



**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
560 Magnolia Avenue, Beaumont, CA 92223  
Wednesday, August 13th<sup>th</sup>, 2014  
Regular Session 7:00 p.m.**

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**Call to Order, President Woll**

*President Woll began the meeting at 7:01 p.m.*

**Pledge of Allegiance, Director Woll**

*Director Woll led the pledge.*

**Invocation, Director Slawson**

*Director Slawson led the invocation.*

**Roll Call**

*Present at the meeting were President Woll, Directors Ball, Guldseth and Slawson. Director Ross was absent. Legal Counsel: James Markman. District Staff: General manager: Eric Fraser, Director of Engineering: Dan Jagers, and Accountant III: Sylvia Molina. Public that registered their attendance were: John M. Halliwill, Chris Erickson (DWR), Holly Nichols (DWR), Gail Paperian, Bill Dickson, Dennis A Rice, Barbara Voigt, Jim Smith, Minnie Birchard, Lee Birchard, Nancy Carroll, John Covington, Lloyd White, Patsy Reeley, and Fran Flanders.*

**Public Comment**

*Judy Bingham requested future discussion regarding the LAFCO annexation of SunnyCal as it will be coming up before the end of the year. The concern is that the area is very large and how that will affect the amount of land being brought into the District and if it will cause any problems with the City of Beaumont. The planning commission for this will be meeting on September 9<sup>th</sup>, 2014. President Woll advised District Staff follow up on the matter.*

**ACTION ITEMS**

**1. Adoption of the Agenda (pages 1-3)**

*General Manager Fraser advised the Board there were no changes to the Agenda.*

**2. Consent Calendar:** All matters listed under the Consent Calendar are considered by the Board of Directors to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion unless members of the Board, the administrative staff, or the public request specific items to be discussed and/or removed from the Consent Calendar.

a. June 2014 Budget Variance Report Review\*\* (pages 4-8)

- b. June 30<sup>th</sup>, 2014 Cash/Investment Balance Report\*\* (page 9)
- c. July 2014 Check Register Review\*\* (pages 10-27)
- d. July 2014 Invoices Pending Approval\*\* (pages 28-32)
- e. Minutes of the Regular Meeting July 9<sup>th</sup>, 2014\*\* (pages 33-36)

*Director Slawson requested item 2e be pulled for discussion.*

*President Woll motioned to approve items 2a through 2d of the consent calendar. The motion passed 4-0 with Director Ross absent.*

*Director Slawson mentioned he would abstain from voting on 2e since he was not present. After discussion, Director Ball motioned to approve item 2e of the consent calendar. The motion was seconded by President Woll and passed 3-0, with Director Slawson abstaining as he was not present at the meeting and with Director Ross absent.*

**3. Consideration of Resolution 2014-04 A Resolution of the Board of Directors implementing Water Shortage Contingency Regulations in accordance with Part 5 of the District's Urban Water Management Plan, and Section 864 of Article 22.5 of the California Water Code\*\* (pages 37-41)**

***Public Comments on Item:***

*Dennis Rice, President of the Board of Directors for the Solera Oak Valley Greens Home Owner Association, expressed concern regarding regulations passed by state and local agencies as they review their own guidelines. The concern is in regards to enforcement with any regulations passed.*

*John M. Halliwill requested the Board discuss not only how any new regulations will be enforced, but also the implementation date, how will the regulations be posted, and additional information regarding violation dates, penalties, and administration of penalties.*

*Nathan Miller, representative for the Building Industries Association, asked for clarification on Resolution 2014-04 item #4 to see if it is geared towards rate payers only or if it has construction and developer implications as well. Legal Counsel Markman relayed that the state has not made a distinction between residential and commercial services and it would be applied to both equally. Mr. Miller then offered to arrange for builder members to meet with the District to discuss water reduction options.*

*Nancy Carroll questioned if public agencies are also going to be required to follow the same restrictions once passed by the Board. President Woll explained that the state requires that all public agencies follow the same restrictions as everyone else, to which Legal Counsel Markman verified that there are no exceptions to public agencies.*

*General Manager Fraser presented a brief background on the emergency regulations from the Governor's drought management strategy required to be adopted by all districts as well as the Stage 2 portion of the urban water management water supply contingency plan. Presented were examples that would meet the obligations of the District to be in compliance with the State Water Resources Control Board for urban outdoor water restrictions. Legal Counsel Markman added that the Governor's regulations can be ticketed as state violation infractions and are independently enforceable by those with arresting authority which is not part of the District but still required to be adopted.*

*Director Ball expressed a concern with restrictions on established customers while inviting new customers to the District with continued land development. Director Ball presented a short list of alternate restrictions that included will serve letters, building permits and citizen generated voter initiative to manage growth (Chapter 19 of the municipal code of Redlands).*

*After discussion, Director Ball motioned to approve the resolution as found on page 40 and 41 of 78, add items 2 through 4 from page 38 of 78, and that a workshop for public comment on growth management and water restrictions be scheduled for the next board meeting with public notice posted as well as invitations to members and candidates for the City of Beaumont City Council. Director Guldseth seconded the motion and it passed 4-0 with Director Ross absent.*

**Public Comments on Item:**

*Patsy Reeley thanked Director Ball for his comments. Ms. Reeley expressed concern regarding public enforcement of future resolutions and potential discontent if she is fined in the future for watering activities as her general consumption is very low.*

**4. Consideration of Request for Water Service for 512 East 12<sup>th</sup> Street (Riverside County Assessor's Parcel No. 415-030-049-9)\*\* (pages 42-43)**

**Public Comments on Item:**

*John M. Halliwill asked for clarification on the property being considered single family residential unit when a granny flat should be considered a second unit as it uses additional water.*

*General Manager Fraser explained that the second residence was not a complete second unit and the research from Director of Engineering Jagers shows limited consumption expected from the property. The unit as a whole is to be considered a single family residential unit.*

*After discussion, Director Slawson motioned to approve the request for water service. Director Guldseth seconded the motion and it passed 4-0 with Director Ross absent.*

**5. Consideration of California Department of Water Resources Request for Temporary Irrigation Water Supply for Oak Valley Habitat Restoration Project\*\* (pages 44-62)**

**Public Comments on Item:**

*Chris Erickson, Department of Water Resources, presented an explanation of the project and its independence from other departments within DWR. The DWR is mandated by federal and state law to restore the habitat in order to qualify for the permit that will allow them to fix the dam at Perris. The water will be used for grading as well as heavy initial irrigation with diminishing consumption over time.*

*After discussion, Director Ball motioned to approve with the provision that the metered consumption does not exceed 116.01 acre feet after the three year period. Director Guldseth seconded the motion and it passed 4-0 with Director Ross absent.*

**6. Consideration of Request for Extension of Will Serve Letters for Ongoing Development within SDC Fairway Canyon LLC - Fairway Canyons Development (Tract 31462-7 and Tract 31462-8)\*\* (pages 63-78)**

**Public Comments on Item:**

*Judy Bingham thanked Director Ball for his earlier concerns for the people and asked the Board to vote against the extension. Ms. Bingham is concerned about continued support for development when the City of Beaumont and CFDs are artificially growth inducing.*

*Mike Turner, representative for Ardent Management with Sun Cal, explained the request as the City of Beaumont required the will serve letters in order to record the final tract maps. There is a time gap between the City recording the maps and the builder requirement for the will serve letters.*

*After discussion, Director Guldseth motioned to review the request after the upcoming public forum. Director Ball seconded the motion and it passed 3-1 with Director Slawson dissenting and Director Ross absent.*

**7. Reports For Discussion**

**a. Ad Hoc Committees**

*President Woll requested the appointment of an Ad Hoc Committee for the review of District water resources, evaluating and looking into the water plans that other agencies have in place. The goal being to plan the supply of water for current customers as well as supporting future growth.*

**b. General Manager**

*General Manager Fraser provided an update on the meeting with Yucaipa Valley Water in regards to recycled water and their plans for a pipeline extension. Options for assisting in funding resources for the 24" pipeline will be presented to the Board in the near future, as well as additional information regarding a potential potable reuse project.*

*General Manager Fraser presented the success of the diversions to the ponds to capture water throughout the canyon during the most recent storm. Although there was rock, mud, and debris, there was no compromise to the water quality at the wells. Development will continue on diversions to address varying levels of water quality during future storms as well as the east branch extension and the Mentone reservoir.*

**c. Directors Reports**

*Director Ball attended the Alliance meeting and discussed the bleak meteorological forecast for California in the coming year. Director Ball also attended the San Gorgonio Pass Agency meetings where a major topic of discussion was draft work with San Bernardino Municipal on consideration on expanding capacity.*

*Director Guldseth thanked Mr. Castaldo for their monthly collaborative meetings. Director Guldseth also reported a proposal from the Beaumont-Cherry Valley Recreation and Parks District to possibly present a bond for a fishing lake in lieu of housing development. (amended)*

d. Legal Counsel Report

*No report was made.*

**8. Announcements**

- District offices will be closed Monday, September 1<sup>st</sup>, 2014 in observation of Labor Day.
- Finance & Audit Committee meeting, September 4<sup>th</sup>, 2014 at 3:00 p.m.
- Regular Board meeting, September 10<sup>th</sup>, 2014 at 7:00 p.m.
- Beaumont Basin Watermaster meeting, October 1<sup>st</sup>, 2014 at 10:00 a.m.

*President Woll made the announcements above.*

**9. Action List for Future Meetings**

- Schedule a workshop to discuss the landscape for the Noble Creek Recharge Phase II Project with the public
- Update the Board on Infosend after one year
- Solar System Update
- Grand Avenue Storm Water Capture Project

*President Woll requested the Ad Hoc Committee appointment and Public hearing/workshop to review water supply and water supply issues and regional plant.*

**10. Recess to Closed Session**

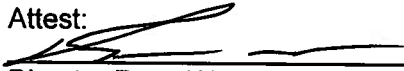
- a. Conference with Labor Negotiators pursuant to Government Code 54957.6:  
Agency Negotiator: Eric Fraser  
Represented Employees: BCVWD Employee Association
- b. Conference with Legal Counsel pursuant to Government Code 54957  
potential litigation one case

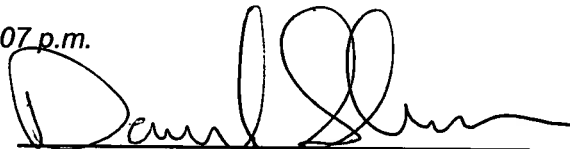
*Item 10 was pulled from the agenda per President Woll.*

**11. Adjournment**

*President Woll adjourned the meeting at 9:07 p.m.*

Attest:

  
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Director Ryan Woll, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

  
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Director Daniel Slawson, Secretary to  
the Board of Directors of the  
Beaumont-Cherry Valley Water District

\*\* Information included in the agenda packet