



**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
560 Magnolia Avenue, Beaumont, CA 92223  
Wednesday, September 10th<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 7:00 p.m.*

**Pledge of Allegiance, Director Ross**

*Director Ross led the pledge.*

**Invocation, Director Guldseth**

*Director Guldseth led the invocation.*

**Roll Call**

*Present at the meeting were President Woll, Directors Ball, Guldseth, Ross and Slawson. Legal Counsel: James Markman. District Staff: General Manager: Eric Fraser, Director of Engineering: Dan Jaggars, Accountant III: Sylvia Molina and Deborah Steinbrink and Customer Service III: Brandi Hollstein. Public that registered their attendance were: Susan Wilson, Geoffrey Wilson, Pat Haynie, Nancy Carroll, John Hull, Baffrey Bently, Andrew Gardner, Charles Flanagan, Avi Greene, Jeffrey Espinoza, Brenda Knight, Joe Warren, Lance Adams, Marc Sanders, Frank Barrickman, Sharon Hamilton, John Jeter, Sheila James, and Nathan Miller.*

**Public Comment**

*No public comment was received at this time.*

**ACTION ITEMS**

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

*General Manager Fraser advised the Board item 5 was pulled from the agenda to be reviewed at a later time. President Woll also motioned to move item 9 to precede the Consent Calendar. Director Guldseth seconded the motion and it passed 5-0.*

**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. July 2014 Budget Variance Report Review\*\* (pages 4-8)
- b. July 31<sup>st</sup>, 2014 Cash/Investment Balance Report\*\* (page 9)

- c. August 2014 Check Register Review\*\* (pages 10-23)
- d. August 2014 Invoices Pending Approval\*\* (pages 24-27)
- e. Minutes of the Regular Meeting August 13<sup>th</sup>, 2014\*\* (pages 28-32)

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

*Director Ross motioned to approve items 2a through 2d of the consent calendar. The motion was seconded by Director Ball and passed 5-0.*

*Director Ball requested that for item 2e, on page 31 on the last paragraph that clarification be made on the proposing party being the Beaumont Cherry Valley Rec & Parks and not the Department of Recreation and Parks. Director Ross mentioned he would abstain from voting on 2e since he was not present. Director Ball motioned to approve 2e as amended. The motion was seconded by Director Guldseth and passed 4-0, with Director Ross abstaining as he was not present at the meeting.*

**3. Consideration by the Board to support the ACWA/JPIA Commitment to Excellence program to reduce the frequency and severity of liability, workers' compensation, and property losses.\*\* (pages 33-43)**

*General Manager Fraser provided an overview of the Commitment to Excellence program. After discussion, President Woll motioned to approve the request. The motion was seconded by Director Guldseth and passed 5-0.*

**4. Consider Authorization of the General Manager to Develop an Agreement with Yucaipa Valley Water District for Recycled Water Supply and Facilities Construction Funding\*\* (pages 44-47)**

*General Manager Fraser presented the opportunities to a regional approach utilizing recycled water supplies available from the Yucaipa Valley Water District as the City is not Title 22 compliant, does not have recycled water that meets the basin management plan's standards, and does not have the facilities to meet the plan requirements. He provided water quality data, showed how Yucaipa can avoid putting constituents back into the aquifer, and requested approval to formalize an agreement with Yucaipa Valley Water District.*

**Public Comments on item:**

*Barbara Voigt expressed her concern with getting capacity with the facilities and the pipeline to continue getting water from Yucaipa Valley Water District.*

*After discussion, Director Slawson motioned to approve the request. The motion was seconded by Director Guldseth and passed 5-0.*

**5. Consideration of Annexation of Assessor Parcel No. 400-020-025 and Approval of Water Service "Will Serve Letter" for Tentative Tract Map 36307\*\* (pages 48-55)**

*Item 5 was pulled from the agenda per General Manager Fraser.*

**6. Reports For Discussion**

- a. Ad Hoc Committees

*No reports were made.*

b. General Manager

*General Manager Fraser provided updates on wells put back into service as well as updates to the website from our new IT manager Robert Rasha. He also addressed concerns from the workshop pointing out an insert that will be mailed with the next bill cycle to help educate the public, the difficulties with denying water service to new services, and land use directly related to density.*

c. Directors Reports

*Director Slawson did not have any reports but read comments from the public that were unable to speak during the workshop. Bill Brown asked if aquifer levels could be reported on at monthly meetings and asked if there will be discussions with the Watermaster before issuing more restrictions. Barbara Brown asked if the State can stop the issuance of will serve letters if the cities continue to give developers permits. Georgia Conrad sent an e-mail expressing her concern with consideration to more new homes being built. Lastly, a quote from an article from State Water Board Chairman, Felicia Marcus about conservation was read.*

*Director Ball made no reports as the information pulled from the meetings were included in his comments during the workshop.*

*Director Ross has nothing to report.*

*Director Guldseth had nothing to report but thanked the public for their input at the Regular and Finance & Audit meetings.*

*President Woll announced his resignation effective Friday, September 12<sup>th</sup>, 2014 at 5pm due to his relocation with his family. He thanked the ratepayers for allowing him to represent them and is encouraged by the leadership and Board that are in place.*

d. Legal Counsel Report

*Mr. Markman had nothing to report.*

**7. Announcements**

- Beaumont Basin Watermaster meeting, October 1<sup>st</sup>, 2014 at 10:00 a.m.
- Finance & Audit Committee meeting, October 2<sup>nd</sup>, 2014 at 3:00 p.m.
- Regular Board meeting, October 8<sup>th</sup>, 2014 at 7:00 p.m.

*President Woll made the announcements above.*

**8. 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 made the announcements above.*

## **9. Recess to Board Workshop**

- a. Public Forum to Discuss Water Supply, Drought Restrictions, and Long Term Planning Issues

*After announcing the format for the discussion, President Woll adjourned to the workshop at 7:05 p.m. The issues facing the District with the drought include the potential for increased restrictions as well as addressing the concern of providing water to current rate payers in addition to future rate payers through annexation and will serve letters. The purpose of the workshop is to hear the will of the people within the District service area to assist the Board in making decisions in regards to those matters.*

### **Public Comments on item:**

*Patsy Reeley requested the Board require large consumption accounts stop or drastically reduce their water consumption before asking the general public.*

*Charles Flanagan requested a moratorium on permits from the City as well as will serve letters from the District. He provided statistics on the drought and acknowledged the salinity issue that the area has.*

*John M Halliwell requested collaboration with the City of Beaumont to resolve the reclaimed water issues. His greatest concern is with national and state legislation potentially issuing controls regarding ground water and the need for reservoirs to assist in rain capture.*

*Fran Flanders requested a limit to large scale growth after presenting information from a recent meeting where a Cal Fire Chief reported there is not water available in the Banning bench or Idyllwild for helicopters to scoop up. She believes an educated public, including developers, will accept severe water conservation guidelines.*

*Avi Greene requested politics be ignored in times of emergency and the District and the City come together to address the purple pipes that should be used for reclaimed water.*

*Joe Warren expressed his concern with the drought and provided pictures of California's dam to reiterate the severe to conserve.*

*Lance Adams expressed concern over the planning commission continuing to approve projects leaving potential building restrictions to the District and City Counsel. He requested that the District stop issuing will serve letters because it is inappropriate under these circumstances and that more education is needed for the public.*

*Baffrey Bently requested a moratorium on building until we are out of drought conditions, especially since reclaimed water is not available for dust control.*

*Sharon Hamilton thanked the Board for giving the public an opportunity to speak and listed a series of regional issues regarding the drought. She doesn't believe it is reasonable to continue building at this time and requested*

*that there should be a baseline before rate payers are required to reduce their consumption.*

*Elizabeth Wertz presented questions on behalf of her community, including a separate notice for water restrictions, the buying and selling of the Feather River Water Project resources, why the water reclamation stopped, the validity of an article for new water systems in 2015, and increased mello-roos.*

*Nathan Miller, on behalf of the building industry association, thanked the Board for the workshop and asked that the Board and the public keep in mind the media "hype" around the drought and to remember that the allocation is different than before. He also asked that the Board keep in mind that new development does not increase as much as commercial and industrial services, and can also decrease consumption significantly when replacing older development.*

*Susan Wilson requested the District members educate the public through town hall meetings and made suggestions including advertising conservation tips in the newspaper that are already posted to the website, adding tips to the statement, and asking communities that require plans for changes to cut back on red tape for desertscape landscape.*

*Mark Sanders acknowledged that there is an implied contract that you will have water when you purchase a home and requested a cut back or stoppage in issuing will serve letters. He believes it is not right to ask established residents to cut back their water while allowing growth to continue.*

*Andrew Gardner is a business person who has a professional and personal vested interest in the City. His request is to manage growth and for the City to listen to the people's concerns.*

*Nancy Carroll spoke about potentially creating an Ad Hoc Committee to address the drought and to gather research on best practice programs that other cities have. She believes an alliance of community leaders can educate the public and presented several ideas to continue growth while reducing consumption.*

*Judy Bingham thanked Director Ball for the workshop and asked the Board to step in for the City to manage responsible growth as there is no benefit to existing residents. Some of her concerns include the basin being over drafted and the City's waste treatment plant not being title 22 compliant.*

*Pat Doherty requested that the Board lead by example and as the Board has every right to deny services to developers that have been approved by the planning commission, they exercise that right and stop issuing will serve letters.*

*Josh Galberth questioned why the District wasn't prepared for the drought and requested the District look at the small steps as well as the large ones as growth in the City will continue.*

*Jeff Espinoza cautioned the Board with an example with Tulare County where water rations are being enforced. He requested a moratorium against building despite threats of legal recourse.*

*Patsy Reeley thanked the Board for the Workshop.*

**City comments on the item:**

*Mayor Brenda Knight read an official statement from the City, provided to the Board, thanking the Board for the workshop and to clarify the responsible parties for water and new development. Mayor Knight also presented information regarding the recycled water and the City's conservation efforts with the hope of moving forward with cooperation between the two organizations.*

*Councilman David Castaldo called for cooperation between the City and the District and for a slow growth initiative similar to Redlands as eliminating growth is not the final answer. He would like to see responsible growth, acknowledging mistakes of the past from several parties. Mr. Castaldo presented his history with the planning commission to clarify that they deal with land use, and are not legally allowed to take water into consideration.*

*Candidate Mike Lara spoke about the importance between communication between the City and the District and provided suggestions in dealing with the drought including a drought tolerance ordinance, rain barrels for businesses and leaflets to educate the local community.*

*Candidate Lloyd White thanked the District for holding a forum allowing the public to be heard and expressed concern regarding unrestrained growth. Mr. Lloyd acknowledge the legal repercussions for denying water to new development but would like the District to continue its responsible stewardship by approving the recycled water project with Yucaipa Water District while the City should work on a managed growth ordinance similar to Redlands. He advocates responsible growth and cooperation between the City and the District.*

**Board comments on the item:**

*Director Ross expressed his frustration with the City for the blame placed on the District in regards to recycled water and his concern with the quality of the water that that the City is putting in the basin as they are not Title 22 compliant. He also defended the recently approved retirement project as he sees it as the best development project and will not only be an asset to the community but will also create more jobs in the area.*

*Director Guldseth agreed with the general tone of the public echoing the call for collaboration with the City, but acknowledged that they are not Title 22 compliant and their water quality for the aquifer is unacceptable. He is looking forward to progress with Yucaipa Water District for recycled water and a managed growth approach that takes into consideration the infrastructure and legal issues.*

*Director Slawson acknowledge Director Guldseth's comments on water reserves but reminded the Board the importance of focusing on water issues. He suggested that, if the direction of the Board is for a moratorium, he supports it being explored with legal counsel.*

*Director Ball thanked the public in attendance as well as Mr. Castaldo for his history of cooperation with the Board and Mr. White for his research and comments. He spoke about the unpredictability of the future with climate change, the shared allocation of water from the Pass Agency, and that managed growth should be considered. He also discussed the history with the*

*City in regards to recycled water and the need for changes to move forward with cooperation.*

*President Woll acknowledged the positive changes within the District as well as the need for a solution to supplying water to the current and future residents during a drought. He pointed to the project with the Yucaipa Water District as well as the Storm Waste Water Reclamation project with Flood Control as positive steps forward. President Woll appointed Directors Ball and Guldseth to an Ad Hoc Committee with the purpose of exploring what other water agencies are doing and to work collaboratively with other agencies to bring solutions to their respective boards.*

#### **10. Reconvene Regular Meeting**

*The regular meeting reconvened at 9:20 p.m. continuing to agenda item 2.*

#### **11. 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; two cases.
- c. Conference with Legal Counsel on existing litigation pursuant to Government Code 54956.9 (*City of Beaumont vs. Beaumont-Cherry Valley Water District*, Superior Court of California, County of Riverside, Case No. RIC 1314072).

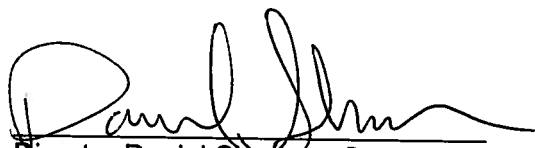
*President Woll recessed the meeting to closed session at 10:20 p.m. There was no reportable action.*

#### **12. Adjournment**

*President Woll adjourned the meeting at 11:14 p.m.*

Attest:

  
\_\_\_\_\_  
Director Ken Ross, Vice President  
of the Board of Directors of the  
Beaumont-Cherry Valley Water District

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

\*\* Information included in the agenda packet