



BIGHORN-DESERT VIEW WATER AGENCY

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

SPECIAL

Finance/Public Relations/Education and Personnel

Standing Committee Meeting Agenda

Committee Members: Director McKenzie & Director Dicht

**BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CALIFORNIA 92284**

**WEDNESDAY May 17, 2023
Time – 4:00 P.M.**

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

OR

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

Discussion and Action Items - The Committee Directors and Staff will discuss the following items, and the Committee will consider taking action, 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.

1. Review Agency Cash Accounts and Discuss Investment Strategies

2. **Adopt Resolution No. 22R-XX Establishing the Agency's Investment Policy**
3. **Review Resolutions Recommending Changes to Certain User Fees and Charges for Specific Individualized Services**
4. **Status of Delinquent Accounts and Property Tax Lien Process for Tax Year 2023**
5. **Recommendation for Water Distribution Supervisor: New Job Title and Position Description**
6. **Consent Items** – The following items are expected to be routine and non-controversial and will be acted on by the Board at one time without discussion, unless a member of the Public or member of the Board requests that the item be held for discussion or further action.
 - a. **PARS Investment Statement March 2023**

Recommended Action:

Approve as presented (Items a):

7. Public Comment Period

Any person may address the Board 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 Board of Directors from discussing or taking action on items not included on the agenda.

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

1. Committee Members' Comments/Reports
2. General Manager's Report

9. 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 have been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable 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
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: May 17, 2023

To: FPREP Committee Members

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Cindy Byerrum, CPA, Eide Bailly
Marina D. West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Review Agency Cash Accounts and Discuss Investment Strategies

SUMMARY

Agency financial consultant, Cindy Byerrum, CPA with Eide Bailly has been working with staff to develop a strategy for handling our cash balance in these times of positive interest earnings.

RECOMMENDATION

Information and discussion purposes only.

BACKGROUND/ANALYSIS

The Agency has come a long way from the days when it held less than \$300,000 in cash, and in fact, has robust reserves that will be needed to further Agency operations in the future.

As of April 30, 2023, the Agency had the following estimated cash and investments with corresponding rates of return:

Cash/Investment Accounts	Est. Balance as of 4/30/23	Rate of Return
Pacific Western Bank	\$ 138,417	-
Five Star Bank - Checking	750,000	-
Five Star Bank - Money Market	-	3.50%
PACWEST CD (Maturity 9/8/23)	1,000,000	1.75%
PACWEST CD (Maturity 6/9/23)	250,000	3.75%
PACWEST CD (Maturity 7/20/23)	250,000	3.75%
LAIF Investment	2,546,924	2.63% *
CLASS Investment	-	4.66% **
PARS 115 Trust	239,528	2.17% ***
Total:	\$ 5,174,869	

* PMIA Quarter to date

** Calendar year to date yield

*** Actual return fiscal year to date

Note: Pacific Western Bank "cash" accrues "earnings credits" of 2.3% of invested balance.

The objective of any governmental investment strategy focuses on the principals of security, liquidity, and yield. The preservation of principal (security and safety) is always the first priority. The second priority is liquidity, or how quickly the investment can be converted into spendable cash. The last priority is the yield or earning potential of an investment.

Security in Agency funds can be achieved by investing in a diverse range of investment options. Further, options such as certificates of deposits can guarantee no loss of principal of investments. Similarly, Local Agency Investment Fund (LAIF) and California Cooperative Liquid Assets Securities System (CLASS) both maintain stable net asset values (dollar-in dollar-out) in their pools, so that agencies can withdraw their funds at face value. Investments in a Section 115 Trust, such as Public Agency Retirement System (PARS) Pension Rate Stabilization Fund, are subject to market swings, so funds in these types of accounts can take a gain or loss based on current market performance.

Cash held in our checking account is liquid cash, as it is readily available to pay Agency expenses. Funds in LAIF or CLASS are fairly liquid, as funds are generally available for transfer to the checking account within one business day. Investments in CD's are not highly liquid investments since the principal is committed until the term of the CD is completed. Investments in the Section 115 trusts are not liquid investments, as these are intended to be long term investments to fund future long term pension liabilities of the Agency.

Lastly – current rates of return in the various Agency investment options should be reviewed. Currently, the 7- & 13-month CD's through Pacific Western are earning a respectable return for a relatively short term commitment. Funds in LAIF are earning 2.63% as of the last quarter, while the similar option in CLASS is earning 4.66% year to date. The PARS 115 trust has earned 2.17% for the fiscal year to date, but note that this account is tied to overall market performance. This can be a benefit when the market is performing well in that the account will earn much more than the other investment options available. Conversely, when the market is not performing well, this account can sustain principal losses, as it did in 2022.

The Board is considering establishing an account with CLASS as an additional investment option for the Agency. This account is very similar to LAIF in terms of security and liquidity. The added benefit is that the current rate of return in CLASS is about 2% higher than LAIF.

The FY 23 budget includes a planned contribution to the PARS Pension Trust for \$100,000. The board should consider an alternative option for this contribution, which is establishing a sub-account in CLASS for future pension costs. Establishing a sub account would allow the funds and earnings to be segregated for future use. Given the market activity in the last 12 months, the PARS 115 trust has earned less than the Agency's investments in LAIF year to date, and CLASS has earned even more. Investment in CLASS also has the benefit of being fairly liquid, so the funds would be available next day in an emergency situation.

The Agency also recently opened new checking and money market accounts through Five Star Bank. This creates further opportunity for new investment strategies for the Agency. One option would be utilizing the Money Market account to receive all customer credit card deposits. This would allow for interest earning opportunity on highly liquid funds, which could be transferred over to operating account very quickly if needed.

The above actions are consistent with policies adopted by the Board including the Agency Investment Policy.

PRIOR RELEVANT BOARD ACTION(S)

None,

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

Meeting Date: May 17, 2023

To: FPREP Committee Members

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Marina D. West

General Counsel Approval: Obtained

CEQA Compliance: N/A

Subject: **Adopt Resolution No. 22R-XX Establishing the Agency's Investment Policy**

SUMMARY

Annually the Board of Directors reviews its established Investment Policy and updates accordingly.

There were statutory updates in 2022 which require our policy to be updated. Legal counsel has provided the Resolution No. 23R-XX establishing the Agency's Investment Policy for Board consideration and possible adoption.

RECOMMENDATION

Staff recommends the Committee review the policy and make recommendation to the full Board to adopt as presented.

BACKGROUND/ANALYSIS

General Counsel Kennedy has provided the updated Resolution for 2023 with the following comments and one edit.

Comment (not written in the policy):

The primary statutory changes regarding this matter that were enacted by the State Legislature in 2022 involve Senate Bill 1489, which amended an investment's term or remaining maturity to be measured from the settlement-forward date to final maturity. A security purchased pursuant to Government Code Section 53601 is prohibited from having a settlement date exceeding 45 days from the time of investment. In addition, Government Code Section 53646 was amended to extend the time that the treasurer or chief fiscal officer has to render a quarterly report to the chief executive officer, the internal auditor, and the legislative body of the local agency by 15 days, from 30 to 45, following the end of the quarter.

Edits to Policy:

The following statement was removed from the policy to allow more flexibility in investing across the various financial institutions where the Agency has funds currently.

5. DELEGATION OF AUTHORITY

Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the Treasurer, who, where appropriate, shall establish written procedures for the operation of the investment program consistent with this investment policy. No person may engage in an investment transaction except as provided under the terms of this policy and such procedures as may be established by the Treasurer. The Treasurer shall be responsible for all transactions undertaken and shall establish controls to regulate the activities of subordinate officials. Under the provisions of California Government Code Section 53600.3, the Treasurer is a trustee and a fiduciary subject to the prudent investor standard. ~~The Treasurer shall be limited to investments in the Local Agency Investment Fund (LAIF) except in instances where specifically authorized by Board action to invest in other areas.~~

Staff recommends the Committee approve the modification and recommend that the full Board adopt the annual resolution as presented.

PRIOR RELEVANT BOARD ACTION(S)

Annual Action.

06/21/2022 Motion No. 22-025 Resolution No. 22R-08 Establishing the Agency Investment Policy.

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING ITS INVESTMENT POLICY**

1. POLICY

WHEREAS, the Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code Section 53600.6); and

WHEREAS, the legislative body of a local agency may invest surplus monies not required for the immediate necessities of the local agency in accordance with the provisions of California Government Code Sections 5920 and 53600; and

WHEREAS, the Treasurer or fiscal officer of the Bighorn-Desert View Water Agency ("Agency") must annually prepare and submit a statement of investment policy and such policy, and any changes thereto, shall be considered by the Board of Directors at a public meeting; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Agency that it shall be the policy of the Agency to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the Agency's daily cash flow demands and conforming to all statutes governing the investment of Agency funds.

2. SCOPE

This investment policy applies to all financial assets of the Agency. These funds are accounted for in the annual Agency audit.

3. PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the Agency, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (California Government Code Section 53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4. OBJECTIVES

As specified in California Government Code Section 53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing Agency funds, the primary objectives, in priority order, of the investment activities shall be:

- a. Safety: Safety of principal is the foremost objective of the investment program. Investments of the Agency shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- b. Liquidity: The investment portfolio will remain sufficiently liquid to enable the Agency to meet all operating requirements which might be reasonably anticipated.
- c. Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

5. DELEGATION OF AUTHORITY

Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the Treasurer, who, where appropriate, shall establish written procedures for the operation of the investment program consistent with this investment policy. No person may engage in an investment transaction except as provided under the terms of this policy and such procedures as may be established by the Treasurer. The Treasurer shall be responsible for all transactions undertaken and shall establish controls to regulate the activities of subordinate officials. Under the provisions of California Government Code Section 53600.3, the Treasurer is a trustee and a fiduciary subject to the prudent investor standard.

6. ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall fully comply with the Agency's Conflict of Interest Code in the execution of this policy, and shall refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

7. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Treasurer may maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the Agency shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the Agency's account with that firm has reviewed the Agency's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the Agency that are appropriate under the terms and conditions of the Investment Policy.

8. AUTHORIZED AND SUITABLE INVESTMENTS

a. Permitted Investments: Agency funds may be invested as authorized by, and subject to the limitations and special conditions of California Government Code Section 53601 et. seq.

b. Prohibited Investments: Under the provisions of California Government Code Section 53601.6 and 53631.5, the Agency shall not invest any funds covered by this Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools, options and futures, or any investment that may result in a zero interest accrual if held to maturity. Also prohibited is trading securities for the sole purpose of speculating on the future direction of interest rates, purchasing or selling securities on margin, securities lending or any form of borrowing or leverage, and the purchase of foreign currency denominated securities.

9. AUTHORIZED SIGNATORIES

Every financial transaction shall require two authorized signatures. Each transaction shall require one Authorized Board Member and one Authorized Agency Staff Member to complete the transaction or two Authorized Board Members. The aforementioned are authorized to transfer funds between LAIF accounts of the Agency with the approval and signature of any two of them. The Bank is authorized to honor all such transactions.

10. COLLATERALIZATION

All certificates of deposits must be collateralized by United States Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralizations on repurchase and reverse agreements will adhere to the amount required under California Government Code 53601(j)(2).

11. SAFEKEEPING AND CUSTODY

All security transactions entered into by the Agency shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the Agency by book entry, physical delivery or by third party custodial agreement, as may be required under applicable law.

12. DIVERSIFICATION

The Agency will diversify its investments by security type and institution. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification strategies shall be determined and revised periodically, if determined necessary to meet Agency goals. In establishing specific diversification strategies, the following general policies and constraints shall apply:

- a. Portfolio maturity dates shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.
- b. Maturities selected shall provide for stability of income and liquidity.
- c. Disbursement and payroll dates shall be covered through maturities of investments, marketable United States Treasury bills or other cash equivalent instruments such as money market mutual funds.

13. REPORTING

In accordance with California Government Code Section 53646(b)(1), the Treasurer shall submit an investment report to the Agency's Board of Directors at least quarterly. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for Agency by third party contracted managers. The report will also include the source of the portfolio valuation. If all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the Agency will meet its expenditure obligations for the next six months, as required by Government Code Section 53646(b)(2) and (3), respectively. The Treasurer shall maintain a complete and timely record of all investment transactions.

14. INVESTMENT POLICY ADOPTION

The Investment Policy shall be adopted by resolution of the Agency's Board of Directors. Moreover, the Policy shall be reviewed on an annual basis, and modifications must be approved by the Agency's Board of Directors.

15. RESCISSION

This Investment Policy adopted pursuant to Resolution No. 21R-19 is hereby superseded by this Resolution and of no further force and effect.

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 21nd day of June 2022.

By _____
John Burkhart, Board President

Attest:

Megan Close-Dees, Board Secretary

Official Seal

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

Meeting Date: May 17, 2023

To: FPREP Committee Members

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

Funding Source: N/A

From: Marina D. West

General Counsel Approval: Fee Process Approved

CEQA Compliance: N/A

Subject: Review Resolutions Recommending Changes to Certain User Fees and Charges for Specific Individualized Services

SUMMARY

Staff has reviewed the estimated cost to provide certain user specific miscellaneous services that are not related to the basic Utility Billing processes and is recommending changes to some fees to bring them in-line with the actual cost of labor and materials to provide the identifiable service(s). These services include new account set-up, fire flow tests, guarantee deposits, termination of water service and the like.

Staff is recommending that the Committee review the draft Resolutions outlining various fees and charges currently in place at the Agency and to provide staff direction prior to bringing them to the full Board of Directors for further consideration and possible adoption.

BACKGROUND/ANALYSIS

Staff has reviewed the estimated cost to provide certain specific miscellaneous services to our customers that are not related to the basic Utility Billing processes and is recommending changes to some fees to bring them in-line with the actual cost of labor, materials and/or equipment needed to provide the identifiable service(s).

Special Districts in California can impose user fees and regulatory fees for services and activities they provide through provisions of the State Constitution. Under Article XIII C, Section 1, a fee may not exceed the estimated reasonable cost of providing the service or performing the activity. For a fee to qualify as such, it must relate to a service or activity under the control of the individual/entity on which the fee is imposed. For instance, a request to set-up a new water account, backflow test reminder letters and fire flow tests are specifically requested by the individual/entity. Or, when a check or credit card (disputed or reversed) is returned "Non-Sufficient Funds (NSF)" it causes the Agency to perform specific activities related to each individual request.

In this manner, the service or the underlying action causing the Agency to perform the requested service is either discretionary and/or subject to regulation. Therefore, these miscellaneous user fees and regulatory fees fall outside requirements for imposition of taxes, special taxes or fees imposed as incidences of property ownership which would require the Agency to follow the procedures known as "Prop. 218". Prop. 218 is the process used to increase water consumption rates and monthly service charges. Instead these miscellaneous user fees are adopted via the procedure known as the Mitigated Fee Act.

The adoption of these miscellaneous user fees is governed by the Mitigation Fee Act (CA Govt. Code Sec. 66000 et seq.). In accordance with this Act, the Agency, on May 12, 2023, posted and distributed via email, the draft Resolutions which would then be at least 14-days prior to the Board's consideration for adoption. Any substantive changes proposed at Committee would trigger a re-distribution and posting of the draft Resolutions.

1. Resolution No. 23R-XX (Previously 21R-13) defines the following miscellaneous fees and charges:

Public Information Request "Paper" Copy Charge, Backflow Test Reminder Letter Fee, Release of Unsecured Lien for Delinquent Utility Billing Water Charges, Notary Public Fee [non-Agency Documents]

Staff is recommending the following fee(s) be increased via the listed Resolution.

- Increase the "Release of Unsecured Lien for Delinquent Utility Billing Water Charges" from \$25 to \$70 to cover estimated actual cost of labor, materials and/or equipment.

2. Resolution No. 23R-XX (Previously 21R-12) defines the following miscellaneous fees and charges:

Establishing A Schedule of Guarantee Deposits for All Account Types

Staff is recommending the following fee(s) be increased via the listed Resolution.

- Increase the Construction Classification meter deposit from \$900 to \$1,775. This is the cost to replace the construction meter if it is lost, stolen or damaged while a construction meter account remains active.

3. Resolution No. 23R-XX (Previously 20R-06) defines the following miscellaneous fees and charges:

Establishing a Termination Fee for Customers Who Voluntarily Terminate an Existing Water Service Connection

Staff is recommending the fee be increased via the listed Resolution.

- Increase the meter termination fee from \$660 to \$1,050 to cover estimated actual cost of labor, materials and/or equipment.

4. Resolution No. 23R-XX (Previously 20R-05) defines the following miscellaneous fees and charges:

Fire Flow Test Fee, Will Serve Letter Fee, Variance Application Processing Fee

Staff is recommending the following fee(s) be increased via the listed Resolution.

- Increase the “Fire Flow Test Fee” from \$190.00 to \$310.00 to cover estimated actual cost of labor, materials and/or equipment.
- ADD new fee: *After-Hours Call-Out Response Fee for a “Customer-Side issue”* . A minimum fee of \$170.00 for an after-hours call-out. Should the response exceed the minimum 2-hour call-back then the customer will be charged the actual cost of services.

Staff is requesting the Committee consider recommending *an After-Hours Call-Out Response Fee* to cover the cost of a Water Distribution Operator and/or Accounting Technician/Customer Service Representative who has responded after-hours to a Customer request for assistance which is later determined to be a “customer-side issue”. Generally, a “customer-side issue” is defined as any issue that is on the customer side of the meter. The Agency maintains on-call personnel to respond to emergencies. Our on-call services are not for assisting customers with leaks on their side of the meter or disruption of service not caused by the Agency.

Note that after hours call-out to unlock a locked meter is established by a separate resolution regulated by the SB 998 (Dodd) shut-off law/policy.

5. Resolution No. 23R-XX (Previously 20R-04) defines the following miscellaneous fees and charges:

Establishing New Account Set-Up, Delinquent Account Service Charge and Reversing Payments for Non-Negotiable Bank Returns

Staff is recommending the following fee(s) be increased via the listed Resolution.

- Increase the New Account Set-up Fee from \$35 to \$40.
- Increase the Non-Sufficient Funds Fee from \$35 to \$40.

Staff is recommending that the Committee review the draft Resolutions which were posted on May 12, 2023 in accordance with the Mitigation Fee Act (CA Govt. Code Sec. 66000 et seq.) and make a recommendation to the full Board of Directors for further consideration and possible adoption.

PRIOR RELEVANT BOARD ACTION(S)

06/08/2021 Motion No. 21-033 Resolution No. 21R-13 Establishing certain fees and Charges (*Public Information Request “Paper” Copy Charge, Backflow Installation Notification Fee, Backflow Test Reminder Letter Fee, Release of Unsecured Lien for Delinquent Water Charges, Notary Public Fee for Non-Agency Documents*)

06/08/2021 Motion No. 21-032 Resolution No. 21R-12 Establishing a schedule of guarantee deposits for all customer classifications served (*Residential, 1-inch Bulk Hauling and 2-Inch Bulk Hauling, Agricultural, Commercial/Institutional/Industrial/Non-Agricultural, Fire Service and [Temporary] Construction*)

01/28/2020 Motion No. 20-012 Resolution No. 20R-06 Establishing a Termination Fee for Customers Who Voluntarily Terminate an Existing Water Service Connection.

01/28/2020 Motion No. 20-011 Resolution No. 20R-05 Establishing Certain Fees and Charges: Fire Flow Test Fee, Will Serve Letter Fee, and Variance Application Processing Fee.

01/28/2020 Motion No. 20-010 Resolution No. 20R-04 Establishing Certain Fees and Charges: New Account Set-up, Delinquent Account Service Charge and Reversing Payments for Non-Negotiable Bank Returns.

**PROPOSED FOR ADOPTION
JUNE 13, 2023**

**RESOLUTION NO. 23R-XX
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING CERTAIN FEES AND CHARGES**

(Public Information Request "Paper" Copy Charge, Backflow Device Installation Notification Letter Fee, Backflow Test Reminder Letter Fee, Release of Unsecured Lien for Delinquent Water Charges, Notary Public Fee)

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency ("Agency") is required by law to fix and establish fees and charges which will enable the Agency to operate and maintain its water system, provide for debt service payments, repairs and depreciation plus a reasonable surplus for capital improvements; and

WHEREAS, on June 8, 2021 the Board adopted Resolution No. 21R-13 establishing various fees and charges; and

WHEREAS, the Agency Rules and Regulations for Water Service (adopted by Ordinance) provides for the amendment of certain charges by resolution, by majority vote of the Board of Directors; and

WHEREAS, the Board of Directors of the Agency desires to fairly allocate the costs of specified services listed below in a fair and equitable manner to be paid by those persons who are the actual beneficiaries or recipients of the services; and

WHEREAS, the *Public Information Request "Paper" Copy Charge* (8.5" X 11" paper) is allowed pursuant to the Public Records Act wherein it establishes that the Agency can charge a fee to cover the direct cost of duplication. The Agency will assess a fee of \$0.10 per page copy charge; and

WHEREAS, the *Backflow Test Installation Notification Letter Fee* is assessed whenever an account fails to exercise its responsibility to install the required backflow prevention device following written notification of said regulatory requirement. The Agency will assess a fee of \$35.00 to prepare each *Backflow Device Installation Notification Letter*. The fee would be imposed after the initial notification which occurs either at the time the account is opened upon declaration of the application on the "Water Use Questionnaire" or thereafter upon recognition of a cross connection control hazard by the Agency, and

WHEREAS, the *Backflow Test Reminder Letter Fee* is assessed whenever an account fails to exercise its responsibility to complete the required annual (or as otherwise required) backflow device testing and recertification and therefore must be notified in writing of said regulatory requirement. The Agency will assess a fee of \$35.00 to prepare each *Backflow Test Reminder Letter*; and

WHEREAS, the *Release of an Unsecured Lien for Delinquent Water Charges Fee* covers staff time to process, notarize and mail documents to release unsecured liens from a property's title record. "Unsecured Liens" are filed to protect the Agency from bad debt should a property change hands prior to the imposition

of the annual "Secured Lien" process. The Agency shall assess a fee of \$70.00 for each *Release of an Unsecured Lien for Delinquent Water Charges* which includes the third-party Notary Public Fee; and

WHEREAS, the Notary Public Fee is levied on all requests for Notary Public signature acknowledgements on any Agency documents. However, state law limits this fee to \$15.00 per document.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the fees and charges identified below are set as follows:

- 1) *Public Information Request "Paper"*
Copy Charge \$0.10/page (8.5" x 11" paper)
- 2) *Backflow Device Installation Notification Letter*
Or Backflow Test Reminder Letter Fee \$35.00 per occurrence
- 3) *Release of an Unsecured Lien*
For Delinquent Water Charges Fee inc. Notary Public \$70.00 per occurrence
- 4) Notary Public Fee \$15.00 each document

BE IT FURTHER RESOLVED, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this Resolution and as otherwise required in order to comply with applicable law.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66017, this Resolution shall become effective sixty (60) days following adoption thereof and, thereafter, shall supersede any and all prior resolutions.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this XX day of XX, 2023.

By _____
John R. Burkhart, President of the Board

ATTEST:

Megan Close-Dees, Secretary

Official Seal

**PROPOSED FOR ADOPTION
JUNE 13, 2023**

RESOLUTION NO. 23R-XX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING A SCHEDULE OF GUARANTEE DEPOSITS
FOR ALL CUSTOMER CLASSIFICATIONS SERVED**

*(Residential, 1-inch Bulk Hauling and 2-Inch Bulk Hauling, Agricultural,
Commercial/Institutional/Industrial/Non-Agricultural,
Fire Service and [Temporary] Construction)*

WHEREAS, on June 8, 2021, the Agency established Guarantee Deposits for the various account types then in existence; and

WHEREAS, on April 9, 2021 the Agency Ordinance No. 21O-02 Rules and Regulations for Water Service became effective. The Ordinance provided for various Customer Classes: Residential, 1-inch Bulk Hauling and 2-Inch Bulk Hauling, Agricultural, Commercial/Institutional/Industrial/Non-Agricultural, Fire Service and [Temporary] Construction; and

WHEREAS, the Agency Rules and Regulations for Water Service Article 2.18, Article 3.2 and Article 11.0 provides for a Guarantee Deposit to establish a new service account for various Customer Classifications; and

WHEREAS, the Agency Rules and Regulations for Water Service Article 3.9 and Article 13.0 provides for an additional Guarantee Deposit to re-establish service following a Lock-Off Event (e.g. Non-Payment or failure to comply with Cross Connection Control program, etc.); and

WHEREAS, the Agency has established a Guarantee Deposit of \$100 for all Residential, Commercial/Institutional/Industrial/Non-Agricultural and Fire Service Customer Classes and meter sizes served with a maximum Guarantee Deposit of \$200; and

WHEREAS, the Agency has established a Guarantee Deposit of \$100 for all 1-inch Bulk Hauling Customer Class with a maximum Guarantee Deposit of \$200; and

WHEREAS, the Agency has established a Guarantee Deposit of \$500 for the 2-inch Bulk Hauling Customer Class with a maximum Guarantee Deposit of two (2) times the highest monthly water bill, whichever is greater; and

WHEREAS, the Agency has established a Guarantee Deposit of \$500 for the Agricultural Customer Class with a maximum Guarantee Deposit of two (2) times the highest monthly water bill, whichever is greater; and

WHEREAS, the Agency has established a Guarantee Deposit for (Temporary) Construction Meter Customer Class (i.e. 3-inch fire hydrant meters) equal to the cost of a replacement meter plus a reasonable amount

of water (e.g. five 2,500-gallon tank loads). Based on current costs the Agency established a deposit on construction meters of \$1,775.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the Guarantee Deposits identified by Customer Classes served below are set as follows:

Customer Classification	Guarantee Deposit New Account	Re-Establish Service Following "Lock-off" Event
Residential	\$100	\$200 (Maximum)
Commercial/Institutional/Non-Agriculture and Fire Service	\$100	\$200 (Maximum)
1-Inch Bulk Hauling Meter	\$100	\$200 <u>OR</u> Two Times the Highest Bill (whichever is greater)
2-inch Bulk Hauling Meter		\$500 <u>OR</u> Two Times the Highest Bill (whichever is greater)
Agriculture	\$500	\$500 <u>OR</u> Two Times the Highest Bill (whichever is greater)
Construction Meter (Temporary)	\$1,775	\$1,775

BE IT FURTHER RESOLVED, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this Resolution and as otherwise required in order to comply with applicable law.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66017, this Resolution shall become effective sixty (60) days following adoption thereof and, thereafter, shall supersede any and all prior resolutions.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this XX day of XX, 2023.

By _____
John R. Burkhart, President of the Board

ATTEST:

Megan Close-Dees, Secretary

Official Seal

**PROPOSED FOR ADOPTION
JUNE 13, 2023**

RESOLUTION NO. 23R-XX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING A TERMINATION FEE FOR CUSTOMERS
WHO VOLUNTARILY TERMINATE AN
EXISTING WATER SERVICE CONNECTION**

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency ("Agency") is required by law to fix and establish fees and charges which will enable the Agency to operate and maintain its water system, provide for debt service payments, repairs and depreciation plus a reasonable surplus for capital improvements; and

WHEREAS, the Agency Rules and Regulations for Water Service (adopted by Ordinance) provides for the amendment of certain charges by resolution, by majority vote of the Board of Directors; and

WHEREAS, the Board of Directors of the Agency desires to fairly allocate the costs of specified services listed below in a fair and equitable manner to be paid by those persons who are the actual beneficiaries or recipients of the services; and

WHEREAS, the basic service charge is levied on all premises with a service line connection, whether or not any water was used during the billing cycle; and

WHEREAS, the Board of Directors recognizes that in order to avoid being billed the basic service charge, a property owner must terminate water service per applicable Article of the Agency Ordinance concerning Rules and Regulations for Water Service and therefore pay a fee to destroy the existing water service line from the mainline to the property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the fees and charges identified below are set as follows:

<i>Water Service Line Termination Fee</i>	\$1,050.00.00 per occurrence
-------------------------------------------	------------------------------

BE IT FURTHER RESOLVED, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this Resolution and as otherwise required in order to comply with applicable law.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66017, this Resolution shall become effective sixty (60) days following adoption thereof and, thereafter, shall supersede any and all prior resolutions.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this XX day of XX, 2023.

By _____
John R. Burkhart, President of the Board

ATTEST:

Megan Close-Dees, Secretary

Official Seal

**PROPOSED FOR ADOPTION
JUNE 13, 2023**

RESOLUTION NO. 23R-XX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING CERTAIN FEES AND CHARGES**

*(Fire Flow Test Fee, Will Serve Letter Fee, Variance Application Processing Fee,
After-Hours Call-Out Response Fee)*

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency (“Agency”) is required by law to fix and establish fees and charges which will enable the Agency to operate and maintain its water system, provide for debt service payments, repairs and depreciation plus a reasonable surplus for capital improvements; and

WHEREAS, the Agency Rules and Regulations for Water Service (adopted by Ordinance) provides for the amendment of certain charges by resolution, by majority vote of the Board of Directors; and

WHEREAS, the Board of Directors of the Agency desires to fairly allocate the costs of specified services listed below in a fair and equitable manner to be paid by those persons who are the actual beneficiaries or recipients of the services; and

WHEREAS, the *Fire Flow Test fee* is assessed whenever the Agency receives a request to perform such Fire Flow Test, typically to satisfy requirements of the Fire Marshall during new construction permitting activities. The Agency will assess a fee of \$310.00 to perform each fire flow and prepare the “Fire Flow Letter” certifying the results. A Fire Flow Letter expires one-year after the date of certification; and

WHEREAS, the *Will Serve Letter Fee* is assessed whenever the Agency receives a request to provide said “Will Serve Letter” to a parcel without a water meter, typically to satisfy County of San Bernardino requirements to obtain a building permit prior to construction. The Agency will assess a fee of \$80.00 for the preparation and transmittal of each Will Serve Letter requested. A Will Serve Letter is valid for a period of 180-days from execution; and

WHEREAS, the *Variance Application Processing Fee* covers the cost for staff to analyze customer requests for variances from the Rules and Regulations and to develop staff recommendation to the Board of Directors for consideration of the requested variance; and

WHEREAS, the *After-Hours Call-Out Response Fee* covers the cost of a Water Distribution Operator and/or Accounting Technician/Customer Service Representative who has responded after-hours to a Customer request for assistance which is later determined to be a “customer-side issue” which is generally defined as response to an incident on the customer-side of the meter and is not related to an after-hours unlock defined elsewhere in Agency policy.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the fees and charges identified below are set as follows:

<i>Fire Flow Test Fee</i>	<i>\$310.00 per occurrence</i>
<i>Will Serve Letter Fee</i>	<i>\$80.00 per occurrence</i>
<i>Variance Application Processing Fee</i>	<i>\$100.00 per occurrence</i>
<i>After-Hours Call-Out Response (ie. Customer-Side Issue)</i>	<i>\$170 or Actual Costs exceeding 2-hour call-back minimum</i>

BE IT FURTHER RESOLVED, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this Resolution and as otherwise required in order to comply with applicable law.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66017, this Resolution shall become effective sixty (60) days following adoption thereof and, thereafter, shall supersede any and all prior resolutions.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this XX day of XX, 2023.

By _____
John R. Burkhart, President of the Board

ATTEST:

Megan Close-Dees, Secretary

Official Seal

**PROPOSED FOR ADOPTION
JUNE 13, 2023**

RESOLUTION NO. 23R-XX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING CERTAIN FEES AND CHARGES**

*(New Account Set-Up, Delinquent Account Service Charge and
Reversing Payments for Non-Negotiable Bank Returns)*

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency ("Agency") is required by law to fix and establish fees and charges which will enable the Agency to operate and maintain its water system, provide for debt service payments, repairs and depreciation plus a reasonable surplus for capital improvements; and

WHEREAS, the Agency Rules and Regulations for Water Service (adopted by Ordinance) provides for the amendment of certain charges by resolution, by majority vote of the Board of Directors; and

WHEREAS, the Board of Directors of the Agency desires to fairly allocate the costs of specified services listed below in a fair and equitable manner to be paid by those persons who are the actual beneficiaries or recipients of the services; and

WHEREAS, the *New Account Set-up fee* is assessed whenever a new customer sets up water service. The fee covers staff time to open the account in the billing software and dispatch an Operator to obtain a beginning meter read. The Agency will assess a fee of \$40.00 to set-up a new account; and

WHEREAS, the *Delinquent Account Service Charge* is assessed per the Agency Rules and Regulations on water bills which have remain unpaid for twenty (20) days after the date of the billing and therefore shall be assessed a delinquent charge of a minimum of \$5.00 or 5% of the "past due" amount; and

WHEREAS, the Agency does not charge interest on unpaid balances; and

WHEREAS, the Reversing Payments for Non-Sufficient Funds Fee is intended to cover the cost of reversing the payment in the utility billing customer account, dispatch a field technician to "hang a tag" to immediately notify the customer and to pay banking fees associated with the transaction. Non-Sufficient Funds result from a variety of banking issues such as an "unidentified account number", "closed account", "account with insufficient funds" and any fee returned through the automated payment portal whether made with an electronic check, debit or credit card. The Agency will assess a fee of \$40.00 for each item returned from the bank as "non-negotiable".

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the fees and charges identified below are set as follows:

- | | |
|--------------------------------------------------|----------------------------------------|
| 1) <i>New Account Set-Up Fee</i> | \$40.00 per occurrence |
| 2) <i>Delinquent Account Service Charge</i> | \$5.00 min. or 5% of "Past Due" Amount |
| 3) <i>Non-Negotiable (e.g. NSF) Bank Returns</i> | \$40.00 per occurrence |

BE IT FURTHER RESOLVED, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this Resolution and as otherwise required in order to comply with applicable law.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66017, this Resolution shall become effective sixty (60) days following adoption thereof and, thereafter, shall supersede any and all prior resolutions.

PASSED, APPROVED, AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this XX day of XX, 2023.

By _____
John R. Burkhart, President of the Board

ATTEST:

Megan Close-Dees, Secretary

Official Seal

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

Meeting Date: May 17, 2023

To: FPREP Committee Members

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Rosa L. Carrick
Marina West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Status of Delinquent Accounts and Property Tax Lien Process for Tax Year 2023

SUMMARY

An overview of the status of delinquent accounts and the upcoming property tax lien process timeline.

RECOMMENDATION TO BOARD OF DIRECTORS

Information and Discussion Purposes Only.

BACKGROUND/ANALYSIS

On June 1, 2023, the Agency will be mailing a final demand to all customer accounts that have a balance of \$300 or more as of February 28, 2023. Those that do not pay by the stated deadline, June 15, 2023, will proceed to the next steps are estimated as follows:

- Final day to pay past-due balance: June 15, 2023
- Legal Notice Publication
 - Publish dates: June 28, 2023 and July 5, 2023
- Preliminary Assessment are Due to County July 3, 2023
- Public Hearing held July 11, 2023 to adopt the Lien Resolution
- First Submissions are Due to San Bernardino Count August 10, 2023
- All Corrections to Original Submittals are due by September 1, 2023

There are currently 106 Delinquent accounts totaling \$93,715.23. Last year at this step, the Agency had 138 Delinquent accounts totaling \$131,992.

PRIOR RELEVANT BOARD ACTION(S)

Annual Action

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

Meeting Date: May 17, 2023

To: FPREP Committee Members

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Marina West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Recommendation for Water Distribution Supervisor: New Job Title and Position Description

SUMMARY

The 2021 Non-Exempt Salary Benchmark Survey concluded that a “lead” position should be developed for both Operations and Accounting/Customer Service.

To that end, the Board of Directors adopted the recommendation to develop an Assistant General Manager position as part of the Agency mid-term succession planning efforts and an Ad Hoc Committee has been formed for the purpose of executing that “recruitment strategy”.

Staff is now ready to proceed with creation of a new position known in the industry as a Water Distribution Supervisor. This position is being developed for the promotion of an existing position and does not add to the current approved employee count.

RECOMMENDATION TO BOARD OF DIRECTORS

Information and Discussion Purposes Only. Staff is seeking input to finalize this job title and position description for recommendation and approval by the full Board as part of the updated Organizational Chart, Range and Step Scale and approval of the Assistant General Manager job title and budget adjustment currently scheduled for June 13, 2023.

BACKGROUND/ANALYSIS

Staff has already informed the Board that our “lead” operator needs a new job title and job description which more closely matches the actual duties and responsibilities of the position. This was part of the 2021 *Non-Exempt Salary Benchmark Survey*.

Given that the Ad Hoc Committee on Succession Planning has now determined the best approach to finding a successor General Manager is to begin by developing and recruiting an Assistant General Manager. This Assistant General Manager position is intended to handle the day-to-day routine matters of Agency administration and governance as an alternative to the proposed Accounting/Customer Service Lead position described in the benchmark study.

Our current “lead” Water Distribution Operator position is very outdated and predicated on the existence of a Water Distribution Supervisor and a Director of Water Operations position that were assigned supervision of the field staff. Those position were eliminated around 2008 and 2010. Since that time, our current “lead” operator has taken on responsibility for all field operations including supervisory responsibilities. In addition, the field operations staffing levels increased from three (3) to five (5) since 2015. The level of responsibility is key as this employee is responsible for the planning, organizing, supervising, reviewing and evaluating the work of water operator and maintenance staff as well as contractors and vendors. This position also actively participates in the recruitment and selection of department staff as well as coaching and discipline.

Staff has done an informal evaluation of existing supervisory positions at local water agencies and has developed the attached job description. The salary range is based on the current Range and Step Scale logic of 15% change between each range and 2.5% change per each step (attached). There is no measurable effect on the Fiscal Year 2023/24 Operating Budget as the current salary paid is in-line with the range of this position.

PRIOR RELEVANT BOARD ACTION(S)

04/11/2023 Motion No. 23-012 Approve the *Ad Hoc Succession Plan* and recruitment strategy for an Assistant General Manager.

06/23/2021 Motion No. 21-037 Authorized a Cost-of-living Percentage Adjustment to the “Range and Step Scale” for All Non-Exempt Employees of 3.0% to be Incorporated into the Fiscal Year 2021/22 Operating Budget. References *Final Report Non-Exempt Employee Salary Benchmark Survey*, May 2021.

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BIGHORN-DESERT VIEW WATER AGENCY
Job Description

Job Title: Water Distribution Supervisor
FLSA: Non-Exempt
Range: 5
Prepared Date: May 2023

SUMMARY

Under general direction, plans, organizes, oversees, ensures compliance with federal, state and local agencies, and participates in the work of crews responsible for the operation, maintenance, and repair of potable and non-potable water systems, including deep well pumps, booster pumps, storage facilities, pipelines, water treatment systems, and water purification systems; ensures work quality, water quality compliance, and adherence to established policies and procedures; provides responsible technical assistance to the General Manager or Assistant General Manager; and performs related work as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the General Manager or Assistant General Manager. Exercises direct supervision over technical and operations/maintenance staff.

CLASS CHARACTERISTICS

This is the full supervisory-level class in the Water Distribution Operator series responsible for planning, organizing, supervising, reviewing, and evaluating the work of water operator and maintenance staff. Requires comprehensive knowledge of water operations, the ability to organize and oversee the work of staff, and the ability to execute various administrative responsibilities. Performance of the work requires the use of considerable independence, initiative, and discretion within established guidelines.

EXAMPLES OF TYPICAL JOB FUNCTIONS *(Illustrative Only)*

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations where appropriate so that qualified employees can perform the typical functions of the job. The following statements are intended to describe the general nature and level of work being performed by an individual assigned to this job.

- Plans, organizes, assigns, trains, directs, and reviews the work of assigned staff; performs and assists in the recruitment, selection and evaluation of staff; ensures the most effective use of staff and materials resources; trains staff in work procedures and related activities.
- Assists in the development and administration of assigned project/operation/maintenance budgets as part of the Agency's budget; assists with fiscal forecasting, budget monitoring, and expenditure controls.
- Develops guidelines for water systems operations staff; participates in the development of operations guidelines and procedures; conducts and/or participates in safety meetings;

makes recommendations and implements safe work practices as necessary; develops and updates standard operational procedures as needed.

- Oversees work activities, projects, and programs; monitors workflow and reviews and evaluates work product.
- Reviews data and sets up Supervisory Data Acquisition and Control (SCADA) telemetry equipment to operate the water system(s) to ensure an adequate and safe supply of water in the Agency's reservoirs and pipelines.
- May travel to various facilities daily to perform security checks and monitor condition of structures, equipment, etc.; takes and records meter readings.
- Conducts and/or supervises Underground Service Alerts (USA) investigations including identifying existing facilities from Agency records, inspecting and marking areas for the pipeline ensuring contractors comply with specifications, and filing the appropriate report(s).
- Performs a variety of duties relating to operating and maintaining the water supply and water quality, including measuring well levels, calibrating instrumentation equipment, investigating leaks, cleaning mains, and flushing the water system; responsibilities include monitoring, scheduling, conducting, sampling, and reporting water quality and related data as required by federal, state and local agencies.
- Performs spot inspections of Agency operations to determine the proper use of Agency assets.
- Performs programmable logic controller program modifications and works with integrator to implement changes needed to SCADA.
- Manages compliance reporting for the California Air Resources Board, Department of Toxic Substances, and the Mojave Desert Air Quality Management District, Biennial Inspection Terminal (BIT).
- Manages production reporting.
- Performs the most complex field-related repairs, maintenance, and research.
- Conducts inspections for pipeline fabrication and installation, electrical & control system installation, & mechanical facility installation.
- Works directly with the State Water Resources Control Board (SWRCB) and ensures compliance with applicable federal, state and local rules, policies, and procedures.
- Maintains appropriate work records and documents, including service orders, material and equipment use records, and maintenance logs.
- Prepares statistical and/or analytical records on operations as necessary.
- Performs the more difficult and complex maintenance duties of the work unit including supervision of contract services, reviewing plans for new water facilities, developing and maintaining a maintenance/repair/replacement database and maintaining an inventory/mapping of the water distribution system.
- Operates heavy equipment, such as a backhoe, skip loader, dozer, etc.
- Reviews and makes recommendations on contractor equipment/material submittals; makes recommendations for equipment purchases, including pumps, motors, motor control centers, communication systems, and SCADA equipment.
- Prepares cost estimates for supplies and materials necessary to maintain, repair, replace and expand facilities; orders operations supply and materials and manages inventory.

- Orders equipment, parts and materials related to construction and maintenance functions within established department budget. Receives and issues inventory and works with other departments on audits.
- Coordinates operations activities with those of other departments and outside agencies and organizations; provides information and assistance regarding operations programs and services; receives and responds to concerns and questions; reviews issues and recommends corrective actions.
- Participates on a variety of committees and task forces; attends and participates in professional group meetings and internal meetings; stays abreast of new trends and innovations in the field of water production.
- Participates and attends committee meetings, staff meetings, engineering and other meetings as assigned.
- Participates in the Agency's "on-call" rotation as assigned.
- Responds to call-outs after hours, weekends and holidays.
- Performs other duties as assigned.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each typical duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the typical functions.

Knowledge of:

- Principles and practices of employee supervision, including work planning, assignment review and evaluation, discipline, and the training of staff in work procedures.
- Principles and practices of leadership.
- Advanced principles and practices of water treatment and water production.
- Advanced operations and maintenance procedures utilized for water treatment, distribution, and maintenance.
- Advanced operations, methods, materials, and equipment used in water production and purification; modern techniques and equipment for automatic controls and telemetry systems.
- General principles and practices of budget development, preparation, and expenditure control.
- Management practices as applied to the analysis, evaluation, development, and implementation of policies and procedures.
- Occupational hazards and standard safety practices.
- Project management principles and concepts.
- Research and reporting methods, techniques, and procedures.
- Applicable federal, state and local laws, regulatory codes, ordinances, and procedures relevant to assigned area of responsibility.
- Records management principles and practices.

- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and Agency staff.
- The structure and content of the English language, including the meaning and spelling of words, rules of composition, and grammar.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Select and supervise staff; provide training and development opportunities; ensure work is performed effectively; evaluate performance in an objective and positive manner.
- Assist in developing and implementing goals, objectives, practices, policies, procedures, and work standards.
- Read and interpret gauges and testing equipment accurately; install, repair, and maintain telemetry/SCADA system equipment; apply applicable laws, codes, and regulations.
- Make adjustments to standard operating procedures, as appropriate.
- Operate heavy equipment; use a variety of hand and power tools such as a signal generator, welder, and pipeline locator in the performance of daily tasks.
- Read and interpret a variety of documents such as safety rules, operating and maintenance instructions, procedure manuals, maps, charts, pipeline plans, and profile drawings.
- Calculate figures and amounts such as percentages, proportions, areas, and volumes to practical situations; apply concepts of basic algebra and geometry.
- Define problems, collect data, establish facts, and draw valid conclusions.
- Interpret and apply the policies, procedures, laws, codes, and regulations pertaining to operations programs and functions.
- Research, analyze, and evaluate service delivery methods, procedures, and techniques.
- Identify and respond to operational issues, concerns, and needs.
- Perform work in accordance with specific safety procedures to minimize potential for injury.
- Prepare clear, concise, and accurate reports, drawings, maps, notes, correspondence, and other written materials.
- Use tact, initiative, prudence, and independent judgment within general policy and procedural guidelines.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing, using appropriate English grammar and syntax.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the minimum required qualifications would be:

Equivalent to the completion of a High School diploma or GED; and five (5) years of increasingly responsible experience in operations and maintenance; including electrical systems, mechanical systems, pumping, and disinfection equipment; including two (2) years of supervisory or lead experience. Experience in potable water quality and/or cross-connection specialist and/or electrical systems is highly desirable.

Licenses and Certifications:

- Valid California Class C driver's license and current automobile insurance.
- Valid Class A California Driver's License or attainment within six (6) months of hire.
- SWRCB Water Distribution Certificate Grade II (Grade III desired).
- SWRCB Water Treatment Certificate Grade II.
- Competent Person Certificate for trenching and excavation or attainment within six (6) months of hire.
- First Aid and CPR Training Certification.

PHYSICAL DEMANDS

The following physical demands described are representative of those that must be met by an employee to successfully perform the typical functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Must possess mobility to work in the field; strength, stamina, and mobility to perform medium to heavy physical work; to sit, stand, and walk on level, uneven, or slippery surfaces; frequently reach, twist, turn, kneel, bend, stoop, squat, crouch, grasp and make repetitive hand movement in the performance of daily duties; to operate varied hand and power tools and construction equipment (backhoes, loaders, etc.), and to operate a motor vehicle (standard passenger or 4-wheel drive) and visit various Agency sites; and vision to inspect and operate equipment. The job involves fieldwork requiring frequent walking in operational areas to identify problems or hazards, which may include working on live electrical wires. Finger dexterity is needed to operate and repair tools and equipment. Employees must possess the ability to lift, carry, push, and pull materials and objects averaging a weight of 60 pounds or heavier weights, in all cases with the use of proper equipment and/or assistance from other staff. Employees must wear and use the proper Personal Protective Equipment (PPE).

WORK ENVIRONMENT

The following work environment characteristics described are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employees work in an office and a field environment. When working in an office environment the employee is exposed to moderate noise levels, controlled temperature conditions and no direct exposure to hazardous physical substances.

When working in the field employees may be exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, road hazards, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, hazardous physical substances and fumes, dust and air contaminants. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures. Required to be on call for a 24/7 schedule for a one (1) week duration.

OTHER REQUIREMENTS

This is a safety-sensitive and Federally regulated DOT position subject to the Agency's Drug and Alcohol Testing Policy, which is conducted in accordance with Title 49 CFR Part 40.

EMPLOYEE ACKNOWLEDGEMENT

I have read the above and understand that it is intended to describe the general content of and requirements for performing the job listed. It is not an exhaustive statement of duties, responsibilities or requirements.

I understand that this description does not preclude my Manager or Supervisor's authority to add or change duties or responsibilities and understand that the performance of other duties may be required from time to time to meet the needs of Bighorn-Desert View Water Agency. I also understand that this job description does not create an employment contract, implied or otherwise.

Print Employee Name

Employee's Signature

Date

APPENDIX C

COLA and Range & Step Scale Adopted by Resolution No. 23R-XX XX XX, 2023

BDVWA Employee Handbook

TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period
03/01/2023 to 03/31/2023

Marina West

BIGHORN-DESERT WATER
Bighorn-Desert View Water Agency PARS PAPEBT**Plan Summary**

Beginning Plan Value as of 03/01/2023	\$234,758.01
Change in Plan Value	\$4,769.81
Ending Plan Value as of 03/31/2023	\$239,527.82

Activity Summary by Source

Source	Balance on 03/01/2023	Contributions	Earnings	Expenses	Distributions	Transfers	Balance on 03/31/2023
PENSION	\$234,758.01	\$0.00	\$4,885.80	\$(115.99)	\$0.00	\$0.00	\$239,527.82
Totals	\$234,758.01	\$0.00	\$4,885.80	\$(115.99)	\$0.00	\$0.00	\$239,527.82

Transactions for the Period

Source	Date	Description	Amount
PENSION	03/24/2023	ASSET MGMT FEES	\$(67.08)
PENSION	03/30/2023	INTER-ACCOUNT TRANSFER IN	\$48.91
PENSION	03/30/2023	INTER-ACCOUNT TRANSFER OUT	\$(48.91)
PENSION	03/30/2023	TRUST ADMINISTRATOR FEES	\$(48.91)
PENSION	03/31/2023	ACCOUNT GAINS/(LOSSES)	\$4,885.80

Investment Selection

Source	Selected Investment
PENSION	HighMark Index PLUS Moderately Conservative

Investment Objective

Selected Investment	Description
HighMark Index PLUS Moderately Conservative	The dual goals of the Moderately Conservative Strategy are current income and moderate capital appreciation. The major portion of the assets is committed to income-producing securities. Market fluctuations should be expected.

Investment Performance

Source	1-Month	3-Month	1-Year	Annualized Return			Inception Date
				3-Years	5-Years	10-Years	
PENSION	2.08%	3.73%	-4.58%	-	-	-	06/16/2020

TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period
03/01/2023 to 03/31/2023

Marina West

BIGHORN-DESERT WATER
Bighorn-Desert View Water Agency PARS PAPEBT

Information as provided by US Bank, Trustee for PARS. Investments are NOT insured by the FDIC or by any other Federal Government Agency, are NOT Bank deposits, are NOT guaranteed by the Bank or any Bank affiliate, and MAY lose value, including possible loss of principal. Past performance does not guarantee future results. Account balances are inclusive of Trust Administration, Trustee and Investment Management fees if applicable. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Annualized Return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return. Information is deemed reliable but may be subject to change. The plan's Rate of Return may differ from the rate of return in the above linked document. Reasons for the difference may include the timing of transactions into and out of the plan, the duration of time the plan's funds reside in the sweep account and differences in the methodology used to calculate performance.

4350 Von Karman Ave., Ste. 100, Newport Beach, CA 92660-2043 phone 800.540.6369 fax 949.250.1250 www.pars.org