



## **SPECIAL NOTICE REGARDING CORONAVIRUS DISEASE 2019 (COVID-19) AND PARTICIPATION IN PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom declared a State of Emergency resulting from the threat of COVID-19. On September 16, 2021, Governor Newsom signed Assembly Bill No. 361 into law. Assembly Bill No. 361 amends Government Code section 54953(e) by adding provisions for remote teleconferencing participation in meetings by members of a legislative body, without the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions. The San Bernardino Valley Municipal Water District adopted a resolution determining, by majority vote, that, as a result of the declared State of Emergency, a meeting in person would present imminent risks to the health or safety of attendees. Accordingly, it has been determined that all Board and Workshop meetings of the San Bernardino Valley Municipal Water District will be held pursuant to the Brown Act and will be conducted via teleconference. There will be no public access to the meeting venue.

### **REGULAR MEETING OF THE BOARD OF DIRECTORS TUESDAY, SEPTEMBER 6, 2022 – 2:00 P.M.**

#### **PUBLIC PARTICIPATION**

Public participation is welcome and encouraged. You may participate in the September 6, 2022, meeting of the San Bernardino Valley Municipal Water District online and by telephone as follows:

**Dial-in Info: (877) 853 5247 US Toll-free**

**Meeting ID: 684 456 030**

**PASSCODE: 3802020**

**<https://sbvmwd.zoom.us/j/684456030>**

If you are unable to participate online or by telephone, you may also submit your comments and questions in writing for the District's consideration by sending them to [comments@sbvmwd.com](mailto:comments@sbvmwd.com) with the subject line "Public Comment Item #" (insert the agenda item number relevant to your comment) or "Public Comment Non-Agenda Item". Submit your written comments by 6:00 p.m. on Monday, September 5, 2022. All public comments will be provided to the President and may be read into the record or compiled as part of the record.

**IMPORTANT PRIVACY NOTE: Participation in the meeting via the Zoom app is strongly encouraged. Online participants MUST log in with a Zoom account. The Zoom app is a free download. Please keep in mind: (1) This is a public meeting; as such, the virtual meeting information is published on the World Wide Web and available to everyone. (2) Should you participate remotely via telephone, your telephone number will be your "identifier" during the meeting and available to all meeting participants; there is no way to protect your privacy if you elect to call in to the meeting.**



**SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT**  
380 E. Vanderbilt Way, San Bernardino, CA 92408

**REGULAR MEETING OF THE BOARD OF DIRECTORS**

**AGENDA**

**2:00 PM Tuesday, September 6, 2022**

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**CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL**

**1) PUBLIC COMMENT**

Members of the public may address the Board regarding any item within the subject matter jurisdiction of the Board; however, no action may be taken on off-agenda items except as authorized by law. Each speaker is limited to a maximum of three (3) minutes.

**2) APPROVAL OF MINUTES**

2.1 August 16, 2022, Meeting (Page 3)  
[BOD Minutes 081622](#)

**3) PRESENTATION**

3.1 Update on the Studies conducted under the Western Ecological Research Center for Fiscal Year 2022-2023 (WERC) FY 21-22 USGS Agreement

**4) DISCUSSION AND POSSIBLE ACTION ITEMS**

4.1 Consider Authorizing the United States Geological Survey (USGS) Hydrologic Data Collection Program for Fiscal Year 2022 - 2023 (Page 13)  
[Staff Memo - Consider Authorizing the United States Geological Survey \(USGS\) Hydrologic Data Collection Program for Fiscal Year 2022 - 2023](#)  
[USGS Joint Funding Agreement 23ZGJFA22000034](#)

4.2 Consider Authorizing an Amendment with Dudek to Develop Well Ordinance for the Yucaipa Sustainable Groundwater Management Agency (Page 21)  
[Staff Memo - Consider Authorizing an Amendment with Dudek to Develop Well Ordinance for the Yucaipa SGMA](#)  
[Dudek Proposal to Develop Well Ordinance for the Yucaipa GSP Plan Area](#)

- 4.3 Consider In-Person meetings or alternatively Resolution 1161 authorizing the San Bernardino Valley Municipal Water District to conduct remote meetings for the period August 2, 2022, through August 30, 2022 (Page 30)  
[Staff Memo - Consider In-Person meetings or alternatively Resolution 1161 authorizing the San Bernardino Valley Municipal Water District to conduct remote meetings for the period September 6, 2022, through October 5, 2022](#)  
[Resolution 1161](#)

**5) REPORTS (Discussion and Possible Action)**

- 5.1 CEO/General Manager's Report (Page 35)  
[Staff Memo - CEO/General Manager's Report](#)
- 5.2 Directors' Report of Activities and Travel Requests in accordance with Resolution 1100
- 5.3 General Counsel Report
- 5.4 SAWPA Meeting Report
- 5.5 Board of Directors Workshop - Engineering - August 9, 2022 (Page 38)  
[Summary Notes BOD Workshop - Engineering 080922](#)
- 5.6 Board of Directors Workshop - Policy- August 11, 2022 (Page 44)  
[Summary Notes BOD Workshop - Policy 081122](#)

**6) FUTURE BUSINESS**

**7) ANNOUNCEMENTS**

- 7.1 List of Announcements (Page 50)  
[List of Announcements 090622](#)

**8) CLOSED SESSION**

**9) ADJOURNMENT**

**PLEASE NOTE:**

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District's office located at 380 E. Vanderbilt Way, San Bernardino, during normal business hours. Also, such documents are available on the District's website at [www.sbvmd.com](http://www.sbvmd.com) subject to staff's ability to post the documents before the meeting. The District recognizes its obligation to provide equal access to those individuals with disabilities. Please contact Melissa Zoba at (909) 387-9228 two working days prior to the meeting with any special requests for reasonable accommodation.

**MINUTES  
OF  
THE  
REGULAR BOARD MEETING  
SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT**

**August 16, 2022**

**Directors Present:** Gil J. Botello, T. Milford Harrison, June Hayes, Paul R. Kielhold, and Susan Longville.

**Directors Absent:** None.

**Staff Present:**

Heather Dyer, MS, MBA – Chief Executive Officer / General Manager  
 Joanna Gibson, MS – Executive Director Upper SAR HCP  
 Wen Huang, PE, MS – Chief Engineer / Deputy General Manager  
 Jose Macedo, ML, CPT-P (USA Retired) – Chief of Staff / Clerk of the Board  
 Cindy Saks, CPA – Deputy General Manager/Chief Financial Officer  
 Bob Tincher, PE, MS – Deputy General Manager / Chief Water Resources Officer  
 Melissa Zoba, MBA, MPA – Chief Information Officer

Anthony Flordelis – Business Systems Analyst  
 Matthew E. Howard, MS – Water Resources Senior Planner  
 David McArthur – Water Operations Manager  
 Adekunle Ojo, MPA – Water Resources Manager  
 Karen Resendez, MAOL – Human Resources / Risk Manager  
 Shavonne Turner, MPA – Water Conservation Program Manager

Isabelle Huang – SBVMWD Intern  
 Olivia Ramirez – SBVMWD Intern

Brad Neufeld, Varner & Brandt, District Legal Counsel  
 Scott Heil, Varner & Brandt, District Legal Counsel

**Members of the Public in Attendance:**

Melody McDonald, San Bernardino Valley Water Conservation District  
 James Morales, East Valley Water District  
 Meredith Nikkel, Downey Brand  
 Scott Shapiro, Downey Brand  
 Cris Fealy, Fontana Water Company  
 Ben Kelley, Western Heights Mutual Water Company  
 John Longville, San Bernardino Valley Water Conservation District

Leland Lubinsky  
Allen Bartleman

The regular meeting of the Board of Directors was called to order by President Kielhold at 2:00 p.m. Vice President Hayes led the Pledge of Allegiance. A quorum was noted present by roll call.

The meeting was conducted by teleconference only. All actions taken by the Board at the meeting were conducted by a roll-call vote.

### **Agenda Item 1. Public Comment**

President Kielhold stated that any member of the public wishing to make any comments to the Board may do so.

*Audience attendance will be recorded in the minutes based on registration information generated in the teleconference or by stating their name during this time.*

Allen Bartleman proposed an amendment to Item 2: Approval of the Minutes of the August 2, 2022 meeting.

### **Agenda Item 2. Approval of Minutes of the August 2, 2022, Board meeting.**

The minutes of the August 2, 2022, Regular Board meeting were approved by the following roll-call vote:

MOVED: Botello	SECONDED: Hayes	APPROVED: 4-1
AYES:	Botello, Kielhold, Longville, Hayes	
NOES:	Harrison	
ABSTAIN:	None	
ABSENT:	None	

### **Agenda Item 3.**

**3.1) Consider the Approval of the Fiscal Year 2022-2023 Joint Funding Agreement for Water Resources Investigations with the United States Geological Survey.** Chief Executive Officer / General Manager Heather Dyer reminded the Board of presentation of the 2021 - 2022 program of work and completed items and proposed studies for 2022 – 2023 at the August 11, 2022, Policy workshop. This is an annual item and is part of an established science program funded by the District in both water resources and environmental issues related to Santa Ana sucker habitat and modeling, she explained. There is a reduction in funding proposed from last year because many of the associated

tasks were completed last year, she added. Valley District's portion of the \$543,449 cost would be up to \$450,882 which is a decrease of \$110,119 (20 percent).

The USGS portion is subject to funding availability, but it is believed they will be able to contribute \$92,567 (approximately 17 percent) of the program of work, Ms. Dyer added. She pointed to the scope of work for the San Bernardino Basin, Rialto-Colton Basin, Santa Ana River, and the integrated model.

**Action Item(s):** The Board of Directors authorized the CEO / General Manager to execute the Joint Funding Agreement for the Fiscal Year 2022-2023 Water Resources Investigations ("Cooperative Study Program") with the United States Geological Survey in the amount of \$543,449 by the following roll-call vote:

MOVED: Hayes	SECONDED: Longville	APPROVED: 5-0
AYES:	Botello, Harrison, Kielhold, Longville, Hayes	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

**3.2) Authorize the Purchase of a Network Firewall and Monitoring / Analytics Application.** Chief Executive Officer / General Manager Heather Dyer reminded the Board of discussion of this item at the August 9, 2022 Engineering Workshop. Industry standards recommend replacement of firewalls every five to eight years, and the District's is seven years old, she noted. With the increase in work from different locations along with supply chain issues, staff believes it is prudent to begin this process earlier, Ms. Dyer explained, and emphasized the importance of the firewall.

Two quotes were received, Ms. Dyer advised. Staff recommends Nth Generation.

**Action Item(s):** The Board of Directors authorized the purchase of a new network firewall and analytics application in the amount of \$40,864 by the following roll-call vote:

MOVED: Botello	SECONDED: Hayes	APPROVED: 5-0
AYES:	Botello, Harrison, Kielhold, Longville, Hayes	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

**3.3) Authorize the Purchase of a Core Switch.** Chief Executive Officer / General Manager Heather Dyer reminded the Board about discussion of this item at the August 9, 2022 Engineering Workshop. She described the technology and stated that the current core switch has been in service for more than 12 years and does not currently meet the demands of the District. The standard life cycle of a core switch is eight to 10 years, and it is time to upgrade, she said. Given supply chain issues, staff would like to proceed as quickly as possible. Quotes were sought from various vendors but only Nth Generation responded, she noted.

**Action Item(s):** The Board of Directors authorized the purchase of a new core switch in the amount of \$79,967 by the following roll-call vote:

MOVED: Longville	SECONDED: Botello	APPROVED: 5-0
AYES:	Botello, Harrison, Hayes, Kielhold, Longville	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

**3.4) Consider Replacement of Two Air Conditioning Units at Greenspot and Crafton Hills Pump Stations.** Chief Executive Officer / General Manager Heather Dyer reminded the Board of discussion of this item at the August 9, 2022 Engineering Workshop.

During a recent quarterly inspection by Ontario Refrigeration, it was discovered one of the 11 air conditioning units at Crafton Hills Pump Station, and one of the eight units at Greenspot Pump Station had reached the end of their service lives and require replacement. Both have been in operation since 2002, she added. The current lead time for air conditioning units is about 28 weeks from authorization and staff would like to begin the procurement, Ms. Dyer stated.

The estimated cost to replace the Crafton Hills unit is \$42,572 of which 39.23 percent would be paid by San Gorgonio Pass Water Agency (SGPWA), and for the Greenspot unit is \$38,835, of which 22.86 percent would be paid by SGPWA, Ms. Dyer explained.

There are still functioning units at the pump stations, but the process to replace these units should begin in order to assure air conditioning runs continually, Ms. Dyer added.

**Action Item(s):** The Board of Directors authorized the purchase and replacement of two air conditioning (AC) units, one at Crafton Hills Pump Station and one at Greenspot Pump Station, in the amount of \$81,407 by the following roll-call vote:

MOVED: Harrison	SECONDED: Botello	APPROVED: 5-0
AYES:	Botello, Harrison, Kielhold, Longville, Hayes	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

#### **Agenda Item 4. Reports (Discussion and Possible Action Items).**

**4.1) CEO/General Manager's Report.** Chief Executive Officer / General Manager Heather Dyer presented the following highlights:

- The District was awarded a \$2 million grant from the Bureau of Reclamation (BOR) for the Anza Creek Aquatic and Riparian Habitat Restoration Project, which will restore approximately 144 acres surrounding Anza Creek and a portion of the stream channel for the benefit of Santa Ana sucker and other native fishes. It supports the Santa Ana River Habitat Conservation Plan which meets the permitting requirements for water supply projects
- The Department of Water Resources (DWR) advised the 2020 Integrated Regional Urban Watershed Management Plan (IRUWMP) has been reviewed and accepted, thus meeting the requirements of the California Water Code.
- District staff (including Heather Dyer, Chris Jones, and Kai Palenscar) was recently published in the Canadian Journal of Fisheries and Aquatic Sciences for research done on the Santa Ana River over the last five years. An innovative feature of the research was the integration of different survey types.
- Three houses within the District service area were selected for an Inland Empire Landscape Contest. Staff will present photos at a future workshop.
- Staff has been monitoring Senate Bill 1020 which would accelerate the goal to achieve 100 percent renewable energy for the State Water Project from 2045 to 2030. The Department of Water Resources (DWR) has stated they are unsure about the viability of achieving that goal and expressed concerns along with the State Water Contractors (SWC) that it would increase costs by \$2.6 billion. Concerns have been brought to the authors of the bill by the SWC, but the SWC has no objection to the 100 percent goal and is already at 70 percent renewable energy.
- The federal Appropriations Committee has many water-related programs to consider. The President signed the Inflation Reduction Act of 2022 which includes \$374 billion in climate and energy spending. Staff will look closely for what applies and how to capitalize on potential additional funding for big District water projects.



- The Governor and staff have been listening to messaging regarding the need to establish a state-wide vision for water supply. Conservation is a key component of the water portfolio, but it is not possible to conserve the way out of mega-droughts of the future. Investment in water infrastructure supply projects is needed. The Solve the Water Crisis Coalition is made up of general managers who try to put together a coherent message to the Governor, his administration, and others that the focus must be on the future. It is necessary to establish a vision for storage projects, recycled water projects, and potentially desalination, connecting all water infrastructure projects throughout the State.
- The District is the recipient of a Water Environment Federation Technical Exhibition and Conference (WEFTEC) “Utility of the Future” award for 2022. This solidifies the effort toward a culture of growth and opportunities, learning, and leadership.
- A new Water Systems Operator I, Benjamin Williams, started work on July 18.
- Human Resources / Risk Manager Karen Resendez was recently elected President-Elect for Fiscal Year 2022 - 2023 to the Inland Empire Chapter of the International Public Management Association for Human Resources.

Director Longville asked where WEFTEC would be held; Ms. Dyer noted it will be in New Orleans.

**4.2) State Water Project Report.** Deputy General Manager / Chief Water Resources Officer Bob Tincher advised the Environmental Impact Report (EIR) for the Delta Conveyance project was released on July 27 and the comment period ends October 27. This is a huge milestone, he noted. If the Delta Conveyance Project had been available at the end of last year, there could have been an additional 236,000 acre-feet of water available this year, he said.

Given the release of the EIR, the Basin Technical Advisory Committee (BTAC) reaffirmed support for the Delta Conveyance Project on August 1, Mr. Tincher continued.

There are some areas in California that are 100 percent dependent and do not have a backup supply for the SWP, as Valley District does, Tincher advised. As a result, the SWP had to provide about 54,000 acre-feet in health and safety deliveries, reducing the water supply to the rest of the SWC. He explained the strings attached including robust conservation measures with mandatory requirements, reimbursement to the SWP in a subsequent year, and movement toward a diverse portfolio to avoid need in the future.

Mr. Tincher highlighted points from the Governor’s recent press conference, including transitioning from the scarcity mindset, using lessons learned from the last drought (no imposition of one-size-fits-all across the State), using mandatory restrictions as a backstop, with the State stepping in only if areas are not successful. He touched on the action plan, streamlined permitting, the current availability of funding, the need for the

Delta Conveyance to overcome earthquakes and sea level, rise, need for more storage and Sites Reservoir, and the plan to invest \$8 billion of the next two years.

Director Longville stated she garnered additional points from the Governor's press conference and requested a future SWP Report include the 2021 SWP reliability report which was touted as one of the single most important sources of information in terms of climate change information. Mr. Tincher indicated a summary was provided but details can be brought back.

#### **4.3) Directors' Report of Activities and Travel Requests in accordance with Resolution 1100.**

Director Botello reported that he attended:

- August 2 – Project Area 24 Santa Ana Watershed Project Authority (SAWPA) meeting
- August 12 – Building Industry Association (BIA) Southern California Water Conference
- August 15 – Association of Special Districts' dinner

Director Harrison reported that he attended:

- August 8 – Association of Special Districts Board meeting
- August 10 – San Bernardino Valley Water Conservation District Board meeting
- August 12 – BIA Southern California Water Conference
- August 15 – Association of Special Districts' dinner

Director Hayes reported that she attended:

- August 4 – West Valley Water District (WVWD) meeting
- August 5 – Water Advisory Committee of Orange County (WACO) meeting
- August 10 – San Bernardino Valley Water Conservation District Board meeting
- August 12 – BIA Southern California Water Conference
- August 15 – Association of Special Districts' dinner
- August 16 – SAWPA meeting

Director Kielhold reported that he attended:

- August 10 – San Bernardino Valley Water Conservation District Board meeting
- August 12 – BIA Southern California Water Conference
- August 15 – Association of Special Districts' dinner

Director Longville reported that she attended:

- August 12 – BIA Southern California Water Conference
- August 15 – Association of Special Districts' dinner

#### **4.4) General Counsel Report.** No report.

**4.5) SAWPA Meeting Report.** Vice President Hayes reported on the following items taken at the August 16, 2022 Commission Meeting:

Received the following informational reports:

- Santa Ana River Watershed Weather Modification Pilot Project – Validation Support.
- Upper Santa Ana River Watershed Homeless Encampment – Phase 1A Water Quality Monitoring and Trash Assessment – Status Report.

**4.6) Operations Report.** Water Resources Senior Planner Matt Howard presented the report. In July 2022 1,645 acre-feet of imported water was delivered to the District's retailers and customers.

Mr. Howard responded to Vice President Hayes that after publication of the Board packet, word was received that water was delivered to Marigold Mutual, so part of the 470 acre-feet delivered to WWD will be carved out. He said he would check about water delivered to the City of Rialto and will track it on the monthly update.

**4.7) Treasurer's Report.** Director Harrison presented the report.

The Board approved the following expenses for the month of July 2022: State Water Contract Fund \$6,972,565.00, Devil Canyon / Castaic Fund \$421,150.00, and General Fund \$2,545,685.63 by the following roll-call vote:

MOVED: Harrison	SECONDED: Longville	APPROVED: 5-0
AYES:	Botello, Harrison, Kielhold, Longville, Hayes	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

**4.8) Board of Directors Workshop - Tres Lagos Master Plan - July 27, 2022.** No oral report was given as a written report was included in the Board packet.

The summary notes of the July 27, 2022, Board of Directors Workshop – Tres Lagos Master Plan meeting were approved by the following roll-call vote:

MOVED: Hayes	SECONDED: Longville	APPROVED: 5-0
AYES:	Botello, Harrison, Kielhold, Longville, Hayes	

NOES:	None
ABSTAIN:	None
ABSENT:	None

**Agenda Item 5. Future Business.** Vice President Hayes requested consideration of establishment of a formal time limit policy for public comment.

The Board of Directors voted to address this item at a future workshop by the following roll-call vote:

MOVED: Hayes	SECONDED: Harrison	APPROVED: 5-0
AYES:	Botello, Harrison, Kielhold, Longville, Hayes	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

**Agenda Item 6. Announcements.** President Kielhold pointed out the list of announcements.

**Agenda Item 7. Closed Session.** District Counsel Brad Neufeld introduced the Closed Session item. President Kielhold adjourned the meeting to Closed Session at 2:54 p.m.

**7.1) Conference with Real Property Negotiators**

Property: Southern California Edison East End Hydroelectric Generation Plants  
Agency negotiator: Heather Dyer, Wen Huang  
Negotiating parties: Southern California Edison Company  
Under negotiation: Price and terms of payment

**7.2) Conference with Real Property Negotiators**

Pursuant to Government Code Section 54956.8  
Property APNs: 1210-211-12, -13, and -14  
Agency negotiator: Heather Dyer, Wen Huang  
Negotiating parties: Diversified Pacific  
Under negotiation: Price and terms of payment.

President Kielhold returned the meeting to Open Session at 3:39 p.m. District Counsel Brad Neufeld reported the following:

**7.1) Conference with Real Property Negotiators**

Property: Southern California Edison East End Hydroelectric Generation Plants

No reportable action was taken

- 7.2) Conference with Real Property Negotiators  
Pursuant to Government Code Section 54956.8  
Property APNs: 1210-211-12, -13, and -14

The Board unanimously approved the 4<sup>th</sup> Amendment to Purchase and Sale Agreement and Irrevocable Escrow Instructions purchasing Assessor's Parcel Numbers 1210-211-12, 1210-211-13, and 1210-211-14 for \$95,000.

**Agenda Item 8. Adjournment.**

The meeting was adjourned by President Kielhold at 3:40 p.m.

<p>APPROVAL CERTIFICATION I hereby certify to approval of the foregoing Minutes of San Bernardino Valley Municipal Water District.</p> <p>_____</p> <p><b>Secretary</b></p> <p>Date _____</p>
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Respectfully submitted,

Lynda J. Kerney  
Contract Assistant



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**DATE:** September 6, 2022  
**TO:** Board of Directors  
**FROM:** Heather Dyer, CEO/General Manager  
**SUBJECT:** Consider Authorizing the United States Geological Survey (USGS) Data Collection Program for Fiscal Year 2022 - 2023

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**Staff Recommendation**

Staff is recommending the Board authorize the CEO/General Manager to execute the Joint Funding Agreement with the USGS for the FY 2022-23 data collection and monitoring program.

**Summary**

For decades, Valley District and the other Santa Ana River Watermaster entities have partnered with the United States Geological Survey (USGS) to monitor streamflows in the upper portion of the Santa Ana River Watershed along with precipitation levels and groundwater levels in the Valley District service area. This item was discussed at the September 1, 2022, Resources workshop and the Board directed staff to place it on an upcoming regular Board of Directors meeting for consideration.

Staff is recommending the Board approve the attached Joint Funding Agreement with the USGS for the FY 2022-23 data collection and monitoring program that supports the Western-San Bernardino Watermaster, Santa Ana River Watermaster, the Habitat Conservation Plan, the Yucaipa Sustainable Groundwater Management Agency and the Basin Technical Advisory Committee at a total cost of \$1,164,460. The USGS is contributing a total of \$159,000 leaving a remainder of \$1,005,460 to be paid by Valley District and its partners. Valley District's net cost is \$769,377 which is within the approved FY22-23 General Fund Budget. The cost for the FY 22-23 program is 3.4% higher than last year's program. The form of the agreement is essentially the same as previous versions, which was reviewed by House Counsel and approved as to form.

## **Background**

This Agreement is specifically focused on the collection of data in support of the projects listed above and is separate from the Water Resource Investigations Agreement that was recently approved by the Board of Directors in August 2022. This Data Collection Agreement is managed by the USGS Redlands field office, where USGS staff monitor, maintain, and collect data in the Valley District service area. The recently approved Water Resource Investigations Agreement is managed by the USGS Water Science Center located in Sacramento, California and focuses on specific projects such as groundwater modeling, specific studies, and programs which are outside Redlands field office scope of services. Next month one more USGS Agreement will be brought for Board consideration for biological studies in support of the Santa Ana River HCP. These services will be completed by the USGS Western Ecological Research Center based out of San Diego, California.

## **District Strategic Plan Application**

This project is consistent with Valley District's Mission Statement to work collaboratively to provide a reliable and sustainable water supply to support the changing needs of our region's people and environment and with the following strategies:

- Proactively manage a diverse, adaptable water supply portfolio to maximize the value of the region's water assets
- Drive science-based decision making and proactive risk management
- Build trust by being a collaborative and resourceful partner through effective communication and engagement

## **Fiscal Impact:**

This item has been budgeted in the FY 2022-23 Valley District General Fund Budget Line Item 6350 - United States Geological Survey. After taking into consideration the USGS contribution and reimbursement from our partners, Valley District's net cost for this agreement will be \$769,377.

## **Attachment**

U.S. Department of the Interior U.S. Geological Survey Joint Funding Agreement for Water Resource Investigations, Agreement # 23ZGJFA22000034



## United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
 California Water Science Center  
 6000 J Street, Placer Hall  
 Sacramento, CA 95819

August 15, 2022

Mrs. Heather Dyer  
 Chief Executive Officer/General Manager  
 San Bernardino Valley Municipal Water District  
 380 East Vanderbilt Way  
 San Bernardino, CA 92408

Dear Mrs. Dyer:

Attached is the Joint Funding Agreement (JFA) 23ZGJFA22000034, signed by our agency, for your approval to enact the cost changes to the project(s) California Water Science Center Water Resources Investigations, during the period October 1, 2022 through September 30, 2023 in the amount of \$1,005,460 from your agency. U.S. Geological Survey contributions for this agreement are \$159,000 for a combined total of \$1,164,460. If you are in agreement with this proposed program, please return the fully executed signed copy to CAgageADMIN@usgs.gov (preferred) or send one fully executed paper copy to Cade Castro at the address in the letter head.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **October 1, 2022**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact Jonathan Newby by phone number (909) 798-3272 or email jnewby@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed quarterly via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Cade Castro at phone number (970) 462-2034 or email at ccastro@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

ALISSA COES  
 Digitally signed by ALISSA  
 COES  
 Date: 2022.08.16 11:54:06  
 -04'00'

Alissa Coes  
 Acting Director, USGS California Water Science  
 Center

Enclosure  
 Detailed Summary



Form 9-1366  
(May 2018)

U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR  
Water Resource Investigations

Customer #: 600000809  
Agreement #: 23ZGJFA22000034  
Project #: ZG00GZV  
TIN #: 95-6005196

Fixed Cost Agreement YES[ X ] NO[ ]

THIS AGREEMENT is entered into as of the October 1, 2022, by the U.S. GEOLOGICAL SURVEY, California Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the San Bernardino Valley Municipal Water District party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$159,000 by the party of the first part during the period  
October 1, 2022 to September 30, 2023
- (b) \$1,005,460 by the party of the second part during the period  
October 1, 2022 to September 30, 2023
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

Form 9-1366  
(May 2018)

U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR  
Water Resource Investigations

Customer #: 600000809  
Agreement #: 23ZGJFA22000034  
Project #: ZG00GZV  
TIN #: 95-6005196

9. Billing for this agreement will be rendered quarterly. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

**USGS Technical Point of Contact**

Name: Jonathan Newby  
Supervisory Hydrologic Technician  
Address: 1653 Plum Lane  
Redlands, CA 92374  
Telephone: (909) 798-3272  
Fax: (909) 335-3407  
Email: jnewby@usgs.gov

**Customer Technical Point of Contact**

Name: Heather Dyer  
Chief Executive Officer/General Manager  
Address: 380 East Vanderbilt Way  
San Bernardino, CA 92408  
Telephone: (760) 397-7756  
Fax:  
Email: heatherd@sbvmwd.com

**USGS Billing Point of Contact**

Name: Cade Castro  
Budget Analyst  
Address: 6000 J Street Placer Hall  
Sacramento, CA 95819  
Telephone: (970) 462-2034  
Fax:  
Email: ccastro@usgs.gov

**Customer Billing Point of Contact**

Name: Cindy Saks  
Chief Financial Officer  
Address: 380 East Vanderbilt Way  
San Bernardino, CA 92408  
Telephone: (909) 387-9224  
Fax: (909) 387-9247  
Email: cindys@sbvmwd.com

U.S. Geological Survey  
United States  
Department of Interior

San Bernardino Valley Municipal Water District

Signature

ALISSA  
COES  
By \_\_\_\_\_ Date: \_\_\_\_\_

Digitally signed by  
ALISSA COES  
Date: 2022.08.16  
11:54:37 -04'00'

Name: Alissa Coes  
Title: Acting Director, USGS California Water Science  
Center

Signatures

By \_\_\_\_\_ Date: \_\_\_\_\_

Name:  
Title:

By \_\_\_\_\_ Date: \_\_\_\_\_

Name:  
Title:

By \_\_\_\_\_ Date: \_\_\_\_\_

Name:  
Title:

San Bernardino Valley Municipal Water District  
 Heather Dyer, Chief Executive Officer/General Manager  
 380 East Vandebilt Way  
 San Bernardino, CA 92408

USGS Cooperative Water Program  
 Oct 1, 2022 - Sept 30, 2023  
 232G1FA22000034

Data Section Total = \$1,664,460  
 USGS Cooperative Matching Funds = \$139,000  
 Cooperator Total = \$1,005,460

Table 1: Watermaster Data-Collection Program

Type	Station Number	Station Name	Activity	Activity Cost	USGS Funds	Cooperator Funds
SW	11051495	Santa Ana R/nr Mentone CA (RIVER ONLY)	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11051502	Sr Supp Gage nr Mentone CA	Streamflow, Partial Range (CMF)	\$ 14,830	\$ 4,750	\$ 10,080
SW	11055000	Mill C nr Mentone CA	Discharge measurement	\$ 12,480	\$ -	\$ 12,480
SW	11055500	Plunge C nr East Highlands CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11055700	City Creek Water Co Canal near Highland CA	Streamflow, Partial Range (CMF)	\$ 14,830	\$ 4,750	\$ 10,080
SW	11058000	City C nr Highland CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11058500	E Twin C nr Arrowhead Springs CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11058600	Waterman Canyon Creek nr Arrowhead Springs CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SED	11059300	Santa Ana River at E Street near San Bernardino CA	Periodic seasonal suspended sediment	\$ 17,620	\$ -	\$ 17,620
SW	11060400	Warm C nr San Bernardino CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11061000	Fontana Water Co Infiltration Line near Fontana CA	Streamflow record, full - review	\$ 6,070	\$ 1,850	\$ 4,220
SW	11062399	Fontana Water Co Surface Div. Weir 2 near Fontana CA	Streamflow, continuous - fixed Geometry	\$ 9,430	\$ -	\$ 9,430
SW	11062400	Fontana Water Co Surface Div. near Fontana CA	Streamflow, continuous - fixed Geometry	\$ 9,430	\$ -	\$ 9,430
SW	11062450	Fontana PH Forebay Spillway near Fontana CA	Streamflow, Partial Range	\$ 15,800	\$ -	\$ 15,800
SW	11062700	Lytle Creek Diversion to Fontana Powerhouse AVIM near Fontana CA	Discharge, AVIM quality assurance check/review	\$ 1,470	\$ -	\$ 1,470
SW	11062800	Fontana Water Company Spill Channel from Atterbay nr Fontana	Streamflow, Partial Range	\$ 15,800	\$ -	\$ 15,800
SW	11063510	Chalon C bl Lone Pine C nr Kernbrook CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11063680	Devil Cyn C nr San Bernardino CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11065000	Lytle Ca Colton CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11066320	Rk Outflow a Santa Ana R nr Grand Terrace CA	Water Level/Reservoir, continuous	\$ 9,200	\$ -	\$ 9,200
SW	11066460	Santa Ana R A MWD Crossing CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11066600	Santa Ana R A MWD Crossing CA	Discharge measurement (CMF)	\$ 12,480	\$ 2,590	\$ 9,890
QW	11066460	Santa Ana R A MWD Crossing CA	Discharge measurement (CMF)	\$ 15,840	\$ 4,410	\$ 11,430
SW	11071900	Temescal Creek at Corona Lake nr Corona CA	TDS Sample - biweekly	\$ 15,800	\$ -	\$ 15,800
SW	11072100	Temescal Creek above Wain St nr Corona CA	Streamflow, Partial Range	\$ 24,710	\$ 7,330	\$ 17,380
SW	11073360	Chino Creek at Shafer Avenue nr Chino CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	11073465	Cuamongois Creek nr Mira Loma CA	Streamflow, continuous (CMF)	\$ 24,710	\$ 7,330	\$ 17,380
SW	340526116561301	Mill Creek Precipitation nr Forest Falls CA	Precipitation, continuous	\$ 9,610	\$ -	\$ 9,610
SW	3407421175161701	Gilbert Street Precipitation Gage at San Bernardino CA	Precipitation, continuous	\$ 9,610	\$ -	\$ 9,610
SW	341425116593101	Big Bear Lake Precipitation near Big Bear CA	Precipitation, continuous	\$ 9,610	\$ -	\$ 9,610
SW	341509117312601	Middle Fork Lytle Creek Precipitation Gage near Lytle Creek	Precipitation, continuous	\$ 9,610	\$ -	\$ 9,610
SW	340014117050901	Weather Station at West County Line Road at Calimesa CA	Precipitation, continuous	\$ 9,610	\$ -	\$ 9,610
<b>Summary of Monitoring Conducted for Other Agencies</b>						
SW	11057500	San Timoteo Creek near Loma Linda	Streamflow, continuous	USGS Federal Priority Streamgage		
SW	11062000	Lytle Creek near Fontana	Streamflow, continuous	USGS Federal Priority Streamgage		
SW	11074000	Santa Ana River below Prado Dam	Discharge measurement - 2 per month	USGS Federal Priority Stream Data furnished monthly to Watermaster		
SW	11074000	Santa Ana River below Prado Dam	Discharge measurement - 2 per month	Orange County Water Distr Data furnished monthly to Watermaster		
SW	11074000	Santa Ana River below Prado Dam	Specific Conductance and temp, continuous	Orange County Water Distr Data furnished monthly to Watermaster		
SW	11074000	Santa Ana River below Prado Dam	TDS (b) weekly	Orange County Water Distr Data furnished monthly to Watermaster		
SW	11074000	Santa Ana River below Prado Dam	Streamflow, continuous	Orange County Water Distr Data furnished monthly to Watermaster		
SW	11075000	Santsago Creek near Santa Ana CA	Streamflow, continuous	USGS Federal Priority Stream Data furnished quarterly to Watermaster		
SW	11078000	Santa Ana River at Santa Ana CA	Streamflow, continuous	USGS Federal Priority Stream Data furnished quarterly to Watermaster		

Table 2: Groundwater Level Monitoring Program

Type	Station Number	Station Name	Activity	Activity Cost	USGS Funds	Cooperator Funds
GW	340045117020801	0025002W12H001S	Groundwater level, continuous	\$ 9,200	\$ 280	\$ 8,920
GW	340045117020802	0025002W12H002S	Groundwater level, continuous (ea addit well in cluster)	\$ 2,770	\$ 280	\$ 2,490
GW	340045117020803	0025002W12H003S	Groundwater level, continuous (ea addit well in cluster)	\$ 2,770	\$ 280	\$ 2,490
GW	340045117020804	0025002W12H004S	Groundwater level, continuous (ea addit well in cluster)	\$ 2,770	\$ 280	\$ 2,490
GW	340130117054901	0025002W04L002S	Groundwater level, continuous	\$ 9,200	\$ 280	\$ 8,920
GW	340130117054902	0025002W04L003S	Groundwater level measurement, bimonthly	\$ 1,660	\$ 280	\$ 1,380
GW	340130117054903	0025002W04L004S	Groundwater level, continuous (ea addit well in cluster)	\$ 2,770	\$ 280	\$ 2,490
GW	340130117054904	0025002W04L005S	Groundwater level, continuous (ea addit well in cluster)	\$ 2,770	\$ 280	\$ 2,490
GW	340130117054905	0025002W04L006S	Groundwater level, continuous (ea addit well in cluster)	\$ 2,770	\$ 280	\$ 2,490
GW	340136117033901	0025002W02F002S	Groundwater level, continuous	\$ 9,200	\$ 280	\$ 8,920

Table 2 Total = \$624,100  
 USGS Cooperative Matching Funds = \$45,360  
 Cooperator Total = \$578,740

Precipitation is published all other weather parameters are provisional

Data quarterly to Watermaster  
 Data quarterly to Watermaster  
 24 24 Measurements/Year Data quarterly to Watermaster  
 24 24 Samples/year @ 660 each, includes processing- Same costs applied to OCWD

Data quarterly to Watermaster  
 Data quarterly to Watermaster  
 Data quarterly to Watermaster  
 Data quarterly to Watermaster







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**DATE:** September 6, 2022

**TO:** Board of Directors

**FROM:** Heather Dyer, CEO/General Manager

**SUBJECT:** Consider Authorizing an Amendment with Dudek to Develop Well Ordinance for the Yucaipa Sustainable Groundwater Management Agency

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**Staff Recommendation**

Staff recommends the Board authorize the General Manager to execute an amendment with Dudek on behalf of the Yucaipa Sustainable Groundwater Management Agency (Yucaipa SGMA) at a cost of \$14,890. Valley District's share of this contact amendment is \$930.63.

**Summary**

The Yucaipa SGMA has approved the development of a well ordinance in response to Governor Newsom's Executive Order N-7-22 of March 28, 2022, which requires written approval from the local Groundwater Sustainability Agency prior to issuing any new well permits. Staff is recommending the Board authorize an amendment with Dudek in the amount of \$14,890 to complete this required work. This item was discussed at the September 1, 2022, Resources workshop and the Directors requested staff place this item on a future Board meeting for consideration.

**Background**

The Yucaipa SGMA consisting of the Yucaipa Valley Water District, Western Heights Water Company, South Mesa Water Company, South Mountain Water Company, City of Yucaipa, City of Redlands, San Gorgonio Pass Water Agency, and Valley District is legally responsible for the long-term sustainability of the groundwater resources in the Yucaipa Basin.

Yucaipa SGMA is now required, under Executive Order N-7-22, to approve new wells or well alterations submitted to the San Bernardino County Environmental Health Services and/or the

Riverside County Department of Environmental Health. The overarching purpose of the well ordinance is to regulate the flow measurement, installation, abandonment, alteration, or destruction of wells in order to sustainably manage the groundwater resources in the Yucaipa Basin consistent with the adopted Groundwater Sustainability Plan.

This proposal was approved by the Yucaipa SGMA at the Yucaipa SGMA Board Meeting on July 27, 2022. The Yucaipa SGMA proportions 75% of the costs to the retail water agencies and 25% shared equally amongst the two regional water agencies and two cities.

### **District Strategic Plan Application**

The development of the well ordinance is consistent with Valley District's Mission Statement to work collaboratively to provide a reliable and sustainable water supply to support the changing needs of our region's people and environment and with the following strategies:

- Proactively manage a diverse, adaptable water supply portfolio to maximize the value of the region's water assets
- Build trust by being a collaborative and resourceful partner through effective communication and engagement

### **Fiscal Impact:**

As the contracting agency, Valley District would amend the existing contract with Dudek for the entire, additional amount of \$14,890. However, the net fiscal impact to Valley District is \$930.63 after reimbursements from the other partners; funds are available under 6360 Consultants in the FY 2022-23 General Fund Budget to cover this cost.

### **Attachment**

Dudek Proposal to Develop Well Ordinance for the Yucaipa GSP Plan Area

June 20, 2022

Yucaipa Groundwater Sustainability Agency  
c/o Western Heights Water Company  
Attn: Mark Iverson, President  
32352 Avenue D  
Yucaipa, California 92399-1801

Subject: Proposal to Develop Well Ordinance for the Yucaipa GSP Plan Area

Dear Yucaipa GSA Member Agencies:

One of the discussion topics at the Yucaipa GSA Board meeting on April 27, 2022 was the Drought Executive Order N-7-22 issued by the Governor of California on March 28, 2022. Paragraph 9 of the Drought Executive Order states that a public agency responsible for issuing well permits must obtain “written verification” from a Groundwater Sustainability Agency (GSA) that “groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by the GSA and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan.” To help verify whether a proposed new well or alteration to an existing well would be consistent with the Yucaipa GSP, the Yucaipa GSA discussed adopting a well ordinance that would require specific design requirements (e.g., totalizing flow meter, accessible sounding port or mechanism to measured depths-to-water) to monitor and evaluate the operation of a well in the Yucaipa Subbasin (Plan Area). The overarching purpose of the well ordinance will be to regulate the installation, abandonment, alteration, or destruction of wells to protect and sustainably manage the groundwater resource in the Plan Area.

Dudek is pleased to present this scope of work and fee to the Yucaipa GSA to develop an ordinance for the construction, reconstruction, abandonment, and destruction of groundwater wells in the Plan Area defined in the Yucaipa Groundwater Sustainability Plan (GSP) (Dudek 2022). The development of a well ordinance is within the authority of the GSA per the 2014 Sustainable Groundwater Management Act (SGMA). SGMA provides authority to the Yucaipa GSA per Water Code Section 10725.2(b), *Authority of Groundwater Sustainability Agency*, to “adopt rules, regulations, ordinances, and resolutions” and through Section 10725.8, *Measurement Devices and Reporting*, to require “that the use of every groundwater extraction facility within the management area of the groundwater sustainability agency be measured by a water-measuring device satisfactory to the groundwater sustainability agency.”

The Plan Area well ordinance will provide general standards and requirements for existing and proposed new wells to ensure that accurate and representative information is collected to evaluate conditions in the Subbasin (Dudek 2022). This information includes measurements of depths-to-water, accurate measurements and recordings of the volumes of groundwater extracted on a monthly basis, and that each well is accessible to collect water quality samples that are representative of conditions in the Subbasin. The collection of this information will assist the GSA in verifying that the well is consistent with



the sustainability goal of the GSP and is constructed and operated accordingly to maintain sustainability of the groundwater resource.

The public agencies responsible for issuing well permits in the Plan Area include the San Bernardino County Environmental Health Services (EHS) and the Riverside County Department of Environmental Health (DEH). These two agencies have contacted the Yucaipa GSA about forwarding well permit applications for review. With respect to the Drought Executive Order N-7-22 Paragraph 9 Section A, the Plan Area well ordinance will require additional information from the well owner than what is required in the well permit applications for either Riverside County DEH or San Bernardino County EHS. The additional information requested by the well ordinance may include, at a minimum, the following:

- Estimated monthly and/or annual peak production rate for a proposed extraction well.
- Details on the installation of a sounding tube to measure depths-to-water for a proposed extraction well; or other methodology to measure depths-to-water in the well.
- Results of a survey by a licensed surveyor that include coordinates of the well plus elevations of land surface and a reference point from which depths-to-water are measured at the well. Well coordinates should be referenced to the North American Datum of 1983 (NAD83), and elevations referenced to the North American Vertical Datum of 1988 (NAVD88) in units of feet.
- Details for the installation of an access port to collect representative water quality samples; or a different methodology to collect representative groundwater quality samples.
- Details for the installation of a calibrated totalizing flow meter for a proposed extraction well.
- A copy of the well completion report filed with DWR and the County that issued the well permit.

The following scope of work and fee details the work Dudek will undertake to develop a well ordinance.

## 1 Scope of Work

### Task 1 Prepared Draft Well Ordinance

Dudek will use the County of Riverside's Ordinance 682.4, which regulates the construction, reconstruction, abandonment, and destruction of wells, and San Bernardino County's Ordinance 3872, which regulates groundwater management in the unincorporated, unadjudicated desert region of the county, as guides to develop a specific well ordinance for the Plan Area. The Plan Area well ordinance will adopt the County of Riverside's Ordinance 682.4 standards, as it does apply to the portion of the Plan Area within the County of Riverside, as well as establish new regulations to assist the GSA in evaluating groundwater conditions in the Yucaipa Subbasin. San Bernardino County's ordinance 3872 does not apply to the portion of the Plan Area within the County of San Bernardino, but will be used as a guide to be consistent with San Bernardino County's approach to managing groundwater resources. The following is a brief description of the anticipated schedule for developing the Yucaipa GSA well ordinance:

- A draft outline of the Yucaipa GSA well ordinance will be provided to the Yucaipa GSA to review and provide comments. The draft outline will present the major components for the ordinance

with brief descriptions identifying their intents and purposes. Dudek anticipates providing the draft outline to the GSA four to six weeks after receiving authorization to proceed with this task.

- Dudek anticipates providing the GSA three weeks to review and provide comments on the draft outline.
- Dudek will prepare a letter with responses to comments by the GSA on the draft ordinance. The letter will be submitted to the GSA. If the GSA finds the responses satisfactory and requires no further revisions to the draft ordinance, then Dudek will prepare a final version for consideration at the following Yucaipa GSA Board meeting.

*Fee for Task 1* ..... \$14,890

### Deliverables

- Draft well ordinance for Yucaipa GSP Plan Area
- Response-to-Comments Letter to Yucaipa GSA
- Final version of well ordinance for consideration by Yucaipa GSA

## Schedule

The following schedule outlines the anticipated timeframe for developing the well ordinance:

- **July 27, 2022** – GSA Board Meeting – Authorization for Dudek to Proceed with the Well Ordinance
- **September 5, 2022** – Draft Well Ordinance to Yucaipa GSA to Review
- **September 26, 2022** – Comments from GSA Member Agencies
- **October 3, 2022** – Response to Comments Letter to GSA
- **October 10-14, 2022** – Finalize Well Ordinance
- **October 26, 2022** – GSA Board Meeting – Consideration of Adopting Well Ordinance

## Fee Summary

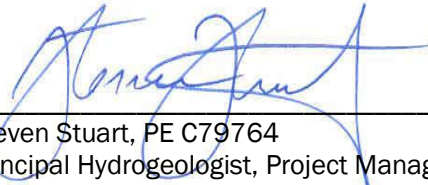
The fee presented in this proposal will be charged on a time and materials basis in accordance with Dudek’s 2022 Standard Schedule of Charges. The time and materials fee provided in this proposal represents an estimate of the anticipated level of effort required to complete the tasks described in the proposal. Should the actual effort required to complete the tasks be less than anticipated, the amount billed will be less than the total fee. Conversely, should the actual effort to complete the proposed tasks be greater than anticipated, additional fee authorizations will be requested. No work in excess of the proposed fee or outside of the proposed scope of work will be performed without written authorization from the Yucaipa GSA.

**TOTAL FEE.....\$14,890**

Dudek appreciates the opportunity to present this proposal to develop a well ordinance for the Yucaipa GSP Plan Area. We look forward to continuing our working relationship with the Yucaipa GSA.

If you have any questions regarding this proposal, please call me at 760-415-9079 or email me at [sstuart@dudek.com](mailto:sstuart@dudek.com).

Sincerely,



---

Steven Stuart, PE C79764  
Principal Hydrogeologist, Project Manager

Att.: *Table 1. Fee for Developing a Well Ordinance for the Yucaipa GSP Plan Area*  
*Dudek 2022 Standard Schedule of Charges*  
cc: *Matt Howard, San Bernardino Valley Municipal Water District*

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# Attachment A

## Table 1. Fee for Developing a Well Ordinance for the Yucaipa GSP Plan Area

### Dudek 2022 Standard Schedule of Charges

**TABLE I. FEE FOR DEVELOPING A WELL ORDINANCE FOR THE YUCAIPA GSP PLAN AREA  
DUDEK FEE SCHEDULE**

		<i>Team Member:</i>	Steven Stuart, PE	Hugh McManus, PG			
		<i>Project Team Role:</i>	Project Manager	Hydrogeologist			
		<i>Labor Class:</i>	Principal Hydrogeologist I	Hydrogeologist V			
		<i>Billable Rate :</i>	\$280	\$185	TOTAL HOURS	LABOR COST	TOTAL
<b>Task 1 - Develop Well Ordinance for Yucaipa GSP Plan Area</b>							
1-1	Draft Well Ordinance		20	16	36	\$ 8,560	\$ 8,560
1-2	Response-to-Comments by Yucaipa GSA		4	4	8	\$ 1,860	\$ 1,860
1-3	Finalize Well Ordinance		4	6	10	\$ 2,230	\$ 2,230
1-4	Project Management/Meetings		8		8	\$ 2,240	\$ 2,240
	<b>Subtotal Task 1</b>		<b>36</b>	<b>26</b>	<b>62</b>	<b>\$ 14,890</b>	<b>\$ 14,890</b>
		<b>Total Hours and Fee</b>	<b>36</b>	<b>26</b>	<b>62</b>	<b>\$ 14,890.00</b>	<b>\$ 14,890.00</b>

## DUDEK 2022 Standard Schedule of Charges

### Engineering Services

Project Director .....	\$310.00/hr
Principal Engineer III .....	\$285.00/hr
Principal Engineer II .....	\$275.00/hr
Principal Engineer I .....	\$265.00/hr
Program Manager .....	\$255.00/hr
Senior Project Manager .....	\$255.00/hr
Project Manager .....	\$245.00/hr
Senior Engineer III .....	\$240.00/hr
Senior Engineer II .....	\$230.00/hr
Senior Engineer I .....	\$220.00/hr
Project Engineer IV/Technician IV .....	\$210.00/hr
Project Engineer III/Technician III .....	\$200.00/hr
Project Engineer II/Technician II .....	\$185.00/hr
Project Engineer I/Technician I .....	\$165.00/hr
Senior Designer II .....	\$190.00/hr
Senior Designer I .....	\$185.00/hr
Designer .....	\$175.00/hr
Assistant Designer .....	\$170.00/hr
CADD Operator III .....	\$165.00/hr
CADD Operator II .....	\$155.00/hr
CADD Operator I .....	\$140.00/hr
CADD Drafter .....	\$125.00/hr
CADD Technician .....	\$115.00/hr
Project Coordinator .....	\$145.00/hr
Engineering Assistant .....	\$120.00/hr

### Environmental Services

Project Director .....	\$255.00/hr
Senior Specialist IV .....	\$235.00/hr
Senior Specialist III .....	\$225.00/hr
Senior Specialist II .....	\$210.00/hr
Senior Specialist I .....	\$195.00/hr
Specialist V .....	\$185.00/hr
Specialist IV .....	\$175.00/hr
Specialist III .....	\$165.00/hr
Specialist II .....	\$150.00/hr
Specialist I .....	\$140.00/hr
Analyst V .....	\$130.00/hr
Analyst IV .....	\$115.00/hr
Analyst III .....	\$105.00/hr
Analyst II .....	\$95.00/hr
Analyst I .....	\$85.00/hr
Technician III .....	\$75.00/hr
Technician II .....	\$65.00/hr
Technician I .....	\$55.00/hr

### Mapping and Surveying Services

Application Developer II .....	\$195.00/hr
Application Developer I .....	\$155.00/hr
GIS Analyst V .....	\$205.00/hr
GIS Analyst IV .....	\$165.00/hr
GIS Analyst III .....	\$145.00/hr
GIS Analyst II .....	\$130.00/hr
GIS Analyst I .....	\$115.00/hr
UAS Pilot .....	\$115.00/hr
Survey Lead .....	\$185.00/hr
Survey Manager .....	\$135.00/hr
Survey Crew Chief .....	\$115.00/hr
Survey Rod Person .....	\$95.00/hr
Survey Mapping Technician .....	\$95.00/hr

### Construction Management Services

Principal/Manager .....	\$195.00/hr
Senior Construction Manager .....	\$185.00/hr
Senior Project Manager .....	\$175.00/hr
Construction Manager .....	\$160.00/hr
Project Manager .....	\$150.00/hr
Resident Engineer .....	\$150.00/hr
Construction Engineer .....	\$150.00/hr
On-site Owner's Representative .....	\$140.00/hr
Prevailing Wage Inspector .....	\$139.00/hr
Construction Inspector .....	\$135.00/hr
Administrator/Labor Compliance .....	\$100.00/hr

### Hydrogeology/HazWaste Services

Project Director .....	\$305.00/hr
Principal Hydrogeologist/Engineer II .....	\$280.00/hr
Principal Hydrogeologist/Engineer I .....	\$260.00/hr
Senior Hydrogeologist V/Engineer V .....	\$240.00/hr
Senior Hydrogeologist IV/Engineer IV .....	\$230.00/hr
Senior Hydrogeologist III/Engineer III .....	\$220.00/hr
Senior Hydrogeologist II/Engineer II .....	\$210.00/hr
Senior Hydrogeologist I/Engineer I .....	\$200.00/hr
Project Hydrogeologist V/Engineer V .....	\$185.00/hr
Project Hydrogeologist IV/Engineer IV .....	\$175.00/hr
Project Hydrogeologist III/Engineer III .....	\$165.00/hr
Project Hydrogeologist II/Engineer II .....	\$155.00/hr
Project Hydrogeologist I/Engineer I .....	\$145.00/hr
Hydrogeologist/Engineering Assistant .....	\$120.00/hr

### District Management & Operations

District General Manager .....	\$210.00/hr
District Engineer .....	\$205.00/hr
Operations Manager .....	\$160.00/hr
District Secretary/Accountant .....	\$135.00/hr
Collections System Manager .....	\$135.00/hr
Grade V Operator .....	\$125.00/hr
Grade IV Operator .....	\$110.00/hr
Grade III Operator .....	\$100.00/hr
Grade II Operator .....	\$80.00/hr
Grade I Operator .....	\$75.00/hr
Operator in Training .....	\$75.00/hr
Collection Maintenance Worker .....	\$75.00/hr

### Creative Services

Creative Services IV .....	\$165.00/hr
Creative Services III .....	\$150.00/hr
Creative Services II .....	\$135.00/hr
Creative Services I .....	\$120.00/hr

### Publications Services

Technical Editor IV .....	\$165.00/hr
Technical Editor III .....	\$150.00/hr
Technical Editor II .....	\$135.00/hr
Technical Editor I .....	\$120.00/hr
Publications Specialist IV .....	\$120.00/hr
Publications Specialist III .....	\$110.00/hr
Publications Specialist II .....	\$100.00/hr
Publications Specialist I .....	\$90.00/hr
Clerical Administration .....	\$90.00/hr

**Forensic Engineering** – Court appearances, depositions, and interrogatories as expert witness will be billed at 2.00 times normal rates.

**Emergency and Holidays** – Minimum charge of two hours will be billed at 1.75 times the normal rate.

**Material and Outside Services** – Subcontractors, rental of special equipment, special reproductions and blueprinting, outside data processing and computer services, etc., are charged at 1.15 times the direct cost.

**Travel Expenses** – Mileage at current IRS allowable rates. Per diem where overnight stay is involved is charged at cost.

**Invoices, Late Charges** – All fees will be billed to Client monthly and shall be due and payable upon receipt. Invoices are delinquent if not paid within 30 days from the date of the invoice. Client agrees to pay a monthly late charge equal to 1% per month of the outstanding balance until paid in full.

**Annual Increases** – Unless identified otherwise, these standard rates will increase 3% annually.

The rates listed above assume prevailing wage rates does not apply. If this assumption is incorrect Dudek reserves the right to adjust its rates accordingly.



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**DATE:** September 6, 2022

**TO:** Board of Directors

**FROM:** Heather Dyer, Chief Executive Officer/General Manager

**SUBJECT:** Consider In-Person meetings or alternatively Resolution 1161 authorizing the San Bernardino Valley Municipal Water District to conduct remote meetings for the period September 6, 2022, through October 5, 2022

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**Staff Recommendation**

Receive feedback from legal counsel and determine if the Board would like to return to in-person meetings in the month of July. If the Board decides to continue with virtual meetings, consider adoption of Resolution 1161 authorizing the San Bernardino Valley Municipal Water District to conduct remote meetings for the period September 6, 2022, through October 5, 2022.

**Background**

Based on the current COVID-19 conditions, the Board should consider various options for in person, hybrid, or remote meetings and the specific requirements for each option.

On March 17, 2020, due to the COVID-19 global pandemic emergency, Governor Newsom issued Executive Order N-29-20, which allowed local agencies to hold meetings via teleconferences and to make meetings accessible electronically without violating the open meetings laws in the Brown Act by relaxing the teleconferencing rules.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which replaced the text in Executive Order N-29-20. Executive Order N-08-21 stated the relaxed Brown Act provisions shall apply through September 30, 2021.

Assembly Bill No. 361 provides additional flexibility for local agencies looking to meet remotely to continue providing the public with essential services during a proclaimed state of emergency. The goal of Assembly Bill No. 361 is “to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.”

Assembly Bill No. 361 allows a local agency to use teleconferencing without complying with certain Brown Act provisions in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Assembly Bill No. 361 went into effect on October 1, 2021. A local agency is authorized to use teleconferencing without complying with the teleconferencing requirements in the Brown Act when meetings are held during a declared state of emergency until January 1, 2024. To do so, the local agency must adopt a Resolution making the following findings by majority vote every 30 days:

1. The legislative body has considered the circumstances of the state-of-emergency; and
2. Any of the following circumstances exist:
  - a. The state-of-emergency continues to directly impact the ability of the members to meet safely in person; or



- b. State or local officials continue to impose or recommend measures to promote social distancing.

**Fiscal Impact**

None

**Attachment**

Resolution 1161

**RESOLUTION NO. 1161**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT FOR THE PERIOD SEPTEMBER 6, 2022, THROUGH OCTOBER 5, 2022, PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the San Bernardino Valley Municipal Water District (District) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the San Bernardino Valley Municipal Water District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Gov't Code § 54950 et seq.), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the state of emergency continues to directly impact the ability of the members to meet safely in person; and

WHEREAS, such conditions now exist in the District, specifically, a state of emergency has been proclaimed due to an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, the San Bernardino County Department of Health has recommended measures to promote social distancing;

WHEREAS, the Board of Directors has determined that the state of emergency continues to directly impact the ability of the members to meet safely in person; and

WHEREAS, the Board of Directors does hereby find that the current state of emergency with respect to COVID-19, local official recommendations to promote social distancing, and conditions causing imminent risk to the health and safety of attendees have caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of San Bernardino Valley Municipal Water District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT** as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and declares that meeting in person would not comply with local official recommendations to promote social distancing and would present imminent risk to the health and safety of attendees.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of the San Bernardino Valley Municipal Water District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on September 6, 2022 and shall be effective until the earlier of (a) October 5, 2022, or (b) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the San Bernardino Valley Municipal Water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

ADOPTED this 6<sup>th</sup> day of September 2022.

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Paul Kielhold  
President

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Heather P. Dyer  
Secretary



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**DATE:** September 6, 2022  
**TO:** Board of Directors  
**FROM:** Heather Dyer, Chief Executive Officer/General Manager  
**SUBJECT:** CEO/General Manager's Report

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The following is an update from the Chief Executive Officer/General Manager on the status of several items at the District.

**I. Human Resources**

On August 29, Matthew Olivo joined the District as the Senior Accountant. Matthew joins the District from San Bernardino County where he worked for six years with the Sheriff's department and the Auditor-Controller/Treasurer/Tax Collector. He earned his Bachelor's in Accounting and Finance at the University of La Verne and has a passion for accounting.

**II. District Educational Outreach Program**

Valley District's collaborative education program with Inland Empire Resource Conservation District is off to an excellent start for Quarter 1. The new and improved marketing materials were sent to contacts at 427 schools throughout our service area. The IERCD received a great response, with 14 requests for presentations in a matter of hours. This year's education program, called the "Water in Your Valley" program, includes educating students about the water cycle and the Santa Ana Watershed, who Valley District is and how we ensure a reliable water supply for the region. Staff is working with the IERCD to update the suite of Google Slide presentations in English and Spanish.

**III. Upcoming Presentations/Events**

- On September 14, our Chief Engineer, Wen Huang, is speaking on a panel of engineering experts called the Construction Network CIP Updates. He is among ten water industry experts speaking on this panel, which includes

representatives from the Bureau of Reclamation and the Department of Water Resources. This event will be held at the Ontario Airport Doubletree.

- The District and the City of San Bernardino Municipal Water District are working with Natural Resources Secretary Wade Crowfoot's staff to coordinate a Save Our Water press conference, to occur September 19 at Cal State San Bernardino. The press conference is part of Mr. Crowfoot's efforts to promote the Save Our Water program and provide updates on drought and water supply throughout the state.
- On September 22, I will be making a presentation to the Inland Empire Utilities Agency's leadership team about Watershed Connect and Upper Santa Ana River Watershed Infrastructure Financing Authority. They reached out to learn more about the JPA structure and the funding we have received and are seeking.
- Staff will participate in a World Rivers Day Event on September 24, called Putting the River Back in Riverside. This event is coordinated by the City of Riverside and will include a bike ride and community fair, at Martha McLean-Anza Narrows Park, in Riverside.
- I will be speaking at the 2022 California H2O Women Conference in Santa Barbara, September 29-30. This conference showcases leading women professionals, their work, and contributions to advance the water industry. I will be speaking on the topic of collaboration and how it leads to greater success in all aspects of business.
- Staff will be providing a project briefing to Senator Rosilicie Ochoa-Bogh on October 6 about the Sites Project and Delta Conveyance and the value of these two projects to our region and to Valley District.

#### IV. Recent Past Presentations/Events

- August 16, Staff gave a tour of Tres Lagos, Seven Oaks Dam, and enhanced recharge to Representative Pete Aguilar. This tour was requested by Mr. Aguilar to view the project site firsthand that is within his portfolio of requests for Community Project Funding.
- August 17-18, Shavonne Turner, our Water Conservation Program Manager, attended CA Water Data Summit at UC Irvine. The District sponsored the event this year, and Ms. Turner assisted with event planning. The Summit highlights innovative work being done across the state to help the water industry operate reliably, sustainably, and efficiently. This includes emphasizing the power of data and digital transformation to connect and inform.
- August 25, I had the opportunity to co-present with Todd Corbin, the General Manager at Riverside Public Utilities, at the Water Solutions 7 conference hosted by Sustainable SoCal and regional business coalition. We spoke about the Habitat Conservation Plan and Watershed Connect as innovative new approaches to balancing the water needs of people and the environment and creative funding strategies to build local water infrastructure.
- August 26, I spoke on the Riverside County Water Task Force speaker series on the topic of western states' drought. The panel of experts, including myself, Craig Miller the General Manager at Western Municipal Water District, and Bill Hasencamp with the Metropolitan Water District, discussed the true facts about drought in California.

- On August 29, Staff gave a tour of Tres Lagos to Supervisor Dawn Rowe. Supervisor Rowe's district includes the city of Highland, as well as the District's cities of Yucaipa, Redlands, Loma Linda, Grand Terrace, Colton, and San Bernardino.

**Staff Recommendation**

Receive and file.



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**DATE:** September 6, 2022  
**TO:** Board of Directors  
**FROM:** Staff  
**SUBJECT:** Summary of August 9, 2022, Board of Directors Workshop – Engineering

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The Engineering Workshop convened on August 9, 2022. Director Harrison chaired the meeting via video conference.

Directors Present: President Kielhold, Vice President Hayes, Director Botello, Director Harrison, and Director Longville.

Staff Present:

Heather Dyer, MS, MBA – Chief Executive Officer / General Manager  
Wen Huang, PE, MS – Deputy General Manager / Chief Engineer  
Jose Macedo, ML, CPT-P (USA Retired) – Chief of Staff / Clerk of the Board  
Cindy Saks, CPA – Deputy General Manager / Chief Financial Officer  
Melissa Zoba, MBA, MPA – Chief Information Officer

Anthony Flordelis – Business Systems Analyst  
Matthew E. Howard, MS – Water Resources Senior Planner  
David McArthur – Lead Electrical and Mechanical Maintenance Technician  
Adekunle Ojo, MPA – Water Resources Manager  
Karen Resendez, MAOL - Human Resources/Risk Manager  
Shavonne Turner, MPA – Water Conservation Program Manager

Isabelle Huang, SBVMWD Intern  
Olivia Ramirez, SBVMWD Intern

Bradley Neufeld, Varner & Brandt

Members of the Public Present:

Chris Mann, Yucaipa Valley Water District  
Nyles O’Harra, Yucaipa Valley Water District

Melody McDonald, San Bernardino Valley Water Conservation District  
Leland Lubinsky

## **1. Introductions**

Chief Executive Officer / General Manager Heather Dyer introduced staff members present.

## **2. Public Comment**

Chair Harrison invited public comment. There was none.

## **3. Summary of Previous Meeting**

The summary notes from the July 12, 2022, Board of Directors Workshop - Engineering were accepted with no corrections.

### **4.1 Consider the Purchase of a Network Firewall and Monitoring / Analytics Application**

Chief Information Officer Melissa Zoba recommended forwarding to the Board the purchase of a new network firewall and analytics application in the amount of \$40,864. She provided background on the network firewall, explaining it is the frontline protector of the business network. The increase in remote workers also increases vulnerability, she noted. Ms. Zoba explained the functions, status and near end-of-life cycle of the current system.

A robust analytics application which provides security and automation to improve response to cyber risk is desired, Ms. Zoba continued. She reminded the Board of discussion about a year and a half ago and explained that the department has examined all needs including radios, internet bandwidth, and other infrastructure to assure all is up to date. This is part of that process, she noted.

Staff worked with vendors to determine an optimal solution, and a threat assessment was conducted, Ms. Zoba said. In light of supply chain delays, the need for replacement of this equipment needs to move forward now, she noted. She described the system and the two quotes received. Staff identified Nth Generation as the preferred vendor.

Director Harrison acknowledged the risk and stated there is a duty to protect the organization from cyberattack.

In response to Vice President Hayes, Ms. Zoba noted the purchase price includes a three-year support and maintenance program.



**Action Item(s):** The Board of Directors voted to move this item forward to a regular Board of Directors meeting for consideration by the following vote:

There was no motion or second	APPROVED: 5-0
AYES:	Botello, Hayes, Longville, Harrison, Kielhold
NOES:	None
ABSTAIN:	None
ABSENT:	None

#### 4.2 Consider the Purchase of a Core Switch

Chief Information Officer Melissa Zoba indicated this is another part of the District's network architecture and recommended the purchase of a new core switch in the amount of \$79,967 be forwarded to the Board for consideration. She described the function of the core switch as the backbone in regulation of network traffic demand.

Typical life cycle is eight to 10 years, and current equipment is at 12 years in age and has no further capacity, she advised. A new switch will provide expandability and scalability to handle current needs and additional growth in future years.

Staff worked with IT consultants and vendors to determine the optimal solution, Ms. Zoba continued. Again, supply chain delays have created the need to initiate the replacement process, she noted. Quotes were solicited from vendors but only one was received from Nth Generation, she advised.

**Action Item(s):** The Board of Directors voted to move this item forward to a regular Board of Directors meeting for consideration by the following vote:

There was no motion or second	APPROVED: 5-0
AYES:	Botello, Hayes, Harrison, Longville, Kielhold
NOES:	None
ABSTAIN:	None
ABSENT:	None

### **4.3 Consider Replacement of Two Air Conditioning Units at Greenspot and Crafton Hills Pump Stations**

Deputy General Manager / Chief Engineer Wen Huang introduced new Water Operations Manager David McArthur.

Mr. McArthur recommended the purchase and replacement of two air conditioning units in the amount of \$81,407 be forwarded to the Board for consideration. The Greenspot Pump Station and Crafton Hills Pump Station air conditioning (AC) units have been operational since 2002, he explained. Through the Joint Facilities Agreement with the Department of Water Resources (DWR), Valley District is responsible for general maintenance including AC units, he noted.

For the Greenspot unit, the San Geronio Pass Water Agency (SGPWA) has a cost share of 22.86 percent (\$8,878) of the total \$38,835 cost. For Crafton Hills, the SGPWA has a cost share of 39.23 percent (\$16,701) of the total \$42,572 cost, McArthur explained. He described the location and service areas of the pump stations.

Director Longville complimented the staff report.

Vice President Hayes asked if the current AC units were functioning and if staff or equipment was at risk; Mr. McArthur said they were not functioning, and since new units are 28 weeks out, they need to be ordered. He explained other AC units at the sites were operational, and those sites are no longer staffed so it is only the equipment that is of concern.

President Kielhold asked about vendors and pricing. Mr. McArthur advised that every couple of years, all sites are sent out to multiple companies for bid, and Ontario Refrigeration has won the bid for quarterly maintenance for the last five to six years. The last bid request was sent out about two years ago, he answered.

Director Botello recalled voting on Ontario Refrigeration and asked if there was another competitive provider within the service area; McArthur responded that Ontario Refrigeration has consistently been the lowest cost vendor.

**Action Item(s):** The Board of Directors voted to move this item forward to a regular Board of Directors meeting for consideration by the following vote:

There was no motion or second	APPROVED: 5-0
AYES:	Botello, Hayes, Harrison, Longville, Kielhold
NOES:	None
ABSTAIN:	None
ABSENT:	None

#### 4.4 Review Employee Handbook

Chief Executive Officer / General Manager Heather Dyer introduced the item and reminded the Board that it has been a goal to update the human resources system and related documents. The Employee Handbook was outdated and needed revision to be easier to read, find information, reflect the culture of the organization, support the employees in understanding and expectations, and explain benefits. This is presented for consideration of content and format to obtain Board feedback, she noted.

Human Resources / Risk Manager Karen Resendez presented the handbook. She noted the document incorporates the General Manager's desire to be more welcoming, reflective of the culture, and in alignment with values. Development of the handbook involved employee participation and legal review, she explained.

Ms. Resendez detailed the structural changes, tone update, and updates to and addition of new sections including at-will employment, on-call and scheduled overtime pay, salary step progression, floating holiday, and compulsory leave.

Director Harrison noted this is a very comprehensive document and stated he has been editing it but is not finished. Ms. Dyer added that a practice of Valley District had been to handle things on a case-by-case basis at the discretion of the general manager. She said she has worked with Ms. Resendez and legal counsel to incorporate expectations and boundaries to avoid the case-by-case approach. Staff tried to set out issues in clear terms to assure all know what to expect.

Director Botello suggested earlier reference to the Board of Directors, a welcome from the President and something about the District. He pointed to the section on compulsory leave and the mention of the Employee Assistance Program (EAP) without a section to which an employee can refer. Ms. Resendez noted the EAP is listed in the employee assistance section and said she sends to all employees a quarterly communication of all available benefits. Director Harrison requested to see one of the communications.

Vice President Hayes noted that she had read the document as if she were a new employee and indicated there were a few areas which felt a little unbalanced in terms of not assuring

adequate protection for the employees. It is important to spell out employee protections, she added, and said she had discussed her comments with Ms. Resendez.

Director Longville indicated disappointment in the “Who We Are” section and agreed with Director Botello on inclusion of the Board’s governance. She suggested inclusion of information on the District’s funding through property taxes and the public.

President Kielhold acknowledged the long-needed effort. Given the length of the review needed by directors to respond, he suggested bringing the handbook to a workshop for final discussion before sending it to the full Board.

Ms. Melody McDonald noted that much thought went into the effort and it will be a great handbook. She commented on the sections and congratulated staff.

**Action Item(s):** The Board of Directors voted to move this item forward to a future workshop for final consideration by the following vote:

There was no motion or second	APPROVED: 5-0
AYES:	Botello, Hayes, Harrison, Longville, Kielhold
NOES:	None
ABSTAIN:	None
ABSENT:	None

Ms. Dyer indicated that a redline version can be brought back at a workshop in September. Vice President Hayes requested additional time to review. Director Harrison stated he had done an intense review and commented on the document quality.

**5. Future Business.**

None added.

**6. Adjournment.**

Chair Harrison adjourned the meeting at 3:03 p.m.

**Staff Recommendation**

Receive and file.



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**DATE:** September 6, 2022  
**TO:** Board of Directors  
**FROM:** Staff  
**SUBJECT:** Summary of August 11, 2022, Board of Directors Workshop – Policy

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The Policy Workshop convened on August 11, 2022. Director Botello chaired the meeting via video conference.

Directors Present: President Kielhold, Vice President Hayes, Director Botello, and Director Longville, Director Harrison.

Directors Absent: None

**Staff Present:**

Heather Dyer, MS, MBA – Chief Executive Officer / General Manager  
Wen B. Huang, PE, MS – Deputy General Manager/Chief Engineer  
Jose Macedo, ML, CPT-P (USA Retired) – Chief of Staff / Clerk of the Board  
Cindy Saks, CPA – Deputy General Manager/Chief Financial Officer  
Bob Tincher, PE, MS – Deputy General Manager/Chief Water Resources Officer  
Melissa Zoba, MBA, MPA – Chief Information Officer

Kristeen Farlow, MPA – Strategic Communications Manager  
Anthony Flordelis – Business Systems Analyst  
Adekunle Ojo, MPA – Water Resources Manager  
Karen Resendez, MAOL – Human Resources / Risk Manager  
Shavonne Turner, MPA – Water Conservation Program Manager

**Members of the Public Present:**

Chris Mann, Yucaipa Valley Water District  
Melody McDonald, San Bernardino Valley Water Conservation District  
John Longville, San Bernardino Valley Water Conservation District  
Richard Babbe, PFM Asset Management  
Devin Arciniega, San Bernardino Municipal Water Department  
Geoff Cromwell, United States Geological Survey (USGS)  
Wes Danskin, USGS  
Haili Matsukawa, Water Systems Consulting (WSC)

Jeff Szytel, WSC  
Nina Thoming, WSC  
Noelle Collins, WSC  
Ricky Franklin, WSC  
Jessica McDermott

## **1. Introductions**

Melody McDonald, San Bernardino Valley Water Conservation District

Chief Executive Officer / General Manager Heather Dyer introduced staff members present.

## **2. Public Comment**

Chair Botello invited public comment. There was none.

## **3. Summary of Previous Meeting**

The meeting notes from the July 14, 2022, Board of Directors Workshop - Policy were accepted with no corrections.

### **4.1 Quarterly Investment Portfolio Update from PFM Asset Management**

Deputy General Manager / Chief Financial Officer Cindy Saks introduced the District's financial advisor Richard Babbe from PFM Asset Management who reviewed the quarterly investment portfolio activity. Mr. Babbe reported on inflation, unemployment trends, consumer sentiment, gross domestic product, interest rates, and the performance of the District's portfolio over the quarter.

**Action Item(s):** Receive and File

### **4.2 Consider the Fiscal Year 2022-2023 Cooperative Study Program with United States Geological Survey**

Water Resources Manager Adekunle Ojo introduced this annual program with the United States Geological Survey (USGS). This fruitful partnership helps achieve greater

understanding of the watershed through typically long-term studies, he explained. The partnership aligns with four of the six strategies in the Strategic Plan, he noted.

Wes Danskin of the USGS pointed to the value of the water in the Bunker Hill Basin and noted that part of the team's responsibility is to produce the data to allow optimal management of the resource. The USGS program includes six tasks related to the Bunker Hill, Yucaipa, and Rialto subbasins, plus the Santa Ana River fish and habitat issues, and the larger Upper Santa Ana model, he explained and detailed the quality of the data.

In response to President Kielhold and Director Harrison, Mr. Danskin explained the water level monitoring data.

Geoff Cromwell of USGS further explained the monitoring program in the Yucaipa Basin and reported on the work to put together a numerical hydrological model of the entire hydrologic system from surface water and precipitation to the groundwater recharge, flow, and interactions with pumpage and natural behaviors of the hydrology. Water chemistry data has also been examined more in depth which allows a look at more localized changes that can help inform the groundwater system, he noted. A focus on current and future climate included installation of two climate stations to provide data to help the Yucaipa Basin prepare for the next Groundwater Sustainability Act (GSA) coming in the next five years and future management of the Basin. In response to Vice President Hayes, Mr. Cromwell further detailed the monitoring data.

Mr. Danskin pointed out the monitoring detects water quality changes with depth.

Mr. Cromwell explained the long-term study of the Rialto-Colton Basin with the purpose of documenting groundwater flow conditions. A structural analysis across the basin identified that some of the faults in the area could inhibit groundwater flow, he noted. The study also demonstrated that groundwater flow within the well changes with depth and documented how the flow transmits through the system. This work is complete, and reports have been published, he explained.

Mr. Cromwell described the biological work done closely with Valley District staff on the Santa Ana River related to where treated wastewater is put back into the system. The goal of a fish population viability analysis was to provide a tool to make management decisions for the habitat, and Task 5 was to make an annual survey of the particular fish species, he explained. Work is ongoing, he noted. Ms. Dyer emphasized this is the most scientifically defensible body of work that has ever been done on Santa Ana River native fishes. This type of high-quality science did not exist before Valley District and the HCP took the lead,

she explained. It is a huge leap forward in the science of the Santa Ana River, and the investment is something of which to be proud, she noted.

The native fishes are moving downstream, and the predator population is very high in the upper part of the current range, Ms. Dyer added. The District continues to monitor every year and to keep track of the population, as all of the impacts of the District's water supply projects are taking into account the native fish population.

Mr. Danskin noted that science has led decisions and said he appreciated the patience and funding of the Board. He explained the expansion of the program and studies, and modification of the Upper Santa Ana River Integrated Model.

Director Longville noted the scope of work for the next year is a good value and continues to deepen the work being done. She noted potential to expand work in the Upper Santa Ana River watershed and pointed to the Headwaters Partnership. The Partnership will look at developing a program of work for investments protecting the quality and quantity of the water supply from the mountains and the extent to which activities can lessen the effects of wildfire and post-fire flooding, Director Longville explained. She wondered whether there would be scientific merit in agreement between the experts to develop a hydrologic model in the upper watershed including installation of climate stations. Mr. Danskin noted the charge was always to look ahead and honor the public responsibility and the asset. He noted the desire to evaluate the entire watershed including all assets and identification of weak links for climate variability. He recommended future discussion on how USGS can help support proving the science for management questions.

Water Resources Manager Adekunle Ojo reminded the work is long-term in nature and different aspects are done each year. He noted the report does not mean that all tasks are complete. The focus for this fiscal year is optimal water management, addressing climate variability, and ensuring the structure in place can provide accurate and credible data both in water quantity and water quality. He reminded the Board that this is a cooperative agreement and noted that costs and percent shared will be similar to the previous year.

**Action Item(s):** The Board of Directors voted to forward the Fiscal Year 2022-23 Cooperative Study Program with USGS in the amount of \$543,449 to the next regular meeting of the Board by the following roll call vote:

There was no motion or second	APPROVED: 5-0
AYES:	Botello, Hayes, Longville, Harrison, Kielhold



NOES:	None
ABSTAIN:	None
ABSENT:	None

#### 4.3 Discuss Strategic Communications and Engagement Plan: Branding & Logo

Chief Executive Officer / General Manager Heather Dyer reminded the Board about the brand revive effort. She detailed the process, reviewed elements of the Strategic Plan, and explained the brand experience.

Ms. Dyer presented mood boards and logo options and described next steps.

Vice President Hayes supported the use of a tagline and the word “regional” but said she did not like the options presented. She objected to the muted colors which did not indicate a dynamic and vibrant agency. In response to President Kielhold, Ms. Dyer explained the purpose of the mood boards. President Kielhold indicated he felt collaboration would look different.

Director Harrison indicated he did not like the use of “Valley District,” as there are other agencies similarly named, and suggested “Valley Regional.” He stated the colors, logos, and designs were a good start. They are a departure for the District and make a new statement. This is illustrative of the types of graphics to be used in publications, he noted, but said he was unsure about the icons. He noted the importance of “Established in 1954.”

Director Longville said she found the mood boards comforting, current, and modern, but pointed out that they do not convey that the District is “scientific” and “climate resilient.” Those need to be more direct, she noted. She favored the “Established in 1954” and use of a tagline. She agreed with Director Harrison about use of “Valley District,” and pointed out that the concepts are not representing the next generation or conveying the future.

Director Botello indicated he liked the “Established in 1954” and the suggestion about “Valley Regional.” The images and color palette work, he said.

President Kielhold questioned, and Ms. Dyer responded the icons would be used as they are currently in the Strategic Plan, in social media posts, or on informational pamphlets. Verbiage will convey specific concepts; these boards are intended to show colors and fonts to be used, she added, and requested additional feedback.

Vice President Hayes said she would like the colors to be more vibrant, advised the icons do not convey meaning, and supported inclusion of children. She also emphasized the connection to the State Water Project and the size of the agency.

In response to Director Longville, Ms. Dyer said there is sufficient funding remaining in the contract to continue the work.

Ms. Dyer recommended a separate workshop to discuss the District's common name and taglines and to bring back options for further consideration.

**Action Item(s):** The Board of Directors voted to move forward with the process by the following roll call vote:

There was no motion or second	APPROVED: 5-0
AYES:	Botello, Hayes, Longville, Harrison, Kielhold
NOES:	None
ABSTAIN:	None
ABSENT:	None

**5. Future Business**

None added.

**6. Adjournment.**

Chair Botello adjourned the meeting at 3:49 p.m.

**Staff Recommendation**

Receive and file.



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**DATE:** September 6, 2022

**TO:** Board of Directors

**SUBJECT:** List of Announcements

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- A. September 7, 2022, 8:30 a.m. – Upper SAR WIFA by Teleconference **(Cancelled)**
- B. September 8, 2022, 2 p.m. – Board Workshop – Policy by Teleconference
- C. September 13, 2022, 8:30 a.m. – SAWPA PA 22 Meeting- **(Cancelled)**
- D. September 13, 2022, 2 p.m. – Board of Directors Workshop – Engineering by  
Teleconference
- E. September 14, 2022, 8:30 a.m. – Upper SAR WIFA Technical Advisory Committee - by  
Teleconference
- F. September 14, 2022, 1:30 p.m. – San Bernardino Valley Water Conservation District  
Board Meeting
- G. September 15, 2022, 1 p.m. – Board of Directors Workshop – Branding by  
Teleconference and/or in-person
- H. September 19, 2022, 1:30 p.m. – Save Our Water Press Conference (CSUSB)
- I. September 19, 2022, 6 p.m. – ASBCSD dinner (Percy Bakker Community Center,  
Hesperia)
- J. September 20, 2022, 9:30 a.m. – SAWPA Commission Meeting
- K. September 20, 2022, 2 p.m. – Regular Board Meeting by Teleconference
- L. September 21, 2022, 8:30 a.m. – Upper SAR WIFA by Teleconference
- M. September 28, 2022, 8:30 a.m. – Upper SAR WIFA Technical Advisory Committee - by  
Teleconference