

CHINO BASIN WATER CONSERVATION DISTRICT
REGULAR MEETING

District Office
4594 San Bernardino Street
Montclair, CA 91763

MONDAY; March 8, 2010

MINUTES

INVOCATION – President Parker gave the invocation.

FLAG SALUTE – President Parker led the audience in the flag salute.

CALL TO ORDER – The meeting was called to order at 11:06 a.m. by President Parker.

ROLL CALL

Board Members Present: Aldaco, De Haan, Jr., Hofer, King, Parker, Reddick, Vanden Heuvel
Board Members Absent: None
Staff and Visitors Present: General Manager (GM) Ulloa; Conservation Specialist III Zamora; Conservation Specialist II Schroeder; Conservation Specialist II Figoni; Administrative Assistant Macy; Legal Counsel Brunick with Brunick, McElhaney & Beckett; Jeff Veenema with Claremont Environmental Design Group (CEDG); Lisa Morgan-Perales with Inland Empire Utilities Agency (IEUA).

NOTE: Due to the late arrival of the Poster/Art Contest winners, the awards presentation followed Agenda item 11.

CONSENT CALENDAR

1. **Minutes – February 8, 2010 – Regular Meeting**
2. **Financial Reports – February 2010.** Receive and file.
3. **AB1234 - Director and Staff Travel, Training and Meeting Report.** Receive and file CBWCD's Director and Staff Travel Training and Meeting Report reflecting business-related expenses incurred by the District.
4. **Inland Empire Utilities Agency Supplemental and Storm Water Recharge data sheets and 2009/2010 total well production chart.** Monthly data collection information for February 2010 and 2009/2010 total well production chart. Receive and file.
5. **Association of the San Bernardino County Special District membership meeting.** Authorize interested Board members and staff to attend ASBCSD's meeting on Monday, March 15, 2010 at 6:00 p.m. at Panda Inn in Ontario, CA.
6. **Association of California Water Agencies (ACWA) 2010 Spring Conference and Exhibition.** Authorize interested Board members and staff to attend the ACWA Spring Conference on May 4-7, 2010 in Monterey, CA.
7. **Association of California Water Agencies/Joint Powers Insurance Authority 2010 Training Conference.** Authorize interested staff to attend the ACWA/JPIA training conference on August 10 & 11, 2010 in Irvine, CA.
8. **Southern California: Stormwater Water Quality Workshop.** Authorize interested Board members to attend the workshop on April 21, 2010 in Irvine, CA.

Moved by Director Vanden Heuvel, seconded by Director Aldaco, and carried on a 7-0-0 vote to approve Consent Calendar items 1 through 8.

AYES: Aldaco, De Haan, Jr., Hofer, King, Parker, Reddick, Vanden Heuvel
NOES: None
ABSENT: None

ADDITIONS TO THE AGENDA - None

PUBLIC HEARINGS - None

PUBLIC COMMUNICATIONS - None

UNFINISHED BUSINESS – None

NEW BUSINESS

9. **Establishment of a Contractor Pre-Qualification Procedure and an Appeals Procedure for Public Works Projects.** (Resolution 10-03) Consideration of adopting a resolution in accordance with Public Contract Code Section 20101 which allows contractor pre-qualification for public works projects in accordance with model guidelines established by the California Department of Industrial Relations.

GM Ulloa and Council Brunick gave the staff report. This resolution fulfills the legal requirements for pre-qualifying contractors for public works projects.

Director King stated that his would be a “nay” vote and that he had no comment.

Moved by Director Vanden Heuvel, seconded by Treasurer De Haan, Jr., and carried on a 7-1-0 vote to approve Adopt Resolution 10-03, based on the provisions of Contract Code Section 20101 and the California Department of Industrial Relations model guidelines, establishing a contractor pre-qualification procedure and an appeals procedure for public works projects in order to ensure that public works projects are constructed by reputable and qualified contractors and at the best possible price.

AYES: Aldaco, De Haan, Jr., Hofer, Parker, Reddick, Vanden Heuvel
NOES: King
ABSENT: None

10. **Regular and Alternate Special District Members of the Local Agency Formation Commission (LAFCO) – Call for Nominations.** Discuss nominations for the Regular and Alternate Special District Members of LAFCO.

GM Ulloa gave the staff report. The Board discussed the item and took no action.

11. **Facilities Improvement Program, Phase 3, Architectural Services Funding.**

GM Ulloa gave the staff report. Jeff Veenema was present to answer questions. As agreed upon at the February 8, 2010 Board of Director’s meeting, CEDG prepared supporting documentation for their continuing efforts on Phase 3. These efforts entail 1) Administration Building design finalization and construction documents (\$68,429), 2) Administration Building LEED related services (\$31,848), 3) Education Building design and construction documents (\$32,000), 4) Education Building LEED related services (\$16,000), 5) Lath House and Green House design and construction documents (\$3,200), and 6) Parking Lot design and construction documents (\$14,000). The funding request totals \$165,477. Due to possible additional efforts regarding the final design of the Board room and unanticipated issues, staff requested an additional funding of \$ 14,523 be available to ensure the timely completion of CEDG’s efforts.

Moved by Director Vanden Heuvel, seconded by Director Aldaco, and carried on a 6-1-0 vote to approve 1) funding Claremont Environmental Design Group, Inc. (CEDG) for continuing efforts related to the Facilities Improvement Program, Phase 3, for \$180,000, 2) transfer \$180,000 from unallocated reserves to the Capital Clearing Account 58000, and 3) authorize the General Manager to sign all necessary documents.

AYES: Aldaco, De Haan, Jr., Hofer, Parker, Reddick, Vanden Heuvel
NOES: King
ABSENT: None

PRESENTATIONS

Vice President Parker and Director Aldaco presented awards to the winners of the District's annual "Art/Poster Contest" for FY 2009/2010. Each student was awarded \$250 for their winning entries. Their instructor, Mr. Peltz, received two certificates for \$1,000 each for classroom instructional supplies from the District.

- 1-6th Grade Category – Ruth Musser Middle School (Central SD)
 - Students – 6th Grade: Jonathan Galvan
 - Instructor: Mr. Peltz

- 7-12th Grade Category – Ruth Musser Middle School (Central SD)
 - Student – 8th Grade: Crishawna Jenkins
 - Instructor: Mr. Peltz

NOTE: At 11:36 a.m. the Board recessed for a brief period to enable picture taking in front of the headquarters building of the winning students and their displayed art work. The Board reconvened at 11:45 a.m.

NEW BUSINESS - continued

12. **Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA) 2010 Elections.** The 2010 elections will fill two Executive Committee member positions for three-year terms, one Executive Committee member position for the remainder of its one year term, the office of President for the remainder of its one year term and the office of Vice President for a three-year term.

GM Ulloa and Director Reddick, District JPIA representative, gave the staff report.

Moved by Director Vanden Heuvel, seconded by Director Aldaco, and carried on a 7-0-0 vote to 1) concur in the nomination of Merle Aleshire for Vice President and Melody Henriques-McDonald for re-election to the Executive Committee and 2) direct the General Manager to fill the appropriate paperwork to submit by March 19, 2010.

GENERAL INFORMATION – ORAL REPORTS

Lisa Perales, IEUA Water Resources Analyst

- Ms. Perales thanked the District for participating in the LEAP and Recharge Water Audit (RWA) programs. Ms. Perales will be meeting with GM Ulloa and Conservation Specialist Zamora to discuss the possibility of continuing the audit program into next fiscal year.

Council Brunick asked Ms. Perales if the Northern California entitlement had been increased. She responded that she has not received information regarding this matter and that she believes the entitlement is still at 15%.

Director Vanden Heuvel referred to a question he asked Mr. Shaw during the February meeting, "Where is IEUA physically putting the 10,000 acre feet of recycled recharge water." Mr. Shaw had stated that he would provide that information later. Director Vanden Heuvel would still like an answer to that question. He does not believe that this information is directly in Robert Wagner's area of the RMP effort. IEUA is the expert in this area and Director Vanden Heuvel is interested in knowing how much water is available and what the cost would be to take it to a level of treatment that would allow for it to be directly recharged into the ground. Ms. Perales stated that she would forward the request.

DIRECTOR ORAL REPORTS

Director Aldaco - None

Director Vanden Heuvel

- Director Vanden Heuvel distributed a letter dated March 5, 2010 that was written by attorney John Schatz. Mr. Schatz was recently hired by the Appropriative Pool to represent their interests at Watermaster in regards to the dispute that currently exists between the Non-Agricultural Pool and the other Watermaster pool members over the auction of stored water. As part of the Peace II agreement, the Appropriative Pool had a deal to purchase, through Watermaster, the stored water that had accumulated in the overlying Non-Agriculture accounts (approximately 40,000 acre feet). This agreement was to be executed within a specified timeline and at a predetermined price.

The CBWCD Board was concerned that Watermaster's decision to auction off the water was driven by a lack of money and therefore entertained loaning the money to Watermaster so that they could buy and hold the water. The auction was postponed and now the Non-Agricultural Pool is contending that the terms of the deal were not met. Part of the terms of the Peace II agreement included that a written notice be given and they are claiming that there was no written notice. The Non-Agricultural Pool has indicated that they are going to take this dispute to the Judge. The Appropriative Pool has hired Attorney John Schatz and the Non-Agricultural Pool has also hired an attorney.

Director Vanden Heuvel read an excerpt from Mr. Schatz's letter that was released on March 8, 2010. "Further, on March 4, 2010, the Appropriative Pool directed me (John Schatz) to inform the Non-Agricultural Pool that it will request Watermaster to suspend further work on the Recharge Master Plan updates pending resolution of the Non-Agricultural Pool issue as it concerns the Agreement. The basis for this requested suspension of activities is because the acquisition and use of the Storage Transfer Quantity pursuant to the Agreement is an integral component of the comprehensive Peace Agreement program (and its progeny; i.e. the Peace II Agreement), including good-faith reliance on imbedded and intertwined financial understandings and expectations associated with the Recharge Master Plan update." Director Vanden Heuvel summarized the letter by saying that if the Non-Agricultural Pool is successful in renegeing on the deal it will essentially turn the Peace II agreement upside-down. Director Vanden Heuvel stated that it is premature to have an opinion on this issue and that he simply wanted to pass this information on to the Board.

GM Ulloa asked if Mr. Schatz gave an action date in his letter. Director Vanden Heuvel replied that he did not.

President Parker - None

Treasurer De Haan, Jr. - None

Vice President Hofer - None

Director King - None

Director Reddick - None

CONSULTANT WRITTEN REPORTS

District Consulting Engineer Robert C. Wagner of Wagner & Bonsignore

- Mr. Wagner was not present at the meeting. He provided the Board with a written update on the progress of the Recharge Master Plan (RMP). Director Vanden Heuvel recently shared a flight with Mr. Wagner to the Sacramento area. They had a lengthy discussion regarding the progress of the RMP. Director Vanden Heuvel stated that he is greatly impressed by Mr. Wagner's knowledge and the work he has accomplished for the District and the RMP effort. He recommended that the District continue supporting Mr. Wagner's involvement in the RMP and potential future projects.

STAFF ORAL REPORTS

General Manager/Secretary's Report

- GM Ulloa acknowledged the efforts of Conservation Specialists Figoni, Schroeder, and Zamora, Administrative Assistant Macy, and staff on the development and production of the Water Wise Landscape Workshops program. Agencies are already coming forward to voice an interest in partnering with the District for upcoming workshops. Various schools have called to ask for presentations for their staff and students.

Conservation Specialist III Zamora's Report

- Phase III Landscape Evaluation Audit Program (LEAP) Activities:
 - The LEAP team has completed 230 landscape audits to date with a potential water savings of 1402 AFY. Potential cumulative water cost savings were stated.
 - There are currently three sites to be scheduled for audits and four sites pending audits.
- Professional and Landscape classes will be reported on under Conservation Specialist Figoni's staff report.

Conservation Specialist II Schroeder's Report – Absent

Conservation Specialist II Figoni's Report

- The annual joint agency ad, coordinated by IEUA, in the Inland Valley Daily Bulletin Special Water Section was recently published. The District's page was very attractive and advertised some of the District's upcoming workshops.
- Efforts are progressing on the District's 17th Annual Earth Day event, securing exhibitors and signing up schools.
- Residential Water Wise Workshops for 2010:
 - Identical articles for the District's upcoming Water Wise Landscape Workshops were published in the Home and Garden section of the Inland Valley Daily Bulletin and the Sun newspapers.
 - Twenty workshops, throughout calendar year 2010 are scheduled covering six different subjects.
 - The January Residential Water Wise Landscape Workshop was a huge success with 25 people in attendance. The February workshop was also successful with an attendance of 18 people on a very rainy day.
- The Professional Landscape Water Management class is a four-part series in English and Spanish. The District is partnering with Three Valleys Municipal Water District for the March and April 2010 classes. These classes are already fully booked. The same classes (sponsored only by CBWCD) will be held again in May/June, and October 2010.
- Staff is organizing an Irrigation Auditor training class for future training classes.

Administrative Assistant's Report - None

Attorney Bill Brunick - None

CLOSED SESSION - None

ADJOURN


At 12:21 p.m. President Parker adjourned the meeting to the next Regular Meeting of the Chino Basin Water Conservation District to be held on Monday, April 12, 2010 at 11:00 a.m. at the District Headquarters.

APPROVED AND ADOPTED THIS 12th DAY OF APRIL, 2010.



Eunice M. Ulloa, General Manager/Secretary

ATTEST:



Ann Macy, Administrative Assistant