SAN GORGONIO PASS WATER AGENCY 1210 Beaumont Avenue, Beaumont, CA Board of Directors Meeting Agenda May 4, 2020 at 1:30 p.m.

IN AN EFFORT TO PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS), AND IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20, **THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING THIS BOARD MEETING IN PERSON.** MEMBERS OF THE PUBLIC MAY LISTEN AND PROVIDE PUBLIC COMMENT TELEPHONICALLY BY CALLING THE FOLLOWING NUMBER: (669) 900-6833 OR VIA ZOOM. MEETING ID 992 5387 6296.

- 1. Call to Order, Flag Salute, Invocation, and Roll Call
- 2. Adoption and Adjustment of Agenda

3. Public Comment

As permitted under the Brown Act, and in order to provide an equal opportunity for members of the public to provide comment telephonically, all public comments, on items on or off the agenda, will be taken during the Public Comment portion of this meeting. 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, April 20, 2020* (p. 3)
- B. Approval of the Minutes of the Finance and Budget Workshop, April 27, 2020* (p. 9)
- C. Approval of Finance and Budget Report, April 27, 2020* (p. 12)

5. Reports (Discussion and Possible Action)

- A. General Manager's Report* (p. 31)
- B. General Counsel Report* (p. 45)
- C. Directors' Reports
- D. Committee Reports

6. New Business (Discussion & Possible Action)

- A. Consideration and Possible Action on Agreement to Water Exchanges with City of Ventura and Casitas Municipal Water District* (p. 48)
- B. Discussion and Possible Action on Dispensation of 2020 Nickel Water* (p. 59)

7. Topics for Future Agendas

8. Announcements -

- A. Engineering Workshop, May 11, 2020 at 1:30 p.m.
- B. Water Conservation and Education Committee, May 14, 2020 at 1:30 p.m. Cancelled
- C. Regular Board Meeting, May 18, 2020 at 1:30 p.m.

9. Closed Session (2 Items)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9
One potential case

B. PUBLIC EMPLOYMENT
Pursuant to Government Code Section 54957
Title: General Manager

10. Adjournment

Pending Agenda Items:

Request	Requester	Date of Request	Tentative Meeting Date Agenda
Continued discussion on the Updated/revised calculations on water rate	Board	03/16/2020	04/20/20
Final costs of: Fiesta Recharge; Noble Creek Connection & Temp Connection; Mtn. View Connection	Thompson	12/02/2019	02/03/2020 or 02/18/2020
Water Rate Pricing Worksheet	Fenn	04/20/2020	
Reduction of Budget items	Ball	04/20/2020	04/27/2020
Nickel Water Discussion	Duncan	04/20/2020	05/04/2020

*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- 2 / 6 2 ation or accommodation.

SAN GORGONIO PASS WATER AGENCY 1210 Beaumont Avenue, Beaumont, California 92223 Minutes of the Board of Directors Meeting April 20, 2020

IN AN EFFORT TO PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS), AND IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20, THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING THIS BOARD MEETING IN PERSON. MEMBERS OF THE PUBLIC MAY LISTEN AND PROVIDE PUBLIC COMMENT TELEPHONICALLY BY CALLING THE

FOLLOWING NUMBER: (866) 212-0875,

Participant passcode: 7006747 #

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

General Counsel Jeff Ferre Thomas Todd, Finance Manager Cheryle Stiff, Executive Assistant

Casmir Olaivar, Social Media Specialist

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 1:38 p.m., April 20, 2020 vis teleconference. President Duncan led the Pledge of Allegiance to the flag. Director Fenn gave the invocation. President Duncan requested a roll call.

Roll Call:	Present	Absent
Director Castaldo	\boxtimes	
Director Ball	\boxtimes	
Director Lehtonen	\boxtimes	
Director Stephenson	\boxtimes	
Director Fenn		
Director Thompson	\boxtimes	
President Duncan	\boxtimes	

A quorum was present.

2. Adoption and Adjustment of Agenda: President Duncan asked if there were any adjustments to the agenda. General Manager Davis requested that item 6D wording be changed to the following: Further Discussion and and Possible Action on Potential Water Rate Reduction or Rebate. Director Ball made a motion, seconded by Director Thompson to approve 6-D as stated. President Duncan requested a roll call.

Roll Call:	<i>Ay</i> e	Noes	Absent	Abstain
Director Castaldo	\boxtimes			
Director Ball	\boxtimes			
Director Lehtonen	\boxtimes			
Director Stephenson	\boxtimes			
Director Fenn	\boxtimes			
Director Thompson	\boxtimes			
President Duncan				

Motion passed 7-0.

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. General Manager Dan Jaggers (BCVWD) stated that his District sent a letter to the Agency pertaining to a possible temporary imported water rate reduction due to COVID-19. BCVWD is looking for a solution to help ease the rate payer burden during these trying times. He made some remarks regarding the staff report on item 6D. He thanked the Board for its consideration on this item. There were no other members of the public that spoke at this time.

4. Consent Calendar:

- A. Approval of the Minutes of the Regular Board Meeting, February 3, 2020
- B. Approval of the Minutes of the Engineering Workshop, February 10, 2020

President Duncan asked for a motion on the Consent Calendar. Director Stephenson made a motion, seconded by Director Ball, to adopt the consent calendar.

Roll Call:	<i>Ay</i> e	Noes	Absent	Abstain
Director Castaldo	\boxtimes			
Director Ball	\boxtimes			
Director Lehtonen	\boxtimes			
Director Stephenson				
Director Fenn	\boxtimes			
Director Thompson				
President Duncan	\boxtimes			
Motion passed 7-0.				

5. 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 are still shut down operationally. Citrus Reservoir and Pump Station are back online as of last week. BCVWD asked us to shut off deliveries in March. Because there are so few deliveries on the EBX, we have gone to one 8-hour pumping shift per day.

2. Other Agency Updates

- a. Because of the storms two weeks ago, and for other reasons, San Luis Reservoir has started to fill again and it is close to filling its SWP share. Arrangements have been made for us to start taking deliveries to our Fiesta facility starting in early May in order to get all our carryover water out of SLR.
- b. With the precipitation we received this month, there is a chance that our allocation will increase. For now, however, we should assume that our allocation this year is going to be 15%.
- c. New Incidental Take Permit (ITP) Two letters were included in the agenda packet. One is from the Director of DWR and CDFW to Met's Board indicating why the new ITP is a great deal for the SWP. The other is from Senator Feinstein and others to Governor Newsome indicating why the ITP is a threat to good water management in California, especially with regard to voluntary agreements.
- d. Delta Plan The Contractors brought suit against the Delta Stewardship Council on three major points of the Delta Plan. A decision came down about ten days ago that was highly favorable to the Delta Stewardship Council. Staff will bring to the Board more information on this court case and what it means for us at a future meeting.
- e. Sites Reservoir Next month Staff will provide a recommendation to the Board for participation in the next phase of the project.
- f. COVID 19 Many conference calls with the Contractors have taken place on this issue. Key points:
 - Revenues are down for retail agencies because some can't pay their bills and purveyors can't cut off their water
 - Costs are way up due to purchasing new laptops and cell phones for employees
 - Productivity is down, as you can't get as much work done from home as the office
 - One of the biggest struggles is finding enough masks for employees who have to work in the office or a treatment or maintenance facility
 - Biggest emphasis, the water quality is good and keeping employees safe

B. General Counsel Reports: None.

C. Directors Reports: 1) Director Fenn reported on the YVWD's meeting that was held on April 7th. He also reported on the BCVWD meeting that was held on April 8th. **2) Director Stephenson reported** on the YVWD workshop that was held on April 7th, BCVWD's meeting that was held on April 8th, and YVWD's meeting that was held on April 13th. **3) President Duncan** reported

on the BCVWD's meeting that was held on April 7th and BCVWD's meeting that was held on April 8th.

D. Committee Reports: 1) Director Stephenson, Chair of the General Manager Hiring Committee stated that the consultant has contacted him to inform him that they will be presenting to the Board on May 4th. Director Stephenson noted his concern that the Agency may not be able to conduct a Board meeting on said date. He suggested that the committee meet with the consultant to review the resumes and narrow them down. Director Fenn asked if Director Stephenson to provide a count on how many resumes have been received once he has knowledge of it.

6. New Business:

- A. Election of LAFCO Special District Member and Alternate. A staff report and related materials were included in the agenda package. General Manager Davis explained the premise behind the need for LAFCO and that it is governed by a board of directors that represent the County, cities, and special districts. He also explained the process for voting. After discussion, the Board was in agreement to vote as follows:
 - Regular Special District Member #1 Nancy Wright, #2 Debra Canera, and #3 Karen Borja.
 - ✓ Alternate Special District Member #1 Danny Martin, #2 Robert Stockton, and #3 Steve A. Pastor.
- B. Consideration and Possible Action to Adopt Resolution No. 2020-02. Requesting Approval from the Board of Administration of the Public Employees' Retirement System to Approve Allowed Employment for a Retired Employee. Resolution No. 2020-02 was included in the agenda package. There are two steps that the Board my want to consider pertaining to utilizing Jeff Davis' services on a temporary basis after June 30, 2020. The resolution outlines specific CalPERS California Government Code Section 21221(h) requirements to hire a retired CalPERS recipient, including employment not to exceed 960 hours in a fiscal year. General Council Ferre reviewed the requirements with the Board. The first step is to adopt Resolution No. 2020-02; this resolution does not obligate the Board to enter into a contract with Mr. Davis, it is simply a notice of procedure to hire Mr. Davis. After discussion, Director Stephenson made a motion, seconded by Director Castaldo to adopt Resolution No. 2020-02. President Duncan requested a roll call vote.

Roll Call:	Aye	Noes	Absent	Abstain
Director Castaldo	\boxtimes			
Director Ball	\boxtimes			
Director Lehtonen	\boxtimes			
Director Stephenson	\boxtimes			
Director Fenn	\boxtimes			
Director Thompson	\boxtimes			
President Duncan	\boxtimes			

Motion passed 7-0

C. Consideration and Possible Action to Enter Into an Interim General Manager Agreement with Jeff Davis Following Retirement. A San Gorgonio Pass Water Agency – Interim General Manager Agreement was included in the agenda package. General Council Ferre stated that now that the Board has approved Resolution No. 2020 the next step is to approve the Interim General Manager Agreement. General Council Ferre reviewed the drafted Interim General Manager Agreement with the Board. The term of the Agreement shall become effective July 1, 2020, pending approval by the Board, and will continue until December 31, 2020, unless this Agreement is otherwise terminated, pursuant to Section 2 of the Agreement. After discussion, Director Stephenson moved, seconded by Director Lehtonen, to enter into an Interim General Manager Agreement, allowing President Duncan authority to approve travel reimbursement.

- "	_			
<u>Roll Call:</u>	Aye	Noes	Absent	Abstain
Director Castaldo	\boxtimes			
Director Ball		\boxtimes		
Director Lehtonen				
Director Stephenson				
Director Fenn				
Director Thompson	\boxtimes			
President Duncan	\boxtimes			
Motion paged 6.1 with Director Pall appaged				

Motion passed 6-1, with Director Ball opposed.

D. Further Discussion on Potential Water Rate Reduction or Rebate. A letter dated April 16, 2020 from BCVWD was included in the agenda packet. President Duncan stated that staff was instructed to come up with a potential idea of how the Agency would be able to meet BCVWD's request for a rate reduction or rebate. Due to a number of legal issues staff is requesting that instead of a water rate discussion, it would be a credit that would reduce their billing that would go toward the COVID-19 relief, and we would ask BCVWD to match said reduction and pass that onto their customers. After discussion, Director Castaldo made a motion, seconded by Director Lehtonen, to table Item 6D. The Board discussed this item further. After discussion, President Duncan requested a roll call.

<u>Roll Call:</u>	Aye	Noes	Absent	Abstain
Director Castaldo	\boxtimes			
Director Ball	\boxtimes			
Director Lehtonen	\boxtimes			
Director Stephenson		\boxtimes		
Director Fenn	\boxtimes			
Director Thompson		\boxtimes		
President Duncan		\boxtimes		

Motion passed 4-3, with Directors Stephenson, Thompson and President Duncan opposed.

7. Topics for Future Agendas: 1) Director Fenn requested staff to provide a water delivery pricing worksheet that would be reviewed in a workshop. The one page worksheet is to include components of the Agency's rate, the rate itself, expected deliveries (State allocation and other sources of water), 2020 estimated costs for deliveries, current orders (show purpose: direct delivery, replenishment, etc.) and estimated revenue or deficit. 2) Director Ball requested discussion on the potential of adjusting the Agency's Budget, are there items that may be reduced. 3) President Duncan discussion on selling Nickel water; will it hurt or help the customer's needs.

8. Announcements:

- A. Finance & Budget Workshop, April 27, 2020 at 1:30 p.m. .– Teleconference/Zoom
- B. Regular Board Meeting, May 4, 2020 at 1:30 p.m. Teleconference/Zoom

9. Closed Session (1 Item)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code section 54956.8
Property: Potential water rights/supplies offers from the City of Ventura

Time: 3:55 pm

Time: 4:25 pm

Agency negotiator: Jeff Davis, General Manager

Negotiating parties: Lynn Takaichi

Under negotiation: price and terms of payment

The meeting reconvened to open session at: Time: 4:25 pm

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

10. Adjournment

Draft - Subject to Board Approval

Jeffrey W. Davis, Secretary of the Board

SAN GORGONIO PASS WATER AGENCY 1210 Beaumont Avenue Beaumont, California 92223 Minutes of the Board Finance and Budget Workshop April 27, 2020

In an effort to prevent the spread of COVID-19 (Coronavirus), and in accordance with the Governor's Executive Order N-29-20, this meeting was held via Zoom.

Directors Present via Zoom:

Ron Duncan, President Lenny Stephenson, Vice President Mike Thompson, Treasurer Blair Ball, Director (connected at 1:41 pm) David Castaldo, Director David Fenn, Director Steve Lehtonen, Director

Staff and Consultants Present via Zoom:

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 1:32 pm, April 27, 2020. Vice President Stephenson led the Pledge of Allegiance to the flag. A quorum was present.

Vice President Stephenson turned the meeting over to Treasurer Mike Thompson. Treasurer Thompson informed the participants that the meeting was being held via Zoom and telephonically, and read the ID numbers and phone numbers to be used if a member of the public wished to join the meeting.

- 2. Adoption and Adjustment of Agenda: The agenda was adopted as posted.
- 3. Public Comment: Treasurer Thompson asked if anyone connected to the meeting wished to make a comment; no members of the public requested to speak at this time.

4. New Business:

A. Ratification of Paid Invoices and Monthly Payroll for March, 2020 by Reviewing Check History Reports in Detail: After review and discussion, a motion was made by Director Stephenson, seconded by Director Fenn, to recommend that the Board ratify paid monthly invoices of \$6,227,067.39 and payroll of \$37,467.75 for the month of March, 2020, for a combined total of \$6,264,535.14.

- The motion passed 6 in favor, no opposed, by roll-call vote, with Director Ball not yet connected.
- B. Review Pending Legal Invoices: After review and discussion, a motion was made by Director Duncan, seconded by Director Stephenson, to recommend that the Board approve payment of the pending legal invoice for March, 2020 for \$14,547.84. The motion passed 7 in favor, no opposed, by roll-call vote.
- C. Review of March, 2020 Bank Reconciliation: After review and discussion, a motion was made by Director Stephenson, seconded by Director Ball, to recommend that the Board acknowledge receipt of the Wells Fargo bank reconciliation for March, 2020 as presented. The motion passed 7 in favor, no opposed, by roll-call vote.
- D. Review of Budget Report for March, 2020: General Manager Jeff Davis reviewed the budget report. The current net balance and future potential impacts, as well as items that were over or under budget were highlighted. After further review and discussion, a motion was made by Director Duncan, seconded by Director Fenn, to recommend that the Board acknowledge receipt of the Budget Report for March, 2020. The motion passed 7 in favor, no opposed, by roll-call vote.
- E. Review of Cash Reconciliation Report for March 31, 2020: Finance Manager Tom Todd reviewed the Cash Reconciliation Report and reviewed the quarterly side-by-side comparison. General Manager Davis noted the trend line of the Debt Service Fund, which is following the usual annual pattern. After further review and discussion, a motion was made by Director Stephenson, seconded by Director Ball, to recommend that the Board accept the Cash Reconciliation Report for March 31, 2020. The motion passed 7 in favor, no opposed, by roll-call vote.
- F. Review of Reserve Allocation Report for March 31, 2020: Finance Manager Todd reviewed the Reserve Allocation Report. He noted that the category of New Infrastructure showed some activity, primarily the construction of the Fiesta Recharge Facility. After further review and discussion, a motion was made by Director Duncan, seconded by Director Stephenson, to recommend that the Board approve the Reserve Allocation Report for March 31, 2020. The motion passed 7 in favor, no opposed, by roll-call vote.
- G. Review of Investment Report for March 31, 2020: Finance Manager Todd reviewed the Investment Report. The first page was a summary of the location of the various cash and investment reserves. The second page was a detailed look at the investment vehicles, amounts, yields, face values and current values. Finance Manager Todd reviewed some of the transactions that had occurred during the quarter, and noted the decline in interest rates. The third page was a graphical look at the percentages of the types of investments, and a comparison

Board Finance & Budget Workshop April 27, 2020 Page 3

of interest rates. After further review and discussion, a motion was made by Director Ball, seconded by Director Duncan, to recommend that the Board accept the Investment Report for March 31, 2020. The motion passed 7 in favor, no opposed, by roll-call vote.

5. Announcements:

Treasurer Thompson reviewed the announcements:

- A. Regular Board meeting, May 4, 2020, 1:30 pm, Zoom/Teleconference
- B. Engineering Workshop, May 11, 2020, 1:30 pm, Zoom/Teleconference
- **6. Adjournment:** The Finance and Budget workshop of the San Gorgonio Pass Water Agency Board of Directors was adjourned at 2:21 pm.



Jeffrey W. Davis, Secretary of the Board

Finance and Budget Workshop Report

From Treasurer Mike Thompson

The Finance and Budget Workshop was held on April 27, 2020. The following recommendations were made:

- 1. The Board ratify payment of Invoices of \$6,227,067.39 and Payroll of \$37,467.75 as detailed in the Check History Report for Accounts Payable and the Check History Report for Payroll for March, 2020 for a combined total of \$6,264,535.14
- 2. The Board authorize payment of the following vendor's amounts:

 Best, Best & Krieger LLP \$14,547.84
- 3. The Board acknowledge receipt of the following:
 - A. Wells Fargo bank reconciliation for March, 2020
 - B. Budget Report for March, 2020
- 4. The Board accept the following:
 - A. Cash Reconciliation Report for March 31, 2020
 - B. Investment Report for March 31, 2020
- 5. The Board approve the following:
 - A. Reserve Allocation Report for March 31, 2020

SAN GORGONIO PASS WATER AGENCY

1210 Beaumont Ave, Beaumont, CA 92223
Board Finance & Budget Workshop
Agenda
April 27, 2020 at 1:30 p.m.

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- 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 March, 2020 by Reviewing Check History Reports in Detail*
 - B. Review of Pending Legal Invoices*
 - C. Review of March, 2020 Bank Reconciliation*
 - D. Review of Budget Report for March, 2020*
 - E. Review of Cash Reconciliation Report for March 31, 2020*
 - F. Review of Reserve Allocation Report for March 31, 2020*
 - G. Review of Investment Report for March 31, 2020*
- 5. Announcements
 - A. Regular Board Meeting, May 4, 2020, 1:30 pm, Teleconference/Zoom
 - B. Engineering Workshop, May 11, 2020, 1:30 pm, Teleconference/Zoom
- 6. Adjournment

*Information Included In Agenda Packet

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San Gorgonio Pass Water Agency Check History Report March 1 through March 31, 2020

ACCOUNTS PAYABLE

03/05/2020 119598	Date	Number	Name	Amount
03/05/2020	03/05/2020	119598	ACWA BENEFITS	878.15
BDL ALARMS, INC. 78.00	03/05/2020	119599	BLAIR M. BALL	800.00
D3/05/2020	03/05/2020	119600	BEAUMONT-CHERRY VALLEY WATER DISTRICT	424.54
03/05/2020	03/05/2020	119601	BDL ALARMS, INC.	78.00
03/05/2020	03/05/2020	119602	BEST BEST & KRIEGER	5,068.10
03/05/2020	03/05/2020	119603	BEAUMONT COPY & GRAPHICS	57.05
03/05/2020 119606 RISK SCIENCES 2,071.76 03/05/2020 119607 LEONARD C. STEPHENSON 645.00 03/05/2020 119608 CHERYLE M. STIFF 243.99 03/05/2020 119610 UNLIMITED SERVICES 295.00 03/05/2020 119610 UNLIMITED SERVICES 295.00 03/05/2020 119611 UNDERGROUND SERVICE ALERT 28.15 03/05/2020 119612 VALLEY OFFICE EQUIPMENT, INC. 161.32 03/05/2020 119613 WASTE MANAGEMENT INLAND EMPIRE 112.59 03/25/2020 119614 AT&T MOBILITY 252.43 03/25/2020 119615 BARTEL ASSOCIATES, LUC 3,553.00 03/25/2020 119616 DAVID TAUSSIG & ASSOCIATES, INC. 2,562.50 03/25/2020 119617 EADIE AND PAYNE LLP 2,605.00 03/25/2020 119618 ERSC 11,990.65 03/25/2020 119619 FRONTIER COMMUNICATIONS 1,320.55 03/25/2020 119619 MATTHEW PISTILLI LANDSCAPE SERVICES 350.00 <t< td=""><td>03/05/2020</td><td>119604</td><td>BEAUMONT HOME CENTER</td><td>206.44</td></t<>	03/05/2020	119604	BEAUMONT HOME CENTER	206.44
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03/27/2020 512989 EMPLOYMENT DEVELOPMENT DEPARTMENT 1,155.78 03/27/2020 506144 ELECTRONIC FEDERAL TAX PAYMENT SYSTEM 7,583.64 03/12/2020 900302 CALPERS RETIREMENT 5,471.64 03/12/2020 900303 CAL PERS RETIREMENT - SIP-457 1,680.00 03/25/2020 900304 CALPERS HEALTH 8,142.79 03/27/2020 900305 CALPERS RETIREMENT 5,738.28 03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				•
03/27/2020 506144 ELECTRONIC FEDERAL TAX PAYMENT SYSTEM 7,583.64 03/12/2020 900302 CALPERS RETIREMENT 5,471.64 03/12/2020 900303 CAL PERS RETIREMENT - SIP-457 1,680.00 03/25/2020 900304 CALPERS HEALTH 8,142.79 03/27/2020 900305 CALPERS RETIREMENT 5,738.28 03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				
03/12/2020 900302 CALPERS RETIREMENT 5,471.64 03/12/2020 900303 CAL PERS RETIREMENT - SIP-457 1,680.00 03/25/2020 900304 CALPERS HEALTH 8,142.79 03/27/2020 900305 CALPERS RETIREMENT 5,738.28 03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				
03/12/2020 900303 CAL PERS RETIREMENT - SIP-457 1,680.00 03/25/2020 900304 CALPERS HEALTH 8,142.79 03/27/2020 900305 CALPERS RETIREMENT 5,738.28 03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				· ·
03/25/2020 900304 CALPERS HEALTH 8,142.79 03/27/2020 900305 CALPERS RETIREMENT 5,738.28 03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				*
03/27/2020 900305 CALPERS RETIREMENT 5,738.28 03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				
03/27/2020 900306 CAL PERS RETIREMENT - SIP-457 1,680.00 03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				
03/31/2020 900307 DEPARTMENT OF WATER RESOURCES 6,045,431.00				
TOTAL ACCOUNTS PAYABLE CHECKS 6,227,067.39	33,3172020			-,,
· •			TOTAL ACCOUNTS PAYABLE CHECKS	6,227,067.39

San Gorgonio Pass Water Agency Check History Report

March 1 through March 31, 2020

PAYROLL

Date	Number	Name	Amount
03/11/2020	801867	JEFFREY W. DAVIS	5,263.99
03/11/2020	801868	KENNETH M. FALLS	3,235.42
03/11/2020	801869	CASMIR J. OLAIVAR	488.54
03/11/2020	801870	CHERYLE M. STIFF	2,459.43
03/11/2020	801871	THOMAS W. TODD, JR.	3,798.63
03/26/2020	801872	BLAIR M. BALL	1,272.58
03/26/2020	801873	JEFFREY W. DAVIS	5,263.99
03/26/2020	801874	RONALD A. DUNCAN	1,272.58
03/26/2020	801875	KENNETH M. FALLS	3,752.07
03/26/2020	801876	DAVID L. FENN	1.272.58
03/26/2020	801877	CASMIR J. OLAIVAR	584.72
03/26/2020	801878	LEONARD C. STEPHENSON	1.272.58
03/26/2020	801879	CHERYLE M. STIFF	2,459.43
03/26/2020	801880	MICHAEL D. THOMPSON	1,272.58
03/26/2020	801881	THOMAS W. TODD, JR.	3,798.63
		TOTAL PAYROLL	37,467.75
		TOTAL DISBURSEMENTS FOR MARCH, 2020	6,264,535.14

SAN GORGONIO PASS WATER AGENCY

New Vendors List

April, 2020

Vendor - Name and Address	Expenditure Type
Bartel Associates, LLC old address: 411 Borel Ave. Suite 101; San Mateo, CA 94402 new address: 411 Borel Ave. Suite 620; San Mateo, CA 94402	Consultant
Roberts Consulting Group P O Box 1127; Rancho Mirage, CA 92270	Consultant
Los Angeles Department of Water and Power (LADWP) 200 N. Spring St.; Los Angeles, CA 90012	Water Sales
ZAP Printing, Inc. / Image360 old address: P O Box 1208; Corona, CA 92878 new address: 127 Radio Road; Corona, CA 92879	Signage - Graphics

SAN GORGONIO PASS WATER AGENCY

LEGAL INVOICES ACCOUNTS PAYABLE INVOICE LISTING

VENDOR	INVOICE NBR	COMMENT	AMOUNT			
BEST, BEST & KRIEGER	200331	LEGAL SERVICES MARCH 2020	14,547.84			
'Hiring New GM' allocation for this invoice: \$231.50 'Hiring New GM' allocation in previous invoices: \$8,702.40						
'Hiring New GM' allocation total to current invoice: \$8,933.90						

TOTAL PENDING INVOICES FOR APPROVAL APRIL 2020

14,547.84

SAN GORGONIO PASS WATER AGENCY BANK RECONCILIATION March 31, 2020

BALANCE PER BANK ON	I 03/31/2020 - CHECKI	NG ACCOUNT		898,242.87
Pending In-Transit Deposit	t		_	(15,297.71)
Balance to Reconcile				882,945.16
LESS OUTSTANDING CH	HECKS			
CHECK NUMBER 119619 119628 119630 119631	AMOUNT 1,320.55 186.93 492.58 35,000.00	CHECK NUMBER	AMOUNT	
	37,000.06		0.00	
TOTAL OUTSTANDING O	CHECKS			-37,000.06
BALANCE PER GENERA	L LEDGER		-	845,945.10
BALANCE PER GENERA	L LEDGER ON 02/29/2	2020		282,870.72
CASH RECEIPTS FOR M	ARCH			4,530,226.00
CASH DISBURSEMENTS	FOR MARCH			
ACCOUNTS PAYABLE PAYROLL TRANSFER		EPORT	-6,227,067.39 -40,000.00	
			-	-6,267,067.39
BANK CHARGES				-84.23
TRANSFER TO LAIF				-3,700,000.00
TRANSFER FROM LAIF		,		6,000,000.00
BALANCE PER GENERA	L LEDGER AT 03/31/2	020	- =	845,945.10
REPORT PREPARED BY:				

SAN GORGONIO PASS WATER AGENCY **DEPOSIT RECAP** FOR THE MONTH OF MARCH 2020

DATE	RECEIVED FROM	DESCRIPTION	AMOUNT	TOTAL DEPOSIT AMOUNT
DEPOSIT TO	CHECKING ACCOUNT			
3/16/20 3/20/20 3/25/20 3/25/20 3/27/20	RIVERSIDE COUNTY RIVERSIDE COUNTY BCVWD ACWA JPIA TVI	PROPERTY TAXES PROPERTY TAXES WATER SALES PROPERTY INSURANCE REFUND CD - BOND INTEREST	8,006.17 3,664,940.44 823,536.00 7,093.53 26,649.86	8,006.17 3,664,940.44 823,536.00 7,093.53 26,649.86
		TOTAL FOR MARCH 2020	4,530,226.00	4,530,226.00

		FOR THE FISCAL Y	EAR JULY 1, 2019) - JUNE 30, 2020	
			TOTAL	<u></u>	REMAINING
1	ADOPTED	REVISIONS	REVISED	ACTUAL	PERCENT
	BUDGET	TO BUDGET	BUDGET	YTD	OF BUDGET
GENERAL FUND - INCOME				Comparison:	25%
NCOME			, r		
WATER SALES	5,600,000		5,600,000	3,932,204.85	29.78%
TAX REVENUE	2,750,000		2,750,000	1,972,346.58	28.28%
INTEREST	350,000		350,000	244,994.16	30.00%
DESIGNATED REVENUES	820,000		820,000	746,230.03	9.00%
CAPACITY FEE	0		0	0.00	
OTHER (REIMBURSEMENTS, TRANSFERS)	31,000		31,000	35,513.67	-14.56%
TOTAL GENERAL FUND INCOME	9,551,000	0	9,551,000	6,931,289.29	27.43%
OFNEDAL FUND EXPENSES					· · · · · · · · · · · · · · ·
GENERAL FUND - EXPENSES		<u> </u>		-	
COMMODITY PURCHASE		ļ			
PURCHASED WATER	6,100,000		6,100,000	4,455,561.68	26.96%
TOTAL COMMODITY PURCHASE	6,100,000	0	6,100,000	4,455,561.68	26.96%
SALARIES AND EMPLOYEE BENEFITS		<u> </u>			
SALARIES	500,000		500,000	375,466.25	24.919
PAYROLL TAXES	43,000		43,000	31,054. 74	27.789
RETIREMENT	250,000		250,000	121,040.63	51.58%
OTHER POST-EMPLOYMENT BENEFITS (OPEB)	73,000		73,000	16,576.08	77.29%
HEALTH INSURANCE	68,000		68,000	54,285.89	20.17%
DENTAL INSURANCE	5,000		5,000	3,671.92	26.56%
LIFE INSURANCE	1,600		1,600	1,388.91	13.19%
DISABILITY INSURANCE	5,200		5,200	3,884.33	25.30%
WORKERS COMP INSURANCE	3,800		3,800	1,953.73	48.599
SGPWA STAFF MISC. MEDICAL	10,000		10,000	7,449.48	25.519
EMPLOYEE EDUCATION	1,000		1,000	0.00	100.00%
TOTAL SALARIES AND EMPLOYEE BENEFITS	960,600	0	960,600	616,771.96	35.79%

FOR THE MINE WONTHS ENDING ON WARCOT ST, 2020					
 			TOTAL	- 00112 00, 2020	REMAINING
	ADOPTED	REVISIONS	REVISED	ACTUAL	PERCENT
	BUDGET	TO BUDGET	BUDGET	YTD	OF BUDGET
GENERAL FUND - EXPENSES	- 505021	10 DODGET	BOBOLI	1	
				Comparison:	25%
ADMINISTRATIVE & PROFESSIONAL					
DIRECTOR EXPENDITURES	145,000		445 000	70.004.04	20.0404
DIRECTORS FEES	115,000		115,000	70,334.24	38.84%
DIRECTORS TRAVEL & EDUCATION	15,000		15,000	7,858.18	47.61%
DIRECTORS MISC. MEDICAL	21,000	<u> </u>	21,000	8,548.37	59.29%
OFFICE EXPENDITURES					
OFFICE EXPENSE	15,000	<u> </u>	15,000	9,233.65	38.44%
POSTAGE	700	<u> </u>	700	368.62	47.34%
TELEPHONE	11,500		11,500	8,264.41	28.14%
UTILITIES	5,000		5,000	3,443.29	31.13%
SERVICE EXPENDITURES					
COMPUTER, WEB SITE AND PHONE SUPPORT	17,000		17,000	4,658.39	72.60%
GENERAL MANAGER & STAFF TRAVEL	18,000		18,000	20,863.63	-15.91%
INSURANCE & BONDS	23,000		23,000	23,281.65	-1.22%
ACCOUNTING & AUDITING	21,000		21,000	18,285.00	12.93%
STATE WATER CONTRACT AUDIT	5,500		5,500	5,471.00	0 53%
DUES & ASSESSMENTS	30,000		30,000	30,362.00	-1.21%
OUTSIDE PROFESSIONAL SERVICES	7,500		7,500	25,013.47	-233.51%
BANK CHARGES	1,000		1,000	892.49	10.75%
MISCELLANEOUS EXPENSES and PENALTIES	500		500	35,000.00	6900.00%
MAINTENANCE & EQUIPMENT EXPENDITURES				j	
TOOLS PURCHASE & MAINTENANCE	500		500	693.77	-38.75%
VEHICLE REPAIR & MAINTENANCE	5,000		5,000	5,930.91	-18.62%
MAINTENANCE & REPAIRS - BUILDING	30,000		30,000	9,050.92	69.83%
MAINTENANCE & REPAIRS - FIELD	8,000		8,000	2,724.51	65.94%
CONTRACT OPERATIONS AND MAINTENANCE	125,000		125,000	89,352.91	28.52%
WATER TREATMENT EXPENSE	0	75,000	75,000	63,139.91	15.81%
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	5,658.62	48.56%
TOTAL ADMINISTRATIVE & PROFESSIONAL	492,200	75,000	567,200	455,081.65	19.77%

		O OIL MAILOIT			: : : : : : : : : : : : : : : : :
		FOR THE FISCAL	EAR JULY 1, 2019	- JUNE 30, 2020	
			TOTAL		REMAINING
	ADOPTED	REVISIONS	REVISED	ACTUAL	PERCENT
	BUDGET	TO BUDGET	BUDGET	YTD	OF BUDGET
GENERAL FUND - EXPENSES				Comparison:	25%
GENERAL ENGINEERING		+			
NEW WATER		-	+ _		
UPDATED STUDY ON AVAILABLE SOURCES	16,000	 -	16,000	913.00	94.29%
SGMA SUPPORT		†··			
GSP CONSULTANT	500,000	 	500,000	171.344.66	65.73%
WEBSITE SERVICES	3,000		3,000	0.00	100.00%
YUCAIPA GSA	- +	30,000.00	30,000	13,406.26	55.31%
UWMP CONSULTANT	35,000	00,000.00	35,000	0.00	100.00%
STUDIES					
USGS	115,000		115,000	109,953.98	4.39%
WATER RATE NEXUS STUDY	35,000	1	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	14,487.50	69.82%
WHEELING RATE STUDY	o		0	0.00	0.00%
OTHER PROJECTS					
IRWMP IMPLEMENTATION PROPOSAL	22,000		22,000	0.00	100.00%
FLUME MONITORING	30,000		30,000	30,000.00	0.00%
INFRASTRUCTURE PLAN	30,000	1	30,000	18,790.50	37.37%
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	377,171.90	58.28%
LEGAL SERVICES					
LEGAL SERVICES - GENERAL	150,000		150,000	62,384.21	58.41%
TOTAL LEGAL SERVICES	150,000	0	150,000	62,384.21	58.41%
CONSERVATION & EDUCATION					
SCHOOL EDUCATION PROGRAMS	12,000	<u>+</u>	12,000	4,220.00	64.83%
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	4,220,00	89.95%

		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 GENERAL FUND CAPITAL EXPENDITURES				Comparison:	25%
	BUILDING & EQUIPMENT BUILDING	10,000		10,000	0.00	100,00%
	FURNITURE & OFFICE EQUIPMENT	25,000		25,000	0.00	100.00%
	OTHER EQUIPMENT FIESTA RECHARGE FACILITY	0		0	0.00	0.00%
	POST DESIGN	20,000		20,000	94,480,10	-372.40%
23	CONSTRUCTION	76,000	-	76,000	509,801.65	-570.79%
3	BUNKER HILL CONJUNCTIVE USE PROJECT			0	0.00	0.00%
6	NOBLE TURNOUT EXPANSION					
2	POST DESIGN	8,000		8,000	12,955.05	-61.94%
	CONSTRUCTION	1,500		1,500	7,600.00	-406.67%
	SITES RESERVOIR	322,000		322,000	302,057.17	6.19%
	MONITORING WELLS USGS	250,000		250,000	299,873.26	-19.95%
	TOTAL GENERAL FUND CAPITAL EXPENDITURES	712,500	0	712,500	1,226,767.23	-72.18%
	TRANSFERS TO OTHER FUNDS	0		0	0.00	
	TOTAL GENERAL FUND EXPENSES	9,331,300	105,000	9,436,300	7,197,958.63	23.72%
	WITHDRAWALS FROM RESERVES	1,326,000		1,326,000		
	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	-266,669.34	

	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:	25%
INCOME					
TAX REVENUE	23,995,229		23,995,229	14,836,174.22	38.17%
INTEREST	650,000		650,000	756,302.47	-16.35%
DWR CREDITS - BOND COVER, OTHER	3,031,777		3,031,777	1,568,208.66	48.27%
TOTAL DEBT SERVICE FUND INCOME	27,677,006	0	27,677,006	17,160,685.35	38.00%
DEBT SERVICE FUND - EXPENSES					
EXPENSES					
SALARIES	60,000		60,000	47,000.70	21.67%
PAYROLL TAXES	4,700		4,700	4,299.08	8.53%
BENEFITS	74,000		74,000	27,189.27	63.26%
STATE WATER CONTRACT PAYMENTS	24,500,000		24,500,000	20,507,180.00	16.30%
WATER TRANSFERS	1,625,000		1,625,000	328,122.05	79.81%
SWC CONTRACTOR DUES	75,000		75,000	38,049.00	49.27%
DELTA CONVEYANCE FACILITY AUTHORITY	40,000		40,000	50,000.00	-25.00%
EBX CONTRACT OPERATIONS AND MAINTENANCE	125,000		125,000	89,352.90	28.52%
SWP ENGINEERING AND MAINTENANCE	450,000		450,000	342,922.16	23.80%
DEBT SERVICE UTILITIES	11,000		11,000	8,533 16	22.43%
STATE WATER PROJECT LEGAL SERVICES	0	i	0	1,850.28	0.00%
TAX COLLECTION CHARGES	70,000		70,000	46,445.16	33.65%
TOTAL DEBT SERVICE FUND EXPENSES	27,034,700	0	27,034,700	21,490,943.76	20.51%
TRANSFERS FROM RESERVES	0		0	0.00	
DEBT SERVICE NET INCOME YEAR TO DATE	642,306	0	642,306	-4,330,258.41	

SAN GORGONIO PASS WATER AGENCY CASH RECONCILIATION REPORT FY 2019-20

FOR THE NINE MONTHS ENDING ON MARCH 31, 2020

DEBT SERVICE FUND - RESTRICTED		
BEGINNING BALANCE - JULY 1, 2019 RESERVE FOR STATE WATER PROJECT	51,024,575	
DEBT SERVICE ACTIVITY DEBT SERVICE DEPOSITS PROPERTY TAX - DEBT SERVICE DEPOSITS INTEREST INCOME DWR REFUNDS DEBT SERVICE DISBURSEMENTS	14,836,174 756,302 1,568,209 (21,797,877)	
ENDING RESTRICTED FUNDS BALANCE 3/31/20	46,387,384	46,387,384
GENERAL FUND - UNRESTRICTED		
BEGINNING BALANCE - JULY 1, 2019	14,475,387	
GENERAL FUND ACTIVITY GENERAL FUND DEPOSITS WATER SALES PROPERTY TAX - GENERAL PURPOSE DEPOSITS INTEREST INCOME OTHER INCOME CHANGE IN RECEIVABLES GENERAL FUND DISBURSEMENTS CHANGE IN LIABILITIES CHANGE IN CAPITAL ASSETS OPERATING EXPENDITURES ENDING UNRESTRICTED FUNDS BALANCE 3/31/20	3,932,205 1,972,347 244,994 781,744 926,208 (1,087,497) (1,734,873) (5,238,432) 14,272,083	14,272,083 60,659,466
LOCATION OF CASH 3/31/20		
PETTY CASH CASH IN WELLS FARGO CHECKING ACCOUNT CASH IN BANK OF HEMET CHECKING ACCOUNT BANK OF HEMET LOCAL AGENCY MONEY MARKET ACCOUNT LOCAL AGENCY INVESTMENT FUND CALTRUST TIME VALUE INVESTMENTS		100 845,945 11,780 517,083 15,382,891 20,883,667 23,018,000
TOTAL 3/31/20		60,659,466

SAN GORGONIO PASS WATER AGENCY CASH RECONCILIATION REPORT FY 2019-20 BY QUARTER

	SEP 30, 19	DEC 31, 19	MAR 31, 20	JUN 30, 20
DEBT SERVICE FUND - RESTRICTED				
BEGINNING BALANCE - JULY 1, 2019				
RESERVE FOR STATE WATER PROJECT	51,024,575	51,024,575	51,024,575	51,024,575
DEBT SERVICE ACTIVITY		•		
DEBT SERVICE DEPOSITS	070 770	0.075.000	44 000 474	
PROPERTY TAX - D. S. DEPOSITS INTEREST INCOME	679,779	6,075,623	14,836,174	
DWR REFUNDS	245,968 29,929	551,612 1,568,209	756,302 1,568,209	
DEBT SERVICE DISBURSEMENTS	(12,424,530)	(14,544,596)	(21,797,877)	
525. 621.W62 516561.62III.21.W6	(12,121,000)	(,, ,	(21,101,011)	
ENDING RESTRICTED FUNDS BALANCE	39,555,721	44,675,423	46,387,384	
GENERAL FUND - UNRESTRICTED				
BEGINNING BALANCE - JULY 1, 2019	14,475,387	14,475,387	14,475,387	14,475,387
GENERAL FUND ACTIVITY		· · · · · · · · · · · · · · · · · · ·	· · ·	
GENERAL FUND DEPOSITS				
WATER SALES	1,181,100	2,846,925	3,932,205	
PROPERTY TAX - GENERAL DEPOSITS	124,935	984,471	1,972,347	
INTEREST INCOME	69,376	176,764	244,994	
OTHER INCOME	50,049	109,823	781,744	
CHANGE IN RECEIVABLES	926,208	926,208	926,208	
GENERAL FUND DISBURSEMENTS CHANGE IN LIABILITIES	(1,018,232)	(1,179,436)	(1,087,497)	
CHANGE IN CIABLETTES CHANGE IN CAPITAL ASSETS	(465,420)	(1,179,314)	(1,734,873)	
OPERATING EXPENDITURES	(1,199,153)	(2,383,928)	(5,238,432)	
ENDING UNRESTRICTED FUNDS BALANCE	14,144,249	14,776,900	14,272,083	
TOTAL CASH - END OF QUARTER	53,699,970	59,452,323	60,659,466	
TOTAL GAGIT END OF GOARTER	00,000,010	00,402,020	00,000,400	
CASH AND INVESTMENTS				
PETTY CASH	100	100	100	
CASH IN W. F. CHECKING ACCOUNT	728,402	522,646	845,945	
CASH IN B. OF H. CHECKING ACCOUNT	8,750	6,498	11,780	
BANK OF HEMET L A M M A	515,401	516,246	517,083	
LOCAL AGENCY INVESTMENT FUND CALTRUST	8,740,203 20,684,114	14,598,594 20,790,239	15,382,891 20,883,667	
TIME VALUE INVESTMENTS	23,023,000	23,018,000	23,018,000	
THE VALUE HAVEOTHERNTO	20,020,000	20,010,000	20,010,000	
TOTAL - END OF QUARTER	53,699,970	59,452,323	60,659,466	

SAN GORGONIO PASS WATER AGENCY RESERVE ALLOCATION REPORT FY 2019-20

FOR THE NINE MONTHS ENDING MARCH 31, 2020

DESTRICTED	JUN 30, 19	SEP 30, 19	DEC 31, 19	MAR 31, 20	JUN 30, 20
RESTRICTED STATE WATER CONTRACT FUND	51,024,575	39,555,721	44,675,423	46,387,384	
UNRESTRICTED					
OPERATIONS	1,500,000	1,500,000	1,500,000	1,500,000	
NEW INFRASTRUCTURE	9,422,177	9,778,050	9,446,911	9,594,641	
Additions or Adjustments	3,120,609	-331,139	591,133	-343,939	
Expenditures	-2,764,737	,	-443,403	-160,879	
Ending Balance	9,778,050	9,446,911	9,594,641	9,089,823	0
ADDITIONAL WATER Adjustments from Other Sources Ratepayer - Balance Forward Ratepayer - Current Contribution Rate Stabilization - Balance Forward	4,175,505	1,647,338	1,647,338 500,000	2,132,259	
Excess Rate Stabilization - Current	0.500.407	;	45.070		
Expenditures	-2,528,167 1,647,338	1,647,338	-15,079 2,132,259	2,132,259	0
Ending Balance	1,047,330	1,047,336	2,132,239	2,132,239	0
RATE STABILIZATION Taxpayer Contribution Previous Ratepayer Balance Ratepayer Contribution Excess ContributTo Addnl. Water Expenditures	0 150,000	0 150,000	150,000	150,000	
Ending Balance	150,000	150,000	150,000	150,000	0
3	İ	,			
REPLACEMENTS	1,250,000	1,250,000	1,250,000	1,250,000	
UNEXPECTED LEGAL SERVICES	150,000	150,000	150,000	150,000	
			·		
TOTAL UNRESTRICTED RESERVES	14,475,387	14,144,249	14,776,900	14,272,082	0
	05 400 000	50,000,070	50.450.000	20.050 (00	
TOTAL RESERVES	65,499,962	53,699,970	59,452,323	60,659,466	0
CASH LOCATION					
Petty Cash	100	100	100	100	
Wells Fargo Checking Account	161,848	728,402	522,646	845,945	
Bank of Hemet Checking Account	9,288	8,750	6,498	11,780	
Bank of Hemet L A M M A	514,539	515,401	516,246		
LAIF	21,217,212	8,740,203	14,598,594		
CalTRUST	20,566,975	20,684,114	20,790,239	20,883,667	
Time Value Investments	23,030,000	23,023,000	23,018,000	23,018,000	
TOTAL CASH	65,499,962	53,699,970	59,452,323	60,659,466	0

SAN GORGONIO PASS WATER AGENCY INVESTMENT REPORT FY 2019-20 FOR THE NINE MONTHS ENDING ON MARCH 31, 2020

Accounting convention defines Current Assets as assets that can be liquidated within 1 year. By this definition, funds invested in Wells Fargo accounts, Bank of Hemet accounts, LAIF and CalTRUST accounts would all be considered Current Assets, or short-term investments.

The Agency categorizes its investments into three groups: Short-Term (can be liquidated or mature in 1 year); Medium-Term (mature in more than 1 year up to 5 years) and Long-Term (mature after 5 years).

For the purposes of this report, a "Hybrid" category is included for investments that can be liquidated in a year, but whose underlying securities may mature in more than one year. LAIF and CalTRUST both fall into this category.

This report includes a summary of cash and investments, and a detail of investments by category. The summary can be compared to the Cash Reconciliation Report. The detail of investments may differ slightly from the summary, due to rounding differences. This report also includes charts to show graphically the different investment categories, and what they are earning.

CASH AND INVESTMENT SUMMARY

LOCATION - INSTITUTION

Thoman. Torld. Is.

PETTY CASH	100
WELLS FARGO CHECKING ACCOUNT	845,945
BANK OF HEMET CHECKING ACCOUNT	11,780
BANK OF HEMET LOCAL AGENCY MONEY MARKET ACCOUNT	517,083
STATE OF CALIFORNIA LAIF	15,382,891
CALTRUST SHORT-TERM	20,883,667
TIME VALUE INVESTMENTS	23,018,000
US TREASURY	-

<u>TOTAL</u> 60,659,466

ALL INVESTMENTS LISTED ON THE INVESTMENT REPORT AND HELD BY THE SAN GORGONIO PASS WATER AGENCY ARE IN COMPLIANCE WITH THE AGENCY'S STATEMENT OF INVESTMENT POLICY.

THE AGENCY CAN MEET ITS EXPENDITURE REQUIREMENTS FOR THE NEXT SIX MONTHS.

April 24, 2020

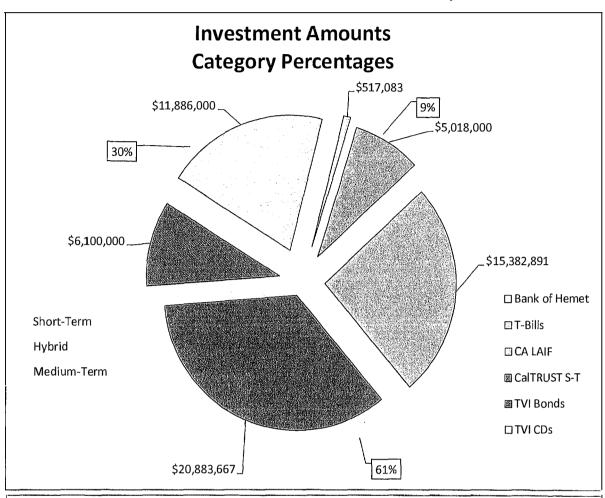
SAN GORGONIO PASS WATER AGENCY INVESTMENT REPORT FY 2019-20

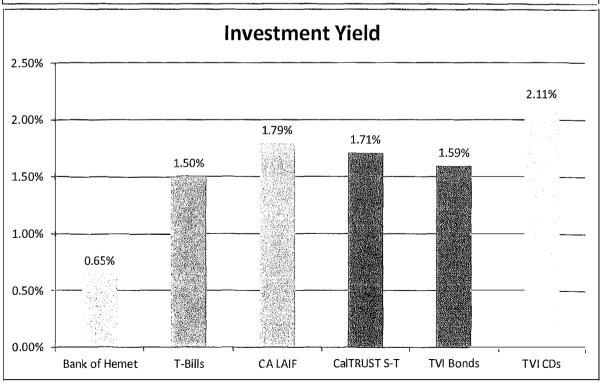
FOR THE NINE MONTHS ENDING ON MARCH 31, 2020

INVESTMENT DETAIL

			SHORT-T	ERIVI		
INSTITUTIO	N	Account		YIELD RATE	STATEMENT DATE	CURRENT VALUE
Bank of Heme TVI	et	Local Agency Money		0.65% varies	3/31/20 3/31/20	517,083.14 14,000.00
		BROKER: TI	ME VALUE IN	VESTMENTS T-B	ILLS	
ISSUER		PURCHASE AMOUNT	YIELD RATE	MATURITY DATE	FACE VALUE	CURRENT VALUE
US Treasury		4,999,353.11	1.50%	4/2/20	5,018,000.00	5,018,000.00
			HYBR	ID		
INSTITUTIO	N	Account	YIELD RATE	STATEMENT DATE	BOOK VALUE	CURRENT VALUE
State of Califo CalTRUST	ornia	LAIF Short-Term	1.79% 1.71%	* 3/31/20 * 3/31/20 *Average for March,	15,382,891.33 20,883,666.82 2020	15,382,891.33 20,897,512.38
			MEDIUM-7	TERM		
		BROKER: TI		VESTMENTS BO	NDS	
ISSUER	TYPE	PURCHASE AMOUNT	YIELD to Maturity	MATURITY DATE	FACE VALUE	CURRENT VALUE
FNMA TRNOTE TRNOTE FHLB	Callable* Callable* Callable* Callable*	1,050,000 2,035,716 1,907,310 973,769	1.40% 1.53% 1.63% 1.87%	11/25/20 9/30/21 11/15/22 10/11/23	1,050,000 2,050,000 2,000,000 1,000,000	1,051,659.00 2,078,187.50 1,984,840.00 1,006,870.00
* Can be redeen	TOTALS ned before maturity	5,966,795 date.	1.59%		6,100,000	6,121,556.50
		BROKER: ⁻	ΓIME VALUE Ι	NVESTMENTS C	CDs	
ISSUER		PURCHASE AMOUNT	YIELD RATE	MATURITY DATE	FACE VALUE	CURRENT VALUE
Various banks		11,886,000	2.11%	2-24 months	11,886,000	11,955,767.59
			LONG-T	ERM		
The Agency	has no Long-Te	erm investments at the o	date of this repo	ort.		
		PER	CENTAGE O	F PORTFOLIO		
	LAIF	US Treasury	CDs	Bonds	Money Market	

SAN GORGONIO PASS WATER AGENCY INVESTMENT REPORT FY 2019-20 FOR THE NINE MONTHS ENDING ON MARCH 31, 2020





Congress of the United States Washington, DC 20515

April 28, 2020

The Honorable Gavin Newsom Governor of California State Capitol, Suite 1173 Sacramento, CA 95814

The Honorable Xavier Becerra Attorney General 1300 "I" Street Sacramento, CA 95814

Dear Governor Newsom and Attorney General Becerra:

We strongly support the State of California's legal challenge to the Trump Administration's scientifically unsound biological opinions for water project operations in the Bay-Delta, and we were heartened by the State's recent court filings against the administration's environmental rollbacks. The adoption of these biological opinions is unlawful, as they weaken and eliminate critically needed protections for California's fish and wildlife in the Bay-Delta watershed. They not only threaten to drive California's native fish and wildlife extinct, but also threaten thousands of fishing jobs and communities that depend on a healthy Delta. We are grateful that the State has amended its complaint to require the Trump Administration to comply with California law and has filed a motion for preliminary injunction to enjoin the Trump Administration's full implementation of their 2019 biological opinions.

We strongly agree with your Administration's determination that the Trump Administration's 2019 biological opinions "are not scientifically adequate and fall short of protecting species and the state's interests." That conclusion is consistent with the findings of independent scientific peer reviews of the biological opinions and whistleblowers from federal agencies who publicly disclosed the National Marine Fisheries Services' July 1, 2019 biological opinion, which concluded that these proposed operations jeopardize the continued existence of endangered and threatened salmon and steelhead in the Bay-Delta.

Currently, the federal Central Valley Project (CVP) is not subject to the same regulations that apply to the State Water Project (SWP), and as a result the CVP this month has pumped substantially more water from the Delta than the SWP. This not only harms fish and wildlife but also reduces water supply for State Water Contractors. Moreover, the National Marine Fisheries Service has estimated that the Bureau of Reclamation's proposed operations of Shasta Dam this year will kill between nearly half and three quarters of the endangered winter-run Chinook salmon. The State's legal challenge—and actions by State agencies like the State Water

Resources Control Board this year—are critical to prevent these inequitable and unreasonable harms to fish and wildlife and water supply for other water users.

Congress has previously empowered the State of California to require the operations of the CVP to comply with State law, which includes the requirements of the California Endangered Species Act. No one should be above the law. Exempting the CVP from these requirements is unfair to other water users and harms the environment – and the many California communities and thousands of jobs that depend on it. We are pleased that the State's amended complaint seeks to remedy this inequitable result.

Californians overwhelming reject the Trump Administration's efforts to weaken environmental protections and subvert science. We applaud the State's recent court filings to protect the environment and hold the Trump Administration accountable, and we urge the State to use its full authority to prevent further harm to the Bay-Delta environment this year.

Sincerely,

JERRY MCNERNEY

Member of Congress

JARED HUFFMAN Member of Congress

RAÚL M. GRIJALVA

Member of Congress

Paul W.

ALAN LOWENTHAL

Dlan Lowenthal

Member of Congress

MIKE THOMPSON

mile Sampon

Member of Congress

DORIS MATSUI

Member of Congress

Jon's Matsur



THE SECRETARY OF THE INTERIOR WASHINGTON

APR 2 8 2020

The Honorable Dianne Feinstein United States Senate Washington, DC 20510

Dear Senator Feinstein:

I have reviewed your letters dated April 15, 2020, addressed to me and Governor Newsom regarding California water management.

Rest assured that the Department of the Interior (Department) is continuing coordinated operations between the Central Valley Project (CVP) and State Water Project (SWP) on a minute, hourly, daily, and weekly basis with the State of California (State). Though it may seem strange, given the contentious circumstances in which we have found ourselves, we are nonetheless pleased that the State continues to participate with implementing actions associated with our 2019 biological opinions. You have the Department's full commitment that we will continue these meetings to implement the 2019 biological opinions.

I agree with your long-held view of the need to improve California water supply reliability through enhanced Central Valley Project-State Water Project (CVP-SWP) operations. It is my belief that a commitment to updated science employed in the proposed operational changes and biological opinions will lead to improved water supply reliability to millions of Californians, promote agricultural and industrial prosperity, and protect wildlife and other aquatic resources. That has been the Department's goal. Obviously, the State has chosen to move in a different direction.

In your December 19th letter to Governor Newsom and me, you urged "There is only one way to avoid this potential crisis, and that is for the federal government and California to work together." Governor Newsom responded to your call by

- filing a lawsuit on February 20th against the Department for supposed violations related to the 2019 biological opinions;
- proceeding to have the State issue its own incidental take permit (ITP) on March 30th creating separate operating rules for the SWP, a document that is in direct conflict with the Federal permits; and
- filing, by the State through Attorney General Xavier Becerra, a motion for a preliminary injunction and other pleadings on April 21st regarding the CVP.

Given the extensive collaboration between the Federal and State agencies in the development of the biological opinions, and the fact that these opinions are strongly grounded in the best available science, I believe the State's recent actions and litigation are ill-founded and potentially unlawful.

Earlier this month, the Metropolitan Water District of Southern California Board (Metropolitan) voted to initiate a lawsuit against the State regarding the ITP for long-term operation of the SWP in the Sacramento-San Joaquin Delta. In a recent letter to the California Department of Fish and Wildlife (DFW) and the California Department of Water Resources (DWR), Metropolitan stated that "[t]he permit issued by DFW does not replace or eliminate the SWP obligation to comply with federal ESA and the 2019 Biological Opinions."

I agree with this statement; there can be no "stand alone permit" apart from the Federal process to protect species under the Endangered Species Act. I also agree with Metropolitan that there is no technical or scientific justification for concluding that the State's ITP is better or more protective than the Federal biological opinions simply because it does not seek to increase SWP exports. I believe that the proposal of such limitations on water supply without legal or scientific basis is contrary to our obligation to the people and environment.

I have always appreciated your thoughtful recognition that prudent and science-based management of California's water, particularly the operations of the CVP and SWP, is critically important for the State's economy, communities, and natural environment.

Using over a decade of new scientific understanding and operational experience, the 2019 biological opinions approved new management actions. These new actions provide for the protection of endangered and threatened fish species and their habitat, as well as better management of cold-water supplies for the survival of winter-run Chinook salmon. The new actions allow for more reliable delivery of water to California farmers, families, and communities, while serving as a model for collaboration between water project operators and fisheries experts in years to come.

As the California-initiated operations and litigation proceeds, I anticipate that the State and the Department will face significant administrative and operational challenges regarding the intertwined operations of these two water projects, some of which have not been seriously contemplated for decades. The result of this, and any litigation related to this matter, will be further uncertainty for the water supplies of over 35 million people, including numerous economically disadvantaged communities, farms, groundwater sustainability and ecosystems dependent on these water sources.

I appreciate your continued communication as we move forward to better ensure water supply reliability for the benefit of the State's working families, local communities, and environment. A similar reply is being sent to the cosigners of your letter.

Sincerely.

Secretary of the Interior

Jeff Davis

From:

Wednesday, April 29, 2020 4:58 PM

Sent: To:

Brand Wanter De Constitution of the Constituti

Cc:

AND THE PROPERTY OF THE PROPER

Regination for a first property of the Person of the Perso

Subject: FW: SWC Filing: Bloomberg Law & Sacramento Bee

Follow Up Flag:

Follow up Flagged

Flag Status:

From. Sierra Layton Salan Ciana heres no social IIII

Sent: Wednesday, April 29, 2020 4:48 PM

To: Jemmer Presidente with the state of the

Cc: Repressing the last Representation of the representation of th

Subject: SWC Filing: Bloomberg Law & Sacramento Bee

Hi All,

Bloomberg Law published an article on the SWC's filing today as did the Sacramento Bee focusing on the multiple lawsuits that were filed this week, including SWC's. I've included both articles below for your reference and review.

We'll continue monitoring for additional coverage and flag for the team.

Thanks, Sierra

California Water Wars Heat Up With Suits From State Contractors Bloomberg Law By: Emily Dooley April 29, 2020 https://news.bloomberglaw.com/environment-and-energy/california-water-wars-heat-up-with-suits-from-state-contractors

Water contractors in California are suing the state over its new permit that authorizes water deliveries, the result of a conflict with the Trump administration's policies.

The groups suing California supply water to nearly 75% of the state's population, 4 million acres of farmland, and many hundreds of thousands acres of critical habitats.

The complaints, filed in Superior Court in Fresno County, have to do with California's complex water delivery system, which is shared between federal authorities and the state.

State Water Contractors, which represent 27 public water suppliers that get their water from state facilities, sued Wednesday, saying new state water permits impose rules that exceed California's protections for endangered species.

The rule limits water supplies based on inadequate justification, will increase costs by \$22 million annually, and causes conflicts between state and federal water management, according to the complaint.

The permit "has left us with no other choice than to file litigation that could and should have been avoided," State Water Contractors General Manager Jennifer Pierre said in a news release.

Shared Jurisdiction

More than two-thirds of the state's precipitation falls in the north, and a complex series of levees, rivers, reservoirs, pumping stations, and other facilities divert water from the Sacramento-San Joaquin Delta to elsewhere in the state, including thirsty southern California.

The California Department of Water Resources and U.S. Bureau of Reclamation operate those facilities. In the past, they used to work together.

But in March, the state obtained an operations permit from the California Department of Fish and Wildlife because it no longer agreed with the Trump administration's philosophy over endangered species.

California disagreed with new water use policies implemented by the Trump administration, saying the new guidelines weren't backed by science and failed to ensure fish wouldn't be hurt by operations such as the use of pumps to draw water out of rivers.

California Natural Resources Agency spokeswoman Lisa Lien-Mager said the state couldn't comment on litigation but stands behind its permit and water management operations. Species protection is more important in light of federal opinions, she said.

"The state's permit strikes a necessary balance by providing much-needed environmental protection while advancing smarter operations that support the water needs of California communities and agriculture," Lien-Mager said in an email.

Claims Rules Aren't Science-Based

The water contractors' suit claims violations of the state Environmental Quality and Endangered Species acts.

The Metropolitan Water District of Southern California, which supplies water to agencies serving 1 in 17 Americans, also sued over the state permit on Tuesday, on similar grounds.

"A lengthy legal battle will not produce a sound solution for the Delta ecosystem," General Manager Jeffrey Kightlinger said in a statement. "We need a state permit that uses the best available science to address the environmental impact of operations and strikes a balance in providing water supply to California's farms and cities."

Suppliers that get their water from federal facilities also filed a lawsuit. Those suppliers include the Tehama Colusa Canal Authority, San Luis & Delta-Mendota Water Authority, Friant Water Authority, and several Sacramento River settlement contractors.

That complaint, which claims violations of the state Environmental Quality Act, said the new state permit could cause water delivery disruptions, and stall negotiations on agreements to restore habitat while protecting water resources.

All of the cases are seeking injunctions, and that the permit for state operations be set aside. Metropolitan also wants a judgment that the state breached contracts.

California has also sued the secretaries of Commerce and Interior, federal agencies in those departments, and their leadership over updated water management plans.

Grand compromise on California water wars in disarray. Newsom faces multiple lawsuits this week Sacramento Bee

By: Dale Kasler April 29, 2020

https://www.sacbee.com/article242386816.html

From the moment he took office, Gov. Gavin Newsom said he wanted to bring <u>peace to California's water wars.</u> But now, more than a year after taking office, most of the warring factions are united against his plan for governing the Delta.

Three of the most powerful groups in California water sued the state this week over Newsom's two-monthold plan for the Sacramento-San Joaquin Delta, the hub of California's complex water delivery network.

A <u>coalition of environmental groups</u> charged Wednesday that Newsom's plan, released in late March, doesn't do nearly enough to protect Chinook salmon and other endangered species from the perils that occur when water is pumped through the Delta to farms and cities in the southern half of the state.

On the other side, local agencies that get deliveries from the State Water Project and the federal government's Central Valley Project filed their own lawsuits, saying Newsom went overboard in setting restrictions on water pumping that will result in significant new restrictions on supplies.

<u>The state contractors</u>, in a suit filed in Fresno Superior Court, said the Department of Water Resources and Department of Fish & Wildlife ignored scientific evidence showing that more water could be sent south "without causing additional adverse impacts to the Delta."

The hail of litigation, filed in a space of 24 hours, seems to leave Newsom's vision of peace in tatters.

Lisa Lien-Mager, a spokeswoman for Newsom's Natural Resources Agency said the administration "stands behind" its plan for operating the Delta. She said it "strikes a necessary balance" between environmental protection and meeting the needs of the water suppliers."

SOME SPECIES AT BRINK OF EXTINCTION

The State Water Project and Central Valley Project pull billions of gallons of water out of the Delta and pump it to their respective customers in the San Joaquin Valley and Southern California, serving millions of acres of farmland and about 25 million people.

But decades of pumping have ravaged the Delta's eco-system and sent smelt, salmon and other species to the brink of extinction.

Newsom took office pledging to find solutions that would work for all sides. He tried to find common ground with the mostly agricultural Central Valley Project water districts on a plan, known as the voluntary settlement agreement, for allocating water from the state's most important rivers. He tried to negotiate with the Trump administration, which operates the Central Valley Project, on governing operations in the Delta.

Recently, though, his efforts at peace-making have evolved into familiar strategies of litigation. In February, as President Donald Trump was visiting Bakersfield to discuss water policy, Newsom announced he would sue the federal government over Trump's plans to deliver more water through the Delta.

Now, Newsom's own operations plan for the Delta is drawing fire from environmentalists and water users alike. And the voluntary settlement agreement - a far-reaching water-sharing effort brokered by former Gov. Jerry Brown's administration - appears to be falling apart.

Jennifer Pierre of the State Water Contractors said Newsom's plan for the Delta "effectively ends the historic Voluntary Agreement process that brought together water agencies, regulators and conservation groups to tackle decades-old water resource problems."

FionaHutton&Associates



Sierra Layton Account Executive Los Angeles | Sacramento

W: FionaHuttonAssoc LinkedIn

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https://mavensnotebook.com/2020/04/29/this-just-in-lawsuit-challenges-californias-failure-to-addressstate-water-projects-threat-to-bay-delta-salmon-runs/

From the Center for Biological Diversity:

Four environmental groups sued the California Department of Water Resources today over its approval of the long-term operation of the State Water Project, the massive system of dams, pumps and aqueducts responsible for siphoning water from Northern California to Southern California. The project approval also failed to analyze the environmental harms of building a new diversion tunnel to send water south.

Today's lawsuit, brought by the Sierra Club, Center for Biological Diversity, Restore the Delta, and Planning and Conservation League, challenges the agency's implausible conclusion that the project, which starves the San Francisco Bay-Delta of freshwater flows and has devastated most of the Delta's native fish populations, will have no environmental consequences.

"It's time for the state to be honest about the damage being done to the Delta ecosystem and our native fish by the unsustainable water diversions of the State Water Project," said Jeff Miller, a senior conservation advocate at the Center for Biological Diversity. "We need increased freshwater flows to restore the Delta. The Department of Water Resources can't pretend that diverting even more water under this project would be benian."

Just weeks before the department approved the long-term operation of the State Water Project, it announced that it was pursuing the "One-Tunnel Delta Conveyance Project," the latest version of the enormous tunnel that could increase the siphoning of Delta water. Although the tunnel would be part of the State Water Project, the department failed to consider the tunnel and its effects from water diversion in its environmental review.

"It's bad enough that the department thinks the State Water Project has no environmental consequences," said Kathryn Phillips, director of Sierra Club California. "But it's completely absurd for the agency to separate the long-term operation of the State Water Project from the tunnel project, which it's actively promoting as part of that long-term operation."

In 2019 Gov. Gavin Newsom announced that he was abandoning the California WaterFix project, which would have created two 35-mile long, 40-foot wide tunnels to carry water south without passing through the Delta and nourishing its ecosystems. The Department of Water Resources has subsequently pursued a single tunnel project, but the smaller project still threatens further damage to salmon and other fish runs and the health of the Delta.

"Salmon, Delta smelt, farmers and towns all depend on the continued flow of fresh water into the Delta," said Barbara Barrigan-Parrilla with Restore the Delta. "The state's long-term plan for running the State Water Project just hides its determination to close the spigot."

Read/download complaint here.





Sierra Layton Account Executive Los Angeles | Sacramento





San Luis & Delta-Mendota Water Authority Friant Water Authority Tehama Colusa Canal Authority

For Immediate Release:

April 28, 2020

Contact:

Jeff Sutton (TCCA), 530-301-1030 Scott Petersen (SLDMWA), 209-597-0232 Alex Biering (FWA), 916-628-0431

Today, a coalition of water providers filed suit to protect the Central Valley Project (CVP) and the farms, businesses, residents and wildlife refuges it serves in 17 California counties.

As California embarks on an unprecedented effort to rebuild our economy, we strongly encourage the State of California to recognize the importance of CVP water deliveries to every facet of our economy and social fabric in California's Central Valley, the Bay Area and the Central Coast. Rather than efforts that will limit our economic recovery, we urge the State of California to sit down with the operators of the CVP and State Water Project (SWP) and develop a joint operations plan that is not in conflict with the federal Biological Opinions (BiOps) and can advance voluntary agreements as a long-term solution to meet multiple objectives in the Bay-Delta. It is disappointing that State officials have not, to date, engaged with their federal counterparts to resolve these issues after first announcing their intent to sue last fall, and today's action is the unfortunate result of an environment of escalating legal conflicts over issues that need not be resolved in a courtroom.

As background, the State of California recently filed suit challenging the operations of the CVP and now, through its Incidental Take Permit (ITP), the State could further limit the ability of the CVP to deliver water to its customers. These actions have compelled today's legal filing in Fresno County Superior Court, which reflects concerns by the water suppliers and citizens that depend upon the CVP that the State's Environmental Impact Report (EIR) supporting the ITP does not address impacts to the CVP. The lawsuit also reflects concerns that implementation of the ITP will lead to disruptions in water deliveries and prevent meaningful progress on collaborative efforts to secure long-term water supply reliability for millions of Californians while also achieving the reasonable protection of fish and wildlife beneficial uses in the Bay-Delta watershed.

Through our legal action, we are aligning with the water suppliers that depend upon the State Water Project (SWP), who have separately challenged the State's action this week. The parties now challenging this action supply water to more than 29 million Californians, nearly 75% of California's population, more than 4 million acres of farmland, and hundreds of thousands of acres of managed wetlands and habitat of critical importance to threatened and endangered species and migratory waterfowl. We are collectively committed to rebuilding our economy and ensuring water deliveries to all Californians.

The parties to the suit include nearly all parts of the CVP throughout California, as the case is brought by the Tehama Colusa Canal Authority, San Luis & Delta-Mendota Water Authority, Friant Water Authority, and several Sacramento River Settlement Contractors.



The Metropolitan Water District of Southern California

NEWS RELEASE

P. O. Box 54153, Los Angeles, California 90054-0153 • (213) 217-6485 • www.mwdh2o.com

Contacts: Rebecca Kimitch, (213) 217-6450; (202) 821-5253, mobile Maritza Fairfield, (213) 217-6853; (909) 816-7722, mobile

April 29, 2020

METROPOLITAN STATEMENT ON INCIDENTAL TAKE PERMIT LITIGATION FILING

Jeffrey Kightlinger, general manager of the Metropolitan Water District of Southern California, issues the following statement on Metropolitan's filing of <u>a lawsuit</u> yesterday against the state of California regarding the Department of Fish and Wildlife's Incidental Take Permit for State Water Project operations:

"In filing litigation, Metropolitan acted to protect Southern California's ratepayers from cost shifts and water supply reductions inappropriately assigned to the State Water Project. While Metropolitan remains committed to working with the state and Governor Newsom to find a comprehensive solution to improve the ecological health of the Sacramento-San Joaquin Delta, that solution must be based on the best available science and not overly burden Southern California. We have made extraordinary progress in the historic voluntary agreement process, including commitments from water users across the state for enhanced flows, which would produce more water for the environment than this state permit, as well as for habitat restoration and funding. The voluntary agreement process continues to be the only productive path for a solution that balances the water supply needs of the environment, our communities and our farms.

"A lengthy legal battle will not produce a sound solution for the Delta ecosystem. We need a state permit that uses the best available science to address the environmental impact of operations and strikes a balance in providing water supply to California's farms and cities."

###

The Metropolitan Water District of Southern California is a state-established cooperative that, along with its 26 cities and retail suppliers, provide water for 19 million people in six counties. The district imports water from the Colorado River and Northern California to supplement local supplies, and helps its members to develop increased water conservation, recycling, storage and other resource-management programs.



Why State Water Contractors sued California over restrictions on water deliveries

By: Jennifer Pierre, Special to CalMatters April 30, 2020

For more than a decade, the State Water Contractors have heavily invested in scientific research to learn more about the Bay-Delta ecosystem and the endangered species that call it home.

Much of this investment worked to resolve lingering questions surrounding permits issued in 2008 and 2009 for the long-term operation of the State Water Project and Federal Central Valley Project. Having spent \$50 million annually this past decade, we now better understand how water operations affect the Delta ecosystem. And with that understanding we can operate the statewide water system to achieve the co-equal goals of providing safe and reliable water supplies while protecting and restoring the environment.

For us, better science is the only path that can achieve those two important goals.

Unfortunately, as the state completed its new <u>permitting</u> effort at the end of March, a decade of research was largely ignored in favor of political objectives that impose unjustified restrictions on the State Water Project and offer no opportunity to manage water supplies for the benefit of the environment, 27 million people, 750,000 acres of agricultural land or the California economy.

In fact, the permit issued by the California Department of Fish and Wildlife will make it substantially more difficult to manage water resources in the face of climate change, mega droughts and new state groundwater management rules.

California needs to make foundational investments to ensure our <u>water infrastructure</u> is operating with the flexibility and capacity to provide the maximum benefit for our residents, farms and environment.

The March 31 Incidental Take Permit issued by the Department of Fish and Wildlife for the long-term operation of the State Water Project includes requirements that are contrary to what years of research has shown us. The permit also halts years of work to develop a Voluntary Agreement to update the <u>Bay-Delta Water Quality Control Plan</u> – an effort that sought to provide more water and habitat for the environment while protecting the water rights of public water agencies.

In that process, diverse interest groups came to the table to develop substantial new instream and Delta outflow criteria, a robust collaborative science program spanning the Delta watershed, funding to purchase water and construct habitat, and an ability to test hypotheses to further our understanding of how flows and landscapes interact to benefit fish.



Memorandum

To: President and Members of the Board

San Gorgonio Pass Water Agency

From: Jeff Ferre, General Counsel

Date: May 4, 2020

Re: General Counsel Report - Board of Directors Meeting

Please note that this is a general update for public discussion purposes only and does not constitute legal advice.

This is a summary of some of the provisions of some of the Executive Orders that have been issued in response to COVID-19. This summary focuses on impacts to water agencies. By the time of the Board meeting, the Governor may have issued additional Orders, and/or changes to Orders, which may impact the information set forth herein.

PROCLAMATION OF A STATE OF EMERGENCY – MARCH 4, 2020

A State of Emergency was declared to prepare for and respond to COVID-19 cases and mitigate the spread.

EXECUTIVE ORDER N-25-20 – MARCH 12, 2020

Brown Act waivers - members of the public, board members and staff can participate in board meetings telephonically. On the agenda, there must be information regarding a <u>public location</u>.

EXECUTIVE ORDER N-29-20 – MARCH 17, 2020

<u>Superseded the Brown Act waivers from N-25-20.</u> Now, the following, more expansive, Brown Act waivers are in effect:

1. No requirement for a public location;

- 2. The agenda does not need to list each telephonic location, telephonic locations are not required to be accessible to the public, and the agenda does not need to be posted at each telephonic location. A quorum does not need to be participating from within the agency boundaries.
- 3. The agenda must include information regarding the means by which the public can observe/listen (livestream/telephonic) and offer public comment.



EXECUTIVE ORDER N-35-20 – MARCH 21, 2020

- 1. A government official (general manger) may provide updates on emergency response collectively to the entire agency board. Board members may ask questions. However, board members still cannot discuss or deliberate on any matters or take any action.
- 2. Time-based limitations on working after retirement are suspended if retirees are hired to respond to COVID-19. The 960-hour per fiscal year limitation and the waiting periods are suspended. (This is separate from a "continuing services agreement," such as what the Agency recently approved. That type of agreement is allowed and is not tied to COVID-19).
- 3. The time for presenting a government claim is extended 60 days. Generally, claimants must submit a claim within either 6 months or 1 year. The Order adds 60 days to the deadline.

EXECUTIVE ORDER N-42-20 - APRIL 2, 2020

- 1. Public water systems that supply water to more than 200 service connections shall not discontinue residential service for non-payment. "Residential service" includes single-family residences, multifamily residences and mobile homes. Service must be restored to occupied residences that has been discontinued for nonpayment since March 4, 2020.
- 2. Public water systems shall not discontinue service to any small business in the critical infrastructure sectors. Here is the list of critical infrastructure sectors;

Chemical Sector
Commercial Facilities Sector
Communications Sector
Critical Manufacturing Sector
Dams Sector
Defense Industrial Base Sector
Emergency Services Sector
Energy Sector
Financial Services Sector
Food and Agriculture Sector
Government Facilities Sector

Healthcare and Public Health Sector Information Technology Sector Nuclear Reactors, Materials, and Waste Transportation Systems Sector Water and Wastewater Systems Sector

EXECUTIVE ORDER N-54-20 - APRIL 22, 2020

1. The filing, posting, notice and public access requirements for projects subject to CEQA review are suspended for a period of 60 days. This suspension does not apply to provisions governing the time for public review.



BEST BEST & KRIEGER & ATTORNEYS AT LAW

- 2. Where CEQA would otherwise require publicly posting or filing materials with a county clerk, or otherwise making such materials available to the public, the agency shall do all of the following:
 - 1. Post such materials on the agency's website for the same period of time that physical posting would otherwise be required;
 - 2. Submit all materials electronically to the State Clearinghouse; and
 - 3. Engage in outreach to individuals and entities known by the agency to be parties interested in the project.

MEMORANDUM

TO: Board of Directors

FROM: General Manager

RE: 2020 Exchange with City of Ventura and Casitas

Municipal Water District

DATE: May 4, 2020

Summary:

The purpose of this proposed Board action is to determine if the Board wishes to enter into an exchange agreement with the City of Ventura and the Casitas Municipal Water District to obtain at least 2,250 acre-feet of water this year in exchange for at least 562 acre-feet returned over the next ten years. This exchange, coupled with the Agency's other sources, including Table A, Yuba water, carryover water, and Nickel water, would enable the Agency to meet all retailer requests for this year, with about 250 acre-feet left over for the Agency's use.

Background:

Retailer water delivery requests for 2020 from the Agency total approximately 10,200 acre-feet. The Agency is not able to meet those requests with the 15% SWP allocation, the 1700 acre-feet of Nickel water, the 4200 acre-feet of carryover water, and the expected 200 acre-feet of Yuba water. Even if the allocation were to increase to 20%, the Agency would not be able to meet the total requests.

The Board has previously authorized staff to negotiate with Ventura and Casitas to determine if the Agency could receive additional supplies this year in order to meet retailer requests for water.

The Agency implemented a similar arrangement with Ventura and Casitas the last two years, with somewhat different terms. The Agency has developed a relationship with Ventura and Casitas that could benefit the Agency in the future if additional SWP supplies are needed. Currently, Ventura and Casitas are not able to take delivery

of their SWP water but must pay their fixed costs each year. They have recently begun a process to construct infrastructure that will enable them to do so. It is estimated that it could take at least 7-10 years to plan, design, and construct that infrastructure.

Detailed Report:

The terms of the agreement negotiated with Ventura and Casitas are as follows. The Agency would pay 100% of their fixed SWP costs (about \$2.7 million) in 2020. In exchange, the Agency would take delivery of at least 2250 acre-feet of water from the two parties (two-thirds from Ventura, one-third from Casitas at a 15% allocation). The Agency would owe the parties one fourth of this water back in the next ten years (by December 2030). This number could increase if the SWP allocation increases.

With no infrastructure to deliver this water currently, it is anticipated that it will be at least six years before exchange water could be delivered. If the infrastructure is not completed within ten years, other terms would be negotiated. If the SWP allocation is 30% or less in any year, Ventura and Casitas would not be able to request exchange water. If the SWP allocation is between 30% and 50%, the Agency could negotiate the amount of exchange water to be delivered that year. Only if the SWP allocation is above 50% in a given year would the Agency be required to deliver the amount of exchange water requested in that year.

The agreement also states that it is the intent of the parties to develop a long-term transfer agreement when the Water Management Amendment to the SWP contract is fully executed.

Upon approval by DWR, the Agency will work out a schedule for delivery of this water, along with Nickel water and the rest of the Agency's Table A water this year. Staff is confident that all of the water can be delivered in this calendar year.

There is a second agreement associated with this transaction. This is an agreement among the Agency, Ventura, Casitas, and DWR. This agreement is essentially an implementation agreement and allows DWR to convey the exchanged water to the Agency, the Agency to schedule this water, and DWR to invoice the Agency for the water.

That agreement is not included in the agenda package because it is not complete. A similar agreement was approved for the Agency's exchange with Ventura and Casitas the last two years. In this separate agreement, DWR would have to approve the terms of this agreement, including the four-for-one exchange ratio. Staff believes that DWR is likely to approve this, but in the event that it does not, staff will re-negotiate a different exchange ratio and, assuming that Ventura and Casitas agree, bring it back to the Board for approval.

As a result of previous exchanges, the Agency currently owes approximately 5400 AF to other State Water Contractors between now and the end of 2029. This year, the Agency is reducing that debt by 500 acre-feet, as it will repay its debt to Crestline-Lake Arrowhead Water Agency for a 2010 exchange this year. With the additional water debt of 562 acre-feet from this exchange, the Agency's water debt will increase slightly at the end of this year to 5462 acre-feet by 2030. Much of the debt with Ventura and Casitas may very well be extended if the infrastructure required for them to take deliveries of SWP water is not completed by 2030.

By approving the transaction, the Agency will be able to meet all retailer water requests for 2020. Without all of the sources in the Agency's portfolio, including this exchanged water, Table A water, carryover water, Nickel water, and Yuba water, the Agency would not be able to meet retailer requests.

Fiscal Impact:

The fixed costs of \$2.7 million would be paid to Ventura and Casitas from the Debt Service fund. About half of these costs are included in the Debt Service budget for this year. The costs of delivering the water would be mostly covered by the water rate. The fixed costs for this water, including water exchanged back to Ventura and Casitas, is approximately \$1200 per acre-foot. The Agency's Table A water this year, at a 15% allocation, is approximately \$8500 per acre-foot. If the SWP allocation increases, the cost per acre-foot of Table A water and Ventura/Casitas water will decrease.

Recommendation:

Staff recommends that the Board authorize the General Manager to sign the two agreements and to take all steps necessary to implement the exchange, including CEQA compliance. For the attached agreement, staff recommends that the Board approve it including any potential revisions that the General Counsel deems to be non-substantive.

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AGREEMENT

between

SAN GORGONIO PASS WATER AGENCY

and the

CITY OF SAN BUENAVENTURA and CASITAS MUNICIPAL WATER DISTRICT FOR THE EXCHANGE OF

2020 STATE WATER PROJECT TABLE A WATER

This Agreement is made by and between the City of San Buenaventura, a California Charter Law Municipal Corporation ("Ventura"), and Casitas Municipal Water District, a California special district ("Casitas"), on the one hand, and San Gorgonio Pass Water Agency, a special act agency formed under Water Code Uncodified Acts, Act 1100 ("SGPWA"), on the other hand.

BACKGROUND AND PURPOSE

- 1. Ventura and Casitas together hold rights to fifteen thousand (15,000) acre-feet of a twenty thousand (20,000) acre-foot Table A allocation to State Water Project water ("Table A Water"), initially held by the Ventura County Watershed Protection District ("VCWPD") but assigned to Casitas for all authorities and responsibilities (see Exhibits A and B hereto).
- 2. Of the 20,000 acre-foot Table A Water allocation set forth in Paragraph 1 above, Ventura's State Water Project Table A allocation is ten thousand (10,000) acre-feet per calendar year ("Ventura Table A Water") and Casitas' State Water Project Table A allocation is five thousand (5,000) acre-feet per calendar year ("Casitas Table A Water"); United Water Conservation District holds the remaining State Water Project Table A allocation of five thousand (5,000) acre-feet per calendar year.
- 3. Ventura and Casitas do not plan to take direct delivery of their respective Table A Water for 2020.
- 4. As of January 24, 2020, the Department of Water Resources ("DWR") has allocated fifteen percent (15%) of each State Water Project Contractor's Table A amount for delivery in 2020.
- 5. SGPWA would like to take delivery of Ventura Table A Water and Casitas Table A Water in 2020 in the final amounts of the allocations as shall be determined by DWR for 2020.
- 6. SGPWA is willing to compensate Ventura for Ventura 2020 Table A Water as set forth in this Agreement.

- 7. SGPWA is willing to compensate Casitas for Casitas 2020 Table A Water as set forth in this Agreement.
- 8. Ventura and Casitas are willing for SGPWA to take delivery of the full amounts of Ventura's and Casitas' allocations as shall be determined by DWR for 2020.
- 9. Ventura and Casitas have agreed that their respective entire allocations in 2020 will be delivered to SGPWA, in exchange for SGPWA's agreement to return to Ventura and Casitas within ten (10) years, no later than the end of calendar year 2030, twenty-five percent (25%) of the quantity of the Ventura Table A Water and 25% of the Casitas Table A Water that is delivered to SGPWA pursuant to this Agreement.
- 10. Ventura and Casitas are currently pursuing a direct delivery method for State Water Project water that estimates construction within ten (10) years pending the necessary permits and approvals.
- 11. It is the expressed intent of the parties to negotiate a long-term exchange or transfer agreement, separate from this Agreement, when the applicable amendments or modification are made to State Water Project Contracts, and/or rules and regulations of the State Water Project, which may permit such exchanges and transfers. A long-term exchange could be utilized until such time as Ventura and Casitas can take direct delivery of State Water. It is hereby acknowledged and agreed that nothing in this Agreement shall be deemed to be a binding agreement to enter into a long-term exchange or transfer agreement and each party reserves the right to decide whether or not to enter into such an agreement in their sole discretion.

TERMS AND CONDITIONS

- Payment to Ventura. SGPWA agrees to pay to Ventura up to one hundred percent (100%) of Ventura's Transportation Capital and Minimum and Conservation Capital and Minimum Charges for 2020. The exact amounts for such charges are set forth by DWR in DWR's statement of charges issued July 1, 2019 and revised December 1, 2019. Payment amount is subject to DWR approval and contingent on the final DWR State Water Project Allocations.
- 2. Payment to Casitas. SGPWA agrees to pay to Casitas up to one hundred percent (100%) of Casitas' Transportation Capital and Minimum and Conservation Capital and Minimum Charges for 2020. The exact amounts for such charges are set forth by DWR in DWR's statement of charges issued July 1, 2019 and revised December 1, 2019. Payment amount is subject to DWR approval and contingent on the final DWR State Water Project Allocations.

- 3. <u>DWR Approval.</u> DWR's written approval of this Agreement, including the terms and conditions herein, is necessary to effectuate this exchange. DWR's approval shall be provided in the form of an agreement among the entities as determined by DWR. It is anticipated that said agreement would be among DWR, Ventura County Watershed Protection District, and SGPWA. In the event DWR does not approve this Agreement and/or the Table A Water subject to this Agreement is not permitted to be exchanged as contemplated in this Agreement, Ventura and Casitas will each refund to SGPWA a payment equal to the amounts described in Terms and Conditions Paragraphs 1 and 2 above. Said payment shall be made within thirty (30) days from the date of any such disapproval by DWR.
- 4. <u>Deliveries to SGPWA</u>. Upon receipt of payment from SGPWA equal to the amount described in Terms and Conditions Paragraphs 1 and 2 above, Ventura and Casitas will request that DWR deliver to SGPWA, in calendar year 2020, Ventura and Casitas' entire 2020 Table A Water allocations from the State Water Project. Ventura and Casitas shall request that DWR cause said deliveries to be made at a location and according to a delivery schedule requested by SGPWA and approved by DWR. The Table A Water will be delivered to SGPWA from the State Water Project through facilities already in existence when the Table A Water is delivered, such that it will not be necessary to construct additional facilities in order to affect delivery of the Table A Water pursuant to this Agreement. SGPWA will be responsible for payment of all variable and other such charges imposed by DWR and calculated as a function of the quantity of Ventura Table A Water and Casitas Table A Water actually delivered to SGPWA pursuant to this Agreement. The amounts and due dates for such charges are set forth by DWR in DWR's statement of charges, invoices or other applicable documentation.
- 5. Return Deliveries to Ventura. Ventura and SGPWA shall arrange for return deliveries to Ventura of twenty-five percent (25%) of the Ventura Table A Water over a ten (10) year period beginning upon the effective date of this Agreement and expiring at the end of calendar year 2030. The arrangements for return deliveries shall be made as follows: Ventura shall provide written notice to SGPWA on or before May 1 of any year in which Ventura desires to receive return deliveries. Ventura and SGPWA will then work with DWR to schedule delivery of the water within that applicable calendar year. Ventura will then pay the variable costs for the return deliveries. Ventura may not request return deliveries in a year in which the final State Water Project allocation is thirty percent (30%) or less. If the final State Water Project allocation in any year is between thirty percent (30%) and fifty percent (50%), and Ventura requests return deliveries, SGPWA and Ventura shall negotiate in good faith as to the amount of return deliveries for said calendar year. Upon expiration of the 10-year period, a determination will be made as to any amount of return deliveries which were not made due to the lack of infrastructure available for Ventura to take return deliveries ("Exchange Water

- Balance"). In the event there is an Exchange Water Balance, Ventura and SGPWA shall engage in good faith negotiations to determine whether the parties can agree upon alternative means for delivery of the Exchange Water Balance. Such alternative means may include, for example and not by way of limitation, the following: (a) extension of the 10-year term for an additional term of not to exceed five (5) years; or (b) rolling over the Exchange Water Balance into a long-term exchange or transfer agreement which may be developed between Ventura and SGPWA as referenced in Background and Purpose Paragraph 11. Except as set forth herein in regard to an Exchange Water Balance, upon expiration of this Agreement, there shall be no further rights or obligations in regard to return deliveries.
- 6. Return Deliveries to Casitas. Casitas and SGPWA shall arrange for the return delivery to Casitas of twenty-five percent (25%) of the Casitas Table A Water over a ten (10) year period beginning upon the effective date of this Agreement and expiring at the end of calendar year 2030. The arrangements for return deliveries shall be made as follows: Casitas shall provide written notice to SGPWA on or before May 1 of any year in which Casitas desires to receive return deliveries. Casitas and SGPWA will then work with DWR to schedule delivery of the water within that applicable calendar year. Casitas will then pay the variable costs for the return deliveries. Casitas may not request return deliveries in a year in which the final State Water Project allocation is thirty percent (30%) or less. If the final State Water Project allocation in any year is between thirty percent (30%) and fifty percent (50%), and Casitas requests return deliveries, SGPWA and Casitas shall negotiate in good faith as to the amount of return deliveries for said calendar year. Upon expiration of the 10-year period, a determination will be made as to any amount of return deliveries which were not made due to the lack of infrastructure available for Casitas to take return deliveries ("Exchange Water Balance"). In the event there is an Exchange Water Balance, Casitas and SGPWA shall engage in good faith negotiations to determine whether the parties can agree upon alternative means for delivery of the Exchange Water Balance. Such alternative means may include, for example and not by way of limitation, the following: (a) extension of the 10-year term for an additional term of not to exceed five (5) years; or (b) rolling over the Exchange Water Balance into a long-term exchange or transfer agreement which may be developed between Casitas and SGPWA as referenced in Background and Purpose Paragraph 11. Except as set forth herein in regard to an Exchange Water Balance, upon expiration of this Agreement, there shall be no further rights or obligations in regard to return deliveries.
- 7. <u>Places of Use.</u> The water delivered to SGPWA in 2020 pursuant to this Agreement shall be used entirely within SGPWA's service area. The return water deliveries to Ventura and Casitas pursuant to this Agreement shall be used entirely within the service areas of Ventura and Casitas, as applicable.

- 8. <u>California Environmental Quality Act (CEQA)</u>. SGPWA agrees to do California Environmental Quality Act ("CEQA") compliance for SGPWA's service area and for SGPWA's performance of this Agreement. Ventura and Casitas shall complete CEQA compliance for their respective service areas and for their respective performance of this Agreement.
- 9. <u>Transaction Costs.</u> Ventura, Casitas, and SGPWA shall each be responsible for its own legal and consulting costs incurred in the preparation, review, and implementation of this Agreement. Ventura, Casitas, and SGPWA acknowledge that it will also be necessary for them to sign an additional agreement to be prepared by DWR to address changes in points of delivery and other issues related to operation of the State Water Project. Ventura, Casitas, and SGPWA each agrees to cooperate with DWR and with each other in the preparation, review, and execution of that agreement with DWR, and with the processing of such other approvals as may be necessary to effect the exchange described herein.
- 10. <u>Costs of Defense</u>. In the event of any legal action by a third party to challenge this Agreement and/or the exchange described herein, Ventura, Casitas, and SGPWA agree to cooperate in the defense thereof and to share equally in the costs of such defense, utilizing counsel mutually acceptable to the parties.
- 11. Force Majeure. In the event that an unavoidable event renders the performance of this Agreement impossible or infeasible, the parties hereto shall be excused from the performance thereof, with a corresponding refund or adjustment of the payments required herein as may be necessary to achieve financial equity as between the parties for that portion of the Agreement that cannot be performed; provided, however, that Ventura, Casitas, and SGPWA shall first coordinate with DWR to determine whether alternate performance may be possible pursuant to an alternate schedule for completion of performance.
- 12. <u>Authority and Representations.</u> The undersigned representatives of Ventura, Casitas, and SGPWA hereby represent that he or she is authorized to execute the Agreement for the party on whose behalf this Agreement is executed. Ventura and Casitas hereby represent and warrant that they have all rights and authorities to perform this Agreement including, for example and not by way of limitation, the contractual rights as described in Background and Purpose Paragraphs 1 and 2. SGPWA hereby represents and warrants that it has all rights and authorities to perform this Agreement.
- 13. <u>Notice.</u> All notices given or required to be given pursuant to this Agreement shall be in writing provided by first-class mail, postage prepaid, to the following addresses:

San Gorgonio Pass Water Agency

1210 Beaumont Avenue Beaumont, CA 92223 Attn: Jeff Davis, General Manager

City of San Buenaventura 501 Poli Street Ventura, CA 93001 Attn: Alex D. McIntyre, City Manager

Casitas Municipal Water District 1055 N Ventura Ave, Oak View, CA 93022 Attn: Michael Flood, General Manager

- 14. <u>Alteration.</u> No alteration change or modification of the terms of this Agreement shall be valid unless made in writing and signed by all Parties hereto.
- 15. Entire Agreement. This writing embodies the entire agreement and understanding between the Parties hereto, and there are no other agreements and understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby, it being the intent of the Parties that none shall be bound by any terms, conditions, or representations not written here.

[Signatures follow.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates set forth below.

SAN GORGONIO PASS WATER AGENCY

Ву:
By: Jeff Davis, General Manager
Date:
CITY OF SAN BUENAVENTURA
By:
By: Alex D. McIntyre, City Manager
Date:
APPROVED AS TO FORM
Gregory G. Diaz, City Attorney
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Ву:
Miles P. Hogan, Assistant City Attorney II
Date:
CASITAS MUNICIPAL WATER DISTRICT
By:
Michael Flood, General Manager
Date:

MEMORANDUM

TO: Board of Directors

FROM: General Manager

RE: Dispensation of Agency's Nickel Water for 2020

DATE: May 4, 2020

Summary:

The purpose of this Board discussion/action item is to determine if the Board wishes to keep its 1,700 acre-feet of Nickel water in 2020 so that it may meet retailer requests for water, or whether it wishes to attempt to sell all or part of it to reduce Agency costs.

Background:

In 2017, after several years of drought when the Agency was unable to meet retailer water requests, the Board approved a 20-year transfer of 1,700 acre-feet of 100% reliable, south of Delta water ("Nickel" water). Since this water is not part of the State Water Project, the Agency cannot use its SWP tax to pay for it. Thus, even though Nickel water is actually less expensive than Table A water (in an average year, Table A water, including fixed costs, is approximately \$2,000 per acre-foot while Nickel water is approximately \$1,100 per acre-foot), the Agency in 2019 had to raise its water rate for the first time in ten years in order to help pay for the more reliable Nickel water.

Even with the higher water rate, the Agency this year will recover only about 16% of the cost of the Nickel water, using the assumptions and projections previously presented to the Board in February and March. Some Board members have expressed that the current water rate of \$399 is too high and would like to lower this rate. In order to do so, it has been suggested that the Agency sell all or part of the 2020 Nickel water at the Agency's cost.

Detailed Report:

The Agency procured the 20-year lease on the Nickel water because it could not meet retailer requests for water in dry years, such as this year. At the time, the Board expressed a strong desire to meet its customers' needs by procuring additional, more reliable water supplies. This led to the Nickel water, which is more reliable than Table A water from the SWP. In the four years that the Agency has had the Nickel water, it has been dry for two of them (15% this year and 25% in 2018) and wet for two of them (75% in 2019 and 85% in 2017). In each of the first three years, the Agency has been able to meet water requests from its customers. This year, assuming the Board approves (and DWR approves) the proposed exchange with Ventura and Casitas, and assuming that the Board keeps the Nickel water, the Agency will once again be able to meet its customers' requests.

Should the Ventura/Casitas exchange not be approved, or should the Agency sell its Nickel water outside its service area, it would not be able to meet its customers requests (approximately 10,200 AF this year).

Staff believes that it could likely sell all or part of the Nickel water this year if the Board desires, but this is by no means certain. It is now May. Many if not most water agencies who will require additional supplies this year have already made their plans and initiated transactions, whether from dry-year yield programs, withdrawals from storage, or other transfers or exchanges. Some of the smaller agencies would likely be priced out of the market by Nickel water's costs, though the larger urban agencies would not. However, it is those larger urban agencies that are more likely to have already made their plans for the year.

Fiscal Impact:

At the March Engineering workshop, staff showed the Board projections for 2020 indicating that, with the current water rate of \$399 per AF, the Agency is likely to have to withdraw nearly \$1.8 million from reserves in order to meet its costs related to procuring and delivering water to its customers. If the Agency procures water from Ventura and Casitas, this loss drops to approximately \$1.7 million, or \$1.6 million if the Agency were to sell the water in its storage account (see enclosed spreadsheet).

At the February 18 Board meeting, staff showed that this loss could be reduced by selling part or all of its Nickel water at cost. Should the Agency sell half of its Nickel water at cost, the loss could be cut to approximately \$800,000, or about \$700,000 should it sell the water in its storage account. Should the Agency sell 100% of its Nickel water at cost, it would cover its costs for water procurement and delivery, with about \$150,000 left over, or about \$250,000 should it sell the water in its storage account (see enclosed spreadsheet). An earlier version of this spreadsheet was discussed at the February 18 board meeting and March Engineering workshop. It has been slightly revised since that time to include Ventura and Casitas water in the projections and to account for updated Yuba water cost projections.

All these projections assume a 15% SWP allocation (which is still likely). Should the allocation increase to, say, 20%, which is as high as it is likely to go, the numbers do not change significantly.

Recommendation:

Staff recommends that the Board take no action, thus enabling the Agency to meet the requests from its customers in 2020.

	_		ass Water Agency		
	F		me and Net Incom	ıe	
			entura Water		
		2	020		
		Level of N	lickel Water		
		100%	50%	0%	
		Potential Wat	er Sales Income		
Delivery (AF Price \$	-	10,495	9,645	8,795	
\$399		4,187,505	3,848,355	3,509,205	
Stored Wa	iter	258	258	258	
\$399		102,942	102,942	102,942	
	Poten	tial Net Income -	Not Using Stored	Water	
Expenses		5,929,165	4,643,665	3,358,165	
Income		4,187,505	3,848,355	3,509,205	
Net Incon	ne	-1,741,660	-795,310	151,040	
			,		
	Pot	ential Net Incom	e - Using Stored W	/ater	
Expenses		5,929,165	4,643,665	3,358,165	
Income		4,290,447	3,951,297	3,612,147	
Net Incon	ne	-1,638,718	-692,368	253,982	
		Retaile	Requests		
		Regular Annual	Banking	Total	
	VWD	9,700	2,800	12,500	
<u> </u>	nning	250	0	250	
Υ	VWD	250	0	250	
T	otals	10,200	2,800	13,000	