



BIGHORN-DESERT VIEW WATER AGENCY

"To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."

BOARD OF DIRECTORS' MEETING MINUTES

**BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CALIFORNIA 92285**

**January 12, 2021
Time – 6:00 P.M.**

**PUBLIC AND BOARD WISHING TO PARTICIPATE REMOTELY
TELECONFERENCE LINE THRU ZOOM 669-900-6833**

OR

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87298757474?pwd=TJJuRVlwU3RBYkl1RlhjZ2F3MXhQdz09>

Passcode: 965616

Or Dial:

1-669-900-6833

Webinar ID: 872 9875 7474

Passcode: 965616

Please note that all requirements of the Brown Act requiring the physical presence of the board or staff have been waived per Executive Order N-29-20

CALL TO ORDER

Meeting convened by President Judy Corl-Lorono at 6:05 pm.

PLEDGE OF ALLEGIANCE

Led by Marina West

ROLL CALL

Directors present: Judy Corl-Lorono – Via Teleconference
John R. Burkhart
Michael McBride – Via Teleconference
JoMarie McKenzie – Via Teleconference
Megan Close-Dees

Staff present: Marina West
Consultants: Cindy Byerrum - Agency CPA Consultant
Kim Boehler - NBS Government Finance Group
Jordan Taylor - NBS Government Finance Group

Public Present: 3 member(s) of the public indicated they were participating via teleconference and 3 members of the public were present in the meeting room.

APPROVAL OF AGENDA

Director Burkhart made a motion to approve the agenda as presented. Director McBride seconded the motion. Unanimously approved.

Discussion and Action Items -

1. Board to Appoint a President

The Board of Directors to select a Director to be appointed President by a majority roll call vote.

Motion No. 21-001

McBride made a motion to appoint Director Burkhart as President. Director McKenzie seconded the motion. A Roll Call vote was requested.

Public Comment: none

McBride	Y
Corl-Lorono	Y
Burkhart	Y
McKenzie	Y
Close-Dees	Y

MSC¹ (McBride/McKenzie) unanimously approved.

2. Board to Appoint a Vice President

The Board of Directors to select a Director to be appointed Vice President by a majority roll call vote.

Motion No. 21-002

President Burkhart made a motion to appoint Director McBride as Vice President. Director Corl-Lorono seconded the motion. A Roll Call vote was requested.

Public Comment: none

McBride	Y
Corl-Lorono	Y
Burkhart	Y
McKenzie	Y
Close-Dees	Y

MSC¹ (Burkhart/Corl-Lorono) unanimously approved.

3. Board to Appoint a Secretary

The Board of Directors to select a Director to be appointed Secretary by a majority roll call vote.

Public Comment: none

Motion No. 21-003

McBride made a motion to appoint Director McKenzie as Secretary. Director Corl-Lorono seconded the motion. A Roll Call vote was requested.

McBride	Y
Corl-Lorono	Y
Burkhart	Y
McKenzie	Y
Close-Dees	Y

MSC¹ (McBride/Corl-Lorono) unanimously approved.

4. Standing Committees, Ad Hoc Committees and other Meeting Assignments for Calendar Year 2021

President Burkhart introduced the list of Standing Committee assignments and asked for comments/suggestions/changes from the Board

No objections were raised.

Public Comment: none

Motion No. 21-004

Director Corl-Lorono made a motion to move the Meeting Assignments for Calendar Year 2021. Director McKenzie seconded the motion.

Corl-Lorono	Y
Burkhart	Y
McBride	Y
McKenzie	Y
Close-Dees	Y

MSC¹ – (Corl-Lorono/McKenzie) motion approved

5. Resolution No. 21R-01 for Modifying Basic Facilities Charge (Water Capital Fee) For Water Meters Sizes ¾-inch to 10-inch

GM West introduced NBS Consultants Kim Boehler and Jordan Taylor who have worked with staff on the Capacity Fee Study. They provided a brief presentation on the calculation of the Capacity Fee.

The Board members asked a number of questions regarding the basis for the Capacity Fee and whether or not we are losing money with each meter that we sell under the current rate. GM West pointed out that the existing fee is based on a 2007 analysis that developed a fee of \$4,000 which was an increase from \$900 at that time. One director

asked if the fee could be less than \$14,154. They were informed that this is the ceiling for the cost.

Following the presentation GM West informed the Board that staff complied with the procedures for this fee, the Mitigation Fee Act, having posted the resolution at least 14 days prior to consideration of the resolution. Another question was asked if we sell 80 meters instead of 40 meters would the fee be lower. The consultants said that we can come back and review that if we see an increase in sales then the rate could fall. They suggested that can happen at any time we need to re-evaluate this buy-in charge.

Public Comment:

1 member of the public commented that as to the issue of growth in the area, she has certainly seen it happen and we need to be ready.

Motion No. 21-005

Vice President McBride made a motion to adopt the Capacity fees (Basic Facilities Charge) as presented in the Draft Resolution for meter sizes ¾-inch to 10-inch. Director Corl-Lorono seconded the motion.

Corl-Lorono	Y
Burkhart	Y
McBride	Y
McKenzie	Y
Close-Dees	Y

MSC¹ – (McBride/Corl-Lorono) motion approved

6. Public Workshop No. 4 – Select an Alternative Proposed for Variable and Fixed Charge Increases Planned for the Prop. 218 Process in Preparation for Fiscal Year 2021/2022 Rate Increase

GM West turned to NBS Consultants Kim Boehler and Jordan Taylor who have worked with staff on the Rate and Fee Study. They provided a brief presentation on the development of the rate and fee alternatives. The Board was asked to select an alternative to process with the Prop. 218 Notice and Public Hearing Process.

Questions and comments were received from the Board.

Public Comment: none

Motion No. 21-006

Director McBride made a motion to select "Alternative D" (i.e. 60% fixed/40% variable weighting) Plan per the Rate and Fee Draft report prepared and presented by NBS Government Finance Group. Director Corl-Lorono seconded the motion.

Corl-Lorono	Y
Burkhart	Y
McBride	Y
McKenzie	Y
Close-Dees	Y

MSC¹ – (McBride/Corl-Lorono) motion approved

7. Consent Items –

- a. Regular Board Meeting Minutes for November 10, 2020
- b. Receive and File September 15, 2020 PLEGS Special Committee Meeting Minutes
- c. Receive and File September 16, 2020 FPREP Committee Meeting Minutes
- d. Financial Statements through December 2020
 - 1. Balance Sheet
 - 2. Budget Sheet
- e. Receive and File Disbursements for November and December 2020
- f. Quarterly Investment Report December 31, 2020
- g. Service Order Report for October, November and December 2020
- h. Safety Upgrades for Tanks R1, R2A and R2B Project: Accept Completion of Work and Authorize Filing of Notice of Completion and Payment of Retention to Superior Tank Co.
- i. Educational Conferences and Seminars: Retroactive Approval for Director Attendance and Expenses-CSDA Foundations Conference December 8-9, 2020 in the approximate amount of \$400

Recommended Action:

Approve as presented (Item a-i):

Public Comment: none

Motion No. 21-007

Director Corl-Lorono made a motion to accept the Consent Items as presented. Director McKenzie seconded the motion.

Corl-Lorono	Y
Burkhart	Y
McBride	Y
McKenzie	Y
Close-Dees	Y

MSC¹ – (Corl-Lorono/McKenzie) motion approved

8. Matters Removed from Consent Items

None.

9. Resignation of Director Corl-Lorono and Process for Filing Vacant Board Seat

GM West introduced the topic of the resignation of Director Corl-Lorono which is attached and which becomes effective at this time. She instructed the Board to receive and file the letter of resignation and to determine the course of action for filling the vacancy. She noted that previously the Board had appointed the vacancy rather than call an election. She further noted that during the November 2020 election only two candidates filed for the two available offices and thus no election occurred.

Motion No. 21-008

Director McBride (reluctantly) made a motion to receive and file the letter of resignation from Director Judy Corl-Lorono and to determine to fill the vacancy by appointment. Director McKenzie seconded the motion.

Burkhart	Y
McBride	Y
McKenzie	Y
Close-Dees	Y
Vacant Seat	

MSC¹ – (McBride/McKenzie) motion approved

10. Public Comment Period

None.

11. Verbal Reports - Including Reports on Courses/Conferences/Meetings.

1. General Manager Report - none
2. Director Reports -
Director Close-Dees gave a detailed report on the 2-day virtual CSDA Governance Conference she attended in December 2020.

Director McBride gave a report on a Mojave Water Agency meeting he attended in November where they passed a budget.

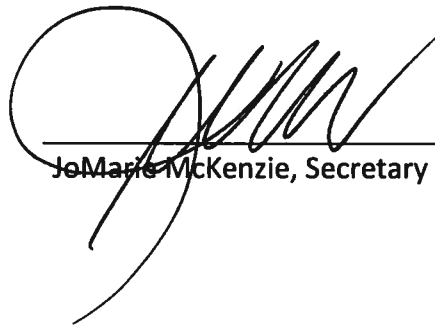
3. President Report -

President Burkhart gave a report on the MWA Technical Advisory Committee he attended in December 2020 where discussion continues regarding financial opportunities for utilizing their excess State Water Project allocations.

12. Adjournment

President Burkhart adjourned the meeting at 7:25 pm.

Approved by:



JoMarie McKenzie, Secretary of the Board

MSC¹ – Motion made, seconded and carried



Official Seal