

**CHINO BASIN WATER CONSERVATION DISTRICT  
REGULAR MEETING**

District Office  
4594 San Bernardino Street  
Montclair, CA 91763

**MONDAY; September 12, 2011**

**MINUTES**

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**INVOCATION** – Vice President Hofer gave the invocation.

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

**CALL TO ORDER** – The meeting was called to order at 11:17 a.m. by President Parker.

**ROLL CALL**

Board Members Present: Aldaco, Parker, King, Hofer, Reddick, Vanden Heuvel  
Board Members Absent: De Haan, Jr.  
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; Lisa Morgan-Perales with Inland Empire Utilities Agency (IEUA); Jeff Veenema with Claremont Environmental Design Group (CEDG); Robert Wagner and Emily MacDonald with Wagner & Bonsignore Consulting Civil Engineers; and John Van Dyk with Beno, Van Dyke & Owens.

**CONSENT CALENDAR**

1. **Minutes – July 11, 2011 – Regular Meeting**  
**Minutes – August 8, 2011 – Regular Meeting**  
**Minutes – August 17, 2011 – Personnel Committee Meeting**  
**Minutes – August 30, 2011 – Finance Committee Meeting**  
**Minutes – August 31, 2011 – Personnel Committee Meeting**
2. **Financial Reports – June 2011.** 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.

**Moved by Vice President Hofer, seconded by Director King, and carried on a 6-0-1 vote to approve Consent Calendar items 1 through 3.**

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

**GENERAL INFORMATION – ORAL REPORTS**

Lisa Perales, IEUA Water Resources Analyst

- Ms. Perales gave the Directors an update of IEUA regional programs including 1) toilet replacement program, 2) freesprinklernozzle.com web based sprinkler give away, and 3) a joint agency public service water conservation campaign placed in the Inland Valley Daily Bulletin newspaper.

Jeff Veenema, CEDG Architect

- Mr. Veenema updated the Board on the performance of the photovoltaic system installed on the mixed-use building. He reported on maintenance costs, benefits and requirements of the system. The estimated return on investment is estimated at 9 years (with rebate) to 15 years (without rebate).

**ADDITIONS TO THE AGENDA** – None

**PUBLIC HEARINGS** - None

**PUBLIC COMMUNICATIONS** – None

**UNFINISHED BUSINESS** – None

***NOTE: Vice President Hofer left the meeting at 11:40 a.m.***

**NEW BUSINESS**

**4. Reapportionment of the Director's Divisions Following the 2010 Decennial Census.**

Administrative Assistant Macy gave the staff report. CBWCD last redistricted in 2002 after the Decennial Census. The Board discussed the presented redistricting proposal from National Demographics Corporation. The Board directed District Council to provide a summary of the State law and how this law may apply to the District and also directed staff to prepare a close estimate of the current population in each Director Division.

**Moved by Director Hofer, seconded by Director Vanden Heuvel, and carried on a 5-0-2 vote to defer this agenda item to October 10, 2011 Board meeting.**

**AYES: Aldaco, King, Parker, Reddick, Vanden Heuvel**

**NOES: None**

**ABSENT: De Haan, Jr., Hofer**

**5. ACWA 2011 Annual Sponsorship Program.** Sponsorship opportunities for ACWA's annual program.

Administrative Assistant Macy gave the staff report. The Board discussed this opportunity and declined participation in the ACWA 2011 Annual Sponsorship Program.

**6. Hazardous Mitigation Plan Report (HMP)**

Conservation Specialist III Juan Zamora gave the staff report. The HMP report has been completed and accepted by the San Bernardino County Office of Emergency Services (SBCOES), the California Emergency Management Agency (Cal EMA), and the Federal Emergency Management Agency (FEMA). He complimented Conservation Technicians Cheryl Vermette and Shane Kemp on the time and hard work they spent in the compilation of this plan.

**Moved by Director Vanden Heuvel, seconded by Director Reddick, and carried on a 5-0-2 vote to adopt the 2010 Hazardous Mitigation Plan as presented to the Board of Directors and accepted by SBCOES, Cal EMA, and FEMA.**

**AYES: Aldaco, King, Parker, Reddick, Vanden Heuvel**

**NOES: None**

**ABSENT: De Haan, Jr., Hofer**

7. **Adoption of the 2010/2011 Wage and Salary Chart**

General Manager Eunice Ulloa and Personnel Committee Chairman Reddick gave the staff report.

**Moved by Director Vanden Heuvel, seconded by Director Reddick, and carried on a 5-0-2 vote to adopt the Wage and Salary Chart utilized for July 1, 2010 through June 30, 2011 as recommended by the Personnel Committee.**

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

8. **Cost of Living Adjustment.**

General Manager Eunice Ulloa and Personnel Committee Chairman Reddick gave the staff report. Current COLA information from the U.S. Bureau of Labor Statistics was provided. Staff has not received a COLA increase for three years. Director Vanden Heuvel stated appreciation for the work that staff does for the District.

**Moved by Director Vanden Heuvel, seconded by Director Reddick, and carried on a 5-0-2 vote to 1) direct General Manager Ulloa to update the Wage and Salary Chart for use during the period July 1, 2011 through June 30, 2012, 2) apply a 3.00% COLA to all non-at-will employees, retroactive to July 1, 2011, and 3) transfer funds from unappropriated reserves to the Budget accordingly.**

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

The transfer from unappropriated funds is \$17,650 and spread to the following Budget Accounts as shown:

Account 50120 - Salary Employees: \$6,300  
Account 50130 - Hourly Employees: \$8,250  
Account 50200 - Payroll Taxes: \$1,000  
Account 50320 - CalPERS Retirement: \$2,100

9. **Watermaster Replenishment Agreement.**

General Manager Eunice Ulloa gave the staff report updating the Board regarding Watermaster's effort to purchase replenishment water from Metropolitan Water District. The Watermaster is now proposing a Replenishment Agreement to facilitate purchase of the replenishment water. If approved, the District would purchase water on behalf of Watermaster and Watermaster would agree to repay the District for the water.

Director Vanden Heuvel gave the Board an update of Watermaster events regarding this issue. The Watermaster is making efforts to purchase water in an effort to avoid the two percent annual storage account loss and this is where the idea of borrowing money originated. The dilemma that resulted in this move to purchase water is that these replenishment requirements being faced at Watermaster will be applied to the appropriators who have already developed their individual strategies and solutions to their future replenishment obligations. If the District loaned money to Watermaster it would have to be paid back by the appropriators who already have created their own plans for how they will meet their replenishment obligations. The Watermaster Appropriator and Advisory Committees each passed a motion, with a majority vote, but not a mandate, that Watermaster could not borrow money. This matter was brought to a vote before the Watermaster Board who upheld the Committees' decisions.

The Board discussed the options presented and chose to take no action.

**NOTE: The Board recessed for lunch from 12:40 p.m. until 12:53 p.m.**

**10. San Antonio Creek Channel Diversion and Recharge Project Development of New Yield.**

Robert Wagner and Emily MacDonald of Wagner and Bonsignore gave the staff report. Mr. Wagner gave an update on the work that Wagner and Bonsignore, Inc. has undertaken in an effort to identify recharge project development that would result in new yield.

Ms. MacDonald gave a presentation of two project options. These projects options include storage and recharge improvements to Montclair Basin #4 and another project that would develop new yield along the San Antonio Creek Channel. The Board discussed the options presented regarding recharge and storage project at Montclair Basin #4 and directed Mr. Wagner to pursue the next level of project assessment and to meet with the City of Montclair to determine which improvements are feasible. The Board also discussed possible new yield projects along the San Antonio Creek Channel.

**The Board of Directors recessed to Closed Session at 1:47 p.m.**

**CLOSED SESSION**

**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, and Worker's Compensation Case, John McCormick.

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR:** Pursuant to Government Code Section 54956.8, the Board of Directors will be meeting with its legal counsel, Bill Brunick, real property negotiator, Eunice Ulloa, District's engineer Robert Wagner regarding APN numbers 1044-09 to 11, 1044-291-19 to 41, 1044-291-46 to 52, 1044-241-12, 1044-254-26, 1006-231-26 thru 71, 1005-011-05 & 07, 1106-401-07, 1106-401-12 & 13, 1006-211-68, 1006-551-12, 1006-551-22, 1045-081-17, 1045-081-40, 1045-081-55, 1045-241-07, 1045-181-03, 1045-532-09 thru 13, 1045-542-17, 1007-111-01, 1107-121-01, 1007-142-26, 1007-661-06, 1007-701-01, 1013-261-17, 1013-271-01, 1008-011-14 thru 16, 1008-021-01 & 02, 1008-011-23 & 24, 1008-011-27 & 28, 1008-161-19 & 20, 1008-161-24 & 25, 1007-071-07, 1007-041-05 & 07, 1007-281-21 & 44, 1007-291-06, 1007-261-04 & 05, 1007-271-07, 1007-061-08 & 23, 1007-061-15 thru 17, 1007-722-03, 1007-011-01, 1007-601-01, 1007-621-05 & 06, 1046-571-17 thru 19, 1047-091-11, 1007-181-01, 1046-321-43, 0210-062-08, 0108-03 & 06, 0108-291-13 & 14, 0210-021-12, 0108-461-01 thru 04, 0209-013-23, 0209-012-04 & 06, 0207-201-01, 0207-201-10 & 11, 0207-201-13, 0207-201-21 & 22, 0207-201-24 & 44, 02207-271-27, 02207-271-46 & 49, 02207-271-89, 02207-271-25, 0209-151-27 & 37, 0209-161-24, 0208-08, 0208-17 & 18, 0208-23, 0208-321-24, 0209-28 & 25, 0209-211-24, 1077-051-36 thru 38, 1077-031-05, 1077-311-74, 1077-321-01 thru 03, 1077-271-03, 1076-597-01 thru 11, 1016-281-04, 1016-281-10, 1016-281-11, 1016-271-04, 1016-271-03, 1016-251-32, 1016-281-03, 1016-281-05 to 09, 1016-281-12, 1016-281-02, and 1016-271-15 to discuss matters such as price, terms and desirability of possible basin acquisitions.

**The meeting reconvened at 2:24 p.m. Counsel Brunick reported that the Board met in closed session. Two items were discussed.**

**The first item is in regards to the workers compensation case with Mr. McCormick. The Board voted to authorize General Manager Ulloa to offer Mr. McCormick the severance package as handed out in closed session.**

**The second item is in regards to the conference with the real estate property negotiator. The Board directed that the negotiator talk to the property owner and come back to the Board, if possible, with a suggested approach to property acquisition.**

DIRECTOR ORAL REPORTS - None

STAFF ORAL REPORTS - None

ADJOURN

President Parker adjourned the meeting at 2:26 p.m. to the next regular meeting of the Chino Basin Water Conservation District scheduled for Monday, October 10, 2011, 11:00 a.m. at the District Headquarters.

APPROVED AND ADOPTED THIS 10<sup>th</sup> DAY OF OCTOBER, 2011.



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Eunice M. Ulloa, General Manager/Secretary

ATTEST:



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Ann Macy, Administrative Assistant