

**SAN GORGONIO PASS WATER AGENCY**  
**1210 Beaumont Avenue, Beaumont, California 92223**  
**Minutes of the Board of Directors**  
**February 28, 2022**

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.

**Board Present:** Larry Smith, President  
 All participants attended by video conferencing/  
 teleconferencing Mickey Valdivia, Vice President (arrived at 2:26 p.m.)  
 Chander Letulle, Treasurer  
 Blair M Ball, Director  
 Ron Duncan, Director  
 Robert Ybarra, Director

**Staff Present:** Lance Eckhart, General Manager  
 Tom Todd, Jr., Chief Financial Officer  
 Cheryle Stiff, Executive Assistant

**Consultants Present:** Jeffrey Ferre, Legal Counsel  
 Stephanie Smith, Legal Counsel

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

The San Gorgonio Pass Water Agency Board of Directors meeting was called to order by Board President Larry Smith at 1:30 p.m., February 28, 2022, by video/teleconference. President Smith led the Pledge of Allegiance to the flag. President Smith gave the invocation. President Smith requested a roll call.

<b><i>Roll Call</i></b>	<b><i>Present</i></b>	<b><i>Absent</i></b>
Director Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Duncan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Treasurer Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice President Valdivia	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Ybarra	<input checked="" type="checkbox"/>	<input type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A quorum was present.

**2. Adoption and Adjustment of Agenda**

The agenda was adopted as published.

**3. Public Comment**

President Smith asked for public comment on any matter within the jurisdiction of the Agency. There was no public comment.

**4. Consent Calendar**

- A.** Approval of the Minutes of the Regular Board Meeting, February 14, 2022
- B.** Approval of the Minutes of the Finance and Engineering Workshop, February 22, 2022

Director Duncan made a motion to accept the consent calendar. Treasurer Letulle seconded the motion. President Smith requested a roll call vote.

<b>Roll Call</b>	<b>Ayes</b>	<b>Noes</b>	<b>Abstain</b>	<b>Absent</b>
Director Ball	<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"/>
Treasurer Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice President Valdivia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director Ybarra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed, 5 – 0, with Vice President Valdivia not yet present.

## 5. Reports

**A. General Manager's Report:** None.

**B. Legal Counsel's Report:** Legal Counsel Jeff Ferre reported on the court ruling that took place on February 15<sup>th</sup> relating to three lawsuits that were challenging the State Water Project contract extension with DWR. The most recent judgment ruled in favor of DWR in all three suits, validating and approving the contract extension. The original contract term was 75 years, ending in 2035. In 2014, the contract extension negotiations commenced. The new contract was approved by all State Water Contractors and DWR, and extends the term of the contract to 2085. The judgment will become final on March 1<sup>st</sup>. Mr. Ferre and CFO Todd answered clarifying questions from the Board. President Smith asked for public comment. There was no public comment.

## 6. New Business

**A. Conduct Interviews and Consider Filling the Division 3 Director Seat on the Board of Directors:** Mr. Ferre stated that Director Stephen Lehtonen resigned from the Board of Directors on January 24, 2022, creating a vacancy. During the January 24<sup>th</sup> Board meeting, the Board authorized the posting of the Notice of Vacancy, noting that the Board intends to fill the seat by appointment. The recommendation for today is for the Board to conduct the interviews of those individuals interested and for the Board to take action to fill the Board seat. Letters of interest were received and are included in the agenda packet. President Smith requested public comment. There was no public comment. President Smith reviewed the interview process. Due to technical issues, the Board was not able to interview Ronald Fussell at this time. The Board interviewed David Castaldo and Kevin Walton. Each applicant was given the same set of questions and the same timeframe to answer the questions. The Board broke from item 6.A at 2:20 p.m. Upon the conclusion of item 6.B, the Board resumed item 6.A to interview Mr. Fussnell. President Smith asked for Board discussion. After discussion, Director Valdivia made a motion to appoint Kevin Walton as Director, Division 3. Director Duncan seconded the motion. President Smith requested a roll call vote.

<b>Roll Call</b>	<b>Ayes</b>	<b>Noes</b>	<b>Abstain</b>	<b>Absent</b>
Director Ball	<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"/>
Treasurer Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice President Valdivia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ybarra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed, 6 – 0.

The Board unanimously voted to appoint Kevin Walton Director of Division 3. General Manager Lance Eckhart asked Director Walton to recite the Oath of Office. The Board congratulated Director Walton on his appointment.

**B. Public Hearing No. 2 – Redistricting (Stephanie Smith, BB&K)**

President Smith opened the Public Hearing at 2:20 p.m. President Smith requested public comment. Executive Assistant Cheryle Stiff informed the Board that the Agency received an electronic public comment submission from Bruce Byers; she read his statement. President Smith introduced Ms. Stephanie Smith, who started her presentation on redistricting. Ms. Smith reminded the Board that two weeks ago the Board held Hearing No. 1, and during that meeting, the Board reviewed two draft maps. At the end of the public hearing, the Board requested additional maps that would include a minority/majority voting district. Ms. Smith reviewed the requested draft maps and concluded her presentation. President Smith requested public comment. There was no public comment. President Smith closed the Public Hearing at 2:34 p.m. President Smith asked for Board discussion. After Board discussion, President Smith requested a motion. Director Duncan made a motion for the Board to hold another public hearing during the next regular Board meeting on March 14, 2022, with the direction that counsel provide draft maps 4, 5, and possibly 6, based on today's discussion. Vice President Valdivia seconded the motion. President Smith made a substitute motion to review draft maps 4, 5, and possibly 6, including maps 1, 2, and 3. Director Ball seconded the motion. President Smith requested a roll call vote.

<b>Roll Call</b>	<b>Ayes</b>	<b>Noes</b>	<b>Abstain</b>	<b>Absent</b>
Director Ball	<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"/>
Treasurer Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice President Valdivia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ybarra	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed, 4 – 2.

**C. Right of Entry and Temporary Construction Easement**

Mr. Eckhart explained the purpose of the request from Riverside County Flood Control (RCFC), which is asking for a Right of Entry and Temporary Construction Easement to do emergency repairs on the Noble Creek Channel just south of Brookside Avenue here in Beaumont. President Smith noted that this is a housekeeping item and requested public comment. There was no public comment. President Smith asked for Board discussion. Vice President Valdivia

asked staff to work with the RCFC and the school district to ensure students' safety. After discussion, President Smith requested a motion. Director Duncan made a motion to approve the Right of Way and Construction Easement. Director Ball seconded the motion. President Smith requested a roll call vote.

<b>Roll Call</b>	<b>Ayes</b>	<b>Noes</b>	<b>Abstain</b>	<b>Absent</b>
Director Ball	<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"/>
Treasurer Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice President Valdivia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Walton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Ybarra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed, 7 – 0.

## 7. Reports

### A. Directors and Committee Reports

**Director Ybarra** reported on the Capital Improvement Committee meeting. **Director Duncan** reported on his attendance at the Banning Sunrise Breakfast meeting, City of Banning Public meeting, and the Riverside Country Task Force (RCTF) meeting. **Director Valdivia** reported on the City of Banning meeting, Banning and Beaumont Chamber breakfasts, and food distribution in Banning headed up by Director Duncan. **Director Letulle** reported on the RCTF meeting. He also reported on the BCVWD Board meeting that he attended. Director Letulle noted that Mr. Eckhart provided a presentation on the Sites Reservoir project during the meeting. **President Smith** reported on the RCTF meeting. He also attended the BCVWD meeting that Mr. Eckhart presented on Sites. **Director Ball** reported on his attended meetings, including the RCTF meeting and the BCVWD Engineering meeting.

## 8. Topics for Future Agendas

None.

## 9. Announcements

Director Ball reviewed the announcements:

- A. Regular Board Meeting, March 14, 2022 at 1:30 p.m.–Teleconference/Zoom
- B. Finance & Engineering Workshop, March 21, 2022 at 6:00 p.m.  
– Teleconference/Zoom
- C. Regular Board Meeting, March 28, 2022 at 1:30 p.m.–Teleconference/Zoom

## 10. Adjournment

President Smith adjourned the meeting at 4:15 p.m.

**Draft – Subject to Board Approval**

Lance Eckhart, Secretary of the Board

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