



BEAUMONT-CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
ENGINEERING WORKSHOP
Thursday, April 23, 2020 - 6:00 p.m.**

TELECONFERENCE NOTICE

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Orders N-29-20 and N-33-20
The BCVWD Board of Directors will attend via teleconference
To access the teleconference:
Please dial **712-770-4010** and Enter Code **754421***

*Meeting materials are available on the BCVWD's website:
<https://bcvwd.org/document-category/regular-board-agendas/>*

Call to Order: President Covington

Pledge of Allegiance: Director Williams

Invocation: Director Ramirez

Announcement of Teleconference Participation

Roll Call

Teleconference Verification

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. **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. Adjustments to the Agenda**
- 2. Beaumont Master Drainage Plan Line 16 Facilities Design, Funding Requirements and Timeline - Update (pages 4 - 7)**

3. **Request for Extension of Water Service “Will Serve Letter” for Previously Approved Development: Tract 32850, a proposed 30-acre, single-family residential development located at Assessor’s Parcel No. 421-110-014 in the City of Beaumont** (pages 8 - 17)
4. **Reduction of Pass-Through Rate for San Gorgonio Pass Water Agency State Project Water** (pages 18 - 25)
5. **Vote for Regular Special District Member (Eastern Area) and Alternate Member for the Riverside Local Agency Formation Commission** (pages 26 - 31)
6. **Yucaipa Valley Water District April 14, 2020 Agenda Item VI. D. Consideration of Initiating Sphere of Influence and Annexation Proceeding for Various Properties to the Yucaipa Valley Water District (Merlin Properties, APN 413-290-041 & 042)** (pages 32 - 85)
7. **Update: Status of Local Emergency regarding the Impact of the Respiratory Illness Pandemic COVID-19 pursuant to Resolution 2020-07**
8. **Legislative Update** (pages 86 - 108)
9. **General Manager’s Report**
10. **Topics for Future Meetings**
11. **Announcements** – *Pursuant to Governor’s Executive Order N-33-20, all BCVWD Board and Committee meetings will be held via Teleconference until further notice or unless otherwise indicated below:*
 - Collaborative Agencies Committee Meeting: Wednesday, May 6 at 5:00 p.m. *(teleconference information TBD)*
 - 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
 - Engineering Workshop: Thursday, May 28, 2020 at 6:00 p.m.
 - Beaumont Basin Watermaster Committee: Wednesday, June 3, 2020 at 10 a.m.

12. 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.

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 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 April 20, 2020, 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)).



Digitally signed by Yolanda Rodriguez
DN: cn=Yolanda Rodriguez, o=Finance and Administration,
ou=Finance and Administration,
email=yolanda.rodriguez@bcvwd.org, c=US
Date: 2020.04.16 17:38:47 -0700

Yolanda Rodriguez,
Director of Finance and Administration



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 23, 2020**

Item 2

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Beaumont Master Drainage Plan Line 16 Facilities Design, Funding Requirements and Timeline - Update**

Staff Recommendation

No recommendation.

Summary

At the March 11, 2020 Board meeting, District staff began a discussion with the Board regarding recent developments regarding the Beaumont Master Drainage Plan (MDP) Line 16 Facilities design, funding requirements and timeline. At that time the Board indicated that there was a desire to bring this back to the Board for further in-depth discussion and clarification of various project components.

There are still a few project components unresolved between Riverside County Flood Control and Water Conservation District (RCFC&WCD) and Riverside County Transportation (RCTD), in particular related to acceptance (or assignment) of storm drain system maintenance responsibilities that are currently being determined.

Further, at said March 11, 2020 Board Meeting, Staff identified that the current estimated costs based on the projects' 60% design efforts is currently estimated to be approximately \$7M with some minimum contingencies. The most recent cost estimate from RCFC&WCD, received on April 16, 2020, is presented in Table 1 attached. Staff further identified that RCFC&WCD has identified they should be able to contribute \$1M of the required additional \$2M and proposed that the two agencies evenly split the additional \$2M project cost.

Based upon these facts, Staff wanted to give a short status update only to the Board at this time with furthermore in-depth discussions to be had in the near future once this issue is resolved.

Most recently, District staff has been working with RCFC&WCD and JLC Engineering from the 60% design level to the 90% milestone with project costs in mind.

Staff understands that RCFC&WCD is continuing its efforts to work with RCTD to ensure that the design meets the criteria needed for RCTD to assume operations and maintenance of the inlets and storm drain lines (less than 36" in diameter), amongst other items. As part of the project, there are two lateral lines which collect flows from north/south running streets that have an inverted cross-section (Jonathan Avenue & Winesap Avenue). Due to the street cross-section being inverted, special longitudinal inlets have been proposed by RCFC&WCD and presented to RCTD, and RCFC&WCD and RCTD are in discussions about the proposed storm drain as well as possible alternative solutions which may impact project components.



District staff further identifies that there are additional needed and possible improvements that would need to be completed by BCVWD (and are programed in the District's CIP), which are accessory to the MDP Line 16 project. Those additional improvements are briefly identified as:

- Waterline relocations where conflicts exist with the MDP Line 16 storm drain main line, laterals, and inlets (catch basins).
- Geotechnical study related to the importation of excess soil from the MDP Line 16 storm drain project onto the Noble Creek Recharge Facility (NCRF), Phase II future non-potable tank site (possible work activity based on BCVWD desire to minimize export cost and use excavated soil from project to create reservoir pad).

Further defined scopes for the above two items along with approximate costs associated with the efforts will be brought forward to the Board at an upcoming Board meeting.

District staff anticipates finalizing the details of the Cooperative Agreement based upon the items identified herein to bring back to the Board of Directors for final review. Additionally, District staff is continuing to further design efforts with JLC Engineering to keep the project schedule on track. Both parties understand that this project is expecting to receive Proposition 84 funding contingent upon the project being substantially complete by December 2021, which means construction will need to be complete by late summer 2021 to allow time for project close-out.

BCVWD staff has recently provided RCFC&WCD comments pertaining to the 60% project design, including value engineering the BCVWD NCRF, Phase II improvements necessary to define and finalize the engineer's estimate for the project facilities that would be presented in the final draft Cooperative Agreement to the Board. Additionally, BCVWD staff has been participating in regularly occurring meetings (conference calls) with RCFC&WCD and the design consultant to keep the project on-track and moving ahead.

Background

In July 2017, the BCVWD Board of Directors conditionally approved a Cooperative Agreement between BCVWD and RCFC&WCD for the development of a storm water capture project to capture high quality storm water for recharge at BCVWD's NCRF, Phase II Ponds.

As previously reported, RCFC&WCD has hired a Consultant, JLC Engineering and Consulting, for design of the RCFC&WCD portion of the project, and said design is moving ahead from the 60% complete design milestone to the 90% complete design milestone. Further, BCVWD staff partnered with RCFC&WCD and together are utilizing their design Consultant for design and drafting support services for the BCVWD share of NCRF, Phase II onsite facilities design. At the July 10, 2019 BCVWD Regular Board meeting, BCVWD's Board of Directors authorized the allocation of \$50,000 for said BCVWD related support services. Since December 2019, BCVWD staff has met with RCFC&WCD staff and their design Consultant multiple times to discuss the project design in order to move the design forward, along with the overall project timeline.

RCFC&WCD staff further indicated they would amend their contract scope of services with JLC Engineering and Consulting for the BCVWD work and proposed including reimbursement by BCVWD for this work activity to the Draft Cooperative Agreement.

When the preliminary project estimates were completed by RCFC&WCD and during original project discussions with the BCVWD Board, District staff identified a preliminary project estimate as set forth on Table 2 hereafter:



Table 2 – Original Project Costs Estimate

Funding Entity	Original Cost Estimate
Prop. 84 Grant	\$1,219,333
RCFC&WCD	\$1,390,000 - \$1,890,000
BCVWD	\$1,390,000 - \$1,890,000
Original Estimated Project Construction Cost	\$3,999,333 - \$4,999,333

The original project cost estimate has been used to identify the originally proposed project cost and proposed cost sharing split between BCVWD and RCFC&WCD.

Total proposed project construction costs, as presented in March 2020 are reflected in Table 3 below:

Table 3 – Proposed Project Costs Per Agency (As of April 2020)

Funding Entity	Original Cost Estimate	Additional Proposed Costs	Total Cost Per Agency
SAWPA Grant	\$1,219,333	-	\$1,219,333
RCFC&WCD	\$1,390,000 - \$1,890,000	\$1,000,000	\$2,676,876
BCVWD	\$1,390,000 - \$1,890,000	\$1,000,000	\$2,676,876
Total Estimated Project Construction Cost			\$6,573,085

RCFC&WCD is following a very strict timeline to keep this project on track. The 60% plan approval occurred recently, with 90% plan approval anticipated around mid-May 2020, and 100% plan approval around August 2020. RCFC&WCD anticipates the project will go out to bid approximately October 1, 2020, presuming funding issues can be resolved.

Fiscal Impact

The BCVWD's share of the construction cost is anticipated to increase and District staff is working to keep the increase to a minimum. This project is budgeted in the Capital Improvement Plan approved by the Board in December 2018.

Attachments:

1. Table 1 - RCFC&WCD 60% Cost Estimate (received 4/16/2020)

Staff Report prepared by Mark Swanson, Senior Engineer

Table 1
RCFC & WCD 60% Cost Estimate
(received 4/16/2020)

ITEM	AMOUNT
24" RCP (CLASS IV)	
36" RCP (D-LOAD PER PROFILE)	
48" RCP (D-LOAD PER PROFILE)	
54" RCP (D-LOAD PER PROFILE)	
72" RCP (D-LOAD PER PROFILE)	
78" RCP (D-LOAD PER PROFILE)	
84" RCP (D-LOAD PER PROFILE)	
Storm Drain Pipe	\$ 2,036,030
MANHOLE NO. 1 PER RCFC & WCD STD. DWG. NO. MH251	
MANHOLE NO. 2 PER RCFC & WCD STD. DWG. NO. MH252	
MANHOLE NO. 4 PER RCFC & WCD STD. DWG. NO. MH254	
JUNCTION STRUCTURE NO. 2 PER RCFC & WCD STD. DWG. NO JS227	
JUNCTION STRUCTURE NO. 4 PER RCFC & WCD STD. DWG. NO JS229	
CATCH BASIN PER RCTD STD. NO. 300. CLASS A CONCRETE	
CATCH BASIN PER RCTD STD. NO. 300. CLASS B CONCRETE	
CATCH BASIN PER RCTD STD. NO. 300. CLASS B IRON & STEEL	
PIPE HEADWALL AND WINGWALLS PER CALTRANS STD. PLAN D90	
CONCRETE BULKHEAD PER RCFC & WCD STD. DWG. NO. M816	
GROUTED RIP-RAP PER CALTRANS STD. SPEC. SECTION 72 METHOD B RIP-RAP	
GROUTED RIP-RAP PER CALTRANS STD. SPEC. SECTION 72 METHOD B CLASS B CONCRETE	
CONCRETE COLLAR RCFC & WCD STD. DWG. NO. M803	
CURB INLET CATCH BASIN NO. 2 PER RCTD STD. NO. 302. CLASS A CONCRETE	
CURB INLET CATCH BASIN NO. 2 PER RCTD STD. NO. 302. CLASS B CONCRETE	
CURB INLET CATCH BASIN NO. 2 PER RCTD STD. NO. 302. IRON & STEEL	
MODIFIED MANHOLE NO. 1 PER RCFC&WCD STD. DWG. NO. MH251 AND DETAILS ON SHEET 45	
WATERMAN CANAL GATE AC-31 OR EQUAL	
Storm Drain Structures (Manholes, Junctions, Catch Basins, Headwalls, Wingwalls, Etc)	\$ 571,605
GRIND EXISTING ASPHALT & TYPE A HOT MIX PLACEMENT	
GRIND EXISTING ASPHALT EXCAVATION	
PAVE WITH 'TYPE A' HOT MIX ASPHALT	
PLACE 'CLASS 2' AGGREGATE BASE	
ASPHALT EXCAVATION RCFC & WCD STD. DWG. NO. M815 AND DETAIL ON SHEET 31	
EXCAVATION RCFC & WCD STD. DWG. NO. M815 AND DETAIL ON SHEET 31	
BACKFILL PER RCFC & WCD STD. DWG. NO. M815 AND DETAIL ON SHEET 31	
CLSM PER RCFC & WCD STD. DWG. NO. M815 AND DETAIL ON SHEET 31	
FILTER MATERIAL PER RCFC & WCD STD. DWG. NO. M815 AND DETAIL ON SHEET 31	
Trenching & Pavement (Trench Material, Asphalt Removal, Grind, Overlay, Excavation, Placement, Base)	\$ 2,081,530
6" THICK CONCRETE SPILLWAY PER PLAN HEREON	
JUNCTION STRUCTURE NO. 7 PER RCFC & WCD STD. DWG. NO. JS232	
MODIFIED DROP INLET WITH CONCRETE APRON PER RCFC & WCD STD. DWG. NO. CB110 AND DETAILS ON SHEET 48	
JUNCTION STRUCTURE NO. 6 PER RCFC & WCD STD. DWG. NO. JS231	
CONSTRUCT MODIFIED PIPE CULVERT HEADWALL/WINGWALL PER CALTRANS STD D90 AND SHEET 48	
CONSTRUCT CABLE RAILING PER CALTRANS STD B11-47	
NCRF PH 2 - Spillway Facilities	\$ 438,430
Additional Items Required for Road Reconstruction and Alternative Design	
24" RCP (CLASS IV)	
CATCH BASIN PER RCTD STD. NO. 300. CLASS A CONCRETE, W=28 FT	
LOCAL DEPRESSION PER RCTD STD. NO. 311. CLASS B CONCRETE	
JUNCTION STRUCTURE NO. 2 PER RCFC & WCD STD. DWG. NO JS227.	
MANHOLE NO. 2 PER RCFC & WCD STD. DWG. NO. MH252.	
4 INCH PAVEMENT WITH 'TYPE A' HOT MIX ASPHALT.	
PLACE 6 INCHES CLASS 2 AGGREGATE BASE.	
CONSTRUCT 8 INCH CALTRANS AC CURB MODIFIED TYPE D, LENGTH = 1400 FT (ONE SIDE)	
BACKFILL FOR ROADWAY CONSTRUCTION (ASSUME 1 FT OVER WIDTH OF ROAD)	
REMOVE EXISTING PAVEMENT	
Additional Items Req'd for Road Reconstruction & Alt. Design	\$ 372,485
Subtotal	\$ 5,500,080
10% Contingency	\$ 550,008
Mobilization	\$ 300,000
Water Control	\$ 20,000
Traffic Control	\$ 70,000
Misc.	\$ 75,000
Trench Safety	\$ 100,000
Extra Work	\$ 165,000
Dust Abate	\$ 35,000
Storm Pollution Control	\$ 25,000
Non-Storm Discharge	\$ 8,000
Project Total	\$ 6,848,088
*Note: Not included in the cost estimate provided by RCFC & WCD are anticipated Engineering and Administration costs, as well as the required 3% allotment for the Multiple Species Habit Conservation Plan (MSHCP).	
ESTIMATED PROJECT COSTS PER AGENCY	AMOUNT
Total Estimated Project Cost	\$ 6,848,088
SAWPA Grant	\$ 1,219,333
RCFC & WCD	\$ 3,424,044
BCVWD	\$ 3,424,044
Anticipated Project Construction Costs to BCVWD	\$ 2,204,711



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 23, 2020**

Item 3

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Request for Extension of Water Service “Will Serve Letter” for Previously Approved Development: Tract 32850, a proposed 30-acre, single-family residential development located at Assessor’s Parcel No. 421-110-014 in the City of Beaumont

Staff Recommendation

Consider the request for a seventh extension of “Will Serve Letter” for Tract 32850, a proposed 30-acre single-family residential development located in the City of Beaumont:

- A. Approve the request for extension of “Will Serve Letter” for Water Service for one year, or;
- B. Deny the request for extension of “Will Serve Letter” for Water Service

Background

The Applicant, Daniel Haskins (Land Engineering Consultants, Inc.), has submitted an email request to District staff for a seventh extension of “Will Serve Letter” on behalf of the property developer (Mozafar Behzad) and owners (Hamid Roknian and Rozita Roknian). The project proposes 95 single-family homes over a 30-acre area located on the west side of Manzanita Park Road, northwest of the intersection of Manzanita Park Road and Seneca Springs Boulevard; as shown in Figure 1 – Site Map.

This project has received six (6) previous “Will Serve Letter” extensions from 2014 through 2019, inclusive. The most recent “Will Serve Letter” extension for this project was approved at the District’s May 8, 2019 Board meeting (see Attachment 1 – May 8, 2019 Board Agenda Staff Report, Item No. 4) which extended the expiration date of the previous “Will Serve Letter” for one year. During the May 8, 2019 Board meeting, the 2018 Will Serve Extension was discussed, as it was identified in 2018 that the extension back then would be the final extension.

In 2019, the applicant provided the District a letter of interest (see Attachment 2 – 2019 Letter of Interest) from Richmond American Homes stating they are in the process of purchasing Tract 32850 from the owners. Said home builder had planned to begin work on Tract 32850 immediately after purchase. The development of said Tract is dependent on the final sale of the property. Recently, District staff was informed by the Applicant that the due diligence process has been put on hold due to issues relating to the environmental component of the project. Prior environmental approvals are required to be updated and the project must now process a Fairy Shrimp Study and Report.

Based on the needed environmental updates, the project will encounter a delay of approximately 1.5 years. The Applicant has provided an approximate schedule based on the recent events. This schedule is shown in Table 1.



Table 1 – Approximate Project Schedule – To Grading

Work Activity	Approximate Duration	Anticipated Completion Date
Wet Season Fairy Shrimp Study & Report	3-4 months	June 2020
Dry Season Fairy Shrimp Study & Report	3-4 months	October 2020
Riverside Conservation Authority (RCA), California Department of Fish & Wildlife (CDFW), Army Corps of Engineers (ACOE) Permit Approvals	6 months to 1 year	April 2021 – October 2021
Grading Permit		April 2021 – October 2021

Note: The above timelines are based on anticipated scenarios. There is potential for delays under the permitting activities due to regulatory agency backlog, ongoing issues relating to COVID-19, the mitigation process (including negotiations with conservation land banks).

The Applicant has further identified that based on the anticipated timelines, the requested 1-year Will Serve extension would only extend the project to June 2021; so it is likely that the project would come forward with an additional extension request in 2021.

The Developer has engaged a local environmental firm to process the Fairy Shrimp Study and has indicated they are moving forward on this immediately.

The District's original project "Will Serve Letter" dated June 20, 2005, identifying the project as approved for annexation and water service by the Beaumont-Cherry Valley Water District Board of Directors, is attached for reference (Attachment 3 – Original "Will Serve Letter"). Tract 32850 was annexed into the District's Service Area Boundary on August 18, 2006 under LAFCO Annexation 2005-105-2. Tract 32850 is identified in the District's 2013 Urban Water Management Plan Update.

Tract 32850 associated dwelling units are set forth as follows:

Tract	Dwelling Units or EDUs
32850	95 DU

The requested "Will Serve Letter" extension includes domestic (potable) water service and non-potable (recycled) water service as part of the Development of Tract 32850. The Applicant has recently met with the City regarding the environmental issues pertaining to the project, so the City of Beaumont is aware of the ongoing activities. The impact of this development on the District's water supply system is identified in the District's 2016 Urban Water Management Plan.

Should the Board approve the extension of the "Will Serve Letter," the following will apply:

Conditions of Development:

Prior to final project development the following conditions must be met:

1. The Applicant shall enter into a water facilities extension agreement and pay all fees associated with the domestic and non-potable water services for the Project. The Applicant shall also pay all fees related to new fire service facilities including any facilities improvements that may be necessary to meet the fire flow requirements.



2. The Applicant shall pay front footage fees along all property frontages where facilities are currently installed.
3. The Applicant shall connect to the non-potable water system for irrigation supply. To minimize the use of potable water, the District requires the applicant conform to the City of Beaumont Landscaping Ordinances and Zoning Requirements and/or County of Riverside Landscaping Ordinances (whichever is applicable) which pertain to water efficient landscape requirements and the following:
 - a. Landscaped areas which have turf, shall have “smart irrigation controllers” which use Evapotranspiration (ET) data to automatically control the watering. Systems shall have an automatic rain sensor to prevent watering during and shortly after rainfall and automatically determine watering schedule based on weather conditions, and not require seasonal monitoring changes. Orchard areas, if any, shall have drip irrigation.
 - b. Landscaping in non-turf areas should be drought tolerant consisting of planting materials which are native to the region. Irrigation systems for these areas should be drip or bubbler type.
4. The Applicant shall conform to all District requirements and all City of Beaumont requirements.

Fiscal Impact:

None. All fees and deposits will be paid by the Applicant prior to providing service.

Attachments

Figure 1 – Site Map

Attachment 1 - May 8, 2019 Board Agenda Staff Report, Item No. 4

Attachment 2 – 2019 Letter of Interest

Attachment 3 – Original Will Serve Letter - 2005

Prepared by Mark Swanson, Senior Engineer



FIGURE 1 – SITE MAP





**Beaumont-Cherry Valley Water District
Regular Board Meeting
May 8, 2019**

Item 4

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Consideration of Request for Extension of Will-Serve Letter for Previously-Approved Development: Tract 32850, a proposed 30-acre single-family residential development located at Assessor's Parcel No. 421-110-014 in the City of Beaumont

Staff Recommendation

Consider the request for a sixth extension of "Will Serve Letter" for Tract 32850, a proposed 30-acre single-family residential development located in the City of Beaumont:

- A. Approve the request for extension of "Will Serve Letter" for Water Service for one year, or;
- B. Defer the request for extension of "Will Serve Letter" for Water Service pending resolution of securing agreement for supply of recycled water from the City of Beaumont, and securing a report of water supply conditions from the San Geronio Pass Water Agency, or;
- C. Deny the request for extension of "Will Serve Letter" for Water Service

Background

The Applicant, Daniel Haskins (Land Engineering Consultants, Inc.), has submitted a request (see Attachment 1 – Request for Extension of "Will Serve Letter") for a sixth extension of "Will Serve Letter" dated March 15, 2019 on behalf of the property developer (Mozafar Behzad) and owners (Hamid Roknian and Rozita Roknian). This project has received five (5) previous "Will Serve Letter" extensions in 2014, 2015, 2016, 2017 and 2018. The most recent "Will Serve Letter" extension for this project was approved at the District's May 9, 2018 Board meeting (see Attachment 2 – May 9, 2018 Board Agenda Staff Report) which extended the expiration date of the previous "Will Serve Letter" for one year, and noted that the 2018 consideration was the final extension.

The applicant has provided the District a letter of interest (see Attachment 3 – Letter of Interest) from Richmond American Homes stating they are in the process of purchasing Tract 32850 from the owners. Said home builder plans to begin work on Tract 32850 immediately after purchase. The development of said Tract is dependent on the final sale of the property.

The District's original project "Will Serve Letter" dated June 20, 2005, identifying the project as approved for annexation and water service by the Beaumont-Cherry Valley Water District Board of Directors, is attached for reference (Attachment 4 – Original "Will Serve Letter"). Tract 32850 was annexed into the District's Service Area Boundary on August 18, 2006 under LAFCO Annexation 2005-105-2. Tract 32850 is identified in the District's 2013 Urban Water Management Plan Update.



In 2014, the Developer indicated they were requesting an extension to show continued project approval to building partners with whom the Developer was then negotiating to construct the project. In 2015 and 2016, the developer indicated they were requesting a second and third extension with expectations that the project would move forward. In 2017, the developer indicated they were requesting a fourth extension due to home sale prices rising and becoming profitable. The applicant indicated in 2018 that there was an interested potential buyer of the development, which was never executed.

Subsequent to issuance of the July 15, 2016 “Will Serve Letter” extension, the developer also identified issues with the project construction documents that required correction. In 2015-2016, the developer discovered grading design issues specifically relating to project requirements for imported fill and associated retaining walls necessary to accommodate the proposed project grading. Due to these issues, the developer re-designed the project grading plan. This re-design affected the water and non-potable water improvement plans vertical alignment and required re-design of those plans. The District approved the final re-designed water and non-potable water improvement plans on February 22, 2017. This represented the second update to the original improvement plans which were approved by the District on September 9, 2007.

In 2018, the District set several conditions for the applicant to meet, as referenced in Attachment 2 – May 9, 2018 Board Agenda Staff Report. Although the Applicant did not meet all conditions, said Applicant has presented documentation from the newly interested party for purchase of the Development, for the Board’s consideration of an additional extension.

Tract 32850 associated dwelling units are set forth as follows:

Tract	Dwelling Units or EDUs
32850	95 DU

The requested “Will Serve Letter” extension includes domestic (potable) water service and non-potable (recycled) water service as part of the Development of Tract 32850. The Applicant has secured the final project approvals from the City of Beaumont. The impact of this development on the District’s water supply system is identified in the District’s 2016 Urban Water Management Plan.

Should the Board approve the extension of the “Will Serve Letter,” the following will apply:

Conditions of Development:

Prior to final project development the following conditions must be met:

1. The Applicant shall enter into a water facilities extension agreement and pay all fees associated with the domestic and non-potable water services for the Project. The Applicant shall also pay all fees related to new fire service facilities including any facilities improvements that may be necessary to meet the fire flow requirements.
2. The Applicant shall pay front footage fees along all property frontages where facilities are currently installed.
3. The Applicant shall connect to the non-potable water system for irrigation supply. To minimize the use of potable water, the District requires the applicant conform to the City of Beaumont Landscaping Ordinances and Zoning Requirements and/or County of



Riverside Landscaping Ordinances (whichever is applicable) which pertain to water efficient landscape requirements and the following:

- a. Landscaped areas which have turf, shall have “smart irrigation controllers” which use Evapotranspiration (ET) data to automatically control the watering. Systems shall have an automatic rain sensor to prevent watering during and shortly after rainfall and automatically determine watering schedule based on weather conditions, and not require seasonal monitoring changes. Orchard areas, if any, shall have drip irrigation.
 - b. Landscaping in non-turf areas should be drought tolerant consisting of planting materials. Irrigation systems for these areas should be drip or bubbler type.
4. The Applicant shall conform to all District requirements and all City of Beaumont requirements.

Fiscal Impact:

None. All fees and deposits will be paid by the Applicant prior to providing service.

Attachments

Figure 1 – Site Map

Attachment 1 – Letter of Request for Extension of “Will Serve Letter”

Attachment 2 – BCVWD Staff Report – May 9, 2018

Attachment 3 – Letter of Interest, Dated March 14, 2019

Attachment 4 – Original “Will Serve Letter”

Prepared by Aaron Walker



FIGURE 1 – SITE MAP





March 14, 2019

Beaumont-Cherry Valley Water District
560 Magnolia Avenue
Beaumont, CA 92223

RE: Tract 32850 in the City of Beaumont, County of Riverside, State of California

To whom it may concern:

The purpose of this letter is to inform the Beaumont-Cherry Valley Water District that Richmond American Homes is in process to purchase Tract 32850 from the owners, Mozafar Behzad and Hamid Roknian and Rozita Roknian, as trustees of the Hamid Roknian and Rozita Roknian 2001 Revocable Trust. After purchase, Richmond American Homes plans to immediately begin work to build the 95 homes.

If you have any questions, I can be reached in the office at 951-386-4112 or via cell phone at 818-359-6482.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Wong', with a stylized flourish at the end.

Alex Wong
Director - Land Acquisition
Richmond American Homes

*Richmond American Homes of Maryland, Inc.
Riverside California Division*

*391N. Main Street, Suite 205, Corona, California 92880 Phone: (951) 386-4137 Fax: (951) 386-4080 www.RichmondAmerican.com
A subsidiary of M.D.C. Holdings, Inc., a New York Stock Exchange company*

BEAUMONT-CHERRY VALLEY WATER DISTRICT

DIRECTORS

Gerald H. Brey

President

William Lash

Vice President

Dr. Blair Ball

Albert Chatigny

Stella Parks

560 Magnolia Avenue

Beaumont, California 92223-2258

Telephone 951-845-9581

Fax 951-845-0159

OFFICERS

C.J. Butcher

Secretary/Treasurer

J.C. Reichenberger

Parsons Engineering Science

Engineer

Gerald Shoaf

General Counsel

June 20, 2005

**Ms. Connie Bagley, Project Manager
Pacific Scene Homes
2025 Chicago Ave, Ste A-26
Riverside, CA 92507**

Re: APN 421-110-014

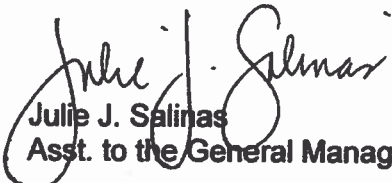
Dear Ms. Bagley:

At the Regular Meeting of the Board of Directors held on June 8, the above referenced property was approved for annexation. Upon completion of the annexation process, the Beaumont Cherry Valley Water District will service the property assuming all obligations to provide service are met including, but not limited to, the Rules and Regulations Governing Water Service as amended by the Board of Directors from time to time.

We look forward to working with you in the coming months and please feel free to contact the office should you have any questions.

This letter will expire 12 months from the date of issue.

Sincerely,


**Julie J. Salinas
Asst. to the General Manager**

CC: File



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 23, 2020**

Item 4

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: Discussion and Possible Action Related to Possible SGPWA Temporary Reduction of Imported Water Wholesale Water Rate to Water Retailers

Staff Recommendation

Provide direction to staff to regarding a possible temporary reduction of the District's Imported Water Pass Through Charge to Ratepayers.

Summary

The attached letter prepared by BCVWD Staff and associated analysis was submitted to the SGPWA General Manager, Jeff Davis on Thursday, April 16, 2020 for consideration at the SGPWA's April 20, 2020 Board of Directors Meeting (1:30 pm) and it sets forth BCVWD's interest in a wholesale water rate reduction and how that reduction and associated savings might passed through by BCVWD to their rate payers.

General Manager Davis has indicated via email that this item would be scheduled for the SGPWA April 20, 2020 meeting.

BCVWD Staff will update the Board of Directors on Thursday April 23, 2020 with a summary of the April 20, 2020 SGPWA Board Meeting discussion, as well as any further action that may be required by the District to move forward with implementation of a temporary Imported Water Pass Through Charge reduction, if offered by the SGPWA due to the COVID – 19 issues.

Background

At the April 6, 2020 Regular Board of Directors meeting of the San Geronio Pass Water Agency (SGPWA) the Agenda included Item 6. New Business (Discussion Only), A. Discussion of Possible Temporary Rate Reduction. This Item was subsequently changed to Discussion and Possible Action by a Vote of 4 to 3 of the Board of Directors.

No Staff Report regarding this item was included not handed out by the SGPWA. However, to topic of discussion at the meeting included discussion of a possible temporary wholesale water rate reduction in the imported water rate in order to provide some economic relief to the SGPWA constituents.

Several factors of concern were identified by the SGPWA Board Members related to any proposed temporary rate reduction which might be considered, including the following items:

1. Establishment of a time limit of Water Delivery



2. Establishment of a limit on the amount of Acre Feet (AF) that might be delivered during the reduced rate period,
3. And a desire by the SGPWA's Board to ensure that any possible temporary wholesale water rate reduction considered by the SGPWA would be passed along by the various Retail Water Agencies currently asking for water deliveries in 2020. This and the requirement of retailers to pass the savings on to their customers.

Fiscal Impact

Fiscal Impact should be net zero as this would be a pass-through adjustment to the Rate Payers.

Attachment(s)

April 16, 2020 Letter to SGPWA General Manager Jeff Davis

Staff Report prepared by Dan Jagers, General Manager



Beaumont-Cherry Valley Water District

Phone: (951) 845-9581 Fax: (951) 845-0159
Email: info@bcvwd.org

<http://www.bcvwd.org>

Board of Directors

David Hoffman
Division 5

John Covington
Division 4

Daniel Slawson
Division 3

Lona Williams
Division 2

Andy Ramirez
Division 1

April 16, 2020

Jeff Davis, General Manager
San Geronio Pass Water Agency
1210 Beaumont Avenue
Beaumont, CA 92223

Re: Possible Temporary Imported Water Rate Reduction due to COVID-19

Dear Mr. Davis:

At the April 6, 2020 Regular Board meeting of the San Geronio Pass Water Agency (SGPWA), the Board of Directors discussed the concept of a possible temporary Imported Water Rate reduction from \$399 per Acre Foot (AF) to \$319 per AF with several restrictions and requirements. One such requirement would be that the Water Retailers would commit to pass the savings along to the rate payers by reducing the pass-through rate that is charged per hundred cubic feet (ccf).

At the April 8, 2020 Regular Board meeting of the Beaumont-Cherry Valley Water District (BCVWD) Board of Directors, the Board discussed this concept and came to a consensus that a reduction in the Imported Water Rate would be a great benefit to the rate payers of the area and that BCVWD would commit to reducing the pass through rate on the BCVWD rate payers' bills to reflect the reduction from the SGPWA.

To that end, BCVWD Staff has given some further thought as to how BCVWD's pass-through rate might be reduced if such a temporary wholesale water reduction were to be offered by the SGPWA and how that could be passed through to BCVWD's rate payers equitably and fairly due to the following constraints:



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Division 3

Lona Williams
Division 2

Andy Ramirez
Division 1

1. BCVWD's currently bills rate payers on a bi-monthly billing cycle as illustrated on Table 1 attached. In order to provide fair and equitable distribution of credit to rate payers due to billing cycled and varying seasonal demands, BCVWD believes targeting a multiple billing cycle credit period (i.e. pass-through reduction period) may provide the best overall opportunity for fair distribution of a proposed SGPWA rate reduction or credit (see Table 1 graphic for blue dashed squares identifying a possible billing credit activity and estimated percentage of said billing cycle water consumption over the annual water usage).
2. Uncertainty in the value (in dollars) of a proposed temporary reduction by the SGPWA that would be realized by BCVWD as a credit that could be passed on to BCVWD rate payers. This value (in dollars) would need to be defined in order for BCVWD to accurately calculate the value of the reduction (and period said reduction would be applied) that would be made available to BCVWD's rate payers. This reduction would be achieved by reducing the current imported water pass through rate of \$0.72/unit of sale (CCF) to a lower value based on projected sales on a monthly basis and value of the reduction amount. This approach would allow BCVWD Staff the opportunity to finalize the savings distribution across multiple months to achieve equity to all rate payers regardless of billing cycle status. Further, BCVWD suggests that the final value of a reduction might be defined as a cost reduction (i.e. credit that would be realized) based upon BCVWD's actual 2020 imported water supply purchases from the SGPWA based upon anticipated supplies available from the SGPWA and other commitments. Table 2A and 2B, attached summarizes BCVWD's current understanding of estimated available SGPWA Supplies and Retail Agency 2020 Water Orders.
3. Per BCVWD's Regulations Governing Water Service, notification of adjustment to Imported Water Charge pass-through charge activities must provide to Rate Payer prior to adjusting the current water supply pass through rate of \$0.72 per unit of sale (CCF or one



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hundred cubic feet) to a new rate (e.g. lower rate) per BCVWD's Regulations Governing Water Service, Part 5 Charges, 5-1.2.1 Adjustment of Pass-Through Charges (See Attachment A).

BCVWD staff suggests that this approach would provide some planning level certainty to both the SGPWA as well as BCVWD to ensure that the intended consequence of providing rate payer relief is fairly distributed to BCVWD rate payers as well as defining the offered credit in a way that everyone clearly understands.

The BCVWD Board of Directors and Staff certainly look forward to further investigating and quantifying how this activity would look based upon a refinement of the actual reduction value that might be realized.

Sincerely,

Daniel K. Jaggers, General Manager
Beaumont-Cherry Valley Water District

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

cc: Ron Duncan, SGPWA President of the Board of Directors

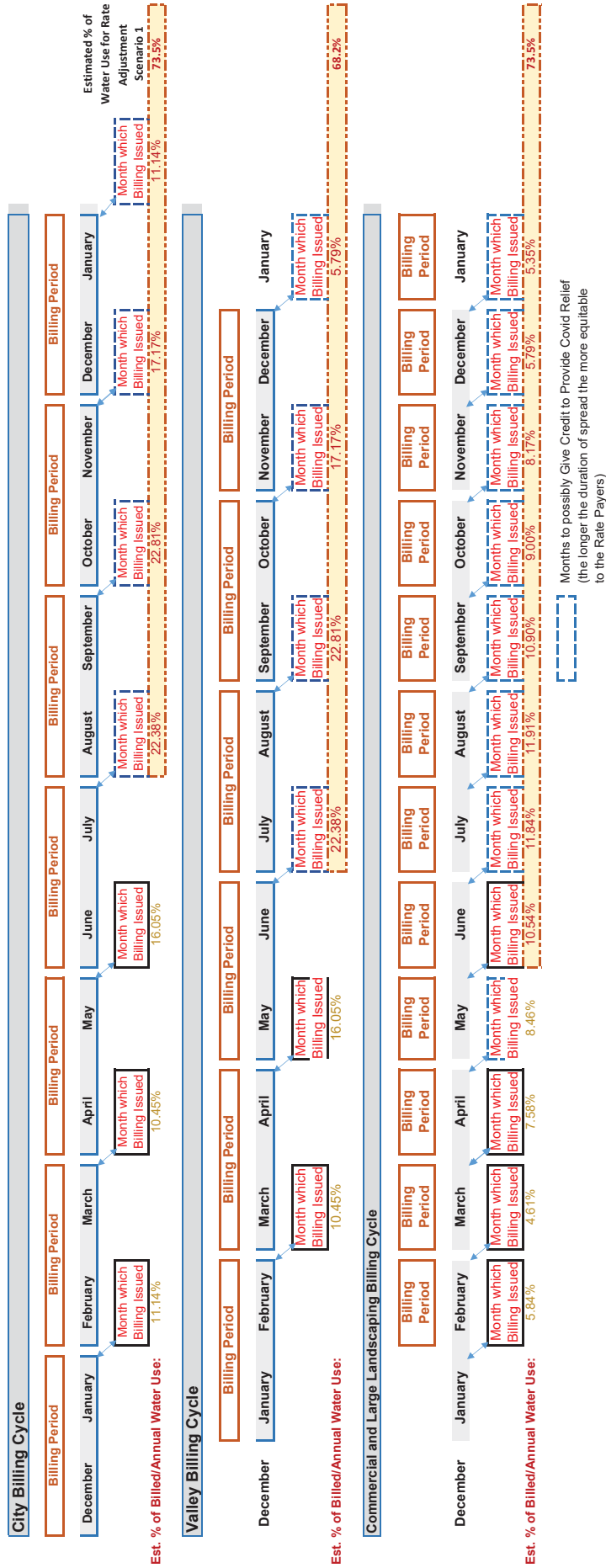
encl.

1. Table 1, Illustration of BCVWD Billing Cycle – 3 Billing Components and Estimated Billing Percentages over Annual Usage
2. Table 2A SGPWA Projected Water Delivery Amount Summary and Table 2B Retail Agency 2020 Imported Water Order Summary
3. BCVWD Rules and Regulation, Part 5 Charges, 5-1.3.1 Adjustment of Pass-Through Charges

DKJ
2020-04-13 SGPWA Letter V1.2

**BEAUMONT-CHERRY VALLEY WATER DISTRICT
BILLING CYCLE REVIEW AND SGPWA RATE REDUCTION
TABLE 1**

ILLUSTRATION OF BEAUMONT CHERRY VALLEY BILLING CYCLE - 3 BILLING COMPONENTS AND ESTIMATED BILLING PERCENTAGES OVER ANNUAL USAGE



BEAUMONT-CHERRY VALLEY WATER DISTRICT

2020 WATER SUPPLY AVAILABILITY AND ORDER STATUS

TABLE 2A

SGPWA PROJECTED WATER DELIVERY AMOUNT SUMMARY

(Data Source: SGPWA 2/18/2020 Board of Directors Meeting)

No.	Item	Acre-Feet
1	Carry Over Water Supply	4,200.00
2	Table A	2,595.00
3	Nickle Water	1,700.00
4	Yuba Water	200.00
5	CLAWA Exchange	(500.00)
6	Other Water Opportunity	-
		8,195.00

TABLE 2B

RETAIL AGENCY 2020 IMPORTED WATER ORDER SUMMARY

(Data Source: Water Retail Agency Correspondence re. 2020 water orders)

No.	DELIVERY AMOUNTS	Acre-Feet
1	BCVWD	
	Replentishment	9,400.00
	Drough Proofing	300.00
2	YVWD	250.00
3	City of Banning	250.00
Total Water Ordered		10,200.00

Attachment A

BCVWD Rules and Regulation, Part 5 Charges

5-1.3.1 ADJUSTMENT OF PASS-THROUGH CHARGES

SCE POWER CHARGE: To account for fluctuations in District costs to provide water service, the consumption based pass-through service charge may be adjusted as necessary by the District by an amount equal to any incremental adjustment imposed on the District for the cost of energy purchased from Southern California Edison (SCE) upon 30 days' notice. This is the cost of electricity to pump and deliver water to the consumer. It includes all SCE power charges for operation of pumps and wells in the water system. Beaumont-Cherry Valley Water District strives to operate during SCE Time of Use (off-peak and mid-peak) in order to maintain lower rates for the consumer.

IMPORTED WATER CHARGE: The pass-through charges for imported water may be adjusted as necessary by the District by an amount equal to any adjustments for the cost of water purchased from the San Geronio Pass Water Agency (SGPWA) upon 30 days' notice. Adjustments shall not increase or decrease by an amount that exceeds the cost of imported water.



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 23, 2020**

Item 5

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Vote for Regular Special District Member (Eastern Area) and Alternate Member for the Riverside Local Agency Formation Commission**

Staff Recommendation

- a. If desired, rank each of three (3) candidates for the office of Regular Special District Member of the Riverside Local Agency Formation Commission (LAFCO), and
- b. If desired, rank each of seven (7) candidates for the position of Alternate Special District Member of the Riverside Local Agency Formation Commission

Background

Riverside LAFCO is a regulatory agency in California with county-wide jurisdiction, established by the State Legislature in 1963 and governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et. seq.) LAFCO was established to coordinate logical and timely changes in local government boundaries, discourage urban sprawl and encourage orderly and efficient provision of services, such as water, sewer, fire protection. while agricultural lands are protected. Riverside LAFCO is a state-mandated legislative agency and is independent of county government.

The Board of Supervisors chooses two of its members to serve on LAFCO. The Council of Mayors chooses two members of city councils to serve as LAFCO members. **The presiding officers of independent special districts in the County select two members.** The six county, city and special district LAFCO members choose the public member.

Summary

In prior years, the LAFCO Special District Selection Committee (SDSC) has held a meeting to facilitate the member appointment process; however, the SDSC has determined it is not feasible to hold a physical meeting at this time, and therefore the vote will be conducted by email.

Refer to Attachment B, the Special District Selection Committee 2020 Ballot, for the list of candidates for the two available positions:

- a. Regular Special District Member. Rank the three (3) listed candidates from 1 to 3
- b. Alternate Special District Member: Rank the seven (7) candidates from 1 to 7

The incumbents are:

Regular Special District Member: Nancy Wright, Mission Springs Water District. Ms. Wright is the only candidate from whom candidate information was received.

Alternate Special District Member: Robert Stockton, Western Municipal Water District.



The terms of LAFCO members are four years and until appointment of a successor or reappointment of the incumbent. The terms of positions (a) and (b) expire May 6, 2024. The ballot must be returned via email by May 3, 2020.

Fiscal Impact

None.

Attachments

- A. LAFCO 2020 Ballot Instructions
- B. Special District Selection Committee 2020 Ballot
- C. Candidate information re: Nancy Wright

Staff Report prepared by Lynda Kerney, Administrative Assistant



April 3, 2020

via electronic mail

2020 BALLOT INSTRUCTIONS FOR SPECIAL DISTRICT MEMBER (EASTERN RIVERSIDE) AND AN ALTERNATE SPECIAL DISTRICT MEMBER (RIVERSIDE COUNTY) OF THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

To Special District Selection Committee Members:

Please read these instructions carefully before completing your ballot. As previously announced, a physical meeting of the Special District Selection Committee (SDSC) is not feasible at this time, therefore, the selection proceedings are being conducted by electronic mail or regular USPS mail. A nomination period for the position in the title above was opened Wednesday, March 4, 2020 and closed at 5:00 p.m. on Friday, April 3, 2020.

Enclosed you will find your ballot.

LAFCO Regular Special District Member – Eastern County: A total of three (3) nominations were received for this position. Candidates were restricted to the eastern area of the County.

LAFCO Alternate Special District Member – Riverside County: A total of seven (7) nominations were received for the alternate position.

All members of the SDSC may cast a ballot for both a regular member and an alternate.

Pursuant to procedures adopted by the Selection Committee in 2016, the election for the LAFCO regular and alternate positions will be conducted using Instant Runoff Voting (IRV). IRV eliminates the requirement for the expensive and lengthy process of sending out a second runoff ballot to achieve a majority. An example demonstrating how IRV works is attached.

Please fill out your ballot by ranking each nominee in the order of preference, using “1” for your first choice, “2” for your second choice and so on. Please note ranking more than one candidate will not work against your first choice candidate, however, voting for only one candidate is allowed. Do not mark the same number beside more than one candidate and do not skip numbers.

General Instructions and Information:

- Completed ballots must be delivered via electronic mail to rholtzclaw@lafco.org, or by regular mail to the LAFCO office at 6216 Brockton Avenue, Suite 111-B, Riverside CA 92506 **no later than 5:00 p.m. on Sunday, May, 3, 2020.**
- Only the presiding officer or another board member authorized by your board of directors to vote may cast the ballot. Board members designated by their district board to vote in place of the presiding officer must provide that authorization (in the form of a resolution or minute order) to LAFCO no later than the time the ballot is cast. District managers or other staff members may not vote.
- The voting member must print his or her name on the ballot as well as sign and date the certification indicating he or she is authorized to vote for the district.
- We must receive a ballot with an original signature. However, if you deliver your ballot via electronic mail, you may return a scanned copy of the signed ballot by email to rholtzclaw@lafco.org.
- Failure to follow these instructions will invalidate the ballot.

Finally, these positions ensure special districts are appropriately represented on our local boards. Appointments are only valid if ballots representing a quorum, from 29 of our 56 independent special districts, are returned. Please return your ballots in a timely manner.

If you have any questions, please contact our office at 951 369-0631.

Sincerely,



Gary Thompson
Executive Officer

SPECIAL DISTRICT SELECTION COMMITTEE 2020 BALLOT

Name of District: _____
Print District Name Here (required)

Certification of voting member:

I, _____ hereby certify that I am (check one):
Print Name Here (required)

- ☐ the presiding officer of the above-named district.
- ☐ a member of the board of the above-named district authorized by the board to vote in place of the presiding officer. [Authorization ☐ previously transmitted ☐ attached]

Signature (required)

Date (required)

Ballot must be received by 5:00 p.m., Monday, May 3, 2020. Email to rholtzclaw@lafco.org.
 If mailing: LAFCO, 6216 Brockton Avenue, Suite 111-B, Riverside, CA 92506 – deadline still applies.

Regular Special District Member of the Local Agency Formation Commission – *Eastern Riverside County* (Term running May 6, 2020 through May 6, 2024)

Please rank the candidates in preferential order, “1” being the first preference, “2” being the second, etc.:

Circle rank for each candidate

Nancy Wright, Mission Springs Water District	1	2	3
Debra Canero, Valley Sanitary District	1	2	3
Karen Borja, Desert Healthcare District	1	2	3

Alternate Special District Member of the Local Agency Formation Commission – *Riverside County* (Term running May 6, 2020 through May 6, 2024)

Please rank the candidates in preferential order, “1” being the first preference, “2” being the second, etc.:

Circle rank for each candidate

Arthur Shorr, Desert Healthcare District	1	2	3	4	5	6	7
Dale Qualm, Temecula Public Cemetery District	1	2	3	4	5	6	7
Scott Sear, Valley Sanitary District	1	2	3	4	5	6	7
Steve A. Pastor, Lake Hemet Municipal Water District	1	2	3	4	5	6	7
Robert Stockton, Western Municipal Water District	1	2	3	4	5	6	7
Danny J. Martin, Rancho California Water District	1	2	3	4	5	6	7
Karen Alexander, Northwest Mosquito & Vector Control	1	2	3	4	5	6	7

Nancy S. Wright

Candidate for Eastern Riverside County Special Districts LAFCO Representative

In 2008 you elected me to serve on the LAFCO Board as the Special District alternate and in 2011 & 2016 as the Eastern Riverside County Special Districts representative on the LAFCO Board.

I have the experience:

- Served as Riverside County LAFCO Vice-Chair in 2013-14 and as Chair 2015-16.
- I have thorough understanding of LAFCO's annual budget and funding, and I have worked to keep those costs as low as possible.
- Currently serving as the President of Mission Springs Water District, where I have served since 1988.
- Representing MSWD on the CVAG's Energy and Environmental Resources Committee and the Coachella Valley Conservation Commission, for 14 years.
- Current Chair of the CA Regional Water Quality Control Board, Colorado River Basin Region, where I have served for 13 years (appointed by 3 Governors).

I understand the importance of Special Districts and the vital and necessary services they supply to the public. I have the **Experience**, the **Knowledge**, and the **Expertise** necessary to serve as our Special District representative on the LAFCO Board.

Thank you for your continued support!

Nancy Wright



President Wright has participated with LAFCO since 2008 and previously served as the alternate Commissioner. She has an extensive knowledge and respect for the critical role of Special Districts in today's governmental arena.

Nancy Wright's enthusiasm, energy, dedication and leadership will serve LAFCO and the Special Districts well.

~Arden Wallum
General Manager,
MSWD

Nancy Wright ~ Right for LAFCO



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 23, 2020**

Item 6

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Yucaipa Valley Water District April 14, 2020 Agenda Item IV. D. Consideration of Initiating Sphere of Influence and Annexation Proceeding for Various Properties to the Yucaipa Valley Water District (Merlin Properties, APN 413-290-041 & 042)

Staff Recommendation

No recommendation.

Background

This Staff Report serves to memorialize certain development and property annexation activities related to Riverside County Assessor's Parcel No. (APN) 413-290-041 (Merlin Properties, LLC) and Parcel No. 413-290-042 (Lewis Management Corp. Property) that are located on the edge of the Beaumont-Cherry Valley Water District's (BCVWD) Sphere of Influence and within the City of Calimesa. In particular, it was brought to the attention of District staff Friday, April 10, 2020 by Yucaipa Valley Water District (YVWD) General Manager, Joe Zoba that the owners of said properties have expressed an interest to develop the properties and annexing into YVWD's Sphere of Influence and Service Area Boundary.

These parcels, also identified as the Merlin Property and the Lewis Management Corp. Property, consist of approximately 45 acres and 1.07 acres respectively. Said properties are located within the City of Calimesa, Riverside County (See Attachment 1 – Project Location Map). Currently, Merlin Properties, LLC is proceeding with annexation into Yucaipa Valley Water District (YVWD) for provision of water, recycled water, and sewer services. This was discussed and approved at the YVWD Board of Directors Meeting on April 14, 2020. BCVWD was alerted of this on the afternoon of Friday, April 10, 2020 as to YVWD's intent to proceed with the annexation of these properties. District Staff conducted research of BCVWD, Riverside County and San Bernardino County LAFCO's records between Friday afternoon and Tuesday afternoon in order to understand the particulars related to these properties locations in relation to BCVWD's Sphere of Influence and Service Area Boundary. Staff also sent an email inquiry to Riverside County LAFCO to verify the findings from District staff research. Again, this Staff Report sets forth Staff's findings and serves to memorialize those findings as follows:

In August of 2003, Merlin Properties, LLC inquired about annexation into BCVWD's Service Area for water and sewer services. Subsequently, the BCVWD Board of Directors issued a conditional Will Serve Letter, contingent upon the provision of the property legal description and map as required by Riverside County LAFCO. As the District does not provide sewer services, Merlin Properties, LLC also contacted the YVWD to discuss the feasibility of annexing into YVWD's Sphere of Influence and Service Area for water and sewer services.

Throughout 2004 and early 2005, Merlin Properties, LLC proceeded with the annexation process with BCVWD. Through research of available BCVWD and Riverside County LAFCO records, annexation of the Merlin Properties to the District's Service Area did not come to fruition during this time. However, in April 2005, Merlin Properties, LLC applied for the removal of the subject



properties from BCVWD's Sphere of Influence and in turn annexation into YVWD's Sphere of Influence. This application was brought to Riverside LAFCO's Commission three times between April, May and June of 2005, at which point Merlin Properties, LLC rescinded the application to adjust both BCVWD's and YVWD's Spheres of Influence.

In April of 2008, Urban Environs, on behalf of Merlin Properties, LLC, submitted a request to San Bernardino LAFCO that principal and sole county jurisdiction of the Sphere of Influence amendments for BCVWD and YVWD be transferred from San Bernardino LAFCO to Riverside LAFCO. The intent of this request was to be able to concurrently process the detachment of the Merlin Properties from BCVWD and the annexation to YVWD through a single LAFCO. San Bernardino LAFCO approved the transfer of principal county jurisdiction in May 2008; Riverside LAFCO accepted the transfer in June 2008.

Between 2008 and 2020 there was no further action taken by the property owners to annex into YVWD; as such, the properties are neither within BCVWD's or YVWD's Sphere of Influence. Recent correspondence with Riverside LAFCO confirmed this. In an email received by District staff on April 15, 2020, a representative from LAFCO indicated "... in 2008 those parcels service provider was amended from BCVWD to the YVWD. The approval allowed for the change in service provider and that is all. As of today neither parcel has been included in either YVWD or BCVWD sphere of influence. The amendment was to only approve the concept. The official change would then come when the property is developed. I have been speaking with a representative from YVWD because the property owner has shown interest in developing and annexing into their district. So from this point forward BCVWD would not need to be involved."

Summary

No further action regarding this project is required of the BCVWD at this time.

Fiscal Impact

No fiscal impact.

Attachment(s)

- Attachment 1 – Project Location Map
- Attachment 2 – Merlin Properties, LLC Annexation Request – Dated August 4, 2003
- Attachment 3 – Merlin Properties Legal Description and Map, and Certification – Dated June 1, 2004
- Attachment 4 – Riverside LAFCO Executive Summaries for LAFCO 2004-40-5
- Attachment 5 – Riverside LAFCO Commission AGENDA Item #7 – Dated May 12, 2008 (Includes related attachments)
- Attachment 6 – Merlin Properties, LLC Notice of Intent to Circulate Petition – Dated May 30, 2008
- Attachment 7 – San Bernardino LAFCO Meeting (May 21, 2008) Summary of Actions – Approval of Transfer of Principal County Responsibility
- Attachment 8 – Riverside LAFCO Meeting Agenda Item No. 6 – Dated June 26, 2008
- Attachment 9 – Riverside LAFCO Meeting (June 26, 2008) Minutes – Dated July 24, 2008



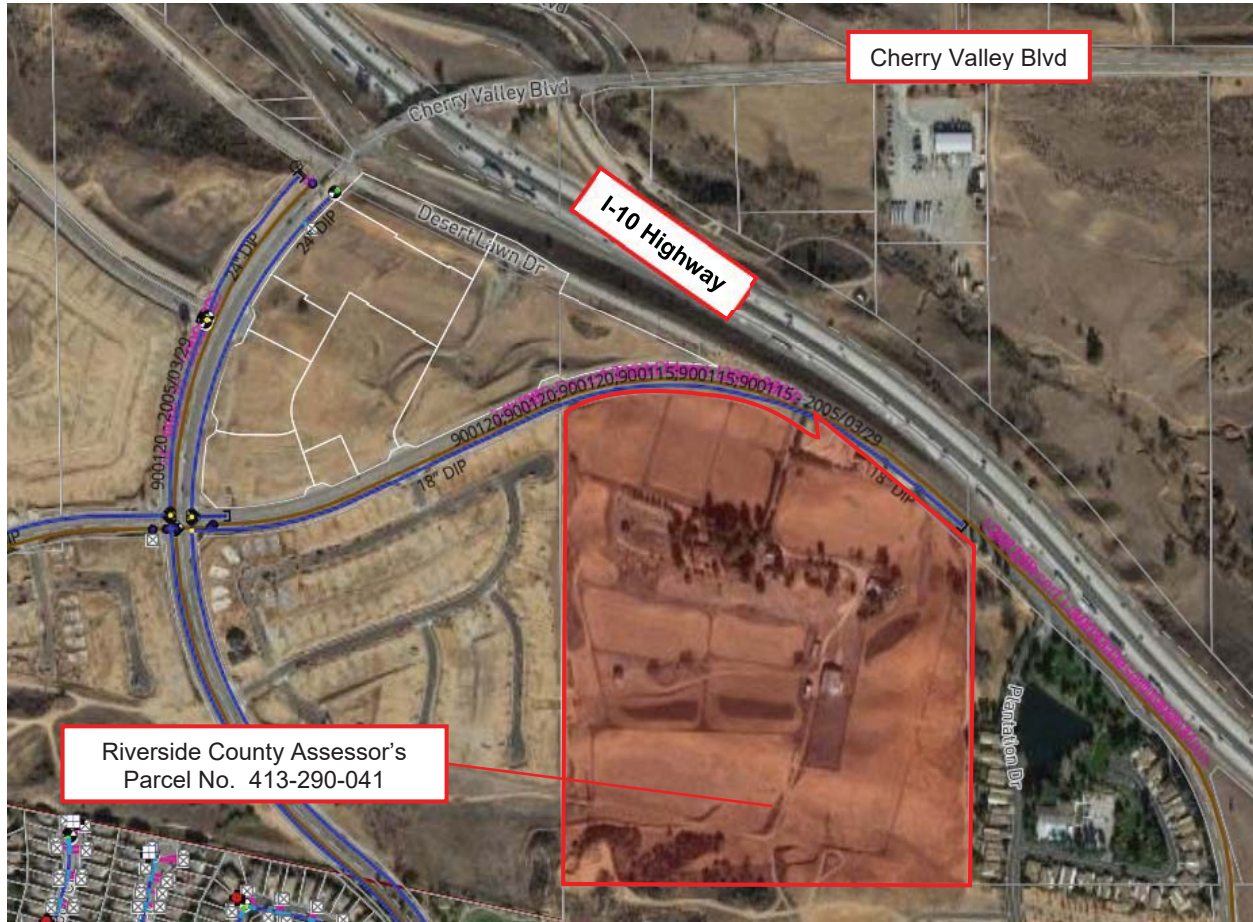
Attachment 10 – YVWD Workshop Memorandum 20-053 – Dated April 14, 2020

Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant



Attachment 1 - Project Location Map

Riverside County Assessor's Parcel No. 413-290-041



FRED RIEDMAN

6475 E. Pacific Coast Highway, PMB 399
Long Beach, California, 90803

August 4, 2003

Honorable Board of Directors
Beaumont-Cherry Valley Water Dist.
560 Magnolia Ave.
Beaumont, Calif., 92223

Attn: C.J. Butcher, G.M.


Gentlemen:

The ranch located at 10701 Desert Lawn Drive, Calimesa is owned by Merlin Properties, LLC, which is an entity wholly owned by my Brother Richard and I. This ranch, consisting of 48.6 acres, is immediately adjacent on the West to the Plantation Mobil Home Park, as shown on the attached aerial photo.

Please consider our request that this property be annexed by the Beaumont-Cherry Valley Water District for water and sewer service. Enclosed is our check in the amount of \$5,000. as a deposit for future engineering studies that this request may entail.

While I am faxing a copy of this letter to you now, the original together with a check will be deposited in the mail today.

Very Sincerely,


Fred Riedman

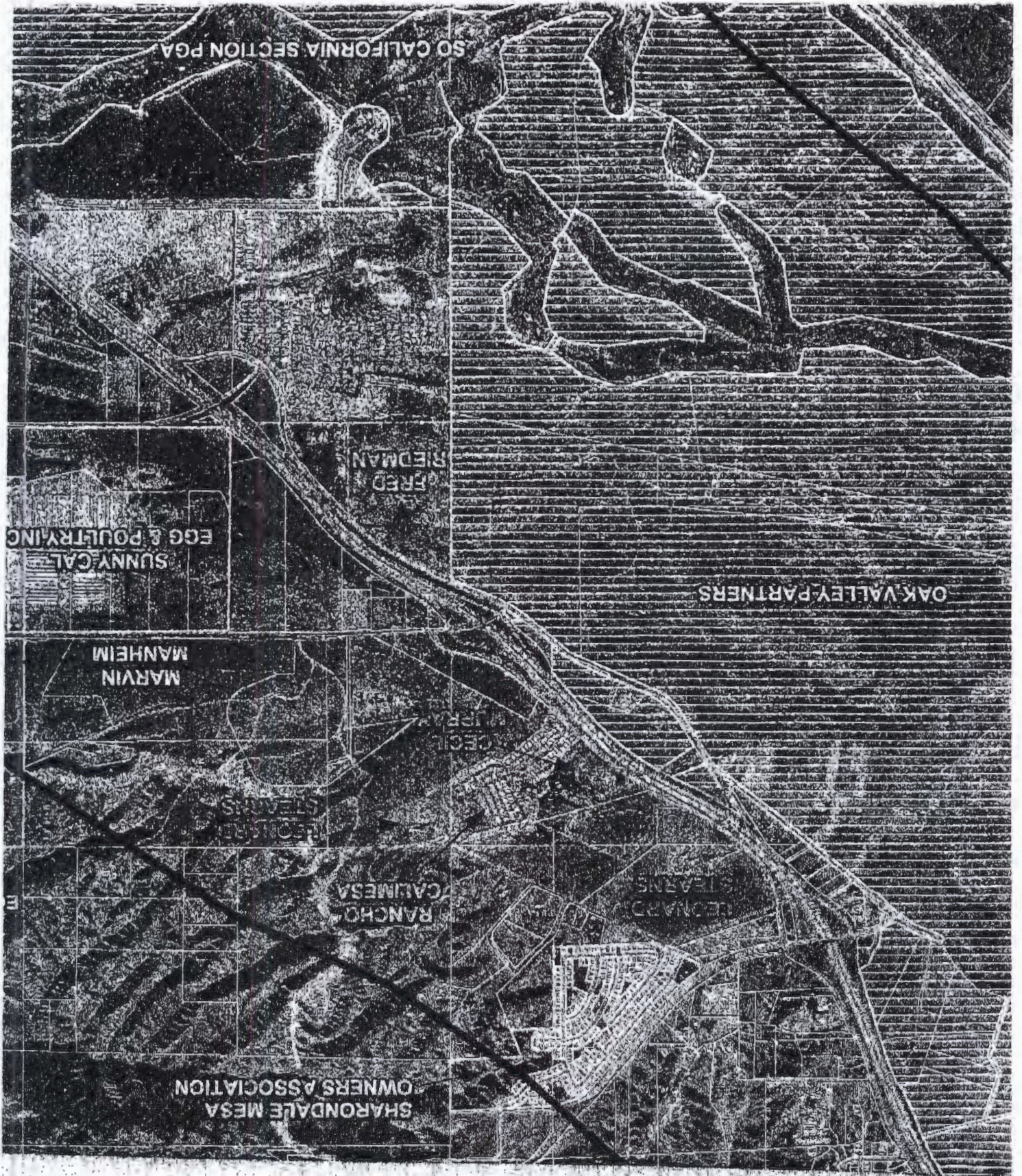


EXHIBIT "A"

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE AND IS DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF SECTION 31, IN TOWNSHIP 2 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN, AND OF SECTION 36 IN TOWNSHIP 2 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLATS THEREOF, TOGETHER WITH THOSE PORTIONS OF THE LANDS OF JAMES SINGLETON, AS PER MAP RECORDED IN MAP BOOK 1, PAGE 60, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, ALL IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, SOUTH $01^{\circ} 03' 00''$ WEST, 876.47 FEET FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, SAID BEGINNING BEING THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED AS PARCEL 18-A IN THE FINAL ORDER CONDEMNATION IN CASE NO. 78495 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF RIVERSIDE, A CERTIFIED COPY OF WHICH WAS RECORDED JANUARY 17, 1964, AS INSTRUMENT NO. 6942, OF OFFICIAL RECORDS, AND BEING THE BEGINNING OF A NON-TANGENT CURVE IN THE SOUTH LINE OF SAID PARCEL 18-A, CONCAVE NORTHERLY WITH A RADIUS OF 730.00 FEET AND A TANGENT BEARING NORTH $82^{\circ} 57' 22''$ WEST;

THENCE NORTHWESTERLY 997.28 FEET ON SAID CURVE THROUGH A CENTRAL ANGLE OF $78^{\circ} 16' 25''$;

THENCE NORTH $04^{\circ} 40' 57''$ WEST, 149.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 970.00 FEET;

THENCE NORTHWESTERLY, 569.62 FEET ON SAID CURVE, THROUGH A CENTRAL ANGLE OF $33^{\circ} 38' 48''$;

THENCE NORTH $51^{\circ} 20' 35''$ WEST, 109.70 FEET;

THENCE NORTH $32^{\circ} 06' 55''$ WEST, 101.43 FEET;

THENCE NORTH $41^{\circ} 45' 46''$ WEST, 241.91 FEET;

THENCE NORTH $46^{\circ} 33' 14''$ WEST, 800.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 3,467.00 FEET AND A TANGENT BEARING NORTH $53^{\circ} 01' 48''$ WEST;

THENCE NORTHWESTERLY, 303.18 FEET ON SAID CURVE THROUGH A CENTRAL ANGLE OF $05^{\circ} 00' 37''$ TO THE SOUTHERLY LINE OF THE LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 28, 1930, AS INSTRUMENT NO. 1799, OF OFFICIAL RECORDS;

THENCE NORTH $63^{\circ} 44' 00''$ WEST, 432.30 FEET ON SAID SOUTHERLY LINE TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 14,950.00 FEET;

THENCE NORTHWESTERLY, 474.02 FEET ON SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ} 49' 00''$;

THENCE NORTH $65^{\circ} 33' 00''$ WEST, 685.87 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY, WITH A RADIUS OF 2,050.00 FEET;

THENCE NORTHWESTERLY 610.04 FEET ON SAID CURVE, THROUGH A CENTRAL ANGLE OF $17^{\circ} 03' 00''$;

THENCE NORTH $48^{\circ} 30' 00''$ WEST, 216.48 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1,950.00 FEET;

THENCE NORTHWESTERLY, 438.34 FEET ON SAID CURVE THROUGH A CENTRAL ANGLE OF $12^{\circ} 52' 46''$ TO THE EAST LINE OF THE LAND DESCRIBED IN THE DEED TO MORENO MUTUAL IRRIGATION COMPANY, RECORDED DECEMBER 4, 1920, IN BOOK 539, PAGE 169, OF DEEDS;

THENCE SOUTH $00^{\circ} 05' 00''$ EAST, 1,957.19 FEET ON SAID EAST LINE TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN SAID DEED TO MORENO MUTUAL IRRIGATION COMPANY;

THENCE SOUTH $86^{\circ} 40' 00''$ WEST, 996.00 FEET ON THE SOUTH LINE OF LAST SAID LAND;

EXCEPTIONS CONTINUED

THENCE SOUTH 00° 05' 00" EAST, 1,049.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 36, BEING THE WESTERLY TERMINUS OF COURSE NO. 12 OF THE "TRACT OF LAND BETWEEN SAN JACINTO AND SAN GORGONIO" ASS PER MAP ACCOMPANYING THE PATENT CONFIRMING SAID LAND TO LUIS RUBIDOUX, COPY OF WHICH IS RECORDED IN BOOK A, PAGE 66 OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA;

THENCE SOUTH 99° 39' 00" EAST, 2,570.10 FEET ON COURSE NO. 11 OF LAST SAID MAP, TO THE NORTH LINE OF SOUTH HALF OF SAID SECTION 36;

THENCE NORTH 88° 14' 00" EAST, 2,681.40 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 31;

THENCE NORTH 89° 43' 00" EAST, 2,714.90 FEET TO THE CENTER OF SAID SECTION 31;

THENCE NORTH 01° 03' 00" EAST, 1,743.97 FEET ON SAID EAST LINE OF THE NORTHWEST QUARTER OF SECTION 31 TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION LYING WESTERLY OF THE WEST LINE OF SAID SECTION 31 AND THE NORTHERLY PROLONGATION THEREOF. SAID PROLONGATION SHALL TERMINATE ON THE NORTHERLY LINE OF THE HEREINABOVE DESCRIBED LAND.

ALSO EXCEPT THAT PORTION LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 31;

THENCE NORTH 89° 43' 00" EAST, 1,320.00 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION TO THE TRUE POINT OF BEGINNING;

THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF SAID SECTION TO A POINT ON THE SOUTHERLY LINE OF PARCEL 18-A AS DESCRIBED IN FINAL ORDER OF CONDEMNATION IN CASE NO. 78495 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF RIVERSIDE, A CERTIFIED COPY OF WHICH WAS RECORDED JANUARY 17, 1964, AS INSTRUMENT NO. 6942, OF OFFICIAL RECORDS.

ALSO EXCEPT THAT PORTION LYING SOUTH OF THE NORTH LINE OF SAID SECTION 31.

W.J. McKeever, Inc.

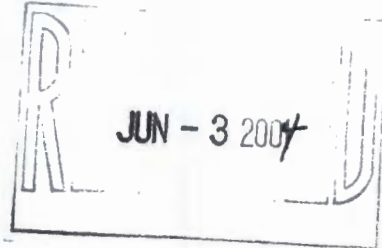
647 N. Main Street 2A

Riverside, CA 92501

Phone (909) 341-3700

Fax (909) 341-3740

WJMENGRAOL.COM

LETTER OF TRANSMITTAL**To:** Parsons**Address** 100 W. Walnut St. Pasadena, Ca. 91124**Attn:** Steve Gratwick**Date:** 6/1/04**Re** Riedman Ranch – Cherry Valley**WE ARE SENDING YOU**☐ Attached via Mail the following items:☐ Prints ☐ Plans ☐ Originals ☐ Specifications ☐ Other _____

COPIES	DATE	NO.	DESCRIPTION
1			Legal Description & Sketch (LAFCO)
1			Title Report & Documents

THESE ARE TRANSMITTED as checked below:☐ For approval ☐ For your use ☒ As requested ☐ For review☐ Other _____**REMARKS** Please process for Annexation into Cherry Valley Water District by LAFCO.**COPY TO** Fred Riedman**SIGNED** Larry Walker

If enclosures are not as noted, kindly notify us at once.

EXHIBIT "A"

**REORGANIZATION TO INCLUDE CONCURRENT ANNEXATIONS
TO BEAUMONT CHERRY VALLEY WATER DISTRICT
LAFCO 200 _____
BCVWD PARCEL NO. _____
LANDOWNER: MERLIN PROPERTIES, LLC**

A PORTION OF THE LANDS OF JAMES SINGLETON, AS PER, MAP RECORDED IN MAP BOOK 1, PAGE 60, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, LYING WITHIN SECTION 30, IN TOWNSHIP 2 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN, AND SECTION 25 IN TOWNSHIP 2 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLATS THEREOF, IN THE CITY OF CALIMESA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30,

THENCE ALONG THE SOUTH LINE OF SAID SECTION 30 NORTH 89°35'00"EAST, 1319.93 FEET TO A LINE PARALLEL WITH AND DISTANT 1320.00 EASTERLY OF (AS MEASURED ALONG THE SOUTH LINE OF SECTION 31) THE WEST LINE OF SECTION 31 IN TOWNSHIP 2 SOUTH, RANGE 1 WEST;

THENCE ALONG SAID PARALLEL LINE NORTH 01°34'19"WEST. 1160.42 FEET TO THE SOUTHERLY LINE OF THE LAND DESCRIBED AS PARCEL 18-A IN THE FINAL ORDER CONDEMNATION IN CASE NO. 78495 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF RIVERSIDE, A CERTIFIED COPY OF WHICH WAS RECORDED JANUARY 17, 1964, AS INSTRUMENT NO. 6942, OF OFFICIAL RECORDS;

THENCE ALONG SAID SOUTHERLY LINE NORTH 46°33'14" WEST, 285.36 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 3467.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 36°42'33" EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 298.23 FEET THROUGH A CENTRAL ANGLE OF 04°55'43" TO THE SOUTHERLY LINE OF THE LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED AUGUST 28, 1930, AS INSTRUMENT NO. 1799, OF OFFICIAL RECORDS;

THENCE ALONG SAID SOUTHERLY LINE, ON A NON-TANGENT BEARING, NORTH 63°43'00" WEST, 432.30 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1495.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 474.02 FEET THROUGH A CENTRAL ANGLE OF 01°49'00";

THENCE, ON A NON-TANGENT BEARING, NORTH 65°33'00" WEST. 79.51 FEET TO THE NORTHERLY PROLONGATION OF SAID WEST LINE OF SECTION 31 SAID NORTHERLY PROLONGATION ALSO BEING THE EXISTING BOUNDARY OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT;

THENCE ALONG SAID NORTHERLY PROLONGATION AND SAID BOUNDARY SOUTH
01°34'19" EAST, 1961.78 FEET TO THE **POINT OF BEGINNING**

AREA = 49.02 ACRES, MORE OR LESS

PREPARED BY W.J. MCKEEVER, INC.
CIVIL ENGINEERING

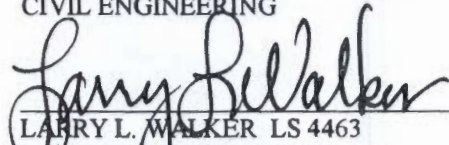
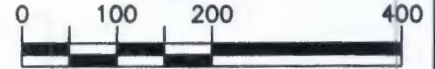

LARRY L. WALKER LS 4463 6/1/04
LICENSE EXPIRES 9/30/05

EXHIBIT A
REORGANIZATION TO INCLUDE CONCURRENT ANNEXATIONS
TO BEAUMONT CHERRY VALLEY WATER DISTRICT
LAFCO 200
BCVWD PARCEL NO.
LANDOWNER: MERLIN PROPERTIES, LLC

SLY LINE OF LAND OF
 STATE OF CALIFORNIA
 PER INST. #1799 O.R.
 (8-28-30)

1 - 10
 N 63°43'00"W
 432.30
FREEWAY

SCALE: 1"=200'
 49.02 ACRES



NLY PROLONGATION
 WEST LINE
 SEC. 31 T.2S., R.1W

SLY LINE/PCL 18-A FINAL
 ORDER OF CONDEMNATION
 CASE NO. 78495 PER
 INST. NO. 6942 O.R.
 (1-17-64)

APN 407-230-014

LINE PARALLEL
 WITH WEST LINE
 SEC. 31 T2S, R1W

PORTION OF THE LANDS
 OF JAMES SINGLETON
 BK 1 PG. 60 MAPS S.B. CO.

	DELTA/BEARING	RADIUS	LEN.
1	N 65°33'00"W		79.51
2	01°49'00"	14950.00	474.02
3	04°55'43"	3467.00	298.23
4	N 46°33'14"W		285.36



P.O.B.
 SW COR.
 SEC. 30
 T2S, R1W

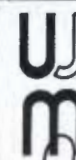
N 89°35'00"E 1319.93

SOUTH LINE SEC. 30
 AND NORTH LINE
 SEC. 31 T2S, R1W

APN 406-050-018

EXISTING DISTRICT BOUNDARY
 ANNEXATION BOUNDARY

BEING A PORTIONS OF THE SW 1/4 OF SECTION 30 T.2S., R.1W.,
 S.B.M. AND SE 1/4 OF SECTION 25 T.2S., R.2W., S.B.M.
 CITY OF CALEMESA, COUNTY OF RIVERSIDE
 STATE OF CALIFORNIA



W.J. McKEEVER, INC.

CIVIL ENGINEERING

647 NORTH MAIN STREET, SUITE 2A
 RIVERSIDE, CALIFORNIA 92501

PH: (951) 541-3700
 FAX: (951) 541-3740

LARRY L. WALKER L.S. 4463

DATE

6/1/04

3.h.
4/28/2005

TO: Local Agency Formation Commission
FROM: Adriana Romo, Local Government Analyst I

SUBJECT: LAFCO 2004-40-5—MINOR SPHERE OF INFLUENCE AMENDMENTS TO BEAUMONT CHERRY VALLEY WATER DISTRICT (REMOVAL) AND YUCAIPA VALLEY WATER DISTRICT (ADDITION) AND ANNEXATION TO YUCAIPA VALLEY WATER DISTRICT.

PRIOR AGENDAS/RELATED ACTIONS: None.

EXECUTIVE SUMMARY:

This proposal was submitted to provide potable water services to a proposed development of 26 residential units by Yucaipa Valley Water District through existing infrastructure. However, Beaumont Cherry Valley Water District has recently informed staff of plans to construct a water tank at an elevation that would potentially serve the subject area. The landowner, Beaumont Cherry Valley Water District, and Yucaipa Valley Water District are discussing the most viable solution to all parties. In order for staff and the landowner to determine which district would serve the project most efficiently, a one month continuance is necessary.

Staff recommends a one-month continuance of this proposal to May 26, 2005.

Respectfully submitted,

Adriana Romo
Local Government Analyst I

3.g.
5/26/2005

TO: Local Agency Formation Commission
FROM: Adriana Romo, Local Government Analyst I

**SUBJECT: LAFCO 2004-40-5-MINOR SPHERE OF INFLUENCE AMENDMENTS TO
BEAUMONT CHERRY VALLEY WATER DISTRICT (REMOVAL) AND
YUCAIPA VALLEY WATER DISTRICT (ADDITION) AND ANNEXATION
TO YUCAIPA VALLEY WATER DISTRICT.**

PRIOR AGENDAS/RELATED ACTIONS: Continuance in April of 2005.

EXECUTIVE SUMMARY:

There have been no additional discussions between Beaumont Cherry Valley Water District and the applicant. Provided is last month's staff report for reference.

Staff recommends a one-month continuance of this proposal to June 23, 2005.

Respectfully submitted,

Adriana Romo
Local Government Analyst I

3.c.
6/23/2005

TO: Local Agency Formation Commission
FROM: Adriana Romo, Local Government Analyst II

**SUBJECT: LAFCO 2004-40-5—MINOR SPHERE OF INFLUENCE AMENDMENTS TO
BEAUMONT CHERRY VALLEY WATER DISTRICT (REMOVAL) AND
YUCAIPA VALLEY WATER DISTRICT (ADDITION) AND ANNEXATION
TO YUCAIPA VALLEY WATER DISTRICT.**

PRIOR AGENDAS/RELATED ACTIONS: Continued April 28 and May 26, 2005.

EXECUTIVE SUMMARY:

Since last month's hearing the applicant has submitted a letter withdrawing his application. He is currently working with Beaumont Cherry Valley Water District to annex to that District. Provided is a copy of the withdrawal letter.

It is recommended that the Commission acknowledge withdrawal of the proposal.

Respectfully submitted,

Adriana Romo
Local Government Analyst II

AGENDA

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

**SAN BERNARDINO CITY COUNCIL CHAMBERS
300 North D Street, First Floor, San Bernardino**

RECEIVED
MAY 15 2008

BY:

REGULAR MEETING OF MAY 21, 2008

9:00 A.M. – CONVENE CLOSED SESSION OF THE LOCAL AGENCY FORMATION COMMISSION – Conference Room adjacent to the San Bernardino City Council Chambers located at 300 North D Street, First Floor, San Bernardino.

Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)): San Bernardino Valley Water Conservation District v. Local Agency Formation Commission, Superior Court Case No. SCVSS 147526.

RECONVENE TO REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION – San Bernardino City Council Chambers

CALL TO ORDER - FLAG SALUTE

ANNOUNCEMENT: Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

1. Swearing In of Regular Special District Member and Regular City Member of the Commission
2. Election of Chairman and Vice-Chairman
3. Approval of Minutes for Regular Meeting of April 16, 2008

CONSENT ITEMS:

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

4. Approval of Executive Officer's Expense Report
5. Ratify Payments as Reconciled for Month of April 2008 and Note Cash Receipts
6. Consideration of: (1) CEQA Statutory Exemption for LAFCO SC#327; and (2) LAFCO SC#327 – City of Redlands Service Agreement OSC 07-04 for Water Service (APN 0302-142-09)
7. Transfer of Principal County Responsibility from the San Bernardino Local Agency Formation Commission to the Riverside Local Agency Formation Commission for LAFCO 3099 - Reorganization to Include Annexation to the Yucaipa Valley Water District and Detachment from the Beaumont-Cherry Valley Water District *Development*
Mulin Properties
8. Accept Principal County Responsibility from the Riverside Local Agency Formation Commission for LAFCO 3098 – Annexation to Beaumont Cherry Valley Water District (Oak Glen Area)

DISCUSSION ITEMS:

9. A. Consideration of: (1) CEQA Statutory Exemption for Fee Schedule Revisions; and (2) Review and Adoption of Filling Fee Schedule for Fiscal Year 2008-09
- B. Review and Adoption of Final Budget for Fiscal Year 2008-09

AGENDA – MAY 21, 2008

10. Consideration of: (1) Review of Mitigated Negative Declarations prepared by the City of Redlands for: a) Zone Change No. 427, Street Vacation No. 140, Commission Review and Approval No. 837, Lot Line Adjustment No. 515, and Annexation No. 88; and b) Zone Change No. 432, Commission Review and Approval No. 854, and Annexation No. 89, as CEQA Responsible Agency for LAFCO 3093; and (2) LAFCO 3093 – Reorganization to Include City of Redlands Annexation Nos. 88 and 89 and Detachment from County Service Area 70 Improvement Zone P-7 (Wabash Industrial Park)
11. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3033; and (2) LAFCO 3033 - Service Review and Sphere of Influence Update for Mojave Water Agency (**to be continued to the July 16, 2008 hearing**)
12. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3071; and (2) LAFCO 3071 - Dissolution of the Victorville Fire Protection District (Subsidiary District of the City of Victorville)
13. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3072; and (2) LAFCO 3072 - Dissolution of the Victorville Recreation and Park District (Subsidiary District of the City of Victorville)
14. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3073; and (2) LAFCO 3073 - Dissolution of the Victorville Sanitary District (Subsidiary District of the City of Victorville)
15. Pending Legislation Report
16. Executive Officer's Oral Report
17. Commissioner Comments
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
18. Comments from the Public
(By Commission policy, the public comment period is limited to five minutes per person for comments related to items under the jurisdiction of LAFCO.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m.

In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 215 N. D St., Suite 204, San Bernardino, during normal business hours, on the LAFCO website at www.sbclafco.org, and at the hearing.

Ken Goins
5:10 PM 5/1/08
Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

A person with a disability may contact the LAFCO office at (909) 383-9900 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

10. Consideration of: (1) Review of Mitigated Negative Declarations prepared by the City of Redlands for: a) Zone Change No. 427, Street Vacation No. 140, Commission Review and Approval No. 837, Lot Line Adjustment No. 515, and Annexation No. 88; and b) Zone Change No. 432, Commission Review and Approval No. 854, and Annexation No. 89, as CEQA Responsible Agency for LAFCO 3093; and (2) LAFCO 3093 – Reorganization to Include City of Redlands Annexation Nos. 88 and 89 and Detachment from County Service Area 70 Improvement Zone P-7 (Wabash Industrial Park)
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15. Pending Legislation Report
16. Executive Officer's Oral Report
17. Commissioner Comments
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
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(By Commission policy, the public comment period is limited to five minutes per person for comments related to items under the jurisdiction of LAFCO.)

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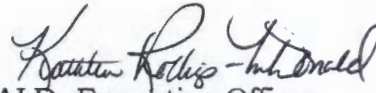
LOCAL AGENCY FORMATION COMMISSION

COUNTY OF SAN BERNARDINO

215 North "D" Street, Suite 204
San Bernardino, CA 92415-0490 • (909) 383-9900 • Fax (909) 383-9901
E-mail: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: MAY 12, 2008

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer



TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #7: Transfer Of Principal County Status from San Bernardino LAFCO to Riverside LAFCO for Reorganization Involving the Yucaipa Valley Water District (LAFCO 3099)

INITIATED BY:

Letter from Representative of Applicants – Merlin Properties and Oak Valley Partners L.P.

RECOMMENDATION:

1. Authorize the Riverside LAFCO to assume exclusive jurisdiction for LAFCO 3099 – Reorganization to include Annexation to the Yucaipa Valley Water District and Detachment from the Beaumont Cherry Valley Water District; and,
2. Adopt LAFCO Resolution #3005 reflecting this action.

BACKGROUND:

On April 14, 2008, staff received a letter from Mr. Patrick Meyer, on behalf of the applicants for a proposed change of organization involving the Yucaipa Valley Water District (annexation) and Beaumont Cherry Valley Water District (detachment) requesting that the principal county for the annexation to Yucaipa Valley Water District be shifted to the Riverside LAFCO. Under typical procedures, San Bernardino LAFCO would be the agency to conduct proceedings for this change of organization as the "principal" county for the Yucaipa Valley Water District. However, State law provides a procedure where the principal LAFCO can transfer that authority to the LAFCO of another affected County under certain circumstances.

The applicant for this change has requested this transfer based upon the following facts:

- This change of organization requires a sphere of influence amendment in Riverside County for both agencies - Yucaipa Valley Water District and Beaumont Cherry Valley Water District - a process within the sole purview of Riverside LAFCO.
- San Bernardino LAFCO would be the principal county for the annexation to the Yucaipa Valley Water District and Riverside LAFCO would be the principal county for the detachment from the Beaumont Cherry Valley Water District. Through this transfer of jurisdiction, it would simplify the process so that a single LAFCO would be charged with the considerations necessary for the sphere of influence changes and the reorganization.

This process has been reviewed with the Yucaipa Valley Water District staff and they have informally consented to the transfer. Therefore, staff recommends Commission approval of the transfer of principal county status for the proceedings related to the reorganization to the Riverside LAFCO pursuant to Government Code Section 56388.

Staff will be happy to answer any questions at the hearing.

KRM/

Attachments:

1. April 14, 2008 Letter from Mr. Patrick Meyer of Urban Environs requesting Transfer of Jurisdiction
2. Draft Resolution No. 3005

**April 14, 2008 Letter from
Mr. Patrick Meyer of Urban Environs
requesting Transfer of Jurisdiction**

Attachment 1

April 14, 2008

RECEIVED
APR 14 2008

LAFCO
San Bernardino County

Kathleen Rollings-McDonald, Executive Director

Local Agency Formation Commission

County of San Bernardino

215 North "D" Street, Suite 204

San Bernardino, CA 92415-0490

SUBJECT: Transfer of Jurisdiction
 (San Bernardino County to Riverside County)

Dear Ms. Rollings-McDonald:

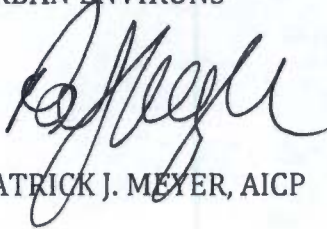
The intent of this letter is to request a *Principal County Status Change* for a Sphere of Influence Amendment from Beaumont-Cherry Valley Water District (BCVWD) to Yucaipa Valley Water District (YVWD), and a Detachment from Beaumont-Cherry Valley Water District and an Annexation to Yucaipa Valley Water District. This reorganization request includes County of Riverside Assessor's Parcel Numbers 413-290-041 and 042, consisting of approximately 50 acres generally located southwest of the I-10 Freeway/Cherry Valley Boulevard Interchange. (See attached exhibit.) This request is being sponsored by the two land owners, Oak Valley Partners, L.P. and Merlin Properties. A copy of the Land Owner Petition is attached for your perusal.

The request is being initiated in order to more properly provide the requisite water and wastewater to the subject properties. As part of recent development by Suncal within Summerwind Ranch, water and wastewater infrastructure has been developed immediately adjacent to the subject properties and within Yucaipa Valley Water District. It has become apparent that it is much more suitable for YVWD to provide water and wastewater service to the subject properties with very little extension of infrastructure. For this reason, we have initiated the above request and it is our intent to annex the subject property to YVWD and obtain water and wastewater service from YVWD.

Thank you in advance for your cooperation in this matter. Should you need additional information, please do not hesitate to call.

Very truly yours,

URBAN ENVIRONS

A handwritten signature in black ink, appearing to read "P. Meyer", is written over the printed name.

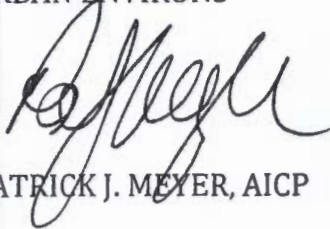
PATRICK J. MEYER, AICP

CC- Adriana Romo, Riverside LAFCO

Thank you in advance for your cooperation in this matter. Should you need additional information, please do not hesitate to call.

Very truly yours,

URBAN ENVIRONS

A handwritten signature in black ink, appearing to read 'P. Meyer', written over the printed name.

PATRICK J. MEYER, AICP

CC- Adriana Romo, Riverside LAFCO

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSURED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

JUL 17 2007

DATA: 6.1.0. 6-78-1843, 25 69/12-45
 25 109/17-11
 PM 209/31

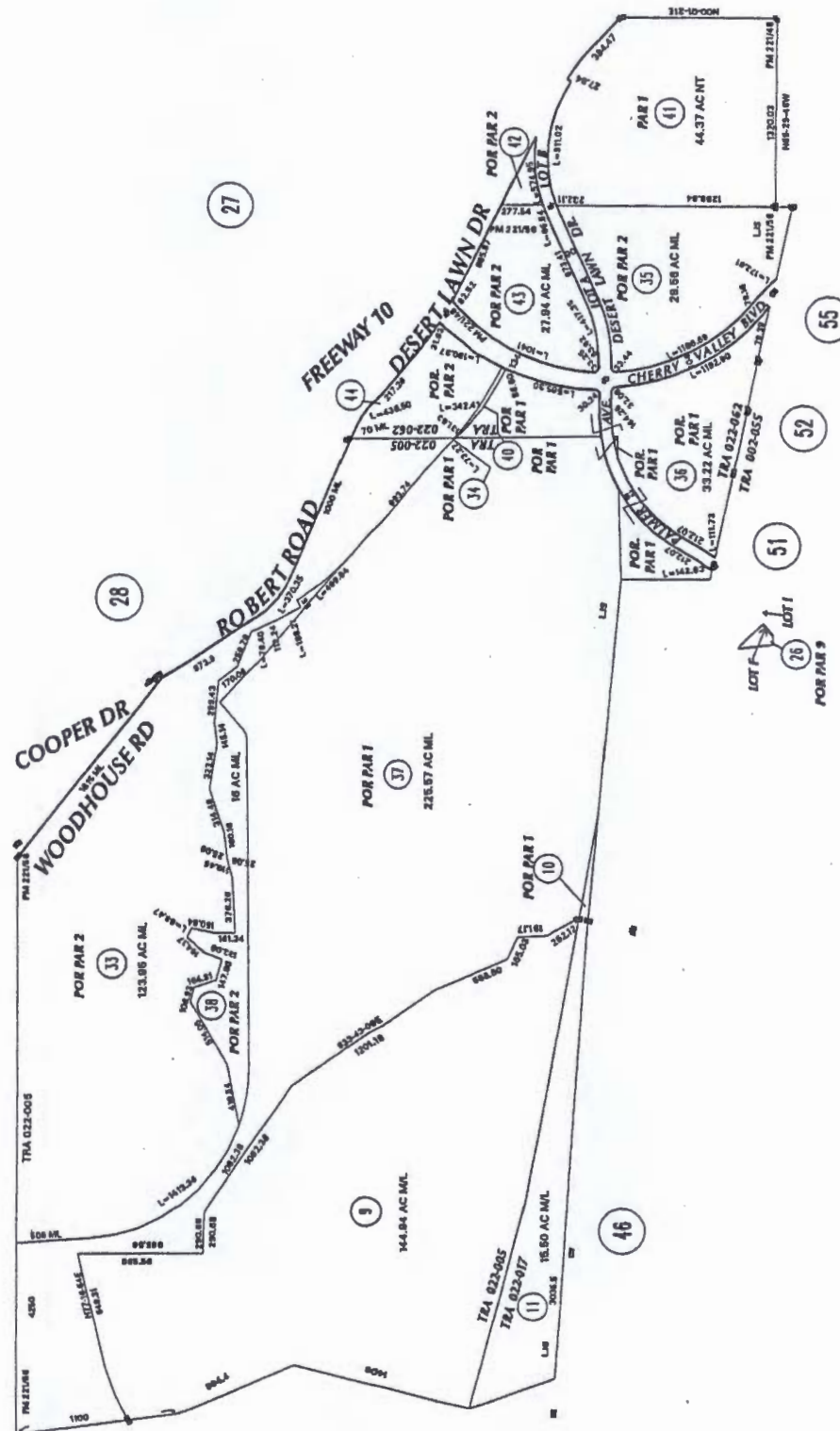
ASSESSOR'S MAP BK413 PG.79
Riverside County, Calif.

1026P

WB 1/60 S. B. LANDS OF JAMES SINGLETON
PM 210/20-27 PARCEL MAP NO. 31865
PM 221/56-64 PARCEL MAP NO. 31922 AMENDED
PM 221/48-53 PARCEL MAP NO. 34053

Jul 2007

DATE	OLD NUMBER	NEW NUMBER
1/27/41	1	3,4
2/2/41	2	5,6
2/9/41	3, 100-18	7
DATE	OLD NUMBER	NEW NUMBER
2/27/41	4	8-9
3/2/41	5	10-11
3/17/41	6	12-13
3/24/41	7	14-15
4/7/41	8	16-17
4/24/41	9	18-19
5/1/41	10	20-21
5/8/41	11	22-23
5/15/41	12	24-25
5/22/41	13	26-27
5/29/41	14	28-29
6/5/41	15	30-31
6/12/41	16	32-33
6/19/41	17	34-35
6/26/41	18	36-37
7/3/41	19	38-39
7/10/41	20	40-41
7/17/41	21	42-43
7/24/41	22	44-45
7/31/41	23	46-47
8/7/41	24	48-49
8/14/41	25	50-51
8/21/41	26	52-53
8/28/41	27	54-55
9/4/41	28	56-57
9/11/41	29	58-59
9/18/41	30	60-61
9/25/41	31	62-63
10/2/41	32	64-65
10/9/41	33	66-67
10/16/41	34	68-69
10/23/41	35	70-71
10/30/41	36	72-73
11/6/41	37	74-75
11/13/41	38	76-77
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2/18/43	104	208-209
2/25/43	105	210-211
3/4/43	106	212-213
3/11/43	107	214-215
3/18/43	108	216-217
3/25/43	109	218-219
4/1/43	110	220-221
4/8/43	111	222-223
4/15/43	112	2



NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given of the intention to circulate a petition proposing to:

Change the Sphere of Influence and Annex to Yucaipa Valley Water District
and detach from Beaumont Cherry Valley Water District.

Description of proposed change(s) Annexation to _____, detachment from _____)

The reasons for the proposal are:

To annex a 49 +/- acre parcel of land in the City of Calimesa lying
within section 30, T2S, R1W, S.B.M. into the Yucaipa Valley Water
District and detach from Beaumont Cherry Valley Water District, in
order to provide sewer and water service to the subject property.

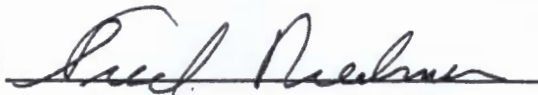
(A written statement not to exceed 500 words in length setting forth the reasons for the proposal)

The "Notice of Intent to Circulate Petition" must be filed with the Executive Officer of the Local Agency Formation Commission for Riverside County prior to circulating the petition.

Name and mailing address of proponent:

Merlin Properties c/o Mr. Fred Riedman
6475 E. Pacific Coast Hwy #399
Long Beach, CA 90802

SIGNED BY:



DATED:

3/12/08

Required Attachments:

Sample Petition
Description of Boundaries and Map of proposal

RIVERSIDE LOCAL AGENCY FORMATION COMMISSION • 3850 VINE STREET, SUITE 110 • RIVERSIDE, CA 92507-4277
PHONE (951) 369-0631 • www.lafco.org • FAX (951) 369-8479

PLEASE CONSULT LAFCO STAFF CONCERNING YOUR FINAL PETITION
PRIOR TO CIRCULATION

**LANDOWNER PETITION FOR PROCEEDINGS PURSUANT TO
THE CORTESE - KNOX - HERTZBERG
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000**

The undersigned hereby petition(s) the Riverside Local Agency Formation Commission for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56650, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).

The specific change(s) of organization proposed (i.e., annexation, detachment, dissolution, etc.) is/are:
Change the Sphere of Influence and Annex to Yucaipa Valley Water District
and detach from Beaumont Cherry Valley Water District.

The boundaries of the territory included in the proposal are described in Exhibit(s) "A" attached hereto and by this reference incorporated herein.

The territory included in the proposal is: ☐ INHABITED ☒ UNINHABITED
(12 or more registered voters) (Less than 12 registered voters)

This proposal ☐ is ☒ is not consistent with the sphere(s) of influence of the affected city(ies) and/or district(s).

The reason(s) for this proposal is/are:
To annex a 49 +/- acre parcel of land in the City of Calimesa lying within
section 30, T2S, R1W, S.B.M., into the Yucaipa Valley Water District and
detach from Beaumont Cherry Valley Water District, in order to provide
sewer and water service.

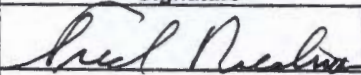
This proposal is requested to be made subject to the following terms and conditions:

The persons signing this petition have signed as OWNERS OF LAND.

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq., of the Government Code and herewith affix signature(s) as follows:

THE CHIEF PETITIONERS OF THIS PROPOSAL ARE:

(Not to exceed three)

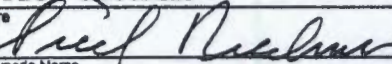
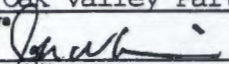
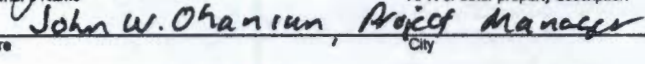
Printed Name	Signature	Mailing Address	Date
Merlin Prop. c/o Fred Riedman		6475 Pacific Coast Hwy #399 Long Beach, CA 90802	3/12/08

NOTICE TO THE PUBLIC

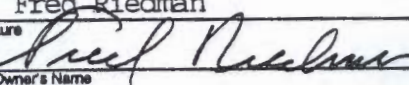
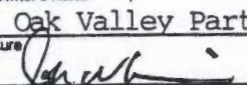
**THIS PETITION MAY BE CIRCULATED BY PAID SIGNATURE GATHERER
OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.**

RIVERSIDE LOCAL AGENCY FORMATION COMMISSION • 3850 VINE STREET, SUITE 110 • RIVERSIDE, CA 92507-4277
PHONE (951) 369-0631 • www.lafco.org • FAX (951) 369-8479

Each of us for himself or herself states: I have personally affixed my own signature and date of such signature to this petition. Further, I am an owner of land, or legal representative of the owner, within the affected area of this proposal at the time of signing and I have correctly printed the Assessor Parcel Number or other description sufficient to identify the location of the land owned by the signer. Post Office Box numbers or Route Numbers **CANNOT BE USED AND WILL NOT BE ACCEPTED.** I understand that this petition may not be circulated separately from a description of the area involved and a map showing the area involved. The specific proposal being requested must appear on the reverse side of this sheet.

1. Print Owner's Name Fred Riedman	APN or other property description 413-290-041	Date	For Official Use Only
Signature 	City Calimesa		
2. Print Owner's Name Oak Valley Partners LP	APN or other property description 413-290-042	Date	For Official Use Only
Signature 	City Calimesa		
3. Print Owner's Name John W. O'Hanlon, Project Manager	APN or other property description 7.5.	Date	For Official Use Only
Signature 	City		
4. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
5. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
6. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
7. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
8. Print Owner's Name	APN or other property description	Date	For Official Use Only
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9. Print Owner's Name	APN or other property description	Date	For Official Use Only
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10. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
11. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
12. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
13. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
14. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
15. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		

Each of us for himself or herself states: I have personally affixed my own signature and date of such signature to this petition. Further, I am an owner of land, or legal representative of the owner, within the affected area of this proposal at the time of signing and I have correctly printed the Assessor Parcel Number or other description sufficient to identify the location of the land owned by the signer. Post Office Box numbers or Route Numbers **CANNOT BE USED AND WILL NOT BE ACCEPTED**. I understand that this petition may not be circulated separately from a description of the area involved and a map showing the area involved. The specific proposal being requested must appear on the reverse side of this sheet.

1. Print Owner's Name Fred Riedman	APN or other property description 413-290-041	Date	For Official Use Only
Signature 	City Calimesa		
2. Print Owner's Name Oak Valley Partners LP	APN or other property description 413-290-042	Date	For Official Use Only
Signature 	City Calimesa		
3. Print Owner's Name John W. Ochanian, Project Manager	APN or other property description	Date	For Official Use Only
Signature	City		
4. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
5. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
6. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
7. Print Owner's Name	APN or other property description	Date	For Official Use Only
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11. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
12. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
13. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
14. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
15. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		

Proposed Detach from BCVWD, Anx to YVWD



Selected parcel(s):
413-290-041 413-290-042

LEGEND

SELECTED PARCEL



PARCELS



BEAUMONT



CALIMESA

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Tue Mar 18 17:03:09 2008

Draft Resolution No. 3005

Attachment 2

PROPOSAL NO.: LAFCO 3099

HEARING DATE: MAY 21, 2008

RESOLUTION NO. 3005

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 3099 AND APPROVING THE TRANSFER OF PRINCIPAL COUNTY AUTHORITY TO THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION FOR REORGANIZATION OF APPROXIMATELY 50 ACRES FOR ANNEXATION TO THE YUCAIPA VALLEY WATER DISTRICT AND DETACHMENT FROM THE BEAUMONT CHERRY VALLEY WATER DISTRICT.

On motion of Commissioner _____, duly seconded by Commissioner _____, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, an application for the proposed reorganization in the County of Riverside was filed with the Executive Officer of that Local Agency Formation Commission (hereinafter "LAFCO") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Govt. Code Section 56000 et seq.); and,

WHEREAS, under normal procedures the San Bernardino LAFCO would conduct proceedings for the annexation to the Yucaipa Valley Water District since it is the "principal county" for the District and Riverside LAFCO would conduct the detachment proceedings for the Beaumont Cherry Valley Water District as its principal county; and,

WHEREAS, Government Code Section 56388 provides a procedure whereby the principal LAFCO may transfer exclusive jurisdiction to the LAFCO of an affected county under certain circumstances; and,

WHEREAS, the applicant for this change of organization has requested the transfer to the Riverside LAFCO to consolidate the reorganization proceedings and the conduct of the necessary sphere of influence amendments in order to proceed with the reorganization consideration under a single LAFCO's jurisdiction; and,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this Commission on this matter; and,

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

RESOLUTION NO. 3005

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in the original notice of public hearing and in any order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the review, in evidence presented at the hearing; and,

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission designates the Riverside Local Agency Formation Commission to have exclusive jurisdiction for the processing of the change of organization for the Yucaipa Valley Water District as outlined in LAFCO 3099.

DETERMINATIONS:

SECTION 1. The Commission hereby designates the Riverside LAFCO as the "principal LAFCO" with exclusive jurisdiction over this specific proposal (LAFCO 3099) submitted by property owner petition.

SECTION 2. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56853 of the Government Code.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of May 21, 2008.

DATED:

KATHLEEN ROLLINGS-McDONALD
Executive Officer

RESOLUTION NO. 3005

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in the original notice of public hearing and in any order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the review, in evidence presented at the hearing; and,

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission designates the Riverside Local Agency Formation Commission to have exclusive jurisdiction for the processing of the change of organization for the Yucaipa Valley Water District as outlined in LAFCO 3099.

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AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of May 21, 2008.

DATED:

KATHLEEN ROLLINGS-McDONALD
Executive Officer



May 30, 2008

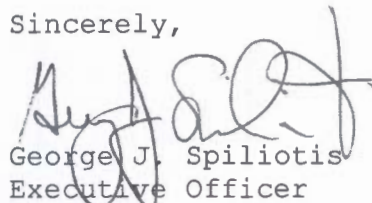
To: Distribution

Re: *Petition for Sphere of Influence Amendments to Beaumont Cherry Valley Water District (-) & Yucaipa Valley Water District (+), Detachment from Beaumont Cherry Valley Water District, and Concurrent Annexation to Yucaipa Valley Water District (APNs: 413-290-041 & 413-290-042)*

Please be advised that the enclosed Notice of Intent to Circulate Petition has been filed with this office. The applicant is Merlin Properties. The petition proposes to amend the spheres of influence of Beaumont Cherry Valley Water District (BCVWD) and Yucaipa Valley Water District (YVWD), detach the subject area from BCVWD and annex to YVWD for the provision of water and wastewater services. The subject area consists of approximately 50 acres located within the Calimesa city limits, southwest of I-10, north of Oak Valley Parkway and the PGA Golf Club, and east of Cherry Valley Blvd. (Please reference the attached map).

Please call if you have any questions.

Sincerely,


George J. Spiliotis
Executive Officer

Attachments:

Notice of Intent to Circulate Petition
Landowner Petition for Proceeding Pursuant to CKH
Map of potential proposal

Distribution:

Clerk of the Board of Supervisors
BCVWD, Chuck Butcher
YVWD, Joe Zoba
City of Calimesa, City Manager
Urban Environs, Patrick Meyer

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given of the intention to circulate a petition proposing to:

Change the Sphere of Influence and Annex to Yucaipa Valley Water District
and detach from Beaumont Cherry Valley Water District.

Description of proposed change(s) Annexation to _____, detachment from _____)

The reasons for the proposal are:

To annex a 49 +/- acre parcel of land in the City of Calimesa lying
within section 30, T2S, R1W, S.B.M. into the Yucaipa Valley Water
District and detach from Beaumont Cherry Valley Water District, in
order to provide sewer and water service to the subject property.

(A written statement not to exceed 500 words in length setting forth the reasons for the proposal)

The "Notice of Intent to Circulate Petition" must be filed with the Executive Officer of the Local Agency Formation Commission for Riverside County prior to circulating the petition.

Name and mailing address of proponent:

Merlin Properties c/o Mr. Fred Riedman

6475 E. Pacific Coast Hwy #399

Long Beach, CA 90802



SIGNED BY: *Fred Riedman*

DATED: 3/12/08

08 MAY 28 PM 3:35

RIVERSIDE LOCAL AGENCY
FORMATION COMMISSION

RECEIVED

Required Attachments:

Sample Petition

Description of Boundaries and Map of proposal

RIVERSIDE LOCAL AGENCY FORMATION COMMISSION • 3850 VINE STREET, SUITE 110 • RIVERSIDE, CA 92507-4277
PHONE (951) 369-0631 • www.lafco.org • FAX (951) 369-8479

PLEASE CONSULT LAFCO STAFF CONCERNING YOUR FINAL PETITION
PRIOR TO CIRCULATION

**LANDOWNER PETITION FOR PROCEEDINGS PURSUANT TO
THE CORTESE - KNOX - HERTZBERG
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000**

The undersigned hereby petition(s) the Riverside Local Agency Formation Commission for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56650, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).

The specific change(s) of organization proposed (i.e., annexation, detachment, dissolution, etc.) is/are:

Change the Sphere of Influence and Annex to Yucaipa Valley Water District
and detach from Beaumont Cherry Valley Water District.

The boundaries of the territory included in the proposal are described in Exhibit(s) "A" attached hereto and by this reference incorporated herein.

The territory included in the proposal is: ☐ INHABITED (12 or more registered voters) ☒ UNINHABITED (Less than 12 registered voters)

This proposal ☐ is ☒ is not consistent with the sphere(s) of influence of the affected city(ies) and/or district(s).

The reason(s) for this proposal is/are:

To annex a 49 +/- acre parcel of land in the City of Calimesa lying within
section 30, T2S, R1W, S.B.M., into the Yucaipa Valley Water District and
detach from Beaumont Cherry Valley Water District, in order to provide
sewer and water service.

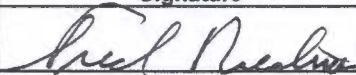
This proposal is requested to be made subject to the following terms and conditions:

The persons signing this petition have signed as OWNERS OF LAND.

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq., of the Government Code and herewith affix signature(s) as follows:

THE CHIEF PETITIONERS OF THIS PROPOSAL ARE:

(Not to exceed three)

Printed Name	Signature	Mailing Address	Date
Merlin Prop. c/o Fred Riedman		6475 Pacific Coast Hwy #399 Long Beach, CA 90802	3/12/08

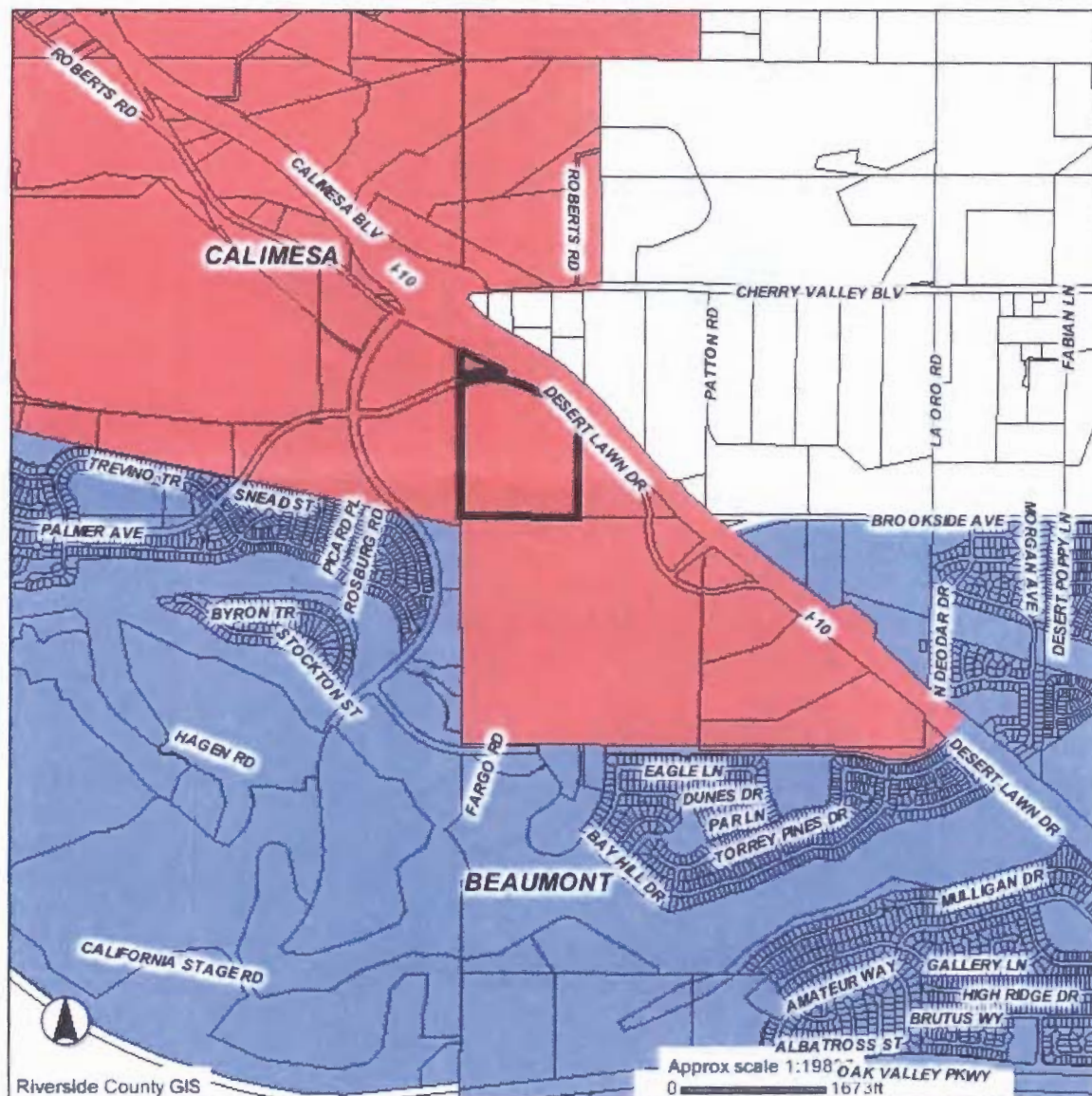
NOTICE TO THE PUBLIC

**THIS PETITION MAY BE CIRCULATED BY PAID SIGNATURE GATHERER
OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.**

Each of us for himself or herself states: I have personally affixed my own signature and date of such signature to this petition. Further, I am an owner of land, or legal representative of the owner, within the affected area of this proposal at the time of signing and I have correctly printed the Assessor Parcel Number or other description sufficient to identify the location of the land owned by the signer. Post Office Box numbers or Route Numbers **CANNOT BE USED AND WILL NOT BE ACCEPTED.** I understand that this petition may not be circulated separately from a description of the area involved and a map showing the area involved. The specific proposal being requested must appear on the reverse side of this sheet.

1. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
2. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
3. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
4. Print Owner's Name	APN or other property description	Date	For Official Use Only
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5. Print Owner's Name	APN or other property description	Date	For Official Use Only
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Signature	City		
12. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
13. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
14. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		
15. Print Owner's Name	APN or other property description	Date	For Official Use Only
Signature	City		

RIVERSIDE COUNTY GIS



Selected parcel(s):
413-290-041 413-290-042

LEGEND

SELECTED PARCEL

PARCELS

BEAUMONT

CALIMESA

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Thu May 29 14:53:34 2008

**SUMMARY OF ACTIONS TAKEN BY THE
LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY**

REGULAR MEETING OF MAY 21, 2008

All scheduled items were heard in the San Bernardino City Council Chambers, 300 North D Street, First Floor, San Bernardino, California.

9:00 A.M. – CONVENE CLOSED SESSION OF THE LOCAL AGENCY FORMATION COMMISSION – Conference Room adjacent to the San Bernardino City Council Chambers located at 300 North D Street, First Floor, San Bernardino.

Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)); San Bernardino Valley Water Conservation District v. Local Agency Formation Commission, Superior Court Case No. SCVSS 147526.

RECONVENE TO REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION – San Bernardino City Council Chambers

9:15 A.M. - CALL TO ORDER - FLAG SALUTE

1. Swearing In of Regular Special District Member and Regular City Member of the Commission

ACTION TAKEN - KIMBERLY COX SWORN IN AS REGULAR SPECIAL DISTRICT MEMBER

2. Election of Chairman and Vice-Chairman

ACTION TAKEN - ACTION TAKEN – COMMISSIONER COLVEN REELECTED CHAIRMAN; COMMISSIONER HANSBERGER REELECTED VICE CHAIRMAN

3. Approval of Minutes for Regular Meeting of April 16, 2008

ACTION TAKEN – MINUTES APPROVED AS SUBMITTED

CONSENT ITEMS:

4. Approval of Executive Officer's Expense Report
5. Ratify Payments as Reconciled for Month of April 2008 and Note Cash Receipts
6. Consideration of: (1) CEQA Statutory Exemption for LAFCO SC#327; and (2) LAFCO SC#327 – City of Redlands Service Agreement OSC 07-04 for Water Service (APN 0302-142-09)
7. Transfer of Principal County Responsibility from the San Bernardino Local Agency Formation Commission to the Riverside Local Agency Formation Commission for LAFCO 3099 - Reorganization to Include Annexation to the Yucaipa Valley Water District and Detachment from the Beaumont-Cherry Valley Water District
8. Accept Principal County Responsibility from the Riverside Local Agency Formation Commission for LAFCO 3098 – Annexation to Beaumont Cherry Valley Water District (Oak Glen Area)

ACTION TAKEN - STAFF RECOMMENDATIONS FOR CONSENT ITEMS APPROVED IN THEIR ENTIRETY

DISCUSSION ITEMS:

9. A. Consideration of: (1) CEQA Statutory Exemption for Fee Schedule Revisions; and (2) Review and Adoption of Filling Fee Schedule for Fiscal Year 2008-09

B. Review and Adoption of Final Budget for Fiscal Year 2008-09

ACTION TAKEN - STAFF RECOMMENDATIONS APPROVED IN THEIR ENTIRETY

10. Consideration of: (1) Review of Mitigated Negative Declarations prepared by the City of Redlands for: a) Zone Change No. 427, Street Vacation No. 140, Commission Review and Approval No. 837, Lot Line Adjustment No. 515, and Annexation No. 88; and b) Zone Change No. 432, Commission Review and Approval No. 854, and Annexation No. 89, as CEQA Responsible Agency for LAFCO 3093; and (2) LAFCO 3093 – Reorganization to Include City of Redlands Annexation Nos. 88 and 89 and Detachment from County Service Area 70 Improvement Zone P-7 (Wabash Industrial Park)

ACTION TAKEN - STAFF RECOMMENDATION APPROVED IN ITS ENTIRETY

11. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3033; and (2) LAFCO 3033 - Service Review and Sphere of Influence Update for Mojave Water Agency (to be continued to the July 16, 2008 hearing)

ACTION TAKEN - STAFF RECOMMENDATION APPROVED IN ITS ENTIRETY

12. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3071; and (2) LAFCO 3071 - Dissolution of the Victorville Fire Protection District (Subsidiary District of the City of Victorville)

ACTION TAKEN - STAFF RECOMMENDATION TO CONTINUE TO JULY 16, 2008 HEARING APPROVED

13. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3072; and (2) LAFCO 3072 - Dissolution of the Victorville Recreation and Park District (Subsidiary District of the City of Victorville)

ACTION TAKEN - STAFF RECOMMENDATION TO CONTINUE TO JULY 16, 2008 HEARING APPROVED

14. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3073; and (2) LAFCO 3073 - Dissolution of the Victorville Sanitary District (Subsidiary District of the City of Victorville)

ACTION TAKEN - STAFF RECOMMENDATION TO CONTINUE TO JULY 16, 2008 HEARING APPROVED

15. Pending Legislation Report

REPORT PROVIDED

16. Executive Officer's Oral Report

REPORT PROVIDED

17. Commissioner Comments

COMMENTS PROVIDED

18. Comments from the Public

COMMENTS PROVIDED

The Commission hearing adjourns at 10:23 a.m.

ATTEST:

ANNA M. RAEF
Clerk to the Commission

[Back](#)



6.
6/26/2008

TO: Local Agency Formation Commission
FROM: Adriana Romo, Local Government Analyst II

SUBJECT: ACCEPTING EXCLUSIVE JURISDICTION-REORGANIZATION TO INCLUDE DETACHMENT FROM BEAUMONT CHERRY VALLEY WATER DISTRICT AND CONCURRENT ANNEXATION TO YUCAIPA VALLEY WATER DISTRICT

PRIOR AGENDAS/RELATED ACTIONS: None.

A Notice of Intent to Circulate Petition was filed with this office in May of 2008 to detach approximately 50 acres within the Calimesa city limits, from Beaumont Cherry Valley Water District (BCVWD) and annex to Yucaipa Valley Water District (YVWD). San Bernardino LAFCO is the Commission of the principal county for YVWD and, therefore, would have exclusive jurisdiction over boundary changes to that agency. Pursuant to 56388, the Commission of the principal county has the authority to transfer its exclusive jurisdiction to the Commission of another county. San Bernardino LAFCO has transferred exclusive jurisdiction to allow this LAFCO to process a concurrent detachment and annexation as one application. Pursuant to statute, Riverside LAFCO must accept the transfer of jurisdiction. At this time, staff would support concurrence with San Bernardino LAFCO's transfer of jurisdiction.

SPECIFIC RECOMMENDATIONS:

Based on the factors outlined above, IT IS RECOMMENDED that the Commission:

1. Accept the transfer of jurisdiction for the proposed Reorganization to Include Detachment from Beaumont Cherry Valley Water District and Concurrent Annexation to Yucaipa Valley Water District from San Bernardino LAFCO.

Respectfully submitted,

Adriana Romo
Local Government Analyst II

2.
7/24/2008

MINUTES
June 26, 2008

Present: Phil Williams
Robin Lowe
Bob Buster
Robert Hird
Russell Kitahara
John Tavaglione

Absent: Terry Henderson

Present Staff: George J. Spiliotis, Executive Officer
Adriana Romo, Local Government Analyst II
Elena G. Medina, Executive Assistant II
Joe Rank, Legal Counsel

1.1 CALL TO ORDER AND SALUTE TO THE FLAG.

The meeting was called to order by Chair Williams at 9:35 a.m.

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF MAY 22, 2008.

Moved (Hird) seconded (Lowe) to approve the minutes as presented.
6/0 (Henderson absent)

3. Consent (Non-Hearing Items):

- a. LAFCO 2007-75-3-Reorganization to Include Concurrent Annexations 89, 90, 91, 92 and 93 to County Service Area 84 and Detachment from County Service Area 146.

Moved (Lowe) seconded (Hird) to approve LAFCO 2007-75-3-Reorganization to Include Concurrent Annexations 89, 90, 91, 92 and 93 to County Service Area 84 and Detachment from County Service Area 146.
6/0 (Henderson absent).

- b. LAFCO 2008-02-1-Annexation 32 to County Service Area 132.

Moved (Lowe) seconded (Hird) to approve LAFCO 2008-02-1-Annexation 32 to County Service Area 132.
6/0 (Henderson absent)

4. PUBLIC HEARINGS:

Continued:

- a. LAFCO 2005-64-4-Reorganization to Include the Formation of Desert River Community Services District and Dissolution of County Service Areas 62 and 122. **(Continued from March 27, 2008).**

Ms. Romo presented the proposal as outlined in the staff report.

Mr. Spiliotis addressed the request for continuance received the night before the hearing that was included in the Commissioners' files. He said that there were major changes from the time the application was submitted. The petition was circulated approximately three years ago.

Mr. Spiliotis stated that it was staff's preference, if they chose to pursue this further, to start with a new proposal. Therefore, staff was recommending to deny the proposal and start again with a new proposal if the proponents wanted to pursue formation.

Chair Williams opened the public hearing.

Gary Grant, 27068 Jarvis Street, Perris, CA 92509. Mr. Grant concurred with staff's recommendation.

Chair Williams closed the public hearing.

Commissioner Buster asked if there had ever been a specific concern about an existing CSA service that they might be unhappy with. He asked if the reason for having a CSD Board was to have local control and representation.

Mr. Spiliotis responded that one of the reasons for the proposal was to have more local control; however, the CSAs out there had local advisory boards. Furthermore, one of the iterations of the proposal simply proposed contracting back with the CSAs for the same services.

Commissioner Buster stated that it was a good idea to start the proposal again and go out there to seek out the support of the residents and voters.

Commissioner Williams expressed his support to deny the proposal.

Moved (Buster) seconded (Hird) to deny LAFCO 2005-64-4-Reorganization to Include the Formation of Desert River Community Services District and Dissolution of County Service Areas 62 and 122 as recommended by staff.

6/0 (Henderson absent)

- b. LAFCO 2007-31-4-Sphere of Influence Amendment (addition) to the City of Indio and Reorganization to Include Annexation 86 to the City of Indio (Citrus Ranch) and Concurrent Detachment from the Riverside County Waste Resource Management District. **(Continued from May 22, 2008; staff recommends continuance to September 25, 2008).**

Mr. Spiliotis stated that the primary dispute with the proposal was the issue of available water supply in the area. He said that the parties were close to settling the issues of concern. He said that staff found out how close they were after the staff report had gone out recommending a September continuance. He said that at this time both the applicant and the City had requested a July continuance and staff was concurring with their request.

Chair Williams opened the public hearing and there being no proponents or opponents wishing to speak the public hearing was closed.

Commissioner Kitahara stated that the parties of concern were going to meet the following week and it looked pretty good to reaching a final agreement.

Moved (Hird) seconded (Kitahara) to continue LAFCO 2007-31-4- Sphere of Influence Amendment (addition) to the City of Indio and Reorganization to Include Annexation 86 to the City of Indio (Citrus Ranch) and Concurrent Detachment from the Riverside County Waste Resource Management District to July 24, 2008.

6/0 (Henderson absent)

- c. LAFCO 2007-73-3-Sphere of Influence Amendment (removal) from the City of Canyon Lake and Reorganization to Include Detachment and Concurrent Annexation to County Service area 145. **(Staff recommends continuance to September 18, 2008).**

Mr. Spiliotis stated that the City of Canyon Lake concurred with the continuance to September at which time the reorganization will be evaluated.

Moved (Hird) seconded (Lowe) to continue LAFCO 2007-73-3-Sphere of Influence Amendment (removal) from the City of Canyon Lake and Reorganization to Include Detachment and Concurrent Annexation to County Service area 145 to September 18, 2008.

6/0 (Henderson absent)

New:

There were no new items.

5. RECEIVE AND FILE:

- a. Information Items: Proposals Received (Government Code Section 56857, 56751):

- i. LAFCO 2008-12-3-Annexation 26 to County Service Area 145.
- ii. LAFCO 2008-13-1-Reorganization to Include Annexation 75 to the City of San Jacinto and Concurrent Detachment from the Riverside County Waste Resources Management District.

- b. LAFCO Monthly Expenditure Review.

The Commission acknowledged the Receive and File items.

6. ACCEPTING EXCLUSIVE JURISDICTION-REORGANIZATION TO INCLUDE DETACHMENT FROM BEAUMONT CHERRY VALLEY WATER DISTRICT AND CONCURRENT ANNEXATION TO YUCAIPA VALLEY WATER DISTRICT.

Mr. Spiliotis stated that the property to be annexed to Yucaipa Valley Water District was in Riverside County. He said that since Yucaipa Valley Water District was involved, San Bernardino LAFCO was involved as well. He said that the principal county would be San Bernardino LAFCO. He said that San Bernardino LAFCO had agreed to transfer jurisdiction to Riverside County. Mr. Spiliotis said that it was just a matter of the Riverside Commission accepting exclusive jurisdiction of this proposal.

Moved (Hird) seconded (Tavaglione) to accept exclusive jurisdiction for the Reorganization to Include Detachment from Beaumont Cherry Valley Water District and Concurrent Annexation to Yucaipa Valley Water District.

6/0 (Henderson absent)

7. COMMISSION MEETING SCHEDULE.

Mr. Spiliotis stated that at the last meeting the Commission had agreed to go dark in August and re-evaluate the remaining months of the year at this meeting. After further discussion by the Commission, it was agreed to meet on September 18th.

8. MISCELLANEOUS STAFF REPORT.

There were no miscellaneous staff reports.

9. PUBLIC COMMENTS.

Gary Grant, 27068 Jarvis Street, Perris, CA 92509. Mr. Grant discussed implications regarding the General Plan in relation to growth control.

Laura Roughton, Indian Hills area of Jurupa Valley, Ms. Roughton said that she came to introduce herself and the group she was representing, the Jurupa Valley Incorporation Committee. She said that they wanted to let the Commission know that their group was ready to move forward with the incorporation efforts and will continue to keep the Commission informed of their efforts in the future.

10. EXECUTIVE SESSION:

With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.

Subdivision (a) of Section 54956.9:

- a. Gerard Ste. Marie v. Riverside Local Agency Formation Commission,
et al.
Riverside County Superior Case No. RIC 500152

Mr. Rank stated that there was nothing to report and no need to go into executive session.

11. ADJOURNMENT.

The Commission adjourned at 10:10 a.m.

Respectfully submitted,

George J. Spiliotis
Executive Officer



Yucaipa Valley Water District **Workshop Memorandum 20-053**

Date: April 14, 2020

Prepared By: Kathryn Hallberg, Implementation Manager

Subject: Consideration of Initiating Sphere of Influence and Annexation Proceedings for Various Properties to the Yucaipa Valley Water District

Recommendation: That the Board adopt Resolution No. 2020-20, and Resolution No. 2020-21.

District Staff has been contacted by two landowners regarding providing drinking water, recycled water and sewer services to two parcels that are outside of the District's Sphere of Influence and Boundary.

The Riedman Property

This property consists of 44.37 acres located in Riverside County. This property is located outside of the District's Sphere of Influence and Boundary. The property owner has requested to be annexed into Yucaipa Valley Water District Sphere of Influence and Boundary to provide drinking water, recycled water and sewer services for a residential development project.



The Lewis Management Corporation Property

This property consists of 1.07 acres located in Riverside County. This property is located outside of the District's Sphere of Influence and Boundary. The property owner is required by Development Agreement 2019-06 to annex the property into the District's Sphere of Influence and Boundary for drinking water, recycled water and sewer services. This parcel is currently under construction for a commercial development called Marketplace at Calimesa.



RESOLUTION NO. 2020-20**A RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TAKE
PROCEEDINGS FOR THE ANNEXATION OF TERRITORY**

(Assessor Parcel Number 413-290-041)

BE IT RESOLVED, by the Board of Directors of the Yucaipa Valley Water District that:

WHEREAS, the Board of Directors of the Yucaipa Valley Water District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of property to the Yucaipa Valley Water District; and,

WHEREAS, the territory proposed for a sphere of influence modification and annexation is set forth in Exhibit "A" attached hereto and identified by Assessor Parcel Number above, and by this reference incorporated herein; and,

WHEREAS, it is desired that the proposed annexation be subject to the following terms and conditions:

1. The annexation will require the Yucaipa Valley Water District to provide drinking water, recycled water, and sewer collection service to the property pursuant to the rules and regulations of the Yucaipa Valley Water District.
2. All standards conditions and cost associated with the filing, proceedings, and preparation of material for the Local Agency Formation Commission shall be the sole responsibility of the property owner.

NOW, THEREFORE, BE IT RESOLVED, that this resolution of Application is hereby approved and adopted by the Board of Directors of the Yucaipa Valley Water District, and the Local Agency Formation Commission for Riverside County is hereby requested to take proceedings for the annexation as illustrated in Exhibit "A".

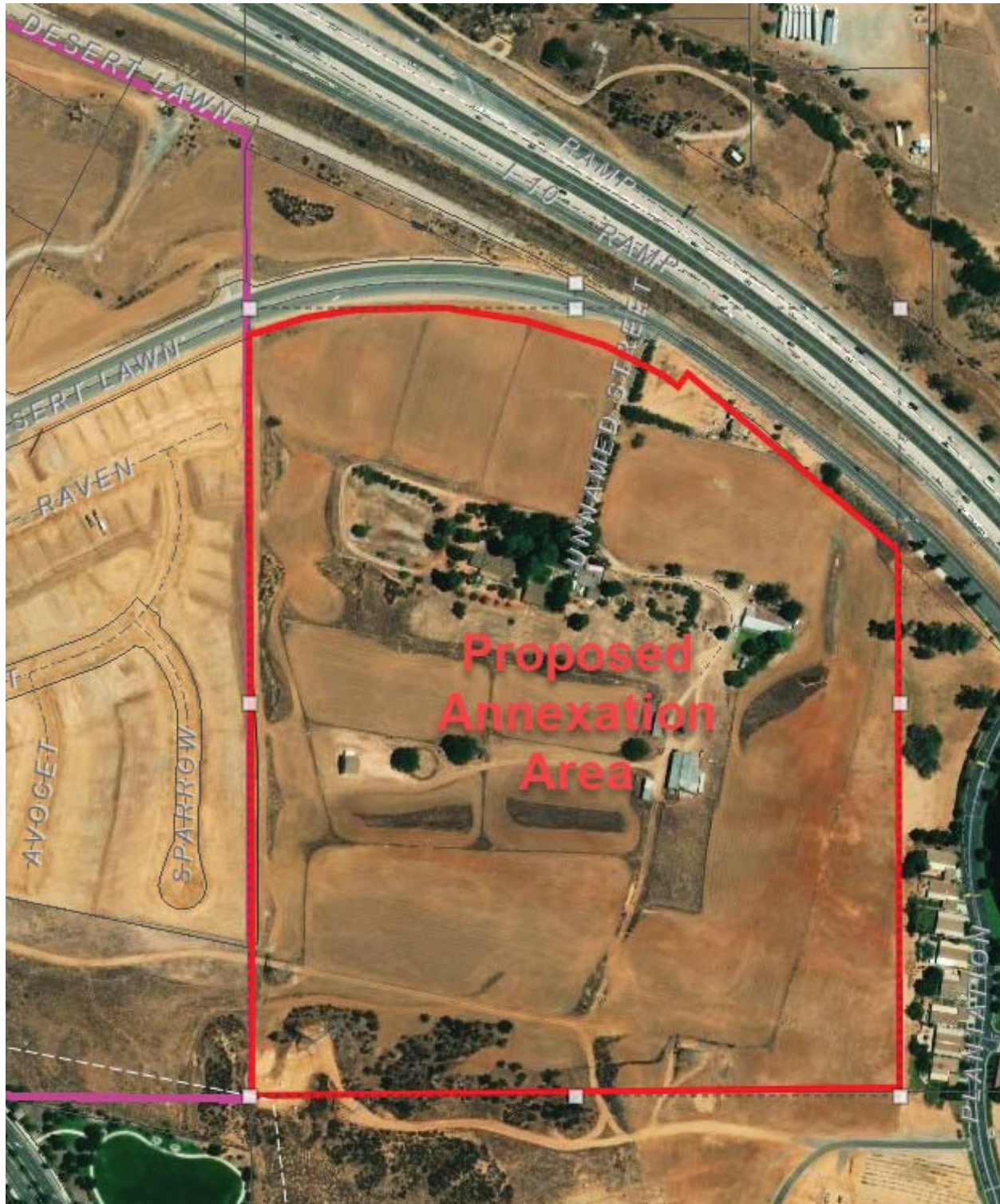
BE IT FURTHER RESOLVED, that the Secretary of the Yucaipa Valley Water District is hereby authorized and directed to transmit to the Executive Officer of the Local Agency Formation Commission a certified copy of this Resolution.

PASSED, APPROVED and ADOPTED this 14th day of April 2020.

YUCAIPA VALLEY WATER DISTRICT

Chris Mann, President Board of Directors

Exhibit A



RESOLUTION NO. 2020-21

**A RESOLUTION OF THE YUCAIPA VALLEY WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TAKE
PROCEEDINGS FOR THE ANNEXATION OF TERRITORY**
(Assessor Parcel Number 413-780-009)

BE IT RESOLVED, by the Board of Directors of the Yucaipa Valley Water District that:

WHEREAS, the Board of Directors of the Yucaipa Valley Water District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of property to the Yucaipa Valley Water District; and,

WHEREAS, the territory proposed for a sphere of influence modification and annexation is set forth in Exhibit "A" attached hereto and identified by Assessor Parcel Number above, and by this reference incorporated herein; and,

WHEREAS, it is desired that the proposed annexation be subject to the following terms and conditions:

1. The annexation will require the Yucaipa Valley Water District to provide drinking water, recycled water, and sewer collection service to the property pursuant to the rules and regulations of the Yucaipa Valley Water District.
2. All standards conditions and cost associated with the filing, proceedings, and preparation of material for the Local Agency Formation Commission shall be the sole responsibility of the property owner.

NOW, THEREFORE, BE IT RESOLVED, that this resolution of Application is hereby approved and adopted by the Board of Directors of the Yucaipa Valley Water District, and the Local Agency Formation Commission for Riverside County is hereby requested to take proceedings for the annexation as illustrated in Exhibit "A".

BE IT FURTHER RESOLVED, that the Secretary of the Yucaipa Valley Water District is hereby authorized and directed to transmit to the Executive Officer of the Local Agency Formation Commission a certified copy of this Resolution.

PASSED, APPROVED and ADOPTED this 14th day of April 2020.

YUCAIPA VALLEY WATER DISTRICT

Chris Mann, President Board of Directors

ATTEST:

Joseph B. Zoba, General Manager

Exhibit A





**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 23, 2020**

Item 8

Update: Legislative Action and Issues Affecting BCVWD

Federal				New or Change in Status (New/Y/N)
Issue	Status	Description		
HR 6467 – Coronavirus Relief Act BCVWD sent a letter requesting inclusion of local governments to House and Sen leaders on 4/8/20	Introduced 4/7/20 Ref to Com on Oversight and Reform	<ul style="list-style-type: none"> • Congressman Joe Neguse, D-Colo., introduced legislation that would open direct Coronavirus Relief Fund disbursements to local units of government serving fewer than 500,000 residents and would authorize \$250 billion for these governments to use. <ul style="list-style-type: none"> ◦ CSDA's April 2, 2020 letter asks for the Fund be more accessible to special districts with a \$100 billion appropriation. HR 6467 meets and exceeds CSDA's ask. • CSDA is updating its congressional leadership letter to include a request for HR 6467 to be included in the fourth aid bill. • The bill has 75 cosponsors, 11 of which are from California: <ul style="list-style-type: none"> ◦ Barragan, Bera, Carbajal, Chu, Cisneros, Huffman, Lee, Lieu, Napolitano, Rouda, Speier 		New
TBD: Payroll Tax Credit access for Special Districts (different than HR 6467, above) BCVWD sent a letter of support to Cox on 4/8/20	To be introduced week of 4/20 by Congressman TJ Cox (D-Calif)	<ul style="list-style-type: none"> • Special districts are not able to utilize the payroll tax credit for providing mandatory paid emergency sick and family time for those affected by COVID-19. • On 4/15/20, Congressman TJ Cox, D-Calif., circulated a letter to congressional leaders to support including state and local governments in the payroll tax credit program in phase IV legislation. <ul style="list-style-type: none"> ◦ 17 California members of Congress have co-signed: <ul style="list-style-type: none"> ▪ Bera, Brownley, Carbajal, Cardenas, Cook, Cox, Garamendi, Harder, Khanna, Lee, Lieu, Matsui, Napolitano, Panetta, Rouda, Sanchez, Swalwell ◦ CSDA is listed as an endorsing organization on the letter. • Cox intends to introduce a bill early next week on this subject, and CSDA will support its inclusion in phase IV. • Information on the letter here: https://cox.house.gov/media/press-releases/rep-tj-cox-leads-bipartisan-effort-make-state-and-local-governments-eligible 		New

HR 535 – PFAS Action Act of 2019 (see also S.1507)	7/12/19 Included in HR 2500 the National Defense Authorization Act for FY 2020 (Failed) 1/13/20 – Revised and Passed House, received in Senate 4/16/20 – No change in status	ACWA Watch List. Requires the EPA to designate all PFAS as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund. (ACWA Note: EPA indicates it will regulate two PFAs under CERCLA within the year. News: Jan. 10, 2019: The U.S. House of Representatives passed H.R. 535 along a 247-159 vote. The bill targeting per- and polyfluoroalkyl substances (PFAS) notably gained support from around two-dozen Republicans, despite opposition from President Donald Trump, who has said he will veto the bill if it comes to the White House. After its overwhelming passage in the House, the bill is likely to lose momentum now, with Republicans in the Senate averse to taking up the measure. During the conference to reconcile the House and Senate versions of the National Defense Authorization Act (NDAA), the House managers pushed for additional PFAS provisions, but the two sides did not reach agreement on those provisions. On January 10, 2020, the House passed a revised H.R. 535, the PFAS Action Act of 2019, with the votes of 24 Republicans, and sent it to the Senate for its consideration. Senate passage is probably unlikely, particularly in light of the rejection by Senate conferees on the NDAA of some of these provisions.	N
HR 1435 – Sites Reservoir Protection Act	2/28/19 – Introduced 3/15/19 Ref to Com on Water, Oceans 4/16/20 – No change in status	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. FUNDING: Sites Reservoir will receive \$6 million from the federal government as part of a bipartisan spending bill that was signed by President Trump at the close of 2019. The funding, authorized by the WIIN Act, was appropriated to the Bureau of Reclamation to advance Sites Reservoir. With the passage of this legislation, Congress has now appropriated roughly \$10 million in WIIN Act funding to the Bureau of Reclamation for Sites Reservoir.	N
H.R. 1621 – Water Supply Permitting Coordination Act	Introduced 3/7/19 – Referred to House Com on Natural Resources 3/28/20 – Ref to Com on Oceans and Wildlife	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.	Y
HR 2377 – Protect Drinking Water from PFAS Act	9/26/19 – Forwarded to Energy and Commerce Subcommittee on Environment and Climate Change 3/18/20 – No change in status	ACWA: Oppose unless amended, Proposed Amendment: Provide robust funding for treatment and cleanup. Summary: Directs EPA to set a drinking water standard for all PFAS and PFOAS within two years of enactment.	N

HR 2473 – SAVE Water Resources Act	5/2/19 - Introduced in House 6/13/19 – Heard in Natural Resources Subcommittee 3/11/20 – Amended by Committee	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.	Y
S.1613 – Contaminant and Lead Electronic Accounting and Reporting Requirements (CLEAR) for Drinking Water Act	5/22/19 - Referred to the Committee on Environment and Public Works. 4/16/20 – No change in status	ACWA: Watch. Summary: Amends the Safe Drinking Water Act to update and modernize the reporting requirements for contaminants, including lead, in drinking water, and provides specific assistance to small and disadvantaged communities for education and system improvements.	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 3/18/20 – 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
S.2086 – National Opportunity for Lead Exposure Accountability and Deterrence Act	7/11/19 Ref. to Committee on Environment and Public Works.	ACWA: Oppose. Summary: Amends the Safe Drinking Water Act to require EPA to lower the lead standard to less than 10 ppb by December 21, 2020; and not more than 5 ppb by December 31, 2026. 3/18/20 – No change in status	N

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California				
3/16/20 – The California Legislature approved up to \$1 billion in new spending to combat the coronavirus outbreak, then suspended their work, to reconvene on April 13th				
3/17/20 – State Legislature enacted Assembly Concurrent Resolution (ACR) 189 which allows both houses of the Legislature to temporarily adjourn from March 17 through April 13—leaving the door open for a further extension if needed. 4/6/20 – Extended to May 4.				
4/13/20 – The Senate announced that they have formed a new budget subcommittee solely related to COVID-19 and scheduled their first hearing for April 16th at 2:00PM, while the Assembly also announced the formation of a COVID-19 budget subcommittee that is scheduled to meet at 10:00AM on April 20th.				
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” 03/18/20 – No change in status. Bill still active.	N	
ACR 179: Special Districts Week	Introduced 2/26/20	Assembly Concurrent Reso 179, which would proclaim the week of May 17-23, 2020 Special Districts Week. Special Districts Week promotes involvement in communities and civic engagement with local government. Just like last year, the Assembly and Senate are encouraging Californians across the state be actively involved with their government, particularly with special districts and the areas they serve. Unlike last year however, Special Districts Week will coincide with CSDA’s midyear advocacy event, <u>Special Districts Legislative Days</u> . During Special Districts Week, special district representatives will come to Sacramento to make their voices heard throughout the state legislature on issues of importance to California’s special districts as part of <u>Special Districts Legislative Days</u> .	New	
SB 45 – Climate Resiliency Bond - The Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020	Proposed in Governor’s 2020-21 Budget 1/23/20 – Amended to increase amount to \$5.5 billion 1/31/20 – Passed Senate, on to Assembly. Urgency clause added. Read first time, held at Desk in Assembly.	Climate resiliency bond: The projected climate budget relies heavily on the proposed \$5.5 billion climate resiliency bond being passed by voters on the November’s ballot. 80% of these funds would be allocated to address nearer term risks such as floods, drought and wildfire, with the remaining funds aimed at addressing longer term climate risks such as sea level rise and extreme heat. The proposed bond includes \$250 million for community resilience; \$2,925 million for drinking water , flood, drought; \$750 million for wildfire; \$500 million for sea level rise; and \$325 million for extreme heat. The bill made it out of Senate Appropriations with amendments and passed out of the Senate on a required two-thirds vote. It is now in the Assembly. The bill was amended on the Senate Floor to include an urgency clause, which offers flexibility beyond normal legislative deadlines. The measure is anticipated to be taken under consideration in the Assembly simultaneously with the other climate bond proposals anticipated from the Assembly and Governor, which we expect to be introduced in the coming weeks.	N	

		<ul style="list-style-type: none"> • General Provisions: including definitions, how the funds may be used, grant eligibility, and applicant eligibility. See Chapter 1 (beginning at Section 80200) • Wildfire Prevention and Community Resilience from Climate Impacts: \$2,200,000,000 for wildfire prevention, drought, or other natural disaster prevention and community resilience from climate change impacts. See Chapter 2 (beginning at Section 80220). Note: "Fire hardening" is defined in Chapter 1, Section 80203 (f) • Ensuring Safe Drinking Water and Protecting Water Supply and Water Quality from Climate Risks: \$1,470,000,000 for providing safe drinking water and protecting water supply and water quality from climate risks. See Chapter 3 (beginning at Section 80230). • Protecting Fish and Wildlife from Climate Risks: \$620,000,000 for protecting fish and wildlife from climate risks. See Chapter 4 (beginning at Section 80240). • Protecting Agricultural Lands from Climate Risks: \$190,000,000 for protecting agricultural land from climate risks. See Chapter 5 (beginning at Section 80250). • Protecting Coastal Lands, Bays, and Oceans from Climate Risks: \$970,000,000 for protecting coastal lands, oceans, bays, waters, natural resources, and wildlife from climate risks. See Chapter 6 (beginning at Section 80260). • Climate Resilience, Workforce Development, and Education: 60,000,000 for climate resilience, workforce development, and education. See Chapter 7 (beginning at Section 80270). Note: This section includes grant funding for career pathways for fire prevention and park and open space operations, among others, as well as funding for community colleges and the CSU and UC systems for fire education purposes. 	
<p>AB 352: The Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020 (Budget Trailer Bill from Gov. Newsom) (Different than SB45, above)</p>	<p>Likely to be sponsored by Asm. Eduardo Garcia. Gutted and Amended previous bill Ref. to Committee on Environmental Quality</p>	<p>Bond proceeds will be allocated as follows:</p> <p>Chapter 2: Supporting Safe Drinking Water and Resilience to Flood and Drought: \$2,925,000,000 for providing safe and clean drinking water and resilience to flood and drought (See Section 80220). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> • \$1,000,000,000 to the Department of Water Resources and Water Board for grants or loans to support regional and inter-regional water resilience programs and projects – this funding is intended to support the regional approach identified in the Water Resilience Portfolio (See Section 80221). • \$395,000,000 to the Department of Water Resources for competitive grants to projects that support sustainable groundwater management implementation (See Section 80222). • \$360,000,000 to the Water Board for competitive grants or loans to help provide clean, safe and reliable drinking water to all Californians, pursuant to the same purposes of the <u>Clean, Safe and Reliable Drinking Water fund</u> (See Section 80223). • \$340,000,000 to the Department of Water Resources for flood Infrastructure projects (See Section 80224). • \$270,000,000 to the Department of Water Resources for Central Valley and Sacramento-San Joaquin Delta multi-benefit flood control projects (See Section 80225). 	N

		<ul style="list-style-type: none"> • \$220,000,000 to the Natural Resources Agency for restoration activities identified in the Salton Sea Management Program (See Section 80226). • \$200,000,000 to the Department of Food and Agriculture for projects and competitive grants to support environmental farming projects. (See Section 80227) • \$140,000,000 to the Department of Fish and Wildlife for project and competitive grants that enhance or restore native fish species habitat (See Section 80228). <p>Chapter 3: Wildfire Resilience Through Forest Health and Community Preparedness: \$750,000,000 for wildfire resilience (See Section 80230). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> • \$250,000,000 to the Department of Forestry and fire Protection for competitive grants for projects that reduce the risk of wildfire and provide long-term forest health benefits (See Section 80231). • \$500,000,000 to the Office of Emergency Services, managed in coordination with the Natural Resources Agency and the Department of Forestry and Fire Protection, for competitive grants for hardening critical community infrastructure (See Section 80232). <p>Chapter 4: Minimizing Threats Posed to Coastal Resources and Communities from Sea Level Rise and Changing Ocean Conditions: \$500,000,000 for competitive grants to the Ocean Protection Council (See Section 80240). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> • \$320,000,000 for projects and competitive grants that restore coastal wetlands (See Section 80241). • \$130,000,000 for competitive grants that use nature-based solutions to address climate change impacts to California's ocean ecosystems (See Section 80242). • \$50,000,000 for competitive grants for demonstration projects protecting critical infrastructure that is vulnerable to sea level rise and flooding (See Section 80243). <p>Chapter 5: Mitigating Extreme Heat: \$325,000,000 for mitigating extreme heat impacts (See Section 80250). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> • \$200,000,000 to the Natural Resources Agency for competitive grants for urban greening and forestry projects (See Section 80251). • \$125,000,000 to the Strategic Growth Council, in collaboration with the Department of Transportation, for competitive grants to support projects that provide for cool surface materials (See Section 80252). <p>Chapter 6: Supporting Community Resilience: \$250,000,000 to the Strategic Growth Council for community resilience (See Section 80260). This allocation is broken down as follows:</p> <ul style="list-style-type: none"> • \$225,000,000 for the development of community resilience centers (See Section 80261). • \$25,000,000 for competitive grants that support community resilience planning efforts (See Section 80262). <p>Chapter 7: Fiscal Provisions: Bond issuance procedures and mechanisms necessary for the State Treasurer and the Department of Finance to implement the bond act (See Section 80280).</p>
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		Legislative Analyst's Office 2/13/20: The Governor's proposal lays out one approach to designing a climate bond, but the Legislature has other options. As the Legislature deliberates whether to pursue a climate bond at either the Governor's proposed level or for a different amount, we recommend it consider the out-year implications for the state budget. We also recommend it focus on the categories of activities it thinks are the highest priorities for the state, including how much to spend responding to more immediate climate effects as compared to preparing for impacts that have a longer time horizon. Additionally, we recommend the Legislature adopt bond language to ensure dollars are used strategically to maximize their impact at addressing climate change risks, as well as include evaluation criteria to ensure the state will measure and learn from project outcomes. Read full LAO Report, here: https://lao.ca.gov/reports/2020/4155/climate-change-proposals-021320.pdf	
AB 992: Open Meetings – Social Media	2/21/19 – Introduced 1/31/20 – Passed Assembly, on to Senate Rules Committee 4/16/20 – No change in status	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 not 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.	N
AB 1415: DWR Reporting Requirements – Civil Penalties	Bill held in suspense file. 04/14/20 – No change in status	CSDA Opposed. As amended 5/24/19: Requires the Department of Water Resources (the Department) to impose a civil penalty of up to \$1,000 on any entity that fails to file with the department a report or plan by the deadline required. The reports subject to penalty include: (1) A report that summarizes aggregated farm-gate delivery data. (2) A water loss audit report, and accompanying information. (3) An urban water management plan or plan update. (4) A report on the implementation and enforcement of the model water efficient landscape ordinance, or a locally modified water efficient landscape ordinance that is at least as effective in conserving water. Additional penalties may apply for continued failure to file report. The Department has discretion to reduce or waive penalty.	N
AB 2060: Drinking water: pipes and fittings: lead content	Introduced 2/4/20 3/10/20 – Passed Com on ES&TM and ref to Com on Appropriation	CSDA: Watch. Would define "lead free," for purposes of manufacturing, industrial processing, or conveying or dispensing water for human consumption, to mean not more than one microgram of lead under certain tests and meeting a specified certification when used with respect to end-use devices.	New

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<p>AB 1484: Mitigation Fee Act: Housing Developments</p>	<p>9/6/19: Amended in Senate to include Special Districts 9/10/19 – Delay hearing until 2020, per author 3/17/20 – No change in status</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"> • Projects would need an individualized determination of their alignment with the nexus study; • 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; • Levels of service may not exceed that of the “existing community”; • New facilities to be funded via impact fees would have to be specifically identified within the district’s capital improvement plan (CIP); • “Capital Cost Level of Service” would be prohibited; • Mandates even more public website postings, hearings, and comment periods prior to adopting a nexus study; • If challenged in court, the burden would be on a district to demonstrate compliance with this bill. <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>9/19 Statement by California YIMBY: “California YIMBY is disappointed in this stalemate. We call on the Legislature to heed the recommendations of the UC Berkeley Turner Center for Housing Innovation and prevent local governments from imposing fees that worsen the housing affordability crisis.</p> <p>Some local governments require fees on new home building in excess of \$100,000 per home. Fees this high are guaranteed to worsen our housing affordability crisis. California’s Legislative Analyst’s Office has blamed <u>excessive fees</u> as one reason for the precipitous <u>decline in housing permits</u> in our state.</p> <p>Unless the Legislature curtails these usurious fees imposed by many local governments, Californians will continue to suffer from higher rent burdens, displacement, increased homelessness, reduced upward social mobility, and crushed dreams of homeownership.”</p>
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<p>AB 2093: Public records: writing transmitted by electronic mail: retention</p> <p>BCVWD sent a letter in opposition in Feb. 2020</p>	<p>Introduced 2/5/20; 2/27/20 – BCVWD BOD approved sending a letter in opposition. 3/10/20 – Ref to Com on Appropriations 4/15/20 – Bill stopped. Withdrawn by author</p>	<p>CSDA: Opposed. Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.</p> <p>CSDA Analysis: AB 2093 (Gloria) which mandates that public agencies keep all emails related to the public's business for at least two years. This bill is exactly the same as AB 1184 from last year that, with CSDA members' help, we were successful in getting vetoed. CSDA asks for help again to stop AB 2093</p> <p><u>Assembly Bill 2093 (Gloria)</u> will mandate that all public agencies, including special districts, to retain all emails related to the public's business for two years. The practical effect of this is that every public agency will need to keep all emails, sent and received, including out-of-office and spam emails for two years. The bill states that this is to be done in furtherance of the California Public Records Act (CPRA) to ensure that the State will not need to reimburse public agencies for any additional costs associated with this new mandate. AB 2093 is identical to a bill from last year, AB 1184 (Gloria, 2019), which was opposed by CSDA and vetoed by Governor Newsom. The Governor's veto Message stated: "I am returning Assembly Bill 1184 without my signature. This bill would require state and local public agencies to retain every public record transmitted by e-mail for at least two years. This bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to taxpayer. Therefore, I am unable to sign this bill."</p> <p>AB 2093 will require many agencies to purchase additional servers to store the massive amounts of data contained in the emails. Additionally, many agencies will likely need to hire additional staff to respond to CPRA requests in order to review and filter through all the additional emails agencies are maintaining. AB 2093 will also likely result in lengthened response times to CPRA requests.</p> <p>4/15/20 CSDA update: Thank you to the over 100 special districts that submitted a letter of opposition to Assembly Bill 2093 related to two-year public agency email retention. Your special district voices have been heard, and AB 2093 will not be moving forward in 2020. The bill, which would have required all public agencies to maintain all emails sent and received related to the public's business for two-years, would have been costly for public agencies and would not have resulted in the increased transparency that the author, Assembly Member Todd Gloria (D – San Diego), was seeking to create. The Assembly Member acknowledges the challenges that all Californians are facing, including public agencies, and did not feel that this is the appropriate time to pursue this legislation. While the issue of government transparency remains an issue of concern to Assembly Member Gloria, CSDA is grateful that he has chosen not to move the bill in 2020 so he can focus on relief efforts related to COVID-19.</p> <p>BCVWD: The Board directed staff to write a letter in opposition, and it was successful.</p>
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Y

AB 2095: Water Theft: enhanced penalties	Introduced 2/20/20. 3/16/20 – Committee on Local Govt – Hearing postponed.	<p>CSDA: Support in Concept. Current law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions, to \$100 for the first violation, \$200 for a 2nd violation of the same ordinance within one year of the first violation, and \$500 for each additional violation of the same ordinance within one year of the first violation. This bill would authorize the legislative body of a city or a county to make, by ordinance, any violation of an ordinance regarding water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified.</p> <p>CSDA Summary: his bill would authorize the legislative body of local agency to pass an ordinance making violation of an ordinance regarding water theft subject to an administrative fine or penalty: 1) not exceeding \$1,000 for a first violation, 2) not exceeding \$2,000 for a second violation of the same ordinance within one year, and 3) not exceeding \$3,000 for each additional violation of the same ordinance within one year.</p> <p>"Water theft" is defined "an action to divert, tamper, or reconnect water utility services, as defined in Section 498 of the Penal Code."</p> <p>"Local agency" is defined as "a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency." (updated 2.26.20)</p> <p>Sponsor: Florin RCD/Elk Grove Water District - Support in Concept adopted at last committee meeting</p>	New
AB 2107: Local Govt: Securitized limited obligation notes	Introduced 2/6/20. 3/16/20 – Com on Local Govt. Hearing postponed.	<p>CSDA sponsor. Reauthorizes a statute that expired December 31, 2019, which authorizes a special district to issue securitized limited obligation notes (SLONs) for the acquisition or improvement of land, facilities, or equipment. These notes must mature within 10 years and can be issued to a cumulative \$2 million dollars outstanding at one time. They can be secured with any available revenues. Would reinstate these notes for 5 more years.</p>	New
AB: 2123: Accessibility: internet website.	Introduced 2/6/20 3/16/20 _ In Judiciary Com. Hearing postponed.	<p>CSDA: Support. Current law imposes liability upon a person, firm, or corporation that denies or interferes with admittance to or enjoyment of public facilities or otherwise interferes with the rights of an individual with a disability, as specified, for damages and attorney's fees to a person who was denied those rights. This bill would specify that statutory damages based upon the inaccessibility of internet website under these provisions shall only be recovered against a business establishment or public place if the internet website fails to provide equally effective communication or to facilitate full and equal enjoyment of the entity's goods and services to the public.</p> <p>CSDA Summary: Provides a rebuttable presumption that a business' website is ADA-compliant if the website meets the Web Content Accessibility Guidelines (WCAG) 2.0 AA standard. The bill further requires the California Commission on Disability Access to review the WCAG standards and determine whether they are the most up-to-date standards for effective communication through websites.</p>	Y

AB 2148: Climate Change Adaptation: Regional Plans	Introduced 2/10/20 3/9/20 – Amended, ref to Com on Natural Resources	CSDA: Watch. Current law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as specified. This bill would state the intent of the Legislature to enact legislation that would foster regional-scale adaptation, as specified; give regions a time to develop their regional plans, as specified; and consider, among other things, sea level rise and fire vulnerability.	Y
AB 2151: Political Reform Act: Online Filing and Disclosure System	Introduced 2/10/20 3/16/20 – In Com on Elections and Redistricting – hearing postponed	CSDA: Watch. Applicable to the Form 700. The Political Reform Act of 1974 requires the filing of specified statements, reports and other documents. Under the act, a local government agency may require these filings to be made online or electronically with the local filing officer, as specified. The act requires the local filing officer to make all data so filed available on the internet in an easily understood format that provides the greatest public access. This bill would require a local government agency to post on its internet website, within 72 hours of the applicable filing deadline, a copy of any specified statement, report, or other document filed with that agency in paper format. This bill would require that the statement, report, or other document be made available for four years from the date of the election associated with the filing. CSDA SUMMARY: Requires a local government agency to post on its internet website, within 72 hours of the applicable filing deadline, all campaign filings that it receives and remain for at least four years. (updated 2.25.20)	Y
AB 2155: Public Officers: contracts: prohibited interests	Introduced 2/10/20	CSDA Opposed. Current law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members, subject to certain exceptions and qualifications. A contract made in violation of these provisions may be avoided at the instance of any party, except the officer who is interested in it. This bill would define "party," for these purposes, for a contract formed on and after January 1, 2021, as a California taxpayer. CSDA SUMMARY: Existing law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members, subject to certain exceptions and qualifications. Should a body enter into a contract (including contracts utilizing bond funds), a party directly impacted by the contract can contest it. This bill looks to expand the contesting authority to any person, not just those that are directly impacted. (updated 2.19.20)	New

AB 2178: Emergency Services (De-energization)	Introduced 2/11/20 2/27/20 – Ref to Com on Governmental Organization	<p>CSDA: No position. Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a de-energization event, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency.</p> <p>CSDA SUMMARY: This bill would add a de-energization event, defined as a planned Public Safety Power Shutoff (PSPS), to the list existing list of conditions under which the Governor may declare a state of emergency and/or local officials of a county, city, or city and county may declare a local emergency. This would potentially open districts to receive financial reparation for costs incurred during the event as well as grant additional flexibility provided through the provisions of the California Emergency Services Act. Similar to SB 862 Dodd. (updated 2.26.20)</p>	Y
AB 2182: Emergency Backup Generators: Water and Wastewater facilities: Exemption	Introduced 2/11/20 3/16/20 – In Com on Utilities and Energy, hearing postponed	<p>ACWA-sponsored. CSDA supports. ACWA Requests support letters.</p> <p>Would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.</p> <p>CSDA SUMMARY: This bill would provide that use of an alternative power source by an essential public service to power a critical facility during a planned de-energization event initiated by electric utilities is considered emergency use even if an official emergency has not been declared by the State or local government and state that its use shall not be subject to any local, regional, or state limitations regulation regarding the operation of an alternative power source.</p> <p>"Critical facility" means a facility necessary or convenient in providing essential public services including, but not limited to, facilities such as police stations, fire stations, emergency operations centers, water and wastewater treatment facilities, incident command posts, and communications systems used to support essential public services.</p> <p>"Essential public service" means fire, law enforcement, provision of water and wastewater service, disaster medical response, and other emergency response services.</p> <p>"Water and wastewater facilities" mean water and wastewater facilities critical to maintain public health and safety standards including, but not limited to, treatment plants, pumping stations and storage facilities, and facilities needed to maintain water service and water pressure necessary for firefighting. Definitions are modeled after the current CPUC definition (which will potentially be amended by the current PSPS proceeding) and maybe should include flood control activities in the essential public service definition and expand the water definition to include "Facilities for the removal of excess surface or</p>	Y

		groundwater from land by means of surface or subsurface drains; or the collection, conveyance, containment and/or discharge of surface or storm water runoff to prevent overflow or flooding." Further, this seeks similar flexibility to other bills proposed in air quality compliance management of emergency backup generators during a power shut-off. Recommend sending same message on all bills: amend definition of critical facility, if agreed necessary, and support the need for additional operational and regulator flexibility and waiver of fees for emergency generators during de-energization events.	
AB 2186: Public Contracting: contractor retention withholding.	Introduced 2/11/20 2/20/20 – Ref to Com on Local Govt	<p>CSDA Opposed. Existing law authorizes the legislative body of a local agency to prescribe how the local agency makes payment on a contract with the local agency for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed a total of \$5,000. This authority is limited by requiring progress payments on the contract not to be made in excess of 95% of the percentage of actual work completed plus a like percentage of the value of material delivered on the ground or stored subject to, or under the control of, the local agency, and unused. Additionally, a local agency shall not withhold less than 5% of the contract price until final completion and acceptance of the project, unless, at any time after 50% of the work has been completed, the local agency finds that satisfactory progress is being made.</p> <p>This bill would eliminate the above described 95% limitations on a local agency's authority to prescribe payments on these contracts and would prohibit the local agency from withholding more than 5% of the contract price for contracts for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed \$5,000 in total costs. (updated 2.26.20)</p>	New
AB 2209: Calif Geographic Information Office	Introduced 2/12/20 3/12/20 – Ref to Com on Business, Professions, & Consumer Protection	<p>CSDA Support. Would establish, until January 1, 2031, the California Geographic Information Office within the Department of Technology for the purpose of coordinating the state's geographic information systems (GIS) projects, promulgating standards for data collection and sharing, and managing shared data resources. The bill would authorize the Geographic Information Officer, appointed by the Governor, to direct the office and to work closely with the Director of Technology. The officer's duties would include, among others, developing a state GIS strategic plan in consultation with key stakeholders, including, but not limited to, the California Geographic Information Advisory Council, which would be established by this bill. The bill would require the council to advise the officer on issues of policy and implementation.</p> <p>CSDA SUMMARY: Implements the recommendations of the Little Hoover Commission by establishing the California Geographic Information Office within the Department of Technology for the purpose of coordinating the state's geographic information systems (GIS) projects, promulgating standards for data collection and sharing, and managing shared data resources in coordination with appointed stakeholders, including an appointment by the California Special Districts Association. (updated 2.25.20)</p>	New

AB 2722: Non-compliant Local Agency Fees	Introduced 2/20/20 3/12/20 – Ref to Com on Local Govt	CSDA Watch List. Prohibits a “noncompliant local agency” that imposes any fees or charges on a qualified development, from requiring the payment of those fees or charges until 20 years from the date of the final inspection, or the date the certificate of occupancy is issued.	New
AB 3147: Repeals provisions of the Govt Code related to Capacity Charges	Introduced 2/21/20 3/9/20 – Ref to Com on Local Govt	CSDA: Opposed. Would delete the provisions requiring a judicial action or proceeding to attack, review, set aside, void, or annul an ordinance within 120 days of the effective date of the ordinance or increase, as applicable. The bill would instead require a judicial action or proceeding to be conducted in accordance with other procedures that, among other things, require a protest to be filed within 90 days after the imposition of the fees and an action to attack, review, set aside, void, or annul the imposition of the fees to be filed within 180 days after delivery of a specified notice by the local agency. The bill would require revenues in excess of actual cost to be used to reimburse the payor of the fee or service charge. By imposing new duties on local agencies, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.	New
AB 3148: Amending Govt Code related to housing and Capacity Charges	Introduced 2/21/20 3/9/20 – Ref to Com on Local Govt	CSDA Opposed. This bill would require a city, county, special district, water corporation, utility, or other local agency, except a school district, to reduce an impact fee or other charges imposed on the construction of a deed restricted affordable housing unit that is built pursuant to a density bonus, to amounts that are, depending on the affordability restriction on the unit, a specified percentage of the impact fee or other charge that would be imposed on a market rate unit within the development. The bill would exempt from these provisions units that are required to be affordable pursuant to a local inclusionary housing ordinance. The bill would define “impact fee” for purposes of these provisions. By imposing requirements on local agencies with respect to density bonuses, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.	New
AB 3193: Utility workers and vehicles	Introduced 2/21/20 3/9/20 – Ref to Com on Public Safety	CSDA Support. Would authorize vehicles owned by a local publicly owned electric utility, a community choice aggregator, or an irrigation district to display flashing amber warning lights when parked on a highway or when moving slower than the normal flow of traffic. It would also add utility vehicles to the list of stationary vehicles drivers must treat caution; make a lane change or slow to a prudent speed. It also created criminal penalty enhancements assault or battery against a utility worker. (updated 3.31.2020)	New

Continued next page

AB 3256: Climate risks: Bond measure	Introduced 2/21/20	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4B pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill would state the intent of the Legislature to enact a bond measure that would address climate risks to the State. CSDA Summary: This bill is the Assembly's vehicle for their version of a climate resiliency bond, but is currently in intent form, stating only the intent of the Legislature to enact a bond measure that would address climate risks to the State of California. (updated 4.1.20)	New
SB 89: Emergency Appropriations related to COVID-19 and Camp Fire	Introduced 1/10/19 3/16/20 – Amended and passed in Assembly 3/17/20 – Approved by Governor 3/17/20 – Chaptered	1. Appropriates up to \$500 million for purposes related to the March 4, 2020 Proclamation of Emergency related to the COVID 19 virus. a. Requires the Director of Finance to notify the Joint Legislative Budget Committee (JLBC) of the purpose of the planned expenditure at least 72 hours prior to expending funds. The Chair of the JLBC may waive this period through written notification. b. Allows the Department of Finance to increase the amount of appropriation, up to \$1 billion total, after 96 hours of notifying the JLBC. The Chair of the JLBC may waive this period through written notification. 2. Appropriates \$84.1 million to CalRecycle for debris removal costs related to the 2018 Camp Fire. 3. Expresses legislative intent that the administration will work with stakeholders, including the legislature, to develop strategies to assist small businesses, individuals, and nonprofits experiencing economic hardship due to COVID 19.	New
SB 414: Small System Water Authority Act of 2019	8/21/19 – Placed in suspense file.	CSDA supports. As amended 6/25/19: Creates the Small System Water Authority Act, which would allow county local agency formation commissions, in concert with the State Water Resources Board, to consolidate clusters of small water systems that have chronically failed to provide safe and affordable drinking to their customers. These small, failing systems would be reformed into a single Small System Water Authority, benefiting from economies of scale and improved governance and accountability.	N
SB 931: Local government meetings: agenda and documents	Introduced 2/5/20 2/12/20 Com. on Gov and Finance - Hearing postponed (3/18/20) 4/2/20 – Amended, re-ref to Gov and Finance	CSDA: Opposed. The Ralph M. Brown Act authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a legislative body to email a copy of the agenda or a copy of all the documents constituting the agenda packet if so requested. By requiring local agencies to comply with these provisions, this bill would impose a state-mandated local program. BCVWD practice is to do this anyway.	Y
SB 952: Sales and Use Tax Exemption: backup generators	Introduced 2/10/20 Ref to Com on Govt and Finance	CSDA Watch List. This bill, on and after January 1, 2021, would provide an exemption from those taxes with respect to the sale of, or the storage, use, or consumption of, a backup electrical resource, as defined, that is purchased for exclusive use by a city, county, special district, or other entity of local government during de-energization events, as defined.	New

SB 996: State Water Resources Control Board: Constituents of Emerging Concern Program	Introduced 2/13/20 3/5/20 – Ref to Committee on Env Quality. Hearing set for 4/1. 4/1 – Amended, re-ref to Com on Env Quality.	<p>This bill would require the State Water Resources Control Board to establish by an unspecified date the Constituents of Emerging Concern Program to support and conduct research to develop information and provide recommendations to the state board on constituents of emerging concern in drinking water that may pose risks to public health. Additionally, it would require the state board to establish the Stakeholder Advisory Group and the Science Advisory Panel to assist in the gathering and development of information for the program. Opportunities for public participation would be required, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program. This bill would establish in the State Treasury the CEC Action Fund, which, upon appropriation by the Legislature, would be administered by the state board to support and pay the costs associated with the establishment and implementation of the program and would authorize the state board to promulgate regulations pursuant to which the state board's Division of Financial Assistance may provide financial assistance to any public water system upon a showing that the costs of testing drinking water in compliance with this act would impose a financial hardship, with eligibility preference given to public water systems serving fewer than 10,000 individuals</p>	Y
SB 1099: Emergency Backup Generators: Critical Facilities Exemption	2/19/20 – Introduced. 3/10/20 – In Com on Env Quality. Hearing set for 4/1 - postponed	<p>CSDA supports. CSDA summary: This bill would require air districts to allow critical facilities with a permitted emergency backup generator to 1) use the emergency backup generator during a de-energization event or other loss of power, 2) test or maintain the emergency backup generator for consistency without having it count toward generator's time limitation on actual usage and routine testing and maintenance. Further, an air district would not be able to impose a fee on the issuance or renewal of a permit issued for an emergency backup generator.</p> <p>"Critical facility" is defined as "a facility necessary or convenient in providing essential public services, including, but not limited to, facilities such as police stations, fire stations, emergency operations centers, water and wastewater facilities, incident command posts, and communication systems used to support essential public services."</p> <p>"Water and Wastewater" facilities is defined as "Water and wastewater facilities" includes drinking water and wastewater treatment plants, pumping stations, storage facilities, and water facilities needed to maintain water service and the water pressure necessary for firefighting." Sponsor: CMUA (updated 2.26.20)</p>	New
SB 1205: Local Agency Design-Build Projects	Introduced 2/20/20 3/5/20 – Ref. to Com. On RLS 3/25 - Amended	<p>CSDA: Watch. Current law states that the Legislature finds and declares that the design-build method of project delivery, using a best value procurement methodology, has been authorized for various agencies that have reported benefits from those projects, including reduced project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method. This bill would make a non-substantive change to that provision.</p>	New

SB 1217: Urban Water Use Targets – indoor residential	Introduced 2/20/20 3/10/20 – In Com on Natural Resources. 3/26 Amended	CSDA: Watch. Current law requires an urban retail water supplier to adopt one of specified methods for determining its urban water use target, including estimating the per capita daily water use using the sum of 55 gallons per capita daily for indoor residential water use and a specified water efficiency standard for landscape irrigation. This bill would revise that method of estimating the per capita daily water use to require an urban retail water supplier to use, instead of 55 gallons per capita daily for indoor residential water use, a standard that complies with the urban retail water supplier's own criteria for indoor residential water use.	New
SB 1280: Drinking Water: Consolidation and extension of service	Introduced 2/21/20 3/10/20 – Committee on Env Quality 4/1 – Amended in Committee	CSDA: Watch. Would authorize the State Water Resources Control Board to order consolidation between a receiving water system and an at-risk water system, as defined, upon receipt of a petition that substantially conforms to the specified-referenced policy adopted by the state board and that is either approved by the water system's governing body or signed by at least 30% of the households served by the water system. For purposes of that provision, the bill would authorize the state board to contract with a technical assistance provider or appoint an administrator to provide information to a community regarding the petition process; to assist with the preparation of a petition, or to evaluate whether a water system is an at-risk water system. CSDA SUMMARY: Authorizes the State Water Resources Control Board to order consolidation between a receiving water system and an "at-risk water system," which is broadly defined, when in receipt of a petition that conforms to existing policy and is either approved by the water system's governing body or signed by at least 30% of the households served by the water system. (updated 3.29.20)	New
SB 1297: Public Employees Retirement	Introduced 2/21/20 3/5/20 – Ref. to Com. On Labor, Public Employment and Retirement	CSDA: Watch. Would revise the provision of pension and other benefits to members of all state or local public retirement systems. The bill would apply its provisions prospectively to any member of a state or local public retirement system who is employed upon the date of its enactment and to any person who may be employed and become a member thereafter. The bill would void any limit on a pension that prohibits the pension from exceeding a percentage of final compensation, as specified. The bill would prohibit a local entity from establishing a deferred retirement option program, as described, and if a local entity has established a deferred retirement option program, whether or not the program is closed to new participants, it would be required to dis-enroll any participating employees and close the program. CSDA SUMMARY: This bill would do the following things related to public pensions: 1. Eliminate pension caps 2. Eliminate deferred retirement option programs that would result in access to a lump sum or monthly payments that would be in addition to a monthly retirement allowance 3. Require employees currently enrolled in a deferred retirement option to be dis-enrolled 4. Limit pension multipliers to not exceed 2.7 percent 5. If an agency increases the compensation of a member who was previously employed by a different agency, and that results in an increased actuarial liability for the previous employer agency beyond what would have been reasonably expected for the member, the agency increasing the member's compensation shall bear all actuarial liability of the increase (updated 3.30.20)	New

SB 1318 District Elections: Ballot Measures	Introduced 2/21/20 3/5/20 – Ref to Senate Rules Committee	CSDA: Watch. Under current law, a measure may be placed on the ballot at a district election by a petition signed by the requisite number of voters or by the governing body of the district. Whenever a district measure is submitted to the voters at a district election, current law requires the county counsel or district attorney of the county to prepare an impartial analysis of the measure showing the effect of the measure on current law and the operation of the measure. This bill would make technical, non-substantive changes to the latter provision.	New
SB 1386 Local Govt Assessments, fees, and charges: water	Introduced 2/21/20 4/1/20 – Ref to Com on Rules, amended by author	<p>CSDA supports. The Proposition 218 Omnibus Implementation Act prescribes specific procedures and parameters for local jurisdictions to comply with requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law defines, among other terms, the term “water” for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would specify that “water” also includes the public fixtures, appliances, and appurtenances connected to an above-described system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source.</p> <p>CSDA SUMMARY: Restates that “water” for purposes of the Proposition 218 Omnibus Implementation Act also includes the public fixtures, appliances, and appurtenances (including fire hydrants and the water dispensed from them) connected to and maintained by the water provider. Therefore a property-related water service fee or charge by a local agency may include the costs to construct, maintain, repair, or replace public hydrants and the associated water attached to a water system, to the extent those fees or charges are consistent with the California Constitution. Ideally, this measure would lessen local agencies’ exposure to litigation, like those lawsuits that have already been filed against 81 water suppliers, so that communities may maintain a high level of fire protection. (updated 4.4.20)</p>	New
Water Resilience Portfolio	Released 1/10/2020	<p>State agencies have released a draft <u>Water Resilience Portfolio</u> with a suite of recommended actions to help California cope with more extreme droughts and floods, rising temperatures, declining fish populations, aging infrastructure and other challenges. Shaped by months of valuable input from across the state, the draft outlines more than 100 integrated actionable recommendations in four broad areas to help regions build water resilience as resources become available, while at the same time providing state leadership to improve infrastructure and protect natural ecosystems.</p> <p>ACWA submitted an 11-page comment letter. ACWA’s examples of positive proposed actions in the Draft Portfolio are: • Proposed discussions of a General Obligation Bond with funding for water projects • Support for Voluntary Agreements • Support for Integrated Regional Water Management • State support for local and regional agencies to increase water recycling and reuse • A simplified permitting process for</p>	N

		<p>flood management projects • Collaboration with regional and local water agencies. A final draft will be released soon.</p> <p>Wade Crowfoot, Secretary of Natural Resources Agency, came to the Commission meeting in February to discuss the Commission's role in assessing and prioritizing the infrastructure needs across the state, and to then figure out what is the state role in rehabilitating that infrastructure.</p> <p>"Our plan this year is to move the Water Commission meetings around California, and what we want to do is take a look at regional conveyance issues, and by this fall, come back to the Governor and the state leadership with our recommendations," he said.</p> <p>"A good example would be the Friant Kern Canal," he said. "The Friant Kern Canal has collapsed because of subsidence and that system is only able to deliver 40% of the water it was intended to move, so what role can the state play in terms of financing for things like that. So we'll be coming to a place near you soon and we want to hear what the issues are relative to conveyance and what the needs are."</p> <p>With respect to the second task of examining the possibility of a state-run flood insurance program, Chair Quintero noted that they have already been thinking along those lines. He reminded how at the beginning of his presentation, he had mentioned that one of the tasks in statute for the California Water Commission is to go to Washington DC to ask for money for flood and storage projects. "We've had a couple conversations with the flood control board, and I think that there may be an opportunity for the flood control board and the Water Commission to work together on projects where we manage floods for storage as best we can, and it would be an amazing way to get federal support for some of the things we need in California." Link: http://waterresilience.ca.gov/wp-content/uploads/2020/01/California-Water-Resilience-Portfolio-2019-Final2.pdf</p>
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End



<http://www.bcvwd.org>

Beaumont-Cherry Valley Water District

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April 9, 2020

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317 Russell Senate Office Building
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Senate Minority Leader Chuck Schumer
322 Hart Senate Office Building
Washington, D.C. 20510

RE: Inclusion of Local Governments in Coronavirus Pandemic Relief

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer,

As Congress continues to work on economic stimulus legislation in response to the COVID-19 pandemic, **the Beaumont-Cherry Valley Water District asks that you restore parity between the private and public sector when it comes to eligibility for tax credits to mitigate the costs of emergency paid provisions included in the Families First Coronavirus Response Act.**

As a provider of water services to more than 19,000 customers in the Beaumont area, access to resources to confront COVID-19, as well as relief to recover, is essential to continuing our operations and best serving our ratepayers.

State and local governments are on the front lines in responding to this epidemic and coping with its punitive impacts. We strongly support provisions that provide emergency paid leave for employees, and tax credits allowing employers to recoup these costs. However, subsection (e)(4) of Section 7001 and subsection (e)(4) of Section 7003 exempts public employers from these tax credits despite their employees being eligible for emergency paid leave. This amounts to an unfunded federal mandate for state and local governments and should be amended.

We respectfully request that you include this fix in the subsequent COVID-19 economic stimulus legislation. Without it, these severe costs will undermine the ability of state and local governments to provide the critical public services necessary in the nation's COVID-19 response.

Your leadership in response to the economic fallout of this pandemic is appreciated. Thank you for your consideration.

Sincerely,
BEAUMONT-CHERRY VALLEY BOARD OF DIRECTORS


John L. Covington, President

560 Magnolia Avenue Beaumont CA 92223



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CC:

Steven Mnuchin
Secretary of the Treasury
[via LegAffairs@do.treas.gov]

The Honorable Gavin Newsom
Governor, State of California
[via [email form](#)]

California Special Districts Association
[via advocacy@cstda.net].

Congressman TJ Cox
Via john.lynch@mail.house.gov



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April 9, 2020

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Congressman Mark Takano
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Senator Kamala Harris
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Congressman Ken Calvert
400 S. Vicentia Avenue, Suite 125
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Congressman Paul Cook
34282 Yucaipa Boulevard
Yucaipa, CA 92399

Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

RE: Inclusion of Local Governments in Coronavirus Pandemic Relief

Honorable Representatives,

The Beaumont-Cherry Valley Water District urges you and your colleagues to consider including the needs of independent special districts in the impending fourth COVID-19 pandemic relief bill.

As a provider of water services to more than 19,000 customers in the Beaumont area, access to resources to confront COVID-19, as well as relief to recover is essential to continuing our operations and best serving our – and your – constituents.

COVID-19 has brought significant challenges to our community and our district. Compliance with stay-at-home orders, employee social distancing, purchase of PPE, and a change to remote work and teleconference meetings have created increased costs for the District which are not easily absorbed by already-stressed ratepayers.

As the fourth federal COVID-19 relief bill is developed, I urge you and your colleagues to keep in mind these very serious issues. Independent special districts and the communities and regions that rely on our services across the nation will be further harmed should the pandemic continue and local governments not be considered for inclusion in resources already provided to other entities. On behalf of our district and our mutual constituents, we request you:

- **Expand the Coronavirus Relief Fund's eligibility for "local forms of government"** to receive a portion of the funds and appropriate \$100 billion specifically for local governments to utilize and continue services across the country.
- **Include local governments in the COVID-19 payroll tax credit.** All public agencies are required to provide paid COVID-19 sick and family leave; however special districts and other public agencies are excluded from the credit, putting us at a disadvantage.

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- **Restore advance refunding of tax-exempt bonds, as outlined in H.R. 2772.** Doing so would allow flexibility for states and local governments to access millions of dollars to reallocate and spend on other projects, which, in turn, strengthens local infrastructure networks.
- **Increase access to capital for small borrowers, as is included in H.R. 3967.** This would increase the bank-qualified borrowing limit from \$10 million to \$30 million and allow it to apply at the borrower level. Taking this measure would grant small issuers – both government and non-profit, who may be hardest hit during the downturn, access to capital for immediate project needs.

We thank you for your leadership in securing significant relief for our nation in the previous three COVID-19 relief bills: health care districts with medical centers have new access to vital equipment; families will receive stimulus rebates to soften financial hardships and pay utility bills; and 457 retirement account holders have temporary flexibility for higher fund disbursements to help cover COVID-19 expenses. **But without the aforementioned fixes, special districts like ours, and thousands of others serving millions of Americans, will struggle to maintain the critical local infrastructure and continue the essential community services that our nation's businesses and families depend upon.**

Thank you for your consideration.

Sincerely,
BEAUMONT-CHERRY VALLEY BOARD OF DIRECTORS

John L. Covington, President

CC:

Steven Mnuchin
Secretary of the Treasury
[via LegAffairs@do.treas.gov]

The Honorable Gavin Newsom
Governor, State of California
[via [email form](#)]

California Special Districts Association
[via advocacy@csla.net].

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