

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the Board of Directors
November 20, 2023

THIS MEETING WAS HELD IN PERSON,
WITH PUBLIC AVAILABILITY PROVIDED VIA ZOOM.

Board Present: Larry Smith, President
In-person Mickey Valdivia, Vice President
Blair M Ball, Director
Ron Duncan, Director
Kevin Walton, Director

By Videoconference Chander Letulle, Treasurer

Board Absent: Robert Ybarra, Secretary

Staff Present: Lance Eckhart, General Manager
In-person Tom Todd, Jr., Chief Financial Officer
Cheryle Stiff, Executive Assistant
Emmett Campbell, Sr. Water Resources Planner
Matt Howard, Operations Manager

Consultants Present:
In-person Holland Stewart, Legal Counsel
By Videoconference Piero Dallarda, Legal Counsel (Best Best & Krieger)

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 President Larry Smith at 6:00 p.m., November 20, 2023. President Smith led the Pledge of Allegiance to the flag. Mr. Walton gave the invocation. Prior to taking roll, Mr. Stewart announced that Mr. Letulle was attending today’s meeting by videoconference, under AB 2449 for “just cause.” Mr. Stewart recited the protocols for attending under AB 2449; Mr. Letulle responded to Mr. Stewart’s questions. President Smith asked Vice President Valdivia to run the meeting. Vice President Valdivia 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"/>
Secretary Ybarra	<input type="checkbox"/>	<input checked="" type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A quorum was present.

2. Adjustment and Adoption of Agenda

The agenda was adopted as published.

3. Public Comment

None.

4. Consent Calendar

A. Approval of the Minutes of the Finance and Budget Committee Report, October 25, 2023.

B. Approval of the Minutes of the Finance and Budget Committee Report, November 16, 2023.

Vice President Valdivia provided a summary of the Committee meeting held on October 25, 2023 and November 16, 2023.

Mr. Duncan moved, seconded by Mr. Walton, to approve the consent calendar. Vice President Valdivia requested a roll call vote.

Roll Call	Ayes	Noes	Abstain	Absent
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"/>
Secretary Ybarra	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed 6-0, with Mr. Ybarra absent.

5. Reports

A. General Manager's Report

Mr. Eckhart reported on the following:

1. The Strategic Plan is posted on the Agency's website. Formal adoption of the Strategic Plan will take place in December.
2. Update on the Sites Reservoir Project and announcement that the EIR was certified on November 17, 2023.
3. Update on the proposed Agency Vehicle Fleet; Mr. Eckhart introduced Legal Counsel Piero Dallarda to speak on the California Air Resources Board mandate that requires all new passenger cars and light trucks sold in the state to be electric vehicles or plug-in electric hybrids by 2035.
4. Update on Water Supply Portfolio Strategic Plan.

B. Legal Counsel's Report

None.

6. Informational Presentations and Updates

A. Water Conditions Update

Mr. Howard reviewed weather and reservoir conditions, SWP allocation, the Agency Water Portfolio, SWP deliveries, recharge, and maintenance.

7. New Business – Discussion and Possible Action

A. Inland Empire Solar Challenge Sponsorship.

Mr. Eckhart informed the Board that the Water Education and Conservation Committee met on October 10, 2023. During the meeting, committee members from the Inland Solar Challenge (ISC) discussed potential sponsorship from the Agency for the upcoming 2024 ISC. The Committee recommended that the Board approve sponsorship for the 2024 Solar Challenge for \$5,000. Funds for this sponsorship are included in the Conservation and Education budget category for FY 2023-24. After discussion, Mr. Smith moved, seconded by Mr. Duncan, to approve a \$5,000 sponsorship for the Inland Empire Solar Challenge. Vice President Valdivia requested a roll call vote.

Roll Call	Ayes	Noes	Abstain	Absent
Director Ball	<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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Secretary Ybarra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Smith	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The motion passed 4-2, with Mr. Ybarra absent.

B. SGPWA – CLAWA 2013 Water Exchange Agreement Amendment #1

Mr. Campbell provided background information on the 2013 Water Exchange Agreement between San Gorgonio Pass Water Agency (SGPWA) and Crestline-Lake Arrowhead Water Agency (CLAWA). SGPWA owes CLAWA 1,300 acre-feet of return water by the end of 2023. CLAWA does not need water at this time. An amendment is required in order to extend the original agreement by three years to the end of 2026. Mr. Duncan moved, seconded by Mr. Walton, to approve Amendment #1 to the 2013 Water Exchange Agreement between SGPWA and CLAWA. Vice President Valdivia requested a roll call vote.

Roll Call	Ayes	Noes	Abstain	Absent
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"/>
Secretary Ybarra	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
President Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The motion passed 6-0, with Mr. Ybarra absent.

C. Review of Capitalization Policy

Mr. Todd reviewed the Capitalization Policy. This presentation was part of the policy review as requested by the Board.

8. Reports - Directors and Committee Reports

Director Ball reported on:

- Public Policy Institute of California (PPIC)

Director Duncan: Nothing to report at this time.

Director Letulle: Nothing to report at this time.

Director Valdivia: Nothing to report at this time.

Director Ybarra: Absent

Director Walton reported on:

- PPIC
- Sites

President Smith reported on:

- PPIC
- Sites

9. Topics for Future Agendas

None.

10. Announcements

Vice President Valdivia reviewed the following announcements:

- A. ACWA 2023 Fall Conference, November 28-30, 2023
- B. Office closed November 23rd – 24th in observance of the Thanksgiving Holiday
- C. Regular Board Meeting, December 4, 2023 at 1:30 p.m.
- D. Water Conservation and Education Committee Meeting, December 12, 2023 at 1:30 p.m.

11. Closed Session (one item)

Conference with Legal Counsel – Anticipated Litigation

Government Code section 54956.9

Aqueous Film-Forming Foams 21-2664 Products Liability Litigation, Master Docket

No.: 2:18-mn-2873-RMG

- City of Camden, et al., v. 3M Company, Civil Action No.: 2:23-cv-03147-RMG
- City of Camden, et al. v. E.I. DuPont De Nemours and Company (n/k/a EIDP, Inc.) et al., Civil Action No.: 2:23-cv-03230-RMG

The Board recessed from open session at 7:36 p.m.
The Board convened to closed session at 7:41 p.m.
The Board adjourned from closed session at 7:58 p.m.
The Board reconvened to open session at 7:58 p.m.

Mr. Stewart announced that the Board convened to closed session, which resulted in reportable action. The action of the Board resulted in declining the Aqueous Film-Forming Foams 21-2664 Products Liability Litigation.

12. Adjournment

Vice President Valdivia adjourned the meeting at 7:59 p.m.

Draft – Subject to Board Approval

Robert Ybarra, Secretary of the Board

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