

Bighorn-Desert View Water Agency

Board of Directors

Michael McBride, President
Judy Corl-Lorono, Vice President
David Larson, Secretary
Terry Burkhart, Director
J. Dennis Staley, Director



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Marina D West, P.G., General Manager

A Public Agency

www.bdvwva.org

FINANCE/PUBLIC RELATIONS/EDUCATION AND PERSONNEL COMMITTEE SPECIAL MEETING AGENDA

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Wednesday March 13, 2013 - 5:00 p.m.

COMMITTEE MEMBERS: David Larson & Michael McBride

The BDVWA Finance/Public Relations/Education & Personnel 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 THE 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. **FINANCE UPDATE: SUMMARY OF CASH ACCOUNTS**
6. **REVIEW OPTIONS AND NECESSITY FOR TRAILER EQUIPPED WITH HYDRAULIC VALVE EXERCISER AND VACUUM-WATER JET SYSTEM**
7. **UPDATE ON SB 246 INTRODUCED BY SENATOR JEAN FULLER (DISTRICT 18) TO MODERNIZE THE BIGHORN-DESERT VIEW WATER AGENCY LAW**
8. **DEMONSTRATION GARDEN UPDATE AND PUBLIC RELATIONS - Discussion item only**
9. **DISCUSS POTENTIAL CHANGES TO LEAK RELIEF/BILLING ADJUSTMENT POLICY - (Referred by Board of Directors on February 26, 2013)**
10. **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. Special FPREP Committee Meeting Report, September 12, 2012

11. 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. State Law prohibits the Committee from discussing or taking action on items not included on the agenda.

12. VERBAL REPORTS

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

13. ITEMS FOR NEXT AGENDA

14. 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.

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: March 13, 2013

To: Financial/PR/Education/Personnel Comm. **Budgeted:** N/A
Board of Directors

From: Marina D. West

General Counsel Approval: N/A
CEQA Compliance: N/A

Subject: Update on Cash Balances (Encumbered, Unencumbered and Restricted)

SUMMARY

Staff will review the attached summary of cash balances with the Committee as part of the pre-budget planning process.

RECOMMENDATION

Information and discussion only

BACKGROUND/ANALYSIS

No further discussion provided.

PRIOR RELEVANT BOARD ACTION(S)

None

Summary of Cash Accounts
As of February 28, 2013

| | |
|---|-------------------------|
| <u>Cash Balance</u> | |
| Union Bank | \$178,022 |
| LAIF | \$901,252 |
| Total Cash on hand | \$1,079,274 |
| <u>Encumbered Cash Balances</u> | |
| Union Bank (unofficial) | \$25,000 |
| LAIF - Basic Facilities Charge (future new capital) | \$27,196 |
| LAIF - Customer Deposits (liability) | \$50,000 |
| LAIF - Emergency Contingencies | \$100,000 |
| LAIF - Replacement & Refurbishment | \$50,000 |
| B3/B4 Tank Recoating Project (all monies) | \$354,450 |
| LAIF - 2012/13 Debt Service | \$150,000 |
| Total Encumbered Cash | \$756,646 |
| <i>Balance Remaining - Unrestricted Cash</i> | <i>\$322,628</i> |

* budget to actual expenses overall remains "on track"

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: March 13, 2013

To: Financial/PR/Education/Personnel Comm. **Budgeted:** No, Workshop Goal
Board of Directors

Cost: TBD

From: Marina D. West

General Counsel Approval: N/A
CEQA Compliance: N/A

Subject: Review Options and Necessity for Trailer Equipped with Hydraulic Valve Exerciser and Vacuum-Water Jet System

SUMMARY

As a carryover item from the 2012 Board Workshop priorities, staff would like to proceed with the purchase of equipment to be utilized in a preventative maintenance program to “exercise” the water system isolation valves. It should be recognized that such equipment will also become integral to other routine and emergency activities such as leak response, potholing, valve box/can and vault clean-out. Utilizing hydraulic and air powered equipment will maximize the safety and efficiency, especially manpower, in such operations.

In accordance with the Agency’s Purchasing Policy, sealed bids will be obtained to select a vendor to provide a “packaged” municipal valve exerciser and vacuum excavator system to be utilized in a variety of routine and emergency maintenance activities.

Staff is currently reviewing three manufacturers’ and would like to review the features of the equipment, application and answer any questions the Committee may have concerning this item before proceeding to the full Board for further consideration.

RECOMMENDATION

Staff is requesting Committee's input and direction prior to bringing this item to the full board for further consideration.

BACKGROUND/ANALYSIS

As a carryover item from the 2012 Board Workshop priorities, staff would like to proceed with the purchase of equipment to be utilized in the preventative maintenance program to “exercise” the water system isolation valves. It should be recognized that such equipment will also become integral to other routine and emergency activities such as leak response, potholing, valve box/can and vault clean-out. Utilizing hydraulic and air powered equipment will maximize the safety and efficiency, especially manpower, in such operations.

In accordance with the Agency’s Purchasing Policy, sealed bids will be obtained to select a vendor to provide a “packaged” municipal valve exerciser and vacuum excavator system to be utilized in a variety of routine and emergency maintenance activities.

On a routine basis this equipment will be utilized to initiate a system-wide preventative maintenance valve exercising program. The Agency has approximately 600 mainline valves and 365 fire hydrants valves. Construction standards recommend regularly exercising valves to insure proper operation during emergencies and other activities. In order to maximize the efficiency, especially manpower, in such operations staff recommends proceeding with the purchase of such equipment. Staff is ready to acquire the equipment this fiscal year.

Following initial training and operation, these tools will enable the initiation of a valve "exercise" preventative maintenance program using a single Distribution Operator to maintain the Agency's approximately 600 mainline valves and 365 fire hydrants valves. The unit will be equipped with the capability for automated data collection including torque/rotational data, time stamps, and GPS location.

With virtually all valves buried in the dirt every valve-can will contain desert sand fill. The vacuum excavator and water jet will be integral to this activity. This system will also be extremely efficient at removing dirt/water from around leaking service lines prior to and during repair under pressure as well as for fast and efficient potholing underground utilities such as water, electric and telephone lines. Conversations with neighboring districts reveal that they all have similar equipment (of differing configurations) and routinely utilize it.

Staff has been checking references on three different vendors, obtaining live demonstrations and analyzing the similar and unique features of each manufacturer to make the most informed choice possible.

PRIOR RELEVANT BOARD ACTION(S)

2/10/2012 Board Workshop setting goals and priorities for a two-year horizon.

3/23/2004 04P-02 Bighorn-Desert View Water Agency Purchasing Manual.

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: March 13, 2013

To: Financial/PR/Education/Personnel Comm. **Budgeted:** N/A
Board of Directors

Cost: Staff and Legal Counsel Resources

From: Marina D. West

General Counsel Approval: Obtained/On-going

CEQA Compliance: N/A

Subject: Update on SB 246 Introduced by Senator Jean Fuller (District 18) to Modernize the Bighorn-Desert View Water Agency Law

SUMMARY

Attached is a fact sheet regarding SB246. Staff will review the status of the bill and discuss public outreach efforts to gain support from various entities.

RECOMMENDATION

Information and discussion only

BACKGROUND/ANALYSIS

SB 246 was introduced on February 12, 2013 for the purpose of repealing Section 33305 from the existing Law which would then eliminate the requirement for separation of finances of the predecessor entities. SB 246 will be amended to include the "modernization" of the Bighorn-Desert View Water Agency Law. The amended bill should be presented in the near future.

The attached "Fact Sheet" was prepared by Senator Fuller's office in preparation for inquiries from the public-at-large.

Staff will discuss with the Committee the status of the bill and on-going outreach efforts to gain support from various entities.

PRIOR RELEVANT BOARD ACTION(S)

2/26/2013 Motion No. 13-013 Resolution No. 13R-03 Expressing Support for Senate Bill 246, an Act to Amend Section 33305 of the Water Code.

2/26/2013 Motion No. 13-012 Resolution No. 13R-02 Expressing Unqualified Support for the Enactment of Senate Bill SB 246, Amending the Bighorn Mountains Water Agency Law (1969 Chapter 1175).

1/22/2013 Motion No. 13-005 To direct staff to proceed with "modernization" of the Bighorn-Desert View Water Agency Law (California Water Code Appendix 112 and Related Water Codes) through the California State Legislature; and direct staff to proceed with the request

to repeal Section 33305 from the Bighorn-Desert View Water Agency Law (Law) through "spot bill" action by the California State Legislature.

11/27/2012 Motion No. 12-082 To Direct staff to continue processing request through the State Legislature to pursue a revision to Bighorn-Desert View Water Agency Law (California Water Code Appendix 112 & Related Water Codes) retroactively repealing, in part, Section 33305; and Authorize staff to proceed with modifications/updates to "modernize" the Bighorn-Desert View Water Agency Law (California Water Code Appendix 112 and Related Water Codes) as requested by San Bernardino Local Area Formation Commission Executive Officer.

1/24/2012 Motion 12-013 Authorize staff to solicit assistance from the State Legislature to pursue a revision to the Bighorn-Desert View Water Agency Law (California Water Code Appendix 112 & Related Water Codes) retroactively repealing Section 33305.



SB 246

BIGHORN-DESERT VIEW WATER AGENCY: MODERNIZATION OF ENABLING ACT

SUMMARY

SB 246 helps clarify and reorganize the law that established the Bighorn-Desert View water district within San Bernardino County. This update and modernization should provide more transparency and accountability to ratepayers in that district.

BACKGROUND

The Bighorn-Desert View Water Agency enabling Act, the "Bighorn Mountains Water Agency Law", is an Uncodified Act of the Statutes of 1969, Chapter 1175, and effective August 31, 1969. The Law was amended in 1989 (Statutes of 1989, Chapter 570) through AB 1819 (Woodruff) to facilitate a proposed consolidation of the 1969 Water Agency with the Desert View County Water District, which was completed in 1990 without further amendment to the Water Agency Law.

Furthermore, there was a requirement to keep the two water systems financially separate which would essentially negate financial efficiencies expected from the consolidation.

Revisions proposed to the Water Agency Law increase transparency by (1) eliminating all references to the "future consolidation" of Bighorn with Desert View; (2) reorganizing the Law by grouping provisions that address a common theme in order to make the Law a more useful resource for research purposes; (3) updating and modernizing certain financial provisions in order to reflect the current State of California law, especially with respect to the power of the Board of Directors to enact taxes (now regulated by Prop. 13) and water service rates (now regulated by Prop. 218) and eliminating the requirement to maintain separate finances of the pre-consolidation entities.

EXISTING LAW

The current Water Agency Law is outdated because it does not reflect important additions to the California

Constitution, such as Articles 13A, B, C and D, which affect the Board of Director's authority to enact taxes and adopt water rates. Moreover, the original Act is not well organized, thereby reducing its usefulness as a reference for Agency staff, public officials and the general public.

Additionally, the requirement to keep the two water systems financially separate works against the economic savings that consolidation was expected to bring to the rate payers.

The revisions do not significantly alter the duties and responsibilities, or the power and authority, of the Bighorn-Desert View Water Agency; rather, this legislation is proposed for the exclusive purpose of eliminating outdated and irrelevant provisions, and reorganizing the Act to assist staff, the agency's officials and the public by making the Act easier to understand, and more transparent.

THIS BILL

SB 246 reorganizes the Act and eliminates the requirement that the two water systems finances are kept separate, thereby increasing transparency for its ratepayers and providing agency staff with a better reference document for operating purposes.

SPONSOR

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FINANCE/PUBLIC RELATIONS/EDUCATION AND PERSONNEL COMMITTEE SPECIAL MEETING REPORT

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Wednesday, September 12, 2012 - 6:30 p.m.

COMMITTEE MEMBERS: David Larson & Michael McBride

CALL TO ORDER

Director Larson called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Led by Judy Corl-Lorono

ROLL CALL

Directors: David Larson
Michael McBride

Staff: Marina West
Michelle Corbin

APPROVAL OF THE AGENDA

Director Larson and Director McBride approved the agenda as presented.

REVIEW DRAFT RESOLUTION 12R-XX ESTABLISHING AN AGENCY INJURY AND ILLNESS PREVENTION PROGRAM (IIPP)

General Manager West gave the staff report. West reported that a representative from the Special Districts Risk Management Authority (SCRMA) visited the Agency to review the written policies with respect to our liability and workman's compensation coverage which includes safety programs. During the visit it was suggested the Agency Illness and Injury Prevention Program (IIPP) written in 1995 be updated. West also stated the IIPP would be adopted by resolution of the Board and since this is a personnel item, it is

to be brought to the Committee first. The Agency will follow the template provided by SDRMA.

Director McBride supports the changes.

Director Larson inquired how this differs from what the Agency is currently doing.

Public comment: No Public Comment

The Committee directed staff to bring this to the October 16, 2012 Board of Directors' Meeting.

REVIEW PROPOSAL TO CONSTRUCT A WATER-WISE DEMONSTRATION GARDEN AT THE LANDERS POST OFFICE

General Manager West gave the staff report. Recently Director Staley suggested the Agency spearhead the creation of a water-wise demonstration garden at the Landers Post Office. The Agency is interested in projects that will assist the community and provide appropriate public outreach in the area of water awareness and conservation.

Director McBride inquired about the cost assuming the Agency would spearhead the project.

Director Larson asked if we would be using a consultant to decide on the type of plants.

Director McBride stated that he feels this is a great idea.

Public comment:

Anonymous stated that the Agency should perhaps contact Mike Branning of "Unique Gardens" in Yucca Valley for his opinions and perhaps he may work with the Agency.

The Committee recommended that staff continue to gather information to pursue this project.

CONSENT ITEMS

- a. Special FPREP Meeting Report, May 9, 2012

Public comment:

Director McBride and Director Larson approved the report.

CLOSED SESSION

Salaries and Benefits:

The Committee adjourned to closed session Pursuant to Government Code Section 54957.6

CLOSED SESSION REPORT

Director Larson reported the committee provided direction on salary and benefits of staff and requested the item be brought to the next Board of Directors meeting.

PUBLIC COMMENT PERIOD

No public comment.

VERBAL REPORTS

COMMITTEE MEMBERS' COMMENTS/REPORTS

Director Larson – No Report

Director McBride – No Report

GENERAL MANAGER'S REPORT

General Manager West reported that due to a recent severe storm in the low desert she was contacted by a representative of ERNIE the Emergency Response Network of the Inland Empire. They requested to borrow the agency water buffaloes for a community that did not have access to water. West noted while they ended up not needing the equipment, it was great the agency could be there to help.

ITEMS FOR NEXT AGENDA

No items were suggested.

ADJOURNMENT - Director Larson adjourned the meeting at 7:54 p.m.

Pending Committee Approval