

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, CA
Board of Directors Meeting
Agenda
December 2, 2019 at 1:30 p.m.

1. Call to Order, Flag Salute, Invocation and Roll Call

2. Adoption and Adjustment of Agenda

3. 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. Speakers are requested to keep their comments to no more than five minutes. Under the Brown Act, no action or discussion shall take place on any item not appearing on the agenda, except that the Board or staff may briefly respond to statements made or questions posed for the purpose of directing statements or questions to staff for follow up.

4. Consent Calendar: If any board member requests that an item be removed from the Consent Calendar, it will be removed so that it may be acted upon separately.

- A. Approval of the Minutes of the Regular Board Meeting, November 18, 2019* (p. 3)
- B. Approval of the Minutes of the Finance and Budget Workshop, November 25, 2019* (p. 7)
- C. Approval of the Finance and Budget Workshop Report, November 25, 2019* (p. 9)

5. Reports:

- A. General Manager's Report
- B. General Counsel Report* (p. 22)
- C. Directors Reports
- D. Committee Reports

6. Old Business:

- A. Consideration and Possible Action to Adopt a Policy for Adding Items to Board Meeting and Committee Meeting Agendas* (p. 24)

6. New Business:

- A. Consideration and Possible Action to approve Sites Project Agreement Amendment* (p. 29)
- B. Consideration And Possible Action to Issue a Request For Proposals for Executive Recruitment Services For The Position Of General Manager* (p. 35)

7. Topics for Future Agendas

8. Announcements:

- A. Engineering Workshop, December 9, 2019 at 1:30 p.m.
- B. Water Conservation & Education Committee Meeting, December 12, 2018 at 1:30 p.m.
- C. Regular Board Meeting, December 16, 2019 at 1:30 p.m.

9. 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: 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.

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the
Board of Directors Meeting
November 18, 2019

Directors Present: Ron Duncan, President
Lenny Stephenson, Vice President
Stephen Lehtonen, Treasurer
Blair Ball, Director (arrived at 1:35 pm)
David Fenn, Director
David Castaldo, Director
Michael Thompson, Director (left at 2:50 pm)

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., November 18, 2019 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. President Duncan led the Pledge of Allegiance to the flag. Director Castaldo 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.* There were no members of the public that spoke at this time.
4. **Consent Calendar:**
 - A. Approval of the Minutes of the Regular Board Meeting, October 7, 2019
 - B. Approval of the Minutes of the Engineering Workshop, October 14, 2019

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 6-0, Director Ball not yet arrived.

5. **Reports:**
 - A. **General Manager's Report:** General Manager Davis reported verbally on the following: **Operations** – 1. 868 acre-feet has been delivered to the Noble Creek Connection, so far this month. 2. All of the Nickel water, Ventura water, and carryover water have been delivered for 2019. 3. Rain is expected this week in Southern California. 4. The Water Ops Committee is meeting today to discuss the hydrology and weather for 2020. 5. SWP Table A water initial allocation will be announced before our December 2nd Board meeting.

(2) General Agency Issues: General Manager Davis spoke on the following:

- a. Construction – 1. Fiesta Recharge Facility construction is nearly completed; hydroseeding will take place this week. 2. Electronics still need to be hooked up at Mt. View, but we could manually serve water if there was a need to do so. 3. The Agency owes the City of Banning 125 AF of SWP water. Art Vela (City of Banning - Public Works Director) approved the usage of said water to be used at the Fiesta Recharge Facility for testing. After General Manager Davis' report President Duncan stated that he and other board members would like to be present during the testing of the Fiesta Recharge Facility.
- b. Delta Conveyance Facility amendment - There was a lengthy negotiating session that took place last Wednesday, Thursday, Friday. Most of the discussion was pertaining to carryover water in San Luis Reservoir. An Agreement in Principal has been drafted and is being reviewed by the attorneys. General Manager Davis informed the Board that he will be discussing the AIP with the Board in December, at which time the Board will need to decide what our participation level will be.
- c. Local Agency Investment Fund (LAIF) – General Manager Davis stated that every year there is a LAIF Conference that is designed to provide local public officials, responsible for the investment of public funds, with the opportunity to learn more about the LAIF program. Finance Manager Thomas Todd attended the LAIF Conference. Mr. Todd provided insight on some of the economic forecasts that were presented by some of the speakers. He also reported on a presentation that was given on programmatic investment approaches.

B. Directors Reports:

1) Director Thompson reported that he attended the Beaumont Chamber breakfast that was held on November 8th. Senator Mike Morrell was the guest speaker. **2) Director Fenn** reported on the Beaumont Chamber's breakfast. **3) Director Stephenson** reported that he attended YVWD's Board meeting that was held on November 5th. He stated that the Board voted to accept the facilitated process of the water deliveries to the Calimesa Area by San Bernardino Valley Municipal Water District for the San Gorgonio Pass Water Agency. On November 12th he attended YVWD's workshop. On November 13th he attended South Mesa's monthly meeting. **4) President Duncan** reported that he attended the Banning City Council meeting on November 12th. He attended a Banning School Board meeting. He also attended a meeting on November 15th with Supervisor Jeff Hewitt. **5) Director Lehtonen** reported that he attended the Beaumont Chamber breakfast. He will be attending the SGPRWA meeting that will be held on November 20th. **6) Director Ball** reported that he attended the Beaumont Chamber's breakfast. He reported on the BCVWD Board meeting that was held on November 13th.

D. Committee Reports: **1) Director Ball** reported on the Capacity Fee Ad-Hoc Committee that was held on November 12th.

6. New Business:

A. Consideration of Adoption of Resolution No. 2019-09, Establishing a Board of Directors Handbook. A staff report and a copy of Resolution No. 2019-09 were included in the agenda package. Legal Counsel Jeff Ferre stated that the Ad-hoc Committee for the Directors Handbook submitted a report to the Board on October 21st. The Ad-hoc Committee included Legal Counsel Ferre in several meetings to provide him with direction on what the contents of the handbook were to include. The intent is to provide information on how Board members are to conduct Agency business. This agenda item is to formally establish a Board of Directors Handbook to house policies related to the Board of Directors by adopting Resolution No. 2019-09. General Counsel Ferre turned this item over to the Chair of the Committee, Director Castaldo. Director Castaldo stated that the committee met a number of times and during the meetings the current handbook for the Directors seemed adequate. However, there were some items that did not need to be included in the handbook, some items that needed updated, and a couple of items that needed to be added. After discussion, Director Fenn moved, seconded by Director Castaldo, to adopt Resolution No. 2019-09, establishing a Board of Directors Handbook. Motion passed 7-0.

B. Consideration of Adoption of Resolution No. 2019-10, Adopting Rosenberg's Rules of Order as the Official Parliamentary Procedures for Board Meetings. A staff report, Resolution No. 2019-10, and a copy of Rosenberg's Rules of Order (Revised 2011) were included in the agenda packet. Director Castaldo stated that the Rosenberg's Rules of Order is an abbreviation of Robert's Rules of Order. He noted that Rosenberg's Rules of Order was adopted by the California League of Cities. He informed the Board that Rosenberg's Rules of Order is simple, easy and understandable. Director Fenn shared examples when Rosenberg's Rules of Order would have been beneficial. General Counsel Ferre reviewed the specific rules for Rosenberg's Rules of Order as follow:

- First, the chair announces the item
- Second the chair invites the appropriate person (staff) to report on the item, including any recommendation they might have.
- Third, the chair should ask for technical questions for clarification.
- Fourth, the chair invites public comment, at the conclusion the chair is to announce that public comment has concluded
- Fifth, the chair invites the motion
- Sixth, chair invites a second to the motion
- Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion
- Eighth, the chair should invite discussion of the motion by the body.

Legal Counsel Ferre also brought to the Board's attention information related to motion to limit debate. After discussion, Director Castaldo moved, seconded by Director Fenn, to adopt Resolution No. 2019-10, adopting Rosenberg's Rules of Order as the official parliamentary procedures for Board meetings. Motion passed 7-0.

C. Discussion and Possible Action to Adopt a Policy for Adding Items to Board Meeting and Committee Meeting Agendas. Director Castaldo requested this item to ensure that Directors had the ability to request to have something placed on the agenda. He noted that the agenda is composed by both the Board President and the General Manager. Director Castaldo inquired with President Duncan as to what process a Board member is to request an item on the agenda. President Duncan stated that requests for items to be placed on an agenda should take place at the Board meetings under topics for future agendas. If there was an urgent matter he would listen to the request and determine at that time if the item needs to be on the upcoming agenda. Legal Counsel Ferre stated that the drafted policy addresses exactly what President Duncan stated. General Counsel Ferre reviewed the draft policy with the Board. Director Thompson made a motion, seconded by President Duncan, to table this item. Motion passed 7-0. General Manager Davis provided insight as to what the steps that staff takes to produce the agendas the time schedule that is needed in order to get the agenda published.

7. Topics for Future Agendas: **1) President Duncan** requested that today's tabled item be on the next board agenda. **2) Director Ball** requested additional information on the current water rate structure to be discussed at the December 2nd Board meeting. **3) Director Fenn** requested an update from the General Manager Hiring Committee. Director Stephenson stated that the committee is meeting with Counsel Ferre after today's Board meeting and he will have a report at the next Board meeting.

8. Announcements:

- A. Finance & Budget Workshop, November 25, 2019 at 1:30 p.m.
- B. Office closed Thursday, November 28, 2019, in observance of Thanksgiving Day
- C. Office closed Friday, November 29, 2019, in observance of the Thanksgiving Holiday
- D. Regular Board Meeting, December 2, 2019 at 1:30 p.m.

9. Adjournment

Time: 3:03 pm

Draft - Subject to Board Approval

Jeffrey W. Davis, Secretary of the Board

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SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue
Beaumont, California 92223
Minutes of the
Board Finance and Budget Workshop
November 25, 2019

Directors Present: Ron Duncan, President
Lenny Stephenson, Vice President
Blair Ball, Director
David Castaldo, Director
David Fenn, Director
Mike Thompson, Director

Directors Absent: Steve Lehtonen, Treasurer

Staff and Consultants Present:

Jeff Davis, General Manager
Tom Todd, Jr., Finance Manager

1. **Call to Order, Flag Salute and Roll Call:** The Finance and Budget workshop of the San Gorgonio Pass Water Agency Board of Directors was called to order by Vice President Lenny Stephenson at 1:30 pm, November 25, 2019, in the Agency Conference Room at 1210 Beaumont Avenue, Beaumont, California. Vice President Stephenson led the Pledge of Allegiance to the flag. A quorum was present.
2. **Adoption and Adjustment of Agenda:** The agenda was adopted as posted.
3. **Public Comment:** No members of the public requested to speak at this time.
4. **New Business:**
 - A. Ratification of Paid Invoices and Monthly Payroll for October, 2019 by Reviewing Check History Reports in Detail: After review and discussion, a motion was made by Director Fenn, seconded by Director Duncan, to recommend that the Board ratify paid monthly invoices of \$1,170,621.96 and payroll of \$38,443.66 for the month of October, 2019, for a combined total of \$1,209,065.62. The motion passed 6 in favor, no opposed, with Director Lehtonen absent.
 - B. Review Pending Legal Invoices: After review and discussion, a motion was made by Director Duncan, seconded by Director Thompson, to recommend that the Board approve payment of the pending legal invoice for October, 2019 for \$8,787.80. The motion passed 6 in favor, no opposed, with Director Lehtonen absent.

- C. Review of October, 2019 Bank Reconciliation: After review and discussion, a motion was made by Director Duncan, seconded by Director Thompson, to recommend that the Board acknowledge receipt of the Wells Fargo bank reconciliation for October, 2019 as presented. The motion passed 6 in favor, no opposed, with Director Lehtonen absent.
 - D. Review of Budget Report for October, 2019: General Manager Davis reviewed the budget report, highlighting a number of items, and answering questions. After further review and discussion, a motion was made by Director Castaldo, seconded by Director Ball, to recommend that the Board acknowledge receipt of the Budget Report for October, 2019. The motion passed 6 in favor, no opposed, with Director Lehtonen absent.
5. **Announcements:** Vice President Stephenson reviewed the announcements:
- A. Office closed Thursday and Friday, November 27-28, 2019 in observance of the Thanksgiving holiday.
 - B. Regular Board Meeting, December 2, 2019, 1:30 pm
 - C. Engineering Workshop, December 9, 2019, 1:30 pm
6. **Adjournment:** The Finance and Budget workshop of the San Geronio Pass Water Agency Board of Directors was adjourned at 1:47 pm.

Draft - Not
Approved

Jeffrey W. Davis, Secretary of the Board

Finance and Budget Workshop Report

From Vice President Lenny Stephenson

The Finance and Budget Workshop was held on November 25, 2019. The following recommendations were made:

1. The Board ratify payment of Invoices of \$1,170,621.96 and Payroll of \$38,443.66 as detailed in the Check History Report for Accounts Payable and the Check History Report for Payroll for October, 2019 for a combined total of \$1,209,065.62.
2. The Board authorize payment of the following vendor's amounts:

Best, Best & Krieger LLP	\$8,787.80
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3. The Board acknowledge receipt of the following:
 - A. Wells Fargo bank reconciliation for October, 2019
 - B. Budget Report for October, 2019

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Ave, Beaumont, CA 92223
Board Finance & Budget Workshop
Agenda
November 25, 2019 at 1:30 p.m.

1. **Call to Order, Flag Salute**
2. **Adoption and Adjustment of Agenda**
3. **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 a specific agenda item, please complete a speaker's request form and hand it to the Board secretary. Speakers are requested to keep their comments to no more than five minutes. Under the Brown Act, no action or discussion shall take place on any item not appearing on the agenda, except that the Board or staff may briefly respond to statements made or questions posed for the purpose of directing statements or questions to staff for follow up.
4. **New Business (Discussion and possible recommendations for action at a future regular Board meeting)**
 - A. Ratification of Paid Invoices and Monthly Payroll for October, 2019 by Reviewing Check History Reports in Detail*
 - B. Review of Pending Legal Invoices*
 - C. Review of October, 2019 Bank Reconciliation*
 - D. Review of Budget Report for October, 2019*
5. **Announcements**
 - A. Office closed Thursday and Friday, November 27-28, 2019 in observance of the Thanksgiving holiday.
 - B. Regular Board Meeting, December 2, 2019, 1:30 pm
 - C. Engineering Workshop, December 9, 2019, 1:30 pm
6. **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 Ave., Beaumont, CA 92223 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, during regular business hours. When practical, these public records will also be available on the Agency's Internet website, 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 to make a request for a disability-related modification or accommodation.

San Gorgonio Pass Water Agency
Check History Report
October 1 through October 31, 2019

ACCOUNTS PAYABLE

<u>Date</u>	<u>Number</u>	<u>Name</u>	<u>Amount</u>
10/07/2019	119430	ASSOCIATION OF CALIFORNIA WATER AGENCIES	23,010.00
10/07/2019	119431	BDL ALARMS, INC.	78.00
10/07/2019	119432	BEST BEST & KRIEGER	12,331.54
10/07/2019	119433	BEAUMONT HOME CENTER	13.99
10/07/2019	119434	CA STATE TREASURER'S OFFICE	150.00
10/07/2019	119435	DEPARTMENT OF WATER RESOURCES	20,000.00
10/07/2019	119436	EADIE AND PAYNE LLP	3,825.00
10/07/2019	119437	ERNST & YOUNG LLP	2,736.00
10/07/2019	119438	NICE GRAPHIX	270.00
10/07/2019	119439	RISK SCIENCES	1,699.62
10/07/2019	119440	CHERYLE M. STIFF	574.77
10/07/2019	119441	UNDERGROUND SERVICE ALERT	39.70
10/07/2019	119442	UNLIMITED SERVICES BUILDING MAINT.	295.00
10/07/2019	119443	U. S. GEOLOGICAL SURVEY	134,604.26
10/07/2019	119444	VALLEY OFFICE EQUIPMENT, INC.	90.83
10/07/2019	119445	WASTE MANAGEMENT INLAND EMPIRE	112.59
10/21/2019	119446	ACWA BENEFITS	878.26
10/21/2019	119447	ACWA JPIA	20,861.00
10/21/2019	119448	ALBERT WEBB ASSOCIATES	4,960.16
10/21/2019	119449	BLAIR M. BALL	2,319.01
10/21/2019	119450	ERSC	22,728.34
10/21/2019	119451	FRONTIER COMMUNICATIONS	1,319.13
10/21/2019	119452	MACRO COMMUNICATIONS	763.00
10/21/2019	119453	OFFICE SOLUTIONS	371.11
10/21/2019	119454	SOUTHERN CALIFORNIA GAS	3.16
10/24/2019	119455	ACWA JPIA	1,074.11
10/24/2019	119456	ALBERT WEBB ASSOCIATES	230.00
10/24/2019	119457	AT&T MOBILITY	236.00
10/24/2019	119458	DESERT FIRE EXTINGUISHER	92.08
10/24/2019	119459	GOPHER PATROL	51.00
10/24/2019	119460	MATTHEW PISTILLI LANDSCAPE SERVICES	350.00
10/24/2019	119461	NICE-INCONTACT	151.57
10/24/2019	119462	PROVOST & PRITCHARD	1,437.30
10/24/2019	119463	SOUTHERN CALIFORNIA EDISON	87.03
10/24/2019	119464	WELLS FARGO ELITE CREDIT CARD	2,966.52
10/30/2019	119465	STANDARD INSURANCE COMPANY	488.29
10/15/2019	557980	EMPLOYMENT DEVELOPMENT DEPARTMENT	1,085.63
10/30/2019	504037	EMPLOYMENT DEVELOPMENT DEPARTMENT	1,213.97
10/15/2019	573640	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	5,357.66
10/30/2019	592849	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	7,132.30
10/15/2019	900268	CALPERS RETIREMENT	5,532.64
10/15/2019	900269	CAL PERS RETIREMENT - SIP-457	1,680.00
10/24/2019	900270	CALPERS HEALTH	7,666.78
10/30/2019	900271	CALPERS RETIREMENT	5,852.61
10/30/2019	900272	CAL PERS RETIREMENT - SIP-457	1,680.00
10/31/2019	900273	DEPARTMENT OF WATER RESOURCES	872,222.00
			1,170,621.96

San Geronio Pass Water Agency

Check History Report

October 1 through October 31, 2019

PAYROLL

<u>Date</u>	<u>Number</u>	<u>Name</u>	<u>Amount</u>
10/14/2019	801788	JEFFREY W. DAVIS	5,651.67
10/14/2019	801789	KENNETH M. FALLS	3,233.66
10/14/2019	801790	CHERYLE M. STIFF	2,305.06
10/14/2019	801791	THOMAS W. TODD, JR.	3,798.63
10/29/2019	801792	BLAIR M. BALL	1,237.90
10/29/2019	801793	JEFFREY W. DAVIS	5,651.67
10/29/2019	801794	RONALD A. DUNCAN	1,237.90
10/29/2019	801795	KENNETH M. FALLS	4,000.15
10/29/2019	801796	DAVID L. FENN	1,237.90
10/29/2019	801797	STEPHEN J. LEHTONEN	1,237.90
10/29/2019	801798	CASMIR J. OLAVAR	271.73
10/29/2019	801799	LEONARD C. STEPHENSON	1,237.90
10/29/2019	801800	CHERYLE M. STIFF	2,305.06
10/29/2019	801801	MICHAEL D. THOMPSON	1,237.90
10/29/2019	801802	THOMAS W. TODD, JR.	3,798.63
		TOTAL PAYROLL	<u>38,443.66</u>
		TOTAL DISBURSEMENTS FOR OCTOBER, 2019	<u><u>1,209,065.62</u></u>

SAN GORGONIO PASS WATER AGENCY

New Vendors List

November, 2019

Vendor - Name and Address	Expenditure Type
Jensen Precast 825 Steneri Way, Sparks, NV 89431	CIP- Construction Mt. View Connection

SAN GORGONIO PASS WATER AGENCY

**LEGAL INVOICES
ACCOUNTS PAYABLE INVOICE LISTING**

<u>VENDOR</u>	<u>INVOICE NBR</u>	<u>COMMENT</u>	<u>AMOUNT</u>
BEST, BEST & KRIEGER	191031	LEGAL SERVICES OCT19	8,787.80

TOTAL PENDING INVOICES FOR APPROVAL NOVEMBER 2019 8,787.80

**SAN GORGONIO PASS WATER AGENCY
BANK RECONCILIATION
October 31, 2019**

BALANCE PER BANK AT 10/31/2019 - CHECKING ACCOUNT 224,494.83

LESS OUTSTANDING CHECKS

CHECK NUMBER	AMOUNT	CHECK NUMBER	AMOUNT
119434	150.00	119462	1,437.30
119456	230.00	119465	488.29
	380.00		1,925.59

TOTAL OUTSTANDING CHECKS -2,305.59

BALANCE PER GENERAL LEDGER 222,189.24

BALANCE PER GENERAL LEDGER ON 09/30/2019 728,401.86

CASH RECEIPTS FOR OCTOBER 1,238,955.29

CASH DISBURSEMENTS FOR OCTOBER

ACCOUNTS PAYABLE - CHECK HISTORY REPORT	-1,170,621.96
PAYROLL TRANSFER - BANK OF HEMET	-37,000.00
	-1,207,621.96

BANK CHARGES 0.00

TRANSFER TO LAIF -800,000.00

TRANSFER FROM LAIF 250,000.00

VOIDED CHECK FROM PRIOR MONTH - Ck #119420 12,454.05

BALANCE PER GENERAL LEDGER AT 10/31/2019 222,189.24

REPORT PREPARED BY:



 Cheryle M. Stiff

**SAN GORGONIO PASS WATER AGENCY
DEPOSIT RECAP
FOR THE MONTH OF OCTOBER 2019**

<u>DATE</u>	<u>RECEIVED FROM</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTAL DEPOSIT AMOUNT</u>
DEPOSIT TO CHECKING ACCOUNT				
10/11/19	DWR	GRANT PAYMENT - WELLS	59,585.61	59,585.61
10/11/19	TVI	T-BILL INTEREST AND TRANSFER	30,946.00	30,946.00
10/15/19	BCVWD	WATER SALES	487,977.00	487,977.00
10/29/19	TVI	CD - BOND INTEREST	14,705.50	14,705.50
10/29/19	STATE OF CALIF/DWR	BOND COVER REFUND	97,164.00	97,164.00
10/29/19	RIVERSIDE COUNTY	PROPERTY TAXES	548,577.18	548,577.18
TOTAL FOR OCTOBER 2019			1,238,955.29	1,238,955.29

SAN GORGONIO PASS WATER AGENCY
BUDGET REPORT FY 2019-20
BUDGET VS. REVISED BUDGET VS. ACTUAL
FOR THE FOUR MONTHS ENDING ON OCTOBER 31, 2019

FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

	ADOPTED BUDGET	REVISIONS TO BUDGET	TOTAL REVISED BUDGET	ACTUAL YTD	REMAINING PERCENT OF BUDGET
GENERAL FUND - INCOME				Comparison:	67%
INCOME					
WATER SALES	5,600,000		5,600,000	1,669,076.85	70.20%
TAX REVENUE	2,750,000		2,750,000	221,138.45	91.96%
INTEREST	350,000		350,000	89,709.23	74.37%
DESIGNATED REVENUES	820,000		820,000	59,585.61	92.73%
CAPACITY FEE	0		0	0.00	
OTHER (REIMBURSEMENTS, TRANSFERS)	31,000		31,000	50,049.02	-61.45%
TOTAL GENERAL FUND INCOME	9,551,000	0	9,551,000	2,039,510.14	78.65%
GENERAL FUND - EXPENSES					
COMMODITY PURCHASE					
PURCHASED WATER	6,100,000		6,100,000	1,004,852.72	83.53%
TOTAL COMMODITY PURCHASE	6,100,000	0	6,100,000	1,004,852.72	83.53%
SALARIES AND EMPLOYEE BENEFITS					
SALARIES	500,000		500,000	163,984.28	67.20%
PAYROLL TAXES	43,000		43,000	14,196.74	66.98%
RETIREMENT	250,000		250,000	77,615.01	68.95%
OTHER POST-EMPLOYMENT BENEFITS (OPEB)	73,000		73,000	8,368.33	88.54%
HEALTH INSURANCE	68,000		68,000	27,035.25	60.24%
DENTAL INSURANCE	5,000		5,000	2,007.50	59.85%
LIFE INSURANCE	1,600		1,600	682.15	57.37%
DISABILITY INSURANCE	5,200		5,200	1,705.44	67.20%
WORKERS COMP INSURANCE	3,800		3,800	972.37	74.41%
SGPWA STAFF MISC. MEDICAL	10,000		10,000	1,870.27	81.30%
EMPLOYEE EDUCATION	1,000		1,000	0.00	100.00%
TOTAL SALARIES AND EMPLOYEE BENEFITS	960,600	0	960,600	298,437.34	68.93%

17/36

**SAN GORGONIO PASS WATER AGENCY
BUDGET REPORT FY 2019-20
BUDGET VS. REVISED BUDGET VS. ACTUAL
FOR THE FOUR MONTHS ENDING ON OCTOBER 31, 2019**

FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

	ADOPTED BUDGET	REVISIONS TO BUDGET	TOTAL REVISED BUDGET	ACTUAL YTD	REMAINING PERCENT OF BUDGET
GENERAL FUND - EXPENSES				Comparison:	67%
ADMINISTRATIVE & PROFESSIONAL					
DIRECTOR EXPENDITURES					
DIRECTORS FEES	115,000		115,000	31,366.53	72.72%
DIRECTORS TRAVEL & EDUCATION	15,000		15,000	2,620.00	82.53%
DIRECTORS MISC. MEDICAL	21,000		21,000	4,175.52	80.12%
OFFICE EXPENDITURES					
OFFICE EXPENSE	15,000		15,000	2,346.64	84.36%
POSTAGE	700		700	0.00	100.00%
TELEPHONE	11,500		11,500	3,607.63	68.63%
UTILITIES	5,000		5,000	852.84	82.94%
SERVICE EXPENDITURES					
COMPUTER, WEB SITE AND PHONE SUPPORT	17,000		17,000	2,837.99	83.31%
GENERAL MANAGER & STAFF TRAVEL	18,000		18,000	7,318.35	59.34%
INSURANCE & BONDS	23,000		23,000	23,281.65	-1.22%
ACCOUNTING & AUDITING	21,000		21,000	15,680.00	25.33%
STATE WATER CONTRACT AUDIT	5,500		5,500	2,736.00	50.25%
DUES & ASSESSMENTS	30,000		30,000	24,062.00	19.79%
OUTSIDE PROFESSIONAL SERVICES	7,500		7,500	6,361.80	15.18%
BANK CHARGES	1,000		1,000	153.00	84.70%
MISCELLANEOUS EXPENSES	500		500	0.00	100.00%
MAINTENANCE & EQUIPMENT EXPENDITURES					
TOOLS PURCHASE & MAINTENANCE	500		500	0.00	100.00%
VEHICLE REPAIR & MAINTENANCE	5,000		5,000	3,710.22	25.80%
MAINTENANCE & REPAIRS - BUILDING	30,000		30,000	4,772.97	84.09%
MAINTENANCE & REPAIRS - FIELD	8,000		8,000	945.15	88.19%
CONTRACT OPERATIONS AND MAINTENANCE	125,000		125,000	16,313.64	86.95%
WATER TREATMENT EXPENSE	0	75,000	75,000	37,921.31	49.44%
COUNTY EXPENDITURES					
LAFCO COST SHARE	6,000		6,000	6,651.71	-10.86%
ELECTION EXPENSE	0		0	0.00	0.00%
TAX COLLECTION CHARGES	11,000		11,000	1,557.55	85.84%
TOTAL ADMINISTRATIVE & PROFESSIONAL	492,200	75,000	567,200	199,272.50	64.87%

18 / 36

SAN GORGONIO PASS WATER AGENCY
BUDGET REPORT FY 2019-20
BUDGET VS. REVISED BUDGET VS. ACTUAL
FOR THE FOUR MONTHS ENDING ON OCTOBER 31, 2019

FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

	ADOPTED BUDGET	REVISIONS TO BUDGET	TOTAL REVISED BUDGET	ACTUAL YTD	REMAINING PERCENT OF BUDGET
GENERAL FUND - EXPENSES				Comparison:	67%
GENERAL ENGINEERING					
NEW WATER					
UPDATED STUDY ON AVAILABLE SOURCES	16,000		16,000	483.00	96.98%
SGMA SUPPORT					
GSP CONSULTANT	500,000		500,000	0.00	100.00%
WEBSITE SERVICES	3,000		3,000	0.00	100.00%
YUCAIPA GSA	0	30,000.00	30,000	11,274.42	62.42%
UWMP CONSULTANT	35,000		35,000	0.00	100.00%
STUDIES					
USGS	115,000		115,000	49,874.38	56.63%
WATER RATE NEXUS STUDY	35,000		35,000	0.00	100.00%
WATER RATE FINANCIAL MODELING	15,000		15,000	0.00	100.00%
CAPACITY FEE NEXUS STUDY UPDATE	48,000		48,000	0.00	100.00%
WHEELING RATE STUDY	0		0	0.00	0.00%
OTHER PROJECTS					
IRWMP IMPLEMENTATION PROPOSAL	22,000		22,000	0.00	100.00%
FLUME MONITORING	30,000		30,000	0.00	100.00%
INFRASTRUCTURE PLAN	30,000		30,000	1,437.30	95.21%
BASIN MONITORING TASK FORCE	18,000		18,000	18,046.00	-0.26%
GENERAL AGENCY - CEQA AND GIS SERVICES	7,000		7,000	230.00	96.71%
TOTAL GENERAL ENGINEERING	874,000	30,000	904,000	81,345.10	91.00%
LEGAL SERVICES					
LEGAL SERVICES - GENERAL	150,000		150,000	23,734.82	84.18%
TOTAL LEGAL SERVICES	150,000	0	150,000	23,734.82	84.18%
CONSERVATION & EDUCATION					
SCHOOL EDUCATION PROGRAMS	12,000		12,000	0.00	100.00%
ADULT EDUCATION PROGRAMS	5,000		5,000	0.00	100.00%
SPONSORSHIPS	10,000		10,000	0.00	100.00%
OTHER CONSERVATION, EDUCATION AND P. R.	15,000		15,000	0.00	100.00%
TOTAL CONSERVATION & EDUCATION	42,000	0	42,000	0.00	100.00%

19 / 36

**SAN GORGONIO PASS WATER AGENCY
BUDGET REPORT FY 2019-20
BUDGET VS. REVISED BUDGET VS. ACTUAL
FOR THE FOUR MONTHS ENDING ON OCTOBER 31, 2019**

FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

20 / 36

	ADOPTED BUDGET	REVISIONS TO BUDGET	TOTAL REVISED BUDGET	ACTUAL YTD	REMAINING PERCENT OF BUDGET
GENERAL FUND - EXPENSES				Comparison:	67%
GENERAL FUND CAPITAL EXPENDITURES					
BUILDING & EQUIPMENT					
BUILDING	10,000		10,000	0.00	100.00%
FURNITURE & OFFICE EQUIPMENT	25,000		25,000	0.00	100.00%
OTHER EQUIPMENT	0		0	0.00	0.00%
FIESTA RECHARGE FACILITY					
POST DESIGN	20,000		20,000	58,243.99	-191.22%
CONSTRUCTION	76,000		76,000	56,241.00	26.00%
BUNKER HILL CONJUNCTIVE USE PROJECT					
NOBLE TURNOUT EXPANSION	0		0	0.00	0.00%
CONSTRUCTION	8,000		8,000	5,824.05	27.20%
POST DESIGN	1,500		1,500	0.00	100.00%
SITES RESERVOIR					
MONITORING WELLS USGS	322,000		322,000	302,057.17	6.19%
MONITORING WELLS USGS					
TOTAL GENERAL FUND CAPITAL EXPENDITURES	712,500	0	712,500	539,026.38	24.35%
TRANSFERS TO OTHER FUNDS					
TOTAL GENERAL FUND EXPENSES	9,331,300	105,000	9,436,300	2,146,668.86	77.25%
WITHDRAWALS FROM RESERVES					
TOTAL TRANSFERS TO/FROM RESERVES	1,326,000		1,326,000	0.00	
GENERAL FUND NET INCOME YEAR TO DATE	1,545,700	-105,000	1,440,700	-107,158.72	

SAN GORGONIO PASS WATER AGENCY
BUDGET REPORT FY 2019-20
BUDGET VS. REVISED BUDGET VS. ACTUAL
FOR THE FOUR MONTHS ENDING ON OCTOBER 31, 2019

FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

	ADOPTED BUDGET	REVISIONS TO BUDGET	TOTAL REVISED BUDGET	ACTUAL YTD	REMAINING PERCENT OF BUDGET
DEBT SERVICE FUND - INCOME				Comparison:	67%
INCOME					
TAX REVENUE	23,995,229		23,995,229	1,133,528.63	95.28%
INTEREST	650,000		650,000	303,840.73	53.26%
DWR CREDITS - BOND COVER, OTHER	3,031,777		3,031,777	127,092.66	95.81%
TOTAL DEBT SERVICE FUND INCOME	27,677,006	0	27,677,006	1,564,462.02	94.35%
DEBT SERVICE FUND - EXPENSES					
EXPENSES					
SALARIES	60,000		60,000	20,813.28	65.31%
PAYROLL TAXES	4,700		4,700	2,295.77	51.15%
BENEFITS	74,000		74,000	15,891.32	78.53%
STATE WATER CONTRACT PAYMENTS	24,500,000		24,500,000	12,631,212.00	48.44%
WATER TRANSFERS	1,625,000		1,625,000	0.00	100.00%
SWC CONTRACTOR DUES	75,000		75,000	37,126.00	50.50%
DELTA CONVEYANCE FACILITY AUTHORITY	40,000		40,000	50,000.00	-25.00%
EBX CONTRACT OPERATIONS AND MAINTENANCE	125,000		125,000	16,313.64	86.95%
SWP ENGINEERING AND MAINTENANCE	450,000		450,000	227,979.91	49.34%
DEBT SERVICE UTILITIES	11,000		11,000	4,213.53	61.70%
STATE WATER PROJECT LEGAL SERVICES	0		0	1,850.28	0.00%
TAX COLLECTION CHARGES	70,000		70,000	11,265.95	83.91%
TOTAL DEBT SERVICE FUND EXPENSES	27,034,700	0	27,034,700	13,018,961.68	51.84%
TRANSFERS FROM RESERVES	0		0	0.00	
DEBT SERVICE NET INCOME YEAR TO DATE	642,306	0	642,306	-11,454,499.66	



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Memorandum

To: President and Members of the Board of Directors
San Geronio Pass Water Agency

From: Jeff Ferre, General Counsel

Date: December 2, 2019

Re: General Counsel Report - Board of Directors Meeting

PROCEDURES FOR EMERGENCY BOARD MEETINGS AND ADDING URGENT ITEMS TO THE AGENDA

The Board is considering whether to adopt a policy regarding how Board members may add items to agendas. During that discussion, a question was raised regarding how an item could be added to an agenda (either at the agenda deadline or during a meeting) due to an emergency or urgent matter. In addition, a request was recently made for the Board to be briefed on the procedures for calling and conducting an emergency Board meeting in the event of a natural or manmade disaster such as, for example, a power shutoff.

Emergency Meetings

Government Code Section 54956.5 sets forth the procedures for calling an emergency meeting. An “emergency situation” means: (1) a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both; or (2) a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice (explained below) before holding an emergency meeting may endanger the public health, safety, or both.

The Board may hold an emergency meeting without complying with the 24-hour notice and posting requirements that normally apply to Special Meetings. However, each local newspaper of general circulation and radio or television station that has previously requested notice of Special Meetings shall be notified at least one-hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the Board members are notified of the emergency meeting. This notice shall be given by phone. In the event phone service is not functioning, the notice requirements shall be deemed waived, and the newspapers, radio stations, or television stations, that have previously requested notice, shall be notified of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Location of Emergency Meeting

If, by reason of fire, flood, earthquake, or other emergency, it is unsafe to meet in the place where Board meetings are usually held, the meeting shall be held for the duration of the emergency at the place designated in a notice to the local media that have previously requested notice, by the most rapid means of communication available at the time. (Government Code Section 54954) In this case, the Board meeting can be held at another location. It is recommended that the Agency first try to find another location within its service area before looking at locations outside of its service area.

Non-Emergencies – Adding Items to the Agenda

If the Board wishes to formalize procedures for permitting a Board member to add an item to the agenda, up to the posting deadline, that should be done through adoption of a policy.

In regard to adding an item after the agenda has been posted, the following procedures apply pursuant to Government Code Section 54954.2. These procedures are to be implemented at the Board meeting.

(1) Upon a determination by a majority vote of the Board that an emergency situation exists, as defined above.

(2) Upon a determination by a two-thirds vote of the Board, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Agency subsequent to the agenda being posted.

The recommendation for a late-breaking item normally comes from staff. However, these procedures could be used by a Board member to request that the Board take action to add a late-breaking item to the agenda.

(This report is provided for general information only and is not offered or intended as legal advice.)

MEMORANDUM

TO: Board of Directors

FROM: General Counsel

RE: Consideration and possible action to adopt a Policy for Adding Items to Board Meeting and Committee Meeting Agendas

DATE: November 18, 2019

Summary:

The Handbook Ad Hoc Committee submitted a Report to the Board, dated October 21, 2019, which included a number of Findings and Recommendations including, but not limited to, the following:

Findings

1. That any Board member may request an item to be placed on the agenda.
2. Board members have several existing ways of placing an item on the agenda, either at Board meetings as future topics or by contacting the Board President.
3. The Board President is responsible for directing the General Manager to prepare the agenda.
4. That it would be in the best interest of the public and Board members that a list of future agenda items be stated on each Board agenda.

Recommendations

1. That the Board President and the Board develop a policy for accepting items for placement on the agenda.
2. That the Board develop and consider a method of retaining a list of future agenda requests on the Board agenda until heard. The Board President may prioritize individual agenda item requests at his discretion.

Recommendation:

It is recommended by the Handbook Ad Hoc Committee that the Board adopt a Policy for Adding Items to Board Meeting and Committee Meetings Agendas. The proposed Policy is enclosed.

Detailed Report:

The Ralph M. Brown Act prohibits local agency boards from taking action or deliberating on any items that are not contained on a properly noticed agenda. The Brown Act, however, does not establish procedures for preparing an agenda, and each agency follows its own policy as to how board members may place items on the agenda. The Agency currently does not have a formal policy for determining how Board members may place items on agendas.

Fiscal Impact:

There would not be a fiscal impact from the adoption of a policy establishing procedures for adding items to agendas.

SAN GORGONIO PASS WATER AGENCY

POLICY FOR ADDING ITEMS TO BOARD MEETING AND COMMITTEE MEETING AGENDAS

A. BOARD MEETING AGENDAS

1. Request Submitted To The Board President

(a) Any Director may request that an item be placed on an agenda. The request shall be made in writing and delivered to the Board President and General Manager at the Agency offices or via email.

(b) In order to place items on an agenda, requests must be submitted with sufficient time for Staff to conduct any needed research and to prepare any documentation for the agenda packet.

(c) The Board President shall then have up to 10 days from the date the request is received to determine, in his/her reasonable discretion, whether to have the item placed on an agenda. If the Board President determines that an item should be placed on an agenda, he/she shall notify the requesting Director verbally or in writing and shall direct the General Manager to place the item on an agenda for an upcoming meeting.

(d) The General Manager shall provide input as to the timing, format and any other details regarding the manner in which an item should be placed on an agenda. However, the Board President shall make the final determination on all such matters.

(e) If the Board President determines that an item should not be placed on an agenda, he/she shall provide written notice of that determination to the requesting Director within 10 days from the date the request is received. The notice may include information as to why the request was denied. For example, and not by way of limitation, a request will be denied if it involves an item that is not within the authority of the Agency or if there are legal prohibitions against placing the requested item on an agenda, as determined in consultation with legal counsel.

(f) The Director whose request has been denied may then pursue placement of the item on an agenda under the direct request procedures set forth below.

2. Direct Request To The Board

(a) If a Director's request for an agenda item has been denied as set forth above, or in the event the Board President fails or refuses to make a determination on a request within 10 days from the date the request is received, then the requesting Director may make a direct request to the Board. Such a request shall be made during a Board meeting at the time of the agenda item entitled "Topics for Future Agendas." The requesting Director will state the reasons for the request and the Board President will provide the reasons that the initial request was denied.

(b) A requested agenda item shall be included on a future agenda unless the item is not within the authority of the Agency or if there are legal prohibitions against placing the requested item on an agenda, as determined in consultation with legal counsel. A vote of the Board is not required in order to approve a direct request.

B. BOARD COMMITTEE MEETING AGENDAS (STANDING OR AD HOC)

1. Any member of a Committee may request that an item be placed on a Committee agenda. The request shall be made in writing and delivered to the Committee Chair and General Manager at the Agency offices or via email.

2. Only members of a Committee may request that items be placed on an agenda for that Committee.

3. The above-mentioned procedures and requirements for a Request Submitted To The Board President shall also apply to a Request Submitted To The Committee Chair. A request will be denied if it involves an item that is not within the authority of the Agency or the Committee, or if there are legal prohibitions against placing an item on an agenda, as determined in consultation with legal counsel.

4. The Director whose request has been denied may then pursue placement of the item on an agenda under the same direct request procedures and requirements which apply to a Direct Request To The Board. Such a request shall be made during a Board meeting at the time of the agenda item entitled "Topics for Future Agendas" which shall be included on Committee agendas.

5. A requested agenda item shall be included on a future agenda unless the item is not within the authority of the Agency or the Committee, or if there are legal prohibitions against placing an item on an agenda, as determined in consultation with legal counsel. A vote of the Committee is not required in order to approve a direct request.

C. LIST OF PENDING AGENDA ITEMS

Each agenda for a Board or Committee meeting shall include an agenda item entitled "Pending Agenda Requests." This agenda item will be used to keep a list of agenda item requests that have been approved by the Board President or Committee Chair, but have yet to be included on an agenda due to scheduling or the need for agenda packet preparation.

MEMORANDUM

TO: Board of Directors

FROM: General Manager

RE: Amendment No. 1 to 2019 Reservoir Project Agreement

DATE: December 2, 2019

Summary:

The purpose of this proposed Board action is to consider an amendment to the 2019 Sites Reservoir Project Agreement to extend the current phase through June 2020.

Background:

The Agency approved the 2019 Sites Reservoir Project Agreement, which expires on December 31, 2019. At the time, it was intended to have a new phase begin on January 1, 2020, requiring a new Reservoir Project Agreement. In recent months, the Sites Reservoir Committee and Sites Reservoir JPA have approved extending the current phase through June 30, 2020. There are no additional costs associated with extending the current phase.

Detailed Report:

The Sites Reservoir project is in detailed discussions with the California Department of Fish and Wildlife regarding permits for the proposed project. These discussions, among other issues, have delayed determination of a defined project. The Sites Reservoir Committee has voted to spend an additional six months on project definition prior to advancing to the next phase. In order to do this, a housekeeping item of extending the current phase through June 30, 2020 is required. The budget for the current phase will not change. In order for this change to become effective, 75% of participating voting shares must approve the amendment by December 31. A copy of the amendment is included in this agenda package.

Fiscal Impact:

There is no direct fiscal impact of extending the current phase by six months. Consultant work that was to have been performed during this time will be postponed until after the project is defined.

Recommendation:

Staff recommends that the Board approve the proposed amendment to the 2019 Reservoir Project Agreement.

FIRST AMENDMENT TO 2019 RESERVOIR PROJECT AGREEMENT

BY AND AMONG
SITES PROJECT AUTHORITY

and

THE PROJECT AGREEMENT MEMBERS LISTED HEREIN

Dated as of January 1, 2020

THIS FIRST AMENDMENT TO RESERVOIR PROJECT AGREEMENT (this “First Amendment”), dated as of January 1, 2020, by and among SITES PROJECT AUTHORITY, a joint powers authority duly organized and existing under the laws of the State of California (the “Authority”), and the project agreement members listed in the Original Agreement referenced below (the “Project Agreement Members”) and amends that certain 2019 Reservoir Project Agreement dated as of April 1, 2019 (the “Original Agreement”), by and among the Authority and the Project Agreement Members;

WITNESSETH:

WHEREAS, Authority and the Project Agreement Members have determined to extend the term of the Original Agreement to June 30, 2020; and

WHEREAS, under Section 11 of the Original Agreement, the Original Agreement may be amended by a writing executed by the Authority and at least 75% of the total weighted vote as provided in Subsection 3(g) of the then-current Committee members; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and the entering into of this First Amendment do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the parties hereto are now duly authorized to execute and enter into this First Amendment;

NOW, THEREFORE, THIS FIRST AMENDMENT WITNESSETH, the Authority and the Project Agreement Members agree, as follows:

ARTICLE I

DEFINITIONS

Section 1.01. **Definitions.** All capitalized terms not otherwise defined herein shall have the meaning set forth in the Original Agreement.

ARTICLE II

AMENDMENTS TO 2019 ORIGINAL AGREEMENT

Section 2.01. **Amendments to Section 8(b) of the Original Agreement.**

(a) The reference in Section 8(b) of the Original Agreement to December 31, 2019 shall be changed to June 30, 2020. In the event that this First Amendment is not approved by Project Agreement Members with the requisite percentage of the total weighted vote as set forth in the Original Agreement by December 31, 2019, the Original Agreement shall be revived immediately upon approval by such requisite percentage, without any additional approval of the Project Agreement Members, and this First Amendment shall become effective.

ARTICLE III

MISCELLANEOUS

Section 3.01. **Effectiveness of Original Agreement.** Except as expressly amended by this First Amendment, the Original Agreement is hereby ratified and confirmed and shall continue in full force and effect in accordance with the terms and provisions thereof. The amendments set forth in this First Amendment shall be incorporated as part of the Original Agreement upon their effectiveness in accordance with Section 11 of the Original Agreement.

Section 3.02. **Execution in Several Counterparts.** This First Amendment may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the Authority and the Project Agreement Members shall preserve undestroyed, shall together constitute but one and the same instrument.

Section 3.03. **Laws Governing First Amendment.** The effect and meaning of this First Amendment and the rights of all parties hereunder shall be governed by, and construed according to, the laws of the State.

IN WITNESS WHEREOF, the Authority and Project Agreement Members hereto, pursuant to resolutions duly and regularly adopted by their respective governing bodies, have caused their names to be affixed by their proper and respective officers on the date shown below:

Dated: _____

SITES PROJECT AUTHORITY

By: _____
Name:
Title:

[PROJECT AGREEMENT MEMBER]

Dated: _____

(Authority & Project Agreement Member)

By: _____
Name:
Title:

MEMORANDUM

TO: Board of Directors

FROM: Ad Hoc Hiring Committee for Recruitment of General Manager

RE: Consideration And Possible Action To Issue A Request For Proposals For Executive Recruitment Services For The Position Of General Manager

DATE: December 2, 2019

Summary:

This Ad Hoc Committee – General Manager (“Committee”) has been formed in order to initiate the process for recruiting a new General Manager to take over in July of 2020. General Counsel was previously tasked with obtaining some general information as to the scope of work and potential cost of retaining an executive recruiter to assist in the recruitment process and that information was presented at a previous Board meeting.

Recommendation:

It is recommended that the Board issue a Request for Proposals (“RFP”) for executive recruitment services for the position of General Manager. Please note that issuing a Request for Proposals (“RFP”) does not obligate the Board to ultimately hire a recruiter.

Detailed Report:

Regardless of size, cities and public agencies routinely hire an executive recruiter to assist the board/council in hiring process a city/general manager. In the Agency’s case, this is the only employee who directly reports to the Board and is the most critical position for leading the Agency, especially with a small staff. The recruitment process can vary but in general, the process includes the following:

1. Developing a description of the ideal candidate;
2. Determining feasible/competitive compensation;
3. Developing the advertisement/job listing;

4. Casting a wide net to attract quality candidates;
5. Coordinating the initial review of candidate resumes;
6. Conducting initial/telephonic/screening interviews;
7. Conducting background investigations;
8. Contacting and verifying references;
9. Scheduling and coordinating interviews;
10. Assisting the Board in developing interview questions;
11. Coordinating an offer and negotiations.

It would not be appropriate for current staff to conduct these activities. In addition, neither the Committee nor the Board would be in a position to handle all of these tasks.

General Counsel could coordinate development of the RFP. In addition, General Counsel could coordinate the receipt of Proposals and present them to the Committee and Board for consideration. A closed session could be utilized to interview firms. The agreement with a recruiter would be considered in open session. The final decision on retaining a recruiter rests with the Board.

Board members will likely have a number of questions regarding how and when to have input on General Manager candidates. Such questions can be answered at the time that recruiters are interviewed.

Fiscal Impact:

The RFP process would provide actual quotes. The common fee schedule includes a flat fee, plus expenses.