

**BIG BEAR AREA REGIONAL WASTEWATER AGENCY
REGULAR BOARD MEETING MINUTES**

July 27, 2022

1. CALL TO ORDER

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

BOARD MEMBERS PRESENT

Rick Herrick, Chair
John Green, Vice-Chair
Jim Miller, Director
Bynette Mote, Director
Larry Walsh, 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/Board Secretary

OTHERS

Frank Forbes, County of San Bernadino Representative
Ward Simmons, Best Best & Krieger LLP

2. PLEDGE OF ALLEGIANCE

Dispensed

3. APPROVAL OF THE AGENDA

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

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

4. PUBLIC FORUM

No comments

5. PRESENTATIONS AND INTRODUCTIONS

5.A. 2022 Special District Leadership Foundation's District Transparency Certificate of Excellence

The Board Secretary explained this is the second time the Agency received this certificate. It demonstrates the Agency's commitment to operating in a transparent

and ethical manner. These documents can be found on the Agency website at <https://www.bbarwa.org/transparency>.

6. INFORMATION/COMMITTEE REPORTS

6.A. General Manager's Report

The General Manager highlighted that the Agency is expecting the Report of Waste Discharge (ROWD) formal comments from the Regional Board this week and provided an update to funding mechanisms for the Replenish Big Bear Project. A special meeting may be scheduled in the next few weeks to review the ROWD comments and funding and financing options. The Governing Board discussed the total number of connections for CSA 53B and questioned if there will be any surprises with the Replenish Big Bear Project.

8. ITEMS REMOVED FROM THE CONSENT CALENDAR

The Governing Board requested 7.E. to be removed from the consent calendar with a motion and approval first.

7.E. Resolution No. R. 10-2022, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Authorizing Virtual Governing Board and Committee Meetings Pursuant to AB 361

Upon motion by Director Mote, seconded by Vice-Chair Green and carried, the Governing Board approved Resolution No. R. 10-2022.

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

7. CONSENT CALENDAR

7.A. Approval of the Meeting Minutes from the May 25, 2022 Regular Meeting

7.B. Monthly Disbursements Report for May and June

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

7.D. Asset Disposal – Polyblend Unit

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

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

9. OLD BUSINESS

9.A. Replenish Big Bear Project Benefits Memorandum of Understanding

The General Manager explained the County of San Bernardino (County) requested minor changes to the Replenish Big Bear Project (Project) Benefits MOU. In the abundance of caution, legal counsel recommended bringing the Benefits MOU to the Governing Board for consideration. The Governing Board clarified the amount of Project water to Project partners, signing the MOU does not prevent any of the signors from contributing financially to the Project, and the MOU will be effective as of the date of the last signatory and will continue for a period of three years with a possible extension not to exceed five years. The Governing Board encouraged the County to make a financial commitment to the Project with further discussion about areas that have been devastated by drought. The Governing Board and staff discussed grant opportunities for the Project and the possibility for Project partners to pursue grant funding for their financial contributions along with discussion regarding Fish and Game and the Tribal Nations becoming beneficiaries, and the Second Amended and Restated MOU reimbursements.

Upon motion by Director Walsh, seconded by Vice-Chair Green and carried, the Governing Board authorized the General Manager to execute the Replenish Big Bear Project Benefits Memorandum of Understanding with the edits provided by the County of San Bernardino.

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

10. NEW BUSINESS

10.A. Purchasing Policy Approval

The Finance Manager described elements of the Purchasing Policy, including the federal requirements associated with the Agency's newly awarded grant, the bidding procedures under the Uniform Public Construction Cost Accounting Act, consolidation of existing, related policies and an amendment to the General Manager's contracting authority.

Upon motion by Director Miller, seconded by Director Walsh and carried, the Governing Board approved the Purchasing Policy.

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

10.B. Appropriate \$75,000 for Oxidation Ditch 2 Rotor 4 Shaft Replacement from the Contingency Fund

The General Manager explained the repairs needed for Oxidation Ditch 2 Rotor 4. The Governing Board clarified the total cost included labor and material.

Upon motion by Director Mote, seconded by Director Walsh and carried, the Governing Board appropriated \$75,000 for Oxidation Ditch 2 Rotor 4 Shaft Replacement from the Contingency Fund.

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

10.C. Resolution No. R. 09-2022, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Declaring its Intent to Issue Tax-Exempt Obligations to be Used to Reimburse the Big Bear Area Regional Wastewater Agency for Expenditures Made Prior to the Issuance of Such Obligations

The Finance Manager described the resolution being required when the Agency believes it will spend funds for a project in advance of issuing the debt obligation. It is a mechanism to be reimbursed from debt obligations when the Agency uses cash for a project. This does not bind the Agency to issue any debt, and any debt issuance will be brought back to the Governing Board for consideration with a 4/5 vote required for approval. Discussion ensued between the Governing Board and staff regarding the Replenish Big Bear Project cost detailed in the resolution.

Upon motion by Vice-Chair Green, seconded by Director Miller and carried, the Governing Board approved Resolution No. R. 09-2022.

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

11. COMMENTS AND ANNOUNCEMENTS

11.A. General Manager Comments
None

11.B. Governing Board Member Comments

The Governing Board congratulated the General Manager for being selected as a Local Government Champion by the Institute for Local Government, discussed the East Valley Water Purification Project and its similarities and differences to the Replenish Big Bear Project (Project), and thanked staff for their efforts with the Project. Staff thanked the Governing Board and the community for their support for the Project.

11. ADJOURNMENT

With no further business to come before the Governing Board, Chair Herrick adjourned the meeting at 5:47 p.m.

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