

San BERNARDINO VALLEY WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING

MINUTES OF SEPTEMBER 11, 2024
1:30 p.m.

President McDonald called the Board of Directors meeting to order at 1:30 p.m. with participation in person, via teleconference, and through Zoom. She asked for a moment of silence in recognition of the losses our country experienced on September 11. All those in attendance stood for the pledge of allegiance led by President McDonald.

ROLL CALL:

BOARD MEMBERS PRESENT:

Melody McDonald, President
Robert Stewart, Vice President (attending from a remote location pursuant to Government Code section 54953(b)(3).)
Richard Corneille, Director
Mr. Lambie Longville, Director
Hillary Jenkins, Director

BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Ms. Betsy Miller, General Manager
Mr. David Cosgrove, District Counsel
Mr. Milan Mitrovich, Land Resources Manager
Ms. Angie Quiroga, Senior Administrative Analyst
Ms. Laura Torres, Assistant Engineer
Ms. Anna Frey, Assistant Biologist
Mr. John Lambie, Consulting Chief Engineer and Geohydrologist
Patrick Liu, IT Contractor
Randy Do, IT Contractor
Ashima Thomas, Executive Assistant (contractor)

GUESTS PRESENT:

June Hayes, San Bernardino Valley Municipal Water District
David. Smith, East Valley Water District
Mr. John Harris, City of Redlands
Joseph Aguirre, Tetra Tech, Willow Green
Mark Falcone, Highland Resident
Joseph Aguirre, Tetra Tech, Willow Green
Susan Longville, San Bernadino Valley Municipal Water District

1. PUBLIC PARTICIPATION

There was no public participation.

2. ADDITIONS/DELETIONS TO AGENDA

There were no additions or deletions to the posted agenda.

3. GUEST RECOGNITIONS/SELF INTRODUCTIONS

The Board, staff, and Zoom attendees introduced themselves.

4. DISTRICT COMMITTEE APPOINTMENTS

President McDonald made several Board Committee appointments:

- Finance & Administration Committee:
 - Chair: Director Longville
 - Permanent Member: Vice President Stewart
 - Alternate Member: Director Jenkins

- Operations Committee: (No changes)
 - Chair: Director Corneille
 - Permanent Member: Vice President Stewart
 - Alternate Member: President McDonald

- Outreach & Communications Committee:
 - Chair: Director Longville
 - Permanent Member: Vice President Stewart
 - Alternate Member: Director Jenkins

President McDonald introduced the Roster of Organizations and Committees with Assigned Representatives noting its inclusion on Package Page 7 Appendix C and renewed or updated these appointments:

- Association of California Water Agencies/JPIA:
 - Primary: President McDonald
 - Alternate: Director Corneille

- Wash Plan Task Force:
 - Primary: Director Longville
 - Alternate Member: Director Jenkins

- Big Bear Water Master Committee:
 - Primary: Vice President Stewart
 - Alternate: Director Jenkins

- Upper Santa Ana Region (SAR) Water Forum:

- Primary: Director Corneille
- Alternate: Director Jenkins
- San Bernadino Valley Municipal Water Board:
 - Primary: President McDonald
 - Alternate: Director Jenkins
- East Valley Water District Board:
 - Primary: Director Jenkins
 - Alternate: President McDonald

It was moved by Director Longville and seconded by Director Corneille to amend the Board Policy Manual Appendix C to add City Council meetings for Redlands, Highland, Loma Linda, and San Bernardino on the list of District-requested meetings, with Directors whose districts overlap with each city listed as members, as well as adding the County Board of Supervisors, with all Board Directors as members. The motion carried 5-0, with all Board members present voting in the affirmative.

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

President McDonald requested that Director Jenkins attend committee meetings to become more familiar with the District's activities, noting that any attendance as a non-committee member would occur in accordance with Brown Act procedures.

5. CONSENT CALENDAR

It was moved by Director Corneille and seconded by Director Longville to approve the Consent Calendar: The motion carried 5-0, with all Board members present voting in the affirmative.

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

6. COMMITTEE REPORTS/ACTION ITEMS

A. OPERATIONS COMMITTEE VERBAL UPDATE

Director Corneille provided a report on the Operations Committee meeting held on August 28. During the meeting, the committee reviewed a proposed amendment to the Tetra Tech contract related to the Waterman Percolation Basin project. The committee reviewed justification for the contract amendment and recommended its approval, noting that the changes were essential to fulfill the intent of the project and avoid schedule delays.

Action Items

B. UNAUDITED FINANCIAL REPORTS FOR AUGUST 2024

Ms. Quiroga directed the meeting to Package Page 33, and presented the financial reports for August 2024, the first month of the new fiscal year, with minimal activity. Ms. Quiroga discussed the following items:

- Groundwater assessments: From January to June 2024, GL 4022 increased by approximately \$9,000 and GL 4026 decreased by \$6,500.
- Royalties from Cemex: Revenue from royalties was slightly lower due to the high groundwater temporary agreement.
- Promissory Note Payment: The District received its first \$91,000 payment from the promissory note with the Trust.
- Overall Revenue: For August, total revenue increased by \$391,605, primarily driven by interest income of \$237,620 under GL 4010 and the \$91,000 payment from the Trust.
- Overall Expenses: Total expenses for August rose by \$296,201. Salaries accounted for a significant portion of the increase, increasing by \$142,851 compared to July. This was due to the timing of payroll periods, with August having two full payroll periods compared to July's one and a half, and additional costs related to staffing changes.
- Net Revenue vs. Expenses: After accounting for expenses, total revenue less expenses decreased by \$12,545 for August, primarily due to higher expenses exceeding revenue growth.
- P&L to Date Review:
 - On Package Page 36, under GL 5123, payments were made to IERCD for quarter two and quarter three conservation services under the Plunge Creek contract.
 - Under GL 5225, a payment of \$24,355 was made to the County of San Bernardino for vector services.
- Additional Expenditures:
 - On Package Page 37, the organization made a \$10,000 payment to IERCD for water conservation programs over a six-month period under GL 6060 Outreach Expenses.
 - Under GL 7120, a payment of \$26,000 was made to the Bureau of Land Management for cost recovery fees related to the land exchange.

President McDonald raised a question regarding GL 4026 and the \$83,388 used to purchase State Project water from Valley District with Sustainability funds. Discussion ensued regarding capacity for recharge of State Project water, including the 50,000 acre-feet of carryover water from the previous water year. It was reiterated that the funds collected through the groundwater charge for sustainability were used for additional water purchases, with water deliveries occurring as water is available.

It was moved by Director Corneille and seconded by Director Longville to approve unaudited Financial Reports for August 2024. The motion carried 5-0, with all Board members present voting in the affirmative.

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

C. AMENDMENT TO THE CONTRACT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES TO PROVIDE FRACTIONAL, AS-NEEDED EXECUTIVE ASSISTANT SERVICES

Ms. Miller presented a request to amend the District's contract with Hamilton Raye, initially entered on July 23, 2024, for executive assistant services under a \$27,000 agreement. Following the vacancy in the Administrative Specialist II position on August 12, 2024, Hamilton Raye has been providing ongoing administrative and Board support during the recruitment process. While the original contract amount has not been exceeded, Ms. Miller requested an increase of \$8,000 to \$35,000 to allow for continued support through the remainder of the recruitment and onboarding period.

It was then moved by Director Corneille and seconded by Director Jenkins to authorize the Amendment to the Contract Services Agreement for Professional Services to Provide Fractional, As-Needed Executive Assistant Services at an amount not-to-exceed \$35,000. The motion carried 5-0, with all Board members present voting in the affirmative.

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

D. AMENDMENT TO UPLAND ROCK SANTA ANA RIVER GROUNDWATER RECHARGE

Ms. Miller presented a proposed amendment to the District's contract with Upland Rock for processing sand, gravel, and rock resulting from the maintenance of spreading basins. On January 11, 2023, the Board renewed the license for Upland Rock to operate in the Santa Ana River Groundwater Recharge Facility, allowing material processing in the Borrow Pit through January

15, 2025. Upland Rock has requested a new rate of \$1 per ton for one-to-four-inch diameter rock be included in the existing contract. Given the upcoming expiration of the license, staff also included an extension through January 15, 2026, for Board consideration.

Director Stewart requested that staff carefully monitor the processed amounts, and the Board directed staff to provide the Operations Committee with a more detailed review of ongoing license administration.

It was moved by Director Longville and seconded by Director Jenkins to approve the Material Processing License Amendment for the Santa Ana River Basin Facility with Upland Rock and finding that this is exempt from further CEQA review under Section 15301 of the CEQA regulations maintenance of existing facilities with directions to staff to an item on the details of license administration to the Operations Committee. The motion carried 5-0, with all Board members present voting in the affirmative.

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

E. APPROVE AN AMENDMENT TO THE TEMPORARY AGREEMENT TO HARMONIZE MINING AND GROUNDWATER RECHARGE OPERATIONS

Ms. Miller presented an item, detailed on Package Page 48, to extend the Temporary Agreement with Cemex Construction Materials Pacific, LLC. The agreement, which was initially approved by the Board on June 12, 2024, aims to balance mining operations and groundwater recharge efforts by offsetting a portion of current water pumping costs from mining areas through a reduction in guaranteed annual minimum payments. Despite a decrease in in-pit water levels since June, pumping remains necessary to continue mining operations. Staff recommends extending the agreement for an additional six months, starting October 1, 2024, to allow both parties monitor conditions and work towards future permitting solutions. This item was previously discussed by the Finance and Administration Committee on July 24, 2024, and the Operations Committee on August 6, 2024.

The proposed extension could result in a revenue decrease of up to \$339,000 for the six-month period, with a total potential revenue loss exceeding \$600,000 when combined with the initial six-month agreement. Based on FY23 and FY24 mining activity, the District could face an additional annual revenue loss of approximately \$400,000 if mining were to cease entirely.

Director Corneille requested revising the agreement to emphasize the ongoing joint efforts between the District and Cemex to expedite the permitting process for new mining areas, ensuring the long-term sustainability of operations. President McDonald requested that this item being included on future Operations Committee agendas.

It was moved by Director Corneille and seconded by Director Longville to approve the amendment as submitted subject to an additional paragraph “both parties to expedite available permitting mining sites” to the Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations with Cemex Construction Materials Pacific, LLC (“Cemex”), for a six-month period effective October 1, 2024. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes
Director Jenkins: Yes
Director Longville: Yes

F. AMENDMENT TO THE WATERMAN PERCOLATION BASINS, TWIN CREEK SPREADING GROUNDS, AND LYNWOOD BASINS FEASIBILITY STUDY PROFESSIONAL SERVICES CONTRACT WITH TETRA TECH INC

Mr. Lambie reported that the District is satisfied with the work products produced by Tetra Tech to date. He also noted that the project has faced a 19-month delay from its original schedule due to coordination with Flood Control on Q100 flood requirements and subsequent revisions to the grading alternatives. Staff proposes a revised scope that includes three key components: project management, hydraulic modeling, and an evaluation of material quantities and projected costs. The recommendation is to approve a contract amendment of \$148,500, approximately 10% of the original contract amount. This item was reviewed and recommended Board approval by the Operations Committee on August 28 and by the PERC Policy Committee on September 3.

It was moved by Director Corneille and seconded by Director Longville to approve the proposed Scope and Contract Amendment of Tetra Tech Inc. and authorize the General Manager to execute an amendment to the professional consultant services agreement in an amount not to exceed \$148,500. The motion carried 5-0, with all Board members present voting in the affirmative.

President McDonald: Yes
Vice President Stewart: Yes
Director Corneille: Yes
Director Jenkins: Yes
Director Longville: Yes

G. EQUIPMENT LEASE AUTHORIZATION FOR BASIN MAINTENANCE

Ms. Miller directed the Board to the item beginning on Package Page 63. With decreases in water diversions over the dry summer and fall, some District facilities can now be maintained following the fourth highest recharge year in District history. If approved, this agenda item would authorize the General Manager to rent up to \$45,000 in maintenance equipment for use by our field team. While quotes were obtained from three vendors, staff requests the ability to select specific

equipment from various vendors as needed to best fulfill the needs of each project. Director Longville noted his support for maintaining flexibility in equipment choice. Vice President Stewart added that the District's equipment needs to change as the Enhanced Recharge basins become operational. Discussion on purchase compared to renting ensued. The Operations Committee compared purchase to leasing in 2023 and determined to move forward with leasing; however, it is worthwhile to review this decision in light of any changed conditions in 2025.

It was moved by Director Corneille and seconded by Director Longville to authorize the General Manager to spend up to \$45,000 for loader and excavator rentals in FY25. The motion carried 5-0, with all Board members present voting in the affirmative.

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

H. CSDA 2025 COMMITTEE AND EXPERT FEEDBACK TEAM APPOINTMENTS

Ms. Miller directed the group to Package Page 77. Direction was requested from the Board on whether staff should submit interest forms for Directors to serve on California Special Districts Association (CSDA) committees and/or Expert Feedback Teams for 2025. The terms would run from January 1, 2025, to December 31, 2026.

Director Longville volunteered to serve on the Legislative Committee. Staff was directed to submit an interest form on his behalf.

I. ASSOCIATION OF SAN BERNARDINO COUNTY SPECIAL DISTRICT'S 2025 DINNER MEETING

Ms. Miller presented the opportunity for the District to host the Association of San Bernardino County Special Districts (ASBCSD) monthly dinner in 2025, as it had previously done in 2022. Available dates were considered. The Board recognized the significant effort required from staff to host a dinner and requested that the District host a dinner in 2025 to share District successes with our region on a date selected by staff.

J. INVESTIGATION LIST FOR GROUNDWATER ASSESSMENT NO. 62

Ms. Torres provided an update on collections for unpaid groundwater usage reports. Since the Board memo was prepared, responses were received from three additional groups, reducing the outstanding amount from \$2,000 to approximately \$600. The Board emphasized the importance of continued work to collecting outstanding funds and directed staff to continue investigating registered well owners who have not responded to or failed to pay Groundwater Assessment No. 62 in an efficient manner, noting that field visits may be required to resolve issues related to new property ownership and abandoned wells.

7. INFORMATION ITEMS

A. ENVIRONMENTAL UPDATE

Milan directed the group to Package Page 82 and reviewed the written report highlighting the following under the Wash Plan Implementation:

Monitoring Activities

- San Bernardino Kangaroo Rate (SBKR) Monitoring Program: An addendum to the approved comprehensive SBKR monitoring protocol report, completed by the USGS in 2023, was delivered to the Preserve Management Committee on August 2nd. The program includes trapping in the wash and Mill Creek, with the fourth year of trapping in the Wash and the second in Mill Creek. All necessary spatial data has been provided to contractors to ensure proper execution.
- Regarding recent fires, none have impacted our property directly, although potential aftereffects like material flow into Plunge Creek are being monitored. Thankfully, most of the fire activity has been contained in areas away from the Wash and Mill Creek.

Management Activities

Key management initiatives are in progress:

- Slender Horn Spine Flower Restoration Program: A primer for restoration has been drafted and will be presented to the Preserve Management Committee and working group. This document summarizes our efforts since 2020 to formalize the next steps in restoring SHSF, highlighting the Conservation District's work in developing a restoration program and key steps since the signing of the Wash Plan.
- BLM Fuels Management Grant: Following recent discussions, we are preparing areas west of Riverline Road for sand transport from Mill Creek facilities. This effort addresses fuel loads while enhancing SBKR habitat. A contract for sand movement is expected to be presented to the Board in October. The cost for the moving of the sand is not included in the grant.

B. ENGINEERING UPDATE

- Mentone Shop: Ms. Torres reported that staff is actively working on the next steps to select a new contractor to complete the project.
- Enhanced Recharge Phase 1B: Ms. Torres shared that the grading on Basins J, K, and L is nearly complete, with most pipe installations between inlet structures finished. Basins M to R have also been graded, and prep work for pipe installation is underway. Due to recent fires, construction has paused for a week, but the project remains on schedule for year-end completion.
- PERC (Active Recharge Transfer) Projects: Mr. Lambie advised that the multi-objective decision support system was reviewed by the Operations Committee in August and the PERC Policy Committee in September. It has been discussed with the Active Recharge East Group.

A multiagency staff meeting is being planned in the fall to determine criteria weighting and to use the multi-objective decision support a framework for ranking project alternatives.

- Mill Creek: The hydraulics team is actively modeling various scenarios related to maintenance and flow through different groupings of existing and enhanced basins. They are working through six scenarios, and two additional alternatives are being developed by the land resources and operations teams.

C. GENERAL MANAGER'S REPORT AND MONTHLY RECHARGE REPORT

Ms. Miller indicated that the written General Manager's Report is included in the Board Package on Pages 86 through 96. Highlights are as follows:

- Recharge Update: The District has recharged over 70,000 acre-feet of water this year, making it the fourth highest on record since 1912.
- Training: The District hosted two Qualified Water Efficient Landscaper (QWEL) training courses in August and September, with eighteen participants becoming certified. Plans are in place to offer another training course in early 2025. Additionally, on August 26, District staff presented to the CalPoly Pomona College of Engineer senior project team that has been funded by the District to study an aspect of the PERC projects.
- Administrative: Thirty applications were received for the vacant administrative specialist role.
- Wash Plan HCP: The 2024 San Bernardino Kangaroo Rat monitoring surveys are ready to proceed, with work beginning this month.
- Wildlands Trail MOU: The Wildlands Trail MOU approval by the Redlands City Council has been moved from September 17 to October 1, 2024.
- Financial Updates: The actuarial valuation for our Other Post-Employment Benefit (OPEB) program indicates that our trust is well-funded, eliminating the need for a contribution this year.
- **Recharge Basins:** Ten of the newly constructed Enhanced Recharge basins have received water.
- **Conferences:** Ms. Miller attended the Urban Water Institute's 2024 Annual Conference on August 23 and the ACWA Executive Edge Leadership Forum on August 29-30. Ms. Miller will attend the H2O Women Conference on October 3 to 4, 2024; she noted that she is paying for the hotel without requesting reimbursement from the District due to the expense of the conference location. Director Longville suggested that, in line with District policies, the District could reimburse her at the government rate for an offsite hotel stay, rather than her personally covering all the hotel costs. The Board supported this approach, acknowledging her past financial sacrifices for the District and confirming that the reimbursement would align with current policies.

D. FUTURE AGENDA ITEMS AND STAFF TASKS

For future agenda items, Vice President Stewart noted concerns relating to poor water quality following the recent fires on the District's facilities. Ms. Miller thanked Vice President Stewart for offering the Board's support in this issue. She noted that the field team is experienced in successfully operating our facilities in post-fire conditions to limit maintenance costs. The Board discussed including post-fire guidelines in the Operations Manual and agreed to further discussions with the Operations Committee

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

Vice President Stewart attended the following meetings:

- Bear Valley Mutual Water Company Meeting on August 13th, 2024
- SBVWCD Board meeting on August 14th, 2024
- Loma Linda Chamber of Commerce Meeting on August 21st, 2024
- Operations Committee on August 28th, 2024
- Highland Chamber of Commerce and the State of the City Meeting on August 29th, 2024

Director Corneille attended the following meetings:

- SBVWCD Board Meeting on August 14th, 2024
- Operations Committee Meeting on August 28th, 2024
- PERC Policy Committee Meeting on September 3rd, 2024
- Redlands Chamber of Commerce Rise and Shine Meeting on September 6th, 2024
- He will not attend the October 9th, 2024, SBVWCD Board Meeting as he will be out of state.

Director Longville attended the following meetings:

- SBVWCD Board meeting on August 14th, 2024
- Valley District's Board of Directors' Meeting on August 20th, 2024
- Valley District's Policy Administrative Committee Meeting on September 5th, 2024

Director Jenkins attending the following meetings:

- SBVWCD Board Meeting on August 14th, 2024
- Santa Ana River Symposium Planning Meeting on August 19th, 2024
- Ethics Training on August 26th, 2024
- Orientation Meeting with President McDonald on August 30th, 2024
- SBVMCD Board Meeting on September 3rd, 2024
- Redlands City Council Meeting on September 3rd, 2024
- SBVWD Policy Meeting on September 5th, 2024
- Forecast Informed Reservoir Operations (FIRO) Meeting on September 9th, 2024

President McDonald attended the following meetings:

- Meeting with General Manager on August 4th, 2024
- SBVWCD Board Meeting on August 14th, 2024
- Association of San Bernardino County Board of Directors Meeting on August 19th, 2024

- Valley District's Board of Directors' Meeting on August 20th, 2024
- Special District's Dinner in Fontana on August 26th, 2024
- Highland Chamber Lunch on August 27th, 2024
- Highland Chamber of Commerce and the State of the City Meeting on August 29th, 2024
- Orientation Meeting with Director Jenkins on August 30th, 2024
- Valley District's Board of Directors' Meeting on September 3rd, 2024
- Valley District's Policy Administrative Committee Meeting on September 5th, 2024
- Association of San Bernardino County Board of Directors Meeting on September 9th, 2024

A. Travel Requests for Director Longville, Corneille, and Jenkins

As noted on Package Pages 97–99, travel requests for Directors Longville, Corneille, and Jenkins to attend ACWA's 2024 Fall Conference & Expo were reviewed.

It was moved by Director Longville and seconded by Director Corneille to approve the Travel Requests for Directors Longville, Corneille, and Jenkins to attend the ACWA's 2024 Fall Conference & Expo in Palm Desert, CA. The motion carried 5-0, with all Board members present voting in the affirmative.

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

9. UPCOMING MEETINGS

Director Corneille requested that staff include the October 31st, 2024, Audit Committee Meeting to the schedule.

10. CLOSED SESSION

It was moved by Director Longville and seconded by Director Corneille to adjourn to Closed Session on Item 3. The motion carried 5-0, with all Board members present voting in the affirmative.

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

General Counsel announced that the meeting would adjourn to a closed session to discuss the following items (1, 2, 3 and 5) on the posted agenda. The board will address Item 3 at the end of the meeting. Vice President Stewart will be recused from participating in the discussion of Item 3 due to a conflict of interest related to a real estate issue.

At 4:07 p.m., the meeting reconvened to an open session. Under Government Code Section 54957.1, there was no other reportable action during Closed Session.

11. ADJOURN MEETING

It was moved by Director Longville and seconded by Vice President Stewart to adjourn. The motion carried 5-0, with all Directors present voting in the affirmative.

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

At 4:07 p.m. the meeting adjourned to the Board meeting scheduled for 1:30 p.m. on September 11, 2024, in-person, teleconference, and Zoom meeting.



Ms. Betsy Miller
General Manager