



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

**MINUTES OF REGULAR MEETING – ENGINEERING WORKSHOP  
OF THE BOARD OF DIRECTORS  
Thursday, August 27, 2020 at 6:00 p.m.**

***Meeting held via teleconference and video teleconference pursuant  
to California Government Code Section 54950 et. seq. and  
California Governor’s Executive Orders N-29-20 and N-33-20***

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**Call to Order: President Covington**

*President Covington began the meeting at 6:07 p.m.*

*Pledge of Allegiance was led by Director Slawson.*

*Invocation was given by Director Williams.*

**Announcement of Teleconference Participation**

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

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

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

**Roll Call:**

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

	Administrative Assistant Erica Gonzales Senior Accountant Sylvia Molina Administrative Assistant Brandy Llanes Field Superintendent Knute Dahlstrom
Legal Counsel	James Markman

Members of the public who registered their attendance: General Manager Lance Eckhart of the San Gorgonio Pass Water Agency, Jeff Chambers of Pardee Homes

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

President Covington and Ms. Gonzales gave instructions regarding how to make a public comment during the meeting.

**Public Comment:** None.

**1. Adjustments to the Agenda:** None.

**2. Update of Apple Fire and Potential Debris Flows and Emergency Activities**

General Manager Dan Jagers reported that local communities are impacted by the burn area. He reminded the Board about the discussion at the previous meeting regarding implementation of some precautionary activities to protect District facilities. The emergency items are moving forward and funds are being spent, he advised.

Approximately 2,400 linear feet of K-rail has been purchased and is being deployed, Jagers explained. He shared a PowerPoint presentation and described the fire burn area and impacts. He noted that staff has met with the Riverside County Flood Control and Water Conservation District (Flood Control) to coordinate information and activities in the event of mud and / or debris flows out of the canyon. The District is working actively with Flood Control, the San Gorgonio Pass Water Agency (SGPWA) and other local agencies, Jagers assured.

He pointed out some areas of concern including the Noble Creek turnout which is used to deliver recharge water, the Noble Creek Recharge Facility, and the Cherry tank complex. Flood Control is committed to keeping the channels flowing and will continue to work with emergency contractors on standby, he noted.

Jagers pointed out new K-rail installed along the easterly fence line of Well 16 and explained work done by field staff. He explained that historically, a low period of rain with high intensity can shed mud from the canyon and suggested being "better safe than sorry," as winter approaches.

Jagers pointed to the Vineland tank complex and indicated the area of installation of K-rail. In response to Director Slawson, Mr. Jagers explained the K-rail is not anchored on the ground and sits in the direction of parallel flow where there is not a big hydraulic load. Staff will add supersacks of sand (1 ton apiece) to back up the K-rail, he explained.

Mr. Jagers acknowledged the concern of a nearby homeowner. Director Slawson indicated that Flood Control and the Board of Supervisors are aware. In response to Slawson, Mr. Jagers pointed out that Flood Control advises owners to protect their homes, not the property. He stated that the District must protect its facilities. Director Hoffman referenced a significant mud flow from Wildwood Canyon in 1969 and stated that preparation now is a wise thing to do.

Jagers noted that Flood Control is working on the capture of floodwater in Bogart Park. Jagers recommended partnering with Flood Control on these activities.

President Covington asked about the K-rail. Mr. Jagers advised that the rail is pinned and will be bound with chains at the corners. Covington reiterated that there is a concerned homeowner and GM Jagers explained the situation. President Covington indicated that Noble Creek will be hard hit, and noted this is a major concern for residents of Cherry Valley. He acknowledged that it is the responsibility of the homeowner to protect their property, and he described his own preparations.

Mr. Jagers continued explaining the preparations.

*At 6:45 p.m., the Zoom teleconference technology stopped functioning. The meeting was stopped while technical difficulties were solved.*

*The teleconference resumed at 6:46 p.m. Covington, Hoffman, Slawson, and Williams returned to the call. President Covington asked Director Ramirez to acknowledge if he was present on the teleconference. There was no response.*

General Manager Jagers continued his presentation. He pointed to the Cherry tank and Noble Creek Recharge Facility, detailed the drainage situation and work to protect the facilities. The cost of the protection measures at Noble Creek is estimated at \$40,000, he advised, but if mud flowed in, that money would instead be spent excavating the ponds.

President Covington invited public comment.

Public Comment: Mr. Lance Eckhart, General Manager of the San Geronio Pass Water Agency advised that Mr. Jagers has been proactively looking out for both organizations and it has been a pleasure to work with him.

**3. Authorization for the General Manager to execute the Bureau of Reclamation for WaterSMART: Water and Energy Efficiency Grant Agreement on behalf of the District**

Director of Finance and Administration Yolanda Rodriguez reminded the Board about the District's participation with the Bureau of Reclamation (BOR) on the Automatic Meter Read / Advanced Metering Infrastructure (AMR/AMI) project. The process normally takes three to four months, but due to delays resulting from the COVID-19 environment, the estimate is now six to eight months, she said.

On August 12, the District received the final draft agreement from the BOR. District legal counsel has reviewed the agreement and the BOR has granted reimbursement

for pre-work, she explained. Staff is preparing expenses from September 2019 to now for submission.

Ms. Rodriguez explained this is a \$1.5 million matching grant, and grant consultant Townsend Public Affairs, Inc. has identified another grant opportunity for \$2 million for 2021 for the same project, and the application is in progress as approved at the last Board meeting.

*6:59 p.m. - President Covington asked Director Ramirez to acknowledge if he was present on the teleconference. There was no response.*

President Covington invited public comment. There was none.

*7:03 p.m. – Director Ramirez re-joined the teleconference.*

*The Board authorized the General Manager to execute the Assistance Agreement with the Bureau of Reclamation (BOR) for a WaterSMART: Water and Energy Efficiency Grant (WEEG) for the Automatic Meter Read / Advanced Metering Infrastructure (AMR/AMI) project in the amount of \$1.5 million on behalf of the District by the following roll call vote:*

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

**4. Resolution 2020-19: Acceptance of an Easement for Public Utility Purposes on behalf of BCVWD for an area located on the south side of the centerline of 4<sup>th</sup> Street, west of Prime Drive in the City of Beaumont**

Senior Engineer Mark Swanson explained the proposed easement for the Hidden Canyon project at the southwest corner of the District. The project is proposed to be two large industrial warehouse buildings; one of 1.8 million square feet, the other of 1 million square feet. With facilities of that size and nature, Swanson continued, high demand fire flow is required and in order to provide a secondary feed to supply the flow, a pressure-regulating station is needed. The developer has set aside a small piece of land for the facility, he stated, and design is complete.

The location is the south side of 4<sup>th</sup> Street, west of the Amazon building which is separately owned, but the Hidden Canyon developer has worked with the owner who has agreed to the easement.

Staff worked with legal counsel to ensure that all appropriate terms are included, Swanson stated. The City had some minor comments that the developer addressed, he noted. Staff requests Board acceptance of the easement. It will then be sent back to the developer who will file it with the County, he said.

President Covington asked about the size of the easement as related to the right-of-way. Mr. Swanson explained it is not within the public right-of-way, it is on private property. General Manager Jagers pointed out that historically, the District has placed pressure-reducing stations in vaults, but this is the first time the facility will be constructed above ground in an effort to maximize staff safety and eliminate confined space activities as part of a new design standard.

President Covington invited public comment. There was none.

*Director Ramirez dropped off the call at 7:12 p.m.*

*The Board adopted Resolution 2020-19 accepting an Easement for Public Utility Purposes from Portero Commercial, LLC on behalf of BCVWD for an area located on the south side of the centerline of 4<sup>th</sup> Street, west of Prime Drive in the City of Beaumont (Assessor's Parcel No. 424-050-012) by the following roll call vote:*

MOVED: Slawson	SECONDED: Williams	APPROVED 4-0
AYES:	Covington, Hoffman, Slawson, Williams	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	Ramirez <sup>1</sup>	

*Director Ramirez returned to the meeting at 7:17 p.m.*

**5. "Will Serve Letter" Extension and Annexation for Tentative Tract Map No. 36307 (Riverside County Assessor's Parcel Nos. 400-020-010, 400-020-025, and 400-020-040) located on Oak Valley Parkway, west of Potrero Boulevard and east of Palmer Avenue**

Mr. Jagers advised this is a discussion item on the Pardee Homes development that they consider Phase 3 of a three-phase development in Tournament Hills, which is east of Fairway Canyon and south of Interstate 10 and north of Oak Valley Parkway.

Jagers directed attention to the Pardee Homes' history of the project. A large group annexation was performed with the City of Beaumont and the District and this is the need for annexation of a third parcel which was likely not previously annexed as that property was already within the City of Beaumont. In the late 2000s, it came in front of the Board and was tabled, he explained. It came forward again in 2014 and staff realized the annexation was necessary. Pardee Homes wishes to proceed with their development of 268 homes and annexation is needed, Jagers explained.

Senior Engineer Mark Swanson gave an overview of Tournament Hills and density. Should this come back to the Board for approval, Pardee is requesting 268 EDUs and annexation of the remaining parcel, he explained.

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<sup>1</sup> Director Ramirez did not respond to the Roll Call vote.



Mr. Jagers pointed out that the Will-Serve Letters that went with the other parcels are expired but those parcels were annexed. The issue is that one of the parcels was not annexed and there are differences in the number of EDUs, he noted.

Public Comment: Jeff Chambers of Pardee Homes explained they are trying to clean up the last parcel for which they have a development right as part of the Oak Valley Specific Plan. APN 400-020-025 is referred to as the Wilson parcel and was never part of the Oak Valley Specific Plan, he stated. Pardee purchased the other two parcels concurrent with the rest of Tournament Hills and subsequently decided it made sense to purchase the Wilson property.

Pardee has no recollection and has no related documentation as to why the Wilson parcel was not part of the original annexation, Chambers noted. He asked the Board to allow Pardee to move forward with the annexation and pointed to the Specific Plan amendment in 2014 and density transfers of the remaining lots into the third phase. An entitlement was received to develop up to 274 units, Pardee is asking for 268 units, he noted. Approximately 130 units fall within the Wilson parcel. Pardee is not exceeding what was originally within the Oak Valley Specific Plan, he pointed out. It has always been accounted for in the master plan of the BCVWD, Chambers said.

Chambers continued, explaining that the District proposes a condition of approval extending facilities along the property frontage. Pardee currently pays approximately \$10,100 per dwelling unit in water fees to the District, he pointed out. Pardee's analysis of the extension of the three 24-inch pipelines, which are part of the District's Master Plan, from the current terminus east of the Pardee property in front of Phase 2 on Oak Valley Parkway all the way through to the other side of the property represent a cost of \$5 million, which is roughly \$20,000 per unit based on the 268 units, Chambers stated.

Assuming that Pardee moves forward, Chambers noted, they would like to come back to the Board to talk about some type of credit agreement to cover that cost, as it is a master facility not just serving the project, but also other projects within Oak Valley and Fairway Canyon. There should be some discussion about sharing in that cost over and above the \$10,100 per dwelling unit in water fees, Chambers opined. Outside of that, Chambers added, Pardee is in agreement.

Chambers pointed to the letter dated July 24, 2020 from Michelle Staples of Jackson Titus. He stated that Pardee inadvertently misrepresented that they had received a Will-Serve Letter (WSL), which is not the case. It was not done purposely, he said; it was done via obtaining a copy of a letter that may have been issued had the Board approved the WSL in 2010. Pardee staff thought it was signed, Chambers explained, although it was never signed, and it was inadvertently represented as being a WSL. Ms. Staples had stated that Pardee is asking for an updated WSL and that is not the case. Chambers acknowledged that a mistake was made and Pardee never received the WSL from the District.

Director Slawson asked if the cost of the frontage is not usually a condition for developers. Mr. Jagers explained that typically there is an extension required of a size based on the development's demand on the frontage roads, typically a 12-inch line. The District would typically do an oversizing agreement to increase the size of the line. When the developer does the work, it can be a non-prevailing wage job, Jagers continued, but use of public funds triggers a prevailing wage job on the fractional cost of the oversizing. The District does collect a facilities fee component for

oversizing activities and those are designed to cover some of that work, Jagers acknowledged.

There are conditions on other developers, also, Jagers noted, and they will need to be coordinated. The District's master planned facilities do go down Oak Valley Parkway, Jagers said, and the District's desire is to complete those in partnership with the area developers' participation.

Unfortunately, Jagers noted, the Parkway has been built to full width and should have had utility coordination, so the cost suffered by the developer as well as others would not be as great.

President Covington asked if the conditions noted in the staff report would apply to the project. Jagers said generally they would.

Mr. Chambers indicated that Pardee has tried to be a good partner to get pipelines under Interstate 10 and over to Oak Valley and Tournament Hills. He noted that fees have been pre-paid and Pardee has worked closely with the District on sites where there are operating wells on land owned by Pardee, and pipelines have been upsized without compensation. He assured the Board that Pardee will continue to be a good partner and said he hopes that the Board will give Pardee the opportunity to move forward with the annexation and obtain the WSL. He hopes to continue to work with the District on the issue of significant costs associated with moving those lines down Oak Valley Parkway. Those three pipelines and the cost, Chambers said, has been the main reason that this item has not come before the Board until recently. Pardee has decided and has been told by the parent company to move forward and figure it out. The developer believes the project can successfully be built out and can help the District to complete the water loop system that is part of the project, and that it makes good sense for this to move forward, Chambers said.

President Covington invited public comment. There was none.

#### **6. BCVWD 2021 Imported Water Order Quantity from the San Gorgonio Pass Water Agency**

General Manager Jagers reminded the Board of discussion at the August 12 meeting and explained this action is to formalize the Board's decision on the water order. The order is due to San Gorgonio Pass Water Agency (SGPWA) on September 1, he advised. Jagers said one of the factors determining the BCVWD order is the amount other local agencies are ordering. He said he believes the City of Banning is ordering 50 acre-feet (AF) and Yucaipa Valley Water District has an anticipated order of 300 AF.

Due to residents staying at home this year and potentially using more water, and no real loss of commercial use, there is higher usage than may have been expected, Jagers reported. He also pointed out grading operations which tend to inflate the numbers.

Last year, 9,400 AF was ordered, he reminded. It was a low usage year. This year, he said, staff believes the safe number is 10,000 AF for the baseline order which includes 300 AF for drought-proofing new homes and 9,700 AF for replenishment.

Jaggers advised the Board that the District has 39,000 AF of water in its storage account. He reviewed the draft production numbers shown by the Beaumont Basin Watermaster and explained the SGPWA Supplemental Water Order form. He noted that the District has done a good job of meeting its conjunctive use plan as set forth in the Urban Water Management Plan. He suggested sending a letter indicating that the District would like to entertain the idea to purchase more water if it is available and collaborating with the SGPWA.

When considering all accounts, Jaggers explained, the Basin holds about 100,000 AF in storage. He suggested that the Basin can be kept healthy by having it full, but not so overly full that there is water leakage. Part of conjunctive use is maintaining a balance in the basin – putting in high quality water and doing what is right over time moving forward, he noted. He reminded the Board that BCVWD needs to get to 2035 presuming Sites Reservoir and the Bay-Delta Conveyance projects move forward, and the District may need the extra water stored to get through some short years. He pointed to the white papers produced by staff.

Jaggers reiterated his recommendation of 10,000 AF for replenishment with the potential for an additional 2,500 AF if more water is available next year, which would require a contribution from reserve funds in the short term.

Director Williams asked if the fires had diminished the District's supply. Mr. Jaggers explained that Cal FIRE estimated that they pulled out 87,000 cubic feet from the firefighting helicopter activity, and he pointed to production numbers over the days of the fire. Reimbursement will be requested through FEMA, he explained, which will allow the District to purchase additional water if available.

Mr. Lance Eckhart added that the District has done a good job with its storage account and is looking at concepts such as operational range, had used reserves and has now aggressively put the water back and then some. The information helps SGPWA understand the needs of its partners in the Basin. Also, it might be a 5 percent year in 2021, he noted, and this information allows a look at hard demands and storage and whether the District is safe. There may be a point when all the managers get together to do some triage from year to year, Eckhart posited, and said BCVWD is in a great position.

President Covington summarized the intentions of the letter. Director Hoffman pointed out that there have been delivery interruptions in the past and the District has been unable to get its full water order. He suggested taking the water in a shorter period to make sure it is all received. Mr. Jaggers acknowledged and said discussions have begun with the SGPWA to recharge at a higher rate during dry periods.

*The Board authorized the purchase of 10,000 acre-feet of imported water from the San Geronio Pass Water Agency for delivery to the Beaumont-Cherry Valley Water District Noble Creek Recharge Facility for Calendar Year 2021 and authorized the General Manager to execute the letter addressed to the SGPWA regarding the Supplemental Water Order for 2021 by the following roll call vote:*

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



## **7. Noble Creek Recharge Facility Phase I Fencing Project update**

Senior Engineer Swanson shared a PowerPoint presentation on the project progress. He explained that a contract was executed with Red Hawk Services in May, and held a site walk on August 10. Construction began on August 13, he reported, and most of the fencing is now up. He expects a final field walk upon completion next week. He advised that there will be a record of survey recorded with the County to formalize the property boundaries.

Director Hoffman expressed concern that in some places there is a six to eight-inch gap at ground level. Mr. Jaggars indicated that BCVWD staff would be returning the grade under the fence to more reasonable level to protect underground infrastructure. Hoffman indicated that the fence workmanship looks good.

President Covington said he was pleased to see the progress and reminded that it was a concern of former Director Diaz to secure the property.

## **8. Update: Status of Local Emergency regarding the Impact of the Respiratory Illness Pandemic COVID-19 pursuant to Resolution 2020-07**

General Manager Jaggars said he believes social distancing works and helps. Staff is staggered and the people who can work remotely are remaining remote. He said the District has a handle on the style of work for the near term, and the program is working at the moment. He said his intent is to hold to course through the next Board meeting.

President Covington asked about conversation at staff level regarding the office lobby reopening. Jaggars reminded about the plan and said this is a transition period including leave and temporary support. He said time is needed to get into a regular mode. When ready to open, there will be controlled entry to provide service to the public, he indicated, or activities by appointment.

President Covington noted that he sees other public agencies opening up and suggested finding out about their model to see if the District can make adjustments.

## **9. Legislative Update**

President Covington acknowledged the Legislative Update. There were no questions.

## **10. General Manager's Report**

No report.

## **11. Topics for Future Meetings:**

*None added.*

## 12. Announcements

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

- Ad Hoc Communications Committee Meeting: Monday, August 31, 2020 at 5:30 p.m. (*as corrected*)
- Collaborative Agencies Committee Meeting: Wednesday, September 2, 2020 at 5:00 p.m. (*teleconference pending*)
- Finance and Audit Committee Meeting: Thursday, September 3, 2020 at 3:00 p.m.
- District offices will be closed on Monday, September 7, 2020 in observance of Labor Day
- Regular Board Meeting: Wednesday, September 9, 2020 at 6 p.m.  
Engineering Workshop: Thursday, September 24, 2020 at 6 p.m.
- Personnel Committee Meeting: Monday, September 28, 2020 at 5:30 p.m.
- Beaumont Basin Watermaster Committee Meeting: Wednesday, October 7, 2020 at 10 a.m.

## 13. Convened in Closed Session: 8:16 p.m.

- a. CONFERENCE CALL WITH LEGAL COUNSEL - Anticipated Litigation  
Significant exposure to litigation  
Pursuant to Government Code Section 54956.9(d)(2)  
One Potential Case

Reconvened in Open Session: 8:37 p.m.

## 14. Report on Closed Session

*President Covington thanked staff for organizing the Zoom conference.*

*President Covington announced there was no reportable action taken during Closed Session.*

## 15. Adjournment

*President Covington adjourned the meeting at 8:37 p.m.*

ATTEST:



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



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