board's decision to allow tenants to defer part of their rent due to the pandemic.

**It was moved by Vice President Corneille and seconded by Director Longville to approve the Unaudited Financial Reports from November 2021. The motion carried 5-0, with all Board members present voting in the affirmative.**

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

C. 2022 PER DIEM RATE

President McDonald introduced this item for discussion, noting its inclusion on package page 30. She stated that the law allows for an annual increase of up to 5%. Director Raley said that the reason for the increase is due to inflation, and if the increase doesn't reflect inflation, then Board per diem will fall behind. Mr. Cozad noted that the current CPI-U is at 6% but the District is limited in its annual increases by the Water Code.

**It was moved by Director Raley and seconded by Director Longville to approve Resolution No. 594 increasing the per diem rate from \$235 to \$246 for calendar year 2022. The motion carried 5-0, with all Board members present voting in the affirmative.**

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

#### D. GENERAL AND COVID RELATED REVISION TO THE PERSONNEL MANUAL

This item was reviewed beginning on package page 32. The Finance & Administration Committee reviewed revisions in detail at the November 15 meeting and recommend approval of the Personnel Manual as presented. Mr. Cozad said that this item was prepared by staff and reviewed by ACWA/JPIA who provided feedback. The changes incorporated suggested revisions from ACWA/JPIA and District Counsel. Mr. Cosgrove highlighted the primary changes as noted within the Board memo. ACWA/JPIA said that the District's Personnel Manual is well written and thorough. Mr. Cosgrove noted that there is an increase in sick hours from 240 hours to 300 hours due to the pandemic, and recommended Board changes. There is currently no employee with over 220 hours of sick leave.

**It was moved by Director Raley and seconded by Director Longville to approve the 2022 Personnel Manual as presented. The motion carried 5-0, with all Board members present voting in the affirmative.**

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

#### 6. INFORMATION ITEMS

##### A. WASH PLAN IMPLEMENTATION

Ms. Miller provided a verbal update. The District provided comments on the draft California Natural and Working Lands Climate Smart Strategy related to compatibilities with groundwater recharge and habitat conservation plans. Ms. Miller said that the District received a draft permit from the California Department of Fish and Wildlife (CDFW) for its streambed alteration agreement for its maintenance project covered under the Wash Plan on November 1. She said that the draft permit included standard language that did not appear to be modified for our specific projects and thus would result in unnecessary burdens to District operations. Staff worked with AECOM to provide edits to the draft permit back to CDFW. Staff received a second round of draft comments on the District's 2081 application, noting that eleven of the twelve sections were deemed complete by CDFW. The 404 permit is moving forward, and AECOM is updating the jurisdictional delineation in response to agency comments. The 401 permit will not require mitigation for basin operations. Vice President Corneille asked if the 401 permit mentioned only covered the basin operations in Santa Ana River. He asked about the permitting for Mill Creek and that staff update the Board monthly on this item. Ms. Miller said that the agreements for the Mill Creek basins were approved at the last meeting, and there was a kickoff meeting for one of the three contracts on Monday. She presented a PowerPoint on the San Bernardino kangaroo rat (SBKR) monitoring for the Wash Plan's first year of implementation. One hundred plots were surveyed based on specific protocol that was developed by USGS for our area. This was done by USGS and Mikael Romich over a span of twenty-five days. There were 178 unique individuals documented. The data collected will be used to estimate occupancy along with vegetation data. Ninety six percent of the plots that were mapped as high-quality habitat had SBKR in them. These baseline data will allow the District to track changes over time. Director Stewart asked if staff has high confidence that the protocol fulfilled its duty. Ms. Miller said that the protocol has been used in previous years by USGS and believes the methodology has been proven. It has been used on WSPA and the Western Riverside HCP.

Mr. Cosgrove provided a verbal update on the Bureau of Land Management (BLM) land exchange. He stated that the property inspection has been scheduled for December 20. He has been answering inquiries from appraisers. This item was received and filed.

#### B. WASH PLAN TRAIL STATUS REPORT

The Wash Plan Trails Status Report is included on package page 61. Mr. Cosgrove included the draft MOU with the cities of Highland and Redlands on package page 83. He indicated that this will be considered for approval in January by the City of Highland and City of Redlands in February. Ms. Miller noted that the schedule is included on package page 82. Vice President Corneille said that the funding for the cities seems to be coming from the sand and gravel operations. Mr. Cozad confirmed that as the source of funding. He discussed related conditional use permits for mining in brief. This item was received and filed.

#### C. MENTONE SHOP IMPROVEMENT STATUS REPORT

Mr. Fogerson reviewed this item, included on package page 91. The field geotechnical investigation was performed last month, resulting in a change to the proposed building location. Staff is currently waiting on soils report and that will be incorporated into the bid package which will go out next month. This item was received and filed.

#### D. ACTIVE RECHARGE TRANSFER PROJECTS VERBAL UPDATE

Mr. Fogerson provided a verbal update. He noted that he is continuing to work with Tetra Tech on the contract for the Waterman, Lynwood Basins and Twin Creek Spreading Grounds Feasibility Study Support Services, including a detailed scope of work. The hydrologic model includes over three hundred models to analyze the basins for both flood control and groundwater recharge purposes. The contract is estimated at \$1.5 million dollars. The extensive scope will ensure final design will be what staff intends it to be and costs are in line with costs estimated in the study. The scope of work includes extensive hydrologic analyses and estimation of quantities. The hydrologic modeling will include storm flow modeling and estimate recharge along with analyzing flood control aspects. Two additional RFPs, for the Mill and City Creek Feasibility Study Support Services contract and the Plunge and Oak Creek Feasibility Study Support Services, have been posted with proposals due tomorrow. The Mill Creek facility includes nearly seventy existing basins, potential new basins, existing and new channels and all existing and new diversions. City Creek has been removed from the project list at the request of Valley Municipal, with two new potential projects being considered in its place. Vice President Corneille suggested that Director Stewart be brought up to speed on these projects and that an Operations Committee be held so that they can review these projects prior to contract approval. He also suggested an Operations Committee meeting to discuss progress on the ARTP projects prior to the quarterly ARTP Policy Committee meetings. Mr. Fogerson recommended that the Operations Committee schedule a field tour to view the ARTP and other project sites. President McDonald said that Director Stewart should listen in on the ARTP Policy Committee meetings. Director Raley asked why staff is abandoning City Creek. Mr. Fogerson stated that the initial feasibility analysis indicates that the risks and costs of the projects outweigh potential benefits. This item was received and filed.

## E. 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 92 through 95. He said that the SWP allocation is currently zero. The annual accomplishments report was provided as a handout. The map of the 2012 division boundaries compared to 2020 census population was reviewed. The population for 2020 is 317,472 while in 2012 it was 227,938. Discussion ensued on redistricting. The Monthly Recharge Report was included on package page 97. This item was received and filed.

## F. FUTURE AGENDA ITEMS AND STAFF TASKS

Director Stewart asked for a monthly recharge comparison against BTAC numbers. Director Raley asked for an update on the groundwater replenishment fees for producers outside of the basin.

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

Director Longville attended the Special Board Meeting on November 3 and Finance & Administration Committee on November 15. He stated that of all the various elected offices he has held, this job is the easiest because of its extraordinary staff and Board. He thanked the Board and Staff for their efficiency.

Director Raley attended the Board meeting on November 10, Finance & Administration Committee on November 15 and signed expenditures on November 30. He attended the Redlands Rise N Shine on December 3.

Vice President Corneille attended the ACWA Fall Conference from November 30 to December 3. He commended President McDonald on her appointment as ACWA/JPIA Vice President which was announced at the conference. He attended the Groundwater Committee, the Water Management Committee meeting and the general and specific sessions at the Conference. He noted an article in the CSDA magazine on our District helping the homeless and the Steps 4 Life organization. Vice President Corneille thanked staff and the outreach consultants for their efforts and publications. He attended the Redlands Rise N Shine on December 3.

Director Stewart attended the Finance & Administration Committee on November 15, today's Board meeting and BTAC on December 6.

President McDonald attended the ACWA Fall Conference from November 30 to December 3, Association of San Bernardino County Special District dinner on November 15, Valley Municipal Board meeting on November 16 and a demo on how to vote on November 22. She attended the Valley Municipal Board meeting on December 7.

Director Longville's travel request to attend the Local Government Commission Policymakers Conference was reviewed. He provided a brief explanation of what the conference will entail.

**It was moved by President McDonald and seconded by Vice President Corneille to approve Director Longville's travel request in the amount of \$3,630.15, to attend the Local Government Commission Policymakers Conference. The motion carried 5-0, with all Board members present voting in the affirmative.**

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

Vice President Corneille's travel expenses to attend the ACWA Fall Conference was reviewed.

**It was moved by Director Raley and seconded by President McDonald to approve Director Corneille's travel request in the amount of \$2,063.99, to attend the ACWA Fall Conference. The motion carried 5-0, with all Board members present voting in the affirmative.**

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

8. UPCOMING MEETINGS

The annual luncheon will be held December 8 at 12 noon, at Greensleeves in Redlands.

9. CLOSED SESSION

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

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

General Counsel announced that the meeting would adjourn to a closed session under posted agenda items.

At 11:35 am, the meeting reconvened into open session. Mr. Cosgrove noted that there was no reportable action.

10. 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 McDonald: Yes**  
**Vice President Corneille: Yes**

**Director Longville: Yes**  
**Director Raley: Yes**  
**Director Stewart: Yes**

At 11:45 am, the meeting adjourned to the Board meeting scheduled for 1:30 pm on January 12, 2022, in-person, teleconference, and Zoom meeting.



Daniel B. Cozad  
General Manager