



BEAUMONT-CHERRY VALLEY WATER DISTRICT
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
Wednesday, April 8, 2020 at 6:00 p.m.**

***Meeting held via teleconference pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Order N-29-20***

Call to Order: *President Covington began the meeting at 6:05 p.m.*

Pledge of Allegiance: Director Ramirez

Director Ramirez led the pledge.

Invocation: Director Slawson

Invocation was given by Director Slawson.

Announcement of Teleconference Participation

Director of Finance and Administration Yolanda Rodriguez clarified that this meeting is conducted via teleconference pursuant to California Government Code Section 54953, and under Executive Order N-29-20 and N-33-20 of the Governor of California.

The teleconference capabilities of this meeting have been identified in the Notice and Agenda for this meeting, pursuant to the Brown Act and the Governor's Executive Order. Under the Governor's Executive Order and the Gathering Guidelines of the California Department of Health due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

The Beaumont-Cherry Valley Water District (BCVWD) will use sound discretion and make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to meetings.

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Roll Call:

Directors present:	Covington, Hoffman, Ramirez, Slawson, Williams
Directors absent:	None.
Staff present:	General Manager Dan Jagers Director of Finance and Administration Yolanda Rodriguez Senior Engineer Mark Swanson Assistant Director of Operations James Bean Administrative Assistant Erica Gonzales
Legal Counsel	James Markman

Members of the public who registered attendance: Eleven (11) members of the public were in attendance on the teleconference.

Director of Finance and Administration Yolanda Rodriguez verified that all members of the Board of Directors have indicated that they are able to hear the other directors clearly on the teleconference. No directors expressed any reason to believe, based on voice recognition or otherwise, that those persons representing themselves to be directors are not truly so.

Ms. Gonzales provided instructions for public comment participation via the teleconference.

Public Comment: None.

1. Adjustments to the Agenda:

CONSENT CALENDAR: General Manager Jagers recommended that Item 2g: *Waiver of Second Reading and Adoption of Ordinance 2020-01: Providing for Compensation of the Members of the Board of Directors of the Beaumont-Cherry Valley Water District and Superseding Ordinance 2007-01* be pulled from the Consent Calendar to assure complete transparency.

EMERGENCY ITEM: *San Gorgonio Pass Water Agency April 6, 2020 Discussion Regarding Possible Temporary Rate Reduction:* GM Jagers advised of an Emergency Item resulting from a discussion at the San Gorgonio Pass Water Agency Board meeting of Monday, April 6 which was after the posting of the agenda regarding determination of a temporary adjustment of the imported water rate related to COVID-19 relief. The staff report documents have been posted on the District's website, he noted. All directors confirmed they had the staff report documents.

The Emergency Item was added as Agenda Item 6 by the following roll call vote:

MOVED: Slawson	SECONDED: Williams	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

Consent Calendar:

Item 2g – Waiver of Second Reading and Adoption of Ordinance 2020-01: Providing for Compensation of the Members of the Board of Directors of the Beaumont-Cherry Valley Water District and Superseding Ordinance 2007-01 – was pulled for discussion.

Consent Calendar items a, b, c d, e, and f were approved with one motion:

- a. February 2020 Budget Variance Report
- b. February 2020 Cash/Investment Balance Report
- c. March 2020 Check Register
- d. March 2020 Invoices Pending Approval
- e. Minutes of the Regular Meeting of March 11, 2020
- f. Minutes of the Regular Meeting of March 26, 2020

MOVED: Hoffman	SECONDED: Slawson	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

g. NOT ADOPTED

Waiver of Second Reading and Adoption of Ordinance 2020-01: Providing for Compensation of the Members of the Board of Directors of the Beaumont-Cherry Valley Water District and Superseding Ordinance 2007-01

President Covington explained that staff will give a report, then public comments will be received.

General Manager Jagers reminded the Board that this activity has been moving forward with the Board of Directors for consideration for quite some time. It is consideration of updating the per diem fee from \$200 per meeting to \$260 per meeting. A fair amount of consideration has gone back and forth at many various meetings, he said, and the Board has indicated a desire to move this forward.

President Covington reviewed the timeline and history for the item: In 2007, the Board set the meeting stipend at \$200 and the per diem has not been adjusted since. Per District policy the Board reviewed the per diem at its meeting in October 2019. This will be the sixth meeting at which the discussion of this item has been held, Covington noted. On March 26, he continued, the Board held a Public Hearing and voted to agendize the item for April 8.

Covington reminded the Board about the comparison to other agencies that showed 85 percent included additional benefits for the Board not offered by BCVWD. When averaged, the per diem for all comparable agencies was \$201 per meeting, not including the added benefits, he explained. If a 5 percent per year increase had been implemented, the Board should be compensated \$320 per meeting. At its December meeting, the Board held the per diem at \$260 per meeting, Covington noted.

President Covington also pointed to the minimal other director expense including attendance at conferences and additional meetings. In addition, none

of the BCWVD directors attend 10 meetings per month, he pointed out, although a second monthly meeting was added in 2017 to keep up with the work.

Moving to \$260 per meeting equates to \$12,000 per year, Covington noted, based on every Board member attending every regular meeting and scheduled standing committee meeting.

Director Williams suggested that with the current state of emergency and resulting job loss, the item should be tabled for a couple of months. With people worried about paying their water bill, it is not prudent for the Board to give itself a raise, she opined.

Director Ramirez indicated he could “go either way” and suggested if tabled, push the item to May.

Director Hoffman said he agreed with Director Williams, suggesting tabling for at least one month, maybe two or three months.

Director Slawson indicated he did not mind tabling the item.

President Covington called for public comment.

Public Comment:

Ms. Elaine Morgan thanked the Board for tabling the item to a future agenda. She said it is a difficult time for the community and said she would like to see this moved so the public has some one-on-one presence in a room when the decision is being made.

Dr. Blair Ball agreed and thanked the Board for tabling the item. He said he preferred to have it addressed face-to-face rather than on a telephone line. He said he appreciates working with the Board in the future.

The motion was made by Director Williams and seconded by Director Slawson. An amendment by Director Ramirez to add the meeting date of May 28, 2020 was accepted and the amended motion passed 5-0.

TABLED:

*Item 2g: Waiver of Second Reading and Adoption of Ordinance 2020-01: Providing for Compensation of the Members of the Board of Directors of the Beaumont-Cherry Valley Water District and Superseding Ordinance 2007-01 was **tabled to the May 28, 2020** meeting by the following roll call vote:*

MOVED: Williams	SECONDED: Slawson	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

2. Consideration of Attendance at the Association of California Water Agencies Annual Spring Summer Conference in Monterey, CA from July 28 – July 31, 2020

General Manager Jagers noted this conference normally occurs earlier in the year but has been rescheduled for July due to the COVID-19 situation. President Covington acknowledged the staff report and opined that due to the uncertainties of the COVID-19 situation the date could change in the future. He suggested that if any directors are interested to follow up with staff at a later date.

Directors Ramirez and Williams indicated interest. President Covington advised he could not commit to anything now given current uncertainties. Directors Hoffman and Slawson said they were not interested in attending.

3. Noble Creek Recharge Facility Phase I Fencing Project Status Review and Possible Contract Award

General Manager Jagers introduced the item as authorization for the General Manager to Award a Contract to Red Hawk Services, Inc. in an Amount Not to Exceed \$92,566.00 for the Noble Creek Recharge Facility Phase I Fencing Project and noted this has been discussed at the Board level since early winter of 2017. He reminded the Board of the project background reviewed at the March 26 Engineering Workshop.

Ultimately, different styles of chain link fencing were evaluated considering cost and the fence location meandering across varied terrain, Jagers noted. He reviewed the previously presented options and bids and described the staff recommendations Alternatives 1 and 2.

Legal Counsel James Markman provided an analysis.

GM Jagers advised there is an open bid and there are no current water deliveries so this may be a good time to proceed should the Board choose fencing.

Director Williams asked how the fencing would detract from or impede the Fishing Derby or other events. Mr. Markman indicated the Board can open the facility for specific events. GM Jagers responded that gates will be installed, and fencing can be opened to allow access for events; there would be minor impact. Director Williams asked about removal of existing fence; GM Jagers said the intent is to align the fence with the most westerly white picket fence and retain the fencing components for repairs, utilizing field crews.

In response to President Covington, GM Jagers explained that when recreational events are held, the District collects an executed agreement for temporary use with a certificate of insurance. President Covington added that the Fishing Derby is postponed and may be moved to Bogart Park. He suggested temporary fencing to be used during the Winterfest event. GM Jagers assured that the intent would be to open up the fencing to provide for public access during those events.

Director Ramirez stressed that public safety is important, and the District assures water safety from distribution to treatment to delivery. The intent behind moving this forward is for the safety of residents, he said, and to reduce liability to the District's customers. It is a good move forward, he posited.

President Covington noted this has been before the Board for two years with a lot of difference of opinion regarding types of materials and he reminded the Board that there was activity happening on the property prior to the Board directing staff

to block access to vehicle traffic. He suggested that the potential for fence vandalism should not deter the Board from doing the right thing and ensuring the facility is secured. The Board has grappled with this as there are many people who use the facility for the reason it was constructed, and the Board has felt it was not something they want to take away from the community, Covington explained. At the same time, how does the Board protect the ratepayers, he asked. Once fenced, maybe the Board can determine a mechanism to work out public access and limit liability, Covington noted.

Anything other than chain link will be cost prohibitive, Covington continued. He said he is comfortable with chain link and indicated the Board needs to make a decision soon.

Director Hoffman said he has had mixed feelings about this, but the potential liability leads him to favor immediately securing the property. Given the costs and uncertainty of the future, Hoffman recommended approval of the 6-foot chain link fence based on the current bid.

In response to Director Slawson, President Covington noted the fencing at the San Geronio Pass Water Agency (SGPWA) facility is also 6-foot. Slawson said he favors conformity and agreed with Director Hoffman. He added that he does not want to remove access to the facility, but the District and community must be protected.

Public Comment:

Dr. Blair Ball advised that he sent an email to each director. From a historical background, the ratepayers have spent several hundred thousand dollars to make this a family-friendly location and the purpose was to provide a library for drought tolerant plants so that homeowners could understand plantings for water conservation purposes. The fencing was constructed in 2005 and went through legal counsel and insurance and were given the go-ahead to construct as is.

Ball said he is in favor of public safety and private safety, which is why there is insurance. He implored the Board to talk to JPIA and determine concerns. Common sense should apply here; "we should be responsible for our actions," Ball stated. He said he would hate to see this removed from the public. Animals have done more damage to the facilities than have humans, he pointed out. If the Board chooses to fence, Ball requested consideration of pedestrian gates to allow daytime public access. The public should have access to facilities they own, he pointed out. Phase I was created for the purpose of public education about why there are recharge facilities and the Board has failed to properly educate the people on this need, Ball posited. Phase II was fenced on purpose, because Phase I already allowed access, he noted, and urged the Board to keep it open for the good community members who want to use it.

President Covington asked Dr. Ball why the SGPWA fenced off their recharge facility. Because the BGVWD facility was to have public access, Ball responded. There is no need for access to all three, he said.

President Covington clarified that he is not in agreement with locking the public out forever; there are educational opportunities that the District can provide. He said it is possible to leave open man-gates that close on their own that are closed at night.

General Manager Jagers clarified that Option 1a includes standard gates. If the Board would like something more automatic staff would want to provide additional contingency so the man-gates could be reconfigured. President Covington suggested a single controlled access with one man-gate with self-latching hinges. He indicated that additional funds were not necessary.

Director Ramirez pointed out that some cities have banned the use of barbed wire and noted the fence should remain within legal parameters.

The Board authorized the General Manager to enter into a contract with Red Hawk Services, Inc. for Bid Schedule 1A for an amount not to exceed \$92,566.00 (including 10% contingency) to construct approximately 2,730 linear feet of six-foot high (6') galvanized chain link fencing (with 3 strand barbed wire top finish) at the Noble Creek Recharge Facility Phase 1 by the following roll call vote:

MOVED: Hoffman	SECONDED: Williams	APPROVED 5-0
AYES:	Covington, Hoffman, Ramirez, Slawson, Williams	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

4. Budget Amendment Update

General Manager Jagers stated that the intent was to bring back the Budget Amendment in March or April as was identified to the Board in December 2019. With all the activities related to the District's response to COVID-19, staff's preference is to bring it back later, but it is on the forefront of the radar.

Director of Finance and Administration Yolanda Rodriguez reminded the Board that the FY 2020 budget was approved by the Board on December 18, 2019 with a deficit. Emergency operating reserves of almost \$400,000 were used, she noted. The intention is to provide to the Board the Budget Amendment at the April 23 meeting incorporating the new rates which were effective March 1. With bi-monthly billing, the public has not yet seen the new rates, she advised.

5. EMERGENCY ITEM: San Geronio Pass Water Agency April 6, 2020 Discussion Regarding Possible Temporary Rate Reduction

Mr. Jagers explained that at the April 6 meeting of the SGPWA Board of Directors, a director asked the Board to consider a proposal made by Mr. Jagers regarding whether the Board is looking at their wholesale water rate as to what they observed last year and whether there may be consideration for a temporary or permanent water rate reduction. The SGPWA minutes reflect a discussion as to a reduction due to the COVID-19 activity.

Mr. Jagers reminded the Board that the SGPWA Resolution 2019-02 increased the wholesale water rate from \$317 to \$399 per acre-foot and considered collection of 50 percent of the cost of the Nickel water lease for 2019 and paying for Yuba Water at \$180,000. In the wet year last year, Yuba Water was not purchased, Jagers explained and the wheeling rate was lower than expected.

More funds were collected than the intent of the resolution, Jagers posited. If those funds are available, Jagers noted, they might be used to help in the near term to provide temporary relief to COVID-19 activities given the concern that ratepayers may not be able to pay their bills and cannot be turned off for the next 60 days.

The SGPWA seemed to be interested in considering the reduction and wondered if the BCVWD Board would be willing to commit to pass through to its ratepayers the savings due to the rate reduction, Jagers advised. There is a mechanism in the rate to make an adjustment in 30 days. He suggested working with regional partner SGPWA to establish a rate that is commensurate with the cost of doing business and the agency's funding intention.

There was further discussion, Jagers continued, about loosening the delivery period and not ordering all the water in one period. The SGPWA is not interested in the BCVWD trying to take all its water in one month in order to achieve the best rate possible. Mr. Jagers recommended the Board authorize the GM to prepare a letter to submit to the SGPWA or to bring back to the Board for consideration.

If water deliveries began in May or June, Jagers noted, the 9,400 acre-feet ordered by BCVWD would be delivered over seven months. Jagers contrasted water delivery activities with the need to maintain staff safety considering the COVID-19 situation.

President Covington added that he believes the SGPWA Board had interest in the issue and was struggling with a decision as they wanted financial information and to know what the BCVWD Board of Directors wish to do. This would be via a letter or some type of commitment on behalf of BCVWD to be sent to the SGPWA in order to have something tangible regarding lowering the pass-through water rate. He suggested the letter be brought back to the next Board meeting for further discussion in order to understand clearly the request to the SGPWA and allow any SGPWA directors to conference in.

President Covington asked whether the action was primarily due to the Governor's Executive Order related to COVID-19, or if it was the water rate to be commensurate with the actual cost; or if it is a two-prong approach. Mr. Jagers acknowledged it would be an attempt to utilize last year's monies over the intent of Resolution 2019-02 and provide a cushion to the BCVWD ratepayers. He advised flexibility in working with the SGPWA to come to a solution with which all are comfortable.

Public Comment:

SGPWA President Ron Duncan thanked the Board for taking the time to review this. The SGPWA voted 7 to zero to move it to the next Board meeting in order to get additional information and understand the level of commitment on the part of BCVWD and Yucaipa Valley Water District (YVWD) as to how to proceed. Mr. Duncan said he spoke to President Covington and YVWD on April 6. YVWD felt there would be no impact on them whatsoever and President Covington agreed that he would make this an agenda item for discussion.

The SGPWA is seeking clarification from BCVWD and once received, at the next Board meeting will proceed, Duncan indicated. He said he looks forward to working with BCVWD and that he appreciates the fact that BCVWD has reviewed this and is willing to move forward.

In response to President Covington, Mr. Duncan advised that the next SGPWA meeting for this discussion will be April 20.

Dr. Blair Ball identified two things moving forward – the rate set by SGPWA, which was intended by the directors to revisit the \$399 rate in a year or so and consider modifying it based on costs. He said he originally set this into motion since he owns a business in town and was afforded many opportunities to reduce debt load such as rent. This started, Ball said, when he wondered if there was something that could be done for customers, including BCVWD to reduce rates in a temporary mode. The majority of the SGPWA Board is in favor of working with the BCVWD Board and other customers to make this tolerable for all customers.

President Covington pointed out that if SGPWA meets on April 20 and BCVWD meets again on April 23, this pushes the issue out to May. Mr. Jagers pointed out that the pass-through rate requires Board action for adjustment and must wait 30 days for implementation; Ms. Rodriguez added that the public must be advised. The timing issue is problematic, Jagers noted, but the reality is that customers will receive the most benefit moving into summer consumption.

President Covington reviewed the process and indicated a reduction may not be implemented until July and the COVID-19 issue may be ramping down. As long as the District is taking water by July, it should be comfortable, he noted. Jagers agreed and suggested an Ad Hoc Committee could be appointed to the issue to draft an outline based on the two options identified in the staff report.

President Covington requested staff prepare a document / analysis to submit to the SGPWA for their April 20 meeting in order to bring back more information for the April 23 meeting. Mr. Jagers advised he would do his best given the priority for staff safety due to COVID-19.

President Covington requested the SGPWA agendaize this activity on their April 20 agenda and said he appreciated the representatives on the teleconference tonight.

Director Slawson pointed out that water service costs what it costs, does not fluctuate and acknowledged the discussion and analysis. He indicated that any relief that can be offered the ratepayers is beneficial right now and encouraged continuing with the action.

Mr. Jagers advised that staff will move forward.

6. Reports For Discussion

a. Ad Hoc Committees:

San Geronio Pass Regional Water Alliance: Director Slawson reported the meeting was canceled due to the coronavirus.

b. General Manager

Mr. Jagers reminded the Board that water deliveries have been suspended. He detailed continuing well replacement and repair activities at Well 4A and Well 29. The rain and cool weather have helped, and the wells should be back in service in the next week or two.

The Well 21 contract is moving forward and there will be a report in the future, he advised.

Report on Local Emergency:

The emergency proclamation ratified by the Board requires an update every 21 days, Jagers noted. In conjunction with discussion with President Covington and under orders from the Riverside County Health Officer, face (nose and mouth) coverings are required. The order asks citizens not to wear N-95 masks. BCVWD has few in stock and not enough to offer to the medical facilities. Staff who are using them are re-using them. The District purchased bandanas and neck gaiters for staff.

Two field crews are currently working; one at home on call. The District is working toward being able to provide safety training and productive work activity. The other crew is actively working, and the intent is to rotate crews weekly unless there is an emergency.

At the end of two weeks, a decision will be made regarding the COVID-19 activity and make decisions.

The latest information from the Riverside County Emergency Office appears promising. Office staff comes in for a minimum time, and all are currently deployed remotely. Mr. Jagers is the only one regularly in the office, Assistant Director of Operations James Bean works isolated at the Engineering office, the Field Superintendent and Production Supervisor work from 12th and Palm and the Production Supervisor will soon have a laptop to work remotely.

The intent is to protect field staff and to have them isolated so that they are available in a true emergency as well as run the day to day operation.

Accounting and office staff are all deployed remotely, Jagers continued. Telephone messaging has changed, and customer service representatives call customers back via cell phones issued. Although it is a little more of a process, staff is maintaining service to constituents.

Engineering staff is deployed remotely and comes into the office to process development or CIP items. All staff entering the building are doing so for minimum activity.

Two letters to request mutual aid funding consideration were reviewed with President Covington and have gone out. They were similar to the one in front of the Board at the last meeting. Once the Resolution was enacted, the GM has the authority but Jagers said he felt it better that the letters were signed by the Board President. The District is trying to be transparent, Jagers advised. Copies will be prepared for the next Board meeting, he noted.

All staff is currently safe, Jagers advised, and is looking forward to maintaining a safe and reliable water supply for the community with an action plan to accomplish that.

c. Directors' Reports:

President Covington reported that he attended via teleconference the Yucaipa Valley Water District Board meeting on April 7, 2020. Interesting agenda items were an update on the COVID-19 response

and what might be different at the YVWD compared with BCVWD: there is a different strategy. As are most public agencies, YVWD is taking this issue very seriously and trying to protect its employees.

Also, Covington continued, there is a current vacancy for Division 2 on the YVWD Board of Directors and he said he understands the Board will try to make an appointment in mid-May. The Board meeting will be opened in person to interview potential candidates but will not be open to the public.

d. Legal Counsel Report: None.

7. Announcements

All the following meetings will be held via teleconference unless otherwise indicated. President Covington read the following announcements:

- Ad Hoc Communications Committee Meeting: Monday, April 13 at 5:30 p.m.
- Engineering Workshop: Thursday, April 23, 2020 at 6:00 p.m.
- Collaborative Agencies Committee Meeting: Wednesday, May 6 at 5:00 p.m. (teleconference pending)
- Finance and Audit Committee Meeting: Thursday, May 7, 2020 at 3:00 p.m.
- Regular Board Meeting: Wednesday, May 13, 2020 at 6:00 p.m.
- Personnel Committee Special Meeting: Monday, May 18, 2020 at 5:30 p.m.
- District offices will be closed on Monday, May 25 in observance of Memorial Day
- Beaumont Basin Watermaster Committee: Wednesday, June 3, 2020 at 10 a.m.

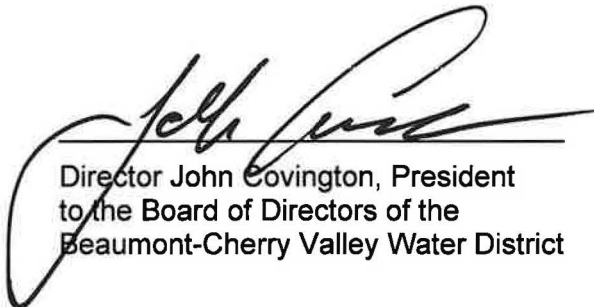
8. Action List for Future Meetings:

None were added.

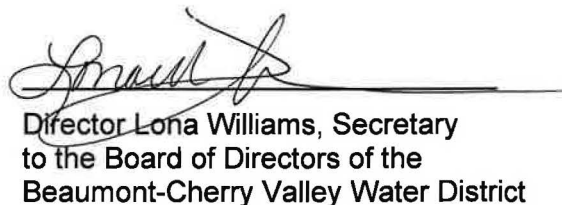
9. Adjournment

President Covington adjourned the meeting at 8:15 p.m.

ATTEST:



Director John Covington, President
to the Board of Directors of the
Beaumont-Cherry Valley Water District



Director Lona Williams, Secretary
to the Board of Directors of the
Beaumont-Cherry Valley Water District