



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

**MINUTES OF SPECIAL MEETING
OF THE BOARD OF DIRECTORS
Wednesday, March 15, 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 6:06 p.m.*

Pledge of Allegiance was led by President Hoffman.

Invocation was given by Director Williams.

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, Slawson, Williams
Directors absent:	Ramirez
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 Senior Water Utility Andrew Becerra Utility Worker I Jordan Smith Utility Worker II Justin Petrucesca
Legal Counsel	James Markman

Members of the public who registered attendance: Michael Ramirez of Beyond Foods; Directors Larry Smith, Kevin Walton, and Ron Duncan of the San Geronio Pass Water Agency (SGPWA); and Sean McReynolds of Townsend Public Affairs, Inc.

Public Comment: None.

1. Adjustments to the Agenda:

Dr. Bargas pointed out an added attachment for Item 6, and an event requested for approval under Item 10. Both items have been posted to the District's website.

2. Reports / Presentations / Information Items

a. Townsend Public Affairs, Inc. Monthly Update

Mr. Sean McReynolds of Townsend Public Affairs, Inc. highlighted Townsend's activities over the last month, provided a briefing on state and federal legislative activity, and listed pending grant applications.

Mr. McReynolds described delays in the State budget. President Hoffman asked if District grant applications would be affected. McReynolds stated it is too soon to tell what may happen, but he will keep the District updated.

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

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

3. Consent Calendar:

The following Consent Calendar items were approved with one motion by the following roll-call vote:

- a. Review of the January 2023 Budget Variance Reports
- b. Review of the January 30, 2023 Cash/Investment Balance Report
- c. Review of Check Register for the Month of February 2023
- d. Review of February 2023 Invoices Pending Approval
- e. Approval of Minutes of the Regular Meeting of January 26, 2023
- f. Approval of Minutes of the Regular Meeting of February 8, 2023
- g. Approval of Minutes of the Regular Meeting of February 23, 2023

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

4. Resolution 2023-08: Authorizing the Grant Application, Acceptance and Execution for the Well 1A and 2A Replacement Project

Director of Finance and Administration Kirene Bargas, PhD, advised that the grant application has already been submitted. If awarded, the requested grant would provide \$8.9 million (the full project cost), or, if a cost share were applied, the grant amount would be \$6.7 million with BCVWD's 25 percent portion being \$2.3 million.

No update has been received on the grant application, Dr. Bargas continued. She explained the purpose of the resolution for Board approval.

Director Covington asked about project funding. Mr. Jagers explained that the well projects are slated in the Capital Replacement Reserves program as they are existing wells, and are funded through rates. Covington emphasized the importance of the grant funding, as these expenses will be coming out of the reserves. He asked about the status of the projects. Jagers advised that the well drilling project is ready to go to bid, and the pumping facility project design is 75 to 80 percent complete.

Director Covington noted the well replacement detail and asked if the replacement wells would be drilled in the same locations. Mr. Jagers reviewed the current status of Wells 1A and 2A and appurtenances which are no longer producing like they should.

Mr. Jagers assured that the cost estimates had been updated, and said if the grant is awarded, economy can be found in design. Director Covington requested the cost breakdowns be sent to him.

President Hoffman asked about the timeline for response and budget, and Dr. Bargas noted the timing is unknown, but the District has been waiting for four months. Mr. Jagers advised that this is the fourth application for funding for these wells, and it is getting to the point where the work can no longer be delayed. He answered that if the grants are not successful, funding has been identified in the three-year operating budget projection.

The Board adopted Resolution 2023-08: Authorizing the Grant Application, Acceptance and Execution for the Well 1A and 2A Replacement Project by the following roll-call vote:

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

5. Resolution 2023-09: Amending the District Policies and Procedures Manual adding Policy 3121 Infectious Disease Control and Policy 3122 Workplace Violence

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

- 3121 Infectious Disease Control: This new policy is recommended by the California Special Districts Association. The purpose is to provide initial guidance.
- 3122 Workplace Violence: This policy is a best practice for a contemporary workplace. It aligns with current District practices and procedures. The Personnel Committee had requested some additional language regarding the District-owned residences in sections 3122.10 and 3122.11.

General Manager Jagers indicated that the policies seemed well received.

Director Williams acknowledged the importance of the policies. Director Covington commented that policy revisions continue to come to the Board for review, revision, or denial. This project has been ongoing for a couple of years; not only are existing policies being updated but new policies are being added, he noted.

President Hoffman invited public comment. There was none.

The Board adopted Resolution 2023-09 Amending the District Policies and Procedures Manual adding Policy 3121 Infectious Disease Control and Policy 3122 Workplace Violence by the following roll-call vote:

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

6. Second Request for Will Serve Letter for 1189 E. 6th Street (Further Identified as Riverside County Assessor's Parcel No. 418-122-028)

General Manager Jagers drew attention to the letter handout related to this item. He reminded the Board of the provisions of Resolution 2014-05 and explained that BCVWD was contacted by Mr. Michael Ramirez.

Construction of the Beyond Food Mart, a food service and car wash with landscaping activity at the southwest corner of Pennsylvania and 6th Street, is nearing completion and is slated to open in July, Mr. Jagers advised.

The food mart has estimated consumption of 2.0 Equivalent Dwelling Units (EDUs), landscaping at 0.4 EDUs, and 6.6 EDUs for the car wash, Jagers stated. Beyond Foods requests the Board consider a condition to open the market with reconfiguration to maintain less than 2 EDUs, and without starting the car wash, he explained.

Mr. Jagers briefed the Board on current water supply conditions. The State Water Project allocation is currently at 35 percent, but it may be increased to 50 to 55 percent. He reviewed SGPWA recent action including purchase of water and an effort to move carryover water from the San Luis Reservoir.

The Governor's drought declaration is still in effect, Jagers continued. Developer Mr. Michael Ramirez has been working diligently with Engineering staff to identify Beyond Foods options, he noted, and said he had advised Beaumont City Manager Elizabeth Gibbs that this would be coming to the Board. Typically, the landscaping must be completed to get an occupancy. Jagers said he suggested to Ms. Gibbs that to be under the 2 EDU threshold, project landscaping could be deferred, but she did not say that was acceptable.

Director Covington stated that if irrigation could be deferred, the store could stay under 2 EDUs and would fall within the existing ordinance and there would be no problem approving the Will Serve Letter (WSL).

There is a line of developers waiting until the drought is declared over, Jagers noted. Director Covington recognized that is the problem with the variance request from this developer: it cannot be done. The Board has turned down other requests, he reminded. He acknowledged that the numbers have changed since September. Mr. Jagers pointed out that with the current California Drought Monitor conditions, he cannot believe there is still declared drought, but the District must follow the law and its Resolution.

Jagers recommended Board discussion upon the rescission of the drought declaration and the applicability of Resolution 2014-05.

Director of Engineering Mark Swanson reported lengthy conversations with Mr. Michael Ramirez and described the greater use of water in this particular store.

Mr. Ramirez indicated the project is moving forward and there is optimism about a July opening. The developer is working with the City and with Southern California Edison regarding improvements along Pennsylvania and 6th Street, he explained. He said the developer desired to do what is necessary for approval including landscaping modifications, and food prep (Fatburger).

Director Williams asked about the application process; how many times the developer was requested to submit their water consumption estimate and application for WSL; whether it was more than three. Mr. Swanson responded that staff had likely requested more than three times. He noted that the project was initiated with a fire flow request, and the applicant was advised that they needed to submit for a WSL, then the drought resolutions came forward. The WSL request was tabled and staff continued to meet with the developer, Swanson explained. The total project stands at 9 EDUs, Swanson noted, and explained how the numbers were determined.

Director Williams asked Mr. Ramirez why construction had begun without a WSL. Mr. Ramirez described a miscommunication on the part of the developer and detailed the process, including difficulty in reaching staff during COVID. He pointed out that most other agencies do not require a Board hearing to obtain a WSL. Director Williams noted that she had initially noticed the project under construction without a WSL. Had the developer applied at that time, the WSL would have been done prior to the drought regulation, she noted. Mr. Ramirez acknowledged and assured that it will not happen again.

Director Slawson asked about meter size given the eventual use of 9 EDUs. The entire project is served from domestic lines as there is no non-potable in the vicinity, Swanson explained, but there will be a separate 1-inch irrigation meter along with a 2-inch domestic meter serving the convenience store and car wash. Mr. Jagers added that car washes typically have a recycle activity.

Director Slawson pointed out inconsistency between the staff report and the proposed solution. He also noted that the Board must abide by Resolution 2014-05, although he had initially voted against it. He said he would require assurance that the 2.0 EDUs would not be exceeded, otherwise it would need to wait for the rescission of 2014-05.

Mr. Jagers pointed out that Resolution 2014-05 would not be rescinded, but would become moot once the Governor declares the drought over and eliminates one of the three conditions to trigger the resolution.

Mr. Ramirez posited that assurance can be obtained by not installing the landscape meter precluding its use, and use only of the meter for the convenience store at the 2 EDU marker. He noted that the irrigation lateral would be installed as once the City paves the street, as they do not want cuts into it. Director Covington asked about service lines and the paving of 6th Street, noting that Pennsylvania is being widened. Director Williams pointed out that the developer would be responsible for the paving, not the District.

Director Williams asked how it would be assured that the service line would be installed but not the meter. Mr. Swanson said it would be written into the conditions of the WSL and monitored by staff. Director Williams requested the conditions be written as specific as possible. Director Hoffman asked for the conditions to be prepared for Board approval.

Mr. Jagers explained the conditions, approvals, and the extra work for staff to go by and look at the meter usage and activity on the property, reserving the ability to curtail service to the property.

Director Hoffman invited public comment. There was none.

Hoffman stated that the goal is to serve the businesses and citizens of the community and to follow regulations.

Mr. Swanson reiterated the desired conditions. Mr. Jagers noted that once the Governor has declared the drought over, this will return to the Board for consideration of a finding. Director Williams pointed out that had the applicant had not adhered to the proper process prior to the triggering of Resolution 2014-05, therefore the Governor's declaration has no bearing.

The Board approved request for water service "Will Serve Letter" for the Beyond Foods development located at 1189 E. 6th Street, currently identified as Riverside County Assessor's Parcel No. (APN) 418-122-028 within the City of Beaumont, subject to payment of all fees to the District and securing all approvals from the City of Beaumont with the condition that they will use only 2.0 EDUs or less until the emergency drought restrictions are lifted, deferring the landscape irrigation activity

and car wash until such time as Resolution 2014-05 is no longer in effect by the following roll-call vote:

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

Mr. Ramirez thanked the Board and assured that this situation will not reoccur.

7. Amended Fiscal Year 2022 Operating Budget Carryovers

Director of Finance and Administration Kirene Bargas, PhD, explained the budgeting process and calculation of the carryover amount.

The amendment consists of an addition of \$21,202 to the Maintenance and Repair line for the repair and rehabilitation of wells, Dr. Bargas explained.

The Board approved the Amended Fiscal Year 2022 Operating Budget Carryovers by the following roll-call vote:

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

8. Consideration of Vote for Special District Members for the Riverside Local Agency Formation Commission

General Manager Jagers reviewed the functions of the Riverside Local Agency Formation Commission (LAFCO) and introduced the ballot for the LAFCO election. He noted that BCVWD experienced an unfavorable decision by LAFCO this year which shows the importance of having good representation.

Director Covington acknowledged the disappointing LAFCO hearing and decision and noted that it is difficult when commissioners do not have experience in land use or with water agencies. He recommended the Board consider candidates with water industry experience. Director Williams concurred.

The Board approved a vote for the following ranking for the Eastern Region:

<i>Eastern Region</i>	
<i>1</i>	<i>Estrada</i>
<i>2</i>	<i>Underwood</i>
<i>3</i>	<i>Barraza</i>

by the following roll call vote:

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

The Board approved a vote for the following ranking for the Western Region:

1	Smith
2	Corona
3	Pastor
4	Gonzales-Brady
5	Skerbelis
6	Little

by the following roll call vote:

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

9. Approval of Expenditures for the Grand Avenue Pavement Repair Project in Cherry Valley

These are the pipeline relocations related to the Master Drainage Plan Line 16 construction and completion of the capital reserve replacement project pipelines along Grand Avenue, Mr. Jagers explained. Director of Engineering Mark Swanson advised this is the pavement component of the project.

Mr. Swanson reminded the Board of prior discussion of the project. The pavement component consists of the south side of Grand Avenue to Bellflower where nine new segments of pipeline are located, he said. As part of the MDP Line 16 storm drain project, Riverside County Flood Control District paved the north half of the street, he added.

Nine bids for the work were received, Swanson continued. All nine contractors attended the bid opening on February 22, he reported in response to a question from Director Covington. The lowest apparent bidder is MCC Equipment Rentals at \$245,685.50. A second bidder was close.

Mr. Swanson described the work and some need for blending and additional material. Staff is working with Riverside County Transportation to assure the work is done appropriately. An amount has been added to the base bid to address the needed adjustments. Swanson and Jagers responded to questions from Director Hoffman about the added detail work, County standards, and warranty.

This project will be the last step in completion, Swanson noted.

Director Covington pointed out that BCVWD will be adding \$50,000 to match what the Flood Control contractor put down, however, if BCVWD had paved first, they would be responsible for the \$50,000. He questioned why BCVWD should bear that cost. Mr. Swanson and Mr. Jagers described road conditions and the need to hold a true centerline given the roller coaster of Grand Avenue. Covington posited that it should be the County covering the extra cost. Mr. Swanson reminded that the agreement with Flood Control included coverage of any change orders, so BCVWD has not been responsible for any of those costs. President Hoffman noted that the County may have had extra paving expense also.

Director Covington asked about MCC Equipment Rentals, and Mr. Swanson identified they are a Class A contractor. Mr. Jagers noted there will be a subcontractor, All-American, doing the paving. Mr. Swanson added that the District has had no issues with their prior work.

In response to Covington and Hoffman, Swanson reported that the District is not responsible for rolled curbs on the south side or road striping.

President Hoffman invited public comment. There was none.

The Board approved expenditures in an amount Not to Exceed \$345,000 for construction of the Grand Avenue Pavement Repair Project and authorized the General Manager to enter a contract with MCC Equipment Rentals, Inc. to provide all labor, equipment, materials, and traffic control necessary to complete construction of the Grand Avenue Pavement Repair Project in the amount of \$245,685.50 by the following roll-call vote:

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

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

General Manager Jagers advised of the request from Director Ramirez for approval of per diem for attendance at the Welcome Home Vietnam Veterans event on March 24, 2023. Director Covington noted that the District usually receives an invitation from the Beaumont-Cherry Valley Recreation and Park District for two directors to attend, and he and Director Ramirez have done so in the past. Mr. Jagers indicated that there was no request to participate at the level as had been in the past.

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

- CSDA Virtual Workshop: Crisis Communication: on April 5 and 6 – Williams (tentative)

- Beaumont Chamber of Commerce Breakfast on April 14 – Hoffman, Williams, Slawson
- CSDA Virtual Workshop: Overview of Special District Laws on May 3 and 4 – Williams (tentative)
- Urban Water Institute on August 23 to 25 – Covington, Williams, Slawson
- CSDA Webinar: How and Why Involvement in LAFCO Matters for Special Districts on April 4 – Hoffman (add), Slawson (add), Covington (remove)

The Board pre-approved attendance of all directors at the following events for purposes of per diem and reimbursement of associated reasonable and necessary expenses per District policy:

- *Urban Water Institute 29th Annual Water Conference August 23-25*
- *Welcome Home Vietnam Veterans event on March 24, 2023*

by the following roll-call vote:

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

11. 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

General Manager Jagers briefed the Board on the current State of California water conditions including reservoir levels and snowpack.

Jagers reported on actions by the SGPWA to increase supply. He noted that 18,000 acre-feet were taken from storage in the last couple of years, and reminded the Board that 11,000 acre-feet was ordered to replenish this year; 7,000 af is available and all of it may be captured.

In addition, it has been so wet in the region that the District's water production was about 75 percent of the two-year average, which translates to a 25 percent reduction in water sales, Jagers explained.

The District should be in a reasonable position this year, Jagers concluded.

Jagers said he anticipated some sort of consideration from the Governor in April, and the Board can then discuss the Water Shortage Contingency Plan. Director Covington asked about the triggers for Stage 3 and whether the Board needed to wait to look at whether it should be reduced to a Stage 2. Jagers recommended discussion at the April 12 Board meeting. He noted that weather patterns through March are still volatile.

12. Status of Declared Local Emergencies related to Fires

a. Impact of the Apple Fire pursuant to Resolution 2020-17

b. Impact of the El Dorado Fire pursuant to Resolution 2020-20

General Manager Jagers reported that field staff today observed flash flooding and debris flow through Noble Canyon. He advised of a project by Flood Control to bolster the intersection at the Noble Street crossing where the District's turnout is located. Staff is diligently watching and actively responding to avoid impacts to facilities, he assured.

13. Reports For Discussion and Possible Action

a. Ad Hoc Committees:

Communications Committee: Director Williams reported that the Committee met on March 14 and reviewed the contract with CV Strategies and there was discussion about consolidating or eliminating items to provide the most cost effectiveness.

Sites Reservoir Committee: No report.

Water Re-Use 3x2: General Manager Jagers reported that City Manager Gibbs wants to call a meeting of the Committee in the next month or so. President Hoffman added that at the Chamber Breakfast, Gibbs indicated that the facilitator coordinating the three agencies was a positive step.

b. Directors' Reports:

Director Slawson reported on the following:

- Beaumont Chamber of Commerce Breakfast on February 10
- San Geronio Pass Water Agency on March 13
- CSDA Webinar: Grass Roots Advocacy and Public Outreach on February 14, 2023
- Water Education Lower Colorado River Tour on March 8-10, 2013

Director Williams reported on the following:

- Water Education Lower Colorado River Tour on March 8-10, 2013

Director Covington reported on the following:

- Water Education Lower Colorado River Tour on March 8-10, 2013

President Hoffman reported on the following:

- Beaumont Chamber of Commerce Breakfast on March 10, 2023
- CSDA Webinar: Ratepayer Assistance Funding and Water Shut-Off Laws on January 30

c. Directors' General Comments:

Director Slawson commented on the strengthening of the relationship with SGPWA on the Colorado River Tour. He recommended looking out for the Water Education Foundation's State Water Project Tour.

d. General Manager's Report:

Mr. Jagers reported:

- Colorado River Basin Tour indicated that water supply in the Southwest is a desired commodity and there are more demands than supply. California managing both the SWP and Colorado River, this will become more complex moving forward. Facts shared by the Imperial Irrigation District and Coachella Valley Water District farmers and the tribe was that the Yuma, Imperial, and Coachella Valley area produced 80 to 90 percent of the wintertime vegetables in America, and 60 percent overall. BCVWD's investments in the SWP are critically important and should bring value over time
- Alarming that Lake Mead and Lake Powell are in a condition that they would have been dead pooled if it were not for this snowpack. If reverted back to prior conditions, they will be dead pooled in 2025
- Seven states and the tribes on the River have been asked to decline their usage by 2 to 4 million acre-feet (13 to 26 percent) to help preserve the lakes
- Encouraged by the actions of SGPWA to procure supply
- Currently recharging 45 cubic feet per second (90 af per day)
- Speakers in the Board room have been moved to improve sound
- Acknowledged the presence of field staff at the meeting

e. Legal Counsel Report: No report.

14. 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
- Sites Reservoir update
- Maximization of groundwater supplies

15. Announcements

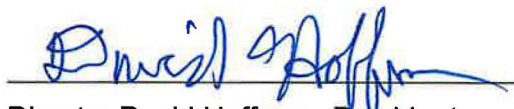
President Hoffman pointed out the announcements:

- Personnel Committee Meeting: Tuesday, Mar. 21 at 5:30 p.m.
- San Geronio Pass Regional Water Alliance: Wednesday, Mar. 22 at 5 p.m.
- Engineering Workshop: Thursday, Mar. 23 at 6 p.m.
- Beaumont Basin Watermaster Committee: Wednesday, Apr. 5 at 11 a.m.
- Finance and Audit Committee Meeting: Thursday, Apr. 6 at 3 p.m.
- Regular Board Meeting: Wednesday, Apr. 12 at 6 p.m.
- Collaborative Agencies Committee: Wednesday, May 3 at 5 p.m.

16. Adjournment

President Hoffman adjourned the meeting at 8:40 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