



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**

**August 8, 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/82398063071?pwd=SWNLM2g1MUJ6Q1kwSGMyaEl1VXhUQT09>

Passcode: 512861

OR

TELECONFERENCE LINE THRU ZOOM

1-669-900-6833

Webinar ID: 823 9806 3071

Passcode: 512861

--- 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. **Request by Owner of Parcel No. 0630-051-36 to Relocate Water Meter Service within the Utility Easement so as not to be Obstructed by a Fence the Owner Recently Installed Which Now Blocks the Meter (Continued from April 11, 2023)**

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

1. The request from Owner of Parcel No. 0630-051-36 to allow new fence installed within the utility easement to remain and to relocate, at customer cost, the entire meter service facility outside the newly installed fence.
2. **Resolution No. 23R-15 Application by the Board of Directors of the Bighorn-Desert View Water Agency Requesting the Local Agency Formation Commission to Initiate Proceedings for the Annexation of Assessor Parcel Number 0631-071-29 to the Bighorn-Desert View Water Agency**

The Board considers taking the following action(s):

1. Adopt Resolution No. 23R-15 A Resolution of application by the Board of Directors of the Bighorn-Desert View Water Agency requesting the Local Agency Formation Commission to initiate proceedings for the annexation of Assessor Parcel Number 0631-071-29 to the Bighorn-Desert View Water Agency.
3. **Workshop Presentation - Secured Lien Processes for Delinquent Water Accounts and All Tax Apportionment Processes**
No Action – Information and Discussion Purposes Only
4. **Authorize Issuance of Purchase Order to Zenner USA, Inc. to Procure Water Meters for the “Meter Replacement Program” at a Cost of \$84,380.94**

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

1. Authorize issuance of Purchase Order to Zenner USA, Inc. for purchase of water meters for the “Meter Replacement Program” in the amount of \$84,381.
5. **Resolution No. 23R-16 Establishing the Agency’s Appropriation Limit for Fiscal Year 2023/24 at \$232,523**

The Board considers taking the following action(s):

1. Adopt Resolution No. 23R-16 Establishing the Agency’s Appropriation Limit for Fiscal Year 2023/24 at \$232,523.

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. Board of Directors' Meeting Minutes, July 11, 2023
 - b. Financial Statements
 - 1. Balance Sheet – June 2023 (unaudited)
 - 2. Budget Status – June 2023 (unaudited)
 - c. Receive and File Disbursements for July 2023
 - d. BDV Production Reports for July 2023
 - e. Goat Mountain Production Reports for July 2023
 - f. Service Order Report for June 2023
 - g. Approve Directors attendance at Mojave Water Agency “Mini-Tour” October 11, 2023 including travel and per diem.
 - h. Receive and File Finance (FPREP) Standing Committee Special Meeting Minutes for April 18, 2023
 - i. Receive and File Finance (FPREP) Standing Committee Special Meeting Minutes for May 17, 2023

Recommended Action:
Approve as presented.

7. **Matters Removed from Consent Items**

8. **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.

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

- 1. General Manager Report
- 2. Director Reports

10. **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.

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: August 8, 2023

To: Board of Directors

Budgeted: N/A

Budgeted Amount: N/A

Cost: Administrative costs incurred

From: Marina D. West

General Counsel Consulted

CEQA Compliance: N/A

Subject: Request by Owner of Parcel No. 0630-051-36 to Relocate Water Meter Service within the Utility Easement so as not to be Obstructed by a Fence the Owner Recently Installed Which Now Blocks the Meter (Continued from April 11, 2023)

SUMMARY

This item has been continued from the April 11, 2023 meeting at the request of the Board of Directors.

The issue before the Board is whether or not to grant a “variance” from Ordinance No. 21O-02 Agency Rules and Regulations, Article 1.7 and Article 3.30, which provides specific guidance on Agency access to Agency facilities.

This staff report summarizes the background and actions taken to date.

RECOMMENDATION

That the Board consider the merits of the following:

1. The request from Owner of Parcel No. 0630-051-36 to allow new fence installed within the utility easement to remain and to relocate, at customer cost, the entire meter service facility outside the newly installed fence.

BACKGROUND/ANALYSIS

The water meter originally installed circa 1980 was placed near the back of the easement (aka “back of sidewalk”). Staff contends that markings were seen during a February 2, 2022 site visit and a phone call was made to the customer to inform him the customer valve required replacement. While not documented on the service order, staff contends that the customer was told not to erect a fence in such a manner as to enclose the water meter. Mr. Britton denies being so verbally informed. Nonetheless a fence was ultimately erected in such a manner as to block access to the water meter and service line.

In December 2022, Mr. Britton, owner of parcel no. 0630-051-36 was formally notified that a fence had been erected such that the water meter was now behind the fence. First notice attached.

In January 2023, Mr. Britton received a second notice demanding the fence be moved out of the easement to allow access to the water meter. Second notice attached.

In between the two formal letters requesting the fence be relocated, staff sent an email correspondence dated January 4, 2023 noting that staff had been requested to visit the site to approve the markings indicating where the fence would be relocated. Email "text" attached without noted attachments.

Staff understood the fence would be moved following the January 4, 2023 email. Since the fence was not relocated by the date requested in the "first notice", a "second notice" of demand was sent on January 18, 2023.

On February 6, 2023, Mr. Britton came into the Agency office and requested to address the Board of Directors, essentially requesting a "variance" from the standard Rules and Regulations for Water Service. At that point, staff acknowledged the request and set aside the demand for relocation. While it was later deemed the customer was in fact requesting a variance, staff did not demand Mr. Britton complete the Variance Request form and pay the variance request fee of \$100. Staff did request Mr. Britton put his request in writing, which became the basis for the April 11, 2023 Agenda item.

On April 11, 2023, following the presentation by Mr. Britton and some dialogue between the Board of Directors and Mr. Britton, a motion was made to continue the item to a future date. The minutes of the April 11, 2023 meeting are attached. The mutually agreed on date for readdressing this request was August 8, 2023.

In this report, staff has attached the *Official Plan of the Survey of the said Land, on file in the Bureau of Land Management*. This document establishes the 33-foot right-of-way for roadway and public utilities purposes. The document number is referenced on the land survey Mr. Britton provided with his request.

Also attached is the Powerpoint presentation that will be presented at the meeting.

Staff is requesting the Board of Directors deny the request for a variance from the Rules and Regulations for water service for several reasons, including but not limited to the following:

1. Agency policy is to maintain clear easements for access to water meters and water service lines and other appurtenances related to the water distribution system (ie. fire hydrants, valves, pressure reducing stations, etc.) in order to execute operations and maintenance activities in the most efficient manner possible; and
2. Agency policy is for staff to not enter onto personal property; and
3. Should the variance be approved, the Agency would be responsible, at its future cost, to relocate the meter and service line out of the easement should another utility find it necessary to utilize the easement (ie. road widening); and
4. Granting a variance would set a precedent for future requests.

PRIOR RELEVANT BOARD ACTION(S)

04/11/2023 Motion No. 23-011 Continue agenda item, *request by Owner of Parcel No. 0630-051-36 to Relocate Water Meter Service within the Utility Easement so as not to be Obstructed by a Fence the Owner Recently Installed Which Now Blocks the Meter*, to a future date.

3//2021 Motion No. 21-020 Adopt Ordinance No. 21O-02 Agency Rules and Regulations for Water Service to include language defining Customer Class for billing purposes.

Excerpts from Ordinance 210-02

1.7 Agency May Recover Its Attorneys' Fees and Litigation Expenses It Incurs In Any Court Action On This Ordinance. Should the Agency determine in its sole discretion that it must take, or defend against, civil action in court in connection with the enforcement of this Ordinance, or any of its provisions, or to remedy a violation by a customer of any provision of this Ordinance, the Agency shall be entitled to recover from the customer its attorneys' fees and litigation expenses, including any expert witness fees and expenses, it incurs in such court action or related arbitration.

3.30 Agency's Right of Access. All Agency water facilities located within easements on private property remain the property of the Agency and shall be operated, maintained, repaired, or replaced by Agency staff without the necessity of consent by the property owner. The property owner shall use reasonable care in the protection of the Agency's facilities, and at no time interfere with the Agency in maintaining said facilities. Agency access to Agency water facilities shall be kept clear of fences, structures, concrete or asphalt, or obstructions of any kind which will impair the Agency's access by personnel and equipment for the purpose of operating, maintaining, repairing, replacing facilities, or reading meters. The Agency shall have the right to remove or clear such obstructions without notice and without incurring financial liability.

Board of Directors

John Burkhart, President
JoMarie McKenzie, Vice President
Megan Close-Dees, Secretary
Craig Dicht, Director
David Chapman, Director



Agency Office
622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone
760/364-3412 Fax

Marina D West, P.G., General Manager

www.bdvwa.org

A Public Agency

December 19, 2022

Steven Britton
PO Box 3527
Landers, CA 92285

FIRST NOTICE

Re: Fence at 58432 Ira Ave, Landers, CA 92285(APN: 0630-051-36)

Dear Mr. Britton

During meter reading our field staff noted that fencing has been installed at the above named address. The water meter #1139697 and water line assigned to this property are 15' 6" behind the fence and inaccessible for maintenance.

Please be advised that per attached excerpts from the Agency Rules and Regulations Article 1.7 and 3.30, fencing may not be placed where it will limit the Agency's access to the Agency facilities. The fence must be relocated out of the public easement. The attached map shows the location of the meter box relative to the fence.

The Agency demands that the fence be realigned around the meter box with at least 20 feet of access on each side of the meter box, prior to the next meter reading cycle. (See attached photo)

If you have any questions or concerns, please call our office at (760) 364-2315.

Sincerely,

Marina D. West, PG
General Manager

A complete copy of the Agency Ordinance can be found at this link: <https://bdvwa.org/wp-content/uploads/FINAL-Ordinance-21O-02-RULES-and-REGS-Document.pdf>

From: Administration
Sent: Wednesday, January 4, 2023 4:37 PM
To: STEVEN BRITTON
Cc: Customer Support Team; Steve Britton
Subject: RE: BighornDVWA:: Meter behind fence

Good Afternoon Mr. Britton,

It is my understanding that the fencing contractor has placed markers in the field indicating where the fence would be relocated around the meter box to meet the minimum standard shown in our drawing. David then visited the site and obtained photos of where the fence will be relocated.

This email is to inform you that we concur with moving the fence to align with the markings.

Sincerely, Marina

From: STEVEN BRITTON <stevenbritton3@aol.com>
Sent: Monday, January 2, 2023 7:07 AM
To: Administration <administration@bdvwa.org>
Cc: Customer Support Team <info@bdvwa.org>; Steve Britton <sbritt1805@gmail.com>
Subject: Re: BighornDVWA:: Meter behind fence

Hi Marina,

Thank you, received. What is the timeline provided?

Sincerely,

Steve
Mobile: 1-760-821-5183

Sent from my iPhone

On Dec 30, 2022, at 10:48 AM, Administration <administration@bdvwa.org>
wrote:

Mr. Britton,

Per our conversation I am sending several documents which establish the Agency's right to leave the water meter exactly where it was installed in 1982 just as the water system was being installed. At this time, the meter is obvious/conspicuous so it is unfortunate that prior to installing the fence the water company wasn't called for consultation regarding a perceived conflict between the property boundary, setback and meter location. The contractor, as you state, being a water operator, should have told you the consequences and advised you call us first.

I see that you signed application with us for water service in 2016. That contract with the Agency states as follows:

I have attached the current Rules and Regulations and direct you to Article 3.30 on

Please note that we have provided a timeline for the fence to be relocated and I've provided a drawing indicating the Agency's (minimum) requirements which allow sufficient room around the meter for our continued maintenance.

If you have any additional questions, please let me know but as per our conversation, it was stated that the land survey shows the meter box is approximately 22 or 25 feet north of the property boundary and therefore, it is within the utility easement and in a location where the Agency intended it to be placed to service the property.

Sincerely,

Marina West, PG
General Manager

Bighorn-Desert View Water Agency

Board of Directors

John Burkhart, President
JoMarie McKenzie, Vice President
Megan Close-Dees, Secretary
Craig Dicht, Director
David Chapman, Director



Agency Office

622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone

760/364-3412 Fax

Marina D West, P.G., General Manager

www.bdvwa.org

A Public Agency

January 18, 2023

Steven Britton
PO Box 3527
Landers, CA 92285

SECOND NOTICE

Re: Fence at 58432 Ira Ave, Landers CA 92285 (APN: 0630-051-36)

Dear Mr. Britton,

On December 19, 2022 the Agency notified you about the requirement to relocate your fence to allow access to the water meter.

As a reminder of your contract for water service: Agency Rules and Regulations Article 3.30 (attached), fencing may not be placed where it will limit the Agency's access to the Agency facilities. The fence must be relocated out of the public easement.

The Agency demands that the fence be realigned around the meter box with at least 20 feet of access on each side of the meter box. (See attached photo). If the water meter is not made accessible thru relocation of the fence, your account will be subject to lock off by February 3, 2023 unless appropriate compliance is achieved.

If you have any questions or concerns please call our office at (760) 364-2315 ext. 104.

Sincerely,

Kim Heller
Customer Service Representative

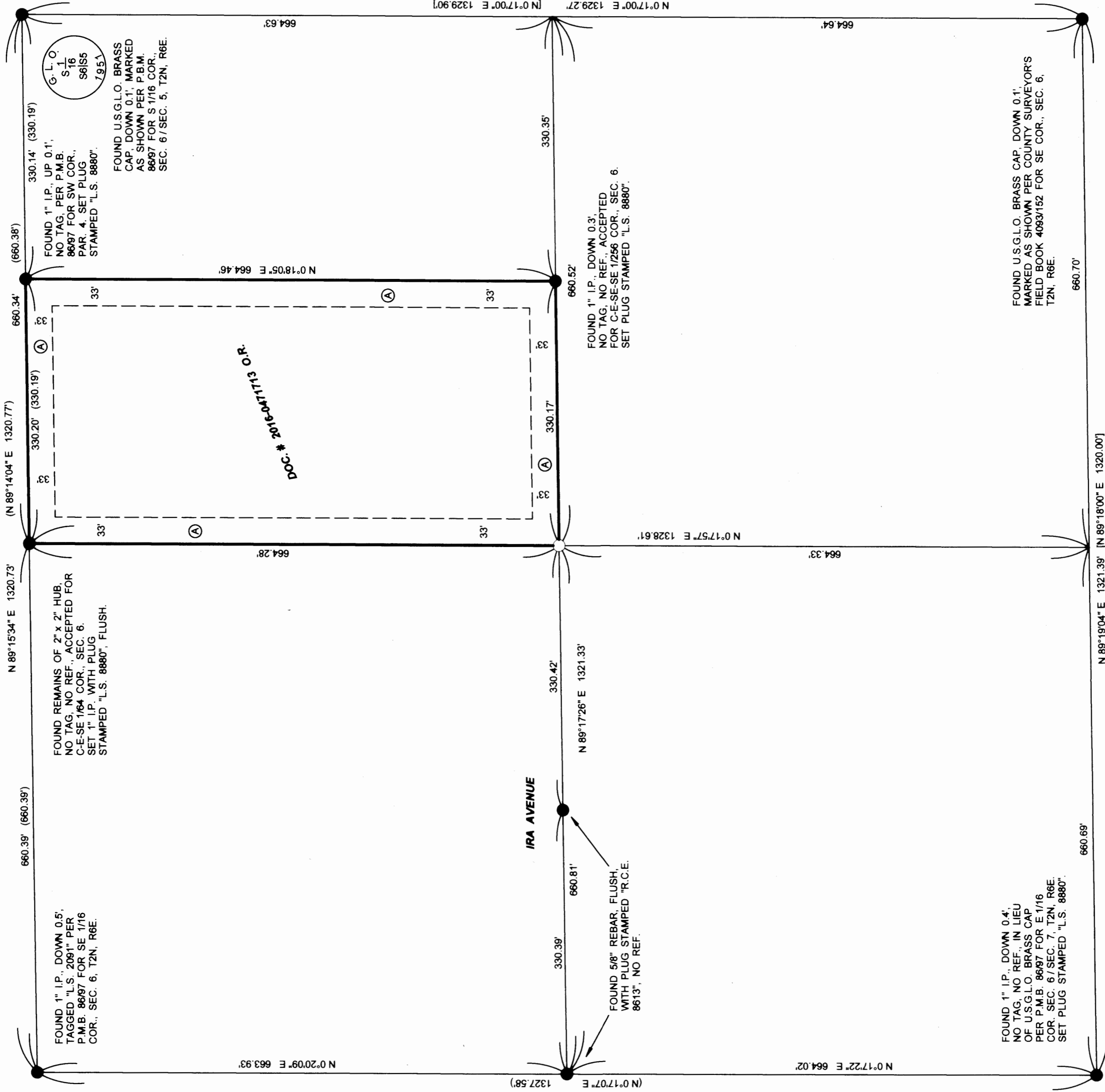
18/99/

Provided by Mr. Britton

SHEET ONE OF ONE

RECORD OF SURVEY 19-0085

OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 2 NORTH, RANGE 6 EAST, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.



SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF STEVEN BRITTON IN MARCH OF 2018.

Raymond C. Freivald MARCH 21, 2019
RAYMOND C. FREIVALD LS 8880

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYORS' ACT THIS 29th DAY OF July, 2019.

THOMAS P. HERRIN, COUNTY SURVEYOR
COUNTY OF SAN BERNARDINO

BY *David E. Herrin* DEPUTY
LS# 19001



LEGEND

- INDICATES MONUMENT FOUND AS NOTED.
- INDICATES SET 1" I.P., FLUSH, WITH PLUG STAMPED "L.S. 8880".
- (--) INDICATES RECORD DATA PER PARCEL MAP NO. 7736, P.M.B. 86/87.
- [--] INDICATES RECORD DATA PER TOWNSHIP PLAT ACCEPTED JANUARY 25, 1955.
- U.S.G.L.O. INDICATES UNITED STATES GENERAL LAND OFFICE.
- I.P. INDICATES IRON PIPE.
- Ⓐ INDICATES "RIGHT-OF-WAY NOT EXCEEDING 33' WIDTH, FOR ROADWAY AND PUBLIC UTILITY PURPOSES, TO BE LOCATED ALONG THE BOUNDARIES OF SAID LAND" PER PATENT # 1228200.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS AS SHOWN ON THIS RECORD OF SURVEY IS THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 2 NORTH, RANGE 6 EAST, SAN BERNARDINO MERIDIAN PER TOWNSHIP PLAT ACCEPTED JANUARY 25, 1955 BEING N 0°17'00" E.

THE PURPOSE OF THIS RECORD OF SURVEY IS TO MONUMENT THE BOUNDARY OF DOCUMENT NO. 2016-0471713 O.R.

SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

THIS MAP HAS BEEN FILED UNDER DOCUMENT NUMBER

2019 0280067, THIS 15th DAY OF

Aug, 2019, AT 1:26 P.M.

IN BOOK 166 OF Record of Survey

AT PAGE 81, AT THE REQUEST OF

Steven Britton

IN THE AMOUNT OF \$ 9.00

BOB DUTTON
ASSESSOR - RECORDER
COUNTY OF SAN BERNARDINO

BY *David E. Herrin* DEPUTY RECORDER



FOUND U.S.G.L.O. BRASS CAP DOWN 0.1' MARKED AS SHOWN PER COUNTY SURVEYOR'S FIELD BOOK 4093162 FOR SE COR., SEC. 6, T2N, R6E.

FOUND 1" I.P. DOWN 0.4' NO TAG, NO REF. IN LIEU OF U.S.G.L.O. BRASS CAP PER P.M.B. 86/87 FOR E 1/16 COR., SEC. 6/ SEC. 17, T2N, R6E. SET PLUG STAMPED "L.S. 8880".

FOUND 5/8" REBAR, FLUSH, WITH PLUG STAMPED "R.C.E. 8613", NO REF.

FOUND 1" I.P. DOWN 0.3' NO TAG, NO REF. ACCEPTED FOR C.E.-SE 1/256 COR., SEC. 6. SET PLUG STAMPED "L.S. 8880".

FOUND REMAINS OF 2" x 2" HUB, NO TAG, NO REF. ACCEPTED FOR C.E.-SE 1/64 COR., SEC. 6. SET 1" I.P. WITH PLUG, STAMPED "L.S. 8880", FLUSH.

FOUND 1" I.P. DOWN 0.5', TAGGED "L.S. 2081" PER P.M.B. 86/87 FOR SE 1/16 COR., SEC. 6, T2N, R6E.

FOUND 1" I.P. UP 0.1', NO TAG, PER P.M.B. 86/87 FOR SW COR., PAR. 4, SET PLUG, STAMPED "L.S. 8880".

FOUND U.S.G.L.O. BRASS CAP, DOWN 0.1', MARKED AS SHOWN PER P.B.M. 86/87 FOR S 1/16 COR., SEC. 6/ SEC. 5, T2N, R6E.

GIBALTAR STREET (BECKER AVENUE)

IRA AVENUE

MITCH ROAD (BEARING TREE LANE)

1" = 100'

166/81

Los Angeles 0161963

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at **Riverside, California** has been issued showing that full payment has been made by the claimant

Gloria L. Bailes

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

San Bernardino Meridian, California.

T. 2 N., R. 6 E.,

Sec. 6, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains **5** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **along the boundaries of said land.**

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **FIFTH** day of **APRIL** in the year of our Lord one thousand nine hundred and **SIXTY-TWO** and of the Independence of the United States the one hundred and **EIGHTY-SIXTH.**

(SEAL)

For the Director, Bureau of Land Management.

By

Elizabeth B. Hucker
Acting

Chief, Patents Section.

Patent Number **1226200**

March 21, 2023

Board of Directors
Bighorn-Desert View Water Agency
622 S. Jemez Trail
Yucca Valley, CA 02284-1440
760-364-2315

Re: Fence at 58432 Ira Avenue, Landers CA 92285 (APN: 0630-051-36); Water Meter #1139697

Dear Board of Directors and Marina,

Marina, thank you for your recent feedback regarding my fence and water meter location at my home located at 58432 Ira Avenue, Landers, CA 92285. I appreciate your and your team's instructions and information regarding how to contact you and the Board of Directors in a more formal way to petition BDVWA to consider certain resolutions to the current location of my fence and water meter.

Board of Directors, thank you also for your time and consideration.

I first came to Landers in 2015 and purchased the subject 5-acre property in 2016. Sharon Rose was my realtor. I fell in love with Landers and the area immediately and I am proud to be a local resident since then. I appreciated being a member of community and the local Moose Lodge, as well as a customer of BDVWA. I'm renting a home in Landers and will move into my Ira Avenue home once construction is complete later this year.

By way of some background to the issue herein, after constructing an open, one-sided cyclone fence with two gates (the main driveway roller gate and the water meter and historic homesteader slab traditional gate) on the south side of my property fronting Ira Avenue, I was informed by Marina and team that I could not have my fence in front of my existing water meter location and that BDVWA is requesting that my fence must be relocated out of the public easement. I understand the request in terms of the Agency's public easement but feel that the meter location, while perhaps legally placed, and the Agency's request, appear to put me at disadvantage and unequal treatment relative to my neighbors. In response, I am requesting that the BDVWA's request be resolved through other mutually acceptable solutions.

With this in mind, please see a summary of 1) my water meter, fence and gate location, 2) my neighbors water meter locations in comparison to mine and 3) certain nearby neighbors with BDVWA water meters located behind their fences.

- 1) Water Meter Distance from Ira Avenue vs My Water Meter Distance (see photos below)

Neighbors located at:

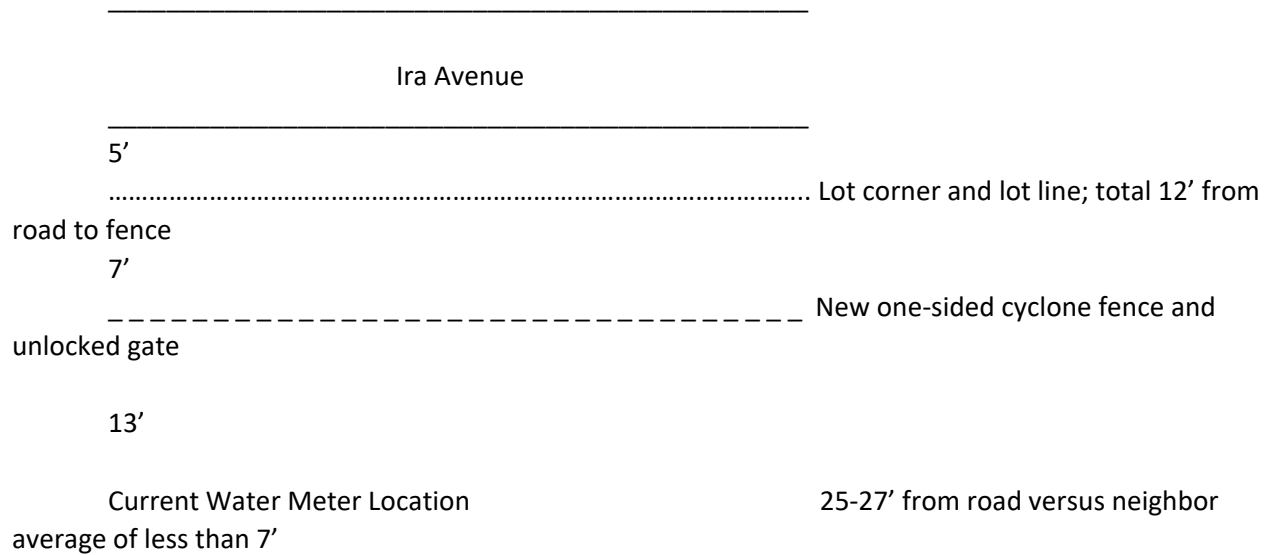
58535 Ira Avenue 5'

58570 Ira Avenue	8'	
58624 Ira Avenue	8'	
Ira / Landers Ln	<u>6'</u>	(vacant SE corner lot)
Average	6.75'	

58432 Ira Avenue 25' Subject Property (difference of 18')

Of note, the first two listed neighbors are family and are directly across the street from each other, so if Ira Avenue is 25' wide at this location, the two meters are less than 40' apart.

2) Drawing of Subject Property Water Meter Location Relative to the Road, Property Line and Fence



3) Nearby Neighbors With Water Meters Located Inside Their Property Fences (see photos below)

1464 Landers Ln
1341 Landers Ln
1323 Landers Ln

With the information presented above and supporting pictures below, I am asking the Board of Directors and BDVWA to please consider the following Option 1 and Option 2 remedies versus requiring me to move my fence:

- Option 1. Leave the fence and water meter as currently located, recognizing the water meter is accessible to the Agency. As shown above, the meter is accessible through a) an unlocked gate (which will remain unlocked) and b) an open, one-sided fence also providing easy access to the

Agency. Relocate at such time in the distant future if and when Ira Avenue is widened—Like all of us, I hope this never happens.

- 2) Option 2. Move the water meter approximately 13' south for it to be relocated between the road and the front of my fence still within my property line and 10' from the road. This would recognize that my meter, although perhaps legally placed in its present location, is also located significantly further inside my property line than my neighbors' nearby properties and that it would still also be legally placed if moved in order to not have to relocate my fence. I also understand that moving the water meter is not a complicated, difficult or expensive job.
- 3) Option 3. Move my fence per the Agency's request. I am prepared to abide by the Board of Directors' decision, but this will be at some cost to me and I believe doesn't treat me equally to the way the Agency treats or turns an eye to other customer meter locations in the area.

Here are supporting pictures of my property and meter located 25' from the road, four nearest neighbor meters averaging 6.75' from the road and three nearby neighbors on Landers Ln with water meters located inside their property fences:

Subject Property (58432 Ira Avenue):
Fence is 12' from the road





Fence is inside my property line by 7'



And, my property line is 5' from the road



My water meter is located 25-27 feet from the road, 20' inside my property line and 13' inside my new fence. Neighbor meters are an average of 6.75' from the road





My water meter is located behind an unlocked 14' gate providing easy access





My fence is also open on both ends also providing unrestricted access to the meter by the Agency



The four closest neighbor meters are located an average of 6.75' from the road versus my meter at 25-27' distance

58535 Ira Avenue (5')





58570 Ira Avenue (8')







58624 Ira Avenue (8')







Ira / Landers Ln (6') – vacant SE corner lot







**Neighbors on Landers Ln with water meters located INSIDE their property fences:
1464 Landers Ln.**



1341 Landers Ln.



1323 Landers Ln.



Thank you for your review. I look forward to discussing with you and answering any questions you may have at an upcoming Board of Directors meeting.

Best regards,

Steven Britton
58432 Ira Avenue
Landers, CA 92285



Bighorn-Desert View Water Agency

Board Meeting

Variance Request from APN 0630-051-36

August 8, 2023

Accepted Road
Dedications





18/99/

166/81

SHEET ONE OF ONE

RECORD OF SURVEY 19-0085

OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 2 NORTH, RANGE 6 EAST, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

SURVEYOR'S STATEMENT
I, RAYMOND C. FREEMAN, COUNTY SURVEYOR, DO HEREBY CERTIFY THAT I REPRESENT A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS ACT AT THE REQUEST OF STEVEN BRITTON IN MARCH OF 2016.

RAYMOND C. FREEMAN MARCH 21, 2019
LS 8880

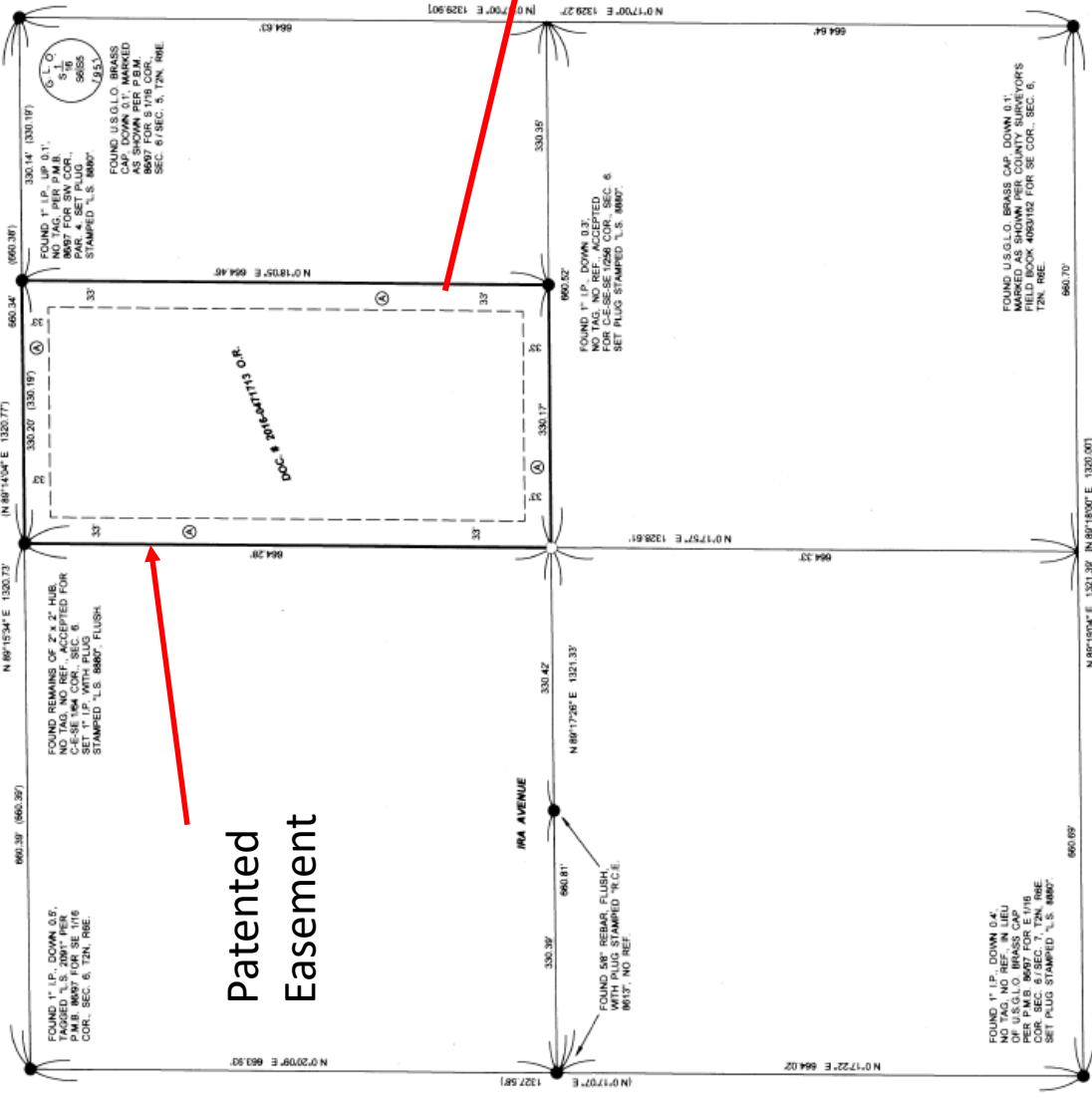
COUNTY SURVEYOR'S STATEMENT
THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 6700 OF THE PROFESSIONAL LAND SURVEYORS ACT THIS 14th DAY OF July, 20 19.
THOMAS P. HERRIN, COUNTY SURVEYOR
COUNTY OF SAN BERNARDINO

DEPUTY
LS 8880



1" = 100'

GIBALTAR STREET (BECKER AVENUE)



Patented
Easement

BASE OF BEARINGS

THE BASIS OF BEARINGS AS SHOWN ON THIS MAP IS THE MERIDIAN OF THE STATE OF CALIFORNIA, SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 2 NORTH, RANGE 6 EAST, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCEPTED JANUARY 25, 1965 BEING N 0° 17' 00" E.

THE PURPOSE OF THIS RECORD OF SURVEY IS TO MONUMENT THE BOUNDARY OF DOCUMENT NO. 2016-047173 O.R.

SAN BERNARDINO COUNTY RECORDERS CERTIFICATE

THIS MAP HAS BEEN FILED UNDER DOCUMENT NUMBER 2019 0280067 THIS 15th DAY OF Aug 19 AT 1:26 P.M.

IN BOOK 166 OF Record of Survey AT PAGE 81 AT THE REQUEST OF Steven Britton IN THE AMOUNT OF \$ 9.00

BOB BUTON, ASSESSOR-RECORDER, COUNTY OF SAN BERNARDINO

BY Deputy Recorder



Los Angeles 0161963

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at **Riverside, California** has been issued showing that full payment has been made by the claimant **Gloria L. Basile** pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

San Bernardino Meridian, California.

T. 2 N., R. 6 E.,

Sec. 6, W¹NE¹SE¹SE¹.

The area described contains **5** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **along the boundaries of said land.**

In TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **FIFTH** day of **APRIL** in the year of our Lord one thousand nine hundred and **SIXTY-TWO** and of the Independence of the United States the one hundred and **EIGHTY-SIXTH.**

For the Director, Bureau of Land Management.

By *Elizabeth B. Hunter*
Acting Chief, Patents Section.

Patent Number **1226200**

San Bernardino Meridian, California.

T. 2 N., R. 6 E.,

Sec. 6, W¹NE¹SE¹SE¹.

The area described contains **5** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **along the boundaries of said land.**



BIGHORN-DESERT VIEW WATER AGENCY

622 SOUTH JEMEZ TRAIL, YUCCA VALLEY CA 92284 PHONE (760) 364-2315 FAX (760) 364-3412

APPLICATION FOR RESIDENTIAL WATER SERVICE

PARCEL #: 0630-051-36-0-000 ACCOUNT #: 8310

TODAY'S DATE: 12/27/16 TURN ON DATE: 11/8/16 ☒ OWNER ☐ TENANT

COUNTY/SERVICE ADDRESS: _____

APPLICANT NAME: STEVEN RICHARD BRITTON

By signing this Application the Applicant agrees to observe all Agency Rules and Regulations now in effect or hereafter adopted that relate to water service. The Agency will attempt to collect all unpaid charges through mail contact. If this fails, the Agency may choose to pursue the matter in court, employ a collection agency, file a lien against the property, or use any other method allowed by law, currently or in the future, to collect the unpaid charges. The customer is responsible for the collection costs incurred. Guarantee deposits will be refunded once the Applicant has achieved "credit worthiness" or upon closure of the account and only after all outstanding water charges or penalties have been deducted. No interest will be paid on a guarantee deposit. Via this notice, owner/tenant is made aware that the Agency may, from time to time, terminate water service for non-payment of bills or for other reasons, which will result in any existing fire sprinkler system not functioning. Through the application process the owner/tenant has agreed to hold the Agency harmless for any claims arising out of any such circumstances.

Steven Britton
APPLICANT SIGNATURE

PAID
CO-APPLICANT SIGNATURE

V



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

Meeting Date: August 8, 2023

To: Board of Directors

Budgeted: N/A

Budgeted Amount: N/A

Cost: Customer Funded

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: LAFCO Completes

Subject: **Resolution No. 23R-15 Application by the Board of Directors of the Bighorn-Desert View Water Agency Requesting the Local Agency Formation Commission to Initiate Proceedings for the Annexation of Assessor Parcel Number 0631-071-29 to the Bighorn-Desert View Water Agency**

SUMMARY

The owner of Assessor Parcel No. 0631-071-29 (located outside the Agency boundaries but within the Sphere of Influence) has asked the Agency to initiate annexation proceedings so that water can be provided to the parcel.

Staff recommends the Board adopt the resolution so that the annexation package can be transmitted to LAFCO for processing.

RECOMMENDATION

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

1. Adopt Resolution No. 23R-15 A Resolution of application by the Board of Directors of the Bighorn-Desert View Water Agency requesting the Local Agency Formation Commission to initiate proceedings for the annexation of Assessor Parcel Number 0631-071-29 to the Bighorn-Desert View Water Agency.

BACKGROUND/ANALYSIS

Recently Assessor's Parcel No. 0631-071-29 changed hands. This parcel is on the south side of Napa Road between Alta Avenue on the west and Covelo Avenue on the east. Fire hydrants are located along Napa Road on the Agency's mainline however, the parcel in question is actually outside the Agency boundary but it is within the Agency's Sphere of Influence.

The buyer was informed that water service is not available outside the boundaries of the Agency and therefore annexation is required to gain access to water. The buyer has thus engaged the Agency to annex the parcel and has placed a cash deposit on file for processing the request. The applicant will be required to submit all LAFCO deposits and fees directly to LAFCO.

Staff has prepared the all the necessary documents and draft resolution required by, and in consultation with, the San Bernardino Local Agency Formation Commission (LAFCO). Initiation of the annexation process requires the Board to adopt the resolution requesting LAFCO to initiate the proceedings. Thereafter, the application will be forwarded to LAFCO for processing. Once the annexation process is completed the owner would then be allowed to make application and pay all fees associated with installation of a new water meter.

Staff recommends the Board adopt the resolution so that the annexation package can be transmitted to LAFCO for processing.

PRIOR RELEVANT BOARD ACTION(S)

4/3/2012 Motion No. 12-026 Local Area Formation Commission Ad Hoc Committee Report and Resolution No. 12R-15 Supporting the Expansion of the BDVWA Sphere of Influence over "Area 2" and encouraging LAFCO to amend its Resolution No. 3155 for LAFCO No. 3148.

RESOLUTION NO. 23R-15

**A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS
OF THE BIGHORN-DESERT VIEW WATER AGENCY
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION
TO INITIATE PROCEEDINGS FOR THE
ANNEXATION OF ASSESSOR PARCEL NUMBER 0631-071-29
TO THE BIGHORN-DESERT VIEW WATER AGENCY
AS MORE SPECIFICALLY DESCRIBED BELOW
RECITALS**

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code for the annexation of Assessor Parcel Number (APN) 0631-071-29 to the Bighorn-Desert View Water Agency for a total of approximately 10 acres; and,

WHEREAS, a description of the area proposed to be annexed to Bighorn-Desert View Water Agency is attached hereto as Exhibit “A” and by this reference incorporated herein; and

WHEREAS, Bighorn-Desert View Water Agency is a special district of the State of California operating under the Bighorn-Desert View Water Agency Law, water appendix 112; and

WHEREAS, the proposed annexation is consistent with the sphere of influence assigned the Bighorn Desert View Water Agency; and

WHEREAS, Bighorn-Desert View Water Agency requests that the proposed annexation be subject to the standard terms and conditions imposed by the Local Agency Formation Commission; and

WHEREAS, the reason for the proposed annexation is to enable Bighorn-Desert View Water Agency to provide water service to APN 0631-071-29, which is located adjacent to the Bighorn-Desert View Water Agency's boundary but within its Sphere of Influence; and

WHEREAS, the property owner has requested that Bighorn-Desert View Water Agency initiate these proceedings and make an application for annexation to the Local Area Formation Commission on their behalf.

WHEREAS, the Bighorn Desert View Water Agency desires that the proposed annexation be subject to the following terms and conditions including the following:

1. Assignment of Assessor Parcel Map No. (“APN”) 0631-071-29 any allowable share of the 1% General Ad Valorem property tax to Bighorn-Desert View Water Agency;

2. That the other standard terms and conditions be imposed by the Local Agency Formation Commission regarding annexation to Bighorn-Desert View Water Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY AS FOLLOWS:

Section 1. This Resolution of Application is hereby adopted and approved by the Board of Directors of the Bighorn-Desert View Water Agency, and the Local Agency Formation Commission for San Bernardino County is hereby requested to undertake proceedings for the annexation of territory as described above, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 2. The Bighorn-Desert View Water Agency acknowledges and agrees to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

Section 3. The General Manager of the Bighorn-Desert View Water Agency is hereby directed and authorized to execute, on behalf of the District, the justification for proposal and supplemental form for the annexation, which includes the preparation and certification of the Plan for Service and Fiscal Impact Analysis, complete copies of which are on file in the District office.

Section 4. That the Secretary to the Board of Directors shall certify to the passage and adoption of this resolution and is hereby authorized and directed to file, or cause to be filed, a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for San Bernardino County.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 8th day of August 2023.

By _____
John R. Burkhart, President of the Board

Bighorn-Desert View Water Agency,

By _____
Megan Close-Dees, Secretary

Official Seal

LAFCO _____
 ANNEXATION TO THE BIGHORN-DESERT VIEW WATER AGENCY
 (APN 0631-071-29)

BEING THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 6 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT THEREOF, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 21;

COURSE 1. THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 21, SOUTH 89°34'00" EAST A DISTANCE OF 661.32 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21;

COURSE 2. THENCE SOUTH 00°12'43" WEST A DISTANCE OF 662.02 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21;

COURSE 3. THENCE NORTH 89°32'04" WEST A DISTANCE OF 661.57 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21;

COURSE 4. THENCE NORTH 00°14'00" EAST A DISTANCE OF 661.65 FEET TO THE **POINT OF BEGINNING.**

SAID ABOVE DESCRIBED AREA CONTAINS 10.05 ACRES, MORE OR LESS.

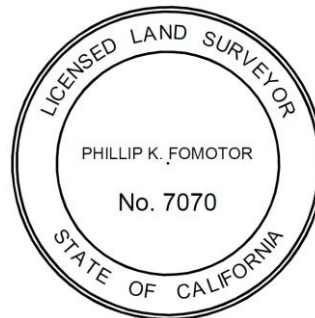
AS DEPICTED IN EXHIBIT "B", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DOCUMENT WAS PREPARED BY
 ME OR UNDER MY DIRECTION,
 BASED ON RECORD INFORMATION.

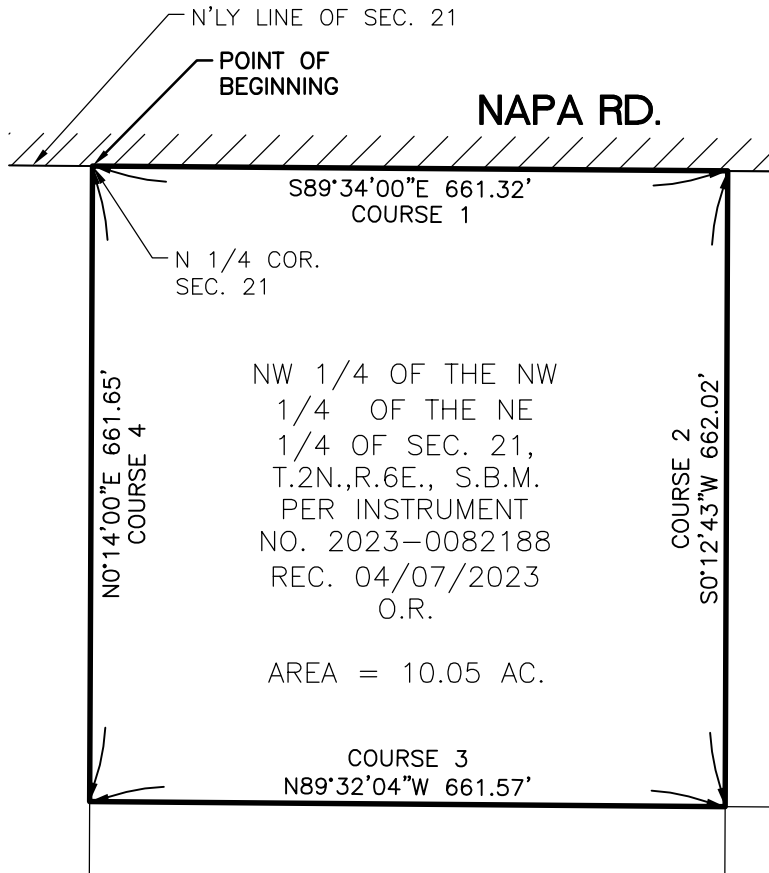
FOR REVIEW

 PHILLIP K. FOMOTOR, P.L.S.

DATE _____



LAFCO _____
 ANNEXATION TO THE BIGHORN-DESERT
 VIEW WATER AGENCY
 (APN 0631-071-29)
 THE NW 1/4 OF THE NW 1/4 OF THE
 NE 1/4 OF SEC. 21, T2N, R6E, S.B.M.

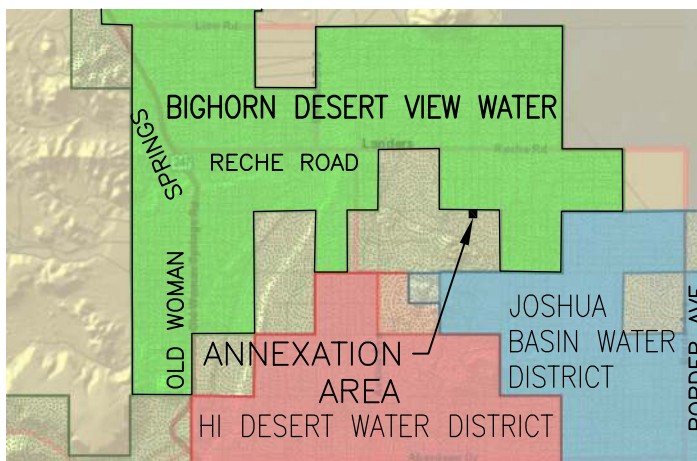


LEGEND

EXISTING BIGHORN-DESERT VIEW WATER AGENCY BOUNDARY

NOTE

BEARINGS AND DISTANCES SHOWN HEREON ARE CALC'D PER BLM PLAT 282912 DATED 01/25/1955.



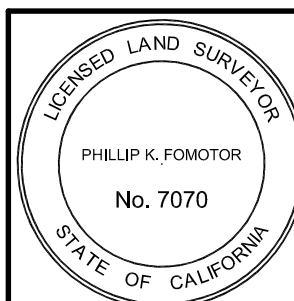
VICINITY MAP
 (NO SCALE)



NORTH



0' 200' 400'
 SCALE: 1"=200'



THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECTION, BASED ON RECORD INFORMATION.

FOR REVIEW PURPOSES

PHILLIP K. FOMOTOR, P.L.S.



LANDOWNER CONSENT FORM

Local Agency Formation Commission For San Bernardino County

I (We), Ali Rezaie / Econm. Park, consent to the annexation/ reorganization of my (our) property located at:
SOUTH SIDE OF NAPA ROAD BETWEEN ALTA AVENUE AND COVELO AVENUE

which is identified as Assessor's Parcel Number(s) 0631-071-29,
to the BIGHORN-DESERT VIEW WATER AGENCY.
(name of agency)

Signature(s):

Address:

9370 Claircrest Drive

City, State, Zip

Beverly Hills, CA 90210

Date Signed:

7/20/2023

If a corporation or company owns the property, please provide with this form authorization from the entity for the signer to sign on its behalf.



July 20, 2023

Dear members of the Board of Directors

My wife, Eunmi Park, and I have purchased a vacant land (APN 0631-071-29) and plan to build a single-family home in near future. We are not planning to subdivide the land. We would really appreciate your assistance to annex the parcel so we can obtain water service.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Rezaie'.

Ali Rezaie, MD, MSc, FRCPC

Medical Director, GI Motility Program, Cedars-Sinai

Director of Bioinformatics and Medical Technologies, Medically Associated Science and Technology (MAST) Program, Cedars-Sinai

Program Director, Advanced GI Motility fellowship

Associate Professor, Cedars-Sinai

Associate Clinical Professor, UCLA

Adjunct Assistant Professor, University of Calgary

Associate Editor, Digestive Disease and Sciences

Cedars-Sinai, 8730 Alden Drive, Thaliens Bldg, #E240

Los Angeles, CA, 90048

ali.rezaie@cshs.org

310-928-5954

(FOR LAFCO USE ONLY)

SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL: **ANNEXATION APN 0631-071-29 (A. REZAIE, MD. – OWNER)**

2. NAME OF APPLICANT: BIGHORN-DESERT VIEW WATER AGENCY
 APPLICANT TYPE: ☒ Landowner ☒ Local Agency
 ☐ Registered Voter ☐ Other _____
 MAILING ADDRESS: **622 JEMEZ TRAIL, YUCCA VALLEY, CA 92284**

 PHONE: **(760) 364-2315**
 FAX: **(760) 364-3412**
 E-MAIL ADDRESS: **mwest@bdvwa.org**

3. GENERAL LOCATION OF PROPOSAL: **Mr. Rezaie purchased a 10-acre lot on the south side of Napa Road between Alta Avenue and Covelo Avenue.**

4. Does the application possess 100% written consent of each landowner in the subject territory?
 YES ☒ NO ☐ If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested.
Mr. Rezaie desires to annex the property to obtain water service so that he can build a single family residence.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area of subject territory (defined in acres): **One 10-acre parcel.**

2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)

This is vacant land which has not undergone any development to date.

3. Approximate current population within area: **Zero**

4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):

N/A – not annexing to a city.

(FOR LAFCO USE ONLY)

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):

HV/RL

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory: **None.**

6. Indicate the existing use of the subject territory. **Vacant Land**

What is the proposed land use? **Owner stated his desire to build a single family residence.**

7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☐ NO ☒ If YES, please explain.

The Agency is not operating at or near capacity. Therefore, this project would not have an impact on the Agency's ability to supply water to a single family residence on this property. Even if subdivided to the 2.5-acre minimum lot size, the Agency could meet demands.

There is no sanitary sewer planned for the BDVWA service area.

The Agency cannot determine whether or not the project would have a negative impact on police, fire or schools.

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- | | |
|--|--|
| <input type="checkbox"/> Agricultural Land Uses | <input type="checkbox"/> Agricultural Preserve Designation |
| <input type="checkbox"/> Williamson Act Contract | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ | |

9. Provide a narrative response to the following factor of consideration as identified in §56668(p): *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

This parcel, as well as those around it, are located within the Sphere of Influence of the Bighorn-Desert View Water Agency as determined by San Bernardino Local Agency Formation Commission. Therefore, given that the sole owner of the parcel desires to annex in order to get access to water service, the annexation process positively promotes environmental justice by providing a pathway to water service while meeting all the goals and objective of SB LAFCO.

(FOR LAFCO USE ONLY)

The Agency understands that the State of California, through SB1263 (Wieckowski/2016), has trampled on the rights of property owners to utilize a potable “hailed water” solution, offered by BDVWA, to obtain a building permit in San Bernardino County. This has the opposite effect on Environmental Justice as it directly discriminates against those who seek an affordable way of life in the high desert.

The only other option for the property owner would be to drill a water well. However, local geologic data and institutional knowledge tends to support a lack of groundwater, sustainable or suitable, for development of the property.

This is the primary driver of the request to annex the parcel into the boudnaries of Bighorn-Desert View Water Agency.

(FOR LAFCO USE ONLY)

ENVIRONMENTAL INFORMATION

1. Provide general description of topography. **GENERALLY FLAT ALLUVIAL PLAIN. NO BLUE LINE STREAMS NOTED.**

2. Describe any existing improvements on the subject territory as % of total area.

Residential	0%	Agricultural	0%
Commercial	0%	Vacant	0%
Industrial	0%	Other	0%

3. Describe the surrounding land uses:

NORTH	Residential and vacant desert land - private or BLM/Federal ownership.
EAST	Residential and vacant desert land - private or BLM/Federal ownership.
SOUTH	Immediately south is vacant land (private and BLM/Federal lots)
WEST	Vacant land with County Landfill southwest (within 1-mile of the sw property boundary).

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

The water meter would be installed on the mainline running east to west on Napa Road immediately adjacent to the north property boundary. The meter would be placed on either the NW or NE corner of the parcel.

5. Will service extensions accomplished by this proposal induce growth on this site? YES ☐
NO X Adjacent sites? YES ☐ NO ☐ Unincorporated ☐ Incorporated ☐

6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☐
NO X If YES, please identify.

7. Is this proposal a part of a larger project or series of projects? YES ☐ NO X If YES, please explain.

(FOR LAFCO USE ONLY)

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME **BIGHORN-DESERT VIEW WATER AGENCY** TELEPHONE NO. **760-364-2315**

ADDRESS: **622 JEMEZ TRAIL, YUCCA VALLEY, CA 92284**

NAME **MR. ALI REZAIE, MD**

TELEPHONE NO. **310-928-5954**

ADDRESS: **9370 Claircrest Drive, Beverly Hills, CA 90210**

CERTIFICATION

As a part of this application, the **BIGHORN-DESERT VIEW WATER AGENCY** and **ALI REZAIE**(real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

(FOR LAFCO USE ONLY)

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 7/20/2023

 SIGNATURE

Ali Rezaie

1 Eummi Park

Printed Name of Applicant or Real Property in Interest
(Landowner/Registered Voter of the Application Subject Property)

Land Owner/Applicant

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ☐ ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- ☐ SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- ☐ CITY INCORPORATION SUPPLEMENT
- ☐ FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ☐ ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

KRM-Rev. 8/19/2015

(FOR LAFCO USE ONLY)

SUPPLEMENT ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

INTRODUCTION: The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO
Bighorn-Desert View Water Agency

DETACHED FROM

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following: **N/A**

a. Has pre-zoning been completed? YES ☐ NO ☐

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☐

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

N/A

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES ☐ NO ☐ If YES, please provide a written justification for the proposed boundary configuration.

N/A

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

Not to the Agency's knowledge.

5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

Not to the Agency's knowledge.

(FOR LAFCO USE ONLY)

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

N/A

7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

N/A

8. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.
- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

Annexation APN 0631-071-29
Page 3 of 3

Bighorn-Desert View Water Agency

Board of Directors

John Burkhardt, President
JoMarie McKenzie, Vice President
Megan Close-Dees, Secretary
Craig Dicht, Director
David Chapman, Director



Agency Office

622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone
760/364-3412 Fax

Marina D West, P.G., General Manager

www.bdvwa.org

A Public Agency

INDEMNIFICATION AGREEMENT BY PROPERTY OWNER IN FAVOR OF BIGHORN-DESERT VIEW WATER AGENCY (AGENCY) IN CONNECTION WITH THE AGENCY'S SAN BERNARDINO LAFCO APPLICATION FOR ANNEXATION OF THE PROPERTY OWNER'S PROPERTY TO THE AGENCY'S SERVICE TERRITORY FOR WATER SERVICE

In consideration for the LAFCO application filed by Bighorn-Desert View Water Agency's (Agency) for the benefit of the undersigned Property Owner in order for the Property Owner to connect to the Agency's water system for water service to the Property Owner's property located at

APN: 0631-071-29

A 10-Acre Vacant Lot on Napa Road at Covelo Avenue (Southwest Corner)

The Property Owner agrees as follows:

The Property Owner shall be responsible for all fees, costs and expenses (LAFCO Costs) incurred by the Agency in connection with the Agency's LAFCO application mentioned above which, if successful, should enable the Property Owner to apply for a water connection to and water service from the Agency. Such LAFCO Costs include any fees, costs and expenses charged by LAFCO and any attorneys' fees charged by LAFCO or incurred by the Agency in connection with the Agency's LAFCO application. Such costs and expenses are in addition to the regular payment by the Property Owner of the Agency's water rates, fees and charges for such water connection and water service.

In addition, the Property Owner and the Agency agree that the Agency shall, to the extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, cost, expense, attorneys' fees, litigation costs, defense costs, court costs or any other costs arising out of or in any way related to the Agency's LAFCO application or any third party legal challenge to the Agency's LAFCO application. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the fullest protection possible to the Agency.

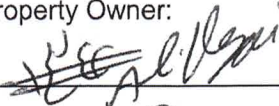
Therefore, the Property Owner shall defend, indemnify and hold harmless the Agency (with legal counsel chosen by the Agency), its employees, agents and officials, from any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including actual attorneys' fees incurred by the Agency, court costs, interest, defense costs including expert

witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, in connection with the Agency's LAFCO application. All obligations under this provision are to be paid by the Property Owner as they are incurred by the Agency.

Each of the persons signing below represent that they have the authority to act on behalf of the respective parties to this indemnification agreement and to bind those parties to the obligations of this agreement.

Executed in Yucca Valley, California on the dates indicated by each signature below.

Property Owner:



By: Ali Rezaie

Dated: 4/11/2023

Bighorn-Desert View Water Agency



By: MARINA WEST

Dated: 4/12/2023



San Bernardino Local Agency Formation Commission

PLAN OF SERVICE REPORT - ANNEXATION OF PARCEL NO. 0631-071-29

July 2023

Prepared on Behalf of Applicant/Property Owner: Ali Rezaie

By

Bighorn-Desert View Water Agency

Marina D. West, PG

Bighorn-Desert View Water Agency

622 Jemez Trail, Yucca Valley, CA 92284

SUMMARY:

This *Plan for Service* was prepared in accordance with Government Code Section 56653 and is included as an attachment to the application for annexation of Assessor Parcel No. 0631-071-29 (10-acres located south of Napa Road between Alta Avenue and Covelo Avenue, Landers, CA).

The annexation was requested by the property owner, A. Rezaie, MD. Bighorn-Desert View Water Agency will serve as the applicant on behalf of the landowner.

Mr. Rexaie recently purchased this vacant 10-acre parcel with the understanding that the parcel would require annexation from the Agency's Sphere of Influence into its Service Territory in order to access water service from Bighorn-Desert View Water Agency.

The annexation is for one single parcel for one water meter which is the basis for this *Plan for Service* in meeting the minimum requirements for such under the LAFCO guidelines.

A. Level and Range of Service to be Provided: The property owner is seeking access to water service from Bighorn-Desert View Water Agency. To our knowledge, there would be no other entity that would be providing a "service" for which LAFCO would be required to approve (ie. sewer service).

To that end, the level of service would be provision of water through a 1-inch service line and water meter installed at the northern edge of the property connected to an existing 8-inch water main.

B. Discuss When Service can be Feasibly Extended to the Parcel: The parcel lies adjacent to an existing 8-inch transmission mainline. The only additional work needed is to install the 1-inch service line and meter. Once the annexation proceedings are completed to bring the parcel into the service territory of the Agency, the water meter and service line can be installed within two weeks of that request.

C. Identify any Improvements or Upgrades the Agency would Impose on the Territory: None, no additional infrastructure is required to serve this parcel.

D. Fiscal Impact Analysis: The Agency has sufficient capacity to service this additional parcel. The fiscal impact of adding one additional service connection would not be significant and is within the projected annual growth for the Agency. The Agency's 2021 Rate and Capacity Fee Study was designed to adequately fund the Agency's operations going forward. The Rate and Capacity Fee Study includes a 20-year financial model which is used here as the fiscal impact analysis. The Agency is scheduled to begin a new Rate and Capacity Fee Study in early 2025 in anticipation of a Prop. 218 Rate Hearing in late 2025.

The 2020 Water Rate Study and Water Capacity Fee Study reports and associated appendixes were received and filed by the Board of Directors on February 9, 2021 and are submitted as an Appendix to this report.

E. Annexing Parcel to Existing Improvement District: The project would become part of the Improvement District Goat Mountain. A water system dissolved from the County of San Bernardino Special Districts Department and annexed to the Agency thru the formation of an improvement district (LAFCO Proposal No. 3181/Resolution No. 3197).

F. Water Availability to Parcel: Upon finalization of approvals by LAFCO to annex the territory (a single 10-acre parcel) and payment of fees applicable to initiating water service, the Agency can install the needed improvements within approximately two weeks.

APPENDIXES

1. Final Water Rate Study and Appendix A – Financial Plan and Reserve Summary, NBS Government, February 2021 – Received and filed by the Board of Directors on February 9, 2021
2. Final Capacity Fee Study Report and Appendix with Exhibits 1 to 8, NBS Government, February 2021, Received and Filed by the Board of Directors on February 9, 2021.
3. Resolution No. 21R-08 Adjusting the Basic Service Charge and Water Consumption Charges by Specific Customer Class, adopted April 13, 2021.

Item 3 Workshop Presentation - Secured Lien Processes for Delinquent Water Accounts and All Tax Apportionment Processes

No Action – Information and Discussion Purposes Only

No Staff Report

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

Meeting Date: August 8, 2023

To: Board of Directors

Budgeted: Grant Funded

Budgeted Amount: \$298,063 Grant

Cost: \$84,380.94

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: Cat. Ex. Filed 2/14/2023

Subject: Authorize Issuance of Purchase Order to Zenner USA, Inc. to Procure Water Meters for the "Meter Replacement Program" at a Cost of \$84,380.94

SUMMARY

The Agency has been awarded a Department of Water Resources (DWR) Disadvantaged Community Implementation grant (DACI) under the latest "drought round" of solicitations in the amount of \$298,063. This grant was awarded for the replacement of approximately 1,075 meters (1-inch and ¾-inch) and associated installation materials. Approximately 30% of the installations will include a customer side check valve and locking ball valve. This project is known as the Meter Replacement Project.

A total of three bids were received for procurement of the water meters. The lowest responsive bidder was Zenner USA, Inc. at \$84,381. This bid includes the applicable tax and shipping.

Staff recommends the Board authorize the issuance of a Purchase Order to Zenner USA, Inc. for procurement of the water meters for this project.

RECOMMENDATION

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

1. Authorize issuance of Purchase Order to Zenner USA, Inc. for purchase of water meters for the "Meter Replacement Program" in the amount of \$84,381.

BACKGROUND/ANALYSIS

The Agency has been awarded a Department of Water Resources (DWR) Disadvantaged Community Implementation grant (DACI) under the latest "drought round" of solicitations in the amount of \$298,063. This grant was awarded for the replacement of approximately 1,075 meters (1-inch and ¾-inch) installed circa 2008 and associated installation materials (valves, fittings, gaskets, etc.). Approximately 30% of the installations will include a customer side check valve and locking ball valve. This project is known as the Meter Replacement Program.

The Agency utilized the services of Provost & Pritchard Engineering Group to advance the design of this project. The original plan was to draft specifications for a public works contract to utilize a contractor to acquire the materials and provide complete the installations. As the project moved into the design phase, the cost of goods and services drastically increased the estimated cost of this project from the grant amount of approximately \$300,000 to \$1,000,000 with most of the cost imbedded in the contracted labor portion. At that point, staff determined that the most cost effective way to bring this project to completion was to modify the project methodology from public works contracted labor to in-house labor and to request a time extension. The materials would still be procured through a competitive bidding process. DWR approved this approach in May 2023.

Staff performed a field inventory of the each locations identified for replacement and sorted by “meter only” and “meter plus additional parts”. Provost & Pritchard prepared the specifications for procurement of the all materials. Recognizing that not all parts suppliers distribute the desired meter manufactured by Zinner USA, Banning, CA the procurement package was separated into two parts: Water Meters only and Water Service Materials.

A total of three bids were received for procurement of the water meters. The lowest responsive bidder was Zenner USA, Inc. at \$84,380.94. The attached memorandum from Provost & Pritchard summarizes the procurement process and results.

The Planning/Engineering Standing Committee has been and will continue to receive regular updates on the status of this project.

Staff recommends the Board authorize the issuance of a Purchase Order to Zenner USA, Inc. for procurement of the water meters for this project.

PRIOR RELEVANT BOARD ACTION(S)

7/11/2023 Motion No. 23-024 authorize issuance of a Purchase Order to Ferguson Waterworks Inc. to procure water service materials for the “Meter Replacement Program” at a cost of \$144,907.78 (\$96,677.54 Meter Replacement Program reimbursement amount and \$38,571 meter boxes not reimbursed).

2/14/2023 Motion No. 23-008 Authorize Filing of Categorical Exemption in Accordance with the CA Environmental Quality Act (CEQA) for the “Meter Replacement Project” Funded by the Department of Water Resources Disadvantaged Community Involvement Grant Program – “Drought Round 2022”.

9/13/2022 Motion No. 22-037 Authorize General Manager to enter into a Professional Services Agreement with Provost and Prichard for Engineering Services related to the Water Meter Replacement Program (DWR Grant).

05/17/2022 Agency accepted fully executed Urban and Multibenefit Drought Relief Grant Program “pass-through” grant accepted by the Mojave Water Agency as its Integrated Regional Management Plan.

Memorandum

To: Bighorn-Desert View Water Agency Board

From: Liz Varner, PE and Jeane Hill, PE

Subject: Procurement Summary for Bighorn-Desert View Water Agency – Residential Water Meter Replacement Project- Meter Material Package

Date: July 26, 2023

Meter Material Procurement Package:

The meter material procurement document proposals for the Bighorn-Desert View Water Agency (BDVWA) Residential Water Meter Replacement Project- Meter Material Packages were due on Monday, July 24, 2023 at 4:00 p.m. via email, in person or mail to delivered to Bighorn-Desert View Water Agency at 622 Jemez Trail, Yucca Valley, CA 92284. Three packages were received; we have reviewed the procurements and a summary of our review is provided below for consideration by BDVWA. A copy of the procurement package from the meter suppliers will be provided to BDVWA under separate cover.

Review of Procurement Packages:

Procurement Packages were received from the following Meter Suppliers: Zenner USA, Inc., IFlow Energy Solutions, Inc, and RG Inc. The procurement packages have been reviewed to determine if all required documents were included. The apparent low meter supplier, Zenner USA, Inc. included all required procurement documents, and is therefore, considered the lowest responsive meter supplier. It is recommended that the BDVWA review the procurements and consider preparing a board resolution accepting Zenner, USA Inc. as the lowest responsive meter supplier and executing the purchase agreement. Based on this procurement evaluation, we consider Zenner USA, Inc. to be a *responsible* supplier and the procurement package is *responsive*.

Evaluation of Procurements:

A summary of the procurements received is provided in the attached canvass of meter material procurements (**Exhibit A**). The procurement schedule was reviewed and checked accordingly for mathematical errors. The total procurement amount provided by Zenner USA ,Inc. did not contain any errors, the additive unit cost was the same as the base procurement amount.

If the BDVWA elects to award the purchase agreement with Zenner USA ,Inc., it is recommended that the award be contingent upon receiving written approval from the State Department of Water Resources prior to issuing a notice of award.

The procurement documents state that the project will be awarded to the lowest responsive meter supplier based on the sum of the **base procurement**. The total base procurement amount received from each meter supplier is listed in Table 1 below.

Table 1: Summary of Procurements for Meter and Water Service Material Packages

Suppliers	Base Procurement Amount
Grant Budget for Project	\$298,036.00
Meter Procurement:	
Zenner USA, Inc.	\$84,380.94
iFlow Energy Solutions, Inc.	\$95,562.77
RG Inc.	\$94,231.03

Project Budget:

The grant amount awarded to BDVWA for the project totaled **\$298,036.00**. The total cost of the lowest responsive water service material procurement supplier (Zenner USA, Inc.) is **\$84,380.94**.

Procurement Recommendation:

Therefore, should the District choose to award a contract for the purchasing of the water service materials for the Project, we recommend BDVWA accept Zenner USA Inc.'s procurement proposal and award a purchase agreement to them for the Base Procurement in the amount **\$84,380.94** to Zenner USA, Inc.

Attachment: Exhibit A, Canvas of Procurements

EST. 1968

PROVOST & PRITCHARD

CONSULTING GROUP

An Employee Owned Company

CANVASS OF BIDS

BigHorn Desert View Water Agency

Residential Water Meter Replacement Project

Meter Materials

Procurement Due Date 7/24/2023

Project Manager JMH

Prevailing Wages Required Yes

Project Engineer ELV

Item No.	Item Description	Quantity	Unit	RG Inc.			Zenner USA, Inc.			iFlow Energy Solutions, Inc.		
				Unit Price	Item Total		Unit Price	Item Total		Unit Price	Item Total	
1	¾-Inch Zenner Multijet Meter	605	EA	\$80.44	\$48,666.20		\$72.05	\$43,590.25		\$81.50	\$49,307.50	
2	1-Inch Zenner Multijet Meter	421	EA	\$108.23	\$45,564.83		\$96.89	\$40,790.69		\$109.87	\$46,255.27	
			Total		\$94,231.03			\$84,380.94			\$95,562.77	

NOTES:

Quantities are not guaranteed. Final payment will be based on actual quantities.

**BIGHORN DESERT VIEW WATER AGENCY
BOARD OF DIRECTORS
AGENDA ITEM SUBMITTAL**

Meeting Date: August 8, 2023

To: Board of Directors

Budgeted: \$214,300 (Gen. Tax Rev.)

Budgeted Amount: \$232,523

Cost: N/A

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Resolution No. 23R-16 Establishing the Agency's Appropriation Limit for Fiscal Year 2023/24 at \$232,523

SUMMARY

The Agency's calculated Appropriation Limit is below the expected tax collection for next fiscal year. This is the desired outcome of such calculation.

What is the appropriations limit? The appropriations limit calculated under Government Code 7902, often referred to as the Gann limit, was established by Proposition 4 in 1974. Simply put, the purpose of the limit is to keep inflation adjusted per-person government spending under 1978–79 levels.

Attached is the report establishing the Appropriation Limit calculation for Fiscal Year 2023/24. The Appropriation Limit shall be adopted by resolution (attached) but prior to adoption Government Code Section 7910 requires that these calculations, made to determine the Agency's Appropriation Limit, be made available to the public for at least 15 days prior to the date the Board considers adoption of the Resolution.

The report showing the calculations was posted in the same locations as a Regular Board agenda on June 29, 2023 (see attached Appropriation Limit Worksheet).

The calculated Appropriation Limit for Fiscal Year 2023/24 is \$232,523.

The Fiscal Year 2023/24 budget projection for the total general property tax levy is \$214,300, which does not exceed the reported Appropriation Limit.

RECOMMENDATION TO BOARD OF DIRECTORS

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

1. Adopt Resolution No. 23R-16 Establishing the Agency's Appropriation Limit for Fiscal Year 2023/24 at \$232,523.

BACKGROUND/ANALYSIS

In November of 1979, California voters approved Proposition 4, an initiative that added Article XIII B to the *California Constitution*. This constitutional amendment, known as the Gann Initiative, placed limits on the growth of expenditures for publicly funded programs. Division 9 or Title 1, beginning with Section 7900 of the *Government Code*, was then added to the law to specify the process for calculating state and local government appropriations limits and appropriation subject to limitation under Article XIII B of the *California Constitution*. These constitutional and statutory sections explain and define the appropriations limit and the appropriations subject to limitation as they apply to state and local government, and require that each entity of government formally “adopt” its appropriation limit for a given fiscal year.

The factors used to calculate the limit are the percentages for change in population and the per capita personal income. The per capita personal income change is reported by the California Department of Finance each May (see attached DOF letter). The change in population is calculated by Bighorn-Desert View Water Agency and is based on the number of active service connections, converted to population.

The formula, as shown on the Resolution, used to calculate the appropriation limit is population growth times the per capita personal income times the prior year’s limit. Based on this formula, Bighorn-Desert View Water Agency’s appropriation limit for FY 2023/24 is \$232,523. The limit is higher than last year due to the proportionate change in active meters, DOF reported information and number of new meters installed.

The FY 2023/24 budgeted (estimated) revenue for the three “1% General Property Tax Levy” increments (Bighorn-Mountains “Imp. A” [GA02], Bighorn-Desert View [GA01], and Imp. Dist. Goat Mtn. [GA03]) is \$214,300, which does not exceed the appropriation limit. More information defining the tax rate areas is included as Appendix A to this staff report.

When the calculated appropriations limit exceeds the expected tax receipts for the fiscal year then the Agency is in compliance with the Gann Limit and no further action is required. Staff recommends the Board adopt the Resolution establishing the Appropriation Limit for fiscal year 2023/24 following the conclusion of the Public Hearing on the matter.

PRIOR RELEVANT BOARD ACTION(S)

Required Annual Administrative/Budget Action



Gavin Newsom ■ Governor

1021 O Street, Suite 3110 ■ Sacramento CA 95814 ■ www.dof.ca.gov

Dear Fiscal Officer:

Subject: Price Factor and Population Information**Appropriations Limit**

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2023, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2023-24. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2023-24 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2023.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

JOE SPEPHENSHAW
Director
By:

Erika Li
Chief Deputy Director

Attachment

May 2023

Attachment A

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2023-24 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2023-24	4.44

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2023-24 appropriation limit.

2023-24:

Per Capita Cost of Living Change = 4.44 percent
Population Change = -0.35 percent

Per Capita Cost of Living converted to a ratio: $\frac{4.44 + 100}{100} = 1.0444$

Population converted to a ratio: $\frac{-0.35 + 100}{100} = 0.9965$

Calculation of factor for FY 2023-24: $1.0444 \times 0.9965 = 1.0407$

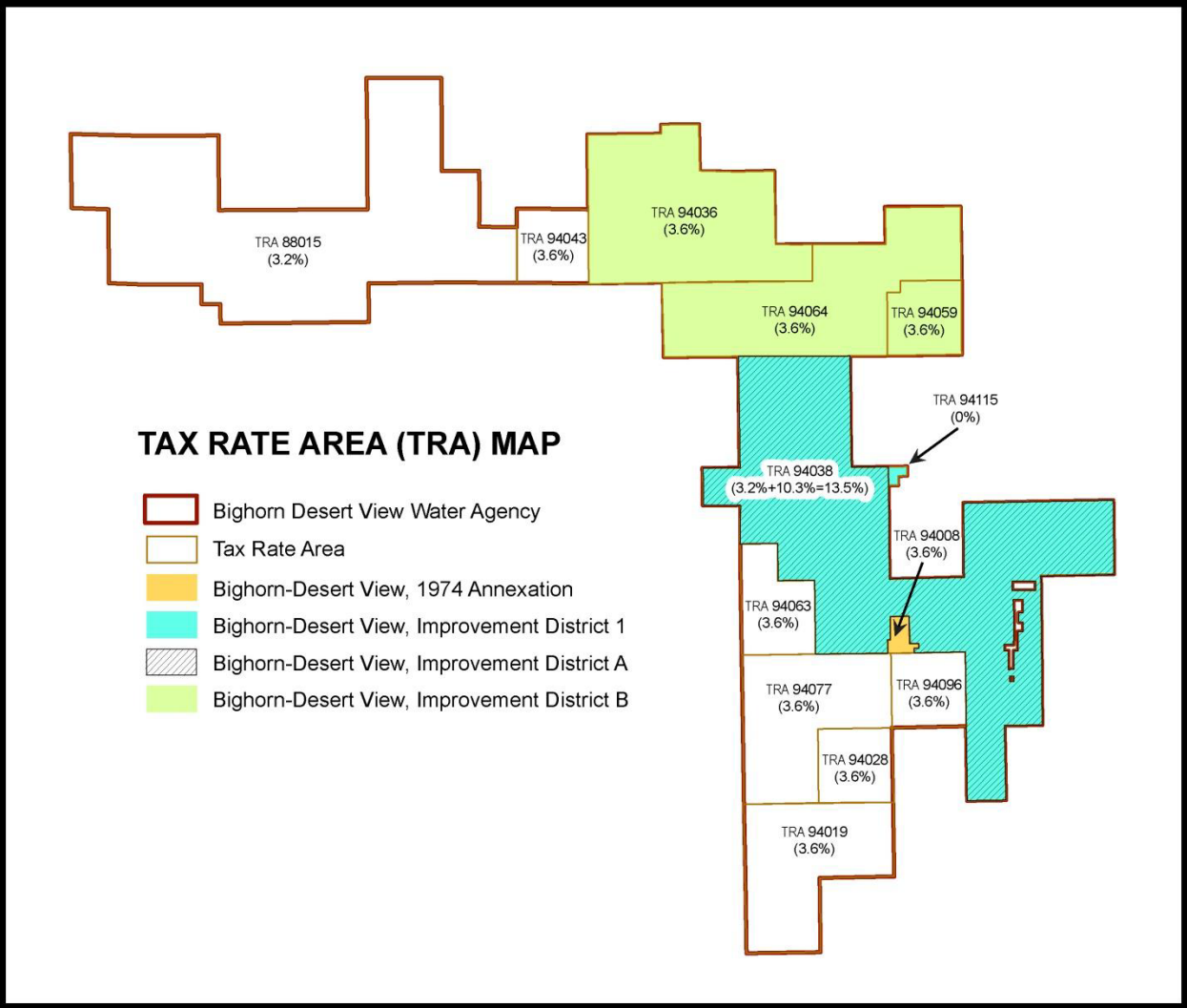
APPENDIX A – TAX RATE AREAS DEFINED

In 2012, the Local Area Formation Commission for San Bernardino County (LAFCO) completed a Service Review for the Homestead Valley Community. This report defined the various “general tax increments” that are apportioned to Bighorn-Desert View Water Agency beginning on page 54.

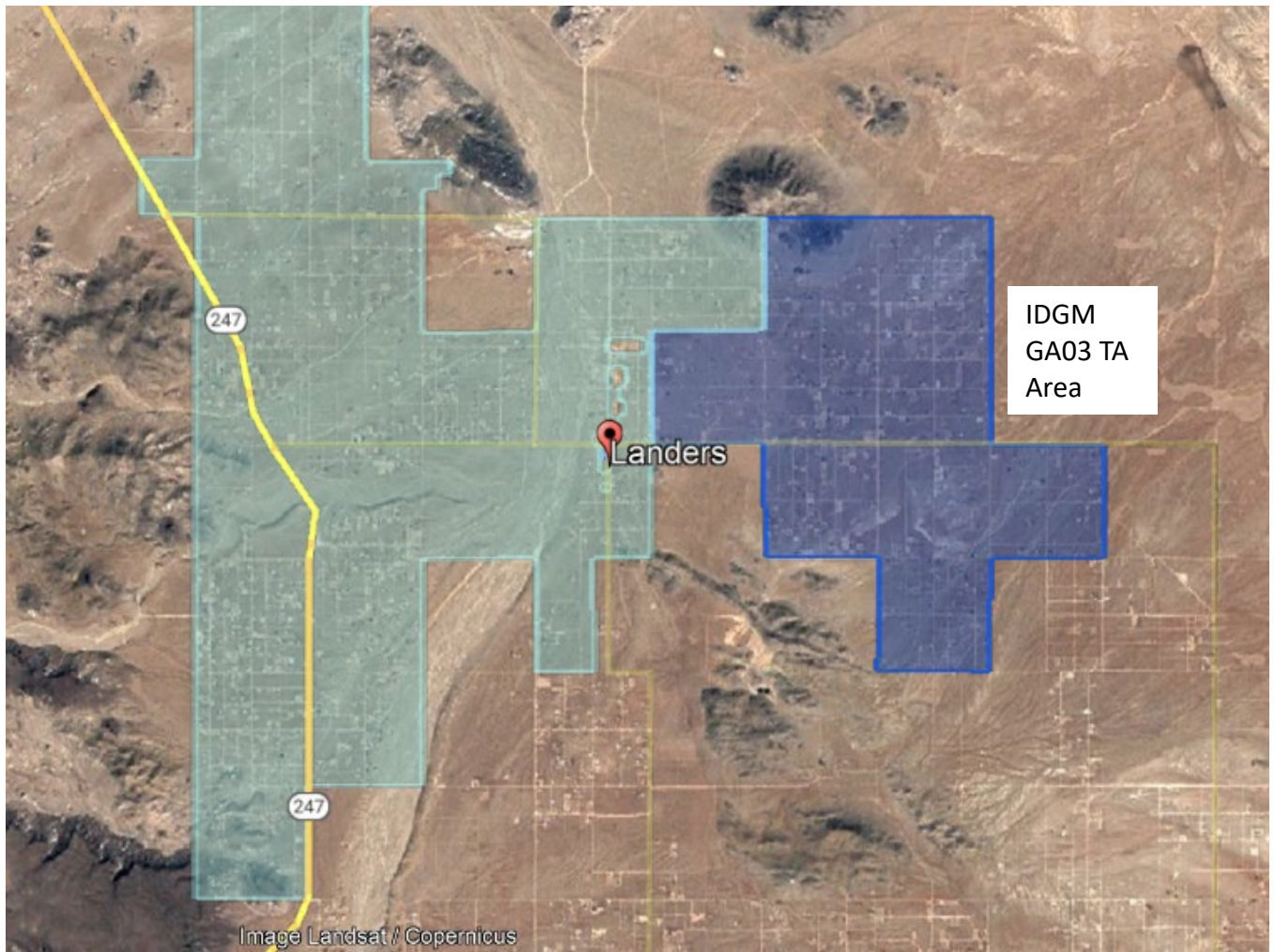
Tax Rate Areas

The State Board of Equalization (BOE) identifies five different taxing categories for the Agency, outlined below with an illustrative map following:

- Bighorn-Desert View Water Agency – this represents all of the 13 tax rate areas (TRAs) of the Agency. The Agency is assigned to receive a share of the one percent general levy from each parcel within its boundaries. The County classifies this tax share as GA01. The Agency does not receive a share of the one percent general levy from one TRA since it was annexed to the Agency post-Prop. 13 (there was no concurrent detachment from another agency so there was no tax transfer). The average share to the Agency from GA01 is 3.6% of the general levy.
- Bighorn-Desert View, Imp. A – There are no records available as to the purpose of Improvement District A. In FY 1977-78 (pre-Prop 13) Bighorn Mountains Water Agency levied a tax for Improvement District A. This was converted as a separate share of the one percent ad valorem in FY 1978-79 (post-Prop.13). Therefore, the Agency receives two shares of the one percent general levy from those within this territory (comprising only one, although large, TRA). The County classifies this second tax share as GA02. The average share to the Agency from GA01 is 3.6% of the general levy, and the share to the Agency from GA02 is 10.3%. Roughly 31% of the assessed valuation of the Agency comes from this TRA. Therefore, this second share of the general levy generates significant additional revenue for the Agency.



- Tax Rate Area GA03 is the Improvement District Goat Mountain which was annexed in 2015 after the finalization of the Service Review by LAFCO. This TRA is not defined in the 2012 LAFCO Resolution within the section title County Service Area 70 Zone W-1 (Goat Mountain) Service Review (pg. 85). A map of the TRA is shown below.



RESOLUTION NO. 23R-16

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING THE APPROPRIATION LIMIT OF THE AGENCY
AT \$232,523 FOR THE FISCAL YEAR JULY 1, 2023 – JUNE 30, 2024
PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

WHEREAS, the California Constitution and Government Code Section 7900 et seq. requires the Board of Directors to annually calculate and establish, by resolution, the Agency's appropriations limit for each fiscal year; and

WHEREAS, the calculations made to determine the appropriations limit was made available to the public on June 29, 2023 for at least 15 days prior to the date of this Resolution, in accordance with Government Code 7910.

NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES:

1. That the Appropriations Limit of Bighorn-Desert View Water Agency for fiscal year July 1, 2023 – June 30, 2024 was calculated at \$232,523; and
2. That the fiscal year 2023/24 budgeted revenue from property taxes is \$214,300, which does not exceed the calculated appropriation limit.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 8th day of August 2023.

By _____
John Burkhart, President of the Board

ATTEST:

By _____
Megan Close-Dees, Secretary

Official Seal



**Bighorn-Desert View Water Agency
Fiscal Year 2023-24 Appropriation Limit
POSTED June 29, 2023**

Previous year limit (corrected for population):		\$224,067.65
Appropriation factor:		1.03774
New limit:		<div><div></div><div>\$232,523</div></div>
Calculation		
Price factor:	4.44	
Population change:	-0.64 %	
Per capita converted to a ratio:	$(4.44+100) / 100 =$	1.0444
Population converted to a ratio:	$(-0.64+100) / 100 =$	0.9936
Calculation of factor for FY 2023/24:	$1.0444 \times 0.993619736$	1.0377

The Final Fiscal Year 2023/24 Budget includes projections of the General Tax Levy received from the San Bernardino County Auditor/Controller/Tax Collector as follows:

2023/24 Tax Levy Budget (Tax Apportionment code WY08)

Bighorn-Desert View WA 1% Gen. Levy Share (GA01)	\$86,400
Bighorn Imp "A" Area 1% General Levy Share (GA02)	\$86,300
ID Goat Mountain 1% General Levy Share (GA03)	\$41,600
	<u>\$214,300</u>

Posted June 29, 2023



BIGHORN-DESERT VIEW WATER AGENCY

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

BOARD OF DIRECTORS' MEETING MINUTES

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

**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=ckhOSDV5NWRKMC9jM2ZjUGw0NjB4QT09>

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

President Burkhart called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

Led by Rosie Carrick

ROLL CALL

Directors present:

John R. Burkhart

JoMarie McKenzie

Megan Close-Dees

Craig Dicht – Participating from posted remote location

David Chapman

Staff present:

Marina West

Rosa Carrick

Public Present: Following Roll Call, 1 member(s) of the public indicated they were participating via teleconference. 0 members of the public were present in the meeting room.

APPROVAL OF AGENDA

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

Discussion and Action Items –

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

GM West gave the staff report as outlined in the Agenda packet and a Powerpoint presentation. GM West acknowledged and thanked Agency staff for their attention to billing details throughout the year. She introduced Ms. Carrick, who is primarily responsible for the implementation of these processes annually with assistance from Ms. Heller. The process begins each May and June the Agency summarizes the report of Bad Debt expenses owed for the prior year period and prepares for the submission of a collections report to the County of San Bernardino for inclusion in the secured tax rolls. Currently, the total amount to be forwarded to the County of San Bernardino for collections on the 2023 Tax Bill is \$49,708.95 on seventy-seven accounts. The owners of each delinquent account were sent final notices by regular first class mail on June 1, 2023 to inform them of the pending property tax lien and the amount owed to the Agency to avoid the lien. The Agency posed the required public notices in the Hi Desert Star on June 28th and July 5th. It was reported that the Agency has received no letters of protest prior to the public hearing.

GM West answered questions of the Board.

President Burkhart opened the Public Hearing at 6:17 pm.

Public comments: None

President Burkhart closed the Public Hearing at 6:18 pm.

There was no further discussion from the Board.

Motion No. 23-022

Director McKenzie made a motion to adopt Resolution No. 23R-13 - Confirming reports of delinquent accounts for Basic Service Charges, water charges, revenue bond surcharges, delinquent 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 for Tax Year 2023. Director Close-Dees seconded the motion.

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

MSC¹ (McKenzie/Close-Dees) unanimously approved by roll call vote.

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

GM West gave the staff report as presented in the Agenda Packet and a Powerpoint presentation. The standby assessment applies only to those unmetered parcels with in the Improvement District Goat Mountain. As meters are purchased in a given fiscal year they are then removed from the subsequent tax roll. The assessments have been applied to unmetered parcels since the creation of the predecessor water system, CSA 70 W-1 (Goat Mountain) by the County of San Bernardino. The assessment per acre has never been adjusted. It was reported that the Agency has received no letters of protest prior to the public hearing.

GM West answered questions of the Board.

President Burkhart opened the Public Hearing at 6:32 pm.

Public comments: None

President Burkhart closed the Public Hearing at 6:33 pm.

There was no further discussion from the Board.

Motion No. 23-023

Director Chapman made a motion to adopt Resolution No. 23R-14 – Establishing Stand-By and Availability Fees for Water Service within Bighorn-Desert View Water Agency Improvement District Goat Mountain for (Tax Year 2023). Director Close-Dees seconded the motion.

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

MSC¹ (Chapman/Close-Dees) unanimously approved.

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

GM West gave the staff report as presented in the Agenda Packet and a Powerpoint presentation. GM West further noted that the Agency expects that total costs will exceed the grant amount. All costs over the approximate \$300,000 grant will be expensed to BDVWA. For instance, BDVWA intends to expense the value of the meter boxes. Meter box replacement is desired by staff but the grant may not cover that line item as it is not a necessary upgrade under the meter replacement program. The total cost of water service parts and meters to be covered by the grant is approximately \$220,000. The Agency staff will do the installations and will request reimbursement for labor up to the grant amount. Without the grant, the Agency would still need to be replacing these meters, with a new meter box, due to age.

GM West answered questions of the Board.

Motion No. 23-024

Director Chapman made a motion to authorize issuance of a Purchase Order to Ferguson Waterworks Inc. to procure water service materials for the “Meter Replacement Program” at a cost of \$144,907.78. Director McKenzie seconded the motion.

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

MSC¹ (Chapman/McKenzie) unanimously approved.

4. Consent Items -

- 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-h):

Motion No. 23-025

Director Dicht made a motion to accept the Consent Items a to h, as presented.
Director Close-Dees seconded the motion.

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

MSC¹ (Dicht/Close-Dees) unanimously approved.

5. Matters Removed from Consent Items

None.

6. Public Comment Period

None.

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

1. General Manager Report – none.
2. Director Reports – none.

8. Adjournment

President Burkhart adjourned the meeting at 7:01 pm.

Approved by:

Megan Close-Dees, Secretary of the Board

MSC¹ – Motion made, seconded and carried

Official Seal

General Ledger

Balance Sheet

User: rsandoval
 Printed: 08/04/2023 - 8:30AM
 Fund: All
 Period: June Unaudited
 Fiscal Year: 2023

Bighorn – Desert View Water Agency

622 S. Jemez Trail (760) 364-2315
 Yucca Valley, CA 92284-1440

Fund ALFRE

Account Type	Amount
01 - General Fund	
Assets	
CASH & CASH EQUIVALENTS	
01-00-131250 - PACIFIC WESTERN BANK	2,938,373.51
01-00-131300 - CASH DRAWERS BASE FUND	750.00
01-00-131350 - FIVE STAR BANK	50,000.00
01-00-134000 - PETTY CASH FUND	800.00
Total CASH & CASH EQUIVALENTS:	2,989,923.51
INVESTMENTS	
01-00-131251 - PACWEST CD (Maturity09.08.23)	1,000,000.00
01-00-131252 - PACWEST CD (Maturity06.09.23)	0.00
01-00-131253 - PACWEST CD (Maturity07.20.23)	250,000.00
01-00-131255 - FIVE STAR BANK MONEY MARKET	701,809.78
01-00-132000 - PARS IRS 115 TRUST	242,232.17
01-00-133030 - LAIF - CASH ACCOUNT	6,818.85
01-00-133111 - OPEN	0.00
01-00-133112 - OPEN	0.00
Total INVESTMENTS:	2,200,860.80
ACCOUNTS RECEIVABLE - WATER	
01-00-137100 - A/R WATER	276,473.45
01-00-137130 - A/R WATER UNBILLED FYE	147,859.07
01-00-139542 - 2015-16 LIEN REC \$43,270	0.00
01-00-139543 - 2016-17 LIEN REC \$45,364	631.09
01-00-139544 - 2017-18 LIEN REC \$32,464	1,870.31
01-00-139545 - 2018/19 LIEN REC \$52,020	3,146.60
01-00-139546 - 2019/20 LIEN REC \$35,381	5,672.10
01-00-139547 - 2020/21 LIEN REC \$54,761	17,705.19
01-00-139548 - 2021/22 LIEN REC \$84,795	47,685.58
01-00-139900 - ALLOW. FOR BAD DEBTS-H2O LIENS	(1,500.00)
Total ACCOUNTS RECEIVABLE - WATER:	499,543.39
ACCOUNTS RECEIVABLE - OTHER	
01-00-136000 - A/R OTHER (Non-UB AR)	0.00
01-00-136500 - INTEREST RECEIVABLE	8,781.47
01-00-137112 - 2017 IDGM STBY A/R (\$10,353)	2,771.40
01-00-137114 - 2019 IDGM STBY A/R (\$10,349)	2,452.40
01-00-137115 - 2020 IDGM STBY A/R (\$8,860)	4,437.70
01-00-137116 - 2021 IDGM STBY A/R (\$8,680)	4,574.40
01-00-137117 - 2022 IDGM STBY A/R (\$9,037)	9,036.90
01-00-138000 - A/R PROPERTY TAXES	25,423.47
01-00-138030 - ACCRUED RECEIVABLE	1,798.00
01-00-139000 - A/R CUSTOMER PROJECTS	0.00
01-00-139605 - DUE FROM PROP 1 PLANNING GRANT	0.00
01-00-139609 - DUE FROM AWAC	0.00

Fund ALFRE

Account Type

Amount

01-00-139610 - DUE FROM GM WELL (Well 13)	15,184.69
01-00-139611 - DUE FROM PROP 1/RND 2- HDWD	0.00
01-00-139901 - ALLOWANCE BAD DEBT - STANDBY	(5,000.00)
01-00-139902 - ALLOW. DEPOSITS UNPAID	(31,782.31)
Total ACCOUNTS RECEIVABLE - OTHER:	37,678.12
INVENTORY	
01-00-143010 - INVENTORY-WATER SYSTEM PARTS	95,350.30
01-00-143011 - INVENTORY- AMES WATER	393,410.00
01-00-143012 - INVENTORY CLEARING	566.27
Total INVENTORY:	489,326.57
PREPAID EXPENSES	
01-00-144010 - PREPAYMENTS W/C INS	11,590.00
01-00-144020 - PREPAYMENTS PL & PD LIAB INS	58,750.84
01-00-144025 - PREPAID EXPENSES	27,185.44
01-00-144035 - PREPAY CalPERS UAL	0.00
Total PREPAID EXPENSES:	97,526.28
FIXED ASSETS	
01-00-111300 - FA ORGANIZATION	336,271.36
01-00-111301 - A/D ORGANIZATION	(216,601.70)
01-00-111350 - FA LAND	96,194.53
01-00-111400 - FA BUILDINGS	327,592.81
01-00-111401 - A/D BUILDINGS	(279,098.68)
01-00-111500 - FA YARDS	56,330.15
01-00-111501 - A/D YARDS	(50,304.28)
01-00-111600 - FA FUEL TANKS	18,942.68
01-00-111601 - A/D FUEL TANK	(18,130.12)
01-00-111700 - FA WATER SYSTEM	10,119,467.18
01-00-111701 - A/D WATER SYSTEM	(7,189,077.80)
01-00-111800 - FA SHOP EQUIPMENT	29,960.60
01-00-111801 - A/D SHOP EQUIPMENT	(25,446.17)
01-00-111810 - FA MOBILE EQUIPMENT	875,183.70
01-00-111811 - A/D MOBILE EQUIPMENT	(660,317.49)
01-00-111900 - FA OFFICE EQUIPMENT	182,242.50
01-00-111901 - A/D OFFICE EQUIPMENT	(151,496.56)
Total FIXED ASSETS:	3,451,712.71
LEASE OF EQUIPMENT (LT)	
01-00-160200 - LEASE OF EQUIPMENT (LT)	13,099.95
01-00-160999 - ACCUM. AMORTIZATION-EQUIPMENT	(5,198.50)
Total LEASE OF EQUIPMENT (LT):	7,901.45
CONSTRUCTION IN PROGRESS	
01-00-120051 - CIP - MISC	38,265.69
Total CONSTRUCTION IN PROGRESS:	38,265.69
PENSION DEFERRED OUTFLOWS	
01-00-120600 - PENSION DEFERRED OUTFLOWS	0.00
Total PENSION DEFERRED OUTFLOWS:	0.00
NET PENSION LIABILITY	
01-00-223100 - NET PENSION LIABILITY	(93,861.00)
Total NET PENSION LIABILITY:	(93,861.00)
DEFERRED INFLOWS OF RESOURCES	
01-00-225000 - DIR - PENSION RELATED	(208,060.00)
Total DEFERRED INFLOWS OF RESOURCES:	(208,060.00)
Total Assets:	9,510,817.52

Fund ALFRE

Account Type	Amount
Liabilities	
ACCOUNTS PAYABLE	
01-00-225200 - ACCRUED INTEREST PAYABLE	0.00
01-00-225300 - ACCRUED EXPENSES	0.00
01-00-227000 - ACCOUNTS PAYABLE	57,202.18
01-00-227001 - AP PROP 1 ACC.EXP.	0.00
Total ACCOUNTS PAYABLE:	57,202.18
LEASE LIABILITY-EQUIPMENT (ST)	
01-00-260100 - LEASE LIABILITY-EQUIPMENT (ST)	0.00
Total LEASE LIABILITY-EQUIPMENT (ST):	0.00
LEASE LIABILITY-EQUIPMENT (LT)	
01-00-260200 - LEASE LIABILITY-EQUIPMENT (LT)	8,146.70
Total LEASE LIABILITY-EQUIPMENT (LT):	8,146.70
ACCRUED PAYROLL	
01-00-229000 - ACCRUED PAYROLL LIABILITIES	43,972.92
01-00-229010 - GARNISHMENT WITHHOLDING	0.00
01-00-229100 - ACCRUED EMP COMP BALANCES	144,380.02
Total ACCRUED PAYROLL:	188,352.94
ACCRUED PR LIABILITIES	
01-00-229001 - FEDERAL PR TAX PAYABLE	0.00
01-00-229002 - STATE PR TAX PAYABLE	0.00
01-00-229003 - MEDICAL INSURANCE PAYABLE	0.00
01-00-229004 - 3RD PARTY INS PLAN PAYABLE	0.00
01-00-229005 - CALPERS PAYABLE	0.00
01-00-229006 - CALPERS SPEC COMP-UNIFORM ALL	0.00
01-00-229007 - BOARD DIRECT DEPOSIT PR	0.00
Total ACCRUED PR LIABILITIES:	0.00
CUSTOMER DEPOSITS	
01-00-226000 - CUSTOMER DEPOSITS	152,453.67
01-00-226002 - ANNEX SEC. 35 RoBott Land	3,381.21
01-00-226004 - ANNEX 631-051-28 (550 Landers)	0.00
01-00-226005 - UNEARN REV-UB ACCT CREDITS	32,519.84
01-00-226007 - ANNEX 0631-071-29 (NAPA@ALTA)	2,140.00
Total CUSTOMER DEPOSITS:	190,494.72
BLUEFIN CC FEES	
01-00-226001 - BLUEFIN/SB CC FEES thru PORTAL	0.00
Total BLUEFIN CC FEES:	0.00
CIP DEPOSIT	
01-00-226006 - CUST METER DEPOSIT	0.00
Total CIP DEPOSIT:	0.00
PAYABLE FROM RESTRICTED ASSETS	
01-00-229500 - ACCRUED INT PAYABLE DV ID BNDS	0.00
Total PAYABLE FROM RESTRICTED ASSETS:	0.00
LONG TERM DEBT	
01-00-211010 - REVENUE BONDS PAYABLE - DV	0.00
01-00-211020 - DA01 CoSB REPAYMENT	10,849.16
01-00-211030 - IDM PIPELINE FUTURE DEBT BAL	0.00
Total LONG TERM DEBT:	10,849.16
DEFERRED OUTFLOWS OF RESOURCE	
01-00-151000 - DOR - PENSION CONTRIBUTIONS	(90,376.00)
01-00-153000 - DOR - PENSION RELATED	(163,495.00)
01-00-225001 - DEFERRED INFLOW-ADD'L DEFERRAL	0.00
Total DEFERRED OUTFLOWS OF RESOURCE:	(253,871.00)

Fund ALFRE

Account Type	Amount
PENSION DEFERRED INFLOW	
01-00-223110 - PENSION DEFERRED INFLOWS	0.00
Total PENSION DEFERRED INFLOW:	0.00
Total Liabilities:	201,174.70
Fund Balance	
FUND BALANCE	
01-00-301090 - CONTRIBUTED CAPITAL/HUD	0.00
01-00-301110 - FMHA GRANTS	0.00
01-00-310000 - FUND BALANCE	8,852,878.31
01-00-310005 - IMP DIST GOAT MTN FUND BALANCE	175,623.35
01-00-310010 - FUND BALANCE FEMA & OES	0.00
01-00-310011 - DA01 OVERPAYMENT by CoSB	10,849.16
Total FUND BALANCE:	9,039,350.82
Total Fund Balance:	9,039,350.82
Total Liabilities and Fund Balance:	9,240,525.52
Total Retained Earnings:	270,292.00
Total Fund Balance and Retained Earnings:	9,309,642.82
Total Liabilities, Fund Balance, and Retained Earnings:	9,510,817.52
Totals for Fund 01 - General Fund:	0.00

General Ledger

Budget Status

User: rsandoval
Printed: 8/4/2023 - 8:29 AM
Period: June 2023 Unaudited

Bighorn – Desert View Water Agency
622 S. Jemez Trail (760) 364-2315
Yucca Valley, CA 92284-1440

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
Fund 01	General Fund							
Dept 01-00	No Department							
R05	OPERATING REVENUE							
01-00-410000	SERVICE LINE INSTALLATION F	1,500.00	17,630.00	17,630.00	-16,130.00	0.00	-16,130.00	0.00
01-00-410010	BASIC FACILITIES CHARGE	14,200.00	143,001.00	143,001.00	-128,801.00	0.00	-128,801.00	0.00
01-00-410015	AG CONS TIER 1	10,500.00	7,129.35	7,129.35	3,370.65	0.00	3,370.65	32.10
01-00-410016	AG CONS TIER 2	23,800.00	7,980.66	7,980.66	15,819.34	0.00	15,819.34	66.47
01-00-410020	BULK CONS TIER 1	97,900.00	71,549.68	71,549.68	26,350.32	0.00	26,350.32	26.92
01-00-410030	COMMERCIAL/INST CONS TIER	9,000.00	10,910.54	10,910.54	-1,910.54	0.00	-1,910.54	0.00
01-00-411000	INCOME METERED WATER	588,700.00	433,977.00	433,977.00	154,723.00	0.00	154,723.00	26.28
01-00-411001	RES CONS TIER 2	226,800.00	204,990.94	204,990.94	21,809.06	0.00	21,809.06	92.22
01-00-412000	GOAT MTN STANDBY INCOME	61,860.00	61,860.00	61,860.00	0.00	0.00	0.00	0.00
01-00-413000	BASIC SERVICE CHARGE	1,021,800.00	1,079,590.20	1,079,590.20	-57,790.20	0.00	-57,790.20	0.00
01-00-413001	FIRE BSC	0.00	8,393.36	8,393.36	-8,393.36	0.00	-8,393.36	0.00
01-00-414000	INCOME JV BULK WATER SALE	2,500.00	1,707.15	1,707.15	792.85	0.00	792.85	69.71
01-00-417000	INCOME OTHER (OPERATING)	65,000.00	81,652.87	81,652.87	-16,652.87	0.00	-16,652.87	0.00
01-00-417003	RESTRICTED FROM CSA70/W1	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-00-419000	AMES BASIN WATER TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-00-492050	PAC WEST BANK EARNINGS CR	18,000.00	19,240.29	19,240.29	-1,240.29	0.00	-1,240.29	0.00
R05 Sub Totals:		2,141,560.00	2,149,613.04	2,149,613.04	-8,053.04	0.00	-8,053.04	0.00
R10	NON-OPERATING REVENUE							
01-00-491000	GA02 GEN LEVY IMP DIST A BH	78,300.00	91,542.46	91,542.46	-13,242.46	0.00	-13,242.46	0.00
01-00-491010	DA01 DEBT SRVC IMP1 (BH BON	0.00	132.91	132.91	-132.91	0.00	-132.91	0.00
01-00-491020	GA01 GENERAL TAX LEVY (BVI	77,700.00	91,019.19	91,019.19	-13,319.19	0.00	-13,319.19	0.00
01-00-491040	GA03 ID GM GEN TAX LEVY	36,100.00	44,313.66	44,313.66	-8,213.66	0.00	-8,213.66	0.00
01-00-492000	INTEREST INCOME	4,800.00	40,964.43	40,964.43	-36,164.43	0.00	-36,164.43	0.00
01-00-496000	INCOME OTHER (NON OPERATI	38,400.00	15,212.68	15,212.68	23,187.32	0.00	23,187.32	60.38
01-00-499901	GM WELL REV ACCT	0.00	18,908.67	18,908.67	-18,908.67	0.00	-18,908.67	0.00
01-00-499992	CAPITAL CONTRIBUTION REVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-00-499996	PROP 1 REV. ACCT.	0.00	29,009.00	29,009.00	-29,009.00	0.00	-29,009.00	0.00
01-00-499999	AWAC REVENUE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
R10 Sub Totals:		235,300.00	331,103.00	331,103.00	-95,803.00	0.00	-95,803.00	0.00

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
Revenue Sub Totals:								
		2,376,860.00	2,480,716.04	2,480,716.04	-103,856.04		-103,856.04	0.00
NON-OPERATING EXPENSE								
01-00-562000	OFFICE EQUIPMENT EXPENSE	7,900.00	8,937.51	8,937.51	-1,037.51	0.00	-1,037.51	0.00
01-00-563000	CUSTOMER RELATIONS	4,500.00	2,999.80	2,999.80	1,500.20	0.00	1,500.20	33.34
01-00-564000	OTHER ADMINISTRATIVE EXPE	7,500.00	13,927.36	13,927.36	-6,427.36	0.00	-6,427.36	0.00
01-00-571000	DEPRECIATION EXPENSE	0.00	368,793.26	368,793.26	-368,793.26	0.00	-368,793.26	0.00
01-00-571100	AMORTIZATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-00-572100	AMORTIZATION OF LEASES	0.00	2,495.28	2,495.28	-2,495.28	0.00	-2,495.28	0.00
01-00-572200	INTEREST EXPENSE ON LEASES	0.00	283.84	283.84	-283.84	0.00	-283.84	0.00
01-00-572300	CONTRA EQUIPMENT EXPENSE	0.00	-2,700.00	-2,700.00	2,700.00	0.00	2,700.00	0.00
01-00-581000	ELECTION COSTS	1,000.00	197.00	197.00	803.00	0.00	803.00	80.30
01-00-593000	EXPENSE / INCOME MISC	500.00	-2,662.08	-2,662.08	3,162.08	0.00	3,162.08	632.42
01-00-594000	GAIN (LOSS) ASSET DISPOSAL	0.00	-4,358.24	-4,358.24	4,358.24	0.00	4,358.24	0.00
01-00-594001	INVESTMENT GAIN/LOSS	0.00	-9,156.15	-9,156.15	9,156.15	0.00	9,156.15	0.00
E25 Sub Totals:								
		21,400.00	378,757.58	378,757.58	-357,357.58	0.00	-357,357.58	0.00
Expense Sub Totals:								
		21,400.00	378,757.58	378,757.58	-357,357.58	0.00	-357,357.58	0.00
Dept 00 Sub Totals:								
		-2,355,460.00	-2,101,958.46	-2,101,958.46	-253,501.54	0.00		
Administration								
ADMINISTRATIVE EXPENSE								
ADMINISTRATIVE COMPENSAT								
01-01-560030	CONTRACTUAL SERV-AUDIT/OF	351,561.00	363,717.11	363,717.11	-12,156.11	0.00	-12,156.11	0.00
01-01-560060	CONTRACTUAL SERV-LEGAL	18,400.00	13,086.00	13,086.00	5,314.00	0.00	5,314.00	28.88
01-01-560070	LEGISLATIVE AFFAIRS CWSA	40,000.00	45,541.60	45,541.60	-5,541.60	0.00	-5,541.60	0.00
01-01-560075	PERS CONTRIBUTION	10,000.00	10,499.22	10,499.22	-499.22	0.00	-499.22	0.00
01-01-560080	GASB 68 EXP (INC)	99,700.00	102,704.80	102,704.80	-3,004.80	0.00	-3,004.80	0.00
01-01-560085	PAYROLL TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-01-560090	TELEPHONE/FAX/INTERNET/WI	18,300.00	16,060.97	16,060.97	2,239.03	0.00	2,239.03	12.24
01-01-560110	MAILING EXPENSE	5,900.00	6,804.22	6,804.22	-904.22	0.00	-904.22	0.00
01-01-560120	CONTRACTUAL SERV - OTHER	1,600.00	968.10	968.10	631.90	0.00	631.90	39.49
01-01-560140	PROPERTY/LIABILITY EXPENSE	123,200.00	114,542.11	114,542.11	8,657.89	0.00	8,657.89	7.03
01-01-560160	WORKERS COMP EXPENSE	63,000.00	64,208.50	64,208.50	-1,208.50	0.00	-1,208.50	0.00
01-01-560170	DUES & SUBSCRIPTIONS	15,300.00	11,629.16	11,629.16	3,670.84	0.00	3,670.84	23.99
01-01-560180	POWER/PROPANE OFFICES & Y/	17,300.00	10,281.45	10,281.45	7,018.55	0.00	7,018.55	40.57
01-01-560200	BAD DEBT EXPENSE	13,400.00	12,716.92	12,716.92	683.08	0.00	683.08	5.10
01-01-560220	BAD DEBT-LIENS/UNCOLLECT/	1,500.00	2,294.57	2,294.57	-794.57	0.00	-794.57	0.00
01-01-560221	OFFICE SUPPLIES/PRINTING	1,500.00	242.72	242.72	1,257.28	0.00	1,257.28	83.82
01-01-560300	EMPLOYEE BENEFITS INSURAN	9,000.00	9,744.29	9,744.29	-744.29	0.00	-744.29	0.00
01-01-561000	EMPLOYEE EDUCATION/TRAIN	203,400.00	158,248.50	158,248.50	45,151.50	0.00	45,151.50	22.20
01-01-561100	PAYROLL FRINGE EXP TO PROJ	10,000.00	14,075.29	14,075.29	-4,075.29	0.00	-4,075.29	0.00
01-01-561500	CAPITALIZED LABOR EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-01-561501		0.00	0.00	0.00	0.00	0.00	0.00	0.00

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
01-01-561600	OVERHEAD TO PROJECTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-01-561700	COVID-19 FUND	0.00	101.94	101.94	-101.94	0.00	-101.94	0.00
E15 Sub Totals:		1,003,061.00	957,467.47	957,467.47	45,593.53	0.00	45,593.53	4.55
E25	NON-OPERATING EXPENSE							
01-01-564001	PARS TRUST EXPENSES	0.00	1,373.79	1,373.79	-1,373.79	0.00	-1,373.79	0.00
E25 Sub Totals:		0.00	1,373.79	1,373.79	-1,373.79	0.00	-1,373.79	0.00
Expense Sub Totals:		1,003,061.00	958,841.26	958,841.26	44,219.74	0.00	44,219.74	4.41
Dept 01 Sub Totals:		1,003,061.00	958,841.26	958,841.26	44,219.74	0.00		
Dept 01-05	Operations							
E05	OPERATIONS EXPENSE							
01-05-541020	OPERATIONS COMPENSATION	366,700.00	355,468.52	355,468.52	11,231.48	0.00	11,231.48	3.06
01-05-541030	UNIFORMS	8,000.00	5,839.26	5,839.26	2,160.74	0.00	2,160.74	27.01
01-05-541060	VEHICLE/TRACTOR/EQUIP EXP	38,100.00	41,031.15	41,031.15	-2,931.15	0.00	-2,931.15	0.00
01-05-541070	VEHICLE EXPENSE-FUEL	83,000.00	40,958.51	40,958.51	42,041.49	0.00	42,041.49	50.65
01-05-541090	FIELD MATERIALS & SUPPLIES	78,800.00	66,509.21	66,509.21	12,290.79	0.00	12,290.79	16.60
01-05-541095	SHRINKAGE	0.00	6.90	6.90	-6.90	0.00	-6.90	0.00
01-05-541110	WATER TESTING	10,300.00	10,398.00	10,398.00	-98.00	0.00	-98.00	0.00
01-05-541120	CONTRACTUAL SRV-ENGINEER	60,000.00	21,231.00	21,231.00	38,769.00	0.00	38,769.00	64.62
01-05-541140	WATER SYSTEM REPAIRS	86,300.00	57,081.67	57,081.67	29,218.33	0.00	29,218.33	33.86
01-05-541141	EXCAVATION COUNTY OF SB	500.00	0.00	0.00	500.00	0.00	500.00	100.00
01-05-541150	BUILDING MAINTENANCE/REP	15,500.00	16,280.93	16,280.93	-780.93	0.00	-780.93	0.00
01-05-541190	COMMUNICATIONS EXPENSE	7,500.00	7,159.31	7,159.31	340.69	0.00	340.69	4.54
01-05-541210	DISINFECTION EXPENSE	14,600.00	18,507.35	18,507.35	-3,907.35	0.00	-3,907.35	0.00
01-05-541250	POWER WELLS & PUMPS	137,000.00	123,117.34	123,117.34	13,882.66	0.00	13,882.66	10.13
01-05-541300	OTHER OPERATING EXPENSES	14,500.00	11,895.11	11,895.11	2,604.89	0.00	2,604.89	17.96
01-05-541700	EQUIPMENT EXP TO CIP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-541701	CAPITALIZED LABOR EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-542000	AMES WATER	62,300.00	0.00	0.00	62,300.00	0.00	62,300.00	100.00
01-05-560080	PERS CONTRIBUTION - OPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-560085	GASB EXP (INC) - OPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-560090	PAYROLL TAXES - OPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-560170	WORKERS COMP EXPENSE - OP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-561000	EMPLOYEE BENEFIT INSUR - OI	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-05-561100	EE EDUCATION/TRAINING - OP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
E05 Sub Totals:		983,100.00	775,484.26	775,484.26	207,615.74	0.00	207,615.74	21.12
Expense Sub Totals:		983,100.00	775,484.26	775,484.26	207,615.74	0.00	207,615.74	21.12
Dept 05 Sub Totals:		983,100.00	775,484.26	775,484.26	207,615.74	0.00		

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
Dept 01-09	Directors							
E15	ADMINISTRATIVE EXPENSE							
01-09-560027	DIRECTOR J. BURKHART	9,500.00	3,925.45	3,925.45	5,574.55	0.00	5,574.55	58.68
01-09-560028	DIRECTOR MCKENZIE	9,500.00	7,911.13	7,911.13	1,588.87	0.00	1,588.87	16.72
01-09-560029	DIRECTOR CLOSE	9,500.00	11,505.76	11,505.76	-2,005.76	0.00	-2,005.76	0.00
01-09-560030	DIRECTOR DIGHT	9,500.00	7,555.32	7,555.32	1,944.68	0.00	1,944.68	20.47
01-09-560031	DIRECTOR CHAPMAN	9,500.00	9,484.48	9,484.48	15.52	0.00	15.52	0.16
	E15 Sub Totals:	47,500.00	40,382.14	40,382.14	7,117.86	0.00	7,117.86	14.98
	Expense Sub Totals:	47,500.00	40,382.14	40,382.14	7,117.86	0.00	7,117.86	14.98
Dept 01-10	Dept 09 Sub Totals:	47,500.00	40,382.14	40,382.14	7,117.86	0.00		
E20	CIP							
01-10-056198	CIP EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-056199	LABOR APPLIED TO CIP PROJEC	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561900	LABOR APPLIED TO WIP PROJEC	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561904	OVERHEAD FOR CIP ONLY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561904	PROPI BDV/IDGM INTEGR PLAT	0.00	5,193.50	5,193.50	-5,193.50	0.00	-5,193.50	0.00
01-10-561919	HDWD#2 INTERTIE	0.00	9,800.56	9,800.56	-9,800.56	0.00	-9,800.56	0.00
01-10-561934	INTERTIE @ LUNA VISTA (HDW	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561937	GM REPLACEMENT WELL (Well	0.00	98.90	98.90	-98.90	0.00	-98.90	0.00
01-10-561938	PARS 115 TRUST ACCT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561939	ANNEX RoBott LAND SEC.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561940	SHOP EQUIP	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561945	ORGANIZATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561950	LAND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561955	OFFICE BUILDING	5,000.00	14,306.00	14,306.00	-9,306.00	0.00	-9,306.00	0.00
01-10-561960	YARDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561965	FUEL STORAGE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561970	WATER SYSTEM	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-561975	VEHICLES - MOTOR VEHICLES	119,000.00	0.00	0.00	119,000.00	0.00	119,000.00	100.00
01-10-561980	OFFICE EQUIPMENT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-562003	TEST BORINGS/MONITORING W	0.00	1,909.00	1,909.00	-1,909.00	0.00	-1,909.00	0.00
01-10-562004	METER REPLACEMENT (DWR/E	298,036.00	25,354.14	25,354.14	272,681.86	0.00	272,681.86	91.49
01-10-562005	ANNEX 0631-071-29 (NAPA@AL1	0.00	0.00	0.00	0.00	0.00	0.00	0.00
01-10-562006	PI/C PROJECT- PIPELINES/CONS	0.00	296.70	296.70	-296.70	0.00	-296.70	0.00
	E20 Sub Totals:	422,036.00	56,958.80	56,958.80	365,077.20	0.00	365,077.20	86.50
	Expense Sub Totals:	422,036.00	56,958.80	56,958.80	365,077.20	0.00	365,077.20	86.50
	Dept 10 Sub Totals:	422,036.00	56,958.80	56,958.80	365,077.20	0.00		

Account Number	Description	Budget Amount	Period Amount	YTD Amount	YTD Var	Encumbered Amount	Available	% Available
	Fund Revenue Sub Totals:	2,376,860.00	2,480,716.04	2,480,716.04	-103,856.04	0.00	-103,856.04	0.00
	Fund Expense Sub Totals:	2,477,097.00	2,210,424.04	2,210,424.04	266,672.96	0.00	266,672.96	10.77
	Fund 01 Sub Totals:	100,237.00	-270,292.00	-270,292.00	370,529.00	0.00		
	Revenue Totals:	2,376,860.00	2,480,716.04	2,480,716.04	-103,856.04	0.00	-103,856.04	0.00
	Expense Totals:	2,477,097.00	2,210,424.04	2,210,424.04	266,672.96	0.00	266,672.96	10.77
	Report Totals:	100,237.00	-270,292.00	-270,292.00	370,529.00	0.00		

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Ck Date	Ck No	Payable To	Void	Check Amt
7/6/2023	0	IRS PAYROLL		768.39
7/6/2023	0	EDD PAYROLL		31.78
7/6/2023	0	IRS PAYROLL		3,813.55
7/6/2023	0	EDD PAYROLL		1,197.49
7/6/2023	0	CALPERS		5,250.47
7/6/2023	32304	PAYROLL		2,288.75
7/6/2023	32305	PAYROLL		1,461.50
7/6/2023	32306	PAYROLL		4,895.31
7/6/2023	32307	PAYROLL		1,740.48
7/6/2023	32308	PAYROLL		1,757.63
7/6/2023	32309	PAYROLL		1,571.97
7/6/2023	32310	PAYROLL		2,460.51
7/6/2023	32311	PAYROLL		1,516.23
7/6/2023	32312	PAYROLL		3,215.99
7/13/2023	0	IRS PAYROLL		225.60
7/18/2023	32322	AUTOZONEPARTS		412.05
7/18/2023	32323	AVALON URGENT CARE INC.		130.00
7/18/2023	32324	BEYOND SOFTWARE SOLUTIONS		2,064.90
7/18/2023	32325	CORE & MAIN LP		2,748.59
7/18/2023	32326	COUNTY OF SAN BERNARDINO TREASURER		1,525.39
7/18/2023	32327	EAGLE PUMP SERVICES, INC.		964.88
7/18/2023	32328	FORSHOCK		780.00
7/18/2023	32329	FRONTIER CALIFORNIA, INC		211.52
7/18/2023	32330	GRISWOLD INDUSTRIES		3,366.59
7/18/2023	32331	HASA, INC.		925.69
7/18/2023	32332	HD SUPPLY, INC.		1,341.50
7/18/2023	32333	MELONIE HELLER		46.51
7/18/2023	32334	HI-DESERT STAR		1,510.50
7/18/2023	32335	HOME DEPOT CREDIT SERVICES		593.83
7/18/2023	32336	JOHN'S GARAGE,LLC		137.13
7/18/2023	32337	MOJAVE WATER AGENCY		13,706.00
7/18/2023	32338	PETTY CASH		264.28

Bighorn Desert View Water Agency

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Ck Date	Ck No	Payable To	Void	Check Amt
7/18/2023	32339	DAVID REWAL		100.00
7/18/2023	32340	SBRK FINANCE HOLDING, INC.		21,343.77
7/18/2023	32341	SDRMA		16,499.27
7/18/2023	32342	UNDERGROUND SERVICE ALERT OF SO CAL		50.25
7/18/2023	32343	US LBM OPERATING CO. 3009, LLC		424.03
7/18/2023	32344	YUCCA VALLEY AUTO PARTS INC		115.23
7/19/2023	0	CARDMEMBER SERVICES		10,717.64
7/19/2023	0	SOUTHERN CALIFORNIA EDISON COMP		13,959.88
7/20/2023	0	IRS PAYROLL		4,141.37
7/20/2023	0	EDD PAYROLL		1,263.28
7/20/2023	0	CALPERS		6,281.84
7/20/2023	32313	PAYROLL		2,358.41
7/20/2023	32314	PAYROLL		1,704.03
7/20/2023	32315	PAYROLL		5,191.89
7/20/2023	32316	PAYROLL		2,697.56
7/20/2023	32317	PAYROLL		1,816.71
7/20/2023	32318	PAYROLL		2,271.45
7/20/2023	32319	PAYROLL		1,812.28
7/20/2023	32320	PAYROLL		1,619.13
7/20/2023	32321	PAYROLL		2,691.79
7/20/2023	32345	CUSTOMER REFUND		222.58
7/20/2023	32346	CUSTOMER REFUND		140.85
7/20/2023	32347	CUSTOMER REFUND		54.18
7/20/2023	32348	CUSTOMER REFUND		165.81
7/20/2023	32349	CUSTOMER REFUND		72.76
7/20/2023	32350	CUSTOMER REFUND		448.49
7/20/2023	32351	CUSTOMER REFUND		124.47
7/20/2023	32352	CUSTOMER REFUND		97.31
7/20/2023	32353	CUSTOMER REFUND		234.93
7/20/2023	32354	CUSTOMER REFUND		107.84
7/20/2023	32355	CUSTOMER REFUND		75.01
7/20/2023	32356	CUSTOMER REFUND		12.93

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Ck Date	Ck No	Payable To	Void	Check Amt
7/20/2023	32357	CUSTOMER REFUND		38.20
7/20/2023	32358	CUSTOMER REFUND		78.09
7/20/2023	32359	CUSTOMER REFUND		100.00
7/20/2023	32360	CUSTOMER REFUND		816.84
7/20/2023	32361	CUSTOMER REFUND		122.02
7/26/2023	0	AT&T MOBILITY		968.04
7/26/2023	0	CINTAS CORPORATION #150		336.18
7/26/2023	0	EDD PAYROLL		568.29
7/26/2023	0	BLUEFIN PAYMENT SYSTEMS		837.21
7/26/2023	0	SPRINGBROOK ACH		134.59
			Total	165,741.44



DATE: 8/1/2023
 TO: Board of Directors
 FROM: Laun Hanson
 RE: Bighorn-Desert View Production JULY 2023

	<u>Cubic Feet Pumped</u>	<u>Total Gallons Pumped</u>	<u>GPM from Hour Meter</u>	<u>GPM Flowmeter</u>	<u>Total Running Time</u>	<u>acre feet</u>
Well 2	Well is "inactive"					
Well 3	242,610	1,814,723	132	166	228.7	5.57
Well 4	Well is "inactive"					
Well 6	106,550	796,994	90	80	147.8	2.45
Well 7	140,530	1,051,164	110	136	159.3	3.23
Well 8	674,500	5,045,260	371	380	226.7	15.48
Well 9	918,900	6,873,372	430	440	266.4	21.10
Well 10	43,240	323,435	77	92	69.9	0.99
Total	2,126,330	15,904,948			1098.8	48.81

Maximum Day Demand

Date 7/22/2023

Total Production (Gallons) 803800.8

A Boosters	124,230	929,240	130	150	118.8
C Boosters	180,100	1,347,148	174	175	128.7
Total	304,330	2,276,388			



DATE: 8/1/2023
 TO: Board of Directors
 FROM: Laun Hanson
 RE: Goat Mountain Production JULY 2023

	<u>Cubic Feet</u> <u>Pumped</u>	<u>Total Gallons</u> <u>Pumped</u>	<u>GPM from</u> <u>Hour Meter</u>	<u>GPM from</u> <u>Flowmeter</u>	<u>Total</u> <u>Running Time</u>	<u>acre feet</u>
Well GMW1	257,770	1,928,120	186	220	172.9	5.92
Well GMW3	368,200	2,754,136	293	320	156.8	8.45
Total	625,970	4,682,256			329.7	14.37

Maximum Day Demand

Date 7/15/2023

Total Production (Gallons) 266512.4

GM booster	234,000	1,750,320	244	222	119.6
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To: Marina West
 From: Rosa Carrick
 Subject: Service Order Report June 2023

SERVICE ORDER REPORT FOR FISCAL YEAR 2022-2023

UTILITY BILLING SERVICE ORDERS	2021/22	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
After Hours Call Out	12	5	4	4	3	0	2	1	5	0	2	5	6	37
Backflow (Misc/Lock-off or Un-Lock)	47	0	6	3	0	6	3	2	0	3	6	0	3	32
Customer Requested Asst	107	8	13	15	16	13	7	12	3	2	1	6	6	102
Reported Leaks	67	10	6	9	5	7	7	4	5	3	4	7	6	73
Destroy Service Line	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Exchange Meter	89	5	6	6	6	4	2	3	5	7	7	10	4	65
Fire Flow Test	30	3	5	0	4	4	2	4	2	0	1	2	2	29
Hangtag	219	5	11	17	12	6	9	11	10	6	11	15	9	122
Install New Service	34	1	2	0	2	0	2	0	0	0	0	1	2	10
Miscellaneous	131	10	6	9	14	8	23	14	10	8	16	13	16	147
Open New Service (New Owner or Tenant)	245	41	30	32	29	23	18	12	22	18	17	23	33	298
Pull Meter	37	0	0	2	0	0	0	1	0	0	0	0	2	5
Reread Meter/Read Meter	488	16	32	14	36	18	13	8	17	17	22	25	31	249
Tamper	8	2	4	3	1	0	0	0	1	0	2	1	3	17
Unlock Service	127	8	28	12	25	9	10	33	18	3	15	33	8	202
Verify Meter Locked	75	2	34	7	6	16	7	12	14	6	8	15	6	133
TOTAL	1716	116	187	133	159	114	105	117	112	73	112	156	137	1521
UTILITY BILLING INFORMATION	2021/22	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Active Residential Accounts Billed	9748	993	1186	1001	1197	1005	1194	1003	1194	1006	1196	1009	1214	13198
Inactive Residential Accounts Billed	1394	165	143	160	133	157	137	161	140	163	138	162	128	1787
Active Agricultural Accounts Billed	375	34	20	32	21	31	18	30	17	28	18	27	17	293
Inactive Agricultural Accounts Billed	156	18	20	18	19	18	22	18	20	15	20	13	15	216
Active Commercial Accounts Billed	64	3	14	3	14	4	14	4	14	4	13	5	13	105
Active Bulk Accounts Billed - 1-inch Meter	248	59	0	55	0	59	0	64	0	61	0	69	0	367
Active Bulk Accounts Billed - 2-inch Meter	131	16	16	13	16	17	16	15	16	15	13	13	13	179
Active Number of JV Cash Sales Accounts	507	66	58	56	64	64	63	63	56	57	57	58	60	722
Active Fire Accounts Billed	16	3	1	3	1	3	1	3	1	3	1	3	1	24
Active Construction Meter Accounts Billed	16	3	3	3	4	4	4	3	3	3	2	2	2	36
TOTAL	12655	1360	1461	1344	1469	1362	1469	1364	1461	1355	1458	1361	1463	16927
DELINQUENT ACCOUNT BILLING	2021/22	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Residential Accounts - DQ	2382	305	272	312	291	307	288	295	243	284	262	252	281	3392
Agricultural Accounts - DQ	239	31	24	25	27	26	23	29	18	22	23	22	13	283
Commercial Accounts - DQ	18	4	0	3	0	2	1	1	0	0	2	0	1	14
Bulk Accounts - DQ	56	5	6	2	10	3	12	3	9	1	8	0	10	69
TOTAL	2695	345	302	342	328	338	324	328	270	307	295	274	305	3758
LOCK-OFF SERVICE - NON-PAYMENT	2021/22	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Residential Accounts L/O	35	0	52	0	20	44	0	52	13	0	12	44	0	237
Residential Payment Plans - Initiated	1	1	1	0	0	2	1	2	4	4	2	2	0	19
Residential Payment Plans - Failed	0	0	0	1	0	0	0	0	0	1	0	1	0	3
Agricultural Accounts L/O	53	0	6	0	1	3	0	5	0	0	0	1	0	16
Commercial Account L/O	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bulk Accounts L/O	1	0	0	0	0	0	0	1	0	0	1	0	0	2
TOTAL	90	1	59	1	21	49	1	60	17	5	15	48	0	277
OPERATIONS/MAINTENANCE SERVICE ORDERS	2021/22	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
AirVac Maintenance	1	0	0	0	0	0	0	0	0	0	1	0	0	1
AirVac Replacement	2	0	0	0	0	0	0	0	0	0	0	1	0	1
Bulk Stations Maintenance	7	0	0	2	0	0	1	0	0	0	1	2	3	9
Flush Deadend/Blowoffs	8	0	0	0	1	0	0	0	0	0	0	1	0	2
Goat Mountain Main Line Repair	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Goat Mountain Service Line Replacement	3	1	2	0	1	1	0	0	0	1	1	0	1	8
Goat Mountain Service Line Repair	7	2	3	2	1	0	1	1	1	0	0	2	2	15
Hydrant Maint.	1	2	1	0	0	0	0	0	0	1	0	0	2	6
Pressure Complaint	11	2	3	0	0	2	3	1	0	1	1	0	3	16
Repair Mainline	1	0	0	0	0	0	0	1	0	0	0	0	0	1
Repair Service Line	79	11	8	11	6	2	1	3	5	5	3	3	7	65
Replace Service Line	47	3	4	1	3	0	0	1	2	11	11	14	7	57
Valve Maintenance	194	0	21	13	0	0	13	36	2	21	18	9	3	136
Water Quality Issues Customer Reported (taste, Odor, Color)	4	0	1	0	0	0	0	0	0	0	0	0	0	1
Well Water Level	4	1			1			1			1			4
TOTAL	369	22	43	29	13	5	19	44	10	40	37	32	28	322
SAFETY TRAINING AND INSPECTIONS	2021/22	J	A	S	O	N	D	J	F	M	A	M	J	TOTAL
Monthly Safety Training	12	1	1	1	1	1	1	1	1	1	1	1	1	12
Operations "Tail-Gate" Safety Training	12	1	1	1	1	1	1	1	1	1	1	1	1	12
Monthly Inspections - Fire Extinguisher	12	1	1	1	1	1	1	1	1	1	1	1	1	12
Monthly Inspections - Vehicles	12	1	1	1	1	1	1	1	1	1	1	1	1	12
Quarterly Inspections - Facility	4	1			1			1			1			4
Quarterly Inspections - 90-day BIT	4	1			1			1			1			4
Monthly/Quarterly Inspections - Tank/Reservoir	4	1					1		1		1			4
Monthly/Quarterly Inspections - Fuel	12	1	1	1	1	1	1	1	1	1	1	1	1	12
Monthly/Quarterly Inspections - Generators	12	1	1	1	1	1	1	1	1	1	1	1	1	12
TOTAL	84	9	6	6	8	6	7	8	7	6	9	6	6	84
	1853	2058	1855	1998	1874	1925	1921	1877	1786	1926	1877	1939	22889	



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 Minutes

Committee Members: Director McKenzie & Director Dicht

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

TUESDAY April 18, 2023
Time – 4:00 P.M.

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

OR

Join Zoom Meeting

Please click the link below to join the webinar:

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Passcode: 806241

Or

Dial: 1-669-900-6833

Webinar ID: 868 9403 3204

Passcode: 806241

CALL TO ORDER

Chair McKenzie called the meeting to order at 4:03 pm.

PLEDGE OF ALLEGIANCE

Led by Chair McKenzie.

ROLL CALL

Directors Present: Chair McKenzie
Director Dicht

Staff Present: Marina West

Representatives: Mr. Scott Wallace – Treasurer, Pacific Western Bank
Ms. Shelley Licata, Pacific Western Bank
Mark Inskeep, Assistant Treasurer, Pacific Western Bank
Mr. Paul Fuller, CEO, Allied Public Risk

Public Present: 0 member(s) of the public indicated they were participating via teleconference. 0 members of the public were present in the meeting room. 1 member(s) of the Board arrived at 4:26pm and was present in the meeting room as an observer only.

APPROVAL OF AGENDA

Director McKenzie moved to approve the Agenda as presented. Seconded by Director Dicht.

Discussion and Action Items -

1. Presentation by Mr. Scott A. Wallace, EVP, Treasurer, Pacific Western Bank's Collateralizing of Accounts of the Bighorn-Desert View Water Agency

GM West introduced the item. She introduced local bank President, Ms. Shelley Licata who is the main point of contact for our daily banking needs. She then introduced Mr. Scott Wallace and Mr. Mark Inskeep from Pacific Western Bank's corporate office. Mr. Wallace introduced himself as Treasurer and Mr. Inskeep as Assistant Treasurer.

Mr. Inskeep summarized the Local Agency Security Program which the Agency participates in as part of public funds deposits. Weekly the bank reports the program certification to the state of California Local Agency Security Administrator. Therein they identify the balances for qualifying accounts and amounts of collateral required to be pledged which is 110% of the total deposits. He referenced the information in the Agenda noting that funds up to \$250,000 are FDIC insured and therefore removed from the total.

He continued to explain that the total securities pledged exceeds the requirement to allow flexibility for withdrawals during the period. All deposits are "pooled together" for compliance purposes and held at US Bank governed by a Tri-Party Agreement, between US Bank, Pacific Western Bank and the Local Agency Security Program.

Chair McKenzie asked if they were limited on what types of accounts or where PWB can put this money for collateral. Mr. Wallace said it has to be with US Bank per the Tri-Party Agreement. She further asked what US Bank has done with the money. Mr. Wallace explained that the use of the collateral is used to pledge to secure all local agency deposits in the PWB deposit portfolio. PWB collateral is being used to secure Agency deposits controlled by the Tri-Party Agreement.

Director Dicht inquired of the total amount shown on the summary page noting that total deposits collateralized requirement is \$403,750,467 which includes Agency's funds. Mr. Wallace concurred. Director asked what department of the state the Local Agency Securities Administration was under. Mr. Inskeep responded that it is the Department of Financial Protection and Innovation (DFPI).

Director McKenzie inquired on how the Agency would access funds if the bank went insolvent. Mr. Wallace noted it is an awkward and difficult conversation but Pacific Western Bank does not expect to ever have to deal with. However, he noted two notable bank failures in March

2023. He stated that the experience of depositors at Silicon Valley Bank and Signature Bank had access to funds restored within one day or so.

Director McKenzie inquired about total balance of funds (checking account, CD's, etc.) being collateralized. Mr. Wallace discussed the CEDARS program which allows for the entire balance of a CD to be FDIC insured. If not CEDARS program then they are collateralized, by law, under the program described herein. Mr. Wallace confirmed that all deposits in excess of \$250,000 are secured through this collateralization process.

Director Dicht inquired about various items on the detail page. Mr. Wallace answered.

Mr. Wallace made a good observation noting that the bottom line on the spreadsheet is market value and the aggregate sum of \$509M market value is approximately \$90M greater than collateralization requirement so there is "a lot of margin for error" in the collateral pool to make sure there is enough value in there to cover the requirement. He further noted the pool is continuous and there is always excess collateral sitting in the pool.

Director Dicht asked if there was anything else we need to understand about the matter. Mr. Wallace answered that the collateralization requirements are really all there is to know about how funds are held and secured. Mr. Wallace said they are available at any time to review this issue with the Board of Directors.

2. Review Proposal Received from CalMutuals JPRIMA for Cybersecurity Insurance

GM West reminded the Committee that this item was first introduced during the draft budget workshop and staff was asked to pursue a quote and more information on the policy. To that end, a policy quote has been obtained and Mr. Paul Fuller, CEO, Allied Public Risk, LLC is present on Zoom to walk the Committee through the policy and answer any questions.

Mr. Fuller began by stating that the Agency has some level of cyber insurance coverage in the general liability/property policy and it covers litigation filed against us by a customer in the event of a data breach that compromises their personal/confidential information is compromised. He continued to explain that he was not able to find coverage, in California, for water and wastewater agencies for ransomware as well as "first party coverages" where the Agency system is compromised and must be restored through data forensics or worse, system is compromised and operations are suspended until ransom is paid. Ransomware coverage is difficult to achieve because the number of ransomware claims in water sector became so prevalent that he couldn't find any providers. After speaking to Lloyd's of London, who originally declined due to the volume of claims. Ultimately, Lloyd's and Allied Public Risk came to "common ground" which provides the water sector affordable protection from ransomware, crisis managers, privacy attorneys, data forensics experts to patch system if breached. In return Allied Public Risk would elevate the security standards for enrollment.

The cost of the insurance is \$3,200 per year. He is not aware of any other offering for small entities with under \$50M in annual revenue. This program is for the under \$50M class but does require upgrade to existing security standards for the Agency at an estimated cost of \$3,000 per year for the "two-factor authentication" or "2FA" processes. However, Mr. Fuller believes these minimum standards will ultimately be required by the government (federal and/or state) in the future.

Director McKenzie asked what security system upgrades will be required by Agency. GM West responded the items being evaluated are a policy on wire transfers, Payment Card Industry Data Security Standard (PCI) compliance and the 2FA. Mr. Fuller stated that our IT Consultant, Pat Grady, has essentially been cleared by Lloyd's stating all the other security measures required are in place currently.

Directors asked questions regarding the policy and costs. (:52min). Director Dicht asked about the level of safety when the Agency implements the requirements. Mr. Fuller stated that Lloyd's has indicated that when fully implemented then the risk is reduced by 87%. He further stated that breaches are costing an average of \$500,000 each. Mr. Fuller noted that the Agency should look at the issue in terms of layers. First layer would be to definitely implement the 2FA (two-factor authentication) standards, then strong IT services followed by cyber insurance then you have done everything you can to protect your customers.

Director Dicht asked about statistics on benefits to the Agency from instituting these measures. Mr. Fuller responded that it is 87% increase in preventing the likelihood of a breach. He also noted that the average breach for a small agency, <\$5M revenue, is approximately \$460,000 ransom and \$100,000 of expenses in patching, etc.

Director McKenzie asked about personal devices being used for work and whether that is the weak link or a factor in breaches. Mr. Fuller explained that the breaches generally comes from a phishing scam, malware, bug where any well intended employee ends up "clicking" on something they should not have. That creates the opening for the breach and allows the system to be "taken over".

Director McKenzie and Director Dicht asked about the claims process and for clarification of the structure between broker, insurance administrator, and Lloyd's of London perceiving that it is basically the same for our Property Liability, Automotive and/or Workers Compensation claim processes. Mr. Fuller explained the background processes. During a cyber-claim we would be working with the Wilson-Elsner, the San Diego law firm that is contracted by Lloyd's of London to cover and adjudicate claims against the policy.

Director McKenzie inquired about what breaches happened, how they happened, and sharing that amongst the other insured entities to make sure others don't fall for the same thing. Mr. Fuller responded that he does speak with the Department of Homeland Security and about

20% of his total 4,000 members have been hacked in the past seven years. He is not able to disclose the details of hacks. He noted only recently is the DHS willing to even discuss this in a public forum.

Director Dicht inquired of one of the bullet points on the list of “what is not insured?” (page 15 of the Agenda packet). Mr. Fuller responded regarding “anti-spam legislation” that these exceptions are boiler plate and this statement is more about being sued for certain codes of ethics like sending unsolicited emails.

Director Dicht inquired about Artificial Intelligence (AI) influence on this issue. Mr. Fuller responded that it is the Microsoft vulnerabilities and operating systems where greatest risk is. Mr. Fuller indicated that he could arrange a webinar with Mr. Brian Keith, Department Homeland Security Cybersecurity and Infrastructure Security Agency (CISA). This would be a “privileged” discussion but could provide more clarity on threat actors and areas of greatest pain for water/wastewater agencies.

Director Dicht noted he thought the cost was reasonable and appropriate backstop. Director McKenzie agreed that it is worth it to the community that the Agency is taking care of it.

3. Public Workshop No. 3: Final Draft Budget for Fiscal Year 2023/2024

GM West stated that the only change to the draft budget since the April 11, 2023 Public Workshop No. 2 was the addition of funds to cover advertising costs for the recruitment and update to the narrative descriptions. GM West stated she didn’t intend to review the budget but the purpose of tonight’s workshop is to keep the item open to the public for their questions, comments or input until such time as the final draft is presented to the full Board for consideration of adoption on May 2, 2023.

GM West answered questions from the Committee members.

4. Consent Items –

- a. FPREP Committee Meeting Minutes **March 21, 2023**
- b. PARS Investment Statement **February 2023**
- c. Grants Status Report **April 13, 2023**

Recommended Action:
Approve as presented (Items a-c):

Committee approved the Consent Items a-c.

5. Public Comment Period

None.

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

1. Committee Members' Comments/Reports – None.
2. General Manager's Report – GM West noted that as a follow-up to the April 11, 2023 meeting item regarding the fence installed within the easement, General Counsel Kennedy will be meeting with the Board of Directors in Closed Session on June 13, 2023 to answer questions from the Board and provide legal background on the issue. Thereafter, the Board will reconvene on the matter.

She further reported that the fieldtrip after the April 22, 2023 Workshop will commence no sooner than 11:30am and we will have stops in Landers near an alignment connecting the systems, Goat Mountain Well 13 site, the blending pipeline/intertie pump station site and then Well 4 which has elevated uranium we intend to blend down. She is expecting the fieldtrip portion to last approximately 2 hours.

7. Adjournment

Chair McKenzie adjourned the meeting at 5:35 pm.

Approved by:


JoMarie McKenzie, Committee Chair





BIGHORN-DESERT VIEW WATER AGENCY

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SPECIAL

Finance/Public Relations/Education and Personnel

Standing Committee Meeting Minutes

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

Join Zoom Meeting

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Passcode: 769094

Or

Dial: 1-669-900-6833

Webinar ID: 868 9403 3204

Passcode: 769094

CALL TO ORDER

Chair McKenzie called the meeting to order at 4:00 pm.

PLEDGE OF ALLEGIANCE

Led by Chair McKenzie.

ROLL CALL

Directors Present: Chair McKenzie
Director Dicht

Staff Present: Marina West

Consultant(s): Ms. Cindy Byerrum, CPA – Eide Bailly LLP

Public Present: 0 member(s) of the public indicated they were participating via teleconference. 0 members of the public were present in the meeting room. 2 member(s) of the Board was present in the meeting room as an observer only.

APPROVAL OF AGENDA

Director McKenzie moved to approve the Agenda as presented. Seconded by Director Dicht.

Discussion and Action Items –

1. Review Agency Cash Accounts and Discuss Investment Strategies

GM West introduced this subject by showing a PowerPoint with the current distribution of cash/investment accounts. Talked briefly about the withdrawing of money from Pacific Western Bank into Local Area Investment Fund (LAIF) and opened a new account with Five Star Bank. She then turned the meeting over to Ms. Byerrum to provide the report.

Ms. Byerrum, CPA, Eide Bailly, addressed the Committee on the nature of our “investment policy” which is based on safety, liquidity and yield (“SLY”). She summarized that the Agency has come a long way with its cash balance. She talked of Five Star Bank; background of bank and account types. Some of the benefits of Five Star Bank is the Money Market account that compliments the checking account. The banks, money market and Certificates of Deposits are the safest investment types.

She compared the collateralization of Five Star Bank (FSB) verses Pacific Western Bank. FSB has a “letter of credit” whereas investments in PWB would have to be sold at a loss if liquidated early.

Regarding Local Area Investment Fund (LAIF) she noted that their rate of return is less than California Cooperative Liquid Assets Securities System (CLASS) due to the manner in which LAIF invests. CLASS is capable of higher returns on a faster timeline because they engage in more short-term investments.

Regarding the PARS Trust, she reminded the Committee that our account was opened to hedge against California Public Employment Retirement System (CalPERS) and pension trusts were doing well until more recently. She recommends that the Agency not deposit any additional funds there until things stabilize in the market.

Ms. Byerrum noted that the Agency is taking the correct action to shield cash from risk and to seek returns where possible.

Chair McKenzie asked if BDVWA would close the Pacific Western Bank. GM West stated that she is not recommending closing the Pacific Western Bank account at this time.

Director Dicht inquired about the fees that PWB charges. GM West gave examples of bank fees.

Director McKenzie asked about liquidity from the LAIF account. Ms. Byerrum stated that it is possible to retrieve funds the same day.

Director Dicht inquired about tax liability on interest earnings. GM West stated that we don't pay income tax, only sales tax. He further inquired about management fees at LAIF, CLASS, PARS, Money Market, etc. Ms. Byerrum responded as to her experience those type of fees are in the background and not always clear so one has to evaluate their returns (in hindsight). She did note PARS has a graduated fees schedule that one can compare to a pension trust like CalPERS. She also noted the returns for CalPERS were 22% in 2021 but -7.5% in 2022.

Director Dicht inquired about current Certificate of Deposit (CD) interest rates and then returns at CLASS. Staff provided some context of CD rates from the PacWest Bank website. In terms of CLASS, Dir. Dicht noted that they state no principle has been lost. Ms. Byerrum talked about the LAIF Fair Market Value calculation made during the annual audit noting an account could be valued below actual if investment pool is "below market". For CLASS, it is probably the same, with a fair market value adjustment. This means, CLASS is "so short" in their investments you probably cannot lose money, but there is a point where if all accounts were cashed out, the Agency could lose principle.

GM West asked if the State of California ever looked to the LAIF balances of Special Districts to assist the state budget process. Ms. Byerrum reminded the Committee when the State of California did take the property taxes of Special Districts some years ago.

Staff concluded that a banking policy will be developed with an eye on good return and lowest possible cost.

Public Comment: None.

2. Adopt Resolution No. 22R-XX Establishing the Agency's Investment Policy

GM West gave the staff report as provided in the Agenda packet noting this to be an annual action and that there were no significant changes to the policy following review by General Counsel Kennedy and the resolution is ready to move to the full Board of Directors for consideration and adoption.

Director Dicht and Chair McKenzie asked questions about the policy. GM West and Ms. Byerrum answered as appropriate. Additional conversation regarding "surplus" cash and cash reserve management.

Public Comment: None.

3. Review Resolutions Recommending Changes to Certain User Fees and Charges for Specific Individualized Services

GM West gave the staff report as outlined in the Agenda packet and a summary presentation. Essentially, Agency costs have gone up and so these “user” fees should be updated to reflect actual cost of service. She clarified that these are fees for specific miscellaneous services provided upon request or as dictated by policy which are not of general benefit to the customer base.

Director McKenzie asked about the After-hours callouts and how the customer is informed. Director Dicht agreed the customer does need to be informed of potential fees being charged for service.

GM West agreed that a “during hour’s calls” fee will be calculated and the all the resolutions would be reposted in preparation for the Board of Directors consideration.

Public Comment: None.

4. Status of Delinquent Accounts and Property Tax Lien Process for Tax Year 2023

GM West reviewed the status of delinquent accounts and the schedule for the application of special assessments to the County of San Bernardino property tax rolls.

GM West reported a total of 106 accounts with an outstanding balance of at least \$300 as of February 28th. She explained that bills are not late until 120-days past due and past due is now 80-days. She stated the current total past due of \$93,715 but it is a net of approximately \$64,000 because this number includes deposits owed by old agricultural accounts which have been locked-off. She intends to remove these deposits before moving forward. She noted the trend is for agricultural class properties to convert to residential status by having the site inspected and backflow device removed.

She then gave a breakdown of account types noting that five (5) accounts are active with a high balance because they have not hit a lock-off cycle yet. There are also 75 residential and 26 agricultural classes which are locked and “inactive”. She indicated the balance is much lower than last cycle since we were unable to lock-off unpaid accounts due to state restrictions stemming from Covid. GM West closed her presentation with a schedule of activities prior to the formal public hearing currently scheduled for July 11, 2023.

Public Comment: None.

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

GM West gave the staff report as provided in the Agenda packet. She has scheduled the update to the Organizational Chart and employee count for the full Board of Directors on June 13th and desires to add this position and description at that time. This position does not increase staffing levels as it is a job description and job title assignment to the existing “lead”

employee. That is a position that was flagged for update/modernization in the 2021 Benchmark Salary Survey.

The main distinction between this job description and employee responsibilities is the direct supervision, including training, performance evaluations and discipline, performed by Mr. Rewal which are well beyond those duties contemplated in a “lead worker” position.

Since the recommended “lead” position for the Administrative department has evolved into an Assistant General Manager position, the current progression steps of Level I to III in the Accounting Technician/Customer Service Representative job title would remain unchanged. However, it should be noted that a Range 4 – Accounting Technician/Customer Service Representative Job Description (Job Classification) does not exist at this time.

GM West further stated that this would have no impact on the Fiscal Year 2023/24 Operating Budget as the employee is already within this pay range.

Chair McKenzie asked about “exempt” vs. “non-exempt” status of employee. GM West explained that the Supervisor position would be non-exempt because he will still be responsible for on-call duties. The Asst. GM will be exempt. She also asked about Acct. Tech. “lead” position shown on the range and step scale. GM West said that the new AGM position would be primarily focused on administration of Agency activities so they would be closely supervising the accounting and customer service responses. There was no further discussion about the “lead” categories.

Director Dicht inquired about oversight of this position and GM West confirmed that the position would report to GM and/or AGM. He further inquired if Mr. Rewal held the licenses required for the position. GM West affirmed he has achieved all the requirements for licenses and experience.

Public Comment: None.

6. Consent Item(s) –

a. PARS Investment Statement **March 2023**

Recommended Action:
Approve as presented (Items a):

Committee approved the Consent Item(s) a.

7. Public Comment Period

None.

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

1. Committee Members' Comments/Reports – None.
2. General Manager's Report – None.

9. Adjournment

Chair McKenzie adjourned the meeting at 5:44 pm.

Approved by:


JoMarie McKenzie, Committee Chair



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