

SANTA ANA RIVER - MILL CREEK COOPERATIVE WATER PROJECT  
MINUTES OF THE 138<sup>th</sup> MEETING OF THE MANAGEMENT COMMITTEE

June 6, 2024

The 138<sup>th</sup> Meeting of the Management Committee was called to order by acting Chairperson David Cosgrove at 9:30 a.m. via Zoom and in person at the Conservation District.

Attendees:

Betsy Miller	San Bernardino Valley WCD
David Cosgrove	San Bernardino Valley WCD
Laura Torres	San Bernardino Valley WCD
Angie Quiroga	San Bernardino Valley WCD
Richard Corneille	San Bernardino Valley WCD
David B. Knight	Lugonia Water Company
John Harris	City of Redlands
Michael Plinski	San Bernardino Valley MWD
Wen Huang	San Bernardino Valley MWD
George Hanson	Bear Valley Mutual Water Company
Sam Fuller	Bear Valley Mutual Water Company
Jennifer Ares	Yucaipa Valley Water District

APPROVAL OF MINUTES OF 136<sup>th</sup> MEETING ON DECEMBER 6, 2023

**It was moved by George Hanson and seconded by Betsy Miller to approve the minutes of the 137<sup>th</sup> Meeting held on December 6, 2023. The motion carried with those present voting in the affirmative.**

AGREEMENT WITHDRAWAL REQUESTS

Mr. Cosgrove introduced this item for discussion, indicating that this meeting was scheduled to continue consideration of requests for withdrawal by City of Redlands and East Valley Water District from the Exchange Plan begun on June 21, 2023. In both cases, the requested withdrawal was put to a vote among the parties present, subject to various stated procedural objections, including whether the Management Committee was the proper forum for decision and if withdrawals should be submitted to the legislative bodies of each member. The objections being noted, the matter proceeded to a vote of those present, with neither request receiving unanimous consent as required under the 1977 Exchange Plan. Mr. Cosgrove discussed the withdrawal process briefly, highlighting that the original agreement was largely silent on specifying procedures for consideration of a request for withdrawal, and related that the June 21 meeting adjourned with an invitation for objecting parties to consult with legal counsel and submit formal objections to the manner of proceeding that then occurred. Mr. Cosgrove reported that no written procedural objections have been received to date, and asked for a group discussion on how to proceed.

Mr. Hanson, serving as the representative for Bear Valley Mutual Water Company, Redlands Water Company, and Crafton Water Company, noted his intent to discuss withdrawal requests with the Boards of each named company prior to further votes. Ms. Ares spoke in support of allowing the withdrawals, and of the Yucaipa Valley Water District Board reviewing the withdrawal requests before a new vote.

Mr. Cosgrove stated his opinion that the previous voting process was legally defensible, while also indicating the San Bernardino Valley Water Conservation District's desire, as Project Manager, to jointly agree to an approach that will provide all concerned parties with sufficient time for all desired processes and therefore full confidence in the result. He suggested two options for going forward: 1) Agendize a reconsideration of the two withdrawal requests by the Management Committee to ensure that each signatory's representative has the opportunity to seek guidance or authority from their legislative body on how to vote; or 2) Submit the two withdrawal requests to each member agency's Board for approval. Discussion ensued, with the consensus being the matter should be presented back to the Management Committee after an opportunity for representatives to consult with their legislative bodies.

**It was moved by George Hanson and seconded by John Harris to reconsider the agreement withdrawal requests made by the City of Redlands and East Valley Water District, with each representative to seek direction from their respective Boards prior to the next Management Committee meeting, and to direct the Project Manager to provide all materials related to the withdrawals requests to each member agency. The motion carried with all those present voting in the affirmative, as follows.**

**Bear Valley Mutual Water Company: Yes**

**City of Redlands: Yes**

**Crafton Water Company: Yes**

**East Valley Water District: Absent**

**Lugonia Water Company: Yes**

**North Fork Water Company: Absent**

**Redlands Water Company: Yes**

**San Bernardino Valley Municipal Water District: Yes**

**San Bernardino Valley Water Conservation District: Yes**

**Yucaipa Valley Water District: Yes**

#### AGREEMENT UPDATE

Mr. Huang provided a verbal update on acquisition of the Southern California Edison facilities, noting that San Bernardino Valley Municipal Water District and Southern California Edison are motivated to move forward with the acquisition. The consortium members include San Bernardino Valley Municipal Water District, San Bernardino Valley Water Conservation District, Bear Valley Mutual Water Company, Crafton Water Company, and East Valley Water District. Mr. Huang said that the consortium is expected to have a draft agreement in January.

ADJOURNMENT

There being no further business, the Meeting was adjourned at 11:28 a.m.

Respectfully submitted,



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David Cosgrove, Acting Chairperson