

**CHINO BASIN WATER CONSERVATION DISTRICT
REGULAR MEETING**

District Office
4594 San Bernardino Street
Montclair, CA 91763

MONDAY; July 12, 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 11:18 a.m. by President Parker.

ROLL CALL

Board Members Present: Aldaco, De Haan, Jr., Hofer, King, Parker, Reddick, Vanden Heuvel

Board Members Absent: None (***NOTE: Director King arrived at 11:33 a.m.***)

Staff and Visitors Present: General Manager (GM) Ulloa; Conservation Specialist III Zamora; Conservation Specialist II Schroeder; Conservation Specialist II Figoni; Office Assistant Arellano; Legal Counsel Brunick with Brunick, McElhaney & Beckett; Lisa Morgan-Perales with Inland Empire Utilities Agency (IEUA); Susan Samson with Econo Fence; Marcia Starcher and Peggy Campbell with Cal Poly Pomona; and grant recipients Katherine Cabrera, Daniela Martinez, Briana Romero, Joe Jackson, John Hinshaw, Thomas Mac, Marcus Delgado, and families.

PUBLIC PRESENTATIONS

The Education Committee presented the following recipients of the District's Education Grant with ceremonial checks:

Katherine Cabrera: \$5,000
Daniela Martinez: \$2,500
Briana Romero: \$2,500
Joe Jackson: \$1,000
John Hinshaw: \$1,000
Thomas Mac: \$500
Marcus Delgado: \$500

The following recipient was not in attendance to receive their ceremonial check:

Rodrigo Chipres: \$1,000

Actual checks will be sent to each student's college to be deposited into their education fund accounts.

NOTE: The Board recessed at 11:21 a.m. for photographs with the grant recipients and reconvened at 11:29 a.m.

CONSENT CALENDAR

1. **Minutes – May 10, 2010 – Regular Meeting**
Minutes – June 14, 2010 – Regular Meeting
2. **Financial Reports – June 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. **Association of the San Bernardino County Special District membership meeting.** Authorize interested Board members and staff to attend ASBCSD's meeting on Monday, July 12, 2010 at 6:00 p.m. at Yucca Valley Community Center in Yucca Valley, CA.

Moved by Director Reddick, seconded by Treasurer De Haan, Jr., and carried on a 6-0-1 vote to approve Consent Calendar items 1 through 4.

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

GENERAL INFORMATION – ORAL REPORTS

Lisa-Morgan Perales, IEUA Water Resources Analyst, reported to the Board that IEUA is in the process of putting together a workshop for all member Agencies on growth projection. CBWCD will be invited. She also reported that IEUA is currently working on a contract between CBWCD and IEUA to implement the next phase of the Landscape Evaluation Program.

ADDITIONS TO THE AGENDA – None

NOTE: Director King arrived at 11:33 a.m.

PUBLIC HEARINGS

5. **Rejection of Incomplete Bid Submittal by Innovative Co., Inc. and Bid Protest by Econo Fence Co., Inc.: Basin Fencing at Montclair Basin's No.1, 2, and 3.**

Conservation Specialist Schroeder gave the staff report.

A Notice of Inviting Bids was published for the fencing projects on May 14 and 17, 2010. This was followed by a job walk on May 21, 2010, in which ten contractors attended. On June 2, 2010, bid proposals were received and opened at the District headquarters for the "Basin Fencing at Montclair Basin's No.1, 2, and 3" project.

Innovative Fence Co., was the low bidder at \$33,782. After examination of the submitted bids, it was found that the Innovative Fence Co. bid was incomplete. Their submitted bid was missing notaries on three separate documents and the list of required references was also missing. District staff contacted the District's legal counsel for advice and direction.

A public hearing was conducted to: 1) review the irregularities in the Innovative Fence Co. bid proposal for the "Basin Fencing at Montclair Basin's No.1, 2, and 3" project; 2) review the bid protest by Econo Fence Co.; and 3) review legal counsel's analysis of the bid irregularities.

Moved by Director Vanden Heuvel, seconded by Director Aldaco, and carried on a 7-0-0 vote to reject the incomplete bid submittal by Innovative Fence Co., Inc. in the amount of \$33,782 for the "Basin Fencing at Montclair Basin's No.1, 2, and 3" project based on incomplete documentation and bid submittals.

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

PUBLIC COMMUNICATIONS – None

UNFINISHED BUSINESS – None

NEW BUSINESS

6. **Award of Fencing Contract.** Renovate and repair fencing at Montclair Basin's 1, 2 and 3

Conservation Specialist Schroeder gave the staff report. The recommendation of Econo Fence Co. is a result of the rejection of the low bidder, Innovative Fence Co., as determined in Agenda Item: 5. Econo Fence Co. submitted a bid package that was complete. References provided by Econo Fence Co. and the Better Business Bureau are all positive.

Moved by Director Vanden Heuvel, seconded by Director King, and carried on a 7-0-0 vote to 1) award a contract to the Econo Fence Co. of Riverside, CA in the amount of \$34,140 for the "Basin Fencing at Montclair Basin's No.1, 2 and 3" project; 2) establish a contingency for this work of 10% (\$3,414) to cover unanticipated expenses; and 3) authorize the General Manager to execute all necessary documents.

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

7. **ACWA Healthy Benefits Authority (ACWA HBA) Bylaws and Joint Powers Authority Agreement Ratification.** Provide ACWA direction on various issues.

GM Ulloa gave the staff report. As an ACWA HBA member, CBWCD is being asked to approve, adopt, and ratify the Amended and Restated HBA Bylaws and JPA Agreement, designate its representative(s) to the ACWA HBA, designate District representative(s) to serve on HBA Advisory Committee(s) if so desired, and make nominations or concur with nominations for positions on the ACWA HBA Board of Directors.

Moved by Director Vanden Heuvel, seconded by Vice President Hofer, and carried on a 7-0-0 vote to approve 1) approve Resolution 2010-06: Approve and Adopt the Amended and ACWA HBA Bylaws and Joint Powers Agreement, 2) designate GM Ulloa as the District's ACWA HBA membership representative, 3) designate Director Reddick as the District's ACWA HBA alternate representative to serve in absence of regular representative, and 4) authorize General Manager to execute and sign all necessary documents.

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

8. **ACWA 2010 Fall Conference/Centennial Sponsorship.** Sponsorship opportunities for ACWA's centennial year program.

GM Ulloa gave the staff report.

Moved by Director Vanden Heuvel, seconded by Director Reddick, and carried on a 7-0-0 vote to 1) sponsor ACWA's Centennial Year Program at the Silver sponsorship level for \$2,000, 2) transfer \$2,000 from unallocated reserves to Account 56400 Community/Event Sponsorships and 3) authorize General Manager to execute and sign all necessary documents.

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

The Silver Level sponsorship provides all the benefits of the Bronze Level sponsorship plus vouchers for two complimentary conference registration packages. Director King and Director Reddick agreed to be the District representatives at one of the ACWA Conferences in 2011.

DIRECTOR ORAL REPORTS

Director Aldaco

- Expressed appreciation for the Education Grant recipients and their families.

Director Vanden Heuvel

- On June 25, 2010 Director Vanden Heuvel attended the quarterly meeting of the Southern California Water Committee. He gave the Board a verbal report of the subjects covered.

President Parker

- President Parker introduced her son, Josh, and stated that she would not be able to attend the August 2010 Board meeting.

Treasurer De Haan, Jr. – None

Vice President Hofer - None

Director King - None

Director Reddick - None

STAFF ORAL REPORTS

General Manager/Secretary Ulloa's Report - None

Conservation Specialist III Zamora's Report

- Phase III Landscape Evaluation Audit Program (LEAP) Activities:
 - The LEAP team has completed 283 landscape audits to date with a potential water savings of 1508 AFY. Actual water savings since the beginning of the program is 359 AF.
 - There are currently six sites to be scheduled for audits and two sites pending audits.
 - Staff is close to completing all 300 audits.
- Staff began teaching the next series of CA Friendly Landscape Training Classes for Professionals in English, this month, with 25 students in attendance.

Conservation Specialist II Schroeder's Report

- Basin Activities
 - Supplemental recharge water into Montclair Basins 1; 2 and College Heights has been completed. The percolation rates ranged from one to three feet a day and to date the basins are relatively dry.
- Garden
 - Pruning and summer irrigation is going well, with special concerns for the upcoming hot weather.
- Special Projects
 - Conservation Specialist Schroeder gave a presentation at Ontario Montclair School District, for The Science Academy Program on June 25, 2010.
 - Conservation Specialist Schroeder participated in two June Landscape Classes: 1) Design and Preparation and 2) Maintenance, Pruning and Integrated Pest Management (IPM), with a guest speaker from Simms Tree Specialists who presented the IPM program. Both classes were well attended and well received.

Conservation Specialist II Figoni's Report

- Outreach Activities
 - Conservation Specialist Figoni is working on the new website.
 - Ads have been placed on Montclair and Ontario's public access channels promoting the District's Composting Workshop.
 - Conservation Specialist Figoni is working with local cities to advertise the District's workshops in their Parks and Recreation magazines at no cost.
 - Planning for the 2010 Landscape and Water Conservation Fair has begun.
- Press Releases / Articles
 - An article for the past Dog Day in the Park was posted in the Daily Bulletin on June 11, 2010.
- Residential Classes
 - The upcoming July 17, 2010 Composting Workshop will be taught by Conservation Specialist Figoni, with a mulch giveaway, partnering with San Bernardino County and IEUA.

Office Assistant Arellano's Report - None

Attorney Bill Brunick - None

NOTE: The Board recessed at 12:12 p.m. for lunch and reconvened at 12:23 p.m.

CLOSED SESSION

The Board of Directors recessed to Closed Session at 12:25 p.m.

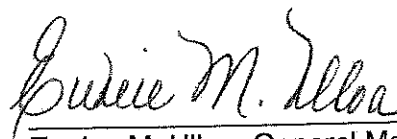
CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION: Pursuant to Government Code Subdivision (a) of Section 54956.9; San Bernardino County Superior Court Case No. 164327; Chino Basin Municipal Water District v. City of Chino, et al. now Designated No. RCV 51010.

The meeting reconvened at 1:05 p.m. Counsel Brunick reported that the Board met in closed session adding that there are no reportable actions.

ADJOURN


At 1:06 p.m. President Parker adjourned the meeting to the next Regular Meeting of the Chino Basin Water Conservation District to be held on Monday, August 9, 2010 at 11:00 a.m. at the District Headquarters.

APPROVED AND ADOPTED THIS 9th DAY OF AUGUST, 2010.



Eunice M. Ulloa, General Manager/Secretary

ATTEST:


Ann Macy, Administrative Assistant