

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

Regular Board Meeting of

July 22, 2020

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 8) by calling the following number:

1-213-443-6768, Conference ID: 559 278 955#

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

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 June 24, 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

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**

10. **NEW BUSINESS**

10.A. Resolution No. R. 10-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Amending Resolution No. 216 Establishing Rules and Regulations Relating to Employer-Employee Relations – Discussion and Possible Action

10.B. Addendum No. 1 to the GSA Amended and Restated MOU ~~and Resolution No. R. 2020-03—A Resolution of the Board of Directors of the Bear Valley Basin Groundwater Sustainability Agency, County of San Bernardino, State of California, Amendment No. 1 to the Joint Powers Agreement for the Formation of the Joint Powers Authority and Management of the Bear Valley Groundwater Basin~~ – Discussion and Possible Action

10.C. General Manager Employment Agreement Amendment – Discussion and Possible Action

11. **INFORMATION/COMMITTEE REPORT**

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
June 24, 2020

Due to Executive Order N-25-20 and 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: 382 014 07#
or joining online by clicking the meeting link at www.bbarwa.org.

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 5:10 p.m. on June 24, 2020. Chair Green confirmed the Governing Board meeting was conducted pursuant to California Government Code Section 54953 and Governor Newsome's Executive Order N-25-20 and 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
Kim Booth, Administrative Assistant

2. PLEDGE OF ALLEGIANCE

Dispensed

3. PRESENTATIONS AND INTRODUCTIONS

None

4. APPROVAL OF THE AGENDA

Upon motion by Director Herrick, seconded by Director Caretto 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 Regular Meeting on May 27, 2020

5.B. Monthly Expenses

5.C. Governing Board Member Reimbursement

5.D. Investment Report

5.E. Operations and Connections Report

5.F. Resolution No. R. 08-2020, A Resolution of the Big Bear Area Regional Wastewater Agency Amending and Adopting Local Guidelines for Implementing the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.)

5.G. Resolution No. R. 09-2020, A Resolution of the Big Bear Area Regional Wastewater Agency Authorizing Agents to Engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services Regarding the Application and Receipt of State or Federal Public Grant Assistance by the Agency

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

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

6. ITEMS REMOVED FROM THE CONSENT CALENDAR

None

7. PUBLIC FORUM RESPONSE

None

8. PUBLIC FORUM

No comments

9. OLD BUSINESS

9.A. Ordinance No. O. 01-2020, An Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing Bidding Procedures in Accordance with the Uniform Public Construction Cost Accounting Act (Public Contract Code 22000 Et. Seq.) – Second Read and Approval

Ms. McCullar discussed the Board approval of a resolution (No. R. 07-2020) opting BBARWA into the Uniform Public Construction Cost Accounting Act and introduction and first read of Ordinance No. O. 01-2020 during the May 27, 2020 Regular Board meeting. Discussion ensued between the Governing Board and staff.

Upon motion by Secretary Oxandaboure, seconded by Vice Chair Miller and carried, the Governing Board approved to waive the reading of the entire ordinance and introduce the second read of the ordinance by reading the title only: Ordinance No. O. 01-2020, an Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing Bidding Procedures in Accordance with the Uniform Public Construction Cost Accounting Act (Public Contract Code 22000 Et. Seq.).

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

Upon motion by Director Caretto, seconded by Vice Chair Miller and carried, the Governing Board approved Ordinance No. O. 01-2020.

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

10. NEW BUSINESS

10.A. Authorization to Award – Oxidation Ditch Shaft Replacement Project

Mr. Lawrence explained the project came before the Board in February 2020 for purchase of equipment. The Agency received three bids for the installation, with the lowest responsive bidder being S. Porter. Inc. with a bid amount of \$24,120. Discussion ensued between the Governing Board and staff.

Upon motion by Director Caretto, seconded by Director Herrick and carried, the Governing Board approved to award a contract to S. Porter, Inc. in the amount of \$24,120 for the Oxidation Ditch Shaft Replacement Project and authorized the General Manager to execute the contract documents.

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

10.B. FY 2020 OPEB Lump-Sum Contribution

Ms. McCullar presented background information on the OPEB lump-sum contributions. The Agency budgeted for a lump-sum OPEB contribution of \$200,000 during FY 2020, as part of a 5-year plan approved by the Governing Board to increase the funded ratio of the Agency's OPEB liability. Discussion between the Governing Board and staff.

Upon motion by Director Caretto, seconded by Vice Chair Miller and carried, the Governing Board approved the FY 2020 \$200,000 OPEB lump-sum contribution.

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

11. INFORMATION/COMMITTEE REPORTS

12. CLOSED SESSION

Entered closed session at 5:55 p.m. with one closed session item to be reviewed.

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

Chair Green reconvened open session at 6:20 p.m. with the following reportable action:

- 5.0% increase (2.9% COLA plus 2.1% merit); hourly rate increase to \$94.48;
- additional \$100,000 life insurance policy at the cost of \$1,600 per year; and
- modification of the General Manager contract to include a COLA increase each year.

13. ADJOURNMENT

With no further business to come before the Governing Board, Chair Green adjourned the meeting at 6:22 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: July 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 June 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 Jun 1, 2020 to Jun 30, 2020

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

Check #	Date	Payee	Cash Account	Amount
CASH 22323	6/1/20	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 22324	6/1/20	CA PERS 457 PROGRAM	1000-20	2,435.53
CASH 22325	6/1/20	CALPERS RETIREMENT	1000-20	2,477.64
CASH 22326	6/1/20	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,241.25
CASH 22327	6/1/20	CALPERS RETIREMENT	1000-20	6,893.61
CASH 22328	6/2/20	PAYA	1000-20	19.99
CASH 22329	6/2/20	EMPLOYMENT DEVELOPMENT DEPARTME	1000-20	1,060.68
CASH 22330	6/2/20	INTERNAL REVENUE SERVICE	1000-20	4,259.68
CASH 22331	6/2/20	CALPERS HEALTH	1000-20	28,670.42
CASH 22332	6/3/20	VISION SERVICE PLAN	1000-20	284.57
CASH 22333	6/3/20	PRINCIPAL FINANCIAL GROUP	1000-20	3,112.19
CR 485635 060	6/9/20	BEAR VALLEY ELECTRIC	1000-20	
20447	6/9/20	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	3,097.81
20448	6/9/20	ACCU-SOURCE	1000-20	39.00
20449	6/9/20	NANCY SANTILLAN	1000-20	225.00
20450	6/9/20	AG TECH LLC	1000-20	20,679.00
20451	6/9/20	AMAZON CAPITAL SERVICES	1000-20	79.80
20452	6/9/20	ARAMARK UNIFORM SERVICES	1000-20	1,152.44
20453	6/9/20	BEST BEST & KRIEGER	1000-20	8,364.27
20454	6/9/20	BIG BEAR CITY COMMUNITY SERVICES DIS	1000-20	567.25
20455	6/9/20	BUTCHER'S BLOCK & BUILDING	1000-20	141.24
20456	6/9/20	BEAR VALLEY ELECTRIC	1000-20	6,250.17
20457	6/9/20	CAR QUEST OF BIG BEAR	1000-20	169.32
20458	6/9/20	UNDERGROUND SERVICE ALERT	1000-20	188.23
20459	6/9/20	DIRECT TV	1000-20	34.99
20460	6/9/20	DEPARTMENT OF WATER & POWER	1000-20	55.10
20461	6/9/20	EVANTEC CORPORATION	1000-20	416.23
20462	6/9/20	FLYERS ENERGY	1000-20	590.36
20463	6/9/20	FRONTIER COMMUNICATIONS	1000-20	614.99
20464	6/9/20	GEIGER SUPPLY, INC	1000-20	17.71
20465	6/9/20	GRAINGER	1000-20	318.36
20466	6/9/20	THE GRIZZLY	1000-20	1,524.02
20467	6/9/20	HUGHESNET	1000-20	102.33

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Jun 1, 2020 to Jun 30, 2020

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

Check #	Date	Payee	Cash Account	Amount
20468	6/9/20	KAHN, SOARES & CONWAY, LLP	1000-20	6,090.00
20469	6/9/20	CONSTANCE M. ALVARADO	1000-20	55.00
20470	6/9/20	REBEL OIL CO., INC.	1000-20	751.45
20471	6/9/20	ROI ENGINEERING LLC	1000-20	60,104.34
20472	6/9/20	RYAN R. ABELN	1000-20	1,340.44
20473	6/9/20	SPECTRUM BUSINESS	1000-20	1,048.93
20474	6/9/20	VALERO	1000-20	92.84
20475	6/9/20	WATER SYSTEMS CONSULTING, INC.	1000-20	11,403.75
20476	6/9/20	KIMBERLY BOOTH	1000-20	50.00
20477	6/9/20	BRIDGETTE BURTON	1000-20	50.00
20478	6/9/20	RICHARD T. HERRICK	1000-20	300.00
20479	6/9/20	DAVID LAWRENCE	1000-20	50.00
20480	6/9/20	JENNIFER MCCULLAR	1000-20	50.00
20481	6/9/20	JAMES J. MILLER	1000-20	300.00
20482	6/9/20	JOHN SHIMMIN	1000-20	50.00
CASH 22334	6/11/20	JOHN GREEN	1000-20	300.00
CASH 22335	6/11/20	DAVID A. CARETTO	1000-20	300.00
CASH 22336	6/11/20	KARYN K. OXANDABOURE	1000-20	300.00
CASH 22337	6/11/20	PAYA	1000-20	3.60
CASH 22338	6/12/20	PAYA	1000-20	1.50
CASH 22339	6/12/20	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 22340	6/15/20	AMERICAN FIDELITY ASSURANCE CO	1000-20	511.65
CASH 22341	6/15/20	CA PERS 457 PROGRAM	1000-20	2,442.41
CASH 22342	6/15/20	CALPERS RETIREMENT	1000-20	2,541.21
CASH 22343	6/15/20	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,241.25
CASH 22344	6/15/20	CALPERS RETIREMENT	1000-20	6,910.40
CASH 22345	6/16/20	EMPLOYMENT DEVELOPMENT DEPARTME	1000-20	2,660.56
CASH 22346	6/16/20	INTERNAL REVENUE SERVICE	1000-20	8,188.77
20367V	6/23/20	SOUTHWEST GAS	1000-20	-1,199.75
20483	6/23/20	ACCENT COMPUTER SOLUTIONS, INC.	1000-20	600.00
20484	6/23/20	AMAZON CAPITAL SERVICES	1000-20	487.58
20485	6/23/20	ARROWHEAD	1000-20	199.13
20486	6/23/20	BEAR LAKE PROFESSIONALS, INC	1000-20	215.00

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Jun 1, 2020 to Jun 30, 2020

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

Check #	Date	Payee	Cash Account	Amount
20487	6/23/20	BUSINESS CARD	1000-20	107.13
20488	6/23/20	BRYCE CONSULTING, INC.	1000-20	340.00
20489	6/23/20	CANON SOLUTIONS AMERICA, INC.	1000-20	885.77
20490	6/23/20	CLINICAL LAB OF SAN BERNARDINO	1000-20	400.00
20491	6/23/20	COUNTY OF SAN BERNARDINO SOLID WAS	1000-20	252.34
20492	6/23/20	ENVIRONMENTAL EXPRESS, INC	1000-20	376.67
20493	6/23/20	EVANTEC CORPORATION	1000-20	715.19
20494	6/23/20	GOLDEN BELL PRODUCTS INC	1000-20	1,664.80
20495	6/23/20	GRAINGER	1000-20	97.02
20496	6/23/20	BEAR VALLEY BASIN GSA	1000-20	325.71
20497	6/23/20	HARDY STEEL BUILDINGS, LLC	1000-20	2,919.40
20498	6/23/20	HOUSTON & HARRIS PCS, INC	1000-20	2,318.75
20499	6/23/20	JUST ENERGY SOLUTIONS INC.	1000-20	13,974.29
20500	6/23/20	LAKESIDE EQUIPMENT CORP	1000-20	7,510.18
20501	6/23/20	RANDY J. SPITZ	1000-20	85.10
20502	6/23/20	NATIVESCAPES INC	1000-20	263.00
20503	6/23/20	NUTRIEN AG SOLUTIONS, INC.	1000-20	791.51
20504	6/23/20	PHENOVA	1000-20	511.69
20505	6/23/20	PITNEY BOWES GLOBAL FINANCIAL SERVI	1000-20	128.22
20506	6/23/20	QUILL	1000-20	323.08
20507	6/23/20	SOUTHERN CALIFORNIA EDISON	1000-20	38.18
20508	6/23/20	SCHRODER & SON, INC.	1000-20	1,212.50
20509	6/23/20	SERVICEMASTER 360 PREMIER CLEANING	1000-20	671.69
20510	6/23/20	SUPPORT PRODUCT SERVICES, INC.	1000-20	451.87
20511	6/23/20	SOUTHWEST GAS CORP	1000-20	8,269.37
20512	6/23/20	SOUTHWEST GAS	1000-20	1,569.18
20513	6/23/20	NANCY R. BOHL, INC.	1000-20	150.00
20514	6/23/20	VERIZON WIRELESS	1000-20	189.10
20515	6/23/20	TYLER WESTPLAT	1000-20	125.00
CASH 22347	6/26/20	CALPERS CERBT	1000-20	203,057.6
CASH 22348	6/26/20	CALIFORNIA STATE DISBURSEMENT UNIT	1000-20	126.00
CASH 22349	6/26/20	THE LINCOLN NAT'L LIFE INS CO	1000-20	3,241.25
CASH 22350	6/26/20	PAYA	1000-20	12,739.32

Big Bear Area Regional Wastewater Agency
Check Register
For the Period From Jun 1, 2020 to Jun 30, 2020

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

Check #	Date	Payee	Cash Account	Amount
CASH 22351	6/29/20	PAYA	1000-20	1.50
CASH 22352	6/29/20	LEGALSHIELD	1000-20	67.80
CASH 22353	6/29/20	TEXAS LIFE INSURANCE COMPANY	1000-20	213.00
CASH 22354	6/29/20	AMERICAN FIDELITY ASSURANCE CO	1000-20	511.65
CASH 22355	6/29/20	AMERICAN FIDELITY ASSURANCE CO	1000-20	592.72
CASH 22356	6/29/20	CA PERS 457 PROGRAM	1000-20	2,447.57
CASH 22357	6/29/20	CALPERS RETIREMENT	1000-20	2,477.64
CASH 22358	6/29/20	EMPLOYMENT DEVELOPMENT DEPARTME	1000-20	3,374.10
CASH 22359	6/29/20	CALPERS RETIREMENT	1000-20	6,922.99
CASH 22360	6/29/20	INTERNAL REVENUE SERVICE	1000-20	12,513.76
Total				<u>501,728.9</u>



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: July 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 June 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: June 24, 2020

Month Covered: June

Compensation

BBARWA Regular Meeting Attended: _____ Date: June 24, 2020 \$ 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: Jim Miller

Date Submitted: June 24, 2020

Month Covered: June

Compensation

BBARWA Regular Meeting Attended: _____ Date: June 24, 2020 \$ 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: Karyn Oxandaboure

Date Submitted: June 24, 2020

Month Covered: June

Compensation

BBARWA Regular Meeting Attended: _____ Date: June 24, 2020 \$ 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 Caretto

Date Submitted: June 24, 2020

Month Covered: June

Compensation

BBARWA Regular Meeting Attended: _____ Date: June 24, 2020 \$ 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: Rick Herrick

Date Submitted: June 24, 2020

Month Covered: June

Compensation

BBARWA Regular Meeting Attended: _____ Date: June 24, 2020 \$ 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
John Green – Chair
Jim Miller – Vice Chair
Karyn Oxandaboure – Secretary
David Caretto – Director
Rick Herrick – Director

AGENDA ITEM: 5.D.

MEETING DATE: July 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 June Monthly Investment Report pursuant to the Agency's Investment Policy.

FINANCIAL IMPACT:

No financial impact.

RECOMMENDATION:

Approve

BBARWA
 Monthly Investment Report
 June 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	\$ 5,991,720	\$ 6,036,544	136,484	1.217%	DAILY
TOTAL	\$ 5,991,720	\$ 6,036,544	136,484		

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

July 14, 2020 .

[LAIIF 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: .

June 2020 Statement .

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
6/26/2020	6/25/2020	RW	1644256	N/A	JENNIFER MCCULLAR	-500,000.00 .

Account Summary

Total Deposit:	0.00	Beginning Balance:	6,491,719.64
Total Withdrawal:	-500,000.00	Ending Balance:	5,991,719.64 .



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: July 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:

2020 Treatment Plant Data

	April	May	June
Total Influent Flow (MG)	78.498	54.461	53.107
Average Daily Influent Flow (MGD)	2.62	1.76	1.71
City of Big Bear Lake	59.73%	53.19%	55.62%
Big Bear City	36.03%	42.64%	40.36%
County of San Bernardino	4.24%	4.16%	4.01%
Average Influent BOD (mg/L)	177	249	306
Average Effluent BOD (mg/L)	7	7	7
BOD Removal Efficiency (%)	96.0%	97.2%	97.7%
Precipitation (inch)	2.79	0.00	0.00

June 2020 – There were no reportable violations during this period.

CONNECTIONS:

MONTH	FYE 6/30/2020									
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	CITY-BBL	CSD	CSA-53B
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	1	0	1	0	1	0
March	2	2	3	2	1	3	1	1	0	0
April	5	1	10	3	7	3	7	4	3	0
May	2	5	10	4	5	5	5	4	1	0
June	1	12	2	16	6	6	6	3	3	0
TOTAL	45	84	69	63	58	45	45	25	20	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: 10.A.

MEETING DATE: July 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: Sonja Kawa, Human Resources Coordinator/Accounting Technician

SUBJECT: Resolution No. R. 10-2020, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Amending Resolution No. 216 Establishing Rules and Regulations Relating to Employer-Employee Relations

BACKGROUND & DISCUSSION:

On March 27, 1996, the Governing Board adopted Resolution No. 216 Establishing Rules and Regulations Relating to Employer-Employee Relations. The resolution describes the process in which an employee group may be formally recognized, in accordance with rights and obligations found in the Meyers-Milias-Brown Act (MMBA). The resolution is being amended to reflect recent changes in the law, as suggested by our attorney. These changes include the addition of the “Card Check” procedure, along with revisions to the election and impasse procedures.

The Agency has an Employee Representative Policy for the selection of informal employee representatives, which is a separate and distinct process from formally recognizing an employee organization. An informal employee group is not subject to the rules and regulations detailed in the attached resolution or the meet and confer requirements required by the MMBA.

FINANCIAL IMPACT:

There is no financial impact.

RECOMMENDATION:

Approve

ATTACHMENTS:

- Resolution No. R. 10-2020 (clean copy)
- Resolution No. R. 10-2020 (redlined copy)

RESOLUTION NO. R. 10-2020

**A RESOLUTION OF THE GOVERNING BOARD OF THE
BIG BEAR AREA REGIONAL WASTEWATER AGENCY
AMENDING RESOLUTION 216 ESTABLISHING RULES
AND REGULATIONS RELATING TO EMPLOYER-
EMPLOYEE RELATIONS**

WHEREAS, the Meyers-Milias-Brown Act (California Government Code sections 3500 et seq.) has been enacted for the purpose of promoting improved employer-employee relations between public employers and their employees by establishing uniform and orderly methods of communication between employees and the public agencies by which they are employed; and WHEREAS, Government Code section 3507 empowers a public agency to adopt reasonable rules and regulations for the administration of employee relations; and WHEREAS, the Governing Board of the Big Bear Area Regional Wastewater Agency desires to adopt such reasonable rules and regulations as authorized by law;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Big Bear Area Regional Wastewater Agency hereby adopts the following rules and regulations:

OUTLINE OF CONTENTS

SECTION 1. TITLE OF RESOLUTION 2
SECTION 2. PURPOSE OF RULES AND REGULATIONS 2
SECTION 3. DEFINITIONS..... 2
SECTION 4. EMPLOYEE RIGHTS..... 4
SECTION 5. MANAGEMENT RIGHTS 5
SECTION 6. ADVANCE NOTICE 6
SECTION 7. FILING OF RECOGNITION PETITION BY EMPLOYEE
ORGANIZATION 7
SECTION 8. AGENCY RESPONSE TO RECOGNITION PETITION 8
SECTION 9. OPEN PERIOD FOR FILING CHALLENGING PETITION 9
SECTION 11. ELECTION PROCEDURE 10
SECTION 12. POLICY AND STANDARDS FOR DETERMINATION OF
APPROPRIATE UNITS 12

SECTION 13. PROCEDURE FOR DECERTIFICATION OF RECOGNIZED EMPLOYEE ORGANIZATION..... 13

SECTION 14. PROCEDURE FOR MODIFICATION OF ESTABLISHED APPROPRIATE UNITS 15

SECTION 15. APPEALS 15

SECTION 16. SUBMISSION OF CURRENT INFORMATION BY RECOGNIZED EMPLOYEE ORGANIZATION..... 16

SECTION 17. EMPLOYEE ORGANIZATION ACTIVITIES -- USE OF AGENCY FACILITIES 16

SECTION 18. ADMINISTRATIVE RULES AND PROCEDURES 16

SECTION 19. INITIATION OF IMPASSE PROCEDURES..... 17

SECTION 20. IMPASSE PROCEDURES..... 17

SECTION 21. COSTS OF IMPASSE PROCEDURES 18

SECTION 22. CONSTRUCTION..... 18

SECTION 23. SEVERABILITY 18

Section 1. Title of Resolution. This Resolution shall be known as the Employer-Employee Relations Resolution of the Big Bear Area Regional Wastewater Agency (“Agency”).

Section 2. Purpose of Rules and Regulations. The purpose of these rules and regulations is to provide orderly procedures for the administration of employer-employee relations between the Agency and its employees and employee organizations representing Agency employees, and for resolving disputes regarding wages, hours, and other terms and conditions of employment.

Section 3. Definitions. Definitions found in Government Code section 3501 shall be applicable to these rules and regulations. For purposes of these rules and regulations, the following definitions, in addition to those specified above, shall be applicable:

(a) AGENCY shall mean the Big Bear Area Regional Wastewater Agency;

(b) GOVERNING BOARD shall mean the Governing Board of the Big Bear Area Regional Wastewater Agency;

(c) MEET AND CONFER IN GOOD FAITH: Shall mean that a public agency, or such representative as it may designate, and representatives of recognized employee organizations shall have the mutual obligation personally to meet and confer promptly upon request by either party and continue for a reasonable period of time in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement on matters within the scope of representation prior to the adoption by the public agency of its final budget for the ensuing year;

(d) AGENCY MANAGER shall mean the Administrative Manager of the Big Bear Area Regional Wastewater Agency;

(e) MANAGEMENT EMPLOYEE shall mean any employee having responsibility for formulating, administering, or managing the implementation of Agency policies or programs;

(f) SUPERVISORY EMPLOYEE shall mean any employee having authority in the interest of the Agency to do any one of the following: hire, transfer, suspend, lay off, recall, promote, demote, discharge, assign, reward, or discipline other employees, or to direct them, or to adjust their grievances, or effectively to recommend any such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgement;

(g) CONFIDENTIAL EMPLOYEES shall mean any employee who, in the course of his or her duties, has access to information relating to the Agency's administration of employer-employee relations;

(h) PROFESSIONAL EMPLOYEES shall mean any employee engaged in work requiring specialized knowledge and skills attained through completion of a recognized course of instruction;

(i) RECOGNIZED EMPLOYEE ORGANIZATION (also referred to herein as MAJORITY REPRESENTATIVE) shall mean an employee organization which has been formally acknowledged by the Agency as the employee organization that represents the employees in an appropriate representation unit pursuant to the provisions of this Resolution. Only the recognized employee organization in an appropriate unit may meet and confer with the Agency on matters within the scope of representation. (This shall not preclude other employee organizations representing Agency employees from consulting with management representatives regarding employer-employee relations on matters of concern);

(j) IMPASSE shall mean a deadlock in discussions between the Agency and a recognized employee organization over any matters concerning which they are required to meet and confer in good faith, wherein the differences remain so substantive and prolonged that further meeting and conferring is not likely to produce an agreement;

(k) DAYS shall mean “calendar days” unless otherwise stated;

(l) EMPLOYEE RELATIONS OFFICER shall mean the Agency Manager or his or her duly authorized representative; and

(m) PROOF OF EMPLOYEE SUPPORT shall mean (1) an authorization card recently signed and dated by an employee, or (2) an authorization petition or petitions recently signed and dated by each employee whose name appears thereon. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words “recently signed” shall mean within 60 days prior to the filing of a petition.

Section 4. Employee Rights. Except as otherwise provided by law or by these rules and regulations, employees of the Agency shall have the right to form, join, and participate in the

activities of an employee organization of their own choosing for the purpose of representation in matters of employer-employee relations. Agency employees also have the right to refuse to join or participate in the activities of the employee organization and shall have the right to represent themselves individually in their employment relations with the Agency. No employee shall be interfered with, intimidated, restrained, coerced, or discriminated against by the Agency or by an employee organization because of his or her exercise of these rights. Notwithstanding the above, nothing herein shall be construed as restricting employee organization rights as specified in Section 3502.5 of the Government Code.

Section 5. Management Rights. In order to insure that the Agency is able to carry out its functions and responsibilities imposed by law, the Agency has and will retain the exclusive right to manage and direct the performance of Agency services, and therefore, the following matters will not be subject to the meet and confer process, but shall be within the exclusive discretion of the Agency:

- (a) To determine public policy;
- (b) To determine the merits, necessity, or organization of any service or activity conducted by the Agency;
- (c) To determine and change the facilities, methods, means, and personnel by which the Agency operations are to be conducted;
- (d) To expand or diminish services;
- (e) To determine and change the number of locations, relocations, and types of operations and the process and materials to be employed in carrying out all Agency functions, including but not limited to, the right to subcontract any work or operation;

(f) To determine the size and composition of the work force, to assign work to employees in accordance with requirements as determined by the Agency, to establish and change work schedules and assignments, and to determine and change the days and hours when employees shall work;

(g) To relieve employees from duty because of lack of work or funds or other legitimate reasons;

(h) To discharge, suspend, or otherwise discipline employees in accordance with established personnel rules;

(i) To determine job classifications;

(j) To hire, transfer, promote, and demote employees;

(k) To determine policies, procedures, and standards for selection, training, and promotion of employees;

(l) To establish employee performance standards, including, but not limited to, quality and quantity standards;

(m) To maintain the efficiency of Agency operations;

(n) To take any and all necessary actions to carry out its missions in emergencies;

(o) To exercise complete control and discretion over the Agency's organization and technology of performing its work and services; and

(p) To establish reasonable work and safety rules and regulations in order to maintain the efficiency and economy desirable in the performance of Agency services.

Section 6. Advance Notice. Reasonable written notice shall be given to a recognized employee organization affected by any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the Governing Board,

and such organization shall be given the opportunity to meet with the Governing Board or its representative prior to adoption.

In cases of emergency, when the Agency determines that an ordinance, rule, resolution, or regulation must be adopted immediately, without prior notice or meeting with the recognized employee organization or majority representative, the Agency shall provide such notice and opportunity to meet at the earliest practicable time following the adoption of such ordinance, rule, regulation, or resolution.

Section 7. Filing of Recognition Petition by Employee Organization. An employee organization that seeks to be formally acknowledged as the recognized employee organization representing the employees in an appropriate unit shall file a Recognition Petition with the Employee Relations Officer containing the following information documentation:

- (a) A name and address of the employee organization;
- (b) Names and titles of its officers;
- (c) Names of employee organization representatives who are authorized to speak on behalf of the organization;
- (d) A statement that the employee organization has as its primary purpose, or one of its primary purposes, representing employees in their employment relations with the Agency;
- (e) A statement indicating whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner with, a local, regional, state, national, or international organization and, if so, the name and address of each such organization;
- (f) Verified copies of the employee organization's constitution and bylaws;

(g) A designation of an officer of the employee organization and his or her address, to whom notice sent by regular United States mail will be deemed sufficient notice to the employee organization for any purpose;

(h) A statement that the employee organization has no restriction on membership based on race, color, creed, sex, national origin, physical handicap, or other unlawful criteria;

(i) The job classifications or titles of employees in the unit claimed to be appropriate;

(j) A statement that the employee organization has in its possession proof of employee support, as herein defined, to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the Agency. Such written proof shall be submitted for confirmation to the Employee Relations Officer; provided, however, that the Employee Relations Officer may elect to refuse receipt of said proof; in which case, said proof shall be submitted to the California Mediation and Conciliation Service or other impartial party for confirmation in accordance with the terms of this Resolution; and

(k) A request that the Employee Relations Officer formally acknowledge the petitioner as the recognized employee organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.

This petition, including proof of employee support and all accompanying documentation, shall be declared to be true, correct, and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

Section 8. Agency Response to Recognition Petition. Upon receipt of the petition, the Employee Relations Officer shall determine whether:

(a) There has been compliance with the requirements of the Recognition Petition; and

(b) The proposed representation unit is an appropriate unit in accordance with Section 11. If an affirmative determination is made by the Employee Relations Officer on the foregoing two matters, he shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit, and shall take no action on said request for 30 days thereafter. If either of the foregoing matters are not affirmatively determined, the Employee Relations Officer shall inform the petitioning employee organization of the reasons therefor in writing. The petitioning employee organization may appeal such determination in accordance with Section 15.

Section 9. Open Period for Filing Challenging Petition. Within 30 days of the date written notice was given to affected employees that a valid Recognition Petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all, of the classifications or positions set forth in the Recognition Petition being challenged) by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least 30 percent and otherwise in the same form and manner as set forth in Section 7. If such Challenging Petition seeks establishment of an overlapping unit, the Employee Relations Officer shall call a meeting on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations may be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards of Section 11. The petitioning employee organizations shall have 10 days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend

their petitions to conform to such determination or to appeal such determination pursuant to Section 14.

Section 10. “Card Check” Procedure. The Employee Relations Officer shall grant exclusive or majority recognition to an employee organization based on a Recognition Petition that is accompanied by a signed petition, authorization cards, or union membership cards showing that a majority of the employees in an appropriate bargaining unit desire the representation, unless another labor organization has previously been lawfully recognized as exclusive or majority representative of all or part of the same unit.

a) Exclusive or majority representation shall be determined by a neutral third party selected by the Employee Relations Officer and the employee organization who shall review the signed petition, authorization cards, or union membership cards to verify the exclusive or majority status of the employee organization. In the event the Employee Relations Officer and the employee organization cannot agree on a neutral third party, the California State Mediation and Conciliation Service shall be the neutral third party and shall verify the exclusive or majority status of the employee organization.

b) In the event that the neutral third party determines, based on a signed petition, authorization cards, or union membership cards, that a second labor organization has the support of at least 30 percent of the employees in the unit in which recognition is sought, the neutral third party shall order an election to establish which labor organization, if any, has majority status.

Section 11. Election Procedure. An employee organization that seeks formal recognition as the majority representative in an appropriate unit may also file a Recognition Petition, by means of an election, to become the exclusive representative of an appropriate unit consisting of a group of employees who are not included in an established unit represented by an

exclusive representative. The Petition must be filed with the Employee Relations Officer and contain all of the information set forth in Section 7 of this Employer-Employee Relations Resolution, accompanied by written proof that at least 30% of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the Agency; .provided, however, the employee organization may request that such written proof be submitted to a mutually agreed upon disinterested third party. The Employee Relations Officer shall then determine the recognized employee organization in an appropriate unit by arranging for a secret ballot election.

The Employee Relations Officer shall arrange for a secret ballot election to be conducted by the California Mediation and Conciliation Service, or other impartial party, subject to the provisions of this Resolution. All employee organizations who have duly submitted petitions which have been determined to be in conformation with this Resolution shall be included on the ballot. The choice of “no representation” by the employee shall also be included on the ballot.

Employees entitled to vote in such election shall be those persons employed in positions within the designated appropriate unit on the date of the election and who were employed during the pay period which ended immediately prior to the date which is at least 15 days before the date election commences, including those who did not work during such period because of illness, vacation, or other authorized leaves of absence.

An employee organization shall be formally acknowledged as the recognized employee organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off

election shall be conducted between the two choices receiving the largest number of valid votes cast. The rules governing an initial election will be applicable to a run-off election.

There shall be no more than one election (including run-off elections, as necessary) under this Resolution in a 12-month period in the same unit.

Costs of conducting an election, if any, shall be borne in equal shares by the Agency and by each employee organization appearing on the ballot.

Section 12. Policy and Standards for Determination of Appropriate Units. The policy objective to be served in determining the appropriateness of units shall be: (a) the effect of the proposed unit on the operations of the Agency, (b) the compatibility of a proposed unit with the primary responsibility of the Agency and its employees to effectively and economically service the public, and (c) the provision to employees of effective representation based on a recognized community of interest. Among the factors to be considered in determining community of interest are:

(a) Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions;

(b) History of representation in the Agency and similar employment, except, however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized;

(c) Consistency with the administrative organization of the Agency;

(d) Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units; and

(e) Effect on the classification structure and impact on employer-employee relations dividing single or related classifications among two or more units.

Notwithstanding the foregoing provisions of the Section, management and confidential employees shall not be included in any unit with non-management or non-confidential employees, and shall be restricted from representing any employee organization which represents other employees in the Agency on matters within the scope of representation. Supervisory employees may only be included in a unit consisting solely of supervisory employees. Professional employees may be represented in a separate unit.

The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions; delete eliminated classifications or positions; and retain, reallocate, or delete modified classifications or positions from units in accordance with the provisions of this Section.

Section 13. Procedure for Decertification of Recognized Employee Organization. A Decertification Petition alleging that the incumbent recognized employee organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer at any time following the first full year of recognition. A Decertification Petition may be filed by an employee, an employee representative, or an employee organization. A Decertification Petition shall contain the following information and documentation, declared by the duly authorized signatory, under penalty of perjury, to be true, correct, and complete:

(a) The name, address, and telephone number of the petitioner and, if petitioner is an employee organization, designated representative authorized to receive notice or requests for further information;

(b) The name of the established appropriate unit and the incumbent recognized employee organization sought to be decertified as the representative of that unit;

(c) An allegation that the incumbent recognized employee organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto; and

(d) Proof of employee support that at least 30 percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent recognized employee organization. Such proof shall be submitted for confirmation to the Employee Relations Officer along with the Decertification Petition; provided, however, that the Employee Relations Officer may elect to refuse receipt of said proof; in which case, said proof shall be submitted to the California Mediation and Conciliation Service, or other impartial party, for confirmation in accordance with this Resolution.

An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a petition under this Section in the form of a Recognition Petition that evidences proof of employee support of at least 30 percent and otherwise conforms to the requirements of Section 7.

The Employee Relations Officer shall first determine whether the petition has been filed in compliance with the applicable provisions of the Resolution. If his determination is negative, he shall return such petition to the petitioner(s) with a statement of the reasons therefor in writing. An employee organization may appeal such determination in accordance with Section 15. If the determination of the Employee Relations Officer is in the affirmative, or if his negative determination is reversed on appeal, he shall give written notice of such Decertification or Recognition Petition to the incumbent recognized employee organization and to unit employees.

The Employee Relations Officer shall thereupon determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation.

Section 14. Procedure for Modification of Established Appropriate Units. An employee or an employee organization may submit a petition for modification of established appropriate units to the Employee Relations Officer. Such request shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in Section 7, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Section 12 hereof. The Employee Relations Officer shall process such petitions as Recognition Petitions under this Resolution.

The Employee Relations Officer may, on his own motion, propose that an established unit be modified. The Employee Relations Officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s); at which time, all affected employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the composition of the appropriate unit or units in accordance with Section 12 and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer's determination may be appealed by an employee organization, as provided in Section 15. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the recognized employee organization for such new appropriate unit or units pursuant to this Resolution.

Section 15. Appeals. An employee organization aggrieved by an appropriate unit determination of the Employee Relations Officer or a determination of the Employee Relations

Officer that a Recognition Petition, Challenging Petition, Decertification Petition, or Petition for Modification of an Established Appropriate Unit has not been filed in compliance with the applicable provisions of this Article, may, within 10 days of notice of determination, appeal the determination to the Governing Board for final decision.

Appeals to the Governing Board must be filed in writing with the Clerk of the Governing Board, and a copy thereof served on the Employee Relations Officer. The Governing Board shall commence consideration of the matter within 60 days of the filing of the appeal. Any decision of the Governing Board on an appeal shall be final and binding.

Section 16. Submission of Current Information by Recognized Employee Organization. All changes in the information filed with the Agency by a recognized employee organization under items (a) through (h) of this Recognition Petition under Section 7 shall be submitted in writing to the Employee Relations Officer within 14 days of such changes.

Section 17. Employee Organization Activities -- Use of Agency Facilities. Access to Agency work locations and the use of Agency paid time, facilities, equipment, and other resources by employee organizations and those representing them shall be allowed only upon authorization by the Employee Relations Officer; and shall be limited to activities pertaining directly to the employer-employee relationship and not such activities as internal employee organization business, soliciting membership, campaigning for office, or organization meetings and elections; and shall not interfere with the efficiency, economy, safety, and security of Agency operations.

Section 18. Administrative Rules and Procedures. The Employee Relations Officer is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Resolution.

Section 19. Initiation of Impasse Procedures. If the meet and confer process has reached impasse as defined in this Resolution, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such impasse meeting shall be:

- (a) To identify and specify the issues that remain in dispute;
- (b) To review the position of the parties in a final effort to resolve such disputed issue or issues; and
- (c) If the dispute is not resolved, to discuss utilization of the impasse procedures provided herein.

Section 20. Impasse Procedures. Impasse procedures are as follows:

- (a) Mutually Agreed Upon Dispute Resolving Procedure -- Any dispute resolving procedure mutually agreed to by the parties to the impasse may be utilized.
- (b) Resolution by the Governing Board -- If the parties agreed to submit the impasse directly to the Governing Board, or the impasse has not been resolved through a mutually agreed upon dispute resolution procedure, or the parties could not mutually agree to another dispute resolution procedure, the Governing Board shall take such action regarding the impasse as it, in its discretion, deems to be in the public interest. Any action by the Governing Board on the impasse shall be final and binding.
- (c) An employee organization may also request that the parties' differences be submitted to a factfinding panel not sooner than 30 days, but not more than 45 days, following the appointment or selection of a mediator pursuant to the parties' agreement to mediate. If the dispute was not submitted to mediation, an employee organization may request that the parties'

differences be submitted to a factfinding panel not later than 30 days following the date that either party provided the other with a written notice of a declaration of impasse. The factfinding shall be conducted according to the requirements of California Government Code section 3505.4.

Section 21. Costs of Impasse Procedures. The costs, if any, for any mutually agreed upon dispute resolving procedure utilized by the parties, and other mutually incurred impasse resolution costs, shall be borne equally by the Agency and the recognized employee organization.

Section 22. Construction. This Resolution shall be administered and construed as follows:

(a) Nothing in this Resolution shall be construed to deny to the Governing Board or any authorized officer, body, or other representative of the Governing Board, the rights, powers, and authority granted by federal, state, or local law, ordinance, or resolution; and

(b) Nothing in this Resolution shall be construed as making the provisions of California Labor Code section 923 applicable to Agency employees or employee organizations, or of giving employee or employee organizations the right to participate in, support, cooperate, or encourage, directly or indirectly, any strike, sickout, other total or partial stoppage or slowdown of work, or any unlawful concerted action that poses an imminent and substantial threat to public health or safety. In the event employees engage in such actions, they may subject themselves to discipline, up to and including discharge, and may be deemed to have abandoned their employment.

Section 23. Severability. If any provision of this Resolution, or the application of such provisions to any person or circumstance, shall be held invalid, the remainder of this Resolution,

or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 22nd day of July, 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 Amending Resolution 216 Establishing Rules and Regulations Relating to Employee-Employer Relations, being Resolution No. R. 10-2020, was adopted at a regular meeting on July 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

RESOLUTION NO. R. 10-2020

**A RESOLUTION OF THE GOVERNING BOARD OF THE
BIG BEAR AREA REGIONAL WASTEWATER AGENCY
AMENDING RESOLUTION 216 ESTABLISHING RULES
AND REGULATIONS RELATING TO EMPLOYER-
EMPLOYEE RELATIONS**

WHEREAS, the Meyers-Milias-Brown Act (California Government Code sections 3500 et seq.) has been enacted for the purpose of promoting improved employer-employee relations between public employers and their employees by establishing uniform and orderly methods of communication between employees and the public agencies by which they are employed; and WHEREAS, Government Code section 3507 empowers a public agency to adopt reasonable rules and regulations for the administration of employee relations; and WHEREAS, the Governing Board of the Big Bear Area Regional Wastewater Agency desires to adopt such reasonable rules and regulations as authorized by law;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Big Bear Area Regional Wastewater Agency hereby adopts the following rules and regulations:

OUTLINE OF CONTENTS

SECTION 1. TITLE OF RESOLUTION 2

SECTION 2. PURPOSE OF RULES AND REGULATIONS 2

SECTION 3. DEFINITIONS..... 2

SECTION 4. EMPLOYEE RIGHTS..... 4

SECTION 5. MANAGEMENT RIGHTS 5

SECTION 6. ADVANCE NOTICE 6

SECTION 7. FILING OF RECOGNITION PETITION BY EMPLOYEE ORGANIZATION 7

SECTION 8. AGENCY RESPONSE TO RECOGNITION PETITION 8

SECTION 9. OPEN PERIOD FOR FILING CHALLENGING PETITION 9

SECTION 11. ELECTION PROCEDURE 10

SECTION 12. POLICY AND STANDARDS FOR DETERMINATION OF APPROPRIATE UNITS 12

SECTION 13. PROCEDURE FOR DECERTIFICATION OF RECOGNIZED EMPLOYEE ORGANIZATION..... 13

SECTION 14. PROCEDURE FOR MODIFICATION OF ESTABLISHED APPROPRIATE UNITS 15

SECTION 15. APPEALS 16

SECTION 16. SUBMISSION OF CURRENT INFORMATION BY RECOGNIZED EMPLOYEE ORGANIZATION..... 16

SECTION 17. EMPLOYEE ORGANIZATION ACTIVITIES -- USE OF AGENCY FACILITIES 16

SECTION 18. ADMINISTRATIVE RULES AND PROCEDURES 17

SECTION 19. INITIATION OF IMPASSE PROCEDURES..... 17

SECTION 20. IMPASSE PROCEDURES..... 17

SECTION 21. COSTS OF IMPASSE PROCEDURES 18

SECTION 22. CONSTRUCTION..... 18

SECTION 23. SEVERABILITY 19

Section 1. Title of Resolution. This Resolution shall be known as the Employer-Employee Relations Resolution of the Big Bear Area Regional Wastewater Agency (“Agency”).

Section 2. Purpose of Rules and Regulations. The purpose of these rules and regulations is to provide orderly procedures for the administration of employer-employee relations between the Agency and its employees and employee organizations representing Agency employees, and for resolving disputes regarding wages, hours, and other terms and conditions of employment.

Section 3. Definitions. Definitions found in Government Code section 3501 shall be applicable to these rules and regulations. For purposes of these rules and regulations, the following definitions, in addition to those specified above, shall be applicable:

(a) AGENCY shall mean the Big Bear Area Regional Wastewater Agency;

(b) GOVERNING BOARD shall mean the Governing Board of the Big Bear Area Regional Wastewater Agency;

(c) MEET AND CONFER IN GOOD FAITH: Shall mean that a public agency, or such representative as it may designate, and representatives of recognized employee organizations shall have the mutual obligation personally to meet and confer promptly upon request by either party and continue for a reasonable period of time in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement on matters within the scope of representation prior to the adoption by the public agency of its final budget for the ensuing year;

(d) AGENCY MANAGER shall mean the Administrative Manager of the Big Bear Area Regional Wastewater Agency;

(e) MANAGEMENT EMPLOYEE shall mean any employee having responsibility for formulating, administering, or managing the implementation of Agency policies or programs;

(f) SUPERVISORY EMPLOYEE shall mean any employee having authority in the interest of the Agency to do any one of the following: hire, transfer, suspend, lay off, recall, promote, demote, discharge, assign, reward, or discipline other employees, or to direct them, or to adjust their grievances, or effectively to recommend any such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgement;

(g) CONFIDENTIAL EMPLOYEES shall mean any employee who, in the course of his or her duties, has access to information relating to the Agency's administration of employer-employee relations;

(h) PROFESSIONAL EMPLOYEES shall mean any employee engaged in work requiring specialized knowledge and skills attained through completion of a recognized course of instruction;

(i) RECOGNIZED EMPLOYEE ORGANIZATION (also referred to herein as MAJORITY REPRESENTATIVE) shall mean an employee organization which has been formally acknowledged by the Agency as the employee organization that represents the employees in an appropriate representation unit pursuant to the provisions of this Resolution. Only the recognized employee organization in an appropriate unit may meet and confer with the Agency on matters within the scope of representation. (This shall not preclude other employee organizations representing Agency employees from consulting with management representatives regarding employer-employee relations on matters of concern);

(j) IMPASSE shall mean a deadlock in discussions between the Agency and a recognized employee organization over any matters concerning which they are required to meet and confer in good faith, wherein the differences remain so substantive and prolonged that further meeting and conferring is not likely to produce an agreement;

(k) DAYS shall mean “calendar days” unless otherwise stated;

(l) EMPLOYEE RELATIONS OFFICER shall mean the Agency Manager or his or her duly authorized representative; and

(m) PROOF OF EMPLOYEE SUPPORT shall mean (1) an authorization card recently signed and dated by an employee, or (2) an authorization petition or petitions recently signed and dated by each employee whose name appears thereon. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The words “recently signed” shall mean within 60 days prior to the filing of a petition.

Section 4. Employee Rights. Except as otherwise provided by law or by these rules and regulations, employees of the Agency shall have the right to form, join, and participate in the

activities of an employee organization of their own choosing for the purpose of representation in matters of employer-employee relations. Agency employees also have the right to refuse to join or participate in the activities of the employee organization and shall have the right to represent themselves individually in their employment relations with the Agency. No employee shall be interfered with, intimidated, restrained, coerced, or discriminated against by the Agency or by an employee organization because of his or her exercise of these rights. Notwithstanding the above, nothing herein shall be construed as restricting employee organization rights as specified in Section 3502.5 of the Government Code.

Section 5. Management Rights. In order to insure that the Agency is able to carry out its functions and responsibilities imposed by law, the Agency has and will retain the exclusive right to manage and direct the performance of Agency services, and therefore, the following matters will not be subject to the meet and confer process, but shall be within the exclusive discretion of the Agency:

- (a) To determine public policy;
- (b) To determine the merits, necessity, or organization of any service or activity conducted by the Agency;
- (c) To determine and change the facilities, methods, means, and personnel by which the Agency operations are to be conducted;
- (d) To expand or diminish services;
- (e) To determine and change the number of locations, relocations, and types of operations and the process and materials to be employed in carrying out all Agency functions, including but not limited to, the right to subcontract any work or operation;

(f) To determine the size and composition of the work force, to assign work to employees in accordance with requirements as determined by the Agency, to establish and change work schedules and assignments, and to determine and change the days and hours when employees shall work;

(g) To relieve employees from duty because of lack of work or funds or other legitimate reasons;

(h) To discharge, suspend, or otherwise discipline employees in accordance with established personnel rules;

(i) To determine job classifications;

(j) To hire, transfer, promote, and demote employees;

(k) To determine policies, procedures, and standards for selection, training, and promotion of employees;

(l) To establish employee performance standards, including, but not limited to, quality and quantity standards;

(m) To maintain the efficiency of Agency operations;

(n) To take any and all necessary actions to carry out its missions in emergencies;

(o) To exercise complete control and discretion over the Agency's organization and technology of performing its work and services; and

(p) To establish reasonable work and safety rules and regulations in order to maintain the efficiency and economy desirable in the performance of Agency services.

Section 6. Advance Notice. Reasonable written notice shall be given to a recognized employee organization affected by any ordinance, rule, resolution, or regulation directly relating to matters within the scope of representation proposed to be adopted by the Governing Board,

and such organization shall be given the opportunity to meet with the Governing Board or its representative prior to adoption.

In cases of emergency, when the Agency determines that an ordinance, rule, resolution, or regulation must be adopted immediately, without prior notice or meeting with the recognized employee organization or majority representative, the Agency shall provide such notice and opportunity to meet at the earliest practicable time following the adoption of such ordinance, rule, regulation, or resolution.

Section 7. Filing of Recognition Petition by Employee Organization. An employee organization that seeks to be formally acknowledged as the recognized employee organization representing the employees in an appropriate unit shall file a Recognition Petition with the Employee Relations Officer containing the following information documentation:

- (a) A name and address of the employee organization;
- (b) Names and titles of its officers;
- (c) Names of employee organization representatives who are authorized to speak on behalf of the organization;
- (d) A statement that the employee organization has as its primary purpose, or one of its primary purposes, representing employees in their employment relations with the Agency;
- (e) A statement indicating whether the employee organization is a chapter of, or affiliated directly or indirectly in any manner with, a local, regional, state, national, or international organization and, if so, the name and address of each such organization;
- (f) Verified copies of the employee organization's constitution and bylaws;

(g) A designation of an officer of the employee organization and his or her address, to whom notice sent by regular United States mail will be deemed sufficient notice to the employee organization for any purpose;

(h) A statement that the employee organization has no restriction on membership based on race, color, creed, sex, national origin, physical handicap, or other unlawful criteria;

(i) The job classifications or titles of employees in the unit claimed to be appropriate;

(j) A statement that the employee organization has in its possession proof of employee support, as herein defined, to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the Agency. Such written proof shall be submitted for confirmation to the Employee Relations Officer; provided, however, that the Employee Relations Officer may elect to refuse receipt of said proof; in which case, said proof shall be submitted to the California Mediation and Conciliation Service or other impartial party for confirmation in accordance with the terms of this Resolution; and

(k) A request that the Employee Relations Officer formally acknowledge the petitioner as the recognized employee organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.

This petition, including proof of employee support and all accompanying documentation, shall be declared to be true, correct, and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

Section 8. Agency Response to Recognition Petition. Upon receipt of the petition, the Employee Relations Officer shall determine whether:

(a) There has been compliance with the requirements of the Recognition Petition; and

(b) The proposed representation unit is an appropriate unit in accordance with Section 11. If an affirmative determination is made by the Employee Relations Officer on the foregoing two matters, he shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit, and shall take no action on said request for 30 days thereafter. If either of the foregoing matters are not affirmatively determined, the Employee Relations Officer shall inform the petitioning employee organization of the reasons therefor in writing. The petitioning employee organization may appeal such determination in accordance with Section 145.

Section 9. Open Period for Filing Challenging Petition. Within 30 days of the date written notice was given to affected employees that a valid Recognition Petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all, of the classifications or positions set forth in the Recognition Petition being challenged) by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least 30 percent and otherwise in the same form and manner as set forth in Section 7. If such Challenging Petition seeks establishment of an overlapping unit, the Employee Relations Officer shall call a meeting on such overlapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations may be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards of Section 11. The petitioning employee organizations shall have 10 days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend

their petitions to conform to such determination or to appeal such determination pursuant to Section 14.

Section 10. “Card Check” Procedure. The Employee Relations Officer shall grant exclusive or majority recognition to an employee organization based on a Recognition Petition that is accompanied by a signed petition, authorization cards, or union membership cards showing that a majority of the employees in an appropriate bargaining unit desire the representation, unless another labor organization has previously been lawfully recognized as exclusive or majority representative of all or part of the same unit.

a) Exclusive or majority representation shall be determined by a neutral third party selected by the Employee Relations Officer and the employee organization who shall review the signed petition, authorization cards, or union membership cards to verify the exclusive or majority status of the employee organization. In the event the Employee Relations Officer and the employee organization cannot agree on a neutral third party, the California State Mediation and Conciliation Service shall be the neutral third party and shall verify the exclusive or majority status of the employee organization.

b) In the event that the neutral third party determines, based on a signed petition, authorization cards, or union membership cards, that a second labor organization has the support of at least 30 percent of the employees in the unit in which recognition is sought, the neutral third party shall order an election to establish which labor organization, if any, has majority status.

Section 11. Election Procedure. An employee organization that seeks formal recognition as the majority representative in an appropriate unit may also file a Recognition Petition, by means of an election, to become the exclusive representative of an appropriate unit consisting of a group of employees who are not included in an established unit represented by an

exclusive representative. The Petition must be filed with the Employee Relations Officer and contain all of the information set forth in Section 7 of this Employer-Employee Relations Resolution, accompanied by written proof that at least 30% of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with the Agency; .provided, however, the employee organization may request that such written proof be submitted to a mutually agreed upon disinterested third party.

The Employee Relations Officer shall then determine the recognized employee organization in an appropriate unit by arranging for a secret ballot election.

The Employee Relations Officer shall arrange for a secret ballot election to be conducted by the California Mediation and Conciliation Service, or other impartial party, subject to the provisions of this Resolution. All employee organizations who have duly submitted petitions which have been determined to be in conformation with this Resolution shall be included on the ballot. The choice of “no representation” by the employee shall also be included on the ballot.

Employees entitled to vote in such election shall be those persons employed in positions within the designated appropriate unit on the date of the election and who were employed during the pay period which ended immediately prior to the date which is at least 15 days before the date election commences, including those who did not work during such period because of illness, vacation, or other authorized leaves of absence.

An employee organization shall be formally acknowledged as the recognized employee organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off

election shall be conducted between the two choices receiving the largest number of valid votes cast. The rules governing an initial election will be applicable to a run-off election.

There shall be no more than one election (including run-off elections, as necessary) under this Resolution in a 12-month period in the same unit.

Costs of conducting an election, if any, shall be borne in equal shares by the Agency and by each employee organization appearing on the ballot.

Section 12. Policy and Standards for Determination of Appropriate Units. The policy objective to be served in determining the appropriateness of units shall be: (a) the effect of the proposed unit on the operations of the Agency, (b) the compatibility of a proposed unit with the primary responsibility of the Agency and its employees to effectively and economically service the public, and (c) the provision to employees of effective representation based on a recognized community of interest. Among the factors to be considered in determining community of interest are:

(a) Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions;

(b) History of representation in the Agency and similar employment, except, however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized;

(c) Consistency with the administrative organization of the Agency;

(d) Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units; and

(e) Effect on the classification structure and impact on employer-employee relations dividing single or related classifications among two or more units.

Notwithstanding the foregoing provisions of the Section, management and confidential employees shall not be included in any unit with non-management or non-confidential employees, and shall be restricted from representing any employee organization which represents other employees in the Agency on matters within the scope of representation. Supervisory employees may only be included in a unit consisting solely of supervisory employees. Professional employees may be represented in a separate unit.

The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions; delete eliminated classifications or positions; and retain, reallocate, or delete modified classifications or positions from units in accordance with the provisions of this Section.

Section 13. Procedure for Decertification of Recognized Employee Organization. A Decertification Petition alleging that the incumbent recognized employee organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer at any time following the first full year of recognition. A Decertification Petition may be filed by an employee, an employee representative, or an employee organization. A Decertification Petition shall contain the following information and documentation, declared by the duly authorized signatory, under penalty of perjury, to be true, correct, and complete:

(a) The name, address, and telephone number of the petitioner and, if petitioner is an employee organization, designated representative authorized to receive notice or requests for further information;

(b) The name of the established appropriate unit and the incumbent recognized employee organization sought to be decertified as the representative of that unit;

(c) An allegation that the incumbent recognized employee organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto; and

(d) Proof of employee support that at least 30 percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent recognized employee organization. Such proof shall be submitted for confirmation to the Employee Relations Officer along with the Decertification Petition; provided, however, that the Employee Relations Officer may elect to refuse receipt of said proof; in which case, said proof shall be submitted to the California Mediation and Conciliation Service, or other impartial party, for confirmation in accordance with this Resolution.

An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a petition under this Section in the form of a Recognition Petition that evidences proof of employee support of at least 30 percent and otherwise conforms to the requirements of Section 7.

The Employee Relations Officer shall first determine whether the petition has been filed in compliance with the applicable provisions of the Resolution. If his determination is negative, he shall return such petition to the petitioner(s) with a statement of the reasons therefor in writing. An employee organization may appeal such determination in accordance with Section ~~14~~15. If the determination of the Employee Relations Officer is in the affirmative, or if his negative determination is reversed on appeal, he shall give written notice of such Decertification

or Recognition Petition to the incumbent recognized employee organization and to unit employees.

The Employee Relations Officer shall thereupon determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. ~~Such determination shall be made in conformance with Section 10.~~

Section 14. Procedure for Modification of Established Appropriate Units. An employee or an employee organization may submit a petition for modification of established appropriate units to the Employee Relations Officer. Such request shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in Section 7, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Section 14~~2~~ hereof. The Employee Relations Officer shall process such petitions as Recognition Petitions under this Resolution.

The Employee Relations Officer may, on his own motion, propose that an established unit be modified. The Employee Relations Officer shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s); at which time, all affected employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the composition of the appropriate unit or units in accordance with Section 14~~2~~; and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer's determination may be appealed by an employee organization, as provided in Section 14~~5~~. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the recognized employee organization for such new appropriate unit or units pursuant to this Resolution.

Section 15. Appeals. An employee organization aggrieved by an appropriate unit determination of the Employee Relations Officer or a determination of the Employee Relations Officer that a Recognition Petition, Challenging Petition, Decertification Petition, or Petition for Modification of an Established Appropriate Unit has not been filed in compliance with the applicable provisions of this Article, may, within 10 days of notice of determination, appeal the determination to the Governing Board for final decision.

Appeals to the Governing Board must be filed in writing with the Clerk of the Governing Board, and a copy thereof served on the Employee Relations Officer. The Governing Board shall commence consideration of the matter within 60 days of the filing of the appeal. Any decision of the Governing Board on an appeal shall be final and binding.

Section 16. Submission of Current Information by Recognized Employee Organization. All changes in the information filed with the Agency by a recognized employee organization under items (a) through (h) of this Recognition Petition under Section 7 shall be submitted in writing to the Employee Relations Officer within 14 days of such changes.

Section 17. Employee Organization Activities -- Use of Agency Facilities. Access to Agency work locations and the use of Agency paid time, facilities, equipment, and other resources by employee organizations and those representing them shall be allowed only upon authorization by the Employee Relations Officer; and shall be limited to activities pertaining directly to the employer-employee relationship and not such activities as internal employee organization business, soliciting membership, campaigning for office, or organization meetings and elections; and shall not interfere with the efficiency, economy, safety, and security of Agency operations.

Section 18. Administrative Rules and Procedures. The Employee Relations Officer is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Resolution.

Section 19. Initiation of Impasse Procedures. If the meet and confer process has reached impasse as defined in this Resolution, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such impasse meeting shall be:

- (a) To identify and specify the issues that remain in dispute;
- (b) To review the position of the parties in a final effort to resolve such disputed issue or issues; and
- (c) If the dispute is not resolved, to discuss utilization of the impasse procedures provided herein.

Section 20. Impasse Procedures. Impasse procedures are as follows:

- (a) Mutually Agreed Upon Dispute Resolving Procedure -- Any dispute resolving procedure mutually agreed to by the parties to the impasse may be utilized.
- (b) Resolution by the Governing Board -- If the parties agreed to submit the impasse directly to the Governing Board, or the impasse has not been resolved through a mutually agreed upon dispute resolution procedure, or the parties could not mutually agree to another dispute resolution procedure, the Governing Board shall take such action regarding the impasse as it, in its discretion, deems to be in the public interest. Any action by the Governing Board on the impasse shall be final and binding.

(c) An employee organization may also request that the parties' differences be submitted to a factfinding panel not sooner than 30 days, but not more than 45 days, following the appointment or selection of a mediator pursuant to the parties' agreement to mediate. If the dispute was not submitted to mediation, an employee organization may request that the parties' differences be submitted to a factfinding panel not later than 30 days following the date that either party provided the other with a written notice of a declaration of impasse. The factfinding shall be conducted according to the requirements of California Government Code section 3505.4.

Section 21. Costs of Impasse Procedures. The costs, if any, for any mutually agreed upon dispute resolving procedure utilized by the parties, and other mutually incurred impasse resolution costs, shall be borne equally by the Agency and the recognized employee organization.

Section 22. Construction. This Resolution shall be administered and construed as follows:

(a) Nothing in this Resolution shall be construed to deny to the Governing Board or any authorized officer, body, or other representative of the Governing Board, the rights, powers, and authority granted by federal, state, or local law, ordinance, or resolution; and

(b) Nothing in this Resolution shall be construed as making the provisions of California Labor Code section 923 applicable to Agency employees or employee organizations, or of giving employee or employee organizations the right to participate in, support, cooperate, or encourage, directly or indirectly, any strike, sickout, other total or partial stoppage or slowdown of work, or any unlawful concerted action that poses an imminent and substantial threat to public health or safety. In the event employees engage in such actions, they may subject

themselves to discipline, up to and including discharge, and may be deemed to have abandoned their employment.

Section 23. Severability. If any provision of this Resolution, or the application of such provisions to any person or circumstance, shall be held invalid, the remainder of this Resolution, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 22nd day of July, 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 Amending Resolution 216 Establishing Rules and Regulations Relating to Employee-Employer Relations, being Resolution No. R. 10-2020, was adopted at a regular meeting on July 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



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

AGENDA ITEM: 10.B.

MEETING DATE: July 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: Addendum No. 1 to the GSA Amended and Restated MOU ~~and Resolution No. R. 2020-03—A Resolution of the Board of Directors of the Bear Valley Basin Groundwater Sustainability Agency, County of San Bernardino, State of California, Amendment No.1 to the Joint Powers Agreement for the Formation of the Joint Powers Authority and Management of the Bear Valley Groundwater Basin~~

BACKGROUND & DISCUSSION:

~~Two of the One~~ items that ~~were~~ was discussed and adopted at the June 16, 2020 Bear Valley Basin Groundwater Sustainability Agency (GSA) Board meeting requires Member Agency Board concurrence and adoption.

Addendum No. 1 to the GSA Amended and Restated MOU

Currently, Replenish Big Bear (RBB) expenses are processed through the GSA, with the GSA acting as a clearinghouse for the collection of Member Agency contributions to RBB in accordance with the cost-sharing MOU. Currently BBARWA is the contracting party for services related to RBB, as well as the applicant on all grants thus far. BBARWA invoices the GSA for the Member Agency contributions, the GSA collects these contributions and reimburses BBARWA. This practice was established with the anticipation that the GSA may be eligible for grant funding that might not otherwise be eligible to the individual Member Agencies, and thus all RBB expenses should run through the GSA.

It is now anticipated that BBARWA will continue to be the applicant on all future grants, and the GSA clearinghouse structure is no longer necessary. Under Addendum No. 1, BBARWA will seek reimbursement directly from each Member Agency and will no longer invoice the GSA for collection, thereby simplifying interagency accounting.

~~Amendment No. 1 to the Joint Powers Agreement (JPA) for the Formation of the Joint Powers Authority and Management of the Bear Valley Groundwater Basin~~

~~The JPA requires general liability insurance and insurance for the Board Members be obtained in adequate amounts to insure against the risks of liability. The Member Agencies have been advised~~

~~by legal counsel that the insurance provision is not necessary, as both the general liability and Board Member insurances are covered under the policies of their respective agencies. Amendment No. 1 eliminates the requirement to obtain insurance.~~

FINANCIAL IMPACT:

There is no financial impact.

RECOMMENDATION:

- ~~1.—Approve Addendum No. 1 to the Amended and Restated MOU; and~~
- ~~2.—Adopt Resolution No. 2020-03, Amendment No. 1 to the Joint Powers Agreement for the Formation of the Joint Powers Authority and Management of the Bear Valley Groundwater Basin.~~

ATTACHMENT:

- Addendum No. 1 to the Amended and Restated MOU
- ~~Resolution No. 2020-03~~

ADDENDUM NO. 1

TO THE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING

The Amended and Restated Memorandum of Understanding ("MOU") dated July 24, 2018 by and among Bear Valley Basin Groundwater Sustainability Agency ("GSA"), the City of Big Bear Lake, Department of Water and Power ("DWP"), the Big Bear City Community Services District ("CSD"), the Big Bear Municipal Water District ("MWD") and the Big Bear Area Regional Wastewater Agency ("BBARWA") reflected an agreement among the Parties to provide additional contributions to fund a second phase of the Project as defined in the Amended and Restated Memorandum of Understanding executed by the Parties in October and November 2019. This addendum hereby further modifies provisions of the MOU related to the collection of contributions as follows.

1) The 8th Recital in the MOU is hereby deleted and replaced with the following two recitals:

“WHEREAS, the GSA no longer desires to act as a clearinghouse for DWP, CSD and MWD Contributions to BBARWA for payments related to the Project;

WHEREAS, BBARWA desires to directly invoice the Parties for costs associated with the Project as agreed upon in the Amended and Restated Memorandum of Understanding.”.

2) Paragraph 1(A) of the MOU is hereby deleted and replaced with the following

“1. CONTRIBUTIONS

- A. Unless otherwise agreed, BBARWA will invoice each of the DWP, CSD and MWD, for 25% of the costs of the Studies as incurred. Along with such invoice, BBARWA will provide an accounting of total costs paid to date and the remaining available Contributions. Upon receipt of an invoice from BBARWA, each Party will reimburse BBARWA according to the payment terms presented by BBARWA.

Signature Page for Addendum No. 1 - Memorandum of Understanding by and among the Bear Valley Basin Groundwater Sustainability Agency, the City of Big Bear Lake, Department of Water and Power, the Big Bear City Community Services District, the Big Bear Municipal Water District and the Big Bear Area Regional Wastewater Agency

IN WITNESS WHEREOF, this Addendum No. 1 to Amended and Restated Memorandum of Understanding is effective after June 16, 2020 and has been executed by the Parties.

BEAR VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY

By: _____

Name: Bob Ludecke

Title: Chair

Date: _____

BIG BEAR AREA REGIONAL WASTEWATER AGENCY

By: _____

Name: John Green

Title: Chair

Date: _____

BIG BEAR CITY COMMUNITY SERVICES DISTRICT

By: _____

Name: Karyn Oxandaboure

Title: President

Date: _____

BIG BEAR MUNICIPAL WATER DISTRICT

By: _____

Name: Charles Brewster

Title: President

Date: _____

CITY OF BIG BEAR LAKE, DEPARTMENT OF WATER AND POWER

By: _____

Name: Bob Tarras

Title: Chair

Date: _____



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

AGENDA ITEM: 10.C.

MEETING DATE: July 22, 2020

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

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

PREPARED BY: Sonja Kawa, HR Coordinator/Accounting Technician

REVIEWED BY: Jennifer McCullar, Finance Manager

SUBJECT: General Manager Employment Agreement Amendment

BACKGROUND & DISCUSSION:

The Governing Board completed a performance evaluation of the General Manager in closed session at the June 24, 2020 Board Meeting and as a result has requested an amendment to the Employee Agreement between the Agency and Mr. Lawrence.

As required by the Brown Act, the Governing Board shall provide an oral report that summarizes the salary, salary schedule, and compensation paid in the form of fringe benefits to the General Manager before taking a final action to approve his contract or amendment. The following changes to the financial terms shall be read orally at the meeting:

Salary

- The General Manager's base salary will be \$16,376.27 per month (equivalent to an hourly rate of \$94.48). This reflects a 5.0% increase (2.9% COLA plus 2.1% merit), effective on Mr. Lawrence's anniversary date of April 25, 2020.
- Further, the parties agree that, during the term of this Agreement, Employee shall be eligible for any cost of living adjustments (COLA) provided to all Agency employees; however, such wage increases shall be memorialized by written amendment to this Agreement.

Benefits

- The Agency shall increase Mr. Lawrence's supplemental term life insurance by \$100,000 to a total of \$430,000 with the premium on this additional policy of \$1,608.00 per year (\$134.00 per month) paid by the Agency. (Note this reflects the current premium and differs from the \$1,600.00 annual amount stated in the reported action from closed session.)

FINANCIAL IMPACT:

The annual impact to the Agency is \$9,358 for the increase in base salary and \$1,608 for the increase in the insurance coverage, for a total annual impact of \$10,966. While the base salary

increase was provided for in the budget, the increase in insurance was not; however, considering the small amount, it is likely the budget will absorb it.

RECOMMENDATION:

Authorize the Governing Board Chair to execute an Employment Agreement Amendment with the approved changes.

ATTACHMENT:

Employment Agreement Amendment No. 3

**AMENDMENT NO. 3
TO EMPLOYMENT AGREEMENT
GENERAL MANAGER**

1. Parties and Date.

This Amendment No. 3 to the Employment Agreement (“Agreement”) is made and entered into effective as of the 22nd day of July, 2020, by and between the Big Bear Area Regional Wastewater Agency, a municipal organization organized under the laws of the State of California (“Agency”) and David Lawrence (“General Manager” or “Employee”). Agency and General Manager are sometimes individually referred to as “Party” and collectively as “Parties.”

2. Recitals.

2.1 Amendment Purpose. The Agency and General Manager desire to amend the aforesaid Agreement to revise compensation terms and conditions of said employment.

2.2 Amendment Authority. This Amendment No. 3 is authorized pursuant to Section XI(C) of the Agreement.

3. Terms.

3.1 Section 4. Section 4.1 (Salary and Expenses) of the Agreement is hereby amended to provide additional compensation and clarify entitlement to cost of living increases provided to all Agency employees:

“4.1 Governing Board agrees to pay Employee for services rendered pursuant to this Agreement a base salary of Sixteen Thousand, Three-Hundred Seventy-Six Dollars and Twenty-Seven Cents (\$16,376.27) per month, beginning on April 25, 2020, in installments at the same time as other employees of the Agency are paid. Further, the parties agree that, during the term of this Agreement, Employee shall be eligible for any cost of living adjustments (COLA) provided to all Agency employees; however, such wage increases shall be memorialized by written amendment to this Agreement. The Governing Board shall also have the right to grant merit and benefit increases as it deems appropriate, at its sole discretion.”

3.2 Section 5. Section 5.5 (Benefits) of the Agreement is hereby amended to provide an increase to life insurance entitlement:

“5.5 The Agency agrees to keep in force and to make required premium payments for Employee for insurance policies covering the Employee and his dependents, the same as are provided to all regular employees of the Agency. In addition to paying for Employee’s supplemental term life insurance, which was carried over from his previous employment, the Agency agrees to increase the Employee’s life insurance by Two Hundred Thousand Dollars (\$200,000) to a total of Four Hundred Thirty Thousand Dollars (\$430,000), with the additional premium of Two Hundred Fifty-Six Dollars and Fifty Cents (\$256.50) per month paid by the Agency. If required by the insurance provider, Employee agrees to submit to a complete physical examination by a qualified

physician of his choice once per calendar year, the cost of which shall be covered by the Agency. The Agency further agrees to maintain Employee's medical records in confidence."

These provisions shall be effective retroactively to April 25, 2020 with exception of the new supplemental term life insurance premium in the amount of \$134.00 per month beginning August 1, 2020. Except as modified herein and by the preceding two Amendments, the original Employment Agreement, dated March 22, 2017 and effective April 25, 2017, shall remain in full force and effect.

**BIG BEAR AREA REGIONAL
WASTEWATER AGENCY**

DAVID LAWRENCE

By: _____
Chair of the Governing Board

By: _____
David Lawrence

Dated: _____, 2020

Dated: _____, 2020

Attest: _____
Secretary of the Governing Board