

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

Regular Board Meeting Minutes

April 24, 2024

1. CALL TO ORDER

A Regular Meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was called to order by Vice-Chair Herrick at 5:00 p.m. on April 24, 2024 at 121 Palomino Drive, Big Bear City, California.

BOARD MEMBERS PRESENT

Rick Herrick, Vice-Chair

John Russo, Director

Kendi Segovia, Director

Larry Walsh, Director

BOARD MEMBERS ABSENT

Jim Miller, Chair

STAFF MEMBERS PRESENT

David Lawrence, General Manager

Christine Bennett, Finance Manager

Bridgette Burton, Administrative Services Manager/Board Secretary

OTHERS

Ward Simmons, Partner, Best Best & Krieger, LLP

Jim Priest, Best Best & Krieger, LLP

Members of the public who signed in included:

Joyce Crist, Big Bear City

Patrice Duncan, Sugarloaf

Pat Enyart, Sugarloaf

Steve Ludecke, Big Bear City

Bob and Jo Rowe, Big Bear City

Matt Scriven, Big Bear Lake

2. PLEDGE OF ALLEGIANCE

Director Segovia

3. APPROVAL OF AGENDA

Upon motion by Director Walsh, seconded by Director Russo and carried, the Governing Board approved the agenda as presented. The Governing Board formally excused Chair Miller due to a death in the family.

Ayes: Herrick, Russo, Segovia, Walsh
Noes: None
Absent: Miller
Abstain: None

4. **PUBLIC FORUM**

None

5. **PRESENTATION AND INTRODUCTION**

None

6. **INFORMATION/COMMITTEE REPORTS**

6.A. General Manager's Report

The General Manager highlighted the attached influent flow chart and explained when there is high flow the inflow and infiltration (I&I) increases which affects the variable rate for each Member Agency. I&I is when water, other than wastewater, enters the sewer system.

The Governing Board asked the difference between the flow table in the report and the attached influent flow chart.

6.B. Replenish Big Bear Report

The General Manager highlighted the expenditure table and the letter from the Santa Ana Regional Water Quality Control Board advising of a complete Report of Waste Discharge application. The letter has been sent to the Big Bear Municipal Water District (MWD) and is one of the items MWD needed before considering an agreement.

The Governing Board asked if the Santa Ana Regional Board has been inundated with applications for water reclamation projects. The Governing Board clarified the Program Water quantity.

Joyce Crist commented that the people of Big Bear Lake do not want the water in the lake and believes the Forest Service should determine the quality of the water being put back into the watershed.

The Governing Board clarified that Big Bear is part of the Santa Ana system for the Santa Ana Regional Water Quality Control Board.

7. **CONSENT CALENDAR APPROVED ITEMS**

7.C. Investment Report Identifying Agency Investments and Reporting Interest Income for March

- 7.D. Resolution No. R. 07-2024, A Resolution of the Big Bear Area Regional Wastewater Agency Amending and Adopting Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.)

Upon motion by Director Walsh seconded by Director Russo and carried, the Governing Board approved items 7.C. and 7.D. on the Consent Calendar as presented.

Ayes: Herrick, Russo, Segovia, Walsh
Noes: None
Absent: Miller
Abstain: None

8. **ITEMS REMOVED FROM CONSENT CALENDAR**

- 7.A. Approval of the Meeting Minutes from the March 19, 2024 Special Meeting, the March 27, 2024 Regular Meeting, and the April 4, 2024 Replenish Big Bear Committee Meeting

The Governing Board requested a revision to the March 27, 2024 Regular Meeting minutes.

Vice-Chair Herrick made the motion to approve, a second was not offered and the motion failed. The minutes will be on the May consent calendar for reconsideration.

- 7.B. Monthly Disbursements Report for March

The Governing Board requested additional information on checks to Water Systems Consulting, Inc. and questioned if the payments regarding Replenish Big Bear will be segregated or combined in the future on the check register.

Upon motion by Director Walsh seconded by Vice-Chair Herrick and carried, the Governing Board approved the Consent Calendar as presented.

Ayes: Herrick, Russo, Segovia, Walsh
Noes: None
Absent: Miller
Abstain: None

9. **OLD BUSINESS**

- 9.A. Replenish Big Bear Discussion

The Administrative Services Manager/Board Secretary presented additional information about the advisory vote, formation of a Community Facilities District/Mello-Roos tax, and a public opinion poll. Per the San Bernardino County Registrar of Voters, a JPA cannot put an advisory vote on the ballot; therefore, this is no longer an option.

The Governing Board adjourned at 5:38 p.m. and reconvened at 5:48 p.m.

Matt Scriven commented about elected officials making decisions about this generational infrastructure project that Big Bear Valley needs. There is a lot of confusion about who is paying and why.

Joyce Crist commented how raising taxes will impact her, and the Big Bear City Community Services District area has a different interest than the people in Big Bear Lake.

The Governing Board commented that the Community Facilities District (CFD) or Mello-Roos tax is an unfair method of taxation because not everyone and not all property owners get to vote on it. The Governing Board further clarified voting eligibility for a CFD; the differences between fees, assessments, and special taxes; and if the Taxpayer Protection Act would affect any decisions for Replenish Big Bear. Additional discussion included the differences between the information provided by Member Agencies for their respective Prop 218 protest hearing notices, and the cost and duration of rates for Replenish Big Bear being unclear in those notices.

The Governing Board inquired how equivalent dwelling units (EDUs) are computed year to year, how the 500 acre feet per year in the Letter of Intent was established, clarified that the Replenish Big Bear Program involves multiple projects with the first project filtering the water and sending it to Big Bear Lake, expressed concern over the cost to send water to Sand Canyon for recharge, and questioned if the cost of Replenish Big Bear was fiscally responsible and if it benefits the entire Big Bear Valley. Further discussion included the timeline for when project funds are expended, when the WIFIA loan needed to be in place, the certification of the draft Program Environmental Impact Report, the items that can be moved forward when the certification is complete, and the cost to complete the construction plans. The Governing Board discussed a contract clause to allow for use of additional Program Water for groundwater recharge in the future.

The Governing Board would like to continue the discussion of Program Water equity and directed staff to bring back poll information at the May regular meeting.

10. NEW BUSINESS – DISCUSSION/ACTION ITEMS

10.A. Pay Schedule

The General Manager explained the COLA (cost of living adjustment) was included in the approved budget for the Governing Board's consideration. The Governing Board requested an updated Organizational Chart.

Upon motion by Director Walsh, seconded by Director Russo and carried, the Governing Board approved the publicly available Pay Schedule effective July 13, 2024.

Ayes: Herrick, Russo, Segovia, Walsh
Noes: None
Absent: Miller
Abstain: None

11. COMMENTS AND ANNOUNCEMENTS

11.A. General Manager Comments

None

11.B. Governing Board Member Comments

The Governing Board commented that the standards for forever chemicals in water were approved.

12. CLOSED SESSION

12.A. Conference with Real Property Negotiators

Property: APN's 449-082-01, 449-082-02, 449-082-03, 449-082-04

Agency Negotiator: David Lawrence, General Manager

Negotiating Parties: Clearway Energy Group

Under Negotiation: Lease Price, Terms of Payment

The Governing Board and General Manager entered closed session at 7:05 p.m. The meeting was reconvened at 7:28 p.m. There was no reportable action.

13. ADJOURNMENT

With no further business to come before the Governing Board, Vice-Chair Herrick adjourned the meeting at 7:28 p.m.

ATTEST: Bridgette Burton
Bridgette Burton, Secretary to the Governing Board
Big Bear Area Regional Wastewater Agency