

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the Board of Directors
April 11, 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 Mickey Valdivia, Vice President
attended by video Chander Letulle, Treasurer
conferencing/ Blair M Ball, Director
teleconferencing Ron Duncan, Director
Kevin Walton, Director
Robert Ybarra, Director

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

Consultants Present: Maya Mouawad, 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., April 11, 2022, by video/teleconference. Vice President Valdivia led the Pledge of Allegiance to the flag. President Smith gave the invocation. President Smith requested a roll call.

<i>Roll Call</i>	<i>Present</i>	<i>Absent</i>
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 Walton	<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 none.

4. Consent Calendar

- A. Approval of the Minutes of the Regular Board Meeting, March 28, 2022
- B. Adopt Resolution No. 2022-09 of the Board of Directors of the San Geronio Pass Water Agency Re-Authorizing Remote Teleconference/Virtual Meetings of Pass Water Agency Legislative Bodies for the period of April 11, 2022 to May 10, 2022 Pursuant to Brown Act Provisions

Director Duncan made a motion to approve the consent calendar. Director Walton seconded the motion. President Smith requested a roll call vote.

<i>Roll Call</i>	<i>Ayes</i>	<i>Noes</i>	<i>Abstain</i>	<i>Absent</i>
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.

5. Reports

A. General Manager's Report: General Manager Eckhart remarked on Governor Newsom's Executive Order N-7-22, directing cities and counties to implement new water conservation measures. Executive Order N-7-22 requires that local water suppliers move to "Level 2" of their water storage contingency plans. He noted that staff met last week with local water retailers to discuss a coordinated response and collective messaging.

B. Legal Counsel's Report: Ms. Mouawad reported that on March 29th the California Department of Fish and Wildlife, the Department of Water Resources (DWR), the California Environmental Protection Agency (CalEPA), and the California National Resources Agency entered into an Memorandum of Understanding (MOU) with some of the larger water agencies of the state. The MOU outlines the terms for an 8-year program that would provide additional flows to and create habitat in the Sacramento-San Joaquin River Delta.

6. New Business

A. Agreement to Provide Gap Funding to the Cabazon Water District Related to Approved Proposition 68 and Proposition 1 Grants

Mr. Eckhart noted that a draft agreement is included in the agenda packet. He reviewed previous discussions on this matter. Mr. Eckhart recognized officials from the City of Banning and Cabazon Water District (CWD) that are present. CFO Tom Todd met with representatives from CWD and the City of Banning to work out the details related to the mechanics of the agreement. President Smith requested clarifying questions from the Board. Directors Duncan and Valdivia asked clarifying questions. President Smith requested public comment. Public

comment was received from Art Vela (City of Banning) and Calvin Louie (Cabazon Water District). President Smith requested Board comment. After discussion, President Smith asked for a motion. Director Duncan made a motion to enter into an Agreement with Cabazon Water District to provide gap funding support to utilize Proposition 68 and Proposition 1 grants. Director Ybarra seconded the motion. President Smith requested a roll call vote.

<i>Roll Call</i>	<i>Ayes</i>	<i>Noes</i>	<i>Abstain</i>	<i>Absent</i>
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.

B. Consideration of Continued Participation in the Delta Conveyance Project (DCP) and Determining California Environmental Quality Act Exemption

President Smith referred this item to Mr. Eckhart. Mr. Eckhart noted that Tony Myers (DWR – Principal Operating Officer) was present at today's meeting. He commented that Mr. Myers has over forty years of experience working on the State Water Project, including the East Branch Extension. Mr. Myers was present to answer Board questions and provide additional comments. Mr. Eckhart summarized previous attempts to enhance the SWP. The current project that is being considered is the DCP. DWR is requesting each Participating Water Agency (PWA) that has previously indicated they intend to participate in the DCP to provide their share of the remaining two years of funding for the proposed project's environmental review, planning, and design costs through 2024. The project will be paid with the Agency's restricted funds. Mr. Todd reviewed how the Agency would fund its share of the DCP. He also stated that the Agency has planned for and will be able to pay for this project. He noted that the original funding was approximately \$2.5 million; continued participation will be an additional \$4.2 million. Mr. Myers spoke on the cost of mitigating risks and potential federal grants. Mr. Myers will provide a report to Mr. Eckhart on potential federal funding at a later date. President Smith requested clarifying questions from the Board. Clarifying questions were asked by Directors Ball, Valdivia, and Walton. President Smith requested public comment. Public comment was received from Daniel Slawson (BCVWD, Board member), David Hoffman (BCVWD, Board member), Dan Jagers (BCVWD, General Manager), and Joyce McIntire (Calimesa resident). Director Valdivia made a motion to approve the staff recommendation as stated in the staff report. Director Ybarra seconded the motion. President Smith requested Board comment. President Smith commented on the state of deterioration of the Delta. President Smith requested a roll call vote.

<i>Roll Call</i>	<i>Ayes</i>	<i>Noes</i>	<i>Abstain</i>	<i>Absent</i>
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 Letulle reported on:

- California Special Districts Association Special District Leadership Academy held on April 3 – 6.

Director Valdivia reported on:

- Capital Improvement Committee meeting on April 5, 2022
- Banning Chamber of Commerce Installation Dinner
- Riverside County Special District Association on March 30, 2022

Director Valdivia commented on:

- Cherry Valley project that is being conducted by BCVWD and Riverside County Flood Control

Director Ybarra reported on:

- Capital Improvement Committee meeting on March 31, 2022
- YVWD Board meeting on April 5, 2022

President Smith reported on:

- California Special Districts Association Special District Leadership Academy that was held on April 3 – 6

President Smith announced that during the Banning Chamber of Commerce Installation Dinner, Director Duncan and his wife were honored as Volunteers of the Year. President Smith and the Board congratulated him on his admirable award.

8. Topics for Future Agendas

None.

9. Announcements

President Smith reviewed the announcements:

- A. Water conservation and Education Committee Meeting, April 12, 2022 at 1:30 p.m. - Teleconference/Zoom
- B. Finance and Engineering Workshop, April 18, 2022 at 1:30 p.m. – Teleconference/Zoom
- C. Regular Board Meeting, April 25, 2022 at 1:30 p.m. – Teleconference/Zoom

President Smith adjourned from open session at 3:01 p.m.
The Board convened to closed session at 3:05 p.m.

10. Closed Session (two items)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Real Property – Water Rights/Supplies: State Water Project Water
and Non-State Water Project Water

Agency negotiator – Lance Eckhart, General Manager

Negotiating parties: City of Ventura

Under negotiation: price and terms of payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: Water supply purchase and sale

Agency negotiator: Lance Eckhart, General Manager

Negotiating parties: Representatives of LADWP

Under negotiation: price and terms of payment

The Board adjourned from closed session at 4:23 p.m.

The Board reconvened to open session at 4:24 p.m.

Ms. Mouawad stated that there was no action taken during closed session that is reportable under the Brown Act

11. Adjournment

President Smith adjourned the meeting at 4:25 p.m.

Draft – Subject to Board Approval

Lance Eckhart, Secretary of the Board

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