



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
under the provisions of Assembly Bill 361 and BCVWD Resolution 2021-21*

NOTE DATE CHANGE DUE TO HOLIDAY

Monday, November 22, 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 and the California Department of Public Health Recommendations

- **Face coverings are mandatory for unvaccinated persons and must be properly worn over the nose and mouth at all times**
- **Face coverings are recommended for fully vaccinated persons indoors**
- **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=SXlzMFZCMGh0YTFIL2tnUGlpU3h0UT09>

*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 – NOVEMBER 22, 2021

Call to Order: President Slawson

Roll Call - Board of Directors

Pledge of Allegiance: Director Hoffman

Invocation: Director Ramirez

Teleconference Verification

Roll Call

Public Comment

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

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.
 - Item(s) to be removed or continued from the Agenda
 - Emergency Item(s) to be added to the Agenda
 - Changes to the order of the agenda
- 2. Authorization of General Manager to Enter into a Contract in an Amount Not to Exceed \$20,000.00 for Reservoir Cleaning, Inspection and Minor Repair with H2O Solutions, LLC (pages 6 - 7)**
- 3. Professional Services Agreement with Chandler Asset Management for Investment Advisory Services (pages 8 - 14)**
- 4. Potential Amendments to Policy 4025 Board Meetings, Including Annual Organization Meeting: Election of Officers and Rotation of Board President and Proposed Policy Amendment Regarding Addition of Items to Agenda (pages 15 - 20)**
- 5. Quarterly Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency (pages 21 - 24)**
- 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 25 - 27)**

7. **Continued Review of 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** (pages 28 - 33)
8. **Consideration of Attendance at Upcoming Events and Authorization of Reimbursement and Per Diem** (pages 34 - 36)
9. **Status of Local Emergency regarding the Impact of the Respiratory Illness Pandemic COVID-19 pursuant to Resolution 2020-07** (No Staff Report)
10. **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)
11. **Update: Legislative Action and Issues Affecting BCVWD** (pages 37 - 45)
12. **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.

 - CSDA webinar: General Manager Evaluations – Nov. 10, 2021
 - Public Policy Institute of California – Seizing the Drought – Nov. 15-17, 2021
 - California-Nevada Drought and Climate Outlook – Nov. 22, 2021
 - b. **Directors' General Comments**
 - c. **General Manager's Report**
 - d. **Legal Counsel Report**
13. **Action List for Future Meetings**
 - Water supply for BCVWD and the region
 - Matrix for delivery of recycled water
 - Legal Counsel report on changes in Proposition 218
 - Legal update on drought conditions in the west
 - Maintenance costs at 800-hp well sites
14. **Announcements** – *In compliance with Assembly Bill 361, 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:*
 - District offices will be closed Thursday, Nov. 25 in observance of Thanksgiving Day
 - Finance and Audit Committee Meeting: Thursday, Dec. 2, 2021 at 3 p.m.
Open to the public in the Conference Room at the BCVWD Administration Building
 - Regular Board Meeting: Wednesday, Dec. 8, 2021 at 6 p.m.

- Personnel Committee Meeting: Monday, Dec. 20, 2021 at 5:30 p.m.
- Engineering Workshop: Tuesday, Dec. 21, 2021 at 6 p.m. (Note date change due to holiday)
- District offices will be closed Thursday, Dec. 23 in observance of Christmas Day
- Collaborative Agencies Meeting: Wednesday, Jan. 5, 2022 at 5 p.m.
Meeting location or teleconference TBD
- District offices will be closed Thursday, Dec. 30, 2021 in observance of New Year's Day

15. Closed Session

- PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54947
Title: General Manager
- CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: Dan Jagers, General Manager; Kirene Manini, PhD, Director of Finance and Administrative Services; and James Markman, Legal Counsel
Employee Organization: BCVWD Employee Association and Contract Positions

16. Report on Closed Session

17. Consideration and Possible Action Regarding Proposed Changes to Contract, Salary, and / or Fringe Benefits of General Manager

18. 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

On or before November 19, 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)).



**Beaumont-Cherry Valley Water District
Regular Board Meeting
November 22, 2021**

Item 2

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Authorization of General Manager to Enter into a Contract in an Amount Not to Exceed \$20,000.00 for Reservoir Cleaning, Inspection and Minor Repair with H2O Solutions, LLC**

Staff Recommendation

Authorize the General Manager to enter into a contract with H2O Solutions, LLC to provide reservoir cleaning, inspection and minor repair of four (4) domestic drinking water reservoirs currently owned by the Beaumont-Cherry Valley Water District (District).

Background

In order to maintain water quality in the water distribution system and extend the life of a storage facility, storage reservoirs must be inspected and cleaned on a regular basis. Regular inspections of storage reservoirs help to identify small problems that may be corrected before they become more severe and create water quality issues, lead to more expensive repairs, and cause premature reservoir coating failures.

The District owns and operates a total of fourteen (14) domestic drinking water storage reservoirs and one (1) non-potable storage reservoir which are professionally cleaned and inspected every two (2) to four (4) years on a rotating schedule of three (3) to five (5) reservoirs per year. Reservoirs are scheduled for cleaning based on conditions that are identified during routine inspections conducted by District staff.

Staff issued a Request for Quotations (RFQ) for reservoir cleaning, inspection and minor repair on October 29, 2021, and received quotations on November 15, 2021 at 3:00 p.m. Two (2) bid packages were received and reviewed by District staff. The results of the bid opening are reflected in Table 1 below:

Table 1

	BID SCHEDULES				REPORT	SALES TAX	BID TOTAL
	I	II	III	IV			
Rubicon Applied Divers	\$6,119	\$6,119	\$6,119	\$6,119	\$3,850	\$1,958.08	\$26,434.08
H2O Solutions, LLC	\$7,355	\$2,975	\$2,975	\$3,475	\$2,000	\$1,342.40	\$18,122.24



The lowest responsive bidder was H2O Solutions, LLC with a total project bid of \$18,122.24. With a 10 percent (rounded) contingency of \$1,877.76, the total project cost is \$20,000 (rounded).

Fiscal Impact

There will be a fiscal impact to the District in an amount not to exceed \$20,000 for the completion of this project. This amount includes 10 percent (rounded) contingency of \$1,877.76 to cover the cost of any additional work that may be required. Funds are available in the District's 2021 Operating Budget under Reservoir Maintenance, General Ledger Account number 01-40-440-540078.

Report prepared by James Bean, Director of Operations



**Beaumont-Cherry Valley Water District
Regular Board Meeting
November 22, 2021**

Item 3

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: Professional Services Agreement with Chandler Asset Management for Investment Advisory Services

Staff Recommendation

Authorize the General Manager to execute an Investment Management Agreement with Chandler Asset Management.

Background

Staff identifies that the District could benefit from the professional investment management services of the District's public funds, specifically of some or all of those funds currently held in CalTRUST approximately \$40 million, as previously discussed at the District's August 5, 2021, Finance and Audit Committee and September 8, 2021, Regular Board meetings. Said management should provide a best practice activity which should provide an opportunity for substantial benefit to Beaumont-Cherry Valley Water District. These benefits include day-to-day monitoring of investments within the portfolio, including daily analysis of available market yields; re-balancing of the portfolio's duration (average maturity) to take advantage of higher interest when available; daily credit monitoring of investment instruments; security selection, and competitive shopping of investments to obtain the best execution of trades. Performance measurement against selected benchmarks and compliance will be monitored daily with the District's investment policy and California Government Code and reported formally to the District as part of a monthly reporting package. The goal of external investment management would be to maximize the return on investments within the portfolio, while minimizing risk of principal and prioritizing safety of principal and liquidity.

Analysis

Chandler Asset Management's (Chandler) analysis of the District's existing portfolio was presented to the District's General Manager, Dan Jagers and Senior Finance and Administrative Analyst, William Clayton on May 26, 2021. Analysis criteria was as follows:

- Responsiveness and understanding of engagement
- Firm experience, approach, and long-term performance
- Assigned personnel experience
- Client References and overall client satisfaction
- Investment Returns for Chandler's Composites

Subsequently, District staff performed thorough reference checks of regional area water agency clients of Chandler, with interview questions regarding the agencies' perception of the effectiveness of:



- Communication with Chandler
- Client service from their Relationship Manager
- Reports provided by Chandler

Additionally, agencies were asked about the top three factors that led to their most recent decision to select or retain Chandler as their investment adviser, and to describe the value they receive from Chandler as an investment adviser.

Responses were received from Coachella Valley Water District, Rancho California Water District, Western Municipal Water District, Elsinore Valley Water District, Walnut Valley Water District, and West Valley Water District. All responders indicated a high level of satisfaction with the services provided by Chandler, and that said services provide a higher rate of return than what could be achieved by only owning short-term instruments such as LAIF or CalTRUST.

Chandler staff made a presentation to the Finance and Audit Committee on August 5, 2021, and to the full Board at the Regular Meeting on September 8, 2021. Both Committee members and the other Board Members indicated support for an agreement with Chandler to provide investment management services. Staff presented the draft contract and discussed it with the Finance and Audit Committee on November 4, 2021, where the Committee members indicated support for presenting the contract to the full Board.

The cost associated with these services is as follows:

**Beaumont Cherry Valley Water District
Fee Schedule**

Assets Under Management	Annual Asset Management Fee
First \$25 million	0.10 of 1% (10 basis points)
Next \$25 million	0.08 of 1% (8 basis points)
Next \$50 million	0.06 of 1% (6 basis points)

**Annual fee is based on approximately \$40 Million in managed investments. Chandler's fees do not include third party custody services, as the firm is not a provider of such services. The safekeeping/custody of the District's funds by a third-party provider of the District's choosing is an important control in the investment management process. Under no circumstances will Chandler take possession or control of the District's assets, and all securities transaction will be delivery versus payment ("DVP").*

The most significant factors to consider a firm such as Chandler:

- Provided the most similar and neighboring clients as references. Chandler manages over \$23.5 billion in assets under management including over \$2 billion for 22 California water districts.
- Provided significant understanding of the District's Investment Policy, portfolio



requirements and objectives, including observations of the investment policy and analysis of the portfolio suggesting optimization of idle funds and improvements, such as diversification from pools for future consideration.

- Outstanding references, including testimonials of being service oriented, aiding beyond contracted services, validated performance beyond the benchmark while maintaining a lower risk than the benchmark.
- Superior reporting as well as education and training which will save the District's Staff time and provide continuity of care of the investment program through staff changes and various market cycles.

Upon Board Authorization, District staff would commence development of a Final scope of services and associated Investment Management Agreement with Chandler Asset Management intended to develop all aspects of the District's investment program, including analysis of risk and return, investment policy development and review, and cash flow analysis and forecasting. Said scope of services would include a plan to implement investment strategies that meet the Beaumont-Cherry Valley Water District's risk and return requirements, conduct reconciliation with custodian statements and settlement of transactions, and provide comprehensive investment reporting for transparency. Said scope of services would require Chandler to conduct education and training for staff enrichment, provide monthly reporting, hold quarterly meetings to discuss investment results, and be available to present to the District's staff, Finance & Audit Committee and Board of Directors as needed. Said scope would also require that Chandler assist staff with annual updates of the Investment Policy, which ultimately will be submitted to the Board for consideration and approval.

Fiscal Impact

Chandler has estimated that the current monthly yield for a \$40 million District portfolio under their management would provide a conservative estimate of approximately \$16,000 per month. The cost of investment management services described above is approximately \$3,100 per month for \$40 million but will fluctuate based on portfolio value. Staff anticipates that enhanced investment earnings will exceed investment management fees and estimated custodial fees of \$600 per month. Staff would further propose that fees for investment management and custodial services will be debited from interest earnings at the District's third-party custodian.

For comparison purposes, the proposed net yield of approximately \$12,300 would exceed the current monthly yield of approximately \$5,000 to \$6,000 in CalTRUST, as well as the \$6,500 to \$8,600 current monthly yield in LAIF.

Attachments:

1. Sample "DRAFT" and provided Financial guidance to District Staff by Chandler Asset Management

Staff Report prepared by William Clayton, Senior Finance and Administrative Analyst

INVESTMENT MANAGEMENT AGREEMENT
 (Institutional Client, Non-ERISA)

_____ (Client) hereby retains Chandler Asset Management, Inc. (Chandler) as Investment Adviser on the terms and conditions set forth herein.

1. Term. The term of this Agreement shall commence upon the execution of this Agreement and shall continue until this Agreement is terminated effective upon receipt of notice of termination in writing delivered by the terminating party.
2. Fees. Client shall compensate Chandler monthly an amount calculated on the average market value of Client's portfolio, including accrued interest, in accordance with the following schedule:

Assets Under Management	Annual Investment Management Fee
First \$25 million	0.10 of 1% (10 basis points)
Next \$25 million	0.08 of 1% (8 basis points)
Assets in excess of \$50 million	0.06 of 1% (6 basis points)

The fees expressed above do not include any custody fees that may be charged by Client's bank or other third party custodian.

Fees shall be prorated to the effective date of termination on the basis of actual days elapsed, and any unearned portion of prepaid fees shall be refunded. Client is not required to pay any start-up or closing fees; there are no penalty fees.

Fees shall be deducted monthly in arrears from Client's custody account.

3. Client Representative. In its capacity as investment manager, Chandler shall receive all instructions, directions and other communications on Client's behalf respecting Client's account from _____ (Representative). Chandler is hereby authorized to rely and act upon all such instructions, directions and communications from such Representative or any agent of such Representative.
4. Investment Policy. In investing and reinvesting Client's assets, Chandler shall comply with Client's Investment Policy, which is attached hereto as Exhibit A.
5. Authority of Chandler. Chandler is hereby granted full discretion to invest and reinvest all assets under its management in any type of security it deems appropriate, subject to the instructions given or guidelines set by Representative.
6. Notices. All reports and other communications required hereunder to be in writing shall be delivered in person, or sent by first-class mail postage prepaid, by overnight courier, by confirmed facsimile with original to follow or by confirmed electronic mail with proof of receipt to the addresses set

forth below. Either party to this Agreement may, by written notice given at any time, designate a different address for the receipt of reports and other communications due hereunder.

Chandler Asset Management

Attn: Nicole Dragoo
6225 Lusk Boulevard
San Diego, CA 92121
ndragoo@chandlerasset.com

CLIENT

Attn:
Address:
City, ST ZIP
Email

7. Electronic Delivery. From time to time, Chandler may be required to deliver certain documents to Client such as account information, notices and required disclosures. Client hereby consents to Chandler's use of electronic means, such as email, to make such delivery. This delivery may include notification of the availability of such document(s) on a website, and Client agrees that such notification will constitute "delivery". Client further agrees to provide Chandler with Client's email address(s) and to keep this information current at all times by promptly notifying Chandler of any change in email address(s).

Client email address(s): _____

8. Proxy Voting. Chandler will vote proxies on behalf of Client unless otherwise instructed. Chandler has adopted and implemented written policies and procedures and will provide Client with a description of the proxy voting procedures upon request. Chandler will provide information regarding how Clients' proxies were voted upon request. To request proxy policies or other information, please contact us by mail at the address provided, by calling 800-317-4747 or by emailing your request to info@chandlerasset.com.
9. Custody of Securities and Funds. Chandler shall not have custody or possession of the funds or securities that Client has placed under its management. Client shall appoint a custodian to take and have possession of its assets. Client recognizes the importance of comparing statements received from the appointed custodian to statements received from Chandler. Client recognizes that the fees expressed above do not include fees Client will incur for custodial services.
10. Valuation. Chandler will value securities held in portfolios managed by Chandler no less than monthly. Securities or investments in the portfolio will be valued in a manner determined in good faith by Chandler to reflect fair market value.
11. Investment Advice. Client recognizes that the opinions, recommendations and actions of Chandler will be based on information deemed by it to be reliable, but not guaranteed to or by it. Provided that Chandler acts in good faith, Client agrees that Chandler will not in any way be liable for any error in judgment or for any act or omission, except as may otherwise be provided for under the Federal Securities laws or other applicable laws.

12. Indemnity and Insurance.

Indemnity. Subject to the provisions of Section 11, above, Chandler shall defend, indemnify and hold Client, including its elected officials, officers, and employees free and harmless from any and all claims and liabilities for death or personal injury arising from the acts or omissions of Chandler or any of its officers, employees or subcontractors, and for financial loss of any nature arising out of the negligence or professional negligence of, or the violation of any State or federal statute or regulation by, Chandler or any of its officers, employees or subcontractors, in the performance of this Agreement.

Insurance. Throughout the term of this Agreement, Chandler shall maintain commercial general liability, automobile liability, professional liability and workers compensation insurance (if required by law), in such form and with such limits as required by Client, and which are set forth in Exhibit B attached hereto and incorporated by reference herein.

~~12.~~

13. Payment of Commissions. Chandler may place buy and sell orders with or through such brokers or dealers as it may select. It is the policy and practice of Chandler to strive for the best price and execution and for commission and discounts which are competitive in relation to the value of the transaction and which comply with Section 28(e) of the Securities and Exchange Act. Nevertheless, it is understood that Chandler may pay a commission on transactions in excess of the amount another broker or dealer may charge, and that Chandler makes no warranty or representation regarding commissions paid on transactions hereunder.

14. Other Clients. It is further understood that Chandler may be acting in a similar capacity for other institutional and individual clients, and that investments and reinvestments for Client's portfolio may differ from those made or recommended with respect to other accounts and clients even though the investment objectives may be the same or similar. Accordingly, it is agreed that Chandler will have no obligation to purchase or sell for Client's account any securities which it may purchase or sell for other clients.

15. Duty of Care. As an investment advisor, Chandler shall act as a fiduciary to Client, and shall at all times perform its services under this Agreement with due care, in Client's best interests and in accordance with all applicable law.

~~15.~~16. Confidential Relationship. The terms and conditions of this Agreement, and all information and advice furnished by either party to the other shall be treated as confidential and shall not be disclosed to third parties except (i) as required by law, rule, or regulation, (ii) as requested by a regulatory authority, (iii) for disclosures by either party of information that has become public by means other than wrongful conduct by such party or its officers, employees, or other personnel, (iv) for disclosures by either party to its legal counsel, accountants, or other professional advisers, (v) as necessary for Chandler to carry out its responsibilities hereunder, or (vi) as otherwise expressly agreed by the parties.

~~16.~~17. No Assignment & Amendments. Neither party may assign, directly or indirectly, all or part of its rights or obligations under this Agreement without the prior written consent of the other party, which

consent shall not be unreasonably withheld or delayed. This Agreement may be amended at any time by mutual agreement in writing.

~~17~~.18. Governing Law. It is understood that this Agreement shall be governed by and construed under and in accordance with the laws of the State of California.

~~18~~.19. Severability. Any provision of this Agreement which is prohibited or unenforceable shall be ineffective only to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof.

~~19~~.20. Receipt of Brochure and Privacy Policy. Client hereby acknowledges receipt of the disclosure statement or "brochure" and "brochure supplement" also known as Part 2A and Part 2B of Form ADV, required to be delivered pursuant to Rule 204-3 of the Investment Advisers Act of 1940 (Brochure). Client further acknowledges receipt of Chandler's Privacy Policy, as required by Regulation S-P.

~~20~~.21. Arbitration. It is agreed that any controversy between Chandler and the Client arising out of Chandler business or this Agreement, shall be submitted to arbitration conducted under the provisions of the commercial arbitration rules of the American Arbitration Association. Arbitration must be commenced by service upon the other party of a written demand for arbitration or a written notice of intention to arbitrate, therein electing the arbitration tribunal. In the event the Client does not make such election within five (5) days of such demand or notice, then the Client authorizes Chandler to do so on the Client's behalf. Judgment upon any award rendered by the arbitrators shall be final and may be entered in any court having jurisdiction thereof. This clause does not constitute a waiver of any right including the right to choose the forum, whether arbitration or adjudication, in which to seek resolution of disputes.

Client

By: _____
Date

Name & Title: _____

Chandler Asset Management, Inc.,
a California Corporation

By: _____
Nicole Dragoo
President
Date



**Beaumont-Cherry Valley Water District
Regular Board Meeting
November 22, 2021**

Item 4

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: **Potential Amendments to Policy 4025 Board Meetings, Including Annual Organization Meeting: Election of Officers and Rotation of Board President and Proposed Policy Amendment Regarding Addition of Items to Agenda**

Staff Recommendation

Review proposed policy language and direct staff as desired.

Background

The Board requested staff to present an option for consideration of a policy on rotation of officers. At the November 10, 2021 Regular Meeting, the Board indicated support for the potential policy and discussed some components of the policy:

- Rotation of all four offices: president, vice president, secretary and treasurer
- Terms suggested to be one year to assure all directors have an opportunity to serve
- The officers serve at the pleasure of the Board, and may be removed by majority vote of the Board at any time during their term
- Board members may nominate themselves
- If nominated, a director can decline the nomination
- In case of extenuating circumstances, a director may decline to move up in the rotation
- This rotational scheme will be followed unless there are unusual circumstances or a significant change in the composition of the Board
- The rotation slate will be determined by election (rather than by random or re-election consideration)

In addition, District legal counsel Markman advised the Board to include a policy regarding the addition of items to the agenda.

Discussion

To compile the policy framework, staff looked to the policies of other California special districts and cities, Government Code and Water Code sections, and pro/con positions. Exhibit A is provided to facilitate discussion and direction to staff on policy content.

Position in favor of officer rotation:

“In order to distribute the directors’ duties evenly, the offices of president and vice president will be rotated among directors so that each director will hold these



offices about once every five years. The director who is vice president will ordinarily be the President the following year.”¹

Position in opposition to officer rotation:

“Running a special district requires leadership and consensus-building skills. Automatic rotation of the office of president will not allow the directors to choose the best leader for the Board. It will result in a director becoming president only by rote, rather than identified leadership skills and earning the position via the vote of other directors. This may result in unexperienced Board members attaining the office prematurely.”²

Summary

To be effective for the 2022 term, the Board should adopt a policy on or before the December 21, 2021 regular meeting and the election of officers.

Rotation Policy

The District’s current Policies and Procedures Manual, Part II, Section 5D would be amended and renumbered as Policy 4025.4. A worksheet on the proposed new policy language is attached as Exhibit A. Current policy reads:

Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President, Vice President, Secretary and Treasurer from among its members to serve during the coming calendar year, and will appoint a staff member recommended by the General Manager as the Board’s Recording Secretary.

Agenda policy

Per advice of legal counsel, the Board may also consider amending Policies and Procedures Manual, Part II, Section 6C related to the addition of items to the meeting agenda. Proposed amendments are attached as Exhibit B for consideration.

Conclusion

Any determinations made by the Board regarding the policy and procedure, and resulting proposed policy language will be vetted through legal counsel prior to returning to the Board for adoption by resolution.

Fiscal Impact: None.

Attachments:

Exhibit A – Proposed policy language worksheet

Exhibit B – Proposed amended agenda policy language

¹ Adapted from Stege Sanitary District Board of Directors handbook

² Adapted from Ballotpedia entry including “No on Measure I” Watsonville, CA 2014

EXHIBIT A

Proposed Policy Language	Options for consideration
<p>Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting, the Board will affirm the rotation of officers for the offices of president, vice president, secretary, and treasurer.</p>	<p>Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting, the Board will affirm the rotation of officers for the offices of president and vice president, and elect a secretary, and a treasurer.</p>
<p>Rotation of Officers. The offices of president, vice president, secretary, and treasurer will rotate annually with the vice president succeeding the president, the secretary succeeding the vice president, and the treasurer succeeding the secretary.</p>	<p>Rotation of Officers. The offices of president and vice president will rotate annually with the vice president succeeding the president.</p>
<p>The Board member serving as president before the annual organizational meeting shall rotate out of that position and into the fifth position in the rotation among Board members.</p>	<p>At the annual organizational meeting, the Board will also hold elections for the offices of Secretary and Treasurer. Election to these offices will not impact the rotation schedule.</p>
<p>The Board member serving as vice president before the annual meeting shall be appointed to the office of president.</p>	<p>If the vice president declines the automatic nomination for the office of president, one vote may be taken to fill the office of president.</p>
<p>Any Board member who takes office as a new member of the Board, as opposed to taking officer upon reelection, shall take the fifth position in the rotation among the Board members as of the annual organizational meeting. At the time of such an event, the other Board members shall then be rotated to one higher position in the rotation.</p>	
<p>i. At each Annual Organizational Meeting, all newly elected or newly appointed Board members will be added to the rotation list above the outgoing president and below all reelected ii. In the event that two or more Board members are</p>	

<p>elected in the same election, the newly elected Board members will be placed in the rotation list in the order of the highest number of votes received to the lowest number of votes received.</p> <p>iii. In the event that two or more Board members are appointed at the same time, the newly appointed Board members will be placed on the rotation list in the order determined by the drawing of straws.</p>		
<p>To establish the rotation, an election will be held.</p>		<p>To establish the rotation: one vote may be taken for the office of vice president.</p> <p>The Board may determine a process of their choice for establishing the rotation list.</p> <p>When nominating the initial rotation slate, should consideration be given to the director's term end date to assure that the office of president will be filled even if the makeup of the Board changes after an election, with a director facing re-election within two years to be deemed ineligible for the office of vice president? Or shall the rotation slate be determined in a random manner, such as drawing straws?</p> <p>At the Nov. 10 meeting, one Board member expressed disfavor for establishing the rotation via means of a random process or consideration of terms.</p>
<p>If a Board member declines the automatic nomination for the next office in the rotation, a vote may be held to fill the office, or the rotation may move forward to fill the position with the declining Board member retuning to fifth position.</p>		<p>The Board may determine a process of their choice for filling the office.</p>
<p>In the event the president, vice president, secretary or treasurer does not complete their term in such office, the Board</p>		<p>The Board may determine a process of their choice for filling the office.</p>

<p>member next in line on the rotation list to assume that office will serve for the balance of the vacant term and the following term unless such officer desires to return to the end of the rotation list at the next Annual Organizational Meeting.</p>		
<p>At any time prior to the election / appointment of officers during the Annual Organizational Meeting, the Board may determine by majority vote on a motion to waive or otherwise suspend the implementation of this section. In that event, an election for president, vice president, secretary, and treasurer will be held. Any such motion may also address what impact, if any, the suspension of the rotation procedure will have on the position of Board members in the rotation for future elections / appointments.</p>		
<p>Recording Secretary. A staff member recommended by the General Manager shall be appointed by the Board as the Board's Recording Secretary.</p>		<p><i>Staff recommendation: Leave this section as is in the original policy.</i></p>
<p>The terms of the president, vice president, secretary, and treasurer shall be one year in length commencing on the first of January of the ensuing calendar year.</p>		<p><i>The Board may choose one-year terms, two-year terms, or may establish term limits.</i></p>

EXHIBIT B

Current Policy	Proposed Policy (recommended by Legal Counsel)
Policies and Procedures Manual Part II, Section 6C	
<p>C. Director Requests. Any Director may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:</p>	<p>C. Director Requests. By contacting the General Manager, any Director may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:</p>
<p>i. The request must be in writing and submitted to the Board President and General Manager together with supporting documents and information, if any, by noon at least six (6) working days prior to the date of the next scheduled regular meeting.</p>	<p>i. The request must be in writing and submitted to the Board President and General Manager together with supporting documents and information, if any, by noon at least six (6) working days prior to the date of the next scheduled regular meeting.</p>
	<p>ii. If an agenda item placed by two agreeing directors on the agenda for initial discussion would require a significant expenditure of staff time or other resources, such as the engagement of an outside consultant, the majority of the Board must authorize the agenda item and preparation of the staff report to be presented at a future meeting.</p>

Beaumont-Cherry Valley Water District

Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency

Item 5

Table 1 - Inactivation Fee Revenue Loss for Non-Payment Customers as of 09/30/2021

Remaining Number of Non-Shutoffs (would have been shut off due to non-payment)

Timeframe	Quantity of Non-Payment Customers	Inactivation Fee for Non-Payment	Loss of Revenue (Qty x Fee)	Loss of Revenue Cumulative to Date
3/27/20 to 3/31/20	0	\$ 50.00	\$ -	
4/01/20 to 4/30/20	139	\$ 50.00	\$ 6,950.00	\$ 6,950.00
5/01/20 to 5/31/20	77	\$ 50.00	\$ 3,850.00	\$ 10,800.00
6/01/20 to 6/30/20	53	\$ 50.00	\$ 2,650.00	\$ 13,450.00
7/01/20 to 7/31/20	252	\$ 50.00	\$ 12,600.00	\$ 26,050.00
8/01/20 to 8/31/20	171	\$ 50.00	\$ 8,550.00	\$ 34,600.00
9/01/20 to 9/30/20	182	\$ 50.00	\$ 9,100.00	\$ 43,700.00
10/01/20 to 10/31/20	158	\$ 50.00	\$ 7,900.00	\$ 51,600.00
11/01/20 to 11/30/20	216	\$ 50.00	\$ 10,800.00	\$ 62,400.00
12/01/20 to 12/31/20	971	\$ 50.00	\$ 48,550.00	\$ 110,950.00
01/01/21 to 01/31/21	950	\$ 50.00	\$ 47,500.00	\$ 158,450.00
02/01/21 to 02/28/21	442	\$ 50.00	\$ 22,100.00	\$ 180,550.00
03/01/21 to 03/31/21	498	\$ 50.00	\$ 24,900.00	\$ 205,450.00
04/01/21 to 04/30/21	225	\$ 50.00	\$ 11,250.00	\$ 216,700.00
05/01/21 to 05/31/21	227	\$ 50.00	\$ 11,350.00	\$ 228,050.00
06/01/21 to 06/30/21	718	\$ 50.00	\$ 35,900.00	\$ 263,950.00
07/01/21 to 07/31/21	361	\$ 50.00	\$ 18,050.00	\$ 282,000.00
08/01/21 to 08/31/21	295	\$ 50.00	\$ 14,750.00	\$ 296,750.00
09/01/21 to 09/30/21	213	\$ 50.00	\$ 10,650.00	\$ 307,400.00
Total Non-Payment Customers	6148		\$ 307,400.00	

Remaining number of accounts with non-shut offs, payments still pending

Due to the issuance of payment plan letters and collection efforts beginning in March 2020, 1,660 customers have since paid their bills

Table 2

Total Revenue Loss (Due to COVID-19) (Cumulative to Date)	9/30/2021	8/31/2021	7/31/2021
Inactivation Fee Revenue Loss (\$50 each) for Non-Payment Customers	\$ 307,400.00	\$ 296,750.00	\$ 282,000.00
Late Notification Fees Revenue Loss (\$5 each) waived	\$ 75,415.00	\$ 75,415.00	\$ 75,415.00
Credit Card Processing Fees Revenue Loss (\$1.75 each) waived	\$ 63,425.25	\$ 63,425.25	\$ 63,425.25
Total	\$ 446,240.25	\$ 435,590.25	\$ 420,840.25

Beaumont-Cherry Valley Water District

Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency

Table 3

Total Customer Payment Plans Requested of 09/30/2021

Timeframe	# Plans Issued	Payment Plan Amounts Issued	Remaining balance
As of 03/31/20	5	\$ 5,080.46	\$ -
4/01/20 to 4/30/20	3	\$ 573.77	\$ -
5/01/20 to 5/31/20	0	\$ -	\$ -
6/01/20 to 6/30/20	13	\$ 2,370.80	\$ -
7/01/20 to 7/31/20	14	\$ 29,506.27	\$ -
8/01/20 to 8/31/20	6	\$ 35,094.09	\$ -
9/01/20 to 9/30/20	10	\$ 1,885.52	\$ 254.48
10/01/20 to 10/31/20	12	\$ 2,756.06	\$ -
11/01/20 to 11/30/20	6	\$ 1,525.49	\$ -
12/01/20 to 12/31/20	12	\$ 3,067.60	\$ -
01/01/21 to 01/31/21	9	\$ 2,912.20	\$ -
02/01/21 to 02/28/21	3	\$ 2,411.74	\$ 568.65
03/01/21 to 03/31/21	2	\$ 5,917.36	\$ 388.05
04/01/21 to 04/30/21	3	\$ 607.48	\$ -
05/01/21 to 05/31/21	4	\$ 2,154.00	\$ 474.91
06/01/21 to 06/30/21	10	\$ 2,783.05	\$ 408.72
07/01/21 to 07/31/21	9	\$ 5,371.39	\$ 2,758.83
08/01/21 to 08/31/21	17	\$ 6,268.75	\$ 3,872.80
09/01/21 to 09/30/21	22	\$ 6,728.67	
Total Payment Plan Requests	160	\$ 117,014.70	\$ 8,726.44

*Payment plans that were requested from March 2020 to the date of the report
SB 998 (effective 2/1/2020) gives the customers 60 days after delinquency to pay*

Table 4

Number of Accounts With Past Due Balances as of 09/30/2021

Status	# of accounts	% of Total	Amount due	% of Total
Bal Over 120	453	2.29%	\$ 281,594.19	12.05%
Bal 90 to 120	236	1.19%	\$ 57,388.18	2.46%
Bal 60 to 90	753	3.80%	\$ 191,087.59	8.18%
Bal 30 to 60	1,977	9.98%	\$ 795,070.28	34.03%
Current	16,388	82.74%	\$ 1,011,034.94	43.28%
	19,807		\$ 2,336,175.18	

Number of Accounts With Past Due Balances as of 08/31/2021

Status	# of accounts	% of Total	Amount due	% of Total
Bal Over 120	404	2.03%	\$ 287,493.03	11.49%
Bal 90 to 120	131	0.66%	\$ 27,831.26	1.11%
Bal 60 to 90	511	2.57%	\$ 219,688.40	8.78%
Bal 30 to 60	1,392	7.01%	\$ 273,607.86	10.94%
Current	17,426	87.73%	\$ 1,693,005.17	67.68%
	19,864		\$ 2,501,625.72	

Beaumont-Cherry Valley Water District
Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of
Emergency

Table 5
Statement of Cash Flows (unaudited)
For the Tene Months* Ended October 27, 2021 and October 31, 2020

YEAR-TO-DATE CASH & INVESTMENT FLOWS	October 27, 2021	October 31, 2020	<i>For reference only</i> October 31, 2019	\$ Change 2021 to 2020
Cash flows from operating activities:				
Receipts from customers	\$ 12,517,089	\$ 11,320,563	\$ 9,641,826	\$ 1,196,527
Receipts from developers (unrestricted)	774,219	572,162	692,138	202,056
Other receipts	533,816	130,225	278,750	403,591
Payments to employees for salaries and benefits	(3,699,123)	(3,557,004)	(3,404,627)	(142,119)
Payments to suppliers and service providers	(4,706,117)	(7,138,072)	(7,493,479)	2,431,955
Receipt (refund) of customer deposits	(152,527)	(49,097)	35,136	(103,430)
Net cash (used) provided (for) by operating activities	<u>5,267,357</u>	<u>1,278,778</u>	<u>(250,256)</u>	<u>3,988,580</u>
Cash flows from capital and related financing activities:				
Acquisition and construction of capital assets	(2,438,020)	(1,277,552)	(1,675,581)	\$ (1,160,468)
Cash received from sale of capital assets	-	-	15,840	-
Capital contributions	<u>5,314,426</u>	<u>3,147,762</u>	<u>3,034,829</u>	<u>2,166,665 (1)</u>
Net cash provided by capital and related financing activities	<u>2,876,406</u>	<u>1,870,210</u>	<u>1,375,088</u>	<u>1,006,197</u>
Cash flows from investing activities:				
Interest received	216,530	829,124	1,390,025	(612,594) (2)
Gain/(loss) on investments	<u>(303,436)</u>	<u>(122,005)</u>	<u>51,786</u>	<u>(181,431) (3)</u>
Net cash provided by investing activities	<u>(86,906)</u>	<u>707,119</u>	<u>1,441,811</u>	<u>(794,025)</u>
Net increase in cash and cash equivalents	8,056,858	3,856,106	2,566,642	4,382,182
Cash and investments, beginning of year	<u>66,512,951</u>	<u>61,365,441</u>	<u>58,656,814</u>	<u>5,147,510</u>
Cash and investments, October 27/31/31	<u>\$ 74,569,809</u>	<u>\$ 65,221,547</u>	<u>\$ 61,223,456</u>	<u>\$ 9,529,692</u>

Beaumont-Cherry Valley Water District
Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of
Emergency

YEAR-TO-DATE CASH & INVESTMENT FLOWS	October 27, 2021	October 31, 2020	<i>For reference only</i> October 31, 2019	\$ Change 2021 to 2020
CASH & INVESTMENT BALANCE CLASSIFICATIONS				
Restricted Cash and Investments				
Restricted Cash and Investments - Capital Commitments	\$ 38,391,127	\$ 30,260,421	\$ 27,796,671	\$ 8,130,706
Restricted Cash and Investments - Funds Held for Others	3,880,940	3,021,322	3,089,966	859,618
Total Restricted Cash and Investments	\$ 42,272,067	\$ 33,281,743	\$ 30,886,637	\$ 8,990,324
Unrestricted Cash and Investments				
Designated:				
Reserve for Operations (3 months of budg. op. expenses)	\$ 4,693,254	\$ 3,583,299	\$ 3,371,679	\$ 1,109,955
Emergency Reserve (15% of budg. op. expenses)	\$ 2,815,953	2,149,979	1,917,641	665,974
Capital Replacement Reserve	24,788,535	26,206,526	25,047,499	(1,417,991)
Total Unrestricted Cash and Investments	\$ 32,297,742	\$ 31,939,804	\$ 30,336,819	\$ 357,937
Total Cash and Investments	\$ 74,569,809	\$ 65,221,547	\$ 61,223,456	\$ 9,348,261

NOTES:

*Report prepared on 10/27/2021, excludes de minimis October activity

(1) Tracts 37697 (Woodside-73 units), 37698 (Woodside-126 units), 27971-11 (William Lyons-58 units), 27971-12 (William Lyons-61 units), 31462-21 (DR Horton-167 units), 31462-22 (DR Horton-101 units)

(2) Interest received in 2021 has dropped off significantly due to low rates

(3) This is due to a reversal of a 2020 year end accounting entry, not a true cash amount. If assets in CalTRUST had been sold as of 9/30/2021, the District would have recognized a gain of \$266,930



**Beaumont-Cherry Valley Water District
Engineering Workshop
November 22, 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 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 October 1, 2021 to March 31, 2022.

The following is a summary of the status of the project as of September 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%
Jul 2021-Sept 2021	19,995	155	8	1,870	12,973	65%

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
Jul 2021-Sept 2021	\$564,757	\$282,378	\$10	\$282,388
Total Allowable	\$1,894,770	\$947,383	\$208	\$947,591



- (1) *Administrative costs associated with the project are considered by the BOR as de minimis 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 October-December 2021

Item	Description	Cost
1	Materials ⁽³⁾ (meters, transmitters, registers, supplies)	\$ 600,000
2	Labor Costs (includes de minimis)	\$ 90,000
3	IT Tower and Readers	\$ 295,000
Total Estimated Project Costs		\$ 985,000

- (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
November 22, 2021**

Item 7

STAFF REPORT

TO: Board of Directors
FROM: Dan Jagers, General Manager
SUBJECT: **Continued Review of 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

None. Direct staff as desired.

News:

Southern California Drought Emergency Declared

The giant Metropolitan Water District of Southern California has declared a regional drought emergency due to record dry conditions

US News (11/10/2021)

<https://www.usnews.com/news/best-states/california/articles/2021-11-10/southern-california-drought-emergency-declared>

More articles on Met:

Metropolitan Water District declares drought emergency in Southern California

Southern California's largest urban water district declared a drought emergency on Tuesday and called for local water suppliers to immediately cut the use of water from the State Water Project.

Water Education Foundation (11/10/2021)

<https://www.watereducation.org/aquaforia-news/wednesday-top-scroll-metropolitan-water-district-declares-drought-emergency-southern>

Map shows drought conditions in California before and after storms

SF Gate (11/12/2021)

<https://www.sfgate.com/california-drought/article/US-Drought-Monitor-Map-California-storms-16616526.php>

Emergency drought affects 19 million people in California

The State government has asked residents to reduce water use

Marca (11/14/2021)

<https://www.marca.com/en/lifestyle/us-news/2021/11/14/619127dfe2704e4d7d8b462e.html>

In a disastrous drought, a grim milestone: California could see its first big reservoir run dry

SF Chronicle (11/12/2021)

<https://www.sfchronicle.com/bayarea/article/In-an-unprecedented-drought-a-grim-milestone-16613745.php>



La Niña isn't going anywhere. Here's how long NOAA says it could last.

La Niña, which often means a busier Atlantic hurricane season, a direr Southwest, and perhaps a more fire-prone California, may persist well into 2022

WKRG News 5 (11/11/2021)

<https://www.wkrg.com/weather/la-nina-isnt-going-anywhere-heres-how-long-noaa-says-it-could-last/>

Resources

California Drought Action

<https://drought.ca.gov/>

NOAA / NIDIS Drought Conditions for Riverside County

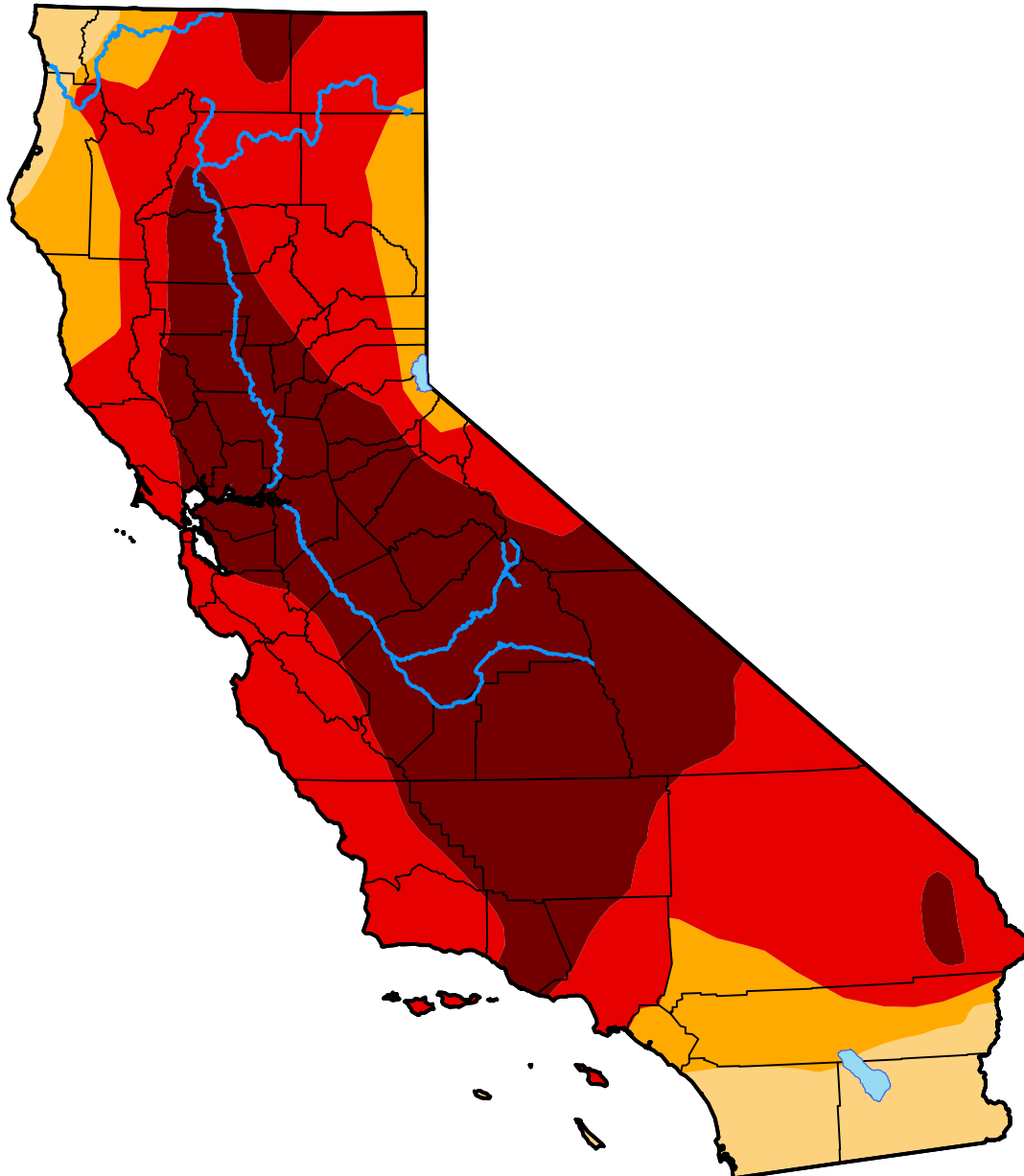
<https://www.drought.gov/states/california/county/riverside>

Attachments

1. Current Reservoir Conditions – November 9, 2021
2. California Drought Monitor Map – November 13, 2021
3. Association of California Water Agencies (ACWA) Save Our Water Toolkit – Indoor flyer
4. ACWA Save Our Water Toolkit – Outdoor flyer

U.S. Drought Monitor California

November 9, 2021
(Released Thursday, Nov. 11, 2021)
Valid 7 a.m. EST



Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	100.00	92.43	80.28	37.62
Last Week <i>11-02-2021</i>	0.00	100.00	100.00	93.81	83.33	38.74
3 Months Ago <i>08-10-2021</i>	0.00	100.00	100.00	95.07	88.37	47.10
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>09-28-2021</i>	0.00	100.00	100.00	93.93	87.88	45.66
One Year Ago <i>11-10-2020</i>	15.48	84.52	70.91	41.25	15.83	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



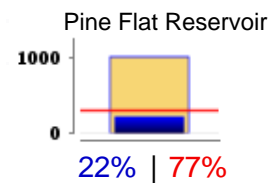
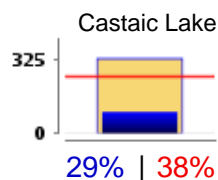
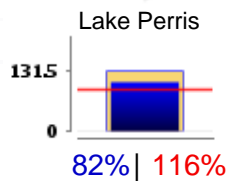
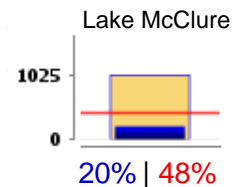
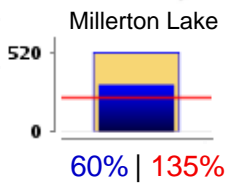
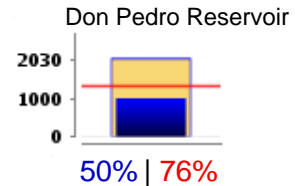
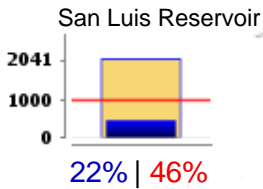
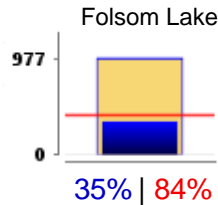
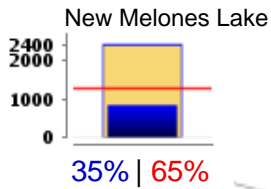
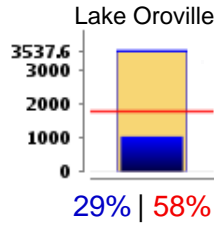
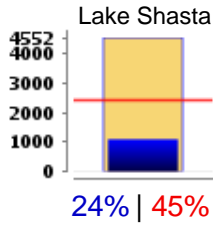
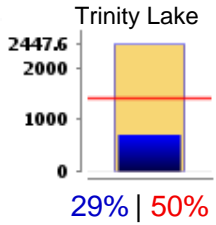
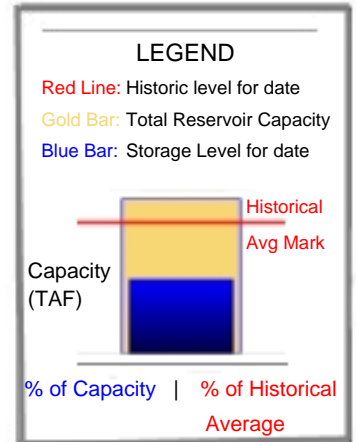
droughtmonitor.unl.edu



CURRENT RESERVOIR CONDITIONS

SELECTED WATER SUPPLY RESERVOIRS

Midnight: November 16, 2021



What does reducing water consumption by 15% look like?

SIMPLE WAYS TO SAVE WATER AROUND THE HOUSE

California is in a serious drought, and every household is being asked to reduce their water usage by 15% to keep our communities thriving. This may seem challenging but adopting some simple habits into your routine can make a big difference.

The average Californian uses 196 gallons of water per day. Using the tips below, find the right combination for you to reduce by 15%, or 29 gallons, a day.



FILL THE BATHTUB HALFWAY OR LESS
saves **17–25 gallons** of water per bath



FIX LEAKS
saves **27–90 gallons** of water per day



INSTALL AERATORS
saves **0.7 gallons** per minute



INSTALL HIGH-EFFICIENCY TOILETS
saves **6–35 gallons** per day



RECYCLE INDOOR WATER AND USE IT TO IRRIGATE YOUR GARDEN
cuts water use by **30%**



TAKE 5-MINUTE SHOWERS INSTEAD OF 10-MINUTE SHOWERS
save **12.5 gallons** per shower with a water-efficient showerhead



TURN OFF WATER WHEN BRUSHING TEETH OR SHAVING
saves **8 gallons** per person each time you brush your teeth or shave



WASH FULL LOADS OF CLOTHES
saves **15–45 gallons** per load



USE A DISHWASHER INSTEAD OF HANDWASHING
saves up to **24 gallons** per load of dishes



Let's make it last, California.
For more water saving tips, go to SaveOurWater.com.



What does reducing water consumption by 15% look like?

SIMPLE WAYS TO SAVE WATER IN YOUR YARD

California is in a serious drought, and every household is being asked to reduce their water usage by 15% to keep our communities thriving. This may seem challenging but making a couple of adjustments in your yard can add up to big water savings.

The average Californian uses 196 gallons of water per day, and 60% of that is used outdoors. Using the tips below, find the right combination for you to reduce by 15%, or 294 gallons per week.



USE A BROOM OR LEAF BLOWER TO CLEAN OUTDOOR AREAS
saves **6 gallons** every minute you're not running the hose



WATER EARLY MORNING OR LATE EVENING
saves **50% of sprinkler water** otherwise lost to wind and evaporation



REIMAGINE YOUR YARD WITH WATER WISE PLANTS
Using drought-resistant plants can save **30–60 gallons** per 1000 sq. ft. each time you water.



INSTALL DRIP IRRIGATION & ADD A SMART CONTROLLER
saves **15 gallons** each time you water



ADJUST SPRINKLER HEADS & FIX LEAKS
saves **12–15 gallons** each time you water
Water Saving Fact: A leak as small as a ballpoint pen tip can waste 6,300 gallons of water per month!



SET LAWMOWER BLADES TO 3"
saves **16–50 gallons** per day by encouraging deeper roots



USE MULCH
saves **20–30 gallons** of water per 1,000 sq. ft. each time you water

Let's make it last, California.

For more water saving tips, go to SaveOurWater.com.





**Beaumont-Cherry Valley Water District
Regular Board Meeting
November 22, 2021**

Item 8

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Consideration of Attendance at Upcoming Events and Authorization of Reimbursement and Per Diem

Staff Recommendation

Evaluate director attendance at upcoming events for possible pre-approval or approval after attendance for compensation and / or expense reimbursement pursuant to Policies 4060 and 4065 and vote to pre-approve any selected activities.

SAMPLE MOTION:

I move that the Board pre-approve the attendance of all directors at these events for purposes of per diem and reimbursement of associated reasonable and necessary expenses per District policy: ____ (list events)

Background

Event attendance is governed by BCVWD Policies and Procedures Manual Part II Policy 4060 Training, Education and Conferences, and Part II Policy 4065 Remuneration / Director Per Diem Fees. Per Government Code 53232.3(d), Directors will either prepare a written report for distribution to the Board or make a verbal report during the next regular meeting of the Board. Directors desiring to attend events not specifically enumerated and preauthorized by BCVWD policy should obtain pre-approval via vote of the Board in order to receive a per diem and/or expense reimbursement.

Upcoming Events

For registration of attendance at any event, Board members should contact the Administrative Assistant.

Activities and events that are, may already be, or can be voted as pre-approved for per diem and/or expense reimbursement for attendance:

1 - NEW EVENTS
(None)

2 - ON CALENDAR

DATE / TIME	EVENT	DIRECTOR INTEREST	
Dec 6 and 13 5-7:30 p.m.	Institute for Local Government Level Up Your Leadership Training Master Your Role as an Effective Elected Official and Community Leader \$400 per person – Zoom conference	COVINGTON YES	HOFFMAN NO
APPROVAL		RAMIREZ	SLAWSON MAYBE
Approved 11/10/21	Being an elected official in local government is not an easy task. To navigate the shifting landscape of local government leadership, elected officials must be equipped to lead through changing, and often challenging, times. If you want to learn how to level up your leadership and master the challenging art of being an effective public servant, register for ILG's new interactive, virtual leadership training. In this training, you'll learn tools and strategies to help local government leaders govern more effectively and better engage with fellow electeds, agency staff and the community. ILG's training will help you master the art of public service by equipping you with practical governance tools for exceptional leadership and governance. This comprehensive training is open to, and specially designed for, elected leaders from California cities, counties and special districts.	WILLIAMS NO	
https://www.ca-ilg.org/levelupleadership			

DATE / TIME	EVENT	DIRECTOR INTEREST	
11/30 – 12/3/21	ACWA Fall Conference and Exhibition \$ Registration, hotel, travel and per diem. Location: Pasadena https://www.acwa.com/events/2021-fall-conference-exhibition/	COVINGTON YES	HOFFMAN
APPROVAL		RAMIREZ YES	SLAWSON VIRTUAL
Approved 8/11/21		WILLIAMS YES	

DATE / TIME	EVENT	DIRECTOR INTEREST	
12/7/21 10 – 11 a.m.	CSDA Webinar: The Great Board Chair \$ = FREE	COVINGTON	HOFFMAN
APPROVAL	This class provides an overview for the sitting or incoming Board chair who desires to optimize their service and improve how agency leaders do their work. It outlines what are and are not the roles of the chair, and how to make the time in the position most productive.	RAMIREZ YES	SLAWSON YES
Approved 8/11/21		WILLIAMS YES	
https://members.csdanet.net/iMIS1/Shared_Content/Higher_Logic/Event_Program_Display.aspx?WebsiteKey=9dbc497d-978b-4e9d-99b7-44925c7df9a5&EventKey=WEBI120721			

DATE / TIME	EVENT	DIRECTOR INTEREST	
Feb. 16-18 2022	Urban Water Institute's Spring Water Conference Hilton Palm Springs Registration \$TBD, Room Rate \$165 / nt Plus Travel, meals and per diem No information available yet. Save the Date only. https://www.urbanwater.com/program-agenda/	COVINGTON YES	HOFFMAN NO
APPROVAL		RAMIREZ	SLAWSON YES
Preapproved (Table A, 17)		WILLIAMS YES	

Fiscal Impact

The fiscal impact will depend on the number of directors attending an event and the event costs.

Staff Report prepared by Lynda Kerney, Administrative Assistant



**Beaumont-Cherry Valley Water District
Regular Board Meeting
November 22, 2021**

Item 11

Update: Legislative Action and Issues Affecting BCVWD

CHANGES MADE SINCE LAST UPDATE	NO CHANGES MADE	NEW TO THIS UPDATE
FEDERAL		
<p>11/10/21 CSDA Federal Update: re Build Back Better Act 11/2/2021: The National Special Districts Coalition, of which CSDA is a founding member, joined the Government Finance Officers Association (GFOA) and 27 other national organizations in a letter to Congressional leadership calling for flexibility for infrastructure financing and the exclusion of tax-exempt municipal bonds in the Build Back Better Act's proposed Alternative Minimum Tax (AMT) on corporations.</p> <p>In its current form, the \$1.75 trillion Build Back Better Act would impose a 15 percent corporate AMT without excluding interest earned on municipal bonds. Of concern is what this means for entities that currently hold approximately one-quarter, or \$1 trillion, of all outstanding tax-exempt bonds – primarily banks and insurance companies.</p> <p>From Market Watch 11/5/2021: Provisions that would have benefited the state and local governments that issue municipal bonds have been axed from the \$1.75-trillion social spending bill now being debated by Congress, a step some public finance experts say won't help communities struggling to recover from the COVID pandemic, but one that's unlikely to move the needle on an already overheated muni bond market. The Build Back Better program framework, released in late October by President Joe Biden, omitted the restoration of some forms of debt refinancings and a direct-pay bond program, among other industry priorities. The framework also added a 15% corporate minimum tax that might hit purchasers of tax-exempt bonds, a step particularly unpopular with industry groups. "The costs will be significant and, again, will be borne by our communities, not by the holders of the bonds," said a group of lobbyists in a letter sent to Congress on Monday.</p> <p>11/8/21: Pacific Institute article on The U.S. Infrastructure Plan: Water Components: https://pacinst.org/the-u-s-infrastructure-plan-water-components/</p> <p>11/6/21: Water Environment Federation article on the Infrastructure Plan: On Friday, November 5, the U.S. House of Representatives passed the Infrastructure Investment & Jobs Act (H.R. 3684). This bill will provide nearly \$1.2 trillion in funding for the nation's infrastructure. Approximately \$550 billion of the total is new funding to be spent during the next five years, and almost \$51 billion is allocated to drinking water, wastewater, and stormwater infrastructure funding. https://www.wef.org/advocacy/legislative-and-regulatory-affairs/TWIW/TWIW-articles/this-week-in-washington/u.s.-house-infrastructure-package/</p> <p>11/15/21 – President Biden signed the \$1 trillion Infrastructure Investment and Jobs Act. From SFGate: Billions of dollars will be poured into California's roads, pipes and wires, among other infrastructure projects, after <u>President Joe Biden</u> signed the \$1 trillion Infrastructure Investment and Jobs Act Tuesday with House Speaker Nancy Pelosi and Vice President Kamala Harris at his side. Sen. Dianne Feinstein, D-Calif., <u>celebrated the passage of the bill for Californians in a tweet Tuesday</u>, citing the historic lack of investment in the state's infrastructure and the state's subpar grades from the American Society of Civil Engineers. The bill's signing comes after weeks of arduous debate and demands for cutbacks. The bill eventually received support from a critical mass of Republicans, including Sen. Mitch McConnell, R-Ky.</p>		

Expected for California in the **Infrastructure Investment and Jobs Act** are:

- \$25.3 billion over five years for repairing roads in the state that are in poor condition
- \$4.2 billion over five years for repairing bridges in the state that are in poor condition
- \$3.5 billion for water infrastructure and eliminating lead pipes in the state
- \$1.5 billion for airport infrastructure
- \$384 million over five years to build a network of chargers for electric vehicles
- At least \$100 million to install more broadband coverage
- \$84 million over five years for wildfire protection
- \$40 million over five years for cyber attack protection
- An unnamed sum from a \$3.5 billion federal fund for “weatherization which will reduce energy costs for families”

Issue	Status	Description
<p>HR535: Special Districts Provide Essential Services Act</p> <p>Senate companion bill: S. 91</p>	<p>1/28/21 – Introduced. Ref to Committee on Oversight and Reform, and in addition to the Committee on Financial Services</p>	<p>Update: Unfortunately, elements of H.R. 535/S. 91, the Special Districts Provide Essential Services Act, are not included in the \$1.9 trillion stimulus bill. The bill is now in the U.S. Senate, where the procedure will be governed under the Upper Chamber’s reconciliation rule, which includes the ability for Senators to propose amendments on the Floor</p> <p>Representative John Garamendi, D-Calif., and U.S. Senator Kyrsten Sinema, D-Ariz., re-introduced landmark special districts legislation (H.R. 535 and S. 91, the Special Districts Provide Essential Services Act) to provide special districts with certain access to future local government pandemic relief.</p> <p>11/18/2021 – No change in status</p>

<p>HR 199: Direct Support for Communities Act To provide funding for cities, counties, and other units of general local government to prevent, prepare for, and respond to coronavirus.</p>	<p>1/5/21 – Introduced, ref to Com on Appropriations</p> <p>11/18/21 – No change in status</p>	<p>Rep. Antonio Delgado Press Release: Re-introduced bipartisan <i>Direct Support for Communities Act</i> to ensure that every single community, regardless of size, can access urgently needed COVID-19 relief funding from the federal government.</p> <p>In March 2020, Congress passed the <i>CARES Act</i>, which provided \$500 billion for communities with over 500,000 residents, meaning smaller towns and cities were unable to access desperately needed federal COVID-19 relief funding to help make ends meet. In May of last year, to respond to the concerns of local communities, Reps. Delgado and Zeldin introduced a bipartisan solution: the <i>Direct Support for Communities Act</i>. The bill creates a funding mechanism that allows smaller communities direct access to federal funding. These funds will help prevent the layoffs of public health care workers, firefighters, police, sanitation workers, teachers, and other vital public servants, and ensure that all counties, cities, towns, and villages, regardless of size, have the financial resources needed to continue to provide these necessary services and to avoid local tax and fee increases that will put more burden on already cash-strapped families and businesses in this crisis. The <i>Direct Support for Communities Act</i> was the formula adopted in both the <i>Heroes</i> and <i>Updated Heroes Act</i>, which the House passed in 2020.</p>
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<p>S 91: Special Districts Provide Essential Services Act</p> <p>Companion Bill: HR 535</p>	<p>1/28/21 – Introduced 11/18/21 – No change in status</p>	<p>This bill makes special districts eligible for the Coronavirus Relief Fund and the Municipal Liquidity Facility program. Specifically, the bill makes special districts eligible for payments from amounts paid to states from any new appropriations to the fund. A special district must submit a request for payment to the state with information demonstrating that the special district has experienced or is likely to experience during the COVID-19 (i.e., coronavirus disease 2019) emergency</p> <ul style="list-style-type: none"> • reduced revenue or operational funding derived from provided services, taxes, fees, or other sources of revenue; • reduced indirect funding from the federal government, the state, or a unit of general government below the state level; or • as a result of the COVID-19 emergency, increased expenditures necessary to continue operations. <p>The Board of Governors of the Federal Reserve System shall include special districts as eligible issuers in the Municipal Liquidity Facility program, which was created in response to the COVID-19 emergency to buy municipal securities. While elements of S. 91, the Special Districts Provide Essential Services Act, were not incorporated in the Senate's package, explicit authority for state and local government receiving relief monies to transfer aid to special districts is included. CSDA and national partners continue to explore approaches to legislatively insert S. 91's five percent set-aside for state relief allocations, as substantive amendments to the underlying legislation have been discouraged from Senate leadership</p>
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<p>HR 2482 - "Making Imperiled Communities Resistant to Outages with Generation that is Resilient, Islandable, and Distributed" (MICROGRID) Act</p>	<p>4/13/21 – Introduced 11/18/21 – No change in status</p>	<p>From CSDA: To incentivize microgrid development and rehabilitation to provide backup power to communities and essential facilities during power outages and emergencies. Special districts would be eligible for reimbursements on qualified microgrid projects. The Act is an effort to develop climate-resilient infrastructure as extreme weather events become increasingly common, and it is a response to ongoing threats of power outages and Public Safety Power Shutoff events. "The MICROGRID Act is a solution to facilitate local governments' ability to develop much-needed resources and continue providing reliable, critical services in times of PSPS events and grid unreliability," said Neil McCormick, CEO of the California Special Districts Association, in a statement provided to Panetta's office ahead of the bill's introduction. "California's special districts applaud Congressman Panetta for leading on this legislation, and for ensuring special districts are included in direct credits for developing qualified microgrids."</p> <p>The legislation clarifies tax credit eligibility for elements necessary for microgrid construction. Special districts would be eligible for 30 percent reimbursements in the form of direct payments for qualified projects through 2025. Credits phase out to 10 percent by 2028 and sunset in 2029. Eligible microgrids would provide as little as 4 kilowatts and as high as 50 megawatts, which would be sufficient to island critical infrastructure such as water pumps at well sites, wastewater treatment facilities, medical facilities, emergency facilities and other essential infrastructure necessary for continuity of special districts' services.</p>
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S 914 Drinking Water and Wastewater Infrastructure Act of 2021	3/23/21 Introduced 4/29/21 Passed Senate. 4/30/21 – Held at Desk in House 11/18/21 – No change in status	Authorizes the investment of more than \$35 billion in water infrastructure projects across the country that "focus on upgrading our aging infrastructure, addressing the threat of climate change, investing in new technologies, and providing assistance for marginalized communities." The bill includes nearly \$30 billion in funding for the Clean Water State Revolving Loan Fund (CWSRF) and the Drinking Water State Revolving Loan Fund (DWSRF) and an additional \$6 billion in grant funding over fiscal years 2022-2026
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CHANGES MADE SINCE LAST UPDATE	NO CHANGES MADE	NEW TO THIS UPDATE
CALIFORNIA		
The California Legislature is on recess until Jan. 3, 2022.		
11/15/21: News from California Farm Bureau: "A proposed California ballot initiative, which could appear before voters in November 2022, seeks greater state investment to increase the annual supply of water in California by 5 million acre-feet. The Water Infrastructure Funding Act of 2022 is now being circulated for signatures. It proposes to allocate 2% of the state's general fund—currently equal to about \$3.5 billion per year—for projects that increase California's water supply. The measure has just fewer than 180 days to gather the necessary number of signatures from California voters to qualify for the ballot. If passed by voters, the initiative would permit as much as half of those funds to be used to finance large water-supply projects immediately." Read more: https://www.agalert.com/story/?id=15425		
Issue	Status	Description

ACA 1 - Local government financing: affordable housing and public infrastructure: voter approval.	12/7/20 – Introduced 4/22/21 – Ref to Coms on Local Govt and Appropriations 11/18/21 No change in status	CSDA description: 55% vote threshold for special taxes Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.
SCR 5: State of emergency: COVID-19: termination	12/22/20 – Introduced 2/2/21 – Amended in Com on Rules 2/10/21 – Ref to Com on Gov Organization	This measure, in accordance with specified law, would declare that the state of emergency proclaimed by the Governor on March 4, 2020, is at an end, thereby terminating the emergency powers granted to the Governor as a result of that proclamation. 11/18/21 – No change in status.

<p>AB 15: COVID-19 relief: Tenant Stabilization Act of 2021</p>	<p>12/7/20 – Introduced 1/11/21 – Ref to Com on Housing and Community Development 11/18/21 – No change in status</p>	<p>Press Release: California State Assembly Bills 15 & 16, from Asm. David Chiu (D-San Francisco), will extend and improve AB 3088. AB 15 will:</p> <ul style="list-style-type: none"> • Extend the time period prohibiting evictions for inability to pay rent in full through 2021 and expanding just-cause provisions for eviction. • Curb predatory forms of rent debt collection in court, curb predatory rental repayment agreements, prohibit late fees, and minimize the negative effects of debt for tenants applying for new housing. • Allow city governments to pass stronger local protections if they so choose. • AB 16 will address longer-term concerns around debt, harassment, and relief for rents and mortgages. <p>AB 15 must pass with a 2/3 majority in the Assembly and State Senate before January 31, 2021 to take effect immediately, while AB 16 needs a simple majority to pass in the coming months. CSDA Summary 1/13/21: Would extend the definition of "COVID-19 rental debt" as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. The bill would also extend the repeal date of the act to January 1, 2026. The bill would make other conforming changes to align with these extended dates. By extending the repeal date of the act, the bill would expand the crime of perjury and create a state-mandated local program.</p>
<p>AB 16: COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021</p>	<p>12/7/20 – Introduced 1/13/21 – Amended and ref to Com on Housing and Community Development</p>	<p>CSDA Summary 1/13/21: Would state the intent of the Legislature to enact the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021 to address the long-term financial impacts of the COVID-19 pandemic on renters, small landlords, and affordable housing providers, ensure ongoing housing stability for tenants at risk of eviction, and stabilize rental properties at risk of foreclosure. This bill would include legislative findings and declarations in support of the intended legislation. 11/18/21 – No change in status</p>
<p>AB 100: Drinking water: end point devices: lead content CHAPTERED – NOW LAW</p>	<p>12/11/20 – Introduced 4/7/21 – Amended in Assembly, ref to Com on Appropriations 9/7/21 – Amended in Senate, passed Assembly. 10/8/21 – Signed by Governor</p>	<p>The California Safe Drinking Water Act prohibits, with certain exceptions, the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption. The act defines "lead free" for purposes of conveying or dispensing water for human consumption to mean not more than 0.2% lead when used with respect to solder and flux and not more than a weighted average of 0.25% lead when used with respect to the wetted surfaces of pipes and pipe fittings, plumbing fittings, and fixtures. This bill would additionally define "lead free," with respect to endpoint devices, as defined, to mean that the devices do not leach more than one microgram of lead under certain tests and meeting a specified certification. This bill would, commencing January 1, 2023, prohibit a person from manufacturing, and offering for sale in the state, an endpoint device, as defined, that does not meet a certain lead leaching standard. The bill would, commencing July 1, 2023, prohibit a person from introducing into commerce or offering for sale in the state an endpoint device that does not meet that lead leaching standard. The bill would require the consumer-facing product packaging or product labeling of an endpoint device to bear specified lettering if the endpoint device meets that lead leaching standard and the above-described definition of "lead free."</p>

	AB 343: California Public Records Act: Ombudsperson	1/28/21 – Introduced 6/1/21 Passed Assembly. 6/9/21 Senate Com on Judiciary 11/18/21– No change in status	CSDA Summary: Would establish, within the California State Auditor's Office, the California Public Records Act Ombudsperson. The bill would require the California State Auditor to appoint the ombudsperson subject to certain requirements. The bill would require the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided. The bill would require the ombudsperson to create a process to that effect and would authorize a member of the public to submit a request for review to the ombudsperson consistent with that process. The bill would require the ombudsperson, within 30 days from receipt of a request for review, to make a determination, as provided, and would require the ombudsperson to require the state agency to provide the public record if the ombudsperson determines that it was improperly denied.
	AB 602: Development Fees: impact fee nexus study CHAPTERED – NOW LAW	2/11/21 Introduced 9/7/21 – Passed Assembly –9/28/21 – Signed by Governor	CSDA Opposed unless amended. Summary: Current law requires a city, county, or special district that has an internet website to make available on its internet website certain information, as applicable, including its current schedule of fees and exactions. This bill, among other things, would require, on and after January 1, 2022, a local agency that conducts an impact fee nexus study to follow specific standards and practices, including, but not limited to, (1) that prior to the adoption of an associated development fee, an impact fee nexus study be adopted, (2) that the study identify the existing level of service for each public facility, identify the proposed new level of service, and include an explanation of why the new level of service is necessary, and (3) if the study is adopted after July 1, 2022, either calculate a fee levied or imposed on a housing development project proportionately to the square footage of the proposed units, or make specified findings explaining why square footage is not an appropriate metric to calculate the fees.
	AB 1500: Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022	2/19/21 – Introduced. 5/12 – Ref to Com on Appropriations 5/20/21 Passed and ref to Com on Rules 11/18/21 – No change in status	CSDA = support if amended. This would authorize bonds in the amount of \$6.7 billion to finance projects to address climate resiliency. According to the Daily Journal: The bill would earmark \$1.1 billion for wildfire protection; \$1.2 billion to address sea level rise; \$1.6 billion for safe drinking water; \$1.06 billion for natural disaster response; \$800 million for fish and wildlife adaptation; \$640 million to protect against extreme heat; and \$300 million to protect farms, ranches, and other land from climate risks. Similar bill to SB 45
	SB 37: Contaminated Site Cleanup and Safety Act	12/7/20 – Introduced 5/20/21 Passed Appropriations 6/2/21 Assembly – read first time	CSDA Summary 1/13/21: Current law requires the State Department of Health Care Services to compile a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers. Current law also requires the State Water Resources Control Board to compile a list of specified information, including, but not limited to, all cease-and-desist orders and cleanup and abatement orders issued under the Water Code that concern the discharge of wastes that are hazardous materials. Current law requires these agencies to update the information as appropriate, but at least annually, and to submit the information to the Secretary of Environmental Protection. Under current law, the Secretary for Environmental Protection is required to consolidate the

		9/8/21 – Ordered to inactive at request of author	information provided by these state agencies and distribute the information in a timely fashion to each city and county in which sites on the lists are located and to any other person upon request. The information consolidated and made available by the Secretary for Environmental Protection is commonly known as the "Cortese List." This bill would enact the Dominic Cortese "Cortese List" Act of 2021 and would recodify the above-described provisions with certain revisions.
	SB 223: Discontinuation of residential water service	1/14/21 – Introduced. 5/3/21 Amended and ref to Appropriations 5/20/21 Hearing held, placed under submission Suspense File 11/18/21- No change in status	ACWA and CSDA Oppose unless amended. ACWA comments: Companion legislation to SB 222, SB 223 (Dodd) would create new restrictions on the ability of water suppliers to discontinue residential service for nonpayment. The bill comes three years after the legislature passed SB 998 (Dodd), which created a one-size-fits-all statewide water service shutoff law, and just one year after water agencies began implementing that law. The author's intent with SB 223 is to strengthen and extend existing statutorily required protocols and procedures to protect low-income households that face, or have already experienced, discontinuation of water service due to nonpayment. However, the bill re-writes several key provisions in SB 998, without any evidence that such changes are necessary. The bill also proposes that water agencies forgive unpaid debt, raising significant concerns about the bill's compliance with Proposition 218 and the potential financial impact on ACWA member agencies. ACWA adopted an oppose unless-amended position and anticipates working closely with the author throughout the year. ACWA sent a Coalition letter in opposition, available here: https://www.acwa.com/wp-content/uploads/2021/04/SB-223-4-5-21-Sen.-EUC-coalition-modified.pdf

Continued on next page

	<p>SB 323: Local government: water or sewer service: legal actions</p> <p>CHAPTERED – NOW LAW</p>	<p>2/5/21 – Introduced 5/6/21 – Passed Senate. 7/7/21 Read second time with author’s amendments, re-ref to Appropriations 8/23/21 Second reading, passed Senate 9/22/21 – Signed by Governor</p>	<p>Support requested. CSDA and ACWA urge support. Would improve financial stability for public agencies by creating a statute of limitations for legal challenges to water and sewer service rates. The bill would provide public agency water and sewer service rates the same protections already afforded to fees and charges that fund other essential government services. It would also give ACWA member agencies more financial certainty by helping to prevent costly and time-consuming litigation challenging rates and charges years after they have been adopted and collected, while still ensuring that adopted rates and charges comply with Proposition 218 and other existing laws.</p> <p>CSDA Summary: Current law prohibits a local agency from imposing fees for specified purposes, including fees for water or sewer connections, as defined, that exceed the estimated reasonable cost of providing the service, unless voter approval is obtained. Current law provides that a local agency levying a new a water or sewer connection fee or increasing a fee must do so by ordinance or resolution. Current law requires, for specified fees, including water or sewer connection fees, any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion according to specified procedures for validation proceedings. This bill would apply the same judicial action procedure and timelines, as stated above, to ordinances, resolutions, or motions adopting, modifying, or amending water or sewer service fees or charges, except as provided.</p>
	<p>Governor Newsom’s Water Resilience Portfolio</p>	<p>https://waterresilience.ca.gov/wp-content/uploads/2020/07/Final_California-Water-Resilience-Portfolio-2020_ADA3_v2_ay11-opt.pdf</p>	
	<p>Dept. of Water Resources – Groundwater Update</p>	<p>https://water.ca.gov/Programs/Groundwater-Management/Bulletin-118</p>	
	<p>What is this place called the Delta? Understanding California’s Bay-Delta in 63 photos</p>	<p>https://www.kcet.org/redefine/understanding-californias-bay-delta-in-63-photos</p>	

End



BEAUMONT-CHERRY VALLEY WATER DISTRICT

MEMO

DATE: November 22, 2021
TO: Board of Directors
FROM: Director of Finance and Administrative Services Kirene Manini, PhD
SUBJECT: 2021 Board of Directors Meetings and Items

Information only:

At its November 10, 2021 meeting, the Board requested a list of upcoming meetings and agenda items. This list is subject to change.

Meeting: December 2, 2021 Finance & Audit Committee Meeting	
FY 2022 Budget Presentation	Presentation and feedback

Meeting: December 8, 2021 Regular Meeting	
FY 2022 Budget Presentation	Presentation and feedback
Keenan and Associates Presentation	Presentation and feedback
Policy 4025 on Rotation of President	Adoption of Resolution needed for policy to become effective for elections at the 12/22 meeting
Well 23 pumping unit contract	Action
Well rehabilitation project	Action
Drought update	
Closed Session	

Special Meeting: TBD (Week of December 13 – 16)
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Meeting: December 20, 2021 Personnel Committee Meeting	
Bring back Policy 3030 Gift Acceptance Guidelines	Action
Bring back Policy 3035 Outside Employment	Action
Prioritization of policies in Policy Manual Revision Project	Discussion and direction

Meeting: December 21, 2021 Engineering Workshop	
Reorganization of Board	Elections and appointments
2022 Meeting schedule	Action
Review of Annual List of Preapproved Events	Action
Adoption of FY 2022 Budget	Adoption of Resolution
Adoption of new Employee MOU	Adoption of Resolution
Investment Policy update	Adoption of Resolution
Engineering Item 1	Action
Engineering Item 2	Action
Consideration of CV Strategies contract extension	Action