



# 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."*

## **Finance/Public Relations/Education and Personnel Standing Committee Meeting Agenda**

**Committee Members: Director McKenzie & Director Burkhart**

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

**January 16, 2024  
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:**

<https://us02web.zoom.us/j/87418985098?pwd=bm9UTmZ5YVRFdTJsblQxUmZtandOZz09>

Passcode: 475054

Or

Dial: 1-669-900-6833

Webinar ID: 87418985098

Passcode: 475054

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **APPROVAL OF AGENDA**

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

The Public is invited to comment on any item on the agenda during discussion of that item. When giving your public comment, please have your information prepared. If you wish to be identified for the record, then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

#### **1. Presentations**

- a. Public Agency Retirement Services (PARS) Presentation on Agency's Pension Rate Stabilization Fund

2. **Discussion Item – Review Social Security Index Cost-of-Living Adjustment (COLA) for 2023 and Discuss Fiscal Year 2024/25 Cost-of-Living Adjustment to the Range and Step Scale for Staff and General Manager**
3. **Discussion Item – 2024 Benchmarking, Organizational Structure, and Staffing Analysis**
4. **Consent Items** – The following items are expected to be routine and non-controversial and will be acted on by the Board at one time without discussion, unless a member of the Public or member of the Board requests that the item be held for discussion or further action.
  - a. FPREP Committee Meeting Minutes **September 19, 2023**
  - b. PARS Investment Statement **August, September, October, November, 2023**

Recommended Action:  
Approve as presented.

## 5. **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.

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

1. Committee Members’ Comments/Reports
2. General Manager’s Report
3. Assistant General Manager Report

## 7. **Adjournment**

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

**Internet:** Once uploaded, agenda materials can also be viewed at [www.bdvwa.org](http://www.bdvwa.org)

**Public Comments:** You may wish to submit your comments in writing to assure that you are able to express yourself adequately.

Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.



# 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."*

## 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**

**September 19, 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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<https://us02web.zoom.us/j/85707878455?pwd=YkhZcUJ3L3pPbidEWHpuZjFBcFkwQT09>

Passcode: 734244

Or

Dial: 1-669-900-6833

Webinar ID: 857 0787 8455

Passcode: 734244

### 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

Public Present: 1 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 was present in the meeting room as an observer only.

### APPROVAL OF AGENDA

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

**Discussion and Action Items -**

**1. Review Resolution No. 23R-XX Adopting the Employee Handbook for the Purposes of Establishing the Rules and Procedures for the Conduct of Personnel/Human Resources Matters**

GM West gave the staff report as presented in the Agenda packet. She noted that she recently worked with special counsel for personnel matters, Liebert Cassidy Whitmore, to clarify the language specifically relate to a discrepancy in vacation accruals, vacation accrual caps based on tenure and the manner in which the Agency will annually manage accrual payouts exceeding the individual caps. GM West then reviewed the old language, current language to show the discrepancies and then the recommended revised language.

GM West clarified that the prior policy allowed for vacation payouts upon reaching the cap. The payout was up to 50% of the balance. In the new version, LCW advised staff of the IRS “rule” as it related to the prior language. At the final review stage, staff then failed to notice the discrepancy between the two paragraphs. The first stating that, “the employee shall cease earning paid vacation leave”. Furthermore, staff needed clarification on how much leave was to be paid out. In other words, to what level is the accrual reduced to at October 1<sup>st</sup>. The revisions address both these discrepancies and have been provided by LCW.

GM West answered questions of the Committee which led to discovery of additional sections that need further scrutiny. Director McKenzie inquired about sections that direct the employee to seek input from Agency General Counsel (legal counsel). She stated while the employee could go to the Board of Equalization or legal counsel and inquired how they would find the information to reach legal counsel. GM West explained that one Article of the handbook is called “Fraud in the Workplace”. She noted that annually, during an all staff safety meeting, this section is reviewed and they are directed to find the information in the lunchroom where the Employee Handbook is kept and counsel’s name and phone number is located in the front of the binder. Director McKenzie was inquiring if the employee should contact a Board member rather than legal counsel. In other words, is a member of the Board of Directors a contact for reporting wrongdoing? GM West stated that she would have to research that further to provide an adequate response.

Chair McKenzie called attention to the language in Article 7.3 Sick Leave, sections G and H. noting what she thought was conflicting language on “sick leave” payouts. GM West stated that she would have to research that further to provide an adequate response.

Director McKenzie inquired about Article 3.21 Non-Exempt Employee Use of Communication Devices but it doesn’t mention anything about an employee using their own personal devices while working and was inquiring if this relates to this section. GM West initially responded that the Article is really dealing with working afterhours for which the Agency must compensate. In other words, if using a company supplied phone you would know about said

usage, but if using a personal device to do work afterhours. GM West noted she doesn't currently conduct that level of review of the phone records. GM West's basic response is that the employees are being warned that if they do work, they need to be compensated for it. She believed the language is in there so the employee does not presume the employer knows they have done so. Chair McKenzie asked about employees using company devices after work for personal use. GM West wasn't sure she could know that an employee used a laptop, for instance, for personal use to access the internet afterhours. Chair McKenzie further inquired about a requirement for "protection" on the phone preventing unauthorized access to confidential information. GM West stated that their emails might be on their phone but it has a password. Also, no employee has a Virtual Private Network to access the Agency's server.

GM West suggested that she research the questions and then bring answers and necessary revisions to the next Finance/Personnel Standing Committee Meeting.

Public Comment: None.

## 2. Consent Items –

- a. FPREP Committee Meeting Minutes **July 18, 2023**
- b. PARS Investment Statement **June and July, 2023**
- c. CLASS (CA Cooperative Liquid Assets Securities System) "Pool Fact Sheet"

Recommended Action:  
Approve as presented.

***Committee approved the Consent Item(s) a to c.***

## 3. Public Comment Period

None.

## 4. Verbal Reports - Including Reports on Courses/Conferences/Meetings.

### 1. Committee Members' Comments/Reports –

Chair McKenzie asked for a PARS representative to give a report to at an upcoming FPREP Committee meeting.

Director Dicht noted the Giant Rock Clean-Up is September 23, 2023 and he plans to reach-out to the organizers for more information.

2. General Manager's Report – Giant Rock Clean-up this Saturday at 9 am noting she had not received any communication from the event organizers but staff will be

bringing a water tank for the pressure washing machines. She also noted that planning has begun for the Orchid Festival, October 7-8, 2023 and that the 2024 calendar will be available.

**5. Adjournment**

Chair McKenzie adjourned the meeting at 4:35 pm.

Approved by:

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JoMarie McKenzie, Committee Chair

**Official Seal**

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Monthly Account Report for the Period  
08/01/2023 to 08/31/2023

Marina West

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

### Plan Summary

Beginning Plan Value as of 08/01/2023	\$244,823.16
Change in Plan Value	\$(3,094.32)
Ending Plan Value as of 08/31/2023	\$241,728.84

### Activity Summary by Source

Source	Balance on 08/01/2023	Contributions	Earnings	Expenses	Distributions	Transfers	Balance on 08/31/2023
PENSION	\$244,823.16	\$0.00	\$(2,975.95)	\$(118.37)	\$0.00	\$0.00	\$241,728.84
<b>Totals</b>	<b>\$244,823.16</b>	<b>\$0.00</b>	<b>\$(2,975.95)</b>	<b>\$(118.37)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$241,728.84</b>

### Transactions for the Period

Source	Date	Description	Amount
PENSION	08/22/2023	ASSET MGMT FEES	\$(67.37)
PENSION	08/30/2023	INTER-ACCOUNT TRANSFER IN	\$51.00
PENSION	08/30/2023	INTER-ACCOUNT TRANSFER OUT	\$(51.00)
PENSION	08/30/2023	TRUST ADMINISTRATOR FEES	\$(51.00)
PENSION	08/31/2023	ACCOUNT GAINS/(LOSSES)	\$(2,975.95)

### Investment Selection

Source	Selected Investment
PENSION	HighMark Index PLUS Moderately Conservative

### Investment Objective

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

### Investment Performance

Source	1-Month	3-Month	1-Year	Annualized Return			Inception Date
				3-Years	5-Years	10-Years	
PENSION	-1.22%	1.46%	3.03%	0.07%	-	-	06/16/2020



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Monthly Account Report for the Period  
08/01/2023 to 08/31/2023

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

Marina West

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

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Monthly Account Report for the Period  
09/01/2023 to 09/30/2023

Marina West

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

### Plan Summary

Beginning Plan Value as of 09/01/2023	\$241,728.84
Change in Plan Value	\$(7,457.18)
Ending Plan Value as of 09/30/2023	\$234,271.66

### Activity Summary by Source

Source	Balance on 09/01/2023	Contributions	Earnings	Expenses	Distributions	Transfers	Balance on 09/30/2023
PENSION	\$241,728.84	\$0.00	\$(7,339.49)	\$(117.69)	\$0.00	\$0.00	\$234,271.66
<b>Totals</b>	<b>\$241,728.84</b>	<b>\$0.00</b>	<b>\$(7,339.49)</b>	<b>\$(117.69)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$234,271.66</b>

### Transactions for the Period

Source	Date	Description	Amount
PENSION	09/25/2023	ASSET MGMT FEES	\$(67.33)
PENSION	09/28/2023	INTER-ACCOUNT TRANSFER IN	\$50.36
PENSION	09/28/2023	INTER-ACCOUNT TRANSFER OUT	\$(50.36)
PENSION	09/28/2023	TRUST ADMINISTRATOR FEES	\$(50.36)
PENSION	09/30/2023	ACCOUNT GAINS/(LOSSES)	\$(7,339.49)

### Investment Selection

Source	Selected Investment
PENSION	HighMark Index PLUS Moderately Conservative

### Investment Objective

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

### Investment Performance

Source	1-Month	3-Month	1-Year	Annualized Return			Inception Date
				3-Years	5-Years	10-Years	
PENSION	-3.04%	-3.15%	5.35%	-0.66%	-	-	06/16/2020

TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period  
09/01/2023 to 09/30/2023

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

Marina West

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TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period  
10/01/2023 to 10/31/2023

Marina West

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

### Plan Summary

Beginning Plan Value as of 10/01/2023	\$234,271.66
Change in Plan Value	\$(5,175.14)
Ending Plan Value as of 10/31/2023	\$229,096.52

### Activity Summary by Source

Source	Balance on 10/01/2023	Contributions	Earnings	Expenses	Distributions	Transfers	Balance on 10/31/2023
PENSION	\$234,271.66	\$0.00	\$(5,058.85)	\$(116.29)	\$0.00	\$0.00	\$229,096.52
<b>Totals</b>	<b>\$234,271.66</b>	<b>\$0.00</b>	<b>\$(5,058.85)</b>	<b>\$(116.29)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$229,096.52</b>

### Transactions for the Period

Source	Date	Description	Amount
PENSION	10/20/2023	ASSET MGMT FEES	\$(67.48)
PENSION	10/30/2023	INTER-ACCOUNT TRANSFER IN	\$48.81
PENSION	10/30/2023	INTER-ACCOUNT TRANSFER OUT	\$(48.81)
PENSION	10/30/2023	TRUST ADMINISTRATOR FEES	\$(48.81)
PENSION	10/31/2023	ACCOUNT GAINS/(LOSSES)	\$(5,058.85)

### Investment Selection

Source	Selected Investment
PENSION	HighMark Index PLUS Moderately Conservative

### Investment Objective

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

### Investment Performance

Source	1-Month	3-Month	1-Year	Annualized Return			Inception Date
				3-Years	5-Years	10-Years	
PENSION	-2.16%	-6.29%	1.68%	-1.12%	-	-	06/16/2020

TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period  
10/01/2023 to 10/31/2023

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

Marina West

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TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period  
11/01/2023 to 11/30/2023

Marina West

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

### Plan Summary

Beginning Plan Value as of 11/01/2023	\$229,096.52
Change in Plan Value	\$12,931.32
Ending Plan Value as of 11/30/2023	\$242,027.84

### Activity Summary by Source

Source	Balance on 11/01/2023	Contributions	Earnings	Expenses	Distributions	Transfers	Balance on 11/30/2023
PENSION	\$229,096.52	\$0.00	\$13,044.57	\$(113.25)	\$0.00	\$0.00	\$242,027.84
<b>Totals</b>	<b>\$229,096.52</b>	<b>\$0.00</b>	<b>\$13,044.57</b>	<b>\$(113.25)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$242,027.84</b>

### Transactions for the Period

Source	Date	Description	Amount
PENSION	11/21/2023	ASSET MGMT FEES	\$(65.52)
PENSION	11/29/2023	INTER-ACCOUNT TRANSFER IN	\$47.73
PENSION	11/29/2023	INTER-ACCOUNT TRANSFER OUT	\$(47.73)
PENSION	11/29/2023	TRUST ADMINISTRATOR FEES	\$(47.73)
PENSION	11/30/2023	ACCOUNT GAINS/(LOSSES)	\$13,044.57

### Investment Selection

Source	Selected Investment
PENSION	HighMark Index PLUS Moderately Conservative

### Investment Objective

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

### Investment Performance

Source	1-Month	3-Month	1-Year	Annualized Return			Inception Date
				3-Years	5-Years	10-Years	
PENSION	5.69%	0.26%	3.25%	-0.68%	-	-	06/16/2020

TRUSTED SOLUTIONS. LASTING RESULTS.

Monthly Account Report for the Period  
11/01/2023 to 11/30/2023

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

Marina West

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