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PASSCODE: 3802020

Public comments, suggestions or questions regarding technical issues may be
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Please use the chat feature in the Zoom toolbar to let the moderator know that you would like to make a comment during the meeting or use the digital “raise hand”  function in Zoom.



Please mute your microphone during the meeting to reduce background noise. Click on the microphone icon to unmute your microphone if needed.



NOTICE REGARDING (COVID-19)

Before we begin, the record will reflect that pursuant to the provisions of Executive Order N-29-20 issued by Governor Gavin Newsom on March 19, 2020, this meeting will be conducted by teleconference only.

Please note that all actions taken by the Board during today's meeting will be conducted by a roll call vote.



Call to Order

Regular Meeting of the Board of Directors
Tuesday, March 2, 2021

Pledge of Allegiance



Roll Call



**Paul
Kielhold**
President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director



Public Comment

Any person may address the Board on matters within its jurisdiction.

** Please use the chat feature on the Zoom toolbar or digitally raise your hand to let the moderator know you would like to make a comment.*



Closed Session 7.2- Public Comments

From: Sandy Ellis [REDACTED]

Date: February 27, 2021 at 11:48:43 AM PST

To: comments <comments@sbvmwd.com>

Subject: Public Comment Item #7.2 Nestle Water Removal March 2 agenda

Nestle continues to remove water from Strawberry Creek in the San Bernardino National Forest even when the State Water Resources Board two years ago questioned their water rights. Nestle must stop its unauthorized and excessive water take from Strawberry Creek.

Thank you,
Sandy and Frank Ellis

Closed Session 7.2- Public Comments



From: Hugh Bialecki [REDACTED]
Date: Mon, Mar 1, 2021 at 11:51 PM
Subject: 2 March 2021 Meeting of SBVMWD Board, Public Comment Item #7.2
To: <comments@sbvmwd.com>
Cc: [REDACTED]

The Save Our Forest Association, Inc. (SOFA), along with many other water and environmentally concerned organizations, has been awaiting a decision on water rights in the Strawberry Creek Watershed on the San Bernardino National Forest for over three years. The original complaints against Nestle extend back several years prior to the SWRCB initial decision letter.

Now, the sale of Nestle Waters NA to the private equity firm One Rock Capital adds another dimension to this long standing complaint over water rights and the permit (that had expired for over 30 years during which water extraction continued unabated) renewed by the US Forest Service.

SOFA is asking the SBVMWD Board of Directors to direct staff to contact One Rock Capital, in partnership with Metropoulis & Company, and notify them of the mis-appropriation of ground water by Nestle from the Strawberry Creek Watershed through their system of horizontal wells. The initial findings from the CA State Water Resources Control Board (Decision Letter attached below) would indicate that Nestle Waters NA did not have the water rights they assumed, and that now One Rock Capital should be responsible for purchasing the replacement water to replace that removed in the SBBA.

The Strawberry Creek water extraction infrastructure should be removed and the areas of disturbance be restored to allow the area to naturalize and stream flows be unimpeded.

Thank you,

Hugh A. Bialecki, DMD
Pres., Save Our Forest Association, Inc.



Approval of Minutes (Pg. 3)

Regular Board Meeting – February 16, 2021

Board Motion & Roll Call Vote

Staff Recommendation

To approve the minutes of the February 16, 2021,
Regular Meeting of the Board of Directors as
presented.



**Paul
Kielhold**
President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director



Presentation (Pg. 9)

Bob Tincher, PE, MS – Chief Water Resources Officer/Deputy General Manager

Overview of the 1969 Santa Ana River and Western-San Bernardino Judgments

Staff Recommendation

Receive and file

Board Motion & Roll Call Vote

Staff Recommendation

Receive and file



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President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director

Discussion Item 4.1 (Pg. 10)

Brent Adair – Project Manager II

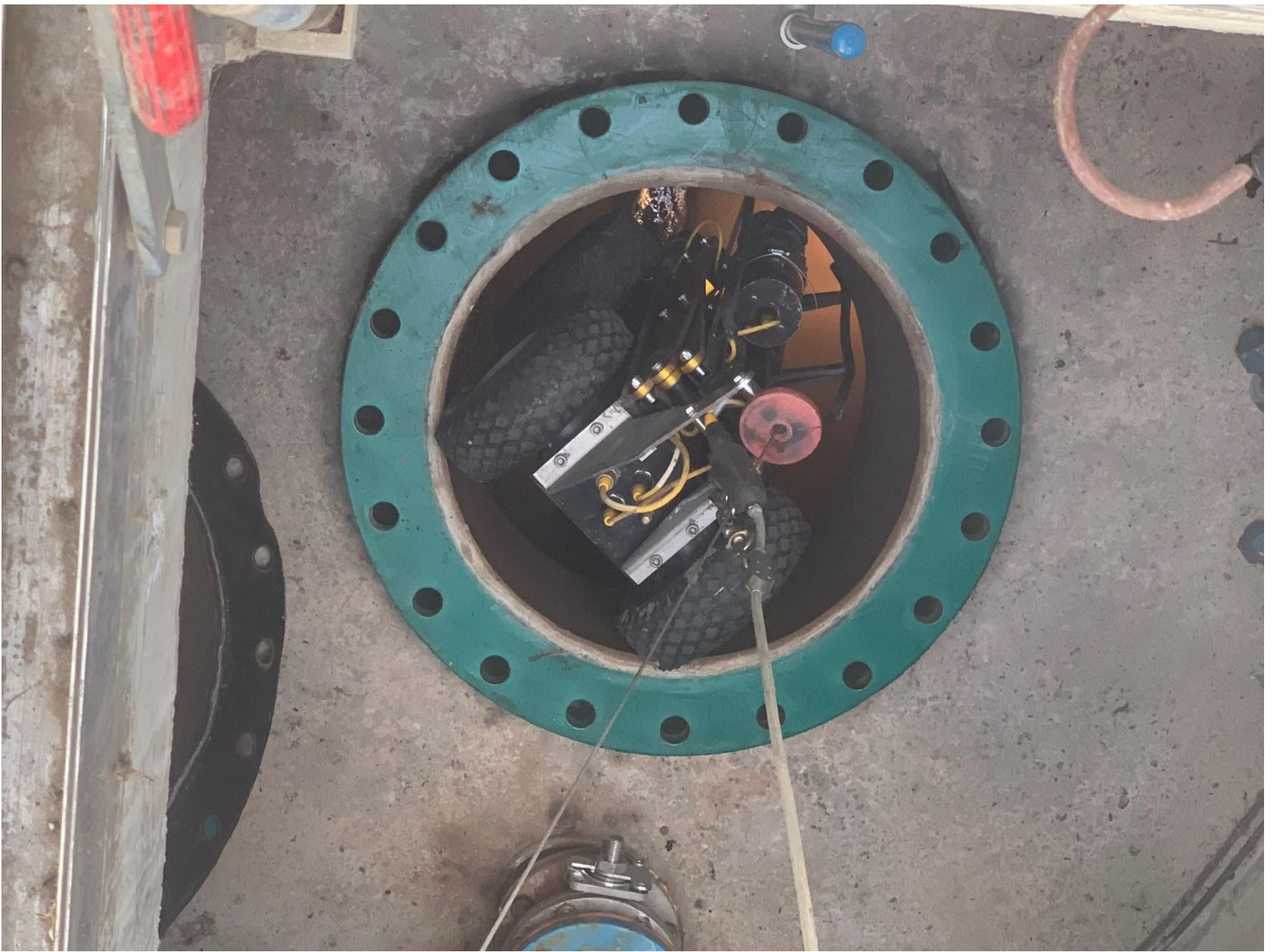
Summary of the Annual Maintenance Program Findings and
Work Completed in January/February 2021

Staff Recommendation
Receive and file

Background

- On December 15, 2020, the Board approved the 2021 Maintenance and Repair Program with an estimated cost of \$111,000.
- Valley District normally conducts a one-month outage of State Water Project (SWP) water deliveries to allow for inspection and repair of facilities that cannot be done during normal operations.
- Video survey of a portion of Greenspot Pipeline and 8-inch valve replacement at Tate Pump Station were completed. Air Vac and isolation valves will be purchased for future installation.
- A leak in the Santa Ana River Crossing (SARC) Pipeline was also repaired during the outage.





153+06 TO 133+15
MILL CREEK RD D/S
EST:1991'

STATION 153+06-STATION 133+15
48ins RCP
0732.1' 01/19/21 09:06

153+06 TO 133+15
MILL CREEK RD D/S
EST:1991'

529.8
MGO (Miscellaneous General Observat
0'CLOCK TO, 0'CLOCK

%

CONTINUOUS DEFECT NUMBER:
REMARKS: CALCIUM BUILD UP IN JOINT

STATION 153+06 _STATION 133+15

48ins RCP

0529.8' 01/19/21 08:44

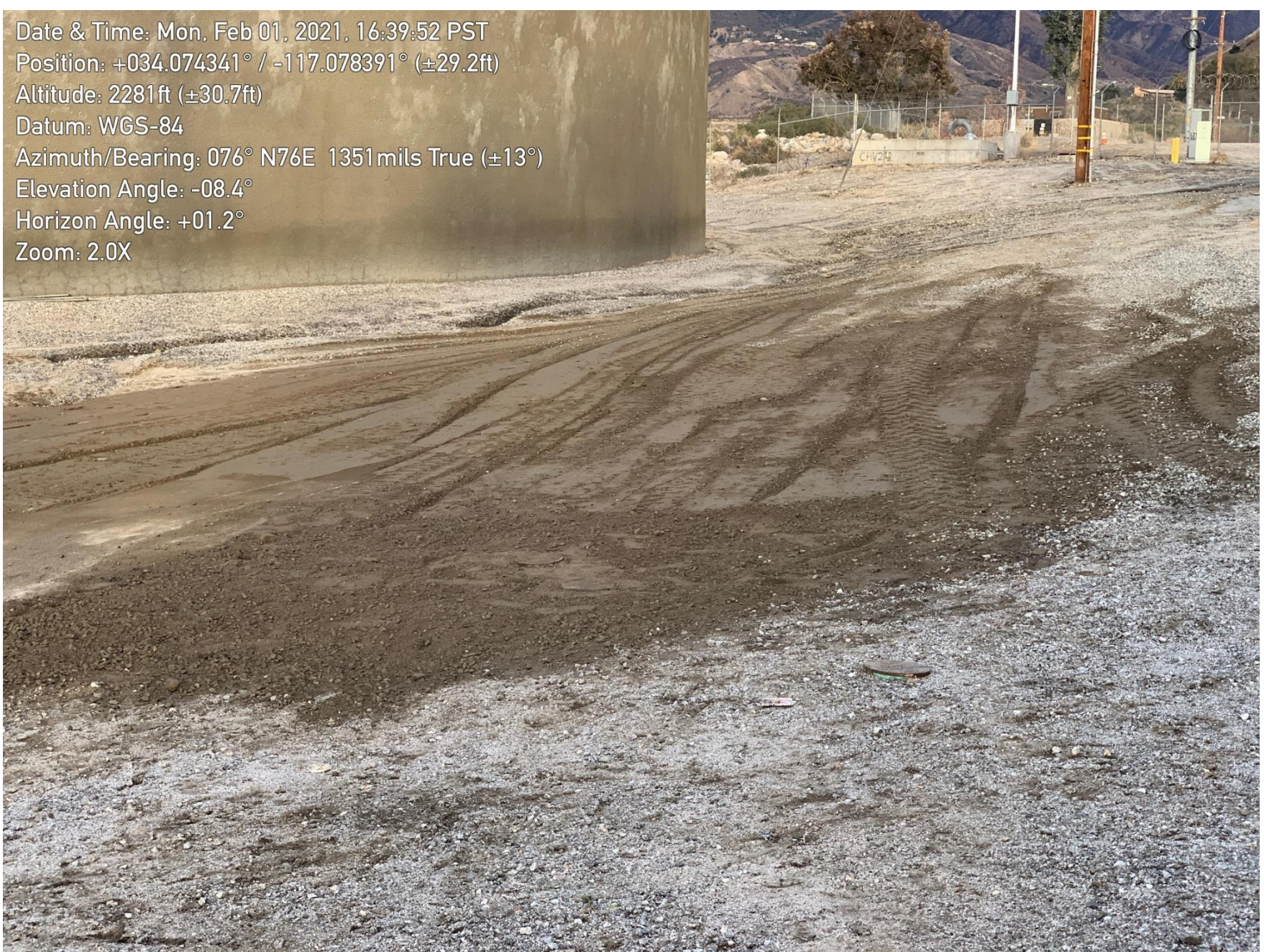
Date & Time: Mon, Feb 01, 2021, 08:50:35 PST
Position: +034.073868° / -117.078512° (±213.3ft)
Altitude: 2267ft (±32.8ft)
Datum: WGS-84
Azimuth/Bearing: 263° S83W 4676mils True (±13°)
Elevation Angle: -39.7°
Horizon Angle: +02.0°
Zoom: 1.0X



Date & Time: Mon, Feb 01, 2021, 14:05:32 PST
Position: +034.074358° / -117.078309° (±27.6ft)
Altitude: 2281ft (±27.6ft)
Datum: WGS-84
Azimuth/Bearing: 299° N61W 5316mils True (±13°)
Elevation Angle: -59.6°
Horizon Angle: -10.6°
Zoom: 2.0X



Date & Time: Mon, Feb 01, 2021, 16:39:52 PST
Position: +034.074341° / -117.078391° (± 29.2 ft)
Altitude: 2281ft (± 30.7 ft)
Datum: WGS-84
Azimuth/Bearing: 076° N76E 1351mils True ($\pm 13^\circ$)
Elevation Angle: -08.4°
Horizon Angle: $+01.2^\circ$
Zoom: 2.0X



Date & Time: Thu, Feb 04, 2021, 11:51:41 PST
Position: +034.099686° / -117.106779° (± 541.4 ft)
Altitude: 1853ft (± 32.8 ft)
Datum: WGS-84
Azimuth/Bearing: 040° N40E 0711mils True ($\pm 14^\circ$)
Elevation Angle: -45.3°
Horizon Angle: -00.4°
Zoom: 1.0X



Date & Time: Thu, Feb 04, 2021, 13:25:42 PST

Position: +034.098179° / -117.105933° (±42.4ft)

Altitude: 1852ft (±26.0ft)

Datum: WGS-84

Azimuth/Bearing: 146° S34E 2596mils True (±15°)

Elevation Angle: -48.1°

Horizon Angle: +02.4°

Zoom: 2.0X



Date & Time: Thu, Feb 04, 2021, 13:45:33 PST
Position: +034.098236° / -117.106021° (±53.2ft)
Altitude: 1851ft (±21.5ft)
Datum: WGS-84
Azimuth/Bearing: 100° S80E 1778mils True (±18°)
Elevation Angle: -09.6°
Horizon Angle: +00.4°
Zoom: 2.0X



Date & Time: Thu, Feb 04, 2021, 15:34:16 PST
Position: +034.098240° / -117.106008° (±24.5ft)
Altitude: 1851ft (±20.8ft)
Datum: WGS-84
Azimuth/Bearing: 081° N81E 1440mils True (±17°)
Elevation Angle: +00.1°
Horizon Angle: +22.0°
Zoom: 1.0X



Date & Time: Thu, Feb 04, 2021, 20:42:03 PST

Position: +034.098138° / -117.105962° (±34.6ft)

Altitude: 1850ft (±23.9ft)

Datum: WGS-84

Azimuth/Bearing: 046° N46E 0818mils True (±13°)

Elevation Angle: -48.4°

Horizon Angle: +01.1°

Zoom: 1.0X



Date & Time: Thu, Feb 04, 2021, 20:41:58 PST
Position: +034.098147° / -117.105959° (± 32.3 ft)
Altitude: 1850ft (± 21.3 ft)
Datum: WGS-84
Azimuth/Bearing: 045° N45E 0800mils True ($\pm 13^\circ$)
Elevation Angle: -48.3°
Horizon Angle: $+02.0^\circ$
Zoom: 8.0X



BUDGET REVIEW

2021 Maintenance Program

	Amount
TOTAL BUDGET AMOUNT	\$ 111,000.00
Tate Pump Station 8-inch Valve Replacement	\$ 12,309.00
Greenspot Pipeline Inspection	\$ 3,644.00
Air Vac and Valve Purchase (TBD)	\$ 75,000.00
SBVMWD Initiated Project Change Orders	\$ -
Total Maintenance Costs	\$ 90,953.00
Over/Under Budget	\$ (20,047.00)

SARC Emergency Repair

	Amount
Contractor Costs	\$ 20,940.00
Special Inspection	\$ 1,938.00
Total Repair Costs	\$ 22,878.00

Board Motion & Roll Call Vote

Staff Recommendation
Receive and file



**Paul
Kielhold**
President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director

Discussion Item 4.2 (Pg. 12)

Jose Macedo, ML, CPT-P (USA Retired) – Clerk of the Board/Assistant to the General Manager

Consider Nominations for the California Special Districts Association Southern Network Seat A

Staff Recommendation

Discuss nominations for the California Special Districts Association Southern Network Seat A and provide direction, as necessary.

BACKGROUND

- The California Special Districts Association (CSDA) is seeking nominations for Seat A of the Southern Network. CSDA is looking for special district Board Members or General Managers who are interested in leading the direction of CSDA for the remainder of the 2022-2024 term, Seat A. The CSDA deadline to receive nominations is March 29, 2021.
 - The Southern Network represents the counties of Los Angeles, Orange, San Bernardino, Riverside, San Diego, and Imperial.
 - The leadership of CSDA is elected from six geographical networks. Each of these has three seats on the Board with staggered three-year terms.

Commitment and Expectations

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento. Currently these meetings are being held via Zoom. When meetings return to in-person there is a call in number available for those that are unable to make it to Sacramento
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
- Attend, at a minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the summer/fall. (CSDA covers registration fees, but does not reimburse travel expenses)
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected. (CSDA does not reimburse expenses for the classes)



The Voting Process/ Fiscal Impact

- This year CSDA will be using a web-based online voting system, allowing our district to cast votes easily and securely.
- Electronic ballots will be emailed to the main contact in our district by May 28, 2021. All votes must be received through the system no later than 5:00 p.m. July 16, 2021.
- The successful candidates will be notified no later than July 20, 2021. All selected Board Members will be introduced at the Annual Conference in Monterey, CA in August 2021

Fiscal Impact: The fiscal impact of this item to Valley District is estimated to be \$1,500/year for annual conference attendance (registration fee is waived) and CSDA's Special District Leadership Academy. Travel costs to attend Board meetings and committee meetings are reimbursed by CSDA per its Board Policy.

Board Motion & Roll Call Vote

Staff Recommendation

Discuss nominations for the California Special Districts Association Southern Network Seat A and provide direction, as necessary.



**Paul
Kielhold**
President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director

Discussion Item 4.3 (Pg. 20)

Cindy Saks, CPA – Chief Financial Officer/Deputy General Manager

Consider Concurrence in Nomination of Ms. Melody McDonald to ACWA JPIA Executive Committee

Staff Recommendation

Consider Concurrence in Nomination of Ms. McDonald to ACWA JPIA Executive Committee and, if so desired Approval of Resolution No. 1113

RESOLUTION NO. 1113

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS INSURANCE AUTHORITY ("JPIA")

WHEREAS, this district is a member district of the JPIA; and

WHEREAS, the Bylaws of the ACWA/JPIA provide that in order for a nomination to be made to ACWA/JPIA's Executive Committee, three-member districts must concur with the nominating district, and

WHEREAS, Another JPIA member district, the San Bernardino Valley Water Conservation District has requested that this district concur in its nomination of its member of the JPIA Board of Directors to the Executive Committee of the JPIA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Municipal Water District that this district concur with the nomination of Melody McDonald of San Bernardino Valley Water Conservation District, be nominated as a candidate for the Executive Committee to the Executive Committee of the JPIA.

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at P.O. Box 619082, Roseville, California 95661-9082, forthwith.

ADOPTED this 2nd day of March 2021.

Paul R. Kielhold, President

ATTEST:

Heather Dyer
Secretary

Board Motion & Roll Call Vote

Staff Recommendation

Consider Concurrence in Nomination of Ms. McDonald to ACWA JPIA Executive Committee and, if so desired Approval of Resolution No. 1113



**Paul
Kielhold**
President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director



Reports Item 5.1

SAWPA Meeting Report

SAWPA MEETING SUMMARY

March 2, 2021, Regular Meetings

SAWPA Commission

- Appointed Bruce Whitaker as Commission Vice Chair and OWOW Steering Committee Convener.
- Received a report on AB 377 Impacts – SAWPA Task Force Impacts and Regional Response.
- Received the quarterly legislative report from West Coast Advisors.

Project Agreement 24 Committee

- Received reports on:
 - Prado Reservoir | Brine Line Maintenance Access Structure Protection
 - Brine Line Reach 4A Upper Corrosion Repairs
 - Brine Line Virtual Tour
- Directed the General Manager to issue Requests for Proposals (RFPs) for the Inland Empire Brine Line service contracts.

Reports Item 5.2

Director's Primary Representative and Activity Report



**Paul
Kielhold**
President



June Hayes
Vice President



**T. Milford
Harrison**
Treasurer



**Gil J.
Botello**
Director



**Susan
Longville**
Director



Reports Item 5.3

Board of Directors' Workshop - Resources - February 4, 2021



Reports Item 5.4

Board of Directors' Workshop - Engineering - February 9, 2021



Reports Item 5.5

Board of Directors' Workshop - Policy - February 11, 2021



Announcements Item 6.1 (Pg. 42)

March 2, 2021, 9:30 a.m. - SAWPA Commission Meeting

March 2, 2021, 10:00 a.m. - SAWPA PA 24 Meeting

March 2, 2021, 2 p.m. – Regular Board Meeting by Teleconference

March 4, 2021, 2 p.m. – Board Workshop – Resources by Teleconference

March 9, 2021, 8:30 a.m. – SAWPA PA-22 Meeting-CANCELED

March 9, 2021, 2 p.m. – Board Workshop – Engineering by Teleconference

March 10, 2021, 1:30 p.m. – San Bernardino Valley Water Conservation District Board Meeting

March 11, 2021, 2 p.m. – Board Workshop – Policy by Teleconference

March 15, 2021, 6 p.m. – Association of San Bernardino County Special Districts Virtual Membership Meeting
hosted by Inland Empire Utilities Agency

March 16, 2021, 9:30 a.m. – SAWPA Commission Meeting

March 16, 2021, 2 p.m. – Regular Board Meeting by Teleconference



Closed Session 7.1

Conference with Legal Counsel –Anticipated Litigation-Initiation of Litigation pursuant to Govt. Code Section 54956.9(d)(4): One Potential Case



Closed Session 7.2

Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9 - Complaint Against Nestle Waters North America, Unauthorized Diversions from Strawberry Creek, San Bernardino County (Before the State Water Resources Control Board)



Adjournment
