



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."

Planning/Legislative/Engineering & Grant Standing Committee SPECIAL Meeting Minutes

Committee Members: President Burkhart & Director Close-Dees

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

August 16, 2023
Time – 9:30 A.M.

PUBLIC AND BOARD WISHING TO PARTICIPATE REMOTELY

****TELECONFERENCE LINE THRU ZOOM 669-900-6833****

OR

Join Zoom Meeting

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Passcode: 742562

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CALL TO ORDER

Chairman Burkhart called the meeting to order at 9:35am.

PLEDGE OF ALLEGIANCE

Led by John Burkhart.

ROLL CALL

Directors Present: Chair Burkhart
Director Close-Dees

Staff Present: Marina West

Public Present: At the start of the meeting, 1 member(s) of the public indicated they were participating via teleconference. 0 members of the public were present in the meeting room. 0 member(s) of the Board was present in the meeting room as an observer only.

APPROVAL OF AGENDA

GM West asked that Item 7b Grant Status Report August 7, 2023 be removed from the Agenda. The Committee approved the Agenda as requested.

Discussion and Action Items -

1. Status Report of Activities of the Community Water Systems Alliance

GM West gave the staff report noting that the subjects that CWSA is focused on are Chromium-6, SB 3 (Dodd) and the subject of "Urban Water Use Efficiency" (AB1668/SB606).

The SB 3 bill has been amended to include provisions that affect the Agency application of SB 998. Under the current law, payment plan approval can be conditioned on three factors: "serious threat to life or health and safety of a resident, severe financial hardship plus a willingness to enter a arrangement (ie. Payment Plan). This bill also gives the CA Attorney General power's to order the restoration of water service shutoff prematurely and to order the return of funds that may have been applied prematurely.

Regarding Cr-6, she reported on CWSA's efforts to review the proposed standard from an economic feasibility perspective. A consultant, One Water Econ, was hired using funds raised by CWSA. The consultant discovered that the state had underreported the cost to communities by a factor of 12. Their calculations provided a result for one month and they failed to multiply that by 12-months per year. Thankfully, the Agency does not have elevated Cr-6.

The other issue being followed is the Urban Water Use Efficiency Standards. A workshop on the proposed regulation is being held at the State Water Resources Control Board on August 16, 2023. Based on focused analysis of landscapes within the Santa Margarita Water District, the CWSA has concerns about the feasibility of achieving the imposed standards. SMWD is concerned about the costs and that the outdoor landscape water efficiency standards proposed are barely achievable in the very best circumstances. BDVWA as a Small Water System, is exempt from the standard but the Agency tried to participate in the exercise of evaluating our current status. The state did not acquire the base data, aerial mapping of outdoor irrigable lands, to even begin an analysis.

The Committee made comments and GM West answered questions.

Public Comment: None.

2. Status Report Goat Mountain Replacement Well (Prop. 1/ Rnd. 1 Grant)

The Notice to Proceed was issued effective today, August 16, 2023. The contractor has indicated they may begin mobilization as early as today. Actual drilling is currently scheduled to begin Monday, August 28, 2023. The target drill depth is 600 feet.

Public Comment: None.

3. Status Report Water Meter Replacement Program (Drought Grant)

The Purchase Orders approved by the Board in July and August have been issued. Staff will begin gearing up to install the meters over the next year or so. As part of this project, staff will inventory the customer-side of the service line, at the meter, as part of the unfunded mandate to inventory all customer-side service line materials. The requirement is to inspect at the meter and at the inlet to the home. Staff is picking away at the requirement over time. As to the point of entry into the home, a contractor will need to be hired to inventory those as the Agency does not have the resources nor the desire to enter onto private property for such inspections. The idea is perhaps our backflow contractor could do these surveys.

The Committee made comments and GM West answered questions.

Mr. Best commented on the new regulations and believes the home owner may “opt out” of the program. In his Agency he is replacing meters and inventory of the customer-side.

Public Comment: None.

4. Status Report System Interconnection at Winters & Rainbow Road (Prop. 1/Rnd 2 Grant)

There is no new information to report other than right of way needs for this project are being evaluated with the right of way needs of the PI/C Project. Staff remains optimistic that an arrangement with Hi-Desert Water District could be made to utilize their pipeline crew to install this alignment.

The Committee made comments and GM West answered questions.

Public Comment: None.

5. Status Report Potable Water Systems Improvements Consolidation of Water Systems (\$11M PI/C Project Grant)

GM West reported that three responses were received to the Request for Proposals for acquisition of easements. GM West assembled a team of reviewers including staff from Mojave Water Agency and Santa Margarita Water District. The proposals were scored against several criteria before evaluating their cost proposal. The cost proposals were significantly higher than expected, one being about twice as high as the other. Both are significantly higher than the budget projected.

During this period of time, GM West was also able to confirm that, indeed, survey work had been completed by NV5 during the planning phase. This was one element of the proposals that appeared to be redundant as staff has had difficulty understanding what products from the planning grant are available for use in subsequent phases. It was also thought that the consultants, perhaps, did not do any due diligence to discover the lots have the government-patented easement for utilities, making the entire process of obtaining deeds simpler. For instance, it is unlikely eminent domain would need to be exercised on these rights of way since they are reserved already.

The next step was for the Agency to create a presentation outlining what we thought the project really was and allow the two consultants to review their costs and break their cost proposals into Phases. While working on this presentation, GM West decided to reach out to the County of San Bernardino asking what authority they had to issue permits for installation of water lines in the developed roadways. GM West was informed that "on roads where a patent reservation exists as well as those that are County maintained, or Special Districts maintained, an encroachment permit can be applied for from the County." This could potentially simplify the entire right of way process and hopefully reduce the total cost of the process as well.

Staff is meeting with the County of San Bernardino on Monday, August 21st to discuss the processes required to apply for the encroachment permits.

Regarding the BLM land transfer, the last update from Cong. Obernolte's office was that the transfer had been submitted and would be part of pending decisions before the Congress. However, no solid approval date has been communicated.

Public Comment:

Mr. Best asked about the consolidation of the systems.

6. Discuss Alternative Schedule for Future Planning/Legislative/Engineering & Grant Standing Committee Meetings

GM West reported that she has been assigned to the Mojave Water Agency Planning, Resource, Engineering and Operations Standing Committee which just happens to meet on the third Tuesday of the month. This necessitates a change in this regular schedule for this Committee.

GM West inquired of the Committee as to their preference for the meeting date and time. GM West suggested the same third Tuesday at 3pm or 4pm. Another option could be the third Monday in the afternoon, with morning possible but less desired.

Committee and General Manager determined that the third Tuesday of the even months at 4 pm.

Public Comment: None.

7. Consent Items –

- a. PLEGS Committee Meeting Minutes, **June 20, 2023.**
- ~~b. Grant Status Reports **August 7, 2023**~~ Removed from agenda

Recommended Action:

Approve as presented (Item a):

Public Comment: None.

Committee approved the Consent Item(s) as presented.

8. Public Comment Period

None.

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

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

10. Adjournment

Chair Burkhart adjourned the meeting at 10:31 am.

Approved by:



John Burkhart, Committee Chair



Official Seal