

**BIG BEAR AREA REGIONAL WASTEWATER AGENCY**

**REGULAR BOARD MEETING MINUTES**

April 27, 2022

**1. CALL TO ORDER**

A Regular Meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was called to order by Chair Herrick at 5:00 p.m. on April 27, 2022, at 121 Palomino Drive, Big Bear City, California and via Zoom.

**BOARD MEMBERS PRESENT**

Rick Herrick, Chair  
Jim Miller, Director  
Bynette Mote, Director  
Larry Walsh, Director

**BOARD MEMBERS ABSENT**

John Green, Vice-Chair

**STAFF MEMBERS PRESENT**

David Lawrence, General Manager  
Jennifer McCullar, Finance Manager  
John Shimmin, Plant Manager  
Sonja Kawa, Human Resources Coordinator/Accounting Technician  
Bridgette Burton, Management Analyst/Board Secretary

**OTHERS**

Michael Eagleson  
Jim Eakin  
Frank Forbes, County of San Bernadino Representative (Via Zoom)  
Shawn Koorn, Associate Vice-President, HDR Engineering, Inc. (via Zoom)  
Mary Reeves, General Manager, Big Bear City Community Services District  
(joined at 5:03 p.m. via Zoom)  
ET Russell, Big Bear Lake NewsRoom

**2. PLEDGE OF ALLEGIANCE**

Director Mote

**3. APPROVAL OF THE AGENDA**

Upon motion by Director Miller, seconded by Director Walsh and carried, the Governing Board approved the agenda as presented.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**4. PUBLIC FORUM**

No comments

**5. PRESENTATIONS AND INTRODUCTIONS**

**5.A. David Lawrence 5-year recognition**

The Governing Board congratulated Mr. Lawrence on his anniversary with the Agency and read a list of accomplishments and challenges over the past five years.

**6. INFORMATION/COMMITTEE REPORTS**

**6.A. General Manager's Report**

The General Manager highlighted MWD's contribution to the Replenish Big Bear Project and ongoing discussions with the City of Big Bear Lake and the County of San Bernardino for a potential TOT increase. The Governing Board requested clarification regarding grants for groundwater recharge and other recharge locations throughout the Big Bear Valley.

**7. CONSENT CALENDAR**

- 7.A. Approval of the Meeting Minutes from the March 23, 2022 Special Meeting Budget Workshop**
- 7.B. Monthly Disbursements Report for March**
- 7.C. Investment Report Identifying Agency Investments and Reporting Interest Income for March**
- 7.D. AB 361 Open Meetings: State and Local Agencies: Teleconferences**
- 7.E. Resolution No. R. 08-2022, 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 Mote, seconded by Director Miller and carried, the Governing Board approved the Consent Calendar as presented.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**8. ITEMS REMOVED FROM THE CONSENT CALENDAR**

None

**9. OLD BUSINESS**

**9.A. 2022 Rate and Fee Studies**

This item was informational only with the Finance Manager presenting key points included in the 2022 Rate and Fees Studies developed by HDR Engineering, Inc. The Governing Board requested further explanation on the number of forecasted connections, how the studies determined 45 connections per year, and Replenish Big Bear's portion of future rate increases and possible grant competition.

**9.B. Governing Board Committee Appointments**

The Governing Board congratulated Director Walsh on his permanent appointment to the BBARWA Governing Board. The Governing Board discussed the appointment process and the committees remaining as is until after the upcoming Finance Committee meetings.

Upon motion by Chair Herrick, seconded by Director Miller and carried, the Governing Board approved the committees remaining as is until after the upcoming Finance Committee meetings. Vice-Chair Green and Director Miller will remain on the Administrative Committee and Chair Herrick and Director Miller will remain on the Finance and Operations Committees.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10. NEW BUSINESS**

**10.A. Resolution No. R. 04-2022, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2023 Sewer Standby or Immediate Availability Charges**

The Finance Manager explained this resolution is to confirm the sewer standby or immediate availability charges per the current Operating Agreement with member agencies. The charges remain unchanged. The Governing Board requested further information on why the charges remain the same and the process for an increase.

Upon motion by Director Mote, seconded by Director Miller and carried, the Governing Board adopted Resolution No. R. 04-2022.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10.B. Public Hearing: Resolution No. R. 03-2022, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing the Sewer User Charge and Taking Certain Other Actions Related Thereto**

The Finance Manager explained this resolution establishes the sewer user charge for the next fiscal year. The rates are passed onto member agencies per the Payment and Collection Agreement and differ by member agency. The rates are comprised of a fixed cost per EDU and a variable cost based upon flow. Covid-19 occupancy and less infiltration and inflow may have contributed to flow differences occurring in the past three years.

The public hearing opened at 5:41 p.m. There were no comments from the public. The public hearing closed at 5:41 p.m.

Upon motion by Director Miller, seconded by Director Mote and carried, the Governing Board adopted Resolution No. R. 03-2022.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10.C. Public Hearing: Resolution No. R. 05-2022, A Resolution 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**

The Finance Manager explained this resolution addresses waste hauler fees, which are the costs associated with treating wastewater from chemical toilets, holding tanks, and septic tanks. The fees do not include the Replenish Big Bear component. The Governing Board inquired about the potential of Baldwin Lake connecting to a sewer system.

The public hearing opened at 5:45 p.m. There were no comments from the public. The public hearing closed at 5:45 p.m.

Upon motion by Director Mote, seconded by Director Miller and carried, the Governing Board adopted Resolution No. R. 05-2022.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10.D. Public Hearing: Resolution No. R. 06-2022, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2023, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act**

The Finance Manager presented the Fiscal Year 2023 Budget, which has not changed since the Budget Workshop. The Governing Board requested clarification on the different CEQA requirements for a budget versus a project.

The public hearing opened at 5:49 p.m. There were no comments from the public. The public hearing closed at 5:49 p.m.

Upon motion by Director Walsh, seconded by Director Mote and carried, the Governing Board passed, adopted, and approved Resolution No. R. 06-2022, approved the nine budgeted projects described in the CEQA attachment, and directed staff to file a CEQA Notice of Exemption.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10.E.** Resolution No. R. 07-2022, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency to Oppose Initiative 21-0042A1

The General Manager and Finance Manager presented information on Initiative 21-0042A1, the Taxpayer Protection and Government Accountability Act, which will restrict the ability of local agencies and the State of California to fund services and infrastructure. A conversation with Agency Counsel regarding how the Initiative would directly and indirectly affect BBARWA was discussed. The Governing Board expressed concern over submitting an oppose position on the Initiative before the deadline for signature submission.

Upon motion by Director Mote, seconded by Chair Herrick and carried, the Governing Board tabled this item until the May Governing Board meeting and directed staff to investigate which other agencies are supporting or opposing the Initiative.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10.F.** Board Policy: Wellness Program

The Human Resource Coordinator detailed the objectives of the Wellness Program and described the recommended changes. The Governing Board requested staff to investigate any potential workman's compensation issues prior to implementing the changes.

Upon motion by Director Mote, seconded by Director Walsh and carried, the Governing Board approved the Board Policy: Wellness Program.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**10.G. Appropriate \$150,000 from the Capital and Replacement Fund for the Headworks Grit System Rehabilitation Project**

The General Manager noted a mistake in the staff report; the alternate items to be added to the contract are Alternates 2 (Odor Control Ductwork Improvements) and 3 (FRP Covered Grating System). The requested appropriation is for additional engineering costs associated with the addition of Alternates 2 and 3, plus contingency.

Upon motion by Director Miller, seconded by Director Walsh and carried, the Governing Board appropriated \$150,000 from the Capital and Replacement Fund for the Headworks Grit System Rehabilitation Project.

Ayes: Miller, Mote, Walsh, Herrick  
Noes: None  
Absent: Green  
Abstain: None

**11. CLOSED SESSION**

The Governing Board entered closed session at 6:27 p.m. with one closed session item to be reviewed.

**11.A. Public Employee Performance Evaluation**  
Pursuant to Government Code Section 54957(b)(1)  
Title: General Manager

Chair Herrick reconvened open session at 7:20 p.m. with the following reportable action: the General Manager's salary will increase 2.2% effective the first full pay period after his anniversary date.

**12. ADJOURNMENT**

With no further business to come before the Governing Board, Chair Herrick adjourned the meeting at 7:23 p.m.

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