



# 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' SPECIAL MEETING MINUTES

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

**June 21, 2022  
Time – 6:00 P.M.**

**MEETING ROOM IS OPEN FOR IN-PERSON ATTENDANCE**

Please note that due to continued COVID concerns the Public may be required to wear face coverings at all times while present in the meeting room.

**PUBLIC WISHING TO PARTICIPATE REMOTELY**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82499517364?pwd=b2lkazNEelhLam9UL1dwSFNLR0UyQT09>

Passcode: 400423

OR

**TELECONFERENCE LINE THRU ZOOM**

1-669-900-6833

Webinar ID: 824 9951 7364

Passcode: 400423

### CALL TO ORDER

President Burkhart called the meeting to order at 6:02 pm.

### PLEDGE OF ALLEGIANCE

Led by Terry Burkhart

### ROLL CALL

Directors present:            John R. Burkhart  
   JoMarie McKenzie  
   Megan Close-Dees  
   Craig Dicht  
   David Chapman

Staff present:                 Marina West

Public Present: 0 member(s) of the public indicated they were participating via teleconference.  
5 members of the public were present in the meeting room.

**APPROVAL OF AGENDA**

Director McKenzie made a motion to approve the agenda as presented. Director Dicht seconded the motion. Unanimously approved.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

**MSC<sup>1</sup> (McKenzie/Dicht) unanimously approved.**

**Discussion and Action Items -**

- 1. Public Budget Workshop - Fiscal Year 2022/23 Budget Resolution No. 22R-06 – Resolution Fixing and Adopting the Budget for Fiscal Year 2022-2023 for the Bighorn-Desert View Water Agency**

GM West outlining the proposed budget which was reviewed and recommended for adoption by the Finance Committee on May 18, 2022. She noted the only updates from the Finance Committee was a request to consider a higher budget for both fuel and power given the draft budget had applied only a 5% increase.

GM West answered questions from the Board of Directors.

**Public Comment:**

Customer inquired as to why he is getting a bill for AG rates when he only has trees.

**Motion No. 22-023**

Director Chapman made a motion to adopt Resolution No. 22R-06 Fixing and Adopting the Agency’s Budget for Fiscal Year 2022-2023 for the Bighorn-Desert View Water Agency. Director Close-Dees seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

**MSC<sup>1</sup> (Chapman/Close-Dees) unanimously approved.**

- 2. Resolution 22R-07 Ratifying the Proclamation of a State of Emergency by Governor Newsom, Declaring the Existence of Local Emergency Conditions and Authorizing Remote Teleconference Meetings of the Board of Directors’ and its Standing Committees for the Period June 21, 2022 to July 20, 2022, Pursuant to Brown Act Provisions.**

GM West introduced the resolution stating that since the Board had opted not to have this mechanism in place it seems as though we have had directors wanting to telecommute for various reasons. Adopting this resolution monthly will resolve this issue for the time being. It is hope the legislature will adopt an amendment to the Brown Act modifying these existing rules.

Public Comment:

None.

**Motion No. 22-024**

Director Close-Dees made a motion to adopt Resolution No. 22R-07 Ratifying the Proclamation of a State of Emergency by Governor Newsom, Declaring the Existence of Local Emergency Conditions and Authorizing Remote Teleconference Meetings of the Board of Directors' and its Standing Committees for the Period June 21, 2022 to July 20, 2022, Pursuant to Brown Act Provisions. Director Dicht seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

**MSC<sup>1</sup> (Close-Dees/Dicht) unanimously approved.**

**3. POSTING OF NOTICE OF INTENT to Consider Adoption of Resolution No. 22R-XX Establishing Water Standby Assessments for Improvement District Goat Mountain for Fiscal Year 2022-23 (Tax Year 2022) to be estimated at \$61,950**

GM West explained that all unmetered parcels in the Goat Mountain Improvement District pay standby. That prior to the scheduled public hearing of July 12, 2022 the Resolution is to be posted for at least 15 days. This action resulted in the posting of the Resolution and is for information only, no action to be taken until after the Public Hearing of July 12, 2022.

Public Comment:

None

Information, Discussion and Public Notice Purpose Only – No Action Required

**4. POSTING OF NOTICE OF INTENT to Consider Adoption Resolution No. 22R-XX Establishing the Agency's Appropriation Limit for Fiscal Year 2022/23 at \$224,068**

GM West explained that prior to adoption of the Appropriations Limit resolution, the calculations are to be posted for at least 15 days. This action resulted in the posting of the Resolution and is for information only, no action to be taken until the item is brought to the full board for consideration on July 12, 2022.

**Public Comment:**

A member of the public asked about population given the number of short-term rentals and will we get additional funds from this. Upon further inquiry, he was asking if the Agency would get portions of the occupancy tax, sales tax, etc. from Short Term Rental and Agency responded in the negative.

Information, Discussion and Public Notice Purpose Only – No Action Required

**5. Adopt Resolution No. 22R-08 Establishing the Agency’s Investment Policy**

GM West gave the staff report as presented in the Agenda Packet noting this is an annual action. The changes made by legal counsel are outlined in the staff report and relate to statutory changes in the law.

**Public Comment:**

None.

**Motion No. 22-025**

Director McKenzie made a motion to adopt Resolution No. 22R-08 Establishing the Agency’s Investment Policy. Director Chapman seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

**MSC<sup>1</sup> (McKenzie/Chapman) unanimously approved.**

**6. California Special Districts Association (CSDA) Board of Directors Election Ballot – Term 2023 -2025; Seat B - Southern Network**

GM West gave the staff report as presented in the Agenda packet. The Board is invited to cast one ballot for the CSDA Board of Directors Term 2023-2025; Seat B – Southern Network.

The Board discussed the various candidates and Director McKenzie and Director Chapman expressed interest in Mr. Don Bartz of Phelan-Pinon Hills Community Services District.

**Public Comment:**

None

**Motion No. 22-026**

Director McKenzie made a motion to direct the general manager to cast one ballot for Mr. Don Bartz, California Special Districts Association Board of Directors Term 2023-2025; Seat B – Southern Network. Director Chapman seconded the motion.

Burkhart Y  
McKenzie Y  
Close-Dees Y  
Dicht Y  
David Chapman Y

**MSC<sup>1</sup> (McKenzie/Chapman) unanimously approved.**

**7. Consent Items -**

- a. Regular Board Meeting Minutes, April 12, 2022
- b. Financial Statements
  - 1. Balance Sheet(s) – May 2022
  - 2. Budget Sheet(s) – May 2022
- c. Receive and File Disbursements for May 2022
- d. Service Order Report for May 2022
- e. BDV Production Report for May 2022
- f. Goat Mountain Production Report for May 2022
- g. Authorize Attendance at the CA Special Districts Annual Conference in Palm Desert, August 22 – 25, 2022 at an estimated cost of \$2,250 per Director.

Recommended Action:

Approve as presented (Item a-g):

Public Comment:

None

**Motion No. 22-027**

Prior to the motion, Director McKenzie inquired about several items in the check register which were clarified.

Director Dicht made a motion to accept the Consent Items a to g, as presented.  
Director Chapman seconded the motion.

Burkhart Y  
McKenzie Y  
Close-Dees Y  
Dicht Y  
David Chapman Y

**MSC<sup>1</sup> (Dicht/Chapman) unanimously approved.**

**8. Matters Removed from Consent Items**

None

## 9. Public Comment Period

Ms. Domay asked about permitting of private wells in the Agency boundaries and about water quality. She also inquired about how many Agriculture accounts have a past due balance. GM West responded that the number is around ten and will be brought to the Board on July 12<sup>th</sup> for the Public Hearing.

A member of the public talked about water conservation and state limits that may be imposed and groundwater aquifer levels. He argued there needs to be latitude. He is concerned that the state is not considering local conditions and our own groundwater levels.

## 10. Verbal Reports – Including Reports on Courses/Conferences/Meetings.

1. General Manager Report - The Consumer Confidence Report will be ready for distribution by the July 1, 2022 deadline. This year is our triennial Lead and Copper testing conducted by residents at a home water tap.
2. Director Reports

Director Close-Dees reported on the May 19<sup>th</sup> Homestead Valley Community Council meeting. Highlights included Morongo Basin Historical Society updates; FP-5 Fire Tax and a push to vote “no” which would keep the tax and some background on how the FP-5 operates by Captain Munsey; there was an update on fentanyl in the County; a Red Cross program providing free smoke detectors.

Director Dicht reported on the Homestead Valley Community Council meeting of June 20<sup>th</sup> where they discussed a wildfire in Wrightwood, a house fire in Landers, the smoke alarm grant and current status of burn permits; reminder that fireworks are illegal in the County of San Bernardino. Sup. Rowe reported on the RoBott Land Company proposal coming before the Planning Commission. She stated that she recommended that they come to an HVCC meeting in the future to address the public’s concern. She further discussed the Short Term Rental changes forthcoming, which are numerous. Concerning the Transient Occupancy Tax (TOT) it is funneled directly to the County General Fund and not to specific communities. She did mention that the TOT in Lake Arrowhead is far greater than Joshua Tree for comparison. The final update was on the “listing” of the Joshua Tree as an endangered species. Sup. Rowe’s expectation is that this will ultimately pass. Hwy 247 Scenic Highway designation is still progressing albeit slowly.

Director Chapman reported on the June 9 Mojave Water Agency meeting which highlighted the Water Banking strategy. They believe they have up to 1 million acre-feet of storage capacity and would like to utilize it to store water on behalf of other entities, such as Metropolitan Water District. He discussed various

aspects of the program pros and cons brought up by the MWA Board of Directors and public.

President Burkhart reported on the MWA Technical Advisory Committee held June 2<sup>nd</sup>. The meeting topics included the Water Banking update and a summary of the grants awarded under the Drought round and Prop. 1/Round 2 and an update on Operation Hammer Strike and various legislative bills before the Legislature this year.

**11. Adjournment**

President Burkhart Adjourned the meeting at 8:20 pm.

Approved by:

  
Megan Close-Dees, Secretary of the Board

**MSC<sup>1</sup> – Motion made, seconded and carried**

