



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**

**April 13, 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/83250670601?pwd=T2lVOTgvNEMyM3piWWZJZm44bltwQT09>

Passcode: 997241

Or Dial:

US: +1-669-900-6833

Webinar ID: 832 5067 0601

Passcode: 997241

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 Burkhart at 6:00 pm

PLEDGE OF ALLEGIANCE

Led by Mark Johannas.

ROLL CALL

Directors present: John R. Burkhart
 Michael McBride
 JoMarie McKenzie
 Megan Close-Dees
 Craig Dicht

Staff present: Marina West

Public Present: 4 member(s) of the public indicated they were participating via teleconference and 5 members of the public were present in the meeting room.

APPROVAL OF AGENDA

Vice President McBride made a motion to approve the agenda as presented. Secretary McKenzie seconded the motion. Unanimously approved.

April 13, 2021 Board of Directors Meeting Minutes

Approved May 11, 2021

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Discussion and Action Items

1. **Public Hearing: Following Proposition 218 Public Notice of Proposed Rate Increases to Basic Service Charge and Water Consumption Rates by Specific Customer Class for a 5-Year Period**

GM West gave the staff report as provided in the Agenda packet but noted that a corrected Resolution has been provided following the recognition of several typos related to the date of past actions of the Board. She continued with a review of the contents of the Prop. 218 Notice and that many customers will actually see a bill reduction in year 1 followed by the adjustment each January. All customers will now be subjected to consumption tiers.

Prop. 218 letters were sent to all property owners and any tenants. At the time of mailing the Agency had a total of 2,650 accounts, active and inactive. She noted that Agency has received one Official notice of protest. The Agency has also received one official letter in favor of the rate changes. There were also 65 letters that continued to "boomerang" back to the office even after several attempts to mail to the address on file with the County of SB. If the Board were to default those to "letters of protest", the total protests would be 66. There would have to be at least 1,251 letters of protest in order for the Public Hearing to be cancelled and the rate increase proposal to be "set aside". Absent that, the Board is free to proceed with the Public Hearing to obtain general public comment and also to determine how many additional protests might need to be counted and then to consider the Resolution.

Directors asked questions of staff including the text of the protest, the prior rate increase imposed and clarification on fire meters.

President Burkhart opened the Public Hearing at 6:15 pm.

Public Comment received:

From teleconference, Mr. Jeff Davis, no comment.

Deborah Melford asked for clarification on the vacation meter by-monthly fee currently charged compared to the new rate. GM West answered the question. Upon prompting, Ms. Melford submitted a verbal protest against the rate increase for her property located at 771 Cherokee Trail.

Mike Lipsitz asked for clarification on the "60 count of no votes". GM West explained that this was the number of notices that could not be delivered (i.e. returned mail/undeliverable). The Agency defaulted these to the "no vote" category.

President Burkhart closed the Public Hearing at 6:20 pm.

GM West reported the total protest to 66 which does not meet the threshold for setting aside the procedure for considering the Resolution before the Board tonight.

Director Dicht's wanted it known to the public about the duration of this task and comments regarding fixed costs to maintain capacity whether or not water is consumed. It's not just the cost of water but the cost to deliver.

One customer chimed in about the connection fee imposed and how that was established. GM West noted that was a different subject matter off agenda and can be brought back up at Public Comment.

Motion No. 21-022

Director Dicht made a motion to adopt Resolution No. 21R-08 – Adjusting the Basic Service Charge and Water Consumption Charges for Specific Customer Classes for a 5-Year Period. Director McBride seconded the motion.

McBride	Y
Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y

MSC¹ (Dicht/McBride) unanimously approved.

2. April 13, 2021 Noticed Public Workshop – Overview of Initial Study/Mitigated Negative Declaration - February 2021 for Potable Water System Improvements and Consolidation of Water Systems (Prop. 1 Planning Grant) (Workshop No. 4)

GM West provided a PowerPoint presentation which outlined the second half of the environmental conditions evaluated as part of the Mitigated Negative Declaration document. The schedule was discussed with includes two public workshop to be held on March 9, 2021 and April 13, 2021. The public comment period closes on April 20, 2021. Thereafter, all comments will be reviewed and a response generated and incorporated into the document prior to the Board of Directors consideration of its adoption following a Public Hearing on May 11, 2021. Thereafter, staff will seek grant funding for the project.

GM West answered questions from the Board.

Public Comment: None

No Action Required: Information and discussion purposes only.

3. Chapter 8 Sale of Tax-Defaulted Property: Receive and File Application to Purchase Tax Defaulted Property from County of San Bernardino for Properties of Interest to Bighorn-Desert View Water Agency (APN: 454-682-13 and 629-072-40)

GM West gave the staff report as outlined in the Agenda packet.

Motion No. 21-023

Vice President McBride made a motion to Receive and File Application to Purchase Tax Defaulted Property from County of San Bernardino for Properties of Interest to Bighorn-Desert View Water Agency (APN: 454-682-13 and 629-072-40). Secretary McKenzie seconded the motion.

GM West answered questions of the Board.

Public Comment: None

McBride	Y
Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y

MSC¹ (McBride/McKenzie) unanimously approved.

4. Consent Items –

- a. Regular Board Meeting Minutes for March 9, 2021
- b. Receive and File PLEGS Committee Meeting Minutes for December 15, 2020
- c. Financial Statements March 2021
 1. Balance Sheet
 2. Budget Sheet
- d. Receive and File Disbursements for March 2021
- e. Service Order Report for March 2021
- f. BDV Production Report for March 2021
- g. Goat Mountain Production Report for March 2021
- h. Authorize Director Attendance to CSDA 2021 Virtual Special Districts Legislative Days May 18-19, 2021 at an Estimated Cost Not to Exceed \$390 per Director

Recommended Action:

Approve as presented (Item a-h):

Motion No. 21-024

Vice President McBride made a motion to adopt the consent calendar. Director Dicht seconded the motion.

Public Comment: none

McBride	Y
Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y

MSC¹ (McBride/Dicht) unanimously approved.

5. Matters Removed from Consent Items

None.

6. Public Comment Period

None.

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

1. General Manager Report - none

2. Director Reports -

Director Close-Dees - Reported on the Anti-Harassment training she recently completed on-line and as required of all directors.

Director

Director McKenzie - Reported on the Anti-Harassment training she recently completed on-line and as required of all directors. She further reported on the March 25, 2021 Mojave Water Agency meeting noting discussions on Urban Water Management Planning, a contract to update the numerical groundwater modeling for the Mojave River basins and a proposal for updated aerial photography. She asked if Director Ventura could come and provide a report on the Water Master. GM West suggested maybe an update on the recently completed Strategic Plan.

Director Dicht - Reported on the Ethics class he completed as required of all directors. He further reported on the CA Special Districts Governance Foundations class he completed in March 2021. A written report was included in the Agenda packet.

Director McBride - No report but asked about the citizen comments on Facebook regarding Section 35 and the planned development of a campground.

3. President Report

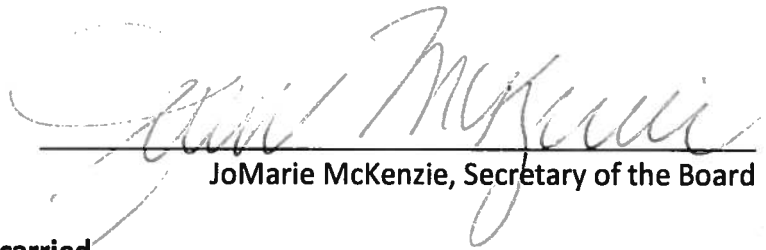
President Burkhart reported on the Anti-Harassment training she recently completed on-line and as required of all directors. He further reported on the Technical Advisory Committee meeting he attended on April 1, 2021.

President Burkhart also noted the increase in production at Well 10 and asked that an Ad Hoc Committee be formed at the next meeting to review the new customer classes and consumption trends.

8. Adjournment

President Burkhart adjourned the meeting at 7:57 pm.

Approved by:


JoMarie McKenzie, Secretary of the Board

MSC¹ – Motion made, seconded and carried

Official Seal

