



BEAUMONT-CHERRY VALLEY WATER DISTRICT
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
Wednesday, February 8, 2023 at 6:00 p.m.**

*Meeting held in person at 560 Magnolia Ave., Beaumont, CA
pursuant to California Government Code Section 54950 et. seq.*

Call to Order: *President Hoffman opened the meeting at 6:07 p.m.*

Pledge of Allegiance was led by Director Slawson.

Invocation was given by President Hoffman.

Announcement of Teleconference Availability

General Manager Dan Jagers announced that the teleconference capabilities of this meeting have been identified in the Notice and Agenda.

Roll Call:

Directors present:	Covington, Hoffman, Ramirez, Slawson, Williams
Directors absent:	None
Staff present:	General Manager Dan Jagers Director of Finance and Administration Kirene Bargas, PhD Director of Engineering Mark Swanson Director of Operations James Bean Director of Information Technology Robert Rasha Human Resources Manager Sabrina Foley Water Utility Supervisor Julian Herrera Administrative Assistant Cenica Smith
Legal Counsel	James Markman

Members of the public who registered attendance: Cheryl Thompson; Brett Hughes; David Hendrix of Meritage Homes; Directors Larry Smith, Kevin Walton, Mickey Valdivia, and Ron Duncan of the San Geronio Pass Water Agency (SGPWA); Eric O'Donnell of Townsend Public Affairs, Inc.; and Karen Woodward of the Morongo Band of Mission Indians.

Public Comment: None.

1. Adjustments to the Agenda: None.

2. Reports / Presentations / Information Items

Dr. Kirene Bargas presented the following reports:

- a. Townsend Public Affairs, Inc. Monthly Update

The Board received and filed the above-listed report by the following roll-call vote:

MOVED: Williams	SECONDED: Ramirez	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

- b. Chandler Asset Management Quarterly Report

The Board received and filed the above-listed report by the following roll-call vote:

MOVED: Slawson	SECONDED: Williams	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

3. Consent Calendar:

Director Covington requested to pull Item b for discussion.

Consent Calendar items 3a, and c through f were approved with one motion by the following roll-call vote:

- a. Review of the December 2022 Budget Variance Reports
- c. Review of Check Register for the Month of January 2023
- d. Review of January 2023 Invoices Pending Approval
- e. Approval of Minutes of the Regular Meeting of January 11, 2023
- f. Receive and File List of Officers and Appointees 2023 (revised 1/11/23)

MOVED: Slawson	SECONDED: Williams	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

- b. Review of the December 31, 2022 Cash/Investment Balance Report

Director Bargas clarified for Director Covington the interest earned to date item on the report. She noted a coming change to the reporting in 2023.

Consent Calendar item 3b was approved by the following roll-call vote:

MOVED: Williams	SECONDED: Ramirez	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

4. Riverside Local Agency Formation Commission (LAFCO) Call for Nominations for a Regular Special District Member

General Manager Jagers reminded that there has been some interest from the Board in the past, and reported there is interest in the position by the SGPWA. He explained the vacancy and time commitment.

Following director comments and words from Larry Smith of the SGPWA, directors concurred on support for the nomination of Larry Smith for the nomination.

5. Resolution 2023-05: Amending the District Policies and Procedures Manual

Human Resources Manager Sabrina Foley advised that these proposed policies were reviewed and recommended by the Personnel Committee for Board consideration. She reviewed proposed revisions to the following policies:

- 3075 Vacation: "Earn-as-you-go" with eligibility for vacation after the first 90 days of employment, increase in accrual cap on vacation hours from 120 to 160 (the Employees Association had requested a higher cap) with grace period, buy-backs allowed throughout the year, clarification of the General Manager's permission to grant an extension. Mr. Jagers noted the parallel with language in the current employee Memorandum of Understanding (MOU).
- 3115 Return to Work: Revised per recommendation of the insurance carrier, ACWA / JPIA.
- 3120 Occupational Injury and Illness Prevention Program: Language was added based on recommendations from the California Special Districts Association (CSDA), legal counsel, and Cal OSHA requirements. Also proposed is a new Code of Safe Practices.

Director Covington noted that staff did a great job to ensure the proposed policies 3115 and 3120 are compliant under state law. He pointed to Policy 3075 and noted that the Personnel Committee reviewed it three or four times with lots of discussion. Some of the requests from the Employees Association were legitimate and warranted consideration, he stated.

Policy work is ongoing, and the Personnel Committee will continue to bring forward policies to the full Board for discussion in the future, Covington noted. Director Slawson acknowledged the amount of work involved.

President Hoffman invited public comment. There was none.

The Board adopted Resolution 2023-05 Amending the District's Policies and Procedures Manual adopting policies 3075, 3115, and 3120 by the following roll-call vote:

MOVED: Williams	SECONDED: Ramirez	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

6. Resolution 2023-06: Proclaiming the Termination of the Local Emergency Regarding COVID-19 Pursuant to Resolution 2020-07 and Resolution 2022-05

General Manager Jagers advised that Governor Gavin Newsom will terminate the COVID-19 State of Emergency in California on February 28, 2023. This action aligns the District with that action, he explained.

The Board adopted Resolution 2023-06 Proclaiming the Termination of the Local Emergency Regarding COVID-19 Pursuant to Resolution 2020-07 and Resolution 2022-05 by the following roll-call vote:

MOVED: Ramirez	SECONDED: Williams	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	None	

7. Resolution 2023-07: Acceptance of an Easement for Public Utility Purposes on behalf of BCVWD for an area located on Tukwet Canyon Parkway (APN 413-790-023)

6:48 p.m. - Director John Covington recused himself from the discussion and left the meeting room.

Director of Engineering Mark Swanson explained this is routine action for projects which warrant a facility to be located on separate or adjacent property that may not belong to the District. He described the components of the Fairway Canyon development which is in Phase 4 and explained that along Tukwet Canyon Parkway near Oak Valley Parkway is an area needing a pressure reducing station or valve.

Staff worked with the developer to identify a location for the facility and via the plan review process a strip of land adjacent to the public right of way, owned by the Morongo Band of Mission Indians was identified. The developer has worked with the tribe to acquire the easement and at the end of January, the tribal council dedicated the easement to BCVWD.

Board action would allow the General Manager to sign the District's portion of the easement and submit it to the County for recordation, Swanson explained.

Mr. Jagers added that District policy requires memorializing easements.

In response to President Hoffman, Mr. Swanson stated the easement is approximately 580 square feet: 7 feet wide and 83 feet long to accommodate the facility.

Mr. David Hendrix representing Meritage Homes, the owner of the project Phase 4B which is under construction, explained the area is constrained and the development is unable to obtain water meters until the pressure reducing station is in place. He requested Board approval of the easement.

President Hoffman invited public comment.

Ms. Karen Woodward, Realty Administrator for the Morongo Band of Mission Indians agreed this was a great effort with a lot of people involved and explained that the Tribal Council and tribe understood the importance of the pressure reducing station and are pleased to approve the easement.

President Hoffman asked about access to the area, and Mr. Swanson assured that access would be taken directly from the road; there is already a driveway and there will be an access pad. He assured that, if necessary, in the future, a temporary construction easement could be prepared.

The Board adopted Resolution 2023-07: Approving, Authorizing and Directing staff to accept an Easement for Public Utility Purposes by the following roll-call vote:

MOVED: Ramirez	SECONDED: Williams	APPROVED 4-0
AYES:	Hoffman, Ramirez, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	Covington	

7:04 p.m. - Director Covington returned to the meeting room.

8. Consideration of Attendance at Upcoming Events and Authorization of Reimbursement and Per Diem

General Manager Jagers reviewed the listed events. Directors indicated interest in the following events:

- CSDA webinar: Build the Board Chair and Manager Connection on March 6 and 13 – Ramirez, Slawson (tentative), Williams (tentative), Jagers
- CSDA webinar: Significance and Lifespan of Municipal Service Reviews on March 7 – Ramirez
- Beaumont Chamber of Commerce Breakfast on March 10 – Hoffman

9. Continued Review of California Drought Conditions, District Urban Water Management Plan and Water Shortage Contingency Plan, BCVWD Resolution 2022-12 Implementing Water Use Restrictions (as amended), and Other Drought Response

President Hoffman invited public comment. There was none.

General Manager Jagers advised that reservoir levels are still increasing, and snowpack is above the April 1 average (128 percent across the state). Both SGPWA and BCVWD have begun recharging water. The Riverside County Flood Control contractor is still working in the Phase II ponds but one or two pond should be freed next week.

The District is getting prepared to bring water down when there is hydraulic capacity in the State Water Project, Jagers noted. He acknowledged the action of the SGPWA to bring water down. In response to Director Covington, Mr. Jagers explained that the recharge is carryover from the San Luis Reservoir and Nickel water.

Director Covington asked if the Governor might be considering lifting the drought given the snowpack. Jagers opined that it is too early to determine and will depend on the health of the Colorado River Basin, but said he is cautiously optimistic.

10. Reports For Discussion and Possible Action

a. Ad Hoc Committees:

Communications Committee: No report.

Sites Reservoir Committee: The Committee has to met but news will be brought to the Board as a whole, Jagers indicated. President Hoffman noted that he attended a webinar.

Water Re-Use 3x2: President Hoffman reported two Board members met with the two consultants hired by the City, SGPWA, and BCVWD to be the facilitator, and have been given direction as far as timeline, City's needed accomplishments, and the District's hoped for accomplishments.

Director Covington reported that the meeting provided a snapshot of what has been going on behind the scenes. The consultant was hired via an RFP process through the City of Beaumont in conjunction with SGPWA and BCVWD contributing. Currently, the effort is to finalize their report, and there will be a meeting between the three agencies to include the elected officials on the ad hoc committee and general managers, potentially in March.

Covington said he is looking forward the consultants' presentation of a road map of their findings and identifying how to proceed in getting recycled water from the City of Beaumont's wastewater treatment plant.

The consultant will determine each agency's roles and responsibilities and the City will procure a 1211 Take Permit; Covington continued. The process is anticipated to take approximately three years and is not inexpensive, he said. This is a setback, but must be rectified before any recycled water can be released.

Despite the need for the permit, progress is being made, Director Hoffman added. Other obstacles will be tackled as the project moves along, he said.

b. Directors' Reports:

Director Ramirez reported on the following:

- Public Policy Institute of California – “Solar Development in the San Joaquin Valley” virtual event on November 1, 2022
- Orange County Water District – “Investing in Local Projects: Groundwater, Water Supplies, and Infrastructure” virtual event on December 13, 2022
- CSDA Webinar: Brown Act: Come for the Basics, Stay for the Updates on January 17, 2023
- CSDA Webinar: Ratepayer Assistance Funding and Water Shut-Off Laws on January 30

President Hoffman reported on the following:

- CSDA Webinar: Brown Act: Come for the Basics, Stay for the Updates on January 17, 2023
- CSDA Webinar: Ratepayer Assistance Funding and Water Shut-Off Laws on January 30
- CSDA Webinar: Ethics AB1234 Compliance Training on February 2 (Hoffman, Williams)

Director Williams reported on the following:

- CSDA Webinar: Ethics AB1234 Compliance Training on February 2 (Hoffman, Williams)

Director Slawson reported on the following:

- CSDA Webinar: Ratepayer Assistance Funding and Water Shut-Off Laws on January 30

Legal Counsel Markman advised the Board members to contact him with any questions.

c. Directors' General Comments:

Director Williams said she was glad to see Director Ramirez physically present.

Director Slawson added some further comments regarding the Brown Act and other webinars.

d. General Manager's Report:

Mr. Jagers reported:

- Recharge is happening in the Noble Creek facilities and by the SGPWA on behalf of BCVWD at the Fiesta Recharge Facility. The agencies are trying

to move water down prior to any potential hydraulic constraints. Staff has been working with the new Water Operations Manager at SGPWA to align techniques and understand how best to serve the community

- The staff meeting for the 3x2 Committee showed that the District has had things to do, including large expenditures. It is important to note that there are things the City is working on. There is a long list of not insignificant activities which has been presented to the Board and the City back to 2018. The facilitator was hired to get to a point where all are comfortable with creating a path forward for reuse of recycled water. The \$1 million to \$5 million projects are Developer Impact Fee expenditures, and prudent decisions are needed now to be on time when it is ready. He anticipates three years of work on the part of the District.
 - Another approach may be taken to the City regarding paving, as the costs are significant. Staff is gathering information and will start a discussion. The District is spending money and taking action to get ahead of the City's paving projects.
 - The State Water Project allocation is currently at 30 percent, and with the carryover Nickel water and others, it looks like a reasonable year. There are concerns about the Colorado River.
- e. Legal Counsel Report: Mr. Markman said he is carefully following the Colorado River issue and cautioned that results could be bad. It is water rights vs. reality, he stated. Upper river states could run out of water, but the federal government is unlikely to let that happen. California is offering a 400,000 acre-foot (af) reduction when 2 million af are being requested. It is caused by the fact that the amount flowing in the river was overestimated by about 4 million af per year, and the river is literally running dry. Repercussions are unknown, he noted.

11. Action List for Future Meetings:

- Update / Presentation on the AMR/AMI project
- Presentation on the San Bernardino Valley Resource Conservation District
- Presentation on solar power opportunities
- ~~Water supply for BGVWD and the region (removed at recommendation of Jagers)~~
- ~~Matrix for delivery of recycled water (This will be addressed at the 3x2 committee and reported out)~~
- Sites Reservoir update
- Maximization of groundwater supplies

12. Announcements

President Hoffman pointed out the announcements:

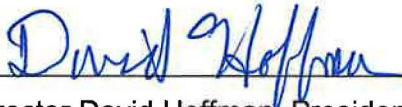
- District Offices will be closed Monday, Feb. 20 in observance of Presidents Day
- Personnel Committee Meeting: Tuesday, Feb. 21 at 5:30 p.m.
- Engineering Workshop: Thursday, Feb. 23 at 6 p.m.

- Finance and Audit Committee Meeting: Thursday, Mar. 2 at 3 p.m.
- Collaborative Agencies Committee: Wednesday, Mar. 1 at 5 p.m.
- CANCELED: Regular Board Meeting: ~~Wednesday, Mar. 8 at 6 p.m.~~
- Special Board Meeting: Wednesday, Mar. 15 at 6 p.m.
- San Geronio Pass Regional Water Alliance: Wednesday, Mar. 22 at 5 p.m.
(date corrected)

13. Adjournment

President Hoffman adjourned the meeting at 7:56 p.m.

ATTEST:



Director David Hoffman, President
to the Board of Directors of the
Beaumont-Cherry Valley Water District



Director Daniel Slawson, Secretary
to the Board of Directors of the
Beaumont-Cherry Valley Water District