



3654 HIGHLAND AVE., SUITE #12, HIGHLAND, CA
REGULAR BOARD MEETING

December 13, 2005

2:00 P.M.

AGENDA

"In order to comply with legal requirements for posting of agenda, only those items filed with the District Secretary by 10:00 a.m. on Wednesday prior to the following Tuesday meeting not requiring departmental investigation, will be considered by the Board of Directors".

CALL TO ORDER
PLEDGE OF ALLEGIANCE

1. Public Comments
2. Oath of Office for Newly Elected Directors
3. Approval of Agenda
4. Adjourn to East Valley Public Facilities Corporation Meeting
5. Reconvene to East Valley Water District Regular Board Meeting

CONSENT CALENDAR

6. Approval of Board Meeting Minutes for November 22, 2005
7. Approval of Special Board Meeting Minutes for November 28, 2005
8. Resolution 2005.32 – A Resolution of the Board of Directors of the East Valley Water District Accepting Conveyance of Pipeline Easement from Greenspot Village and Market Place, LLC, located in the City of Highland, County of San Bernardino, State of California
9. Resolution 2005.33 – A Resolution of the Board of Directors of the East Valley Water District Accepting Conveyance of Pipeline Easement from Greenspot Village and Market Place, LLC, located in the City of Highland, County of San Bernardino, State of California

10. Resolution 2005.34 – A Resolution of the Board of Directors of the East Valley Water District Authorizing the Execution of a Grant of Easement to the Southern California Edison Company, in the County of San Bernardino, State of California
11. Accounts Payable Disbursements: Accounts Payable Checks 204105 through 204347 were distributed November 17, 2005 through December 7, 2005 in the amount of \$1,623,334.74. Payroll Checks for period ended November 25, 2005 and included checks and direct deposits, in the amount of \$156,649.85. Total Disbursements for the period were \$1,779,984.59.

OLD BUSINESS

12. Review and approve CDM's report on the Seven Oaks Dam water quality issues
13. Headquarters Project Review and Update (General Manager)
14. Consideration and Possible Adoption of Resolution 2005.36 Establishing Guidelines for Board Compensation, Reimbursement, and Ethics Training

NEW BUSINESS

15. Board Reorganization:
 - a. Election of Officers – President
Vice President
 - b. Appointment of General Manager
Chief Financial Officer
Board Secretary
 - c. Committee Assignments for 2006
16. Setting Time and Place for Holding Meetings
17. Discussion and Possible action regarding authorization to bid the construction of a new well for Plant 132
18. Request from General Manager for buy back of vacation time
19. Directors' fees and expenses for November 2005
20. Discussion and Possible action regarding request for support from ACWA for the "California Water", a 12-13 part series produced and hosted by Huell Howser for public television

PUBLIC HEARING

21. Public Hearing to adopt the 2005 Update of the East Valley Water District's Urban Water Management Plan.
22. Adoption of the 2005 Update of the East Valley Water District's Urban Water Management Plan. Discussion and Possible Action.
23. Public Hearing to consider adoption of a Negative Declaration for East Valley Water District's Plant 40 Disposable Resin Exchange System for Uranium Removal Project
24. Discussion and Possible Action Regarding East Valley Water District's (EVWD) Plant 40 Disposal Resin Ion Exchange System for Uranium Removal Project (SCH #2005111015) and Adopt the Negative Declaration; Adopt the Mitigation Monitoring and Reporting Program; adopt a De Minimus Impact Finding; and instruct staff to file the Notice of Determination and Certificate of Fee Exemption with the San Bernardino Clerk of the Board of Supervisors and the State Office of Planning and Research, State Clearinghouse.

REPORTS

25. General Manager's Report
26. Federal Affairs Report
27. Oral Comments from Board of Directors

MEETINGS

28. San Bernardino Area Chamber of Commerce Annual Holiday Reception and Open House, 546 West 6th Street, San Bernardino, December 15, 2005
29. Association of the San Bernardino County Special Districts Membership Meeting hosted by West Valley Water District, El Rancho Verde Royal Vista Golf Course, Rialto, December 19, 2005
30. California Municipal Utilities Association Legislative Briefing and Reception, Hyatt Regency, Sacramento, CA, January 30, 2006

CLOSED SESSION

**31. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
[Government Code Section 54956.8]**

Property: 27+/- Acres of Vacant Land
South of Highland Ave, West
of Central Ave
San Bernardino County,
California
APN: 1191-25-01,03,04

Party with whom District will negotiate: State of California

Party who will be negotiating on behalf of the District: Robert Martin
Under Negotiation: Price and Terms of Payment

**32. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b):**

Two Potential Cases

ANNOUNCEMENT OF CLOSED SESSION ACTIONS

ADJOURN

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting should be directed to the District's Administrative Assistant at (909) 885-4900 at least 24 hours prior to said meeting.

Subject to approval

**EAST VALLEY WATER DISTRICT
REGULAR BOARD MEETING**

DECEMBER 13, 2005

MINUTES

The meeting was called to order at 2:00 p.m. by President Wilson. Fred Hicks led the flag salute.

PRESENT: Directors Goodin, Lightfoot, Negrete, Sturgeon, Wilson

ABSENT: None

STAFF: Robert Martin, General Manager; Ron Buchwald, Assistant District Engineer; Brian Tompkins, Chief Financial Officer; Justine Hendricksen, Administrative Manager; Eliseo Ochoa, Associate Civil Engineer

LEGAL COUNSEL: Steve Kennedy

GUEST(s): Jo McAndrews (McAndrews & Boyd), Charles Roberts (Highland Community News), Fred Hicks, Cheryl Tubbs (Lilburn Corporation), William O'Neil (CDM)

The General Manager read the oath of office and swore in the newly elected Board Members: George E. Wilson, Glenn Lightfoot, and Edward S. Negrete.

APPROVAL OF AGENDA

M/S/C (Lightfoot-Negrete) that the December 13, 2005 Agenda be approved as submitted.

PUBLIC PARTICIPATION

President Wilson declared the public participation section of the meeting open at 2:02 p.m. There being no written or verbal comments, the public participation section was closed.

ADJOURN TO EAST VALLEY PUBLIC FACILITIES CORPORATION MEETING

RECONVENE TO EAST VALLEY WATER DISTRICT REGULAR BOARD MEETING

APPROVAL OF NOVEMBER 22, 2005 BOARD MEETING MINUTES

Director Goodin stated a correction on page three; Board President should reflect George E. Wilson not Glenn R. Lightfoot.

M/S/C (Lightfoot-Negrete) that the November 22, 2005 Board Meeting Minutes be approved as amended.

APPROVAL OF NOVEMBER 28, 2005 SPECIAL BOARD MEETING MINUTES

M/S/C (Lightfoot-Negrete) that the November 28, 2005 Special Board Meeting Minutes be approved as submitted.

RESOLUTION 2005.32 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST VALLEY WATER DISTRICT ACCEPTING CONVEYANCE OF PIPELINE EASEMENT FROM GREENSPOT VILLAGE AND MARKET PLACE, LLC, LOCATED IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, was presented to the Board for approval.

M/S/C (Lightfoot-Negrete) that Resolution 2005.32 be approved.

RESOLUTION 2005.33 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST VALLEY WATER DISTRICT ACCEPTING CONVEYANCE OF PIPELINE EASEMENT FROM GREENSPOT VILLAGE AND MARKET PLACE, LLC, LOCATED IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA was presented to the Board for approval.

M/S/C (Lightfoot-Negrete) that Resolution 2005.33 be approved.

RESOLUTION 2005.34 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST VALLEY WATER DISTRICT AUTHORIZING THE EXECUTION OF A GRANT OF EASEMENT TO THE SOUTHERN CALIFORNIA EDISON COMPANY, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, was presented to the Board for approval.

M/S/C (Lightfoot-Negrete) that Resolution 2005.34 be approved.

DISBURSEMENTS

M/S/C (Lightfoot-Negrete) that General Fund Disbursements #204105 through 204347 distributed during the period of November 17, 2005 through December 7, 2005 in the amount of \$1,623,334.74 and Payroll Fund Disbursements for the period ended November 25, 2005 in the amount of \$156,649.85 totaling \$1,779,984.59 be approved.

REVIEW AND APPROVE CDM'S REPORT ON THE SEVEN OAKS DAM WATER QUALITY ISSUES

The General Manager provided an update and review of the comprehensive report CDM has prepared regarding water quality issues and impacts from the Seven Oaks Dam; that CDM is documenting existing problems, solutions and recommendations for the Army Corps of Engineers; that the report will be forwarded to the Army Corps of Engineers; that he recommends approval of the report.

M/S/C (Negrete-Lightfoot) that the report CDM has prepared regarding the Seven Oaks Dam Water Impacts Study be approved.

HEADQUARTERS PROJECT REVIEW AND UPDATE

The General Manager stated the headquarters project is moving forward. Information Only.

CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION 2005.36 "ESTABLISHING GUIDELINES FOR BOARD COMPENSATION, REIMBURSEMENT, AND ETHICS TRAINING", was presented to the Board for approval.

Legal Council reviewed the proposed resolution with the Board.

The Board would like 2.3.2(a) reviewed and changed regarding airfare transportation; and the effective date to reflect January 1, 2006.

Director Goodin commended Mr. Kennedy for the extensive work he has done in preparation for Resolution 2005.36.

M/S/C (Goodin-Lightfoot) that Resolution 2005.36 be approved with the changes as noted.

BOARD REORGANIZATION

President Wilson declared nominations open for Board Reorganization.

Director Wilson nominated Kip Sturgeon for President.

Director Lightfoot nominated Edward S. Negrete for Vice President.

M/S/C (Wilson-Lightfoot) that the nomination(s) for President and Vice President be closed and the ballot be cast for Kip Sturgeon as President and Edward S. Negrete for Vice President of the Board.

M/S/C (Lightfoot-Negrete) that Robert Martin be re-appointed as General Manager.

M/S/C (Lightfoot-Negrete) that Robert Martin be re-appointed as Board Secretary.

M/S/C (Lightfoot-Negrete) that Brian Tompkins be re-appointed as Chief Financial Officer.

SETTING TIME AND PLACE FOR HOLDING MEETINGS

Director Wilson declared the time and place for holding regular meetings is open for discussion.

M/S/C (Lightfoot-Negrete) that the District's Regular Board Meetings be held at the District's Office located at 3654 E. Highland Avenue Suite 12, Highland, California, on the second (2nd) and fourth (4th) Tuesday of each month at 2:00 p.m.

DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION TO BID THE CONSTRUCTION OF A NEW WELL FOR PLANT 132, was presented to the Board.

The General Manager updated the Board regarding the Construction Proposal for Plant 132 Well Replacement and CDM's cost estimate for drilling and installation of the proposed well; that he recommends approval of the construction Proposal and requests approval to have the project bid.

M/S/C (Negrete-Lightfoot) that the Plant 132 Well Replacement Construction proposal, and authorization to solicit contractors to bid on the project be approved.

REQUEST FROM GENERAL MANAGER FOR BUY BACK OF VACATION TIME

M/S/C (Sturgeon-Goodin) that the request from the General Manager for buy back of vacation time be approved.

DIRECTOR'S FEES AND EXPENSES FOR NOVEMBER 2005, were presented to the Board for approval.

M/S/C (Lightfoot-Negrete) that the Director's fees and expenses for November 2005 be approved.

DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR SUPPORT FROM ACWA FOR THE "CALIFORNIA WATER", A 12-13 PART SERIES PRODUCED AND HOSTED BY HUELL HOWSER FOR PUBLIC TELEVISION, was presented to the Board.

President Sturgeon suggests a token amount be pledged to ACWA for support of the "California Water" production project.

Director Wilson would like to see the costs associated with the production before offering a token amount of support.

Director Goodin would like more information on the project, and would like this item brought back to the Board in January 2006.

No action taken.

PUBLIC HEARING

PUBLIC HEARING TO ADOPT THE 2005 UPDATE OF THE EAST VALLEY WATER DISTRICT'S URBAN WATER MANAGEMENT PLAN

DIRECTOR WILSON DECLARED THE PUBLIC HEARING SECTION OF THE MEETING OPEN AT 2:34 P.M.

The General Manager introduced Cheryl Tubbs from Lilburn Corporation.

Ms Tubbs provided the Board with an extensive review of the District's Urban Water Management Plan; that the State Department of Water Resources (DWR) requires that the District update its Urban Water Management Plan every five years. Ms Tubbs reviewed many contents of the report with the Board including Service Area, Water Sources, Reliability Planning, Water Use Provisions, Supply and Demand Comparison Provision, Water Management Measures and Water Shortage contingency Plans.

There were no written or verbal comments submitted regarding this report.

DIRECTOR WILSON DECLARED THE PUBLIC HEARING SECTION OF THE MEETING CLOSED AT 2:42 P.M.

M/S/C (Lightfoot-Negrete) that the 2005 Update of the East Valley Water District's Urban Water Management Plan be adopted.

PUBLIC HEARING

PUBLIC HEARING TO CONSIDER ADOPTION OF A NEGATIVE DECLARATION FOR EAST VALLEY WATER DISTRICT'S PLANT 40 DISPOSABLE RESIN EXCHANGE SYSTEM FOR URANIUM REMOVAL PROJECT

DIRECTOR WILSON DECLARED THE PUBLIC HEARING SECTION OF THE MEETING OPEN AT 2:42 P.M.

The General Manager updated the Board on the District's Plant 40 Disposal Resin Ion Exchange System for Uranium Removal Project; that two comments regarding the CEQA documents were received and responses were sent.

There being no other written or verbal comments, the public participation section was closed.

DIRECTOR WILSON DECLARED THE PUBLIC HEARING SECTION OF THE MEETING CLOSED AT 2:43 P.M.

DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION FOR EAST VALLEY WATER DISTRICT'S PLANT 40 DISPOSABLE RESIN ION EXCHANGE SYSTEM FOR URANIUM REMOVAL PROJECT

M/S/C (Sturgeon-Negrete) that the Board Adopt the Negative Declaration; Adopt the Mitigation Monitoring and Reporting Program; adopt a De Minimus Impact Finding; and instruct staff to file the Notice of Determination and Certificate of Fee Exemption with the County of San Bernardino Clerk of the Board of Supervisors and the State Office of Planning and Research, State Clearinghouse.

GENERAL MANAGER'S REPORT

The General Manager reported on the District's operations to date; that the Sterling Avenue Pipeline Project is moving forward; that escrow is due to close next month on the Del Rosa / 6th Street property. Information Only.

ORAL COMMENTS FROM BOARD OF DIRECTORS

The General Manager introduced Fred Hicks, the District's Federal Lobbyist.

Mr. Hicks commented that Congress is in session this week; that Congressman Lewis did an excellent job appropriating funds for the Army Corps of Engineers to study the Seven Oaks Dam water quality issues; that 2006 may not be a good year for Congress.

President Sturgeon commended Director Wilson for his efforts the last two years as the Board President.

Director Goodin offered gratitude to Ron Buchwald and staff for setting up the Metropolitan Water District tour.

Director Negrete thanked Mr. Hicks for addressing the Board, and thanked the Board for electing him Vice President.

Director Lightfoot commented we should discontinue going to the facility located at Loma & Citrus when we have District Tours.

Director Wilson commented that he attended a Safe Drinking Water Sub-Committee meeting last month.

There being no further verbal or written comments from the Directors, this section of the meeting was closed. Information Only.

SAN BERNARDINO AREA CHAMBER OF COMMERCE ANNUAL HOLIDAY RECEPTION AND OPEN HOUSE, 546 WEST 6TH STREET, SAN BERNARDINO, DECEMBER 15, 2005

ASSOCIATION OF THE SAN BERNARDINO COUNTY SPECIAL DISTRICT MEMBERSHIP MEETING, HOSTED BY WEST VALLEY WATER DISTRICT, EL RANCHO VERDE ROYAL VISTA GOLF COURSE, RIALTO, DECEMBER 19, 2005

CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION LEGISLATIVE BRIEFING AND RECEPTION, HYATT REGENCY, SACRAMENTO, CA JANUARY 30, 2006
Information Only.

THE BOARD TOOK A FIVE MINUTE BREAK

CLOSED SESSION

The Board entered into Closed Session at 3:07 p.m. as provided for in the California Open Meeting Law, Government Code Section 54945.9(a), to discuss the item(s) listed on the Agenda.

ADJOURN TO REGULAR SESSION

Director Wilson declared that the meeting adjourn to regular session.

ANNOUNCEMENT OF CLOSED SESSION ACTIONS

The Board returned to session at 3:26 p.m. The item(s) listed on the Agenda were discussed in closed session with the following action being taken:

With respect to item #31: No action taken.

With respect to item #32 First Case: The Board by a unanimous decision authorized staff and Legal Council to accept the settlement proposal from the City of South San Francisco regarding the Gibson Cleanup Site.

With respect to item #32 Second Case: The Board by a unanimous decision authorized staff and Legal Council to execute the First Amendment Agreement to Develop and Adopt an Institutional Controls Groundwater Management Program.

ADJOURN

The meeting was adjourned at 3:26 p.m. until the next regularly scheduled Board Meeting on January 10, 2006.

Kip Sturgeon, President

Robert E. Martin, Secretary