

SAN GORGONIO PASS WATER AGENCY
1210 Beaumont Avenue, Beaumont, California 92223
Minutes of the Board of Directors
January 8, 2024

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

Board Present:
In person Larry Smith, President
 Mickey Valdivia, Vice President
 Chander Letulle, Treasurer
 Robert Ybarra, Secretary
 Blair M Ball, Director
 Ron Duncan, Director
 Kevin Walton, Director

Staff Present:
In person Lance Eckhart, General Manager
 Cheryle Stiff, Executive Assistant
 Emmett Campbell, Sr. Water Resources Planner
 Matt Howard, Operations Manager

Consultants Present:
In person Jeffry Ferre, Legal Counsel
Via Teleconference Anya Kwan, 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 President Larry Smith at 1:30 p.m., January 8, 2024. Mr. Walton led the Pledge of Allegiance to the flag. Mr. Ball 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"/>
Secretary 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**
None

4. Consent Calendar

A. Approval of the Minutes of the Board Meeting, December 18, 2023: Mr. Ferre requested the last sentence under item 5. b - Legal Counsel report be removed. Mr. Ybarra moved, seconded by Mr. Valdivia, to approve the consent calendar as amended. President Smith requested a voice vote.

The motion passed 7-0.

5. Reports

A. General Manager's Report

Mr. Eckhart reported on the following:

1. A recruitment coordinator was retained for the hiring process of the Board Clerk/Executive Assistant position. The opening has been posted on SGPWA's website.
2. The Agency has started development of a banking program in the San Bernardino Basin.
3. SWP Table A water remains at 10% allocation.
4. The Agency set a delivery record of 20,393 acre-feet for 2023.

B. Legal Counsel's Report

Anya Kwan (BB&K) reported on the latest developments regarding the DuPont PFAS Class Action lawsuit.

6. Election of Board Officers

A. Nominations for President

President Smith opened the nominations for Board President. Mr. Ferre reviewed the nomination rules. Director Duncan nominated Mr. Valdivia. Hearing no other nominations, President Smith closed the nominations, and request 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 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"/>

Mr. Valdivia was elected President , 7-0.

B. Nominations for Vice President

President Valdivia opened the nominations for Vice President. President Valdivia nominated Mr. Ybarra. Mr. Duncan nominated Mr. Letulle. Hearing no other nominations, President Valdivia closed the nominations and requested a roll call vote.

6. Election of Board Officers (cont'd)

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

Mr. Letulle was elected Vice President, 4-3.

C. Nominations for Treasurer

President Valdivia opened the nominations for Treasurer. President Valdivia nominated Mr. Ybarra. Hearing no other nominations, President Valdivia closed the nominations and 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"/>
Vice President Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Smith	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Valdivia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Ybarra was elected Treasurer, 7-0.

D. Nominations for Secretary

President Valdivia opened the nominations for Secretary. Mr. Ybarra nominated Mr. Walton. Mr. Letulle nominated Mr. Duncan. President Valdivia nominated Mr. Ball. Mr. Duncan declined the nomination. Mr. Ball declined the nomination. Hearing no other nominations, President Valdivia closed the nominations and 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"/>
Vice President Letulle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Smith	<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"/>
Treasurer Ybarra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Valdivia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Walton was elected Secretary, 7-0.

6. Election of Board Officers (cont'd)

President Valdivia thanked Mr. Ybarra for his service to the Agency as the Secretary. He thanked Mr. Letulle for his service to the Agency as the Treasurer. He thanked Mr. Smith for his leadership and service to the Agency as the President. Mr. Smith responded that it was an honor to serve as president. President Valdivia thanked his colleagues for the vote of confidence and looks forward to working with Staff.

7. Informational Presentations

A. Gap Funding, Michael Pollack, General Manager Cabazon Water District
President Valdivia introduced Mr. Pollack. Mr. Pollack provided a presentation about the gap-funded project that the Agency and the City of Banning supported. The project was successfully completed: 105 Gate Valves installed throughout the service area of CWD. Ms. Brock (CWD Board member) thanked Mr. Pollack for a job well done and thanked the Agency for providing Gap Funding. Mr. Eckhart underscored the importance of providing this type of funding for small water systems. Additional discussion and comments about this project were received.

B. Ceremonial Check Presentation

Mr. Eckhart introduced Mr. Solomon Miranda, Department of Water Resources Water Management Branch Manager for the Southern California Region office. Mr. Miranda presented a check to the Agency for \$2,055,670, representing a grant to install four monitoring wells to provide additional monitoring data. These funds came from the DWR Sustainability Groundwater Management Grant Program to expand the groundwater monitoring network. This project will help the region meet California's Human Right to Water initiative by providing insights to groundwater levels, quality, and flow patterns. Mr. Eckhart stated that we are the lead agency for the San Geronio Pass Groundwater Sustainability Plan. Participating agencies include Banning Heights Mutual Water Company, Cabazon Water District, the City of Banning, Mission Springs Water District, and the Desert Water Agency.

C. Weather Modification Program

Mr. Howard provided a presentation on the Weather Modification Pilot Program (Cloud Seeding). The Santa Ana Watershed Project Authority installed the cloud seeding generator at the Mountain View turnout property in October 2023. The pilot program is scheduled to operate from 2023 to 2027. The first operation of the emitter took place on December 18th. Local authorities were informed in case there were any concerns expressed by local residents. Mr. Ball requested that some additional research be done as follows:

1. Do you know the elevation gain of these burned Silver Iodine molecules in the sky?
2. Are you "stealing" downstream/downwind entity's water by having a cloud-seeding generator? What are the water rights implications for our cloud seeding operations?
3. What are the long-term health effects of Silver Iodine in cloud seeding operations, both breathing and drinking water?

Mr. Eckhart commented that Staff will research and provide an update to Mr. Ball's questions. Ms. Joyce McIntire and Timothy Smith provided public comment.

8. New Business – Discussion and Possible Action

A. Nonprofit Next Steps

Mr. Ferre reviewed previous actions taken by the Board. Staff requests additional Board input. The following is the general direction that Legal Counsel will use to form the Articles of Incorporation:

1. Name: The Pass Water Agency Foundation, aka PWA Foundation.
2. Purpose: To promote the knowledge and implementation of the Agency's mission, which is established through the Agency's strategic plan. The Agency's mission is to import supplemental water and to enhance local water supplies.
3. Governance: The nonprofit board could hold meetings annually. The meetings would be held quarterly for the first twelve months after formation. Meetings could be held before or after an Agency Board meeting.
4. Annual gross receipts: Gross receipts could exceed \$50,000 annually. The cost of legal work for filing a long form would not be greater than filing a short form.

Mr. Ferre stated that formal action is not required. He will proceed to file the paperwork using the long form unless there is further direction from the Board. President Valdivia requested that the meeting be held quarterly. Mr. Ferre explained how the nonprofit would work.

9. Reports - Directors and Committee Report

Mr. Ball reported on:

- Ethics training

Mr. Letulle reported on:

- Appointment to ACWA Region 9 committees

Mr. Smith reported on:

- City of Banning Council Meeting

Director Walton reported on:

- Public Outreach Committee meeting will be held on 1/9/2024.

President Valdivia reported on:

- BBWM Meeting 12/6/2023 and Infrastructure Meeting
- Riverside County Flood Control District Meeting

10. Topics for Future Agendas

None.

11. Announcements

President Valdivia reviewed the following announcements:

- A. Office closed on January 15, 2024, in observance of Martin Luther King, Jr. Holiday
- B. Finance & Budget Committee Meeting, January 18, 2024 at 9:00 a.m.
- C. Regular Board Meeting, January 22, 2024 at 6:00 p.m.

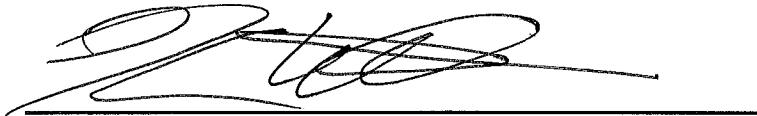
11. Announcements (cont'd)

- D. Supply Portfolio and Strategy Workshop
(Tentative date) - January 29, 2024 at 2:00 p.m.,
Beaumont Cherry Valley Parks and Recreation Department
390 Oak Valley Parkway, Beaumont
- E. SBVMWD & SGPWA Joint Workshop, February 13, 2024 at 2:00 p.m. –
Location: SBVMWD 380 East Vanderbilt Way, San Bernardino

Note: President Valdivia assigned Mr. Walton to the Finance and Budget Committee, as a committee member. President Valdivia removed himself from the committee.

12. Adjournment

President Valdivia adjourned the meeting at 3:11 p.m.



Kevin Walton, Secretary of the Board

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