

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the
Board of Directors Meeting
March 05, 2018

Directors Present: David Fenn, President
Ron Duncan, Vice President (arrival time - 1:49)
Lenny Stephenson, Treasurer
Blair Ball, Director
David Castaldo, Director
Stephen Lehtonen, Director
Michael Thompson, Director

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

1. **Call to Order, Flag Salute, Invocation, and Roll Call:** The meeting of the San Gorgonio Pass Water Agency Board of Directors was called to order by Board President Fenn at 1:30 p.m., March 5, 2018 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. President Fenn led the Pledge of Allegiance to the flag. Director Ball gave the invocation. A quorum was present.
2. **Adoption and Adjustment of Agenda:** *President Fenn asked if there were any adjustments to the agenda.* General Manager Davis stated there were no adjustments to the agenda. There being none, the agenda was adopted as published.
3. **Public Comment:** *President Fenn 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.* Libi Uremovic (resident of the city of Beaumont) voiced her opinion and opposition on contracting with Taussig and Albert A. Webb.
4. **Consent Calendar:**
 - A. Approval of the Minutes of the Regular Board Meeting, February 20, 2018
 - B. Approval of the Minutes of the Water Conservation and Education Committee Meeting, February 22, 2018
 - C. Approval of the Minutes of the Finance and Budget Workshop, February 26, 2018
 - D. Approval of the Finance and Budget Workshop Report, February 26, 2018

President Fenn asked for a motion on the Consent Calendar. Director Stephenson made a motion, seconded by Director Thompson, to adopt the consent calendar as presented. Motion passed 6-0, with Director Duncan absent.

5. Reports:

A. General Manager's Report:

(1) Operations Report: (a) SWP Water Deliveries: The Agency delivered a total of 1073 acre-feet to the Noble Creek Connection, for the month of February. The Agency is still delivering carryover water from last year. **(b) Sierra Storms:** The Sierras received quite a bit of snow last week. There is no word on an increase of our allocation.

(2) General Agency Updates: General Manager Davis reported on the following: **(a) Noble Connection Enlargement:** The Agency sent DWR \$60,000 and we expect to send a 90% design submittal for their review sometime this month. **(b) SGMA Update:** Meetings for the GSA San Timoteo basin and the GSA San Gorgonio Pass basin are planned for this month. The first goal for each basin is to adopt bylaws. The Yucaipa basin GSA (which the Agency is also a part of) has adopted a set of bylaws. **(c) California WaterFix:** (A news article was provided to the board and members of the public on CWF project picking up speed). As stated in the article things are moving forward. A permit is required from the State Board to take water out of the north Delta. There are two-part series of hearings in Sacramento with the State Water Resources Control Board. Part one of the series took place last year, part two just started up.

B. General Counsel Report: General Counsel Jeff Ferre provided a written report on a recent court case addressing the authority of the State Water Resources Control Board to issue Curtailment Notices.

C. Directors Reports: (1) Director Stephenson reported on YVWD meetings that he attended. **(2) Director Thompson** reported on the Conservation and Education Committee meeting that took place on February 22nd. There was discussion on the Inland Solar Challenge, as well as starting a social media campaign.

6. New Business:

A. Consideration of Award of Construction Contract for Fiesta Recharge Facility and Mountain View Connection to Pro-Craft Construction: A staff report and a copy of a letter from Armstrong & Brooks Consulting Engineers on the Bid Review and Recommendation of Contract Award were included in the agenda packet. General Manager Davis stated that the project has been in the works for a number of years. This project was talked about in length at the Engineering workshop in January; at that time the Board directed staff to bring this item before the Board during today's meeting. The Board had requested information on potential losses in the Beaumont basin. A preliminary report, provided by Tom Harder, a hydrologist retained by the Watermaster, was presented at the Beaumont Basin Watermaster Board meeting in February and was discussed by the Agency Board. President Fenn asked for a motion. Director Lehtonen made a motion, seconded by Director Castaldo, to award the Construction Contract for Fiesta Recharge Facility and Mountain View Connection to Pro-Craft Construction. The Board then engaged in a discussion of this matter including, but not limited to, a statement by Director Stephenson that the facility is needed for future water demands, as well as being an integral part of rounding out the Agency's portfolio. Director Ball had concerns about water losses in the basin. President Fenn stated

that, in his opinion, if the Agency has a recharge facility and the Agency puts water in the ground, the Agency can live by the Watermaster's rules, as long as they are fair to everyone. Director Lehtonen stated that there was quite a bit of technical information presented at the Watermaster Board meeting and should Director Ball require more information, he should request minutes from the Watermaster meeting. Director Castaldo stated that it may take up to 2 months for the Watermaster's final report. Discussion continued on a number of topics, including, but not necessarily limited to:

1. Potential for Prop 1 grant money not being awarded;
2. Available capacity at BCVWD's facility and the potential for utilizing its facility;
3. Being responsible stewards of taxpayer's money;
4. The facility would enable the Agency to secure water at any given time;
5. The facility would ensure that the Agency will no longer have to have carryover water, which has the potential of being "spilled" under procedures for State Water Project water;
6. Delivery of water and capacity of the pipeline; and
7. The exemption from building and zoning ordinances for such water transmission and storage facilities.

After discussion, President Fenn requested a roll call vote.

<u>Roll Call:</u>	<i>Aye</i>	<i>Noes</i>	<i>Absent</i>	<i>Abstain</i>
Director Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ball	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Lehtonen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Castaldo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Thompson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Fenn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-2, with Directors Ball and Thompson opposed.

B. Consideration of Approving a Consulting Agreement with Albert A. Webb & Associates for Post Design Work Related to Fiesta Recharge Facility: A staff report and a copy of the proposal were included in the agenda packet. President Fenn stated that he had two public comment requests. Public comments were then provided by Judy Bingham and Libi Uremovic. The Board's discussion included questions about the extent and need to obtain multiple quotes for this work. President Fenn called upon General Manager Davis for his comments. General Manager Davis stated that both Albert A. Webb (design of recharge basin) and Armstrong & Brooks (design of connection) were involved in the design of the first phase and therefore, the recommendation was to have them involved in the post design work. Proposals from both consultants are included in the agenda packet. Director Stephenson made a motion, seconded by Director Duncan, to award the Consulting Agreement to Albert A. Webb & Associates for Post Design Work Related to Fiesta Recharge Facility: President Fenn requested a roll call vote.

<u>Roll Call:</u>	Aye	Noes	Absent	Abstain
Director Thompson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Castaldo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Lehtonen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ball	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Stephenson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Fenn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 4-3, with Directors Thompson, Castaldo and Ball opposed.

C. Consideration of Approving a Consulting Agreement with Armstrong & Brooks for Post Design Work Related to Fiesta Recharge Facility: A staff report and a copy of the consulting agreement were included in the agenda packet. General Manager Davis relayed to the Board that connections to the State Water Project are very complex and Armstrong & Brooks is experienced with these types of projects. They have been hired by the Agency to do both the design and post design in the past and they did the design work for the connection in phase 1 of this project. Therefore, the recommendation was to award this contract to Armstrong & Brooks. After discussion, Director Stephenson made a motion, seconded by Director Castaldo, to award the Consulting Agreement to Armstrong & Brooks for Post Design Work Related to Fiesta Recharge Facility. President Fenn requested a roll call vote. Motion passed 6-1, with Director Ball opposed.

D. Consideration of and Possible Action on Sponsorship of Inland Solar Challenge: A staff report was included in the agenda packet. President Fenn turned this item over to Director Thompson - Conservation and Education Committee Chair. Director Thompson stated that the committee reviewed previous year's contributors. The committee is recommending to award an amount of \$2500.00. Cecilia Griego thanked the Board for its support in previous years and for this year's event. She relayed that this year's PSA topic is for the students to discuss their water agencies and where they get their water supplies from. Director Thompson inquired if they considered asking the solar industry to sponsor the event. Ms. Griego responded that the solar industry has sponsored in the past, however they have not been approached for this year. Director Thompson stated that the consensus from the Conservation and Education Committee was that they liked the event. It is heavy on the engineering side, but it is water lite. Director Thompson stated that he was one of the judges (along with Directors Duncan and Stephenson) last year and the PSA was on point. He would be willing to judge again this year. A lot of engineering aspects went into the East Branch Extension, and we certainly appreciate teaching children to become engineers for the water industry. It would be fair to us to also have the solar industry sponsor this event. Ultimately, this is why we decided to match what Yucaipa Valley Water District did last year. Ms. Griego stated that the dates for the event are May 18th – 20th. Director Ball inquired if the 501 (c)(3) that was discussed during last year's meeting is in place. Ms. Griego stated that they hired a consultant and hope to have one this year. Director Thompson made a motion, seconded by Director Duncan, to approve \$2500 for the Solar Challenge. Motion passed 7-0.

7. Topics for Future Agendas: Director Stephenson requested discussion on a pipeline to the Cabazon area. Director Castaldo suggested that the Agency be present at the next annual Celebrate Reading and the Arts literacy program that was sponsored by the Rotary Club and the school district. This program takes place on an annual basis, during the first week of March. The event brought in approximately 1000 children. The Agency could set-up a booth and provide coloring books and other water conservation material for children. Director Ball asked that the topic of what constitutes a state project be discussed, and would Noble Creek be included in the state water project pipeline. He would also like to discuss facility fee opportunities. There were no other items for future agendas.

8. Announcements:

- A. Engineering Workshop, March 12, 2018 at 1:30 p.m.
- B. Regular Board Meeting, March 19, 2018 at 1:30 p.m.
- C. Finance & Budget Workshop, March 26, 2018 at 1:30 p.m.

9. Closed Session (1 Item) – President Fenn asked General Counsel Ferre if he anticipates any reportable action. General Counsel Ferre stated that he does not anticipate any reportable action. **President Fenn recessed the meeting to closed session at – Time: 2:25 p.m.**


- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of case: San Geronio Pass Water Agency vs. Beaumont Basin
Watermaster
Case No. RIC 1716346

The meeting reconvened to open session at: Time: 2:43 pm

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

10. Adjournment

Time: 2:43 pm



Jeffrey W. Davis, Secretary of the Board