

**SAN GORGONIO PASS WATER AGENCY**  
**1210 Beaumont Avenue, Beaumont, California 92223**  
**Minutes of the**  
**Board of Directors Meeting**  
**January 20, 2015**

**Teleconference Location: 10213 Overland Trail**  
**Cherry Valley, CA 92223**

**Directors Present:** John Jeter, President  
Bill Dickson, Vice President  
Mary Ann Melleby, Treasurer  
Blair Ball, Director  
Ron Duncan, Director  
Ray Morris, Director  
Leonard Stephenson, Director

**Staff Present:** Jeff Davis, General Manager  
Jeff Ferré, General Counsel  
Ken Falls, Operations and Maintenance Manager  
Cheryle Rasmussen, Executive Assistant

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., January 20, 2015 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. **Statement Regarding Teleconferencing:** General Counsel Jeff Ferré made the following statement: This Board meeting is conducted pursuant to California Government Code Section 54953, in that one member of the Board will be participating in this Board meeting by speaker phone. In accordance with the Brown Act, the teleconference location has been identified in the notice and agenda for this meeting. I will now ask the Board Secretary to conduct roll call, after which I will confirm certain matters for the record.
3. **Roll Call:**

<u><b>Roll Call:</b></u>	<b>Present</b>	<b>Absent</b>
Director Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Morris	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Melleby	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Dickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
President Jeter	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. **Procedures for Holding Meeting at the Teleconference Location:** General Counsel Ferré set forth the Brown Act procedures for the meeting which are required since this meeting includes a teleconference location. General Counsel Ferré confirmed with Director Morris that he in fact was able to hear the proceedings; that he had a copy of the January 20, 2015 Board Meeting Agenda; that the agenda was posted at his location, and that the location was accessible to the public. Director Morris responded in the affirmative to all such questions. General Counsel Ferré asked the attending board members if they were able to hear Director Morris. The board members responded that they could indeed hear him. General Counsel Ferré stated that all action items will require a roll call vote.
5. **Adoption and Adjustment of the Agenda:** The agenda was adopted as presented.
6. **Public Comment:** No other members of the public requested to speak at this time.
7. **Consent Calendar:**
  - A. Approval of the Minutes of the Regular Board Meeting, January 5, 2015
  - B. Approval of the Minutes of the Engineering Workshop, January 12, 2015

Director Dickson moved, seconded by Director Melleby, to approve the consent calendar as presented. President Jeter requested a roll call.

<u><b>Roll Call:</b></u>	<b>Aye</b>	<b>Noes</b>	<b>Absent</b>	<b>Abstain</b>
Director Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Morris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Melleby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Dickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Jeter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carried 7-0.

5. **Reports:**
  - A. **General Manager's Report:**
    - (1) **Operations Report:** General Manager Davis reported on the following: (a) **SWP Water Deliveries:** The SWP Table A water allocation has been increased from 10% to 15%. (b) **Beaumont Cherry Valley Recreation & Parks Department Annual Fishing Derby:** In light of the of the SWP water allocation increase the Agency should now be able to deliver water to Noble Creek for the fishing derby, which is held typically in April or May.
    - (2) **General Agency Updates:** (a) **State Water Resources Development System (SWRDS):** General Manager Davis stated that during the contract extension

negotiations that took place last year between DWR and SWC, one item that the Contractors requested was a formation of a joint finance committee. As of this date, the contract amendment that would implement the finance committee has not been approved. However, DWR called an informal meeting last week, which included housekeeping items and other issues. **(b) Urban Water Management Plan (UWMP):** Every five years DWR issues a guidebook to assist urban water suppliers with the preparation of their UWMP's. This year DWR is submitting two guidebooks, one for retailers and one for wholesale water agencies, with a release date of July 1, 2015. **(c) Supreme Court Smelt Decision:** General Manager Davis provide a timeline pertaining to smelt and court decisions. The latest decision which had been issued by the U.S. Supreme Court was that the court declined to hear the smelt case; therefore the 2008 restrictions stand. **(d) Delta Turbidity Issues:** Due to recent storms that the state received in December a lot of turbidity has washed into the Delta; turbidity makes for a hiding ground for smelt. Pursuant to the biological opinion only a certain amount of smelt can be taken. For this reason DWR and SWC decided to pump less. By taking less in the short term it is hoped that there will be more water available in the long term. **(e) Legislative Analysis Office (LAO) Report:** General Manager Davis reported that he received an email on the LAO report relating to the Delta. He will review it and report back to the Board on its contents. **(f) Beaumont Waste Water Treatment Plant Tour:** On Friday, January 9, 2015 the City of Beaumont hosted a tour of its waste water treatment plant. Staff and board members from Beaumont Cherry Valley Water District, and the City, along with Director Melleby and General Manager Davis, attended the tour.

**B. General Counsel Report:** General Counsel Ferré reported to the Board on the following topics: **(1) State Mandated Costs:** General Counsel Ferré explained the provisions for special districts to secure reimbursement of state-mandated cost programs that occurred prior to 2014, relating to the California Public Records Act. **(2) Litigation:** General Counsel Ferré informed the Board that as a public entity when the Agency is sued it is subject to litigation discovery, depositions, etc. The Agency is also subject to the Public Records Act. Therefore, when a plaintiff misses a deadline to submit a discovery litigation documents request the plaintiff can still obtain the documents through the Public Records Act. Due to a recent ruling by a court in Los Angeles, if any public district accidentally discloses information that should have been withheld, it is in the public domain and is admissible in court.

**C. Directors Reports:** **(1) Director Melleby** gave a brief report on SBVMWD Board Meeting that was held on January 20<sup>th</sup>; the City of Beaumont WWTP tour that was held on January 9<sup>th</sup>; the YVWD Board Workshop that was held on January 13<sup>th</sup>; and the BCVWD Board Meeting that was held on January 14<sup>th</sup>. She also attended the Flume meeting that was held on January 8<sup>th</sup>; the Beaumont Chamber Breakfast that was held on January 9<sup>th</sup>; and the Beaumont Chamber Installation Dinner that was held on January 15<sup>th</sup>. Director Melleby hosted the ACWA Region 9 Board of Directors meeting on January 16<sup>th</sup> that was held at the Agency. **(2) Director Duncan** reported that he attended the Yucaipa Chamber Installation Dinner on January 9<sup>th</sup>; the Beaumont Chamber Installation Dinner on January 15<sup>th</sup>; the Banning Chamber Board meeting on January 8<sup>th</sup>; and he also attended a meeting with City of Banning's interim city manager, Jim Smith.

## 6. New Business: (Discussion and Possible Action)

**A. Appointment of Committees:** President Jeter announced that the appointment of committees will take place at the next board meeting.

**B. Consideration of Resolution No. 2015-01, Adopting the Upper Santa Ana River Watershed Integrated Regional Water Management Plan:** A staff report and a copy of Resolution No. 2015-01, were included in the agenda packet. General Manager Davis stated that this item had been discussed during the January 12<sup>th</sup> Engineering Workshop. He reviewed with the Board the list of water agencies and districts that are participating in the plan. He reviewed Chapter 6, which describes the screening process for projects. He also reviewed the Upper SAR IRWM Plan project review process and project prioritization. General Manager Davis stated that should the Board adopt Resolution No. 2015-01 the Upper SAR IRWM Plan will become the Agency's official IRWM Plan. After discussion, Director Dickson made a motion, seconded by Director Duncan, to adopt Resolution No. 2015-01 formally adopting the Upper Santa Ana River Watershed IRWMP as this Agency's IRWMP. President Jeter requested a roll call.

<b><u>Roll Call:</u></b>	<b><i>Aye</i></b>	<b><i>Noes</i></b>	<b><i>Absent</i></b>	<b><i>Abstain</i></b>
Director Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Morris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Melleby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Dickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Jeter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carried 7-0.

**C. Appointment of a Board Member to the San Geronio Pass Regional Water Alliance:** General Manager Davis stated that President Jeter is currently the representative for the Agency at the SGPRWA meetings. He inquired if President Jeter would like to continue as a representative, or if he would like to nominate another board member. President Jeter recommended Director Melleby. Director Dickson made a recommendation, seconded by Director Duncan, that Director Melleby represent the Agency at the SGPRWA.

<b><u>Roll Call:</u></b>	<b><i>Aye</i></b>	<b><i>Noes</i></b>	<b><i>Absent</i></b>	<b><i>Abstain</i></b>
Director Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Morris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Melleby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Dickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Jeter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carried 7-0.

**D. Status Report on Whitewater Flume:** General Manager Davis reported on the Participating Entities (PE) meeting that took place on January 8<sup>th</sup>. He also reported on


another meeting that also took place on January 8<sup>th</sup>, which included a tunneling consultant. General Manager Davis stated that the City of Banning and BHMWC have agreed to cost share on the tunneling study fee. General Manager Davis stated that due to the fact that this is an environmental justice issue he has left a message with an environmental justice consultant to contact him. The participating entities are moving forward on an EIR and an Alternative Water Supply study. The City of Banning will be moving forward on the Integrated Licensing Process (ILP) in order to obtain a power license; the PE are also moving forward on a DRD process. Lastly, the PE are moving forward on a political process.

**7. Topics for Future Agendas:** Director Ball requested that a discussion item for an upcoming joint workshop with retailers be placed on the February 2, 2015 Board agenda.

**8. Announcements:** *President Jeter reviewed the following announcements:*

- A. Finance and Budget Workshop, January 26, 2015 at 1:30 p.m.
- B. San Gorgonio Pass Regional Water Alliance – Technical Committee Meeting January 28, 2015 at 4:30 p.m. – Banning City Hall Conference Room
- C. San Gorgonio Pass Regional Water Alliance Meeting January 28, 2015 at 6:00 p.m. – Banning City Council Chambers
- D. Regular Board Meeting February 2, 2015

**9. Adjournment:** *President Jeter adjourned the meeting at 2:40 p.m.*

  
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Jeffrey W. Davis, Secretary of the Board  
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