

# Big Bear Area Regional Wastewater Agency

Regular Board Meeting Minutes

January 22, 2025 at 5:00 p.m.

121 Palomino Drive, Big Bear City, CA 92314 and

## 1. Call to Order

A Regular Meeting of the Governing Board of the Big Bear Area Regional Wastewater Agency was called to order by Chair Miller at 5:00 p.m. on January 22, 2025 at 121 Palomino Drive, Big Bear City, California.

Board Members Present: Jim Miller, Chair; Rick Herrick, Vice-Chair; Kendi Segovia, Director; and Larry Walsh, Director

Board Members Absent: John Russo, Director

Staff Members Present: David Lawrence, General Manager; Christine Bennett, Finance Manager; Bridgette Burton, Administrative Services Manager/Board Secretary; and John Shimmin, Plant Manager

Others: Jared Cheek, General Manager, Big Bear Municipal Water District; Glenn Jacklin, General Manager, Big Bear City Community Services District; Reggie Lamson, General Manager, City of Big Bear Lake Department of Water and Power; Sean Sullivan, Assistant City Manager/Director of Public Works, City of Big Bear Lake; and Ward Simmons, Partner, Best Best & Krieger, LLP.

Members of the public who signed in: Randy Carroll-Bradd, Big Bear City; Joyce Crist, Big Bear City; Daniel Gulbranson, Big Bear Lake; Dennis Largé, Big Bear Lake; and Sierra Orr, Big Bear City.

## 2. Pledge of Allegiance – Vice-Chair Herrick

## 3. Approval of Agenda

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

Ayes: Herrick, Segovia, Walsh, Miller

Noes: None

Absent: Russo

Abstain: None

## 4. Public Forum

None.

## **5. Presentation and Introduction**

None.

## **6. Information/Committee Reports**

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

The General Manager informed the Governing Board about a few updates, including the release of an RFP for Professional Auditing Services for FY 2025-2029, the upcoming advertising of the first phase of the Force Main Project, completion of the OAC Roof Replacement Project, and the failure of a 50-year-old rotor shaft at Oxidation Ditch No. 1, with an estimated \$150,000 cost for replacement. An item related to this issue will be on the agenda next month.

The Governing Board inquired whether this is the same rotor issue as the previous one that cost \$80,000 just to extend its lifespan for a year.

## **7. Consent Calendar Approved Items**

**7.A.** Meeting Minutes from the December 3, 2024 Special Meeting

**7.B.** Monthly Disbursements Report for November and December

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

**7.D.** Sewer System Management Plan Audit

Upon motion by Director Segovia, seconded by Director Walsh and carried, the Governing Board approved the consent calendar as presented.

Ayes: Herrick, Segovia, Walsh, Miller

Noes: None

Absent: Russo

Abstain: None

## **8. Items Removed from the Consent Calendar**

None.

## **9. Old Business**

### **9.A. Replenish Big Bear Unwinding Process and Alternative Considerations**

The General Manager presented the three options: 1) unwind the Program, 2) evaluate potential Program scope reductions and cost scenarios, and 3) update the Project Financing Plan for Governing Board consideration. The General Manager also briefly explained the potential environmental documentation for the brine ponds once the design is completed.

Randy Carroll-Bradd acknowledges being late to the discussion but expressed concern about climate change and stating he is in favor of Replenish Big Bear.

Charlie Brewster, a local business owner, expressed concern over the planned annual fee increase, suggesting that the anticipated rise in lake level would have minimal effect. He recommended putting a hold on the next fee increase until more accurate construction costs were known, citing past experiences with cost overruns in similar projects.

Sandy Steers expressed gratitude for Governing Board Members meeting with her to address environmental concerns, emphasizing the importance of having the opportunity for final input before decisions are made.

Daniel Gulbranson criticized California's inaction on fire prevention and emphasized the need for better planning and immediate action to protect communities. He expressed frustration over new taxes while important issues like forest management and fire safety are being overlooked.

Joyce Crist criticized the Governing Board for focusing on external regulations and advocated for local decision-making to address Big Bear's specific needs. She emphasized the need to prioritize the community's interests over governmental agendas.

Sierra Orr expressed her support for the project, noting that 46% of respondents in a recent survey were in favor and that the community needs better education on the issue. She emphasized the importance of the project for Baldwin Lake residents' water security and urged the Governing Board to proceed to avoid escalating costs from further delays.

The Governing Board discussed various aspects of Replenish Big Bear, including the need for further environmental assessments regarding the brine ponds. The Governing Board emphasized the importance of proceeding with the design phase to obtain a better cost estimate, with the understanding that no construction or loan approval would occur until further direction from the Governing Board. Concerns were raised about fluctuating project costs, but the Governing Board reiterated the necessity of moving forward to gain clarity and make informed decisions.

Upon motion by Director Segovia, seconded by Vice-Chair Herrick and carried, the Governing Board directed staff to place the Program Environmental Impact Report certification on the February agenda for consideration with language in the resolution revisiting the brine pond environmental impacts after the design is complete through the appropriate environmental documentation depending on the findings of the environmental analysis, and to move forward with Option 3, which includes proceeding with the design phase of Replenish Big Bear.

Ayes: Herrick, Segovia, Walsh, Miller

Noes: None

Absent: Russo

Abstain: None

## **10. New Business – Discussion/Action Items**

### **10.A. Public Hearing: Assembly Bill 2561 - Local Public Employees Vacant Positions**

The Administrative Services Manager advised the Governing Board that the Agency has zero vacancies at this time, is not recruiting to fill any vacant positions, and has no changes to policies, procedures or recruitment activities that negatively impact the Agency's efforts to reduce its vacancies.

Chair Miller left the meeting at 5:57 p.m. The Chair yielded the Chair position to Vice-Chair Herrick.

The public hearing opened at 5:59 p.m.

Daniel Gulbranson was frustrated by the lack of clear plans and numbers and wants the public to vote instead of rushing into decisions without knowing all the details.

Joyce Crist suggests delaying decisions because of new federal regulations and commented on upcoming initiatives to lower bills and changes in water regulations under the new administration.

The public hearing closed at 6:05 p.m.

The Governing Board inquired about the positions needed for Replenish Big Bear.

This was an informational only item.

**10.B. Purchasing Policy Amendment – Assembly Bill 2192 Uniform Public Construction Cost Accounting Act and Federal Procurement Procedure Updates**

The Administrative Services Manager presented the increased Uniform Public Construction Cost Accounting Act (UPCCAA) bid thresholds and revisions to the Federal Procurement Policy.

The Governing Board discussed whether the new regulations and numbers were mandatory or optional, and whether they could choose to stay at a lower threshold. The Governing Board clarified that projects had to be budgeted and approved by the Governing Board, and were assured that staff would keep the Governing Board informed to avoid surprises, ensuring transparency in the bidding and approval process.

Chair Miller returned to the meeting at 6:13 p.m. and resumed the Chair position.

Upon motion by Director Segovia, seconded by Vice-Chair Herrick and carried, the Governing Board approved the updated Uniform Public Construction Cost Accounting Act thresholds per Assembly Bill 2192, approved automatic adjustments to UPCCAA thresholds to align with changes made by newly passed legislation, and approved the Federal Emergency and Grant Procurement Procedures.

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

**10.C.** Appropriate \$35,000 for the Cactus Flats Outfall Line Repair Project from the Contingency Fund

The General Manager outlined the timeline and challenges that had to be addressed before the Agency could move forward with its part of the project, which included permitting issues.

The Governing Board clarified that the pipe issue has been resolved, the pipe was not fractured, the type of pipe material, and confirmed a permit is required to work in the Forest Service area for the small section of pipe.

Upon motion by Vice-Chair Herrick, seconded by Director Segovia and carried, the Governing Board appropriated \$35,000 for the Cactus Flats Outfall Line Repair Project from the Contingency Fund.

Ayes: Herrick, Segovia, Walsh, Miller

Noes: None

Absent: Russo

Abstain: None

**10.D.** Public Testimony Time Limits

The Administrative Services Manager presented a comparison of public testimony time limits across local agencies, noting that most use three minutes for both agenda and non-agenda items, with two agencies allowing five minutes.

The Governing Board discussed the need to clarify public comment rules, particularly regarding off-topic or unrelated comments. The Governing Board considered establishing a policy addressing public comments to relevant topics and ensure fairness, while balancing public speaking rights with the need for order. The Governing Board discussed setting a three-minute time limit for public comments, with the option to extend time if needed. Additionally, the Governing Board addressed specific guidelines for Governing Board comments in the policy and the order of events for each agenda item.

Joyce Crist expressed a desire for more speaking time, particularly on important community issues, and opposed limiting the time to three minutes, advocating instead for five minutes to ensure the public has enough time to voice concerns. She concurred that public comments should remain focused and relevant.

Daniel Gulbranson emphasized the right to speak on community concerns including topics like water and local issues, and expressed frustration with limits on speaking time, advocating for the ability to speak for three to five minutes. He also noted the importance of listening to the public, even if their comments may be repetitive or unpopular.

Judy Keller expressed frustration with the public comment process, questioning the timing and whether the public was given adequate opportunity to speak after Governing Board discussions. She raised concerns about accountability, management of resources, and the focus on time limits rather than the spending on a project many people oppose.

The Governing Board directed staff to revise the Public Testimony Time Limit Ordinance to three minutes for both agenda and non-agenda items and develop a policy that addresses public and Governing Board comments and bring both items to the Governing Board for consideration.

**10.E. SCADA Professional Services Agreement with ROI Engineering LLC**

The General Manager presented a proposal to shift from a yearly contract to a five-year agreement for SCADA support. The Agency's Financial Policies require Governing Board consideration for any agreement longer than one year.

The Governing Board inquired about the involvement of in-house staff for SCADA support and sought clarification on the service's 24/7 availability and the cost structure for the proposed contract.

Joyce Crist asked if there is flexibility in the contract to allow in-house staff to handle simple tasks, like fixing a light switch, to avoid incurring extra charges for nighttime service calls.

Upon motion by Chair Miller, seconded by Director Walsh and carried, the Governing Board authorized the General Manager to enter into a Professional Services Agreement between the Agency and ROI Engineering LLC for a term of five years.

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

**11. Comments and Announcements**

**11.A. General Manager Comments**

None.


**11.B. Governing Board Comments**

The Governing Board questioned whether making a motion during Monday's meeting, despite the agenda item being labeled as "discussion only," was a violation of procedure. Agency counsel responded it was not a violation.

**12. Adjournment**

With no further business to come before the Governing Board, Chair Miller adjourned the meeting at 7:02 p.m.

Attest:

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