

Bighorn-Desert View Water Agency

Board of Directors

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Michael McBride, Vice President
David Larson, Director
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A Public Agency

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PLANNING/LEGISLATIVE/ENGINEERING GRANT & SECURITY COMMITTEE REGULAR MEETING AGENDA

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Thursday, December 15, 2011 - 8:45 a.m.

The BDVWA Planning / Legislative / Engineering / Grant & Security Committee meeting will be conducted in strict compliance with the Brown Act. Members of the Board not assigned to this Committee who attend may do so only as observers and may not participate in the meeting.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA

DISCUSSION AND ACTION ITEMS - The Committee and Staff will discuss the following items and provide direction to staff, if so inclined.

The Public is invited to comment on any item on the agenda during discussion of that item.

When giving your public comment, please have your information prepared, if you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

5. CONFERENCE CALL WITH MOJAVE WATER AGENCY'S LEGAL/LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE

Committee to participate via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

6. PROPOSED ENGINEERING PROJECT LIST WITH COST ESTIMATES

Chief Engineer Krieger will present cost estimates for various engineering projects reviewed at the last Committee meeting.

7. CONSENT ITEMS - The following is expected to be routine and non-controversial and will be acted on by the Committee members at one time without discussion, unless a member of the Public or a Committee member requests that an item be held for discussion or further action.

- a. Regular PLEGS Committee Meeting Report, October 20 2011

8. PUBLIC COMMENT PERIOD

Any person may address the Committee on any matter within the Agency's jurisdiction on items not appearing on this agenda.

When giving your public comment, please have your information prepared, if you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

9. VERBAL REPORTS

- a. COMMITTEE MEMBERS' COMMENTS/REPORT
- b. GENERAL MANAGER'S REPORT

10. ITEMS FOR NEXT AGENDA

11. ADJOURNMENT

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other discloseable public records in connection with an open session agenda item, are also on file with and available for inspection at the

Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at www.bdvwa.org.

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately.

Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.



Legal, Legislative and Public Information Committee

AGENDA

Mojave Water Agency

Board Room

13846 Conference Center Drive

Apple Valley, CA 92307

December 15, 2011

9:00 a.m.

1. Approve Agenda

📎 Agenda Packet

2. Approve Meeting Summary from the Legal/Legislative and Public Information Committee Meeting of November 16, 2011

📎 Meeting Summary

3. Update on State Advocate and Issues at the State Level (teleconference)

4. Update on Federal Advocate and Issues at the Federal Level (teleconference)

📎 Federal Report

5. Discuss the County's "Community Vision Report"

📎 Staff Report

📎 County Report

- 6. Public Information Update (oral report)**
- 7. General Manager's Report (oral report)**
- 8. Public Participation**
- 9. Comments/Discussion Items for Next or Future Agendas**
- 10. Adjournment**

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7008 at least 24 hours prior to said meeting.

Please visit our Facebook page at <http://www.facebook.com/mojavewater>

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Comprehensive Government Relations

MEMORANDUM

To: Kirby Brill, Kathy Cortner and Mike Stevens, MWA

From: Letitia White and Heather Hennessey

Date: November 30, 2011

Re: November Monthly Legislative Update

The month of November on Capitol Hill was not only unproductive but it was frustrating as well, especially when one considers how much still needs to be accomplished before the end of the year. Partisan jockeying caused the much touted “supercommittee” to fail at its debt reduction task and the majority of the fiscal year 2012 appropriations bills remain unfinished. One positive, however, was the passage of the appropriations “mini-bus,” a package of three fiscal year 2012 appropriations bills and a continuing resolution to keep the federal government funded through December 16th.

FY12 Appropriations

As mentioned above, just prior to the November 18th expiration of the last continuing resolution, the House and Senate passed and the President signed the \$128 billion mini-bus appropriations bill which combined the Agriculture bill, the Commerce-Justice-Science bill, the Transportation-Housing and Urban Development bill and a continuing resolution all into one package. The bulk of the funding - \$109.4 billion - went to the Departments of Transportation and Housing and Urban Development. This was roughly the same as in fiscal year 2011 but considerably less than the President requested. The bill does not give any funds to the President’s high speed rail program or to a National Infrastructure Bank. It does, however, provide \$500 million for the TIGER program which funds infrastructure projects. Federal highway projects for fiscal year 2012 would be funded at the \$39.1 billion, which is the amount authorized in the latest surface transportation extension bill, about \$2 billion less than was provided in fiscal year 2011.

The Department of Housing and Urban Development (HUD) received \$37.4 billion, \$4.6 billion less than the White House requested and a \$3.7 billion less than current spending. Section 8 low-income-tenant housing vouchers were funded at \$17.2 billion, which the conference committee called sufficient to provide “funding to renew every individual and family that received assistance last year.” The bill also gave \$3.3 billion to the popular Community Development block grant (CDBG) program, \$193 million less than in fiscal year 2011 and \$473 million less than the President requested.

After the success of the first mini-bus, the Senate then tried to take up a second mini-bus which included the Energy and Water, Foreign Operations and Financial Services appropriations bills.

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Unfortunately, in the final analysis, the votes were not there for passage of the second mini-bus so nine of the annual appropriations bills are still pending with a December 16th deadline.

Since December 16th is just around the corner, the most likely path forward is an omnibus appropriations bill. But this will not be easy! House Tea Party conservatives will not be pleased with such a huge measure. Just the appropriations portion of the omnibus would cost around \$900 billion. But since the omnibus would also be the easiest catch-all for the other measures that must still be addressed before the year's end, including the Alternative Minimum Tax patch, a variety of business tax breaks, the freeze in scheduled cuts to doctors' Medicare payments (aka "the doc fix"), the payroll tax holiday and unemployment benefits, those measures could be added as well. All these items would bring the omnibus' total to about \$1.4 trillion. Without conservatives' votes, to ensure passage, concessions will be necessary to ensure Democratic votes. Otherwise passage of an omnibus will be very much in question.

In an omnibus fails, the "Plan B" would be another short term continuing resolution - pushing fiscal year 2012 funding decisions into next year - or a long term continuing resolution. (This would be a déjà-vu: you may remember the appropriations fights from last year resulted in a long term continuing resolution for fiscal year 2011.) The problem with a CR is that no real changes in policy or funding levels are able to be made with this mechanism. Usually, a CR is simply an extension of the current funding laws and levels.

Not-so-Supercommittee Fails

As you know, last week the Supercommittee, created this summer as a solution to the crisis over raising our Nation's debt limit, announced that it had failed in its mission to come up with a plan to eliminate \$1.2 trillion in federal debt over the next ten years. Since then, both Democrats and Republicans have blamed each other for the failure. Republicans have said that Democrats would not make serious cuts to out-of-control Medicare and Social Security programs; Democrats have chastised Republicans for their unwillingness to consider any revenue raising proposals whatsoever.

Despite Americans' hopes for a solution to the debt crisis, the Supercommittee could not rise above partisan politics and come up with a workable agreement. Thus, the next step as outlined in the Budget Control Act (PL112-25) is for automatic spending cuts – sequesters – to take effect. The first cuts will not happen until January 2, 2013, so Members of both parties are expected to come up with plans to reverse the automatic cuts that would affect their pet programs. But in order to make changes to the Budget Control Act, new legislation must be passed by both Chambers and signed by the President – no easy task for this partisan and acrimonious group! Furthermore, the President threw a wrench in those plans by vowing to veto any attempts to roll back the sequesters. These sequesters are slated to fall equally on defense and non-defense accounts, including both discretionary spending and some mandatory, or entitlement, spending.

The second sequester will occur in February 2013, when the President submits his budget for fiscal year 2014. That sequester will change the caps on that year's discretionary spending levels and make across-the-board cuts in mandatory programs. The following sequesters will occur

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each year as the President submits a budget request. Medicaid, Social Security, veterans' spending will be exempt from automatic cuts for the most part.

Outlook for December

The "to-do" list for Congress in the month of December is a long one! The House and Senate must pass legislation to extend the payroll tax cut, extend unemployment insurance benefits for the long-term jobless, pass a raft of expiring tax provisions known as extenders, patch the alternative minimum tax, act to prevent a cut in payments to doctors who treat Medicare patients and pass a spending package made up of the remaining nine annual appropriations bills.

As always, we will keep you posted!

Mojave Water Agency

DATE: December 15, 2011
TO: Legal, Legislative and Public Information Committee
FROM: Kirby Brill, General Manager
BY: Michael Stevens, Community Liaison Officer
SUBJECT: Dicuss the County's "Community Vision Report"

RECOMMENDATION

After reviewing the contents of the 54-page "Countywide Vision", staff recommends that no action be taken to adopt or reject the document but simply accept it as an information item for the Agency's consideration.

PREVIOUS CONSIDERATION BY COMMITTEE/BOARD OF DIRECTORS

- Legal, Legislative & Public Information Committee – November 17, 2011: this item was introduced at this meeting with staff acknowledging receipt of a letter wherein the Chair of the County Board of Supervisors and SANBAG President asked the Agency to adopt by resolution the County's "vision." The Committee asked for an analysis and recommendation as to whether the Agency should adopt the Plan.

BACKGROUND

Starting in November 2010, the Vision Project launched a series of more than two dozen roundtable discussions with experts in education, the economy, the environment, public safety, tourism, and community service to find out what they see as our county's strengths, weaknesses, and potential. They were asked what needs to be done to make the county a place where people are proud to live, where businesses want to locate, where tourists want to visit, and where our children will want to grow up, vested in their community and anxious to become a productive part of its strong, educated workforce.

In January and early February, 18 community meetings were convened throughout the county and hundreds of residents were asked to paint a picture of the ideal place they want to see the county become 20 years from now. From Chino Hills to Barstow, from Joshua Tree to Upland, and everywhere in between, residents were brutally honest about the successes and failures, and about the challenges and opportunities. They also wrote letters from the future sharing their dreams with grandchildren or friends.

Thousands of residents completed online surveys and told "the county" they are pleased with the recreational opportunities and the affordable housing options, but concerned about the availability of good jobs and improving the county's image. They

want an honest and open government that will focus on creating jobs and enhancing public safety. County reps also met with representatives of each of the 24 cities and towns, and digested each of their general plans.

The result is for the first time a documented vision for the county.

ANALYSIS

The Countywide Vision is a multi-faceted process that includes:

- A 54-page **Countywide Vision Report**
- Community Feedback
- Brochures, Maps & Reports
- Online Survey Results
- “Your County... Your Future” video
- “State of the County: Vision” video
- And a feedback section

The **Community Vision Report** is the heart of the vision process, a comprehensive publication that explores *in broad terms, from a high level point of view* critical issues confronting the county. These “issues” are referred in the report as “vision elements” and include:

- Jobs/Economy
- Education
- Housing
- Public Safety
- Infrastructure
- Quality of Life
- Wellness
- Image

In the “Infrastructure” element there is what amounts to a passing reference to water. On page 9 of the **Community Vision Report** it reads: *“The interrelationships of all aspects of transportation, energy, recreational trails, flood control, water supply, sewer, parks, telecommunications, and solid waste should be mapped out and to the extent possible coordinated for timing and the pursuit of the necessary funding.”*

One example of a goal given for aspects of the infrastructure (water) was taken from the Santa Ana Watershed Project Authority's One Water, One Watershed Plan adopted November 16, 2010, which reads: *“The mission is to create opportunities for collaboration to find sustainable watershed-wide solutions among diverse stakeholders from throughout the Watershed. The Plan will also provide a blueprint for water resources management in the Watershed for the next 30 years.”*

This reference is somewhat disconcerting as it does not take into consideration the uniqueness of the various regions of the county, in particular the High Desert.

Equally disconcerting is that the fact that in what the **Community Vision Report** refers to as "Countywide Vision Great Examples (page 16)," it again singled out only the Santa Ana Watershed Project Authority without so much as the existence of other commendable examples throughout the county worth emulating—most notably the Mojave Water Agency.

The county is to be commended for undertaking such a herculean task to create its "Vision," and while the vision is not in conflict with nor competes with MWA's vision, staff believes the county's request for the Agency to adopt and use the plan "*to make it part of what [we] use to guide our decision making*" could be seen as not acting in the best interest of constituents within MWA's service in deference to what's best for the county.

FISCAL IMPACT

None

Attachments:

October 24, 2011 Letter from Board of Supervisors Chair



RECEIVED
MOJAVE WATER AGENCY

11 NOV -5 AM 1:55

October 24, 2011

Mr. Kirby Brill
General Manager
Mojave Water Agency
22450 Headquarters Drive
Apple Valley, CA 92307

Dear Mr. Brill,

On June 30, 2011, the San Bernardino Associated Governments (SANBAG) Board of Directors and the Board of Supervisors endorsed and adopted a Countywide Vision. The Vision Statement articulates what the people we serve want for their future.

Individual bodies and agencies have created their own visions over the years, but until now a vision for the county as a whole had never been attempted. A shared Countywide Vision is a vital tool in ensuring we use our resources wisely and move forward together with a common purpose.

The only way to achieve the Vision is for every public agency in the county to adopt it and make it part of what they use to guide their decision making. In addition to SANBAG and the Board of Supervisors, the Rancho Cucamonga City Council, the Ontario City Council, the Redlands City Council, and the Victor Valley Wastewater Reclamation Authority Board of Commissioners have taken formal action to adopt the Vision.

We invite you to join us in moving the Vision forward by asking your governing board to adopt the Vision. A resolution template is attached for your convenience, and a representative from the Vision project will be available to make a presentation to your governing body at the time it considers adopting a resolution, if you wish.

Efforts to achieve the Vision, including your agency's participation, will be chronicled on the Vision website, www.sbcounty.gov/vision, where you can also examine the various Vision documents. The Board of Supervisors is assembling discussion groups built around the Vision's elements. This will be one of many initiatives that will be undertaken - we hope with your participation - to carry the Vision process to the next level.

Thank you for joining us in this historic effort to achieve the Countywide Vision identified by our residents.

If you have questions or need assistance, please contact Bob Page with the County Administrative Office at (909) 387-4384 or bpage@sbcounty.gov.

Sincerely,

Supervisor Josie Gonzales
Chair, Board of Supervisors

Highland Mayor Larry McCallon
President, SANBAG Board of Directors



Bighorn-Desert View Water Agency

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PLANNING/LEGISLATIVE/ENGINEERING GRANT & SECURITY COMMITTEE REGULAR MEETING REPORT

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Thursday, October 20, 2011 - 8:45 a.m.

CALL TO ORDER

President Burkhart called the meeting to order at 8:45 a.m.

PLEDGE OF ALLEGIANCE

Led by Roger Taylor.

ROLL CALL

Directors' Present: David Larson
Terry Burkhart

Staff Present: Marina West
Lyni Tompkins

APPROVAL OF THE AGENDA

Director Larson and President Burkhart approved the agenda as presented.

Adjourned for a break at 8:47 a.m. - Reconvened from break at 9:04 a.m.

KRIEGER & STEWART (CHIEF ENGINEER) TO PRESENT AN EVALUATION ON PRODUCTION (FROM WELLS) AND CONSUMPTION (FROM METERED AND NON-BILLABLE WATER USAGE) ACCOUNTING.

Chuck Krieger, Chief Engineer, from Krieger & Stewart gave a report.

A years worth of data was processed to make a comprehensive production report. The production figures were use for the well pumping plants and the customer meter readings for the consumption; a comparison was made of those two.

The Agency is pumping 20% more water than consumption records indicate. Potential causes for the discrepancy between production and consumption:

1. Inaccuracy of customers' meters. If customer meters are inaccurate, typically they are reading less. The meter propellers can be affected by sand so that is probably a priority issue for investigation. The Agency has replaced many of the meters. The few tests that have been done on the new meters, and they are reading less than they were upon installation. The recommendation is to establish a grid and spot check meters.

2. Inaccuracy of the production meters. Production meters usually read high. They don't usually read low. Production meters can be significantly effected if there are obstructions to close to the meter; either upstream or downstream of the meter. Laminar flow is disturbed by bends or vales that are too close to the meter. Part of the future assessment is do we have to make any modifications to any of these installations that would enhance the accuracy.

3. Unauthorized consumption. Unauthorized consumption happens everywhere and is a tough one to quantify.

4. Loss of water through leaks.

Recommendations are:

Spot check customer meters to determine the meter's accuracy in a specific grid area. Visit each well site and verify that the installations are in course with the manufactures' specifications. See if there is anything that could contribute to the inaccuracy. Verify with separate equipment the accuracy of the production meters.

5% to a 10% water loss is achievable once the Agency does some of the investigations.

Director Larson commented: On the production side of things, we meter the water as we produce it. On the consumption side, we meter the water as it is used by the consumer. We have identified 4 areas where there can be discrepancies. Currently, we are experiencing about 20% variance. There is 20% of the water being produced that is not being accounted for on the consumption side. We are determining that an industry average or an ideal goal would be a 5% - 10% variance. We have identified 4 areas where there can be discrepancies. We have inaccuracy of the meters on the customers/consumers side, inaccuracy of the meters on the production side, and unauthorized consumption, such as theft and the physical loss from leaks.

No public comment.

JOHNSON VALLEY PRESSURIZED WATER SYSTEM PROGRAM UPDATE BY KRIEGER & STEWART (CHIEF ENGINEER)

Chuck Krieger, Chief Engineer, from Krieger & Stewart gave a report.

There is potential for the Agency to obtain some of the funding available for study or planning from the Department of Water Resources with regard to what could potentially happen in Johnson Valley. There are two different funding sources. The first funding source application must be in by February 2012 and the other application is not due until fall year 2012.

General Manager West commented that a survey was done to determine if Johnson Valley property owners wanted pressurized water. The results of the survey showed the majority of Johnson Valley property owners want a pressurized water system. Therefore, the Agency is proceeding with investigating the possibility of such a system. If there had been no interest by Johnson Valley Property owners to have a pressurized water system, the Agency would not be having any of these discussions and no resources would be put towards this effort.

There is federal funding appropriated but not authorized.

Public comments:

Unanimous persons discussed and asked questions regarding a pressurized water system in Johnson Valley. The price of the system was mainly discussed.

General Manager West commented that the Agency will continue to go forward with a pressurized water system in Johnson Valley as long as the Agency continues to get support from the Johnson Valley property owners.

Adjourned for a break at 9:58 a.m. - Reconvened from break at 10:11 a.m.

DISCUSS SUGGESTED ENGINEERING PROJECTS FOR 2012

Chuck Krieger, Chief Engineer, from Krieger & Stewart gave a report.

General Manager West commented that the Agency has reserve funds and we can now talk about capital and repair/refurbishment projects.

The Agency needs to have an emergency fund and some reserves should revenue projections fall short. However, the budget this year quotes approximately \$93,000.00 for capital projects.

President Burkhart suggested being careful calling the excess funds "reserves".

Chuck Krieger commented that the message has to be clear to the customers that water systems are an ongoing maintenance operation. It will end up costing the Agency more if you defer maintenance until something fails completely.

Director Larson suggested creating a Capital Improvement Fund and an Emergency Fund.

Adjourned for a break at 10:19 a.m. - Reconvened from break at 10:26 a.m.

Continued discussion for this agenda item.

Chuck Krieger distributed a summary table listing reservoirs and well pumping plants, some capital and maintenance work that has been identified; projects that are appropriate to move forward with.

The first category is reservoirs. There are two basic components to the reservoir corrective work such as repair work to the interior lining for health and safety considerations, and for protection of the steel structure. You have to paint steel so it

does not corrode. There is delaminating of the coatings, structural and safety problems that go on the tank. The corrective work items resulted from changes in the law. For example: you have to have cages around the ladder. There has to be railing on the top where staff might be working; some lids do not fold all the way down flat, so there is an opportunity for the lid to blow shut in the high winds that we have in this area. The 'B' tanks are in most need of maintenance. Mr. Krieger recommended preparing bidding documents for at least two tanks. If a contractor gets two tanks in our area, it is going to be more cost effective than doing just one tank.

The second category is the well pumping plants. The Agency needs to look at Wells 2, 3 and 4 with respect elevated gross alpha and uranium that the Agency is monitoring quarterly as required by Department of Public Health. The Agency is meeting all of the standards for water supply but the Department of Public Health has urged us to look at engineering solutions to this issue.

Other projects include equipping wells with connectors and transfer switches so they can be operated with a "portable" generator.

Another project is the intertie with Hi Desert Water District, again for emergency water supply.

General Manager West commented that the next step is to obtain cost estimates for all of the tasks; then staff would come before the Board of Directors with a budget and propose the top priorities. With Board approval, hopefully pursue some projects this year; perhaps doing maintenance on at least one reservoir.

No public comment.

CONSENT ITEMS -

- a. Regular PLEGS Committee Meeting Report, August 18, 2011

No public comment.

Director Larson and President Burkhart approved as presented item 'a'.

PUBLIC PARTICIPATION

Public comments:

Anonymous, questioned if this Committee or Board would get current information from the property owners in Johnson Valley.

Anonymous, commented that Friends of Bighorn would be able to help disseminate information. However they are not political.

VERBAL REPORTS

COMMITTEE MEMBERS' COMMENTS/REPORTS

None

GENERAL MANAGER'S REPORT

None

ITEMS FOR THE NEXT AGENDA

Bring planning cost estimates (general figures) for reservoirs and well pumping projects back to the committee.

ADJOURNMENT - President Burkhart adjourned the meeting at 11:10 a.m.

Pending Committee Approval