

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

Regular Meeting of

April 25, 2018

At

5:00 p.m.

121 Palomino Drive

Big Bear City, California

1. Call to Order

2. Pledge of Allegiance

3. Presentations and Introduction

A. Troy Bemisdarfer – 10 Years

B. David Lawrence – 1 Year

4. Approval of the Agenda

5. Consent Calendar – All matters listed on the Consent Calendar will be enacted by one motion at the appropriate time. There will be no separate discussion of these items. If detailed discussion is necessary, any Board Member may request that an item be removed from the Consent Calendar and considered separately.

A. Minutes of the Special Meeting March 22,2018 – Approve

B. Monthly Expenses – Informational

C. Governing Board Member Reimbursement – Approve

D. Investment Report – Informational

6. Items Removed From the Consent Calendar

7. Public Forum Response – None

8. Public Forum – The Public Forum portion of the meeting is an opportunity for members of the public to directly address the Governing Board on matters within the jurisdiction of this Agency. Ordinance No. 57 limits individual public testimony to three minutes or less. The cumulative time that any individual may provide public testimony during a meeting is fifteen minutes and the public testimony shall be limited to thirty minutes for all speakers. Whenever a group of persons wishes to address the Board on the same item, the Chairman or the Board by majority vote may request a spokesperson be chosen for the group or limit the number of such persons addressing the Board. Since discussion of an item, not on the posted agenda is not allowed, these concerns may be addressed in a future meeting under “Public Forum Response

9. Old Business

- A. Public Hearing:** Second Read and Adoption of Ordinance No. O 01-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing the Sewer User Charge and Taking Certain Other Actions Related Therto
- B.** Second Read and Approval of Ordinance No. O 02-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Increasing the Wastewater Connection Fee, Amending Ordinance No.2 and Taking Certain Other Actions
- C.** Second Read and Approval of Ordinance No. O 03-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2019 Sewer Standby or Immediate Availability Charges
- D. Public Hearing:** Second Read and Approval of Ordinance No. O 04-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency to Increase the Current Fee Schedule for the Disposal of Waste Delivered to the Regional Treatment Plant

10. New Business - None

11. Information/Committee Reports

12. Closed Session

- A.** Public Employee Performance Evaluation
Pursuant to Government Code Section 54957.6
Title: General Manager

13. Adjournment

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if you need special assistance to participate in an Agency meeting or other services offered by the Agency, please contact Kimberly Booth, Administrative Assistant at (909) 584-4018. Notification at least 48 hours prior to the meeting or time when services are needed will assist the Agency staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the office of the Big Bear Area Regional Wastewater Agency and are available for public inspection during normal business hours.

Visit www.bbarwa.org to view and/or print the Agenda Package

BIG BEAR AREA REGIONAL WASTEWATER AGENCY
Special Board Meeting
Minutes
March 22, 2018

1. Call to Order

A regular meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was held on Thursday, March 22, 2018 at 5:00 p.m. at 121 Palomino Drive, Big Bear City, California.

Governing Board Members present: Rick Herrick, Liz Harris, John Green, Karyn Oxandaboure, and David Caretto on the phone.

Absent: None

Staff present: David Lawrence, General Manager; Jennifer McCullar, and Kim Booth, Administrative Assistant

Others: None

2. Pledge of Allegiance

Chairman Herrick called the meeting to order at 5:00 p.m. with Mr. Herrick leading the Pledge of Allegiance.

3. Presentations and Introduction:

A. Mr. Herrick presented Ms. Harris with a 15-year pin and thanked her for her services

4. Approval of the Agenda

Upon motion by Director Green, seconded by Vice Chairman Oxandaboure and carried, the Agenda was approved as presented.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

5. Consent Calendar: The Governing Board reviewed items on the Consent Calendar. Upon motion by Vice Chairman Oxandaboure, seconded by Director Green and carried, the Governing Board approved the Consent Calendar as presented:

- A. Minutes of the Budget Workshop/Special Meeting March 7, 2018 – Approved
- B. Monthly Expenses – Informational
- C. Governing Board Member Reimbursement – Approved
- D. Investment Report – Informational

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

6. Items Removed From the Consent Calendar: None

7. Public Forum Response:

8. Public Forum – The Public Forum portion of the meeting is an opportunity for members of the public to directly address the Governing Board on matters within the jurisdiction of this Agency. Ordinance No. 57 limits individual public testimony to three minutes or less. The cumulative time that any individual may provide public testimony during a meeting is fifteen minutes and the public testimony shall be limited to thirty minutes for all speakers.

Whenever a group of persons wishes to address the Board on the same item, the Chairman or the Board by majority vote may request a spokesperson be chosen for the group or limit the number of such persons addressing the Board. Since discussion of an item, not on the posted agenda is not allowed, these concerns may be addressed in a future meeting under “Public Forum Response

9. Old Business: None

10. New Business

A. Chairman Herrick opened the public hearing at 5:07 p.m., public hearing closed at 5:08 p.m. Upon motion by Secretary Harris, seconded by Director Green and carried, the Governing Board approved Resolution No. R 02-2018, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2019, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

B. Upon motion by Vice Chairman Oxandaboure, seconded by Director Green and carried, the Governing Board approved to wave the entire read of Ordinance No. O 01-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing the Sewer User Charge and Taking Certain Other Actions Related Thereto. Chairman Herrick read the title to introduce Ordinance No. O 01-2018.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

- C. Upon motion by Director Green, seconded by Secretary Harris and carried, the Governing Board approved to wave the entire read of Ordinance No. O 02-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Increasing the Wastewater Connection Fee, Amending Ordinance No.2 and Taking Certain Other Actions. Chairman Herrick read the title to introduce Ordinance No. O 02-2018.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

- D. Upon motion by Director Green, seconded by Director Caretto and carried, the Governing Board approved to wave the entire read of Ordinance No. O 03-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2019 Sewer Standby or Immediate Availability Charges. Chairman Herrick read the title to introduce Ordinance No. O 03-2018.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

- E. Upon motion by Vice Chairman Oxandaboure, seconded by Director Green and carried, the Governing Board approved to wave the entire read of Ordinance No. O 04-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency to Increase the Current Fee Schedule for the Disposal of Waste Delivered to the Regional Treatment Plant. Chairman Herrick read the title to introduce Ordinance No. O 04-2018.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye

Caretto Aye
Green Aye

- F. Mr. Lawrence gave background on our current contract for sludge hauling. Under the new proposed contract, the Agency will reduce hauling costs from \$85 - \$98 per ton, to approximately \$60 per ton and will simplify operations by reducing hauling contractors and eliminating self-hauling. Mr. Lawrence would like the board to give him permission to sign a three-year contract with AG Tech LLC. Upon motion by Director Green, seconded by Director Caretto and carried, the Governing Board authorized the General Manager to enter into a contract with AG Tech LLC.

Vote

Herrick Aye
Oxandaboure Aye
Harris Aye
Caretto Aye
Green Aye

- G. Chairman Herrick opened nominations for Chairman position. Vice Chairman Oxandaboure nominated Director Green for the Chairman position, seconded by Chairman Herrick and carried, the Governing Board approved Director Green as the Chairman at the next board meeting.

Vote

Herrick Aye
Oxandaboure Aye
Harris Aye
Caretto Aye
Green Aye

Chairman Herrick opened nominations for Vice Chairman position. Chairman Herrick nominated Director Caretto for the Vice Chairman position, seconded by Vice Chairman Oxandaboure and carried, the Governing Board approved Director Caretto as the Vice Chairman at the next board meeting.

Vote

Herrick Aye
Oxandaboure Aye
Harris Aye
Caretto Aye
Green Aye

Chairman Herrick opened nominations for the Secretary position. Chairman Herrick nominated Secretary Harris for the Secretary position, seconded by Director Green and carried, the Governing Board approved Secretary Harris as the Secretary for the Board.

Vote

Herrick	Aye
Oxandaboure	Aye
Harris	Aye
Caretto	Aye
Green	Aye

11. Information/Committee Reports: None

12. Adjournment

With no further business to come before the Governing Board, Chairman Herrick adjourned the meeting at 5:25 p.m.

ATTEST: _____
Elizabeth Harris, Ed.D, Secretary of the
Governing Board of the Big Bear Area Regional
Wastewater Agency

Kim Booth, Administrative Assistant
Big Bear Area Regional Wastewater Agency



**Big Bear Area Regional
Wastewater Agency**


*John Green – Chairman
David Caretto – Vice Chairman
Liz Harris, Ed.D. – Secretary
Rick Herrick – Director
Karyn Oxandaboure – Director*

AGENDA ITEM: 5.B

MEETING DATE: April 25, 2018

TO: Governing Board of the Big Bear Area Regional Wastewater Agency

FROM: David Lawrence, P.E., General Manager 

PREPARED BY: Jennifer McCullar, Finance Manager 

SUBJECT: Monthly Expenses

BACKGROUND:

Attached is the Agency's March check register which reflects accounts paid during the period.

FINANCIAL IMPACT:

No financial impact. Funds previously appropriated.

RECOMMENDATION:

Informational

Moved: _____ Second: _____ Aye: _____ Nay: _____ Abstain/Absent: _____

Approved Date: _____ Witness: _____

Secretary of the Governing Board

**Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2018 to Mar 31, 2018**

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
CASH 1820	3/2/18	AMERICAN FIDELITY ASSURANCE CO	1000-20	786.44
CASH 1821	3/2/18	PRINCIPAL FINANCIAL GROUP	1000-20	2,176.94
CASH 1822	3/2/18	CALPERS HEALTH	1000-20	30,000.95
CASH 1823	3/5/18	VISION SERVICE PLAN	1000-20	280.28
CASH 1824	3/5/18	LINCOLN NATIONAL LIFE INSURANCE C	1000-20	1,002.21
CASH 1825	3/7/18	AMERICAN FIDELITY ASSURANCE CO	1000-20	593.72
18223	3/9/18	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	927.69
18224	3/9/18	ACCU-SOURCE	1000-20	179.00
18225	3/9/18	ALLISON MECHANICAL, INC.	1000-20	2,520.31
18226	3/9/18	ALL PROTECTION ALARM	1000-20	120.00
18227	3/9/18	ARAMARK UNIFORM SERVICES	1000-20	1,072.56
18228	3/9/18	BIG BEAR CITY COMMUNITY SERVICES	1000-20	608.32
18229	3/9/18	B.B.C. SAW WORKS INC	1000-20	58.97
18230	3/9/18	BEAR LAKE PROFESSIONALS, INC	1000-20	379.00
18231	3/9/18	BRITHNEE ELECTRIC	1000-20	153.44
18232	3/9/18	BUTCHER'S BLOCK & BUILDING	1000-20	2,052.78
18233	3/9/18	BEAR VALLEY ELECTRIC	1000-20	10,221.06
18234	3/9/18	CAR QUEST OF BIG BEAR	1000-20	272.22
18235	3/9/18	COUNTY OF SAN BERNARDINO SOLID	1000-20	176.22
18236	3/9/18	CWEA TCP/MEMBERSHIP	1000-20	445.00
18237	3/9/18	UNDERGROUND SERVICE ALERT	1000-20	49.60
18238	3/9/18	DIY HOME CENTER-BIG BEAR	1000-20	10.60
18239	3/9/18	DIRECT TV	1000-20	52.29
18240	3/9/18	DEPARTMENT OF WATER & POWER	1000-20	54.01
18241	3/9/18	EVANTEC CORPORATION	1000-20	918.48
18242	3/9/18	FLYERS ENERGY	1000-20	935.52
18243	3/9/18	FRONTIER COMMUNICATIONS	1000-20	677.26
18244	3/9/18	GEIGER SUPPLY, INC	1000-20	110.63
18245	3/9/18	GRAINGER	1000-20	932.02
18246	3/9/18	THE GRIZZLY	1000-20	99.00
18247	3/9/18	HAZ MAT TRANS, INC.	1000-20	17,301.72
18248	3/9/18	HUGHESNET	1000-20	69.99

**Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2018 to Mar 31, 2018**

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
18249	3/9/18	IEPMA-HR	1000-20	25.00
18250	3/9/18	KING'S FIRE PROTECTION, INC.	1000-20	1,440.00
18251	3/9/18	MCDONALD ELECTRIC, INC.	1000-20	721.05
18252	3/9/18	NAPA AUTO PARTS	1000-20	670.62
18253	3/9/18	ONE STOP LANDSCAPE SUPPLY, INC	1000-20	9,207.00
18254	3/9/18	CONSTANCE M. ALVARADO	1000-20	55.00
18255	3/9/18	PETTY CASH	1000-20	351.99
18256	3/9/18	PITNEY BOWES GLOBAL FINANCIAL SE	1000-20	128.22
18257	3/9/18	POLYDYNE INC	1000-20	3,172.16
18258	3/9/18	QUINN COMPANY	1000-20	1,217.91
18259	3/9/18	SPECTRUM BUSINESS	1000-20	269.94
18260	3/9/18	VALLEY POWER SYSTEMS, INC	1000-20	37,093.03
18261	3/9/18	DAVID A. CARETTO	1000-20	150.00
18262	3/9/18	JOHN GREEN	1000-20	150.00
18263	3/9/18	RICHARD T. HERRICK	1000-20	300.00
18264	3/9/18	KARYN K. OXANDABOURE	1000-20	300.00
18258V	3/9/18	QUINN COMPANY	1000-20	-1,217.91
18265	3/12/18	CHRIS SANTILLAN	1000-20	775.79
CASH 1826	3/12/18	AMERICAN FIDELITY ASSURANCE CO	1000-20	593.72
CASH 1827	3/12/18	CALPERS RETIREMENT	1000-20	1,152.02
CASH 1828	3/12/18	CA PERS 457 PROGRAM	1000-20	1,863.95
CASH 1829	3/12/18	THE LINCOLN NAT'L LIFE INS CO	1000-20	2,706.81
CASH 1830	3/12/18	CALPERS RETIREMENT	1000-20	6,515.49
CASH 1831	3/13/18	EMPLOYMENT DEVELOPMENT DEPART	1000-20	1,521.61
CASH 1832	3/13/18	INTERNAL REVENUE SERVICE	1000-20	4,905.53
18266	3/23/18	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	2,159.08
18267	3/23/18	AMAZON CAPITAL SERVICES	1000-20	183.16
18268	3/23/18	ARROWHEAD	1000-20	125.44
18269	3/23/18	BEST BEST & KRIEGER	1000-20	3,992.77
18270	3/23/18	BEAR LAKE PROFESSIONALS, INC	1000-20	40.00
18271	3/23/18	ROY WAYNE EWALT	1000-20	420.00
18272	3/23/18	BDP INDUSTRIES, INC.	1000-20	187,424.6

**Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2018 to Mar 31, 2018**

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
18273	3/23/18	BUSINESS CARD	1000-20	2,146.25
18274	3/23/18	ROBIN A. BRADLEY	1000-20	840.00
18275	3/23/18	BEAR VALLEY PRINTING	1000-20	611.27
18276	3/23/18	CANON SOLUTIONS AMERICA, INC.	1000-20	644.80
18277	3/23/18	CLINICAL LAB OF SAN BERNARDINO	1000-20	195.00
18278	3/23/18	CA SOCIETY of MUNICIPAL FINANCE OF	1000-20	110.00
18279	3/23/18	COUNTY OF SAN BERNARDINO SOLID	1000-20	109.10
18280	3/23/18	CUMMINS CAL PACIFIC HOLDING, LLC	1000-20	74,363.35
18281	3/23/18	ENDURA STEEL	1000-20	2,274.56
18282	3/23/18	FEDEX	1000-20	13.50
18283	3/23/18	NAVY MEN, LLC	1000-20	874.98
18284	3/23/18	GRAINGER	1000-20	507.57
18285	3/23/18	HAZ MAT TRANS, INC.	1000-20	3,750.00
18286	3/23/18	HD INDUSTRIES	1000-20	641.70
18287	3/23/18	HDR ENGINEERING, INC.	1000-20	4,505.00
18288	3/23/18	JUST ENERGY SOLUTIONS INC.	1000-20	15,515.23
18289	3/23/18	LEGALSHIELD	1000-20	398.80
18290	3/23/18	RANDY J. SPITZ	1000-20	154.27
18291	3/23/18	NURSERY PRODUCTS, LLC	1000-20	22,759.20
18292	3/23/18	PHENOVA	1000-20	407.30
18293	3/23/18	SOUTH COAST AQMD	1000-20	1,389.76
18294	3/23/18	SOUTHERN CALIFORNIA EDISON	1000-20	63.29
18295	3/23/18	SERVICEMASTER 360 PREMIER CLEANI	1000-20	630.62
18296	3/23/18	SPECTRUM BUSINESS	1000-20	1,013.63
18297	3/23/18	SOUTHWEST GAS CORP	1000-20	6,945.60
18298	3/23/18	SOUTHWEST GAS	1000-20	1,456.96
18299	3/23/18	SWRCB-WWOC	1000-20	300.00
18300	3/23/18	NANCY R. BOHL, INC.	1000-20	300.00
18301	3/23/18	VERIZON WIRELESS	1000-20	308.71
18302	3/23/18	WINZER CORP	1000-20	291.97
18303	3/23/18	WATER SYSTEMS CONSULTING, INC.	1000-20	5,572.50
18304	3/23/18	RICHARD T. HERRICK	1000-20	150.00

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2018 to Mar 31, 2018

Filter Criteria includes: 1) Accounts Payable only. Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
18305	3/23/18	KARYN K. OXANDABOURE	1000-20	150.00
CASH 1833	3/26/18	AMERICAN FIDELITY ASSURANCE CO	1000-20	593.73
CASH 1834	3/26/18	AMERICAN FIDELITY ASSURANCE CO	1000-20	786.44
CASH 1835	3/26/18	CALPERS RETIREMENT	1000-20	1,099.08
CASH 1836	3/26/18	CA PERS 457 PROGRAM	1000-20	1,863.95
CASH 1837	3/26/18	THE LINCOLN NAT'L LIFE INS CO	1000-20	2,706.81
CASH 1838	3/26/18	CALPERS RETIREMENT	1000-20	6,691.99
CASH 1839	3/27/18	EMPLOYMENT DEVELOPMENT DEPART	1000-20	1,436.26
CASH 1840	3/27/18	INTERNAL REVENUE SERVICE	1000-20	<u>4,701.68</u>
Total				<u><u>512,927.1</u></u>



**Big Bear Area Regional
Wastewater Agency**

*John Green – Chairman
David Caretto – Vice Chairman
Liz Harris, Ed.D. – Secretary
Rick Herrick – Director
Karyn Oxandaboure – Director*

AGENDA ITEM: 5.C

MEETING DATE: April 25, 2018

TO: Governing Board of the Big Bear Area Regional Wastewater Agency

FROM: David Lawrence, P.E., General Manager *DL*

PREPARED BY: Jennifer McCullar, Finance Manager *JM*

SUBJECT: Board Member Reimbursement

BACKGROUND:

Attached are the March 2018 meeting records for each Governing Board Member and represent eligible compensation at a rate of \$150 per regular or special meeting pursuant to the Agency's Administrative and Personnel Policy, Board Member Reimbursement.

FINANCIAL IMPACT:

No financial impact. Funds previously appropriated.

RECOMMENDATION:

Approve

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: Rick Herick
Date Submitted: March 22, 2018
Month Covered: March

BBARWA Regular Meeting Attended: _____ Date: 3-22-18 Compensation \$ 100
PURPOSE _____

BBARWA Special Meeting Attended: _____ Date: _____ \$ _____

BBARWA Special Meeting Attended: _____ Date: _____ \$ _____

BBARWA Special Meeting Attended: _____ Date: _____ \$ _____

PURPOSE _____
BBARWA ^{Special} Committee Meeting Attended: FINANCE Date: 3-7-18 \$ 150
BBARWA Committee Meeting Attended: Budget Workshop Date: _____ \$ _____
BBARWA Committee Meeting Attended: _____ Date: _____ \$ _____

PURPOSE _____
Other Governing Board Approved Meetings:

Date: _____ \$ _____

Date: _____ \$ _____

TOTAL ENTITLED MONTHLY STIPEND (limited to 6 days per calendar month) \$ _____

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: _____ Date: _____ \$ _____
Lodging: _____ Date: _____ \$ _____
Registration: _____ Date: _____ \$ _____
Tuition: _____ Date: _____ \$ _____
Meals: _____ Date: _____ \$ _____

Note: Other Governing Board approved expenses receipts must be accompanied with the travel expense form "EXHIBIT B" and forwarded to Finance Manager or designee for reimbursement

TOTAL OTHER EXPENSE REIMBURSEMENT: \$ _____

Uncompensated Meetings Attended:

PURPOSE _____ Date: _____
_____ Date: _____

Board Member Signature:  Total Amount Paid \$ 300⁰⁰

RATES & CALCS	CODING	AMOUNT
OPER. REVIEW	_____	_____
EXPEN. APP.	_____	_____
FIN. REVIEW	_____	_____

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: David Caretto
Date Submitted: March 22, 2018
Month Covered: March

BBARWA Regular Meeting Attended: Date: 3/22/18 Compensation \$150.00
PURPOSE

BBARWA Special Meeting Attended: Date: \$

BBARWA Special Meeting Attended: Date: \$

BBARWA Special Meeting Attended: Date: \$

PURPOSE

BBARWA Committee Meeting Attended: Date: \$

BBARWA Committee Meeting Attended: Date: \$

BBARWA Committee Meeting Attended: Date: \$

PURPOSE

Other Governing Board Approved Meetings:
Date: \$
Date: \$

TOTAL ENTITLED MONTHLY STIPEND (limited to 6 days per calendar month) \$

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: Date: \$
Lodging: Date: \$
Registration: Date: \$
Tuition: Date: \$
Meals: Date: \$

Note: Other Governing Board approved expenses receipts must be accompanied with the travel expense form "EXHIBIT B" and forwarded to Finance Manager or designee for reimbursement

TOTAL OTHER EXPENSE REIMBURSEMENT: \$

Uncompensated Meetings Attended:

PURPOSE

Date:
Date:

Board Member Signature: David Caretto kb Total Amount Paid \$150.00

Table with 3 columns: RATES & CALCS, CODING, AMOUNT. Rows include OPER. REVIEW, EXPEN. APP., and FIN. REVIEW.

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: Karyn Oxandaboure
Date Submitted: March 22, 2018
Month Covered: March

Compensation

BBARWA Regular Meeting Attended: _____ Date: _____ \$ _____

PURPOSE

BBARWA Special Meeting Attended: _____ Date: 3-22-18 \$ 150⁰⁰

BBARWA Special Meeting Attended: _____ Date: _____ \$ _____

BBARWA Special Meeting Attended: _____ Date: _____ \$ _____

PURPOSE

BBARWA ^{Special} Committee Meeting Attended: Budget Workshop Date: 3-7-18 \$ 150⁰⁰

BBARWA Committee Meeting Attended: _____ Date: _____ \$ _____

BBARWA Committee Meeting Attended: _____ Date: _____ \$ _____

PURPOSE

Other Governing Board Approved Meetings:

Date: _____ \$ _____

Date: _____ \$ _____

TOTAL ENTITLED MONTHLY STIPEND (limited to 6 days per calendar month) \$ _____

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: _____ Date: _____ \$ _____
Lodging: _____ Date: _____ \$ _____
Registration: _____ Date: _____ \$ _____
Tuition: _____ Date: _____ \$ _____
Meals: _____ Date: _____ \$ _____

Note: Other Governing Board approved expenses receipts must be accompanied with the travel expense form "EXHIBIT B" and forwarded to Finance Manager or designee for reimbursement

TOTAL OTHER EXPENSE REIMBURSEMENT: \$ _____

Uncompensated Meetings Attended:

PURPOSE

Date: _____

Date: _____

Board Member Signature: K. Oxandaboure Total Amount Paid \$ 300⁰⁰

RATES & CALCS	CODING	AMOUNT
OPER. REVIEW	_____	_____
EXPEN. APP.	_____	_____
FIN. REVIEW	_____	_____

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: John Green
Date Submitted: March 22, 2018
Month Covered: March

BBARWA Regular Meeting Attended: Date: 3/22/18 Compensation \$ 150-

PURPOSE

BBARWA Special Meeting Attended: Date: \$

BBARWA Special Meeting Attended: Date: \$

BBARWA Special Meeting Attended: Date: \$

PURPOSE

BBARWA Special Committee Meeting Attended: BUDGET WORKSHOP Date: 3/7/18 \$ 150-

BBARWA Committee Meeting Attended: Date: \$

BBARWA Committee Meeting Attended: Date: \$

PURPOSE

Other Governing Board Approved Meetings:

Date: \$
Date: \$

TOTAL ENTITLED MONTHLY STIPEND (limited to 6 days per calendar month) \$

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: Date: \$

Lodging: Date: \$

Registration: Date: \$

Tuition: Date: \$

Meals: Date: \$

Note: Other Governing Board approved expenses receipts must be accompanied with the travel expense form "EXHIBIT B" and forwarded to Finance Manager or designee for reimbursement

TOTAL OTHER EXPENSE REIMBURSEMENT: \$

Uncompensated Meetings Attended:

PURPOSE

Date:
Date:

Board Member Signature: [Signature] Total Amount Paid \$ 300-

Table with 3 columns: RATES & CALCS, CODING, AMOUNT. Rows include OPER. REVIEW, EXPEN. APP., and FIN. REVIEW.



**Big Bear Area Regional
Wastewater Agency**

*John Green – Chairman
David Caretto – Vice Chairman
Liz Harris, Ed.D. – Secretary
Rick Herrick – Director
Karyn Oxandaboure – Director*

AGENDA ITEM: 5.D

MEETING DATE: April 25, 2018

TO: Governing Board of the Big Bear Area Regional Wastewater Agency

FROM: David Lawrence, P.E., General Manager *DL*

PREPARED BY: Jennifer McCullar, Finance Manager *JM*

SUBJECT: Investment Report

BACKGROUND:

Attached is the March Monthly Investment Report pursuant to the Agency's Investment Policy.

FINANCIAL IMPACT:

No financial impact.

RECOMMENDATION:

Approve

Moved: _____ Second: _____ Aye: _____ Nay: _____ Abstain/Absent: _____

Approved Date: _____ Witness: _____

Secretary of the Governing Board

BBARWA
Monthly Investment Report
March 2018

<u>INVESTMENT TYPE</u>	<u>INSTITUTION</u>	<u>COST</u>	<u>FAIR MARKET VALUE (1)</u>	<u>YEAR TO DATE INTEREST(2)</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>
FUNDS INVESTED BY AGENCY:						
LOCAL AGENCY INVESTMENT FUND	STATE OF CALIFORNIA	\$ 5,307,816	\$ 5,297,697	28,853	1.52%	DAILY
TOTAL		\$ 5,307,816	\$ 5,297,697	28,853		

The Investment Portfolio of the Big Bear Area Regional Wastewater Agency is in compliance with the investment policy approved in August 2017. The Agency will be able to meet its expenditure requirements for the next six months.

(1) LOCAL AGENCY INVESTMENT FUND (LAIF) IS A STATE-RUN INVESTMENT POOL PROVIDED FOR PUBLIC AGENCIES. THE LAIF MARKET VALUE SHOWN ON THIS TREASURER'S REPORT REPRESENTS BBARWA'S SHARE OF THE **LIQUID VALUE** OF LAIF'S PORTFOLIO IF IT WAS LIQUIDATED AS OF THE END OF THE REPORTED MONTH. THIS NUMBER SERVES AS AN INDICATOR OF WHETHER OR NOT THE **MARKET VALUE** OF LAIF'S INVESTMENTS IS ABOVE OR BELOW THE **COST** OF THOSE INVESTMENTS.

(2) Interest paid quarterly on LAIF investment. Amount reflects interest income received at the reporting date for FY 2018 and excludes accrued interest.

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

www.treasurer.ca.gov/pmia-laif/laif.asp
April 16, 2018

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

FINANCE MANAGER
P.O. BOX 517
BIG BEAR CITY, CA 92314

PMIA Average Monthly Yields

Account Number:

Tran Type Definitions

March 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
3/23/2018	3/22/2018	RW	1564952	JENNIFER MCCULLAR	-400,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	5,707,815.74
Total Withdrawal:	-400,000.00	Ending Balance:	5,307,815.74



Big Bear Area Regional
Wastewater Agency

John Green – Chairman

David Caretto – Vice Chairman

Liz Harris, Ed.D. – Secretary

Rick Herrick – Director

Karyn Oxandaboure – Director

AGENDA ITEM: 9.A

MEETING DATE: April 25, 2018

TO: Governing Board of the Big Bear Area Regional Wastewater Agency

FROM: David Lawrence, P.E., General Manager 

PREPARED BY: Jennifer McCullar, Finance Manager 

SUBJECT: Second Read and Adoption of Ordinance No. O.01-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing the Sewer User Charge and Taking Certain Other Actions Related Thereto

BACKGROUND:

Based on the Agency's financial requirements, the Sewer User Charge will increase 2.8% from \$204.34 to \$210.06, an increase of \$5.72 per equivalent dwelling unit, effective July 1, 2018. This is consistent with the rate recommended in the 2018 Comprehensive Sewer Rate Study.

FINANCIAL IMPACT:

The FY 2019 established rate, or Sewer User Charge, is used to calculate the Agency's FY 2019 rate revenues. The rate revenues are collected from the member agencies pursuant to the Payment and Collection Agreement dated August 2011, as amended.

RECOMMENDATION:

Adopt Ordinance

ORDINANCE NO. O. 01-2018

**AN ORDINANCE OF THE GOVERNING BOARD
OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY
ESTABLISHING THE SEWER USER CHARGE AND TAKING CERTAIN
OTHER ACTIONS RELATING THERETO**

WHEREAS, the Big Bear Area Regional Wastewater Agency (“BBARWA”) is a joint powers authority that provides wholesale sewer service to customers within its service area, including the City of Big Bear Lake, the Big Bear City Community Services District (“Big Bear City CSD”), and Zone “B” of County Service Area 53 (“CSA 53 B”) (each a “Collecting Agency” and, collectively, the “Collecting Agencies”); and

WHEREAS, the Governing Board of BARWA has been empowered to establish sewer rates and charges, including the Sewer User Charge (“User Charge”) to be imposed on the Collecting Agencies during the applicable fiscal year; and

WHEREAS, the costs of providing service have increased; and

WHEREAS, BBARWA has retained the services of HDR Engineering, Inc. to develop recommendations and a comprehensive sewer rate study (“Report”) regarding the new amount for the User Charge in order to address BBARWA's increased costs of providing service, and a copy of the Report is on file at BBARWA's administrative offices and available for public review; and

WHEREAS, pursuant to Health and Safety Code Section 5471 and Government Code Section 61115(a), the Governing Board is empowered to prescribe and collect rates and charges for services and facilities furnished by BBARWA in connection with its sewerage system; and

WHEREAS, the Governing Board is required by BBARWA Operating Agreement No. 1 to present to each Collecting Agency a statement showing the amount of the User Charge to be collected for each Equivalent Dwelling Unit (“EDU”) during the ensuing fiscal year, as such term is defined in the Report, and it is therefore necessary that the Governing Board establish the amount of the User Charge to be so collected for the applicable fiscal year; and

WHEREAS, the proposed rates for the User Charge consists of a single charge, per EDU (referred to in this Ordinance as the “Base Rate”), as set forth in the Report, to which the Collecting Agencies have agreed to apply adjustments to account for varying levels of demand on the sewer system by each Collecting Agency, as set forth in that certain Payment and Collection Agreement, dated as of August 23, 2011, by and among BBARWA and the Collecting Agencies, as has been amended from time to time (the “Agreement”); and

WHEREAS, as a result, the User Charge for certain Collecting Agencies will be higher than the Base Rate in the applicable fiscal year, and for others the User Charge will be lower than the Base Rate pursuant to the Agreement; and

WHEREAS, the Governing Board desires to adopt an ordinance to establish a new amount for the User Charge in order to address BBARWA's increased costs of providing service, in accordance with the methodology described above; and

WHEREAS, pursuant to California Constitution article XIII C, section 1(e)(2), a fee or charge is a tax and subject to voter approval if it is imposed on a fee payer for a service and that service is provided to others who are not charged for the same service, or the fee exceeds the cost of providing the service; and

WHEREAS, wholesale sewer service fees, such as the User Charges, are fees for a service subject to California Constitution article XIII C, section 1(e)(2); and

WHEREAS, pursuant to California Constitution article XIII C, section 1(e), an agency imposing fees for wholesale sewer services has the burden of demonstrating that the amount of the fees imposed are no more than necessary to cover the reasonable costs of providing the wholesale sewer services, and that the manner in which those costs are allocated to a payer bear a fair or reasonable relationship to the payer's burdens on, or benefits received from, the governmental activities provided; and

WHEREAS, based on the Report, the Governing Board has determined that the amount of the proposed User Charge, is no more than necessary to cover the reasonable costs of providing the wholesale sewer services, that the manner in which those costs are allocated to the Collecting Agencies bears a fair or reasonable relationship to each of the Collecting Agencies burden on, or benefit received from, BBARWA's wholesale sewer service, and that the User Charge is not a property-related fee or fee imposed as an incident of property ownership; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, BBARWA staff has determined that the increases in User Charges are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines and Public Resources Code section 21080(b)(8) because: (i) the increased charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (ii) the charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and

WHEREAS, the adoption of this Ordinance is exempt from CEQA for the same reason.

NOW, THEREFORE, be it ordained by the Governing Board of the Big Bear Area Regional Wastewater Agency as follows:

1. Recitals. The recitals set forth above are true and correct and by this reference incorporated herein.
2. New User Charge Adopted. The Governing Board hereby adopts the User Charge in the maximum amount set forth below.

Collecting Agency	\$/EDU (effective July 1, 2018)
Base Rate	\$210.06
City of Big Bear Lake	\$218.38
Big Bear City CSD	\$203.39
CSA 53 B	\$198.83

The User Charge imposed on each Collecting Agency is determined in accordance with the provisions of the Agreement in order to fairly allocate the costs of BBARWA based on demand placed on the system by each Collecting Agency.

4. Inflationary Adjustments. Commencing July 1, 2019, the Governing Board hereby authorizes BBARWA to increase the Base Rate for its wholesale sewer User Charges annually by an amount not to exceed the percentage change in the twenty-city, construction cost index (“CCI”) published by Engineering News Record. The percentage change in the CCI would be calculated using the twelve-month period ending December 31 of the prior year in which the rate change would be effective, i.e. for a rate change effective July 1, 2019 (FY 2020), the proposed rate adjustment would be based on the annual percentage change in the twenty-city construction cost index for the twelve months ending December 31, 2018.

5. Amendment to Code of Regulations and Ordinances. Chapter 5.16.020 of the Big Bear Area Regional Wastewater Agency Code of Regulations and Ordinances is hereby reaffirmed to read as follows:

Chapter 5.16

USER CHARGES

5.16.020 User Charge.

The annual maximum base rate for the User Charge, effective July 1, 2018, is as follows:

Collecting Agency	\$/EDU (effective July 1, 2018)
Base Rate	\$210.06
City of Big Bear Lake	\$218.38
Big Bear City CSD	\$203.39
CSA 53 B	\$198.83

The User Charge imposed on each Collecting Agency is determined in accordance with the provisions of the Payment and Collection Agreement, dated as of August 23, 2011, by and among BBARWA and the Collecting Agencies, as has been amended from time to time in order to fairly allocate the costs of BBARWA based on demand placed on the system by each Collecting Agency.

Beginning July 1, 2019, the Agency may increase its wholesale sewer User Charges annually by an amount not to exceed the percentage change in the twenty-city, construction cost index ("CCI") published by Engineering News Record. The percentage change in the CCI would be calculated using the twelve-month period ending December 31 of the prior year in which the rate change would be effective, i.e. for a rate change effective July 1, 2019 (FY 2020), the proposed rate adjustment would be based on the annual percentage change in the twenty-city construction cost index for the twelve months ending December 31, 2018.

The rates will be effective July 1 of each fiscal year with the member agencies receiving notice of the rate change by May 1 of the preceding fiscal year.

The current rate adjustment will become effective on July 1, 2018. The basis and reasons for the sewer rate adjustment is to enable BBARWA to recover increasing operating expense, as well as fund additional capital needs required to operate the sewer system in a financially prudent manner. The reasonable basis for the rate adjustment is particularly analyzed in the Report dated February 2018, prepared for BBARWA and made available for viewing by any interested person at the BBARWA offices. This User Charge shall remain in effect for succeeding fiscal years unless amended by action of the Governing Board.

6. Amendments to User Charges. On or before adoption of BBARWA's annual budget, or at any other appropriate time, the Governing Board may review the amount of the User Charge that will be effective for the upcoming fiscal year and may exercise its authority to take action in regard to said User Charge. Such action may include, without limitation, establishing a reduced amount for the User Charge than the amount set forth in the Chapter 5.16.020 for the applicable fiscal year. In the event the Governing Board does not take any such action, the amount of the User Charge set forth in Chapter 5.16.020 shall remain in effect for the applicable fiscal year.

7. Relationship Between Costs and User Charges. By adoption of this Ordinance, the Governing Board finds that the amount of the User Charge is no more than necessary to cover the costs of providing wholesale sewer service, and that the manner in which those costs are allocated bears a fair or reasonable relationship to burdens on, or benefits received from, BBARWA's wholesale sewer service activities. This relationship is more fully documented in the Report. The new User Charge shall not be used for any other purpose than that for which the new User Charge is imposed. The new User Charge is not imposed upon real property or upon persons as an incident of property ownership. The User Charge is imposed only as a condition of service upon the request of the Collecting Agency. As documented in the Report, the User Charge is based upon reasonable estimates of the demand placed upon BBARWA in its role as a provider of regional wholesale sewer services

8. Validity. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, including any portion of the User Charge adopted herein, such invalidity shall not affect other provisions or applications of this Ordinance, including any portion of the fee not held invalid, and to this end the provisions of this Ordinance are declared to be severable.

9. Prior Rates; Future Action by Resolution Authorized. All ordinances, resolutions or administrative actions by the Governing Board, or parts thereof that are inconsistent with any provision of this Ordinance, are hereby superseded only to the extent of such inconsistency. If in the future BBARWA intends to revise rates for the User Charge, BBARWA may do so by resolution.

10. Publication of Notice. This Ordinance shall become effective thirty days after adoption. The Secretary of this Governing Board shall cause a summary of this Ordinance to be published once in the Big Bear Grizzly at least five days prior to passage of this Ordinance, and shall either post a copy of the full text of the Ordinance on BBARWA's web site, or shall post a certified copy of the full text in the office of the Secretary of BBARWA, at least five days prior to the date of passage. Once adopted, the Secretary shall cause the summary to be published within 15 days after passage of the Ordinance with the names of those Governing Board members voting for and against this Ordinance, and shall also either post a copy of the full text of the Ordinance and the names of those Governing Board Members voting for and against the Ordinance on the BBARWA web site, or shall post a full certified copy of the Ordinance with the names of those Governing Board Members voting for and against in the office of the Secretary. The Secretary of the Governing Board shall provide a copy of this Ordinance to the City of Big Bear Lake, the County of San Bernardino and the Big Bear City Community Services District.

11. Effective Date. This Ordinance shall be effective thirty days after adoption. The increased rates for the User Charges set forth herein shall become effective as authorized herein.

ADOPTED, this 25th day of April, 2018.

John Green, Chairman of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Elizabeth Harris, Ed.D., Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency

I, Elizabeth Harris, Ed.D., Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing Sewer User Charges,

And Taking Certain Actions Relating Thereto, being Ordinance No. O. 01-2018 was adopted at a regular meeting on April 25th, 2018 of said Agency by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary



Big Bear Area Regional
Wastewater Agency
John Green – Chairman
David Caretto – Vice Chairman
Liz Harris, Ed.D. – Secretary
Rick Herrick – Director
Karyn Oxandaboure – Director

AGENDA ITEM: 9.B

MEETING DATE: April 25, 2018

TO: Governing Board

FROM: David Lawrence, P.E., General Manager *DL*

PREPARED BY: Jennifer McCullar, Finance Manager *JM*

SUBJECT: Second Read and Adoption of Ordinance No. O.02-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Increasing the Wastewater Connection Fee, Amending Ordinance No. 2 and Taking Certain Other Actions

BACKGROUND:

In FY 2012, the Governing Board adopted the current wastewater connection fee of \$3,670 per Equivalent Dwelling Unit. The rate will increase in FY 2019 to \$4,180 as recommended by the 2018 Regional Sewer Connection Fee report.

FINANCIAL IMPACT:

During FY 2019, the Member Agencies shall collect \$4,180 per EDU for each new connection and shall submit such connection fee revenue to BBARWA.

RECOMMENDATION:

Adopt Ordinance

ORDINANCE NO. O. 02-2018

**AN ORDINANCE OF THE GOVERNING BOARD
OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY
INCREASING THE WASTEWATER CONNECTION FEE,
AMENDING ORDINANCE NO. 2 AND
TAKING CERTAIN OTHER ACTIONS**

WHEREAS, the Governing Board (“the Board”) of the Big Bear Area Regional Wastewater Agency (“BBARWA”) has been empowered to establish sewer rates and charges, including a regional connection fee for each Equivalent Dwelling Unit (“EDU”), which each member agency of BBARWA is required to charge to each new sewer connection within the member agency’s jurisdiction; and

WHEREAS, the Board previously hired HDR Engineering, Inc., to provide a comprehensive cost of service analysis and rate study to determine the appropriate level for the connection fees, and in March 2018, the Board was presented with a “Regional Sewer Connection Fee” report (the “Report”), which conducted a review of the BBARWA connection fee in accordance with Government Code section 66000 et seq., which requires a “fair share” analysis of the computation of the connection fee in order to ensure that new connections will bear an appropriate share of the costs of existing regional facilities and specific future capital improvements as discussed in the Report; and

WHEREAS, the Board finds that it is appropriate at this time to adjust the amount of BBARWA’s connection fee based on the findings and analysis contained in the Report; and

WHEREAS, the Board finds that it is appropriate and necessary to allow the Board to reduce the connection fee to be charged to a property owner who makes application to connect a residence or business establishment to the sewer system, where such reduction is in the best interest of BBARWA’s service territory, so long as there are sufficient unrestricted revenues to cover such reduction in connection fee; and

WHEREAS, notwithstanding the references herein to the fee charged as a “connection fee,” it is actually intended as a “fee” a “capacity charge,” as such term is defined in Section 66013 of the Government Code; and

WHEREAS, notice of a open and public meeting adopting this Ordinance has been given in compliance with Government Code section 66016; and

WHEREAS, the Board has determined that: (1) the proposed connection fees do not exceed the estimated reasonable cost of the services and facilities for which the connection fees will be imposed; (2) the allocation of those costs bear a fair or reasonable in relationship to the burdens on, or benefits that those who pay the connection fees will receive from such services and facilities; (3) the proposed connection fees are imposed for public facilities in existence at the time the fees are imposed or for new facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged.

NOW, THEREFORE, be it ordained by the Governing Board of the Big Bear Area Regional Wastewater Agency as follows:

1. Findings. On the basis of the Report dated February 2018, and other related information presented to the Board, the Board hereby adopts the Report, and finds, with respect to the connection fee discussed therein as follows:

(a) The purpose of such connection fees will be to finance existing wastewater treatment facilities and planned capital improvements to BBARWA's treatment facilities, as identified in the Report (the "Facilities"), as well as to finance that portion of the cost of other facilities and improvements which is attributable to the demand created by new development.

(b) There is a reasonable relationship between the amount of the connection fee and the costs of the Facilities attributable to new development upon which such fees will be imposed, as identified in the Report.

(c) There is a reasonable relationship between (i) the need for the Facilities and the type of development upon which the connection fee will be imposed, and (ii) the use of the connection fee and the type of development on which the connection fee will be imposed. Both relationships are described in the Report.

(d) The connection fee herein adopted represents the reasonable cost borne by BBARWA in providing the Facilities and related services to new users. Further, the connection fee will assure that new connections will bear an appropriate share of the cost of the existing regional facilities and future capital improvements to be made to the wastewater treatment system made necessary by the increasing demands on BBARWA's facilities.

2. Increase in Fee. BBARWA's connection fee shall be and is hereby increased from \$3,670 per equivalent dwelling unit ("EDU") to \$4,180 per EDU, as such term is defined in the Report.

Each Collection Agency (as the term is defined in BBARWA's Operating Agreement No. 1) shall require each property owner who makes application to connect a residence or business establishment to its sewage collection system on or after the effective date of this Ordinance to pay a connection fee in the aforesaid amount for each EDU assigned to such residence or business establishment by the Collection Agency, the total of which shall be referred to as the "Total Connection Fee." If requested to do so by the Collection Agency, the Board of BBARWA may reduce the Total Connection Fee to be charged to an applicant if such reduction is found by the Board to be in the best interest of BBARWA's service area.

3. Effective Date. The fees adopted by this ordinance shall become effective on July 1, 2018.

4. Amendment of Ordinance No. 2. In order to effectuate the increase in the connection established by this Ordinance, Subsection 2.06 of Ordinance No. 2 is hereby amended to read as follows:

"2.06 After June 30, 1983. For applications filed between July 1, 1983 and June 30, 1984, the connection fee shall be \$450 per EDU. For application filed after July 1, 1989, the connection fee shall be \$1400 per EDU. For applications filed after July 27, 1993, the connection fee shall be \$2,000 per EDU. For applications filed after July 26, 1994 but prior to July 1, 2004, the connection fee shall be \$2,298 per EDU. For applications filed after July 1, 2004, the connection fee shall be \$2,410 per EDU. For applications filed after July 1, 2005, the connection fee shall be \$2,576.71 per EDU. For applications filed after July 1, 2006, the connection fee shall be \$2,704.99 per EDU. For applications filed after July 1, 2007, the connection fee shall be \$2,793.45. For applications filed after July 1, 2008, the connection fee shall be \$2,867.76. For applications filed after July 1, 2009, the connection fee shall be \$3,031.22. For applications filed after July 1, 2011, the connection fee shall be \$3,670.00. For applications filed after July 1, 2018, the connection fee shall be \$4,180.00."

5. Prior Actions Superseded. All ordinances, resolutions or administrative actions by the Governing Board, or parts thereof that are inconsistent with any provision of this Ordinance, are hereby superseded only to the extent of such inconsistency.

6. Accounting of Funds. BBARWA shall at all times comply with the provisions of Government Code section 66013 with respect to the connection fees. All revenues collected from the connection fees established herein shall be deposited with other such revenues in a separate capital facilities fund so as to avoid commingling of the charges with other revenues and funds of BBARWA. Any interest income earned by the monies in the fund shall be credited to the fund, and may be expended only for the purposes for which the connection fees are imposed. All revenue collected from the connection fees established herein shall be reviewed annually during the course of the annual audit, to identify any connection fees that have not been expended within five years of being collected. BBARWA shall make findings with respect to any portion of the connection fees remaining unexpended or uncommitted in the amount five or more years after deposit of such fees. These findings shall identify the purpose to which the connection fees are to be put, and will demonstrate a reasonable relationship between the fees and purpose for which the fees are imposed.

7. Validity. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, including any portion of the fee adopted herein, such invalidity shall not affect other provisions or applications of this Ordinance, including any portion of the fee not held invalid, and to this end the provisions of this Ordinance are declared to be severable.

8. Publication-Notice. This Ordinance shall become effective thirty days after adoption. The Secretary of this Governing Board shall cause a summary of this Ordinance to be published once in the Big Bear Grizzly at least five days prior to passage of this Ordinance, and shall either post a copy of the full text of the Ordinance on BBARWA's web site, or shall post a certified copy of the full text in the office of the Secretary of BBARWA, at least five days prior to the date of passage. Once adopted, the Secretary shall cause the summary to be published within 15 days after passage of the Ordinance with the names of those Governing Board members voting for and against this Ordinance, and shall also either post a copy of the full text of the Ordinance and the names of those Governing Board Members voting for and against the Ordinance on the BBARWA web site, or shall post a full certified copy of the Ordinance with

the names of those Governing Board Members voting for and against in the office of the Secretary. The Secretary of the Governing Board shall provide a copy of this Ordinance to the City of Big Bear Lake, the County of San Bernardino and the Big Bear City Community Services District.

ADOPTED, this 25th day of April, 2018.

John Green, Chairman of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Elizabeth Harris, Ed.D., Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency

I, Elizabeth Harris, Ed.D., Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Increasing the Wastewater Connection Fee, Amending Ordinance No. 2 and Taking Certain Other Actions, being Ordinance No. O. 02-2018 was adopted at a regular meeting on April 25th, 2018, of said Agency by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary

(Seal)



Big Bear Area Regional
Wastewater Agency

John Green – Chairman
David Caretto – Vice Chairman
Liz Harris, Ed.D. – Secretary
Rick Herrick – Director
Karyn Oxandaboure – Director

AGENDA ITEM: 9.C

MEETING DATE: April 25, 2018

TO: Governing Board of the Big Bear Area Regional Wastewater Agency

FROM: David Lawrence, P.E., General Manager *DL*

REVIEWED BY: Jennifer McCullar, Finance Manager *JM*

SUBJECT: Second Read and Adoption of Ordinance No. O.03-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2019 Sewer Standby or Immediate Availability Charges

BACKGROUND:

Annually, the Governing Board adopts an ordinance to establish standby fees for the upcoming fiscal year. Standby fees are charged to owners of vacant or improved parcels of real property located within 200 feet of a member agency's sewer main, but which are not connected to public sewer system. These fees are used to maintain the regional system in an immediately available state. Standby fees are charged based upon parcel size, as follows:

Parcel Size	Amount
≤ 1 acre	\$20
> 1 acre	\$30

FINANCIAL IMPACT:

During FY 2019, the member agencies shall collect the standby fee and shall submit such standby fee revenue to BBARWA.

RECOMMENDATION

Adopt Ordinance

Moved: _____ Second: _____ Aye: _____ Nay: _____ Abstain/Absent: _____

Approved Date: _____ Witness: _____

Secretary of the Governing Board

ORDINANCE NO. O. 03-2018

**AN ORDINANCE OF THE GOVERNING BOARD
OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY
CLARIFYING THE FISCAL YEAR 2019 SEWER STANDBY OR IMMEDIATE
AVAILABILITY CHARGES**

WHEREAS, the Governing Board desires to clarify the sewer standby or immediate availability charges contained in Ordinance No. O. 01-2017; and

WHEREAS, the sewer standby or immediate availability charges are not being increased or extended beyond levels previously approved in accordance with article XIII D of the California Constitution. This Ordinance only clarifies that the standby or immediate availability charges previously approved shall continue to be imposed in the same manner, and at the same amounts, as in previous years.

NOW, THEREFORE, the Governing Board of the Big Bear Area Regional Wastewater Agency hereby ordains as follows:

1. Recitals. The recitals set forth above are true and correct and by this reference incorporated herein.

2. Amendment to Code of Regulations and Ordinances. Chapter 5.20 of the Big Bear Area Regional Wastewater Agency Code of Regulations and Ordinances is hereby amended to read as follows:

Chapter 5.20

SEWER STANDBY OR IMMEDIATE AVAILABILITY CHARGES

Sections:

5.20.010 Properties subject to charges.

5.20.020 Amount of charges.

5.20.030 Collection

5.20.040 Credit against connection fee.

5.20.010 Properties subject to charges.

This Governing Board does hereby prescribe sewer standby or immediate availability charges (hereinafter "standby charge") for the fiscal year ending June 30, 2019 in the amounts hereinafter specified to be paid by the owners of all vacant parcels of real property which are located within 200 feet of a sewer main of the public sewer system of either the Big Bear City Community Services District or the City of Big Bear Lake or the public sewer system within Improvement Zone "B" of San Bernardino County Service Area 53 and by the owners of all improved parcels of real property which are so located but not connected to the public system. Such standby charges shall be collected from all owners of vacant parcels of real property which are so located and which are vacant as of July 1, 2018 and from all owners of improved

parcels of real property which are so located and which are not connected to the public sewer system as of said date; provided, however, that owners of parcels of real property which are used primarily for public parking areas shall not be required to pay such a standby charge. The term "parcel of real property" means a parcel to which the County Assessor of the County of San Bernardino has assigned a separate assessor's parcel number, whether such parcel consists of a single lot or parcel or combination of lots or parcels.

5.20.020 Amount of charges.

Owners of parcels of real property which are an acre or less in size shall pay a standby charge in the amount of \$20.00, and owners of parcels or real property which are more than an acre shall pay a standby charge in the amount of \$30.00.

5.20.030 Collection.

Such standby charges shall be collected by the Big Bear City Community Services District, the City of Big Bear Lake, and the County of San Bernardino from all owners of parcels of real property within their respective service area, the service area of said County being the territory within Improvement Zone "B" of San Bernardino County Service Area 53, whose parcels are subject to such charges, and shall be remitted by said District, City and County to the Agency on or before December 31, 2018 (fifty percent of such charges) and April 30, 2019 (fifty percent of such charges). Said District, City and County are hereby designated as and shall be the agents of the Agency for purposes of collecting such standby charges and shall have and exercise all powers which could be exercised by the Agency with respect to the collection of such charges.

5.20.040 Credit against connection fee.

Any owner of a parcel of real property who pays a standby charge and who later during said fiscal year makes application to connect to the public sewer system a home or business establishment which is located upon the parcel of real property for which such standby charge was paid, shall receive a credit against the connection fee, if any is due, in the amount of such standby charge."

3. Validity. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, including any portion of the fee adopted herein, such invalidity shall not affect other provisions or applications of this Ordinance, including any portion of the fee not held invalid, and to this end the provisions of this Ordinance are declared to be severable.

4. Prior Rates; Future Action by Resolution Authorized. All ordinances, resolutions or administrative actions by the Governing Board, or parts thereof that are inconsistent with any provision of this Ordinance, are hereby superseded only to the extent of such inconsistency. BBARWA may revise future rates by resolution.

5. Effective Date; Publication of Notice. This Ordinance shall become effective thirty days after adoption. The Secretary of this Governing Board shall cause a summary of this Ordinance to be published once in the Big Bear Grizzly at least five days prior to passage of this Ordinance, and shall either post a copy of the full text of the Ordinance on BBARWA's web site,

or shall post a certified copy of the full text in the office of the Secretary of BBARWA, at least five days prior to the date of passage. Once adopted, the Secretary shall cause the summary to be published within 15 days after passage of the Ordinance with the names of those Governing Board members voting for and against this Ordinance, and shall also either post a copy of the full text of the Ordinance and the names of those Governing Board Members voting for and against the Ordinance on the BBARWA web site, or shall post a full certified copy of the Ordinance with the names of those Governing Board Members voting for and against in the office of the Secretary. The Secretary of the Governing Board shall provide a copy of this Ordinance to the City of Big Bear Lake, the County of San Bernardino and the Big Bear City Community Services District.

ADOPTED, this 25th day of April 2018.

John Green, Chairman of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Elizabeth Harris, Ed.D., Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency

I, Elizabeth Harris, Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Sewer Standby or Immediate Availability Charges for the Fiscal Year 2019 of the Big Bear Area Regional Wastewater Agency, San Bernardino County, State of California, being Ordinance No. O. 03-2018 was adopted at a regular meeting on April 25th, 2018 of said Agency by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary

(Seal)



Big Bear Area Regional
Wastewater Agency
John Green – Chairman
David Caretto – Vice Chairman
Liz Harris, Ed.D. – Secretary
Rick Herrick – Director
Karyn Oxandaboure – Director

AGENDA ITEM: 9.D

MEETING DATE: April 25, 2018

TO: Governing Board of the Big Bear Area Regional Wastewater Agency

FROM: David Lawrence, P.E., General Manager *DL*

REVIEWED BY: Jennifer McCullar, Finance Manager *JM*

SUBJECT: Second Read and Adoption of Ordinance No. O.04-2018, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency to Increase the Current Fee Schedule for the Disposal of Waste Delivered to the Regional Treatment Plant

BACKGROUND:

The Agency last modified the waste disposal fee schedule in 2008. The fees were reviewed in the 2018 Comprehensive Sewer Rate Study. The proposed adjustments reflect the same rate adjustment (2.8%) needed under the Agency's Sewer User Charge and reflect the Agency's increased costs to treat wastewater. It is recommended that future adjustments in waste disposal fees be consistent with the timing and percentage change in the Sewer User Charge. The proposed rates are as follows (rate is per 1,000 gallons):

Waste Type	Current	FY 2019
Chemical Toilet	\$60.45	\$62.14
Holding Tank	\$6.43	\$6.61
Septic Tank	\$72.33	\$74.36
% Change		2.8%

FINANCIAL IMPACT:

Waste disposal fee revenue is approximately \$22,000, and represents only 0.4% of the Agency's overall revenues. Rates charged for waste disposal are designed to equal the Agency's cost to treat it.

RECOMMENDATION

Adopt Ordinance

ORDINANCE NO. O. 04-2018

AN ORDINANCE OF THE GOVERNING BOARD OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY TO INCREASE THE CURRENT FEE SCHEDULE FOR THE DISPOSAL OF WASTE DELIVERED TO THE REGIONAL TREATMENT PLANT

WHEREAS, the Big Bear Area Regional Wastewater Agency (“BBARWA”) is a joint powers agency created under Government Code sections 6500 *et seq.* to exercise specified common powers of the member agencies for the purpose of constructing, maintaining and operating a regional system for the treatment and disposal of sewage and wastewater for the entire Big Bear Valley area (“Regional System”); and

WHEREAS, the Regional System is operated by BBARWA pursuant to the Waste Discharge Requirements and/or National Pollution Discharge Elimination System permits issued to BBARWA by a California Regional Water Quality Control Board in conformity with sections 13263, 13377, and 13523 of the California Water Code and Title 40 CFR Part 403 of the Clean Water Act; and

WHEREAS, Title 7 of the BBARWA Code of Resolutions and Ordinances (“BBARWA Code”) provides uniform rules for the regulation of wastewater discharges by establishing terms, limits, conditions, and permits for discharges, whether from existing, new or increased pollutant contributions, to provide for equitable distribution of BBARWA’s and collecting agencies’ costs, and to provide procedures for complying with requirements placed upon BBARWA and collecting agencies by local, state and federal regulations (BBARWA Code 7.040.020 A); and

WHEREAS, Section 7.24.090 (A) of the BBARWA Code requires in part that “[a]ll domestic waste haulers discharging sanitary waste to BBARWA’s regional treatment plant pay applicable fees related to said discharge” (“Waste Disposal Fee”); and

WHEREAS, the costs of operating and maintaining the regional treatment plant have increased, resulting in the need for a Waste Disposal Fee increase in order to recover and fairly allocate BBARWA’s costs; and

WHEREAS, BBARWA retained the services of HDR Engineering, Inc. in order to develop recommendations and a Comprehensive Sewer Rate Study (“Study”). A copy of the Study dated February 2018 is on file at BBARWA’s administrative offices and is available for public review; and

WHEREAS, section 5741 of the Health and Safety Code and Government Code sections 54344-54358, and Government Code Section 61000 *et seq.*, authorize the

Governing Board to prescribe and collect rates and charges for services and facilities furnished by BBARWA in connection with its sewerage system; and

WHEREAS, following the Study's recommendations, the Governing Board finds it necessary to revise the current "fee for discharge" as defined in Section 7.24.090 (B) of the BBARWA Code while using the same formula for Equivalent Dwelling Units (EDU) as such term is defined in the Study; and

WHEREAS, notice of public hearing has been given in compliance with Government Code section 66018; and

WHEREAS, pursuant to California Constitution article XIII C, section 1(e)(2), a fee or charge is a tax and subject to voter approval if it is imposed on a fee payer for a service and that service is provided to others who are not charged for the same service, or the fee exceeds the cost of providing the service; and

WHEREAS, Waste Disposal Fees are fees for a service subject to California Constitution article XIII C, section 1(e)(2); and

WHEREAS, pursuant to California Constitution article XIII C, section 1(e), BBARWA has the burden of demonstrating that the amount of the Waste Disposal Fees imposed is no more than necessary to cover the reasonable costs of providing discharge services, and that the manner in which those costs are allocated to a payer bear a fair or reasonable relationship to the payer's burdens on, or benefits received from, the governmental activities provided; and

WHEREAS, the Governing Board has determined that: (1) the proposed Waste Disposal Fees do not exceed the estimated reasonable cost of the services and facilities for which the Waste Disposal Fees will be imposed; (2) the allocation of those costs bear a fair or reasonable in relationship to the burdens on, or benefits that those who pay the Waste Disposal Fees will receive from such services and facilities; (3) the proposed Waste Disposal Fees are imposed for public facilities in existence at the time the Waste Disposal Fees are imposed or for new facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, BBARWA staff has determined that the increases in Waste Disposal Fees are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines and Public Resources Code section 21080(b)(8) because: (i) the increased charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (ii) the charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and

WHEREAS, the adoption of this Ordinance is similarly exempt from CEQA.

NOW, THEREFORE, the Governing Board of the Big Bear Area Regional Wastewater Agency hereby ordains as follows:

1. Recitals. The recitals set forth above are true and correct and by this referenced incorporated herein.

2. Adoption of Waste Disposal Fee. The Governing Board hereby adopts the Waste Disposal Fees in the maximum amounts and on the dates set forth below, measured in \$/1,000 gallons:

	July 1, 2018
Chemical Toilet	\$62.14
Holding Tank	\$ 6.61
Septic Tank	\$74.36

The treatment and disposal costs shall be prorated for discharges less than or in excess of 1,000 gallons.

3. Inflationary Adjustment Authorized. Commencing July 1, 2019, and each July 1 thereafter, the Waste Disposal Fees may be increased annually by an amount not to exceed the percentage change in the twenty-city, construction cost index (“CCI”) published by Engineering News Record. The percentage change in the CCI would be calculated using the twelve-month period ending December 31 of the prior year in which the rate change would be effective, i.e. for a rate change effective July 1, 2019 (FY 2020), the proposed rate adjustment would be based on the annual percentage change in the twenty-city construction cost index for the twelve months ending December 31, 2018.

4. Amendment to BBARWA Code. Section 7.24.090 of the BBARWA Code is hereby replaced in its entirety, to read as follows:

“Section 7.24.090 Fee for discharge

A. All domestic waste haulers discharging sanitary waste to the Agency’s regional treatment plant shall pay all applicable fees relating to said discharge. Failure to pay any applicable fee on a timely basis after billing by the agency may result in suspension of the domestic waste hauler’s DWH permit.

B. For discharge, treatment, and disposal of sanitary waste, a domestic waste hauler shall pay a fee to the Agency to compensate the Agency for the costs of discharge, treatment, and disposal for various types of sanitary waste (measured in dollars per 1,000 gallons):

	July 1, 2018
Chemical Toilet	\$62.14
Holding Tank	\$ 6.61
Septic Tank	\$74.36

The treatment and disposal costs shall be prorated for discharges less than or in excess of 1,000 gallons.

C. All domestic waste haulers will be required to submit an annual fee of \$98.07 for the base cost of monitoring.

D. Commencing July 1, 2019, the Waste Disposal Fees may be increased annually by an amount not to exceed the percentage change in the twenty-city, construction cost index (the CCI) published by Engineering News Record. The percentage change in the CCI would be calculated using the twelve-month period ending December 31 of the prior year in which the rate change would be effective, i.e. for a rate change effective July 1, 2019 (FY 2020), the proposed rate adjustment would be based on the annual percentage change in the twenty-city construction cost index for the twelve months ending December 31, 2018.”

5. Findings. The Governing Board finds that there is a reasonable relationship between the amount of the Waste Disposal Fee and the cost of providing the service for which the Waste Disposal Fee is charged. This relationship is more fully documented in the Study. The Waste Disposal Fee shall not be used for any other purpose than that for which the Waste Disposal Fee is imposed. The Waste Disposal Fee is not imposed upon real property or upon persons as an incident of property ownership. The Waste Disposal Fee is imposed only as a condition of service upon the requesting of the Collecting Agency. The Waste Disposal Fee is based on reasonable estimates of the demand placed upon BBARWA in its role as a provider of regional wastewater services.

6. Future Actions. All ordinances, resolutions or administrative actions by the Governing Board, or parts thereof that are inconsistent with any provision of this Ordinance, are hereby superseded only to the extent of such inconsistency. BBARWA may revise the rates for the Waste Disposal Fees in the future do so by resolution.

7. Validity. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, including any portion of the fee adopted herein, such invalidity shall not affect other provisions or applications of this Ordinance, including any portion of the fee not held invalid, and to this end the provisions of this Ordinance are declared to be severable.

8. Publication of Notice. This Ordinance shall become effective thirty days after adoption. The Secretary of this Governing Board shall cause a summary of this Ordinance to be published once in the Big Bear Grizzly at least five days prior to passage of this Ordinance, and shall either post a copy of the full text of the Ordinance on BBARWA’s web site, or shall post a certified copy of the full text in the office of the Secretary of BBARWA, at least five days prior to the date of passage. Once adopted, the Secretary shall cause the summary to be published within 15 days after passage of the Ordinance with the names of those Governing Board members voting for and against this Ordinance, and shall also either post a copy of the full text of the Ordinance and the names of those Governing Board Members voting for and against the Ordinance on the

BBARWA web site, or shall post a full certified copy of the Ordinance with the names of those Governing Board Members voting for and against in the office of the Secretary. The Secretary of the Governing Board shall provide a copy of this Ordinance to the City of Big Bear Lake, the County of San Bernardino and the Big Bear City Community Services District.

9. Effective Date. This Ordinance shall take effect 30 days after adoption. The Waste Disposal Fees shall take effect as authorized herein.

ADOPTED, this 25th day of April, 2018.

John Green, Chairman of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Elizabeth Harris, Ed.D., Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency

I, Elizabeth Harris, Ed.D., Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Increasing the Current Fee Schedule for the Disposal of Waste Delivered to Regional Treatment Plant, being Ordinance No. O. 04-2018 was adopted at a regular meeting on April 25th, 2018, of said Agency by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary

(Seal)