



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

**NOTICE AND AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
ENGINEERING WORKSHOP**

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Order N-08-21*

**Thursday, August 26, 2021 - 6:00 p.m.
560 Magnolia Avenue, Beaumont, CA 92223**

COVID-19 NOTICE

This meeting of the Board of Directors is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards

- **Face coverings are mandatory for unvaccinated persons and must be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**
- **There will be no access to restrooms in the building**

TELECONFERENCE NOTICE

*The BCVWD Board of Directors will attend in person at the BCVWD Administrative Office **and/or** via Zoom Video Conference*

To access the Zoom conference, use the link below:

<https://us02web.zoom.us/j/84318559070?pwd=SXIzMFZCMGh0YTFlL2tnUGlpU3h0UT09>

*To telephone in, please dial: **(669) 900-9128***

*Enter Meeting ID: **843 1855 9070***

*Enter Passcode: **113552***

*For Public Comment, use the **“Raise Hand”** feature if on the video call when prompted, if dialing in, please **dial *9 to “Raise Hand”** when prompted*

Meeting materials are available on the BCVWD's website:

<https://bcvwd.org/document-category/regular-board-agendas/>

BCVWD ENGINEERING WORKSHOP – AUGUST 26, 2021

Call to Order: President Slawson

Roll Call - Board of Directors

Pledge of Allegiance: Director Covington

Invocation: President Slawson

Announcement of Teleconference Participation

Roll Call

| | |
|--|------------------------------|
| | President Daniel Slawson |
| | Vice President Lona Williams |
| | Secretary Andy Ramirez |
| | Treasurer David Hoffman |
| | Member John Covington |

Teleconference Verification

Public Comment

PUBLIC COMMENT: RAISE HAND OR PRESS *9 to request to speak when prompted
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:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
 - a. Item(s) to be removed or continued from the Agenda
 - b. Emergency Item(s) to be added to the Agenda
 - c. Changes to the order of the agenda
2. **Public Hearing** (continued from 7/22/2021 meeting) (pages 6 - 48)
 - a. **Resolution 2021-__:** Adoption of the **Beaumont-Cherry Valley Water District 2020 Urban Water Management Plan**
 - b. **Resolution 2021-__:** Adoption of the **Beaumont-Cherry Valley Water District Water Shortage Contingency Plan**
3. **Resolution 2021-__:** Approving Amendment No. 1 to the Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District (pages 49 - 77)
4. **Approve Additional Expenditures in an Amount Not to Exceed \$45,000 for the Previously Approved Antonell Court Pipeline Replacement Project** (pages 78 - 82)

5. **BCVWD 2022 Imported Water Order Quantity from the San Geronio Pass Water Agency** (Presentation and pages 83 - 84)
6. **Status of Automatic Meter Read/Advanced Metering Infrastructure Deployment Project: Water Sustain and Manage America's Resources for Tomorrow: Water and Energy Efficiency Grant** (pages 85 - 87)
7. **Consideration to Approve Purchase of One (1) John Deere 310SL Backhoe Loader in an Amount Not to Exceed \$120,000.00** (pages 88 - 89)
8. **Association of California Water Agencies (ACWA) 2022-2023 Region 9 Board Election** (pages 90 - 93)
9. **California Special Districts Association Opportunities for Involvement** (pages 94 - 97)
10. **Continued Review of Anticipated California Drought Conditions, District Urban Water Management Plan Drought Restrictions and BCVWD Resolution 2014-05 Regarding Issuance of Will-Serve Letters and Other Drought Response** (page 98 - 100)
11. **Status of Local Emergency regarding the Impact of the Respiratory Illness Pandemic COVID-19 pursuant to Resolution 2020-07** (No Staff Report)
12. **Status of Declared Local Emergencies related to Fires**
 - a. **Impact of the Apple Fire pursuant to Resolution 2020-17** (No Staff Report)
 - b. **Impact of the El Dorado Fire pursuant to Resolution 2020-20** (No Staff Report)
13. **Reports for Discussion**
 - a. **Directors' Reports**

In compliance with Government Code § 53232.3(d), Water Code § 20201, and BCVWD Policies and Procedures Manual Part II Policies 4060 and 4065, directors claiming a per diem and/or expense reimbursement (regardless of pre-approval status) will provide a brief report following attendance.

 - Tri-State Seminar August 9 – 12 – Director Ramirez
 - Building Industry Association 2021 Southern California Water Conference on August 13 – Directors Ramirez, Slawson, Williams
 - Beaumont Chamber of Commerce State of the City Luncheon on August 25 – Directors Hoffman, Slawson, Williams
 - b. **Directors' General Comments**
 - c. **General Manager's Report**
 - d. **Legal Counsel Report**
14. **Action List for Future Meetings**
 - Water supply for BCVWD and the region
 - Matrix for delivery of recycled water

- Update and legal perspective on the Delta Conveyance Project
- Legal Counsel report on changes in Proposition 218
- Legal update on drought conditions in the west
- Maintenance costs at 800-hp well sites
- Policy on rotation of Board President

15. Announcements – Pursuant to Governor’s Executive Order N-08-21, BCVWD Board and Committee meetings may be held via Teleconference only. Meetings listed below will be held both in-person at the BCVWD Administrative Office AND via Zoom teleconference unless otherwise indicated below:

- Finance and Audit Committee Meeting: Thursday, Sept. 2, 2021 at 3 p.m.
- District offices will be closed Monday, Sept. 6 in observance of Labor Day
- Regular Board Meeting: Wednesday, Sept. 8, 2021 at 6 p.m.
- Personnel Committee Meeting: Monday, Sept. 20, 2021 at 5:30 p.m.
- Engineering Workshop: Thursday, Sept. 23, 2021 at 6 p.m.
- Beaumont Basin Watermaster Committee: Wednesday, Oct. 6, 2021 at 10 a.m.
Open to the public in the Conference Room at the BCVWD Administration Building
- Finance and Audit Committee Meeting: Thursday, Oct. 7, 2021 at 3 p.m.
- Collaborative Agencies Meeting: Wednesday, Nov. 3, 2021 at 5:30 p.m.
In-person meeting at the Beaumont Library. Teleconference available

16. 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 August 23, 2021, 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)).

William Clayton

Digitally signed by William Clayton
DN: cn=William Clayton, o=Beaumont-Cherry
Valley Water District, ou,
email=william.clayton@bcvwd.org, c=US
Date: 2021.08.19 17:34:41 -07'00'

William Clayton
Acting Director of Finance and Administrative Services



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 2

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: PUBLIC HEARING:

Resolution 2021-__: Adoption of the Beaumont-Cherry Valley Water District 2020 Urban Water Management Plan

Resolution 2021-__: Adoption of the Beaumont-Cherry Valley Water District Water Shortage Contingency Plan

Staff Recommendation

Conduct a Public Hearing and:

1. Adopt Resolution 2021-__ adopting the Beaumont-Cherry Valley Water District 2020 Urban Water Management Plan (UWMP) as modified following the public hearing held at this August 26, 2021 Board of Directors meeting; and
2. Authorize the General Manager to file the 2020 UWMP with the California Department of Water Resources (DWR) and other agencies; and
3. Adopt Resolution 2021-__ adopting the Beaumont-Cherry Valley Water District Water Shortage Contingency Plan (WSCP) as modified following the public hearing held at this August 26, 2021 Board of Directors meeting; and
4. Authorize the General Manager to take such necessary actions to implement and administer the UWMP and WSCP.

In addition to the attachments to this staff report, the following large documents for this item are available electronically, located here:

<https://bcvwd.org/documents/urban-water-management-plan/>

1. **Draft BCVWD 2020 Urban Water Management Plan and**
2. **Water Shortage Contingency Plan**

Background

The California Urban Water Management Act of 1984 (Act) requires every urban water supplier that either provides more than 3,000 acre-feet (af) of water annually or serves 3,000 or more connections to assess the reliability of its water sources over a 20-year planning horizon. This assessment is to be documented in an UWMP, updated every five years, and submitted to the DWR. The 2020 UWMP is due for submittal to DWR on July 1, 2021.

The UWMP is a long-term planning document that does not commit the District to any particular course of action or investment. The UWMP is used by the District and the District's wholesale water provider, the San Geronio Pass Water Agency (SGPWA), to ensure adequate future water supplies, and by the DWR to update the comprehensive California Water Plan. The format and content of the UWMP are established by DWR in concert with the requirements in the Water



Code. This UWMP is statutorily exempt from the California Environmental Quality Act (CEQA) per §10652 of the Water Code.

The UWMP serves as the basis for managing water supplies in the future by addressing demands imposed by population growth and new development. A well-constructed UWMP can save water suppliers time and money, and it provides staff, the public, and elected officials with an understanding of past, current, and future water conditions, and management. The UWMP integrates local and regional land use planning, regional water supply, infrastructure, and demand management projects, as well as statewide issues of concern like climate change and regulatory revisions. In short, the UWMP gathers, characterizes, and synthesizes water-related information from numerous sources into a plan with local, regional, and statewide practical utility.

Since the Act's inception, the District updated its UWMP on a regular basis with the last update completed in 2016.

The Act has undergone significant expansion and revision since the production of the 2015 UWMP. Prolonged droughts, groundwater overdraft, regulatory revisions, and changing climactic conditions not only affect suppliers' water reliability determinations, but also the broad picture of statewide water reliability. Accordingly, the Act has grown to address changing conditions and it guides California's water resources management.

Per Water Code Section 10621 and 10642, BCVWD provided 60 days' written notice of the preparation of the 2020 UWMP to cities, counties, agencies and interested parties within the BCVWD service area, and notice of the public hearing and availability for public inspection on March 30, 2021. The draft 2020 UWMP and WSCP were posted to the BCVWD website for public inspection on July 9, 2021. Notification was also published in the Beaumont Record-Gazette on July 9, 2021 and July 16, 2021, pursuant to Government Code §6066.

On July 22, 2021, the District conducted a Public Hearing where comments were received by the City of Beaumont and the City of Beaumont's Legal Counsel (on behalf of the City) in which the Public Hearing was continued for 35 calendar days to the August 26, 2021 Board Meeting. As of August 12, 2021, District staff has responded to all comments provided by the City and their legal counsel from July 22, 2021. A meeting between City staff and District staff occurred on August 18, 2021 to review and discuss the District's responses to the City's July 22, 2021 comments. Subsequent to the August 18, 2021 meeting, City staff and District staff agreed to minor revisions to District's responses to a few of the City's comments. These minor revisions are documented in a District staff prepared memorandum dated August 19, 2021 and provided as Attachment 7, herewith.

Summary

This 2020 UWMP has assessed the reliability of BCVWD's water sources and has determined that they are sufficient on a 20-year basis. The District's 2020 UWMP identifies existing and future water demands and supplies through the year 2045, including the evaluation of worst-case scenarios for dry weather periods. It further describes water supply reliability and water conservation measures to reduce long-term water demand, as well as District's water use reduction over time.



Overall, the 2020 UWMP demonstrates that District must continue to develop imported water opportunities, local non-potable, recycled water, and storm water opportunities to ensure that the District will have sufficient and reliable water supplies to meet its demands through 2045.

As of publication of this staff report, the District has received no comments from the public on the UWMP draft, however District staff has reviewed the document again (after publication) and identifies that there are *de minimis* revisions needed and they are attached herewith.

Significant UWMP changes for 2020 include major new requirements:

- Five Consecutive Dry-Year Water Reliability Assessment
- Drought Risk Assessment
- Seismic Risk
- Energy Use Information
- Water Loss Reporting for Five Years
- Water Shortage Contingency Plan
- Groundwater Supplies Coordination
- Lay Description of the Fundamental Determinations

In addition, the District must provide SB X7-7 (Water Conservation Act of 2009, otherwise known as the 20 x 2020 program) baselines, targets and 2020 compliance.

The Water Shortage Contingency Plan is a new requirement per water conservation legislation passed in 2018. Although it is part of the UWMP, it must be adopted separately. Key elements include:

- Annual Water Supply and Demand Assessment
- Six standard water shortage levels
- Shortage response actions
- Communication protocols

Pursuant to the requirements of the California Urban Water Management Act of 1984 (Act), staff recommends the Beaumont-Cherry Valley Water District Board of Directors hold a public hearing regarding the draft 2020 Urban Water Management Plan to allow community input, consider economic impacts, and adopt a method for determining its urban water use target (Water Code Section 10608.26); and adopt Resolution 2021-__, adopting BCVWD's 2020 UWMP as modified by the General Manager or his designee following the Public Hearing.

The 2020 UWMP may be modified to account for comments received at the public hearing on the Draft 2020 UWMP. In addition, the final 2020 UWMP may include *de minimis* modifications related to grammar, typographical errors, and formatting, as necessary.

Upon adoption of District's 2020 UWMP by the Board of Directors, the plan will be filed with the DWR and will be made available to other agencies and the public, in accordance with the Act. The adoption and filing of the 2020 UWMP with DWR is required for the District to be eligible for any state grants and loans, and for drought assistance.



2020 BCVWD UWMP Overview

As the City of Beaumont and Cherry Valley both continue to grow, the next 20-25 years will be extremely important for the District to continuously work with the Pass Agency and other partners to ensure sources of supply are available, and deliverable. During “normal” times, the supplies available will be approximately 26,266 AF with demands being approximately 20,660 AF; yielding a surplus of approximately 5,606 AF. It is extremely important that the District continue its conjunctive use methodologies, and management of its storage account within the Beaumont Basin because “normal” years will not occur every year.

There will be dry years and there will be wet years, therefore proper management of the Beaumont Basin and a Water Shortage Contingency Plan in place will allow the District to utilize stored water through the dry years and replenish during the wet years. From a single-dry year perspective, the District could see a shortfall in supplies vs demands upwards of 10,000 AF (2045). For periods of extended dry years (up to 5 consecutive years), the total amount of supplies drawn from the Beaumont Basin could be up to approximately 11,800 AF. Careful forward planning and taking advantage of wet periods will allow the District to provide water to its current ratepayers as well as new development well into 2045.

Fiscal Impact

The fiscal impact to the District will include District staff’s time (covered under the 2021 Operating Budget), advertising costs for public notification, along with reproduction and mailing costs associated with transmitting copies of the District’s Final 2020 UWMP to the Department of Water Resources and appropriate agencies. The 2020 UWMP was prepared completely in-house by District staff. There is no procurement expenditure associated with the UWMP adoption.

Attachments

1. Resolution 2021-__ adopting the Beaumont-Cherry Valley Water District 2020 Urban Water Management Plan (UWMP)
2. Resolution 2021-__ adopting the Water Shortage Contingency Plan (WSCP)
3. District Staff Comments to Draft 2020 UWMP
4. District Staff Comments to Draft 2020 WSCP
5. 2020 Urban Water Management Plan Comments from City of Beaumont – July 22, 2021
6. District Responses to 2020 Urban Water Management Plan Comments from City of Beaumont – August 12, 2021
7. Request to Continue July 22, 2021 Hearing and Adoption of Urban Water Management Plan Letter from City of Beaumont Legal Counsel (SBEMP) – July 22, 2021
8. District Responses to Request to Continue July 22, 2021 Hearing and Adoption of Urban Water Management Plan Letter from City of Beaumont Legal Counsel (SBEMP) – August 10, 2021
9. District Memorandum Addressing City of Beaumont Comments and Responses from Joint Staff Meeting Between the City of Beaumont and BCVWD on August 18, 2021– August 19, 2021

Staff Report prepared by Mark Swanson, Senior Engineer and Lynda Kerney, Administrative Assistant

ATTACHMENT 1

RESOLUTION 2021-__

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN

WHEREAS, the California Legislature enacted Assembly Bill 797 (Water Code Section 10610 et seq., known as the Urban Water Management Planning Act) during the 1983-84 Regular Session, and as amended subsequently, which mandates that every water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, prepare an Urban Water Management Plan and update it as required, the primary objective of which is to plan for the conservation and efficient use of water; and

WHEREAS, BCVWD is an urban water supplier delivering more than 10,000 acre-feet of water annually to over 19,000 connections; and

WHEREAS, in accordance with Water Code Section 10621, the UWMP is to be updated every five years to assess the reliability of water sources over a 20-year planning horizon, and is to be submitted to the Department of Water Resources for review and acceptance by July 1, 2021; and

WHEREAS, as required by the Water Code, a Notice of Intent to Update the BCVWD 2020 Urban Water Management Plan was distributed on March 30, 2021 to the cities, counties, agencies and interested parties within the BCVWD service area, and notice of public hearing and availability for public inspection of the Plan was posted on July 9, 2021, and the draft 2020 UWMP was posted to the BCVWD website for public inspection on July 9, 2021; and

WHEREAS, as required by the Water Code, notification of the public hearing and circulation of the draft plan was also published in the Beaumont Record-Gazette on July 9, 2021 and July 16, 2021 pursuant to Government Code §6066; and

WHEREAS, the properly noticed public hearing was held by the BCVWD Board of Directors on July 22, 2021 and August 26, 2021,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District:

1. The 2020 Urban Water Management Plan is hereby adopted, including modifications to the 2020 Urban Water Management Plan made after the Public Hearing by the General Manager limited to (i) de minimis refinements, and (ii) such changes to address public input received (if any) at the Public Hearing.
2. The General Manager is hereby authorized and directed to file the 2020 Urban Water Management Plan immediately after its adoption with the California Department of Water Resources, and within thirty (30) days to the California State Library - Government Publications Section, and any city or county within which the District provides water supplies.
3. The General Manager is hereby authorized and directed to take any necessary actions to implement and administer the 2020 Urban water Management Plan.

ADOPTED this _____ day of _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

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

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

Attachment: BCVWD 2020 Urban Water Management Plan

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ATTACHMENT 2

RESOLUTION 2021-__

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT ADOPTING THE WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, the California Legislature enacted Assembly Bill 797 (Water Code Section 10610 et seq., known as the Urban Water Management Planning Act) during the 1983-84 Regular Session, and as amended subsequently, which mandates that every water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, prepare a Water Shortage Contingency Plan (WSCP); and

WHEREAS, BCVWD is an urban water supplier delivering more than 10,000 acre-feet of water annually to over 19,000 connections; and

WHEREAS, pursuant to recent amendments to the Urban Water Management Planning Act, Water Code Section 10610 et. seq., urban water suppliers are required to adopt and electronically submit their WSCPs to the Department of Water Resources (DWR) by July 1, 2021; and

WHEREAS, as required by the Water Code, a Notice of Intent to Update the BCVWD 2020 Urban Water Management Plan including the WSCP was distributed on March 30, 2021 to the cities, counties, agencies and interested parties within the BCVWD service area, and notice of public hearing and availability for public inspection of the Plan was posted on July 9, 2021, and the draft 2020 UWMP was posted to the BCVWD website for public inspection on July 9, 2021, and

WHEREAS, as required by the Water Code, notification of the public hearing and circulation of the draft plan was also published in the Beaumont Record-Gazette on July 9, 2021 and July 16, 2021 pursuant to Government Code §6066; and

WHEREAS, the properly noticed public hearing was held by the BCVWD Board of Directors on July 22, 2021 and August 26, 2021; and

WHEREAS, the BCVWD Board of Directors has reviewed and considered the purposes and requirements of the UWMP Act, the contents of the WSCP, and the documentation in support of the WSCP, and has determined that the factual analysis and conclusions set forth in the WSCP are legally sufficient,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District:

1. The Water Shortage Contingency Plan is hereby adopted, including modifications to the Plan made after the Public Hearing by the General Manager limited to (i) de minimis refinements, and (ii) such changes to address public input received (if any) at the Public Hearing.
2. The General Manager is hereby authorized and directed to file the Water Shortage Contingency Plan immediately after its adoption with the California Department of Water Resources, and within thirty (30) days to the California State Library - Government Publications Section, and any city or county within which the District provides water supplies.

3. The General Manager is hereby authorized and directed to take any necessary actions to implement and administer the Water Shortage Contingency Plan and to provide recommendations to the Board of Directors regarding necessary budgets, procedures, rules, regulations, or further actions to carry out the effective and equitable implementation of the WSCP.

ADOPTED this _____ day of _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

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

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

Attachment: BCVWD Water Shortage Contingency Plan

DRAFT

Attachment 3
District Staff Comments to Draft 2020 UWMP

| Section Number | Page Number | Staff Comment |
|----------------------------|-------------|---|
| Title Page | - | Include the District's address |
| TOC | - | Include letter from the Board of Directors and Acknowledgements in the Table of Contents |
| | - | Coordinate header and footer line coloring |
| | TOC-3 | Remove apostrophe at the end of the page after "6.15 Energy Use" |
| | TOC-5 | Rename "Inclusion of All 2015 Data" to "Inclusion of All 2020 Data" |
| | TOC-6 | Adjust formatting in List of Tables, Table 4-4 |
| | TOC-7 | Adjust page formatting - List of Tables to top of Page and Table 5-2 under heading |
| | TOC-8 | Adjust formatting in List of Tables, Table 7-6 |
| | TOC-8 | Adjust formatting in List of Tables, Tables 8-3, 10-1, 10-2 |
| | TOC-9 | Adjust formatting in List of Figures, Figures 6-8 through 6-15 |
| Abbreviations and Acronyms | ABR-1 | Define DoF as "State of California, Division of Finance" |
| | ABR-2 | Define Eto as "Reference Evapotranspiration" |
| | ABR-2 | ft instead of Ft |
| | ABR-3 | Remove the header at the bottom of the page |
| Executive Summary | ES-1 | 1st paragraph, last sentence begins with: "The City's 2020 UWMP..." Replace with "The District's 2020 UWMP..." |
| | ES-1 | 2nd paragraph: Replace "addresses" with "identifies" |
| | ES-1 | 4th bullet point: Replace "...BCVWD must make every effort..." with "... is making every effort.." |
| | ES-1 | 5th bullet point: Add "and conservation" after "through recycling" |
| | ES-1 | 6th bullet point: Adjust to read "Groundwater banking is essential to BCVWD's continued water reliability." |
| | ES-2 | Section ES-1 Water Supplies, 1st paragraph: Include groundwater from the Beaumont Groundwater Basin as a supply. |
| | ES-3 | Section ES-2 Water Demands, 2nd sentence: Add italicized text to the following statement - "All of the District's water comes from groundwater wells; <i>the imported water supply is recharged and subsequently re-extracted.</i> " |
| | ES-6 | Last paragraph, 1st sentence: Adjust to read - "...and Edgar Canyon in Riverside and San Bernardino Counties." |
| | ES-6 | It is not mentioned that the District banked groundwater account is currently at approximately 39,000 acre-ft, along with the number of years that the supply in storage would be able to provide without imported water. Include in the narrative around ES-4. |
| Section 1 | 1-1 | Subsection 1.1 Overview, 2nd sentence: Replace "This chapter..." with "This <i>section</i> ..." |
| Section 3 | 3-10 | Subsection 3.4.4 Flooding, 2nd sentence: Replace "...but noting that..." with "...but <i>nothing</i> that..." |
| | 3-16 | Subsection 3.5.2 BCVWD Historic Growth, 3rd paragraph, 2nd sentence: Adjust to read " <i>There was decline after 2010 that was probable due to the high number of foreclosures....</i> " |
| | 3-20 | 2nd to last paragraph: Adjust line spacing formatting |
| | 3-24 | Subsection 3.6 BCVWD's Water Supply System: Remove the word "historical" and adjust the statement to read "...demands were 10.8 mgd and 21.6 mgd for 2020, respectively." |
| | 3-27 | Last sentence: Clarify the quantity of interconnections: "...through <i>two</i> temporary interconnections..." |
| | 3-29 | Subsection 3.8 Land Use: Coordinate the narrative with Figure 3-7 |
| | 3-29 | Include land use distribution within the City of Beaumont and Cherry Valley. Rename the title of Figure 3-7 . |
| | 4-2 | 2nd bullet point, 2nd sentence: Adjust to read "...and was allowed to pump <i>no</i> more than five times..." |
| | 4-8 | Table 4-3: Banning's 364 AF in production was not considered in BCVWD's demand. Update footnote (2) by including "... City of Banning <i>and not included in BCVWD's demand.</i> " |

| Section Number | Page Number | Staff Comment |
|----------------|-------------|--|
| Section 4 | 4-9 | 3rd paragraph: Add a clarifying statement after the last sentence of the paragraph which reads <i>"This study shows a decline in water use and supports the reduced EDU demand."</i> |
| | 4-11 | Last paragraph, 2nd sentence: Amend statement. "In May 2016, an Emergency Conservation Regulation was adopted by the SWRCB which required water suppliers to maintain..." |
| | 4-14 | Table 4-5, Note (1): Clarify the statement which clearly reflects the quantities of water supplied to each golf course. "Also includes a portion of the golf course irrigation demands of 268 and 203 AFY for Tukwet Canyon and Oak Valley Greens, respectively." |
| | 4-16 | Last paragraph, last sentence: End sentence at "...assumed to be single family units and multi-family units." |
| | 4-17 | 3rd paragraph, 1st sentence: Amend to read "...in Table 4-5 are based on a portion of a uniform per capita water use per day of 162 gpcd." |
| | 4-17 | Reference to Table 4-7, 1st bullet, 3rd sentence: Clarify by amending state to read: "BCVWD did not include any reduction from future codes and ordinances since the impact on new codes and ordinances is difficult to project." |
| Section 5 | 5-3 | Subsection 5.1.3 - 2020 Targets: The CWC reference should be amended to read as 10608.20 |
| | 5-5 | Subsection 5.1.4: The CWC reference should be "10608.20" |
| Section 6 | 6-13 | 1st Bullet - "Foothill Pipeline": Remove this bullet. The line above indicates the SGPWA has 64 cfs capacity in EBX except for... The foothill pipeline is not an exception. |
| | 6-14 | Subsection 6.2.2 facilities for Additional EBX Capacity, 1st paragraph: Amend statement to read "SGPWA purchased an additional 32 cfs in the Foothill Pipeline through the Fourth Joint Facilities Agreement on June 8, 2020 bringing the Agency's total capacity in the Foothill Pipeline to 64 cfs." |
| | 6-14 | Subsection 6.2.3 - BCVWD Facilities for Imported Water, 2nd paragraph, 2nd sentence: Amend statement to read "...at the turnout upstream of BCVWD's facilities." |
| | 6-17 | 1st complete paragraph: Amend to read "Implementation of the Bay Delta Conservation plan and Delta Conveyance Project should..." |
| | 6-18 | Subsection 6.3.1 - Edgar Canyon Wells, 1st paragraph, 1st sentence: Amend statement to read "...Well RR-1 is being evaluated . " |
| | 6-23 | First paragraph: California Water Board is mentioned throughout, clarify to "SWRCB" |
| | 6-23 | First paragraph, 4th sentence: Hyphenate "re-assess" |
| | 6-23 | 2nd paragraph (1st complete paragraph): Amend to read "At the present time nitrates are not an immediate concern and there may be an MCL for hexavalent chromium, which may require the installation of treatment at some time. " |
| | 6-33 | Last paragraph: Amend to read "...does include non-potable (recycled) water planned to be supplied to Tukwet Canyon and Oak Valley Golf Courses since this is not currently occurring. " |
| | 6-41 | Subsection 6.6.1 - BCVWD's Existing Non-Potable Water System: The recycled water 3040 Pressure Zone is named. It will actually be 3000 Pressure Zone. This is referenced as 3000 Pressure Zone subsequently on page 6-48. |
| | 6-43 | 3rd complete paragraph: Omit this paragraph |
| | 6-44 | 4th complete paragraph, last sentence: Amend to read "...in the dewater biosolids hauled offsite and brine discharge from that portion which is desalinated . " |
| | 6-47 | Table 6-16: Far right column "Is WWTP Operation Contracted to a Third Party?" Should be NO |
| | 6-55 | Paragraph above Section 6.7: The amount from the City of Beaumont and YVWD-Connections... " |
| | 6-55 | Section 6.7, first sentence "As stated above, There are opportunities..." |

Attachment 3
District Staff Comments to Draft 2020 UWMP

| Section Number | Page Number | Staff Comment |
|----------------|--------------|--|
| | 6-55 | Section 6.7: Omit the last two sentences and replace with " <i>The City of Beaumont is required to provide partial desalination of their recycled water to meet discharge and maximum benefit water quality objectives.</i> " |
| | 6-56 | Subsection 6.8.1, 3rd sentence: Amend to read "During the period of 2004 through 2014..." |
| Section 7 | 7-10 - 7-11 | Last sentence: Amend as follows - "...including BCVWD, and recognizes the current allotment of Table A capacity is fully subscribed to current users. " |
| | 7-21 | 3rd sentence: Typographical error - "...BCVWD should keep about 12,000 AF in the storage account..." |
| Section 8 | 8-10 | Omit in last bullet point "Hurricanes" |
| | 8-15 | Section 8.12: Change Sample Resolution for New Sample Resolution as presented in the WSCP. |
| | 8-19 | Draft Resolution to be changed to the Resolution presented in July 22, 2021 Board Meeting Staff Report. |
| Section 9 | 9-1 | Figure 9-1: Adjust coloring of figure background to white for clarity |
| | 9-5 | Remove the photograph. |
| | 9-6 | Subsection 9.2.1 - Conversion to Recycled Water: second sentence: For consistency, amend as follows - "The District has installed over 40 miles of non-potable water..." |
| | 9-6 | Subsection 9.2.1, last paragraph: Correct 1,800 AFY demand with current 2020 demand. |
| | 9-6 | Subsection 9.2.1: Change "by" to "before" 2025. |
| | 9-7 | Subsection 9.3.1: Change "Several meters have..." to " The District is converting all of the meters over to AMR to assist the District in monitoring water leaks. " |
| | 9-7 | Subsection 9.3.1: Add semi-colon after "local schools;" and correct "is" to "it" |
| | 9-8 | Top paragraph: Correct "calculators" to " calculations " |
| Section 10 | 10-1 | Third paragraph: add " ...or at a subsequent Board Meeting. " at the end of the sentence "...after July 22, 2021." |
| Appendix B | - | Need to insert adopted Resolutions of UWMP and WSCP once approved by the Board |
| Appendix C | - | Finalize far right column to be more specific with where each item is located in the UWMP. |
| Appendix E | WSCP Page 7 | 2nd Paragraph, last sentence: Amend to "Please see Table 3 above ." |
| | WSCP Page 12 | Reference is made to "Table 8-1." In this location and throughout the document, clarification is needed that indicates "Table 6." |
| | WSCP Page 21 | Omit in last bullet point "Hurricanes" |
| | WSCP Page 28 | Subsection 11.1 - Water Shortage Contingency Resolution: Change Sample Resolution for New Sample Resolution as presented in the July 22, 2021 Board Meeting Staff Report. |
| | WSCP Page 33 | Draft Resolution to be changed to the Resolution presented in July 22, 2021 Board Meeting Staff Report. |
| Appendix G | - | Notices will require copies of the newspaper advertisements and a screen shot of BCVWD's website showing the 2020 UWMP Draft and Final, etc. |
| Appendix H | - | Delta Reliance, Add a 1-page, small introduction that states the District has relied on the SGPWA for Delta Compliance and attached are their tables. |

Attachment 4
District Staff Comments to Draft 2020 WSCP

| Section Number | Page Number | Staff Comment |
|-------------------|-------------|--|
| Title Page | - | Include the District's address. |
| Section 1 | 7 | 2nd Paragraph, last sentence: Amend to "Please see Table 3 <i>above</i> ." |
| Section 3 | 12 | Reference is made to "Table 8-1." In this location and throughout the document, clarification is needed that indicates "Table 6." |
| Section 7 | 21 | Omit last bullet point "Hurricanes" |
| Section 11 | 28 | Subsection 11.1 - Water Shortage Contingency Resolution: Change Sample Resolution for New Sample Resolution as presented in the July 22, 2021 Board Meeting Staff Report. |
| Section 15 | 33 | Draft Resolution to be changed to the Resolution presented in July 22, 2021 Board Meeting Staff Report. |



ATTACHMENT 5

July 22, 2021

Beaumont Cherry Valley Water District
Dan Jagers, General Manager
560 Magnolia Avenue
Beaumont, CA 92223

Via: dan.jagers@bcvwd.org
mark.swanson@bcvwd.org

Re: Comments on the Draft 2020 Urban Water Management Plan

Dear Mr. Jagers:

The City of Beaumont appreciates the opportunity to review the Draft 2020 Urban Water Management Plan. As Beaumont Cherry Valley Water District is the sole water provider to the City of Beaumont, the City has a vested interest in ensuring the current and future water needs of the City are met.

City staff has reviewed the Draft 2020 Urban Water Management Plan. Comments and questions are as follows:

1. Page 55 - Table 3-7 table references Hidden Canyon II however the II should be dropped as there is no project referred to as Hidden Canyon II.
2. Page 60 – states mixed use in the downtown needs to be evaluated in concert with the 2020 Census. The draft and final General Plan have been available since 2020. How will the evaluation impact the draft UWMP as build out is not expected until after 2045?
3. Page 63 – Statement that the largest well is out of service. What is the status of getting this well back on-line?
4. Page 64 – Temporary interconnections exist for Fairway Canyon and Tournament Hills. When will permanent connections be installed?
5. Page 73 – Table 4-2 Why is the water loss for January 2020 so high?
6. Page 81 – The draft 6th Cycle Housing Element is available on our website and the draft UWMP should utilize the updated information.
7. Page 88 – 4. Second paragraph is the date of 2010 correct?
8. Page 109 – Why is the district using a higher ratio of 2.0 over the historic maximum day/average ratio of 1.87?

9. Page 141 – Is infrastructure in place for a City connection to the district’s system regarding Tukwet Canyon Golf Course? Have there been any discussions with the City regarding the statements in the third paragraph?
10. Page 188 – Does staff or the Board appoint the members to the Water Conservation Advisory Committee? Who are typically members, i.e. City Manager, Public Works Director?
11. Page 380 – The letter prepared for the City of Beaumont is addressed to Amer Jakher who has not been an employee for several years, please update your records to reflect Jeff Hart as the Public Works Director/City Engineer.
12. Page 3-24 – The last two sentences reference impacts from development within the City of Beaumont. Are there impacts from development outside the City boundary?
13. Page 4-7 Table 4-4 – First line of the table 01/2020 – 9.77% loss based on 13,818 AF demand in 2020. This is greater than the 783 AF collected from storm water. Should there be a discussion about lowering the loss rate versus the cost to increase the recharge volume? How is this number obtained or estimated?
14. Page 6-41 - The second paragraph should include a discussion about what facilities are ready to receive the recycled water from the City or how long it will take Beaumont Cherry Valley Water District to construct the facilities.
15. Page ES-2 - “The District’s primary source of water is groundwater which is extracted from the Beaumont Basin which is adjudicated and managed by the Beaumont Basin Watermaster. BCVWD augments its groundwater supply with imported State Project Water”. This statement directly conflicts with the final paragraph on page ES-6.
16. Table ES-1 - Provides estimates of water supply from various sources. The recycled water estimates should be verified with expected Plant capacity.
17. Page ES-3 – Paragraph 1 under Water Demands states “All of the District’s water comes from ground water wells.” What about the imported water specified in Table ES-1?
18. Discrepancies exist between between SGPWA and BCVWD projected imported water needs illustrated in BCVWD Table ES-1 and SGPWA Table 3-16. What are the implications of this discrepancy?
19. Page ES-6 - Last paragraph conflicts with the statement on sheet ES-2 as noted in comment number 15.
20. Page 3-10 – first paragraph speaks to additional operating costs. Are these additional costs to the City or the District?
21. Page 3-12 - References the Beaumont Point project having completed a WSA but Table 3-1 does not show that area within the service area boundary.

22. Page 3-17 - The last paragraph, last sentence speaks to population. This information is inconsistent with what was provided on page 3-2 and in Table 3.9.
23. Page 4-11 - The suspension of “will serve” letters directly effect the City’s ability to meet State mandates for housing projects.
24. Page 7-11 - State the District is counting on one source of recycled water which is the City of Beaumont. Table 7-6 provides projects which have not been substantiated by the City.
25. The plan does not appear to contemplate development in the sphere of influence.
26. There is significant commentary throughout regarding the District’s reliance on the City for future recycled water, including detailed capacity estimates and permit requirements. The City looks forward to coordinating efforts with the District to facilitate the use of recycled water.
27. There is no discussion in the report regarding emergency power outages or PSPS implemented by Southern California Edison. The District should demonstrate their ability to maintain service in these situations, including emergency and standby power.
28. There is no discussion of Fire Hazard, or the District’s ability to maintain fire flow in the event of a fire. This should be included due to the areas local fire danger.
29. In some cases, the sources and methodology for data is not presented.

Although BCVWD staff met with City Planning Department staff to discuss demographics and population projections, there has been no other coordination between the District and the City in preparation of this plan. As such, the time available to the City for a thorough review of such an important document containing over 400 pages was limited to nine business days and was insufficient. In reference to Figure 3-1, the City believes the entire boundary of the City of Beaumont should be included in the BCVWD boundary as the District is the only water provider to the City. Due to the fact that the majority of new development will occur in the Districts sphere of influence, additional evaluation is required to determine that the conclusions contained in the report accurately reflect long term water demand requirements.

The City respectfully requests the District provide an additional thirty days of review time for the Draft 2020 UWMP prior to adoption and submission to the State. City staff is available to meet with District staff to discuss comments and gain clarity with respect to the questions provided. We look forward to working with the District on the Draft 2020 Urban Water Management Plan.

Regards,



Todd Parton
City Manager

Cc: Beaumont Cherry Valley Board of Directors
City of Beaumont City Council



ATTACHMENT 6

Beaumont-Cherry Valley Water District

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August 12, 2021

Todd Parton, City Manager
City of Beaumont
550 East Sixth Street
Beaumont, CA 92223

Via: tparton@beaumontca.gov
ctaylor@beaumontca.gov

Subject: City of Beaumont - Comments on the BCVWD DRAFT 2020 Urban
Water Management Plan (UWMP)

Dear Mr. Parton:

The Beaumont Cherry Valley Water District (BCVWD) appreciates the time and effort that you and your staff have put in to reviewing BCVWD's DRAFT 2020 UWMP and providing comments. This letter addresses each of your comments. The City's comments are repeated in italics with BCVWD's response in "regular" text.

1. *Page 55 - Table 3-7 table references Hidden Canyon II however the II should be dropped as there is no project referred to as Hidden Canyon II.*

BCVWD is aware of the recent name change to Potrero Logistics and will insert the name "Potrero Logistics" in Table 3-7 with "Hidden Canyon II" in parentheses since some of BCVWD's records still refer to it as Hidden Canyon II.

2. *Page 60 — states mixed use in the downtown needs to be evaluated in concert with the 2020 Census. The draft and final General Plan have been available since 2020. How will the evaluation impact the draft UWMP as build out is not expected until after 2045?*

BCVWD has incorporated the City's 2020 General Plan Update in the 2020 Draft UWMP and had discussions with City staff particularly related to the mixed use development and the anticipated occupancy of the housing in the mixed use development area. Having an understanding of the occupancy will provide a better estimate of the indoor water use. The reason to wait for the census results is to have an understanding of the current occupancy in the downtown and surrounding areas and what the movement toward mixed use



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might have on the occupancy. Again, this is to better estimate the impact of these changes on the water demand over time.

BCVWD is interested in the build-out population and has used the land use from the 2020 General Plan Update and the County's updated Pass Area Land Use Plan to estimate a build-out population. Build-out population is important from a planning standpoint when water storage tanks are sited to ensure that sufficient land is acquired to provide additional storage, if needed. It is far less costly to add a storage tank adjacent to an existing tank than to acquire a new site and install the infrastructure (piping, access roads, and sitework).

Knowing the build-out population provides an estimate of ultimate water demands and the need to plan for well sites ahead of time to accommodate the increased demand.

BCVWD believes no further action is required.

3. *Page 63 — Statement that the largest well is out of service. What is the status of getting this well back on-line?*

This appears to be a misunderstanding. Water systems must have a reliable water supply. BCVWD relies exclusively on wells to extract groundwater or recharged imported water. A water system such as BCVWD's relies on a number of wells of varying capacity from 100 gallons/minute (gpm) to over 3,000 gpm. To be reliable, the well supply system must be able to provide the maximum day demand (usually a peak summer day) with the largest source (well) out of service for maintenance, repair, etc. In other words, can the other wells meet the demand? BCVWD's water system planning, as are most others, is based on this principle. This does not mean the largest well is actually out of service.

BCVWD believes no further action is required.

4. *Page 64 — Temporary interconnections exist for Fairway Canyon and Tournament Hills. When will permanent connections be installed?*

The non-potable water system 2600 and 2400 Pressure Zones, south of I-10 will be permanently re-connected to the 2800 Pressure Zone at such time as recycled water is available to BCVWD. A 2800 Zone to 2600 Zone and a 2600 Zone to 2400 Zone Pressure Regulator Station will be constructed prior to the conversion to recycled water. System cross-connection testing, required by the State Water Resources Control Board (SWRCB) Division of



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Drinking Water (DDW) will immediately precede the conversion to recycled water.

BCVWD believes no further action is required.

5. *Page 73 — Table 4-2 Why is the water loss for January 2020 so high?*

Table 4-2 shows annual amounts. BCVWD's total water loss is comparable with other nearby agencies considering the size of the system; see https://wuedata.water.ca.gov/awwa_plans. Nevertheless, BCVWD is working to reduce water loss. BCVWD is required to produce an annual water loss audit and provide a report to the State. Some of the water "loss" is due to inaccurate water meters, termed "apparent losses". As water meters age, they lose accuracy and typically "under-report" water usage. BCVWD has a grant project to replace the individual residence water meters with Advanced Metering Infrastructure (AMI) or "smart meters" which will be integrated with BCVWD's data management systems. The new meters will provide more accurate metering and provide real-time water use information which can be used to help control water waste. BCVWD will budget to replace these meters as they age. Some losses are "real losses" which is due to pipe and service line leaks. Pipe leaks are repaired as quickly as they are identified.

A large part of BCVWD's system is new, constructed since 2000; but some is older and BCVWD has a Capital Improvement Program to replace aging pipelines as quickly as possible.

BCVWD believes no further action is required.

6. *Page 81 — The draft 6 Cycle Housing Element is available on our website and the draft UWMP should utilize the updated information.*

BCVWD appreciates the City pointing this out. BCVWD will review the Housing Element and incorporate findings as appropriate in the Final 2020 UWMP.

7. *Page 88 — 4. Second paragraph is the date of 2010 correct?*

Yes, it is correct. BCVWD believes no further action is required.

8. *Page 109 — Why is the district using a higher ratio of 2.0 over the historic maximum day/average ratio of 1.87?*

BCVWD's ratio of the Maximum Day Demand to the Average Day Demand has varied from 2.05 (2005) to 1.51 (2014 drought year with landscape watering restrictions), with an average of 1.87 over the last 15 years.



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BCVWD has been using 2.0 for planning purposes to be conservative and account for variability. With the limitations on landscape irrigation, a major factor in peak demands, BCVWD expects the ratio to decrease over time and future Potable Water Master Plans may reflect this.

BCVWD believes no further action is required.

9. *Page 141 — Is infrastructure in place for a City connection to the district's system regarding Tukwet Canyon Golf Course? Have there been any discussions with the City regarding the statements in the third paragraph?*

The wording in the Draft 2020 UWMP is misleading and not clear. BCVWD has a 24-inch diameter non-potable pipeline in Champions Drive at the Golf Club entrance road which could serve the Morongo Tukwet Canyon Golf Course. It is really not a "City connection". The paragraph will be reworded as follows:

Surplus water is available during the winter and early spring months. Tukwet Canyon Golf Course is in the 2600 Pressure Zone and could be served with recycled water as soon as the City is able to deliver recycled water to BCVWD at the Wastewater Treatment Plant. The Tukwet Canyon Golf Course would be served either through a connection to the golf course irrigation system or to the "lake" from BCVWD's non-potable pipeline in Champions Dr. Oak Valley Golf Course is in the 2800 Non-potable Pressure Zone and could be served from an existing BCVWD non-potable pipeline in Oakview Drive. Both Tukwet Canyon and Oak Valley Golf Courses are overlying parties in the Beaumont Basin Adjudication and have their own wells.

Reference to State Project Water (SPW) have been deleted since that is not a primary supply any longer.

The use of recycled water by the golf courses during the winter and spring months is an option to maximize the use of recycled water during times when recycled water production exceeds the normal landscape demands. In the summer months there is a shortfall of recycled water and the non-potable water system has to be supplemented by BCVWD well water or SPW. There have been no discussions with either the golf courses or the City regarding serving the golf courses, although it has been included in previous UWMPs.

Distribution of recycled water from the City of Beaumont by BCVWD has been discussed as early as 1987 (see BCVWD 2005 UWMP, pg 8-3); golf



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courses were discussed in the 2005 UWMP pg. 8-10 and subsequent BCVWD UWMPs (see BCVWD 2015 UWMP page 6-52).

BCVWD is eager to discuss the recycled water system and service as soon as possible.

10. *Page 188 — Does staff or the Board appoint the members to the Water Conservation Advisory Committee? Who are typically members, i.e. City Manager, Public Works Director?*

The final organization participation members and associated details will be identified by the District Directors and District Management, together with identifying all appropriate community partners to participate in the Water Conservation Advisory Committee at the time a (water) shortage level 4 emergency is identified by the District.

BCVWD believes no further action is required.

11. *Page 380 — The letter prepared for the City of Beaumont is addressed to Amer Jakher who has not been an employee for several years, please update your records to reflect Jeff Hart as the Public Works Director/City Engineer.*

BCVWD acknowledges the error and have correct our mailing list to identify Jeff Hart as the Public Works Director and City Engineer.

12. *Page 3-24 — The last two sentences reference impacts from development within the City of Beaumont. Are there impacts from development outside the City boundary?*

The last part of the paragraph is unclear and is being reworded as follows:

BCVWD's average day and maximum day potable water demands were 10.8 mgd and 21.6 mgd, respectively for 2020. Average day and maximum day non-potable water demands for 2020 were 5.6 mgd and 6.7 mgd, respectively. These demands are higher than 2015 when the average day potable and non-potable demand was 9.2 mgd; maximum day was 15.3 mgd. The impact of increased development in the City of Beaumont is evident.

To respond to the comment, for comparison from 2015 to 2020 the total average day potable and non-potable demand increased from 9.2 mgd in 2015 to 16.4 mgd in 2020. Although 2015 was a "drought year", with



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somewhat reduced demands, the increase is significant. The Cherry Valley area of the District grew only a small amount – about 25 EDUs.

13. *Page 4-7 Table 4-4 — First line of the table 01/2020 — 9.77% loss based on 13,818 AF demand in 2020. This is greater than the 783 AF collected from storm water. Should there be a discussion about lowering the loss rate versus the cost to increase the recharge volume? How is this number obtained or estimated?*

The response to Comment 5 above addressed the loss rate. BCVWD is taking measures to reduce the loss rate as discussed in the response to Comment 5. It is important to understand that a portion of the total water loss is “Apparent Loss” which is the result of inaccurate water meters. The water is not “lost”, but is not generating revenue. This is a financial problem that can be rectified to a degree by meter replacement and master meter calibration (meters on wells, etc). BCVWD is aggressively working on reducing the “real losses” by replacing old pipelines as part of its Capital Improvement Program.

The quantity is determined using the State-mandated AWWA Water Audit Software.

BCVWD believes no further action is required.

14. *Page 6-41 - The second paragraph should include a discussion about what facilities are ready to receive the recycled water from the City or how long it will take Beaumont Cherry Valley Water District to construct the facilities.*

BCVWD has a 24-in diameter non-potable pipeline in Fourth St. fronting the entire length of the City’s Treatment Facility. BCVWD has worked with the City and the City’s Wastewater Consultant to identify a location for a recycled water booster pumping station that would pump water into BCVWD’s 2800 Non-potable Pressure Zone. City staff identified a site on City-owned land on the west side of the Wastewater Treatment Plant and BCVWD staff have made some preliminary layouts of the pumping station on that location. BCVWD’s Board of Directors have not authorized any further work until 1) an agreement between the City and BCVWD for the transfer and distribution of recycled water is in place; 2) an agreement for long term use/lease of the City-designated property is in place; 3) approval is granted by the City to conduct geotechnical engineer and topographic survey work on the designated site. Completion of design and construction will take a minimum of two years or so from recommencement of activities.



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BCVWD believes no further action is required.

15. *Page ES-2 - "The District's primary source of water is groundwater which is extracted from the Beaumont Basin which is adjudicated and managed by the Beaumont Basin Watermaster. BCVWD augments its groundwater supply with imported State Project Water". This statement directly conflicts with the final paragraph on page ES-6.*

There is no conflict; the final paragraph on page ES-6 could be stated differently. All of the "safe yield" of the Beaumont Basin has been assigned to the Overlying Parties. The only "native groundwater" the Appropriating Parties, like BCVWD, receive are a share of the unused Overlying Party Rights, which is a relatively small amount that varies from year to year. This is the only water that does not need to be "replaced". All pumping in excess of this must be replaced, imported, or taken from the Appropriating Party's banked storage account. Either way it is imported water.

However, to avoid any mis-understandings, the first sentence in the last paragraph on page ES-6 will be stated as follows:

As discussed previously, BCVWD relies on groundwater obtained from Edgar Canyon and imported water from the State Water Project or other imported sources to meet the Adjudication obligations for groundwater pumped from the Beaumont Basin.

16. *Table ES-1 - Provides estimates of water supply from various sources. The recycled water estimates should be verified with expected Plant capacity.*

The annual volumes of recycled water in Table ES-1 were extracted from Table 6-15, which is the amount that can be recycled after deducting the Environmental Mitigation Flow and assuming a 10% loss for brine discharge, water in the biosolids disposed offsite, and in-plant water use. Brine discharge is based on reverse osmosis treatment of 1/3 of the main plant flow and 80% recovery. The development of the flow values is explained in Table 6-15 and the associated text. Plant capacity is determined based on estimated population as shown in Table 6-15.

BCVWD believes no further action is required.

17. *Page ES-3 — Paragraph 1 under Water Demands states "All of the District's water comes from ground water wells." What about the imported water specified in Table ES-1?*



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All of BCVWD's imported water is recharged at the Noble Creek Recharge Facility for subsequent extraction. BCVWD believes this is a more cost effective method than providing a surface water treatment plant.

BCVWD believes no further action is required.

18. *Discrepancies exist between SGPWA and BCVWD projected imported water needs illustrated in BCVWD Table ES-1 and SGPWA Table 3-16. What are the implications of this discrepancy?*

Table 3-16 in the SGPWA 2020 UWMP is not imported water needs. The value for BCVWD is BCVWD's total potable and non-potable water demand which was provided to the SGPWA in April 2020 or so. It does not include the projected "banking" water that BCVWD is anticipating purchasing each year for "drought proofing." There have been some minor adjustments to BCVWD's demand as BCVWD began producing their own UWMP. Table ES-1 in BCVWD's 2020 UWMP is BCVWD estimated water supplies, which are shown to exceed demands, particularly in 2045 when Sites Reservoir is operational.

BCVWD believes no further action is required.

19. *Page ES-6 - Last paragraph conflicts with the statement on sheet ES-2 as noted in comment number 15.*

This was addressed in the response to Comment 15 above; BCVWD will clarify the wording as stated in the response to Comment 15.

20. *Page 3-10 — first paragraph speaks to additional operating costs. Are these additional costs to the City or the District?*

The City operates the reverse osmosis facility at the Wastewater Treatment Plant and any increase in the TDS of the imported water over time as well as irrigation return flow components increasing background TDS concentrations within the groundwater basin due to maximum benefit objectives being exercised will tend to increase the wastewater concentration over time; unless the maximum benefit water quality objective changes. This would most likely result in additional desalting (treatment) being required. Fortunately, the imported water is recharged and will be blended down with native groundwater, and return flow components together with planned captured stormwater which will delay the salinity increase.

BCVWD believes no further action is required.



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21. *Page 3-12 - References the Beaumont Point project having completed a WSA but Table 3-1 does not show that area within the service area boundary.*

The table reference should be Table 3-7. It is acknowledged that Beaumont Pointe (Jack Rabbit Trail) is not currently served by the District as the project receives no service, but is within BCVWD's Sphere of Influence (SOI). BCVWD will reword the title of Table 3-7 as follows, since Beaumont Pointe and several others are not in the current service area *per se*:

Table 3-7 – Other Projects in BCVWD's Service area or SOI

22. *Page 3-17 - The last paragraph, last sentence speaks to population. This information is inconsistent with what was provided on page 3-2 and in Table 3.9.*

Page 3-2 states that City of Beaumont build-out population is 134,000; page 3-17 states that the developments in Table 3-7 would bring the Beaumont population to 95,000 ... which would not occur until 2045 or later; Table 3-9 shows the City of Beaumont population at 2045 to be 86,266.

BCVWD recognizes a potential inconsistency and the last sentence on page 3-17 will be reworded:

Based on the estimated build-out year for each project in Table 3-7, this population would not occur until after 2045.

23. *Page 4-11 - The suspension of "will serve" letters directly affect the City's ability to meet State mandates for housing projects.*

So noted.

24. *Page 7-11 - State the District is counting on one source of recycled water which is the City of Beaumont. Table 7-6 provides projects which have not been substantiated by the City.*

BCVWD does not understand the comment. Table 7-6 relies on a previous table (Table 6-15) which shows the average recycled water available during a normal year based on the population projections made by BCVWD for the City of Beaumont. BCVWD believes these growth estimates to be reasonable. For the Dry Year analysis, a reduction in the amount of recycled water normally available was estimated based on a BCVWD staff member's extensive experience with recycled water systems during droughts and water restrictions. A 15% reduction in wastewater flow during a drought is not



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unreasonable. If this does not occur, then there will be more recycled water available to meet demand. BCVWD does not understand “projects which have not be substantiated by the City” in Table 7-6.

BCVWD believes no further action is required.

25. *The plan does not appear to contemplate development in the sphere of influence.*

BCVWD used GIS to determine the land use areas within its Sphere of Influence to develop the build-out populations as described in Section 3. Also, there are a number of projects in Table 3-7 that are not currently in the City of Beaumont, but within the BCVWD Sphere of Influence. BCVWD has included the growth in Cherry Valley and even some projects that are in Calimesa.

BCVWD believes no further action is required.

26. *There is significant commentary throughout regarding the District’s reliance on the City for future recycled water, including detailed capacity estimates and permit requirements. The City looks forward to coordinating efforts with the District to facilitate the use of recycled water.*

BCVWD concurs and looks forward to continued discussion and coordination with the City.

27. *There is no discussion in the report regarding emergency power outages or PSPS implemented by Southern California Edison. The District should demonstrate their ability to maintain service in these situations, including emergency and standby power.*

BCVWD discussed PSPS on page 6-33. BCVWD has standby power generating capacity at most of the wells or the capability to move-in and attach mobile generating units at critical wells. BCVWD has used these generators when necessary during PSPS events. Further, the District is proceeding with continued augmentation of emergency power generation as part of ongoing capital facilities development activities.

28. *There is no discussion of Fire Hazard, or the District’s ability to maintain fire flow in the event of a fire. This should be included due to the areas local fire danger.*

Wildfire hazards to BCVWD facilities is discussed in Section 6.13. The Apple Fire in July 2020, starting from human causes near Oak Glen Rd. and



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Appletree Ln. which burned significant areas of BCVWD's watershed, but did not damage any of BCVWD's wells or other facilities. However, the threat of mudflows from heavy rain on burned slopes continues to be a concern to BCVWD and Riverside County Flood and Water Conservation District. BCVWD is coordinating with the County on monitoring the slopes and erosion potential.

The Replier Fire, which started in Banning, in the early 1990s threatened several of BCVWD's facilities in Edgar Canyon, but did no damage despite burning a significant portion of the watershed.

It should be noted that CalFire uses BCVWD's recharge ponds as a source of water for fire-fighting helicopters, when water is available, and ground crews use BCVWD fire hydrants in the fire area.

In terms of providing adequate fire flow, the UWMP is a water supply planning document to ensure adequate and reliable water supply to meet the existing and projected water demands. Although providing adequate flow and pressure for fighting fires, the DWR Guidebook does not require this to be addressed in the UWMP.

29. *In some cases, the sources and methodology for data is not presented.*

The UWMP relies on many of BCVWD's planning documents including past UWMPs, the 2013 Potable Water Master Plan and the Draft Non-potable Water Master Plan (in process), along with a series of White Papers issued by BCVWD to address regional imported water supply which were prepared in 2017-2018. In addition, BCVWD relies on a number of documents issued by DWR including the bi-annual State Water Project Delivery Capability Report. The 2020 UWMP is written to provide the reader with the basic background on how BCVWD came to the conclusions presented in the figures and tables, but does not always include the supporting calculations. The spreadsheets and calculations that support those findings are available in BCVWD's office.

Final paragraph response part 1 of 2:

Although BCVWD staff met with City Planning Department staff to discuss demographics and population projections, there has been no other coordination between the District and the City in preparation of this plan. As such, the time available to the City for a thorough review of such an important document containing over 400 pages was limited to nine business days and



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was insufficient. In reference to Figure 3-1, the City believes the entire boundary of the City of Beaumont should be included in the BCVWD boundary as the District is the only water provider to the City. Due to the fact that the majority of new development will occur in the Districts sphere of influence, additional evaluation is required to determine that the conclusions contained in the report accurately reflect long term water demand requirements.

BCVWD met the required public notification requirements in the Water Code for the UWMP public comment period. We do understand there is a vast amount of information in the UWMP to “digest”, but we laud the City in their ability to review the document and provide meaningful questions.

The City makes reference to Figure 3-1 which shows the BCVWD Sphere of Influence (SOI) and the current BCVWD service area. Although the City of Beaumont Boundary is not shown on the Figure, the City’s boundary extends beyond the south of BCVWD’s SOI. BCVWD agrees that it would be beneficial if the BCVWD boundary and the City of Beaumont’s boundary were “common.” However, there are some important factors that make this problematic. This has been discussed with Riverside County LAFCO in late 2020, and earlier in 2021. Riverside LAFCO would have to approve the SOI boundary change. That may be difficult considering other water supply agencies are involved .

The water retailer to the south of BCVWD’s SOI is Eastern Municipal Water District (EMWD) which is a member agency of the Metropolitan Water District of Southern California (Metropolitan), another State Water Contractor. BCVWD is within the boundaries of the SGPWA. Both Metropolitan and SGPWA collect taxes to pay for the State Water Project facilities through ad valorem taxes. If BCVWD were to extend south and serve the City area within EMWD, that would mean SGPWA imported water would be transferred across the Metropolitan/SGPWA boundary through BCVWD’s system. This requires concurrence from DWR and the State Water Contractors. Also, there would need to be a water transfer agreement between Metropolitan and SGPWA for the imported water supplied to the City.

If that area of the City were to request de-annexation from Metropolitan and annexation to SGPWA, there would be property tax issue since Metropolitan’s ad valorem taxes “run with the land” and the property owners would be paying taxes to Metropolitan and SGPWA. Annexation and subsequent de-annexation should not be considered.



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BCVWD believes the best solution is that EMWD supply water to that area of the City which is outside of BCVWD's SOI. If EMWD is not able to supply the area or it becomes too expensive to supply that area of the City, Metropolitan, SGPWA, BCVWD and EMWD would enter into an agreement allowing BCVWD to supply the area, with the amount of imported water used in that area to be exchanged between Metropolitan and SGPWA. The agreement would have to identify the means and methods for calculating the imported water used in the area.

Final paragraph response part 2 of 2:

The City respectfully requests the District provide an additional thirty days of review time for the Draft 2020 UWMP prior to adoption and submission to the State. City staff is available to meet with District staff to discuss comments and gain clarity with respect to the questions provided. We look forward to working with the District on the Draft 2020 Urban Water Management Plan.

The Board of Directors at the July 22, 2021 Board Meeting deferred action until the next Board Meeting. It is anticipated that the Draft 2020 UWMP will be presented at the August 26, 2021 Board Meeting.

Again, we appreciate the thoroughness of the City's review and we look forward to working with the City to finalize the 2020 UWMP and in the preparation of future UWMP's. Please call at (951) 845-9581, extension 217 if you have any questions or email me at dan.jaggers@bcvwd.org.

Sincerely,

Dan Jaggers, PE

Beaumont-Cherry Valley Water District

General Manager

Attachment: City of Beaumont letter regarding comments on Draft 2020 Urban Water Management Plan dated July 22, 2021

CC: Beaumont Cherry Valley Board of Directors
City of Beaumont City Council



July 22, 2021

Beaumont Cherry Valley Water District
Dan Jagers, General Manager
560 Magnolia Avenue
Beaumont, CA 92223

Via: dan.jagers@bcvwd.org
mark.swanson@bcvwd.org

Re: Comments on the Draft 2020 Urban Water Management Plan

Dear Mr. Jagers:

The City of Beaumont appreciates the opportunity to review the Draft 2020 Urban Water Management Plan. As Beaumont Cherry Valley Water District is the sole water provider to the City of Beaumont, the City has a vested interest in ensuring the current and future water needs of the City are met.

City staff has reviewed the Draft 2020 Urban Water Management Plan. Comments and questions are as follows:

1. Page 55 - Table 3-7 table references Hidden Canyon II however the II should be dropped as there is no project referred to as Hidden Canyon II.
2. Page 60 – states mixed use in the downtown needs to be evaluated in concert with the 2020 Census. The draft and final General Plan have been available since 2020. How will the evaluation impact the draft UWMP as build out is not expected until after 2045?
3. Page 63 – Statement that the largest well is out of service. What is the status of getting this well back on-line?
4. Page 64 – Temporary interconnections exist for Fairway Canyon and Tournament Hills. When will permanent connections be installed?
5. Page 73 – Table 4-2 Why is the water loss for January 2020 so high?
6. Page 81 – The draft 6th Cycle Housing Element is available on our website and the draft UWMP should utilize the updated information.
7. Page 88 – 4. Second paragraph is the date of 2010 correct?
8. Page 109 – Why is the district using a higher ratio of 2.0 over the historic maximum day/average ratio of 1.87?

9. Page 141 – Is infrastructure in place for a City connection to the district’s system regarding Tukwet Canyon Golf Course? Have there been any discussions with the City regarding the statements in the third paragraph?
10. Page 188 – Does staff or the Board appoint the members to the Water Conservation Advisory Committee? Who are typically members, i.e. City Manager, Public Works Director?
11. Page 380 – The letter prepared for the City of Beaumont is addressed to Amer Jakher who has not been an employee for several years, please update your records to reflect Jeff Hart as the Public Works Director/City Engineer.
12. Page 3-24 – The last two sentences reference impacts from development within the City of Beaumont. Are there impacts from development outside the City boundary?
13. Page 4-7 Table 4-4 – First line of the table 01/2020 – 9.77% loss based on 13,818 AF demand in 2020. This is greater than the 783 AF collected from storm water. Should there be a discussion about lowering the loss rate versus the cost to increase the recharge volume? How is this number obtained or estimated?
14. Page 6-41 - The second paragraph should include a discussion about what facilities are ready to receive the recycled water from the City or how long it will take Beaumont Cherry Valley Water District to construct the facilities.
15. Page ES-2 - “The District’s primary source of water is groundwater which is extracted from the Beaumont Basin which is adjudicated and managed by the Beaumont Basin Watermaster. BCVWD augments its groundwater supply with imported State Project Water”. This statement directly conflicts with the final paragraph on page ES-6.
16. Table ES-1 - Provides estimates of water supply from various sources. The recycled water estimates should be verified with expected Plant capacity.
17. Page ES-3 – Paragraph 1 under Water Demands states “All of the District’s water comes from ground water wells.” What about the imported water specified in Table ES-1?
18. Discrepancies exist between between SGPWA and BCVWD projected imported water needs illustrated in BCVWD Table ES-1 and SGPWA Table 3-16. What are the implications of this discrepancy?
19. Page ES-6 - Last paragraph conflicts with the statement on sheet ES-2 as noted in comment number 15.
20. Page 3-10 – first paragraph speaks to additional operating costs. Are these additional costs to the City or the District?
21. Page 3-12 - References the Beaumont Point project having completed a WSA but Table 3-1 does not show that area within the service area boundary.

22. Page 3-17 - The last paragraph, last sentence speaks to population. This information is inconsistent with what was provided on page 3-2 and in Table 3.9.
23. Page 4-11 - The suspension of “will serve” letters directly effect the City’s ability to meet State mandates for housing projects.
24. Page 7-11 - State the District is counting on one source of recycled water which is the City of Beaumont. Table 7-6 provides projects which have not been substantiated by the City.
25. The plan does not appear to contemplate development in the sphere of influence.
26. There is significant commentary throughout regarding the District’s reliance on the City for future recycled water, including detailed capacity estimates and permit requirements. The City looks forward to coordinating efforts with the District to facilitate the use of recycled water.
27. There is no discussion in the report regarding emergency power outages or PSPS implemented by Southern California Edison. The District should demonstrate their ability to maintain service in these situations, including emergency and standby power.
28. There is no discussion of Fire Hazard, or the District’s ability to maintain fire flow in the event of a fire. This should be included due to the areas local fire danger.
29. In some cases, the sources and methodology for data is not presented.

Although BCVWD staff met with City Planning Department staff to discuss demographics and population projections, there has been no other coordination between the District and the City in preparation of this plan. As such, the time available to the City for a thorough review of such an important document containing over 400 pages was limited to nine business days and was insufficient. In reference to Figure 3-1, the City believes the entire boundary of the City of Beaumont should be included in the BCVWD boundary as the District is the only water provider to the City. Due to the fact that the majority of new development will occur in the Districts sphere of influence, additional evaluation is required to determine that the conclusions contained in the report accurately reflect long term water demand requirements.

The City respectfully requests the District provide an additional thirty days of review time for the Draft 2020 UWMP prior to adoption and submission to the State. City staff is available to meet with District staff to discuss comments and gain clarity with respect to the questions provided. We look forward to working with the District on the Draft 2020 Urban Water Management Plan.

Regards,



Todd Parton
City Manager

Cc: Beaumont Cherry Valley Board of Directors
City of Beaumont City Council

ATTACHMENT 7



JOHN O. PINKNEY, ESQ.
ADMITTED IN CALIFORNIA

REPLY TO:
1800 E. Tahquitz Canyon Way
Palm Springs, California 92262
T (760) 322-2275 • F (760) 322-2107
pinkney@sbemp.com

July 22, 2021

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

Subject: Request to continue July 22, 2021 hearing and adoption of Urban Water Management Plan to allow coordination with the City of Beaumont and compliance with requirements of the California Water Code

HONORABLE MEMBERS OF THE BOARD OF DIRECTORS:

On behalf of the City of Beaumont ("City"), this is to request that the Board of Directors continue the hearing on the draft 2020 Urban Water Management Plan ("Plan") scheduled for hearing and adoption at tonight's meeting. A thirty day continuance is requested to allow the City and its consultants to review and comment on the draft Plan before it is adopted. The City was only given nine business days to review the draft Plan, which was not sufficient time for the City to review and comment on the Plan.

Moreover, there has been no coordination between the District and the City in the preparation of the Plan. Water Code Section 10633 mandates that "the preparation of the plan shall be coordinated with local ...wastewater...and planning agencies that operate within the supplier's service area..." The City of Beaumont is a wastewater and planning agency within the District's service area. As such, the Water Code requires the District to coordinate with the City in preparation of the plan. This has not occurred.

In addition, the City's consultants have noted that there is a lack of documentation and references to sources of data and information and methodology on how calculations were made in the draft Plan. The Plan also contains discrepancies with San Geronio Pass Water Agency ("SGPWA") projected water import needs as illustrated in the draft Plan's table ES-1 and SGPWA Plan Table 3-16.

In light of the above, a thirty day continuance of the hearing on the draft Plan is hereby requested

Sincerely

A handwritten signature in black ink, appearing to read 'John Pinkney', written over a horizontal line.

JOHN PINKNEY, BEAUMONT CITY ATTORNEY

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ATTACHMENT 8

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August 10, 2021

John O. Pinkney, Esq.
SBEMP, LLP. Beaumont City Attorney
1800 E. Taquitz Canyon Way
Palm Springs, CA 92262

Via: pinkney@sbemp.com

Subject: SBEMP Comments on the BCVWD DRAFT 2020 Urban Water Management Plan (UWMP)

Dear Mr. Pinkney, Esq:

The Beaumont Cherry Valley Water District (BCVWD) reviewed your letter, on behalf of the City of Beaumont (City), dated July 22, 2021, related to BCVWD's public hearing on the Draft Urban Water Management Plan (UWMP) and is providing responses to your comments herewithin. SBEMP's comments are repeated in italics with BCVWD's response in "regular" text.

1. *On behalf of the City of Beaumont ("City"), this is to request that the Board of Directors continue the hearing on the draft 2020 Urban Water Management Plan ("Plan") scheduled for hearing and adoption at tonight's meeting. A thirty day continuance is requested to allow the City and its consultants to review and comment on the draft Plan before it is adopted. The City was only given nine business days to review the draft Plan, which was not sufficient time for the City to review and comment on the Plan.*

At the public hearing the Board did grant a continuance to August 26, 2021 (35 days). BCVWD recognizes that the UWMP is a lengthy document, however, BCVWD did comply with the notification requirements in the Water Code, including the 60-day notice to the City stating that BCVWD was in the process of updating their UWMP on March 30, 2021. BCVWD does acknowledge that City staff listed on the notice was for an employee who is no longer employed with the City.

2. *Moreover, there has been no coordination between BCVWD and the City in the preparation of the Plan. Water Code Section 10633 mandates that "the preparation of the plan shall be coordinated with local ...wastewater ...and planning agencies that operate within the supplier's service area..." The City of Beaumont is a wastewater and planning agency within BCVWD's service*



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area. As such, the Water Code requires BCVWD to coordinate with the City in preparation of the plan. This has not occurred.

As stated above, BCVWD did send a 60-day notice to the City, as required by the Water Code, stating that BCVWD has started the process of updating their UWMP on March 30, 2021. BCVWD did not receive any correspondence from the City offering any input.

BCVWD did receive a request from the City in April 2020 to prepare a water supply assessment of the City's 2020 General Plan Update (General Plan) which was still in the process of being developed. BCVWD responded that a water supply assessment was not appropriate (A water supply assessment is a specific document required in the Water Code for a new development exceeding specific size. The General Plan did not identify a specific project.) BCVWD offered to prepare a water supply evaluation of the impact of the land use changes in the General Plan, along with a scope of work/tasks for the City's approval. The City did not respond.

The City prepared a draft of their General Plan in late October 2020 and BCVWD offered extensive comments relating to population potential, development projects, and recycled water. One of the comments BCVWD made related to BCVWD's UWMP which, cited on page 176 of the General Plan, was as follows: *"BCVWD has initiated the process for the 2020 update to the UWMP and looks forward to working with City staff on quantifying the impacts of the General Plan 2020 update on water supplies."*

BCVWD's Senior Engineer, Mark Swanson, contacted the City after the adoption of the General Plan, to discuss the downtown village, mixed use areas, specifically to identify what the occupancy would be in a mixed use project. A virtual meeting was held on June 9, 2021, with City Planning Department staff and BCVWD Engineering staff to discuss the mixed use areas, status of various projects, and low-income housing requirements and needs. (The City's draft 6th Cycle Housing Element was not available until late July 2021 and is not yet approved.) After much discussion, City Planning indicated that BCVWD's development and population projections in the UWMP looked reasonable.

BCVWD had been working with City Management and Administration on the location for a recycled water booster pumping station either on the wastewater treatment plant site or adjacent to it as well as the integration of the repurposed secondary clarifiers as storage/equalization tanks. The City indicated a site to



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the west side of the treatment plant could be used for the proposed booster station site to be constructed by BCVWD. Currently, BCVWD also identifies progress related to the non-potable water system integration has suffered a slow down in forward movement due to concerns by the City regarding recycled water reuse potential legal exposure and securing of updated National Pollutant Discharge Permit from the Regional Water Quality Control Board (RWQCB), as well as issues related to recent emergencies such as COVID-19 and Apple Fire and El Dorado Fire emergencies within BCVWD's sphere of influence. At this time, BCVWD has prepared a draft Agreement for the Purchase and Distribution of Recycled Water for use of recycled water in BCVWD's service area. It is anticipated that a version of this agreement would be executed prior to significant expenditures by BCVWD related to implementation of recycled water reuse including, but not limited to items such as preparation of the final booster station drawings which include permission to conduct geotechnical investigations, utility research, and site surveys. Upon execution of said agreement, BCVWD would begin to implement use of recycled water including items such as recordation of all recycled water permitting, finalization of all recycled water activities, verification, testing, and regulatory approval of all non-potable water system existing connection sites for acceptance of recycled water. A schedule of these implementation activities and time lines have been historically provided to City staff as a coordination effort as early as the Fall of 2018.

In summary, the statement that no coordination has taken place is inaccurate.

- 3. In addition, the City's consultants have noted that there is a lack of documentation and references to sources of data and information and methodology on how calculations were made in the draft Plan.*

The UWMP relies on many of BCVWD's planning documents including past UWMPs, the 2013 Potable Water Master Plan and the Draft Non-Potable Water Master Plan (in process), along with a series of White Papers issued by BCVWD to address regional imported water supply which were prepared in 2017-2018. These White Papers were discussed at Board Meetings, in public. In addition, BCVWD relies on a number of documents issued by the Department of Water Resources (DWR) including the bi-annual State Water Project Delivery Capability Report and others. The 2020 UWMP is written to provide the reader with the basic background on how BCVWD came to the conclusions presented in the figures and tables, but does not always include



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the supporting calculations. The spreadsheets and calculations that support those findings are available in BCVWD's office.

4. *The Plan also contains discrepancies with San Geronio Pass Water Agency ("SGPWA") projected water import needs as illustrated in the draft Plan's table ES-1 and SGPWA Plan Table 3-16.*

Table 3-16 in the SGPWA 2020 UWMP is not imported water needs. The value for BCVWD in SGPWA Table 3-16 is BCVWD's total potable and non-potable water demand which was provided to the SGPWA in approximately April 2020, not the "imported water demands." And it does not include the projected "banking" water that BCVWD is anticipating purchasing each year for "drought proofing." There have been some minor adjustments to BCVWD's potable water demand as BCVWD began producing their own UWMP. Table ES-1 in BCVWD's 2020 UWMP is BCVWD's estimated water supplies, which are shown to exceed demands, particularly in 2045, when Sites Reservoir is operational. The "discrepancies" are not discrepancies; the referenced tables present different information.

Thank you for your comments and we look forward to working with you and the City to finalize the 2020 UWMP and in the preparation of future UWMP's. Please contact me at (951) 845-9581, extension 217 or dan.jaggers@bcvwd.org, if you have any questions..

Sincerely,

Dan Jaggers, PE

Beaumont-Cherry Valley Water District

General Manager

ATTACHMENT 9

Beaumont-Cherry Valley Water District



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August 19, 2021

Todd Parton, City Manager
City of Beaumont
550 East Sixth Street
Beaumont, CA 92223

Via: tparton@beaumontca.gov
ctaylor@beaumontca.gov

Subject: City of Beaumont – Virtual Meeting on August 18, 2021 to Discuss
BCVWD Responses to City Comments on the BCVWD DRAFT 2020
Urban Water Management Plan (UWMP)

Dear Mr. Parton:

The Beaumont Cherry Valley Water District (BCVWD) appreciated the opportunity to meet with the City on August 18, 2021, to discuss our responses to the City's comments and provide additional explanations and clarifications. This letter summarizes the meeting discussion.

The City and BCVWD discussed BCVWD's August 10, 2021 response to City Attorney Pinkney's letter to BCVWD dated July 22, 2021. BCVWD acknowledged that the coordination between the City and BCVWD could have been better and the City and BCVWD agreed that there will be more coordination on projects of mutual interest in the future. BCVWD agreed that, although not required by the Department of Water Resources, but where appropriate, references to sources of information presented in tables would be provided as either footnotes or text. In addition, BCVWD invited the City Staff to meet and discuss the methodologies and view the spreadsheet projections and calculations used in the preparation of the UWMP. The City concluded that these clarifications satisfactorily addressed the issues raised by Attorney Pinkney.

There were 29 comments made by the City in a separate letter from Todd Parton (City Manager) dated July 22, 2021, with corresponding BCVWD responses dated August 12, 2021. Each comment and response was discussed individually during the August 18, 2021 meeting. The City agreed that BCVWD had adequately addressed comments 1, 3, 4, through 5, 7 through 11, 15, 17, 19 through 24 and 26 through 28.



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Comments 2, 5 (and 13, similar), 6, 12, 14, 16, 18, 2,5 and 29 required additional clarification. The City's comments are repeated in italics with meeting discussion in "regular" text.

- 2. Page 60 — states mixed use in the downtown needs to be evaluated in concert with the 2020 Census. The draft and final General Plan have been available since 2020. How will the evaluation impact the draft UWMP as build out is not expected until after 2045?*

BCVWD's response to the comment was satisfactory but, in the discussion, the City mentioned they had some State mandates on affordable housing. BCVWD acknowledged this. BCVWD's is required to include water supply requirements for low-income housing and made projections for low-income housing in the UWMP.

- 5. Page 73 — Table 4-2 Why is the water loss for January 2020 so high? And similarly comment 13, Page 4-7 Table 4-4 -- First line of the table 01/2020 — 9.77% loss based on 13,818 AF demand in 2020. This is greater than the 783 AF collected from storm water. Should there be a discussion about lowering the loss rate versus the cost to increase the recharge volume? How is this number obtained or estimated?*

There was discussion about the BCVWD's water loss; BCVWD stated that it must submit a report on estimated water loss to the Department of Water Resources annually using a methodology and software mandated by the State. BCVWD explained there are two types of water loss: apparent loss and real losses. Apparent losses are not true losses; it is the difference between the well production meters and the total amount of water billed (residential and commercial meters). As meters age, they under-register. BCVWD has a program to replace aged meters and registers, or registers only with AMR/AMI type (smart meters) which could ultimately set up to identify service line or customer leaks. This program should reduce the apparent losses. BCVWD recognized that there are areas of the City that have aging pipes and they are being replaced on a priority basis, with the most problematic getting the highest priority for replacement. These aging pipes are identified in BCVWD's Capital Improvement Program (CIP) which is published annually. BCVWD did mention that this program has to be coordinated with the City's street repaving schedule. Leaks in the BCVWD pipelines are repaired as quickly as possible once detected.



Beaumont-Cherry Valley Water District

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<http://www.bcvwd.org>

Board of Directors

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Division 5

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Division 4

Daniel Slawson

Division 3

Lona Williams

Division 2

Andy Ramirez

Division 1

BCVWD did explain that the audit relies on estimates of pipe leakage, fire hydrant losses, etc. and is only as precise as the estimating methodology.

With respect to Comment 13, there was a discussion of the source of funding for meter replacement and leak repairs vs. new water sources such as stormwater. As stated above, BCVWD has programs in place to replace meters and aging pipelines.

6. *Page 81 — The draft 6 Cycle Housing Element is available on our website and the draft UWMP should utilize the updated information.*

The City acknowledged that 6 Cycle Housing Element is out for public review and comment until September 9, 2021 and will probably be on the City Council Agenda in the November/December 2021 time frame. Before it goes to City Council, it must go through the Planning Commission.

12. *Page 3-24 — The last two sentences reference impacts from development within the City of Beaumont. Are there impacts from development outside the City boundary?*

There was some discussion about the City being identified as the source of increased water demand in BCVWD's service area. BCVWD proposed to reword the last sentence as follows:

"The increase in water demand is associated with development in areas of high density and high growth."

14. *Page 6-41 - The second paragraph should include a discussion about what facilities are ready to receive the recycled water from the City or how long it will take Beaumont Cherry Valley Water District to construct the facilities.*

There was discussion on when recycled water would be available. BCVWD's water supply tables indicated that recycled water would be available in 2025. The City believed there should be a brief discussion that it would be available before then. BCVWD agreed, but was unsure of the exact timing. The City is awaiting a new NPDES/Waste Discharge Permit from the Regional Water Quality Control Board for the upgraded treatment plant. This will probably occur in November/December 2021. The City indicated that once a new permit is in place, an agreement for recycled water can be developed with BCVWD. City staff indicated that recycled water would be available in approximately 18 months.

BCVWD reiterated that City staff identified a site on City-owned land on the west side of the Wastewater Treatment Plant and BCVWD staff have made



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some preliminary layouts of the pumping station on that location. But BCVWD's Board of Directors have not authorized any further work until 1) an agreement between the City and BCVWD for the transfer and distribution of recycled water is in-place; 2) an agreement for long term use/lease of the City-designated property is in-place; 3) approval is granted by the City to conduct geotechnical engineering and topographic survey work on the designated site. BCVWD stated a temporary pumping system can be installed while completion of design and construction of a permanent pumping takes place.

In terms of the UWMP, BCVWD agreed to insert the following wording at an appropriate place (bottom of page 6-50). *"Although Table 6-18 indicates recycled water use in the BCVWD service area in 2025, much of the infrastructure is in-place and the upgraded wastewater treatment facility is nearing completion. The City and BCVWD are working to develop agreements and complete construction of pumping and other facilities needed for recycled water use prior to 2025, perhaps as soon as mid- to late-2022."*

16. *Table ES-1 - Provides estimates of water supply from various sources. The recycled water estimates should be verified with expected Plant capacity.*

There was discussion on how BCVWD arrived at the amount of recycled water available during a "normal" water supply year and during single and multi-year drought period. The methodology and assumptions are in Tables 6-15, text on the bottom of page 6-45, section, 7.4.3, and Table 7-6. Data on the new treatment plant was obtained from sheet G-10 of the Bid Set. BCVWD made projections of the amount of recycled water available in the UWMP. The City stated the available recycled water estimates "appear reasonable" but the methodology was inconsistent with the City's calculations regarding the supply.

The City is to provide BCVWD with their methodology in sufficient time to be incorporated into the UWMP for adoption.

18. *Discrepancies exist between SGPWA and BCVWD projected imported water needs illustrated in BCVWD Table ES-1 and SGPWA Table 3-16. What are the implications of this discrepancy?*

The City stated that they had been in contact with the General Manager at San Geronio Pass Water Agency and the General Manager indicated that the Pass Agency had taken a very conservative approach and BCVWD's imported water supply projections were reasonable.



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25. *The plan does not appear to contemplate development in the sphere of influence.*

There was discussion on how BCVWD developed EDU and population projections. BCVWD stated they used the City's major project status reports as well as developer inquiries and requests. BCVWD's estimate of the build-out population is land-use based within BCVWD's Sphere of Influence (SOI).

There was discussion of the fact that BCVWD's southern SOI boundary does not align with the the City's. BCVWD indicated that its SOI now aligns with Eastern Municipal Water District and Metropolitan Water District of Southern California. Should the City develop south of BCVWD's SOI, appropriate water exchange agreements would need to be developed to allow BCVWD to serve that area, if that were the preferred water supply alternative.

The City also mentioned that there were some projects/project areas that were not on BCVWD's list of future projects – namely the area between CA 60, Oak Valley Parkway, east of Potrero Blvd – formerly called Mountain Bridge. Table 3-7 lists the project as "Beaumont Village (mixed use)", with an estimated 2,350 EDUs, and is included in future EDUs.

29. *In some cases, the sources and methodology for data is not presented.*

BCVWD agreed that, although, not required by the Department of Water Resources, but where appropriate, references to sources of information presented in tables would be provided either as footnotes or discussion in the text. In addition, BCVWD invited the City Staff to meet and discuss the methodologies and view the spreadsheet projections and calculations used in the preparation of the UWMP.

Again, we appreciated to meet and discuss the 2020 UWMP prior to adoption and we look forward to working with the City in the preparation of future UWMP's as well as other projects of mutual interest. Please call at (951) 845-9581, extension 217 if you have any questions or email me at dan.jaggers@bcvwd.org.

Sincerely,

Dan Jaggers, PE

Beaumont-Cherry Valley Water District

General Manager



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 3

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Resolution 2021-__: Approving Amendment No. 1 to the Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District**

Staff Recommendation

Adopt Resolution 2021-__: Approving Amendment No. 1 of the Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District.

Summary

District staff has previously discussed the MDP Line 16 Storm Drain Project with the Board on several occasions in order to keep the Board apprised of the Project status relating to the design, funding requirements and Project timeline.

On March 10, 2021, the Cooperative (Co-Op) Agreement was approved by the Board (Resolution 2021-04). The Co-Op Agreement was fully executed on March 30, 2021 by Riverside County Flood Control and Water Conservation District (RCFC&WCD) and Beaumont-Cherry Valley Water District (BCVWD).

On June 16, 2021, RCFC&WCD held a construction bid opening for the MDP Line 16 Storm Drain Project. Upon the opening of all the bids submitted to RCFC&WCD, the “Construction Cost” (lowest bidder) was determined to be \$7,558,650.00 (submitted by H&H General Contractors).

The Construction Cost was in excess of the “Estimated Construction Cost” (\$6,800,000.00) as set forth in the Co-Op Agreement, which was approved by the Board of Directors by Resolution 2021-04 on March 10, 2021, and executed on March 30, 2021.

Table 1 identifies the estimated cost and lowest bid amount associated with the Project:

Table 1 – Additional Project Cost Breakdown

| Item | Amount | Note: |
|--------------------------------------|---------------------|---|
| Estimated Construction Cost | \$6,800,000.00 | Estimated Construction Cost (\$6.5M) + Contingency (\$0.3M) |
| Construction Cost | \$7,558,650.00 | Lowest Bidder |
| Discrepancy | (\$758,650.00) | |
| RCFC&WCD Additional Contribution | \$379,325.00 | 50/50 Cost Share as Identified in Co-Op Agreement – Recital P |
| BCVWD Additional Contribution | \$379,325.00 | 50/50 Cost Share as Identified in Co-Op Agreement – Recital P |



At the July 14, 2021 Board meeting, District staff identified the additional cost to the District based on the received bids, and that an amendment to the Co-Op Agreement would be required to address the costs above the identified not to exceed amount in the original Co-Op Agreement.

Amendment No. 1 (Attachment 1 – Amendment No. 1 to the Co-Op Agreement) identifies the additional obligations from each entity with the following key elements:

- Amended Recital 2.ii. identifies that RCFC&WCD will pay 100% of costs associated with change orders.
- Amended Recital 6.ii. and 6.iii. identifies the District's contribution caps based on grant funding occurring or not.

It is District staff's understanding that RCFC&WCD intends to issue a Notice of Award to the contractor on August 24, 2021.

Execution of Amendment No. 1 to the original Co-Op Agreement is critical in moving the project forward.

Attachments:

1. Attachment 1 – Resolution 2021-__ : Approving Amendment No. 1 to the Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District
2. Attachment 2 – Amendment No. 1 to the Co-Op Agreement
3. Attachment 3 – Final Co-Op Agreement – Dated March 30, 2021
4. Attachment 4 – Resolution 2021-04: Approving the Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District

Staff Report prepared by Mark Swanson, Senior Engineer and Aaron Walker, Development Services Rep.

RESOLUTION 2021-__

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAUMONT-CHERRY VALLEY WATER DISTRICT APROVING
AMENDMENT 1 OF THE COOPERATIVE AGREEMENT FOR
BEAUMONT MASTER DRAINAGE PLAN LINE 16 PROEJCT
BETWEEN RIVERSIDE COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT**

WHEREAS, Grand Avenue in the Community of Cherry Valley has historically had inadequate drainage and is subject to flooding with little amounts of rain; and

WHEREAS, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has included in their Master Drainage Plan (MDP), Line 16 for construction; and

WHEREAS, Beaumont-Cherry Valley Water District (BCVWD) would like to capture the water runoff from the storm drain for recharge and sustainability; and

WHEREAS, at its March 10, 2021 meeting, the Board of Directors adopted Resolution 2021-04 authorizing the General Manager to enter into a Cooperative Agreement with RCFC&WCD in order to construct and maintain MDP Line 16 for storm water collection and runoff; and

WHEREAS, upon receipt of contractor bids, the construction cost of the project was found to be in excess of the "Estimated Construction Cost" as set forth in the Cooperative Agreement as approved by Resolution 2021-04, necessitating an amendment to the Agreement,

NOW, THEREFORE, BE IT RESOLVED, by the Beaumont-Cherry Valley Water District Board of Directors that:

1. The Board of Directors finds the additional obligations in Amendment 1 of the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District for the Beaumont Master Drainage Plan Line 16 Project are in the best interests of the District
2. The Board of Directors approves Amendment 1 to the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District
3. The General Manager is authorized to execute Amendment 1 of the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District.

ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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

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

ATTACHMENT 2

239540

FIRST AMENDMENT TO COOPERATIVE AGREEMENT

Beaumont MDP Line 16, Stage 50
(Also known as Recharge Basin Feeder)
Project No. 5-0-00201

This First Amendment to Cooperative Agreement ("FIRST AMENDMENT"), dated as of _____, 2021, is entered into by the Riverside County Flood Control and Water Conservation District, a body politic ("DISTRICT"), and the Beaumont-Cherry Valley Water District, special-purpose governmental agency ("BCVWD"). DISTRICT and BCVWD are individually referred to herein as "party" and collectively referred to herein as "parties".

RECITALS

A. On March 30, 2021 [DISTRICT's Board Agenda Item No. 11.2], DISTRICT and BCVWD entered into a Cooperative Agreement, hereinafter called "AGREEMENT", which set forth the terms and conditions under which the parties will jointly fund the construction of the Beaumont MDP Line 16 facility, a feeder line and its extension, and certain storm water recharge infiltration facilities improvements located within BCVWD's Noble Creek Recharge Facility Phase II, further described in RECITALS A-D of AGREEMENT, hereinafter together called "PROJECT". Funding will be based on a 50-50 cost share formula toward the construction of PROJECT, as further described in RECITAL P of AGREEMENT; and

B. Pursuant to Section I.8 of AGREEMENT, DISTRICT completed PROJECT's advertisement for public works construction bids. The lowest responsible and responsive bid came in substantially higher than the originally estimated DISTRICT financial contribution, which was not to exceed the total amount of Three Million Four Hundred Thousand Dollars (\$3,400,000), and the BCVWD's financial contribution of a not exceed the total amount of Three Million Four Hundred Thirty-Eight Thousand One Hundred Twenty Dollars

(\$3,438,120), as described by RECITAL R of AGREEMENT. Therefore, DISTRICT and BCVWD wish to increase the amount of financial contribution for PROJECT; and

C. Pursuant to Section III.14 of AGREEMENT, the AGREEMENT may be changed or modified only upon the written consent of the parties hereto.

NOW, therefore, in consideration of the preceding recitals and the mutual covenants hereinafter contained, the parties hereto mutually agree to amend AGREEMENT as follows, effective upon approval of this FIRST AMENDMENT by DISTRICT's Board of Supervisors and BCVWD:

1. RECITAL 'K' of AGREEMENT is hereby amended as follows:

Due to mutual interests in this PROJECT, DISTRICT and BCVWD are willing to make a financial contribution towards construction of the PROJECT based on a jointly funded cost share contribution, as provided in this agreement; and

2. RECITAL 'L' of AGREEMENT is hereby amended as follows:

PROJECT construction costs are set forth herein and subject to the not to exceed amount provided in RECITAL Q:

- i. "CONSTRUCTION COST", defined as one hundred percent (100%) of the lowest responsible and responsive bid amount which shall not exceed a total of Seven Million Five Hundred Fifty-Eight Thousand Six Hundred Fifty Dollars (\$7,558,650); and
- ii. "CHANGE ORDERS", defined as DISTRICT approved (and BCVWD reviewed and accepted) construction contract change orders. DISTRICT is willing to fund one hundred percent (100%) of CHANGE ORDERS; and

3. RECITAL 'M' is deleted in its entirety.

4. RECITAL 'N' is deleted in its entirety.

5. RECITAL 'Q' of AGREEMENT is hereby amended as follows:

BCVWD is willing to reimburse DISTRICT for fifty (50%) of SHARED COST ("BCVWD CONTRIBUTION"), provided that CONSTRUCTION COST shall not exceed the total amount of Seven Million Five Hundred Fifty-Eight Thousand Six Hundred Fifty Dollars (\$7,558,650); and
6. RECITAL 'R' of AGREEMENT is hereby amended as follows:

If IRWM GRANT is not disbursed, SHARED COST will become equal to CONSTRUCTION COST and subject to the financial contribution set forth herein:
 - i. DISTRICT's financial contribution towards PROJECT construction is based on a total amount of Three Million Seven Hundred Seventy-Nine Thousand Three hundred Twenty-Five Dollars (\$3,779,325) for CONSTRUCTION COST plus any CHANGE ORDERS, hereinafter called "DISTRICT CONTRIBUTION";
 - ii. BCVWD's financial contribution towards PROJECT construction shall not exceed the total amount of Three Million Eight Hundred Seventeen Thousand Four hundred Forty-Five Dollars (\$3,817,445), hereinafter called "BCVWD CONTRIBUTION CAP";
 - iii. BCVWD CONTRIBUTION CAP includes the IRWM GRANT funds which, if disbursed, reduces the BCVWD CONTRIBUTION CAP to Three Million Two Hundred Seven Thousand Four Hundred Forty-Five Dollars (\$3,207,445); and
7. Section I.20 of AGREEMENT is hereby amended as follows:

Keep an accurate accounting of all CHANGE ORDERS and other such construction contract documents as may be necessary, to establish total PROJECT cost, and include this with a copy of DISTRICT's Notice of Completion, as set forth in Section I.22.
8. Section I.23 of AGREEMENT is hereby amended as follows:

Upon completion of PROJECT construction and settlement of any outstanding claims for PROJECT, provide BCVWD with a copy of DISTRICT's Notice of Completion as set forth in Section I.22. If applicable, DISTRICT will return any unexpended BCVWD CONTRIBUTIONS to BCVWD.

9. Section II.14 of AGREEMENT is hereby amended as follows:

Upon completion of PROJECT construction and settlement of any outstanding claims and upon receipt of DISTRICT's Notice of Completion as set forth in Sections I.22 and I.23, if applicable, DISTRICT shall return any unexpended funds to BCVWD within forty-five (45) working days as described in Section I.23.

10. Section III.1. of AGREEMENT is hereby amended as follows:

CONSTRUCTION COST for PROJECT shall not exceed a total sum of Seven Million Five Hundred Fifty-Eight Thousand Six Hundred Fifty Dollars (\$7,558,650) and shall be used solely for the purpose of constructing PROJECT as set forth herein. DISTRICT is willing to fund one hundred percent (100%) of CHANGE ORDERS related to PROJECT construction.

11. Except to the extent specifically deleted, added to, or amended herein, all of the terms, covenants and conditions of said AGREEMENT executed on March 30, 2021 shall remain in full force and effect between the parties hereto.

12. This FIRST AMENDMENT may be executed in any number of counterparts, each of which will be an original but all of which together will constitute one instrument. Each party of this FIRST AMENDMENT agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this FIRST AMENDMENT. The parties further agree that the electronic signatures of the

parties included in this FIRST AMENDMENT are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to CUETA as amended from time to time. CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

//

//

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL: **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

By _____
JASON E. UHLEY
General Manager-Chief Engineer

By _____
KAREN SPIEGEL, Chair
Riverside County Flood Control and Water
Conservation District Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

GREGORY P. PRIAMOS
County Counsel

KECIA HARPER
Clerk of the Board

By _____
SARAH K. MOORE
Deputy County Counsel

By _____
Deputy

(SEAL)

First Amendment No. 1 to Cooperative Agreement:
Beaumont-Cherry Valley Water District
Beaumont MDP Line 16 (aka Recharge Basin Feeder)
08/05/21
AMR:blm

BEAUMONT-CHERRY VALLEY WATER DISTRICT

By _____
DANIEL K. JAGGERS
General Manager

ATTEST:

ANDY RAMIREZ
BCVWD Board Secretary

By _____

(SEAL)

First Amendment No. 1 to Cooperative Agreement:
Beaumont-Cherry Valley Water District
Beaumont MDP Line 16 (aka Recharge Basin Feeder)
08/05/21
AMR:blm

COOPERATIVE AGREEMENT
Beaumont MDP Line 16, Stage 50
(Also known as Recharge Basin Feeder)
Project No. 5-0-00201

This Cooperative Agreement ("Agreement"), dated as of March 30, 2021, is entered into by and between the Riverside County Flood Control and Water Conservation District, a body politic ("DISTRICT"), and the Beaumont-Cherry Valley Water District, special-purpose governmental agency ("BCVWD"), hereby agree as follows:

RECITALS

A. DISTRICT has been awarded a 2015 Integrated Regional Water Management Grant ("IRWM GRANT") from the Santa Ana Watershed Project Authority (SAWPA), funded by Proposition 84 (The Safe Drinking Water, Water Quality Supply, Flood Control, River and Coastal Protection Bond Act of 2006). The IRWM GRANT award is approximately one million two hundred twenty thousand dollars (\$1,220,000) for the construction of Beaumont MDP Line 16; and

B. Beaumont MDP Line 16 consists of (i) approximately 5,700 lineal feet of an underground storm drain system to be constructed in Grand Avenue and outlets at the westerly end of Grand Avenue into BCVWD basin ("STORM DRAIN"), and (ii) approximately 1,070 lineal feet of 24-inch, and 172 lineal feet of 36-inch reinforced concrete pipes, beginning approximately at Sta. 23+00 and progresses downstream ("FEEDER LINE"), as shown in concept on Exhibit "A", attached hereto and made a part hereof; and

C. Associated with the construction of STORM DRAIN is the construction of (i) approximately 16 lineal feet of 18-inch and approximately 72 lineal feet of 24-inch reinforced concrete pipes, beginning upstream at Bellflower Avenue and progress downstream to approximately Sta. 23+00; grated drop inlets in Bellflower Avenue; modified manhole with gated

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valve in Grand Avenue located upstream of FEEDER LINE ("FEEDER LINE EXTENSION") and (ii) certain storm water recharge infiltration facilities improvements consisting of enhanced spillways, recharge ponds, connector pipes, emergency drains and modification of emergency outlet structure(s) located within BCVWD's Noble Creek Recharge Facility Phase II ("NCRF-PH.II"). Emergency drains and outlet structure(s) will interconnect between existing basins and will ultimately connect to DISTRICT's existing Noble Creek Channel Stage II, as shown on DISTRICT's Drawing No. 5-0128 ("NOBLE CREEK CHANNEL"). FEEDER LINE EXTENSION and NCRF-PH.II are hereinafter called "BCVWD FACILITIES"; and

D. Together STORM DRAIN, FEEDER LINE and BCVWD FACILITIES are hereinafter called "PROJECT"; and

E. DISTRICT is willing to incorporate BCVWD FACILITIES as part of its construction contract for PROJECT; and

F. Construction of PROJECT will reduce the demand for imported water and provide necessary flood protection and drainage for a portion of the Cherry Valley community, located north of the City of Beaumont within the County of Riverside; and

G. DISTRICT is willing, pursuant to California Water Code Appendix 48-1 et seq., to contribute funding for the construction of PROJECT which benefits the zone in which the PROJECT is located; and

H. BCVWD is willing to prepare, or cause to be prepared, the necessary plans and specifications for BCVWD FACILITIES; and

I. DISTRICT is willing to allow BCVWD to provide input to DISTRICT consultant and engineer for record, JLC Engineering and Consulting, Inc. (JLC), to prepare the necessary plans and specifications for BCVWD FACILITIES, which includes design of the outlet to NOBLE CREEK CHANNEL, design of modifications to pond transfer pipes, and preparation

of all necessary technical report providing calculations, hydraulic modeling, and other parameters documenting the design approach and operations. DISTRICT intends to amend JLC's scope of work to include the services that are deemed necessary to design BCVWD FACILITIES as identified and directed by BCVWD and DISTRICT; and

J. BCVWD is willing to reimburse DISTRICT for JLC's costs in preparing the necessary plans and specifications for BCVWD FACILITIES for an amount estimated at Thirty-Eight Thousand One Hundred Twenty Dollars (\$38,120), hereinafter called "BCVWD DESIGN COST"; and

K. Due to mutual interests in this PROJECT, DISTRICT and BCVWD are willing to make a financial contribution towards construction of the PROJECT based on a jointly funded cost share contribution, as provided in this agreement for an estimated total PROJECT cost of Six Million Five Hundred Thousand Dollars (\$6,500,000), hereinafter called ("ESTIMATED CONSTRUCTION COST"); and

L. PROJECT construction costs are set forth herein and subject to the not to exceed amount provided herein:

(i) One hundred percent (100%) of the lowest responsible bid contract price for the PROJECT ("CONSTRUCTION COST"), plus any DISTRICT approved construction contract change orders ("CHANGE ORDERS"). Together, CONSTRUCTION COST and CHANGE ORDERS are called "ACTUAL CONSTRUCTION COST"; and

M. If ACTUAL CONSTRUCTION COST exceeds the total amount of Six Million Eight Hundred Thousand Dollars (\$6,800,000), DISTRICT and BCVWD is willing to enter into a negotiation with the intent of completing an addendum setting forth additional priority funding required to complete PROJECT construction; and

N. If the ESTIMATED CONSTRUCTION COST for the contract exceeds the total amount of Six Million Eight Hundred Thousand Dollars (\$6,800,000), either party to this Agreement may terminate the Agreement within ninety (90) days after opening of the bids and, thereafter, no party shall have any remaining obligation to the other party hereunder; and

O. IRWM GRANT would fund a portion of the CONSTRUCTION COST for PROJECT, while requiring local funding to complete PROJECT. IRWM GRANT further required DISTRICT and BCVWD to jointly complete the design and construction of PROJECT by September 30, 2021, however, this completion date has been extended to September 30, 2022, due to local area emergency activities and associated impacts. CONSTRUCTION COST minus IRWM GRANT of One Million Two Hundred Twenty Thousand Dollars (\$1,220,000) will result in a total cost shared for PROJECT, hereinafter called "SHARED COST"; and

P. BCVWD and DISTRICT wishes to jointly partner in the funding of PROJECT by providing a financial contribution of fifty percent (50%) of SHARED COST, as set forth in Recital O; and

Q. BCVWD is willing to reimburse DISTRICT for fifty (50%) of the remainder of SHARED COST ("BCVWD CONTRIBUTION"), provided that ACTUAL CONSTRUCTION COST shall not exceed the total amount of Six Million Eight Hundred Thousand Dollars (\$6,800,000); and

R. If IRWM GRANT is not disbursed, SHARED COST will become equal to ACTUAL CONSTRUCTION COST. DISTRICT's financial contribution towards PROJECT construction shall not exceed the total amount of Three Million Four Hundred Thousand Dollars (\$3,400,000), hereinafter called "DISTRICT CONTRIBUTION CAP", unless an addendum is successfully negotiated by both parties in accordance with Item M (above). BCVWD's financial contribution towards PROJECT construction shall not exceed the total amount of Three Million

Four Hundred Thirty Eight Thousand One Hundred Twenty Dollars (\$3,438,120), hereinafter called "BCVWD CONTRIBUTION CAP", unless an addendum is successfully negotiated by both parties in accordance with Item M (above); and

S. Prior to advertising PROJECT for construction bids, BCVWD shall prepare, subject to DISTRICT approval, a comprehensive operation and maintenance plan (O&M PLAN) for the BCVWD FACILITIES setting forth the maintenance responsibilities of the parties for PROJECT; and

T. All parties acknowledge their routine maintenance responsibilities for STORM DRAIN, FEEDER LINE and BCVWD FACILITIES, as explicitly defined in Recitals B and C above, and further assigned in Sections L25 and IL15. BCVWD is responsible to monitor the debris and sediment flowing in the grated inlets in Bellflower Avenue and keep FEEDER LINE EXTENSION clean of debris and sediment. In the event debris and sediment flow is imminent and the grated inlets in Bellflower Avenue cannot be protected from entering FEEDER LINE EXTENSION, BCVWD shall immediately close the gate valve in the modified manhole located at approximately Station 23+00 to protect the debris and sediment from clogging the DISTRICT's FEEDER LINE. Failure by BCVWD to close the gate valve in a timely manner resulting in clogging of DISTRICT's FEEDER LINE, will trigger additional maintenance costs that shall be borne solely by BCVWD; and

U. The purpose of this Agreement is to memorialize the mutual understandings by and between DISTRICT and BCVWD with respect to design, construction, inspection, ownership, operation and maintenance, and funding of PROJECT construction.

NOW, THEREFORE, in consideration of the preceding recitals which are true and correct and incorporated into the operative provisions below and the mutual covenants hereinafter contained, the parties hereto mutually agree as follows:

SECTION I - DISTRICT OBLIGATIONS**DISTRICT shall:**

1. Pursuant to the California Environmental Quality Act (CEQA), act as Lead Agency and assume responsibility for preparation, circulation and adoption of all necessary and appropriate CEQA documents pertaining to the construction, operation and maintenance of PROJECT.
2. Review and approve O&M PLAN as it pertains to BCVWD FACILITIES and DISTRICT's flood control operations of the NOBLE CREEK CHANNEL.
3. Prepare or cause to be prepared, STORM DRAIN construction plans and specifications ("STORM DRAIN PLANS").
4. Amend JLC's scope of work to include the design, plans and specifications for BCVWD FACILITIES for an amount estimated at Thirty-Eight Thousand One Hundred Twenty Dollars (\$38,120).
5. Upon execution of this Agreement, issue the first invoice to BCVWD for BCVWD DESIGN COST in the amount of Thirty-Eight Thousand One Hundred Twenty Dollars (\$38,120).
6. Include the BCVWD approved and signed BCVWD FACILITIES as part of DISTRICT's construction contract for PROJECT.
7. Prior to commencing construction, obtain at its sole cost and expense, all necessary permits, approvals or agreements required by any federal, state and local resource or regulatory agencies pertaining to the construction, operation and maintenance of PROJECT. Such documents may include but are not limited to those issued by the U.S. Army Corps of Engineers, California Regional Water Quality Control Board, California State Department of Fish and Wildlife, State Water Resources Control Board, and Western Riverside County Regional

Conservation Authority, and are exclusive of any permits required for water rights ("REGULATORY PERMITS").

8. Advertise, award and administer a public works construction contract for PROJECT.

9. Provide BCVWD with written notice that DISTRICT has awarded a construction contract for PROJECT. The written notice to BCVWD shall include the Contractor's actual bid amounts for BCVWD FACILITIES.

10. Pursuant to the successful bidder's proposal to construct PROJECT, issue a second invoice to BCVWD for a partial payment of BCVWD CONTRIBUTION, for an amount of One Million Dollars (\$1,000,000), at the time of providing written notice to BCVWD of the award of a construction contract, as set forth in Section I.9.

11. Prior to commencing construction, schedule and conduct a pre-construction meeting(s) between DISTRICT and other affected entities. DISTRICT shall also notify and invite BCVWD personnel to attend PROJECT pre-construction meeting(s).

12. Notify BCVWD in writing at least fourteen (14) working days prior to the start of construction of BCVWD FACILITIES.

13. Furnish BCVWD, at the time of providing written notice for the pre-construction meeting(s) as set forth in Section I.12., with a construction schedule which shall show the order and dates in which DISTRICT or DISTRICT's contractor proposes to carry on the various parts of work, including estimated start and completion dates.

14. Not permit any change to, or modification of BCVWD FACILITIES without the prior written permission and consent of BCVWD.

15. Construct or cause to be constructed, PROJECT, including BCVWD FACILITIES and pay its respective shared costs associated herewith.

16. **Inspect, or cause to be inspected, construction of PROJECT.**
17. **Require its construction contractor(s) to comply with all Cal/OSHA safety regulations including regulations concerning confined space and maintain a safe working environment for all DISTRICT and BCVWD employees on the site.**
18. **Require its construction contractor(s) to include BCVWD as an additional insured under the liability insurance coverage for PROJECT, and also require its construction contractor(s) to include BCVWD as a third party beneficiary of any and all warranties of the contractor's work with regard to BCVWD FACILITIES.**
19. **Once PROJECT construction progress payment nears thirty percent (30%), issue a third invoice to BCVWD for a partial payment of BCVWD CONTRIBUTION, for an amount of One Million Dollars (\$1,000,000).**
20. **Keep an accurate accounting of all DISTRICT approved (and BCVWD reviewed and accepted) change orders and other such construction contract documents as may be necessary, to establish ACTUAL CONSTRUCTION COST, and include this with a copy of DISTRICT's Notice of Completion, as set forth in Section L22.**
21. **Upon completion of PROJECT construction, issue a fourth invoice to BCVWD for the remainder of BCVWD CONTRIBUTION, unless otherwise adjusted by successful negotiation of an addendum for additional priority funds as described in Recital M.**
22. **Within fourteen (14) working days of completing BCVWD FACILITIES construction, provide BCVWD with written notice that construction is complete and requesting that BCVWD conduct final inspections of BCVWD FACILITIES.**
23. **Upon completion of PROJECT construction and settlement of any outstanding claims for PROJECT, provide BCVWD with a copy of DISTRICT's Notice of Completion as set forth in Section L22. In the event ACTUAL CONSTRUCTION COST exceeds**

Six Million Eight Hundred Thousand Dollars (\$6,800,000), DISTRICT and BCVWD will negotiate an addendum for additional priority funding in accordance with Recital M. DISTRICT will issue a final invoice to BCVWD for its fifty percent (50%) cost share of the difference as set forth in said future addendum. If applicable, DISTRICT will return any unexpended BCVWD CONTRIBUTIONS to BCVWD.

24. Upon BCVWD's acceptance of BCVWD FACILITIES for ownership, operation and maintenance, provide BCVWD with a reproducible duplicate set of "Record Drawings" of STORM DRAIN PLANS and BCVWD FACILITIES.

25. Accept ownership and sole responsibility for the operation and maintenance of STORM DRAIN and FEEDER LINE.

26. Ensure that all work performed pursuant to this Agreement by DISTRICT, its agents or contractors is done in accordance with all applicable laws and regulations, including but not limited to all applicable provisions of the Labor Code, Business and Professions Code, and Water Code. DISTRICT shall be solely responsible for all costs associated with compliance with applicable laws and regulations.

SECTION II – BCVWD OBLIGATIONS

BCVWD shall:

1. Act as a Responsible Agency under CEQA, taking all necessary and appropriate action to comply with CEQA.
2. Prepare or cause to be prepared: (i) BCVWD FACILITIES utilizing JLC's services as set forth in Section L4 and (ii) the O&M PLAN, and submit to DISTRICT for its review and approval, as appropriate, prior to advertising PROJECT for construction bids.

3. The O&M PLAN shall clearly show that the NCRF-PH.II basins will reserve a storage volume to ensure no discharge occurs to NOBLE CREEK CHANNEL from storms up to and including the 10-year, 3 hour frequency (determined to be approximately 40 Acre - Feet).
4. Pay DISTRICT, within forty-five (45) working days after receipt of DISTRICT's first invoice for BCVWD DESIGN COST, as set forth in Section I.5.
5. Prior to commencing construction, obtain at its sole cost and expense, any permits, licenses, or other agreements required for water rights related to PROJECT.
6. Review and accept any CHANGE ORDERS and other such construction contract documents for PROJECT.
7. Prior to the expiration of REGULATORY PERMITS, obtain renewals for any/all necessary permits, approvals or agreements as may be required by any Federal, State or local resource and/or regulatory agency for the continuing operation and maintenance of the BCVWD FACILITIES ("ONGOING REGULATORY PERMITS"). ONGOING REGULATORY PERMITS include but are not limited to those issued by the U.S. Army Corps of Engineers, California Regional Water Quality Control Board, California State Department of Fish and Wildlife, State Water Resources Control Board, and Western Riverside County Regional Conservation Authority.
8. Pay DISTRICT, within forty-five (45) working days after receipt of DISTRICT's second invoice, for a partial payment of BCVWD CONTRIBUTION, as set forth in Section I.10.
9. Issue, at no cost to DISTRICT or DISTRICT's contractor, the necessary encroachment permit(s) and rights required to construct PROJECT within BCVWD jurisdiction and/or on BCVWD properties.

10. Pay DISTRICT, within forty-five (45) working days after receipt of DISTRICT's third invoice, for a partial payment of BCVWD CONTRIBUTION, as set forth in Section I.19.

11. Inspect the construction of PROJECT, including BCVWD FACILITIES, for quality control purposes at its sole cost. DISTRICT and BCVWD hereby pledge to work together cooperatively to inspect construction improvements for BCVWD FACILITIES. However, DISTRICT personnel shall be solely responsible for all quality control communications with DISTRICT's contractor(s) during the construction of PROJECT and implementation of BCVWD FACILITIES.

12. Pay DISTRICT, within forty-five (45) working days after receipt of DISTRICT's fourth invoice, for the remainder of BCVWD CONTRIBUTION, as set forth in Section L21.

13. Upon receipt of DISTRICT's written notice that PROJECT construction is substantially complete, conduct a final inspection of BCVWD FACILITIES.

14. Upon completion of PROJECT construction and settlement of any outstanding claims and upon receipt of DISTRICT's Notice of Completion as set forth in Sections L22 and L23, pay DISTRICT, within forty-five (45) working days after receipt of DISTRICT's final invoice, for its cost share of the excess amount, if applicable and as adjusted by successful negotiation of addendum as set forth in Recital M. In the event ACTUAL CONSTRUCTION COSTS are less than the ESTIMATED CONSTRUCTION COSTS, DISTRICT shall return any unexpended funds to BCVWD within forty-five (45) working days as described in Section L23.

15. Upon its determination that BCVWD FACILITIES is satisfactorily completed, provide DISTRICT with a written Notice of Final Acceptance and, thereupon, assume sole responsibility for ownership, operation and maintenance of BCVWD FACILITIES.

16. Grant DISTRICT, by execution of this Agreement, the right to construct, and inspect PROJECT and maintain STORM DRAIN within BCVWD owned rights of way or easements.

17. Order the relocation of all BCVWD facilities installed by permit or franchise within BCVWD rights of way that are in direct conflict with PROJECT. Said BCVWD facilities shall be relocated at BCVWD's expense. BCVWD shall determine limits of BCVWD facilities requiring relocation.

SECTION III

It is further mutually agreed:

1. ACTUAL CONSTRUCTION COST for PROJECT shall not exceed a total sum of Six Million Eight Hundred Thousand Dollars (\$6,800,000) and shall be used solely for the purpose of constructing PROJECT as set forth herein.

2. Under the provisions of this Agreement, DISTRICT shall bear no responsibility whatsoever for the design, ownership, operation or maintenance of BCVWD FACILITIES. Nevertheless, DISTRICT and the Riverside County Transportation Department anticipate entering into a separate Cooperative Agreement whereby the two parties will stipulate their respective responsibilities with regard to ownership, operation and maintenance of the constructed PROJECT.

3. Except as otherwise provided herein, all construction work involved with PROJECT, shall be inspected by DISTRICT and BCVWD, and shall not be deemed complete until approved and accepted as complete by DISTRICT.

4. In the event BCVWD desires to include any additional work as part of BCVWD FACILITIES construction, BCVWD shall submit a written request to DISTRICT describing the additional work desired and agree to pay DISTRICT for any agreed upon work

requested. Payment for BCVWD requested additional work shall be based upon actual quantities of materials installed at the contract unit prices bid or at the negotiated change order prices.

5. DISTRICT and BCVWD each pledge to cooperate in regard to the operation and maintenance of their respective facilities as set forth herein and to discharge their respective maintenance responsibilities in an expeditious fashion so as to avoid the creation of any nuisance condition or undue maintenance impact upon the others' facilities.

6. DISTRICT shall indemnify, defend, save and hold harmless BCVWD (including its officers, elected and appointed officials, employees, agents, representatives, independent contractors, and subcontractors) from any liabilities, claim, damage, proceeding or action, present or future, based upon, arising out of or in any way relating to DISTRICT's (including its officers, Board of Supervisors, elected and appointed officials, employees, agents, representatives, independent contractors, and subcontractors) actual or alleged acts or omissions related to DISTRICT's obligations under this Agreement as set forth in Section I above, DISTRICT's performance under this Agreement, or DISTRICT's failure to comply with the requirements of this Agreement, including but not limited to: (a) property damage; (b) bodily injury or death (c) payment of attorney's fees; or (d) any other element of any kind or nature whatsoever.

7. BCVWD shall indemnify, defend, save and hold harmless DISTRICT and the County of Riverside (including their respective officers, districts, special districts and departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents, representatives, independent contractors, and subcontractors) from any liabilities, claim, damage, proceeding or action, present or future, based upon, arising out of or in any way relating to BCVWD's (including its officers, employees, agents, representatives, independent contractors, and subcontractors) actual or alleged acts or omissions related to

BCVWD's obligations under this Agreement as set forth in Section II above, BCVWD's performance under this Agreement, or BCVWD's failure to comply with the requirements of this Agreement, including but not limited to: (a) property damage; (b) bodily injury or death (c) payment of attorney's fees; or (d) any other element of any kind or nature whatsoever.

8. This Agreement is made and entered into for the sole protection and benefit of the parties hereto. No other person or entity shall have any right or action based upon the provisions of this Agreement.

9. Any and all notices sent or required to be sent to the parties of this Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**
1995 Market Street
Riverside, CA 92501
Attn: Design Section

**BRAUMONT-CHERRY VALLEY
DISTRICT**
560 Magnolia Avenue
Beaumont, CA 92223
Attn: Dan Jagers

10. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

11. This Agreement is to be construed in accordance with the laws of the State of California. Neither BCVWD nor DISTRICT shall assign this Agreement without the written consent of the other party.

12. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided for by the Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.

13. This Agreement is the result of negotiations between the parties hereto, and with the advice and assistance of their respective counsel. No provision contained herein shall be

construed against DISTRICT solely because, as a matter of convenience, it prepared this Agreement in its final form.

14. This Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof. This Agreement may be changed or modified only upon the written consent of the parties hereto.

15. This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each party of this Agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this Agreement. The parties further agree that the electronic signatures of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on

March 30, 2021
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By [Signature]
JASON E. UHLEY
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By [Signature]
KAREN SPIEGEL, Chair
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:

GREGORY P. PRIAMOS
County Counsel

By [Signature]
SYNTHIA M. GUNZEL
Chief Deputy County Counsel

ATTEST:

KECIA HARPER
Clerk of the Board

By [Signature]
Deputy

(SEAL)

**Cooperative Agreement: Beaumont-Cherry Valley Water District
Beaumont MDP Line 16 (aka Recharge Basin Feeder)
Project No. 5-0-00201
AMR:blm
03/03/2021**

**BEAUMONT-CHERRY VALLEY WATER
DISTRICT**

By 
DANIEL K. JAGGERS
General Manager

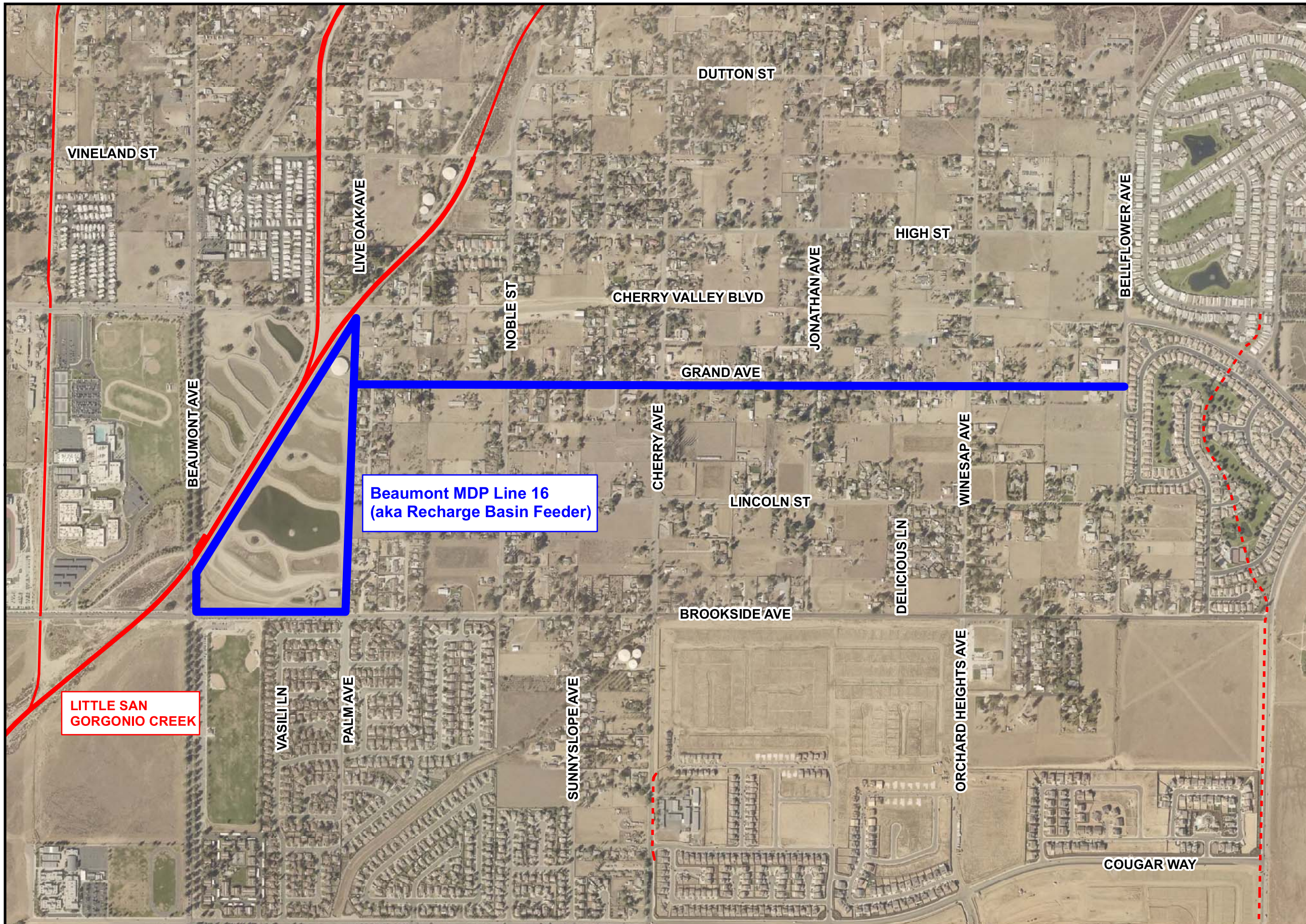
ATTEST:

ANDY RAMIREZ
BCVWD Board Secretary

By 

(SEAL)

**Cooperative Agreement: Beaumont-Cherry Valley Water District
Beaumont MDP Line 16 (aka Recharge Basin Feeder)
Project No. 5-0-00201
AMR:blm
03/03/2021**



Beaumont MDP Line 16
(aka Recharge Basin Feeder)

LITTLE SAN
GORGONIO CREEK

Legend:

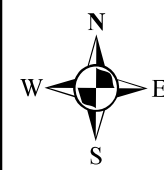
- Proposed Facility
- Existing Open Channel Facility



EXHIBIT A

Beaumont MDP Line 16 (aka Recharge Basin Feeder)

Project No. 5-0-00201



RESOLUTION 2021-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT TO AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE CONSTRUCTION OF MASTER DRAINAGE PLAN LINE 16

WHEREAS, Grand Avenue in the Community of Cherry Valley has historically had inadequate drainage and is subject to flooding with little amounts of rain; and

WHEREAS, Riverside County Flood Control and Water Conservation District (RCFC&WCD) has included in their Master Drainage Plan (MDP), Line 16 for construction; and

WHEREAS, Beaumont-Cherry Valley Water District (BCVWD) would like to capture the water runoff from the storm drain for recharge and sustainability; and

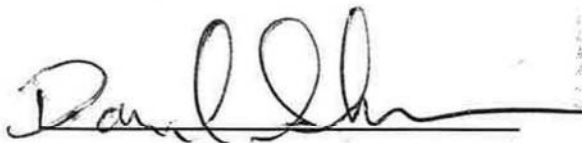
WHEREAS, it is essential that BCVWD enter into a Cooperative Agreement with RCFC&WCD in order to construct and maintain MDP Line 16 for storm water collection and runoff,

NOW, THEREFORE, BE IT RESOLVED, by the Beaumont-Cherry Valley Water District Board of Directors that:

1. The Board of Directors Adopts Resolution 2021-__ : Approving the Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District; and
2. The General Manager is authorized to execute the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District. This authorization will be rescinded if the Cooperative Agreement is not executed by both parties within one hundred eighty (180) days of the date of this resolution.

ADOPTED this 10th day of March, 2021, by the following vote:

AYES: Covington, Hoffman, Ramirez, Slawson, Williams
 NOES:
 ABSTAIN:
 ABSENT:



Director Daniel Slawson, President of 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

Attachment: Cooperative Agreement for Beaumont Master Drainage Plan Line 16 Project between Beaumont-Cherry Valley Water District and Riverside County Flood Control and Water Conservation District



**Beaumont-Cherry Valley Water District
Engineering Workshop Meeting
August 26, 2021**

Item 4

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Approve Additional Expenditures in an Amount Not to Exceed \$45,000 for the Previously Approved Antonell Court Pipeline Replacement Project**

Staff Recommendation:

Approve additional expenditures in an amount not to exceed \$45,000 for the previously approved Antonell Court Pipeline Replacement Project between Pennsylvania Avenue and Cherry Avenue in the City of Beaumont for a total revised project cost of \$245,000.

Background:

At the April 20, 2021, Beaumont City Council meeting, the City of Beaumont (City) approved the street selections for their Annual Citywide Street Rehabilitation and Maintenance 20/21 Project and 2021 Mid-Year Street Enhancement Project and authorized City staff to finalize the bid package and solicit bids for both projects together. Included in said approval is Antonell Court between Pennsylvania Avenue and Cherry Avenue.

At the May 27, 2021, Board Meeting, District staff identified that the pipeline within Antonell Court was scheduled to be part of the Beaumont-Cherry Valley Water District's (BCVWD) Capital Improvement Project (CIP) 2021 Pipeline Replacement Project as P-2750-0064. The location of the pipeline is identified in **Attachment 1**. To mitigate the potential increased risk of water loss from the pipeline being disturbed and leakage during and/or after pavement rehabilitation and to address ongoing and anticipated maintenance concerns with regard to the City's moratorium on pavement cuts to improved streets, District staff proposed to remove this pipeline from the 2021 Pipeline Replacement Project, complete design work utilizing District staff, and bid the Project separately in advance of the remaining pipeline replacements in the CIP project in order to accommodate the City of Beaumont's 2021 Paving Rehabilitation project.

The Project was identified to consist of a hybrid construction methodology, for which the District staff has completed the design, provide pipeline materials, appurtenances, and inspection activities, and would solicit bids for contractor provided construction services for installation of the pipeline and water service laterals and meters only, as well as temporary pavement repair (scope limited solely to labor associated with construction activities). The Board subsequently approved expenditures in the amount of \$200,000 for District staff to move forward with the Project. The preliminary engineer's estimate for the Project, which was provided to the Board at the May 27, 2021 Board meeting, is included as **Attachment 2**.

On May 17, 2021 and June 3, 2021, District staff contacted the City to inform them that the Project was nearing design completion and to inquire about any requirements which the City would have pertaining to the patching and repair of the road upon completion of District work (understanding that Antonell Court will be completely reconstructed as part of the City's Annual Citywide Street Rehabilitation). The City indicated they only needed to be aware of timing for construction of the Project.



On June 7, 2021, the District solicited the bid package for the Antonell Court Pipeline Relocation Project, which included the District's Pipeline Replacement Plan.

On June 9, 2021, the District received material costs based on the quantities from the construction drawings from Inland Water Works Supply Co., and subsequently ordered materials for the Project. Materials have since been delivered to the District.

On June 16, 2021, District staff submitted the Pipeline Replacement Plan which was used in the final construction bid package to the City Engineer for the City's consideration due to the work being within public Right of Way. On June 21, 2021, District staff contacted the City again to follow up regarding any potential comments or issues with the City's review.

On June 23, 2021, the City provided District staff comments to the plans, indicating that it was the City's desire for the District to remove the existing pipeline in Antonell Court and backfill the trench with Class II base in order to ensure the structural capability of the subgrade material beneath the pavement and within the existing pipeline's trench area and avoid any potential displacement of the pavement over the location after street reconstruction. Upon review with District staff, it appears that uneven settlement and inconsistent backfill material within the vicinity of the existing pipeline may be present. Based upon this activity, the City has identified that the existing pipeline removal with replacement of select backfill will be required as part of the replacement work. The City also initially requested that additional work should be included in the Project's scope for the contractor to replace the sections of the concrete spandrels located at the east and west ends of Antonell Court which would be crossed by the pipeline replacement activities. In order to mitigate the potential of additional costs related to replacing the concrete sections, District staff coordinated with the City to modify the requirement to tunnel under said spandrels and then backfill beneath said concrete spandrels with control density fill (slurry backfill).

On June 24, 2021, the District opened bids from three (3) pipeline contractors. After review, it was determined that Merlin Johnson Construction, Inc. (Merlin Johnson) was the lowest responsive bidder, with a bid price of **\$110,595.00** for construction of the Project as identified in the approved construction drawings included in the bid package. Said work, along with District provided materials and paving activities was approved by the Board of Directors in an amount not to exceed \$200,000.00 on May 27, 2021.

Subsequent to that approval, District staff prepared a revision to the bid set construction drawings which incorporates the City's comments and requested that Merlin Johnson provide a cost proposal for the additional work for pipeline removal and backfill of the trench with Class II base.

Merlin Johnson provided the District with said proposed costs associated those revisions, and the cost to provide the additional construction services necessary to address the additional work activities is summarized in Table 1 below.



Table 1 – Antonell Court Pipeline Replacement Project Additional Costs

| Work Description | Quantity | Unit | Contractor Proposal Amount |
|--|----------|------|----------------------------|
| Remove existing 6" steel water main. Backfill and compact trench area with Class II Base. Furnish and install 2" thick temporary asphalt in trench area. | 507 | LF | \$34,983.00 |
| Furnish and install 2 sack sand slurry backfill under existing concrete spandrel per Delta 1 plans provided. | 1 | LS | \$9,000 |
| Total Increase in Construction Costs | | | \$43,983.00 |

Summary:

The District proposes to utilize construction contingency (20% of the estimated construction costs) approved in the originally approved Project budget of \$200,000 for the labor and material associated with backfilling the trench in the locations of each spandrel crossing; however is requesting the Board of Director's approve additional expenditures for the Project necessary to provide for the first cost item in Table 1 (6" pipeline removal) and restore the project contingency consumed by the second item in Table 1 in an amount not to exceed \$45,000 for the completion of the additional work described in Table 1 above (existing pipeline removal) and as necessary to restore the project contingency.

Upon approval, the District will execute a change order to the contract with Merlin Johnson to include the above described construction activities in the Project scope in a total project cost not to exceed \$245,000.

Fiscal Impact:

The fiscal impact to the District for the additional work for the previously approved Antonell Court Pipeline Replacement Project cost of \$200,000 will be an amount not to exceed **\$45,000.00 (rounded)** which will result in a total revised project cost of \$245,000. The additional expenditures for the Project are proposed to be funded by Capital Replacement Reserves.

Attachments:

Attachment 1 – Antonell Court Pipeline Replacement Project Location Map

Attachment 2 – Preliminary Project Estimate Summary

Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant

Attachment 1 - Antonell Court Pipeline Replacement
Project Location Map



| Antonell Court Pipeline Replacement Project | | |
|--|--|---------------------|
| Project Cost Estimate Summary | | |
| ITEM NO. | CONSTRUCTION PHASE | |
| 1 | Mobilization | \$11,495.00 |
| 2 | Dust Control | \$0.00 |
| 3 | SWPPP | \$0.00 |
| 4 | Traffic Control | \$1,500.00 |
| 5 | Potable Water Pipeline | \$91,337.82 |
| 6 | Pavement Removal and Replacement | \$39,458.61 |
| 7 | Field Inspection / Engineering Support | \$2,700.00 |
| 8 | Contract Administration | \$3,000.00 |
| Subtotal Engineers Estimate (Construction) | | \$149,491.43 |
| Construction Contingency (20%) | | \$29,898.29 |
| TOTAL PIPELINE CONSTRUCTION ESTIMATE AND CONTINGENCIES | | \$179,389.71 |
| ITEM NO. | OTHER COSTS ESTIMATE (SOFT COSTS) | |
| 50 | Environmental | \$0.00 |
| 51 | Preliminary Engineering | \$2,000.00 |
| 52 | Permitting | \$3,000.00 |
| 53 | Mapping / Survey / Research | \$1,500.00 |
| 54 | Plans, Specifications & Estimates (PS&E) | \$3,650.00 |
| 55 | City / County Processing & Coordination | \$750.00 |
| 56 | Bid & Award | \$2,900.00 |
| 57 | Geotechnical | \$0.00 |
| 58 | Project Close-Out | \$4,100.00 |
| Subtotal Other Costs Estimate (Soft Costs) | | \$17,900.00 |
| Other Costs (Soft Costs) Contingency (15%) | | \$2,685.00 |
| TOTAL OTHER COSTS ESTIMATE AND CONTINGENCY (SOFT COSTS) | | \$20,585.00 |
| TOTAL PROJECT APPROPRIATION REQUESTED | | \$199,974.71 |



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 5

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: **BCVWD 2022 Imported Water Order Quantity from the San Gorgonio Pass Water Agency**

Staff Recommendation

1. Authorize the purchase of [amount to be determined] acre-feet of imported water from the San Gorgonio Pass Water Agency for delivery to the Beaumont-Cherry Valley Water District Noble Creek Recharge Facility for Calendar Year 2022
2. Authorize the General Manager to execute the letter addressed to the San Gorgonio Pass Water Agency regarding the Supplemental Water Order for 2022

Background

The San Gorgonio Pass Water Agency (SGPWA) is the regional State Water Contractor currently serving Beaumont-Cherry Valley Water District (BCVWD), Yucaipa Valley Water District (YVWD), and the City of Banning. BCVWD obtains imported water from the SGPWA to serve its ratepayers and to recharge the adjudicated Beaumont Basin.

Per SGPWA Ordinance No. 9, staff must submit the District's imported water supply order to the San Gorgonio Pass Water Agency (SGPWA) by September 1, 2021 for 2022 water deliveries.

Summary

BCVWD's preliminary projections identify that the direct replenishment need for 2022 is approximately 10,300 AF of water, with 300 AF for water banking for drought-proofing anticipated new construction. The District's Urban Water Management Plan strategizes this water banking activity as currently being 1,000 AF per year, however, because of the amount of water put into storage over the last few years the District is ahead of planned banking activities.

In 2020-2021, the State of California experienced an exceptionally dry water year, contributing to severe drought across the southwest. Water supplies were not as readily available, and the State Water Project reduced allocations to just 5 percent. In prior years, the Board had the foresight to authorize purchase of additional imported water to provide drought-proofing, and this action proved worthwhile, as the District dipped into its storage account in the Beaumont Basin to cover demand needs over the summer.

The District's storage account in the Beaumont Basin as of the end of 2020 was 39,750 af, enough to supply the needs of current ratepayers and new development through 2022.



Fiscal Impact

The SGPWA imported water charges are direct, pass-through rates to the District's ratepayers as adopted by the Board as part of Resolution 2020-04, as determined by the 2019 Water Financial Plan and Utility Rate Study prepared by Raffelis Financial Consultants. This established the State Project Water (San Geronio Pass Water Agency) Imported Water Pass-Through Rate at 72 cents per hundred cubic feet (CCF).

These rates are designed to have no net fiscal impact to the District.

Report prepared by William Clayton, Erica Gonzales and Lynda Kerney



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 6

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: **Status of Automatic Meter Read/Advanced Metering Infrastructure Deployment Project: Water Sustain and Manage America's Resources for Tomorrow: Water and Energy Efficiency Grant**

Staff Recommendation

No Recommendation, informational only

Background

In October of 2019, Beaumont-Cherry Valley Water District (BCVWD) staff, with the help of grant writing consultant Townsend Public Affairs, Inc., submitted a grant application to the Bureau of Reclamation (BOR) for the Water Sustain and Manage America's Resources for Tomorrow (WaterSMART): Water and Energy Efficiency Grant (WEEG) for the BCVWD Automatic Meter Read / Advanced Metering Infrastructure (AMR/AMI) Deployment Project in BCVWD's Capital Improvement Plan (CIP), approved by the Board on December 18, 2019. Through WaterSMART, the BOR leverages federal and non-federal funding to aid water districts (and others) to undertake projects that result in quantifiable and sustained water savings and support broader water reliability benefits.

In February 2020, BCVWD was awarded \$1.5 million in federal funding that is to be matched by BCVWD in the implementation of the conversion from manual read meters to radio read meters, the AMR/AMI Project. This project would replace all of the District's 19,000+ water meters with current automatic read technology, saving staff time, reducing errors and eliminating wear and tear on District vehicles, while offering a new and informational data set for detecting leaks within the transmission and distribution system. The Assistance Agreement defined the terms and conditions for the \$1.5 million grant award, including reporting requirements, responsibilities, and regulatory compliance. At least 50 percent of non-Federal cost-share is required for the costs incurred under the Agreement, for the project which the District projects has an estimated total cost of approximately \$5.51 million. The BOR grant specifies an expedited timeline of three years for project completion, which staff believes is possible as long as the grant funds were made available.

Table 1 Current Anticipated Cost Allocation

| Item | Description | Cost |
|-------------|--|---------------------|
| 1 | BOR WaterSMART Grant Funds | \$ 1,500,000 |
| 2 | BCVWD Matching Funds | \$ 1,500,000 |
| 3 | Additional BCVWD Funds or Future Grant Opportunities | \$ 2,510,000 |
| | Total Estimated Project Cost | \$ 5,510,000 |



The General Manager was authorized to sign the Assistance Agreement by the Board at the August 27, 2020 meeting.

Per the Assistance Agreement, on a semi-annual basis, the District is required to submit a performance report, as well as a financial report, that summarizes the progress that the District has made on the AMR/AMI Project. The next report for the AMR/AMI Project to the BOR will cover April 1, 2021 to September 30, 2021.

The following is a summary of the status of the project as of June 30, 2021:

Table 2 - Status of Meters upgraded to be AMI compatible

| Period | Total number of installed meters | New Installs | Replaced : Maintenance | Replaced : AMR/AMI Project | Total AMI capable meters | % converted to AMI |
|---------------------------|----------------------------------|--------------|------------------------|----------------------------|--------------------------|--------------------|
| Beginning Count Sept 2019 | 19,154 | | | | 4,957 | 26% |
| Oct 2019-Dec 2019 | 19,349 | 195 | 176 | 55 | 5,383 | 28% |
| Jan 2020-Mar 2020 | 19,456 | 107 | 104 | 54 | 5,648 | 29% |
| Apr 2020-Jun 2020 | 19,548 | 92 | 149 | 0 | 5,889 | 30% |
| Jul 2020-Sept 2020 | 19,660 | 112 | 51 | 190 | 6,242 | 32% |
| Oct 2020-Dec 2020 | 19,690 | 30 | 10 | 898 | 7,180 | 36% |
| Jan 2021-Mar 2021 | 19,743 | 53 | 4 | 1,994 | 9,231 | 47% |
| Apr 2021-Jun 2021 | 19,840 | 97 | 15 | 1,597 | 10,940 | 55% |

Table 3 - Submitted expenses to BOR for 50% matching reimbursement

| Period | Expenditures specific to project | BOR 50% cost share | Allowable administrative costs ⁽¹⁾ | Total Maximum Federal contribution ⁽²⁾ |
|------------------------|----------------------------------|--------------------|---|---|
| Oct 2019-Sept 2020 | \$71,811 | \$35,905 | \$46 | \$35,951 |
| Oct 2020-Dec 2020 | \$302,439 | \$151,219 | \$21 | \$151,240 |
| Jan 2021-Mar 2021 | \$528,665 | \$264,332 | \$96 | \$264,428 |
| Apr 2021-Jun 2021 | \$427,098 | \$213,549 | \$35 | \$213,584 |
| Total Allowable | \$1,330,013 | \$665,005 | \$198 | \$665,203 |

- (1) Administrative costs associated with the project are considered by the BOR as de-minimus as they are 50% of 10% of the cost base
- (2) Per the agreement with the BOR, 27% of funds can be requested concurrent to the expenses incurred up to a maximum of 50% of the total project costs



Table 4 - Anticipated Costs for July-December 2021

| Item | Description | Cost |
|--------------------------------------|--|---------------------|
| 1 | Materials ⁽³⁾ (meters, transmitters, registers, supplies) | \$ 1,100,000 |
| 2 | Labor Costs (includes deminimis) | \$ 115,000 |
| 3 | IT Tower and Readers | \$ 295,000 |
| Total Estimated Project Costs | | \$ 1,510,000 |

(3) Previously approved materials listed in the Grant agreement are supplied from Inland Water Works Supply Company.

Staff Report prepared by Sylvia Molina, Senior Accountant and Lorena Lopez, Accountant III



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 7

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: **Consideration to Approve Purchase of One (1) John Deere 310SL
Backhoe Loader in an Amount Not to Exceed \$120,000.00**

Staff Recommendation

Authorize the General Manager to purchase one (1) John Deere Backhoe Loader as listed in the 2021 Capital Improvement Budget from RDO Equipment Co. as a Sourcewell government contract distributor for John Deere Sourcewell contract #032119-JDC, in an amount not to exceed \$120,000.00, including contingencies.

Background

At its Special Meeting of December 1, 2020, the Board of Directors approved the 2021 Capital Improvement Budget, which provides a schedule and funding source for the replacement of various District fleet vehicles and heavy equipment necessary to provide efficient delivery of services to the community. As a piece of heavy equipment, the John Deere Backhoe Loader (Backhoe) is identified in the 2021 Capital Improvement Budget as a necessary replacement and identified as Capital Improvement Project (CIP) Number VE-HEAV-0002 with a total budgeted cost of \$120,000 for the replacement of one (1) John Deere 310SG Backhoe Loader.

Summary

Sourcewell, (formerly known as National Joint Powers Alliance), is a cooperative purchasing agency that creates cooperative contracts for use by public entities through nationwide competitive bid processes for a number of goods and services, including heavy equipment. The firm has more than 50,000 local government agency members including Beaumont-Cherry Valley Water District. The use of these cooperative purchasing agreements provides lower prices for goods and services by soliciting public bids and awarding Sourcewell contracts to the lowest responsive bidders.

As a matter of due diligence, staff solicited a quote for the above-mentioned backhoe from RDO Equipment Co. (a local John Deere dealership) for the normal cost to the District under the RDO Government Discount option. Additionally, staff solicited a Sourcewell quote from the same entity (RDO Equipment Co.) for a backhoe that is currently in stock at the Riverside location. Finally, should the backhoe that is currently in stock be subsequently sold to another entity, staff solicited a quote for a factory-built backhoe of the same specifications. These pricing options are included in Table 1 below:



Table 1

CIP Budget Amount and Summary of Quotes

| No. | CIP ID | CIP Description | CIP Budget Amount | Proposed Replacement | RDO Government Discount Quote | RDO Sourcewell (Factory Built) Quote | RDO Sourcewell (In Stock) Quote |
|-----|--------------|---|-------------------|--------------------------------|-------------------------------|--------------------------------------|---------------------------------|
| 1 | VE-HEAV-0002 | 2007 John Deere Backhoe 310SG (Aug, 2009) | \$120,000.00 | 2021 John Deere Backhoe 310 SL | \$110,565.50 | \$105,565.50 | \$101,457.08 |
| | | | | Sales Tax | \$8,568.83 | \$8,183.75 | \$7,862.92 |
| | | | | Sub Total | \$119,134.33 | \$113,780.48 | \$109,320.00 |

Staff proposes the 2007 John Deere 310SG Backhoe Loader be replaced with a 2021 John Deere 310SL Backhoe Loader as identified in the CIP (CIP Project Number VE-HEAV-0002) to provide efficient delivery of services to the community. Staff further identifies that the budgeted amount under the CIP for said acquisition is \$120,000. Staff proposes to purchase the in-stock backhoe unit for \$109,320.00. In the event the in-stock unit is unavailable (i.e. sold to others) Staff further recommends that the Board of Directors authorize an expenditure that provides for acquisition of the RDO Sourcewell (Factory Built Quote) with an approximate 6% contingency included in the authorization amount. Based upon said approach, Staff recommends that the Board of Directors approve authorization of the RDO Sourcewell (Factory Built Quote) in an amount not to exceed \$120,000.00, which would provide Factory Built Quote acquisition (if necessary) in the amount of \$113,780.48 together with a contingency of approximately 5.5% or \$6,219.52 for a total not to exceed expenditure authorization in the amount of \$120,000.00.

Staff further proposes that the existing 2007 John Deere Backhoe Loader be maintained within the heavy equipment fleet until it has fully reached the end of its service life. Said tractor would be used as a spare yard-tractor (backhoe) by Staff for loading material (Class II base, sand, temporary blacktop or parts) at District facilities, and for use, as needed, on projects such as at the District's Noble Creek Recharge Facility, Edgar Canyon, or in the event one of the duty backhoe tractors is out of service. At the end of said tractor's service life, this item would then be presented to the Board for declaration of surplus and disposed of by staff.

Fiscal Impact

The fiscal impact to the District will be an amount not to exceed \$120,000.00, as stated previously. Funds are available for this purchase from the District's Capital Replacement Reserves.

Staff Report prepared by James Bean, Director of Operations



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 8

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: **Association of California Water Agencies (ACWA) 2022-2023 Region 9 Board Election**

Staff Recommendation

Staff recommends that the Board of Directors vote to elect a Chair, Vice Chair, and five (5) Board members of their choice to the Association of California Water Agencies, Region 9. The Board has the option of voting for the slate recommended by the Region 9 Nominating Committee or vote for individual region board members.

Summary

ACWA has requested that the Board of Directors of the Beaumont-Cherry Valley Water District submit a ballot to vote for the candidates of their choice to represent the ACWA Region 9 Chair, Vice Chair and five (5) Board members. The deadline to return the ballot is September 30, 2021.

Attached are the ballot and candidate information. The Board may vote the slate proposed by the Region 9 Nominating Committee, or vote for candidates individually.

Fiscal Impact

None.

Attachments

- ACWA Region 9 Board Ballot
- Role of the Regions
- Region Map

Staff Report prepared by Lynda Kerney, Administrative Assistant



Please return completed ballot by Sept. 30, 2021

E-mail: regionelections@acwa.com
Mail: ACWA
980 9th Street, Suite 1000
Sacramento, CA 95814

General Voting Instructions:

- 1 You may either vote for the slate recommended by the Region 9 Nominating Committee or vote for individual region board members (please note rules & regulations for specific qualifications). Mark the appropriate box to indicate your decision.
- 2 Complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.

Region 9 Rules & Regulations:

The chair and vice chair shall be elected, one from each area, and the positions shall be rotated between the Western and Arid areas of Region 9. For the 2022-'23 term, the chair shall be from the Western area.

1

Nominating Committee's Recommended Slate

I concur with the Region 9 Nominating Committee's recommended slate below.

CHAIR:

- **Harvey R. Ryan**, Board Member, Elsinore Valley Municipal Water District (Western)

VICE CHAIR:

- **G. Patrick O'Dowd**, Executive Director, Salton Sea Authority (Arid)

BOARD MEMBERS:

- **Luis Cetina**, Vice President, Cucamonga Valley Water District (Western)
- **Brenda Dennstedt**, President, Western Municipal Water District (Western)
- **Norma Sierra Galindo**, Board of Directors, Imperial Irrigation District (Arid)
- **Carol Lee Gonzales-Brady**, President, Rancho California Water District (Western)
- **James Morales Jr.**, Director, East Valley Water District (Western)

OR

Individual Board Candidate Nominations

(See Rules & Regulations before selecting)

I do not concur with the Region 9 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

CANDIDATES FOR CHAIR: (CHOOSE ONE)

- James Morales Jr.**, Director, East Valley Water District (Western)
- Harvey R. Ryan**, Board Member, Elsinore Valley Municipal Water District (Western)

CANDIDATES FOR VICE CHAIR: (CHOOSE ONE)

- G. Patrick O'Dowd**, Executive Director, Salton Sea Authority (Arid)

CANDIDATES FOR BOARD MEMBERS: (MAX OF 5 CHOICES)

- Luis Cetina**, Vice President, Cucamonga Valley Water District (Western)
- Brenda Dennstedt**, President, Western Municipal Water District (Western)
- Norma Sierra Galindo**, Board of Directors, Imperial Irrigation District (Arid)
- Carol Lee Gonzales-Brady**, President, Rancho California Water District (Western)
- James Morales Jr.**, Director, East Valley Water District (Western)
- G. Patrick O'Dowd**, Executive Director, Salton Sea Authority (Arid)
- Harvey R. Ryan**, Board Member, Elsinore Valley Municipal Water District (Western)

2

AGENCY NAME

AUTHORIZED REPRESENTATIVE DATE

ACWA Regions provide the grassroots support to advance ACWA's legislative and regulatory agenda.

Background

As a result of ACWA's 1993 strategic planning process, known as Vision 2000, ACWA modified its governance structure from one that was based on sections to a regional-based configuration. Ten regions were established to provide geographic balance and to group agencies with similar interests.

Primary Charge of Regions

- To provide a structure where agencies can come together and discuss / resolve issues of mutual concern and interest and based on that interaction, provide representative input to the ACWA board.
- To assist the Outreach Task Force in building local grassroots support for the ACWA Outreach Program in order to advance ACWA's legislative and regulatory priorities as determined by the ACWA Board and the State Legislative, Federal Affairs or other policy committees.
- To provide a forum to educate region members on ACWA's priorities and issues of local and statewide concern.
- To assist staff with association membership recruitment at the regional level.
- To recommend specific actions to the ACWA Board on local, regional, state and federal issues as well as to recommend endorsement for various government offices and positions.

Region chairs and vice chairs, with support from their region boards, provide the regional leadership to fulfill this charge.

Note: Individual region boards CANNOT take positions, action or disseminate communication on issues and endorsements without going through the ACWA Board structure.

GENERAL DUTIES / RESPONSIBILITIES FOR REGION OFFICERS

Region Chair

- Serves as a member of the ACWA Board of Directors at bimonthly meetings at such times and places as the Board may determine. The Chair will also call at least two Region membership meetings to be held at each of the ACWA Conferences and periodic Region Board meetings.
- Serves as a member of ACWA's Outreach Program, and encourages region involvement. Appoints Outreach Captain to help lead outreach effort within the region.
- Presides over all region activities and ensures that such activities promote and support accomplishment of ACWA's Goals.
- Makes joint recommendations to the ACWA President regarding regional appointments to all ACWA committees.
- Appoints representatives in concurrence of the region board, to serve on the region's nominating committee with the approval of the region board.
- Facilitates communication from the region board and the region membership to the ACWA board and staff.

Region Vice Chair

- Serves as a member of the ACWA Board of Directors at bimonthly meetings at such times and places as the Board may determine. The Vice Chair will also participate in at least two Region membership meetings to be held at each of the ACWA Conferences and periodic Region Board meetings.
- Performs duties of the Region Chair in the absence of the chair.
- Serves as a member of ACWA's Outreach Program, and encourages region involvement.
- Makes joint recommendations to the ACWA president regarding regional appointments to all ACWA committees.

Region Board Member

- Participate in at least two Region membership meetings to be held at each of the ACWA Conferences and periodic Region Board meetings.
- Supports program planning and activities for the region.
- Actively participates and encourages region involvement in ACWA's Outreach Program.
- May serve as alternate for the chair and/or vice chair in their absence (if appointed) to represent the region to the ACWA Board.

REGION MAP





**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 9

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: California Special Districts Association Opportunities for Involvement

Staff Recommendation

None.

Background

The Beaumont-Cherry Valley Water District is a member of the California Special Districts Association (CSDA), a non-profit organization formed to promote good governance and improved core local services through professional development, advocacy and other services for all types of independent special districts. The CSDA is governed by an 18-member Board of Directors elected from the membership in six geographic networks. BCVWD is part of the Southern Network.

The Board of Directors has previously indicated interest in providing representation for the Beaumont area to the organization, possibly via election to and service on the CSDA Board of Directors. Elections for these positions are held every two years.

In order to prepare for potential nomination, election and service to the CSDA organization, an interested member of the BCVWD Board might consider attendance at CSDA events, joining a committee, volunteering for one of the Expert Feedback Teams, and/or taking CSDA training courses. These activities would familiarize the potential candidate with the organization, and the organization with the candidate in addition to being informative and beneficial to the District.

Summary

The CSDA has announced its annual request for volunteers to serve on committees and Expert Feedback Teams.

Committees need dedicated participants who can expend the time to provide expertise in directing the activities and policies of CSDA. Committee participation requires certain time commitments and attendance. Committees are:

- Legislative Committee: Develops CSDA's legislative agenda.
- Professional Development Committee: Provides direction for professional development and events.
- Member Services Committee: Supports member recruitment and retention efforts.
- Audit Committee: Maintains and updates internal controls.
- Elections & Bylaws Committee: Conducts annual elections and occasional bylaws reviews.
- Fiscal Committee: Oversees the financial direction of the organization.



Expert Feedback Teams provide input to CSDA advocacy staff on specific areas of public policy facing special districts. Team members need only reply to periodic emails with their thoughts, opinions, and experiences. Expert feedback team members will not be required to travel; they should expect to receive a handful of e-mails each month and, on rare occasions, they may be contacted by phone. Expert Feedback Teams are:

- Environment
- Revenue
- Legal
- Formation and Reorganization
- Governance, Human Resources and Personnel
- Public Works and Facilities

Directors interested in serving may obtain more information including requirements and time commitments and submit an interest form online here:

<https://www.csda.net/about-csda/get-involved>

Interest forms must be submitted by 5 p.m. on October 8, 2021.

Fiscal Impact

If a BCVWD Board member or staffer were elected to the CSDA Board of Directors or selected to serve on a Committee, some expenses would be incurred to fulfill the duties of the office or commitment. The fiscal impact to the District would include registration, travel, accommodations and meals, transportation expenses to / from CSDA meetings, conferences and trainings, and potential additional expenses incurred that are not reimbursed to the elected Board member by CSDA. In addition, some Board member attendance is likely compensable under BCVWD policy, and/or the Board may approve per diem compensation for a director's participation.

Attachments

1. 2022 CSDA Committee & Expert Feedback Team Participation article

Report prepared by Lynda Kerney, Administrative Assistant



**California Special
Districts Association**
Districts Stronger Together

[CONTACT US](#) [JOIN](#) [SUPPORT](#)



[LOGIN](#)

2022 CSDA Committee & Expert Feedback Team Participation

By Vanessa Gonzales posted 2 days ago

0 LIKE



Contact us



2022 committee interest forms can be submitted ONLINE at [CSDA.net](https://www.csdanet.com)!

CSDA's strength and effectiveness as an organization is directly related to our ability to involve members in the work of the association. Special districts board members and staff, as well as business affiliates bring tremendous talents and energy to CSDA and to the issues that concern special districts in California.

With this in mind, we are asking for volunteers to participate and contribute on one or more of our committees and/or expert feedback teams to assist in shaping CSDA. **If you or any others from your district or company would like to get involved with CSDA, please go to our [Get Involved](#) page at [CSDA.net](https://www.csdanet.com) to view a complete list of committees and expectations for committee member service.**

Committees need dedicated participants who can expend the time to provide their expertise in directing the activities and policies of CSDA. *CSDA does not reimburse for committee related travel expenses.*

Expert Feedback Teams provide input to CSDA advocacy staff on specific areas of public policy facing special districts. Team members need only reply to periodic emails with their thoughts, opinions, and experiences. Expert feedback team members will not be required to travel; they should expect to receive a handful of e-mails each month and, on rare occasions, they may be contacted by phone.

How to Submit Your 2022 CSDA Committee Selections:

Please login to the CSDA website to view a complete list of committees, expectations for serving and to submit your committee interest form online.

Committee interest forms must be filled out by **5:00 PM on October 8, 2021**. The selection and ratification of CSDA's 2021 committees will take place in November 2021 and selected participants will be notified by the end of November. Committee participation begins in January 2022.

Thank you for your continued support of CSDA!



**Beaumont-Cherry Valley Water District
Regular Board Meeting
August 26, 2021**

Item 10

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Continued Review of Anticipated California Drought Conditions, District Urban Water Management Plan Drought Restrictions and BCVWD Resolution 2014-05 Regarding Issuance of Will-Serve Letters and Other Drought Response

Staff Recommendation

Information only

Attachments

1. Current Reservoir Conditions – August 18, 2021
2. California Drought Monitor Map – August 17, 2021

References:

Southern California water officials declare supply alert amid worsening drought
Metropolitan Water District

Los Angeles Times (08/17/2021)

<https://www.latimes.com/california/story/2021-08-17/amid-worsening-drought-mwd-declares-water-supply-alert>

The Well Fixer's Warning: A lesson that California never learns
The Atlantic (08/17/2021)

<https://www.theatlantic.com/politics/archive/2021/08/well-fixers-story-california-drought/619753/>

Newsom: Statewide Water Restrictions Possible
Cal Matters (08/17/2021)

<https://calmatters.org/newsletters/whatmatters/2021/08/california-drought-water-restrictions-newsom/>

Water Education Foundation – All Things Drought

https://www.watereducation.org/post/all-things-drought?utm_campaign=&utm_medium=email&utm_source=bundle_and_blast&mc_cid=c0f3e54898&mc_eid=1759354f4e

Governor Gavin Newsom's Executive Order N-10-21 (Voluntary 15 percent reduction)

<https://www.gov.ca.gov/wp-content/uploads/2021/07/7.8.21-Conservation-Executive-Order-N-10-21-.pdf>

California Department of Water Resources – Current Conditions

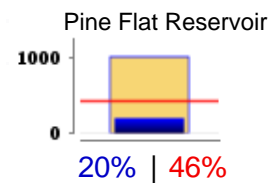
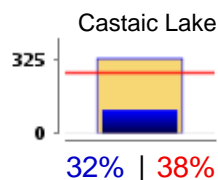
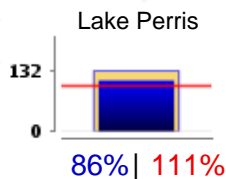
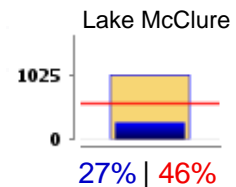
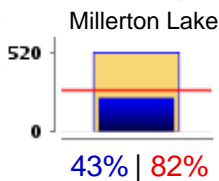
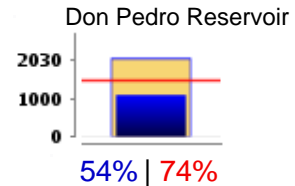
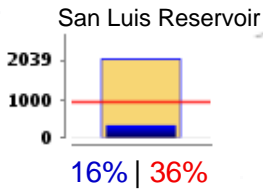
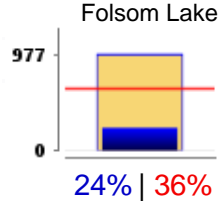
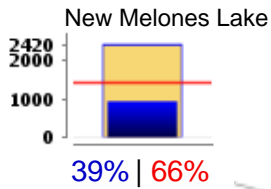
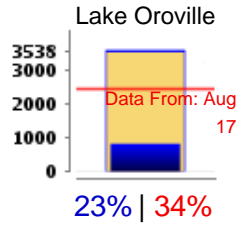
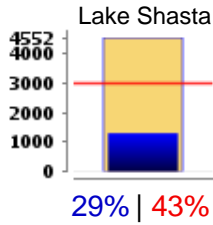
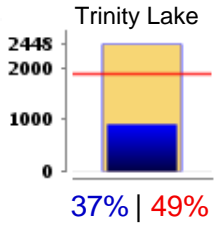
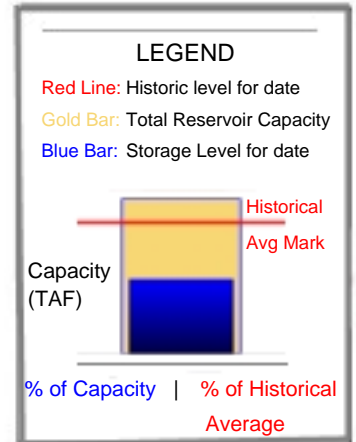
<https://water.ca.gov/Current-Conditions>



CURRENT RESERVOIR CONDITIONS

SELECTED WATER SUPPLY RESERVOIRS

Midnight: August 18, 2021



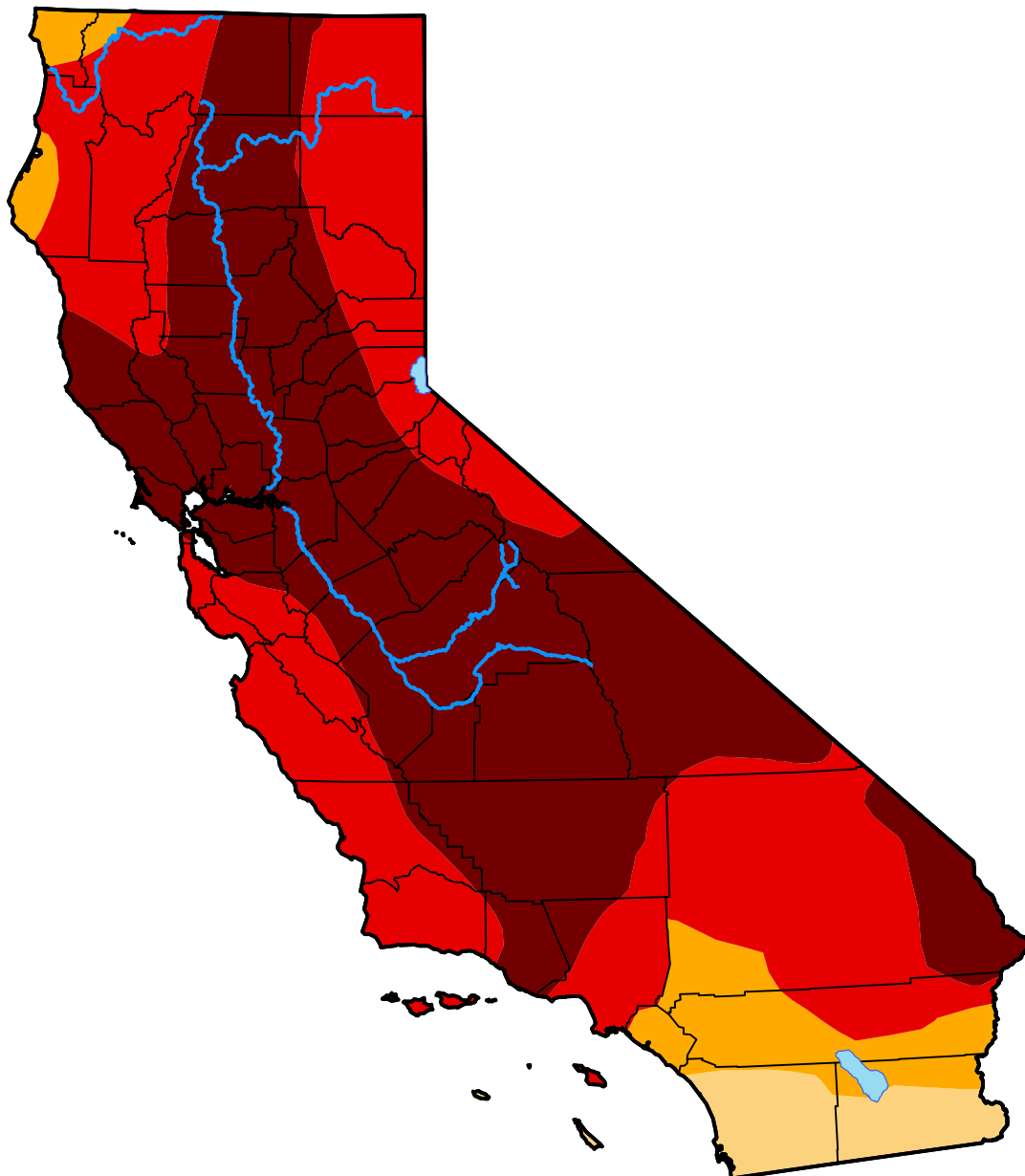
U.S. Drought Monitor California

August 17, 2021
(Released Thursday, Aug. 19, 2021)

Valid 8 a.m. EDT

Drought Conditions (Percent Area)

| | None | D0-D4 | D1-D4 | D2-D4 | D3-D4 | D4 |
|--|-------|--------|--------|-------|-------|-------|
| Current | 0.00 | 100.00 | 100.00 | 95.58 | 88.37 | 48.97 |
| Last Week <i>08-10-2021</i> | 0.00 | 100.00 | 100.00 | 95.07 | 88.37 | 47.10 |
| 3 Months Ago <i>05-18-2021</i> | 0.00 | 100.00 | 100.00 | 94.31 | 73.33 | 15.91 |
| Start of Calendar Year <i>12-29-2020</i> | 0.00 | 100.00 | 95.17 | 74.34 | 33.75 | 1.19 |
| Start of Water Year <i>09-29-2020</i> | 15.35 | 84.65 | 67.65 | 35.62 | 12.74 | 0.00 |
| One Year Ago <i>08-18-2020</i> | 20.55 | 79.45 | 54.22 | 21.72 | 3.04 | 0.00 |



Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Curtis Riganti
National Drought Mitigation Center



droughtmonitor.unl.edu