

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING

MINUTES OF JUNE 9, 2021  
1:30 pm

President McDonald called the Board of Directors' meeting to order at 1:31 pm by 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  
Richard Corneille, Vice President  
David E. Raley, Director  
Robert Stewart, Director  
John Longville, Director (Arrival 1:38 p.m.)

BOARD MEMBERS ABSENT:

None

GENERAL COUNSEL PRESENT:

David Cosgrove, Rutan & Tucker

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

GUESTS PRESENT:

T. Milford Harrison, San Bernardino Valley Municipal Water District  
June Hayes, San Bernardino Valley Municipal Water District  
David E. Smith, East Valley Water District  
Don Lee, TetraTech  
Susan Longville, San Bernardino Valley Municipal Water District

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.

## 2. ADDITIONS/DELETIONS TO AGENDA

There were none discussed.

## 3. BOARD DISCUSSION PROCESS

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 4. He indicated that during the May Board meeting questions were raised regarding the Board's discussion of items, especially with the use of the Zoom platform. Mr. Cozad prepared the general outline based on best practices for Board meetings. President McDonald indicated the Board's usual operations, which are similar to the outlined actions, and discussed how other Boards function. She reviewed various processes and alternatives, and indicated that the pandemic has impacted District meeting operations, including associated challenges. Director Stewart concurred with the outlined process and asked if public comments should be received prior to Board action items. Procedures for public hearings were discussed in brief. Vice President Corneille asked if this proposed process would prevent anyone from commenting during a staff presentation. President McDonald indicated that these guidelines would be used by the presenter or chair to manage questions and comments. She indicated that historically the Board has not been as formal, but as chair she has incorporated a more formal process in order to streamline meetings. Director Longville said that the most crucial purpose of the Brown Act is furthering public transparency. He indicated that his most important concern is that the District remain transparent to all observers. He spoke of his experience chairing various meetings and the challenges that chairs may face. President McDonald thanked everyone for their feedback, and stated that this item is for reference and discussion. She said that this would be helpful in keeping meeting moving forward, particularly those with large agendas. Discussion ensued. Director Raley and Stewart spoke in support of continuing to utilize the process the Board currently uses and all members indicated their consensus.

## 4. CONSENT CALENDAR

**It was moved by Vice President Corneille and seconded by Director Longville to approve the Consent Calendar: Item A: Board Minutes, May 12, 2021 and Item B: Expenditure Report, May 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**

## 5. COMMITTEE REPORTS/ACTION ITEMS

### A. UNAUDITED FINANCIAL REPORTS, MAY 2021

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 23. He stated that ThunderWheel Communications has submitted invoices through May 2021. Director Raley asked why the salaries were under budget. Mr. Cozad indicated that salary increases were lower than budgeted.

**It was moved by Director Raley and Director Longville to approve the Unaudited Financial Reports from May 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**

**B. CSDA BOARD ELECTIONS OFFICIAL VOTE**

Mr. Cozad noted this items inclusion on package page 29. The Board previously approved the nomination of Director Raley to the CSDA Board. The action requested today is to select a candidate that the General Manager will vote for electronically on behalf of the Districts.

**It was moved by Director Longville and seconded by President McDonald to support Director Raley for the seat on the CSDA Board and direct staff to submit a vote electronically in accordance with this action. 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. ACWA REGION 9 CALL FOR NOMINATIONS**

This item, included on package page 50, was reviewed by Mr. Cozad in brief. The Board members did not direct staff to take action on this item.

**D. UPPER SANTA ANA RIVER WATERSHED 2020 IRUWMP APPROVAL**

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 63. Ms. Scholte and Mr. Cozad provided feedback on the IRUWMP. Mr. Cozad noted that since the District is only approving Parts 1 and 3 because we are not a water provider. As indicated in the memo, there is no mandatory requirement for our Board to approve the IRUWMP. This is a regional activity that all water agencies in the area coordinate to develop. Vice President Corneille indicated that the second to the last whereas in the resolution is incorrect and should be revised. He said that the Executive Summary was reviewed by the Advisory Commission at its May 20 meeting and that body chose to hold their approval until the entire report was available. He reviewed the complete plan that was available on June 1 and indicated support for the plan based on review of the full document. Vice President Corneille asked if any District projects are included in the IRUWMP and if there would be any fiscal impact to the District through Plan adoption. Mr. Cozad said that, as a regional partner, the District paid 3% of the cost for the development of the Plan. The IRUWMP includes a list of District projects, including plans from prior IRUWMPs which were updated by staff to reflect our current operations, facilities, and proposed projects. This Plan does not include regulatory requirements for fulfilling plan goals; however, Mr. Cozad indicated included projects may qualify for grant funding such as the funds we received for the Plunge Creek Conservation Project. Mr. Cosgrove said that, the whereas clause previously mentioned by Vice President Cornielle should be revised to say, "Whereas, Part 2 and 4 of the 2020 IRUWMP are not applicable to the San Bernardino Valley Water Conservation District". Ms. Scholte said that staff submitted projects for SBKR habitat restoration and fencing. In addition, updates were made related to our Active Recharge Transfer Projects; these were mainly project description and

label revisions. Vice President Corneille asked if the acreage noted under Goal Two on page 88 is for the ARTP projects. Mr. Cozad said that it is intended to cover all recharge projects within the Plan boundary. Vice President Corneille asked staff to identify how many acres are included in each ARTP.

**It was moved by Vice President Corneille and seconded by Director Longville to approved Resolution No. 588 with revisions. 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 VERBAL UPDATE

Ms. Miller provided a verbal update. The District received the plaque today for the Wash Plan's American Planning Association Hard Won Victories Award. The last California gnatcatcher surveys are being conducted this week. There will be site visits coming up for the regulatory agencies pertaining to monitoring protocols for the SBKR and the programmatic permits. The application for the 404 permit has been submitted to the COE. Mr. Cosgrove said that after 18 months of discussion we have reached an agreement with BLM regarding the appraisal services directorate on the appropriate description of the appraisal work and assignment. The District is awaiting feedback from the appraisal directorate pertaining to minor changes suggested by District Counsel. The District and District Counsel are in discussions with Valley Municipal and Western regarding potential changes to the Enhanced Recharge agreement. The land exchange is moving to its last critical piece, including a grant of right of way. Mr. Cozad said that the right of ways will extend and document the District's land usage of BLM land and discussed the value of this to the District. He indicated that the appraisal should be available for District review in approximately three to four months, and another few months to finalize the land exchange. Director Longville thanked District staff, counsel and consultant for their hard work to put together the various documents, etc. required to complete the land xchange forward and said that the Board should keep this is mind when considering compensation packages. Vice President Corneille asked if the District is going to continue to keep Brownstein Hyatt Farber Schreck (Brownstein) on retainer. Mr. Cozad indicated that the District will need them through at least the end of the appraisal process. Mr. Cosgrove said that staff is sensitive to the fiscal impact, but Brownstein has proven valuable throughout this process. This item was received and filed.

### B. WASH PLAN TRAILS STATUS REPORT

This item is included on package page 94. Staff met with the City of Redlands and an Ad Hoc Trails Committee meeting is scheduled for June 23.

### C. MENTONE SHOP IMPROVEMENTS STATUS REPORT

This item is included on package page 95. Mr. Cozad thanked Mr. Fogerson for the preparation of this report. Director Stewart thanked staff for both of the status reports. Vice President Corneille thanked

staff and suggested that the Operations Committee review the design-build RFP before it goes out. Director Raley asked to include a notation on the schedule showing when items are completed.

#### 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 96 through 98. He said that staff will review the Governor's Executive Order revisions on June 15 for policies related to COVID. Currently, the CalOSHA rules will likely stay the same. Staff is reviewing changes to identify when in-person meetings can be held. Because the District had always been a Pay-Go Capital Improvement agency, staff would like to know if the Board is interested in financing any District facilities through the Water Infrastructure Finance and Innovation Act (WIFIA) program. The Mill Creek diversion improvement project may fit USEPA funding criteria well. Vice President Corneille said that he is opposed to debt financing, but this is something that the Finance & Administration Committee should review and provide feedback to the full Board. Mr. Cozad said that Field Operations Specialist, Michael Guizar, came in to contact with a homeless couple in the field and Steps4Life was able to help place the woman in housing and supply needed services. President McDonald expressed her appreciation for staff. The Monthly Recharge Report was included on package page 99. This item was received and filed.

#### E. FUTURE AGENDA ITEMS AND STAFF TASKS

Director Raley requested an update on the ARTP projects at a future meeting. Staff will bring this item in August after the ARTP Policy Committee approves the status report.

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

Vice President Corneille chaired the Advisory Commission on May 20.

Director Raley attended the Valley Municipal Policy Workshop on May 13, Valley Municipal Board meeting on May 18 and June 1. He attended the Valley Municipal Budget Workshop on June 7 and Engineering Workshop on June 8.

Director Stewart attended the Advisory Commission on May 20 and today's meeting.

Director Longville presented to the Democratic Luncheon Club regarding the Wash Plan on May 14 and participated in Waterwise Gardening Webinar on June 5.

President McDonald attended the Engineering Workshop on June 8, Valley Municipal Budget Workshop on June 7 and ASBCSD Board meeting, and Resources Workshop on June 3. She attended the Valley Municipal Board meeting on June 1 and May 18, ACWA State Leg on May 21 and Highland Area Chamber of Commerce monthly luncheon on May 25. She attended the ACWA Conference on May 12-13.

#### 8. UPCOMING MEETINGS

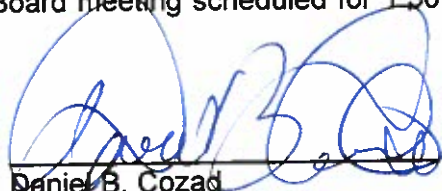
The Advisory Commission on Water Policy will be held on July 15.

9. ADJOURN MEETING

It was moved by Director Raley 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 3:12 pm, the meeting adjourned to the Board meeting scheduled for 1:30 pm on July 14, 2021, via Zoom.



Daniel B. Cozad  
General Manager