



BEAR VALLEY WATER DISTRICT
BOARD MEETING
October 21, 2019 - 9 A.M.
Conference Room
441 Creekside Drive, Bear Valley, CA 95223
Call- In Info: 605-475-5920 Access Code: 475-0045

DECLARATION OF A QUORUM

James Bissell, President - Stefaniya Becking, Vice President - John Boyle, Treasurer - Ken Brown, Secretary Gunnar Thordarson, Member

BOARD MEETING

Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair.

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction provided the matter is not on the agenda or pending before the Board.

BOARD BUSINESS

1. **Public Hearing** – Introduce, Waive the Reading of and Adopt Ordinance No. 74 Amending Article II of Ordinance No. 1 Increasing Rates and Charges for Sewage Disposal Service Using CPI-U Index
2. **The Board will consider adoption of the July 22, 2019 Board Meeting Minutes**
3. **Resolution No. 497 - Adopting Revised District By-Laws** – Discussion and Possible Action Item
4. **Resolution No. 498 - SDRMA Amendment of Memorandum of Understanding (MOU) and Resolution Authorizing Participation in the SDRMA Health Benefits Program** - Discussion and Possible Action Item
5. **Manager's Report** – General Manager
6. **Financial Report** – General Manager
 - 6.1 P&L and Balance Sheet Reports - Discussion and Possible Action Item
 - 6.2 Accounts Payable Report - Discussion and Possible Action Item
 - 6.3 A/R & Aging Reports – Discussion
 - 6.4 FY 2018-19 Audit - Discussion and Possible Action Item
7. **Resolution No. 499 - Adopting District Credit Card Policy** – Discussion and Possible Action Item
8. **Board Member Reports**

Materials related to any item on this Agenda are available for public inspection in the District Office at 441 Creekside Drive, Bear Valley, CA 95223 during normal business hours. Information on materials in the agenda is also available on the Bear Valley Water District website at <http://www.bvwd.ca.gov>, subject to staff's ability to post the documents before the meeting. Any material provided to the legislative body at the meeting by agency staff or a member of the legislative body will be available at the public meeting, documents provided by others will be available right after the meeting.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42USC, #12132) and the Ralph M. Brown Act, CA Government Code # 54954.2.

Any persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Judi Silber at 209-753-2112, during regular business hours, at least 72 hours prior to the meetings.

AGENDA ITEM

DATE: OCTOBER 21, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: CPI-U SERVICE RATE INCREASE

BACKGROUND & DISCUSSION:

At its July 2019 meeting, Staff presented and the Board ultimately adopted a final 2019-20 fiscal year budget together with a three-year budget forecast. In its presentation, Staff highlighted the increasing likelihood for a measureable decrease in commercial revenue due to a variety of causes outlined in the July 2019 memo on the matter combined with increasing expenses adversely impacting both the current year fiscal budget and, moreover, projecting declining revenue for an undetermined number of years to come.

The Board discussed and ultimately directed Staff to consider the impact of utilizing the consumer price index (United States Department of Labor All item Consumer Price Index for All Urban Consumers – CPI-U) tool contained in the District's 2014 Prop 218 service rate restructuring ordinance to potentially bridge this loss in revenue.

To this end, Staff consulted with both engineering and legal on the options available to the District to utilize the CPI-U tool, including evaluating the extent to which past years of the CPI-U not exercised by the District heretofore could be considered in a potential FY19-20 increase. Engineering presented and legal concurred that the District may in fact consider adopting a rate increase based on the CPI-U beginning as far back as July 2016 with available index options ranging from 1.72 - 6.62 %.

Revenue

When compared to estimated year-end FY18-19 commercial revenues, analysis of revenue constraints if the District took no action reveals a moderate impact to FY19-20 income based on the District's commercial billing system which bills based on previous year's wastewater flows. However, this impact is further exacerbated as we enter FY20-21 and beyond as these reduced flows eventually lead to consistent and more significant reductions in income.

Specifically, the projected impact to the budget in the current fiscal cycle (FY19-20) based on decreasing commercial revenue estimates reductions in revenue of **-20.44%** or **-\$33,719**. Yet, for FY20-21 and beyond, this protracts to an estimated annual loss of income when compared to FY18-19 of **- 28.21 %** or **-\$43,719**, presuming commercial flows remain at or near FY17-18 levels.

As detailed for the Board in its July 2019 Staff memo on the matter, these projected reductions in income, when considered in the larger overall budget framework and when combined with projected increases in certain expense areas based on inflation and other factors, in turn yield a projected net cash flow loss in FY19-20 of **-\$97,491** and a potentially intractable year-over-year loss of annual net income beginning in FY20-21 of as much as **-\$34,222 (FY21-22)** or in excess of **-\$80,000** over a 3 year period (FY20-21, 21-22, 22-23).

RECOMMENDATION

As stated in the District's 2017 Reserve Policy, the District considers "... careful fiscal planning essential to the long term, sustainable delivery of its core services," further noting the importance of "... financial policies established to guarantee that the District can meet the future financial requirements of customer demand and system reliability."

With a projection for intransigent losses of net income beginning in FY20-21 and no restorative mechanism to stem these losses of revenue nor entirely return to District to solvency conceivably in any foreseeable future fiscal cycle, Staff believes current revenue projections are unsustainable for the District to meet its stated

objectives and that the Board should strongly consider the use of the consumer price index rate adjustment tool available to the Board under the 2014 Prop 218 rate increase to escalate both residential and commercial service rates to restore a balanced budget for at least the near term fiscal cycles.

Therefore, it is recommended that the Board review the attached fiscal impact analysis outlining the impacts of various CPI-U rate options and vote to Adopt Ordinance No. 74 Amending Article II of Ordinance No. 1 increasing rates and charges for sewage disposal service using the CPI-U Index.

ACTION:

1. Motion to Adopt Ordinance No. 74 Amending Article II of Ordinance No. 1 Increasing Rates and Charges for Sewage Disposal Service Using CPI-U Index

Attachments:

- 2019 Fiscal Impact Analysis – CPI-U Rate Options
- FY2019-20 + 3 Year Budget Projection – 6.62 % CPI-U Scenario
- FY2019-20 + 3 Year Budget Projection - Approved July 2019
- Ordinance No. 74 – Draft
- WGA CPI-U Rate Increase Calculations
- Neumiller-Beardslee Review of Govt Code Section 53750, 53756
- 2014 Prop 218 Notice to Ratepayers

BEAR VALLEY WATER DISTRICT

2019 FISCAL IMPACT ANALYSIS BASED ON CPI-U INCREASE OF ELIGIBLE RATE OPTIONS

RESIDENTIAL REVENUE	CPI-U RATE	REVENUE INCREASE/YR	RESIDENTIAL RATE CH PER MONTH	NEW RES RATE/MO	RES RATE CH / YEAR	NEW RES RATE / YR	REVENUE IMPACT
Current Rate				\$90.37		\$1,084.44	
\$586,000	1.72%	\$10,079	\$1.55	\$91.92	\$18.65	\$1,103.09	\$596,079
\$586,000	1.81%	\$10,607	\$1.64	\$92.01	\$19.63	\$1,104.07	\$596,607
\$586,000	2.95%	\$17,287	\$2.67	\$93.04	\$31.99	\$1,116.43	\$603,287
\$586,000	6.62%	\$38,793	\$5.98	\$96.35	\$71.79	\$1,156.23	\$624,793
COMMERCIAL REVENUE	CPI-U RATE	FISCAL INCREASE/YR	RATE CH PER MONTH	NEW RATE/GAL	RATE CH PER YEAR	NEW ANNUAL RATE	REVENUE IMPACT
Current Rate per Gallon *Minimum Monthly		2,280,556 GALLONS PER YEAR		\$0.064 \$80.48	\$965.76		
\$155,000	1.72%	\$2,666	\$222.17	\$0.065			\$148,466
\$155,000	1.81%	\$2,806	\$233.79	\$0.065			\$148,466
\$155,000	2.95%	\$4,573	\$381.04	\$0.066			\$150,261
\$155,000	6.62%	\$10,261	\$855.08	\$0.068			\$155,618
Minimum Monthly	1.72%	\$16.61		\$81.86		\$982.37	\$7,858.97
Minimum Monthly	1.81%	\$17.48		\$81.94		\$983.24	\$7,865.92
Minimum Monthly	2.95%	\$28.49		\$82.85		\$994.25	\$7,954.00
Minimum Monthly	6.62%	\$63.93		\$85.81		\$1,029.69	\$8,237.55
COMBINED REVENUE IMPACT							
CPI-U RATE	RESIDENTIAL			COMMERCIAL			TOTAL PROJ REV
1.72%	\$596,079			\$156,325			\$752,404
1.81%	\$596,607			\$156,332			\$752,939
2.95%	\$603,287			\$158,215			\$761,502
6.62%	\$624,793			\$163,855			\$788,649

* Note: Currently (8) of (20) Commercial Customers pay the minimum monthly rate, producing less than 15,090 gallons/year

REVENUE PROJECTION APPLYING 6.62 % CPI-U INDEX EFFECTIVE JANUARY 1, 2020

Bear Valley Water District										
Financial Year 2019-20 + 3 Year Budget Forecast										
	ACTUAL (EST) FY 18 - 19	BUDGET FY 19 - 20	% DIFF PREV YR	BUDGET FY 20 - 21	% DIFF PREV YR	BUDGET FY 21 - 22	% DIFF PREV YR	BUDGET FY 22 - 23	% DIFF PREV YR	% Rev Ch 20-21 vs FY18-19
REVENUES										
Residential	589,935	605,500	2.57%	625,000	3.12%	625,000	0.00%	625,000	0.00%	5.61%
Commercial	198,719	172,000	-15.53%	164,000	-4.89%	164,000	0.00%	164,000	0.00%	-21.17%
Subtotal Operating Revenue	788,654	777,500	-1.43%	789,000	1.46%	789,000	0.00%	789,000	0.00%	
EXPENSES										
Salaries and Benefits	324,589	360,225	9.89%	378,255	4.77%	386,478	2.13%	394,899	2.13%	
Director Expenses - Meetings, Elections, Training	1,678	2,000		2,000		2,000		2,000		
Operator Education, Training & Certifications	756	1,500		1,500		1,500		1,500		
Gas, Diesel, Oil & Filters	2,766	3,000		3,000		3,000		3,000		
Insurance	22,574	23,000		23,000		23,000		23,000		
Memberships & Conferences	7,078	7,000		7,000		7,000		7,000		
Office Expenses & Supplies	9,337	10,000		10,000		10,000		10,000		
Field Expenses & Supplies	20,074	20,000		20,000		20,000		20,000		
Grooming, Snow Removal & Vehicle Storage	3,003	3,500		3,500		3,500		3,500		
General Engineering & Consulting	5,314	5,000		5,000		5,000		5,000		
General Legal & Accounting	16,224	10,000		10,000		10,000		10,000		
Equipment Rental	429	600		600		600		600		
Repairs & Maintenance	48,178	60,000		60,000		60,000		60,000		
Laboratory Fees	14,702	15,000		15,000		15,000		15,000		
Regulatory Reporting & Compliance Projects	6,305	6,700		6,700		6,700		6,700		
Taxes, Fees, Licenses & Assessments	34,325	39,000		40,000		40,000		40,000		
Utilities	59,178	60,000		60,000		60,000		60,000		
Subtotal Operating Expenses	577,110	626,525	7.89%	645,555	2.95%	663,778	2.75%	662,199	-0.24%	
Net Operational Income	211,544	150,975		143,445		125,222		126,801		
OTHER REVENUE										
Interest Income - LAIF	7,448	7,000		7,000		7,000		7,000		
Late Fees, Penalties & Interest	7,941	7,000		7,000		7,000		7,000		
Expense Reimbursements - USFS	2,870	3,538		3,538		3,538		3,538		
Expense Reimbursements - Concessionaire	4,608	5,887		5,887		5,887		5,887		
Connection Fees (Incl Application & Inspection Fees)	0	0		0		0		0		
Other Income	408	0		0		0		0		
Subtotal Other Revenue	23,276	23,424		23,424		23,424		23,424		
OTHER EXPENSES										
Loan Interest	17,199	15,690		14,011		12,318		9,683		
Depreciation	111,903	114,223		123,451		122,551		120,601		
Misc Exp - Bad Debt	10									
Subtotal Other Expenses	129,012	129,903		137,462		134,869		130,284		
Net Other Income	(105,736)	(106,479)		(114,038)		(111,445)		(106,860)		
NET INCOME	105,808	44,496		29,407		13,778		19,941		
NON-CASH EXPENDITURES (Included in net income)										
Depreciation	111,903	114,223		123,451		122,551		120,601		
Subtotal Non-Cash Expenses	111,903	114,223		123,451		122,551		120,601		
CASH EXPENDITURES (Not Included in net income)										
Capital Improvements / Replacements	(115,728)	(189,053)		(47,000)		(30,000)		(30,000)		
Loan Payments - Principal	(39,138)	(40,657)		(42,326)		(44,019)		(41,960)		
Subtotal Addl Cash Expenses	(154,866)	(229,710)		(89,326)		(74,019)		(71,960)		
NET CASH FLOW	62,745	(70,991)		63,532		62,310		68,582		
Debt/Coverage Ratio - Loan Covenants - 1.25 or Greater	5.560	3.904		3.611		3.097		3.349		

APPROVED JULY 22, 2019											
Bear Valley Water District											
Financial Year 2019-20 + 3 Year Budget Forecast											
	ACTUAL (EST) FY 18 - 19	% DIFF PREV YR	BUDGET FY 19 - 20	% DIFF PREV YR	BUDGET FY 20 - 21	% DIFF PREV YR	BUDGET FY 21 - 22	% DIFF PREV YR	BUDGET FY 22 - 23	% DIFF PREV YR	5 YR Total
REVENUES											
Residential	589,935		586,000		586,000		586,000		586,000		
Commercial	198,719		165,000	-20.44%	155,000	-28.21%	155,000		155,000		
Subtotal Operating Revenue	788,654		751,000	-5.01%	741,000	-1.35%	741,000	100.00%	741,000	100.00%	\$3,762,654
EXPENSES											
Salaries and Benefits	324,589		360,225	9.89%	378,255	4.77%	386,478	2.13%	394,899	2.13%	
Director Expenses - Meetings, Elections, Training	1,678		2,000		2,000		2,000		2,000		
Operator Education, Training & Certifications	756		1,500		1,500		1,500		1,500		
Gas, Diesel, Oil & Filters	2,766		3,000		3,000		3,000		3,000		
Insurance	22,574		23,000		23,000		23,000		23,000		
Memberships & Conferences	7,078		7,000		7,000		7,000		7,000		
Office Expenses & Supplies	9,337		10,000		10,000		10,000		10,000		
Field Expenses & Supplies	20,074		20,000		20,000		20,000		20,000		
Grooming, Snow Removal & Vehicle Storage	3,003		3,500		3,500		3,500		3,500		
General Engineering & Consulting	5,314		5,000		5,000		5,000		5,000		
General Legal & Accounting	16,224		10,000		10,000		10,000		10,000		
Equipment Rental	429		600		600		600		600		
Repairs & Maintenance	48,178		60,000		60,000		60,000		60,000		
Laboratory Fees	14,702		15,000		15,000		25,000		15,000		
Regulatory Reporting & Compliance Projects	6,305		6,700		6,700		6,700		6,700		
Taxes, Fees, Licenses & Assessments	34,325		39,000		40,000		40,000		40,000		
Utilities	59,778		60,000		60,000		60,000		60,000		
Subtotal Operating Expenses	577,110	7.89%	626,525	7.89%	645,555	2.95%	663,778	2.75%	662,199	-0.24%	\$3,175,167
Net Operational Income	211,544		124,475		95,445		77,222		78,801		\$587,487
OTHER REVENUE											
Interest Income - LAIF	7,448		7,000		7,000		7,000		7,000		
Late Fees, Penalties & Interest	7,941		7,000		7,000		7,000		7,000		
Expense Reimbursements - USFS	2,870		3,538		3,538		3,538		3,538		
Expense Reimbursements - Concessionaire	4,608		5,887		5,887		5,887		5,887		
Connection Fees (Incl Application & Inspection Fees)	0		0		0		0		0		
Other Income	408		0		0		0		0		
Subtotal Other Revenue	23,276		23,424		23,424		23,424		23,424		
OTHER EXPENSES											
Loan Interest	17,199		15,680		14,011		12,318		9,683		
Depreciation	111,803		114,223		123,451		122,551		120,601		
Misc Exp - Bad Debt	10		10		10		10		10		
Subtotal Other Expenses	129,012		128,903		137,462		134,869		130,284		
Net Other Income	(105,736)		(106,479)		(114,038)		(111,445)		(106,860)		
NET INCOME	105,808		17,996		(18,593)		(34,222)		(28,059)		\$42,929
NON-CASH EXPENDITURES (Included in net income)											
Depreciation	111,803		114,223		123,451		122,551		120,601		
Subtotal Non-Cash Expenses	111,803		114,223		123,451		122,551		120,601		
CASH EXPENDITURES (Not Included in net income)											
Capital Improvements / Replacements	(115,728)		(189,053)		(37,000)		(30,000)		(30,000)		(\$401,761)
Loan Payments - Principal	(39,138)		(40,657)		(42,326)		(44,019)		(41,960)		
Subtotal Addl Cash Expenses	(154,866)		(229,710)		(79,326)		(74,019)		(71,960)		
NET CASH FLOW	62,745		(97,491)		25,532		14,310		20,582		\$25,677
Debt/Coverage Ratio - Loan Covenants - 1.25 or Greater	5.560		3.252		2.477		2.007		2.205		

ORDINANCE NO. 74

BEAR VALLEY WATER DISTRICT

AN ORDINANCE AMENDING ARTICLE II OF ORDINANCE NO.1 INCREASING RATES AND CHARGES FOR SEWAGE DISPOSAL SERVICE USING CPI-U INDEX

WHEREAS, the Board ("Board") of Directors of the Bear Valley Water District ("District") on May 24, 2014, following a Proposition 218 Rate Increase procedure, enacted Ordinance No. 70 amending Section 1 of Article II of Ordinance No. 1 increasing the District's rates and charges for sewage disposal service; and

WHEREAS, Ordinance No. 70 also amended subsection (c) of Section 1 of Article II to allow for a CPI-U inflator increase for five years commencing July 1, 2016; and

WHEREAS, the Board has determined that the District must increase its sewer rates using the CPI-U index from July 1, 2016 for three (3) years as provided in subsection (c) or Section 1 of Article II; and

NOW THEREFORE, the Board of Directors of the Bear Valley Water District finds, determines and resolves as follows:

1. The above recitals are true and correct, and are hereby incorporated as part of this Ordinance.
2. Subsections (a) and (b) of Section 1 of Article II of Ordinance No. 1, and all amendments thereto is amended as follows:

"Article II

Sewer Service Charges

Section 1. Rates. The monthly sewer service charge shall be as follows:

(a) Residential. Single family dwellings, apartments, and condominiums shall be charged a flat monthly rate of \$_____.

(b) Commercial. Users other than residential users shall be charged their actual water usage at \$_____ per gallon or the commercial minimum monthly charge of \$_____, whichever is greater.

3. The Board finds and declares that the adoption of this ordinance and the rates established herein is exempt from the requirements of the California Environmental Act pursuant to Title 14, *California Code of Regulations* § 15273(a), and specifically adopts and incorporates herein as part of the record and as findings those sections of the report which discuss the need for revenue, including the projected total operating expenses, the capital projects and required improvements, and specifically finds and declares that the charges established herein for the purposes specified in Title 14, *California Code of Regulations* § 15273(a)(1) through 15273(a)(4), and not to fund expansion of the sewer system.

4. The Secretary of the District is hereby authorized and directed to file a notice of exemption pursuant to Title 14, *California Code of Regulations* § 15062.

5. This ordinance shall become effective 30 days after its passage.

6. Upon the effective date of this Ordinance, those portions of Ordinances predating this Ordinance that conflict with this Ordinance, are hereby repealed.

Passed and adopted at the regular meeting of the Board of Directors of the Bear Valley Water District on _____, by the following votes:

AYES:

NOS:

ABSENT:

ABSTAIN:

President
Bear Valley Water District

ATTEST:

Board Secretary
Bear Valley Water District

Jeff Gouveia

From: Matt Ospital <m.ospital@wgainc.net>
Sent: Friday, August 16, 2019 3:58 PM
To: Jeff Gouveia
Cc: Gary Ghio
Subject: CPI rate increase calc
Attachments: CPI rate calc 2019-08-16.pdf

Jeff,

I hope this is what you were looking for. I did four different calcs for you, see below and attached:

1. Looked at the increase from July 2016 to July 2019 – 6.62% increase
2. Looked at the increase from July 2016 to July 2017 – 1.72% increase
3. Looked at the increase from July 2017 to July 2018 – 2.95% increase
4. Looked at the increase from July 2018 to July 2019 – 1.81% increase

MATT OSPITAL, P.E.

394 E. Saint Charles St.
PO Box 251 | San Andreas, CA 95249
(209) 754-1824
m.ospital@wgainc.net



- new sewer rate = \$ 90.37/month on 7/1/14

- From CPI:

① 7/1/16 = 240.647

7/1/19 = 256.571

$$\frac{256.571 - 240.647}{240.647} \times 100 = 6.617\% \text{ increase}$$

② 7/16 = 240.647

7/17 = 244.786

$$\frac{244.786 - 240.647}{240.647} \times 100 = 1.72\% \text{ increase}$$

③ 7/17 = 244.786

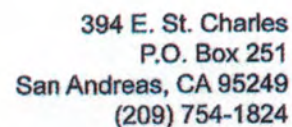
7/18 = 252.006

$$\frac{252.006 - 244.786}{244.786} \times 100 = 2.95\% \text{ increase}$$

By MSO Date 8/16/19 Project BVWD - rate adjustment

Check _____ Date _____ Description _____

Sht. 1 of 2 Shts. Job No. 2318


$$\times 100 = 1.81\% \text{ increase}$$

Sht. 2 of 2 Shts. Job No. _____

Jeff Gouveia

From: Nims, Eric J. <enims@neumiller.com>
Sent: Wednesday, August 7, 2019 4:33 PM
To: Jeff Gouveia
Cc: Schroeder, Dan
Subject: RE: BVWD

Jeff:

Good afternoon. I'm Dan's partner, and in light of his pending backpacking trip, he asked me to step-in to answer your "unused adjustment" question.

In short, the District can use the adjustment levels previously approved. Govt Code Section 53750 contains definitions applicable to the District's problem. Subsection (h)(1) defines the term "increased" (as in when a tax, fee, or charge is "increased"); subsection (h)(2) makes clear that a tax, fee, or charge is not deemed to be "increased" if the agency "(B) [i]mplements or collects a previously approved tax, fee, or charge, so long as the rate is not increased beyond the level previously approved by the agency"

So, the rate level previously approved is the ceiling—even if BVWD never billed its customers at a rate that maxed-out that ceiling—and BVWD may seek further adjustments using that prior ceiling.

Please call or email me with any questions regarding this matter.

Regards,



Eric J. Nims

Attorney at Law

P.O. Box 20 | Stockton, CA 95201-3020

3121 W. March Lane, Suite 100 | Stockton, CA 95219

Phone 209.948.8200 | Fax 209.948.4910

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From: Jeff Gouveia <Jeff.Gouveia@bvwd.ca.gov>
Sent: Wednesday, August 7, 2019 1:24 PM
To: Schroeder, Dan <dschroeder@neumiller.com>
Cc: Nims, Eric J. <enims@neumiller.com>
Subject: RE: BVWD

Thanks !

Jeff Gouveia

From: Schroeder, Dan <dschroeder@neumiller.com>
Sent: Thursday, July 6, 2017 1:52 PM
To: gmbearvalleywater@sbcglobal.net
Cc: Schroeder, Dan
Subject: RE: BVWD

Jeff,

Here is Government Code Section 53756. I've highlighted the 30 day notice language:

An agency providing water, wastewater, sewer, or refuse collection service may adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation, if it complies with all of the following:

(a) It adopts the schedule of fees or charges for a property-related service for a period not to exceed five years pursuant to Section 53755.

(b) The schedule of fees or charges may include a schedule of adjustments, including a clearly defined formula for adjusting for inflation. Any inflation adjustment to a fee or charge for a property-related service shall not exceed the cost of providing that service.

(c) The schedule of fees or charges for an agency that purchases wholesale water, sewage treatment, or wastewater treatment from a public agency may provide for automatic adjustments that pass through the adopted increases or decreases in the wholesale charges for water, sewage treatment, or wastewater treatment established by the other agency.

(d) Notice of any adjustment pursuant to the schedule shall be given pursuant to subdivision (a) of Section 53755, not less than 30 days before the effective date of the adjustment.

Dan

Daniel J. Schroeder
Attorney at Law



Neumiller & Beardslee

ATTORNEYS AND COUNSELLORS | EST. 1903

P.O. Box 20 | Stockton, CA 95201-3020
509 W. Weber Avenue, 5th Floor | Stockton, CA 95203
Phone 209.948.8200 | Fax 209.948.4910

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From: Jeff Gouveia [<mailto:gmbearvalleywater@sbcglobal.net>]
Sent: Wednesday, July 5, 2017 1:23 PM

Jeff Gouveia

From: Schroeder, Dan <dschroeder@neumiller.com>
Sent: Wednesday, September 18, 2019 2:00 PM
To: Jeff Gouveia
Subject: RE: BVWD - CPI-U

Jeff,

The ordinance should be posted within 10 days after adoption in three public places within the district since there is no newspaper of general circulation up there. Also, remember that Government Code Section 53756 requires the District to provide notice to the customers not less than 30 days before the increase goes into effect.

Dan



Daniel J. Schroeder
Attorney at Law
P.O. Box 20 | Stockton, CA 95201-3020
3121 W. March Lane, Suite 100 | Stockton, CA 95219
Phone 209.948.8200 | Fax 209.948.4910
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From: Jeff Gouveia <Jeff.Gouveia@bvwd.ca.gov>
Sent: Wednesday, September 18, 2019 11:06 AM
To: Schroeder, Dan <dschroeder@neumiller.com>
Subject: RE: BVWD - CPI-U

Thanks !

No posting of any notice or this Ordinance required either for the public hearing or in advance of the rate becoming effective on January 1 ?

Jeff Gouveia | General Manager |
Bear Valley Water District
441 Creekside Drive | PO Box 5027, Bear Valley, CA 95223 |
O: 209.753.2112 | C: 209.743.0836 | F: 209.753.6267
Jeff.Gouveia@bvwd.ca.gov | www.bvwd.ca.gov |





bear valley WATER DISTRICT

PO Box 5027, Bear Valley, CA 95223
P 209.753.2112 • F 209.753.6267 • BEARVALLEYWATER.ORG

JAMES D. BISSELL
BARBARA J. GOODRICH
GUNNAR THORDARSON
STEFANIYA BECKING
JOHN BOYLE

Proposition 218 Notification

NOTICE TO PROPERTY OWNERS OF PUBLIC HEARING ON PROPOSED CHANGES TO SEWER RATES

Hearing Date & Time: March 29, 2014, 3 PM

Hearing Location: Perry Walther Building, 325 Creekside Drive, Bear Valley, CA 95223

Basis of Proposed Rates

The Bear Valley Water District ("BVWD" or "District") has prepared a three-year budget to plan for annual, recurring expenses as well as periodic expenses associated with its National Pollution Discharge Elimination System (NPDES) permit, which is up for renewal in 2016.

The District Engineer has certified a 2013 Rate Study report as of December 17, 2013 and supporting memorandum dated August 7, 2013 (hereinafter collectively "Rate Report") that recommends sewer rates that meet the revenue requirements of the District and addresses the unpredictability and variability of charges for its commercial customers. The Rate Report can be viewed at www.bearvalleywater.org and is also on file and available for public review at the Bear Valley Water District office, 441 Creekside Drive, Bear Valley, CA 95223.

New Sewer Rates

The rate structure for residential users is proposed to change from a progressive rate to a flat fee in the amount of \$90.37 per month for all residential users. The proposed commercial users' rate structure will change from a calculation that includes residential use to a fixed cost of \$0.064 for each gallon of water used, with a minimum monthly charge of \$80.48, representing the fixed cost to be connected to the BVWD system.

Why is a Rate Adjustment Needed?

In 2011, the District's NPDES discharge permit was renewed without requiring the construction of a costly tertiary treatment facility. However, the NPDES permit still requires regular testing, reporting and potential mitigation requirements over its five-year term. In 2016, the District will have to go through the NPDES permit renewal process again, re-making its case that tertiary treatment is not needed, with attendant engineering and legal costs. The current sewer rates charged by the District will not cover the District's costs to operate, maintain and replace aging infrastructure and service debt on the existing wastewater system and provide additional funds for NPDES requirements and renewal, even with the District's plan to offset the additional expenses with \$250,000 in operating reserves.

Why is the Residential Rate Structure Changing?

Since there was no practical way of determining sewer use for each residence, BVWD historically charged for sewer services on the assumption that sewer requirements were proportional to the number of bathrooms and kitchens in a home. The more bathrooms and kitchens a home had, the greater the presumed use, and the higher the fee. Currently, rates vary from a low of \$76.50/month to a high of \$252.45/month. Since water meters were installed by Lake Alpine Water Company for much (but not all) of Bear Valley in 2007, the District now has access to actual data using water meter information. That data reflects that the number of bathrooms and kitchens in a home is not a reliable predictor of how much water/sewer services ratepayers use, and BVWD's practice of billing according to number of bathrooms is not a fair measure of load on the system.

Further, based on the District Engineer's review, approximately 89% of BVWD's expenses are fixed ("89% Fixed Costs"), meaning that most expenses are incurred to have a system in place and operational, irrespective of how heavily it's used. Thus, variable sewer usage only makes up 11% of the costs of providing service to District customers.

The proposed rate structure addresses these realities by establishing a single fixed residential rate on the basis that (1) every user should share equally in the 89% Fixed Cost, and (2) there is no practical way to assign the 11% sewer usage cost on a residential ratepayer-by-ratepayer basis. This will result in an increase for ratepayers that are currently charged \$229.50/quarter and a decrease for other residential ratepayers.

Why is a Commercial Rate Adjustment Needed?

Commercial rates have been historically calculated based on two factors: (1) the amount of water used by a business in the preceding year and (2) the relationship of a business' water use to average residential use. This calculation creates a great deal of uncertainty for local businesses because of the residential water use portion of the calculation.

For example, if a business uses 100,000 gallons of water every year, it might be billed at 5 times the residential rate one year and 10 times the residential rate the next year, dependent entirely on whether residences averaged 20,000 gallons per household or 10,000 gallons per household. If a business' water use declines, its sewer bill could still go up, depending on the average amount of water used by residences.

After reviewing the District's three-year budget, the District Engineer prepared a calculation of \$0.064 cost-per-gallon to process sewage. Since water usage information for local businesses is readily available, the proposed commercial sewer rate for local businesses will be calculated at a rate of \$0.064 times the number of gallons of water used by a specific business, with no reference to average residential water use. Currently, the water usage for the preceding fiscal year is used to perform this calculation for each commercial user.

Because 89% of the District's costs are fixed, the minimum monthly charge for any commercial customer connected to the system, even with no water usage, will be \$80.48, the same Fixed Cost assigned to residential customers. Thus, if the amount of water used multiplied by \$0.064 per gallon is less than \$80.48, then the user shall pay the minimum monthly charge of \$80.48, or \$965.76 per year.

The current minimum annual charge for commercial customers is \$0 (for non-use) and \$918 for all other commercial ratepayers. This proposed rate structure, commonly used in other districts, will provide more predictability to commercial ratepayers' sewer rates because it doesn't include an annual reference to residential use.

Proposed Sewer Rates

	Current	Proposed Rates 2014-15 and thereafter [1]
Residential	\$76.50 - \$252.45 [2] per month	\$90.37 per month
Commercial	\$0.074 per gal.	\$0.064 per gal. [3]

[1] The new sewer rate will be effective on July 1, 2014. Starting 2016/2017 and the four years thereafter, the above rates may be adjusted annually up to the percentage increase, if any, of the United States Department of Labor All Item Consumer Price Index for All Urban Consumers (CPI-U) – (1982-84 Base 100) for the twelve months ending March 1 of the prior fiscal year.

[2] \$76.50 is a minimum flat rate for up to 3 sewer service units (bathrooms and kitchens). Each additional bathroom or kitchen is an additional \$25.50/month.

[3] Under the proposed rate change, the commercial minimum monthly charge will be \$80.48, which is equal to residential “89% Fixed Costs.” The commercial customer’s charge will be its water usage at \$0.064 per gallon or the minimum monthly charge, whichever is greater. The calculation is currently based on the preceding fiscal year’s water usage.

Impact on Your Bill

Single family residences, condominiums and Lake Alpine permittees currently pay fixed, but progressive, sewer charges ranging from \$76.50 per month to \$252.45[2] per month. Under the proposed rates, all residential customers will pay a total of \$90.37 per month beginning July 1, 2014. Commercial users currently pay \$0.074 per gallon for sewer service, with a minimum fee of \$0 for non-users and \$918 per year for all others. Under the proposed rate, commercial users will pay \$0.064 per gallon of water used/sewage discharged (currently computed based on its water usage in the preceding fiscal year), with a minimum monthly rate of \$80.48 (\$965.76 per year) to be connected to the system. The District currently bills customers on a quarterly basis, which it may change by ordinance.

Compliance with Proposition 218

In 1996, California voters approved Proposition 218, which amended the state constitution as it relates to the passage of property-related fees. “Prop 218” requires that local governments follow a strictly defined process for setting fees such as water or sewer bills.

Generally speaking, the District must (1) inform ratepayers that a proposed rate increase is being considered (this notice), (2) clearly demonstrate the basis on which these fees are calculated (this letter and the District Engineer’s Rate Report), and (3) hold a public hearing at least 45 days after noticing property owners, at which time the District hears all protests to the rate increase.

These rates are subject to “majority protest,” meaning they **cannot be passed** if a majority of property owners (or renters/lessees, where the renter/lessee is financially responsible for the bill) impacted by the rate change submit written and signed protests opposing the increase.

To Protest These Changes

If you have questions or comments about the proposed rate changes or wish to protest, you may:

Address the Board of Directors: Attend the Public Hearing on March 29, 2014, at 3 PM at the Perry Walther Building in Bear Valley, CA.

Write: Written protests against the proposed rate change must be received by the District by the close of the public hearing on March 29, 2014 and must identify the owner(s) of the property, the parcel (APN) number or address of the affected property and include the original signature(s) of the property owner(s). Renters/lessees may protest if they are financially responsible for the bill.

If the District receives written protests against the proposed rates by a majority of the affected property owners/renters/lessees prior to the end of the hearing, the District cannot approve the change.

Written protests must be sent to:

**Bear Valley Water District,
PO Box 5027, Bear Valley, CA 95223**

Original signature protests are required. Please note that emails, scans and photocopies of signed protests will not be accepted.



BEAR VALLEY WATER DISTRICT

BOARD MEETING

July 22, 2019 - 9 A.M.

Conference Room

441 Creekside Drive, Bear Valley, CA 95223

Call- In Info: 605-475-5920 Access Code: 475-0045

LOCATION 2: 546 LUCILLE DRIVE, INCLINE VILLAGE, NV, 89451

BOARD MEETING

DECLARATION OF A QUORUM

President James Bissell called the meeting to order at 9:10 A.M. Directors present were Stefaniya Becking, Vice President, John Boyle, Treasurer, and Gunnar Thordarson, Director, via teleconference. Staff present were Jeff Gouveia, General Manager and Judi Silber, Office Manager. No public present.

Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair.

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction provided the matter is not on the agenda or pending before the Board.

BOARD BUSINESS

1. Public Hearing – Proposed Delinquent Sewer Service Fees to Be Added to 2019-20 Alpine County Tax Rolls - Discussion and Possible Action Item

The Public Hearing was opened at 9:14 A.M.

Motion Boyle Second Becking to send the presented list of delinquent account to the FY19-20 Alpine County Tax Roll.

AYES: Bissell, Becking, Boyle, Thordarson

NOES:

ABSENT: Brown

MOTION CARRIED

Public Hearing was closed at 9:15 A.M.

2. The Board will consider adoption of the May 20, 2019 Board Meeting minutes

Motion Boyle Second Bissell to accept the May 20, 2019 Minutes as presented.

AYES: Bissell, Becking, Boyle, Thordarson

NOES:

ABSENT: Brown

Bear Valley Water District Agenda
Monday, June 22, 2019

3. Review Draft Revised District By-Laws – Discussion and Possible Action Item

Legal Counsel Dan Schroeder joined the meeting via teleconference. He recommended that the Board adopt the revised by-laws at this meeting and then forward them to Alpine County Board of Supervisors to add as a consent item on their calendar at their next meeting. After the Alpine County Board of Supervisors approves them, then the Board of Directors can adopt them via a Resolution. Dan advised that the 2010 bylaws were unnecessarily detailed, overly complicated and potentially created exposure for its Staff as well as its Trustees based on a myriad of sections as they had been prepared. Dan further advised that at any time in the future the Board can add sections to the by-laws it deems necessary by way of Resolution.

Motion Boyle Second Becking to approve the by-laws as revised and to send them to the Alpine County Board of Supervisors for approval.

AYES: Bissell, Becking, Boyle, Thordarson

NOES:

ABSENT: Brown

MOTION CARRIED

4. Bear Valley Water District Wastewater Treatment Pond Improvement Project – Update

Discussion ensued regarding the total cost of improvement project. The Board felt compelled to make it very clear to the contractor that they are approving a total not to exceed \$240K for the completion of this project. Any further expenditures would have to be approved by an Ad Hoc Committee by a 2/3's vote.

Motion Bissell Second Becking to approve a revised budget up to \$240K, with Ad Hoc Committee flexibility to increase additional \$50K if necessary.

AYES: Bissell, Becking, Boyle, Thordarson

NOES:

ABSENT: Brown

MOTION CARRIED

5. FY 19 - 20 Final Budget Proposal – Discussion and Possible Action Item

GM Gouveia informed the Board of the FY19-20 final proposed budget shortfall. Residential income was estimated to remain the same next fiscal year. However, due to structural damage incurred last winter for some of the District's commercial customers, the District is anticipating losses in commercial revenue as these buildings remain unoccupied. Further, the USFS notified the District that they will be removing all (7) flush toilets at the east end of Lake Alpine. The Board discussed the projected reductions in net income and cash flow and engaged in a discussion surrounding the use of the CPI index to increase revenue in future fiscal cycles. The Board considered that a CPI increase may enable the District to delay any new rate Prop 218 increase for a number of years by taking advantage of the CPI.

Motion Becking Second Boyle to accept the FY19-20 Final Budget as Proposed

AYES: Bissell, Becking, Boyle, Thordarson

NOES:

ABSENT: Brown

MOTION CARRIED

Bear Valley Water District Agenda
Monday, June 22, 2019

Motion Boyle Second Becking to authorize the implementation of the CPI Increase effective January 1, 2020 subject to an increase of at least 1 %.

AYES: Bissell, Becking, Boyle, Thordarson

NOES:

ABSENT: Brown

MOTION CARRIED

6. Manager's Report – General Manager

See attachment.

7. Financial Report – General Manager

7.1 P&L and Balance Sheet Reports - Discussion and Possible Action Item

No action taken. For review only.

7.2 Accounts Payable Report - Discussion and Possible Action Item

No action taken. For review only.

7.3 A/R & Aging Reports – Discussion

No action taken. For review only.

8. Board Member Reports

The next board meeting was set for Monday, October 21st, 2019 at 9:00 A.M.

President Bissell adjourned the meeting at 11:55 A.M.

AGENDA ITEM

DATE: JULY 22, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: MANAGER'S REPORT

1. Collections, Treatment & Disposal Operations - Update

a. Flows - Influent Flows & Pond Transfers

The influent flows for July 1 – 17 was 1.185 MG.

a. Volumes - Storage, Capacity & Disposal

Volume of water moved from treatment to storage July 1-17 was 2.023 MG.

2. Permit Compliance & Monitoring & Reporting Programs (MRPs) - Update

a. WDR MRP - Land Discharge Permit – Compliance & Reporting Update

i. Reporting Status Matrix – All Monthly Reporting Submitted On-Time

b. NPDES MRP – Surface Water Discharge Permit – Compliance & Reporting Update

i. Reporting Status Matrix – All Monthly Reporting Submitted On-Time

3. Other

a. NPDES August 30, 2018 Permit Amendment Request – Update

GM received an email from Danielle Goode stating that she is working alongside Dania Jimmerson, CVRWQCB, on an amendment to the District's NPDES permit reducing effluent monitoring on once/week for certain Parameters and removing receiving water monitoring requirements when there is no flow in Bloods Creek.

b. USFS – Chickaree Campground Vault Toilet Installation Project

Timothy Hughes sent an email on June 13th stating that the USFS is replacing the 7 flushing Toilets at Chickaree with vault toilets. Once complete the lift station at Chickaree will no longer be required.

c. DSOD Dam Break Analysis / Inundation Mapping – Notice of Receipt & Review of Inundation Maps

In response to the requirements of Division 3, Part 1, Chapter 4, section 6161(a) of the California Water Code, the District has submitted the inundation map for Bear Valley SH Dam. Ariya Balakrishnan, Chief will notify the District when our inundation map has been reviewed.

d. CASA Memo on Garamendi Legislation to Extend NPDES Permit Terms to 10 Years

Congressman John Garamendi introduced legislation to address extending NPDES permit terms for a fixed period of up to 10 years. CASA strongly advocates this extension.

e. LAFCO Representation – Alpine County Special Districts

Dane Wadle, CPFO, the field coordinator for the California Special Districts Association (CSDA), emailed GM Gouveia, to reach out and setup a conference call between the three agencies in Alpine County, to get representation on the Alpine County Local Agency Formation Commission (LAFCO). As a condition of getting representation, the districts must pay a portion of the LAFCO budget.

f. Director's Terms of Office – Update

Ken Brown and Gunnar Thordarson's terms of office both expire this year. The vacancies have been posted at the required locations and election packets were available at the District office. Both incumbents agreed to serve another term of office. No other candidates applied. The new incumbents will be sworn in at the next board meeting.

AGENDA ITEM

DATE: OCTOBER 21, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: AMENDING DISTRICT BY-LAWS

BACKGROUND AND DISCUSSION:

Through the exercise Staff undertook to develop a procurement policy to ensure compliance with statutory requirements for public works projects, Staff engaged with Legal Counsel and reviewed the historical record related to the formation of the District.

During this review, Staff shared, among other items, the District's bylaws approved and adopted by the District's Board of Directors on August 10, 2010 as well as approved by the Alpine County Board of Supervisors on September 7, 2010.

Following review, Legal Counsel advised the District's Board of Directors at its May 20, 2019 meeting that many sections of the 2010 bylaws were unnecessarily detailed, overly complicated and potentially created exposure for its Staff as well as its Trustees based on a myriad of sections as they had been prepared in this document.

At its May 20, 2019 meeting, the Board of Directors acknowledged these deficiencies and directed Legal Counsel to prepare a draft revision of the bylaws for review by the Board.

At its July 22, 2019 meeting, the Board of Directors reviewed the amended bylaws as prepared by legal staff and ultimately approved the revised set of bylaws. Per Water Code section 35302, following the BVWD Board's approval, the revised bylaws were sent to the Alpine County Board of Director's who approved the revised bylaws by resolution at its August 6, 2019 meeting.

RECOMMENDATION

ACTION:

1. Motion to Adopt the 2019 Revised Bylaws by Resolution.

Attachments:

- Resolution 497 – Adopting 2019 BVWD Revised District Bylaws
- Resolution No. 2019-30 – Alpine County Board of Supervisors Resolution Approving Revised BVWD Bylaws
- BVWD 2019 Revised District Bylaws

RESOLUTION NO. 2019-30

**RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF ALPINE, STATE OF CALIFORNIA
APPROVING THE REVISED BEAR VALLEY WATER DISTRICT BYLAWS**

WHEREAS, the Bear Valley Water District was created by Resolution No. 68-39, and

WHEREAS, on August 5, 1968, the Board of Directors of the Bear Valley Water District adopted Bylaws of the District pursuant to Section 35302 of the Water Code; and

WHEREAS, the last revision to the Bear Valley Water District Bylaws was adopted by the Board of Directors in 2010, and


WHEREAS, amendments to said Bylaws were duly and regularly passed and adopted by the Board of Directors of the Bear Valley Water District at a meeting held on the 22nd day of July, 2019, and

WHEREAS, said amended Bylaws require further amending to be consistent with the various amendments to the California Water District Law; and

WHEREAS, the Bear Valley Water District requests that the Board of Supervisors adopt the revised Bear Valley Water District Bylaws submitted as Attachment "A".

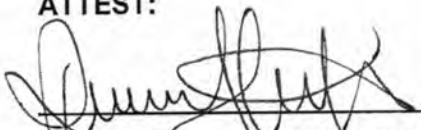
ADOPTED this 6th day of August 2019, by the following vote:

AYES: Jardine, Hames, Rakow, Woodrow, Griffith



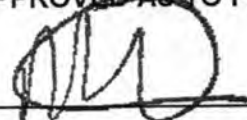
David Griffith, Chair
Board of Supervisors, County of
Alpine, State of California

ATTEST:



Teola L. Tremayne, County Clerk
& Ex Officio Clerk to the
Board of Supervisors
By: Patricia Griffin, Assistant County Clerk

APPROVED AS TO FORM:



Margaret Long, County Counsel

RESOLUTION NO. 497

RESOLUTION ADOPTING REVISED DISTRICT BYLAWS.

WHEREAS, the Bear Valley Water District ("District") last revised its bylaws in December of 2010; and

WHEREAS, on July 22, 2019, the Board of Directors for the District approving the proposed Revised Bylaws ("Revised Bylaws") and requested the Alpine County Board of Supervisors approve the Bylaws in accordance with California Water Code section 35305; and

WHEREAS, on August 6, 2019, the Alpine County Board of Supervisors adopted Resolution No. 2019-30 approving the Revised Bylaws; and

WHEREAS, the Board of Directors for the District desires to adopted the Revised Bylaws now that the Alpine County Board of Supervisors has approved them.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Bear Valley Water District hereby adopts the Revised Bylaws attached hereto as Attachment A and that the Revised Bylaws shall be effective immediately.

PASSED AND ADOPTED by the Board of Directors, at a regular meeting thereof, held on the ____th day of _____, 2019, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTENTION: _____

Bear Valley Water District

By: _____
_____, PRESIDENT

ATTEST:

_____, SECRETARY

CERTIFICATION

I, _____, Secretary of the Bear Valley Water District, do hereby certify that the foregoing is a full, true and correct copy of a resolution of the Bear Valley Water District duly passed and adopted at a regular meeting of the Board of Directors thereof held on the ____ day of _____, 2019.

Dated: _____, 2019

_____, SECRETARY

EXHIBIT "A"

BYLAWS
OF THE
BEAR VALLEY WATER DISTRICT

Adopted July __, 2019

ARTICLE I GENERAL

Section 1. Name.

This water sanitary district shall be known as the BEAR VALLEY WATER DISTRICT (BVWD or District).

Section 2. District Office.

The District Office shall be established by Resolution and may be changed from time to time by Resolution.

ARTICLE II PURPOSE

The purpose of the BVWD is to provide services to the residents of Bear Valley consistent with the Division 13 of the California Water Code.

ARTICLE III BOARD OF DIRECTORS

Section 1. Number.

The governing body of BVWD shall consist of five (5) elected Directors, each of whom shall serve a term of four (4) years. Such terms of office to be established on a staggered basis. During elections every two (2) years, either two (2) or three (3) Directors are elected for the next four (4) years.

Section 2. Qualifications.

In accordance with Water Code section 34700, each Director shall be one of the following:

- (a) A holder of title to land within the BVWD.
- (b) The legal representative of a holder of title to land within BVWD in accordance with Water Code section 34030.
- (c) A representative designated by a holder of title to land within BVWD, if the holder has filed with BVWD written evidence of that designation.

Section 3. Responsibility.

The Board of Directors shall govern the BVWD and establish policies for the operation of the District. The Directors shall carry out their duties as set forth in law, these bylaws, and other policies of BVWD honestly and faithfully.

Section 4. Compensation.

Members of the Board of Directors shall receive compensation for each day's attendance at meeting of the Board or for each day's service rendered as a director by request of the Board in an amount established by resolution of the Board of Directors, but in no case may the amount exceed the amount set forth in Water Code section 34741. Nor shall the total compensation to any Director exceed the total of six days in any calendar month, together with any expenses authorized by the Board. Compensation for all other officers who are not members of the Board of Directors shall be established by the Board.

Section 5. Vacancies.

Vacancies on the Board shall be filled in accordance with Government Code Section 1780.

Section 6. Resignation.

A director may resign at any time by giving written notice to the Board, to the President, or to the Secretary of the Board. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE IV OFFICERS

Section 1. Elected Officers.

The elected officers shall be chosen by the Board from among the five (5) members of the Board and shall consist of a President and a Vice-President.

Section 2. Terms of Elected Officer.

Elected Officers of the Board shall be elected by the Board at its first meeting in a new calendar year and shall serve for one (1) year, said term to commence upon election. All elected officers shall be eligible to serve successive terms. Officers shall continue to serve in their capacity as an officer until their successor is elected.

Section 3. Duties of Elected Officers.

A. President.

1. Shall preside at all meetings of the board and such other meetings approved by the Board, and have the authority to call for short recesses during meetings unless a majority of the Directors by vote oppose a recess.
2. Shall serve as official spokesperson for the Board.
3. Shall appoint such committees and other working groups as prescribed by the Board.
4. Shall designate Directors or others to represent the Board at various meetings, hearings, and conferences.
5. Shall perform such other duties as necessary to carry out the work of the Board.
6. Shall perform such duties as prescribed by law.

B. Vice-President.

1. Shall serve in the absence of the President.

ARTICLE V APPOINTED OFFICERS

Section 1. Appointed Officers.

- A. The appointed officers of the District shall be a General Manager and a Secretary who may be the same person, but none of whom shall be a Director. The duties of the appointed officers shall be as specified in law, and as directed by the Board. The Board may also appoint a Treasurer in accordance with.
- B. Pursuant to Water Code Section 34711, the District Board of Directors may appoint a District Treasurer, who shall be responsible for the deposit and withdrawal of funds of the District.
- C. The Board may appoint such other officers as it deems necessary.

Section 2. General Manager Duties.

The General Manager is employed by the board to run the day-to-day business of the BVWD.

Duties of the General Manager (Manager) include, but are not limited to:

- A. Appraise and evaluate the effects of the Board policies and the manner of their execution, and the efficiency of BVWD personnel in terms of services rendered to the people of the District.
- B. Provide leadership to staff in identifying district needs, establishing priorities and determining the objectives, which will achieve the established goals of the District.
- C. Encourage and assist staff in the performance of their duties and encourage their professional growth.
- D. Ensure evaluation of personnel under his/her direction.
- E. Provide financial oversight of the District and Alpine County pursuant to funds on deposit at that agency.
- F. Lead the District management team in the preparation of an annual budget, control of expenditures, inventory control, program planning, changing priorities and public relations.
- G. Perform the function of the District's Public Information Officer.
- H. Dispatch the contractor hired for operations on all wastewater problems in BVWD that require fieldwork. The Manager will respond only if the situation is too complicated for the contractor hired for operations to handle.
- I. Keep the Board informed of all communications affecting the District.
- J. Establish regular office hours and ensure that there is at least one person in the office during those hours.
- K. Such other duties as may from time to time be assigned by the Board.

Section 3. Secretary Duties.

- A. The Secretary shall attend Board meetings and prepare the minutes of the Board meetings which shall record the aye and no votes taken by the members of the Board for the passage of all ordinances, resolutions, or motions.
- B. The Secretary shall prepare the agenda for the Board meetings, post agendas, public notices and proposed action documents as required by the Board and government regulations.
- C. The Secretary shall keep a record of all Board actions, including financial transactions.
- D. The Secretary is responsible for keeping the Ordinances and all changes.
- E. The Secretary shall maintain and file with the County Clerk and the Secretary of State the filings required under Government Code section 53050 for the Roster of

Public Agencies.

Section 4. Treasurer Duties.

- A. If a Treasurer is appointed by the Board of Directors, they shall serve at the pleasure of the Board and be responsible for those responsibilities set forth in Water Code section 34711 and any other as determined by the Board.

**ARTICLE VI
MEETINGS**

Section 1. Regular and Special Meetings.

- A. The Board shall hold a regular meeting on dates and times as established by the Board from time to time by resolution. All regular meeting shall be held at the District Office. Such meetings may be altered as to date, time and place, as provided for in a Resolution adopted by the Board.
- B. Special meetings may be called by the President or by a majority of Directors.
- C. All meetings shall be conducted in accordance with the Ralph M. Brown Act.
- D. All motions made at Board meetings shall require a second to the motion prior to the Directors voting.
- E. Directors may attend any regular and special meeting telephonically as provided in the Ralph M. Brown Act.

Section 2. Quorum.

The Board shall be empowered to conduct the business of the District whenever there is a quorum of Directors at a properly noticed meeting. Three Directors shall constitute a Quorum.

Section 3. Voting.

- A. The vote of a majority of the Directors present at any meeting attended by a Quorum shall be necessary to pass any motion, adopt any resolution, or make any determination.
- B. Voting shall be by voice, show of hands, or roll call vote.
- C. Should a Director vote "Abstain" on a motion, the vote shall be considered a non-vote and not counted as an affirmative or negative vote.

Section 4. Notice of Regular and Special Meetings.

- A. Notices of all regular and special meetings shall be pursuant to the Ralph M. Brown Act.
- B. Notices of regular and special meetings. In the case of special meetings, the notice, written or by telephone, shall specify the specific nature of the business to be transacted.

**ARTICLE VII
ELECTIONS**

Section 1. Procedure of Voting.

All District elections shall be conducted in accordance with the procedures set forth in Water Code Section 35100 et. seq.

Section 2. Manner of Voting.

The manner of voting in all District elections shall be as set forth in Water Code section 35003.

Section 3. Voting in Person or by Proxy.

Every eligible voter may vote either in person or proxy in accordance with Water Code sections 35004-35006.

**ARTICLE VIII
PARLIAMENTARY AUTHORITY**

Rosenberg's Rules of Order, current edition and all future editions or such other authority as may be subsequently adopted by resolution of the Board is to apply to all questions of procedure and parliamentary law not specified in these Bylaws or otherwise by law.

**ARTICLE IX
PENALTIES**

The penalty for any single violation of these bylaws shall not exceed two hundred dollars (\$200.00).

ARTICLE X AMENDMENTS

The Bylaws may be repealed or amended, or new Bylaws by either of the following methods:

- (a) By four-fifths (4/5ths) vote of the total number of Directors as set forth in Article 3 Section 1 of these bylaws and approval of the Board of Supervisors of Alpine County, or
- (b) By two-thirds (2/3rds) vote of the total vote of the District in writing or cast by ballot at a District election.

AGENDA ITEM

DATE: OCTOBER 21, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: AMENDING SDRMA MOU

BACKGROUND AND DISCUSSION:

The Bear Valley Water District participates in the Special District Risk Management Authority's (SDRMA) health benefits program for its medical, dental, vision, life, and long term disability insurance coverage. On June 26, 2019, the SDRMA Board of Directors approved amendments to the Memorandum of Understanding between the District and SDRMA to align with changes to IRS guidelines, the Affordable Care Act and the CSAC-EIA pool guidelines.

To continue the District's participation in these programs, the District's Board of Directors must approve and execute the enclosed MOU and Resolution or otherwise withdraw from the program on the next annual renewal date, January 1, 2020.

SDRAMA's package of programs is one of the most comprehensive and cost competitive programs available to Special Districts in California and has proven to be a great fit for the District's health benefits program for many years.

RECOMMENDATION:

ACTION:

1. Motion to Approve the SDRMA MOU and Resolution

Attachments:

- SDRMA August 1, 2019 Correspondence
- SDRMA Memorandum of Understanding
- SDRMA Resolution 498 – Authorizing Execution of the MOU

August 1, 2019

Ms. Judi Silber
Office Manager
Bear Valley Water District
Post Office Box 5027
Bear Valley, California 95223

RECEIVED AUG 08 2019

Amended Memorandum of Understanding

Dear Ms. Silber,

At the June 26, 2019 SDRMA Board Meeting, the SDRMA Board of Directors approved amendments to the Memorandum of Understanding (MOU) between your agency and SDRMA. The amendments were made to align the MOU with IRS guidelines, the Affordable Care Act and the CSAC-EIA pool guidelines. CSAC-EIA is the organization that provides coverage for the Health Benefits program.

Your entity participates in SDRMA's Health Benefits program and has previously executed the Memorandum of Understanding (MOU) and Resolution when your entity joined SDRMA's Health Benefits program. Included in the MOU is the following section: AMENDMENT OF MEMORANDUM. This MEMORANDUM may be amended by the SDRMA Board of Directors and such amendments are subject to approval of ENTITY's designated representative, or alternate, who shall have authority to execute this MEMORANDUM. Any ENTITY who fails or refuses to execute an amendment to this MEMORANDUM shall be deemed to have withdrawn from the PROGRAM on the next annual renewal date.

To follow the above MOU guideline your governing body must execute the enclosed MOU and Resolution and return the original MOU and Resolution to SDRMA by **November 1, 2019**. If your entity does not return the MOU and Resolution to SDRMA by **November 1, 2019** your entity will be deemed as withdrawn and **benefits will be terminated effective January 1, 2020**.

If SDRMA has not received your entity's MOU and Resolution by October 1, 2019 we will send an email to your attention inquiring when the MOU and Resolution will be sent to SDRMA.

In the MOU under section 4 it refers to SDRMA Program Administrative Guidelines. The Administrative Guidelines can be found on the SDRMA MemberPlus Portal at www.sdrma.org. If you are already registered on the MemberPlus Portal you do not need to re-register. If you are not already registered on the **MemberPlus Portal**, please find enclosed instructions of how to register. Once you are registered and login, the Administrative Guidelines can be found under the following pathway: Document Library>Health Benefits>Administrative Guidelines.

Please contact us at 800.537.7790 or at healthbenefits@sdрма.org if you have any questions regarding the MOU and/or Resolution. Thank you for your continued participation in the Health Benefits Program!

Sincerely,
Special District Risk Management Authority



Alana Little
Health Benefits Manager

Enclosures: Memorandum of Understanding
Resolution
MemberPlus Registration instructions
Return Address Envelope

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (HEREAFTER "MEMORANDUM") IS ENTERED INTO BY AND BETWEEN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (HEREAFTER "SDRMA") AND THE PARTICIPATING PUBLIC ENTITY (HEREAFTER "ENTITY") WHO IS SIGNATORY TO THIS MEMORANDUM.

WHEREAS, on August 1, 2006, SDRMA was appointed administrator for the purpose of enrolling small public entities into the CSAC - Excess Insurance Authority Health's ("CSAC-EIA Health") Small Group Health Benefits Program (hereinafter "PROGRAM"); and

WHEREAS, the terms and conditions of the PROGRAM as well as benefit coverage, rates, assessments, and premiums are governed by CSAC-EIA Health Committee for the PROGRAM (the "COMMITTEE") and not SDRMA; and.

WHEREAS, ENTITY desires to enroll and participate in the PROGRAM.

NOW THEREFORE, SDRMA and ENTITY agree as follows:

1. **PURPOSE.** ENTITY is signatory to this MEMORANDUM for the express purpose of enrolling in the PROGRAM.
2. **ENTRY INTO PROGRAM.** ENTITY shall enroll in the PROGRAM by making application through SDRMA which shall be subject to approval by the PROGRAM's Underwriter and governing documents and in accordance with applicable eligibility guidelines.
3. **MAINTENANCE OF EFFORT.** PROGRAM is designed to provide an alternative health benefit solution to all participants of the ENTITY including active employees, retired employees (optional), dependents (optional) and public officials (optional). ENTITY public officials may participate in the PROGRAM only if they are currently being covered and their own ENTITY's enabling act, plans and policies allow it. ENTITY must contribute at least the minimum percentage required by the eligibility requirements.
4. **PREMIUMS.** ENTITY understands that premiums and rates for the PROGRAM are set by the COMMITTEE. ENTITY will remit monthly premiums based upon rates established for each category of participants and the census of covered employees, public officials, dependents and retirees.

Rates for the ENTITY and each category of participant will be determined by the COMMITTEE designated for the PROGRAM based upon advice from its consultants

and/or a consulting Benefits Actuary and insurance carriers. In addition, SDRMA adds an administrative fee to premiums and rates for costs associated with administering the PROGRAM. Rates may vary depending upon factors including, but not limited to, demographic characteristics, loss experience of all public entities participating in the PROGRAM and differences in benefits provided (plan design), if any.

SDRMA will administrate a billing to ENTITY each month, with payments due by the date specified by SDRMA. Payments received after the specified date will accrue penalties up to and including termination from the PROGRAM. Premiums are based on a full month, and there are no partial months or prorated premiums. Enrollment for mid-year qualifying events and termination of coverage will be made in accordance with the SDRMA Program Administrative Guidelines.

5. **BENEFITS.** Benefits provided to ENTITY participants shall be as set forth in ENTITY's Plan Summary for the PROGRAM and as agreed upon between the ENTITY and its recognized employee organizations as applicable. Not all plan offerings will be available to ENTITY, and plans requested by ENTITY must be submitted to PROGRAM underwriter for approval.
6. **COVERAGE DOCUMENTS.** Except as otherwise provided herein, coverage documents from each carrier outlining the coverage provided, including terms and conditions of coverage, are controlling with respect to the coverage of the PROGRAM and will be provided by SDRMA to each ENTITY. SDRMA will provide each ENTITY with additional documentation, defined as the SDRMA Program Administrative Guidelines which provide further details on administration of the PROGRAM.
7. **PROGRAM FUNDING.** It is the intent of this MEMORANDUM to provide for a fully funded PROGRAM by any or all of the following: pooling risk; purchasing individual stop loss coverage to protect the pool from large claims; and purchasing aggregate stop loss coverage.
8. **ASSESSMENTS.** Should the PROGRAM not be adequately funded for any reason, pro-rata assessments to the ENTITY may be utilized to ensure the approved funding level for applicable policy periods. Any assessments which are deemed necessary to ensure approved funding levels shall be made upon the determination and approval of the COMMITTEE in accordance with the following:
 - a. Assessments/dividends will be used sparingly. Generally, any over/under funding will be factored into renewal rates.
 - b. If a dividend/assessment is declared, allocation will be based upon each ENTITY's proportional share of total premiums paid for the preceding 3 years. An ENTITY must



- be a current participant to receive a dividend, except upon termination of the PROGRAM and distribution of assets.
- c. ENTITY will be liable for assessments for 12 months following withdrawal from the PROGRAM.
 - d. Fund equity will be evaluated on a total PROGRAM-wide basis as opposed to each year standing on its own.
9. WITHDRAWAL. ENTITY may withdraw subject to the following condition: ENTITY shall notify SDRMA and the PROGRAM in writing of its intent to withdraw at least 90 days prior to their requested withdrawal date. ENTITY may rescind its notice of intent to withdraw. Once ENTITY withdraws from the PROGRAM, there is a 3-year waiting period to come back into the PROGRAM, and the ENTITY will be subject to underwriting approval again.
10. LIAISON WITH SDRMA. Each ENTITY shall maintain staff to act as liaison with SDRMA and between the ENTITY and SDRMA's designated PROGRAM representative.
11. GOVERNING LAW. This MEMORANDUM shall be governed in accordance with the laws of the State of California.
12. VENUE. Venue for any dispute or enforcement shall be in Sacramento, California.
13. ATTORNEY FEES. The prevailing party in any dispute shall be entitled to an award of reasonable attorney fees.
14. COMPLETE AGREEMENT. This MEMORANDUM together with the related PROGRAM documents constitutes the full and complete agreement of the ENTITY.
15. SEVERABILITY. Should any provision of this MEMORANDUM be judicially determined to be void or unenforceable, such determination shall not affect any remaining provision.
16. AMENDMENT OF MEMORANDUM. This MEMORANDUM may be amended by the SDRMA Board of Directors and such amendments are subject to approval of ENTITY's designated representative, or alternate, who shall have authority to execute this MEMORANDUM. Any ENTITY who fails or refuses to execute an amendment to this MEMORANDUM shall be deemed to have withdrawn from the PROGRAM on the next annual renewal date.
17. EFFECTIVE DATE. This MEMORANDUM shall become effective on the later of the first date of coverage for the ENTITY or the date of signing of this MEMORANDUM by the Chief Executive Officer or Board President of SDRMA.

18. EXECUTION IN COUNTERPARTS. This MEMORANDUM may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument.

In Witness Whereof, the undersigned have executed the MEMORANDUM as of the date set forth below.

Dated: August 1, 2019

By: Laura S. Gill

Special District Risk
Management Authority

Dated: _____

By: _____

Bear Valley Water District

A RESOLUTION OF THE OF THE (GOVERNING BODY) OF BEAR VALLEY WATER DISTRICT APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AND AUTHORIZING PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY'S HEALTH BENEFITS PROGRAM

WHEREAS, BEAR VALLEY WATER DISTRICT, a public agency duly organized and existing under and by virtue of the laws of the State of California (the "ENTITY"), has determined that it is in the best interest and to the advantage of the ENTITY to participate in the Health Benefits Program offered by Special District Risk Management Authority (the "Authority"); and

WHEREAS, the Authority was formed in 1986 in accordance with the provisions of California Government Code 6500 *et seq.*, for the purpose of providing risk financing, risk management programs and other coverage protection programs; and

WHEREAS, participation in Authority programs requires the ENTITY to execute and enter into a Memorandum of Understanding which states the purpose and participation requirements for the Health Benefits Program; and

WHEREAS, all acts, conditions and things required by the laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the transactions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the ENTITY is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such transactions for the purpose, in the manner and upon the terms herein provided.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ENTITY AS FOLLOWS:

Section 1. Findings. The ENTITY's Governing Body hereby specifically finds and determines that the actions authorized hereby relate to the public affairs of the ENTITY.

Section 2. Memorandum of Understanding. The Memorandum of Understanding, to be executed and entered into by and between the ENTITY and the Authority, in the form presented at this meeting and on file with the ENTITY's Secretary, is hereby approved. The ENTITY's Governing Body and/or Authorized Officers ("The Authorized Officers") are hereby authorized and directed, for and in the name and on behalf of the ENTITY, to execute and deliver to the Authority the Memorandum of Understanding.

Section 3. Program Participation. The ENTITY's Governing Body approves participating in the Special District Risk Management Authority's Health Benefits Program.

Section 4. Other Actions. The Authorized Officers of the ENTITY are each hereby authorized and directed to execute and deliver any and all documents which are necessary in order to

consummate the transactions authorized hereby and all such actions heretofore taken by such officers are hereby ratified, confirmed and approved.

Section 5. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this _____ day of _____, 20____ by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Name

Title

ENTITY Secretary

AGENDA ITEM

DATE: OCTOBER 21, 2019

TO: BVWD BOARD OF DIRECTORS

FROM: JEFF GOUVEIA, DISTRICT GENERAL MANAGER

RE: MANAGER'S REPORT

1. Collections, Treatment & Disposal Operations - Update
 - a. Flows - Influent Flows & Pond Transfers
 - a. Volumes - Storage, Capacity & Disposal
2. Permit Compliance & Monitoring & Reporting Programs (MRPs) - Update
 - a. WDR MRP - Land Discharge Permit - Compliance & Reporting Update
 - i. Reporting Status Matrix - All Monthly Reporting Submitted On-Time
 - ii. Groundwater Monitoring - All Events Completed, 1st & 2nd Reports Sub, 3rd In Process
 - b. NPDES MRP - Surface Water Discharge Permit - Compliance & Reporting Update
 - i. Reporting Status Matrix - All Monthly Reporting Submitted On-Time
 - ii. Draft Amendment NPDES Permit & Draft Amending Order R5-2019-XXXX
 - iii. H.R. 1764 Gains Support - Would allow states and the U.S. Environmental Protection Agency to consider issuing NPDES permits of up to ten years. Congressman John Garamendi is the sponsor of H.R. 1764 and the bill has a number of Democratic cosponsors, including the latest to sign on, Rep. Angie Craig (D-MN)
3. Other
 - a. WWTP Pond Improvement Project - Update
 - b. USFS - Chickaree Campground Vault Toilet Installation Project - Update
 - c. Cyber Protection - Update - VPN & Firewall
 - d. BVWD October 2019 Newsletter
 - e. Director's Terms of Office - Update

Board Meeting 10-21-19

• Influent Flows (MG) – Total of ALL Wastewater Received / change previous yr

<u>June 2019</u>	<u>June 2018</u>	<u>June 2017</u>
4.015 / 332.6%	1.207 / 37.0%	3.261 / 213.7%
<u>July 2019</u>	<u>July 2018</u>	<u>July 2017</u>
1.973 / 142.4%	1.386 / 73.2%	1.894 / 141.7%
<u>August 2019</u>	<u>August 2018</u>	<u>August 2018</u>
1.112 / 115.8%	.960 / 89.1%	1.077 / 109.8%
<u>September 2019</u>	<u>September 2018</u>	<u>September 2017</u>
.799 / 103.4%	.773 / 100.5%	.769 / 123.4%
<u>October 1-16, 2019</u>	<u>October 2018</u>	<u>October 2017</u>
.414	.501 / 107.5%	.466 / 68.8%

• Transferred to PR (MG) - Volume of Water Moved from Treatment to Storage / % change previous yr

<u>June 2019</u>	<u>June 2018</u>	<u>June 2018</u>
2.614 / 206.8%	1.264 / 36.0%	3.515 / 350.1%
<u>July 2019</u>	<u>July 2018</u>	<u>July 2017</u>
2.357 / 513.5% (drawdown for TP maint)	.459 / 40.9%	1.123 / 341.3%
<u>August 2019</u>	<u>August 2018</u>	<u>August 2017</u>
4.290 / 1,810.1% (drawdown for TP maint)	.237 / 22.4%	1.052 / 114.3
<u>September 2019</u>	<u>September 2018</u>	<u>September 2017</u>
0.000	.110 / 9.4%	1.175 / 2.84.5%
<u>October 1-16, 2019</u>	<u>October 2018</u>	<u>October 2017</u>
0.000	5.643 / 905.8% (drawdown for TP maint.)	.623 / 37.7

• Land Application - Annual Totals – MG Applied / % change previous yr

<u>July 12-Sept 22, 2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
19.293	23.215 / 144.6%	16.051 / 30.5%	52.572 / 215.4%

2019 Land Application Began July 12

• Surface Discharge - Effluent Flow Discharge Totals – MG

<u>March 2019</u>	<u>April 2019</u>	<u>May 2019</u>	<u>June 2019</u>	<u>Total 2019 Discharge</u>
0.0	0.0	29.5	26.9	56.5
<u>March 2018</u>	<u>April 2018</u>	<u>May 2018</u>	<u>June 2018</u>	<u>Total 2018 Discharge</u>
0.0	11.9	11.7	0.0	23.6
<u>March 2017</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Total 2017 Discharge</u>
15.8	29.9	29.7	16.9	92.3

• Storage Reservoir Elevations and Volumes (based on 10/6/15 pressure chart):

- Empty (minimum pool) = 7063.0' = 0 MG = 0'
- Total Depth (w/2' Freeboard) = 7086.3' = 76.45 MG = 23.3'
- Total Depth (spillway) = 7088.3' = 85.86 MG = 25.3'
- Permitted Full Reservoir (2' Freeboard) = 7086.3' = 76.45 MG = 100%
- Highest Level 2019 – 5/1/19 = 7079.8' = 48.68 MG = 63.7%
- Highest Level 2018 – 4/20/18 = 7078.3' = 42.88 MG = 56.1%
- Highest Level 2017 – 3/8/17 = 7083.9' = 65.67 MG = 85.9%
- Highest Level 2016 – 5/26/16 = 7081.9' = 57.16 MG = 74.7%
- Highest Level 2015 – 5/21/15 = 7070.1' = 15.48 MG = 20.2%
- Highest Level 2014 – 5/8/14 = 7072.3' = 21.93 MG = 28.7%
- Current Storage Volume = 7063.0 = 0.0 MG = 0.0% (10/16/2019)
- Storage Volume 1 Year Ago = 7066.6 = 5.8 MG = 7.6% (10/18/2018)

• Collection System

2019: Jet 6,468', % change previous yr: 92.5% Video 5800' % change previous yr: 248.9%

2018: Jet 6,990', % change previous yr: 230%. Video 2330', % change previous yr: 172.6%

2017 Jet 3030'

Video 1350'

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You are logged-in as: gmbearvalleywater. If this account does not belong to you, please log out.



SMR / DMR Reporting

Facility Name: Bear Valley WWTF
Water Board Office: Bear Valley WWTF
Reporting Level: Level II

Order Number: R5-2010-0045-01
Case Worker: Mohammad Farhad
All Electronic Date: 08/01/2016

To review or submit a report, select it from the list below. To change the list of reports, check the status types and/or enter start and end dates.

Show reports that meet these criteria

Status:

☒ Submitted - report was already submitted to water board
☒ In-Progress - report has been edited but not submitted
☒ Past Due - report deadline has passed and report has not been submitted
☒ Future - report due date is in the future
☒ Withdrawn - report has been withdrawn

Show Report Due Between: [04/18/2019] and [04/19/2020]

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 Show: 100
 [1-15 of 15](#)
[Withdrawal](#)

ID	Report Name	Type	Frequency	Reporting Period	Due Date	Status	Date Received	Date Reviewed	Certified	Violations	Report	Withdrawal
1864807	September 2019	MONNPODES	Monthly	09/01/2019 - 09/30/2019	11/01/2019	Future				No		
1864808	October 2019	MONNPODES	Monthly	10/01/2019 - 10/31/2019	12/01/2019	Future				No		
1864809	November 2019	MONNPODES	Monthly	11/01/2019 - 11/30/2019	01/01/2020	Future				No		
1973971	2020/01/30 (Tech Rpt IX D.4)	TECHRPT	Once	01/30/2020 - 01/30/2020	01/30/2020	Future				No		
1864811	2019	MONNPODES	Annual	01/01/2019 - 12/31/2019	02/01/2020	Future				No		
1864810	December 2019	MONNPODES	Monthly	12/01/2019 - 12/31/2019	02/01/2020	Future				No		
1864812	January 2020	MONNPODES	Monthly	01/01/2020 - 01/31/2020	03/01/2020	Future				No		
1864813	February 2020	MONNPODES	Monthly	02/01/2020 - 02/29/2020	04/01/2020	Future				No		
1864801	March 2019	MONNPODES	Monthly	03/01/2019 - 03/31/2019	05/01/2019	Submitted	04/24/2019	09/24/2019		No	Download Report	
1864802	April 2019	MONNPODES	Monthly	04/01/2019 - 04/30/2019	06/01/2019	Submitted	05/28/2019	09/24/2019		No	Download Report	
1864803	May 2019	MONNPODES	Monthly	05/01/2019 - 05/31/2019	07/01/2019	Submitted	06/28/2019	09/24/2019		No	Download Report	
1864804	June 2019	MONNPODES	Monthly	06/01/2019 - 06/30/2019	08/01/2019	Submitted	07/31/2019	09/24/2019		Yes	Download Report	
1864805	July 2019	MONNPODES	Monthly	07/01/2019 - 07/31/2019	09/01/2019	Submitted	08/28/2019	09/24/2019		No	Download Report	
1915516	2019/09/01 (Tech Rpt V.C.2.b)	TECHRPT	Once	09/01/2019 - 09/01/2019	09/01/2019	Submitted	07/18/2019			No	Download Report	
1864806	August 2019	MONNPODES	Monthly	08/01/2019 - 08/31/2019	10/01/2019	Submitted	09/23/2019	09/24/2019		No	Download Report	

Jeff Gouveia

From: Goode, Danielle@Waterboards <Danielle.Goode@waterboards.ca.gov>
Sent: Wednesday, September 4, 2019 3:54 PM
To: Jeff Gouveia
Cc: Marshall, James@Waterboards; Holmes, Kari@Waterboards; Peter Kozelka; Luo, Xuan@Waterboards
Subject: Bear Valley NPDES Permit Draft Amendment
Attachments: bear_valley_wwtp_amending_order_prelim_draft.pdf; bear_valley_wwtp_npdes_strike_prelim_draft.pdf

Hello Jeff,

Central Valley Regional Water Board staff have prepared an amendment to the Bear Valley Water District's NPDES permit, per your requested changes in a letter dated 30 August 2018. Please find attached the:

- 1) Draft amended NPDES permit, showing changes in underline/strikeout
- 2) Draft amending order

Please review both drafts and provide any comments no later than **Thursday, September 12th**. We are planning to take this amendment to the 5/6 December Board Meeting.

Feel free to contact me with any questions.

Thanks,

Danielle Goode, P.E.
NPDES Permitting
San Joaquin/Delta Unit
Central Valley Regional Water Quality Control Board
Phone: (916) 464-4843
danielle.goode@waterboards.ca.gov

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2019-XXXX
AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER R5-2016-0045-01 (NPDES PERMIT NO. CA0085146)

BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. On 7 April 2017, the Central Valley Water Board adopted Waste Discharge Requirements Order (WDR) R5-2016-0045-01, amending NPDES Permit No. CA0085146, which prescribes waste discharge requirements for the Bear Valley Water District Wastewater Treatment Facility, Alpine County. For the purposes of this Order, Bear Valley Water District is hereafter referred to as "Discharger" and the Wastewater Treatment Facility is hereafter referred to as "Facility."
2. The Discharger owns and operates the Facility. The treatment system consists of a comminutor; biological treatment in a 14.18 million-gallon aeration pond; disinfection in a 12,000-gallon chlorine contact tank; and effluent storage and polishing in a 76.4 million-gallon unlined storage/polishing reservoir. The Facility has a design treatment capacity of 0.50 million gallons per day (MGD).
3. Order R5-2016-0045-01 (NPDES Permit) authorizes the seasonal (1 January through 30 June) surface water discharge of up to 2.5 million gallons per day (MGD) and an average monthly effluent flow of 1.0 MGD of disinfected secondary treated wastewater to Bloods Creek, a water of the United States and a tributary to the North Fork Stanislaus River. The Discharger is also authorized by WDR Order 5-01-208 to dispose of disinfected secondary treated wastewater via spray irrigation on an approximately 80 acres of leased land adjacent to the Facility.
4. Per the NPDES Permit requirements, discharges to Bloods Creek may only occur during the discharge season (January-June) and when there is 20:1 dilution in the receiving water.

PRELIMINARY DRAFT

ORDER R5-2019-XXXX
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0045-01
BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY

5. The NPDES Permit requires effluent sampling twice a week for biochemical oxygen demand (BOD₅), total suspended solids (TSS), ammonia nitrogen, electrical conductivity (EC), settleable solids, temperature, total coliform organisms, and turbidity, when discharging to Bloods Creek. Collecting effluent samples twice a week during those months when an effluent discharge may occur can be difficult due to heavy snowfall conditions resulting in limited access to the effluent sample location and trouble locating the sample location. Additionally, transporting samples to an ELAP-certified lab at a twice-a-week frequency in heavy snowfall conditions can be hazardous, expensive, and puts the sample at risk for exceeding hold times.
6. The NPDES Permit also requires receiving water sampling for pH, dissolved oxygen, EC, temperature, turbidity, and hardness during May and once during June, regardless of whether a discharge is occurring to Bloods Creek. Bloods Creek is an ephemeral stream and during May and June, there can be little to no flow present. When there is not enough flow for a discharge to occur, receiving water quality can vary greatly from the quality when the creek is flowing with 20:1 snowmelt. Monitoring when no discharge is occurring does not accurately represent the impact of the effluent on the receiving water.
7. By letter dated 30 August 2018, the Discharger requested to reduce effluent monitoring of BOD₅, TSS, ammonia nitrogen, EC, settleable solids, temperature, total coliform organisms, and turbidity from 2/week to 1/week. The Discharger also requested that the requirement to sample Bloods Creek for pH, dissolved oxygen, EC, temperature, turbidity, and hardness in May and June when a discharge is not occurring be removed.
8. Consistent with the federal regulations (40 CFR Part 122(j)(1)), reducing sampling frequency to once per week justifies collection of representative effluent data and is sufficient to evaluate compliance with effluent limits. Effluent is discharged from a large storage/polishing reservoir so there is very low variability in the effluent quality on a day-to-day basis. Therefore, this Order modifies the effluent monitoring frequency and receiving water monitoring requirements, as shown in Attachment A.
9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") pursuant to Water Code section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to modify a NPDES permit (*Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.).

PRELIMINARY DRAFT

ORDER R5-2019-XXXX
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0045-01
BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY

10. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend WDR Order R5-2016-0045-01 for this discharge and has provided them with an opportunity to submit written comments.

IT IS HEREBY ORDERED THAT:

Waste Discharge Requirements Order R5-2016-0045-01 (NPDES No. CA0085146) is amended to 1) reduce effluent monitoring to weekly for BOD₅, TSS, ammonia nitrogen, EC, settleable solids, temperature, total coliform organisms, and turbidity, when discharging to Bloods Creek; and 2) require receiving water monitoring only when discharging to Bloods Creek.

Effective immediately upon adoption, Order R5-2016-0045-01 is amended as shown in underline/strikeout format in items 1 through 6 below.

1. **Title Page.** Update information found in the title page of the NPDES Permit to reflect the new order number (changing from R5-2016-0045-01 to R5-2016-0045-02), amending order number (changing from R5-2017-0041 to R5-2019-XXXX), adoption date of amending order (XX December 2019), and new Executive Officer (changing from Pamela Creedon to Patrick Pulupa).

<p>CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION</p> <p>11020 Sun Center Drive, #200 Rancho Cordova, California 95670-6114 Phone (916) 464-3291 • Fax (916) 464-4645 http://www.waterboards.ca.gov/centralvalley</p> <p>ORDER R5-2016-0045-021 AS AMENDED BY ORDER R5-<u>2019-XXXX</u>2017-0041 NPDES NO. CA0085146</p> <p>WASTE DISCHARGE REQUIREMENTS FOR THE BEAR VALLEY WATER DISTRICT BEAR VALLEY WASTEWATER TREATMENT FACILITY ALPINE COUNTY</p>

PRELIMINARY DRAFT

ORDER R5-2019-XXXX
 AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0045-01
 BEAR VALLEY WATER DISTRICT
 BEAR VALLEY WASTEWATER TREATMENT FACILITY
 ALPINE COUNTY

I, Patrick Pulupa ~~PAMELA C. CREEDON~~, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **24 June 2016**, ~~and~~ amended by Order R5-2017-0041 on **7 April 2017**, and amended by Order R5-2019-XXXX on XX December 2019.

~~PAMELA C. CREEDON~~ PATRICK PULUPA, Executive Officer

2. **Order Number.** Change the Order number throughout to R5-2016-0045-02.
3. **Attachment E, Table E-3, Effluent Monitoring.** Change minimum sampling frequency to once per week for BOD₅, TSS, ammonia nitrogen, EC, settleable solids, temperature, total coliform organisms, and turbidity.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	MGD	Meter	Continuous	--
Dilution Ratio	--	Calculated ⁸	1/Day ⁹	--
Conventional Pollutants				
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	Grab	12/Week	1
	lbs/day	Calculate	12/Week	--
pH	standard units	Meter	Continuous ²	1
Total Suspended Solids	mg/L	Grab	12/Week	1
	lbs/day	Calculate	12/Week	--
Priority Pollutants				
Copper, Total Recoverable	µg/L	Grab	1/Month	1,3
Lead, Total Recoverable	µg/L	Grab	1/Month	1,3
Non-Conventional Pollutants				
Aluminum, Total Recoverable	µg/L	Grab	1/Month	1
Ammonia Nitrogen, Total (as N)	mg/L	Grab	12/Week ⁴	1
	lbs/day	Calculate	12/Week	--
Chlorine, Total Residual	mg/L	Meter	Continuous	1,5
Electrical Conductivity @ 25°C	µmhos/cm	Grab	12/Week	1
Iron, Total Recoverable	µg/L	Grab	1/Month	1
Manganese, Total Recoverable	µg/L	Grab	1/Month	1
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Month ⁶	1
Nitrate Plus Nitrite (as N)	mg/L	Grab	1/Month	1
Settleable Solids	ml/L	Grab	12/Week	1
Temperature	°C	Grab	12/Week ^{2,7}	1
Total Coliform Organisms	MPN/100 mL	Grab	12/Week	1, 10
Turbidity	NTU	Grab	12/Week	1

PRELIMINARY DRAFT

ORDER R5-2019-XXXX
 AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0045-01
 BEAR VALLEY WATER DISTRICT
 BEAR VALLEY WASTEWATER TREATMENT FACILITY
 ALPINE COUNTY

4. Attachment E, Table E-7, Receiving Water Monitoring. Remove footnote 2 from table.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	MGD	Meter	Continuous ¹	—
Conventional Pollutants				
pH	standard units	Grab	1/Week ^{2,3}	3,4,5
Non-Conventional Pollutants				
Dissolved Oxygen	mg/L	Grab	1/Week ²	3,4,5
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Week ²	3,4,5
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Month ^{2,6,5}	3 ⁴
Temperature	°C	Grab	1/Week ^{2,3}	3,4,5
Turbidity	NTU	Grab	1/Week ²	3,4,5

¹ Monitoring only required upstream of the discharge.
 In addition to the monitoring required during discharge events, monitoring for dissolved oxygen, electrical conductivity, pH, temperature, turbidity, and hardness shall be conducted once during the month of May and once during the month of June each discharge season, regardless if a discharge is occurring to Bloods Creek. If monitoring occurs during May and/or June for these constituents during discharge events, this additional monitoring is not required for the month(s) that monitoring occurred. If an effluent discharge is not occurring at the time of sampling, the analytical data shall not be used for determining compliance with receiving water limitations.

² pH and temperature shall be recorded at the time of ammonia sample collection.

³ Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

⁴ A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

⁵ Hardness samples shall be collected concurrently with metals (copper, lead, and aluminum) samples.

5. Attachment F, Section I, Permit Information. Add statement summarizing last two permit amendments.

E. This Order was amended by Order R5-2017-0041 on 7 April 2017 to modify the effluent monitoring location for total coliform, and by Order R5-2019-XXXX on XX December 2019 to 1) reduce the effluent monitoring frequency of BOD₅, TSS, ammonia, electrical conductivity, settleable solids, temperature, total coliform organisms, and turbidity to once per week and 2) require receiving water monitoring only when discharging to Bloods Creek.

6. Attachment F, Section VII.B.1, Rationale for Effluent Monitoring. Update rationale for monitoring and reporting section to update changes to effluent monitoring frequencies.

PRELIMINARY DRAFT

ORDER R5-2019-XXXX
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0045-01
BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY

B. Effluent Monitoring

1. Pursuant to the requirements of 40 C.F.R. section 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.

Effluent monitoring frequencies and sample types for flow (continuous), BOD₅ (~~twice per week~~), pH (continuous), TSS (~~twice per week~~), turbidity (~~twice per week~~), copper (monthly), lead (monthly), aluminum (monthly), ammonia (~~twice per week~~), chlorine (continuous), electrical conductivity (~~twice per week~~), iron (monthly), manganese (monthly), settleable solids (~~twice per week~~), total coliform organisms (~~twice per week~~), and hardness (once per month), and temperature (~~twice per week~~) have been retained from Order R5-2011-0053 to determine compliance with effluent limitations, where applicable, and characterize the effluent for these parameters. Due to limited or difficult access to the effluent sampling location during the discharge season (1 January to 30 June) because of heavy snowfall conditions, this Order was amended by Order R5-2019-XXXX on XX December 2019 to reduce effluent monitoring from twice a week to once a week for BOD₅, TSS, ammonia, electrical conductivity, settleable solids, temperature, total coliform, and turbidity.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at the [Water Quality Petitions webpage](#): (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

I, Patrick Pulupa, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **5/6 December 2019**.

PATRICK PULUPA, Executive Officer

PRELIMINARY DRAFT

Jeff Gouveia

From: Richard Stowell <happytrout2@yahoo.com>
Sent: Saturday, September 7, 2019 3:31 PM
To: Jeff Gouveia
Subject: NPDES amendments!

Good afternoon Jeff,

Hopefully it is a beautiful afternoon for you and the family up in the Sierra. Lisa gave me your e-mail on Friday amidst chaos...finally getting back to you. I thought everything looked correct and suggest the following for your consideration.

1. Since your permit was adopted in 2016, the Regional Board has tended to drop the lbs/day Effluent Limitations on BOD and TSS (see Lincoln's permit R5-2018-0081). You may ask Danielle if they would consider dropping those requirements as part of the amendment, or would rather wait until the Order's renewal in 2021. They will probably wish to wait because it is added work at this time, but it never hurts to politely ask, and at least plant the seed that this is the direction we collectively are going. Ultimately, they should also drop the lbs/day limit on ammonia, but this is slower in coming because they have problems with ammonia in the Delta, and their primary means of control is through the TMDL process which is based on lbs/day, not mg/L. Why that is the case is a saga unto itself.

2. Table E-7, footnotes 2 and 5. For clarity, you may ask that the word "effluent" be added in front of the word "ammonia" in footnote 2, and in front of the word "metals" in footnote 5.

As mentioned, everything else looked in order...the wording, the re-numbering, the text in the Facts Sheet, etc.

Best regards from the flat lands, Rich

Jeff Gouveia

From: Marshall, James@Waterboards <James.Marshall@waterboards.ca.gov>
Sent: Tuesday, September 10, 2019 7:25 AM
To: Jeff Gouveia; Goode, Danielle@Waterboards
Cc: Holmes, Kari@Waterboards; Peter Kozelka; Luo, Xuan@Waterboards
Subject: RE: Bear Valley NPDES Permit Draft Amendment

Hi Jeff,

We are not planning to make any other changes at this time. As you recognized, Board staff are very busy. We can address the BOD/TSS limits and other programmatic changes during your next permit renewal. This amendment is intended to only address your request to reduce monitoring costs.

Feel free to give me a call if you would like to discuss further.

Regards,

Jim

Jim Marshall, P.E.
Supervising Water Resource Control Engineer
Point Source Permitting Section
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
(916) 464-4772 (direct)
James.Marshall@waterboards.ca.gov

From: Jeff Gouveia <Jeff.Gouveia@bvwd.ca.gov>
Sent: Monday, September 9, 2019 3:43 PM
To: Goode, Danielle@Waterboards <Danielle.Goode@waterboards.ca.gov>; Jeff Gouveia <Jeff.Gouveia@bvwd.ca.gov>
Cc: Marshall, James@Waterboards <James.Marshall@waterboards.ca.gov>; Holmes, Kari@Waterboards <kari.holmes@waterboards.ca.gov>; Peter Kozelka <Kozelka.Peter@epamail.epa.gov>; Luo, Xuan@Waterboards <Xuan.Luo@Waterboards.ca.gov>
Subject: RE: Bear Valley NPDES Permit Draft Amendment

Hi Danielle,

First off, thank you so much for making time to address these requests. We understand how busy permitting staff are and appreciate that you have made time to consider this amendment mid permit term where you could have pushed it out to the time of renewal.

We've had time to review the draft amended permit and draft amending order and have the following very limited comments in response:

1. Since our permit was adopted in 2016, we understand that Regional Board has moved in the direction of removing the lbs/day Effluent Limitations on BOD and TSS. We respectfully request similar consideration dropping those requirements as part of the amendment if possible.

2. Table E-7, footnotes 2 and 5. For clarity, we request that the word "effluent" be added in front of the word "ammonia" in footnote 2, and in front of the word "metals" in footnote 5.

Thanks again !

Jeff Gouveia | General Manager |

Bear Valley Water District
441 Creekside Drive | PO Box 5027, Bear Valley, CA 95223 |
O: 209.753.2112 | C: 209.743.0836 | F: 209.753.6267
Jeff.Gouveia@bvwd.ca.gov | www.bvwd.ca.gov |



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ü Please consider the environment before printing this email.

From: Goode, Danielle@Waterboards [<mailto:Danielle.Goode@waterboards.ca.gov>]
Sent: Wednesday, September 4, 2019 3:54 PM
To: Jeff Gouveia <Jeff.Gouveia@bvwd.ca.gov>
Cc: Marshall, James@Waterboards <James.Marshall@waterboards.ca.gov>; Holmes, Kari@Waterboards <kari.holmes@waterboards.ca.gov>; Peter Kozelka <Kozelka.Peter@epamail.epa.gov>; Luo, Xuan@Waterboards <Xuan.Luo@Waterboards.ca.gov>
Subject: Bear Valley NPDES Permit Draft Amendment

Hello Jeff,

Central Valley Regional Water Board staff have prepared an amendment to the Bear Valley Water District's NPDES permit, per your requested changes in a letter dated 30 August 2018. Please find attached the:

- 1) Draft amended NPDES permit, showing changes in underline/strikeout
- 2) Draft amending order

Please review both drafts and provide any comments no later than **Thursday, September 12th**. We are planning to take this amendment to the 5/6 December Board Meeting.

Feel free to contact me with any questions.

Thanks,

Danielle Goode, P.E.
NPDES Permitting
San Joaquin/Delta Unit
Central Valley Regional Water Quality Control Board
Phone: (916) 464-4843
danielle.goode@waterboards.ca.gov

Jeff Gouveia

From: Holmes, Kari@Waterboards <kari.holmes@waterboards.ca.gov>
Sent: Monday, September 16, 2019 4:38 PM
To: Jeff Gouveia
Cc: Goode, Danielle@Waterboards; Marshall, James@Waterboards; Pulupa, Patrick@Waterboards; Laputz, Adam@Waterboards; CVCWA - Debbie Webster; Peter Kozelka; Jahr, Jessica@Waterboards; Farsimadan, Afrooz@Waterboards; WB-DWQ-NPDES_Wastewater; Luo, Xuan@Waterboards
Subject: Bear Valley - Tentative Amending Order R5-2016-0045-01
Attachments: bear_valley_wwtp_cover.pdf; bear_valley_wwtp_noph.pdf; bear_valley_wwtp_amending_order_tentative.pdf; Proof_of_Posting.pdf

Jeff,

Please see the attached tentative Order Amending Waste Discharge Requirements Order R5-2016-0045-01, along with the accompanying documents for the Bear Valley Water District's Bear Valley Wastewater Treatment Plant. The original documents have been sent by mail. The attached Notice of Public Hearing should be posted as soon as possible and the proof of posting form is due by **30 September 2019**. Please see the cover letter for detailed posting instructions. Comments on the tentative Order are due by **16 October 2019** and should be submitted electronically via email to RB5S-NPDES-Comments@waterboards.ca.gov. The proposed Order is scheduled for consideration for adoption at the **5/6 December 2019** Central Valley Water Board meeting.

If you have any questions regarding the tentative Order or accompanying documents please contact Danielle Goode at (916) 464-4843 or Danielle.Goode@waterboards.ca.gov.

Sincerely,

Kari

Kari Holmes, P.E.

Senior Water Resources Control Engineer
NPDES Permitting - San Joaquin Delta Unit
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
(916) 464-4848
kari.holmes@waterboards.ca.gov



Central Valley Regional Water Quality Control Board

16 September 2019

Jeff Gouveia
General Manager
Bear Valley Water District
P.O. Box 5027
Bear Valley, CA 95223

VIA EMAIL
jeff.gouveia@bvwd.ca.gov
CERTIFIED MAIL
91 7199 9991 7035 8421 8761

**NOTICE OF PUBLIC HEARING
AND
TENTATIVE ORDER
AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER R5-2016-0045-01 (NPDES PERMIT CA0085146)**

FOR

**BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY**

TO ALL CONCERNED PERSONS AND AGENCIES:

Enclosed is the tentative Order amending Waste Discharge Requirements Order R5-2016-0045-01 for the Bear Valley Water District (Discharger), Bear Valley Wastewater Treatment Facility (Facility). Any comments or recommendations you may have concerning the proposed Order should be submitted to this office via email to RB5S-NPDES-Comments@waterboards.ca.gov no later than 5:00 p.m. on **16 October 2019** in order for us to give them full consideration prior to the meeting of the Central Valley Regional Water Quality Control Board (Central Valley Water Board). Written material submitted after 5:00 p.m. on **16 October 2019** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. Any party requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that accepting the late submission will not prejudice the Central Valley Water Board or any Designated Party.

A Public Hearing has been scheduled for the Central Valley Water Board to consider adoption of the proposed Order at its **5/6 December 2019** Board Meeting. A Notice of Public Hearing (Notice) concerning the proposed Order is also enclosed. Regulations require that the Discharger post one (1) copy of the Notice at the nearest city hall or county courthouse, one (1) copy at the post office nearest to the Facility (if allowed), and one (1) copy at the public entrance to the Facility. Please post the Notice as soon

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Jeff Gouveia
General Manager
Bear Valley Water District

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16 September 2019

as possible and provide proof of posting, using the enclosed form, by
30 September 2019.

To conserve resources, this letter transmits a paper copy of the tentative Order package to the Discharger only. Interested persons may contact Danielle Goode at (916) 464-4843 or danielle.goode@waterboards.ca.gov. Copies of the document may also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, Suite 200, Rancho Cordova, California 95670, weekdays between 8:00 a.m. and 5:00 p.m.

If you have any questions regarding the proposed Order, please contact Danielle Goode at the contact information listed above.

ORIGINAL SIGNED BY

Kari Holmes, P.E., Senior Engineer
NPDES Permitting, San Joaquin Delta Unit

Enclosures (3):
Tentative Order (Discharger Only)
Notice of Public Hearing (Discharger Only)
Proof of Posting Form (Discharger Only)

cc:

Elizabeth Sablad, USEPA, Region IX, San Francisco (via email only)
Peter Kozelka, USEPA Region IX, San Francisco (via email only)
US Army Corp of Engineers, Sacramento
US Fish and Wildlife Service, Sacramento
US National Marine Fisheries Service, Santa Rosa
State Office of Historic Preservation, Sacramento
Afrooz Farsimadan, State Water Resources Control Board, Sacramento (via email only)
Bhupinder Sahota, State Water Resources Control Board, Division of Drinking Water,
Stockton District
Regional Manager, Department of Fish & Wildlife, Region II, Rancho Cordova
Environmental Health Services, Alpine County, Markleeville
Kevin Kauffman, P.E., Stockton East Water District, Stockton
Debbie Webster, Central Valley Clean Water Association, Sacramento (via email only)
Bill Jennings, California Sportfishing Protection Alliance, Stockton
Richard McHenry, California Sportfishing Protection Alliance (via email only)
Washoe Tribe of Nevada and California

OCALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive #200, Rancho Cordova, CA 95670

NOTICE OF PUBLIC HEARING
concerning

**TENTATIVE ORDER
AMENDING WASTE DISCHARGE REQUIREMENTS
ORDER R5-2016-0045-01 (NPDES CA0085146)
FOR
BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY**

Bear Valley Water District (Discharger) is the owner and operator of the Bear Valley Wastewater Treatment Facility (Facility), a publicly owned treatment works located at 441 Creekside Drive, Bear Valley, California. The Facility provides sewerage services for the communities of Bear Valley, Bear Valley Mountain Resort, and Lake Alpine/United States Forest Service, serving a population of approximately 121 permanent residents as well as seasonal users. The Facility provides secondary treatment for up to 0.50 million gallons per day (MGD).

Order R5-2016-0045-01 (NPDES Permit) authorizes the seasonal (1 January through 30 June) surface water discharge of up to 2.5 MGD and an average monthly effluent flow of 1.0 MGD of disinfected secondary treated wastewater to Bloods Creek, a water of the United States and a tributary to the North Fork Stanislaus River. NPDES Permit requirements specify discharges to Bloods Creek may only occur when there is 20:1 dilution in the receiving water.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) proposes to amend Order R5-2016-0045-01 as follows: 1) reduce effluent monitoring to weekly for biochemical oxygen demand, total suspended solids, ammonia nitrogen, electrical conductivity, settleable solids, temperature, total coliform organisms, and turbidity when discharging to Bloods Creek; and 2) require receiving water monitoring only when discharging to Bloods Creek.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting scheduled for:

DATE: 5/6 December 2019

TIME: 8:30 a.m.

PLACE: Central Valley Regional Water Quality Control Board Room
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Bear Valley Water District Representatives

NOTICE OF PUBLIC HEARING
BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY

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Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **5:00 p.m. on 16 October 2019**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board email RB5S-NPDES-Comments@waterboards.ca.gov no later than **5:00 p.m. on 16 October 2019**. Written evidence or comments submitted after **5:00 p.m. on 16 October 2019** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. Any person requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that accepting the late submission will not prejudice the Central Valley Water Board or any Designated Party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions regarding the hearing item should contact Danielle Goode at (916) 464-4843 or danielle.goode@waterboards.ca.gov. Interested persons may contact Danielle Goode to obtain a copy of the tentative amending Order and related documents. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. **The final meeting agenda (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order.**

The procedures governing Central Valley Water Board meetings (http://www.waterboards.ca.gov/laws_regulations/) may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. Information regarding meeting and hearing procedures is also available on the Central Valley Water Board's website (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

NOTICE OF PUBLIC HEARING
BEAR VALLEY WATER DISTRICT
BEAR VALLEY WASTEWATER TREATMENT FACILITY
ALPINE COUNTY

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Please bring the above information to the attention of anyone you know who would be interested in this matter.

ORIGINAL SIGNED BY JAMES MARSHALL FOR

ADAM LAPUTZ, Assistant Executive Officer

16 September 2019

PROOF OF POSTING

I, Judieth L. Silber, posted the **NOTICE OF PUBLIC HEARING**
(print name)

concerning Waste Discharge Requirements for Bear Valley Water District
(name of Discharger)

at

(1) the _____
(name of city hall or county courthouse)

on _____
(date posted)

(2) the Bear Valley Post office
(name of post office)

on September 17, 2019
(date posted)

(3) the Bear Valley Water District Main Office
Public Entrance (facility public entrance)

on September 17, 2019
(date posted)

Judieth L. Silber
(signature)

September 17, 2019
(date)

PROOF OF POSTING

I, TEOLA TREWAYNE, posted the **NOTICE OF PUBLIC HEARING**
(print name)

concerning Waste Discharge Requirements for BEAR VALLEY WATER DISTRICT
(name of Discharger)

at

(1) the ALPINE COUNTY GOVERNMENT CENTER
(name of city hall or county courthouse)

on SEPTEMBER 17, 2019,
(date posted)

(2) the _____
(name of post office)

on _____
(date posted)

(3) the _____
(facility public entrance)

on _____
(date posted)

Teola Tremayne
(signature)

09/17/2019
(date)



Midwest Office
1010 W. Lake Street | Suite 503 | Oak Park IL 60301

Tel: 312 428 4634 | Fax 312 957 4712
info@tpenv.com | tpenv.com

Certificate of Proper Installation

Owner: Bear Valley Water District

Project No: 3173R7

System: MARS Aeration System

Startup Date: 09-05-19

I hereby certify the above referenced equipment has been:

- ✓ Installed in accordance with manufacturer's recommendations.
- ✓ Inspected, checked, and adjusted to ensure proper operation.
- ✓ Functional test completed.
- ✓ System has been pressure tested, and meets or exceeds performance requirements.
- ✓ Staff has been instructed on system operation and adjustment.

NOTES:

System is operating as designed, and balances easily. The GM was advised to consider VFD turndown to equate stop/start run times to minimize blower on/off cycles. Lagoon cells were at approximately 10' of depth and will increase over time to 15'-16' operating depth.

Date of Execution: 09-12-19
Manufacturer: Triplepoint Environmental, LLC
Manufacturer's Agent: Tom Daugherty

Authorized Signature:

Jeff Gouveia

From: Matt Ospital <m.ospital@wgainc.net>
Sent: Monday, September 9, 2019 5:27 PM
To: 'Mike Mcphee (mike@kwemerson.com)'; jarrod@kwemerson.com
Cc: Jeff Gouveia; Guy West
Subject: BVWD - punchlist

Mike,

The following items were identified during my site visit last week:

1. Install two new Christy B09 boxes with steel lids at the location of the two new future stubs (orange pipes sticking out of the ground)
2. Only need to raise the wood baffle wall 2'. Leave wall down 2' from the top of the posts. There is a small opening in the wood baffle wall on the east end. The district is not sure where it is, would it be possible for the guys to try and locate it when they are finishing up the board installation? Might be able to run a board or pipe up and down across the wall to see if they find the opening.
3. Plan called for install of concrete bottoms on the two larger boxes. In-lieu of concrete bottoms the District would like drain rock installed at the bottom of the vaults. Currently there is base rock installed at the bottom of the boxes. Base rock shall be removed or scratched back and drain rock installed.
4. Plans call for a drain pipe out of the larger concrete boxes. No drain pipe in the box on the north end. Need to install RSP at both drain outlets per the plan
5. Condensation was visible in the north larger box coming out of the pressure gauge in the box. District to witness a leak test of all fittings in the larger boxes with a squirt bottle with water and soap.
6. Larger concrete box on the south end needs to be notched out around the 2.5" stainless steel line. North side box is notched.
7. There are a few black pipes (old air header lines) still visible on the bank. These need to be cut off and removed off-site.
8. District has received the hose extension to extend the air flex line in cell #2. Connection shall be made at the manifold and not at the end of the air flex line in the water.
9. North side larger box is way out of whack, not lined up with the levee. Box needs to be squared up with the pond. This can be done when air flex lines is lengthened. Also, the intent of the boxes was to have them lined up with the middle of both cell #1 and #2. The box on the north side is shifted way to the north.
10. A couple of the diffusers need to be repositioned in the pond, District will direct in the field the correct locations.
11. On the south bank of the pond there is hole where the old air header was that needs to be filled in. There are also 8 existing boxes that need to be pulled out and disposed of offsite and backfilled.

Call me to discuss any of the items.

MATT OSPITAL, P.E.

394 E. Saint Charles St.
PO Box 251 | San Andreas, CA 95249
(209) 754-1824
m.ospital@wgainc.net





Nevada City, California (530) 478-1305 – Truckee, California (530) 587-5156 – Chico, California (530) 894-2487 – Murphys, California (530) 382-2775

Geotechnical Field Report

Project-Phase #: PL19110-00	Task# 01	Project Name: Bear Valley Wastewater Treatment Pond Improvements	Date: 9-11-2019	DFR #: 001
Project Manager: J. Atkinson	H&K Rep: W. Bline	Project Location: Bear Valley, CA	Day of Week: Wednesday	Weather: Clear, 50s
Client (name, address): Jeff Gouveia Bear Valley Water District 441 Creekside Drive, PO Box 5027 Bear Valley, CA 95223		Client Representative (name, phone number): Jeff Gouveia, 209-753-2112		
General Contractor (name, address): Not provided		General Contractors Representative (name, phone number): N/A		
Specialty Contractor: N/A		Specialty Contractors Representative (name, phone number): N/A		
Plans / Specifications (name, date, by): None Provided				
Project Briefing (date, with): Jeff Gouveia with Bear Valley Water District				
Previously Reported (report #, date, by): No previous reports				

Field Memos (outstanding items): N/A
Field Memos (general): N/A

NOTES (Describe work completed during the day, any problems and their solutions):

1100 W. Bline (WJB) with NV5 arrived on-site as requested by Jeff Gouveia, of Bear Valley Water District, to perform moisture/density (M/D) testing of buried pipe. The trench is two feet deep and backfilled with existing material. No testing was performed on the lower foot of fill due to no equipment being on site for potholing. I took one sample of material to run a curve.

1120 Four M/D tests (T-001-T-004) were performed along the buried pipe that spanned 160 feet with a break off in the middle. Jeff was contacted with preliminary results until the curve was complete.

The daily field report was completed and the site departed.

TO THE BUILDING OFFICIAL: REGARDING SPECIAL INSPECTION

I hereby certify that the noted portions of the work at the above address which required periodic and/or continuous inspection, and which I was employed to inspect, were inspected and, in my opinion, and to the best of my knowledge, comply with the provisions of the approved plans and specifications, except as noted.

Technician Signature  Date 10-16-2018 Certification _____

N|V|5

Geotechnical Field Report

Project #PL19110-0 Task 1

DFR # 1

Buried pipe and test locations



TO THE BUILDING OFFICIAL: REGARDING SPECIAL INSPECTION

I hereby certify that the noted portions of the work at the above address which required periodic and/or continuous inspection, and which I was employed to inspect, were inspected and, in my opinion, and to the best of my knowledge, comply with the provisions of the approved plans and specifications, except as noted.

Technician Signature WJB Date 10-16-2018 Certification _____

Table 1

Summary of Field Relative Compaction Test Results

[illegible]



Nevada City, California (530) 478-1305 – Truckee, California (530) 587-5156 – Chico, California (530) 894-2487 – Murphys, California (530) 362-2775

Geotechnical Field Report

Project-Phase #: PL19110-00	Task# 01	Project Name: Bear Valley	Date: 9-27-2019	DFR #: 002
Project Manager: J. Atkinson	H&K Rep: W. Bline	Project Location: Bear Valley, CA	Day of Week: Friday	Weather: Clear, 60s
Client (name, address): Jeff Gouveia Bear Valley Water District 441 Creekside Drive, PO Box 5027 Bear Valley, CA 95223			Client Representative (name, phone number): Jeff Gouveia, 209-753-2112	
General Contractor (name, address): N/A			General Contractors Representative (name, phone number): N/A	
Specialty Contractor: N/A			Specialty Contractors Representative (name, phone number): N/A	
Plans / Specifications (name, date, by): None provided				
Project Briefing (date, with): Robin Murphy with Bear Valley Water District				
Previously Reported (report #, date, by): DFR 001, 9/11/2019, WJB				

Field Memos (outstanding items): DFR 002: T-007-T-008
Field Memos (general): N/A

NOTES (Describe work completed during the day, any problems and their solutions):

1000 W. Bline (WJB) with NV5 arrived on-site as requested by Jeff Gouveia of Bear Valley Water District to perform field moisture/density (M/D) testing of buried pipe. I met with Robin Murphy of Bear Valley Water District on site, who led me to the test locations. The trench is two feet deep and backfilled with existing material. No testing was performed on the lower foot of fill due to no equipment being on site for potholing.

1020 Two M/D re-tests (T-005 through T-006) were performed along the buried pipe that spanned 160 feet with a break off in the middle. Test results passed the 90% compaction requirement at subgrade.

1025 Two M/D re-tests (T-007 through T-008) were performed at the junction of the two pipes by the slope of the embankment. Tests failed to meet the 90% compaction requirement at subgrade.

1040 The daily field report was completed and the site departed.

TO THE BUILDING OFFICIAL: REGARDING SPECIAL INSPECTION

I hereby certify that the noted portions of the work at the above address which required periodic and/or continuous inspection, and which I was employed to inspect, were inspected and, in my opinion, and to the best of my knowledge, comply with the provisions of the approved plans and specifications, except as noted.

Technician Signature  Date 9-27-2019 Certification _____

N|V|5

Geotechnical Field Report

Project #PL19110-0 Task 1

DFR # 2

Buried pipe and test locations



TO THE BUILDING OFFICIAL: REGARDING SPECIAL INSPECTION

I hereby certify that the noted portions of the work at the above address which required periodic and/or continuous inspection, and which I was employed to inspect, were inspected and, in my opinion, and to the best of my knowledge, comply with the provisions of the approved plans and specifications, except as noted.

Technician Signature WJB Date 9-27-2019 Certification _____

Page 2 of 2



1650 Industrial Drive, Auburn, CA 95603
Mobile (530) 305-3390 Office (530) 823-3241
jlane@aquasierra.com www.aquasierra.com
CA Contractors License A, C-10 474023
DIR #15000003631

SCADA – AUTOMATION – RADIO TELEMETRY – MOTOR CONTROLS
DESIGN BUILD PUMP STATIONS – UL508 PANEL SHOP – FLOW STUDIES
PUMP CONTROLLERS – RADIO STUDIES – CHEMICAL FEED EQUIPMENT
SCADA MAINTENANCE – INSTRUMENT MAINTENANCE & CALIBRATIONS

Bear Valley Water District
PO Box 5027
Bear Valley, CA 95223

Attention: Jeff Gouveia

Subject: Proposal for Firewall Appliance and Setup Services

Proposal # QJ06090
April 30, 2019

Gentlemen,

The following is our proposal to provide and setup a firewall and VPN.
Our IT personnel will sign a non-disclosure agreement if required. The firewall establishes a first line of defense against hacking, corporate espionage and viruses. Please review our scope of work below and let me know if you have any questions.

Firewall Equipment

- (1) Sonicwall TZ300 Firewall Appliance with (1) Year Total Secure
- (1) Lot Installation Materials

Firewall Scope of Work

1. Physical installation of Sonicwall TZ300 firewall at your main office.
2. Setup and configure firewall to establish a secure network.
3. Provide basic informal training on network security.

Firewall Proposal Total \$3,554.68

Items Included

1. Travel and mileage
2. Sales tax
3. Shipping and handling

Items Not Included

1. Items not included in our scope of work
2. Insurance beyond our standard rates and limits
3. Confined space entry
4. Prevailing wage rates

(Authorized Signature)

(Print Name)

(Title)

(Date)

(Purchase Order Number) If Required

If you have any questions or would like for me to meet with you to go over this proposal for clarifications, please let me know.

Thank you,

Josh Lane
SCADA Sales Manager

 **Aqua Sierra Controls, Inc.**
California's Leading Instrumentation and Electrical Contractors for Almost 40 Years

wbur | **Here & Now**

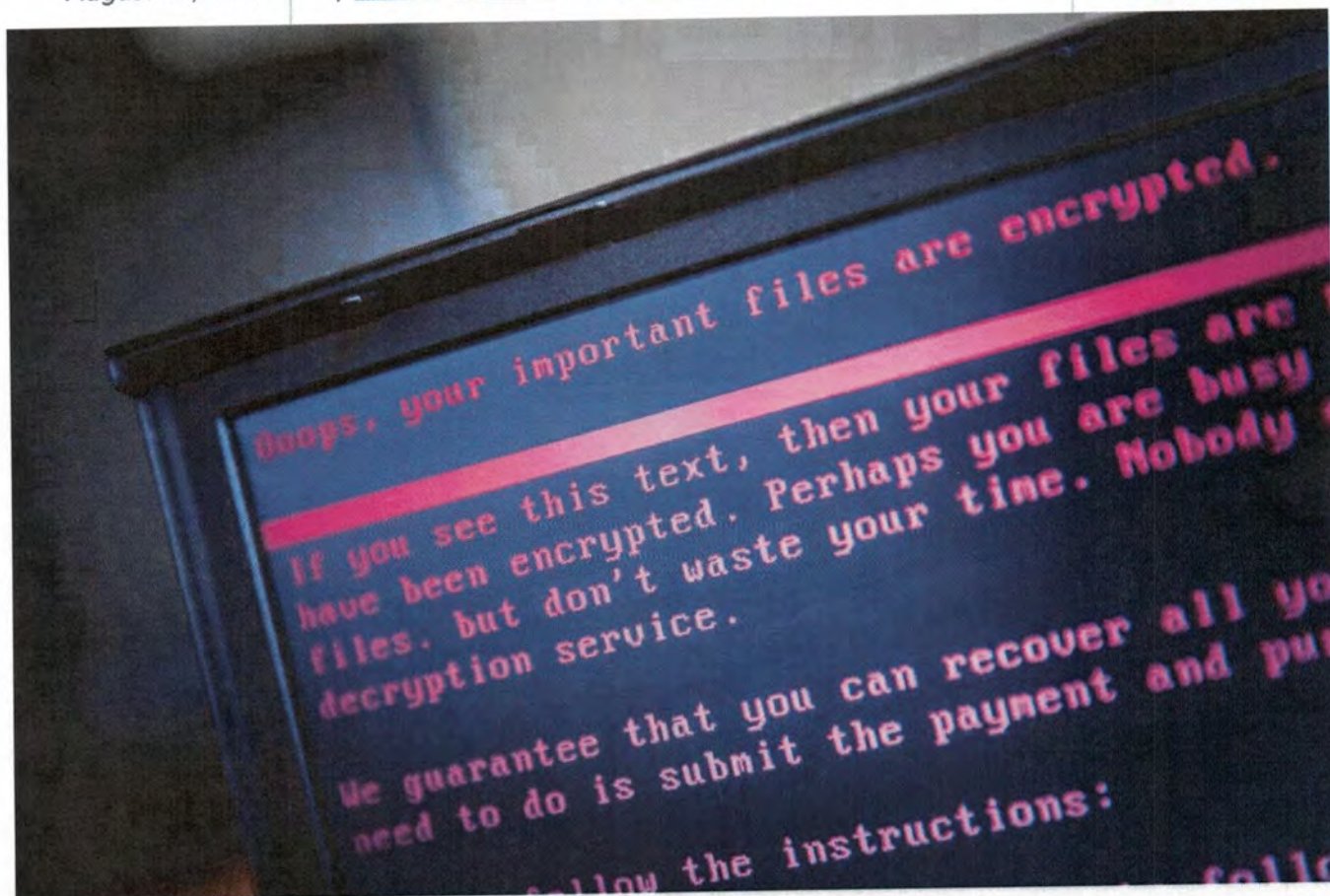
Special funding for Here & Now comes from

 Accelerating the pace of engineering and science.
MathWorks Geico Savings. Every hour on the hour.
GEICO

Hacked: A Tale Of 2 Cities And How Their Leaders Handled Ransomware Attacks 09:19

</>

August 29, 2019

By [Peter O'Dowd](#) and [Francesca Paris](#)

A laptop displays a message after being infected by a ransomware. (Rob Engelaar/AFP/Getty Images)

Last spring, a ransomware attack hit the small city of Lodi in California's Central Valley.

Hackers used malicious software to target Lodi's phones and financial services, crippling the city's ability to access swaths of its data, according to the city's manager, Steve Schwabauer.

"All of our financial services, data, money that people owed us for utilities, and money we owed our vendors for construction contracts and service contracts, everything was locked up," he says.

Ransomware attacks, often launched from outside the U.S., have become an increasingly pressing threat to cities and towns across the country, with high profile cases in major urban centers such as Atlanta and Baltimore.

But the majority of attacks this year have hit smaller cities, and nearly half targeted cities with populations under 50,000, according to [IT security firm](#)

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Zombie Homes Haunt Cleveland's Suburbs A Decade After Housing Market Collapse

[Barracuda](#). In Texas, hackers successfully launched ransomware attacks on [22 cities and towns](#), many of which were small and rural.

[Here & Now](#) 11:16 3 hours ago

California Bans Private Prisons And Immigrant Detention Centers

[Here & Now](#) 05:19 Oct 11, 2019

A few months after Lodi was attacked, the story played out again on the other side of the country. A [similar attack hit](#) the 12,000-person municipality of Lake City, Florida. City manager Joe Helfenberger says business "came to a screeching halt."

In both Lodi and Lake City, hackers demanded close to half a million dollars to restore the systems, prompting leaders of both cities to ask themselves the same question: To pay or not to pay?

In Atlanta and Baltimore, city officials chose not to pay the hackers and instead spent millions trying to recover their data, an approach that many cybersecurity experts recommend. They say paying the ransom can incentivize hackers to launch attacks on other cities, as well as repeated offensives against the city that forked up the cash.

But for other municipalities, particularly cities with smaller budgets to draw from, the choice isn't always cut and dry.

When Lake City's hackers demanded about \$460,000 in Bitcoin, the Florida city decided to pay. Helfenberger says city leaders had exhausted every other option.

"I really had no other choice," Helfenberger says. While public safety systems remained intact, "you're talking about utility maps and

[Geographic Information Systems] data. Records for minutes, and all the resolutions or ordinances. Everything since the beginning of the city.”

Insurance covered much of the ransom payment, leaving Lake City on the hook for only the \$10,000 deductible.

Helfenberger says he understood that there was no guarantee the hackers would return control, and he was conscious of the increased risk to other cities. But the city estimated that recovering the data would have been an expensive, slow process, if it were even possible.

“We were told by the vendors that with this type of attack, nobody had ever successfully decoded this military-level encryption,” he says. “It’s not our money to spend. It’s the taxpayer’s money.”

In California, when attackers demanded about \$400,000 from Lodi, the city’s administration made a different decision. They didn’t pay.

“It really comes down to the simple fact that it was possible for us to reconstruct our data,” Schwabauer says, pointing out that the city’s backup data wasn’t compromised.

“In addition, we had several third party vendors ... who were able to set up offsite sites for us and allow us to operate from the cloud while we put together our onsite systems,” he adds.

Does that success mean Lodi was prepared for this kind of attack?

“Perfectly, no,” Schwabauer says. But, “better than some, perhaps.”

Without knowing the exact circumstances that Lake City faced, though, he says he can't fault that city for paying the ransom.

"We would have had a much harder decision to make if our backup data had been compromised," he says.

And he understands the bill that comes with this type of attack.

Lake City and Lodi may have less data to secure than larger cities. But they also have annual revenues under \$20 million, a fraction of the \$2 to \$3 billion that Baltimore and Atlanta each allocate yearly. Baltimore officials estimate the city has spent \$18 million on recovery efforts, more than Lake City's entire annual budget.

Lodi is now spending about \$500,000 improving its technical infrastructure, Schwabauer says. IT improvements after the attack in Lake City, including backup storage and multifaceted authentication, have cost that municipality about \$330,000 so far, according to Helfenberger.

"Most cities in this country are facing that same challenge and they're having to decide, 'OK, now we realize how serious this threat is, and we've got to start having a more robust IT infrastructure to prevent this from happening,'" Schwabauer says. "And even that is ultimately no guarantee."

Francesca Paris produced and edited this interview for broadcast with [Tinku Ray](#).



Executive Summary

Lagoon Upgrade Project:

\$220,000 Lagoon Rehabilitation Project to Ensure High Quality Effluent for Future Decades

Board to Consider Adopting

CPI Service Rate Increase:

Revenue Constraints and Increasing Costs Underscore Consideration of a Consumer Price Index (CPI) Rate Increase

Collection System Maintenance

Program Expands:

Board Commits More Resources To Maintain Collection System and Avert Potential Overflows

Fats, Oil and Grease "FOG":

Disposal Alternatives

Incumbents to Be Sworn In For Another 4-Year Term:

Thordarson and Brown to Continue To Lend Industry Expertise to the District



Bear Valley Water District

PO Box 5027
441 Creekside Drive
Bear Valley, CA 95223

Phone

209.753.2112

Fax

209.753.6267

Web Site

<http://bvwd.ca.gov/>

DISTRICT COMPLETES AMBITIOUS WASTEWATER LAGOON UPGRADE PROJECT

Since construction in 1972, Bear Weber, Ghio and Associates (WGA) per day or nearly twice the 20 year daily Valley's wastewater treatment of San Andreas, was let to bid in average flow of 67,000 gallons per day. This facility has consistently produced exceptional water quality, received and the Board ultimately including the installation of future diffuser consistently yielding effluent awarded the project to K.W. Emerson initiated the project on August suitable for discharge to both land Emerson, Inc. at its May 2019 as double before requiring further added infrastructure and seeks to ensure the community has a treatment system capable

However, over the past several years, the 14.18 million gallon (MG) treatment lagoon, where the wastewater receives the majority of its biological treatment, has begun to show signs of nearing the end of its useful life. Declining effluent quality, failing infrastructure and increasing energy costs to maintain adequate treatment levels led the District's Board of Directors to approve a preliminary lagoon design upgrade at its February 2019 Board meeting. The scope of the nearly \$220,000 improvement project included removal of (36) original submerged diffusers, (20) of which had become inoperable, installation of a new 160 linear foot CPVC buried air header, installation of (12) new fine-bubble diffusers supplied by Triplepoint Environmental and rebuilding of the District's cedar baffle wall to restore the system to its original two-cell, extended detention time design and eliminate the potential for "short circuiting."

Perhaps the single largest capital rehabilitation project since the origination of the Agency, the treatment lagoon upgrade project, overseen by engineering firm Careful analysis of 20 years of flow history combined with 20 years of influent water quality led the District and WGA to the install a system capable of treating 120,000 gallons back to a standard of high performance. The Bear Valley Water District as in critical new programs such as collections system maintenance or essential to the long term, fully developing and implementing sustainable delivery of its core its surface water discharge permit. services, specifically the collection, treatment and disposal of wastewater for all of its customers as well as the careful stewardship of the public's physical and financial assets. However, despite its dedication to financial preparedness, at times some circumstances can still be out of an agency's control. Indeed, the heavy snow of this past winter caused damage to several commercial buildings in the community which are now anticipated to constrain commercial revenue for the District until resolved. At the same time, the USFS notified the District that it will be removing all flush toilets from the east end of Lake Alpine further reducing commercial revenues. Meanwhile, the costs to continue to operate and maintain the public's assets while providing safe,

Over the past decade, the District has developed policies and reinvested carefully to meet these objectives, including the development of reserve fund policies for capital improvement and replacement projects as well as for emergencies and future system capacity. At the same time, the District has not limited its committed to continue to invest in and expand the operations of the District, such as investments in technology as well

Most importantly, unlike nearly every other system, the MARS system provides operator flexibility to move the submerged diffusers around in the treatment lagoon to ultimately oxidize over 40 years of sludge impounded in the earthen structure and restore the system back to a standard of high performance.

DISTRICT BOARD TO CONSIDER ADOPTING CPI RATE INCREASE AT OCTOBER MEETING

The Bear Valley Water District as in critical new programs such as efficient and reliable wastewater service to the District's stakeholders have continued to rise. Nearly all areas of the District's budget have experienced year over year increases including energy, utilities, healthcare, regulatory fees, dam fees, legal and accounting costs and salaries and benefits.

At its July 2019 meeting, staff presented the Board with a final 2019-20 fiscal year budget together with a three-year budget forecast. Through a combination of increasing expenses and unexpected decreasing revenue, the Board discussed and ultimately directed staff to consider the impact of utilizing the consumer price index (CPI) tool contained in the District's 2014 Prop 218 service rate restructuring ordinance to bridge this loss in revenue.

The Board of Director's will hold a public hearing to consider adopting an Ordinance authorizing a CPI rate increase at its October 21, 2019 meeting and apply the CPI-U to monthly service fees effective January 1, 2020



KEN BROWN



GUNNAR THORDARSON



DISTRICT FURTHER EXPANDS COLLECTION SYSTEM MAINTENANCE PROGRAM

In addition to its two discharge permits, the District is also responsible for the proper operation and maintenance of its collection system under both Order No. 2006-0003-DWQ and Order No. WQO 2013-0058-EXEC. Over the past several years, the District has invested in and expanded its program to meet the full intent of these orders and this summer was no exception.

Following its investment in high performance sewer jetting and camera equipment, this summer the Board authorized the first ever commitment to a dedicated collection system maintenance field crew.

This ambitious program was rolled out as soon as the snow melted in late June and the field team has been busy every week cleaning collection system pipe segments using high pressure water at up to 600' at a time.

Cleaning is then immediately followed with CCTV camera analysis of each pipe segment to evaluate and collect data on the condition of each segment. The data is then migrated to the District's GIS-powered asset management system (AMS) to digitally score and catalog the data to prioritize work orders and for future management of the system.

Findings during this summer's enhanced sewer collection maintenance program have revealed the importance of such routine maintenance and inspection.

Among these included the finding of severe grease deposits, root intrusion, the discovery of an unknown manhole which had been paved over, several pipe offsets and extensive dirt and gravel intrusion, all of which could cause a sewer system overflow if not corrected.

"FOG" - FATS, OILS AND GREASE – DISPOSAL ALTERNATIVES

With the holiday season fast approaching, the District would like to take this opportunity to remind you of how best to dispose of fats, cooking oils and grease (FOG) when preparing holiday meals.

As a reminder, fats, cooking oils, and grease (FOG) can coat and clog pipes and cause sewer lines to back-up into homes. "FOG" can also cause blockages further down sewer lines creating system overflows as well as disrupt waste water treatment processes with detrimental results.

To prevent these problems, we encourage you to dispose of these cooking bi-products safely.

Here are some alternative disposal suggestions that will reduce your impact on Bear Valley's wastewater infrastructure.

Instead of pouring fats, oil, grease or placing greasy foods down the garbage disposal or drain, try the following:

- Place fats, oil, and grease in a container with a tight-sealing lid, put the container in a trash bag, tie

- Mix cooking oils with an absorbent material such as coffee grounds, place in a lidded container and dispose in a trash receptacle.

- If you're soaking a greasy pan, first pour off grease into a container. Then place paper towels over the drain basket to catch grease and food as you pour the soaking water down the drain.

These environmentally friendly kitchen practices are simple alternatives to disposing of these harmful bi-products and better for wastewater disposal operations.

BVWD BOARD OF DIRECTORS WELCOME INCUMBENTS FOR ANOTHER TERM

The 2019 District election resulted in no contest for incumbent candidates Gunnar Thordarson and Ken Brown. No additional declarations of candidacy were received by the Alpine County Clerk before the August 9, 2019 deadline.

As a result, no formal election will be required, saving ratepayers thousands of dollars in ballot preparation and distribution expenses. Directors Thordarson and Brown will be sworn in for their new 4 year terms this December.

The term of office for these Directors will expire December 5, 2023.

With a bachelor's degree in Business and Real Estate Finance from Cal Poly, a General Contractor's License and a Real Estate Broker's License, Ken's extensive background in finance and construction has proven invaluable for project management and budget planning at the District.

Gunnar has a strong background

in the private sector with a focus on water treatment technology and lends his unique industry perspective and experience to the District's management team. Gunnar was educated at the University of California, Davis with a focus in Economics. After starting several other successful businesses, in 2003 Gunnar then co-founded Process Solutions Inc. (PSI), providing disinfection solutions and the Microclor® next generation On-site Sodium Hypochlorite Generation Technology.

The District welcomes any qualifying community member to consider a seat on the Board in the years to come as vacancies will certainly arise as Directors serve out their terms.

From: Bear Valley Water District <jeff.gouveia@bvwd.ca.gov>
Sent: Tuesday, October 1, 2019 2:18 PM
To: Jeff Gouveia
Subject: October 2019 Newsletter

BEAR VALLEY WATER DISTRICT

NEWSLETTER

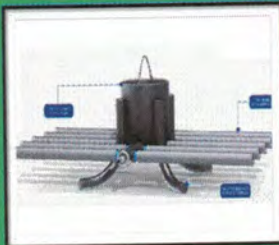
Safe, Efficient and Reliable Resource Recovery in the Central Sierra

October 2019



DISTRICT COMPLETES AMBITIOUS TREATMENT LAGOON UPGRADE PROJECT:

Since construction in 1972, Bear Valley's wastewater treatment facility has consistently provided exceptional wastewater treatment, consistently yielding effluent suitable for discharge to both land and more recently surface waters.



However, over the past several years, the 14.18 million gallon (MG) biological treatment

In This Issue:

[\\$220,000 Lagoon Rehabilitation Project Ensures High Effluent Quality For Future Decades](#)

[District Board to Consider Adopting Consumer Price Index \(CPI\) Rate Increase at October Meeting](#)

[Board Commits More Resources To Advance Collection System Maintenance Program](#)

[Incumbents To Be Sworn in for Another 4-Year Term](#)

[Fats, Oil & Grease \(FOG\) - Best Practices](#)

BVWD Board Meetings

District meetings are held quarterly at the District office in Bear Valley and are open to the public.

RECEIVED OCT - 7 2019

AGENDA TRANSMITTAL**TO:** Board of Supervisors**FROM:** Teola Tremayne, County Clerk**DATE OF MEETING:** October 1, 2019**PREPARED BY:** Teola Tremayne, County Clerk

TITLE: REVISED: Request adoption of resolution appointing Gunnar Thordarson and Ken Brown to the Bear Valley Water District Board of Directors for the term commencing December 6, 2019 and ending December 1, 2023 per Elections Code 10515.

SUMMARY: Two director positions for the Bear Valley Water District needed to be filled at the District Election on November 5, 2019. The Notice of Election was duly posted; two declarations of candidacy was filed.

Election Code Section 10515(b) provides that the number of persons who file declarations of candidacy for directors at large does not exceed the number of offices of director at large to be filled at that election, the Board of Supervisors shall appoint any person to the office who is qualified on the date when the election would have been held.

The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office.

RECOMMENDED ACTION: Adopt Resolution appointing Gunnar Thordarson and Ken Brown to the Bear Valley Water District Board of Directors for the term commencing December 6, 2019 and ending December 1, 2023.

ISSUE STATEMENT AND DISCUSSION: None

FISCAL IMPACT:

- 1) Budgeted Current Fiscal Year
- 2) Total Anticipated Cost Current Year
- 3) Total Anticipated Cost Annual Year

☒ (Not
Applicable)
\$0.00
\$0.00
\$0.00

SOURCE

☐ Unanticipated \$0.00
☐ Revenue From \$0.00
 Contingency \$0.00
 Other:

FUNDING SOURCE: N/A

INSTRUCTIONS TO CLERK: Copy to Clerk and BVWD

ID 3280

APPROVED
10/1/2019

RESOLUTION NO. R2019-45

**RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF ALPINE, STATE OF CALIFORNIA
APPOINTING GUNNAR THORDARSON AND KEN BROWN TO THE POSITION OF DIRECTOR
FOR BEAR VALLEY WATER DISTRICT FOR THE TERM COMMENCING DECEMBER 6, 2019
AND ENDING DECEMBER 1, 2023**

WHEREAS, there were two positions for board of director of the Bear Valley Water District to be filled at the District Election to be held on November 5, 2019; and

WHEREAS, Section 10515 of the California Elections Code provides for the appointment of District Directors by the Board of Supervisors if no persons file declarations of candidacy, or if in the case of directors to be elected from the district at large, the number of persons who file declarations of candidacy for directors at large does not exceed the number of offices of director at large to be filled at that election; and if no petition signed by ten percent of the voters or fifty voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held, has not been presented to the officer conducting the election, within the time frame specified by law; and

WHEREAS, persons filling declarations of candidacy did not exceed the number of positions of director to be elected; and

WHEREAS, no petition requesting an election to be held was submitted; and

WHEREAS, the officer conducting the election, the Alpine County Clerk, has submitted a certificate of these facts to the supervising authority, requesting that the supervising authority, at a regular meeting held prior to the Monday before the first Friday in December 2019, appoint to the office or offices the persons who have filed declarations of candidacy; and


WHEREAS, pursuant to the California Election Code Section 10515, the supervising authority shall make these appointments;

BE IT RESOLVED, that the following be appointed to the positions of Director for the Bear Valley Water District, to the full term commencing December 6, 2019 and expiring December 1, 2023;

GUNNAR THORDARSON


KEN BROWN

BE IT RESOLVED, that the oath of office shall be administered to the herein named individuals who shall, when qualified, take office and serve exactly as if elected at a general district election.



David Griffith, Chair
Board of Supervisors, County of
Alpine, State of California

ATTEST:

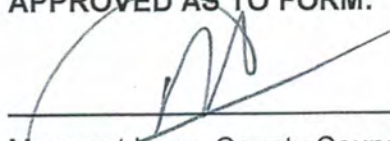
A handwritten signature in dark ink, appearing to read 'Teola L. Tremayne', is written over a horizontal line.

Teola L. Tremayne, County Clerk
& Ex Officio Clerk to the

Board of Supervisors

By: Patricia Griffin, Assistant County Clerk

APPROVED AS TO FORM:

A handwritten signature in dark ink, appearing to read 'Margaret Long', is written over a horizontal line.

Margaret Long, County Counsel



COUNTY OF ALPINE
Office of the County Clerk

Teola L. Tremayne, County Clerk
Ex Officio Clerk to the Board of Supervisors
Ex Officio Registrar of Voters

RECEIVED AUG 23 2019

August 21, 2019

Ken Brown
4656 Winding River Ct
Stockton, CA 95219

Dear Mr. Brown:

Congratulations on your decision to re-run for the Bear Valley Water District. As of August 9th, the number of candidates did not exceed the number of open positions. Therefore, you will automatically be appointed by the Alpine County Board of Supervisors as a board member for the Bear Valley Water District. I will submit a resolution for appointment at their October 15, 2019 meeting. You must take the Oath of Office after appointment and prior to your beginning term date of December 6, 2019.

Congratulations, if you have any questions or require additional information/clarification regarding the above, please call me at (530) 694-2281.

Very truly yours,

A handwritten signature in black ink, appearing to read "Teola L. Tremayne".

Teola L. Tremayne
County Clerk / Elections Official

c: Bear Valley Water District



COUNTY OF ALPINE
Office of the County Clerk

Teola L. Tremayne, County Clerk
Ex Officio Clerk to the Board of Supervisors
Ex Officio Registrar of Voters

RECEIVED AUG 23 2019

August 21, 2019

Gunnar Thordarson
PO Box 7739
Incline Village, NV 89450

Dear Mr. Thordarson:

Congratulations on your decision to re-run for the Bear Valley Water District. As of August 9th, the number of candidates did not exceed the number of open positions. Therefore, you will automatically be appointed by the Alpine County Board of Supervisors as a board member for the Bear Valley Water District. I will submit a resolution for appointment at their October 15, 2019 meeting. You must take the Oath of Office after appointment and prior to your beginning term date of December 6, 2019.

Congratulations, if you have any questions or require additional information/clarification regarding the above, please call me at (530) 694-2281.

Very truly yours,

A handwritten signature in black ink, appearing to read "Teola L. Tremayne", is written over a horizontal line.

Teola L. Tremayne
County Clerk / Elections Official

c: **Bear Valley Water District**

Bear Valley Water District
Performance vs. Budget
September 2018 vs. September 2019

	Prior Year July 1 - Sept. 30	FY 18-19 Budget	FY 18-19 Budget	Current Year July 1 - Sept. 30	FY 19-20 Budget	FY 19-20 Budget	Variance Explanation
REVENUES							
Residential	147,755	589,000	25%	147,303	586,000	25%	
Commercial	50,155	190,000	26%	48,957	165,000	30%	
Subtotal Operating Revenue	197,910	779,000	25%	196,260	751,000	26%	Revenue Target - 25%
EXPENSES							
Salaries & Benefits	103,498	325,776	32%	103,675	360,225	29%	
Director Expenses	0	3,000	0%	369	2,000	18%	
Operator Training & Certs	299	1,500	20%	0	1,500	0%	
Gas, Diesel, Oil & Filters	991	3,000	33%	0	3,000	0%	
Insurance	6,456	22,500	29%	6,261	23,000	27%	
Memberships & Conferences	2,075	5,500	38%	524	7,000	7%	
Office Expenses & Supplies	1,895	10,000	19%	1,508	10,000	15%	
Field Expenses & Supplies	13,356	18,000	74%	12,309	20,000	62%	Jetting Accessories, Bio-Aug
Grooming, Snow Removal & Vehicle Storage	0	3,500	0%	0	3,500	0%	
Engineering & Consulting	798	5,000	16%	315	5,000	6%	
Legal & Accounting	403	10,000	4%	2,292	10,000	23%	
Equipment Rental	429	600	72%	226	600	38%	
Repairs & Maintenance	2,756	78,214	4%	20,707	60,000	35%	Sched Rep Comp - On Target
Laboratory Fees	3,874	25,000	15%	4,508	15,000	30%	
Regulatory Reporting & Comp. Projects	1,743	6,500	27%	0	6,700	0%	
Taxes, Fees, Licenses & Assessments	10,292	30,000	34%	12,845	39,000	33%	
Utilities	23,282	55,000	42%	22,286	60,000	37%	
Subtotal Operating Expenses	172,147	603,090	29%	187,824	626,525	30%	Expense Target - 30%
Net Operational Income	25,763	175,910	15%	8,436	124,475	7%	
OTHER REVENUE							
Interest Income - LAIF	1,662	2,000	83%	16	7,000	0%	
Late Fee, Penalties and Interest	1,129	10,000	11%	3,627	7,000	52%	
Expense Reimbursements - USFS Campground	2,870	3,863	74%	3,538	3,538	100%	
Expense Reimbursements - Concessionnaire	4,608	5,290	87%	0	5,887	0%	
Misc Other Income	10	0	UBD	95	0	UBD	
Subtotal Other Revenue	10,279	21,153	49%	7,276	23,425	31%	
OTHER EXPENSES							
Loan Interest	4,479	18,809	24%	4,090	15,680	26%	
Depreciation	27,951	114,223	24%	27,505	114,223	24%	
Misc Expense	9	UBD	UBD	20	0	UBD	
Subtotal Other Expenses	32,439	133,032	24%	31,615	129,903	24%	
Net Other Income	(22,160)	(115,156)	19%	(24,339)	(106,478)	23%	
NET INCOME	3,603	60,754	6%	-15,903	17,997	-88%	
NON CASH EXPENDITURES (included in net income)							
Depreciation	27,951	114,223	24%	27,505	114,223	24%	
Subtotal Non-Cash Expenses	27,951	114,223	24%	27,505	114,223	24%	
CASH EXPENDITURES (Not Included in net income)							
Capital Improvements / Replacements	(59,983)	(117,500)	51%	(28,666)	(189,053)	15%	WWTP Lagoon Upgrade Proj
Loan Payments - Principal	(9,605)	(37,629)	26%	(9,995)	(40,657)	25%	
Subtotal Addl Cash Expenses	(69,588)	(155,129)	45%	(38,660)	(229,710)	17%	
NET CASH FLOW	-38,034	19,848	-192%	-27,058	-97,490	-33%	

BVWD
Balance Sheet Prev Year Comparison
As of September 30, 2019

	Sep 30, 19	Sep 30, 18	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
11015 · F&M Bank	415,125.59	399,125.24	16,000.35	4.01%
11018 · LAIF	311,394.63	305,641.68	5,752.95	1.88%
11020 · Petty Cash	50.00	50.00		
11025 · Capital Facilities Fund	21,656.00	21,656.00		
Total Checking/Savings	748,226.22	726,472.92	21,753.30	2.99%
Accounts Receivable				
11050 · Accounts Receivable	-26,889.40	-18,215.22	-8,674.18	-47.62%
Total Accounts Receivable	-26,889.40	-18,215.22	-8,674.18	-47.62%
Other Current Assets				
11055 · Accounts Receivable-Tax Roll	14,583.32	18,317.28	-3,733.96	-20.39%
11140 · Prepaid Insurance	8,184.26	7,966.50	217.76	2.73%
11499 · Undeposited Funds	-275.00		-275.00	-100.0%
Total Other Current Assets	22,492.58	26,283.78	-3,791.20	-14.42%
Total Current Assets	743,829.40	734,541.48	9,287.92	1.26%
Fixed Assets				
12010 · Land	25,805.16	25,805.16		
12020 · SbSrfLine	1,196,893.29	1,196,893.29		
12040 · Col Facilities	485,584.50	425,176.65	60,407.85	14.21%
12041 · LA Facilities	166,428.79	166,428.79		
12050 · TRT Facilities	1,127,133.14	1,127,133.14		
12060 · DSP Facilities	1,244,788.01	1,244,788.01		
12080 · P & A (Plant & Admin)Facilities	482,118.91	482,118.91		
12100 · Accumulated Depreciation	-2,702,404.75	-2,589,839.76	-112,564.99	-4.35%
14030 · Work in Progress				
14030.0 · W.I.P. - GIS Consulting Support	4,074.05		4,074.05	100.0%
16540 · Bee Gulch Lift Station Upgrade		59,982.85	-59,982.85	-100.0%
16550 · Inundation Mapping Project	15,691.20		15,691.20	100.0%
16560 · Treatment Pond Improvement Proj	76,029.51		76,029.51	100.0%
Total 14030 · Work in Progress	95,794.76	59,982.85	35,811.91	59.7%
Total Fixed Assets	2,122,141.81	2,138,487.04	-16,345.23	-0.76%
TOTAL ASSETS	2,865,971.21	2,873,028.52	-7,057.31	-0.25%
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
21021 · Accounts Payable	4,367.21	51,237.40	-46,870.19	-91.48%
Total Accounts Payable	4,367.21	51,237.40	-46,870.19	-91.48%
Other Current Liabilities				
21090 · Payroll Liabilities	8,352.25	19,399.72	-11,047.47	-56.95%
2110 · Direct Deposit Liabilities	-8.18	-8.18		
22021 · Accrued Vacation	10,879.55	7,679.54	3,200.01	41.67%

BVWD
Balance Sheet Prev Year Comparison
As of September 30, 2019

	<u>Sep 30, 19</u>	<u>Sep 30, 18</u>	<u>\$ Change</u>	<u>% Change</u>
Total Other Current Liabilities	19,223.62	27,071.08	-7,847.46	-28.99%
Total Current Liabilities	23,590.83	78,308.48	-54,717.65	-69.87%
Long Term Liabilities				
26025 · F&M Bank Loan	406,448.81	445,976.43	-39,527.62	-8.86%
Total Long Term Liabilities	406,448.81	445,976.43	-39,527.62	-8.86%
Total Liabilities	430,039.64	524,284.91	-94,245.27	-17.98%
Equity				
29000 · Retained Earnings	1,855,178.28	1,748,484.24	106,694.04	6.1%
29100 · O & M Emergency Reserve Fund	150,000.00	150,000.00		
29200 · CIP Reserve Fund	425,000.00	425,000.00		
29300 · Capacity Fee Reserve Fund	21,656.00	21,656.00		
Net Income	-15,902.71	3,603.37	-19,506.08	-541.33%
Total Equity	2,435,931.57	2,348,743.61	87,187.96	3.71%
TOTAL LIABILITIES & EQUITY	<u>2,865,971.21</u>	<u>2,873,028.52</u>	<u>-7,057.31</u>	<u>-0.25%</u>

BVWD **A/P Aging Summary** As of July 31, 2019

Prepays July 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
A.T.&T.	45					45	U Verse for Main Office
A.T.&T.	91					91	Lake Alpine Basin Telephone
A.T.&T.	145					145	Main Office Telephone
Card Services	769					769	Office, Field Supplies, Telephone, R&M
Card Services	2,885					2,885	Office, Field Supplies, Telephone, R&M
E.D.D.	130					130	State Payroll Taxes
E.D.D.	571					571	State Payroll Taxes
E.D.D.	141					141	State Payroll Taxes
E.D.D.	485					485	State Payroll Taxes
E.D.D.	1					1	State Payroll Taxes
F&M Bank	4,695					4,695	Principal & Interest on Loan
I.R.S.	3,429					3,429	Federal Payroll Tax
I.R.S.	3,661					3,661	Federal Payroll Tax
I.R.S.	13					13	Federal Payroll Tax
Lake Alpine Water Co.	172					172	Water for Main Office
P.G.&E.	3,782					3,782	Electricity
SDRMA	1,799					1,799	Employee Health Benefits
SDRMA	656					656	Employee Dental, Vision, LTD, Life
Vantagepoint Transfer	362					362	Employee Retirement
Vantagepoint Transfer	1,221					1,221	Employee Retirement
Vantagepoint Transfer	371					371	Employee Retirement
Vantagepoint Transfer	1,248					1,248	Employee Retirement
TOTAL	26,672					26,672	

Payables July 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Alpha Analytical Laboratories Inc.	2,503					2,503	Laboratory Fees
Alpine County Public Works			45			45	Fuel
Aqua Sierra Controls, Inc.		336	883			1,219	Discharge Technical Support
Arnold Auto Supply Inc.		163				163	Parts, Oil, Filters, Battery for Generator
Bear Valley Snowmobile Inc.					-213	-213	VOIDED CHECK
Columbia Communications Inc.		39				39	Pagers for Field Staff

BWWD

A/P Aging Summary

As of July 31, 2019

Payables July 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
EBBETTS PASS GAS CO. Inc.			707			707	Propane for Main Office
Ebbetts Pass Lumber Co. Inc.		78				78	Field Supplies
El Dorado Septic Service, Inc.		2,582				2,582	Porta Potty Rental for Lake Alpine Basin
Guy West		141				141	Employee Reimbursement
Herold & Mielenz Inc.		2,510				2,510	Softstart at Equipment House
ICMA Retirement Corporation			63			63	Quarterly Administration Fees
Jim Bissell		100				100	Regular Board Meeting July 22, 2019
John Boyle		100				100	Regular Board Meeting July 22, 2019
Lake Alpine Water		4,074			0	4,074	Collection Equipment - GPS Equipment
Nexgen Utility Management		3,100				3,100	Repair & Maintenance, Cloud Storage
Petty Cash 1			28			28	Office Supplies, Postage
STALE DATED CHECKS							YE Adjustment
Stefaniya Becking		100				100	Regular Board Meeting July 22, 2019
Thatcher Company of California		6,311				6,311	Chlorine
The Zenith		799				799	Workers Compensation Insurance
U.S.A. Under Ground Alert		150				150	Annual Membership
Vantagepoint Transfer Agents			0			0	
WECO Industries		727				727	Field Equipment
WinCan LLC		900				900	Collection Equipment
TOTAL	2,503	22,210	1,727		-213	26,227	

BVWD
A/P Aging Summary
As of August 31, 2019

Prepays for August 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
A.T.&T.	45					45	U-Verse for Main Office
A.T.&T.	146					146	Telephone for Lake Alpine Basin
A.T.&T.	91					91	Telephone for Main Office
E.D.&D.	135					135	State Payroll Taxes
E.D.&D.	368					368	State Payroll Taxes
E.D.&D.	372					372	State Payroll Taxes
E.D.&D.	136					136	State Payroll Taxes
F&M Bank	4,695					4,695	Principal & Interest on Loan Payment
I.R.S.	3,294					3,294	Federal Payroll Tax
I.R.S.	3,335					3,335	Federal Payroll Tax
Lake Alpine Water Co.	164					164	Water for Main Office
Marty Simpson	680					680	Repair & Maintenance
P.G.&E.	7,811					7,811	Electricity
SDRMA	1,799					1,799	Health Benefits for Employees
SDRMA	656					656	Dental, Vision, LTD, Life Ins. For Employees
Terry Woodrow	40					40	Notary Fees
Vantage Transfer - ICMARC	1,210					1,210	Retirement Benefits for Employees
Vantage Transfer - ICMARC	355					355	Retirement Benefits for Employees
Vantage Transfer - ICMARC	1,244					1,244	Retirement Benefits for Employees
Vantage Transfer - ICMARC	361					361	Retirement Benefits for Employees
The Zenith	799					799	Workers Compensation Insurance
TOTAL	27,736					27,736	

Payables for August 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Accurate Air Engineering, Inc.		183				183	Repair & Maintenance
Alpha Analytical Laboratories Inc.		712				712	Laboratory Analysis
AquaFix		1,728				1,728	ViaStim Sludge Reducer
Bear Valley Snowmobile Inc.					-213	-213	VOIDED CHECK
Ebbetts Pass Lumber Co. Inc.		194				194	Field Supplies
El Dorado Septic Service, Inc.		595				595	Porta Potty Rentals for Lake Alpine Basin
KCCo.		400				400	Crane Rental for Dock

BWWD
A/P Aging Summary
As of August 31, 2019

Payables for August 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Lake Alpine Water					0	0	Bank ADJ.
Lou's Gloves, Inc.		154				154	Gloves for Field Staff
Neumiller and Beardslee		2,292				2,292	Legal Fees
Smartcover Systems		1,924				1,924	Annual Service & Warranties
STALE DATED CHECKS							YE ADJ
TeamViewer GmbH		1,000				1,000	Teamviewer Annual Subscription
Triplepoint Environmental		28,126				28,126	MARS Aeration System Parts
U-Rock Utility Equipment		700				700	Field Equipment
Vantagepoint Transfer Agents				0		0	ADJUSTMENT
TOTAL		38,007		0	-213	37,794	

BWWD
A/P Aging Summary
 As of September 30, 2019

Prepays for September 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
A.T.&T.	55					55	U-Verse for Main Office
A.T.&T.	146					146	Telephone for Main Office
A.T.&T.	91					91	Telephone for Lake Alpine Basin
Aqua Sierra Controls	4,463					4,463	Install Soft Start
Card Services	2,775					2,775	Office, Field Supplies, Telephone, R&M
E.D.D.	135					135	State Payroll Taxed
E.D.D.	369					369	State Payroll Taxed
E.D.D.	135					135	State Payroll Taxed
E.D.D.	367					367	State Payroll Taxed
F&M Bank	4,695					4,695	Principal & Interest on Loan
I.R.S.	3,311					3,311	Federal Payroll Taxes
I.R.S.	3,356					3,356	Federal Payroll Taxes
Lake Alpine Water Co.	167					167	Water for Main Office
P.G.&E.	6,483					6,483	Electricity
SDRMA	1,799					1,799	Health Insurance for Employees
SDRMA	656					656	Dental, Vision, LTD, Life Ins. For Employ
Vantagepoint Transfer-ICMARC	367					367	Retirement for Employees
Vantagepoint Transfer-ICMARC	1,243					1,243	Retirement for Employees
Vantagepoint Transfer-ICMARC	359					359	Retirement for Employees
Vantagepoint Transfer-ICMARC	1,209					1,209	Retirement for Employees
The Zenith	799					799	Workers Compensation Insurance
TOTAL	32,980					32,980	

Payables for September 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Alpha Analytical Laboratories Inc.	1,293					1,293	Laboratory Analysis
Bear Valley Snowmobile Inc.					-213	-213	VOIDED CHECK
Bill Gillespie		117				117	Office Equipment
EBBETTS PASS GAS CO. Inc.		232				232	Propane
EI Dorado Septic Service, Inc.		1,643				1,643	Porta Potty Rentals for Lake Alpine Basin
Lake Alpine Water					0	0	Bank Adjustment
Vantagepoint Transfer Agents					0	0	Bank Adjustment

BWWD
A/P Aging Summary
As of September 30, 2019

Payables for September 2019	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL	Description
Weber Ghio and Associates, Inc		855				855	Engineering
WECO Industries		440				440	Field Equipment
TOTAL	1,293	3,287			-213	4,367	

BVWD
A/R Aging Summary
As of October 17, 2019

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
CB104		542.22				542.22
BV229		271.11		10.00	271.11	552.22
BV373		271.11	27.11		271.11	569.33
TM005		271.11	27.11		271.11	569.33
CS006		271.11	27.11		271.11	569.33
GR002		271.11	27.11		271.11	569.33
CS001		271.11	27.11		271.11	569.33
CO003		583.38				583.38
CS116		271.11	27.11		298.22	596.44
BV137		271.11	27.11		311.14	609.36
OS416		271.11	27.11		325.33	623.55
CS057	77.11	271.11			298.22	646.44
SM309		271.11			415.06	686.17
CS092		271.11	27.11		397.55	695.77
CM170		712.44				712.44
CM091		241.44		241.44	248.37	731.25
BV179		271.11			480.76	751.87
BV034		271.11	27.11		623.55	921.77
CS036		271.11	27.11		636.98	935.20
BV083		271.11	27.11		651.16	949.38
CM144		1,072.00				1,072.00
BV082		271.11			805.55	1,076.66
CM080		1,215.55				1,215.55
CM180		2,983.46			267.04	3,250.50
CM110		3,253.32				3,253.32
CM190		3,146.90		2,739.68	-0.02	5,886.56
CM150	-0.16	10,778.16				10,778.00
CM010		16,550.00			-2.00	16,548.00
TOTAL	<u>-452.38</u>	<u>150,694.91</u>	<u>337.45</u>	<u>869.42</u>	<u>-39,518.64</u>	<u>111,930.76</u>
TOTAL CREDITS	-529.49	-311.41	-553.86	-2,121.70	-48,323.93	-51,840.39
TOTAL DEBITS	77.11	151,006.32	891.31	2,991.12	8805.29	163,771.15
TOTAL	<u>-452.38</u>	<u>150,694.91</u>	<u>337.45</u>	<u>869.42</u>	<u>-39,518.64</u>	<u>111,930.76</u>

BVWD
A/R Aging Summary
As of October 17, 2018

TOTAL		<u>110,374.39</u>	<u>-203.79</u>	<u>-3,600.39</u>	<u>-22,092.79</u>	<u>84,477.42</u>
TOTAL CREDITS		-90.37	-1,071.31	-3,886.11	-33,982.75	-39,030.54
TOTAL DEBITS	0.00	110,464.76	867.52	285.72	11889.96	123,507.96
TOTAL	<u>0.00</u>	<u>110,374.39</u>	<u>-203.79</u>	<u>-3,600.39</u>	<u>-22,092.79</u>	<u>84,477.42</u>

**BEAR VALLEY
WATER DISTRICT**

**FINANCIAL STATEMENTS
AND INDEPENDENT AUDITOR'S REPORT
for the year ended June 30, 2019**

ROBERT W. JOHNSON
Certified Public Accountant

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Robert W. Johnson
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INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Bear Valley Water District
Bear Valley, California

Report on the Financial Statements

We have audited the accompanying financial statements of Bear Valley Water District, as of and for the year ended June 30, 2019, as listed in the table of contents, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the State Controller's Minimum Audit Requirements for California Special Districts. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Bear Valley Water District as of June 30, 2019, and the changes in financial position, and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America, as well as the accounting systems prescribed by the State Controller's Office and State Regulations governing Special Districts.

Other-Matters

Required Supplementary Information

Management has omitted the Management's Discussion and Analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by the missing information.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The supplemental information listed in the table of contents is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements.

The information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Robert W. Johnson, An Accountancy Corporation

Citrus Heights, California
October 8, 2019

BEAR VALLEY WATER DISTRICT
STATEMENT OF NET POSITION
June 30, 2019

ASSETS

Current assets:

Cash and cash equivalents (Note 3)	\$ 747,045
Accounts receivable	56,190
Prepaid expenses	<u>24,324</u>
Total current assets	827,559

Capital assets, at cost (Notes 4 and 5):	\$ 4,728,752	
Less accumulated depreciation	<u>2,674,899</u>	
	2,053,853	
Work in progress	<u>63,055</u>	
		2,116,908
Restricted cash (Note 3)		<u>21,656</u>
		<u>\$2,966,123</u>

See notes to financial statements

LIABILITIES AND NET POSITION

Current liabilities:

Current portion of long-term debt (Note 5)	\$ 40,657
Prepaid revenue	70,781
Accounts payable	11,802
Accrued liabilities	7,774
Compensated absences	<u>7,489</u>

Total current liabilities 138,503

Long-term debt, net of current portion (Note 5) 375,786

Total liabilities 514,289

Net position (Note 9):

Net investment in capital assets	\$1,700,465	
Restricted	21,656	
Unrestricted	<u>729,713</u>	
		<u>2,451,834</u>
		<u>\$2,966,123</u>

BEAR VALLEY WATER DISTRICT
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
for the year ended June 30, 2019

Operating revenues:

Service charges	\$ 796,133
Other	<u>408</u>

Total operating revenues	796,541
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Operating expenses:

Collection	\$ 85,089
Treatment and disposal	201,466
Administrative and general	289,789
Depreciation	<u>113,011</u>

Total operating expenses	<u>689,355</u>
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Operating income	107,186
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Non-operating revenues (expenses):

Interest income (LAIF)	7,448	
Penalties and interest	9,249	
Other revenue	10	
Interest expense	<u>(17,199)</u>	<u>(492)</u>

Income before contributions	106,694
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Capital contributions	<u>-</u>
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Change in net position	106,694
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Total net position:

Beginning	<u>2,345,140</u>
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Ending	<u>\$2,451,834</u>
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See notes to financial statements

BEAR VALLEY WATER DISTRICT
STATEMENT OF CASH FLOWS
for the year ended June 30, 2019

Cash flows from operating activities		
Receipts from customers		\$ 774,271
Payments to suppliers		(273,789)
Payments to employees		<u>(259,098)</u>
Net cash provided by operating activities		241,384
 Cash flows from noncapital financing activities:		
Nonoperating income	\$ 9,259	
Connection fee refunds	-	
Other nonoperating expenses	<u>-</u>	9,259
 Cash flows from capital and related financing activities:		
Purchase of capital assets		
including work in progress	(123,463)	
Principal paid on capital debt	(39,139)	
Interest paid on capital debt	<u>(17,199)</u>	(179,801)
 Cash flows from investing activities:		
Interest income		<u>7,448</u>
 Net increase in cash and cash equivalents		78,290
 Cash and cash equivalents:		
Beginning of year		<u>690,411</u>
End of year		<u>\$ 768,701</u>
 Reconciliation of cash and cash equivalents to statement of net position:		
Cash and cash equivalents		\$ 747,045
Restricted – cash and cash equivalents		<u>21,656</u>
		<u>\$ 768,701</u>

See notes to financial statements

BEAR VALLEY WATER DISTRICT
STATEMENT OF CASH FLOWS, continued
for the year ended June 30, 2019

Reconciliation of operating income to net cash provided by operating activities:		
Operating income		\$ 107,186
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation expense	\$ 113,011	
Changes in operating assets and liabilities:		
Receivables	(22,270)	
Prepaid expenses	(2,603)	
Accounts payable and accrued charges	6,255	
Prepaid revenue	<u>39,805</u>	
		<u>134,198</u>
Net cash provided by operating activities		\$ <u>241,384</u>
Supplementary information:		
Cash paid for interest		\$ <u>17,199</u>

See notes to financial statements

BEAR VALLEY WATER DISTRICT NOTES TO FINANCIAL STATEMENTS

1. Organization:

Bear Valley Water District (the "District") was formed in 1968 and provides sewer service to residents of the District. The District is governed by a Board of Directors which is elected by the landowners of the District.

2. Summary of Significant Accounting Policies:

The basic financial statements of Bear Valley Water District have been prepared in conformity with generally accepted accounting principles as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the District's accounting policies are described below.

Fund Accounting

The District is an enterprise fund. All operations are accounted for as an enterprise fund.

Enterprise Fund – The enterprise fund is used to account for sewer operations that are financed and operated in a manner similar to private business enterprises. The intent of the District is that the costs (expenses, including depreciation) of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges.

Basis of Accounting

The basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of measurement made, regardless of the measurement focus applied.

The District's books and accounts are based upon the Uniform System of Accounts for Public Utilities as prescribed by the Division of Local Government Fiscal Affairs of the State of California. The records are maintained and the accompanying financial statements are presented on the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

2. Summary of Significant Accounting Policies, continued:

Basis of Accounting, continued

Operating revenues and expenses, such as sewer sales along with sewer expenses, result from exchange transactions associated with the principal activity of the District. Exchange transactions are those in which each part receives and gives up essentially equal values. Management, administration and depreciation expenses are also considered operating expenses. Other revenues and expenses not included in the above categories are reported as non-operating revenues and expenses. Non-operating revenues and expenses, such as grant funding, investment income and interest expense, result from non-exchange transactions, in which, the District gives (receives) value without directly receiving (giving) value in exchange.

Depreciation

Utility plant and equipment is recorded on the basis of purchase cost. Assets acquired by contribution are recorded at estimated cost or fair market value at the time of acquisition.

Depreciation is calculated by the straight-line method over the estimated useful lives of the respective assets.

Cash and Cash Equivalents

For purposes of the statement of cash flows, the District considers all highly liquid debt instruments purchased with an initial maturity of three months or less to be cash equivalents, including restricted assets. Cash in banks and deposits in the State of California Local Agency Investment Fund (LAIF) are considered to be cash and cash equivalents.

Compensated Absences

Vested or accumulated vacation that is expected to be liquidated with expendable available financial resources is reported as a current liability. Sick pay is not vested.

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

2. Summary of Significant Accounting Policies, continued:

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results may differ from those estimates.

Budget and Budgetary Accounting

The Board of Directors annually adopts an operating budget. The operating budget is prepared on the accrual basis to match the operating statements.

Investments

Investments consist of funds deposited in the Local Agency Investment Fund (LAIF) which is a Pooled Money Investment Account held with the State of California. Investments are stated at fair value. Such investment is within the State statutes and the District's investment policy.

Net Position

Net position is classified in the following categories:

Net Investment in capital assets – groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction, or improvement of these assets reduce this category.

Restricted – presents external restrictions imposed by creditors, grantors, contributors or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.

Unrestricted – represents the net position of the District, which are not restricted or invested in capital assets net of related debt.

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

3. Cash and Cash Equivalents:

Cash and investments consist of the following at June 30, 2019:

Unrestricted	\$ 747,045
Restricted	<u>21,656</u>
Total cash and investments	<u>\$ 768,701</u>

Deposits:

At year-end the carrying amount of the District's deposits was \$457,306 and the bank balance was \$466,129. The bank balance was covered by Federal depository insurance and by collateral as required by State Law (Government Code Section 53630), by the pledging financial institution with assets held in a common pool for the District and other agencies, but not in the name of the District.

	Balance June 30, <u>2019</u>
Petty cash	\$ 50
Cash in bank – checking (operating account)	435,600
Cash in bank – checking (capacity fees)	<u>21,656</u>
Total deposits	<u>\$ 457,306</u>

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

3. Cash and Cash Equivalents, continued:

Investments:

California statutes authorize the District to invest in a variety of credit instruments as provided for in the California Government Code Section 53600, Chapter 4 – Financial Affairs. The Government Code allows investments in obligations of the U.S. Treasury, agencies, and instrumentalities, commercial paper rated A-1 by Standard & Poor's or P-1 by Moody's Commercial Paper Record, bankers' acceptances, repurchase agreements, medium-term corporate notes, mutual funds and the State Treasurer's Local Agency Investment Fund (LAIF). The investments at June 30, 2019 consist of:

	<u>Carrying Amount</u>	<u>Maturity - 12 Months or Less</u>
Balance, June 30, 2019		
Local Agency Investment Fund	\$ <u>311,395</u>	\$ <u>311,395</u>

Pursuant to Government Accounting Standards Board Statement 3, the investment in LAIF is not classified in categories of credit risk. The District's funds in LAIF are invested in a diversified portfolio (of underlying investments e.g. U.S. Treasury obligations) such that it considers the risk of material loss to be minimal. The funds held in LAIF can be withdrawn on demand. The investment in LAIF is reported at fair value.

Restricted Cash and Investments:

The District sets aside funds from receipt of connection fees pursuant to legal restrictions. At June 30, 2019, the District had set aside the following in cash for special purposes:

	<u>Balance June 30, 2019</u>
Capacity fees	\$ <u>21,656</u>

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

4. Capital Assets:

Changes in capital assets for the year ended June 30, 2019 are as follows:

	Balance, <u>July 1, 2018</u>	<u>Additions</u>	<u>Transfers</u>	Balance, <u>June 30, 2019</u>
Land	\$ 25,805	\$ -	\$ -	\$ 25,805
Subsurface lines	1,196,893	-	-	1,196,893
Sewage collection	591,606	60,408	-	652,014
Sewage treatment	1,127,133	-	-	1,127,133
Sewage disposal	1,244,788	-	-	1,244,788
General plant	482,119	-	-	482,119
	4,668,344	60,408	-	4,728,752
 Add, work in progress	 -	 63,055	 -	 63,055
	<u>\$4,668,344</u>	<u>\$ 123,463</u>	<u>\$ -</u>	<u>\$4,791,807</u>

5. Long-Term Debt:

In 2013 the District refinanced a \$617,572 note payable to a bank to a fifteen year term loan. The District incurred an \$18,000 prepayment penalty and a \$3,250 loan fee to refinance. After the refinance, the new loan balance was \$636,373. Payments of \$4,695 including interest of 3.88% are payable monthly through March 2028. The bank loan is collateralized by the District's accounts receivable, contract rights and general intangibles.

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

5. Long-Term Debt, continued:

The following is a summary of the long-term debt activities for the year ended June 30, 2019:

	<u>2018</u>	<u>New Debt Issued</u>	<u>Debt Retired</u>	<u>2019</u>	<u>Current Portion</u>
Bank loan	\$ <u>455,582</u>	\$ <u>-</u>	\$ <u>39,139</u>	\$ <u>416,443</u>	\$ <u>40,657</u>

Long-term debt matures as follows:

	<u>Principal</u>	<u>Interest</u>	<u>Payment</u>
2020	\$ 40,657	\$ 15,681	\$ 56,338
2021	42,326	14,012	56,338
2022	44,019	12,319	56,338
2023	45,780	10,558	56,338
2024	47,589	8,749	56,338
2025-2028	<u>196,072</u>	<u>15,130</u>	<u>211,202</u>
	\$ <u>416,443</u>	\$ <u>76,449</u>	\$ <u>492,892</u>

6. Risk of Loss:

Bear Valley Water District is exposed to various risks of loss related to theft of, damage to, and destruction of assets; and injuries to employees. During the 2019 fiscal year, the District purchased certain commercial insurance coverages to provide for these risks.

BEAR VALLEY WATER DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued

7. Retirement Plans:

In January 2018, the District implemented an enhanced defined contribution program comprised of both a Section 401(a) qualified retirement plan and a Section 457(b) eligible deferred compensation plan for state and local governments for the benefit of its employees. These plans replace the former Simple IRA plan that limited employer contribution rates. To be eligible for the plan, employees must be employed by the District for one year. The Section 401(a) plan provides for an employer defined contribution of 3% of the employee's gross wages to the retirement plan. The Section 457(b) plan provides for a match of up to an additional 3% of the employee's gross wages if the employee makes a contribution on his/her behalf. At June 30, 2019, the District's portion of these two plans was \$14,641.

8. Subsequent Events:

Management has evaluated subsequent events through October 8, 2019, the date these June 30, 2019 financial statements were available to be issued.

9. Net Position:

Investment in capital assets		\$1,700,465
Restricted:		
Capacity fees		21,656
Unrestricted:		
Board designated:		
O&M Emergency reserve	\$ 150,000	
Capital improvement replacement reserve	<u>425,000</u>	
	575,000	
Undesignated	<u>154,713</u>	
		<u>729,713</u>
		<u>\$2,451,834</u>

SUPPLEMENTAL DATA

BEAR VALLEY WATER DISTRICT
PRINCIPAL OFFICIALS
June 30, 2019

BOARD OF DIRECTORS

James Bissell	President
Stefaniya Becking	Vice President
John Boyle	Treasurer
Ken Brown	Secretary
Gunnar Thordarson	Director

OPERATIONS

Jeffrey Gouveia	General Manager
Judi Silber	Office Manager
Guy West	Interim Chief Plant Operator
Steve Mikesell	Operator Grade II
Robin Murphy	Operator Grade I

BEAR VALLEY WATER DISTRICT
OPERATING EXPENSES
for the year ended June 30, 2019

Collection:

Salaries, wages and employee benefits	\$ 35,981	
Repairs and maintenance	22,105	
Utilities	9,792	
Propane	1,605	
Telephone	1,490	
Insurance	9,809	
Gasoline and oil	844	
Supplies	3,422	
Monitoring and reporting	<u>41</u>	
		\$ 85,089

Treatment and disposal:

Salaries, wages and employee benefits	100,528	
Insurance	7,474	
Utilities	34,286	
Propane	159	
Telephone	94	
Repairs and maintenance	25,132	
Supplies	16,735	
Monitoring and reporting	14,661	
Gasoline and oil	1,968	
Rentals	<u>429</u>	
		201,466

BEAR VALLEY WATER DISTRICT
OPERATING EXPENSES, continued
for the year ended June 30, 2019

Administrative and general:

Salaries, wages and employee benefits	\$187,952	
Legal and audit	16,224	
Directors fees and expenses	1,278	
Insurance	4,469	
Utilities	4,340	
Propane	3,167	
Telephone	4,873	
Repairs and maintenance	3,956	
Office	8,572	
Memberships	7,078	
Taxes and assessments	33,720	
Licenses & fees	595	
Bad debt	-	
Regulatory reporting	6,305	
Other	10	
Vehicle storage	1,180	
Engineering	5,314	
Continuing education	<u>756</u>	
		\$289,789

Depreciation	<u>113,011</u>
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\$689,355

**BEAR VALLEY
WATER DISTRICT**

**REPORT ON ACCOUNTING CONTROLS
AND PROCEDURES**

June 30, 2019

ROBERT W. JOHNSON
Certified Public Accountant



Robert W. Johnson
an accountancy corporation

6234 Birdcage Street, Citrus Heights, California 95610 | robertwjohncpapgroupp@gmail.com | 916.723.2555
www.bob-johnson-cpa.com

October 8, 2019

To the Board of Directors
Bear Valley Water District
Bear Valley, California

We have audited the financial statements of Bear Valley Water District as of and for the year ended June 30, 2019. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the State Controller's Minimum Audit Requirements for California Special Districts.

In planning and performing our audit of the financial statements of Bear Valley Water District as of and for the year ended June 30, 2019, in accordance with auditing standards generally accepted in the United States of America, we considered Bear Valley Water District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the effectiveness of the District's internal controls. Accordingly, we do not express an opinion on the effectiveness of the District's internal controls.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the second paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above. However, we have enclosed other recommendations for your consideration.

This communication is intended solely for the information and use of management and Board of Directors and is not intended to be and should not be used by anyone other than these specified parties.

Sincerely,

Robert W. Johnson, An Accountancy Corporation

Robert W. Johnson, An Accountancy Corporation

1. Comparison of Operating Results:

	<u>6/30/2019</u>	<u>6/30/2018</u>	Favorable (Unfavorable)
Operating revenue	\$ 796,541	\$ 795,657	\$ 884
Operating expenses	<u>689,355</u>	<u>700,185</u>	<u>10,830</u>
Operating income (loss)	107,186	95,472	11,714
Non-operating income	16,707	13,475	3,232
Non-operating expense	(17,199)	(18,703)	<u>1,504</u>
Income/loss before contributions	106,694	90,244	16,450
Contributions	<u>-</u>	<u>-</u>	<u>-</u>
Net income (loss)	<u>\$ 106,694</u>	<u>\$ 90,244</u>	<u>\$ 16,450</u>
Cash	<u>\$ 768,701</u>	<u>\$ 690,411</u>	<u>\$ 78,290</u>

Observations:

- Revenue was the same; less expense in 2018-19 was largely due to less transmission and distribution repairs and maintenance.
- Cash improved by \$78,290. Cash spent on property and equipment and work in progress was about the same for both years (\$126,000 in 2017-18 and \$123,000 in 2018-19).

2. Credit Card Policy/Electronic Payments Policy:

Observation:

The General Manager and Office Manager each have a District credit card with a combined credit limit of \$5,000. This District does not have a credit card policy.

Recommendation:

The Board may consider implementing a credit card policy establishing procedures and providing guidelines for the permissible use of the District credit card. Such a policy may be similar to electronic payments policies that are currently being enacted by special districts to process electronic payments such as ACH or EFT payments.

Credit card (and/or electronic payments) policy should meet the following criteria:

- (1) Must be for approved vendor or payee
- (2) Payment must be for goods/services that are routine in nature
- (3) Payment amount must fall below a pre-defined threshold

Approved vendor list should be presented to the Board of Directors for approval on an annual basis or as updates are required.

3. Procedures Manual:

Observation:

Office Manager has handwritten notes in a notebook regarding certain accounting and administrative processes of the District.

Recommendation:

Formalize and expand the documentation of accounting and administrative procedures in an electronic format that can be continually updated. This manual will detail accounting and administrative duties of the District and the Office Manager such that a sufficiently capable employee with no prior knowledge of the District could perform the duties in the event of employee absence.

RESOLUTION NO. 499

RESOLUTION ADOPTING A CREDIT CARD POLICY.

WHEREAS, the Bear Valley Water District ("District") staff use a District credit card from time to time regarding purchases for the District; and

WHEREAS, the Board of Directors for the District desire to adopt a Credit Card Policy ("Policy") setting establishing parameters and procedures for the use of District credit cards.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Bear Valley Water District hereby adopts the Credit Card Policy attached hereto as Attachment A effective immediately.

PASSED AND ADOPTED by the Board of Directors, at a regular meeting thereof, held on the ____th day of _____, 2019, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTION: _____

Bear Valley Water District

By: _____
_____, PRESIDENT

ATTEST:

_____, SECRETARY

CERTIFICATION

I, _____, Secretary of the Bear Valley Water District, do hereby certify that the foregoing is a full, true and correct copy of a resolution of the Bear Valley Water District duly passed and adopted at a regular meeting of the Board of Directors thereof held on the ____ day of _____, 2019.

Dated: _____, 2019

_____, SECRETARY

EXHIBIT “A”

CREDIT CARD POLICY

INTRODUCTION

The purpose of this policy is to establish procedures and provide guidelines for the permissible use of District credit cards when issued by the Bear Valley Water District. Permitting authorized payments by credit card improves District efficiency in the Accounts Payable process saving the District time and money.

The District credit card is a purchase card system benefiting the District and the District's authorized users by allowing purchases to be made from vendors for certain types of goods and/or services that are not available through other procurement means or where it is more expeditious or urgent to utilize the credit card. To ensure proper control, the District shall limit the use of credit card purchases to those that meet the criteria as defined by this policy.

AUTHORIZATION

Usage of the District's credit card is allowed at the discretion of the District Manager or Office Manager to current employees who are granted District purchasing authority. District employees must receive approval from the District Manager and/or Office Manager to have permission to use the District's credit card. District purchasing authority governs the use of a District credit card as a tool for purchasing materials and services approved for purchase.

The District credit card may be used only by authorized users who have authority to buy goods and services on behalf of the District. Each user is responsible for ensuring safeguard of the credit card information.

COMPLIANCE WITH POLICY

Purchases made under this credit card policy and agreement shall comply with the District's purchasing policy and only following approval by the District Manager or Office Manager. The card user agrees to comply with all applicable District policies and procedures and this agreement.

Use of the District credit card is restricted to the purchasing of those goods or services that cannot be procured through normal procedures. All goods and services purchased by the District should generally be acquired through credit extended by the District's vendors to the District whenever possible and paid by approved invoice within the agreed credit terms of the vendor.

VIOLATIONS AND CONSEQUENCES

Card user violations of this agreement or of any policy regarding the purchase of goods or services may result in any or all of the following actions, including but not limited to: written warning, revocation of credit card privileges, cancellation of delegation of purchasing authority, disciplinary action, termination and/or criminal prosecution.

The District Manager and/or Office Director have the authority to determine whether a violation of purchasing or credit card policy has occurred and to determine the action deemed most appropriate pursuant to applicable law and/or District policy.

Violations of credit card usage include but are not limited to:

- Purchase of items for personal use
- Use of the credit card for cash advances
- Exceeding the credit card account credit line limit

- Purchase of items in violation of the District's travel policy
- Failure to return the credit card when card user is reassigned, terminated or upon request
- Failure to turn in packing slips, receipts or other back up documentation to the District Office Manager within three (3) business days of the purchase
- Sharing the credit card or card account number with unauthorized users

OWNERSHIP AND CANCELLATION OF THE CREDIT CARD

The credit card remains property of the District. It may not be transferred to, assigned to, or used by anyone other than an authorized user of the District. Users of the credit card are accountable for the activity on the card. The issuer or the District may suspend or cancel user privileges at any time for any reason. If the user is in possession of a card, the user will surrender the credit card upon request to the General Manager or Office Manager.

RECEIPTS

It is the responsibility of each credit card user to obtain transaction receipts from the merchant each time the credit card is used, including telephone and internet charges. These are to be immediately forwarded to the General Manager or Office Manager for review and ensure eligibility for payment. Failure to provide the required documentation for payment processing may subject the user to loss of credit card privileges and may cause the amount charged to be classified as a personal purchase by the card user.

The District shall keep statement data and proof of reconciliation, including receipts and packing slips, on file for a period consistent with the record retention requirements of the law. Failure to provide receipts and allow for timely payment of the credit card purchase will also subject the purchasing department to finance charges on the charge.

DISPUTED ITEMS

It is each user's responsibility to follow-up on any erroneous charges, returns or adjustments to ensure proper credit is given on subsequent statements.

SAFEGUARDING AN ISSUED CREDIT CARD

An issued credit card or card account number should always be treated with utmost care and should be kept in a secure location and protected from misuse by unauthorized users. When using the credit card for internet purchases, users should ensure that the site utilizes industry recognized encryption transmission tools.

LOST OR STOLEN CREDIT CARDS

If a credit card is lost or stolen, contact the Office Manager immediately, who will make contact with the issuer and take the appropriate steps to protect the account from unauthorized purchases.