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**From:** Jagers, Dan (BCVWD)  
**Sent:** Wednesday, October 26, 2022 3:02 PM  
**To:** Smith, Cenica (BCVWD); Kerney, Lynda (BCVWD)  
**Cc:** Rasha, Robert (BCVWD)  
**Subject:** FW: \*EXTERNAL\*Responses to October 5, 2022 email and October 20, 2022 letter

Cenica,

Please prepare this item for distribution to the Board of Directors and the public for tomorrow's board meeting as requested.

This should additionally be posted as a handout for this item.

Sincerely,

Dan

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**From:** Jagers, Dan (BCVWD)  
**Sent:** Wednesday, October 26, 2022 6:23 AM  
**To:** Gary Thompson James L. Markman  
**Cc:** Crystal Craig >; Cushman, Melissa >  
**Subject:** RE: \*EXTERNAL\*Responses to October 5, 2022 email and October 20, 2022 letter

Mr. Thompson,

I have received your email response yesterday morning and thank you for providing this response to both my October 20, 2022 letter as well as my October 5, 2022 to Rebecca Holtzclaw of your office regarding the matter in question.

Per your request I will include your email, as well this response in the materials for the Board of Directors information.

I appreciate your explanation regarding Ms. Craig's attempts to contact me. Per your description, it appears during those attempts, Ms. Craig may have not chosen the available option to transfer to our Customer Service department to complete her call. That option is available during our normal business hours by selecting a number (I believe it is the number 5) on the phone dial. For future reference, Beaumont-Cherry Valley Water District's voice messaging system provides said transfer option which once selected, provides caller transfer to a live customer service representative. Once transferred, our District's call service process includes procedures where the District customer service personnel receiving the call attempts to locate the requested District staff member to ensure any particular caller is connected with individual District staff member the caller is trying to connect with. Our business office is not very big (approximate 15 Staff members) so this act is usually easily accomplished. In the event the desired staff member is unavailable, the responding District customer service representative typically transfers said call to the voicemail of the individual staff member being sought.

This is the first instance that has been brought to my attention since return to the office environment, post pandemic, where a caller was unable to make connection to live staff or to understand the directions given in our voicemail instructions necessary to contact a live body in our organization. Thank you for calling this to my attention, I will be considering messaging option modifications which we could make as an organization to ensure maximum clarity in our messaging to the public as well as other agencies.

It is unfortunate that the LAFCO Staff did not simply respond to my email identifying that there was an issue connecting with me and that your Staff wished to discuss this item in a telephone conversation, I would have followed up with a timely phone call to your staff to resolve my questions regarding this issue of concern to the District. I believe that simple act would have provided timely clarity to the issues in question.

Regarding your concern to the timing of presenting the District's presentation of our resolution of opposition's timing. I wished the Resolution to be timely to confirm our District's position regarding this matter and to convey to interested parties that the District's position had not changed. Further I was awaiting a response from LAFCO regarding my concerns expressed in my October 5, 2022 email before finalizing the District's position, I did not receive that response before publishing our Agenda for October 27, 2022. I anticipate that should I have understood that the issues regarding timing of completion (as well as the language discrepancies between the County and YVWD's Tax Exchange resolution language issue between adopting agencies) was not a concern of LAFCO's Staff, I would planned the addition of the proposed resolution to the District's October 12, 2022 regularly scheduled Board Meeting which might have appeared a bit more timely from your perspective. Unfortunately, that did not happen due to the timing discussed herein.

Again, I would like to thank you for your responses, explanations and concerns and I do appreciate your communication and response yesterday to my October 5, 2022 questions to LAFCO regarding this matter. Your explanation of this activity is very helpful for me to continue to better our District's understanding of the LAFCO process. This is not our District's normal business, which is why we rely heavily on our communications with LAFCO Staff to ensure understanding of the nuances of the LAFCO process.

Thank you,

Dan Jagers  
Beaumont-Cherry Valley Water District  
560 Magnolia Ave.  
Beaumont, CA 92223  
Office Phone (951) 845-9581 Ext. 217  
Fax (951) 845-0159  
<http://www.bcvwd.org>

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**From:** Gary Thompson <g>  
**Sent:** Tuesday, October 25, 2022 7:54 AM  
**To:** Jagers, Dan (BCVWD) <d>  
**Cc:** Crystal Craig >; Cushman, Melissa >  
**Subject:** \*EXTERNAL\*Responses to October 5, 2022 email and October 20, 2022 letter

Mr. Jagers,

I note in your October 20, 2020 letter attached, you indicated that you had received no response to your October 5, 2022 email below. As I understand it, your staff report to your Board of Directors specified that this correspondence has not been addressed. I ask that this email be included in the materials provided to your Board of Directors for their information at their Board meeting on Thursday.

I will note that the day the email was received, Crystal Craig tried on two occasions to contact you regarding the questions asked in the email to explain the processes we use and clarify any questions you had. On both occasions, there was no answer to her calls to the district, and no voice mail option to leave a message. Two additional attempts were made over the next several days with the same results, no answer at the district and no voice mail to leave a message. We further note that Ms. Craig did finally reach you on October 21, 2022, and discussed the various items raised. However, I am now responding to provide written responses to your questions and the items raised at this time. Please see below for our responses to the October 5, 2022 email. With respect to the October 20, 2022 letter, please note the following;

Letter item No. 1- As noted above, yes LAFCO did receive the email and made two attempts that day to contact you and two more attempts to reach you over the next several days, finally succeeding on October 21, 2022.

Letter item No. 2- As noted above, we made several attempts to contact you to discuss these items. And those items were discussed with you by Ms. Craig on October 21, 2022.

Letter Item No. 3- BCVWD has noted its opposition to this proposal since last May when it was first listed as an Information Item. There have been emails and letters from BCVWD expressing written opposition to the proposal and we are aware that your staff had been working with the county and YVWD on the Property Tax Exchange Agreements that were finalized recently. It is clear, that LAFCO is fully aware of the district's opposition and LAFCO assumes your Board of Directors is fully informed as well. However, we don't understand why you just now are taking a formal opposition resolution to your Board of Directors given the opposition position the district has been taking since May.

With respect to the remainder of the letter, the responses above and below are provided to satisfy your request for responses. With respect to the opposition to the Property Tax Exchange Agreements, that is not under LAFCO's purview for those negotiations. LAFCO's only responsibility is to ensure those agreements are in place, which they are. I will also note that the county has a Master Tax Exchange Agreement in place for all special districts in the county that specifies no exchange of property tax shall occur. The responses to the email are below.

Sincerely,

**Gary Thompson**

Executive Officer

Riverside LAFCO

951-369-0631

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**From:** Jagers, Dan (BCVWD) <d

**Sent:** Wednesday, October 5, 2022 2:27 PM

**To:** Rebecca Holtzclaw

**Cc:** Bruckner, Scott Swanson, Mark (BCVWD)

**Subject:** RE: \*EXTERNAL\*October 27, 2022 LAFCO Notice of Public Hearing

Rebecca,

I have reviewed the notice of public hearing that includes items related to the Beaumont-Cherry Valley Water District's Service Area Boundary and am somewhat concerned about LAFCO's work flow process and schedule of activities.

In particular, I would appreciate if you would verify if it is typical practice of Riverside LAFCO to schedule a public hearing regarding annexation and de-annexation of Water District Service Area Boundaries prior to each affected agencies consideration of the County of Riverside prepared Zero Property Tax Exchange Resolutions?. **It is not unusual on occasion to notice a public hearing when we are aware that the Property Tax Exchange Agreements have been finalized and will be approved prior to the public hearing. This is the case with this proposal. The Agreements have been adopted and are consistent with the county's Master Tax Exchange Agreement as noted above that all special district exchanges shall be a zero exchange of property tax.**

It is my understanding that this item has not been finalized by the County of Riverside nor has a final version been provided to the Beaumont-Cherry Water District by the County for considered by the Board of Directors of Beaumont-Cherry Valley Water District. **The Agreements have been finalized and have been adopted by the county and YVWD. As noted above, the Master Agreement for special districts specifies a zero exchange so action by the BCVWD Board of Directors is not necessary for LAFCO's purposes. If there is a concern with that, it should be taken up with the county. I also note that the Agreements were reached by all 3 parties during discussions on August 17, 2022 and August 31, 2022.**

It is clear that there has been more than adequate time for the district to address any concerns with your Board of Directors long before now.

Further, it is my understanding that Yucaipa Valley Water District may have adopted a draft copy of said Zero Property Tax Exchange Resolution at their September 9, 2022 Board of Directors Meeting and has not considered nor adopted the final County version of said item. The final county version did have some revisions that did not effect the agreed upon zero property tax exchange. The changes that were made can be administratively inserted to replace the draft agreement that YVWD referenced in their version. If BCVWD has a concern about these administrative changes, that is for a discussion with YVWD and the county.

Finally, it is my understanding that the County of Riverside is making final changes to said Draft Zero Property Tax Exchange Resolution for provided for consideration by the affected entities. Already addressed in the previous paragraph and comments.

Please provide feed -back if this is the typical LAFCO work flow process to schedule items when certain activities are still unresolved, I would like to communicate this to my Board of Directors when we receive from the County of Riverside and subsequently consider said Zero Property Tax Exchange resolution at a future Board Meeting. Already addressed in previous paragraphs and comments.

I would also like to clearly identify that the Beaumont-Cherry Valley Water District is opposed to the proposed Sphere of Influence Amendment and Reorganization identified as Items 1 and 2 in the LAFCO Notice of Public Hearing for October 27, 2022 Public Hearing as the District has already invested in this project's support with the installation of backbone water and recycled water facilities necessary to support this and other project's in the vicinity of said parcel. I would also like to further identify that the Yucaipa Valley Water District's resolution requiring bundled (water, recycled water, and sewer services) in not required for this project because the YVWD does not have to ensure water supply for 20 years for this particular parcel of land as identified in said resolutions. In fact this particular parcel has Overlyer Water Rights assigned to it in the Beaumont Groundwater Basin Stipulated Judgement and therefore brings their own water with the project. Comments noted. Your previous correspondence by past letters clearly notes the district's opposition to the proposal.

I would like to thank you in advance and look forward to your response to my questions contained herein.

Sincerely,

Dan Jagers, General Manager  
Beaumont-Cherry Valley Water District

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**From:** Rebecca Holtzclaw <

**Sent:** Wednesday, October 5, 2022 1:52 PM

Cc: LAFCO Information <[info@lafco.org](mailto:info@lafco.org)>

Subject: \*EXTERNAL\*October 27, 2022 LAFCO Notice of Public Hearing

To: District Board of Directors  
District Clerk (and Board of Directors c/o DC)  
District Manager  
City Council  
City Clerk (and City Council c/o City Clerk)  
City Manager  
Director of Forestry and Fire Protection

Please see the attached Notice of Public Hearing for our October 27, 2022, LAFCO Meeting. A hard copy will not be sent. If you have any questions, please contact our office.

Thank you,

Rebecca Holtzclaw  
LAFCO Secretary



**Riverside Local Agency Formation Commission**

6216 Brockton Avenue, Suite 111-B

Riverside, CA 92506-2208

951.369.0631

[www.lafco.org](http://www.lafco.org)

*Please note: This office is closed every other Friday. On regular business days office hours are Monday through Friday, 8:00 a.m. to 5:30 p.m. On occasion, the office will be closed during the noon hour or during meetings of the Commission. Please call ahead.*

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