

**SAN GORGONIO PASS WATER AGENCY**  
**1210 Beaumont Avenue, Beaumont, California 92223**  
**Minutes of the**  
**Board of Directors Meeting**  
**March 16, 2020**

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

**Staff Present:** Jeff Davis, General Manager  
Jeff Ferre, General Counsel – Via Teleconference  
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., March 16, 2020 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. President Duncan led the Pledge of Allegiance to the flag. Director Ball gave the invocation. A quorum was present.
  
2. **Statement Regarding Teleconferencing:** Due to the spread of the Coronavirus disease (COVID-19) and in accordance with the Governor's Executive Order This meeting location is where members of the public may observe and provide public comment. Members of the public may listen and provide public comment telephonically as stated on today's agenda.  
  
General Counsel Ferre attended the Board meeting via teleconferencing. He recommended that all public comments take place during item 4.
  
3. **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.
  
4. **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.* Dan Jagers (General Manager – BCVWD) expressed his concern about the ongoing COVID-19 state of emergency and its impact on the economy. He asked that if the Board was going to make any decision on the water rate to do it soon, so he knows what to pass through to his customers. He asked the Board to have General Manager Davis correspond with him on this issue. There were no other members of the public that spoke at this time.

**5. Consent Calendar:**

- A. Approval of the Minutes of the Regular Board Meeting, March 2, 2020
- B. Approval of the Minutes of the Engineering Workshop, March 9, 2020

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

**6. Reports:**

**A. General Manager's Report:** A written report was not provided in the agenda packet. General Manager Davis verbally reviewed the following:

- 1. Operations Report—** We delivered 677 AF so far this month. Flows to Noble were decreased on Friday at the request of BCVWD due to algae problems. We are now delivering at 16 cfs instead of 24.
- 2. Other Agency Updates**
  - a. Water supply: Northern California received snow over the weekend, several feet in the Sierras. This storm is continuing today and into tomorrow. We are still at about 50% of average for snowpack and about 40% of average for precipitation.
  - b. Sites Reservoir - Three candidates for the Executive Director position have been interviewed and a decision to hire one of those candidates was made. The JPA will meet next week to formally approve the selected candidate.
  - c. Beaumont Avenue Recharge Facility - A car hit our fence last week and damaged two sections of the wrought iron fencing. Our O&M Manager was able to temporarily wired it back together and we are getting quotes for a permanent fix.
  - d. IERCD had notified the Agency that there will be no classroom presentations until at least April 6<sup>th</sup>.

**B. General Counsel Reports:** General Counsel Ferre provided a verbal report on COVID-19 state of emergency. He stated that we should only have essential public meetings with the ability to teleconference. For closed session we will be using BB&K's call line. BB&K staff will be working remotely and will be giving updates daily. Essential items will be determined by the Board President and staff.

**C. Directors Reports:** **1) Director Fenn** reported on the Beaumont Chamber Breakfast. **2) Director Ball** reported on the Beaumont Chamber Breakfast. **3) President Stephenson** reported on YVWD's meeting that was held on March 10<sup>th</sup>. **4) President Duncan** stated that schools may be closed up to two months, due to COVID-19.

**D. Committee Reports:** 1) **Director Thompson** stated that future Conservation and Education workshops may need to be postponed, due to COVID-19. 2) **Director Ball** stated that the Capacity Fee Committee met on March 9<sup>th</sup>.

**7. New Business:**

**A. Consideration and Possible Action to Adopt a Revised and Updated Director's Travel and Expense Reimbursement Policy.** A staff report and a copy of the Draft Revised and Updated Director's Travel and Expense Reimbursement Policy were included in the agenda package. General Counsel Ferre stated that the Board had discussed this item on March 9<sup>th</sup>. He noted that with regular changes in the law, as well as in the way travel is conducted and expensed, it is recommended that public agencies regularly review and update their policies on director travel and expense reimbursement. The proposed draft policy would incorporate all of the recent changes to the law and could be adopted by the Board. Should the Board wish to adopt this policy it will supersede the prior policy. It is recommended that the Board approves the newly revised Director's Travel and Expense Reimbursement Policy, to be dated March 16<sup>th</sup>, 2020. Director Thompson made a motion, seconded by President Duncan, to adopt the revised Director's Travel and Expense Reimbursement Policy to be dated March 16<sup>th</sup>, 2020. Motion passed 7-0.

**B. Discussion of Governor's Executive Order, signed March 12, 2020.** A copy of the Governor's Executive Order pertaining to COVID-19 was included in the agenda packet. General Manager Davis wanted to give the Board and Counsel an opportunity to discuss how future meetings are to be conducted. General Counsel Ferre stated that we do need to have the ability to conduct the meetings telephonically and to make sure that people that are attending the meetings at the office are at least six-feet apart. If you cannot be at least six-feet apart, then we could not conduct the meetings. The Board discussed the ability to conduct all meetings via teleconferencing and to designate the Board room as the meeting place for all meetings and workshops. General Counsel Ferre informed the Board that due to the state of emergency all Board members can phone in. Director Thompson and Director Fenn stated that they would come to the office to review the Finance and Budget materials. The Board did not wish to cancel meetings at this time; they opted to utilize teleconferencing. Director Lehtonen suggested that any Board member that will be attending by teleconferencing contact staff to inform them that you will be doing so. He noted that this will allow staff to know ahead of time that even though a quorum is not visible, there will be members of the Board on the phone that equates to a quorum. President Duncan asked that the Board members call him directly should they be attending via teleconferencing.

**8. Topics for Future Agendas:** **1) Director Castaldo** requested to consult with Legal Counsel in private prior to making this request, as it is a potential request for discussion during today's closed session. President Duncan granted Director Castaldo's request to take place after item 8. **2) Director Thompson** requested discussion on Resolution 2019-02, also discussion of the Agency's water rate. President Duncan recessed the Board meeting at 2:03 pm.

**9. Announcements:**

- A. Finance & Budget Workshop, March 23, 2020 at 1:30 p.m.
- B. Regular Board Meeting, April 6, 2020 at 1:30 p.m.
- C. Engineering Workshop, April 13, 2020 at 1:30 p.m.

President Duncan reconvened the Board meeting at 2:06 pm. It was determined that there will be no additions to item 10.

**10. Closed Session (2 Items)**

**Time: 2:07 pm**

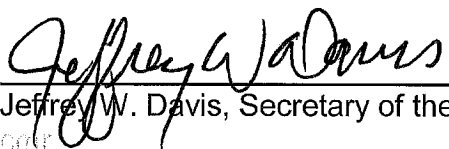
- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9  
One potential case
- B. PUBLIC EMPLOYEE APPOINTMENT  
Pursuant to Government Code Section 54957  
Title: Consultant/Independent Contractor: Interim general manager services during general manager transition

**The meeting reconvened to open session at: Time: 3:00 pm**

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

**11. Adjournment**

**Time: 3:00 pm**

  
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Jeffrey W. Davis, Secretary of the Board