

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the
Board of Directors Meeting
June 17, 2019

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

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

1. **Call to Order, Flag Salute, Invocation, and Roll Call:** The meeting of the San Gorgonio Pass Water Agency Board of Directors was called to order by Board President Duncan at 1:30 p.m., June 17, 2019 in the Agency Boardroom at 1210 Beaumont Avenue, Beaumont, California. President Duncan led the Pledge of Allegiance to the flag. Director Thompson gave the invocation. A quorum was present.
2. **Adoption and Adjustment of Agenda:** *President Duncan asked if there were any adjustments to the agenda.* There being none the agenda was adopted as published.
3. **Public Comment:** *President Duncan asked if there were any members of the public that wished to make a public comment on items that are within the jurisdiction of the Agency that are not on today's agenda.* There were no members of the public that wished to comment at this time.
4. **Consent Calendar:**
 - A. Approval of the Minutes of the Regular Board Meeting, June 3, 2019
 - B. Approval of the Minutes of the Engineering Workshop, June 10, 2019

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

5. **Reports:**
 - A. **General Manager's Report:**
 - (1) **Operations Report:** General Manager Davis reported that The Agency has delivered a total of 915 acre-feet to the Noble Creek Connection, so far this month. We are currently delivering to the Noble connection at 30 cfs. We are scheduled to increase to 34 cfs this week as long as we have the capacity in the line.
 - (2) **General Agency Updates:** General Manager Davis reported on the following:

- Water tax failed for this year. The legislature is using Cap and Trade funds to serve drinking water to underserved communities this year. This is not the intended use of cap and trade dollars. The legislature is making the case that it is.
- Senate Bill 1 - California Environmental, Public Health, and Workers Defense Act of 2019: Legislative committees start this week. The first hearing will take place in a policy committee tomorrow. General Manager Davis will report back to the Board as more information becomes available.

B. General Counsel Report: General Counsel Jeff Ferre stated that his report was included in the agenda packet. He inquired if any Board members had questions. There were no questions asked from the Board.

B. Directors Reports:

1) **Director Ball** reported that he attended the BCVWD Board meeting on June 12th. During the meeting BCVWD's General Manager Dan Jagers handed out some letters concerning the Foothill pipeline restrictions and the Noble enlargement costs, Mr. Jagers also handed out a MOU between BCVWD and the City of Beaumont pertaining to recycled water. Director Ball requested staff to photocopy the letters and the MOU, and provide a copy to each Board member at the end of today's meeting. He also reported that Mr. Jagers suggested using 50 acre-feet of the district's water for testing of the Agency's recharge facility. Mr. Jagger's will be bringing this request to BCVWD's Engineering workshop for discussion. 2) **Director Stephenson** reported that he attended YVWD Board meeting on June 4th. He also attended YVWD workshop on June 11th. He noted there was a presentation on YVWD's Operating Budget and Capital Improvement Plan for fiscal year 2020. He felt that it was a well done report. He requested that staff make a copy for the Finance and Budget Committee. 4) **Director Fenn** reported that he attended the Beaumont Basin Watermaster meeting on June 5th. Discussion took place on the transfer of water rights. It was reported that the Return Flows Report is about 95% complete. He also reported that imported water that is going into the basin is adding to account balances.

C. Committee Reports: **Director Thompson** reported that the Water Education and Conservation Committee met on June 13th. The committee reviewed IERCD's latest Water Conservation Programs report. The Agency had contracted with IERCD for 36 Prezi programs, of which they have completed, and to do the teaching and distribution of the Agency's groundwater models. President Duncan requested as schedule of when the classroom presentations take place. Director Thompson stated that the committee is discussing increasing the number of programs. The committee is also reviewing IERCD's proposal for next year, the committee will be presenting a proposed budget to the Board. The committee also discussed the proposed Social Media policy of which is on today's agenda. Discussion also took place on the State of Supply event. **Director Fenn** stated that the G.M. Performance Evaluation Committee will be meeting today during closed session.

6. New Business:

A. Consideration and Possible Action on Awarding Consulting Contract to Provost & Pritchard to Develop a Groundwater Sustainability Plan (GSP) for the San Gorgonio Pass Subbasin. A staff report, related material including the Request for Proposal, and a proposal from Provost & Pritchard were included in the agenda package. General Manager Davis explained the process by which Provost & Pritchard was unanimously selected by the members of the GSP Working Group (Banning Heights Mutual Water Company, City of Banning, Cabazon Water District, Mission Springs, Desert Water Agency, and the Agency). He reminded the Board that the Agency applied for and received two \$1 million grants, including \$1 million for the preparation of the GSP. There is an unapproved draft cost sharing agreement that had not been finalized, as the GSP Working Group was waiting to find out the cost of the GSP consulting contract. Within the content of the drafted agreement the terms states that should the GSP cost exceed the allotted \$1 million the Agency will pay one-third of the costs, and the remaining five members of the GSP Working Group will split the remaining two-thirds costs. General Manager Davis requested that the Board consider negotiating a contract with Provost & Pritchard to develop the GSP for the San Gorgonio Pass Subbasin for an amount not to exceed \$1 million under terms acceptable to the General Counsel. After discussion, Director Stephenson moved, seconded by Director Thompson, to award the contract to Provost & Pritchard subject to terms acceptable to the General Counsel, for an amount not to exceed \$1 million. The motion passed 7-0.

B. Consideration and Possible Action on Developing a Social Media Policy. A staff report and a drafted Social Media Policy were included in the agenda package. General Counsel Ferre reviewed the proposed policy with the Board. It was emphasized to the Board that they are to use caution when commenting on social media platforms, including not using the site to generate votes, or violate the Brown Act. The Agency's social media is a forum to get information out about upcoming events, Agency policies, and general water industry related content. There is language in the policy pertaining to the control of comments, as outlined under section 4b of the policy. Director Thompson asked specific questions pertaining to free speech and legal issues. General Counsel Ferre stated that the policy is within the legal parameters of the law. General Counsel Ferre answered questions pertaining to chain meetings. After discussion, Director Thompson moved, seconded by Director Lehtonen, to adopt the Social Media Policy as written. Motion Passed 7-0.

7. Topics for Future Agendas: 1. Director Ball requested an item for discussion for the Calpers system and the Agency's obligation.

8. Announcements:

- A. Finance and Budget Workshop, June 24, 2019 at 1:30 p.m.
- B. San Gorgonio Pass Regional Water Alliance, June 26, 2019 at 5:00 p.m. – Banning City Hall
- C. Regular Board Meeting, July 1, 2019 at 1:30 p.m.

9. Closed Session (3 Items)

Time: 2:21 p.m.

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code section 54956.8
Property: Potential water rights/supplies offers from the City of Ventura
Agency negotiator: Jeff Davis, General Manager
Negotiating parties: Lynn Takaichi
Under negotiation: price and terms of payment

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: General Manager

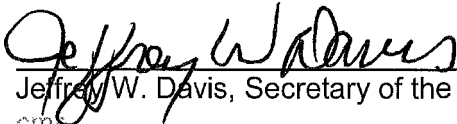
- C. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: Ron Duncan, President of the Board of Directors
Unrepresented employee: General Manager

The meeting reconvened to open session at: Time: 3:40 pm

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

10. Adjournment

Time: 3:40 pm



Jeffrey W. Davis, Secretary of the Board
cmf