

# BIG BEAR AREA REGIONAL WASTEWATER AGENCY

Regular Board Meeting Agenda

September 22, 2021 at 5:00 p.m.

Due to Executive Order N-25-20 and 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 4).

The public may participate in this meeting by:

Joining the Zoom Meeting:

<https://us06web.zoom.us/j/89041535603?pwd=VlpKb2Z2enVkbXZvRkZuMWNqd2o5QT09>

Meeting ID: 890 4153 5603

Passcode: 971589

Dial by your location

+1 346 248 7799 US (Houston)

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Find your local number: <https://us06web.zoom.us/j/89041535603?pwd=VlpKb2Z2enVkbXZvRkZuMWNqd2o5QT09>

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **PUBLIC FORUM**

Public testimony is permitted at this time only on consent calendar items and other matters not listed on the posted agenda that are within the subject matter jurisdiction of the Agency. State law prohibits the Agency from taking action on any items not listed on the posted agenda. Public comment on items listed on the posted agenda will be taken at the time each item is called for discussion.

Please note that the Governing Board is making efforts to follow the spirit and intent of the Brown Act and other applicable laws regulating the conduct of public meetings, in order to maximize transparency and public access. It would be appreciated if communications of public comments related to items on the agenda, or items not on the agenda, are emailed to [bburton@bbarwa.org](mailto:bburton@bbarwa.org) on or before Wednesday, September 22, 2021, at 4:00 p.m. Please include in the email's subject line "Public Comment Item # (insert the number relevant to your comment)" or "Public Comment Non-Agenda Item". If you wish to submit a public comment on more than one agenda item, please send a separate email for each item you are commenting on.

If it is not possible to submit an email by 4:00 p.m., and comments are submitted by email after that time or thru the Zoom chat feature during the meeting, every effort will be made to attempt to review emails and Zoom chats during the course of the meeting. The Chair will endeavor to take a brief pause before Governing Board action is taken on agenda items to allow the Board Secretary time to review the public's electronic communications. Every effort will be made during the meeting to read aloud all electronically submitted comments. Please note, all electronically submitted correspondence relating to this meeting will become part of the meeting record and will be cited within the meeting minutes. Please limit written comments to 300 words or less. In addition, prior to the close of public comment portions of the meeting, the Chair will provide the public an opportunity to verbally state their comment live via Zoom teleconference.

At meetings of the Governing Board, each individual speaker will be limited to five minutes or less of public testimony on each item on the agenda and three minutes or less on each item not on the agenda. In addition, public testimony on non-agenda items shall be limited to thirty minutes for all speakers. Further, the cumulative time which any individual may provide public testimony during a meeting is 15 minutes. The Chair of the Governing Board by majority vote may waive these time limitations. 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. The Chair or the Governing Board by majority vote may rule out of order testimony that is unduly repetitious or irrelevant.

**5. PRESENTATION AND INTRODUCTION**

None

**6. INFORMATION/COMMITTEE REPORTS**

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

**7. 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 Governing Board Member may request that an item be removed from the Consent Calendar and considered separately.

**7.A.** Approval of the Meeting Minutes from the August 25, 2021 Regular Meeting

**7.B.** Monthly Disbursements Report for August - Informational

**7.C.** Investment Report Identifying Agency Investments and Reporting Interest Income for August - Informational

**7.D.** Carryover Appropriations - Approve

8. **ITEMS REMOVED FROM CONSENT CALENDAR**

9. **OLD BUSINESS**

None

10. **NEW BUSINESS – DISCUSSION/ACTION ITEMS**

10.A. Appointment of Governing Board Member to the Administrative Committee

10.B. Adjourn the November 24<sup>th</sup> and December 22<sup>nd</sup> 2021 Regular Board Meetings and Schedule a Special Meeting

10.C. Administrative Policy Public Records Requests

10.D. Appropriate \$26,000 from the Capital and Replacement Fund for the Expansion of the SCADA Production Server and the Integration of the Cummins Generators with SCADA

11. **COMMENTS AND ANNOUNCEMENTS**

12.A. General Manager Comments

12.B. Governing Board Member Comments

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 the Agency 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 Bridgette Burton.** Notification at least 48 hours prior to the meeting or time when services are needed will assist 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](http://www.bbarwa.org) to view and/or print the Agenda Package.



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
*Rick Herrick – Vice-Chair*  
*John Green – Director*  
*Bynette Mote – Director*  
*Karyn Oxandaboure – Director*

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## AGENDA ITEM: 6.A.

**MEETING DATE:** September 22, 2021  
**TO:** Governing Board of the Big Bear Area Regional Wastewater Agency  
**FROM:** David Lawrence, P.E., General Manager  
**REVIEWED BY:** Jennifer McCullar, Finance Manager; and John Shimmin, Plant Manager  
**SUBJECT:** General Manager's Report

**DISCUSSION:**

Administration

*AB 361 (Rivas) – Brown Act: Remote Meetings During Emergencies*

The bill was referred back to the Judiciary Committee on September 7, 2021.

*SB 278 (Leyva) - Public Employees' Retirement System: Disallowed Compensation: Benefit Adjustments*

As originally drafted, the bill would have placed 100 percent of the liability for disallowed pension compensation on employers. As a result, if CalPERS were to determine that a benefit being provided to retirees violates the law, CalPERS would:

- Cease paying the benefit to the retiree;
- Require the employer of record to pay back to CalPERS the disallowed portion of the benefit that had been previously been paid to the retiree (currently the retirees responsibility);
- Require the employer to pay the retiree directly in installments or a lump sum the actuarial equivalent of the amount the retiree would have received over the life of the disallowed benefit.

The bill has been amended to address the installment/lump sum payments that could have been viewed as public agencies providing illegal benefits to retirees. Now, instead of continuing to make installment payments or a lump sum payment of the full amount of the disallowed benefit, employers will be required to pay a "penalty" equal to 20 percent of the disallowed compensation that would have been paid to the retiree. Of the 20 percent penalty, 90 percent would go to the retiree and 10 percent would go to CalPERS. According to the California Special Districts Association, the amendments significantly improve the amount that would be owed by employers but there are still a number of issues with the bill:

- While the bill requires CalPERS to review MOUs for accuracy should an agency request them to do so, CalPERS secured amendments to the bill removing the requirement that they certify their findings. This allows CalPERS the ability to change their mind after reviewing and approving an MOU's legality and maintains that any liability associated with disallowed pension compensation remains with the employer rather than CalPERS.
- Requires that CalPERS receive 10 percent of penalty payments for any disallowed compensation they discover, even if they had previously approved the compensation (see previous bullet).
- If the previous draft of the bill created issues with the potential for illegal payments being made to retirees, then a 20 percent penalty based on the illegal benefit amount would also be providing an illegal benefit.

SB 278 is on the Assembly Third Reading File and is expected to make it to the Governor's desk.

Operations

*BBARWA Solar Project*

Due to ongoing material procurement delays, the system is expected to be operational in October.

*Headworks Project*

Plan revisions are in development with re-bid expected in late September/early October.

*Division & Mountain View Vault Lid Replacement for the CBBL Flow Meter and Software Project*

The Agency received two informal proposals from local contractor for this project. The project has been awarded to Romans Construction.

<b>Contractor</b>	<b>Bid Amount</b>
Romans Construction	\$30,480.00
Bear Valley Paving	\$50,234.00

*2021 Treatment Plant Data*

There were no reportable violations during August 2021. The influent flow (MG) chart is attached to this report.

<b>Flow Percentages</b>			
<b>Member Agency</b>	<b>June</b>	<b>July</b>	<b>August</b>
City of Big Bear Lake	47.61%	50.18%	49.31%
Big Bear City	48.46%	46.02%	46.98%
County of San Bernardino	3.93%	3.81%	3.71%

*Connections*

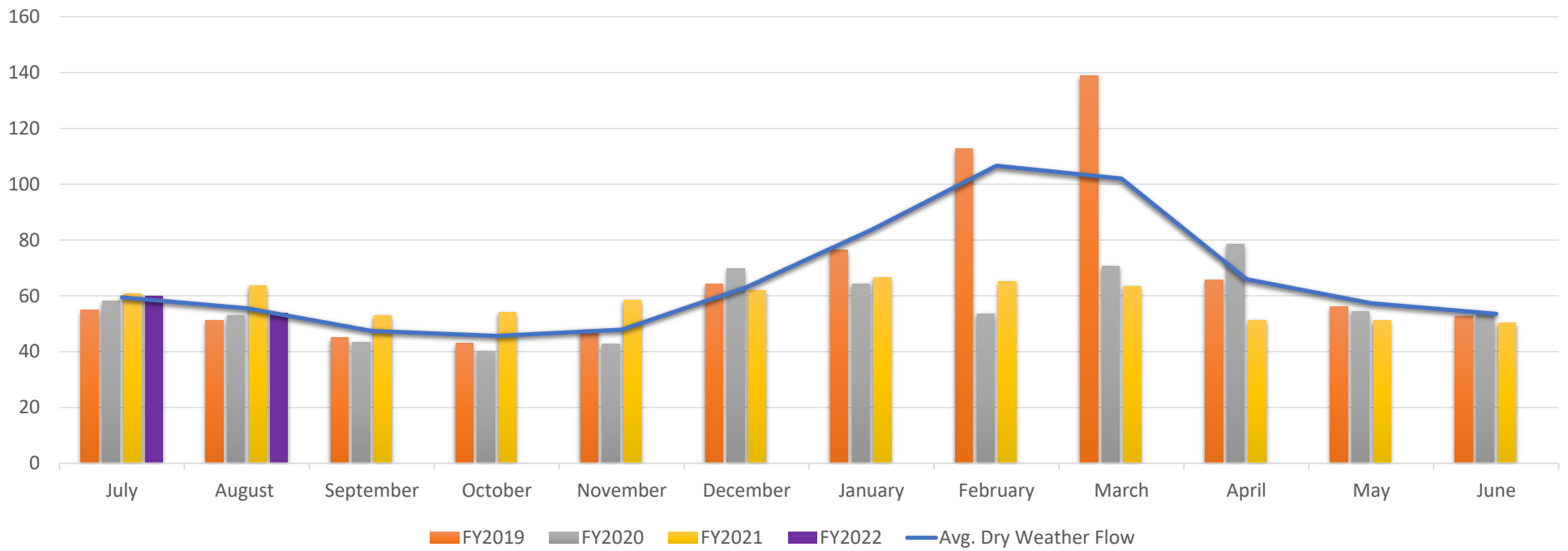
MONTH	FYE 6/30/2022									
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	CITY-BBL	CSD	CSA-53B
July	8	3	4	3	7	3	11	2	9	0
August	5	12	6	10	2	12	8	5	3	0
September	6	4	6	3	7	3	0	0	0	0
October	10	9	8	3	5	10	0	0	0	0
November	6	5	11	5	2	2	0	0	0	0
December	8	4	2	3	1	2	0	0	0	0
January	1	0	0	1	1	2	0	0	0	0
February	0	1	0	0	1	0	0	0	0	0
March	3	2	0	3	1	3	0	0	0	0
April	10	3	0	3	7	12	0	0	0	0
May	10	4	0	5	5	6	0	0	0	0
June	2	16	0	6	6	13	0	0	0	0
<b>TOTAL</b>	<b>69</b>	<b>63</b>	<b>37</b>	<b>45</b>	<b>45</b>	<b>68</b>	<b>19</b>	<b>7</b>	<b>12</b>	<b>0</b>

Other

*Replenish Big Bear*

The SAWPA Memorandum of Understanding and the Project Benefit Memorandum of Understanding have been distributed to the various agencies and are in the process of being scheduled for review and approval by the respective governing boards.

Influent Flow (MG)



**BIG BEAR AREA REGIONAL WASTEWATER AGENCY**

**REGULAR BOARD MEETING MINUTES**

August 25, 2021

**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 Miller at 5:00 p.m. on August 25, 2021 via Zoom and was conducted pursuant to California Government Code Section 54953 and Governor Newsome's Executive Order N-25-20 and N-29-20.

**BOARD MEMBERS PRESENT**

Jim Miller, Chair  
Rick Herrick, Vice-Chair  
John Green, Director  
Bynette Mote, Director  
Karyn Oxandaboure, 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**

Ward Simmons, Best Best & Krieger  
Lutfi Kharuf, Best Best & Krieger  
Mary Reeves, General Manager, Big Bear City Community Services District  
Larry Walsh, Board Member, Big Bear City Community Services District  
Reggie Lamson, General Manager, City of Big Bear Lake, Department of Water and Power  
Craig Hjorth, Treasurer, City of Big Bear Lake, Department of Water and Power  
Kathy Portie, Big Bear Grizzly Newspaper  
Michael Perry, CEO, Visit Big Bear  
Amie Kinne  
Elaine Anderson  
James Fernane  
Jim Eakin  
John Kosmatka  
Jon Bidwell  
Joseph Kelly  
Linda  
Patrice Duncan  
Robert Russell  
Sarah Simoneau  
Terri Long



2. **PLEDGE OF ALLEGIANCE**

Dispensed

3. **APPROVAL OF THE AGENDA**

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

Ayes: Green, Herrick, Mote, Oxandaboure, Miller

Noes: None

Absent: None

Abstain: None

4. **PUBLIC FORUM**

No comments

5. **PRESENTATIONS AND INTRODUCTIONS**

The General Manager thanked staff for their hard work and dedication and presented the following employee recognitions of service and awards:

5.A. Brent Berg 15-year recognition

5.B. Sonja Kawa 10-year recognition

5.C. California Water Environmental Association Desert and Mountain Section 2020 Small Plant Safety Award

5.D. California Water Environmental Association Desert and Mountain Section 2020 Plant of the Year Small Award (Less than 5 MGD)

5.E. California Water Environmental Association 2020 Plant of the Year Small Award (Less than 5 MGD) Third Place

5.F. Government Finance Officers Association of the United States and Canada (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended June 30, 2020

6. **INFORMATION/COMMITTEE REPORTS**

6.A. General Manager's Report

The General Manager highlighted items that occurred since the last Governing Board meeting.

7. **CONSENT CALENDAR**

- 7.A. Approval of the Meeting Minutes from the May 26, 2021 Regular Meeting, June 16, 2021 Special Meeting Replenish Big Bear Workshop, and the June 23, 2021 Special Meeting Replenish Big Bear Workshop
- 7.B. Monthly Disbursements Report for May, June, and July
- 7.C. Investment Report Identifying Agency Investments and Reporting Interest Income for May, June, and July
- 7.D. Resolution No. R.09-2021, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting the Annual Statement of Investment Policy

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

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

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

None

9. **OLD BUSINESS**

None

10. **CLOSED SESSION**

- 10.A. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (1)

The Governing Board entered closed session at 5:09 p.m. Chair Miller reconvened open session at 5:55 p.m. with no reportable action.

11. **NEW BUSINESS**

- 11.A. Replenish Big Bear Funding Options

Lutfi Kharuf of Best Best & Krieger presented four potential funding sources to raise revenue for the Replenish Big Bear Project: 1) using the existing fee authority, 2) utilizing a benefits assessment, 3) establishing a community

facilities district, or 4) conducting a special parcel tax election. Discussion ensued between the Governing Board, staff, and Mr. Kharuf.

Sarah Simoneau commented that she wanted to make sure that the voices of the community are heard, and the community has the final say on whether they vote yay or nay.

This staff report was informational only and no action was taken by the Governing Board.

**11.B.** Appropriate \$43,650 for a New Rate Study Covering Current Rates, Rates Associated with Replenish Big Bear, Waste Hauler Fees, and Connection Fees

The Finance Manager discussed the need for a rate study to include the Replenish Big Bear Project. The Governing Board expressed concern over including estimated project costs and provided direction to only include known costs for the project. Discussion ensued between the Governing Board and staff.

Upon motion by Chair Miller, seconded by Vice-Chair Herrick and carried, the Governing Board appropriated \$43,650 for the new rate study from the Contingency Fund and authorized the General Manager to negotiate and execute a 5-year rate study for BBARWA's normal budget and a 3-year rate study for known Replenish Big Bear expenses with HDR in an amount not to exceed \$43,650.

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

**11.C.** Replenish Big Bear Project Benefits, Memorandum of Understanding

The General Manager explained the purpose of the Project Benefit MOU. The Governing Board clarified there is no financial commitment related to the MOU. Discussion ensued between the Governing Board and staff.

Upon motion by Director Mote, seconded by Director Oxandaboure and carried, the Governing Board authorized the General Manager to negotiate and execute the Replenish Big Bear Project Benefits, Memorandum of Understanding.

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

**11.D. Sale of BBARWA Renewable Energy Credits**

The General Manager described the process of selling BBARWA's renewable energy credits. Discussion ensued between the Governing Board and staff.

Upon motion by Vice-Chair Herrick, seconded by Director Green and carried, the Governing Board authorized the General Manager to negotiate and execute the Solar REC Purchase Agreement with Verdant Energy Services, LLC, to sell the renewable energy credits.

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

**12. COMMENTS AND ANNOUNCEMENTS**

**12.A. General Manager Comments**  
None

**12.B. Governing Board Member Comments**  
Chair Miller welcomed Bynette Mote to the Governing Board.

**13. ADJOURNMENT**

With no further business to come before the Governing Board, Chair Miller adjourned the meeting at 6:52 p.m.

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



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
*Rick Herrick – Vice-Chair*  
*John Green – Director*  
*Bynette Mote – Director*  
*Karyn Oxandaboure – Director*

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**AGENDA ITEM: 7.B.**

**MEETING DATE:** September 22, 2021

**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 Disbursements Report

**BACKGROUND:**

Attached is the Agency's August 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 Aug 1, 2021 to Aug 31, 2021**

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

Check #	Date	Payee	Cash Account	Amount
CASH 23199	8/2/21	CALPERS RETIREMENT	1000-20	2,483.00
CASH 23200	8/2/21	CALPERS RETIREMENT	1000-20	170,985.0
CASH 23201	8/3/21	PRINCIPAL FINANCIAL GROUP	1000-20	3,584.20
CASH 23202	8/3/21	CALPERS HEALTH	1000-20	32,615.10
CASH 23203	8/4/21	VISION SERVICE PLAN	1000-20	328.35
CASH 23204	8/5/21	PAYA	1000-20	19.99
21518	8/9/21	AG TECH LLC	1000-20	27,780.02
21519	8/9/21	JOHN CONNELLY	1000-20	350.00
21520	8/9/21	BEAR VALLEY BASIN GSA	1000-20	77.71
21521	8/9/21	HAZ MAT TRANS, INC.	1000-20	2,295.54
21522	8/9/21	WATER SYSTEMS CONSULTING, INC.	1000-20	18,406.25
21523	8/9/21	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	2,525.72
21524	8/9/21	AMAZON CAPITAL SERVICES	1000-20	191.41
21525	8/9/21	ARAMARK UNIFORM SERVICES	1000-20	1,058.32
21526	8/9/21	BEST BEST & KRIEGER LLP	1000-20	7,046.31
21527	8/9/21	BIG BEAR CITY COMMUNITY SERVICES	1000-20	434.47
21528	8/9/21	BUTCHER'S BLOCK & BUILDING	1000-20	105.19
21529	8/9/21	BEAR VALLEY ELECTRIC	1000-20	7,108.62
21530	8/9/21	BEAR VALLEY FIRE PROTECTION, INC.	1000-20	666.63
21531	8/9/21	CAR QUEST OF BIG BEAR	1000-20	310.39
21532	8/9/21	CWEA TCP/MEMBERSHIP	1000-20	480.00
21533	8/9/21	DADDY'S PEST CONTROL	1000-20	150.00
21534	8/9/21	DEPARTMENT OF CONSUMER AFFAIRS	1000-20	180.00
21535	8/9/21	UNDERGROUND SERVICE ALERT	1000-20	126.36
21536	8/9/21	DIRECT TV	1000-20	39.99
21537	8/9/21	DEPARTMENT OF WATER & POWER	1000-20	47.80
21538	8/9/21	ENERGY LINK INDUSTRIAL SERVICES, IN	1000-20	128.68
21539	8/9/21	FERGUSON WATERWORKS #1083	1000-20	1,208.96
21540	8/9/21	FLYERS ENERGY	1000-20	1,377.70
21541	8/9/21	FRONTIER COMMUNICATIONS	1000-20	878.31
21542	8/9/21	HUGHESNET	1000-20	102.33
21543	8/9/21	KAMAN INDUSTRIAL TECHNOLOGIES	1000-20	4,345.07
21544	8/9/21	LAKESIDE EQUIPMENT CORP	1000-20	801.66

**Big Bear Area Regional Wastewater Agency**  
**Check Register**  
**For the Period From Aug 1, 2021 to Aug 31, 2021**

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

Check #	Date	Payee	Cash Account	Amount
21545	8/9/21	JOHN LISEE PUMPS INC	1000-20	22,468.55
21546	8/9/21	NICHOLAS R. MARTIN	1000-20	300.00
21547	8/9/21	MCMASTER-CARR SUPPLY COMPANY	1000-20	68.24
21548	8/9/21	MCR TECHNOLOGIES, INC.	1000-20	4,921.82
21549	8/9/21	NAPA AUTO PARTS	1000-20	31.83
21550	8/9/21	CONSTANCE M. ALVARADO	1000-20	55.00
21551	8/9/21	SAFETY-KLEEN SYSTEMS, INC.	1000-20	350.27
21552	8/9/21	SAN BERNARDINO COUNTY FIRE PROTE	1000-20	1,365.00
21553	8/9/21	SCHRODER & SON, INC.	1000-20	775.00
21554	8/9/21	RYAN R. ABELN	1000-20	405.62
21555	8/9/21	SPECTRUM BUSINESS	1000-20	1,023.93
21556	8/9/21	TOP SCALE, INC.	1000-20	216.30
21557	8/9/21	VALERO	1000-20	24.72
21558	8/9/21	BRIDGETTE BURTON	1000-20	50.00
21559	8/9/21	SONJA KAWA	1000-20	50.00
21560	8/9/21	DAVID LAWRENCE	1000-20	50.00
21561	8/9/21	JENNIFER MCCULLAR	1000-20	50.00
21562	8/9/21	JOHN SHIMMIN	1000-20	50.00
CASH 23205	8/9/21	CALIFORNIA STATE DISBURSEMENT UNI	1000-20	126.00
CASH 23206	8/9/21	AMERICAN FIDELITY ASSURANCE CO	1000-20	469.98
CASH 23207	8/9/21	CA PERS 457 PROGRAM	1000-20	4,352.53
CASH 23208	8/9/21	CALPERS RETIREMENT	1000-20	3,020.00
CASH 23209	8/9/21	CALPERS RETIREMENT	1000-20	8,171.78
CASH 23210	8/9/21	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,973.99
CASH 23211	8/10/21	EMPLOYMENT DEVELOPMENT DEPARTM	1000-20	2,302.87
CASH 23212	8/10/21	INTERNAL REVENUE SERVICE	1000-20	6,953.89
21563	8/23/21	ALL PROTECTION ALARM	1000-20	1,027.64
21564	8/23/21	AMAZON CAPITAL SERVICES	1000-20	499.24
21565	8/23/21	ARROWHEAD	1000-20	292.41
21566	8/23/21	BUSINESS CARD	1000-20	2,682.05
21567	8/23/21	CLINICAL LAB OF SAN BERNARDINO	1000-20	545.00
21568	8/23/21	COUNTY OF SAN BERNARDINO SOLID W	1000-20	341.07
21569	8/23/21	DADDY'S PEST CONTROL	1000-20	475.00

**Big Bear Area Regional Wastewater Agency**  
**Check Register**  
**For the Period From Aug 1, 2021 to Aug 31, 2021**

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

Check #	Date	Payee	Cash Account	Amount
21570	8/23/21	ENDURA STEEL	1000-20	84.00
21571	8/23/21	GRAINGER	1000-20	800.23
21572	8/23/21	JUST ENERGY SOLUTIONS INC.	1000-20	16,359.71
21573	8/23/21	THE LITTLE GREEN HOUSE FLORIST	1000-20	81.35
21574	8/23/21	MCR TECHNOLOGIES, INC.	1000-20	1,414.56
21575	8/23/21	MITEL	1000-20	355.72
21576	8/23/21	RANDY J. SPITZ	1000-20	89.65
21577	8/23/21	NATIVESCAPES INC	1000-20	420.00
21578	8/23/21	NORTHERN TOOL & EQUIPMENT	1000-20	665.24
21579	8/23/21	REBEL OIL CO., INC.	1000-20	1,109.94
21580	8/23/21	SOUTHERN CALIFORNIA EDISON	1000-20	42.76
21581	8/23/21	SOUTHWEST GAS CORP	1000-20	10,252.13
21582	8/23/21	SOUTHWEST GAS	1000-20	158.73
21583	8/23/21	VERIZON WIRELESS	1000-20	241.58
21584	8/23/21	VIKING MAINTENANCE SERVICES, LLC	1000-20	1,190.00
21585	8/23/21	ARLANDA, LLC	1000-20	1,100.00
21586	8/23/21	BRIDGETTE BURTON	1000-20	1,051.15
21587	8/23/21	BIG BEAR CITY COMMUNITY SERVICES	1000-20	521.82
21588	8/23/21	RYAN R. ABELN	1000-20	4,617.38
21589	8/23/21	SUPPORT PRODUCT SERVICES, INC.	1000-20	712.07
CASH 23213	8/23/21	CALIFORNIA STATE DISBURSEMENT UNI	1000-20	126.00
CASH 23214	8/23/21	AMERICAN FIDELITY ASSURANCE CO	1000-20	469.98
CASH 23215	8/23/21	CALPERS RETIREMENT	1000-20	3,020.00
CASH 23216	8/23/21	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,973.99
CASH 23217	8/23/21	CA PERS 457 PROGRAM	1000-20	4,351.68
CASH 23218	8/23/21	CALPERS RETIREMENT	1000-20	8,180.15
CASH 23219	8/24/21	EMPLOYMENT DEVELOPMENT DEPARTM	1000-20	2,307.47
CASH 23220	8/24/21	INTERNAL REVENUE SERVICE	1000-20	6,881.13
CASH 23221	8/27/21	LEGALSHIELD	1000-20	67.80
CASH 23222	8/27/21	TEXAS LIFE INSURANCE COMPANY	1000-20	213.00
CASH 23223	8/27/21	AMERICAN FIDELITY ASSURANCE CO	1000-20	625.48
CASH 23224	8/30/21	PAYA	1000-20	12,593.94
CASH 23225	8/31/21	PAYA	1000-20	38.85



**Big Bear Area Regional Wastewater Agency**  
**Check Register**  
**For the Period From Aug 1, 2021 to Aug 31, 2021**

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

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<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
<b>Total</b>				<b><u>439,846.3</u></b>

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Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
*Rick Herrick – Vice-Chair*  
*John Green – Director*  
*Bynette Mote – Director*  
*Karyn Oxandaboure – Director*

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**AGENDA ITEM: 7.C.**

**MEETING DATE:** September 22, 2021

**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 Identifying Agency Investments and Reporting Interest Income

**BACKGROUND:**

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

**FINANCIAL IMPACT:**

There is no financial impact.

**RECOMMENDATION:**

Informational

BBARWA  
 Monthly Investment Report  
 August 2021

<u>INVESTMENT TYPE</u>	<u>COST</u>	<u>FAIR MARKET VALUE (1)</u>	<u>YEAR TO DATE INTEREST(2)</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>
LOCAL AGENCY INVESTMENT FUND	\$ 5,339,375	\$ 5,339,818	4,768	0.221%	DAILY
TOTAL	\$ 5,339,375	\$ 5,339,818	4,768		

The Investment Portfolio of the Big Bear Area Regional Wastewater Agency is in compliance with the investment policy approved in Sept 2020. 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 2022 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

September 14, 2021

[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:

August 2021 Statement

### Account Summary

Total Deposit:	0.00	Beginning Balance:	5,339,374.87
Total Withdrawal:	0.00	Ending Balance:	5,339,374.87



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
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---

**AGENDA ITEM: 7.D.**

**MEETING DATE:** September 22, 2021

**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:** Carryover Appropriations

**BACKGROUND:**

The Board appropriated funds in FY 2021 for projects and purchases that were not completed at year end and will need to be completed in FY 2022. The following will be carried over and added to the FY 2022 Budget.

Capital Expenditures		Operating and Non-Operating Expenses	
Station 3 Generator and Fuel System	\$ 115,050.35	Generators - Repairs and Replacement	\$ 20,366.69
CBBL Flow Meter and Software	40,986.36	Contractual Services - Professional Other	32,016.83
Effluent Pump 3	26,048.00	Other Expense (non-operating) (a)	<u>335,509.76</u>
Ground Fault Monitor	<u>22,188.75</u>	Total	<u>\$387,893.28</u>
Total	<u>\$ 204,273.46</u>		

(a) These expenses include Replenish Big Bear and the GSA JPA administrative costs.

**FINANCIAL IMPACT:**

There is no financial impact since the funds have previously been appropriated. The FY 2022 Budget will be revised to increase the respective line items by the amounts noted above.

**RECOMMENDATION:**

Approve carryover appropriations for the FY 2022 Budget.



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
*Rick Herrick – Vice-Chair*  
*John Green – Director*  
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---

## AGENDA ITEM: 10.A.

**MEETING DATE:** September 22, 2021

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

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

**PREPARED BY:** Bridgette Burton, Management Analyst/Board Secretary

**SUBJECT:** Appointment of Governing Board Member to the Administrative Committee

### BACKGROUND & DISCUSSION:

The recent mid-year resignation of Director Caretto has left a vacancy on the Administrative Committee. The Administrative Committee is tasked with providing advice to the Governing Body regarding meetings with the General Manager, evaluating the General Manager's performance, participating in the development and hiring of managerial level employees, and other tasks as assigned by the Governing Body. Director Green is the current member of this committee.

The Governing Board may consider reassigning members to each committee (Administrative, Finance, Operations) or assigning Director Mote to fill the vacancy on the Administrative Committee.

Chair Miller will begin opening nominations for each committee. A second will be offered, followed by a vote of the Governing Board. The same procedure will be utilized for each committee, if needed. The designated officers will assume their newly appointed positions at the next scheduled committee meeting.

### FINANCIAL IMPACT:

There is no financial impact.

### RECOMMENDATION:

Appointment of Governing Board Members to the Administrative, Finance, and Operations Committees or appointment of Director Mote to the Administrative Committee.



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
*Rick Herrick – Vice-Chair*  
*John Green – Director*  
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*Karyn Oxandaboure – Director*

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**AGENDA ITEM: 10.B.**

**MEETING DATE:** September 22, 2021

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

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

**PREPARED BY:** Bridgette Burton, Management Analyst/Board Secretary

**SUBJECT:** Adjourn the November 24<sup>th</sup> and December 22<sup>nd</sup> 2021 Regular Board Meetings and Schedule a Special Meeting

**BACKGROUND & DISCUSSION:**

The Agency historically adjourns the November and December Regular Board Meetings due to the proximity of the holidays. At this time, it is appropriate for the Governing Board to consider formally adjourning these meetings and schedule a Special Meeting during the week of December 6<sup>th</sup> – 10<sup>th</sup>, at a time convenient for the Governing Board.

**FINANCIAL IMPACT:**

There is no financial impact.

**RECOMMENDATION:**

Adjourn the November 24<sup>th</sup> and December 22<sup>nd</sup> 2021 Regular Board Meetings and schedule a Special Meeting.



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
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*John Green – Director*  
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*Karyn Oxandaboure – Director*

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**AGENDA ITEM: 10.C.**

**MEETING DATE:** September 22, 2021

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

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

**PREPARED BY:** Bridgette Burton, Management Analyst/Board Secretary

**SUBJECT:** Administrative Policy Public Records Requests

**BACKGROUND:**

Periodically, the Agency reviews its policies and procedures for accuracy and relevance. The Administrative Policy Public Records Requests was last updated in 2012.

**DISCUSSION:**

The Agency is subject to the California Public Records Act. The Act requires public agencies to make public records available for inspection, unless there are exceptions as set forth in the code. When the Agency receives a request, the Agency has ten days to respond in which to determine if the records are disclosable and to respond to the requester with that decision. In certain circumstances, the Agency may request a 14-day extension in which to respond. Not all records are disclosable; an analysis will be conducted once the records are identified. If a record is not disclosable, the Agency will provide a reason to the requestor. Because an analysis of the records needs to be performed, and because of legal ramifications, staff has revised the policy to direct all requests to the Records Coordinator.

Adopting this policy will provide uniformity and guidance to staff and clarify the process for members of the public.

**FINANCIAL IMPACT:**

There is no financial impact.

**RECOMMENDATION:**

Approve

**ATTACHMENT:**

Administrative Policy Public Records Requests





## **ADMINISTRATIVE AND PERSONNEL POLICY PUBLIC RECORDS REQUESTS**

### **I. PURPOSE**

This policy is established in accordance with Government Code section 6253.4, subdivision (a), which states: “Every agency may adopt regulations stating the procedures to be followed when making its records available in accordance with this section.” This policy sets forth the Big Bear Area Regional Wastewater Agency’s policies and procedures for handling requests to inspect and/or copy public records. It is designed to be in compliance with the California Public Records Act (Gov. Code §§ 6250 et seq.) and all existing laws pertaining to disclosure of public records. If any provision of this policy conflicts with current state or federal law, the law should take precedence.

### **II. DEFINITIONS**

As used in this Policy, the following terms shall have the following meanings:

- A. “Agency” shall mean the Big Bear Area Regional Wastewater Agency.
- B. “Certified Copy” shall mean a document certified by the Board Secretary and embossed with the BBARWA logo.
- C. “Person” shall mean any natural person, corporation, partnership, limited liability company, firm, or association. (Gov. Code § 6252, subd. (c).)
- D. “Writing” means any “handwriting, typewriting, printing, photo-stating, photographing, photocopying, electronic mail, facsimile, social media post, and every other means of recording upon any tangible thing in any form of communication or representation, including letters, words, pictures, sounds or symbols, or any combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.” (Gov Code § 6252 subd. (g).)
- E. “Public Records” shall mean any Writing containing information relating to the conduct of the Agency’s business prepared, owned, used, or retained by the Agency, regardless of physical form or characteristics. (Gov. Code § 6252, subd. (e).)
- F. “Requestor” shall mean a Person, or representative of a Person, who has submitted a request for records to the Agency by mail, fax, e-mail, telephone, or in-person.

Emails that pertain to Agency business are considered Public Records, under the definitions in the Public Records Act as stated above and are subject to this Policy.



### **III. RIGHT TO INSPECT RECORDS AND OBTAIN COPIES**

Disclosable Public Records of the Agency are open to inspection by any Person during normal business hours of the Agency's offices, in accordance with this Policy. To the extent possible, the Agency will make disclosable records promptly available for inspection. However, if a request for Public Records requires staff time to gather and review documents prior to providing them for inspection, the Records Coordinator may require a Requestor to schedule a time during normal business hours to inspect the requested Public Records.

Copies or certified copies of disclosable Public Records may be obtained by any Person, subject to compliance with the procedures set forth in this Policy. The Records Coordinator will make copies of identifiable and disclosable documents promptly available, upon payment of applicable fees, as listed in the Fee Schedule (Exhibit "B").

Any disclosable portion of a record that can be reasonably separated from other parts of the record that are exempt from law shall be available for inspection and/or duplicating, including photographing, after the exempt portions have been redacted.

Documents responding to any request for records may be subject to review by the Agency's legal counsel prior to inspection, delivery, or copies. Records exempt from disclosure shall be protected and handled according to applicable law.

Employment inquires shall be the responsibility of human resource personnel. Only the date of hire, rate of pay and date of separation is allowed to be disclosed. The General Manager's employment contract is a disclosable public record and should be made promptly available upon request. The only redactions permitted to the General Manager's employment contract would be references to the Manager's home address, banking information, or other personally identifiable information such as social security number. Personal information related to current or former BBARWA employees should not be disclosed. Personal information regarding employee's family members shall never be disclosed.

Any questions from the media will be directed to the General Manager. Under no circumstances is an employee to be interviewed or questioned by the media without prior authorization from the General Manager.

### **IV. RECORDS EXEMPT FROM DISCLOSURE**

Records which are exempt from disclosure under applicable law include, but are not limited to, the following:

- A. Preliminary drafts, notes, interagency, or intra-agency memoranda which are not retained by the Agency in the ordinary course of business, provided that the



## Big Bear Area Regional Wastewater Agency Policies and Procedures

- public interest in withholding such records clearly outweighs the public interest in disclosure. (Gov Code § 6254, subd. (a).)
- B. Records pertaining to pending litigation to which the Agency is a party, until such litigation has been finally adjudicated or otherwise settled. (Gov. Code § 6254, subd. (b).)
  - C. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. (Gov. Code § 6254, subd. (c).)
  - D. Statements of personal worth or personal financial data required by the Agency and filed by an applicant with the Agency to establish his/her personal qualification for a license, certificate, or permit. (Gov. Code § 6254, subd. (n).)
  - E. The contents of real estate appraisals, engineering or feasibility estimates, and evaluations made for or by the Agency relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all the contract agreements are obtained; provided that the law of eminent domain shall not be affected by this provision. (Gov. Code § 6254, subd. (h).)
  - F. Computer software developed by a state or local agency is not itself a public record under this Policy. The Agency may sell, license, lease, or license the software for commercial or non-commercial use. (Gov. Code § 6254.9.)
  - G. The records made, if any, of closed sessions, along with any confidential information that has been distributed or acquired by being present in a closed session, are not Public Records subject to inspection. (Gov. Code §§ 54957.2, 54963.)
  - H. Records the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege. (Gov. Code § 6254 (subd. (k).) This exemption includes the Federal Health Insurance Portability and Accountability Act (HIPAA); the attorney-client privilege (Evid. Code § 952, 954); the “Official Information” privilege (Evid. Code § 1040); and the “Identity of Informer” privilege (Evid. Code § 1041).
  - I. State law requires local agencies to redact social security numbers from records before disclosing such records to the public. (Gov. Code § 6254.29.)
  - J. Test questions, scoring keys, and other examination data used to administer an examination for employment are exempt from disclosure. (Gov. Code § 6254 subd. (g).)
  - K. Agency employees’ home addresses, home and personal cell phone numbers, birth dates, and personal e-mail addresses. (Gov. Code § 6254.3.)
  - J. General public home addresses, home and personal cell phone numbers, and personal e-mail addresses, except as required by law (Gov. Code § 6255.)

This partial list of exemptions is subject to applicable law, and any changes in the law are automatically incorporated herein. A complete listing of exempt documents and documents which are not deemed to be Public Records is provided in the California Public Records Act. (Gov. Code § 6254 et. seq.)



## V. BUILDING OR CONSTRUCTION PLANS

Building and construction plans approved by San Bernardino County (County) must be made available for inspection upon request, but they must not be duplicated through any means or method, including being photographed. To receive copies of these building plans or construction plans, Requestors must contact the County department that maintains the “official copy” of those plans; pursuant to Health and Safety Code sections 19850 and 19851. County staff members can assist Requestors to obtain the required written authorizations and can provide the affidavits needed for duplicating such plans. After the requirements are met, the County can provide copies of the plans to the Requestor.

Building and construction plans, not approved by the County, must be made available for inspection upon request, but they must not be duplicated through any means or methods, including being photographed, without written permission by the General Manager. The Records Coordinator will assist the Requestor to obtain the required written authorization.

## VI. AUDIO RECORDINGS

Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the Agency. (Gov. Code § 54953.5, subd. (b).)

## VII. REQUESTS TO INSPECT AND/OR DUPLICATE OR PHOTOGRAPH RECORDS

***Requests Must be Submitted During Normal Business Hours.*** Agency staff should avoid any delays in responding to requests for public inspection and/or copies of Agency records. This requirement complies with the Public Records Act mandate that Public Records must be “open to inspection at all times during the office hours of the state or local agency...” (Gov. Code § 6253 subd. (a).) This requirement to submit records requests during normal business hours also complies with the Public Records Act provision that allows the Agency to “adopt requirements for itself to allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in [Public Records Act].” (Gov. Code § 6253, subd. (e).)

***Requests Should be Submitted in Writing.*** The Agency encourages members of the public to submit all requests for records in Writing to the Records Coordinator, preferably using the Public Record Request form attached as Exhibit “A” to this Policy. Written



requests reduce any misunderstandings between the Requestor and Agency staff. Fewer misunderstandings assist Agency staff in responding to requests in a timely manner and with greater efficiency. However, the Agency will not deny a request for records solely because it is not submitted in Writing.

***All Verbal Requests Must be Submitted to the Records Coordinator.*** If any member of the public chooses to make a verbal request for records, such requests will only be accepted through the Records Coordinator during normal business hours. Agency personnel who receive verbal requests for records will direct the Requestor to contact the Records Coordinator. The Records Coordinator will fill out the Public Records Request form.

***Requests Should Clearly Identify Records.*** The Requestor should specify the records to be inspected/copied with sufficient detail to enable the Agency to identify the particular records. If the request seems ambiguous or unfocused, the Records Coordinator will make a reasonable effort to obtain additional clarifying information from the Requestor that will help identify the record or records. Pursuant to Government Code section 6253.1, the Records Coordinator shall do all of the following, to the extent reasonable under the circumstances:

- assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request;
- describe the information technology and physical location in which the records exist; and
- provide suggestions for overcoming any practical basis for denying access to the records or information sought.

#### **VIII. MAKING DETERMINATIONS ON RECORDS REQUESTS/TAKING TIME EXTENSIONS**

The Agency, upon receiving a request to inspect or copy records, shall, within ten (10) days from receipt of the request to determine whether the request, in whole or in part, seeks disclosable Public Records in the possession of the Agency and shall promptly notify the Requestor of the Agency's determination and all the reasons for the determination.

In unusual circumstances, the time limit for providing the determination on a records request may be extended by written notice by the Agency to the Person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be provided. Any extension of time will not last more than fourteen (14) calendar days. A response to a written request for inspection or copies of Public Records that includes a determination that the request is denied, in whole or part, shall be in Writing. As used in this Policy and pursuant to Government Code § 6253, subd. (c),



“unusual circumstances” means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

- A. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
- B. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
- C. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the Agency having substantial subject-matter interest therein.
- D. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

If the requested records have been determined to be disclosable but additional time is still needed to locate the record, the Records Coordinator shall notify the Requestor of the estimated date that the record will be available for inspection and/or copying. Agency staff shall make every effort to locate the record in a reasonable amount of time.

Documents that are obviously disclosable, such as current agendas, minutes, resolutions, ordinances, and budgets, shall be readily available for immediate inspection.

## IX. PROCEDURES FOR PRODUCING RECORDS

All records requests shall be approved by the General Manager prior to distribution to the Requestor. The Records Coordinator will stamp the received date on each record request. Upon completion of the records request, a final copy of the form shall be filed in the Public Records Request binder, located on the administrative bookshelf in the reception area.

Requests may be accepted in any format (written, e-mail, phone, fax, or in-person). Requests for inspection and/or copies of records determined to be disclosable will be handled as follows:

***Requests for paper copies.*** The Records Coordinator will notify the Requestor of any fees for paper copies of disclosable records. Upon receipt of such fees, the Records Coordinator shall prepare and mail copies or certified copies of such records to the Requestor.

***Requests for electronic records.*** The Agency shall make disclosable Public Records that are in electronic format available in Adobe portable document format (PDF), unless the requestor explicitly asks for the record in the original native format. The Agency is not required under the California Public Records Act or other state or federal law to convert electronic records into a different format prior to producing them for a records request.



If a requested record is posted on the Agency website, the Records Coordinator may direct the Requestor to the location on the website where the record is located (e.g., provide a hyperlink to the document). However, if the Requestor is unable to access the record from the Agency website, the Records Coordinator shall make a copy of the record available, upon payment of any applicable fees. (Gov. Code § 6253, subd. (f).)

Any Person in attendance at an inspection of Agency records may request a copy of any disclosable record being inspected. Upon completion of the written request and payment of applicable fees, the Records Coordinator will prepare the copies or certified copies of the requested records. If a Requestor asks for a large number of copies after a records inspection, Agency staff may need additional time to make the requested copies.

## **X. FEES (Exhibit “B”)**

***Fees for Copies.*** The Agency shall charge fees for copies or certified copies of identifiable Public Records or information as set forth in the Fee Schedule (Exhibit “B”). If feasible, copies of disclosable Public Records may, upon request, be sent by e-mail at no charge.

***Fees for electronic records.*** The cost of providing copies of electronic records is limited to the direct cost of duplication (including the cost for CDs, DVDs, flash drives, or other materials used to provide the electronic records). There shall be no cost when providing copies of electronic records via email. However, under the California Public Records Act, the Requestor shall also bear the cost of producing a copy of the record, including the cost to construct a report using computerized data, and the cost of programming and computer service necessary to produce a copy of the record when either of the following situations applies:

- A. The electronic records requested are produced only at otherwise regularly scheduled intervals.
- B. The request requires data compilation, extraction, or programming to produce electronic records.



**Exhibit "A"**  
**Public Records Request Form**

Date of Request: \_\_\_\_\_

In accordance with the California Constitution and the California Public Records Act (Gov. Code § 6250 et seq.), I am requesting to (check one):

- Inspect the following Public Records                       Receive copies of the following Public Records

**Please provide sufficient detail to assist staff in locating the records you are seeking**

Type of Record(s): \_\_\_\_\_ Date of Record(s): \_\_\_\_\_

Additional Information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the Agency will respond to all Public Records Act requests in compliance with state law.

For copies of Public Records listed above, I understand that the Agency copying fees or statutory fees for copying will apply. I understand that I will be responsible for payment of all copying fees in advance of the delivery of any requested copies. I also understand that the Agency has ten (10) days to determine if the request seeks disclosable records in the Agency's possession, which may be extended an additional 14 days with written notice (Section VII of the Public Records Request Policy). In some instances, the time may be extended by written notice if additional time is required to search for and collect the information requested, as set forth in the Agency Public Records Request Policy. All requests are subject to Agency legal counsel review to confirm legal compliance prior to releasing Public Records for inspection or delivery of copies. All dates falling on a holiday or weekends shall be recognized on the next business day.

Agency staff will assist the public in identifying the records and make every effort to locate the records in a reasonable amount of time. If more than fifty (50) pages are requested, the Agency may require a deposit before making copies.

Name of Requestor (Optional): \_\_\_\_\_

Phone/Fax/E-Mail: \_\_\_\_\_

I am requesting the records be:

- Mailed to the following address:                       E-mailed to the following address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**FOR AGENCY USE ONLY**

Approval from General Manager \_\_\_\_\_ YES \_\_\_\_\_ NO

Records Located \_\_\_\_\_ YES \_\_\_\_\_ NO

Request Complied with \_\_\_\_\_ YES \_\_\_\_\_ NO

If no, state reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Cost of the records request: \_\_\_\_\_

Date of Compliance: \_\_\_\_\_

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

**DO NOT USE WITH REQUESTS FOR POLITICAL REFORM ACT DISCLOSURE  
STATEMENTS (GOVERNMENT CODE SECTION 6250).**



**Exhibit “B”**  
**Public Records Request Fee Schedule**

<b>Description</b>	<b>Price</b>
Black and White or Color Copies Standard Letter Size (8 ½” x 11”) Legal Size (8 ½” x 14”) Ledger Size (11” x 17”)	\$0.13 per page up to 100 copies 100+ copies will be actual cost for duplication
Copy charges for oversized documents that must be outsourced for duplication/reproduction	Actual cost
Fees for mailing copies	Actual cost
Cost for providing Public Records in electronic format in accordance with Gov. Code § 6253.9	Cost of staff time (current burdened cost rate)  There is no cost for providing a Public Record via email in an electronic format that is widely used and available to the public, such as Excel, PDF, etc.
Costs for providing documents on DVD	Actual cost of materials
Cost for providing documents on a flash drive	Actual cost of materials
Board & Committee Agenda mailed upon request, per Gov. Code § 54954.1 (The Ralph M. Brown Act)	In accordance with the fees associated above.
<b>Note:</b> Payment is required in advance of delivery of any requested records. If feasible, copies of disclosable Public Records may, upon request, be sent by e-mail at no charge.	



Big Bear Area Regional  
Wastewater Agency  
*Jim Miller – Chair*  
*Rick Herrick – Vice-Chair*  
*John Green – Director*  
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**AGENDA ITEM: 10.D.**

**MEETING DATE:** September 22, 2021

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

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

**PREPARED BY:** John Shimmin, Plant Manager

**REVIEWED BY:** Jennifer McCullar, Finance Manager

**SUBJECT:** Appropriate \$26,000 from the Capital and Replacement Fund for the Expansion of the SCADA Production Server and the Integration of the Cummins Generators with SCADA

**BACKGROUND & DISCUSSION:**

The Agency's SCADA Production Server needs additional storage to provide for long-term data collection and retention and Cummins Generators need to be integrated with the SCADA system replaced last year. This will include 1) the purchase and installation of additional drives (to expand storage) and deployment of a virtual server, and 2) the programming necessary to integrate the Cummins generators.

**FINANCIAL IMPACT:**

There is adequate funding in the Capital and Replacement Fund to make this appropriation.

**RECOMMENDATION:**

Appropriate \$26,000 from the Capital and Replacement Fund for the expansion of the SCADA production server and the integration of the Cummins Generators with SCADA.