

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the
Board of Directors Meeting
August 19, 2019

Directors Present: Ron Duncan, President
Lenny Stephenson, Vice President
Stephen Lehtonen, Treasurer
Blair Ball, Director
David Fenn, Director
David Castaldo, Director
Michael Thompson, Director

Staff Present: Jeff Davis, General Manager
General Counsel Jeff Ferre
Thomas Todd, Finance Manager
Cheryle Stiff, Executive Assistant

1. **Call to Order, Flag Salute, Invocation, and Roll Call:** The meeting of the San Gorgonio Pass Water Agency Board of Directors was called to order by Board President Duncan at 1:30 p.m., August 19, 2019 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. President Duncan led the Pledge of Allegiance to the flag. Director Lehtonen gave the invocation. A quorum was present.
2. **Adoption and Adjustment of Agenda:** *President Duncan asked if there were any adjustments to the agenda.* There being none the agenda was adopted as published.
3. **Public Comment:** *President Duncan asked if there were any members of the public that wished to make a public comment on items that are within the jurisdiction of the Agency that are not on today's agenda.* Director Ball announced that Stella Parks, a resident of Cherry Valley, passed away on August 11, 2019. She was very active in the community, serving on various boards and volunteering her time. Mrs. Parks was the first woman to serve on the Beaumont-Cherry Valley Water District Board of Directors from 2001-2010. There were no other members of the public that wished to comment at this time.
4. **Consent Calendar:**
 - A. Approval of the Minutes of the Regular Board Meeting, August 5, 2019
 - B. Approval of the Minutes of the Engineering Workshop, August 12, 2019

President Duncan asked for a motion on the Consent Calendar. Director Stephenson made a motion, seconded by Director Castaldo, to adopt the consent calendar. Motion passed 7-0.

5. **Reports:**
 - A. **General Manager's Report:**
 - (1) **Operations Report:** General Manager Davis provided a written report on the Agency's Operations and General Updates. He also provided a verbal report on deliveries of SWP water, stating that the Agency has delivered a total of 750 acre-feet to the Noble Creek Connection, so far this

month. General Manager Davis reviewed the information on SB 1 that was included in the agenda packet. He stated that the opponents (including SWC) of SB 1 (Endangered Species Act) are not trying to defeat the bill, only to amend it.

B. General Counsel Report: None.

C. Directors Reports:

1) **Director Thompson** reported that he attended the City of Beaumont's State of the City event that was held on August 15th. He also reported that the Water Conservation & Education Committee met on August 8th. 2) **Director Fenn** reported on the City of Beaumont's State of the City event that was held on August 15th. During the event he learned of the City's intent to incorporate high density residential housing. Director Fenn also reported on the August 7th Beaumont Basin Watermaster meeting. 3) **Director Stephenson** reported that he attended YVWD meeting on August 13th. He also attended and reported on South Mesa Water District's Board meeting that was held on August 14th. 4) **Director Lehtonen** reported on the San Bernardino County Water Conference that he attended on August 9th. He encouraged fellow Board Members to attend next year. 5) **Director Ball** reported on the City of Beaumont's State of the City event. 6) **Director Castaldo** stated that he also attended the Beaumont Basin Watermaster meeting that was held on August 7th.

D. Committee Reports: 1) **Director Ball** reported on the Capacity Fee Committee meeting that was held on August 12th; stating that they are still waiting on the City of Yucaipa and the City of Calimesa's demographic information. He informed the Board that the Committee has decided to hold future meetings on a monthly basis, for the time being. 2) **Director Castaldo** stated that he met with General Counsel Ferre to discuss certain information pertaining to the Director's Handbook. He noted that a Committee meeting will be held soon to discuss Counsel's recommendations. 3) **Director Thompson** reported that the Water Education and Conservation Committee met on August 8th.

6. New Business:

A. Consideration and Possible Action on Proposed Amendment to 2008 Cooperative Agreement with Regional Water Quality Control Board to Protect Water Quality and Encourage Conjunctive Use. A staff report and the First Amendment for the Cooperative Agreement were included in the agenda package. General Manager Davis stated that this item was discussed during the June Engineering Workshop. The proposed amendment declares that a specific existing computer model is sufficient to meet the requirements of the cooperative agreement for all computer modeling, that max benefit entities are exempt from certain modeling and reporting requirements, and the Basin Monitoring program Task Force, of which the Agency is a member, may be contracted with to perform certain modeling functions. General Manager Davis reviewed with the Board the specifics of the amendment. After discussion, Director Lehtonen moved, seconded by Director Ball, to approve the amendment and authorize the General Manager to sign the amendment. Motion passed 7-0.

B. Consideration and Possible Action on ACWA Region 9 Election. Materials relating to ACWA's Region 9 Board Ballot were included in the agenda package. General Manager Davis reminded the Board of a prior discussion to nominate a member of the Board as a candidate for the Region 9 Board and that the Board declined. ACWA received and reviewed the nomination forms and have composed a slate for the Region 9 Board. ACWA also allows the nomination of other individuals. General Manager Davis stated that the Board President is the individual that casts the deciding vote; however he brought to the full Board for discussion. President Duncan asked for comments from the Board. After discussion, it was the Board decision to cast its vote for the slate. Director Castaldo moved, seconded by Director Lehtonen, to vote for ACWA's recommended slate. Motion Passed 7-0.

C. Consideration and Possible Action to Nominate Agency Board Members and/or Staff to ACWA Committees. Materials relating to ACWA's Committee Appointments were included in the agenda package. General Manager Davis reminded the Board that every two years ACWA appoints Committees; the current term is for 2020-2021. He stated that different Committees meet with different frequency. In the past, members of the Board have served on various Committees. President Duncan asked if there were any Board Members that wished to be nominated to a particular Committee; the Board declined. General Manager Davis reminded the Board that four years ago the Board nominated him to the Groundwater Committee, which has been beneficial to the Agency. He informed the Board that he would like to be nominated to the Groundwater Committee for the 2020-2021 term; however the Board is under no obligation to do so. After discussion, Director Fenn made a motion, seconded by Director Duncan, to nominate General Manager Davis to serve on the Groundwater Committee for the 2020-2021 term. Motion Passed 7-0.

D. Potential Action by the Board President Regarding:

- (a) Changes and updates to Board Committee assignments; and**
- (b) Creation of new Board Committees and assignments to such committees.**

President Duncan informed the Board that he is dissolving the Ad-Hoc Committee for the General Manager Performance Evaluation. He stated that he is forming an Ad-Hoc Hiring Committee - General Manager. He stated that the members of this Committee will include: Director Castaldo, Director Stephenson as Chair, and President Duncan. General Counsel Ferre asked for clarification on the newly formed Ad-Hoc Committee. President Duncan responded that the General Manager's contract expires next year and the Board will be interviewing for a replacement. No other changes were made.

7. Topics for Future Agendas: None.

8. Announcements:

- A. Finance and Budget Workshop, August 26, 2019 at 1:30 p.m.
- B. San Gorgonio Pass Regional Water Alliance, August 28, 2019 at 5:00 p.m. – Banning City Hall
- C. Office Closed Monday, September 2, 2019 in Observance of Labor Day
- D. Regular Board Meeting, Tuesday, September 3, 2019 at 1:30 p.m.

9. Closed Session (2 Items)

Time: 2:05 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) and initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 - One potential case

- B. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: Ron Duncan, President of the Board of Directors
Unrepresented employee: General Manager


The meeting reconvened to open session at:

Time: 4:25 pm

General Counsel Ferre stated that there was no action taken during closed session that is reportable under the Brown Act.

10. Adjournment

Time: 4:25 pm



Jeffrey W. Davis, Secretary of the Board

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