



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

**MINUTES OF REGULAR MEETING – ENGINEERING WORKSHOP  
OF THE BOARD OF DIRECTORS  
Thursday, February 25, 2021 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 Slawson**

*President Slawson began the meeting at 6:05 p.m.*

*Pledge of Allegiance was led by Director Ramirez.*

*Invocation was given by Director Williams.*

**Announcement of Teleconference Participation**

Director of Finance and Administrative Services Yolanda Rodriguez clarified that this meeting is conducted 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 and video conference 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 Administrative Services and Recording Secretary Yolanda Rodriguez Assistant Director of Operations James Bean Senior Engineer Mark Swanson

	Administrative Assistant Erica Gonzales
Legal Counsel	James Markman

Members of the public who registered their attendance: None.

Director of Finance and Administrative Services 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.

**Public Comment:** None.

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

**2. Consideration of Award of Bid for the Purchase of one (1) Fleet Vehicle in the Amount not to exceed \$50,400**

Assistant Director of Operations James Bean explained this is a larger utility truck that tows heavy equipment and is identified in the capital improvement budget for replacement this year. He noted that some recent repair work on the unit had been costly, and it has reached the end of its service life. Mr. Bean confirmed for Mr. Jagers that this truck purchase was delayed from last year as the crew position is in the process of recruitment.

General Manager Jagers noted that the current truck will be retained for use during the AMR / AMI project as long as it is running well.

Director Hoffman said that in his experience it is beneficial not to spend the extra money for a diesel-powered vehicle and said that gasoline is adequate. He noted that repairs on Ford vehicles have been more expensive over other brands, so Chevrolet is a good choice. He recommended auctioning the old unit now, as resale values on used vehicles is currently good.

Director Covington confirmed that the proposed vehicle is gasoline powered and agreed that is preferable. He pointed to recommendations on the bids, suggested upsizing the vehicle and offered additional insight based on his experience with fleet vehicles. Mr. Jagers acknowledged, and Director Hoffman suggested pricing additional options.

Staff will return to the Board with alternatives.

**3. Resolution 2021-02: Acceptance of an Easement from Beaumont RV and Self-Storage, LLC, South of 1<sup>st</sup> Street and West of California Avenue in the City of Beaumont**

Senior Engineer Mark Swanson reminded the Board of the issuance of the Will-Serve Letter for this project. In order to supply water onto the site, a portion of the public facilities need to be constructed on the property, making an easement necessary for maintenance of the public portion of the facilities, he explained. He detailed the

location of the small area. Mr. Jagers indicated that this item provides for memorialization of the easement. Mr. Swanson clarified the water main location for Director Covington.

In response to President Slawson, Mr. Jagers explained the backflow device configuration.

President Slawson invited public comment. There was none.

*The Board adopted Resolution 2021-02 Approving and authorizing the General Manager to execute the Acceptance of an Easement from Beaumont RV and Self-Storage, LLC for public utility purposes located south of 1<sup>st</sup> Street and west of California Avenue on Riverside County Assessor's Parcel No. 417-180-019 in the City of Beaumont, CA by the following roll-call vote:*

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

**4. Resolution 2021-03: Rescinding Temporary Regulations Regarding Customer Account Billing and Collections Related to Reinstatement of Credit Card Processing Fees and Late Notification Fees as Waived during the District Local Emergency under Resolution 2020-09**

General Manager Jagers noted that the Board had requested this item. Director of Finance and Administrative Services Yolanda Rodriguez reminded the Board that on March 26, 2020, the Board adopted Resolution 2020-09 approving temporary regulations in response to the local emergency related to the pandemic. Credit card processing fees and late notification fees were affected, she noted.

Ms. Rodriguez explained the \$1.75 credit card fee and refund process and noted this has incurred additional administrative cost. The processes and administrative costs related to the late notification fees have not stopped, even though the District cannot shut the water off, she said.

At its February 10, 2021 meeting, the Board had requested discussion on this item, she noted. Ms. Rodriguez pointed out that the processes are costing all ratepayers since the fees are not being collected to cover the District's costs. She also pointed to the regular reports on District cash flow and revenue loss, noting the total revenue loss was \$52,763 in credit card processing fees and \$67,215 in late notification fees between March 26, 2020 and January 31, 2021. Many districts have already reinstated these fees, she noted.

Ms. Rodriguez added that the governor's Executive Order recommending the moratorium on water utility shut offs for non-payment did not mandate fee waivers. Legal counsel recommends that shut off fees remain waived through the end of the moratorium, and activation fees are not recommended for reinstatement under the proposed resolution, she explained.

Director Covington asked about annual losses. Ms. Rodriguez confirmed the loss on inactivation / reinstatement fees is approximately \$45,000<sup>1</sup>. Covington indicated that since the Executive Order N-28-20 does not mandate waiver of the fees and said that although it is not presented in the proposed resolution, he is in favor of reinstating all three fees. Director Hoffman agreed with Director Covington and said that the District has provided a fair opportunity for those with financial challenges.

General Manager Jagers pointed out that inactivation fees are not currently applied as there are no shutoffs. Counsel Markman pointed out that once the moratorium is lifted, the Board may not want to wait two weeks to reinstate the fee.

Director Williams agreed it would be better to reinstate all three fees rather than returning with another request to the Board. President Slawson clarified that reinstatement of all three would assure that when the moratorium is lifted, the policy is immediately back in synch. Director Ramirez indicated support.

*The Board adopted Resolution 2021-03 Rescinding Temporary Regulations Regarding Customer Account Billing and Collections Related to Reinstatement of Credit Card Processing Fees and Late Notification Fees as Waived during the District Local Emergency under Resolution 2020-09 as amended with addition of the Inactivation or Account Reinstatement Fee by the following roll-call vote:*

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

## **5. Beaumont Master Drainage Plan Line 16 Project Cooperative Agreement Update**

Senior Engineer Mark Swanson reminded the Board of prior discussion on this item and concerns with language in the agreement. Staff has addressed comments made by the Board and Flood Control has provided an updated agreement.

Mr. Swanson advised that it has been reviewed by legal counsel. He highlighted previous Board concerns and referenced the concerns addressed in the revised agreement. General Manager Jagers noted that this had stalled due to the fires, but the agreement has gone back and forth to get to a point where it is more streamlined and easier to understand. Staff is not requesting a decision tonight, he noted.

Mr. Swanson reported that the grant project deadline has been extended by one year to December of 2022. Jagers explained delays due to potential debris flows related to the fires.

Director Ramirez concurred with the exit strategy process. Counsel Markman pointed out that the project is mutually funded, and the Flood Control District is administering the project. If the bid exceeds the agreed-upon cost, there must be an opportunity to exit. He recommended the elimination of a clause that says the obligations of the Flood Control District are limited by the availability of funds, i.e., if Flood Control notifies BCVWD in writing, the project stops, but BCVWD's obligation does not stop. Mr.

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<sup>1</sup> The amount referenced by the speakers was incorrect. The actual amount of the loss on inactivation / reinstatement fees was \$158,450, but the speakers stated \$45,000.

Swanson said he spoke to Flood Control about these two items and indicated the funds should be earmarked.

*Director Ramirez left the meeting at 7:05 p.m.*

Mr. Swanson responded to maintenance obligation questions from Director Covington. Mr. Jagers reminded the Board that Flood Control's original intent was to have Riverside County Transportation responsible, but due to resistance from Transportation, BCVWD acquiesced to 70 feet of maintenance.

Director Covington noted that BCVWD should now be included in multiple pre-construction meetings and asked about shared costs. Mr. Jagers clarified.

President Slawson invited public comment. There was none.

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

Mr. Jagers reported that the case numbers are coming down, vaccinations are getting out and ICU beds are not as impacted. He said it seems most agencies are holding out for a March or later re-opening.

**7. Review of District Staffing Activities and Cash Flows as related to the ongoing COVID-19 Local State of Emergency**

Director of Finance and Administrative Services Yolanda Rodriguez reviewed the report. She noted that as of January 31, there are 2,171 accounts that would have been shut off due to nonpayment. There are 7,661 accounts paid in full, in contrast to January 31, 2020 when 8,766 were paid in full, she advised.

General Manager Jagers explained that the Governor's order prevents shutoffs, but the debt is still encumbered. He and Ms. Rodriguez have discussed ensuring that staff is placing the liens on the properties for the balances and fees to protect the interests of the District in cost recovery.

Director Hoffman asked about apartment buildings. Ms. Rodriguez confirmed that the responsibility lies with the property owner; the debt goes with the property.

President Slawson asked about the jump in account delinquencies in December. Mr. Jagers said it may be remedied next month; Ms. Rodriguez said the numbers were verified and staff will watch it for next month.

Ms. Rodriguez noted a large drop in receipts from customers over the prior year, indicating it was due to a shortage of staff to do billing due to COVID activity. Next month, she said, there will be an excess jump to catch up. Net cash for operating activities is \$203,685 as of January 28, 2021 as compared to \$258,558 in 2020. She noted growth of 1.7 percent in total unrestricted cash and investments and the District is still doing fairly well.

President Slawson asked about a slowdown in receipts from development. Mr. Jagers explained that numbers are affected by a decline over the holidays and COVID delaying processing of deposits.



## **8. Status of Declared Local Emergencies related to Fires**

- a. Impact of the Apple Fire pursuant to Resolution 2020-17
- b. Impact of the El Dorado Fire pursuant to Resolution 2020-20

Mr. Jagers reported there has been no significant rain. He noted a storm two weeks ago hit the lower canyons, but no significant issues were reported by staff.

The District purchased the drone as previously discussed and has obtained the FCC temporary license, Jagers said. The intent is to use the drone look at the canyon to determine any effects from the storm.

## **9. Update: Legislative Action and Issues Affecting BCVWD**

Senior Engineer Mark Swanson explained that this is the time of year that legislation is submitted, and it will be determined as to what sticks. He pointed out that the final version of the Governor's Water Resilience Portfolio was released in December and there is a link on the report.

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

Mr. Jagers advised that recharge is currently flowing at 24 cubic feet per second (cfs) (approximately 47 acre-feet per day) at the Noble Creek Recharge Facility. The San Geronio Pass Water Agency (SGPWA) is also taking water at their facility on behalf of the City of Banning for their water order, he said.

Jagers explained the purchase of the drone is to monitor the canyons during storm events. He shared photos of District facilities and said the intent is to ensure maintenance is being done. It will also be used for documentation of existing pavement lines at District facilities and recording facilities locations and utility markings, he said.

President Slawson asked about accuracy of the drone and interfacing with other systems. Mr. Jagers explained it is not a survey quality drone, but a surveyor would be used, and drone footage laid into an Auto-CAD environment.

Mr. Jagers advised that the City of Beaumont is now charging the District for encroachment permit fees and reminded the Board about the moratorium on pavement cutting. At a meeting today, the District requested the opportunity to waive fees and obtain a blanket permit, Jagers said. He advised that the District and City are working through details at staff level, but cautioned there may be a visit to the City Council if warranted. He provided an analysis of significant economic impacts to the District of the new requirements based on pavement encroachments last year.

Jagers said the District will prepare a program that is good for the community, provides a handshake between the District and the City, and helps guarantee that the pavement is maintained. The District is not looking to get out of work, it is looking for something fair and equitable, he said. President Slawson indicated support and noted other agencies are experiencing the same thing and it does not seem fair.

## 11. Topics for Future Meetings:

- Water supply for BCVWD and the region
- Matrix for delivery of recycled water
- Update on the Delta Conveyance Project
- Legal perspective on the Delta Conveyance (request to Counsel Markman)

## 12. Announcements

*Pursuant to Governor's Executive Order N-33-20, all BCVWD Board and Committee meetings will be held via teleconference and/or video teleconference until further notice or unless otherwise indicated below. President Slawson read the following announcements:*

- Collaborative Agencies Committee Meeting: Wednesday, Mar. 3, 2021 at 5 p.m. (*in-person meeting at Beaumont Library; also available via Zoom*)
- Finance and Audit Committee Meeting: Thursday, Mar. 4, 2021 at 3 p.m.
- Regular Board Meeting: Wednesday, Mar. 10, 2021 at 6 p.m.
- Personnel Committee Meeting: Monday, Mar. 15, 2021 at 6 p.m.
- Engineering Workshop: Thursday, Mar. 25, 2021 at 6 p.m.
- Beaumont Basin Watermaster Committee: Wednesday, Apr. 7, 2021 at 10 a.m.

## 13. Convened in Closed Session: 7:58 p.m.

### a. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

District Designated Representative: Daniel K. Jagers, General Manager, and Sabrina Foley, Human Resources Coordinator

Employee Organization: Beaumont-Cherry Valley Water District Employees Association

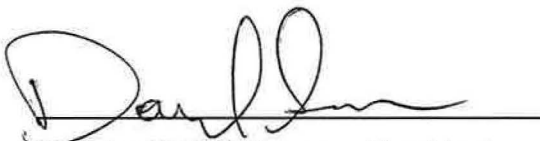
Reconvened in Open Session: 8:28 p.m.

## 14. Report on Closed Session

President Slawson announced there was no reportable action taken.

## 15. Adjournment

*President Slawson adjourned the meeting at 8:28 p.m.*



Director Daniel Slawson, President  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District

ATTEST:



Director Andy Ramirez, Secretary  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District

