

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the
Board of Directors Meeting
August 19, 2013

Directors Present: John Jeter, President
Bill Dickson, Vice President
Mary Ann Melleby, Treasurer
Ron Duncan, Director (arrived at 1:31 p.m.)
Ted Haring, Director
Ray Morris, Director
Barbara Voigt, Director

Staff Present: Jeff Davis, General Manager
Thomas Todd, Finance Manager
Ken Falls, Operations and Maintenance Manager
Cheryle Rasmussen, Executive Assistant
Russ Behrens, Legal Counsel

1. **Call to Order, Flag Salute and Roll Call:** The meeting of the San Gorgonio Pass Water Agency Board of Directors was called to order by Board President John Jeter at 1:30 p.m., August 19, 2013 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. Director Dickson led the Pledge of Allegiance to the flag. A quorum was present.
2. **Adoption and Adjustment of the Agenda:** The agenda was adopted as presented.
3. **Public Comment:** Banning Mayor Deborah Franklin informed the Board that there are two subcommittee meetings scheduled for the San Gorgonio Pass Water Task Force (SGPWTF). Both meetings will be held on Wednesday, August 21st at Banning City Hall. The technical committee meeting starts at 4:00 p.m., and the administrative committee meeting starts at 5:30 p.m. No other members of the public requested to speak at this time.
4. **Consent Calendar:**
 - A. Approval of the Minutes of the Regular Board Meeting, August 5, 2013
 - B. Approval of the Minutes of the Engineering Workshop, August 12, 2013

Director Morris moved, seconded by Director Melleby, to approve the consent calendar as presented. Motion passed unopposed.

5. Reports:

A. General Manager's Report:

(1) Operations Report: General Manager Davis reported on the following: **(a) SWP Water Deliveries:** The Agency delivered a total of 77 acre-feet to Little San Gorgonio

(LSG) Creek ponds and a total of 500 acre-feet to Beaumont Cherry Valley Water District ponds, for a total of 577 acre-feet so far this month. **(b) Cherry Valley Pump Station (CVPS):** CVPS will be shut down September 4th and 5th for routine maintenance.

(2) General Agency Updates: **(a) Potential Verizon Lease:** General Manager Davis informed the Board that the cellular tower will not be built on behalf of T-Mobile and the lease is now null and void. However, a representative from Verizon had recently stopped by the Agency to inform management that Verizon may be interested in positioning a cellular tower on the same site that T-Mobile was interested in. General Manager Davis stated that he will keep the Board informed of any negotiations that may commence. **(b) Water Conservation Education:** Mandy Parkes, District Manager of the Inland Empire Resource Conservation District, met with General Manager Davis to discuss the Agency's sponsored water education school program, which is set to be implemented this school year. A Water Conservation and Education workshop will be scheduled in September to discuss this program. **(c) Beaumont Chamber of Commerce:** Beaumont Chamber hosts a breakfast on the second Friday of each month. John Husing will be the guest speaker at the September 13th breakfast, which will be held at Tukwet Golf Course in Beaumont. **(d) Water Education Foundation:** A one day tour of the Delta will be held on September 25th. The tour will begin and end at the Sacramento airport. **(e) Building Maintenance:** A number of proposals have been received by vendors to fix the water feature in front of the Agency's administration building. The lowest bid received thus far came in at \$7500; other options will be explored. **(f) Riverside County Grand Jury Report:** General Manager Davis is in the process of collecting additional information for the response letter to the Grand Jury. He will present final recommendations to the Board at the September 3rd Board meeting. **(g) Contract Extension Update:** There have not been any negotiations since the counterproposal was submitted to the Department of Water Resources. The next scheduled meeting is set for September 4th. **(h) SGPWTF:** General Manager Davis informed the Board that Vice Chairman Bruce Cash (SGPWTF) made an announcement at Yucaipa Valley's Board meeting that the task force may take an additional 12-18 months longer than originally planned.

B. Directors Report:

(1) Director Duncan stated that he had received a number of calls from residents that live above the Banning Bench area, informing him that they are receiving very little water for their fruit orchards and the trees are dying. General Manager Davis stated that the local water purveyor for that area is Banning Heights Mutual Water Company. He also stated that this may be related to the flume. Operations and Maintenance Manager Ken Falls informed the Board that water flows from the flume have been extremely low. In addition to a low snowpack, about a month ago thunderstorms took out the east fork connection; therefore no excess surface water has been available to irrigate the orchards. He reminded the Board that Southern California Edison is in charge of maintaining the flume. **(2) Director Haring** reported on the Beaumont Basin Watermaster (BBW) meeting that he attended on August 7th. He also attended a reception that was given for Assemblyman Brian Nestande. **(2) Director Melleby** reported that she attended the BBW meeting, the SGPWTF meeting that was held on August 12th, and the reception for Assemblyman Brian Nestande. **(3) President Jeter** reported on the SGPWTF meeting. **(4) Director Voigt** reported that she attended the BBW meeting and the BCVWD Board meeting.

6. New Business: (Discussion and Possible Action)

A. Consideration of Resolution No. 2013-11, Establishing the Appropriations Limit for Fiscal Year 2013-2014: A staff report and a copy of Resolution No. 2013-11 were included in the agenda packet. General Manager Davis stated that each year the Agency is required by the California Constitution to set an appropriations limit. The formula amount for this fiscal year is \$49,167,500. The appropriations limit notification was posted three weeks ago for public view. Director Voigt made a motion, seconded by Director Haring, to adopt Resolution 2013-11 in accordance with California law. President Jeter requested a roll call vote. Ayes: Haring, Voigt, Morris, Melleby, Duncan, Dickson and Jeter. Noes: none. Absent: none. The motion carried 7-0

B. Consideration of ACWA Region 9 Election of Officers: A staff report, a copy of the Official ACWA Region 9 Board Ballot for 2014-2015 term, and a copy of East Valley Water District's letter of support for James Morales, Jr. were included in the agenda packet. Director Melleby reminded the Board that they voted to nominate her for the Board Member position of ACWA Region 9 and that she was accepted by ACWA's nominating committee to be on the recommended slate. She reviewed the ballot with the Board and explained the Board's options. After discussion, Director Haring made a motion, seconded by Director Voigt, recommending that the Board vote for the recommended slate. The motion passed unanimously. Director Melleby thanked the Board for their support.

7. Topics for Future Agendas: 1) Grand Jury Report response letter recommendations will be on the September 3rd Board agenda. 2) General Manager Davis will contact Chair Deborah Franklin and Vice Chair Bruce Cash (SGPWTF) to inquire if they would be available to speak to the Board regarding task force related issues at the September 3rd Board meeting. No other topics were requested for future agendas.

Director Melleby informed the Board that on August 13th the Press Enterprise newspaper printed a press release informing its readers that the San Geronio Pass Water Agency's directors voted not to change the tax rate that is charged to property owners in the agency's service area. The press release was also included in the Record Gazette newspaper.

- 8. Announcements:** President Jeter reviewed the following announcements:
- A. Finance and Budget Workshop, August 26, 2013 at 1:30 p.m.
 - B. The office will be closed Monday, September 2nd in observance of Labor Day.
 - C. Regular Board Meeting, Tuesday, September 3, 2013 at 1:30 p.m.
 - D. Engineering Workshop, September 9, 2013 at 1:30 p.m.
 - E. San Geronio Pass Water Task Force, September 9, 2013 at 6:00 p.m.
- Banning City Hall Council Chambers

The Board agreed to discuss item 9b as the first item in closed session, item 9a will follow after 9b has concluded.

9. Closed Session (2 Items) The meeting adjourned to closed session at 2:01 p.m.

- B. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION -
(Government Code Section 54956.9 (d)(4) (one case)
- A. General Manager Performance Evaluation – (Government Code Section
54957 (b))

The meeting reconvened to open session at 4:20 p.m.

President Jeter reported that the Board met in closed session and discussed the matters listed. No action was taken that is reportable under the Brown Act.

10. Adjournment: President Jeter adjourned the meeting at 4:21 p.m.



Jeffrey W. Davis, Secretary of the Board
cmr

RESOLUTION NO. 2013-11

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SAN GORGONIO PASS WATER AGENCY ESTABLISHING THE
APPROPRIATIONS LIMIT FOR FISCAL YEAR 2013-2014**

WHEREAS, Article XIII B of the California Constitution places annual limitation upon appropriations from proceeds of taxes by each local government of the State of California; and

WHEREAS, Section 7910 of the California Government Code implements Article XIII B of the California Constitution by requiring each local jurisdiction to establish, by resolution, its appropriations limit for each fiscal year, and to make the documentation used in determining the appropriations limit available to the public fifteen days prior to adoption of the resolution establishing the appropriations limit; and

WHEREAS, The San Gorgonio Pass Water Agency has documented its calculations of the Agency's appropriations limit for fiscal year 2013-14, and notice of said calculations has been posted on the Agency's outside Bulletin Board (said notice being visible from the public walkway in front of the Agency's building) and the calculations have been made available to the public at least fifteen days prior to the adoption of this resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the San Gorgonio Pass Water Agency as follows:

1. The appropriation limit applicable to this Agency pursuant to Article XIII B of the California Constitution for fiscal year 2013-2014 is hereby established and determined to be in the sum of \$49,167,500.

2. A copy of the documentation used in the determination of the 2013-2014 appropriations limit shall be affixed hereto and shall be available for public inspection.

3. Pursuant to Section 7910 of the California Government Code, any judicial action or proceeding to attach, review, set aside, void or annul the establishment of the 2013-2014 appropriations limit as set forth herein must be commenced within forty-five days of the adoption of this resolution.

Resolution #2013-11 was adopted by the following roll call vote:

Ayes: Haring, Voigt, Morris, Melleby, Duncan, Dickson & Jeter
Noes: None
Abstain: None
Absent: None

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2013-11 adopted by the Board of Directors of San Gorgonio Pass Water Agency at its meeting on August 19, 2013.



Jeffrey W. Davis, Secretary to the Board