



San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

BOARD OF DIRECTORS MEETING AGENDA - REVISED

Wednesday, July 12, 2023 – 1:30 p.m.

Location – 1630 W. Redlands Blvd., Ste. A, Redlands, CA 92373

Anyone wishing to listen to or participate in the meeting can join via Zoom:

Call in (669) 900-6833, Meeting ID: 811 5882 7619

To join the Zoom Meeting on <https://us02web.zoom.us/j/81158827619>

While the District makes every attempt to follow all guidance re COVID-19 safety protocols, the District cannot assure in-person attendees that they will not be exposed to COVID-19 or persons who have been so exposed, and attendees are advised to exercise caution in limiting their own incidences of exposure, particularly those who may be in groups at higher risk of infection, or serious symptoms of COVID-19 if infected.

Note: Copies of staff reports and other documents relating to the items on this agenda are on file at the District office and are available for public review during normal District business hours. New information relating to agenda topics listed, received, or generated by the District after the posting of this agenda, but before the meeting, will be made available upon request at the District office and in the Agenda Package on the District's website. It is the intention of the San Bernardino Valley Water Conservation District to comply with the Americans with Disabilities Act (ADA) in all respects. If you need special assistance with respect to the agenda or other written materials forwarded to the members of the Board for consideration at the public meeting, or if as a participant at this meeting you will need special assistance, the District will attempt to accommodate you in every reasonable manner. Please contact Athena Laroche at (909) 793-2503 at least 48 hours prior to the meeting to inform her of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. PUBLIC PARTICIPATION

Members of the public may address the Board of Directors on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) Section 54954.2 of the Government Code.

2. ADDITIONS/DELETIONS TO AGENDA

Section 54954.2 provides that a legislative body may take action on items of business not appearing on the posted agenda under the following conditions: (1) an emergency situation exists, as defined in Section 54956.5; (2) a need to take immediate action and the need for action came to the attention of the District subsequent to the agenda being posted; and (3) the item was posted for a prior meeting occurring not

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BOARD OF DIRECTORS

Division 1:
Richard Corneille

Division 2:
David E. Raley

Division 3:
Robert Stewart

Division 4:
John Longville

Division 5:
Melody McDonald

GENERAL MANAGER

Betsy Miller

more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

- 3. **GUEST RECOGNITION/SELF INTRODUCTIONS**

- 4. **CONSENT CALENDAR**
 - A. Approval of Strategic Planning Workshop #1 Minutes, June 6, 2023.....7
 - B. Approval of Board Minutes, June 14, 202312
 - C. Approval of Expenditure Report, June 202324
 - D. Report of Excused Absences

- 5. **COMMITTEE REPORTS /ACTION ITEMS**

Action Items

- A. UNAUDITED FINANCIAL REPORTS, JUNE 2023 – 5 Minutes (M#1947).....35
Presenter: Angie Quiroga/Betsy Miller
Recommendation: Review and approve the unaudited financials for June 2023.

- B. AWARD OF CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES FOR CONSTRUCTION MANAGEMENT AND INSPECTION FOR THE MILL CREEK DIVERSION AND DEBRIS MANAGEMENT IMPROVEMENT PROJECT – 10 Minutes (M#1948)42
Presenter: Erwin Fogerson/Katelyn Scholte
Recommendation: Staff recommends that the Board 1) Authorize staff to terminate negotiations with Geocon West Inc.; 2) Review and authorize staff to enter into an contract services agreement for professional services with G3 Quality, Inc. for construction inspection and materials testing services for capital improvement of the Mill Creek Diversion and Debris Management Improvement Project for a not to exceed amount of \$178,291; 3) Authorize staff to adjust the contract services agreement for professional services Schedule of Fees and add language to clarify the Scope of Services may be modified at the discretion of the General Manager based upon final negotiation of the contract within the authorized contract amount; and 4) Authorize a ten percent (10%) contingency and approve the General Manager to negotiate and approve any required additional work for construction support up to that amount.

- C. MILL CREEK DIVERSION AND DEBRIS MANAGEMENT IMPROVEMENT PROJECT CONSTRUCTION CONTRACT AWARD – 5 Minutes (M#1949).....71
Presenter: Katelyn Scholte/Erwin Fogerson
Recommendation: Staff recommends that the Board: (1) Award a contract to Empire Equipment Services, Inc (Riverside, CA) in the amount of \$1,353,234.08 for the Project; (2) authorize a contingency fund of \$135,324 for the Project; (3) authorize the General Manager to approve the expenditure of the contingency fund of \$135,324 for verified quantity overruns for this unit priced construction contract and order any necessary changes or additions in work performed under the contract; (4) authorize General Manager to accept the work when complete and execute and file the Notice of Completion; (5) authorize the General Manager to secure a letter of credit (LOC) with an

appropriate qualifying lender, or alternatively, to make a refundable cash deposit from District reserves, in favor of/with the California Department of Fish and Wildlife (CDFW) in the amount of \$175,000, as required by the Streambed Alteration Agreement for the project, which will secure the Project’s required mitigation.

D. AMENDMENT 3 TO THE MILL CREEK GROUNDWATER RECHARGE FACILITY OPERATION AND MAINTENANCE PERMITTING PROFESSIONAL SERVICES CONTRACT AWARD – 5 Minutes (M#1950)106

Presenter: *Betsy Miller*

Recommendation: Staff recommends that the Board amend the Mill Creek Groundwater Recharge Facility Operations and Maintenance Permitting Professional Services Contract with AECOM to authorize 1) New Task 15A Habitat Suitability Assessment, 2) Optional Task 15B Small Mammal Trapping, 3) New Task 15C Small Mammal Report, 4) Optional Task 16 Small Mammal Avoidance and Minimization Plan, and 5) New Task 17 Small Mammal Report for a total cost of \$56,733 to fulfill permit requirements from California Department of Fish and Wildlife Streambed Alteration Agreement EPIMS-SBR-38698-R6 and U.S. Army Corps of Engineers 408 Permission Number SPL-408-2018-030 in support of the Mill Creek Diversion and Debris Management Improvement Project.

E. EQUALIZATION AND CLOSING COSTS PAYMENTS FOR WASH PLAN LAND EXCHANGE – 5 Minutes (M#1951)114

Presenter: *Betsy Miller*

Recommendation: Staff recommends that the Board authorize the General Manager to expend \$70,000 in equalization payments for the Wash Plan land exchange; and up to \$35,000 in fees associated with the processing and final documentation of the Wash Plan land exchange to the Bureau of Land Management or title, escrow, or other involved party.

F. CAPITAL PURCHASE OF SECURITY SYSTEM UPGRADES – 5 Minutes (M#1952)117

Presenter: *Betsy Miller*

Recommendation: Authorize the capital purchase of security system upgrades, including door access, security cameras, roof cameras, alarm system, and fire alarm for Redlands Plaza at a cost not to exceed \$49,791, with recurring monthly service fees of \$750.00 as adjusted for inflation.

G. CAPITAL PURCHASE OF FORD F-350 – 5 Minutes (M#1953)187

Presenter: *Betsy Miller*

Recommendation: Authorize the capital purchase of Ford F-350 and associated warranty for the Operations staff at a cost not to exceed \$74,500.

H. CSDA BOARD OF DIRECTORS ELECTIONS FOR 2024-2026, SEAT C-SOUTHERN NETWORK – 5 Minutes (M#1954)190

Presenter: *Betsy Miller*

Recommendation: Select a candidate for the CSDA Board of Directors Elections for 2024-2026, Seat C-Southern Network, and direct staff to nominate the Board’s selected candidate via the California Special District’s Association (CSDA) online voting platform reflecting the Board’s decision.

6. INFORMATION ITEMS:

A. Engineering Update199
 B. PERC Status Report No. 14201
 C. Wash Plan Trails Status Report206
 D. Environmental Update207
 E. Upper Santa Ana River Wash Plan HCP FY23 Annual Report (handout)
 F. Board President Monthly Verbal Update
 G. General Manager’s Report and Monthly Recharge Report209
 H. Future Agenda Items & Staff Tasks

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

8. UPCOMING MEETINGS:

- A. July 13, 2023 Strategic Planning Workshop #2, 9:00 a.m. at Conservation District
(Zoom Meeting ID: 874 1181 2900)
- B. July 13, 2023 San Bernardino Valley Municipal Water District Debt Service Fund Budget Workshop, 2:00 p.m. at San Bernardino Valley
- C. July 18, 2023 Big Bear Watermaster Committee, 11:00 a.m. at Big Bear Municipal Water District
(Zoom Meeting ID: 829 6940 3770)
- D. July 18, 2023 San Bernardino Valley Municipal Water District Board of Directors Meeting, 2:00 p.m. at San Bernardino Valley
- E. July 18, 2023 Association of San Bernardino Special Districts Dinner, 6:00 p.m. hosted by Hesperia Recreation & Park District at the Percy Bakker Community Center in Hesperia
Topic: Emotional Intelligence: Today’s Soft Skill for Success
- F. July 19, 2023 USAR WIFA Meeting, 8:30 a.m. via Teleconference Only
- G. July 19, 2023 San Bernardino Valley Conservation Trust, 2:00 p.m. at Conservation District
(Zoom Meeting ID: 813 4164 0768)
- H. July 25, 2023 Operations Committee Meeting, 9:00 a.m. at Conservation District
(Zoom Meeting ID: 844 3764 5193)

- I. July 26, 2023 USAR WIFA Technical Advisory Committee Meeting, 8:30 a.m. via Teleconference Only
- J. July 26, 2023 Finance & Administration Committee, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 889 6222 4810)
- K. August 1, 2023 San Bernardino Valley Municipal Water District Board of Directors Meeting, 2:00 p.m. at San Bernardino Valley
- L. August 7, 2023 Basin Technical Advisory Committee, 1:30 p.m. at San Bernardino Valley
- M. August 8, 2023 Strategic Planning Workshop #3, at 1:30 p.m. at Conservation District
(Zoom Meeting ID: 875 9715 2342)
- N. August 9, 2023 USAR WIFA Technical Advisory Committee Meeting, 8:30 a.m. via Teleconference Only
- O. August 10, 2023 Board of Directors Meeting, 1:30 p.m. at Conservation District
(Zoom Meeting ID: 828 2351 1711)
- P. August 11, 2023 Southern California Water Conference, 8:00 a.m.-1:00 p.m., Ontario Double Tree Hotel
- Q. August 15, 2023 PERC Policy Committee, 9:00 a.m. at Conservation District
(Zoom Meeting ID: 819 4812 7083)

9. **CLOSED SESSION**

1. The Board may meet in Closed Session under authority of Government Code §54956.9 (a), in order to discuss existing litigation, Endangered Habitats League et al. vs. U.S. Army Corps of Engineers, Central District Court Case no. Case No.: 2:16-cv-09178-MWF-E.

2. The Board may convene in Closed Session for Conference to discuss Real Property Negotiations pursuant to Government Code §54956.8; Owner: Southern California Edison East End Hydroelectric Generation Plant property located on various parcels and easements in Mill Creek and Santa Ana River Canyons, Negotiator: Betsy Miller and David Cosgrove Owner: Southern California Edison Negotiators Allison, Bahen, Property Manager and Steven Powell, Vice President.

3. The Board may meet in Closed Session under Government Code section 54956.8, to discuss the terms and conditions of potential acquisition of Federal properties as part of the Wash Plan land exchange with BLM, consisting of 327.5 acres of the Federal Exchange Parcel, and 90 acres of the Federal Equalization Parcels, in exchange for District property of Assessor Parcel Nos. 0291-151-01, -02, and-05. David Cosgrove and Betsy Miller are the District's negotiators, and Dana Glass is the lead negotiator for BLM.

4. The Board may convene in closed Session under authority of Government Code section 54957 (b) to consider the performance evaluation of District Counsel.

10. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on August 9, 2023, at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.