



# 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 AGENDA

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

July 11, 2023  
Time – 6:00 P.M.

MEETING ROOM IS OPEN FOR IN-PERSON ATTENDANCE

PUBLIC WISHING TO PARTICIPATE REMOTELY

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84963144607?pwd=ckhOSDVsnWRKMC9jM2ZjUGw0NjB4QT09>

Passcode: 462983

OR

TELECONFERENCE LINE THRU ZOOM

1-669-900-6833

Webinar ID: 849 6314 4607

Passcode: 462983

--- NOTE ---

Director Dicht will attend via teleconference

From the location identified as

16 N. Martindale Ave., Ventnor City, New Jersey, 08406

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

**Discussion and Action Items** - The Board of Directors and Staff will discuss the following items and the Board 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. Public Hearing: Resolution No. 23R-XX Confirming Reports of Delinquent Accounts for Basic Service Charges, Water Consumption Charges, Delinquent Fees, Miscellaneous Fees and Processing Fees AND Authorizing Placement of Property Liens on the Secured Tax Rolls of San Bernardino County for Collection of Delinquencies within Bighorn-Desert View Water Agency**

That the Board considers taking the following action(s):

1. Review staff report, and note any letters received;
2. Receive questions from the Board of Directors;
3. Open public hearing;
4. Receive public comments;
5. Close public hearing;
6. Board discussion of public comments received;
7. Board to consider approving Resolution No. 23R-XX - Confirming reports of delinquent accounts for Basic Service Charges, water charges, delinquent fees, miscellaneous fees and processing fees AND authorizing the placement of property liens on the secured tax rolls of San Bernardino County for collection of delinquencies within Bighorn-Desert View Water Agency.

**2. Public Hearing: Resolution No. 22R-XX Establishing Standby Assessments for Improvement District Goat Mountain for Fiscal Year 2022-23 (Tax Year 2022) to be \$61,950**

That the Board considers taking the following action(s):

1. Review staff report, and note any letters received;
2. Receive questions from the Board of Directors;
3. Open public hearing;
4. Receive public comments;
5. Close public hearing;
6. Board discussion of public comments received;
7. Board to consider approving Resolution No. 23R-XX – Establishing Stand-By and Availability Fees for Water Service within Bighorn-Desert View Water Agency Improvement District Goat Mountain for Fiscal Year 2023/24 (Tax Year 2023) in the amount of \$61,470.

**3. Authorize Issuance of Purchase Order to Ferguson Waterworks Inc. to Procure Water Service Materials for the “Meter Replacement Program” at a Cost of \$144,907.78**

That the Board considers taking the following action(s):

1. Authorize issuance of Purchase Order to Ferguson Waterworks Inc. for purchase of water service materials for the “Meter Replacement Program” in the amount of \$144,907.78.

- 4. 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. Board of Directors' Special Meeting Minutes, June 27, 2023
  - b. Financial Statements
    - 1. Balance Sheet – May 2023 and June 2023 (FYE unaudited)
    - 2. Budget Status – May 2023 and June 2023 (FYE unaudited)
    - 3. Quarterly Investment Report for period ending Q2/2023
  - c. Receive and File Disbursements for June 2023
  - d. BDV Production Reports for June 2023
  - e. Goat Mountain Production Reports for June 2023
  - f. Service Order Report for May 2023
  - g. Posting of Appropriations Limit Calculation for Fiscal Year 2023-24 (Review prior to be agendized for consideration and adoption on August 8, 2023).
  - h. Receive and File Planning/Engineering (PLEGs) Standing Committee Meeting Minutes for April 18, 2023

Recommended Action:

Approve as presented (Item a-m):

**5. Matters Removed from Consent Items**

**6. 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.

**7. Verbal Reports – Including Reports on Courses/Conferences/Meetings.**

- 1. General Manager Report
- 2. Director Reports

**8. 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](http://www.bdvwa.org)

**Public Comments:** You may wish to submit your comments in writing to assure that you are able to express yourself adequately. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.

### **Calendar Reminder - Upcoming Director Meetings**

- Mojave Water Agency Board of Directors Meeting – Second and Fourth Thursday every month (regular schedule)
- Morongo Basin Pipeline Commission Meeting – Quarterly – March, June, September and December (check MWA website for location)
- ASBCSD Monthly Dinner Meeting – third Monday (regular schedule)
- Homestead Valley Community Council Meeting - Third Monday (regular schedule location rotates to various Community Centers)
- Landers Association Monthly Meeting – Third Saturday (regular schedule)

**BIGHORN DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** July 11, 2023

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** N/A

**Cost:** \$0

**From:** Rosa Carrick  
Marina West

**General Counsel Approval:** Procedure  
Approved

**CEQA Compliance:** N/A

**Subject:** **Public Hearing: Delinquent Water Accounts** Resolution No 23R-XX: A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Confirming Reports of Delinquent Accounts for Basic Service Charges, Water Consumption Charges, Delinquent Fees, Miscellaneous Fees and Processing Fees AND Authorizing Placement of Property Liens on the Secured Tax Rolls of San Bernardino County for Collection of Delinquencies within Bighorn-Desert View Water Agency

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**SUMMARY**

Every year in May, the Agency creates and reviews a report of excessively delinquent accounts with debt greater than \$300 as of February 28<sup>th</sup> and prepares for the submission of a collections report to the County of San Bernardino for inclusion on the secured tax rolls.

On June 1, 2023, each delinquent property owner was mailed a final notice of delinquency. This letter served to inform each owner of the pending property tax lien and the deadline for submission of the amount owed to the Agency to avoid the lien. As required, the letter was mailed regular first class. For those accounts that remained unpaid by the deadline, the Agency attempted to notify the property owner through a published public notice.

The public notice was provided to the Hi Desert Star newspaper for publication on June 28<sup>th</sup> and July 5<sup>th</sup> of 2023. At that time, seventy-seven (77) delinquent properties remain unpaid with a total outstanding debt of \$49,708.95. As of publication of this agenda, no accounts had been paid and no letters of objection had been received.

This is an annual administrative action of the Board related to collections of delinquent accounts. Staff recommends that following the close of the public hearing, absent any errors or payments received prior to the posting deadline, that the Board adopt the Resolution concerning placement of the debts onto the tax rolls for tax year 2023 or fiscal year 2023/24.

**RECOMMENDATION**

That the Board considers taking the following action(s):

1. Review staff report, and note any letters received;
2. Receive questions from the Board of Directors;
3. Open public hearing;
4. Receive public comments;
5. Close public hearing;

6. Board discussion of public comments received;
7. Board to consider approving Resolution No. 23R-XX - : A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Confirming reports of Delinquent Accounts for Basic Service Charges, Water Consumption Charges, Delinquent Fees, Miscellaneous Fees and Processing Fees AND Authorizing the Placement of Property Liens on the Secured Tax Rolls of San Bernardino County for Collection of Delinquencies within Bighorn-Desert View Water Agency.

#### **BACKGROUND/ANALYSIS**

The Agency began the lien process on May 12, 2023 and at that time there were 101 delinquent accounts with a balance of \$62,290.96 that were older than February 28, 2023. The Agency has a lower number of delinquent accounts than in the previous year due to COVID-19 no longer effecting lock-offs and the increase of property sales.

On June 1, 2023 ninety-five (95) properties were identified as being excessively delinquent (> \$300 balance) and those property owner(s) were mailed a letter warning of the pending hearing for placement of the debt as a property tax lien. The total amount owed by these accounts on June 1<sup>st</sup> was \$59,234.

The final step in the notification process, prior to the Public Hearing, is to publish a public notice in a final effort to notify the responsible parties. The legal notice was published on June 28<sup>th</sup> and July 5<sup>th</sup> of 2023.

As of June 23, 2023, seventy-seven (77) delinquent properties remain unpaid with a total outstanding debt of \$49,708.95. As of agenda posting, no additional accounts have been paid and no letters of opposition have been received.

The County of San Bernardino has set August 10, 2023 as the deadline for submitting the Special Assessment to the 2023/24 Tax Rolls (Tax Year 2023) with September 1, 2023 being the deadline for all corrections.

#### **PRIOR RELEVANT BOARD ACTION(S)**

Annual Action