

## Bighorn-Desert View Water Agency

### Board of Directors

Judy Corl-Lorono, President  
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Terry Burkhart, Secretary  
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J. Larry Coulombe, Director

Marina D West, P.G., General Manager



A Public Agency

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# PLANNING/LEGISLATIVE/ENGINEERING GRANT & SECURITY STANDING COMMITTEE MEETING AGENDA

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Wednesday, April 2, 2014 - 9:15 a.m.

## COMMITTEE MEMBERS: Director Corl-Lorono & Director Burkhart

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. INTEGRATED REGIONAL WATER MANAGEMENT PLAN UPDATE**

**7. REVIEW BOARD MEETING EXECUTION AND OTHER PROTOCOLS**

**8. HAZARD MITIGATION PLAN UPDATE**

**9. CSA 70/W-1 REORGANIZATION UPDATE**

**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 PLEGS Committee Meeting Report, December 18, 2013
- b. Regular PLEGS Committee Meeting Report, February 5, 2014

**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](http://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.

## AGENDA ITEM # 5



# Legal, Legislative and Public Information Committee

## AGENDA

**Mojave Water Agency  
Board Room  
13846 Conference Center  
Drive  
Apple Valley, CA 92307**

**April 2, 2014**

**09:30 a.m.**

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- 1. Approve Agenda**
  
  - 2. Approve Meeting Summary from the Legal/Legislative and Public Information Committee Meeting of March 17, 2014**
    - [Meeting Summary](#)
  
  - 3. Update by State Advocate of Issues at the State Level (teleconference)**
    - [Staff Report](#)
  
  - 4. Update by Federal Advocate of Issues at the Federal Level (teleconference)**
    - [Staff Report](#)
  
  - 5. Public Information Update**
  
  - 6. General Manager's Report**

**7. Public Participation**

**8. Comments/Discussion Items for Next or Future Agendas**

**9. 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>*



## LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

### MEETING SUMMARY March 17, 2014

#### CALL TO ORDER:

Chairperson Doug Shumway called the meeting to order at 9:30 a.m.

#### ATTENDANCE:

- ✦ Committee – Chairperson Doug Shumway and Director Carl Coleman
- ✦ Absent – Director Kimberly Cox
- ✦ Staff – General Manager Kirby Brill; Community Liaison Officer Yvonne Hester and Senior Administrative Assistant, Public Information Gloria Golike
- ✦ Consultants – State Advocates Ed Manning and Carolyn Jensen, KP Public Affairs and Federal Advocate Heather Hennessey, Innovative Federal Strategies LLC joined by teleconference
- ✦ Others – Five visitors were in the audience and four were online

#### 1. **Approve Agenda**

The agenda was agreed upon as presented.

#### 2. **Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of February 5, 2014**

The meeting summary was agreed upon as presented.

#### 3. **Update by State Advocate of Issues at the State Level**

Mr. Manning and Ms. Jensen gave a brief legislative update on the drought, the Water Bond, as well as a few other competing proposals of the bond. They also mentioned the SB 848 Bill authored by Wolk and groundwater legislation.

Ms. Jensen gave a brief update on the Drinking Water Program. She mentioned that the program will be transferred from the Department of Public Health to the State Water Resources Control Board to manage. She spoke about a proposal that will be produced.

Mr. Manning also updated the Committee on the Bay Delta Conservation Plan (BDCP). Ms. Jensen also spoke about the perennial anti-BDCP bills that are set for hearing.

Chairperson Shumway requested that the advocates follow the Chromium 6 issue and keep the Committee updated.

4. **Update by Federal Advocate of Issues at the Federal Level**

Ms. Hennessey gave a brief update. She spoke about the drought, the WRDA Bill, as well as a couple other bills. She mentioned the schedule of Congress for the next couple of months.

5. **Public Information Update**

Ms. Hester gave a PowerPoint presentation reviewing the public outreach efforts. She also mentioned a few of the upcoming events; such as, the ABC's of Water session, the mini tour, and the open house event on May 15 for the High Desert Interpretive Center, Regional Recharge and Recovery Project, and the MWA Central Operations Center.

6. **Report from Chairperson Doug Shumway on the Legislative Symposium**

Chairperson Shumway briefed the Committee on the Legislative Symposium he attended on behalf of the Agency on March 5, 2014.

7. **General Manager's Report**

No report.

8. **Public Participation**

None.

9. **Comments/Discussion Items for Next or Future Agendas**

None.

10. **Adjournment**

Chairperson Shumway adjourned the meeting at 10:15 a.m.

Submitted by: \_\_\_\_\_

Gloria Golike  
Senior Administrative Assistant,  
Public Information

Attachments on-file:  
Item No. 5 - Public Information Report - PowerPoint  
Sign-in sheet



# KP

**PUBLIC  
AFFAIRS**

**TO:** Legal, Legislative and Public Information Committee

**FROM:** Ed Manning  
Carolyn Jensen

**RE:** KP Public Affairs Agenda

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## **1. Legislative Update**

### **A. Legislative Calendar:**

- i. Spring Recess --- April 10<sup>th</sup> - April 20<sup>th</sup>
- ii. May 2<sup>nd</sup> --- Deadline for Policy Committees to Hear Fiscal Bills

### **B. Water Bond Update**

### **C. Groundwater Update**

### **D. Emergency Drought Legislation Implementation Update**

03/26/14

# *Innovative Federal Strategies LLC*

Comprehensive Government Relations

## MEMORANDUM

**To:** Mojave Water Agency Legal, Legislative and Public Information Committee

**From:** Letitia White and Heather Hennessey

**Date:** March 27, 2014

**Re:** March Monthly Legislative Update

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March was a very active month on Capitol Hill with the release of the President's Budget for FY 2015 kicking off the annual budget and appropriations cycle.

### ***Municipal Bonds Threatened by Complicated Series of Proposed Policy Changes***

While the tax exempt status of municipal bonds was not outright eliminated in the draft tax reform plan released by House Ways and Means Committee Chairman Dave Camp (R-MI) at the end of February, the contents of the plan have proven to be very worrisome for those who monitor the municipal bond market. The growing consensus is that the policy changes contained in the 1000-page Camp tax reform plan would make the cost of borrowing money higher for municipal entities across the country. The Camp plan is not likely to receive a vote in the House in the coming months, and the municipal bond policy changes seem to be drawing a large outcry. In fact, Letitia attended a meeting in Majority Leader Eric Cantor's (R-VA) office in mid-March where she raised the issue with him and his staff. They recognized that the Camp plan was problematic for public agencies and cities and predicted that it was one of the provisions of the draft plan that would receive the most opposition.

Despite those reassurances, it is important that we maintain a consistent message of advocacy on behalf of a healthy municipal bond market. The proposed changes in the Camp plan do not follow the legislative proposals we have seen in the past, specifically either an outright repeal of the tax exempt status or some cap on the amount of a tax exempt bond. Instead, the Camp plan proposes the following changes:

- Elimination of Private Activity Bonds,
- Prohibit the use of tax-exempt financing for "advance refundings,"
- Changes to individual income tax brackets which would depress the municipal bond purchasing market, and
- Elimination of "bank-qualified bonds."

While all of those changes may not affect any one agency at the same time, the combined effect they would have on constricting the municipal bond market would be expensive and problematic. Also, the changes would affect bonds which are already on the market, not just new bonds issued in the future. Therefore, taxpayers who invested in bonds would be subjected to burdensome new taxes, a prospect which raises very troublesome fairness issues. Our working coalition of

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advocates who monitor these issues are working to develop the most compelling case for excluding these provisions from any upcoming tax reform legislation.

### ***California Drought Relief Activities in March***

Washington continued to focus on the ongoing California drought during March. First, Congressman Jim Costa continued his active legislative push on California drought issues during March with the introduction of three bills that would expand water storage capacity in a variety of locations. These bills join the array of pending legislation that was summarized in last month's report, none of which made any progress during the month of March. You may recall from our February report that increasing water storage capacity was the only point of bipartisan agreement voiced by California's Congressional delegation during the ACWA DC conference at end of last month. Coming less than a week after that conference ended, the bills could serve as a starting point for future legislative action. Congressman Costa's three bills would expand the Shasta Dam by 634,000 acre-feet, expand the San Luis Reservoir by 130,000 acre-feet and build a new project called Temperance Flat on the upper San Joaquin River that would hold 1.3 million acre-feet of water. All three of these projects are already under some stage of review for feasibility and environmental compliance.

Additionally, democratic Members from California, led by Rep. Jared Huffman, have introduced yet another California drought bill in the House. The Huffman bill is cosponsored by California Reps. Grace Napolitano, George Miller, John Garamendi, Mike Thompson, Jerry McNerney, Doris Matsui, Anna Eshoo, Sam Farr, Jackie Speier, Ami Bera, Juan Vargas, Alan Lowenthal and Scott Peters, along with Reps. Peter DeFazio of Oregon and Matt Cartwright of Pennsylvania. It is worth noting that Congresswoman Napolitano is on the list of cosponsors. She is the Ranking Member on the Water and Power Subcommittee in the House and is considered a thought leader on water issues for the delegation. The geographic diversity of this cosponsor list indicates that the Huffman bill avoids one of the pitfalls that the already pending bills suffer, but there are no Republicans signed on to the bill so partisan politics will likely prevent this legislation from moving forward. Another barrier that the Huffman bill will face will be its price tag of \$473 million. This is more expensive even than the pending Senate bill, which costs only about half that amount. The Huffman bill authorizes spending for numerous programs including fire risk reduction, assistance to migrant farmworkers, water conservation and quality programs and crop protection.

Finally, the House Natural Resources Committee held a field hearing on March 19<sup>th</sup> in Fresno where farmers, community leaders, the Bureau of Reclamation and state officials testified about the ongoing drought. A vocal and standing-room-only crowd attended the hearing which was attended by California Members of Congress including Reps. Costa, McClintock, Nunes, McCarthy, Denham and Valadao. The committee heard testimony about the effects that the drought is having on the region around Fresno and residents who live there. It is interesting that Fresno continues to be the center of activity for the federal level politics surrounding the drought. You may recall that the President and Senators Feinstein and Boxer made a public appearance in Fresno in February.

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### ***How Much Budget Wrangling Will Happen in the House?***

The budget agreement signed into law last December already established the spending caps for the next fiscal year, giving Congress an “out” on the contentious (and rarely successful) annual budget process. Even when the Congressional Budget process is successful, it only produces a non-binding resolution. Federal spending levels are set at \$521.4 billion for defense spending and \$492.5 billion for domestic spending. The Senate has already announced that it intends to skip the Congressional Budget process entirely for FY 2015, giving Senate Appropriators the opportunity to move forward immediately with writing the annual spending bills.

House Republicans, however, seem intent on moving a budget resolution through the House, and the House Budget Committee expects to mark up a FY 2015 budget document on April 2<sup>nd</sup>. It will be a policy document that would lay out Republican taxation and spending priorities and include some possible changes to mandatory spending programs. As in past years, House Budget Committee Chairman Paul Ryan (R-WI) would like to pass a budget plan through the House that balances spending within ten years, a goal that would require House members to vote for deep future spending cuts in an election year. Leadership is polling members to see whether there is sufficient support for such a plan. You may recall that 62 House Republicans voted against the budget agreement last December, giving leadership a deep level of uncertainty that those members would support a budget that conformed to its spending plan. No Democrats would vote in favor of the House Republican budget.

House Appropriations Chairman Hal Rogers (R-KY) is giving every indication that he will have little patience for a protracted budget process. Rogers and his Senate counterpart, Barbara Mikulski (D-MD), met in early March to plan for moving the appropriations bills this year. The message that came out of that meeting is that the two committee chairs want to move as many bills as possible before the election year schedule causes the process to halt in late July. As in any election year, the House and Senate will recess for all of August, return to Washington briefly in September and then recess again for the six weeks leading up to the November elections. That being the case, Rogers is unlikely to wait much beyond the April 15<sup>th</sup> deadline for passage of a House Budget Resolution before he orders his staff to begin the bill drafting process. The practical result of that fact is that if Ryan cannot move a Budget Resolution through the House floor prior to the beginning of the Easter Recess on April 11<sup>th</sup>, then it likely will not happen at all.

### ***Outlook for April***

Congress will only be in session for about ten days in April thanks to the two-week Easter Recess scheduled for the weeks of the 14<sup>th</sup> and 21<sup>st</sup>. When they are in session, we expect the budget hearings to remain a focus.

## AGENDA ITEM # 6

**Integrated Regional Water Management Plan  
Bighorn-Desert View Water Agency Projects**

Project No.	Project Description	Ranking	GRI
60R	Reorganization of BDVWA with W-1	T1 (H,H)	1
42R	Johnson Valley Pressurized Water System	T3 (H,L)	3
74R	Water Infrastructure Restoration Program/Pipeline Installation/Replacement Program	T3 (H,L)	3
1003	Integrated Projects: Assistance Program for Small Drinking Water Systems	T1 (H,H)	2
69	Supervisory Control and Data Acquisition System (SCADA) for operations and security		
80	Uranium Wellhead Treatment		
120	Infrastructure, Emergency Preparedness and Storage Projects - transfer switches/emerg. Generators, Well No. 4 upgrades, Well 10 increased storage, "A" booster station upgrades, leak detection, fire hydrant upgrades, meter testing, flood control pipe protection, well rehabilitation, pump/motor upgrades, solar power for energy efficiency		

## Updated Projects Arranged by Proposed Priority

<b>Tier 2 (L,H)</b>	<b>Tier 1 (M,H)</b>	<p><b>Tier 1 (H,H)</b></p> <p><b>GRI = 1</b></p> <p>18R – Commercial / Industrial / Multi-Family Cash for Grass Program</p> <p>60R – Reorganization between 2 Small Water Agencies (BDVWA and CSA 70 Zone W-1 [Landers])</p> <p>92R – Wastewater Reclamation Project (Hi-Desert WD)</p> <p>93 – Apple Valley &amp; Hesperia Subregional Water Reclamation Facilities - VVWRA</p> <p>1011 – Antelope Valley Wash / Ranchero Basin Recharge Ponds</p> <p><b>GRI = 2</b></p> <p>19 – Conceptual Planning for Hinkley’s Community Drinking Water System</p> <p>32 – Helendale CSD Tertiary Treatment Upgrade</p> <p>95 – Adelanto Pearmain Relief Sewer Line</p> <p>106 – Sheep Creek Recharge Basin &amp; Two Wells</p> <p>116 – Replacement Water Supply for Perchlorate / Nitrate Affected GW – Barstow Area</p> <p>1003 – Assistance Program for Small Drinking Water Systems</p> <p>1004 – Baja Sustainability Initiative #1 (Ag Water Conservation &amp; Base Annual Production Right Acquisition Program)</p> <p>1012 – Cedar Street / Bandicoot Detention Basin (City of Hesperia)</p>
<b>Tier 4 (L,M)</b>	<p><b>Tier 3 (M,M)</b></p> <p><b>GR=2</b></p> <p>57 – Recycled Water Distribution System (City of Hesperia)</p>	<p><b>Tier 2 (H,M)</b></p> <p><b>GRI=1</b></p> <p>13R – Camp Cady: Tamarisk Removal &amp; Riparian Restoration Program</p> <p>118 – Weather Based Irrigation / Completion of Demonstration Garden Project (Barstow CC)</p> <p>1001 – Sewer Lift Station or Reverse Osmosis Treatment Plant (City of Victorville)</p> <p>1006 – Capital Water Main Replacement Program (Hi-Desert WD)</p> <p><b>GRI=2</b></p> <p>21 – Dairy Nitrate Reduction</p> <p>34 – Hydroelectric Facility at Deep Creek for R3 Wells</p> <p>49 – Mojave River Walk Trail</p>

		<p>65 – State Water Project Utilization &amp; Efficiency Strategy                  72 – Twentynine Palms Fluoride Treatment Plant Expansion                  1009 – Baja Sustainability Initiative #3 (Channel Dredging, Flood Control, Riparian Protection &amp; Vegetation Removal)                  1010 – Joshua Basin WD CUWCC Compliance                  1014 – Water University                  1015 – SB County Integrated Flood Projects                  128 – Transition Zone Water Quality Study                  129 - Well Abandonment                  130 - Sewer Lift Station Nos. 1 and 3 Improvements</p>
<p><b>Tier 4 (L,L)</b></p>	<p><b>Tier 4 (M,L)</b></p> <p><b>GR=3</b>                  31 – Helendale CSD – WWTP Effluent Distribution System</p>	<p><b>Tier 3 (H,L)</b></p> <p><b>GR=3 from (H,H)</b>                  3R – Ames/Reche GW Storage &amp; Recovery Program – Phase II Expansion                  12 - Cadiz Valley Water Conservation, Recovery, and Storage Project                  22 – Deep Creek Off-River Recharge and Storage Basins                  29 – Forks Dam Storm Water Detention                  35 – Indian Cove Stormwater Capture &amp; Recharge                  42R – Johnson Valley Pressurized Water System                  54 – Oro Grande Wash GW Recharge Project                  56R – Alto Subarea Regional Aquifer Storage &amp; Restoration (ASR2)                  62R – Water Conservation Ordinance                  66R – State Water Project Water Treatment Plant with R3                  73 – Twentynine Palms GW Protection Plan Septic System Mgmt. Element (SSME)                  74R – Water Infrastructure Restoration Program: Pipeline Installation / Replacement (Bighorn-Desert View)                  94R – Fluoride and Arsenic Treatment (City of Adelanto)                  101 – Cushenbury Flood Detention Basin                  102 – Local Wastewater Treatment Plant (Lucerne)                  103 – Lucerne Valley Recharge Ponds                  1002 – Policies Requiring Mods to the Mojave Basin Area Judgment                  1007 – Baja Sustainability Initiative #2 (Baja Major Storm Diversion Network)                  1013 – Baja Sustainability Initiative #4 (Well Assistance Program)</p> <p><b>GRI = 3 from (H,M)</b>                  27 – Dry Well Installation Program (Town of Apple Valley)                  36R – Infrastructure Improvement Projects (Joshua Basin)</p>



		<p>38R – Joshua Basin WD Central WW Treatment Plant</p> <p>40R – Joshua Basin WD Graywater &amp; Rainwater Harvesting</p> <p>41R – Joshua Basin WD Stormwater Recovery</p> <p>58 – Regional Aquifer Recharge Capacity</p> <p>59 – Regional Flood Control / Flood Management Plan</p> <p>63 – Sheep Creek Wash Storm Water</p> <p>64 – Silver Lakes Assoc. Stormwater Debris Retention Basin</p> <p>68R – Storm Water Retention and Percolation in Hondo Wash Ruby Wash</p> <p>82 – Wrightwood Imported Water</p> <p>86 – Alta Loma Reservoir Replacement</p> <p>97 – Adelanto Reclaimed Water Delivery Infrastructure</p> <p>98R – Rehabilitation of Sewage Lift Station (City of Adelanto)</p> <p>105 – Wrightwood Sewer Plan</p> <p>115 – Land &amp; Water Rights Acquisition (California Dept. of Fish &amp; Wildlife)</p> <p>117 – Water Supply and Quality (San Bernardino County Special Districts Dept.)</p> <p>121 – Rehabilitate pre-1960 Pipelines (Lake Arrowhead CSD)</p> <p>122 – Effluent Outfall Replacement Project (Lake Arrowhead CSD)</p> <p>125 – Gage Tributary MWA Washes</p> <p><del>126 – Community Park and Demo Garden</del></p> <p><del>127 – Water Well No. 10</del></p> <p>1005 – Regional Demonstration Garden Program – Multiple Locations</p> <p>1008 – R-Cubed Enhanced Purveyor Supply System</p>
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Highlighted Projects have changed ranking/been added since the December 16, 2013 Stakeholder Meeting. Note: Project 126 *Community Park and Demo Garden* was integrated into Project 1005 *Regional Demonstration Garden Program* and Project 127 *Water Well No. 10* was integrated into Project 1003 *Assistance Program for Small System Improvements*.

## AGENDA ITEM # 7

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE  
PLANNING/LEGISLATIVE/ENGINEERING/GRANTS/SECURITY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** April 2, 2014

**To:** PLEGS Standing Committee  
of the Board of Directors

**Budgeted:** N/A  
**Budgeted Amount:**

**From:** Marina D. West

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

**Subject:** Review Board Meeting Execution and Other Protocols

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**SUMMARY**

Staff is bringing forth the PLEGS Committee recommendations for meeting execution and other protocols as part of an ongoing effort to routinely review Board policies and procedures.

In 2011, the PLEGS Committee reviewed Roberts Rules of Order and its application to meeting execution and protocols. The information was summarized but never brought before the full Board for implementation.

Staff suggests the Committee review the 2011 discussion and provide additional comments for incorporation. Staff suggests that a workshop be scheduled to review the subject of meeting execution and other protocols.

**RECOMMENDATION**

Discuss implementation of meeting execution and protocols.

**BACKGROUND/ANALYSIS**

The summary of the 2011 PLEGS meeting discussion regarding Board meeting execution and other protocols is as follows:

**BOARD OF DIRECTORS MEETING EXECUTION AND PROTOCOL**

General Manager West gave a presentation on execution and protocols for meetings including public participation.

**RULES OF ORDER:**

Roberts Rules of Order are just one guideline for running a meeting.

When a meeting does not have an agenda it is appropriate to have a motion and a second motion to allow a topic to be discussed. Since our agency is required to have a comprehensive posted agenda, and that agenda is approved at the beginning of the meeting, staff believes it becomes redundant to ask for a motion again just to discuss the item. When you are approving the agenda you are approving all items for discussion.

The law does not require you to follow Robert's Rule of Order. There are several rules of order that the board may follow including modified rules of order as long as a majority of the board agrees on the protocols.

Staying with the model of Robert's Rule of Order, the Board may still make changes to their approval protocols and still remain within the guidelines for example:

Robert's Rules of Order Newly Revised 10<sup>th</sup> Edition:  
Chapter II "The Conduct of Business in a deliberative Assembly"  
Section 3. "Basic Provisions and Procedures"

Means by Which Business Is Brought Before the Assembly:

Motions: Business is brought before an assembly by the *motion* of a member. A motion may itself bring its subject to the assembly's attention or the motion may follow upon the presentation of a report or other communication.

Chapter XVI "Boards and Committees"  
Section 49 "Boards"

Procedures in Small Boards: In a board meeting where there are not more than about a dozen members present, some of the formality that is necessary in a large assembly would hinder business. The rules governing such meetings are different from the rules that hold in other assemblies, in the following respect, for example:

Informal discussion of a subject is permitted while no motion is pending.

Staff interprets these chapters and sections of Robert's Rule of Order to allow motions after a report (in our case a staff report or Board report) is presented, and also after informal discussion (in our case public comment and board discussion).

In any case, our board may choose or modify rules of order to allow their meetings to be run/conducted efficiently and effectively in order to get through the business in an organized fashion.

In accordance with Robert's Rules, Chapter XVI, Section 49, Procedures in Small Boards as noted above, staff recommends the following strategy for the ease of creating the minutes, for the ease of the public following along, and for the ease of other board members:

1. President introduces agenda item and calls for staff report
2. Staff report is presented
3. Questions from the Board on staff report
4. Public comment is invited
5. Board discussion ensues
6. President requests motion from the floor
  - a. Motion could fail in request for more information
  - b. No Motion necessary if item is "informational" only
7. Motion given
8. President calls for the vote, signaling for both affirmative and opposition votes for proper recording by the Secretary
  - a. Individual Roll Call Vote may be necessary

The board may find a motion is not needed after hearing the staff report, public comment, and then the comments from the other board members. The board may direct staff for additional information to be presented at another meeting, or the agenda item may be information only where no motion is needed.

**PRIOR RELEVANT BOARD ACTION(S)**

6/16/2011 Planning/Legislative/Engineering/Grant/Security Committee discussion of Board of Directors meeting execution and protocols

# Introduction

Robert's rules go way back to 1876 to establish some order in public meetings; to allow meetings to be run/conducted efficiently and effectively in order to get through the business in an organized fashion.

One way to effectively and efficiently run a meeting without an agenda is to make a motion and a second to discuss a topic.

# Introduction

- Since our Agency is required to have a comprehensive posted agenda in accordance with the Brown act, and our Board approves the Agenda at the beginning of the meetings, then it becomes redundant to again ask for a motion on each item just to discuss that particular item.
  - Basically, when approving the Agenda, our board is already approving discussion of all items on the agenda.
  - Motions cannot be made to add items to the agenda following posting as can be done under Robert's Rules of Order.
- The law does not require our board to follow Roberts Rules of Order. There are several Rules of Order that our board may follow including modified rules of order. As long as the Board has agreed on how to approve requests of staff, the people, and conduct business.
- Sticking with the model of "Robert's Rules of Order", the Board can still make changes to the meeting protocol and stay within Robert's Rules of Order's guidelines.

# Execution Protocol Suggested

1. President introduces agenda item and calls for staff report
2. Staff report is presented
3. Board questions regarding staff report
4. Public comment is invited
5. Board discussion ensues
6. President requests motion from the floor
  1. Motion could fail in request for more information
  2. No Motion necessary is item is “informational” only
7. Motion given
8. President calls for the vote
  1. Individual votes must be recorded
    - i. Actual Roll Call Vote may be necessary



POLICY STATEMENT NO. 09P-02  
BIGHORN-DESERT VIEW WATER AGENCY

A STATEMENT ESTABLISHING AN AGENCY MEETING AGENDA  
PREPARATION POLICY

The Board of Directors of the Bighorn-Desert View Water Agency hereby set the following policy which will establish the process by which the agendas for Agency meetings will be generated.

1. The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors.
2. In regards to the regularly scheduled meeting held currently on the fourth Tuesday of each calendar month the following process and timeline for agenda preparation shall be followed-

Directors may request and seek majority consensus for appropriate items to be placed on the Agenda at the regular Board meeting.

Tuesday prior to the meeting – Director deadline for adding appropriate items to the Agenda will be the end of business Tuesday. The Board President shall make any final determinations as to what constitutes an appropriate item to be agendized for the Board meeting.

Wednesday prior to the meeting – Before days end, Staff shall email the first draft of the agenda to the Directors who have email and a copy will be made available to the remaining Directors who will be notified via phone.

12:00 Noon Thursday prior to the meeting – Directors' revisions should be delivered to the General Manager.

Upon completion of the Board Agenda with the backup material packet on the Friday prior to the meeting- A field representative shall hand deliver Agenda Binders to Directors and post agendas. So as to not create the appearance of preferential treatment agendas shall not be delivered to any other parties other than Agency Directors.

The Official Posting Location for the purposes of meeting the requirements of the Ralph M. Brown Act will be the Agency Office at 622 S. Jemez Trail.

As a courtesy the Agenda shall also be posted at the following locations-

- Johnson Valley Improvement Association
- 1720 North Cherokee Trail- Agency Meeting Hall
- Hero Market
- Western Coffee Pot Cafe
- Landers Homeowners Association- Belfield Hall
- Mojave Market
- Halliday's Market

In addition, the agenda will be emailed to the "Agenda Notification List" maintained by the Agency Board Secretary. This list includes the following:

- Z107.7 Radio Station
- Hi-Desert Star Newspaper

Pursuant to the Brown Act Section 54957.5(a) once the Agenda and related materials have been prepared office staff shall make available upon request, and without delay, the agenda and related materials for public viewing during regular business hours. However, this shall not include any writing exempt from public disclosure under Section 6253.5, 6254.7, or 6254.22.

Complete agendas without the backup material packet shall be prepared and without delay made available at the Agency administrative office and shall be provided upon request at no charge to the requester.

Complete Agendas with backup material packets will be made available, and without delay, for public viewing during regular business hours at the Agency Business Office. Complete Agendas with backup material packets will be uploaded to the Agency website as soon as technologically possible.

Any member of the public can purchase a complete Agenda packet, with backup material at the then current per page copy charge outlined in the Agency's Rates, Fees and Charges for public information requests pursuant to the California Public Records Act. Hard copies of presentations made or materials distributed at Agency meetings will be thereafter be subject to the California Public Records Act.

3. The General Manager, in cooperation with the Standing Committee Chair, shall prepare an agenda for each Standing Committee meeting.
4. Any Director may contact the Committee Chair to place any appropriate item on the Committee meeting agenda no later than Tuesday prior to the agenda mail out day which is scheduled for the Friday before the scheduled time and date of the meeting.
5. Board Workshops shall be scheduled and the agenda set by the Board of Directors at the regular or special meeting of the Board or by the Board President.
6. During the Consent Calendar portion of the Board meeting, any member of the Board may specifically request any agenda item be removed from the Consent Calendar and placed under Deferred Items for consideration and Board action.
7. Under Deferred Items on the agenda, any item removed from the Consent Calendar shall be considered separately for Board action. At that time, the Board may, by a majority vote, amend, refer, retain, or remove each deferred item on the agenda.

Policy Statement 09P-02 was adopted by the Board of Directors at a Regular meeting held on April 28, 2009 and hereby rescinds all previous Policies regarding preparation of the agenda.

  
Michelle Corbin, Board Secretary

## AGENDA ITEM # 10

## Bighorn-Desert View Water Agency

### Board of Directors

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



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Marina D West, P.G., General Manager

A Public Agency

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## PLANNING/LEGISLATIVE/ENGINEERING GRANT & SECURITY COMMITTEE SPECIAL MEETING REPORT

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Wednesday, December 18, 2013 - 9:15 a.m.

**COMMITTEE MEMBERS: Director Corl-Lorono & Director Burkhart**

### CALL TO ORDER

Director Corl-Lorono called the meeting to order at 9:24 a.m.

### PLEDGE OF ALLEGIANCE

Led by John Burkhart

### ROLL CALL

Directors: Director Corl-Lorono  
Director Burkhart

Staff: Marina West  
Michelle Corbin

### APPROVAL OF THE AGENDA

Director Corl-Lorono and Director Burkhart approved the agenda as presented.

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

### Update by State Advocate of Issues at the State Level

Ms. Jensen gave an update and mentioned that the legislature is on leave for the holidays and will return on January 6, 2014. She talked about legislative deadlines, the Water Bond, Redevelopment Agencies wind down issues, the State budget, and concluded with the State Water Action Plan.

## **Update by Federal Advocate of Issues at the Federal Level**

Ms. Hennessey mentioned that Congress is on leave for the holidays. She gave an update on some funding issues; such as, spending bills, grant application funds, and the budget for next year. She mentioned briefly the Farm Bill and the Water Resources Development Act (WRDA) Bill.

No public comment.

## **UPDATE ON ENGINEERING PROJECTS**

- a. Arc Flash Study
- b. Emergency Generator Transfer Switches
- c. Evaluation of Well Nos. 2, 3 and 4

General Manager West gave the staff report.

The Arc Flash Study was approved by the Board in November 2013 and the professional services agreement has been forwarded to the consultant. The study should begin in January. The Agency is waiting for Edison to complete its study on incoming power "circuit duty letters".

Committee members and the General Manager West discussed their concern over the length of time this and other job tasks are taking as it relates to the district engineer, Krieger and Stewart.

The Emergency Generator Transfer Switches draft plans and specifications were provided to West for review. West is awaiting the engineer's estimate.

West reported on the evaluation of Well Nos. 2, 3 and 4. West discussed each wells;

- Age and service life
- Depth
- Previous work done
- Routine efficiency test data
- Capacity

West said the study concludes that Well No.4 should be the primary well due to age, operation and site layout. Also, Well No. 4 is located on a site large enough to host a future treatment facility if needed.

Public comment:

Anonymous asked if there was an advantage to deepening Well Nos. 2 and 3.

The Committee directed staff to bring the Evaluation Report of Well No. 2, 3 and 4 to the full Board.

## **CONSENT ITEMS**

- a. Regular PLEGS Meeting Report, October 2, 2013

No public comment.

Director Corl-Lorono and Director Burkhart approved the report.

## **PUBLIC PARTICIPATION**

No public comment.

**VERBAL REPORTS**

**COMMITTEE MEMBERS' COMMENTS/REPORTS**

None

**GENERAL MANAGER'S REPORT**

General Manager West reported on the Ames/Reche Recharge and Recovery Program, the CSA 70 W-1 Reorganization and the Water-Wise Landscape Garden at the Landers Post Office.

**ITEMS FOR NEXT AGENDA**

Items for the next agenda will include updates on the CSA 70 W-1 Reorganization and Engineering Updates.

**ADJOURNMENT** - Director Corl-Lorono adjourned the meeting at 11:03 a.m.

Pending Committee Approval

## Bighorn-Desert View Water Agency

### Board of Directors

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



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

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Wednesday, February 5, 2014 - 9:15 a.m.

**COMMITTEE MEMBERS: Director Corl-Lorono & Director Burkhart**

### CALL TO ORDER

Director Corl-Lorono called the meeting to order at 9:28 a.m.

### PLEDGE OF ALLEGIANCE

Led by Director J. Dennis Staley

### ROLL CALL

Directors: Judy Corl-Lorono  
J. Dennis Staley - Alternate

Director Burkhart is absent with prior notice.

Staff: Marina West  
Michelle Corbin

### APPROVAL OF THE AGENDA

Director Corl-Lorono and Director Staley approved the agenda as presented.

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

#### Update by Federal Advocate of Issues at the Federal Level

Ms. White gave a brief summary of what is going on in Washington, D.C. Ms. Hennessey spoke about the Farm Bill that was recently passed by both the House and the Senate. Ms. Hennessey also spoke about the programs that are part of the Farm Bill such as the SNAP Program. Ms. Hennessey reported on the California Drought Bill, a

Republican Bill that is strongly opposed by the Democrats. She also described the probability of two drought bills to be introduced; one from the House and one from the Senate.

#### **Update by State Advocate of Issues at the State Level**

Ms. Jensen gave a brief legislative update. Mr. Manning gave an update on the Water Bond consisting of five competing water bond measures. Mr. Manning also gave a brief overview about the State Water Action Plan. Ms. Jensen spoke about the governor's 2014-2015 budget proposal which will provide funds to the State Water Action Plan.

No public comment.

#### **PUBLIC PARTICIPATION**

No public comment.

#### **VERBAL REPORTS**

##### **COMMITTEE MEMBERS' COMMENTS/REPORTS**

None

##### **GENERAL MANAGER'S REPORT**

General Manager West reported on the upcoming Water Education Day and the Integrated Regional Water Management Plan. West also discussed the Agency water consumption and how it relates to the Ames Agreement as well as how we compare to other areas. Regarding CSA 70 W-1 Reorganization, West reported she will be meeting with consultant Stan Hoffman soon to begin preparing the Plan for Service and Fiscal Impact Analysis.

##### **ITEMS FOR NEXT AGENDA**

Items for the next agenda will include updates on the CSA 70 W-1 Reorganization and the December 18, 2013 PLEGS Meeting Report.

**ADJOURNMENT** - Director Cori-Lorono adjourned the meeting at 10:55 a.m.