

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF SEPTEMBER 8, 2021
1:30 pm

President McDonald called the Board of Directors meeting to order at 1:30 pm 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
John Longville, Director (Arrival 1:37 p.m.)

BOARD MEMBERS ABSENT:

Richard Corneille, Vice President

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

GUESTS PRESENT:

Cathy Green, Orange County Water District, ACWA Candidate
T. Milford Harrison, San Bernardino Valley Municipal Water District
June Hayes, San Bernardino Valley Municipal Water District
Paul Kielhold, San Bernardino Valley Municipal Water District
Ron Coats, East Valley Water District
Willow Green, Tetra Tech

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. 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 Director Stewart and seconded by Director Raley to approve the Consent Calendar: Item A: Board Minutes, August 11, 2021 and Item B: Expenditure Report, August 2021. The motion carried 3-0, with all Board members present voting in the affirmative and Director Longville and Vice President Corneille noted absent from the vote.

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

5. COMMITTEE REPORTS/ACTION ITEMS

A. AD HOC SUCCESSION AND TRANSITION COMMITTEE VERBAL UPDATE

Mr. Cozad provided a verbal update of the Ad Hoc Succession and Transition Committee (Committee) meeting held on August 18, 2021. The Committee reviewed both background information and proposed changes to the Succession and Transition Plan. He indicated that this effort came out of the General Manager's review, and reflects anticipated organizational and staffing changes in 2022. The Board will hold a full discussion on this topic at the Succession and Transition Workshop on October 6. Director Stewart said that the workshop will be a good environment for discussions of options.

B. UNAUDITED FINANCIAL REPORTS, AUGUST 2021

Mr. Cozad introduced this item for discussion, noting its inclusion on package page 24. He indicated that it is still early in the fiscal year and that remaining equitable allocation payments are expected to come in within the next month.

It was moved by Director Stewart and Director Longville to approve the Unaudited Financial Reports from August 2021. The motion carried 4-0, with all Board members present voting in the affirmative and Vice President Corneille noted absent from the vote.

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

C. GROUNDWATER LATE PAYER AND NON-RESPONDENTS AND INVESTIGATION LIST FOR GWA #56

Mr. Cozad introduced this item, included on package page 31, for discussion. Lucky Farms is the only producer that has not reported. Mr. Cozad indicated that they may have become zoned industrial/commercial or ownership may have changed. He said that a site visit may be needed to verify if the well is still there and can be operated. Reporting is required until the well is destroyed and the County records a well destruction which ends the Water Code requirement for reporting. Staff received direction from the Board to perform needed followup.

D. RATIFICATION OF PROFESSIONAL SERVICES AGREEMENT FOR DRAFTING ENGINEERING SERVICES WITH AGUILAR CONSULTING, INC.

Mr. Fogerson reviewed this item, included on package page 32. The District engaged in a consulting contract with Aguilar Consulting on the Active Recharge Transfer Projects (ARTP) to perform preliminary engineering in June and August. Staff is asking for the Board to ratify the contracts in an amount not to exceed \$40,000 and authorize the General Manager for an additional contract amount up to \$30,000 for on-going work. Mr. Cozad said that the original contract was authorized under the General Manager's authority. This item was previously reviewed by the ARTP Policy Committee and will be reviewed by the Conservation District Operations Committee once operational details are identified.

It was moved by Director Stewart and seconded by Director Longville to ratify the Professional Services Agreement for Drafting and Engineering Services with Aguilar Consulting, for a total amount not-to-exceed \$40,000 and authorize the General Manager to issue an additional contract up to \$30,000 for on-going work. The motion carried 4-0, with all present voting in the affirmative and Vice President Corneille noted absent from the vote

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

E. ACWA VICE PRESIDENT REQUEST FOR SUPPORT

This item was taken out of order, after consent calendar.

Cathy Green of Orange County Water District addressed the Board regarding her candidacy for ACWA Vice President. She provided a brief overview of her qualifications as noted within her bio, which was included on package page 55 to 57. She also spoke regarding her intent for service if elected and asked for the Boards' support. President McDonald recommended that the Board support Ms. Green for ACWA Vice President and approve supporting Resolution No. 591.

It was moved by Director Stewart and seconded by Director Longville to support Cathy Green from Orange County Water District and approve Resolution No. 591 supporting resolution. The motion carried 4-0, with all Board members present voting in the affirmative and Vice President Corneille noted absent from the vote.

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

F. ACWA REGION 9 BALLOT FOR 2022-2023

Mr. Cozad introduced this item for discussion, noting the ballot's inclusion on package page 62. President McDonald recommended the Board nominate individual board candidates, with James Morales Jr. nominated for chair; G. Patrick O'Dowd as Vice Chair; and Luis Cetin, Brenda Dennstedt, Norma Sierra Galinda, Carol Lee Gonzales-Brady and Harvey R. Ryan as Board members.

It was moved by President McDonald and seconded by Director Longville to nominate individual board candidates, with James Morales Jr. nominated for chair; G. Patrick O'Dowd as Vice Chair; and Luis Cetin, Brenda Dennstedt, Norma Sierra Galinda, Carol Lee Gonzales-Brady and Harvey R. Ryan as Board members. The motion carried 4-0, with all Board members present voting in the affirmative and Vice President Corneille noted absent from the vote.

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

G. REALIGNMENT OF COMPONENT DISTRICT DIVISIONS

Mr. Cosgrove noted this item's inclusion on package page 63. He reviewed the process as outlined within the memo. The District boundaries were last adjusted in 2012, when the Board was reduced from seven to five board members. Mr. Cosgrove said that another boundary adjustment is needed due to the newly released census data. The District will have to hold at least one public hearing on redistricting and the adjustments will be adopted by resolution by our April 13, 2022 meeting. The deadline to complete adjustments and receive public comment is March 9, 2022. Previously, the District utilized interns to assist in completing the redistricting process. Staff is working to identify if we are able to obtain and safely manage interns to support with this process; if not, we will work to retain a consulting firm for this project. Director Longville thanked staff for the review and spoke in support of hiring interns to complete this process, including a suggestion to contact Valley College to interns recruitment. He also advocated reviewing zip code areas as division boundary lines. President McDonald discussed the history of the process and its functionality. She suggested that staff meet with individual Board members who wish to discuss the process in greater detail or to provide local information. Mr. Cozad discussed history of the process and said that staff will meet one on one with Board members who wish to do so and obtain any information to be considered in developing the districting scenarios. This issue will also appear on the regular Board meeting agenda for October 13 with a preliminary redistricting approach.

6. INFORMATION ITEMS

A. WASH PLAN IMPLEMENTATION UPDATE

Ms. Miller provided a verbal update. She said that two RFP's are out for Wash Plan Implementation including, 1) vegetation classification and mapping to keep track of progress of the Wash Plan and 2) a restoration program for slender horned spineflower required within the first three years of implementation. These, along with a contract for IERCD support of Wash Plan requirements, are anticipated to be brought to the Board in November. Staff also continues to receive feedback from the regulatory agencies on the applications we have submitted for the state and waters permits. The preliminary feedback from regulators on permitting is positive. There was an RFP released yesterday for permitting of operations and maintenance for the District's Mill Creek groundwater recharge facilities. The Land Exchange is moving forward and the appraiser has been retained. Staff will be sending them the check for the first half of services and are anticipating a 90 day window for completion of appraisal. This item was received and filed.

B. WASH PLAN TRAIL STATUS REPORT

The Wash Plan Trails Status Report is included on package page 66. Mr. Cozad noted that staff has been in communication with the cities of Redlands and Highland. Mr. Cosgrove is working on MOU's for cities; staff hope to have these ready for Board approval by the end of the calendar year. Ms. Miller spoke with the City of Redlands staff and provided information to support their council's decision-making. This item was received and filed.

C. MENTONE SHOP IMPROVEMENTS STATUS REPORT

Mr. Fogerson reviewed this item, noting its inclusion on package page 67. A RFP was released for geotechnical surveys and five contractors showed interest in bidding. The floor plan and site plan are included in the package. Mr. Fogerson will be meeting with contractors to discuss the placement of the septic tank according to specific code requirements. Director Raley asked that the chart in the status report be updated to more clearly shown what has been completed. 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 71 through 74. The Ad Hoc Audit Committee will meet on October 4 to review the draft audit. The Groundwater Council (GC) met and discussed producers outside of the Conservation District boundaries. Southern California Edison expressed interest in joining the GC; they are within our boundary. Valley Municipal has taken the lead on a number of others, including Muscoy Mutual, Devore Water Company, and others. Together, these groups total approximately 73% of the water production outside of our boundaries. The District helped ACWA prepare a letter to the State Water Resource Control Board, included on package page 75. The Monthly Recharge Report was included on package page 80. Steps 4 Life program was discussed at the CSDA annual conference and will be featured in their magazine in the future. Mr. Cozad provided an update on the Steps4Life program. This item was received and filed.

E. FUTURE AGENDA ITEMS AND STAFF TASKS

Director Raley requested a tour of District facilities. He also requested an update on the River HCP including District projects and costs. President McDonald requested information on the WIFIA meetings.

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

Director Longville attended the Valley Municipal Board meeting on September 7, the Ad Hoc Succession and Transition Committee on August 18 and the Finance & Administration Committee on July 28.

Director Raley attended the Valley Municipal Policy Workshop on August 12, SBC Water Conference on August 13 and Valley Municipal Board meeting on August 7.

Director Stewart attended the Valley Municipal Policy Workshop on August 12, the Ad Hoc Succession and Transition Committee on August 18 and the Conservation District meeting today.

President McDonald attended the Valley Municipal Board meeting on September 7, Valley Municipal Resources Workshop on September 2 and Highland Area Chamber of Commerce Luncheon on August 31. She also attended on ACWA State Legislative Committee on August 20, Valley Municipal Board meeting on August 17 and Basin Technical Advisory Committee and Association of San Bernardino County Special Districts dinner on August 16. She attended the SBC Water Conference on August 13 and Valley Municipal Policy Workshop on August 11.

8. UPCOMING MEETINGS

There were none discussed.

9. CLOSED SESSION

It was moved by Director Stewart and seconded by Director Raley to adjourn to Closed Session. The motion carried 4-0, with all Directors present voting in the affirmative, with Vice President Corneille absent from the vote.

**President McDonald: Yes
Vice President Corneille: Absent
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 3:22 pm, the meeting reconvened into Open Session. Mr. Cosgrove noted that there was no reportable action.

10. ADJOURN MEETING

It was moved by Director Longville and seconded by Director Stewart to adjourn. The motion carried 4-0, with all Directors present voting in the affirmative, with Vice President Corneille noted absent from the vote.

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

At 3:25 pm, the meeting adjourned to the Board meeting scheduled for 1:30 pm on October 13, 2021, in person, teleconference, and Zoom meeting.



Daniel B. Cozad
General Manager