

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

Regular Board Meeting of

April 22, 2020

at

5:00 p.m.

Due to Executive Order N-29-20, there will be no physical location for members of the public to participate. Members of the public may listen and provide public comments telephonically during the Public Forum (Item 8) by calling the following number:

1-213-443-6768, Conference ID: 677 565 473#

or joining online by clicking the meeting link at www.bbarwa.org.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

4. **PRESENTATION AND INTRODUCTION**

None

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 a detailed discussion is necessary, any Board Member may request that an item be removed from the Consent Calendar and considered separately.

5.A. Minutes of Regular Meeting on March 25, 2020 and Special Meeting on April 3, 2020 – Approve

5.B. Monthly Expenses – Informational

5.C. Governing Board Member Reimbursement – Approve

5.D. Investment Report – Informational

5.E. Operations and Connections Report – Informational

5.F. FMLA Expansion Leave and Emergency Paid Sick Leave Policy (Coronavirus) – Approve

6. **ITEMS REMOVED FROM 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 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 Governing Board on the same item, the Chair or the Governing Board by majority vote may request a spokesperson be chosen for the group or limit the number of such persons addressing the Governing 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

- 9.A.** Public Hearing: Resolution No. R. 03-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2021, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act – Adopt
- 9.B.** Public Hearing: Resolution No. R. 04-2020, 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
- 9.C.** Resolution No. R. 05-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2021 Sewer Standby or Immediate Availability Charges – Adopt
- 9.D.** Public Hearing: Resolution No. R. 06-2020, 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

10. NEW BUSINESS

None

11. INFORMATION/COMMITTEE REPORTS

None

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. **Please address requests under the ADA for reasonable modification and accommodation related to the implementation of Executive Order N-29-20 to Kimberly Booth.** 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 25, 2020

Due to Executive Order N-29-20, there was no physical location for members of the public to participate. Members of the public were able to listen and provide public comments telephonically during the Public Forum by calling the following number:
1-646-813-7095, using Participant Code 118-053-371-02.

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 Green at 5:00 p.m. on March 25, 2020. Chair Green confirmed the Governing Board meeting was conducted pursuant to California Government Code Section 54953 and Governor Newsome's Executive Order N-29-20. No Board Member expressed doubt that the Board Members participating by teleconference were not so.

BOARD MEMBERS PRESENT

John Green, Chair
Jim Miller, Vice Chair
Karyn Oxandaboure, Secretary
David Caretto, Director
Rick Herrick, Director

BOARD MEMBERS ABSENT

None

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
Kim Booth, Administrative Assistant

2. PLEDGE OF ALLEGIANCE

Dispensed

3. PRESENTATIONS AND INTRODUCTIONS

None

4. APPROVAL OF THE AGENDA

Upon motion made by Director Caretto, seconded by Secretary Oxandaboure and carried, the Governing Board approved the agenda as presented.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

5. CONSENT CALENDAR

5.A. Minutes of Budget Workshop, Special, and Regular Meetings on February 26, 2020

5.B. Monthly Expenses

5.C. Governing Board Member Reimbursement

5.D. Investment Report

5.E. Operations and Connections Report

5.F. Accept as Complete - Emergency Bar Screen Replacement Project

5.G. COVID-19 Risk Minimization and Outbreak Response Plan

Upon motion by Vice Chair Miller, seconded by Director Caretto and carried, the Governing Board approved the Consent Calendar as presented with the exception of removing Item 5.G. for further discussion.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

6. ITEMS REMOVED FROM THE CONSENT CALENDAR

5.G. COVID-19 Risk Minimization and Outbreak Response Plan

Director Caretto pulled this item from the Consent Calendar to clarify this plan was informational only and did not need Governing Board approval for implementation. Mr. Lawrence confirmed this item is informational only and would be considered as a receive and file item.

Upon motion by Director Caretto, seconded by Secretary Oxandaboure and carried, the Governing Board approved to receive and file Item 5.G.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

7. **PUBLIC FORUM RESPONSE**

None

8. **PUBLIC FORUM**

No comments

9. **OLD BUSINESS**

None

10. **NEW BUSINESS**

10.A. Public Hearing: Resolution No. R. 03-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2021, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act

Chair Green opened the public hearing at 5:12 p.m. With no comment from the public, the public hearing closed at 5:13 p.m. Ms. McCullar explained the proposed budget was modified per Governing Board direction to decrease the proposed sewer user fee from \$225.80 per equivalent dwelling unit to \$225.24 per equivalent dwelling unit, resulting in an annual increase of 3.9% in the sewer user fee compared to a 4.2% proposed increase. There have been no other changes to the budget since the Budget Workshop.

Motion to adopt Resolution No. R. 03-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2021, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act by Director Caretto, with a second by Secretary Oxandaboure.

Chair Green opened the meeting to Board Members for comments and discussion. Vice Chair Miller inquired if this item approves the budget only and not the various rate increases. Ms. McCullar explained the rates are included in the budget and the rate increases cannot take effect without the approval of the associated resolutions. Discussion ensued between the Governing Board and staff. The Governing Board requested staff to present multiple rate options, including a

0% rate increase, at a Special Meeting before the April 22, 2020 Regular Board Meeting.

Director Caretto offered an amendment to strike out the original motion and substitute with a motion to postpone items 10.A. – 10.D. to the April 22, 2020 Regular Board Meeting, which was seconded by Director Herrick and carried; the Governing Board approved to postpone items 10.A. – 10.D. to the April 22, 2020 Regular Board Meeting.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

10.B. Public Hearing: Resolution No. R. 04-2020, 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

Item postponed to the April 22, 2020 Regular Board Meeting.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

10.C. Resolution No. R. 05-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2021 Sewer Standby or Immediate Availability Charges

Item postponed to the April 22, 2020 Regular Board Meeting.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

10.D. Public Hearing: Resolution No. R. 06-2020, 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

Item postponed to the April 22, 2020 Regular Board Meeting.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

10.E. Organizational Structure and Classification Plan

Mr. Lawrence discussed recommendations by the Administrative Committee to the organizational structure which included removal of two positions, reclassification of the Plant Maintenance Supervisor to Plant Supervisor, and retitling Plant Operator to Plant Operator II with a revised certification requirement. Discussion ensued between the Governing Board and staff.

Upon motion by Vice Chair Miller, seconded by Director Herrick and carried, the Governing Board approved the implementation of the classification plan, Plant Supervisor class specifications (job description), Plant Operator II class specifications (job description), and the Organizational Chart.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

10.F. Compensation Study Annual Update

Ms. McCullar explained this item was reviewed by the Administrative Committee and establishes uniform practices for periodic compensation studies and implements adjustments to pay ranges based on the policy parameters. Discussion ensued between the Governing Board and staff.

Upon motion by Director Caretto, seconded by Vice Chair Miller and carried, the Governing Board approved the recommended changes to the Plant Manager and Plant Operator-in-Training pay ranges, freezing the pay range of the HR Coordinator/Accounting Technician, and establishment of the Compensation Studies policy.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

10.G. Pay Schedule

Mr. Lawrence explained the pay schedule reflects adjustments per the classification plan and updated compensation study. Discussion ensued between the Governing Board and staff.

Upon motion by Vice Chair Miller, seconded by Secretary Oxandaboure and carried, the Governing Board approved the publicly available Pay Schedule.

Ayes: Green, Miller, Oxandaboure, Caretto, Herrick
Noes: None
Absent: None
Abstain: None

11. **INFORMATION/COMMITTEE REPORTS**

11.A. **Administrative Committee Meeting Update**

Director Caretto updated the Governing Board on the March 19, 2020 Administrative Committee Meeting. The Committee reviewed the organizational structure, position titles and job descriptions, temporary pay, and the Compensation and Classification Study.

12. **ADJOURNMENT**

With no further business to come before the Governing Board, Chair Green adjourned the meeting at 5:57 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
SPECIAL BOARD MEETING MINUTES**

April 3, 2020

Due to Executive Order N-29-20, there was no physical location for members of the public to participate. Members of the public were able to listen and provide public comments telephonically during the Public Forum by calling the following number:

1-213-443-6768, Conference ID: 988 394 026#

or joining online by clicking the meeting link at www.bbarwa.org.

1. CALL TO ORDER

A Special Meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was called to order by Chair Green at 4:06 p.m. on April 3, 2020. Chair Green confirmed the Governing Board meeting was conducted pursuant to California Government Code Section 54953 and Governor Newsome's Executive Order N-29-20. No Board Member expressed doubt that the Board Members participating by teleconference were not so.

BOARD MEMBERS PRESENT

John Green, Chair

Jim Miller, Vice Chair

Karyn Oxandaboure, Secretary

David Caretto, Director

Rick Herrick, Director (joined at 4:28 p.m.)

BOARD MEMBERS ABSENT

None

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

Kim Booth, Administrative Assistant

2. PLEDGE OF ALLEGIANCE

Dispensed

3. APPROVAL OF THE AGENDA

Upon motion made by Vice Chair Miller, seconded by Director Caretto and carried, the Governing Board approved the agenda as presented.

Ayes: Caretto, Green, Oxandaboure, Miller

Noes: None

Absent: Herrick

Abstain: None

4. **PRESENTATION AND INTRODUCTION**

4.A. FY 2021 Budget – Rate Options

Ms. McCullar reviewed the previously proposed 3.9% rate adjustment, and presented Scenario A: 0% rate adjustment with a 5% wage cap and \$100,000 reduction of other funding and Scenario B: 2.9% rate adjustment with a 5% wage cap. Discussion ensued between the Governing Board and staff. The majority of the Governing Board directed staff to prepare Scenario B for adoption at the April 22, 2020 Regular Board Meeting.

5. **PUBLIC FORUM RESPONSE**

None

6. **PUBLIC FORUM**

No comment

7. **ADJOURNMENT**

With no further business to come before the Governing Board, Chair Green adjourned the meeting at 5:23 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
John Green – Chair
Jim Miller – Vice Chair
Karyn Oxandaboure – Secretary
David Caretto – Director
Rick Herrick – Director

AGENDA ITEM: 5.B.

MEETING DATE: April 22, 2020

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:

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

RECOMMENDATION:

Informational

**Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2020 to Mar 31, 2020**

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

Check #	Date	Payee	Cash Account	Amount
CASH 22236	3/3/20	PAYA	1000-20	19.99
CASH 22237	3/3/20	AMERICAN FIDELITY ASSURANCE CO	1000-20	713.74
CASH 22238	3/3/20	CALPERS HEALTH	1000-20	29,423.80
CASH 22239	3/4/20	VISION SERVICE PLAN	1000-20	328.35
CREDIT	3/9/20	BEAR VALLEY ELECTRIC	1000-20	
20225	3/9/20	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	3,636.38
20226	3/9/20	AG TECH LLC	1000-20	18,595.89
20227	3/9/20	ARAMARK UNIFORM SERVICES	1000-20	1,043.63
20228	3/9/20	BIG BEAR CITY COMMUNITY SERVICES DIST.	1000-20	730.33
20229	3/9/20	BDP INDUSTRIES, INC.	1000-20	62,474.88
20230	3/9/20	BUTCHER'S BLOCK & BUILDING	1000-20	305.49
20231	3/9/20	BEAR VALLEY ELECTRIC	1000-20	7,528.37
20232	3/9/20	BEAR VALLEY PAVING, INC.	1000-20	24,000.00
20233	3/9/20	CAR QUEST OF BIG BEAR	1000-20	5.16
20234	3/9/20	CWEA TCP/MEMBERSHIP	1000-20	375.00
20235	3/9/20	UNDERGROUND SERVICE ALERT	1000-20	198.13
20236	3/9/20	DIY HOME CENTER-BIG BEAR	1000-20	33.51
20237	3/9/20	DIRECT TV	1000-20	39.24
20238	3/9/20	DEPARTMENT OF WATER & POWER	1000-20	55.10
20239	3/9/20	EMAINTE ENTERPRISES, LLC	1000-20	8,740.00
20240	3/9/20	ENERGY LINK INDUSTRIAL SERVICES, INC.	1000-20	4,980.60
20241	3/9/20	SAMUEL ESSEX	1000-20	400.00
20242	3/9/20	EVANTEC CORPORATION	1000-20	385.57
20243	3/9/20	FLYERS ENERGY	1000-20	773.55
20244	3/9/20	FRONTIER COMMUNICATIONS	1000-20	617.19
20245	3/9/20	BRUCE R. FROST	1000-20	57,850.00
20246	3/9/20	GEIGER SUPPLY, INC	1000-20	298.05
20247	3/9/20	GRAINGER	1000-20	31.84
20248	3/9/20	THE GRIZZLY	1000-20	696.01
20249	3/9/20	BEAR VALLEY BASIN GSA	1000-20	86.97
20250	3/9/20	HUGHESNET	1000-20	102.33
20251	3/9/20	INTEGRATED TECHNOLOGY	1000-20	500.00
20252	3/9/20	MCR TECHNOLOGIES, INC.	1000-20	6,141.75

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2020 to Mar 31, 2020

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

Check #	Date	Payee	Cash Account	Amount
20253	3/9/20	NAPA AUTO PARTS	1000-20	249.61
20254	3/9/20	CONSTANCE M. ALVARADO	1000-20	55.00
20255	3/9/20	PETTY CASH	1000-20	244.17
20256	3/9/20	PITNEY BOWES GLOBAL FINANCIAL SERVICES	1000-20	137.92
20257	3/9/20	POLYDYNE INC	1000-20	3,437.08
20258	3/9/20	REBEL OIL CO., INC.	1000-20	1,512.24
20259	3/9/20	SOUTH COAST AQMD	1000-20	2,093.28
20260	3/9/20	SPECTRUM BUSINESS	1000-20	1,127.32
20261	3/9/20	BRIDGETTE BURTON	1000-20	50.00
20262	3/9/20	DAVID LAWRENCE	1000-20	50.00
20263	3/9/20	JENNIFER MCCULLAR	1000-20	50.00
20264	3/9/20	JOHN SHIMMIN	1000-20	50.00
20265	3/9/20	DAVID A. CARETTO	1000-20	150.00
20266	3/9/20	JOHN GREEN	1000-20	150.00
20267	3/9/20	KARYN K. OXANDABOURE	1000-20	150.00
CASH 22240	3/9/20	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 22241	3/9/20	AMERICAN FIDELITY ASSURANCE CO	1000-20	569.98
CASH 22242	3/9/20	CA PERS 457 PROGRAM	1000-20	2,490.59
CASH 22243	3/9/20	CALPERS RETIREMENT	1000-20	2,611.58
CASH 22244	3/9/20	PRINCIPAL FINANCIAL GROUP	1000-20	3,224.26
CASH 22245	3/9/20	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,887.62
CASH 22246	3/9/20	CALPERS RETIREMENT	1000-20	7,703.38
CASH 22247	3/10/20	EMPLOYMENT DEVELOPMENT DEPARTMENT	1000-20	2,106.19
CASH 22248	3/10/20	INTERNAL REVENUE SERVICE	1000-20	6,710.95
CASH 22249	3/23/20	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 22250	3/23/20	AMERICAN FIDELITY ASSURANCE CO	1000-20	569.98
CASH 22251	3/23/20	CALPERS RETIREMENT	1000-20	2,611.58
CASH 22252	3/23/20	CALPERS RETIREMENT	1000-20	7,575.80
20268	3/24/20	ALL PROTECTION ALARM	1000-20	470.42
20269	3/24/20	AMAZON CAPITAL SERVICES	1000-20	884.27
20270	3/24/20	ARROWHEAD	1000-20	356.16
20271	3/24/20	BEST BEST & KRIEGER	1000-20	2,005.98
20272	3/24/20	BIG BEAR BODYTEK	1000-20	555.00

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Mar 1, 2020 to Mar 31, 2020

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

Check #	Date	Payee	Cash Account	Amount
20273	3/24/20	BUSINESS CARD	1000-20	1,063.69
20274	3/24/20	BRYCE CONSULTING, INC.	1000-20	425.00
20275	3/24/20	BEAR VALLEY PAVING, INC.	1000-20	53,797.64
20276	3/24/20	CANON SOLUTIONS AMERICA, INC.	1000-20	1,172.83
20277	3/24/20	SAN BERNARDINO COUNTY	1000-20	50.00
20278	3/24/20	CLINICAL LAB OF SAN BERNARDINO	1000-20	115.00
20279	3/24/20	CA SOCIETY of MUNICIPAL FINANCE OFFICER	1000-20	110.00
20280	3/24/20	COUNTY OF SAN BERNARDINO SOLID WASTE	1000-20	148.05
20281	3/24/20	ENDURA STEEL	1000-20	532.94
20282	3/24/20	EVANTEC CORPORATION	1000-20	89.93
20283	3/24/20	GRAINGER	1000-20	1,735.05
20284	3/24/20	JUST ENERGY SOLUTIONS INC.	1000-20	18,315.01
20285	3/24/20	MITEL	1000-20	738.14
20286	3/24/20	RANDY J. SPITZ	1000-20	98.75
20287	3/24/20	PHIL'S AUTOMOTIVE	1000-20	98.00
20288	3/24/20	ROI ENGINEERING LLC	1000-20	45,430.42
20289	3/24/20	SOUTHERN CALIFORNIA EDISON	1000-20	35.45
20290	3/24/20	S-CURVE TECHNOLOGIES	1000-20	396.52
20291	3/24/20	SERVICEMASTER 360 PREMIER CLEANING	1000-20	671.69
20292	3/24/20	SULZER	1000-20	3,063.33
20293	3/24/20	SOUTHWEST GAS CORP	1000-20	10,186.08
20294	3/24/20	SOUTHWEST GAS	1000-20	1,222.96
20295	3/24/20	VERIZON WIRELESS	1000-20	260.81
20296	3/24/20	WATER SYSTEMS CONSULTING, INC.	1000-20	66,080.52
CASH 22253	3/24/20	CA PERS 457 PROGRAM	1000-20	2,490.59
CASH 22254	3/24/20	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,887.62
CASH 22255	3/24/20	INTERNAL REVENUE SERVICE	1000-20	6,748.62
CASH 22256	3/25/20	EMPLOYMENT DEVELOPMENT DEPARTMENT	1000-20	2,072.53
CASH 22257	3/26/20	EMPLOYMENT DEVELOPMENT DEPARTMENT	1000-20	746.42
CASH 22258	3/26/20	INTERNAL REVENUE SERVICE	1000-20	3,217.06
CASH 22259	3/27/20	PAYA	1000-20	13,686.04
CASH 22260	3/30/20	PAYA	1000-20	1.50
Total				523,891.4



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

AGENDA ITEM: 5.C.

MEETING DATE: April 22, 2020

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: Governing Board Member Reimbursement

BACKGROUND:

Attached are the March 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 previously been appropriated.

RECOMMENDATION:

Approve

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: JOHN GREEN

Date Submitted: 3/25/20

Month Covered: MARCH

BBARWA Regular Meeting Attended: _____ Date: 3/25/20 **Compensation** \$ 150

PURPOSE

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

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

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

PURPOSE

BBARWA Committee Meeting Attended: ADMIN Date: 3/19/20 \$ 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) \$ 300

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: _____

Total Amount Paid \$ 300

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

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: Tim MILLER

Date Submitted: 3-25-20

Month Covered: MARCH

BBARWA Regular Meeting Attended: Date: 3-25-20 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 (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: _____

Total Amount Paid \$ 150

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

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: Karyn Oxandaboure

Date Submitted: March 27, 2020

Month Covered: March

BBARWA Regular Meeting Attended: _____ Date: March 25, 2020 **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 (limited to 6 days per calendar month) \$ **150.00**

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: _____

Total Amount Paid 150.00

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

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

REPORT OF MEETINGS ATTENDED

Governing Board Member: David A. Caretto
 Date Submitted: 3/25/2020
 Month Covered: March 2020

BBARWA Regular Meeting Attended: Date: 3/25/20 Compensation \$ 150⁰⁰

PURPOSE

BBARWA Special Meeting Attended: Date: _____ \$ _____

BBARWA Special Meeting Attended: Date: _____ \$ _____

BBARWA Special Meeting Attended: Date: _____ \$ _____

PURPOSE

BBARWA Committee Meeting Attended: Admin. Comm. Date: 3/19/20 \$ 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)

\$ 300⁰⁰

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: _____

David A. Caretto

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: Rick Herrick

Date Submitted: March 27, 2020

Month Covered: March

BBARWA Regular Meeting Attended:	Date: <u>March 25, 2020</u>	Compensation \$ <u>150</u>
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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) \$ 150.00

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: _____

Total Amount Paid 150.00

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



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

AGENDA ITEM: 5.D.

MEETING DATE: April 22, 2020

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: Investment Report

BACKGROUND:

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

FINANCIAL IMPACT:

No financial impact.

RECOMMENDATION:

Approve

BBARWA
 Monthly Investment Report
 March 2020

<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	\$ 4,264,976	\$ 4,272,527	109,741	1.787%	DAILY
TOTAL	\$ 4,264,976	\$ 4,272,527	109,741		

The Investment Portfolio of the Big Bear Area Regional Wastewater Agency is in compliance with the investment policy approved in August 2019. 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 during FY 2020 and excludes accrued interest.

Attachment (s): Monthly LAIF Statement

California State Treasurer
Fiona Ma, CPA



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

April 09, 2020

[LAIF Home](#)
[PMIA Average Monthly Yields](#)

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

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

[Tran Type Definitions](#)

Account Number:

March 2020 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
3/9/2020	3/9/2020	RW	1633575	N/A	JENNIFER MCCULLAR	-600,000.00
3/17/2020	3/16/2020	RW	1634146	N/A	JENNIFER MCCULLAR	-500,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	5,364,976.42
Total Withdrawal:	-1,100,000.00	Ending Balance:	4,264,976.42



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

AGENDA ITEM: 5.E.

MEETING DATE: April 22, 2020

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

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

PREPARED BY: John Shimmin, Plant Manager; and Jennifer McCullar, Finance Manager 

SUBJECT: Operations and Connections Report

OPERATIONS:

2019-2020 Treatment Plant Data

	January	February	March
Total Influent Flow (MG)	64.175	53.419	70.748
Average Daily Influent Flow (MGD)	2.07	1.91	2.28
City of Big Bear Lake	59.85%	57.78%	59.83%
Big Bear City	36.64%	38.84%	36.36%
County of San Bernardino	3.51%	3.38%	3.81%
Average Influent BOD (mg/L)	266	299	200
Average Effluent BOD (mg/L)	9	4	3
BOD Removal Efficiency (%)	96.6%	98.7%	98.5%
Precipitation (inch)	0.01	0.88	4.80

March 2020 - There were no reportable violations during this period.

CONNECTIONS:

MONTH	FYE 6/30/2020							CITY-BBL	CSD	CSA-53B
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020			
July	4	4	8	3	4	3	7	5	2	0
August	4	6	5	12	6	10	2	1	1	0
September	4	5	6	4	6	3	7	3	4	0
October	6	14	10	9	8	3	5	1	4	0
November	13	8	6	5	11	5	2	1	1	0
December	0	23	8	4	2	3	1	1	0	0
January	2	3	1	0	1	1	1	1	0	0
February	2	1	0	1	2	0	2	1	1	0
March	2	2	3	2	1	3	1	1	0	0
April	5	1	10	3	0	3	0	0	0	0
May	2	5	10	4	0	5	0	0	0	0
June	1	12	2	16	0	6	0	0	0	0
TOTAL	45	84	69	63	41	45	28	15	13	0

FINANCIAL IMPACT:

There is no financial impact.

RECOMMENDATION:

Informational



**Big Bear Area Regional
Wastewater Agency**

John Green – Chair

Jim Miller – Vice Chair

Karyn Oxandaboure – Secretary

David Caretto – Director

Rick Herrick – Director


AGENDA ITEM: 5.F.

MEETING DATE: April 22, 2020

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

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

PREPARED BY: Bridgette Burton, Management Analyst

REVIEWED BY: Jennifer McCullar, Finance Manager 

SUBJECT: FMLA Expansion Leave and Emergency Paid Sick Leave Policy
(Coronavirus)

BACKGROUND & DISCUSSION:

All public agencies became subject to the Family First Coronavirus Response Act (the Act) on April 1, 2020. The Act provides paid leave entitlements including emergency paid sick leave and expanded family medical leave to employees for COVID-19 related situations. The Act expires December 31, 2020.

To adhere to the provisions of the Act the Agency established a new policy, the FMLA Expansion Leave and Emergency Paid Sick Leave Policy (the Policy), that covers all paid leave entitlements and modified its existing COVID-19 Risk Minimization and Outbreak Response Plan to address COVID-19 risk level responses and operational requirements.

The emergency paid sick leave under the Act includes up to 80 hours of paid sick leave for full-time employees with a proration for part-time employees. The expanded family medical leave includes up to 10 weeks of paid leave at 2/3 pay for child-care reasons. The Agency will continue to provide up to 240 total hours (including those hours provided under the Act) under certain situations as outlined in the Policy.

FINANCIAL IMPACT:

There are no immediate, incremental dollar costs associated with providing the paid leave under the Policy. Under the Policy, paid leave will be provided without requiring the use of accrued leave. The Agency has budgeted salaries and wages for all employees, and thus has budgeted for paid time, whether an employee is at work or taking time off. The Agency, however, would normally require the use of accrued leave (sick, vacation, compensatory or administrative leave that has already been expensed but unpaid) for paid time off. Therefore, the paid leave provided by the Policy may result in higher accrued leave balances than the Agency would otherwise carry. This accrued time represents a liability and is reduced as employees use or sell back accrued leave in the future.

The value of the emergency paid sick leave benefit is approximately \$10,500 per employee based on the average rate of pay and the total 240 hours. Currently no employees have used the emergency paid sick leave for an illness-related COVID-19 event, and based on the current situation, we would estimate the probability of use to be less in the future due to current COVID-19 mitigation efforts and the expectation of more effective containment. The value of the extended family medical leave benefit is a maximum of \$10,000 per employee, based on the \$1,000 per week cap for 10 weeks. Currently there are three employees that have used or are planning to use the extended leave based on child-care situations resulting from COVID-19.

RECOMMENDATION:

Approve the FMLA Expansion Leave and Emergency Paid Sick Leave Policy (Coronavirus)

ATTACHMENTS:

- FMLA Expansion Leave and Emergency Paid Sick Leave Policy (Coronavirus)
- COVID-19 Risk Minimization and Outbreak Response Plan (Revised)



FMLA Expansion Leave and Emergency Paid Sick Leave Policy (Coronavirus)

Purpose

The purpose of this temporary policy is to comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with job-protected leave and emergency paid sick leave. This policy will be in effect from April 1, 2020 until December 31, 2020. The rights and entitlements provided in this policy will sunset as of December 31, 2020.

The FFCRA contains both the Emergency Family and Medical Leave Expansion Act, providing an additional reason for leave under the FMLA and making related changes, and the Emergency Paid Sick Leave Act (EPSLA), creating a new paid leave entitlement. The existing FMLA leave policy still applies to all other reasons for leave outside of this policy, as well as other applicable leave policies. At this time, the Department of Labor (DOL) is expected to issue regulations to provide additional guidance on implementing the FFCRA. Therefore, this policy may be updated based on additional guidance from the DOL.

Big Bear Area Regional Wastewater Agency is mindful that the minimum legal requirement for paid leave under the EPSLA is eighty hours. However, in order to protect the health and safety of employees, the Big Bear Area Regional Wastewater Agency will provide a total of up to 240 hours of paid leave under this policy or an additional 160 hours over the minimum (BBARWA Emergency Paid Sick Leave or BBARWA EPSL) as outlined in Section II of this policy.

I. FMLA Expansion Leave for Childcare Issues Arising from School Closures

Employee Eligibility

All employees who have been employed with the Big Bear Area Regional Wastewater Agency for at least 30 calendar days, except employees who have been designated by the Agency as emergency responders. The Department of Labor defines "emergency responders" to include public works personnel "who have training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals whose work is necessary to maintain the operation of the facility." If you have questions regarding whether your position has been designated as an emergency responder, please contact Human Resources.

Qualifying Reason for Leave

Eligible employees who are unable to work (either their regular shift, telework or a flexible schedule) due to a need to care for a child who is under 18 years of age because the school

or place of care has been closed or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.

“Childcare provider” means a provider who receives compensation for providing childcare services on a regular basis, including:

- a center-based childcare provider
- a group home childcare provider
- a family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence)
- other licensed provider of childcare services for compensation
- a childcare provider that is 18 years of age or older who provides childcare services to children who are either the grandchild, great grandchild, sibling (if such provider lives in a separate residence), niece, or nephew of such provider, at the direction of the parent.
- “School” means an elementary or secondary school.

Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020 through December 31, 2020, for a qualifying reason for leave, stated above.

Pay During Leave

Leave will be unpaid for the first 2 weeks of leave; however, employees may elect to use the paid leave provided under the EPSLA, as further explained below. The employee may also elect to supplement paid leave under the EPSLA with any accrued paid vacation, sick or personal leave during this time. After the first 2 weeks, leave will be paid at two-thirds (2/3) of an employee’s regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day and \$10,000 in total unless supplemented by existing accrued leave balances.

For part-time employees with varying hours to such an extent that the hours worked cannot be determined with certainty, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type; or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Employee Status and Benefits During Leave

While an employee is on leave, the Agency will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium (if any). During any unpaid portions of leave, the employee must continue to make this payment per instructions from the Human Resources Coordinator. These provisions are the same as for all other FMLA leave, as described in the current FMLA Policy.

Procedure for Requesting Leave

All employees requesting FMLA leave must provide written notice (See Attachment A), where possible, of the need for leave to the Human Resources Coordinator as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided. Within five business days after the employee has provided this notice, the Human Resources Coordinator will complete and provide the employee with any Department of Labor (DOL) required notices.

The notice the employee provides should include a brief statement as to the reason for leave and, if possible, the expected duration.

On a basis that does not discriminate against employees on FMLA leave, the Big Bear Area Regional Wastewater Agency may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status After Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. An employer with fewer than 25 employees, such as the Big Bear Area Regional Wastewater Agency, may be exempted from placing an employee back to the same or equivalent status if the position is eliminated and the Agency has made a good faith effort to try and place the employee but failed.

Please contact the Human Resources Coordinator with any questions.

II Emergency Paid Sick Leave

Emergency Paid Sick Leave is an entitlement *above and beyond* an employee's normal sick leave entitlement. As described below emergency paid sick leave will be available for use beginning April 1, 2020. All employees requesting emergency paid sick leave must provide written notice (See Attachment B). The paid leave provided under the EPSLA shall be used first, prior to the usage of any other paid leave provided under BBARWA EPSL or an employee's accrued leave balance.

Eligibility

All full-time and part-time employees unable to work (either their regular shift, telework or work a flexible schedule) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child under 18 years of age if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis* (“as if” the employee was the parent).

Amount of Emergency Paid Sick Leave

Big Bear Area Regional Wastewater Agency is mindful that the minimum legal requirement for paid leave under the EPSLA is eighty (80) hours. However, in order to protect the health and safety of employees, the Big Bear Area Regional Wastewater Agency will provide a total of up to 240 hours of paid leave under this policy or an additional 160 hours over the minimum required under EPSLA to full-time regular employees, to cover employee absences for reasons 1-4 and 6 listed in this policy due to COVID-19. Absences related to item 5 will be provided the minimum eighty (80) hours required by law. Eligible part-time employees will be provided the number of hours worked, on average, over a two-week period, of paid sick leave available to use for the qualifying reasons above.

For part-time employees with varying hours, to such an extent that the hours worked cannot be determined with certainty, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type; or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Rate of Pay under the Emergency Paid Sick Leave Act (EPSLA)

Emergency sick leave under the EPSLA will be paid at the employee's regular rate of pay, for leave taken for reasons 1-3 in Section II. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay.

In addition, pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above.
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

See Attachment C: Paid Leave Summary.

BBARWA Emergency Paid Sick Leave (BBARWA EPSL)

BBARWA EPSL is available for qualifying reasons 1-4 and 6 only and is not available for reason 5. BBARWA EPSL will be paid at the employee's regular rate of pay. Employees taking paid leave under the EPSLA for qualifying reasons 1-4 and 6 may supplement the pay provided under the EPSLA with BBARWA EPSL in an amount that when combined with the rate of pay under the EPSLA does not exceed their regular rate of pay. See Attachment C: Paid Leave Summary.

Interaction with Other Paid Leave

The employee will use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees using FMLA Expansion Leave under this policy may use paid leave under the EPSLA during the first 2 weeks of normally unpaid FMLA leave.

Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their supervisor or the Human Resources Coordinator of the need and specific reason for leave under this policy. A form (See Attachment B) will be provided to all employees for certifying the leave request. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her supervisor must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Employees may be requested to provide medical certification or a medical note supporting the need for leave under appropriate circumstances but will not be required when not practicable to obtain.

Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused emergency paid sick leave will not be paid out to employees.

Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for use of leave under the policy or any request to use leave under this policy.

Please contact the Human Resources Coordinator with any questions.

Attachment A: Request for Family and Medical Leave Act Expansion Leave

To be completed by the employee requesting FMLA Expansion Leave.

Employee Name

Application Date

Eligibility for Leave: To be eligible for Family and Medical Act Expansion Leave, employee must have worked for the Big Bear Area Regional Wastewater Agency for thirty (30) days and be unable to work (either their regular shift, telework or a flexible schedule) due to the need to care for the employee's minor child(ren) whose school or place of care has been closed (or whose childcare provider is unavailable) arising out of a public health emergency caused by COVID-19.

Requested Leave Start Date: _____ **Estimated End Date:** _____

Reason for Leave:

- () Employee is caring for the employee's minor child because the child's school or care provider is closed or unavailable due to COVID-19:

Child's Name: _____

Name of Care Provider: _____

Duration of Leave Needed: Due to my primary childcare obligations, I need leave on the following basis (check one):

- () I need leave on a full-time basis: I am unable to work or telework any of my standard scheduled shifts due to primary childcare obligations
- () I need leave on a part-time basis: Due to my childcare obligations, I am able to work or telework some but not all of my standard scheduled shifts (please complete chart below)
- () I need leave on an intermittent basis: Due to my childcare obligations, I am able to work or telework some but not all of my standard scheduled shifts on a rotating basis (please complete chart below)

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Available (circle one):	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No	Yes / No
Hours Available to Work							
Indicate if availability rotates on a periodic basis							

Note: Should any this information change during your leave, you are obligated to submit an updated leave request form.

If you are not available to work your standard scheduled shifts, are you available to work an alternate schedule/hours at the worksite or via telework? Yes No (If you indicated YES, the Human Resources Coordinator or a supervisor will contact you to discuss potential ability to continue work.)

Pay Status: Eligible employees receive 2/3 of their regular rate of pay after the first two (2) weeks of leave, up to the cap as provided in the Policy. Regarding usage of other available forms of paid leave during Emergency Family and Medical Leave, please complete the following:

- () During the first two (2) weeks of leave, I wish to use all available hours of EPSLA Emergency Paid Sick Leave.
- () Once all EPSLA Emergency Paid Sick Leave is exhausted, I wish to supplement my 2/3 pay with any available paid leave (sick leave, vacation, compensatory time off). (A pro-rata amount of leave will be applied to equal 100% of employee's pay.)
- () Once any EPSLA Emergency Paid Sick Leave is exhausted, I wish to supplement my 2/3 pay with only the following forms of available paid leave: () sick leave () vacation () compensatory time off (check the forms of leave you wish to use to supplement). (A pro-rata amount of leave will be applied to equal 100% of employee's pay.)

If you do not check any of the above, your Emergency Family Medical Leave will not be supplemented, and you will receive pay at the 2/3 rate.

During my leave, I can be reached at: _____
(include phone number and email)

Employee Certification:

By submitting this request for Emergency Family Medical Leave, I certify that: all information provided in this request form is true and accurate and that I am eligible for paid leave for the reasons stated; I further certify that no other suitable person is available to care for the child noted above. I will update my supervisor and Human Resources if my availability for work changes or if my ability to work or telework changes; I understand I am obligated to return to work (either on a part-time or full-time basis) if my childcare obligations cease or reduce.

Employee's Signature

Date

Human Resources

Date

Attachment B: Request for Emergency Paid Sick Leave

To be completed by the employee requesting Emergency Paid Sick Leave arising out of an eligible reason related to COVID-19.

Employee Name

Application Date

Requested Leave Start Date: _____ **Estimated End Date:** _____

(See the FMLA Expansion Leave and Emergency Paid Sick Leave Policy (Coronavirus) for maximum leave durations.)

Reason for leave:

- () Employee is subject to a governmental quarantine or isolation order related to COVID-19. The government entity issuing the order is _____. (additional supporting documentation from a governmental authority may be required)
- () Employee has been advised by a healthcare provider to self-quarantine related to COVID-19. Please provide Human Resources with the name of the health care provider giving the advice. (certification from a healthcare provider/doctor's note may be required)
- () Employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- () Employee is caring for an individual who is subject to governmental quarantine/isolation order or self-quarantine under medical advice related to COVID-19. In the case of governmental quarantine or isolation order, please provide the government entity issuing the order _____. In the case of self-quarantine under medical advice, please provide Human Resources with the name of the health care provider giving the advice. (additional supporting documentation from a governmental authority/certification from a healthcare provider/doctor's note may be required)
- () Employee is unable to work or telework due to caring for the employee's minor child because the child's school or child-care provider is closed or unavailable due to COVID-19*.
* For leave for this reason, please also submit a Request for FMLA Expansion Leave

During my leave, I can be reached at: _____
(please list telephone number and email)

I understand that I will be required to provide timely medical or other certification as a condition of obtaining Emergency Paid Sick Leave, unless the certification cannot practicably be obtained. I understand that it is my obligation to discuss any inability to obtain the requested certification with HR.

Employee Signature/Acknowledgment:

By submitting this request for Emergency Paid Sick Leave, I certify that: all information provided in this request form is true and accurate and that I am eligible for paid leave for the reasons stated; I will update my supervisor and Human Resources if my availability for work changes or if my ability to work or telework changes; I understand that, if I am provided paid sick leave due to childcare obligations, I am obligated to return to work (either on a part-time or full-time basis) if my childcare obligations cease or reduce.

Employee's Signature

Date

Human Resources

Date

Attachment C: Paid Leave Summary (Coronavirus)

FMLA Leave Expansion and Emergency Paid Sick Leave Policy (Coronavirus)

Qualifying Leave Reason		Emergency Family Medical Leave Act (EFMLA)	Max EFMLA	Emergency Paid Sick Leave Act (EPSLA)	Max EPSLA	BBARWA Emergency Paid Sick Leave (ESPL)	BBARWA EPSL Can Supplement if Employee Pay is Over Max EPSLA	BBARWA EPSL Can Be Used After EPSLA is Exhausted	Existing Accrued Leave Time Can Be Used for Any Qualifying Reason
1	The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.	N/A	N/A	80 hours at full pay	\$511 per day/ \$5,110 total	160 hours at full pay	Yes	Yes	Yes
2	The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.	N/A	N/A	80 hours at full pay	\$511 per day/ \$5,110 total	160 hours at full pay	Yes	Yes	Yes
3	The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.	N/A	N/A	80 hours at full pay	\$511 per day/ \$5,110 total	160 hours at full pay	Yes	Yes	Yes
4	The employee is caring for an individual who is subject to either number 1 or 2 above.	N/A	N/A	80 hours at 2/3 pay	\$200 per day/ \$2,000 total	160 hours at full pay	Yes	Yes	Yes
5	The employee is caring for his or her child under 18 years of age if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.	up to 12 weeks at 2/3 pay; first 2 weeks unpaid or can use EPSLA. Can supplement EPSLA with existing accrued leave.	\$200 per day/ \$10,000 total	80 hours at 2/3 pay	\$200 per day/ \$2,000 total	N/A	No	No	Yes
6	The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.	N/A	N/A	80 hours at 2/3 pay	\$200 per day/ \$2,000 total	160 hours at full pay	Yes	Yes	Yes
NOTES:				Must be used first. Proration for part-time employees.		Proration for part-time employees.			Employee must agree to use this time. EPSLA time must be used first.



COVID-19 RISK MINIMIZATION AND OUTBREAK RESPONSE PLAN

I. INTRODUCTION

Coronaviruses are a family of viruses that occur in humans and many species of animals, such as camels, cattle, cats, and bats. In fact, the common cold is caused by a coronavirus. A novel form of coronavirus, referred to as “severe acute respiratory syndrome coronavirus 2” (SARS-CoV-2) first appeared in Wuhan City, China in December 2019. The name was chosen because the virus is genetically related to the coronavirus responsible for the SARS outbreak of 2003. The World Health Organization (WHO) announced COVID-19 as the name of the new disease caused by SARS-CoV-2. COVID-19 has spread rapidly in China and has now spread rapidly to many countries worldwide, including the United States. COVID-19 has an estimated incubation period of up to 14 days, but most commonly about 5 days. The Center for Disease Control and Prevention (CDC) has stated that during this incubation period the person may show little to no symptoms yet can transmit the virus.

COVID-19 is believed to be spread from person to person by the infected person coughing or sneezing. This introduces respiratory droplets from the infected person into the air where they can land in the nose or mouth of people in close proximity or breathed in by people close by. This, coupled with its long incubation period, has led to its rapid spread. This primary mode of transmittance is why infected persons, and those caring for them, are encouraged to wear masks. The most common symptoms of COVID-19 are:

- Fever
- Cough
- Shortness of breath

The virus is currently spreading through the United States. It is important to note that WHO has declared COVID-19 a pandemic, which is defined as an “epidemic occurring worldwide, or over a very wide area, crossing international boundaries and usually affecting a large number of people.” The COVID-19 situation is evolving rapidly, and the risk assessment is being updated regularly by the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/summary.html#risk-assessment>).

Although health officials are working on a vaccine for COVID-19, no vaccine is currently available. Consequently, we all need to work together to limit the spread of COVID-19 in our community. The information presented in this document is taken from websites listed in the references section of this Plan, which also serves as sources for additional information for employees.

II. PURPOSE

This COVID-19 Risk Minimization and Outbreak Response Plan (Plan) has been developed by the Big Bear Area Regional Wastewater Agency (Agency) to best protect its employees against the risk (current and future) posed by COVID-19. The specific objectives of this Plan are to 1) identify precautionary measures that Agency employees can implement to best protect themselves and each other from contracting and spreading COVID-19, and 2) to maintain critical operations of the Agency if COVID-19 becomes established in San Bernardino County and/or Big Bear. Following the introduction, this Plan has three major sections.

- *Section III: Precautionary Measures to Reduce the Spread of Illness in the Workplace* identifies precautionary measures that both the Agency and its employees can implement now to minimize the risk of workplace exposure to COVID-19.
- *Section IV: Tiered Plan for Maintaining Agency Operations* provides a tiered risk-level approach to modifying Agency operations while minimizing employee risk of workplace exposure to COVID-19 and spread to others within and outside the office, and to maintain critical Agency operations should an outbreak of COVID-19 occur in San Bernardino County and/or Big Bear.
- *Section V: References* provides the websites from which much of the information herein was obtained. Agency employees and management can use these sites to get more information including CDC and WHO updates.

The General Manager reserves the right to modify any element of this Plan at any time based on their discretion, changed circumstances, and/or direction or requests made by the California Governor, health authorities or other agencies. It is in the best interest of the Agency to delegate authority to the General Manager, or their designee, to take any and all necessary action to conduct Agency business and protect the Agency and its employees during any tiered risk-level as outlined in this Plan.

III. PRECAUTIONARY MEASURES TO REDUCE THE SPREAD OF ILLNESS IN THE WORKPLACE

The following is a list of actions recommended by the CDC and other health authorities that people should consider implementing presently to reduce their risk of contracting COVID-19 and to reduce its spread should they, or others they interact with, contract the virus.

Precautionary Actions for Immediate Implementation by Agency Employees

The recommended precautionary actions listed below are similar to, or the same as, measures we are all familiar with to minimize our annual risk of contracting influenza (i.e. the flu). Other precautionary measures have been added that are specific to COVID-19 at this time, as recommended by the CDC and other health authorities.

All employees should practice the following respiratory etiquette and related practices to minimize their risk of contracting and spreading COVID-19.

- Avoid close contact with people who are sick. Maintain 6 feet or greater distance between yourself and anyone who is coughing or sneezing.
- Cover your nose and mouth when you cough or sneeze with a tissue and then throw the tissue away or do so into your elbow or shoulder if no tissue is available.
- Wash your hands frequently with soap and water for at least 20 seconds.
- If soap and water are not available, use hand sanitizer with at least 60% alcohol.
- Avoid touching your eyes, nose and mouth with unwashed hands.
- Put away any community candy jars or coffee.
- Use cleaning products that contain >60% alcohol, 0.5% hydrogen peroxide, 0.1% sodium hypochlorite (bleach), or other active ingredients known to kill viruses.
 - Routinely clean all frequently touched surfaces in your workspace, such as workstations, mouse, desktop phones, cell phones, countertops, and doorknobs at the end of each workday.
 - Routinely clean all frequently touched surfaces in the office and operations areas at the end of each workday. This responsibility will be rotated between employees.
- Check the “CDC’s Traveler’s Health Notices” (<https://wwwnc.cdc.gov/travel>) for the latest guidance and recommendations before you travel to other countries. Avoid travel to level 3 and 4 countries until the CDC has indicated it is safe to do so.
- Do not travel by airplane, bus, cruise ship, or other means with large numbers of people if you are experiencing symptoms of acute respiratory illness.

Precautionary Actions for Immediate Implementation by Agency Management

- Stay aware of the latest information on the COVID-19 outbreak, available on the WHO and CDC websites.
- Provide tissues and no-touch disposal receptacles for use by all employees.
- Provide alcohol-based hand sanitizers that contain at least 60% alcohol at various locations in the workplace, if available.
- Provide disposable wipes for employee use for wiping down frequently touched surfaces within the workplace, if available.

IV. TIERED PLAN FOR MAINTAINING AGENCY OPERATIONS

This section identifies how Agency operations (administration and plant operations), including individual employee roles, may need to change if COVID-19 becomes established in San Bernardino County and/or Big Bear. The co-equal objectives for this portion of the Plan are to 1) best protect employees against the spread of COVID-19, and 2) maintain critical Agency operations for the community. The plan for maintaining Agency operations is based on the COVID-19 risk level, as discussed in greater detail below.

Risk Level 1: Continued Increases in the Number of Confirmed Cases of COVID-19 in the United States and California, and no Confirmed Cases in San Bernardino County and Surrounding Counties.

Trigger Points: Risk Level 1 shall be declared by the General Manager when confirmed cases of COVID-19 are announced in the United States and in the State of California.

Under Risk Level 1, the risk to employees of contracting COVID-19 is low and thus the Agency shall conduct normal business operations, with the addition of implementing precautionary measures identified in Section III of this Plan.

Risk Level 2: Continued Increases in the Number of Confirmed Cases of COVID-19 in the United States and California, and a few Confirmed Cases in San Bernardino County and/or Surrounding Counties.

Trigger Points: Risk Level 2 shall be declared by the General Manager when confirmed cases of COVID-19 are announced in San Bernardino County and/or surrounding counties.

Under Risk Level 2, the risk to employees of contracting COVID-19 remains relatively low, but the risk level is increasing due to increasing numbers of confirmed cases in the country, state, San Bernardino County and/or surrounding counties.

In addition to the actions being implemented under Risk Level 1, including precautionary measures identified in Section III of this Plan, actions to be implemented at Risk Level 2 include, but may not be limited to, the following:

- Those collecting mail, money or paperwork at the front counter from the public, are to wear disposable gloves and are not to touch common-place door handles/knobs, coffee pots, or other commonly touched surfaces within the office with gloved hands.
 - Remove and dispose of gloves and wash hands prior to eating or touching common surface places within the office.
 - Mail will only be collected twice per week.
- Do not sign for packages or deliveries unless absolutely necessary, and if doing so, wear disposable gloves.
- Limit routine in-person meetings in favor of conference calls. Monday morning meetings will be canceled.
- Governing Board meetings will be adjusted to accommodate 6 feet of separation between participants.
- Ensure all supplies for treating wastewater are fully stocked.
- Ensure all cleaning supplies, hand sanitizer, and other personal protective equipment are stocked.
- Temporary flexible workplace and leave policies, and other relevant aspects of this Plan, shall be communicated to all Agency employees.
- Employees should contact vendors, contractors, and other outside personnel to discuss this Plan. If vendors, contractors, or other outside personnel exhibit any symptoms of illness, they will not be allowed on-site.

- All non-essential Agency off-site training or travel is canceled or postponed.

Risk Level 3: Continued Increases in the Number of Confirmed Cases of COVID-19 in the United States, California, and Numerous Confirmed Cases in San Bernardino County and/or Surrounding Counties.

Trigger Points: Risk Level 3 shall be declared by the General Manager when confirmed cases of COVID-19 reaches or approaches epidemic levels in the United States and numerous confirmed cases of COVID-19 are announced in San Bernardino County and/or surrounding counties.

At Risk Level 3, COVID-19 may be declared an epidemic by the CDC and local health authorities in the United States and California, and numerous cases have been confirmed in people living in San Bernardino County and/or surrounding counties. As such, the risk of contracting COVID-19 for Agency employees is no longer low. At the direction of the General Manager, the Agency will now further modify operations to minimize all contact of employees with the general public and will focus on maintaining essential duties necessary to maintain operations.

Operational scenarios will now focus on how to best maintain essential services with reduced staff should one or more Agency employees contract the virus. Additional operational modifications to be implemented at Risk Level 3 shall include, but not necessarily be limited to, the following:

- Cease collecting payments and paperwork at the front counter from the general public, and instead require all customers to mail, use the mailbox out front, or conduct business by phone. The doors to the Administration Office and OAC Building will be closed to the public.
 - Notify the public on the Agency website, voicemails, and notices on all doors with public access.
 - Notify other local agencies and vendors of the Agency's office closure to the public.
- Board meetings shall be postponed or conducted by teleconference rather than in-person meetings (Attachment A).
- Do not sign for packages or deliveries unless absolutely necessary, and if doing so, wear disposable gloves. Those collecting mail are to wear disposable gloves and are not to touch common-place door handles/knobs, coffee pots, or other commonly touched surfaces within the office with gloved hands.
 - Remove and dispose of gloves and wash hands prior to eating or touching common surface places within the office.
- Implement practices hereto and less in-person interaction to increase physical distance among employees and between employees and the public.
 - Separate departments and minimize in-person interactions between Agency administration, operations, and employees to the maximum extent possible.

- Administrative and operations staff will isolate themselves. All contact will be conducted through telephone or e-mail.
- Two operators will still be required for USA locates. Each operator will drive a separate Agency vehicle to the USA location and maintain 6 feet of separation to the extent possible.
- Vendors, contractors, or other outside personnel will not be allowed on-site unless absolutely necessary. If vendors, contractors, and other outside personnel are on-site, they must not exhibit any signs of illness. Maintain 6 feet of separation.
- The General Manager may direct employees to perform their duties from home or work a particular shift.

Risk Level 4: Initial Confirmed Case(s) of COVID-19 among Agency Employees.

Trigger Points: Risk Level 4 shall be declared by the General Manager if one or more Agency employees, or an immediate family or household member of an employee, test positive for COVID-19.

Because of the small size of the Agency, operating out of a single administrative office, one or more Agency employees (or their immediate family members) confirmed to have contracted COVID-19 is a situation that poses a relatively high risk to other Agency employees of contracting the virus.

In addition to the actions and operational procedures already implemented, additional operational modifications/actions to implement at Risk Level 4 shall include, but not necessarily be limited to, the following:

- If an employee has been confirmed to have COVID-19, the General Manager, using the phone tree, will inform other employees of their possible exposure to COVID-19, but will maintain confidentiality of the infected employee.
 - Any employees reporting to work shall wear a face mask and gloves, if available, when interacting with other parties. Operations staff may use respirators if face masks are not available.
 - Operations staff may be assigned to a flexible staffing arrangement to ensure all normal plant operations, plant inspections, and regulatory requirements are met. The flexible staffing arrangement may include assigning operations staff to specific crews, working swing or graveyard shifts, or any other staffing arrangement deemed necessary to continue plant operations by the Plant Manager or General Manager.
 - Administrative staff will work remotely for the duration of the quarantine period.
- Employees should refer to the CDC Guidance for “how to conduct a risk assessment: of their potential exposure (CDC Website: <https://www.cdc.gov/coronavirus/2019-ncov/summary.html#risk-assessment>).
- Board meetings shall continue to be postponed or conducted by teleconference (if possible) rather than in-person meetings (Attachment A).

- Implement any potential remaining actions identified to minimize in-person contact among employees and between employees and the public. There will be no person-to-person interaction unless absolutely necessary.
- Construction work-in-progress is temporarily suspended.
- Other actions may be implemented at the direction of the General Manager, the CDC, or local health authorities.

After the quarantine period, as declared by the General Manager, Agency staff cleared to return to work will resume duties commensurate with the declared risk level.

V. REFERENCES

Websites that contributed information to this Plan are listed below. They also serve as reference sites for employees to obtain further information about COVID-19.

<https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/guidance-business%20response.html?CDC%20AA%20reNal=https%3A%20%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-%20ncov%2Fguidance-business-response.html>

<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

<https://www.osha.gov/SLTC/covid-19/>

<https://www.cnn.com/2020/02/16/health/coronavirus-how-to-protect-yourself-trnd/index.html>

<https://www.livescience.com/how-long-coronavirus-last-surfaces.html>

<https://www.who.int/news-room/q-a-detail/g-a-coronaviruses>

<https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/address-workplace-coronavirus-concerns.aspx>

<https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html.html>

<https://hrexecutive.com/coronavirus-hrs-role/>

<https://higherlogicdownload.s3-external-1.amazonaws.com/CSDA/FRCD-EGWD%20Coronavirus%20Plan.pdf?AWSAccessKeyId=AKIAVRD07IEREB57R7MT&Expires=1584121765&Signature=FJwsMxmKCoyN6EJsE38GeJWEGRA%3D>

<https://higherlogicdownload.s3-external-1.amazonaws.com/CSDA/3.12.20-EO-N-25-20-COVID-19.pdf?AWSAccessKeyId=AKIAVRD07IEREB57R7MT&Expires=1584121789&Signature=kt9KpQT0dwiRELLd28RjNwhhDeo%3D>

<https://www.csda.net/blogs/neil-mccormick/2020/03/12/covid-19-governors-executive-order-brown-act>

<https://www.csda.net/blogs/vanessa-gonzales/2020/03/10/could-risk-of-covid-19-merit-adjustments-to-specia>

https://www.bbklaw.com/News-Events/Insights/2020/Legal-Alerts/03/COVID-19-and-Open-Meeting-Laws?utm_source=Constant_Contact&utm_medium=read_more&utm_campaign=LA_Exec_Order-Meetings_COVID_19&utm_content=Legal_Alert

ATTACHMENT A: TELECONFERENCING UNDER THE BROWN ACT

Per Governor Newsome's Executive Order N-25-20 and N-29-20:

The Ralph M. Brown Act generally requires that all meetings of local governing bodies be open and public. While the Brown Act allows for teleconference meetings, the meeting agenda must generally identify each teleconference location and each location must be available to the public. Under Governor Newsome's emergency powers to suspend state law, Newsome ordered that local governing bodies may hold public meetings telephonically or electronically. The new Executive Order excuses a legislative body, under the Ralph M. Brown Act, from providing a physical location for the public to observe and comment if certain conditions are met. A physical location does not need to be provided if the legislative body:

- [H]olds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically.
- Implements a procedure for receiving and "swiftly resolving" requests for reasonable modification or accommodations from individuals with disabilities, consistent with the Americans with Disabilities Act, and resolving any doubt in favor of accessibility.
- Gives advance notice of the public meeting and posts agendas according to the timeframes and procedures already prescribed by the Brown Act (i.e. 72 hours for regular meetings and 24 hours for special meetings).
- Gives notice of the means by which members of the public may observe the meeting and offer public comment, in each instance where notice or agendas are posted.

Everyone Can Participate Telephonically

- Members of the public, board members and staff can participate in board meetings electronically.
- The agenda does not need to list each telephone location. The agenda only needs to list the call-in number that will be in service for the meeting.
- The agenda does not need to be posted at each telephonic location. The agenda only needs to be posted at the agency administration building and on the website.
- A quorum does not need to be participating (in-person or telephonically) from within the Agency boundaries.

Agenda Posting

- Regular Brown Act requirements apply for agenda posting in advance of a board meeting (72 hours for a regular meeting and 24 hours for a special meeting) as well as posting on the Agency website.
- The language at the top of the agenda, after the address of the meeting location, could be along the following lines:

"Due to Executive Order N-29-20, there will be no physical location for members of the public to participate. Members of the public may listen and provide public comments telephonically during the Public Forum by calling the following number: _____."

Sample Script for Teleconferencing Public Meetings Under Brown Act (Gov't Code Section 54953)

Call to Order by Chair:

I, John Green, the Chair of the Governing Board call this meeting to order. I would like to ask that all members of the board and the public mute their phones at this time. Prior to roll call, I would like to make clear for the record of this meeting, and it should be reflected in the minutes, that this Governing Board meeting is conducted pursuant to California Government Code Section 54953 and Governor Newsome's Executive Order N-25-20 and N-29-20.

I would now ask the Administrative Assistant to conduct the roll call for attendance.

[ADMINISTRATIVE ASSISTANT CONDUCTS THE ROLL CALL]

I would now like to request that Vice-Chair Miller respond to the following questions:

- Vice-Chair Miller, can you hear me well?
- Were you able to hear our proceedings on this end until now?
- Do you have a copy of the agenda for this meeting?

[REPEAT THE SAME QUESTIONS FOR EACH BOARD MEMBER]

I would now like to ask that any member of the Governing Board speak up at this time if such board member has not been able to clearly hear each other. [PAUSE FOR RESPONSE]. Hearing no comment, the record should reflect that all board members present have indicated that they were able to hear the proceedings clearly.

I would next request that any board member speak up at this time if the board member has reason to believe that those persons representing themselves to be a board member are not truly so. [PAUSE FOR RESPONSE]. Hearing no comment, the record should reflect that no board member has expressed doubt that the board members participating by teleconference are not so.

I would now like to advise the board that any votes taken during the teleconference must be taken by roll call.

Pledge of Allegiance by Chair:

The Pledge of Allegiance has been dispensed for this meeting.

Approval of the Agenda by Chair (for regular Board meetings):

[VOTE IS NORMAL PROCEDURE FOR MOTION AND SECOND.]

Consent Calendar by Chair (for regular Board meeting):

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

Vice-Chair Miller, do you have any items that you would like removed from the Consent Calendar?

[REPEAT THE SAME QUESTION FOR EACH BOARD MEMBER]

Items Removed from the Consent Calendar by Chair (if any):

The first item removed from the Consent Calendar is [IDENTIFY AGENDA ITEM NUMBER AND DESCRIPTION]. [INSERT STAFF MEMBER NAME] can you please describe this agenda item?

[AFTER DESCRIPTION THE STAFF MEMBER WILL REFER THE DISCUSSION BACK TO THE CHAIR].

Vice-Chair Miller, do you have any questions or comments? [REPEAT THE SAME QUESTION FOR EACH BOARD MEMBER].

[VOTE IS NORMAL PROCEDURE FOR MOTION AND SECOND.]

Public Forum Response by Chair:

There are not any public forum responses for this meeting.

Public Forum by Chair:

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 Governing Board on the same item, the Chair or the Governing Board by majority vote may request a spokesperson be chosen for the group or limit the number of such persons addressing the Governing 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." Are there any public comments from members of the public attending this meeting telephonically?

Old & New Business by Chair:

The first item of [OLD OR NEW] business is [IDENTIFY AGENDA ITEM NUMBER AND DESCRIPTION]. [INSERT STAFF MEMBER NAME] can you please describe this agenda item?

[AFTER DESCRIPTION THE STAFF MEMBER WILL REFER THE DISCUSSION BACK TO THE CHAIR].

Vice-Chair Miller, do you have any questions or comments? [REPEAT THE SAME QUESTION FOR EACH BOARD MEMBER]

[VOTE IS NORMAL PROCEDURE FOR MOTION AND SECOND.]

I would now ask the Administrative Assistant to conduct the roll call.

[CONDUCT THE SAME PROCEDURE FOR EACH ITEM OF BUSINESS].

Adjournment by Chair:

I adjourn this meeting at [TIME].




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

AGENDA ITEM: 9.A.

MEETING DATE: April 22, 2020

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: Public Hearing: Resolution No. R. 03-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2021, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act

BACKGROUND:

Pursuant to the Agency's Appropriation and Expenditure policy, the Agency will annually prepare a balanced budget for review, approval and adoption prior to May 1st.

On February 26, 2020, a Budget Workshop was held wherein the Governing Board reviewed and discussed the Agency's proposed FY 2021 Budget and five-year forecast. The proposed budget was modified per Governing Board direction, by lowering the proposed sewer user charge from \$225.89 per equivalent dwelling unit to \$225.24 per equivalent dwelling unit, resulting in an annual increase of 3.9% in the sewer user charge compared to a 4.2% proposed increase. During the March 25, 2020 Board Meeting, the Governing Board did not approve the recommended budget which reflected the 3.9% increase in the sewer user charge, but requested alternative budgets based on lower sewer user charge adjustments. A Special Meeting was held on April 3, 2020, wherein staff was directed, by a majority of the Governing Board, to make the following FY 2021 Budget adjustments:

1. Lower the sewer user charge to \$223.07, an increase of 2.9% compared to the FY 2020 charge.
2. Place a 5% cap on wage adjustments in FY 2021. The 5% cap will provide for a 2.9% cost-of-living adjustment and up to a 2.1% merit adjustment.
3. Maintain the OPEB liability reduction payment of \$200,000; however, Board approval in advance of payment will be required.

Information pertaining to finding approval of the budget and budgeted projects exempt from review under CEQA is an attachment to this staff report.

FINANCIAL IMPACT:

The FY 2021 Budget will provide appropriations for the fiscal year ending June 30, 2021.

RECOMMENDATION:

Approve Resolution No. R. 03-2020, approve the fourteen minor activities described in the CEQA attachment and direct staff to file a CEQA Notice of Exemption, as set forth in the attached Board resolution.

ATTACHMENTS:

- The California Environmental Quality Act (CEQA) – Projects exempt from CEQA
- Resolution No. R. 03-2020
- Notice of Exemption (map attachment)

CEQA

The California Environmental Quality Act:

As in past years, the 2021 Fiscal Year Budget sets financial priorities for BBARWA and authorizes staff to expend funds on the pursuit of certain projects. This year, the specific projects identified within the Budget involve in-kind equipment replacement, and minor repairs and maintenance actions to existing facilities. Specifically, the minor projects identified in the Budget before the Board include: (1) replacing the CBBL flow meter and software; (2) installing a bypass pumping system that connects the existing gravity main to the force main; (3) replacing the Ion Analyzer; (4) replacing the Influent Composite sampler; (5) purchasing a Spectrophotometer; (6) replacing the existing multi-functional copier; (7) overhauling the Cummins generators; (8) replacing the Station Three generator and fuel system; (9) replacing the electric utility cart; (10) replacing the Toyota Tundra; (11) replacing the High Pressure Effluent line; (12) replacing Shaft Mount Reducer Ditch 3; (13) rebuilding Effluent Pump 3; and (14) replacing the piping from the RAS pumps and the Effluent pumps in the Main Pump Building.

Based on the minor nature of these proposed activities, and as described in greater detail in the proposed Board Resolution, staff is recommending that the Board find that the adoption of the Budget and approval of the above-described projects are exempt from environmental review under CEQA. Staff would return to the Board for further Board authorization as to any major projects outside of these minor improvements or if the nature and scope of these proposed activities changes in any significant way.

Specifically, staff recommend that the Board find that the Budget is not a “project” under State CEQA Guidelines section 15378 because there is no potential that approval of the Budget will result in either a direct physical change or reasonably foreseeable indirect change in the environment. In the alternative, and even assuming the FY 2021 Budget is a “project” within the meaning of CEQA, the Budget is nonetheless exempt from CEQA review pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that approval of the Budget has no potential for direct physical impacts to the environment.

Likewise, each of the fourteen minor activities identified in the Budget are exempt, both individually and in the aggregate, for the same reasons as the Budget. Finally, each of the above proposed activities are also exempt from CEQA, because the activities merely involve the in-kind replacement of existing facilities, and minor repair/maintenance of facilities that already exist, or the installation of small new equipment and facilities in small structures—all of which are exempt under State CEQA Guidelines section 15301, 15302, 15303, and 15311 as set forth in the proposed Board Resolution.

Thus, staff recommends that the Board adopt the Budget, approve the fourteen minor activities described above, and direct staff to file a CEQA Notice of Exemption, as set forth in the attached Board resolution.

RESOLUTION NO. R. 03-2020

A RESOLUTION OF THE GOVERNING BOARD OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY ADOPTING THE OPERATING AND CAPITAL BUDGET OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY FOR FISCAL YEAR 2021, APPROVING BUDGETED PROJECTS, AND FINDING APPROVAL OF THE BUDGET AND BUDGETED PROJECTS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the Big Bear Area Regional Wastewater Agency (“BBARWA” or “Agency”), established in 1974, is a public agency formed to transport, treat and dispose of wastewater for the entire Big Bear Valley area residents and businesses; and

WHEREAS, the purpose of BBARWA, pursuant to its Joint Powers Agreement, is to create an agency that will acquire, construct, install, maintain, and operate a regional system for the treatment and disposal of sewage and wastewater for the entire Big Bear Valley area; and

WHEREAS, to fulfill this purpose, it is necessary that BBARWA’s Governing Board (“Board”) adopt a budget for the Agency for the 2021 Fiscal Year; and

WHEREAS, staff evaluated the estimated budgetary needs for the Agency for the 2021 Fiscal Year and prepared a budget proposal, which includes funding for fourteen potential future projects to maintain or replace existing equipment or to purchase small equipment, including: (1) replacing the CBBL flow meter and software; (2) installing a bypass pumping system that connects the existing gravity main to the force main; (3) replacing the Ion Analyzer; (4) replacing the Influent Composite sampler; (5) purchasing a Spectrophotometer; (6) replacing the existing multi-functional copier; (7) overhauling the Cummins generators; (8) replacing the Station Three generator and fuel system; (9) replacing the electric utility cart; (10) replacing the Toyota Tundra; (11) replacing the High Pressure Effluent line; (12) replacing Shaft Mount Reducer Ditch 3; (13) rebuilding Effluent Pump 3; and (14) replacing the piping from the RAS pumps and the Effluent pumps in the Main Pump Building (collectively, “Proposed Approvals”).

WHEREAS, staff evaluated the Proposed Approvals in light of the standards for environmental review outlined in the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.) and the California Code of Regulations (Cal. Code Regs., tit. 14, §§ 15000 et seq.) (“State CEQA Guidelines”); and

WHEREAS, as to each of the Proposed Approvals, staff evaluated the proposals and determined that each proposal, as well as the proposals in the aggregate, would not constitute a project within the meaning of State CEQA Guidelines section 15378; and

WHEREAS, even assuming each of the Proposed Approvals constitute a project within the meaning of CEQA, staff have evaluated each proposal and determined that each, individually and in the aggregate, would be exempt from CEQA review pursuant to one or more of the following sections of the State CEQA Guidelines: 15061(b)(3), 15301, 15302, 15303, and 15311; and

WHEREAS, on April 22, 2020, at a regularly scheduled meeting, the Board considered staff's proposed budget and staff report, and accepted any oral and written testimony from interested parties; and

WHEREAS, having reviewed and considered the information contained in the Proposed Approvals, together with the staff report, all comments made at the meeting, and all other information before the Board, the Board has determined that the Proposed Approvals are not subject to environmental review under CEQA; and

WHEREAS, the proposed budget is attached hereto as Exhibit "A"; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE GOVERNING BOARD OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Compliance with the California Environmental Quality Act and Findings on Environmental Impacts. The Board hereby finds and determines that the approval by the Board of the Annual Budget for the 2021 Fiscal Year ("FY 2021 Budget" or "Budget") is not a project pursuant to CEQA. Specifically, the Board finds that approval of the FY 2021 Budget is not a project under State CEQA Guidelines section 15378 because there is no potential that approval of the Budget will result in either a direct physical change or reasonably foreseeable indirect change in the environment. In the alternative, and assuming the FY 2021 Budget is a project within the meaning of CEQA, the Board finds that the Budget is nonetheless exempt from CEQA review pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that approval of the Budget has no potential for direct physical impacts to the environment.

Additionally, and even if the Budget and related Proposed Approvals are a CEQA "project," they are still categorically exempt from further environmental review pursuant to State CEQA Guidelines, §§ 15301, 15302, 15303, and 15311 because the Budget and the Proposed Approvals involve:

- the operation, repair, maintenance, or minor alteration of existing public structures, facilities, or mechanical equipment that will result in negligible or no expansion of use beyond that existing today, such that the Proposed Approvals are categorically exempt from CEQA pursuant to State CEQA Guidelines §15301;

- the replacement or reconstruction of existing structures and facilities, which will be located on the same site have substantially the same purpose and capacity as the structure or facility replaced, such that the Proposed Approvals are categorically exempt from CEQA pursuant to State CEQA Guidelines § 15302;
- the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, such that the Proposed Approvals are categorically exempt from CEQA pursuant to State CEQA Guidelines § 15303; and
- the construction or replacement of minor structures accessory to (appurtenant to) existing institutional facilities, such that the Proposed Approvals are categorically exempt from CEQA pursuant to State CEQA Guidelines § 15311.

Finally, the Board finds that none of the “exceptions” to the use of the categorical exemptions exist pursuant to State CEQA Guidelines § 15300.2. Specifically, the Board finds that none of the Proposed Approvals will:

- be located within or adjacent to a particularly sensitive environment, because all of the Proposed Approvals will occur within BBARWA’s existing facilities or in areas already fully developed with existing facilities;
- result in a potentially significant cumulative impact, because all of the Proposed Approvals are intended to maintain the existing system and existing services rather than to introduce new facilities which may result in cumulative impacts;
- result in a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances, because the Proposed Approvals are exactly the type of minor repair and replacement actions commonly required for the ongoing maintenance of public infrastructure and thus do not present any “unusual circumstances”;
- result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway; or
- be located on a hazardous waste site included on any list compiled pursuant to § 65962.5 of the Government Code.

SECTION 2. Approval and Adoption of the Annual Budget for Fiscal Year 2021.

The Board hereby approves and adopts the FY 2021 Budget, a copy of which has been provided to each Board member. By approving the Budget, the Board hereby also approves each of the fourteen minor projects recommended by staff, including: (1) replacing the CBBL flow meter and software; (2) installing a bypass pumping system that connects the existing gravity main to the force main; (3) replacing the Ion Analyzer; (4) replacing the Influent Composite sampler; (5)

purchasing a Spectrophotometer; (6) replacing the existing multi-functional copier; (7) overhauling the Cummins generators; (8) replacing the Station Three generator and fuel system; (9) replacing the electric utility cart; (10) replacing the Toyota Tundra; (11) replacing the High Pressure Effluent line; (12) replacing Shaft Mount Reducer Ditch 3; (13) rebuilding Effluent Pump 3; and (14) replacing the piping from the RAS pumps and the Effluent pumps in the Main Pump Building.

SECTION 3. Execution of Resolution. The Chairperson of the Board shall sign this Resolution and the Secretary of the Board shall certify this Resolution was duly and properly adopted by the Board.

SECTION 4. Notice of Exemption. The Board hereby directs staff to file a Notice of Exemption with the San Bernardino County Clerk within five (5) working days of the adoption of this resolution.

SECTION 5. Location of Documents. The documents and materials that constitute the record of proceedings on which these findings have been based are located at BBARWA's office located at 121 Palomino Drive, Big Bear City, California 92314. The custodian for these records is the General Manager of BBARWA.

SECTION 6. Certified Copies. Certified copies of this Resolution and copies of said budget shall be delivered to the County of San Bernardino on behalf of County Service Area 53B, the Big Bear City Community Services District, and the City of Big Bear Lake.

PASSED, ADOPTED, AND APPROVED this 22nd day of April, 2020.

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

ATTEST:

I, Karyn Oxandaboure, Secretary of the Governing Board of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY that the foregoing Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Operating and Capital Budget for Fiscal Year 2021, Approving Budgeted Projects and Finding Approval of the Budget and Budgeted Projects Exempt from Review Under the California Environmental Quality Act, being Resolution No. R. 03-2020, was adopted at a regular meeting on April 22, 2020, of said Agency by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

EXHIBIT A
 FY 2021 Budget
 STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
 For the Period Ending June 30, 2021

	Budget <u>FY 2021</u>
Operating Revenues:	
Annual Charges	\$5,602,113
Standby Charges	80,300
Rental Income	52,592
Waste Disposal	21,690
Other Revenue	<u>0</u>
Total Operating Revenues	5,756,695
Operating Expenses:	
Salaries and Benefits	2,564,019
Power	487,020
Sludge Removal	203,575
Chemicals	81,116
Materials and Supplies	141,083
Repairs and Replacements	345,680
Equipment Rental	837
Utilities Expense (other than power)	29,438
Communications Expense	52,776
Contractual Services - Other	113,435
Contractual Services - Professional	219,773
Permits and fees	190,071
Property Tax Expense	4,147
Insurance	126,847
Other Operating Expense	59,853
Depreciation Expense	<u>939,015</u>
Total Operating Expenses	5,558,683
Operating Income	198,012
Nonoperating Income	
Gain (loss) on asset disposition	0
Finance Charge Income	0
Interest Income	96,004
Other Nonoperating Income	<u>0</u>
Nonoperating income	96,004
Nonoperating Expense	
Other Expense	261,700
Interest Expense	<u>124,101</u>
Nonoperating expense	385,801
Income before Contributions	-91,785
Connection Fees	<u>188,100</u>
Change in Net Position	\$96,315

EXHIBIT A, CONT.
 FY 2021 Budget
 STATEMENT OF CASH FLOWS
 For the Period Ending June 30, 2021

	<u>Budget</u> <u>FY 2021</u>
Cash from operating activities:	
Operating Income (Loss)	\$198,012
Depreciation expense	939,015
Change in Working Capital	<u>44,112</u>
Net cash provided by op activities	1,181,139
Cash from noncapital financing:	
Payment of pension related debt/liability	-200,000
Cash from capital and related financing:	
Interagency expense	-250,000
Capital Expenditures	-1,120,194
Proceeds from Asset Disposition	10,000
Connection Fee (Capital Contrib)	188,100
Proceeds from Debt Issuance, Grants	70,000
Debt Service:	
Interest Expense	-124,101
Principal Debt Amortization	<u>-384,976</u>
Total Debt Service	<u>-509,077</u>
Net cash used for cap and related financing	-1,611,170
Cash from investing:	
(Increase) Decrease in Other Assets	0
Other Proceeds	0
Interest Income	96,004
Proceeds from the Sale of Investment	<u>0</u>
Net cash from investing	96,004
NET CHANGE IN CASH	-534,028
Beginning Cash Balance	5,522,731
Ending Cash Balance	<u>4,988,703</u>
Change in Cash Balance	-\$534,028

EXHIBIT A, CONT.
 FY 2021 Budget
CAPITAL EXPENDITURES
 For the Period Ending June 30, 2021

	<u>Budget</u> <u>FY 2021</u>
FLOW MEASURING DEVICES	
CBBL Flow Meter and Software (10 year replacement)	\$48,471
Total flow measuring devices	48,471
INTERCEPTOR SYSTEM	
Pipeline	
SSO Prevention Project Engineering	10,000
SSO Prevention Project (Teal and Fairway)	<u>35,000</u>
Total interceptor system	45,000
OTHER EQUIPMENT	
Laboratory	
Ion Analyzer	36,951
Influent Composite Sampler	10,250
Spectrophotometer	10,250
Office Equipment	
Copier	<u>15,273</u>
Total other equipment	72,724
POWER GENERATING EQUIPMENT	
Cummins #1 Overhaul (3-year life)	152,684
Cummins #2 Overhaul (3-year life)	152,684
Station 3 Generator + Fuel System	<u>120,000</u>
Total power generating equipment	425,368
TRANSPORTATION EQUIPMENT	
Vehicles	
2002 Vehicle - Utility Cart Electric	16,958
2004 Toyota Tundra	<u>45,000</u>
Total transportation equipment	61,958
TREATMENT PLANT	
Piping	
High Pressure Effluent Line	157,594
Processing Equipment:	
Shaft Mount Reducer - Ditch #3	15,756
Effluent Pump 3 100 HP	26,823
Headers and check valves	<u>266,500</u>
Total treatment plant	466,673
TOTAL	<u>\$1,120,194</u>

NOTICE OF EXEMPTION

<p>TO: Office of Planning and Research P. O. Box 3044, Room 212 Sacramento, CA 95812-3044</p> <p><input checked="" type="checkbox"/> Clerk of the Board of Supervisors County of San Bernardino 385 North Arrowhead Avenue, 2nd Fl. San Bernardino, CA 92415</p> <p>or</p> <p><input type="checkbox"/> County Clerk</p>	<p>FROM: Big Bear Area Regional Wastewater Agency P.O. Box 517 121 Palomino Dr. Big Bear City, CA 92314 Phone: (909) 584-4018</p>
<p>Project Title:</p>	<p>Adoption of the Annual Budget for Fiscal Year 2021 and Approval of Minor Repair Maintenance Activities</p>
<p>Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15’ or 7 1/2’ topographical map identified by quadrangle name):</p>	<p>Big Bear Area Regional Wastewater Agency service area</p>
<p>a) Project Location – City:</p>	<p>Big Bear City</p>
<p>Project Location – County:</p>	<p>County of San Bernardino</p>
<p>Description of nature, purpose, and beneficiaries of Project:</p>	<p>Adoption of the annual budget for Fiscal Year 2021 (the “Budget”), which includes funding and approval of the following fourteen projects to maintain or replace existing equipment or purchase small equipment, including: (1) replacing the CBBL flow meter and software; (2) installing a bypass pumping system that connects the existing gravity main to the force main; (3) replacing the lon Analyzer; (4) replacing the Influent Composite sampler; (5) purchasing a Spectrophotometer; (6) replacing the existing multi-functional copier; (7) overhauling the Cummins generators; (8) replacing the Station Three generator and fuel system; (9) replacing the electric utility cart; (10) replacing the Toyota Tundra; (11) replacing the High Pressure Effluent line; (12) replacing Shaft Mount Reducer Ditch 3; (13) rebuilding Effluent Pump 3; and (14) replacing the piping from the RAS pumps and the Effluent pumps in the Main Pump Building (collectively, “Proposed Approvals”).</p>
<p>Name of Public Agency approving project:</p>	<p>Big Bear Area Regional Wastewater Agency</p>
<p>Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:</p>	<p>Big Bear Area Regional Wastewater Agency</p>
<p>Exempt status: (check one)</p>	
<p><input type="checkbox"/> Ministerial project.</p>	
<p><input checked="" type="checkbox"/> Not a project.</p>	<p>State CEQA Guidelines § 15378</p>
<p><input type="checkbox"/> Emergency Project.</p>	

<input checked="" type="checkbox"/> Categorical Exemption. State type and class number:	State CEQA Guidelines §§ 15301 [Repair and Maintenance of Existing Facilities]; 15302 [Replacement or Reconstruction of Existing Facilities]; 15303 [New Construction or Conversion of Small Structures]; and 15311 [Accessory Structures].
<input type="checkbox"/> Declared Emergency.	
<input type="checkbox"/> Statutory Exemption. State Code section number:	
<input checked="" type="checkbox"/> Other. Explanation:	State CEQA Guidelines § 15061(b)(3)
Reason why project was exempt:	<p>The April 22, 2020 approval of the Budget and Proposed Approvals is not a CEQA “project,” because the Budget and Proposed Approvals will not result in any direct or reasonably foreseeable indirect environmental impacts under State CEQA Guidelines § 15378. Further, the Budget and Proposed Approvals are not subject to CEQA review, because it can be seen with certainty that they have no potential to impact the environment under State CEQA Guidelines § 15061(b)(3).</p> <p>Additionally, and even if the Budget and the Proposed Approvals are a CEQA “project,” they are still categorically exempt from environmental review pursuant to State CEQA Guidelines, §§ 15301, 15302, 15303, and 15311 because the Budget and the Proposed Approvals involve:</p> <ul style="list-style-type: none"> • the operation, repair, maintenance, or minor alteration of existing public structures, facilities, or mechanical equipment that will result in negligible or no expansion of use beyond that existing today pursuant to State CEQA Guidelines §15301; • the replacement or reconstruction of existing structures and facilities, which will be located on the same site have substantially the same purpose and capacity as the structure or facility replaced pursuant to State CEQA Guidelines § 15302; • the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure pursuant to State CEQA Guidelines § 15303; and • the construction or replacement of minor structures accessory to (appurtenant to existing institutional facilities, such that the Proposed Approvals are categorically exempt from CEQA pursuant to State CEQA Guidelines § 15311. <p>Finally, none of the “exceptions” to the categorical exemptions apply under State CEQA Guidelines § 15300.2.</p>
Contact Person:	David Lawrence
Telephone:	(909) 584-4018

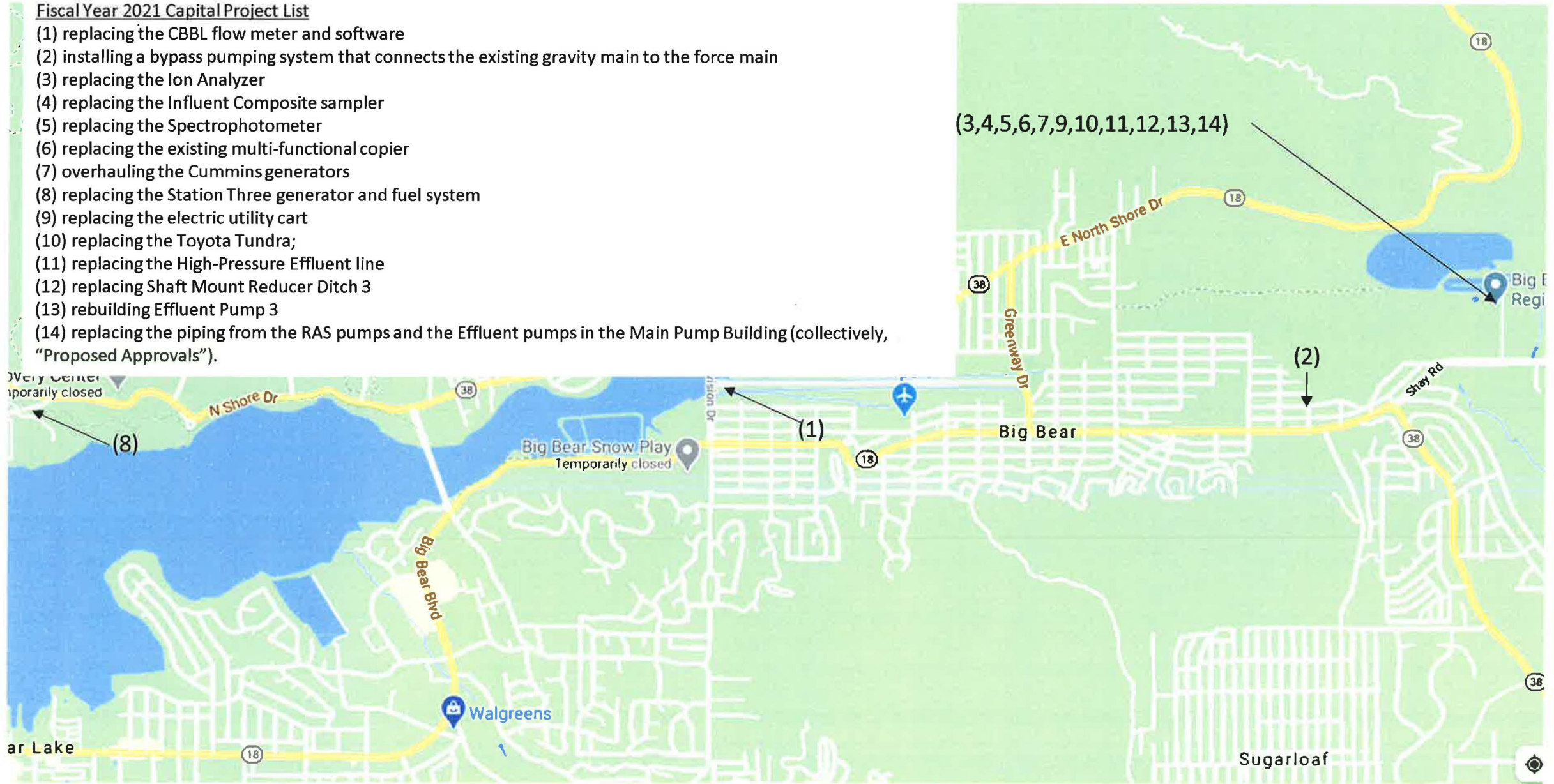
Signature (Lead Agency Representative)/Title

Date Received for Filing: _____

Project Location Map

Fiscal Year 2021 Capital Project List

- (1) replacing the CBBL flow meter and software
- (2) installing a bypass pumping system that connects the existing gravity main to the force main
- (3) replacing the Ion Analyzer
- (4) replacing the Influent Composite sampler
- (5) replacing the Spectrophotometer
- (6) replacing the existing multi-functional copier
- (7) overhauling the Cummins generators
- (8) replacing the Station Three generator and fuel system
- (9) replacing the electric utility cart
- (10) replacing the Toyota Tundra;
- (11) replacing the High-Pressure Effluent line
- (12) replacing Shaft Mount Reducer Ditch 3
- (13) rebuilding Effluent Pump 3
- (14) replacing the piping from the RAS pumps and the Effluent pumps in the Main Pump Building (collectively, "Proposed Approvals").





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

AGENDA ITEM: 9.B.

MEETING DATE: April 22, 2020

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: Public Hearing: Resolution No. R. 04-2020, 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 2.9% from \$216.78 to \$223.07, an increase of \$6.29 per equivalent dwelling unit, effective July 1, 2020. This is slightly higher (0.4% higher) than the rate adjustment recommended in the 2018 Comprehensive Sewer Rate Study 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 2021 established rate, or Sewer User Charge, is used to calculate the Agency's FY 2021 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. 04-2020

RESOLUTION NO. R. 04-2020

**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, 2020)
Base Rate	\$223.07
City of Big Bear Lake	\$231.70
Big Bear City CSD	\$216.02
CSA 53 B	\$212.56

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 22nd day of April, 2020.

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

ATTEST:

I, Karyn Oxandaboure, Secretary of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY, that the foregoing 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, being Resolution No. R. 04-2020, was duly adopted at a regular meeting of the Governing Board held on the 22nd day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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



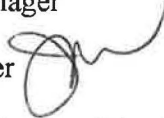
Big Bear Area Regional
Wastewater Agency
John Green – Chair
Jim Miller – Vice Chair
Karyn Oxandaboure – Secretary
David Caretto – Director
Rick Herrick – Director

AGENDA ITEM: 9.C.

MEETING DATE: April 22, 2020

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: Resolution No. R. 05-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Clarifying the Fiscal Year 2021 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 2021 remain unchanged and are charged based upon parcel size, as follows:

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

FINANCIAL IMPACT:

During FY 2021, the member agencies shall collect the standby fee and shall submit such standby fee revenue to BBARWA.

RECOMMENDATION:

Approve Resolution

ATTACHMENT:

Resolution No. R. 05-2020

RESOLUTION NO. R. 05-2020

**A RESOLUTION OF THE GOVERNING BOARD
OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY
CLARIFYING THE FISCAL YEAR 2021 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, 2020 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, 2020 (fifty percent of such charges) and April 30, 2021 (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 22nd day of April, 2020.

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

ATTEST:

I, Karyn Oxandaboure, Secretary of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY, that the foregoing 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, being Resolution No. R. 05-2020, was duly adopted at a regular meeting of the Governing Board held on the 22nd day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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



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

AGENDA ITEM: 9.D.

MEETING DATE: April 22, 2020

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: Public Hearing: Resolution No. R. 06-2020, 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 2021 are as follows (rate is per 1,000 gallons):

Waste Type	FY 2020	FY 2021
Chemical Toilet	\$64.13	\$65.99
Holding Tank	\$6.82	\$7.02
Septic Tank	\$76.74	\$78.97
% Change	3.2%	2.9%

FINANCIAL IMPACT:

Waste disposal fee revenue averages approximately \$22,000 annually and represents approximately 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 06-2020

RESOLUTION NO. R. 06-2020

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 2021 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, 2020
Chemical Toilet	\$65.99
Holding Tank	\$ 7.02
Septic Tank	\$78.97

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 22nd day of April, 2020.

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

ATTEST:

I, Karyn Oxandaboure, Secretary of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY, that the foregoing 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, being Resolution No. R. 06-2020, was duly adopted at a regular meeting of the Governing Board held on the 22nd day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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