

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

Regular Meeting of

April 24, 2019

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. New Website Presentation
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 Regular Meeting on March 27, 2019 – Approve
 - B. Monthly Expenses – Informational
 - C. Governing Board Member Reimbursement – Approve
 - D. Investment Report – Informational
 - E. Operations and Connections 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 Chair 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

10. New Business

- A. Public Hearing: Resolution No. R. 03-2019, 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 – Adopt
- B. Resolution No. R.04-2019, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2020 Sewer Standby or Immediate Availability Charges – Adopt
- C. Public Hearing: Resolution No. R. 05-2019, 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 – Adopt
- D. Sewer System Management Plan Update – Discussion and Possible Action

11. Information/Committee Reports

- A. General Manager update on the emergency work at the Lucerne Valley Reuse Facility

12. 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
Regular Board Meeting
Minutes
March 27, 2019

1. Call to Order

A Regular Meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was held on Wednesday, March 27, 2019, at 5:00 p.m. at 121 Palomino Drive, Big Bear City, California.

Governing Board Members present: David Caretto, John Green, Karyn Oxandaboure, Rick Herrick, and Jim Miller.

Absent: None

Staff present: David Lawrence, General Manager; Jennifer McCullar, Finance Manager; Bridgette Burton, Management Analyst; Troy Bemisdarfer, Interim Plant Manager; Chris Santillan, Interim Plant Maintenance Supervisor; Ryan Connelly, Plant Operator; and Kim Booth, Administrative Assistant.

Others: None

2. Pledge of Allegiance

Chair Caretto called the meeting to order at 5:00 p.m. with Secretary Oxandaboure leading the Pledge of Allegiance. Chair Caretto welcomed Director Miller to the Board.

3. Presentations and Introduction: None

4. Approval of the Agenda

Chair Caretto advised there is a “late-breaking” item where there is a need to take immediate action and that the need for action came to the attention of the Agency after the agenda was posted.

Closed Session

Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant Government Code section 54959.9(d)(2):

1 case.

Upon motion by Director Herrick, seconded by Secretary Oxandaboure and carried, the Agenda was approved as presented with the “late-breaking” item.

Aye: Caretto, Green, Oxandaboure, Herrick, Miller

Nay: None

Absent: None

Abstain: None

5. **Consent Calendar:** The Governing Board reviewed items on the Consent Calendar. Upon motion by Director Miller, seconded by Director Herrick and carried, the Governing Board approved the Consent Calendar as presented with Vice Chair Green and Director Miller abstaining from the minutes of Budget Workshop/Special Meeting on March 6, 2019:

- A. Minutes of Budget Workshop/Special Meeting on March 6, 2019 – Approved
- B. Monthly Expenses – Informational
- C. Governing Board Member Reimbursement – Approved
- D. Investment Report – Informational
- E. Operations and Connections Report – Informational
- F. Second Quarter Report, Six Months Ended December 31, 2018 – Informational
- G. Governing Board Member Handbook – Approved
- H. Acting in Higher Classification – Approved

Aye: Caretto, Green, Oxandaboure, Herrick, Miller

Nay: None

Absent: None

Abstain: None

6. **Items Removed from the Consent Calendar:** None

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 an 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 Chair, 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 the 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. Chair Caretto opened the public hearing at 5:05 p.m. The public hearing closed at 5:06 p.m. Upon motion by Director Herrick, seconded by Secretary Oxandaboure and carried, the Governing Board approved Resolution No. R.02-2019, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2020, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act.

Aye: Caretto, Green, Oxandaboure, Herrick, Miller
Nay: None
Absent: None
Abstain: None

- B. Chair Caretto discussed permanent advisory committee assignments. Currently Chair Caretto and Vice Chair Green reside on the Administrative Committee, Secretary Oxandaboure and Director Herrick reside on the Finance Committee, and Director Herrick resides on the Operations Committee. Chair Caretto suggested the committees remain the same with the additional nomination of Director Miller to the Operations Committee. Upon motion by Vice Chair Green, seconded by Director Miller and carried, the Governing Board approved the committees as assigned.

Aye: Caretto, Green, Oxandaboure, Herrick, Miller
Nay: None
Absent: None
Abstain: None

11. Information/Committee Reports

- A. Mr. Lawrence updated the Governing Board on the emergency work at the Lucerne Valley Reuse Facility and advised the project completion is expected next week.

12. Closed Session

Entered closed session at 5:09 p.m., with one closed session item to be reviewed.

- A. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant Government Code section 54959.9(d)(2):
1 case.

Chair Green reconvened open session at 5:31 p.m., with no reportable action.

13. Adjournment

With no further business to come before the Governing Board, Chair Caretto adjourned the meeting at 5:32 p.m.

ATTEST: _____
Karyn Oxandaboure, 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
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 5.B

MEETING DATE: April 24, 2019
TO: Governing Board of the Big Bear Area Regional Wastewater Agency
FROM: David Lawrence, P.E., General Manager *[Signature]*
PREPARED BY: Jennifer McCullar, Finance Manager *[Signature]*
SUBJECT: Monthly Expenses

BACKGROUND:

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

FINANCIAL IMPACT:

There is no financial impact. The funds have been 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, 2019 to Mar 31, 2019**

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

Check #	Date	Payee	Cash Account	Amount
CASH 2093	3/1/19	LEGALSHIELD	1000-20	161.50
CASH 2094	3/1/19	TEXAS LIFE INSURANCE COMPANY	1000-20	232.75
CASH 2095	3/1/19	AMERICAN FIDELITY ASSURANCE CO	1000-20	591.14
CASH 2096	3/1/19	EMPLOYMENT DEVELOPMENT DEPARTMENT	1000-20	823.92
CASH 2097	3/4/19	PAYA	1000-20	19.99
CASH 2098	3/5/19	CALPERS HEALTH	1000-20	25,496.33
CASH 2099	3/6/19	VISION SERVICE PLAN	1000-20	323.40
CASH 2100	3/6/19	LINCOLN NATIONAL LIFE INSURANCE CO.	1000-20	1,177.75
CASH 2101	3/6/19	PRINCIPAL FINANCIAL GROUP	1000-20	2,390.89
19220	3/7/19	AG TECH LLC	1000-20	25,839.04
19221	3/7/19	ALL PROTECTION ALARM	1000-20	130.00
19222	3/7/19	ARAMARK UNIFORM SERVICES	1000-20	997.08
19223	3/7/19	BIG BEAR CITY COMMUNITY SERVICES DIST.	1000-20	666.36
19224	3/7/19	BUTCHER'S BLOCK & BUILDING	1000-20	896.07
19225	3/7/19	BEAR VALLEY ELECTRIC	1000-20	16,314.46
19226	3/7/19	CAR QUEST OF BIG BEAR	1000-20	621.30
19227	3/7/19	JOHN CONNELLY	1000-20	250.00
19228	3/7/19	UNDERGROUND SERVICE ALERT	1000-20	60.10
19229	3/7/19	DIRECT TV	1000-20	41.99
19230	3/7/19	DEPARTMENT OF WATER & POWER	1000-20	54.01
19231	3/7/19	ENVIRONMENTAL OUTSOURCE, INC.	1000-20	950.00
19232	3/7/19	FERGUSON ENTERPRISES, INC.	1000-20	4,157.35
19233	3/7/19	FLYERS ENERGY	1000-20	2,541.55
19234	3/7/19	FRONTIER COMMUNICATIONS	1000-20	932.08
19235	3/7/19	BEAR VALLEY BASIN GSA	1000-20	471.80
19236	3/7/19	HUGHESNET	1000-20	102.33
19237	3/7/19	NAPA AUTO PARTS	1000-20	488.75
19238	3/7/19	CONSTANCE M. ALVARADO	1000-20	55.00
19239	3/7/19	PARKHOUSE TIRE, INC	1000-20	5,576.86
19240	3/7/19	PETTY CASH	1000-20	451.36
19241	3/7/19	PITNEY BOWES GLOBAL FINANCIAL SERVICES	1000-20	128.22
19242	3/7/19	QUILL	1000-20	73.83
19243	3/7/19	SCHRODER & SON, INC.	1000-20	265.00

**Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2019 to Mar 31, 2019**

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

Check #	Date	Payee	Cash Account	Amount
19244	3/7/19	RYAN R. ABELN	1000-20	1,953.08
19245	3/7/19	SPECTRUM BUSINESS	1000-20	1,285.89
19246	3/7/19	WATER ENVIRONMENT FEDERATION	1000-20	263.00
19247	3/7/19	KEN WILLIS CONSTRUCTION	1000-20	370.00
19248	3/7/19	BRIDGETTE BURTON	1000-20	50.00
19249	3/7/19	DAVID A. CARETTO	1000-20	150.00
19250	3/7/19	JOHN GREEN	1000-20	150.00
19251	3/7/19	RICHARD T. HERRICK	1000-20	150.00
19252	3/7/19	DAVID LAWRENCE	1000-20	50.00
19253	3/7/19	JENNIFER MCCULLAR	1000-20	50.00
19254	3/7/19	KARYN K. OXANDABOURE	1000-20	150.00
CASH 2102	3/11/19	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 2103	3/11/19	AMERICAN FIDELITY ASSURANCE CO	1000-20	634.98
CASH 2104	3/11/19	CALPERS RETIREMENT	1000-20	2,208.16
CASH 2105	3/11/19	CA PERS 457 PROGRAM	1000-20	2,558.52
CASH 2106	3/11/19	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,191.65
CASH 2107	3/11/19	CALPERS RETIREMENT	1000-20	6,706.84
CASH 2108	3/11/19	EMPLOYMENT DEVELOPMENT DEPARTMENT	1000-20	1,650.59
CASH 2109	3/11/19	INTERNAL REVENUE SERVICE	1000-20	5,235.87
19176V	3/21/19	DOUGLAS KEN HOLDINGS	1000-20	-1,035.25
19255	3/21/19	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	2,417.58
19256	3/21/19	AMAZON CAPITAL SERVICES	1000-20	380.34
19257	3/21/19	A PLUMBING & HEATING, INC.	1000-20	3,760.34
19258	3/21/19	ARROWHEAD	1000-20	117.62
19259	3/21/19	BEST BEST & KRIEGER	1000-20	11,520.22
19260	3/21/19	BUSINESS CARD	1000-20	1,687.06
19261	3/21/19	BEAR VALLEY PAVING, INC.	1000-20	9,243.70
19262	3/21/19	CANON SOLUTIONS AMERICA, INC.	1000-20	835.43
19263	3/21/19	CALIF DEPT OF TAX & FEE ADMINISTRATION	1000-20	1,207.00
19264	3/21/19	CLINICAL LAB OF SAN BERNARDINO	1000-20	4,595.00
19265	3/21/19	NIKKI CRUMPLER	1000-20	70.30
19266	3/21/19	DIY HOME CENTER-BIG BEAR	1000-20	87.27
19267	3/21/19	EVANTEC CORPORATION	1000-20	403.18

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2019 to Mar 31, 2019

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

Check #	Date	Payee	Cash Account	Amount
19268	3/21/19	GRAINGER	1000-20	120.04
19269	3/21/19	JUST ENERGY SOLUTIONS INC.	1000-20	23,501.60
19270	3/21/19	DAVID LAWRENCE	1000-20	239.24
19271	3/21/19	DOUGLAS KEN HOLDINGS	1000-20	1,035.25
19272	3/21/19	RANDY J. SPITZ	1000-20	105.85
19273	3/21/19	NEW PIG CORPORATION	1000-20	2,403.35
19274	3/21/19	POLYDYNE INC	1000-20	6,874.17
19275	3/21/19	QUILL	1000-20	11.67
19276	3/21/19	SOUTH COAST AQMD	1000-20	1,483.95
19277	3/21/19	SOUTHERN CALIFORNIA EDISON	1000-20	47.48
19278	3/21/19	SCHRODER & SON, INC.	1000-20	775.00
19279	3/21/19	SERVICEMASTER 360 PREMIER CLEANING	1000-20	649.53
19280	3/21/19	RYAN R. ABELN	1000-20	1,875.18
19281	3/21/19	SUPPORT PRODUCT SERVICES, INC.	1000-20	279.22
19282	3/21/19	SOUTHWEST GAS CORP	1000-20	20,584.71
19283	3/21/19	VERIZON WIRELESS	1000-20	290.26
19284	3/21/19	WATER SYSTEMS CONSULTING, INC.	1000-20	12,318.75
19285	3/21/19	SOUTHWEST GAS	1000-20	1,873.54
19286	3/21/19	BRUCE R. FROST	1000-20	62,490.00
CASH 2110	3/25/19	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 2111	3/25/19	AMERICAN FIDELITY ASSURANCE CO	1000-20	591.14
CASH 2112	3/25/19	AMERICAN FIDELITY ASSURANCE CO	1000-20	634.98
CASH 2113	3/25/19	CALPERS RETIREMENT	1000-20	1,719.30
CASH 2114	3/25/19	CA PERS 457 PROGRAM	1000-20	2,249.48
CASH 2115	3/25/19	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,192.06
CASH 2116	3/25/19	CALPERS RETIREMENT	1000-20	6,721.10
CASH 2117	3/26/19	LEGALSHIELD	1000-20	161.50
CASH 2118	3/26/19	TEXAS LIFE INSURANCE COMPANY	1000-20	232.75
CASH 2119	3/26/19	EMPLOYMENT DEVELOPMENT DEPARTMENT	1000-20	1,623.71
CASH 2120	3/26/19	INTERNAL REVENUE SERVICE	1000-20	5,146.48
CASH 2121	3/27/19	PAYA	1000-20	10,783.00
CASH 2122	3/27/19	PAYA	1000-20	1.50
Total				325,648.3



Big Bear Area Regional
Wastewater Agency
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 5.C

MEETING DATE: April 24, 2019
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: Governing Board Member Reimbursement

BACKGROUND:

Attached are the March 2019 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:

There is no financial impact. The funds have been previously appropriated.

RECOMMENDATION:

Approve

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

Approved Date: _____ Witness: _____

Secretary of the Governing Board

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: David Caretto

Date Submitted: March 27, 2019

Month Covered: March

BBARWA Regular Meeting Attended: _____ Date: 3/27/19 Compensation \$ 150⁰⁰

BBARWA Special Meeting Attended: Budget Date: 3/6/19 \$ 150⁰⁰

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 (\$600 Maximum) \$ _____

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: _____ Date: _____ \$ _____

Lodging: _____ Date: _____ \$ _____

Registration: _____ Date: _____ \$ _____

Tuition: _____ Date: _____ \$ _____

Meals: _____ Date: _____ \$ _____

Note: Other Governing Board approved expense receipts must be accompanied with the **Travel Expense Form** and forwarded to Finance Manager or designee for reimbursement

Total Authorized Reimbursement: \$ 300⁰⁰

Uncompensated Meetings Attended:

PURPOSE

_____ Date: _____

_____ Date: _____

Board Member Signature: David Caretto Total Amount Paid \$ 300⁰⁰

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

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: John Green

Date Submitted: March 27, 2019

Month Covered: March

BBARWA Regular Meeting Attended: _____ Date: 3-27-19 **Compensation** \$ 150

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 (\$600 Maximum) \$ _____

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: _____ Date: _____ \$ _____

Lodging: _____ Date: _____ \$ _____

Registration: _____ Date: _____ \$ _____

Tuition: _____ Date: _____ \$ _____

Meals: _____ Date: _____ \$ _____

Note: Other Governing Board approved expense receipts must be accompanied with the **Travel Expense Form** and forwarded to Finance Manager or designee for reimbursement

Total Authorized Reimbursement: \$ _____

Uncompensated Meetings Attended:

PURPOSE

_____ Date: _____

_____ Date: _____

Board Member Signature:  **Total Amount Paid** \$ 150⁰⁰

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

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: Kayn Oxandaboure

Date Submitted: March 27, 2019

Month Covered: March

BBARWA Regular Meeting Attended: _____ Date: 3-27-19 **Compensation** \$ 150⁰⁰

PURPOSE

BBARWA Special Meeting Attended: Budget _____ Date: 3-6-19 \$ 150⁰⁰

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 (\$600 Maximum) \$ _____

Other Governing Board Approved Expenses (Governing Board Approved)

Mileage: _____ Date: _____ \$ _____

Lodging: _____ Date: _____ \$ _____

Registration: _____ Date: _____ \$ _____

Tuition: _____ Date: _____ \$ _____

Meals: _____ Date: _____ \$ _____

Note: Other Governing Board approved expense receipts must be accompanied with the **Travel Expense Form** and forwarded to Finance Manager or designee for reimbursement

Total Authorized Reimbursement: \$ _____

Uncompensated Meetings Attended:

PURPOSE

_____ Date: _____

_____ Date: _____

Board Member Signature: Kayn Oxandaboure **Total Amount Paid** \$ 300⁰⁰

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

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: Rick Herrick
Date Submitted: March 27, 2019
Month Covered: March

BBARWA Regular Meeting Attended: Date: 3.27.19 Compensation \$ 150.00

PURPOSE

BBARWA Special Meeting Attended: Budget Date: 3.6.19 \$ 150.00
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 (\$600 Maximum) \$ _____

Other Governing Board Approved Expenses (Governing Board Approved)

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

Note: Other Governing Board approved expense receipts must be accompanied with the **Travel Expense Form** and forwarded to Finance Manager or designee for reimbursement

Total Authorized Reimbursement: \$ _____

Uncompensated Meetings Attended:

PURPOSE

_____ Date: _____
_____ Date: _____

Board Member Signature:  **Total Amount Paid** \$ 300.00

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



Big Bear Area Regional
Wastewater Agency
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 5.D

MEETING DATE: April 24, 2019

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

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

www.treasurer.ca.gov/pmia-laif/laif.asp
April 11, 2019

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 2019 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	5,817,428.14
Total Withdrawal:	0.00	Ending Balance:	5,817,428.14

BBARWA
 Monthly Investment Report
 March 2019

<u>INVESTMENT TYPE</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>
LOCAL AGENCY INVESTMENT FUND	\$ 5,817,428	\$ 5,811,908	88,688	2.436%	DAILY
TOTAL	\$ 5,817,428	\$ 5,811,908	88,688		

The Investment Portfolio of the Big Bear Area Regional Wastewater Agency is in compliance with the investment policy approved in August 2018. 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 2019 and excludes accrued interest.

Attachment (s): Monthly LAIF Statement



Big Bear Area Regional
Wastewater Agency
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 5.E

MEETING DATE: April 24, 2019

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

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

PREPARED BY: Troy Bemisdarfer, Interim Plant Manager, and Jennifer McCullar, Finance Manager *JM*

REVIEWED BY: Kim Booth, Administrative Assistant

SUBJECT: Operations and Connections Report

OPERATIONS:

2018-2019 Treatment Plant Data

	January	February	March
Total Influent Flow (MG)	76.30	112.61	138.892
Average Daily Influent Flow (MGD)	2.46	4.02	4.48
City of Big Bear Lake	59.2%	55.6%	56.07%
Big Bear City	37.6%	40.0%	39.04%
County of San Bernardino	3.2%	4.4%	4.89%
Average Influent BOD (mg/L)	363	167	153
Average Effluent BOD (mg/L)	13	12	11
BOD Removal Efficiency (%)	96.4%	92.8%	92.8%
Precipitation (inch)	2.8	11.1	2.21

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

Approved Date: _____ Witness: _____

Secretary of the Governing Board

March 6, 2019: Effluent total suspended solids results were 44 mg/L, which is under our maximum reportable limit of 45 mg/L. The high results exceeded the lbs per day requirement.

March 2019: Due to the high inflow and infiltration, the influent concentration was low and did not meet the 85% reduction in the effluent. This was reported as a discharge violation to the Santa Ana RWQCB.

March 2019: We are still returning temporary bypass influent from the Lake Pump Station (from high flow events) from Pond 2 to Pond 1 to the wet well. This process will continue until the ponds are emptied. We estimate a return rate of 100,000 to 150,000 gallons per day.

CONNECTIONS:

MONTH									FYE 6/30/2019		
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	CITY-BBL	CSD	CSA-53B	
July	0	4	4	8	3	4	3	1	2	0	
August	1	4	6	5	12	6	10	2	8	0	
September	5	4	5	6	4	6	3	3	0	0	
October	4	6	14	10	9	8	3	2	1	0	
November	3	13	8	6	5	11	5	3	2	0	
December	0	0	23	8	4	2	3	2	1	0	
January	0	2	3	1	0	1	1	1	0	0	
February	0	2	1	0	1	0	0	0	0	0	
March	4	2	2	3	2	3	3	2	1	0	
April	2	5	1	10	3	0	0	0	0	0	
May	1	2	5	10	4	0	0	0	0	0	
June	10	1	12	2	16	0	0	0	0	0	
TOTAL	30	45	84	69	63	41	31	16	15	0	

FINANCIAL IMPACT:

No financial impact.

RECOMMENDATION:

Informational



Big Bear Area Regional
Wastewater Agency
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 10.A

MEETING DATE: April 24, 2019

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: Public Hearing: Resolution No. R. 03-2019, 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

BACKGROUND:

Based on the Agency's financial requirements, the annual Sewer User Charge will increase 3.2% from \$210.06 to \$216.78, an increase of \$6.72 per equivalent dwelling unit, effective July 1, 2019. This is slightly higher than the rate adjustment recommended in the 2018 Comprehensive Sewer Rate Study (2.8% increase; \$215.94) and is the result of higher operating and maintenance expense and a higher level of debt service funded through sewer usage charges than projected at the time the study was completed.

FINANCIAL IMPACT:

The FY 2020 established rate, or Sewer User Charge, is used to calculate the Agency's FY 2020 rate revenues. The rate revenues are collected from the member agencies pursuant to the Payment and Collection Agreement dated August 2011, as amended.

RECOMMENDATION:

Approve Resolution

ATTACHMENT: Resolution No. R 03-2019

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

Approved Date: _____ Witness: _____
Secretary of the Governing Board

RESOLUTION NO. R 03-2019

**A RESOLUTION 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 BBARWA 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 previously retained the services of HDR Engineering, Inc. to develop recommendations and a comprehensive sewer rate study (“HDR Report”) regarding the amount for the User Charge in order to address BBARWA's increased costs of providing service, and a copy of the HDR Report is on file at BBARWA's administrative offices and available for public review, and staff has provided financial updates to the HDR Report that reflect higher costs than previously projected (collectively, the “Report”); 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 consist of a single charge, per EDU (referred to in this Resolution 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 previously adopted its User Charge pursuant to Ordinance No. O. 01-2018 on April 25, 2018 (the “Ordinance”), in accordance with the HDR Report and based on the methodology described above, and since the time of adoption of the prior User Charge, certain costs of BBARWA have increased in amounts greater than projected under the HDR Report; and

WHEREAS, the Ordinance authorized BBARWA to make future adjustments to the User Charge by resolution, and pursuant to this Resolution, BBARWA seeks to increase the User Charge to reflect increased costs, as reflected by the Report; 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 Resolution is exempt from CEQA for the same reason;

NOW, THEREFORE, be it resolved 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, 2019)
Base Rate	\$216.78
City of Big Bear Lake	\$224.89
Big Bear City CSD	\$210.38
CSA 53 B	\$204.78

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.

3. 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 amended in its entirety to read as follows:

“Chapter 5.16

USER CHARGES

5.16.020 User Charge.

BBARWA is authorized to adopt a User Charge for provision of wholesale sewer service. The rates for the User Charge may be adopted in accordance with applicable law, from time to time, by ordinance or resolution. BBARWA shall maintain a schedule of rates for its User Charge at its offices, and/or post such schedule of rates on the BBARWA website, and such schedule of rates for the User Charge shall be updated upon adoption and implementation of new or increased User Charges.

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.

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 rate schedule represents the maximum rates that may be charged by the Agency, and in any given year, may be reduced by Governing Board action.”

4. 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 Section 2 above 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 Section 2 above shall remain in effect for the applicable fiscal year.

5. Relationship Between Costs and User Charges. By adoption of this Resolution, 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.

6. Validity. If any provision of this Resolution 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 Resolution, including any portion of the fee not held invalid, and to this end the provisions of this Resolution are declared to be severable.

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

8. Effective Date. This Resolution shall be effective immediately. The increased rates for the User Charges set forth herein shall become effective as authorized herein.

ADOPTED, this 24th day of April, 2019.

David Caretto, Chair of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Karyn Oxandaboure, Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency



Big Bear Area Regional
Wastewater Agency
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 10.B

MEETING DATE: April 24, 2019

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: Resolution No. R. 04-2019, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2020 Sewer Standby or Immediate Availability Charges

BACKGROUND:

Annually, the Governing Board establishes 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 the public sewer system. These fees are used to maintain the regional system in an immediately available state. Standby fees for FY 2020 remain unchanged and are charged based upon parcel size, as follows:

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

FINANCIAL IMPACT:

During FY 2020, the member agencies shall collect the standby fee and shall submit such standby fee revenue to BBARWA.

RECOMMENDATION:

Approve Resolution

ATTACHMENT: Resolution No. R. 04-2019

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

Approved Date: _____ Witness: _____
Secretary of the Governing Board

RESOLUTION NO. R. 04-2019

**A RESOLUTION OF THE GOVERNING BOARD
OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY
CLARIFYING THE FISCAL YEAR 2020 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. 03-2018; 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 Resolution 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 resolves as follows:

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

2. Amount of Standby Charges. The Governing Board does hereby clarify and confirm that the rates for the sewer standby charges or immediate availability charges (hereinafter “standby charge”) are not increasing beyond levels previously adopted in accordance with article XIII D of the California Constitution. The Governing Board hereby clarifies and confirms that such standby charges shall continue to be imposed in the same manner, and at the same amounts, as in previous years, as follows: 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 of real property which are more than an acre shall pay a standby charge in the amount of \$30.00.

3. 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 is authorized to prescribe sewer standby or immediate availability charges (hereinafter "standby charge") for each applicable fiscal year ending June 30 of such year, by resolution or ordinance, in the amounts specified in such resolution or ordinance, 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, 2019 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.

The standby charge shall be due in the amounts set forth on the most recently adopted schedule of standby charges, which schedule shall be on file in the administrative offices of BBARWA, and posted on the BBARWA website.

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, 2019 (fifty percent of such charges) and April 30, 2020 (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 Resolution or the application thereof to any person or circumstance is held invalid, including any portion of the standby charges confirmed and continued herein, such invalidity shall not affect other provisions or applications of this Resolution, including any portion of the standby charges not held invalid, and to this end the provisions of this Resolution are declared to be severable.

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

5. Effective Date. This Resolution shall become effective immediately. The rates for the standby charges set forth herein shall become effective as authorized herein.

ADOPTED, this 24th day of April, 2019.

David Caretto, Chair of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Karyn Oxandaboure, Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency



Big Bear Area Regional
Wastewater Agency
David Caretto – Chair
John Green – Vice Chair
Karyn Oxandaboure – Secretary
Rick Herrick – Director
Jim Miller – Director

AGENDA ITEM: 10.C

MEETING DATE: April 24, 2019

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: Public Hearing: Resolution No. R. 05-2019, 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

BACKGROUND:

The Agency modified the waste disposal fee schedule in FY 2018. The fees were reviewed as part of the 2018 Comprehensive Sewer Rate Study. It was recommended that future adjustments in waste disposal fees be consistent with the timing and percentage change in the Sewer User Charge. The proposed rates for FY 2020 are as follows (rate is per 1,000 gallons):

Waste Type	FY 2019	FY 2020
Chemical Toilet	\$62.14	\$64.13
Holding Tank	\$6.61	\$6.82
Septic Tank	\$74.36	\$76.74
% Change		3.2%

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:

Approve Resolution

ATTACHMENT: Resolution No. R 05-2019

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

Approved Date: _____ Witness: _____

Secretary of the Governing Board

RESOLUTION NO. R. 05-2019

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 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 (the “HDR Report”). A copy of the HDR Report dated February 2018 is on file at BBARWA’s administrative offices and is available for public review; and

WHEREAS, since the time of the HDR Report, costs for providing the services for which the Waste Disposal Fee is collected have increased in amounts higher than projected, as documented in BBARWA’s FY 2020 Budget and which updates the HDR Report (the HDR Report, as updated with current data, the “Report”), which data is available for inspection at the BBARWA administrative offices; and

WHEREAS, the Governing Board previously adopted its Waste Disposal Fee pursuant to Ordinance No. O. 04-2018 on April 25, 2018 (the “Ordinance”), in accordance with the HDR Report; and

WHEREAS, the Ordinance authorized BBARWA to make future adjustments to the Waste Disposal Fee by resolution, and pursuant to this Resolution, BBARWA seeks to increase the Waste Disposal Fee to reflect increased costs, as reflected by the Report; 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 Report’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 Report; 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 Resolution is similarly exempt from CEQA.

NOW, THEREFORE, the Governing Board of the Big Bear Area Regional Wastewater Agency hereby resolves 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, 2019
Chemical Toilet	\$64.13
Holding Tank	\$ 6.82
Septic Tank	\$76.74

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

3. 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). The “fee for discharge” shall be posted on BBARWA’s website and/or available for inspection at the administrative offices of BBARWA. 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 for the base cost of monitoring, as set forth on BBARWA’s schedule of rates.

4. 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 Report. 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.

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

6. Validity. If any provision of this Resolution 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 Resolution, including any portion of the fee not held invalid, and to this end the provisions of this Resolution are declared to be severable.

7. Effective Date. This Resolution shall take effect immediately. The Waste Disposal Fees shall take effect as authorized herein.

ADOPTED, this 24th day of April, 2019.

David Caretto, Chair of the Governing Board
of the Big Bear Area Regional Wastewater Agency

ATTEST:

Karyn Oxandaboure, Secretary of the Governing Board
of the Big Bear Area Regional Wastewater Agency



Big Bear Area Regional
Wastewater Agency
David Caretto -- Chair
John Green -- Vice Chair
Karyn Oxandaboure -- Secretary
Rick Herrick -- Director
Jim Miller -- Director

AGENDA ITEM: 10.D

MEETING DATE: April 24, 2019

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

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

REVIEWED BY: Jennifer McCullar, Finance Manager 

SUBJECT: Appropriate \$41,000 from the Operations Contingency Fund for the Sewer System Management Plan Update

DISCUSSION:

The State Water Resources Control Board Order 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, requires BBARWA to develop and implement a system-specific Sewer System Management Plan (SSMP). This plan is intended to assist the Agency during emergency conditions to ensure that procedures are in place to deal with any Sanitary Sewer Overflow.

The SSMP is required to be updated every two years and formally adopted by the Board every five years. To comply with this requirement, the Agency recently engaged Water Systems Consulting, Inc. (WSC) to evaluate the existing SSMP and provide a detailed cost estimate to update the existing plan and ensure compliance. WSC spent two days onsite gathering information, conducting staff interviews and reviewing the existing SSMP. During that time, it was determined that an update to the existing plan is necessary. The total estimate to assist staff in updating the SSMP is \$41,000.

FINANCIAL IMPACT:

The Agency has adequate funds available in its Operations Contingency Fund to make the appropriation.

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

Approved Date: _____ Witness: _____

Secretary of the Governing Board

RECOMMENDATION:

Appropriate \$41,000 from the Operations Contingency Fund for the Sewer System Management Plan update.