

# **BIG BEAR AREA REGIONAL WASTEWATER AGENCY**

## **Regular Board Meeting Minutes**

May 22, 2024

### **1. CALL TO ORDER**

A Regular Meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was called to order by Chair Miller at 5:01 p.m. on May 22, 2024 at 121 Palomino Drive, Big Bear City, California.

#### **BOARD MEMBERS PRESENT**

Jim Miller, Chair

Rick Herrick, Vice-Chair

John Russo, Director

Kendi Segovia, Director

Larry Walsh, Director

#### **BOARD MEMBERS ABSENT**

None

#### **STAFF MEMBERS PRESENT**

David Lawrence, General Manager

Christine Bennett, Finance Manager

Bridgette Burton, Administrative Services Manager/Board Secretary

Sonja Kawa, Human Resources Coordinator/Accounting Technician

#### **OTHERS**

Laine Carlson, Vice-President, Water Systems Consulting, Inc.

Kaitlyn Dodson-Hamilton, Vice-President, Tom Dodson & Associates

Glenn Jacklin, General Manager, Big Bear City Community Services District

Megan Kilmer, Associate, Best Best & Krieger, LLP

Reggie Lamson, General Manager, City of Big Bear Lake Department of Water and Power

Charity Schiller, Partner, Best Best & Krieger, LLP

Ward Simmons, Partner, Best Best & Krieger, LLP

Members of the public who signed in included:

None

### **2. PLEDGE OF ALLEGIANCE**

Dispensed.

### **3. APPROVAL OF AGENDA**

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

Ayes: Herrick, Russo, Segovia, Walsh, Miller  
Noes: None  
Absent: None  
Abstain: None

**4. PUBLIC FORUM**

None

**5. PRESENTATION AND INTRODUCTION**

**5.A. Certificate of Achievement for Excellence in Financial Reporting for the Annual Comprehensive Financial Report, Government Finance Officers Association**

The Finance Manager presented the Certificate of Achievement.

The Governing Board congratulated the Agency.

**6. INFORMATION/COMMITTEE REPORTS**

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

There were no comments from the Governing Board.

**6.B. Replenish Big Bear Report**

The General Manager highlighted that the EPA advised that the awarded \$2.96 million would not be subject to repayment if the scope of work in the final grant agreement identified the final design and the final design was completed, and discussed the \$3 - \$3.5 million loan proposal, which would be used as non-federal match funds. The General Manager pointed out the new financial report attached to Item 7.B. that breaks out Replenish Big Bear costs.

The Governing Board clarified how the \$3 - \$3.5 million loan would be paid back, the amount and purpose of the current short-term financing, and why the Water Infrastructure and Finance Innovation Act (WIFIA) loan cannot be used for the final design. The Governing Board directed the General Manager to obtain loan terms and conditions for the Governing Board to consider.

**7. CONSENT CALENDAR APPROVED ITEMS**

**7.A. Approval of the Minutes from the March 19, 2024 Special Meeting, March 27, 2024 Regular Meeting, April 4, 2024 Replenish Big Bear Committee Meeting, and April 24, 2024 Regular Meeting**

**7.B. Monthly Disbursements Report for April**

**7.C. Investment Report Identifying Agency Investments and Reporting Interest Income for April**

**7.D. Third Quarter Report, Nine Months Ended March 31, 2024**

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

Ayes: Herrick, Russo, Segovia, Miller  
Noes: Walsh  
Absent: None  
Abstain: None

**8. ITEMS REMOVED FROM CONSENT CALENDAR**

None

**9. OLD BUSINESS**

**9.A. Replenish Big Bear Poll Discussion**

The Board Secretary presented information regarding public opinion poll proposals.

The Governing Board discussed the poll, its purpose, and poll parameters.

Joyce Crist recommended a public forum at the Big Bear City Community Services District for the community to discuss multiple-choice options for the project.

Barbara Nitkin commented that she went door to door for four months to solicit input from residents and used title information to solicit input from non-residents for a petition in San Bernardino County Service Area 53B.

Wilma M. Hayes reminded the Governing Board of its fiscal responsibility and expressed concern over increased taxes.

Pat Enyart recommended a public forum for the community to ask questions and receive answers with a survey at the end of the forum.

Kristina Nehls commented about letter writers having significant issues with the Environmental Impact Report.

Tom Sitton expressed concern over loans and interest and reminded the Governing Board that the people are paying all the costs for the project.

Upon motion by Vice-Chair Herrick, seconded by Director Segovia and carried, the Governing Board chose to take no action on this item.

Ayes: Herrick, Russo, Segovia, Walsh, Miller  
Noes: None  
Absent: None  
Abstain: None

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

- 10.A.** Resolution No. R. 08-2024, A Resolution of the Governing Board of the Big Bear Area Regional Wastewater Agency Adopting Environmental Findings and Statement of Overriding Considerations Pursuant to the California Environmental Quality Act, Certifying the Replenish Big Bear Program Final Environmental Impact Report (SCH #2022110595), Adopting the Mitigation Monitoring and Reporting Program, and Approving the Program

Kaitlyn Dodson-Hamilton presented the Final Program Environmental Impact Report and discussed the Responses to Comments. Three letters were submitted in response to the Responses to Comments; Laine Carlson, Kaitlyn Dodson-Hamilton, and Charity Schiller verbally responded to the letters.

The Governing Board inquired about the brine sent to Israel, when the Agency received the brine testing data, the distribution of pilot data to the public, when specific public concerns would be addressed, and the impact of the Final Pilot Report on the Final Program Environmental Impact Report.

The Governing Board clarified the purpose of the pilot, Program Water meeting regulatory requirements, and Sand Canyon being a separate project. Further discussion involved the public needing additional time to review the Final Program Environmental Impact Report and Responses to Comments, legal exposure, the importance of public involvement, focusing on the Initial Study, significant impacts, concern from the public, the nature of a program vs. project-level Environmental Impact Report, the practicability of the Shay Pond Project, mitigation monitoring, an annual report, and routine inspection of environmental items.

Sandy Steers commented that the Environmental Impact Report is not sufficiently detailed or defined and requested additional time to review.

Barbara Nitkin commented about Supervisory Control and Data Acquisition (SCADA) operations and automation.

Tom Sitton expressed concern about the reverse osmosis filters.

Wilma M. Hayes commented about the brine samples sent to Israel.

Kristina Nehls commented about the cost change and water quality results and recommended additional time to figure out the issues with the Environmental Impact Report.

Upon motion by Vice-Chair Herrick, seconded by Chair Miller and carried, the Governing Board postponed the Final Program Environmental Impact Report certification and directed staff to draft additional language into the motion that includes an annual report and a final design review by the Replenish Big Bear Committee.

Ayes: Herrick, Russo, Segovia, Miller  
Noes: Walsh  
Absent: None  
Abstain: None

**10.B. Adjourn the June 26, 2024 Regular Meeting**

Upon motion by Vice-Chair Herrick, seconded by Chair Miller and carried, the Governing Board adjourned the June 26, 2024 regular meeting.

Ayes: Herrick, Russo, Segovia, Miller  
Noes: Walsh  
Absent: None  
Abstain: None

**11. COMMENTS AND ANNOUNCEMENTS**

**11.A. General Manager Comments**

None

**11.B. Governing Board Member Comments**

The Governing Board commented on the Agency policy manual, amendments to the Joint Powers Agreement, the importance of reading the Final Program Environmental Impact Report, and letters submitted in response to the Final Program Environmental Impact Report.

**12. ADJOURNMENT**

With no further business to come before the Governing Board, Chair Miller adjourned the meeting at 7:21 p.m.

ATTEST:

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