



**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
REGULAR MEETING AGENDA  
BOARD OF DIRECTORS ENGINEERING WORKSHOP  
560 Magnolia Avenue, Beaumont, CA 92223  
Thursday, November 21, 2019 at 6:00 p.m.**

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**Call to Order: President Covington**

**Pledge of Allegiance: Director Williams**

**Invocation: Director Ramirez**

**Roll Call**

**Public Comment**

**PUBLIC COMMENT:**

At this time, any person may address the Board of Directors on matters within its jurisdiction which are not on the agenda. However, state law prohibits the Board from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. To provide comments on specific agenda items, please complete a speaker's request form and provide the completed form to the Board Secretary prior to the Board meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

**ACTION ITEMS**

*Action may be taken on any item on the agenda. Information on the following items is included in the full Agenda Packet.*

- 1. Presentation of President's Special Recognition Award Received from the Association of California Water Agencies Joint Powers Insurance Authority for Beaumont-Cherry Valley Water District's Property and Workers Compensation Programs (pages 3 - 6)**
- 2. Discussion and Direction of 4-inch Pipeline Replacement near 9087 Avenida Miravilla in the Community of Cherry Valley (pages 7 - 15)**
- 3. Discussion of City of Beaumont Approved Ordinance and Implementation of a Pavement Cut Moratorium (pages 16 - 23)**
- 4. Discussion regarding Sites Reservoir (No Staff Report)**
- 5. Discussion of San Geronio Pass Water Agency 2019 Imported Water Rate (No Staff Report)**
- 6. Update: Status of District Wells, Capital Improvements, and Engineering Projects (pages 24 - 30)**
- 7. Update: Legislative Action and Issues Affecting BCVWD (pages 31 - 36)**

## 8. General Manager's Report

## 9. Topics for Future Meetings

## 10. Announcements

- Personnel Committee meeting: Monday, Nov. 25, 2019 at 5:30 p.m.
- District Offices will be closed on Thursday, Nov. 28, 2019 in observance of Thanksgiving Day
- Association of California Water Agencies Fall Conference: Dec. 3 - 6, 2019
- Beaumont Basin Watermaster Committee Meeting: Dec. 4, 2019 at 10:00 a.m.
- Finance and Audit Committee Meeting: Dec. 5, 2019 at 3:00 p.m.
- Budget Workshop: Thurs., Dec. 5, 2019 at 6:00 p.m.
- Regular Board Meeting: Wednesday, Dec. 18, 2019 at 6 p.m.

## 11. Adjournment

### NOTICES

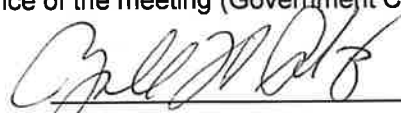
**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available from the District Office in the Board Room of the District's Office. Materials may also be available on the District's website: [www.bcvwd.org](http://www.bcvwd.org).

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Board Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.org](mailto:info@bcvwd.org) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

### CERTIFICATION OF POSTING

I certify that on or before Nov. 19, 2019, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).



Yolanda Rodriguez,  
Director of Finance and Administration



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
November 21, 2019**

Item 1

STAFF REPORT

**TO:** Board of Directors

**FROM:** Dan Jagers, General Manager

**SUBJECT: Presentation of the President's Special Recognition Award Received from the Association of California Water Agencies Joint Powers Insurance Authority for Beaumont-Cherry Valley Water District's Property and Workers Compensation Programs**

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**Staff Recommendation**

None.

**Background**

Each year as the Fall Association of California Water Agencies/ Joint Powers Insurance Authority's (ACWA/JPIA) conference, the JPIA recognizes members that have achieved a loss ratio of 20 percent or less in either liability, property, or worker's compensation programs. Members meeting the criteria receive the "President's Special Recognition Award" for each qualifying program.

Most recently, for the period 2015-2018, Beaumont-Cherry Valley Water District received this recognition for the Property and Workers Compensation insurance programs.

**Fiscal Impact**

None.

**Attachment(s)**

October 15, 2019 letter from CWA/JPIA

President's Special Recognition Award for Property Insurance

President's Special Recognition Award for Workers Compensation Insurance

Staff Report prepared by Erica Gonzales, Administrative Assistant



YOUR BEST PROTECTION

## ACWA JPIA

P. O. Box 619082  
Roseville, CA 95661-9082

phone  
916.786.5742  
800.231.5742

direct line  
916.774.7050  
800.535.7899

fax  
916.774.7040

claims fax  
916.786.0209

[www.acwajpia.com](http://www.acwajpia.com)

**President**  
E.G. "Jerry" Gladbach

**Vice President**  
Tom Cuquet

**Chief Executive Officer**  
Walter "Andy" Sells

**Executive Committee**  
Fred Bockmiller  
Tom Cuquet  
David Drake  
E.G. "Jerry" Gladbach  
Brent Hastey  
Steven LaMar  
Melody A. McDonald  
J. Bruce Rupp  
Kathleen Tiegs

October 15, 2019

Beaumont-Cherry Valley Water District (B016)  
P.O. Box 2037  
Beaumont, CA 92223-0937

Daniel:

Each year at Fall Conference, the JPIA recognizes members that have a Loss Ratio of 20% or less in either of the Liability, Property, or Workers' Compensation programs (loss ratio = total losses / total premiums).

The members with this distinction receive the "**President's Special Recognition Award**" certificate for each Program that they qualify in.

The JPIA is extremely pleased to present Beaumont-Cherry Valley Water District (B016) with this special recognition and commends the District on the hard work in reducing claims.

Congratulations to you, your staff, Board, and District. Keep up the good work!

The JPIA wishes you the best in 2020.

Sincerely,

E.G. "Jerry" Gladbach  
President

Enclosure: President's Special Recognition Award(s)

# *President's Special Recognition Award*

*The President of the  
ACWA JPIA  
hereby gives Special Recognition to*

## *Beaumont-Cherry Valley Water District*

*for achieving a low ratio of "Paid Claims and Case Reserves" to "Deposit Premiums"  
in the Property Program for the period 04/01/2015 - 03/31/2018  
announced at the Board of Directors' Meeting in San Diego.*



*December 02, 2019*



*E. G. "Jerry" Gladbach, President*

# *President's Special Recognition Award*

*The President of the  
ACWA JPIA  
hereby gives Special Recognition to*

## *Beaumont-Cherry Valley Water District*

*for achieving a low ratio of "Paid Claims and Case Reserves" to "Deposit Premiums"  
in the Workers' Compensation Program for the period 07/01/2015 - 06/30/2018  
announced at the Board of Directors' Meeting in San Diego.*



*December 02, 2019*

*E. G. "Jerry" Gladbach*

*E. G. "Jerry" Gladbach, President*



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
November 21, 2019**

Item 2

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Discussion and Direction of 4-inch Pipeline Replacement Near 9087 Avenida Miravilla in the Community of Cherry Valley

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**Staff Recommendation**

No recommendation.

**Background**

A small portion of the 3620 Pressure Zone in Cherry Valley provides water to approximately six existing residences and one proposed residence through the Fisher Regulator via an existing 4" steel pipeline (See Figure 1 – Location Map). The Fisher Regulator decreases the pressure in this area from the 3620 Pressure Zone to the 3394 Pressure sub-zone.

The existing 4" steel pipeline, which provides service to the residences in this area, runs through multiple private properties, including 9087 Avenida Miravilla (formerly known as 9133 Nonie Court).

At the February 13, 2019 Regular Board Meeting, District staff presented a Will Serve Letter for service to 9087 Avenida Miravilla for Board consideration, which was subsequently approved. In the Staff Report, the Applicant, Tim Daniels, requested that the District explore a more economically feasible solution than what was stated in the original approval (mainline extension of approximately 1,400 LF of pipeline in Avenida Miravilla). District staff worked with the Applicant and determined an acceptable solution. The agreed upon solution is provided herewith as reference in the attached Figure 2 – Alternative Main Extension Alignment.

A plan for the proposed pipeline realignment, based on said solution, has been prepared by District staff (see Figures 3 and 4, attached) and includes two (2) phases of construction; one (1) phase (Phase 1) shown to be completed by the Applicant and the other (Phase 2) shown to be completed by the District. Over the past few months, District staff has worked to complete the plan and coordinate with the Applicant and property owner at 9087 Avenida Miravilla regarding the mainline extension agreement, engineer's estimate, bonds, and other miscellaneous items associated with the Phase 1 efforts.

The Phase 1 construction efforts will mostly be completed on the 9087 Avenida Miravilla property, with about 250 LF of construction to be performed on the 9233 Avenida Miravilla property within an existing easement which was granted to the District.

Recently, District staff (engineering and field staff) has worked to determine approximate costs to construct the Phase 2 portion of the 4" pipeline realignment. At this time, costs are based on District field staff performing the construction work with minor support from a sub-contractor.



District staff has discussed the proposed alignment with the property owners at 9225 and 9233 Avenida Miravilla, however a final walk-through must be performed with District staff and the property owners of said properties to ensure minimal impact on each owners' property.

It is anticipated that four existing services may be temporarily impacted during the construction when their connection would be disconnected from the existing line and reconnected to the proposed line. District staff intends to notify these customers of the proposed work and anticipated timeline for their service interruption.

Upon completion of Phase 1 and Phase 2 of this pipeline realignment, the District would own and operate approximately 1,295 LF of new 4" ductile iron pipeline. It should be noted that there is additional 620 LF (approximate) of existing line, located north of 9087 Avenida Miravilla, which will remain and will need to be identified on the Replacement Pipelines CIP list in the future. Service to those properties who take service from this existing pipeline, located north of 9087 Avenida Miravilla, may experience a minor interruption due to the Phase 1 connection to the existing pipeline.

### **Fiscal Impact**

- Phase 1: There is no fiscal impact to the District for Phase 1 improvements. The costs associated with the Phase 1 construction will be responsibility of the property owner at 9087 Avenida Miravilla, as a part of their condition for service.
- Phase 2: The fiscal impact to the District for the Phase 2 construction will be provided in a handout.

### **Attachment(s)**

Figure 1 – Location Map

Figure 2 – Alternative Main Extension Alignment

Figure 3 – Pipeline Realignment Phasing Exhibit

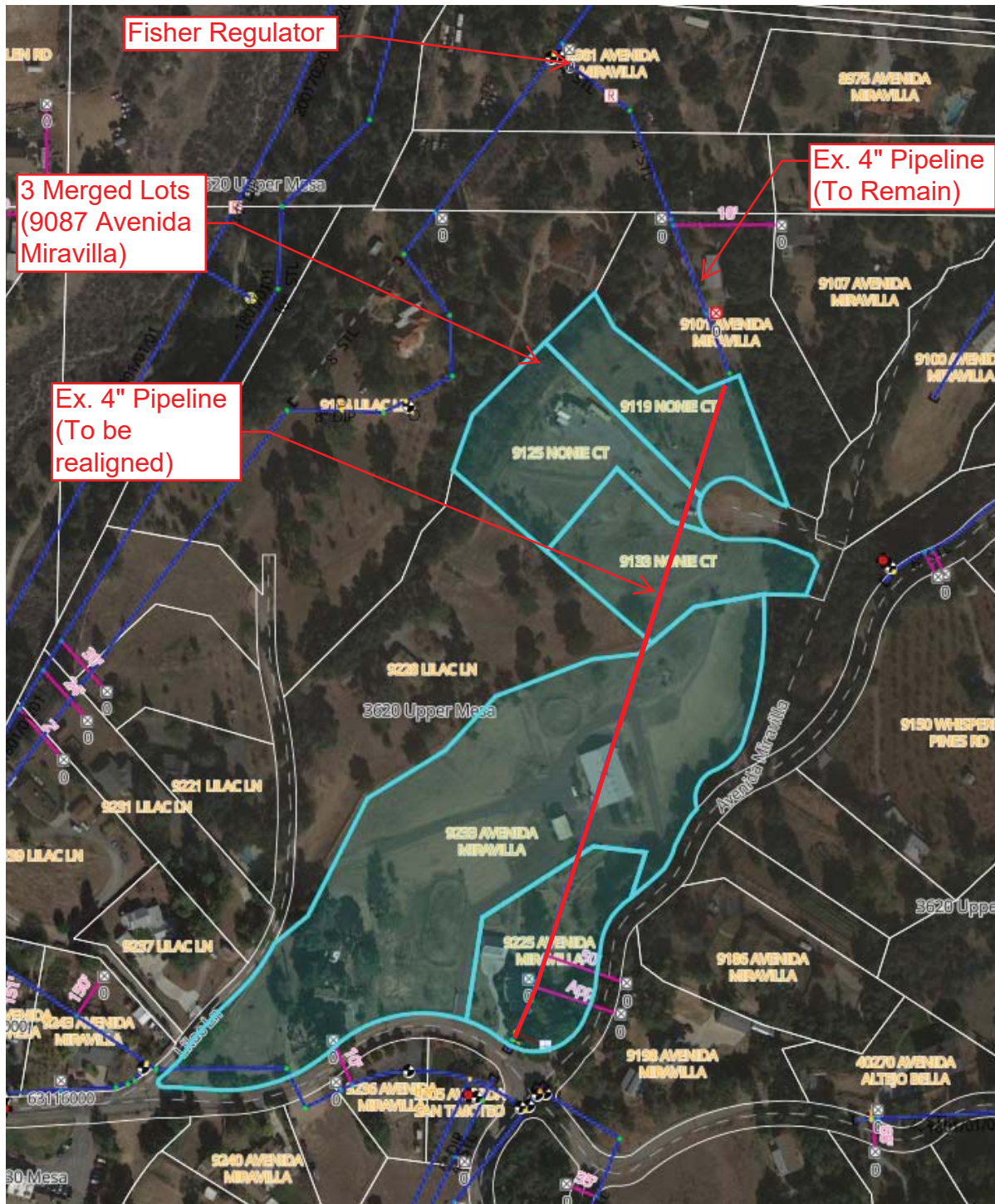
Figure 4 - Preliminary 9087 Avenida Miravilla Water Realignment Plan

Staff Report prepared by Mark Swanson, Senior Engineer





FIGURE 1 – LOCATION MAP





**FIGURE 2 – ALTERNATIVE MAIN EXTENSION ALIGNMENT**  
(FROM FEBRUARY 13, 2019 BOARD MEETING)

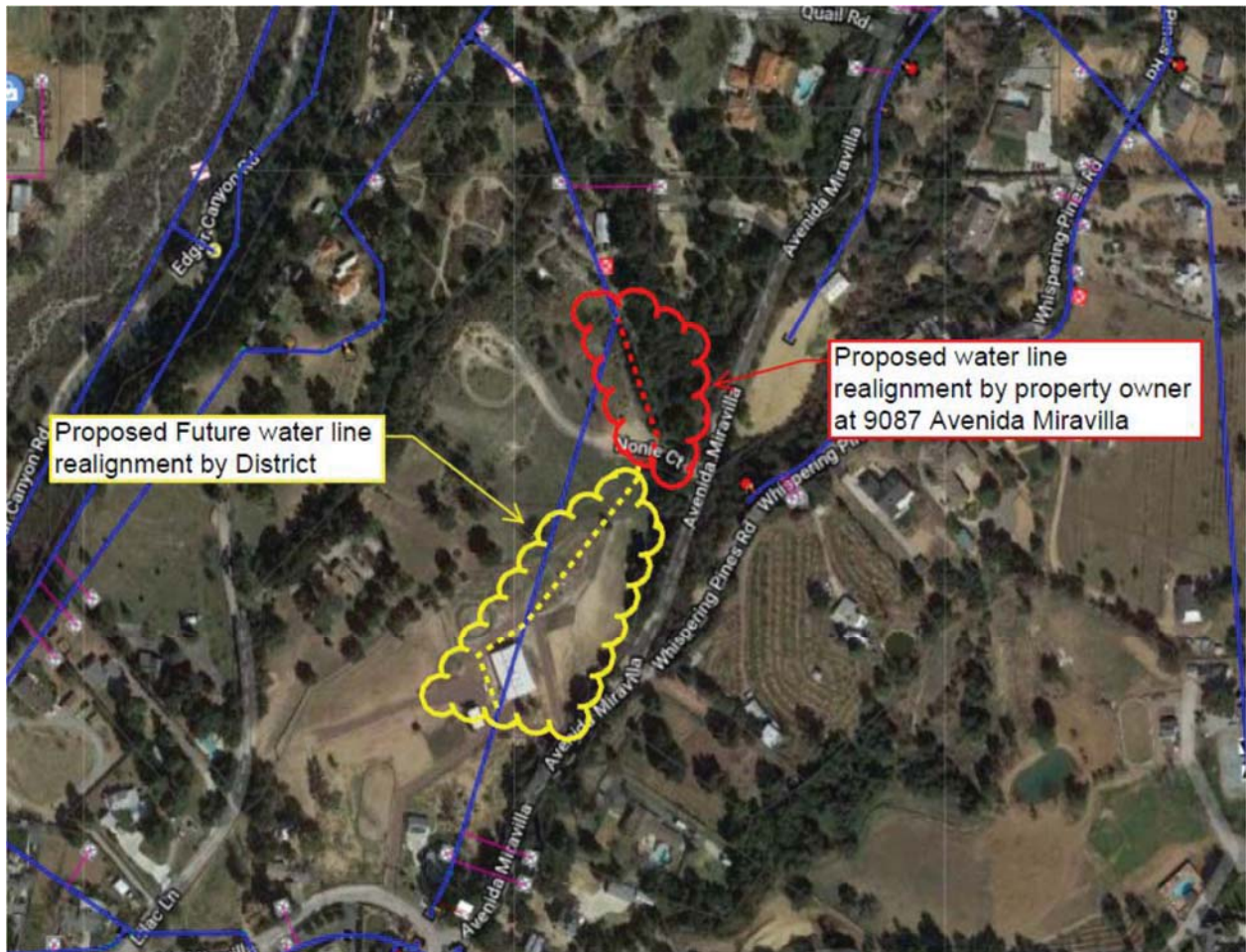
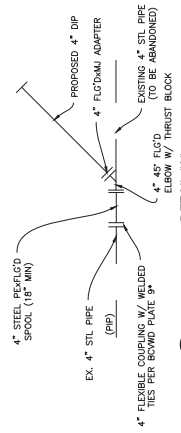
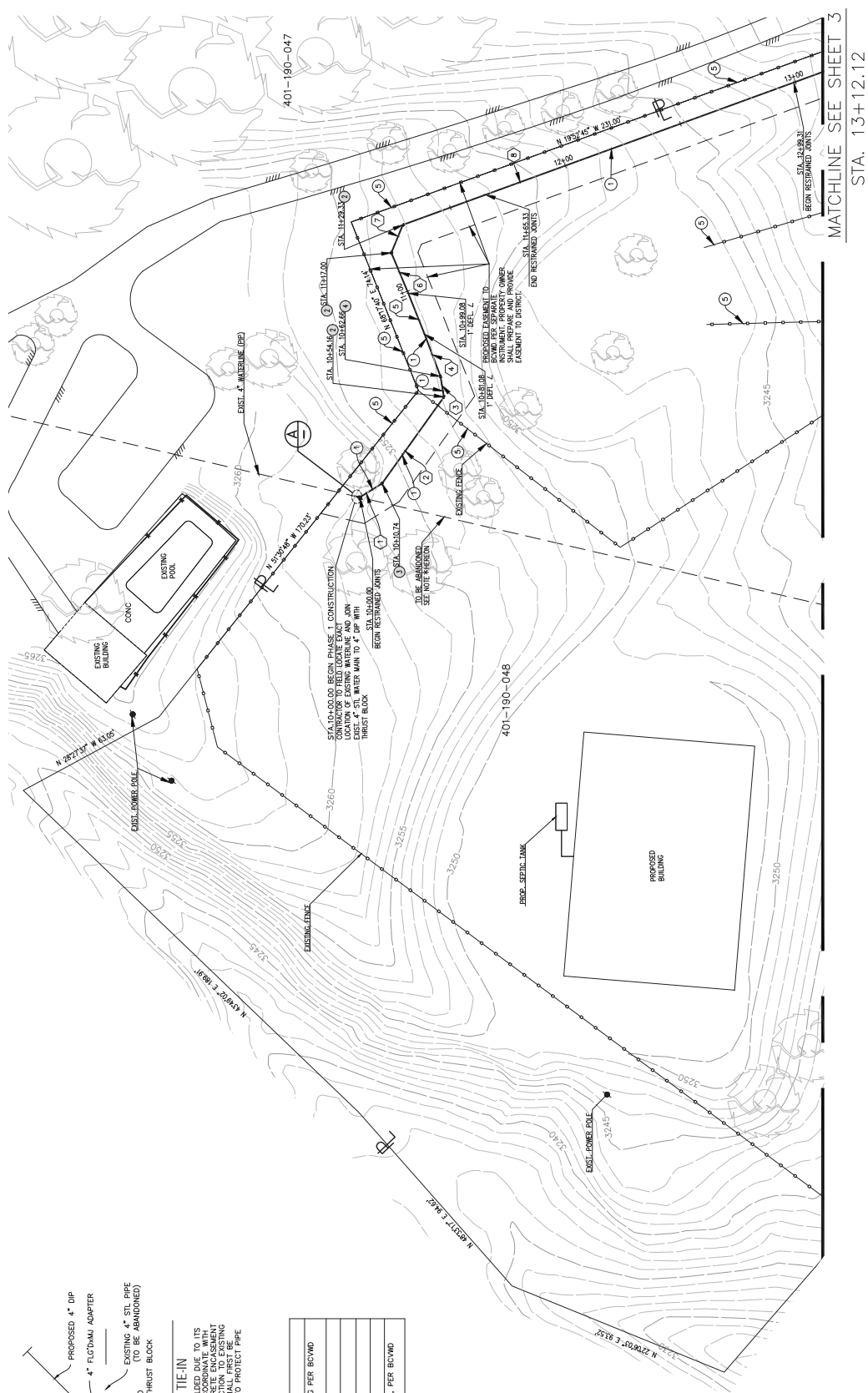






FIGURE 4



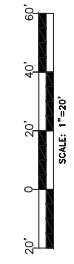
**UPSTREAM EXISTING TIE-IN**

NOTE: IF EXISTING PIPE CANNOT BE WELDED DUE TO ITS CONDITION, THEN CONTRACTOR SHALL COORDINATE WITH THE OWNER TO DETERMINE THE BEST METHOD OF CONNECTION. THE COUPLING AT THE CONNECTION TO EXISTING PIPE SHALL BE ENCASED IN CONCRETE. ALL FACILITIES SHALL FIRST BE PROTECTED BY INSTALLING A THURST BLOCK TO PROTECT PIPE FROM CONCRETE ENCASEMENT.

- CONSTRUCTION NOTES**
- INSTALL 4" DUCTILE IRON PIPE (CLASS 350) AND BEDDING PER BCWD SPECIFICATIONS.
  - INSTALL 4" 45° FLANGED ELBOW.
  - INSTALL 4" 22.5° FLANGED ELBOW.
  - INSTALL 4" 11.25° FLANGED ELBOW.
  - PROTECT-IN-PLACE.
  - INSTALL 1" METER AND 1" COPPER SERVICE LINE, TYPE K, PER BCWD SPECIFICATIONS.
  - IF EXISTING PIPELINE TO BE ABANDONED, SHALL BE FILLED, CAPPED AND PLUGGED, OR ENTIRE PIPELINE REMOVED.

**LINE / CURVE DATA TABLE**

STATION	BEARING/Delta	RADIUS	LENGTH	TANGENT
1	N 270° 00' 00" W	0.74'	0.74'	0.00'
2	N 270° 00' 00" W	0.74'	0.74'	0.00'
3	N 270° 00' 00" W	0.74'	0.74'	0.00'
4	N 270° 00' 00" W	0.74'	0.74'	0.00'
5	N 270° 00' 00" W	0.74'	0.74'	0.00'
6	N 270° 00' 00" W	0.74'	0.74'	0.00'
7	N 270° 00' 00" W	0.74'	0.74'	0.00'
8	N 270° 00' 00" W	0.74'	0.74'	0.00'



MATCHLINE SEE SHEET 3  
STA. 13+12.12

**"NOT FOR CONSTRUCTION" 3620 PZ - FRSS**

BCVWD

9087 AVENIDA MIRAVILLA  
WATER LINE REALIGNMENT  
PHASE 1  
WATER REALIGNMENT FROM STA. 10+00.00 TO STA. 13+12.12

SCALE: AS NOTED  
FIELD BOOK: N/A  
DESIGN: E.W./MBS  
DRAWN: E.W./MBS  
CHECKED: MBS/DKJ

**BEAUMONT - CHERRY VALLEY WATER DISTRICT**

500 Magnolia Ave. • Beaumont, CA 92223 • 951-845-9891

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
REGISTERED ENGINEER NO. \_\_\_\_\_

SYN	REVISIONS	DATE	BY

48 hours BEFORE excavation  
1-(800)227-2600  
CALL Underground Service Alert

BEAUMONT-CHERRY VALLEY WATER DISTRICT  
ENGINEER: \_\_\_\_\_  
PROJECT: \_\_\_\_\_  
WATER MAINS & SEWERAGE  
WATER MAINS & SEWERAGE







**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
November 21, 2019**

Item 3

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Discussion of City of Beaumont Approved Ordinance and Implementation of a Pavement Cut Moratorium

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**Staff Recommendation**

No recommendation.

**Background**

On November 05, 2019, the City of Beaumont's (City) City Council held a first reading and Public Hearing of a proposed Ordinance to add a new Chapter 12.31 to the Beaumont Municipal Code which places a moratorium on pavement cuts on recently resurfaced streets. After the Public Hearing was held, the City Council voted to adopt the Ordinance unanimously.

A moratorium on pavement cuts was first introduced to the City Council on August 27, 2019 at a Council Workshop. It was presented as a preventative measure in the City's aggressive five (5) year street maintenance plan to maintain or improve their pavement condition index (PCI) of 71. The City intends to invest \$1,900,000 in street rehabilitation this year and considers a pavement cut moratorium a protection of that investment. Public Works Director stated that coordination with utilities is ongoing to ensure that there is not a need to cut into the pavement after improvements have been made.

The Ordinance states:

*"No trenching or excavation shall be permitted in any street that has been constructed, or reconstructed, the pavement surface shall not be cut or opened for a period of five (5) years after completion of, or from recordation of a notice of completion. On a slurry sealed street, the pavement surface shall not be cut or opened for a period of [three] (3) years from completion."*

*"The City Engineer/Public Works Director may grant exception to the moratorium for:*

- A. Emergencies which endanger life, or public health and safety.*
- B. Work that is mandated by city, state or federal legislation.*
- C. Service to buildings or properties where no other reasonable means of providing service exists."*

The City plans to resurface Beaumont Avenue from Brookside, south to Cougar Way and from Oak Valley Parkway, south to Interstate 10. City staff has indicated that the design plans for this project are 90% complete. Due to this moratorium, all pavement cuts in Beaumont Avenue will be prohibited for five (5) years after project completion.

This Ordinance will impact Beaumont-Cherry Valley Water District's pipeline maintenance schedule and possibly impact a percentage of the Capital Improvement Plan projects.





**Fiscal Impact**

The fiscal impact is unknown at this time.

**Attachment(s)**

City of Beaumont November 5, 2019 Staff Report – Public Hearing for First Reading of an Ordinance for a Pavement Moratorium on Newly Surfaced Streets

Newly Adopted City of Beaumont Municipal Code Chapter 12.31

Staff Report prepared by Erica Gonzales, Administrative Assistant



## Staff Report

TO: Mayor and City Council Members

FROM: Jeff Hart, Public Works Director

DATE: November 5, 2019

SUBJECT: Public Hearing for First Reading of an Ordinance for a Pavement Moratorium on Newly Surfaced Streets

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### Background and Analysis:

The City of Beaumont is actively pursuing implementation of a City-wide pavement maintenance and management program. Based upon recent analysis, the City has an overall pavement condition index (PCI) of 71 and intends to maintain, and/or improve this rating over the next 5 years.

The following are the four condition categories associated with the City's PCI:

- Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)
- Condition Category II/III - At-Risk to Fair (PCI 50 - 70)
- Condition Category IV - Poor (PCI 25 - 50)
- Condition Category V - Very Poor (PCI 0 - 25)

In order to effectively implement a successful pavement management program, staff recommends implementation of a pavement cut moratorium. The purpose of a pavement cut moratorium is to protect the public's investment in its infrastructure and ensure roadways do not deteriorate faster than expected as a result of private development. With an anticipated investment of nearly \$1,900,000 in street rehabilitation this fiscal year, it is imperative that the City take the necessary steps to protect their investment to the maximum extent practicable.

As part of the City's pavement management program, staff is giving utility purveyors the opportunity to perform any needed maintenance work on their respective utility prior to construction. Once the road is rehabilitated, the roadway will be placed under a moratorium which will not allow utility purveyors or contractors to excavate the roadway for maintenance work. City of Beaumont staff will be expected to comply with the same criteria.

Allowing utility trenching and street cuts to newly resurfaced streets increases the likelihood of premature pavement degradation, premature structural failures, jeopardizes a smooth riding surface for all modes of transportation, and creates negative visual impacts.

The moratorium requires that no trenching or excavation shall be permitted in any street that has been newly constructed, or reconstructed, for a period of five (5) years after completion of, or from recordation of a notice of completion. For streets that have been recently slurry sealed, fog sealed, or other surface additive, the pavement surface shall not be cut or opened for a period of three (3) years from completion.

The City Engineer/Public Works Director may grant exceptions to the moratorium for:

- Emergencies which endanger life, or public health and safety.
- Work that is mandated by City, State, or Federal legislation.
- Services to buildings or properties where no other reasonable means of providing service exists.

When granted exceptions to this regulation, the Public Works Department shall impose conditions determined appropriate to ensure the rapid and complete restoration of the street and street paving (see attached ordinance). Any persons who are required to repave a street shall obtain an encroachment permit and will be responsible for the full cost of plan preparation, plan review, construction inspection, material testing, bonding, soils testing, and all other expenses related to the work. Under circumstances where permission is granted, excavations made in moratorium streets shall be permanently patched and all permitted work and material shall meet current City Standards and/or Greenbook Standard Specifications for Public Works Construction (see attached ordinance.)

### **Fiscal Impact:**

The cost to prepare this staff report and moratorium is approximately \$1000. There is no additional fiscal impact at this time.

### **Recommendation:**

1. Waive the full first reading and approve by title only, "An Ordinance of the City of Beaumont for a Moratorium on pavement Cuts on Recently Resurfaced Streets."



**City Manager Review:** Todd Parton  
City Manager

**ORDINANCE NO. \_\_\_\_**  
**AN ORDINANCE OF THE CITY OF**  
**BEAUMONT**  
**FOR A MORATORIUM ON PAVEMENT CUTS**  
**ON RECENTLY RESURFACED STREETS**

WHEREAS, the City of Beaumont seeks to minimize pavement degradation, maintain structural integrity of streets, maintain a smooth surface for all modes of transportation, and reduce negative visual impacts. By having a street cut moratorium, contractors or utilities companies with proposed projects that require excavation of roadways can more effectively plan and review conflicts that may be encountered.

WHEREAS, under circumstances where permission to excavate is granted notwithstanding the moratorium, excavations shall be permanently patched, all permitted work and material shall meet current City Standards and Greenbook Standard Specifications for Public Works as further provided in this ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF**  
**BEAUMONT DOES ORDAIN AS FOLLOWS:**

SECTION 1. A new Chapter 12.31 is hereby added to the Beaumont Municipal Code to read as follows:

12.31.01. No trenching or excavation shall be permitted in any street that has been constructed, or reconstructed, the pavement surface shall not be cut or opened for a period of five (5) years after completion of, or from recordation of a notice of completion. On a slurry sealed street, the pavement surface shall not be cut or opened for a period of (3) years from completion.

12.31.02. The City Engineer/Public Works Director may grant exception to the moratorium for:

- A. Emergencies which endanger life, or public health and safety.
- B. Work that is mandated by city, state or federal legislation.
- C. Service to buildings or properties where no other reasonable means of providing service exists.

12.31.03. To request an exception, the applicant shall submit the following information to the Public Works Department:

- A. The location of excavation.
- B. Which exception from the moratorium stated above is being claimed.
- C. Description of the work to be performed.
- D. Justification from the applicant why the work was not performed before the roadway was resurfaced.
- E. Justification as to why the work cannot be completed via jack and bore or directional drill method(s).
- F. Justification from the applicant why the work cannot be deferred until after moratorium expires.
- G. Justification why the work cannot be performed in another location.

12.31.04. If the Public Works Department approves an exception to the moratorium, it shall impose conditions determined appropriate to ensure the rapid and complete restoration of the street and street paving, which include, but are not limited to:

- A. Street grinding, and subbase repairs.
- B. Fog seal and all striping replaced.
- C. Raising of manholes and monuments.
- D. The resurface area shall be a minimum of 12' wide for each traffic lane affected by the excavation, or more, as determined by the Public Works Director at their sole discretion.
- E. The resurface area shall extend a minimum of 25' long in both directions as measured from the edge of the excavation, or more, as determined by the Public Works Director at their sole discretion.
- F. Compaction of base material and subgrade to minimum 95% relative compaction.
- G. On arterial or collector streets, the entire area to be resurfaced shall be cold planed a minimum 0.20' deep, or more, as determined by the Public Works Director at their sole discretion and repaved per City standards.
- H. On local streets, the entire area to be resurfaced shall be cold planed a minimum 0.15' deep, or more, as determined by the Public Works Director at their sole discretion and repaved per City standards.
- I. Where new asphaltic concrete (AC) pavement will be placed, tack coat will be placed where they join with existing street pavement surfaces.
- J. For areas where rubberized asphalt exists the material used for replacement shall be in kind.

12.31.05. Any person who is required to repave a street under this ordinance shall be required to obtain an Encroachment Permit and comply with the other provisions of Beaumont Municipal Code Chapter 12.12 and shall be responsible for the full cost of plan preparation, plan review, construction inspection, material testing, bonding, soils testing and all other expenses related to the work.

#### 12.31.06. Violations.

A. Any condition caused or permitted to exist in violation of any provisions of this Chapter, the City Code, or State or City law is declared a public nuisance and may be abated by the City either pursuant to Chapter 8.32 of the Beaumont Municipal Code or any other available civil and/or criminal remedy, including but not limited to a restraining order, temporary and permanent injunctive relief, and other relief set forth in this Chapter, City Code and/or State Law.

B. Any Person found to be in violation of or in non-compliance with any of the requirements of this Chapter or applicable provisions of the Beaumont Municipal Code shall be subject to any enforcement remedies available under the law and/or the Beaumont Municipal Code including, but not limited to, Chapter 1.17 and Chapter 8.32.

C. Any Person violating any of the provisions of this Chapter or any provisions or part hereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of up to \$1,000.00 per day per violation or by imprisonment for a period of not more than six months, or by both such fine and imprisonment. No civil action shall prevent criminal prosecution for any violation of the provisions of this Chapter, City Code and/or State law.

D. In lieu of issuing a misdemeanor citation, the City may reduce the penalty to an infraction or issue an administrative citation, and/or assess an administrative fine up to the maximum amount(s) permitted by law and the Code.

E. Each violation of this Chapter shall constitute a separate violation and each violation may be charged as a separate count in the event of administrative or criminal enforcement action.

**SECTION 2. CEQA.** The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 3. Severability.** The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

**SECTION 5. Violation of Prior Ordinances.** Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the City of Beaumont Municipal Code, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

**SECTION 6. Effective Date and Publication.** The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937.

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the 5th day of November, 2019, by the following roll call vote:

AYES: White, Lara, Carroll, Santos, Martinez

NOES:

ABSENT:

ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 22nd day of November 2019.

AYES: White, Lara, Carroll, Santos, Martinez

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Julio Martinez, Mayor

Attest: \_\_\_\_\_

Steven Mehlman, City Clerk

Approved as to form:

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John O. Pinkney, City Attorney



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
November 21, 2019**

Item 6

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** **Update: Status of District Wells, Capital Improvements, and Engineering Projects**

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**Staff Recommendation**

No recommendation.

**Background**

Beginning in late 2017, the Board approved a number of Capital Improvement, Engineering and Well repair and rehabilitation projects, either as part of the annual program to ensure quality of supply and serviceable equipment, or out of necessity due to equipment failure. The purpose of this staff report is to update the Board on all major Capital Improvement, Engineering and Well repair and rehabilitation projects that are ongoing or are upcoming in the near future.

**Summary**

The attached tables set forth the current status of said on-going projects.

**Attachments**

Table 1 – 2019 Board Approved Facility Replacement and Well Site Repair, Rehabilitation, and Replacement

Table 2 – On-going Capital Improvement Projects

Table 3 – Upcoming Capital Improvement Progress

Prepared by Erica Gonzales, Administrative Assistant



Table 1 2018-19 Board Approved Facility Replacement and Well Site Repair, Rehabilitation, and Replacement							
Potable Infrastructure Project Description	Total Anticipated Project Amount	Total Project Expenses	Y-T-D Costs (October 31, 2019)	Funding Source	Current Status	Project Notes	
Well 21 and Booster 21A	\$ 70,837	\$ 59,889	\$ 59,889	Capital Replacement Reserve	Complete	New motors installed and in service	
Well 22 Repair and Rehabilitation	\$ 217,660	\$ 205,760	\$ 20,713	Capital Replacement Reserve	Ongoing	Work complete pending landscaping, and paint	
Well 3 Repair and Rehabilitation	\$ 232,298	\$ 199,981	\$ 199,981	Capital Replacement Reserve	Ongoing	Completion pending bacteriological sampling	
Well 4A Repair and Rehabilitation	\$ 80,000	\$ 5,802	\$ 5,802	Capital Replacement Reserve	Ongoing	Pumping unit removed, well has been brushed and bailed, replacement pumping unit will be ordered this week	
Well 10 Repair and Rehabilitation	See Well 4A	\$ -	\$ -	Capital Replacement Reserve	Ongoing	Pumping unit removed, well has been brushed and bailed, replacement pumping unit will be ordered this week	
Well 18 Repair and Rehabilitation	See Well 4A	\$ -	\$ -	Capital Replacement Reserve	Ongoing	Pumping unit removed, well has been brushed and bailed, replacement pumping unit will be ordered this week	

Beaumont-Cherry Valley Water District

Table 2  
Ongoing Capital Improvement Plan (CIP) Projects

Project No.	Project Description	Approved CIP Cost	Total Project Costs (October 31, 2019)	% Expended	Budget 2019	Y-T-D Costs (October 31, 2019)	% Completion-	Funding Source
WR-REWTR-Plan	Recycled Water Masterplan Update 2016	\$ 25,000	\$ 88,997	356%	\$ -			Facilities Fees
WR	Grand Avenue Storm Drain	\$ 2,145,810	\$ 52,112	2%	\$ 1,158,434	\$ 13,746	20%	Facilities Fees
W-2750-0005	Replace 2750 Zone Well 1	\$ 4,130,856	\$ 36,618	1%	\$ 3,660,650	\$ 5,788		Capital Replacement Reserve
W-2750-0001	Replacement for Well 2	\$ 5,360,424	\$ 32,851	1%	\$ 2,356,775	\$ 3,179		Capital Replacement Reserve
W-2750-0002	2750 Zone Well in Noble Creek Regional Park New Beaumont Basin	\$ 5,978,918	\$ 16,732	0%	\$ 5,041,310			Facilities Fees
W-2850-0001	Well on Pardee Sundance Site	\$ 5,844,739	\$ 16,004	0%	\$ 2,482,399			Facilities Fees
M-2750-0001	2850/2750 Pressure Reducing Station & Piping (Cherry Reservoir)	\$ 51,898	\$ 869	2%	\$ 51,898			Capital Replacement Reserve
M-2850-0001	Well 25 East Block Wall and Entrance Gate	\$ 51,900	\$ 4,761	9%	\$ 51,900			Facilities Fees
M-0000-0001	800hp Spare Motor	\$ 129,512	\$ 2,433	2%	\$ 129,512			Capital Replacement Reserve
M-3040-0002	Noble Booster Pump and Motor (Spare Pump & Motor)	\$ 23,211	\$ 2,978	13%	\$ 23,211			Capital Replacement Reserve
NPT-2800-001	Raw Water Filter System at 2800 PZ Tank	\$ 261,308	\$ 2,235	1%	\$ 261,308			Facilities Fees
T-3040-0001	Pressure Zone Pipeline	\$ 1,238,531	\$ 22,112	2%	\$ 55,649	\$ 8,173	70%	Facilities Fees
T-3040-0001	2 MG 3040 Zone Tank	\$ 3,664,982	\$ 185,895	5%	\$ 148,229	\$ 25,781	75%	Facilities Fees
P-2750-0069	Egan Ave-California Ave. Alley, 5th to 7th	\$ 183,896	\$ 63,507	35%	\$ 183,896	\$ 16,454	70%	Capital Replacement Reserve
P-3620-0012	Ave Altejo Bella, Ave Miravilla to end of cul-de-sac	\$ 257,504	\$ 63,583	25%	\$ 257,504	\$ 16,532	70%	Capital Replacement Reserve
P-3620-0015	Appletree Ln, B line to Oak Glen Rd	\$ 659,530	\$ 62,118	9%	\$ 659,530	\$ 16,598	70%	Capital Replacement Reserve
M-0000-0002	Chlorination Retrofit At Misc. Wells (6 Well Sites)	\$ 68,189	\$ 31,615	46%	\$ 36,574			Capital Replacement Reserve
IT-NETW-0004	Email Spam Protection/Archive Solution	\$ 6,917	\$ 922	13%	\$ 6,917		80%(1)	Capital Replacement Reserve

Beaumont-Cherry Valley Water District

Table 2  
Ongoing Capital Improvement Plan (CIP) Projects

Project No.	Project Description	Approved CIP Cost	Total Project Costs (October 31, 2019)	% Expended	Budget 2019	Y-T-D Costs (October 31, 2019)	% Completion-	Funding Source
IT-SCAD-0002	Wonderware SCADA Phase 2 Project	\$ 391,596	\$ 263	0%	\$ 391,596		50%	Capital Replacement Reserve
IT-NETW-0002	Redundant SAN Project	\$ 51,417	\$ 49,807	97%	\$ 23,467	\$ 49,807	100%	Capital Replacement Reserve
IT-NETW-0012	Server Replacement Project	\$ 51,771	\$ 50,737	98%	\$ 51,771	\$ 50,737	100%	Capital Replacement Reserve
WR-SITES-Reser.	Investment in Sites Reservoir Project	\$ 4,000,000	\$ 428,299	11%	\$ 73,800	\$ 262,099	20%(2)	Facilities Fees
VE-EQIP-0004	Confined Space Retrieval System Workstation	\$ 15,000	\$ 12,402	83%	\$ 15,000	\$ 12,402	100%	Capital Replacement Reserve
IT-NETW-0006	Replacement project (50 units @ \$1,000 per unit - 33% per year)	\$ 101,392	\$ 46,847	46%	\$ 20,597	\$ 18,327	80%(3)	Capital Replacement Reserve
IT-ADMIN-0003	Front Office Space Reconfiguration and Furniture Replacement	\$ 38,500	\$ 1,387	4%	\$ 38,500	\$ 1,387	15%	Capital Replacement Reserve
	Well Eyewash Station Additions	\$ 51,630	\$ 6,410	12%	\$ -	\$ 6,410	15%	Capital Replacement Reserve
	Engineering Office Tenant Improvements/Furniture	\$ -	\$ 13,049	100%	\$ -	\$ 13,049	100%(4)	Capital Replacement Reserve
IT-SCAD-0004	AMR / AMI Deployment Project	\$ 4,044,735	\$ 428,373	11%	\$ 1,890,335	\$ 142,986	50%	Capital Replacement Reserve
VE-TRUK-0008	Ford F150 Super Duty 2x4 - Unit 40	\$ 35,179	\$ 28,919	82%	\$ 35,179	\$ 28,919	100%	Capital Replacement Reserve
VE-TRUK-0009	Ford F250 Super Duty 4x4 - Unit 41	\$ 35,046	\$ 33,787	96%	\$ 35,046	\$ 33,787	100%	Capital Replacement Reserve
VE-TRUK-0011	Ford F250 Super Duty 4x4 - Unit 42	\$ 47,440	\$ 33,621	71%	\$ 47,440	\$ 33,621	100%	Capital Replacement Reserve

**NOTES:**

- (1) Operating budget used to fund since less than \$5,000 threshold
- (2) BCVWD is a participant in this project , currently in Phase II, for 4,000 AF
- (3) Project completion % for 2019 portion
- (4) Budget from IT-ADMIN-0003 used to fund

# Beaumont-Cherry Valley Water District

**Table 3  
2019 Upcoming Capital Improvement Plan (CIP) Projects**

Project No.	Project Description	Approved Capital Improvement Budget Cost	Funding Source	Priority (1 -5)
M-0000-0002	Chlorination Retrofit at Misc. Wells	\$ 68,189	Capital Replacement Reserve	2
TM-3040-0001	Highland Springs Reservoir Recoat & Retrofit	\$ 375,201	Capital Replacement Reserve	2
TM-3330-0001	Lower Edgar Reservoir Recoat & Retrofit	\$ 375,201	Capital Replacement Reserve	2
BP-2850-0001	2850 Zone to 3040 Zone Booster Pump Station	\$ 3,921,014	Facilities Fees	2 - 3
W-2850-0003	New Beaumont Basin Well Noble Creek Meadows	\$ 6,688,707	Facilities Fees	5
PR-3330-0001	3330 to 3150 Lower Mesa, Noble Regulator	\$ 37,286	Capital Replacement Reserve	4
PR-3620-0001	3620 to 3330 Fisher Pressure Regulator	\$ 37,286	Capital Replacement Reserve	3
-	Arc Flash Study and Improvement Project	\$ 58,708	Capital Replacement Reserve	1
-	Well Eyewash Station Additions	\$ 51,630	Capital Replacement Reserve	1
-	Well 29 Primary Conductor Replacement	\$ 17,360	Capital Replacement Reserve	1
-	Well 21 Generator Conduit and Wiring	\$ 33,090	Capital Replacement Reserve	1
-	Climate Control for High Horsepower Electrical Buildings	\$ 50,000	Capital Replacement Reserve	2
NBP-2600-0001	2600 Zone to 2800 Zone Booster Pump Station	\$ 4,729,888	Facilities Fees	1
NPR-2600-0001	2600 Zone Non-potable Regulation and Metering Station	\$ 362,475	Facilities Fees	3 - 4

# Beaumont-Cherry Valley Water District

**Table 3**  
**2019 Upcoming Capital Improvement Plan (CIP) Projects**

Project No.	Project Description	Approved Capital Improvement Budget Cost	Funding Source	Priority (1 -5)
NBP-2600-0003	2600 Zone Non-potable Booster at CoB Treatment Plant	\$ 2,789,545	Facilities Fees	3 - 4
NPR-2800-0001	2800 to 2600 Non-potable Water Pressure Regulator	\$ 211,431	Facilities Fees	2
NPT-2800-001	Raw Water Filter System at 2800 PZ Tank	\$ 261,308	Facilities Fees	2 - 3
NT-2800-0001	2MG Non-potable 2800 Zone Tank	\$ 200,018	Facilities Fees	3 - 4
NWR-2600-0002	San Timoteo Creek Non-potable Extraction Wells	\$ 4,980,678	Facilities Fees	2 - 3
P-3040-0021	Lincoln St., Noble St to West end	\$ 326,050	Capital Replacement Reserve	4
P-3040-0022	Friendship Dr., Vineland St. to End	\$ 120,347	Capital Replacement Reserve	4
P-3040-0025	Star Ln, Sky Ln, and View Dr	\$ 374,235	Capital Replacement Reserve	2
P-3040-0026	Utica Way, Vineland St to View Dr.	\$ 173,350	Capital Replacement Reserve	1
P-3620-0009	Ave. Miravilla, End of 12-in to Whispering Pines	\$ 339,092	Capital Replacement Reserve	1
P-2750-0067	Elm Ave.-Wellwood Ave. Alley, 7th St. to 5th St.	\$ 152,976	Capital Replacement Reserve	1
IT-NETW-0003	Endpoint Protection / LanGuard Security Software Project	\$ 11,010	Capital Replacement Reserve	2
IT-NETW-0008	Shoretel Phone System Redundancy Equipment	\$ 13,769	Capital Replacement Reserve	2
IT-NETW-0011	Server Room Uninterrupted Power Source	\$ 50,886	Capital Replacement Reserve	2
IT-SCAD-0003	Wonderware SCADA Phase 3 Project	\$ 224,685	Capital Replacement Reserve	3 - 4

# Beaumont-Cherry Valley Water District

Table 3  
2019 Upcoming Capital Improvement Plan (CIP) Projects

Project No.	Project Description	Approved Capital Improvement Budget Cost	Funding Source	Priority (1 -5)
IT-ADMIN-0001	Laser-Fishe Digitized Fileroom Project	\$ 132,910	Capital Replacement Reserve	5
IT-ADMIN-0002	Board Room Audio/Video System	\$ 150,000	Capital Replacement Reserve	4
IT-ADMIN-0003	Front Office Space Reconfiguration and Furniture Replacement	\$ 38,500	Capital Replacement Reserve	2 - 3
VE-TRUK-0008	2006 4X4 F250 (Apr, 2006)	\$ 35,179	Capital Replacement Reserve	1
VE-TRUK-0009	2008 4X4 F250 (May, 2007)	\$ 35,046	Capital Replacement Reserve	1
VE-TRUK-0011	2008 F250 (Feb, 2008)	\$ 47,440	Capital Replacement Reserve	1
VE-EQIP-0004	Confined Space Retrieval System	\$ 15,000	Capital Replacement Reserve	1



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
November 21, 2019**

**Item 7**

Update: Legislative Action and Issues Affecting BCVWD

Federal				New or Change in Status (New/Y/N)
Issue	Status	Description		
HR 1435 – Sites Reservoir Protection Act	2/28/19 – Introduced 3/15/19 Ref to Com on Water, Oceans	ACWA Supports. Referred to Committee on Natural Resources. Supports building of the Reservoir and other water infrastructure in the Central Valley. Could also authorize additional funding and technological assistance for the project. Matching funds provided through Prop. 1. 10/14 – No new action.	N	
HR 2473 – SAVE Water Resources Act	5/2/19 - Introduced in House 6/13/19 – Heard in Natural Resources Subcommittee	ACWA supports with amendments. Requires the Bureau of Reclamation to fast-track California water storage projects such as the Sites Reservoir. Will create cutting-edge programs to grow and sustain the region's water supply by improving storage capacity, supporting key new technological innovations for drought resistance and groundwater management and establishing responsible levels of federal funding to invest in water future. Amendments under consideration. 10/14/19 – No new action.	N	
H. Res 19 – Exp. Concern Re Hex. Chrom. In Water	1/3/19 - Introduced in House.	Resolution recognizes the importance of protecting the American people from drinking water polluted with carcinogens, such as hexavalent chromium. 10/14/19 – No change in status	N	
H.R. 1621 – Water Supply Permitting Coordination Act	Introduced 3/7/19 – Referred to House Com on Natural Resources	To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes. Helps with NEPA and Endangered Species Act. FEO becomes lead review agency. 10/14/19 – No change in status.	N	
S.1932 – Drought Resiliency and Water Supply Infrastructure Act	Introduced 6/20/19 (Feinstein) 7/18/19 – Hearing in Senate Energy and Natural Resources Committee 10/14/19 – No change in status	Federal Drought Legislation. ACWA-supported bill would build on Sen. Feinstein's 2016 drought legislation that was included in the Water Infrastructure Improvements for the Nation (WIIN) Act. The bipartisan Act would improve the nation's water supply and drought resiliency to protect against climate change impacts. Key provisions include: • Extending funding under the WIIN Act for an additional five years, including \$670 million for surface and groundwater storage projects, and supporting conveyance, \$100 million for water recycling projects, \$60 million for desalination projects • Creating a new loan program for water agencies at 30-year Treasury rates to spur investment in new water supply projects • Authorizing \$140 million for habitat restoration and environmental compliance projects, including forest, meadow and watershed restoration and projects that benefit threatened and endangered species.	N	

California			
Issue	Status	Description	New or Change in Status (New/Y/N)
ACA 3: Clean Water for All Act	3/20/19 – Amended in Assembly 4/30/19 – Failed Committee, granted reconsideration	Constitutional Amendment to require a minimum of 2% of specified state revenues to be earmarked for payment of principal and interest on bonds authorized by the Water Quality, Supply and Infrastructure Improvement Act of 2014. 4/15/19 – Now called the “Clean Water for All Act” 10/14/19 – No change in status	N
AB 636: State Water Resources Control Board – water quality initiatives	2/15/19 – Introduced 3/14/19 – Referred to Com on Env Safety and Toxic Materials	Requires the Legislature to hold a hearing to review proposals of the State Board which result in significant environmental harm before said proposals can go into effect. Targeted at the Bay-Delta plan; could affect the Sites Reservoir. 4/9/19 – First hearing was set, but then canceled by author. 6/19/19 – Failed deadline, now a 2-year bill 10/14/19 – No change in status.	N
AB 638: Dept of Water Resources: Water storage: climate change impacts	8/30/19 – Passed Appr as amended. 9/4/19 – Passed Sen., Enrolled, to Gov for signature 9/12/19 - VETOED	Requires the state to take into account the impacts climate change will have on water reliability, including accounting for the projected shrinkage of the Sierra Nevada snowpack which acts as California’s largest natural reservoir. The state would be required to identify projects and strategies to mitigate adverse impacts losses and incorporate those strategies into planning efforts going forward. 5/16/19 – Title of bill amended. Now requires inventory of storage facilities and pushes deadline to 2023.	N
AB 992: Open Meetings – Social Media	2/21/19 – Introduced 5/1/19 – Failed to pass Com on LG, but granted reconsideration	The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines “meeting” for purposes of the act and expressly excludes certain activities from the application of the act. This bill would provide that the Act does <b>not</b> apply to the posting, commenting, liking, interaction with, or participation in, internet-based social media platforms that are ephemeral, live, or static, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency. CSDA supports. 10/14/19 – No change	N
AB 1180: Recycled Water	9/13/19 – Enrolled, to Gov for signature 10/2/19 – Signed by Gov, Chaptered, NOW LAW	CSDA supports. Existing law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service. 8/30/19 – Moves to third reading.	N
AB 1184:	10/14/19 – VETOED by Governor	At its October 9, 2019 meeting, upon a request for action from the CSDA, the BCVWD Board of Directors voted to write a letter to Governor Newsom requesting his veto of this legislation. BCVWD sent said letter and the effort was successful.	New



<p><b>AB 1204: Maximum Contaminant Level Compliance Period</b></p>	<p>2/21/19: Read first time. 4/9/19: Second committee hearing canceled</p>	<p>Sponsored by ACWA and the Calif Water Assn. Would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard. 10/14/19 – No change in status</p>	<p>N</p>
<p><b>AB 1483: Housing Data: Collection and Reporting</b></p>	<p>9/6/19 – Amended in Senate to include special districts 9/10/19: Passed by Com on Government and Finance, return to Senate floor in January 2020. 9/12/19 – Amd in Senate, passed 10/9/19 – Signed by Gov – CHAPTERED, NOW LAW</p>	<p>Amended on 9/6 to include special districts. Development Impact Fees. CSDA Watch. Would require a city, county, or special district to maintain on its website, as applicable, a current schedule of fees, exactions, and affordability requirements imposed by the special district, including any dependent special-district, applicable to a proposed housing development- project, all zoning ordinances and development-standards, and annual fee reports or annual financial reports, as specified. The bill would require a special district to provide on its website an archive of impact fee nexus studies, cost of service studies, or equivalent, as specified. By requiring a city or county to include this information on its internet website, the bill would impose a state-mandated local program. CSDA analysis: will mandate the posting of numerous fee-related documents and reports for all local agencies. CSDA and its coalition partners worked diligently to pare down the broad mandates and make them workable under real-world conditions. There are a few issues that remain unresolved, but the author's office has agreed to address outstanding concerns in January when the State Legislature reconvenes.  For Special Districts, the new AB 1483 mandatory website postings will include:</p> <ul style="list-style-type: none"> <li>• Nexus studies,</li> <li>• Annual Fee reports,</li> <li>• Cost of service studies or their equivalents</li> </ul>	<p>Y</p>
<p><b>AB 1484: Mitigation Fee Act: Housing Developments</b></p>	<p>9/6/19: Amended in Senate to include Special Districts 9/10/19 – Delay hearing until 2020, per author</p>	<p>Development Impact Fees. CSDA watch: Would place into law an expansive list of requirements that would run parallel to and in conjunction with both the Fee Mitigation Act and the Quimby Act as well as the Mello-Roos Community Facilities Districts Act. CSDA holds major concerns with this measure including:</p> <ul style="list-style-type: none"> <li>• Projects would need an individualized determination of their alignment with the nexus study;</li> <li>• Adds a new standard of "roughly proportional" in addition to the more common "reasonable" standard, which may not be appropriate for these types of fees and charges;</li> <li>• Levels of service may not exceed that of the "existing community";</li> <li>• New facilities to be funded via impact fees would have to be specifically identified within the district's capital improvement plan (CIP);</li> <li>• "Capital Cost Level of Service" would be prohibited;</li> <li>• Mandates even more public website postings, hearings, and comment periods prior to adopting a nexus study;</li> <li>• If challenged in court, the burden would be on a district to demonstrate compliance with this bill.</li> </ul> <p>The author has agreed to postpone hearing AB 1484 until 2020 as the issues it tackles and their consequences are too complicated to resolve in one week. There may be informational hearings during the interim between legislative session late in 2019.</p>	<p>NEW</p>

<p><b>AB 1486: Disposal of Surplus Land</b></p> <p><b>SIGNED BY GOV on 10/9/19 – Chaptered, NOW LAW</b></p>	<p>2/22/19 – Introduced  4/11/19 – Amended in Assembly  5/17/19 – Passed  Apr, read second time and amended  5/29/19 – Amended and passed  Assembly  5/30 – Read 1<sup>st</sup> time in Senate  6/12 – Ref to Com on Gov &amp; Finance  7/27 – Amd in Senate  8/12/19 – Appropriations Com – placed on suspense  8/30/19 – Passed  Apr as amended.  Moved to second reading.  9/12/19 – ENROLLED. To Gov for signature.  9/26/19 – Board authorized sending letter to Gov requesting VETO.</p>	<p>Strongly opposed by CSDA. Amends Calif Govt Code to require special districts and other public agencies to offer a right of first refusal to affordable housing developers, schools, and park agencies before leasing, selling, or otherwise "conveying" any of the agency's land. The new mandate in <u>Assembly Bill 1486</u> would prevent prudent efforts to lease or otherwise protect land for important community purposes, such as buffer land surrounding a water or wastewater treatment facility, energy generation plant, or airport, as well as the long-term lease of district property that will be needed for future infrastructure.</p> <p>4/11/19 – Amended to require local agency to provide an annual list of properties to the Calif Department of Housing and Community Development: 4/16/19 – (update from CSDA) Amended in Assembly Local Government Committee in a positive step for special districts. Amendments remove the bill's new definition of "disposal" under the Surplus Land Act (SLA). In effect, leases and transfers of land will continue to not be subject to the SLA. "AB 1486 generated intense opposition from a coalition of public agencies, including CSDA. Over 40 CSDA members submitted letters of opposition to the bill and called members of the Committee. Thanks largely to this grassroots effort, the author was compelled to accept the Committee's amendment in order to keep AB 1486 moving through the Legislature."</p> <p>5/16/19 – Amended to specify "the bill would, with regard to disposing of surplus land for the purpose of developing low- and moderate-income housing, only require the local agency disposing of the surplus land to send a specified notice of availability if the land is located in an urbanized area."</p> <p>5/29/19 – Amended in Assembly to expand the Surplus Land Act to cover ALL land owned by public agencies. AB 1486 passed off the Assembly Floor on a mostly party line vote and now advances to the Senate for consideration in policy committees.</p> <p>6/27/19 – The BCVWD Board voted to oppose AB 1486. Appropriate legislators and the CSDA were notified via formal letter.</p> <p>8/30/19 – Amended to remove the applicability of the Act to leases and other conveyances of surplus land. CSDA removed its opposition.</p> <p>9/17/19 CSDA update: As originally introduced, the bill applied to both the sale and lease of special district surplus land. It was amended in the Assembly to limit the bill to the sale of land, but the bill sponsors will likely continue to press in future years for restrictions on leasing special district land.</p> <p>CSDA strongly opposed the AB 1486 throughout the year, joined by a groundswell of grassroots opposition to the bill from dozens of special districts that expressed their concerns by submitting letters to various committees and legislators. After months of working with the author's office, compromise amendments were taken September 6 to remove opposition from CSDA and the coalition. The amendments substantially expanded the definition of "agency's use" for special districts (not applicable to transit agencies) to permit a wide range of uses of surplus land, including commercial, retail or entertainment uses if the district board declares that the "agency's</p>	<p>Y</p>
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			<p>use" of the surplus land either directly furthers the express purpose of agency work or operations or is expressly authorized by a statute governing the district.</p> <p>The negotiated amendments to AB 1486 also permit additional activities by a district in the "pre-negotiation" stage of disposing surplus land. Finally, a proposed 50 percent penalty of the final sale value of the land for violating the Surplus Land Act was reduced to 30% for a first-time offense and 50% for any subsequent offense, and the penalty provision will not go into effect until January 1, 2021.</p> <p>CSDA thanks all the districts that sent in letters on this AB 1486, without your efforts we may not have been successful in securing amendments to address special districts' largest concerns.</p>		
<p><b>SB 13: Accessory Dwelling Units</b></p> <p><b>SIGNED BY GOV on 10/9/19 – Chaptered, NOW LAW</b></p>	<p>8/12 – Amended 2<sup>nd</sup> time, sent to Appr 8/30/19 – Passed Appropriations 9/13/19 – Assembly amended. ENROLLED and to Gov for signature.</p>	<p>Opposed by CSDA. Would prohibit impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and significantly limit the impact fees that can be charged for larger ADUs. Given that revenue for local governments is tightly restricted by the California Constitution, fees are one of the few ways special districts can offset the indirect costs of growth. Impact fees are critical for park, fire protection, and other types of districts trying to recoup their costs for providing infrastructure and services to new ADU developments.</p> <p>5/16/19 – Amended pertaining to max. / min. square footage of accessory dwelling unit. Prohibits impact fees on ADUs smaller than 750 sf. For ADUs larger than 750, fees must be proportional to the main dwelling.</p>	Y		
<p><b>SB 200: Safe and Affordable Drinking Water Fund</b></p>	<p>7/24/19 – Signed by Governor CHAPTERED</p>	<p>Would establish the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and the long term. Would authorize deposit into the fund of federal contributions, voluntary contributions, gifts, grants, and bequests and would provide that moneys in the fund are available, upon appropriation by the Legislature, to the board to fund grants, loans, contracts, or services to assist eligible recipients.</p>	Y		
<p><b>AB 658 Water Rights – Water Management</b></p>	<p>7/11/19 – Amd in Senate 8/30 – Passed Appr, ordered to 3<sup>rd</sup> reading on 9/3 9/13/19 – Guffed and Amended. Enrolled, headed to Gov for signature 10/9/19 – Signed by Gov and CHAPTERED, NOW LAW</p>	<p>Would create a five-year permit that would allow groundwater recharge projects to divert water during high-flow events. The intent of the bill is to increase groundwater recharge when specific conditions exist.</p> <p>ACWA Analysis 9/13/19: After extensive negotiations late in the session with the State Water Board and Assembly member Arambula, a compromise could not be reached in time and the bill was gut and amended.</p> <p>AB 658 currently reflects all amendments drafted by ACWA's Groundwater Recharge Workgroup. While the bill would not solve every basin's issues, AB 658 does move the conversation regarding groundwater recharge forward. This bill would authorize a groundwater sustainability agency or local agency to apply for a conditional temporary permit for diversion of surface water to underground storage for beneficial use.</p>	Y		

		<p>Projects could proceed either through a proposed five-year permit process or through the existing permanent water right process.</p> <p>After the bill was first introduced, ACWA adopted a support-if-amended position and worked with the author and stakeholders to secure amendments drafted by the Groundwater Recharge Workgroup. The bill was amended to represent the broad agreement between a number of ACWA members, the legislature, and the State Water Board. However, the bill included an additional provision drafted by Senate Natural Resources Committee staff that would require the State Water Board to ensure that proposed projects with five-year permits are consistent with their basin's groundwater sustainability plan. This requirement is viewed by some as an expansion of the State Water Board's authority. As a result, ACWA maintained a support-if-amended position seeking to strike this requirement. ACWA submitted amendments to address those concerns; however, the author did not accept them.</p>	
<p><b>SB 1: Environmental, Public Health, and Workers Defense Act</b></p>	<p>7/9/19 – Re-referred to Asm Com on Appr 8/30/19, Passed; moves to Assembly 9/10 – Amended in Assembly 9/13/19 – Passed. To Governor for sig 10/1/19 – <b>VETOED</b> by Gov. Newsom</p>	<p>ACWA opposes unless amended. Seeking to prevent a backsliding of the federal regulatory structure as it existed prior to the current federal administration taking office, this bill establishes a minimum baseline for environmental, public health, and labor standards. The baseline is set as the federal standard that existed prior to the current federal administration assuming office.</p> <p>ACWA Analysis: In the days leading up to Friday's vote, Democratic Senators and Assembly Members requested Atkins to make SB 1 a two-year bill so all parties could continue working on problematic provisions. When the bill came up on the Assembly floor late Friday night, members of both parties spoke at length about the consequences this bill presented for water management in the Sacramento-San Joaquin Bay Delta and its tributaries. Despite concerns, the bill narrowly passed the Assembly with a final vote 43-21. ACWA will now turn its efforts to the Governor's office and request he veto the bill.</p> <p>9/16/19 – According to an article in the L.A. Times, Gov. Newsom intends to veto: "I fully support the principles behind Senate Bill 1: to defeat efforts by the President and Congress to undermine vital federal protections that protect clean air, clean water and endangered species," Newsom said in a statement released Saturday. "Senate Bill 1 does not, however, provide the state with any new authority to push back against the Trump Administration's environmental policies and it limits the state's ability to rely upon the best available science to protect our environment," the statement said.</p>	<p>Y</p>