

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, CA
Board of Directors Engineering Workshop
Agenda
September 14, 2015 at 1:30 p.m.

1. Call to Order, Flag Salute and Roll Call

2. Public Comment

Members of the public may address the Board at this time concerning items relating to any matter within the Agency's jurisdiction. To comment on specific agenda items, please complete a speaker's request form and hand it to the board secretary.

3. Discussion of Section 101-15.5 of SGPWA Act and its Implementation* (Page 2)

4. Announcements

A. Regular Board Meeting, September 21, 2015 at 1:30 p.m.

B. San Gorgonio Pass Regional Water Alliance, September 23, 2015

1. Technical Committee at 4:30 p.m. – Banning City Hall Conference Room

2. Regular Board Meeting at 6:00 p.m. – Banning City Council Chambers

C. Finance and Budget Workshop, September 28,, 2015 at 1:30 p.m.

5. Adjournment

***Information included in Agenda Packet**

(1) Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for Public inspection in the Agency's office at 1210 Beaumont Avenue, Beaumont during normal business hours. (2) Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Agency's office, located at 1210 Beaumont Avenue, Beaumont, California 92223, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Web site, accessible at <http://www.sgpwa.com>." (3) Any person with a disability who requires accommodation in order to participate in this meeting should telephone the Agency (951 845-2577) at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

operation of its works or as a means of assisting in financing the construction, operation and maintenance of its projects for the control, conservation, diversion and transmission of water and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale to any public agency or private entity, or both, or the federal or state government.

(Stats.1961, c. 1435, p. 3251, § 15.1.)

Library References

Electricity ⇨ 1½.

WESTLAW Topic No. 145.

C.J.S. Electricity § 6 et seq.

§ 101-15.2. Falling water for electric energy; use

Sec. 15.2. In connection with the construction and operation of the works of the agency, the agency shall have the power to contract for the sale of the right to use falling water for electric energy purposes with any public agency or private entity engaged in the retail distribution of electric energy, for a term not to exceed 50 years.

(Stats.1961, c. 1435, p. 3252, § 15.2.)

Library References

Waters and Water Courses ⇨ 200, 201.

WESTLAW Topic No. 405.

C.J.S. Waters §§ 264 et seq., 277 et seq.

§ 101-15.3. Maximum interest rate payable

Sec. 15.3. The maximum rate of interest the agency shall be authorized to pay on any of its bonds, promissory notes, or other obligations shall not exceed the higher of 8 percent per annum, the maximum interest rate for municipal water district bonds as set forth in Section 71953 of the Water Code, or the maximum interest rate set forth in a general statute governing local agencies or districts.

(Added by Stats.1990, c. 1052 (S.B.2499), § 2, eff. Sept. 19, 1990.)

§ 101-15.5. Allocation of water from state water project

Sec. 15.5. It is the intent of the Legislature that, in allocating water received from the State Water Project pursuant to this act, the highest priority shall be given to eliminating groundwater overdraft conditions within any agency or district receiving the water.

(Added by Stats.1990, c. 1052 (S.B.2499), § 3, eff. Sept. 19, 1990.)

§ 101-16. Exercise and delegation of administrative, executive and ministerial powers

Sec. 16. All powers, privileges and duties vested in or imposed upon the agency incorporated hereunder shall be exercised and performed by and

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, CA 92223
Board of Directors Meeting
Agenda
April 12, 2004

1. **Call to Order at 1:30 P.M.**
2. **Roll Call**
3. **Pledge of Allegiance to the Flag**
4. **Adoption and Adjustment of Agenda**
5. **Approval to Dispense with the Reading of the Affidavit of Posting**
6. **Applications and Petitions**
Members of the public may address the Board concerning items not on the agenda.
7. **Approval of the Minutes**
 - A. Approval of the Minutes of the Meeting of March 22, 2004*
8. **Reports (Discussion and Possible Action)**
 - A. **General Manager's Report**
 1. Report on EBX Operations
 2. Report on Resolution #2004-03 Regarding Guidelines for Directors Compensation
 3. USGS, Desert Water Agency, Coachella Valley Water District, Mission Springs Water District and SGPWA Cost Sharing Agreement for Continuing Studies of the Cabazon Storage Unit
 - B. **Engineering Committee Report***
 1. Written and Oral Report by Richard Larsen, Chairperson
 - C. **Finance & Budget Committee Report***
 1. Written and Oral Report by Richmond Zapp, Chairperson
9. **Old Business (Discussion and Possible Action)**
 - A. Review of Proposals for LAFCO Annexation Preparation Packages*
10. **New Business (Discussion and Possible Action)**
 - A. Consideration of Adoption of Resolution #2004-04 (Rescinding Resolution #2004-02) Resolution Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act.*
 - B. Designation of Voting Delegate and voting instructions for April 15, 2004 Special District Association of Riverside County Meeting and Election.*
 - C. Discussion of Methods of Payment for SWP Water for Overdraft Correction of Beaumont Basin
 - D. Discussion of Procurement Procedure Policy for Goods, Services, Contracts and Professional Services. (Requested by John Jeter)
 - E. Review and Approval of Listing of Surplus Agency Property*
11. **Closed Session**
 - A. Closed Session Pursuant to Government Code §54956.9 Pending Litigation: Cherry Valley Acres & Neighbors, Cherry Valley Environmental Planning Group vs. SGPWA. Claim under CEQA.
 - B. Reconvene in Open Session
12. **Topics for Future Agendas**
13. **Announcements**
 - A. Board Meeting, 1:30 PM, April 26, 2004
 - B. General Manager's Vacation April 16 to May 7, 2004
 - C. Special Board Meeting, ACWA Teleconference, 3:00 P.M., May 20, 2004
 - D. Accessacwa.acwanet.com has been activated for the Agency as of April 8, 2004
14. **Adjournment**

*Information included in Agenda Packet

Board of Directors Meeting
April 12, 2004
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\$40,000 in the Debt Service Fund be approved as shown in the Finance & Budget Committee Agenda packets. Ayes: Larsen, Voigt, Jeter, Lewis, Lamm, Zapp and Morris. Motion carried unopposed.

10. New Business (Discussion and Possible Action)

A. Consideration of Adoption of Resolution #2004-04 (Rescinding Resolution #2004-02) Resolution Fixing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act: Director Lewis moved, seconded by Director Lamm, to adopt Resolution #2004-04. Ayes: Larsen, Voigt, Jeter, Lewis, Lamm, Zapp and Morris. Motion carried unopposed.

B. Designation of Voting Delegate and Voting Instructions for April 15, 2004 Special District Association of Riverside County Meeting and Election: A motion was made by Director Zapp, seconded by Director Larsen, to instruct the Agency voting delegate to cast the Agency vote for Ronald Starrs of the Desert Water Agency for the Eastern County representative to the Local Agency Formation Commission. Ayes: Larsen, Voigt, Jeter, Lewis, Lamm, Zapp and Morris. Motion carried unopposed. Since Board president Morris is attending the meeting, he will be the Agency's voting delegate.

C. Discussion of Methods of Payment for SWP Water for Overdraft Correction of the Beaumont Basin: General Manager Stockton explained that in the past it has been his understanding from the Board that the Agency would pay for 2000 acre feet of Pass Entitlement water from the State Water Project from ad-valorem taxes to contribute to correcting the overdraft of the Beaumont Basin. He requested that the Board consider if this is still the Board consensus. After discussion, it was decided that the consensus is unchanged and that the Agency should pay for no more than 2000 AF of water from ad-valorem taxes to address overdraft in the Beaumont Basin. This acre foot amount may be revised from time to time.

D. Discussion of Procurement Procedure Policy for Goods, Services, Contracts and Professional Services (requested by John Jeter): President Morris announced that Richmond Zapp, Richard Larsen and John Jeter as chairman, will serve as an ad-hoc committee to study this issue and bring a draft policy to the Board in approximately 60 days.

E. Review and Listing of Surplus Agency Property: General Manager Stockton reviewed a listing, Agency Resolution #1997-01 and a copy of a Public Notice regarding surplus Agency property. After discussion, a motion was made by Director Lamm, seconded by Director Zapp, to declare the items listed as surplus and to dispose of them as stated in Resolution #1997-01. Ayes: Larsen, Voigt, Jeter, Lewis, Lamm, Zapp and Morris. Motion carried unopposed. The Public Notice and listing will be posted in the Agency's outside bulletin board, at the Banning and Beaumont libraries and provided to the Banning and Beaumont Chambers of Commerce.

11. Closed Session:

This item was cancelled. General Manager Stockton announced that there would be a hearing on Wednesday, April 14, 2004 at 8:30 AM to hear two demurrers; one from SGPWA and the other from City of Beaumont.

Section 2 The Board conducted a public hearing on July 7, 2014 at 1210 Beaumont Avenue, Beaumont, CA in order for members of the public to have the opportunity to be heard to protest against, and to present their respective needs to the Board regarding the proposed adoption of this Ordinance. Notice of the public hearing was published on July 11, 2014 in the Record Gazette, a newspaper of general circulation within the area in which the subject water supply is distributed. Said notice was published at least 7 days prior to the date of the hearing.

Section 3 ARTICLE IV, DELIVERY, Section 4.11 Water Shortage Plan is hereby added to the Rules And Regulations For SGPWA Water Service as follows:

1. Definitions

(a) Water Shortage Year(s) – a calendar year or years in which the total amount of SWP Orders from Purchasers, which are necessary to meet actual demands of Purchasers, plus water required by the Agency as defined below, exceeds the amount of SWP Water that is available for purchase by the Agency from the SWP in that applicable calendar year.

(b) First Priority Water Deliveries – Section 101-15.5 of the San Geronio Pass Water Agency Law provides that in allocating water received from the SWP under the Law, the highest priority shall be given to eliminating groundwater overdraft conditions within the Agency's boundaries. The Board hereby determines that five percent (5%) of the total amount of SWP Orders from Purchasers shall be allocated to direct delivery Purchasers, in a given Water Shortage Year, who take deliveries to the connection or other facilities of the Purchasers for domestic, industrial, and municipal purposes ("Direct Deliveries"). Said Direct Deliveries shall be for Purchasers who take Direct Deliveries in order to avoid the need for groundwater extractions, thereby helping to eliminate groundwater overdraft.

(c) Second Priority Water Deliveries - SWP Orders from Purchasers for Direct Deliveries in a given Water Shortage Year.

(d) Third Priority Water Deliveries – SWP water to be purchased by the Agency to be used in the Agency's discretion and which will be over and above the water needed to meet water demand projections for Direct Deliveries in the First and Second Priority Water Deliveries. Third Priority Water Deliveries shall not exceed 10% of the total amount of SWP Orders from Purchasers in a given Water Shortage Year. The Board of Directors shall have discretion to change this percentage in any given Water Shortage Year, based on Purchaser needs in that year.

(e) Fourth Priority Water Deliveries – SWP Orders from Purchasers for SWP water which would be utilized for groundwater replenishment by spreading or injecting in order to meet projected demands of Purchasers in a given Water Shortage Year.