



# San Bernardino Valley Water Conservation District

Helping Nature Store Our Water

## **BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, June 12, 2024 – 1:30 p.m.**

**Location-1630 West Redlands Boulevard, Suite A, Redlands, California**

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

**Call in (669) 900-6833, Meeting ID: 846 8609 6002**

To join the Zoom Meeting on <https://us02web.zoom.us/j/84686096002>

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.

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### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

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#### **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*

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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

*occurring not 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 Board Minutes, May 15, 2024.....5
- B. Approval of Expenditure Report, May 2024 .....16
- C. Report of Excused Absences
  - o Vice President Stewart, June 12, 2024 Board Meeting

5. **COMMITTEE REPORTS /ACTION ITEMS**

Committee Reports

A. OPERATIONS COMMITTEE VERBAL UPDATE - 5 minutes

**Presenter:** Richard Corneille, Operations Committee Chair

**Recommendation:** The Operations Committee will provide a verbal update of the meeting held on May 21.

Action Items

B. UNAUDITED FINANCIAL REPORTS FOR MAY 2024 – 5 Minutes (M#2030).....26

**Presenter:** Angie Quiroga/Betsy Miller

**Recommendation:** Review and approve the unaudited financials for May 2024.

C. SETTLEMENT AGREEMENT IN ENDANGERED HABITATS LEAGUE LITIGATION – 5 Minutes (M#2031).....32

**Presenter:** David Cosgrove

**Recommendation:** Approve the revised Settlement Agreement negotiated through mediation in the suit *Endangered Habitats League, et al. v. U.S. Army Corps of Engineers, et al.*, Case No. 2:16-CV-09178-MWF-E, and authorize the Board President to sign it on behalf of the District.

D. CEMEX TEMPORARY AGREEMENT TO HARMONIZE GROUNDWATER RECHARGE AND MINING OPERATIONS– 5 Minutes (M#2032).....60

**Presenter:** David Cosgrove

**Recommendation:** Authorize the General Manager to enter into a Temporary Agreement to Harmonize Mining and Groundwater Recharge Operations with Cemex Construction Materials Pacific, LLC (“Cemex”), for a three-month period effective May 1, 2024, to allow Cemex to offset its costs of groundwater pumping against guaranteed annual rental amounts, as part of a joint effort by Cemex and the District to assure recharge of all available groundwater supplies, while preserving mining operations from high groundwater conditions.

E. GENERAL MANAGER BONUS AND SALARY ADJUSTMENT – 5 Minutes (M#2033).....68

**Presenter:** David Cosgrove

**Recommendation:** The Ad Hoc GM Evaluation Committee recommends that the Board, consistent with the compensation provisions of her employment contract, approve an increase the General

Manager’s base salary in the amount of Twenty-Two Thousand Eight Hundred Thirty-Two dollars and Twenty-Four cents (\$22,832.24), which represents the cost-of-living percentage adjustment given to all District employees of 3.6 percent (3.6%) and a five percent (5%) merit increase; and approve a merit bonus payment of \$15,000.

F. ACKNOWLEDGMENT OF SERVICE OF DAVID E. RALEY AND DIRECTION TO STAFF UNDER GOVERNMENT CODE SECTION 1780 – 5 Minutes (M#2034).....72

*Presenter: David Cosgrove*

**Recommendation:** With heavy hearts and abundant gratitude, acknowledge Director David E. Raley’s leadership and service to the District, and direct staff to proceed with appointment of a successor to serve until the next general election, pursuant to Government Code procedures governing vacancies on elected special district boards.

6. INFORMATION ITEMS:

- A. Environmental Update.....74
- B. Engineering Update.....77
- C. PERC Policy Committee Status Report No. 18.....79
- D. General Manager’s Report and Monthly Recharge Report – 5 Minutes.....90
- E. Future Agenda Items & Staff Tasks

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

8. UPCOMING MEETINGS:

- A. June 17, 2024 Association of San Bernardino County Special District Dinner hosted by Chino Basin Water Conservation District, 6:00 pm The Old Spaghetti Factory in Rancho Cucamonga  
*(Topic: Scaling Up Success with Waterwise and California Native Landscapes for Commercial, Municipal, and Institutional Properties)*
- B. June 17-20, 2024 Toward Sustainable Groundwater in Agriculture 3<sup>rd</sup> International Conference Linking Science & Policy hosted by Water Education Foundation in Burlingame, CA  
***(Board Approval Required)***
- C. July 4, 2024 Office Closed in Observance of Fourth of July
- D. July 10, 2024 Board of Directors Meeting, 1:30 p.m. at Conservation District  
*(Zoom Meeting ID: 846 8609 6002)*
- E. July 16, 2024 Big Bear Watermaster Committee, 11:00 a.m. at Big Bear Municipal Water District  
*(Zoom Meeting ID: 839 9548 4124)*

- F. July 17, 2024 San Bernardino Valley Conservation Trust Quarterly Meeting, 2:00 p.m. at Conservation District  
(Zoom Meeting ID: 841 9759 4280)
- G. July 24, 2024 Finance & Administration Committee, 1:30 p.m. at Conservation District  
(Zoom Meeting ID: 886 6464 5742)
- H. August 6, 2024 Operations Committee, 9:00 a.m. at Conservation District  
(Zoom Meeting ID: 858 9266 1134)
- I. October 3-4, 2024 H2O Women Conference, Santa Barbara, CA  
*(Board Approval Required)*
- J. December 10-12, 2024 National Habitat Conservation Planning Coalition 2024 Annual Meeting in Palm Springs, CA  
*(Board Approval Required)*

9. **CLOSED SESSION**

1. The Board may meet in Closed Session under Government Code section 54956.8, to discuss the terms and conditions of the 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 Dara Glass is the lead negotiator for BLM.

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 convene in closed Session under authority of Government Code section 54957 (b) to consider the report of the ad hoc committee for the General Manager performance review, and to conduct the annual performance evaluation of the General Manager.

10. **ADJOURN MEETING.** The next regularly scheduled Board of Directors Meeting will be on July 10, 2024 at 1:30 p.m., at District Headquarters, 1630 W. Redlands Blvd., Redlands, CA and via Zoom/teleconference.