



BIGHORN-DESERT VIEW WATER AGENCY

"To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."

Finance/Public Relations/Education and Personnel Standing Committee Special Meeting Agenda

Committee Members: President McBride & Director Coulombe

**BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CALIFORNIA 92284**

**November 28, 2018
Time – 9:00 A.M.**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**

Discussion and Action Items - The Board of Directors and Staff will discuss the following items, and the Board will consider taking action, if so inclined.

The Public is invited to comment on any item on the agenda during discussion of that item.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

- 5. Prop. 1 Project Implementation Summary Report and Prop. 1 Disadvantaged Community Grant Award from Colorado Region of the State Water Resources Control Board**
- 6. Employee Handbook Revision – Article 7.14 Student Loan Assistance Benefit Program**
- 7. Layout Changes to Agenda and Meeting Minute Templates**
- 8. Discussion Regarding the Replacement of Agency "Pool" Vehicle**
- 9. Consent Items** – The following items are expected to be routine and non-controversial and will be acted on by the Board at one time without discussion, unless a member of the Public or member of the Board requests that the item be held for discussion or further action.

- a. FPREP Committee Meeting Minutes, September 19, 2018**

Recommended Action:
Approve as presented (Items a):

10. Public Comment Period

Any person may address the Board on any matter within the Agency's jurisdiction on items not appearing on this agenda.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three minutes to provide their public comment. State Law prohibits the Board of Directors from discussing or taking action on items not included on the agenda.

11. Verbal Reports - Including Reports on Courses/Conferences/Meetings.

1. Committee Members' Comments/Reports
2. General Manager's Report

12. Adjournment

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at www.bdvwa.org

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately.

Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: November 28, 2018

To: Board of Directors

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Prop. 1 Project Implementation Summary Report and Prop. 1 Disadvantaged Community Grant Award from Colorado Region of the State Water Resources Control Board

SUMMARY

The Agency has secured a Prop. 1 (Water Bond) Planning Grant for \$500,000. Development of the Preliminary Engineering Report is well underway. Staff will review with the Committee the project implementation strategy and proposed schedule for the Prop. 1 Planning Grant.

The Agency has secured a grant of \$50,000 from the Colorado Region of the State Water Resources Control Board. This grant focuses on Uranium Treatment Analysis Alternatives.

RECOMMENDATION

Information Only

BACKGROUND/ANALYSIS

The Agency has secured a Prop. 1 (Water Bond) Planning Grant for \$500,000. Development of the Preliminary Engineering Report is well underway. Attached are several pages from the Draft Preliminary Engineering Report (DPER) outlining proposed projects, deferred projects and estimated costs. Following the initial submittal of the DPER, the Agency received a "low score" as it relates to securing additional grant funds for construction of the proposed improvements. Subsequent to that notice, Staff in conjunction with the engineering firm NV5 are focusing in on which individual projects might garner a higher score and thus be successful for 100% grant funding. Staff will brief the Committee on the current status of the DPER.

Attached are the relevant pages from the Prop. 1 Disadvantaged Community Involvement Grant Proposal which was awarded but the Agency must still execute a Memorandum of Understanding for grant implementation with the Mojave Water Agency who is administering this grant on behalf of all grant recipients in the Mojave Water Agency service area. Staff will brief the Committee on the current status of this "DAC Grant".

PRIOR RELEVANT BOARD ACTION(S)

None.

PRELIMINARY ENGINEERING REPORT POTABLE WATER SYSTEM IMPROVEMENTS CONSOLIDATION OF WATER SYSTEMS

November 2018 – DRAFT

Prepared For:

BIGHORN-DESERT VIEW WATER AGENCY

622 S. Jemez Trail
Yucca Valley, CA 92284

760.364.2315

DFA FA No. D17-02022



N|V|5

15092 Avenue of Science, Suite 200
San Diego, CA 92128

NV5 PROJECT NUMBER 226815-0000025.06

defer advancing the improvements within Alternative 3F and not including them in the environmental documentation associated with the proposed construction project.

5.3 PROJECT PRIORITIZATION

The selected alternatives discussed in the previous section are proposed to be divided into a three-phase implementation schedule designed to group similar project alternatives based on project type, preliminary/final engineering design efforts, implementation feasibility, and potential environmental mitigation measures (unknown at this time). These implementation phases assume that CEQA/NEPA documents will be prepared during the project planning phase that encompass all of the selected alternatives. The extent of land surveying, design, and permitting efforts to advanced using DFA planning phase funds are described below. Phase 1 efforts will include full land and design efforts. Phases 2 and 3 will include initial land surveying efforts and various level of preliminary design. The three phases and the selected alternatives of which they are comprised are described below.

5.3.1 Phase 1 Implementation

Projects proposed to be implemented as part of Phase 1 are primarily focused on improvements to existing facilities and/or projects that are located on BDVWA-owned properties. These projects include improvements to existing wells, tanks, and booster station sites in the BDVWA and Goat Mountain systems. It also includes the expansion of the R-1 Booster Station (Alternative 1). A complete listing of the projects comprising Phase 1 is provided in Table 9.

Table 9 – Selected Alternatives - Phase 1

Project Alternative	Description
1	Consolidation of BDVWA and GM Systems – R-1 Booster Station Improvements Only
4A	Goat Mountain Replacement Well
4B	Goat Mountain Storage Tank Improvements

5.3.2 Phase 2 Implementation

As shown in Table 10, Phase 2 would encompass the remaining improvements of Alternative 1 (Consolidation of BDVWA and GM Systems) that are not completed in Phase 1. This would include the improvements to consolidate the distribution systems, including pipelines and pressure reducing stations, as well as the administrative and permitting processes that will be a part of system consolidation.

Table 10 – Selected Alternatives - Phase 2

Project Alternative	Description
1 (Remaining Portions)	Consolidation of BDVWA and GM Systems – Pipelines, PRVs, Administrative/Permitting

5.3.3 Phase 3 Implementation

Phase 3 projects, listed in Table 11, include alternatives that are located outside of BDVWA-owned properties and are anticipated to have greater environmental mitigation and permitting requirements than the projects in Phases 1 and 2. These alternatives include projects with significant lengths of pipelines, including pipelines that may be located within environmentally sensitive areas (desert washes), Caltrans right of way, and BLM property. These projects will also require extensive geotechnical, survey, design, and permitting efforts prior to construction.

Table 11 – Selected Alternatives - Phase 3

Project Alternative	Description
2B	Interconnection with HDWD (Second Location)
3C	Zone B Pump Station
3D	Zone B Blending Pipeline

5.4 ANTICIPATED ENVIRONMENTAL DOCUMENTATION

As previously discussed, it is anticipated that CEQA/NEPA documents will be prepared during the project planning phase that encompass all of the selected alternatives. Biological and cultural resources surveys will be prepared to meet CEQA and NEPA requirements. Protocol surveys for burrowing owls and desert tortoises are anticipated. These studies will likely determine the project's environmental impacts and resulting CEQA/NEPA environmental documentation requirements. Based on the magnitude of the improvements, it is not anticipated the projects would qualify as exempt from CEQA.

6.0 PROPOSED SCHEDULE

A schedule for implementing the proposed project is below. The date of execution of the construction phase funding agreement is approximate.

Table 12 - Anticipated Project Schedule

Deliverable/Submittal	Completion Date
CEQA Exemption Determination	December 2018
Initial Conference with Federal Agencies (BLM, ACE)	December 2018
Initial Land Surveying	January 2019
Confirm NEPA Documentation Requirements	January 2019
Cultural Resources Survey	January 2019
Draft BDVWA/HDWD Interconnection Agreement	February 2019
Geotechnical Report	March 2019
Preliminary Design Drawings and Cost Estimates	April 2019
Proposed Easement Documents	May 2019
Burrowing Owl Survey	April 2019
Desert Tortoise Surveys	February - June 2019
Draft CEQA Study	June 2019
80% Design Drawings and Cost Estimate	June 2019
CEQA Negative Declaration/Mitigated Negative Declaration (if applicable)	July 2019
CEQA Public Comment/Responses to Comment Complete	September 2019
Complete NEPA Documentation (if applicable)	August 2019
Federal Resource Agency Consultation	September 2019
Submit Construction Funding Application	September 2019
Execute Construction Funding Agreement	June 2020

XREFS:

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DRAWING NAME: FIG5-HMP.DWG
PAGE SETUP: 8.5x11.pdf
DESIGNER: PROJ. MGR:



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PREPARED FOR: BIGHORN-DESERT VIEW WATER AGENCY

HAZARD MITIGATION PLAN - CRITICAL FACILITIES

DATE SUBMITTED: OCT 2018

JOB NUMBER
226815-000025.06

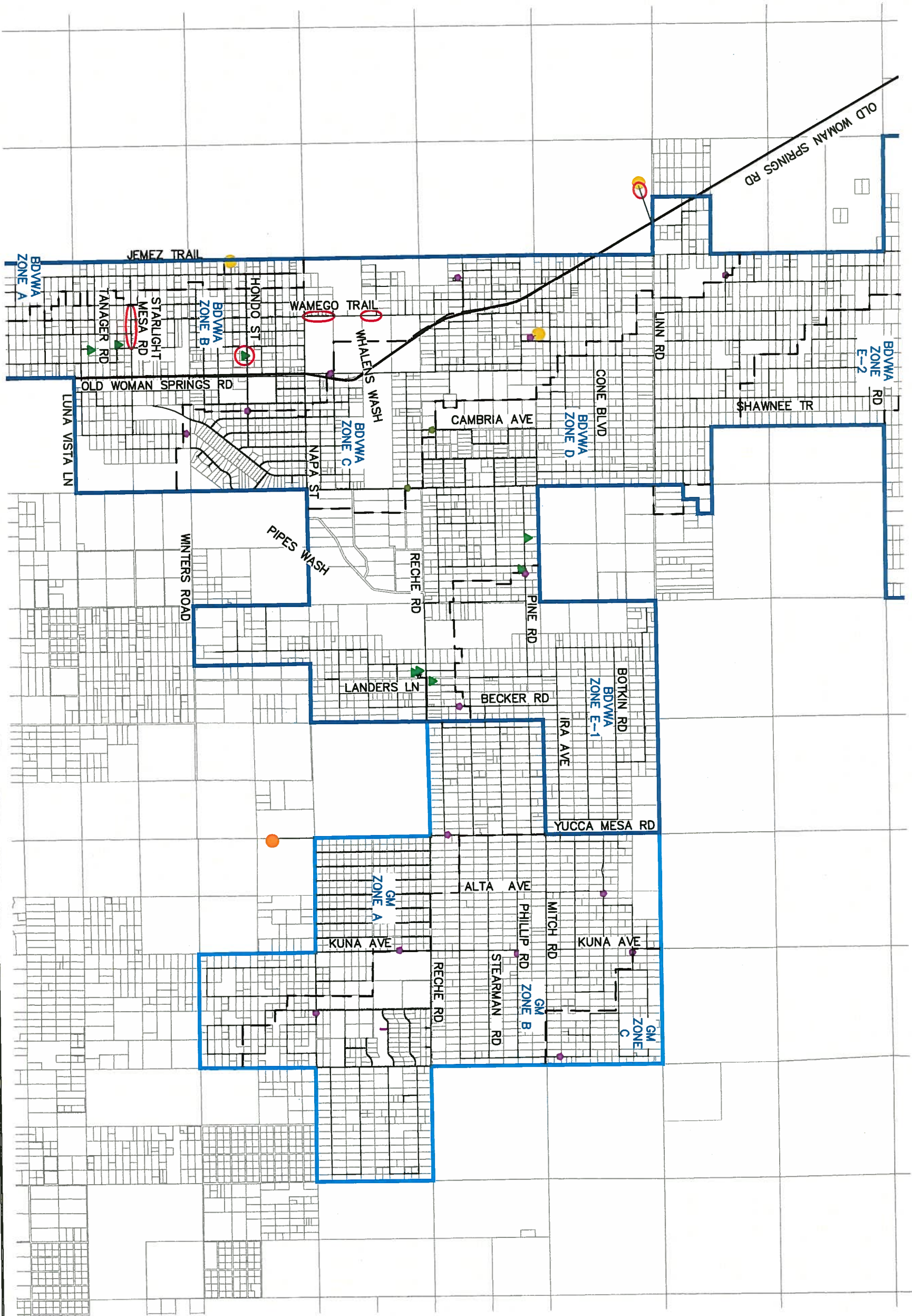
PRELIMINARY ENGINEERING REPORT

PRELIMINARY
NOT FOR CONSTRUCTION

FIGURE

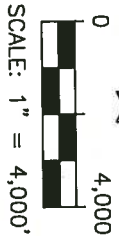
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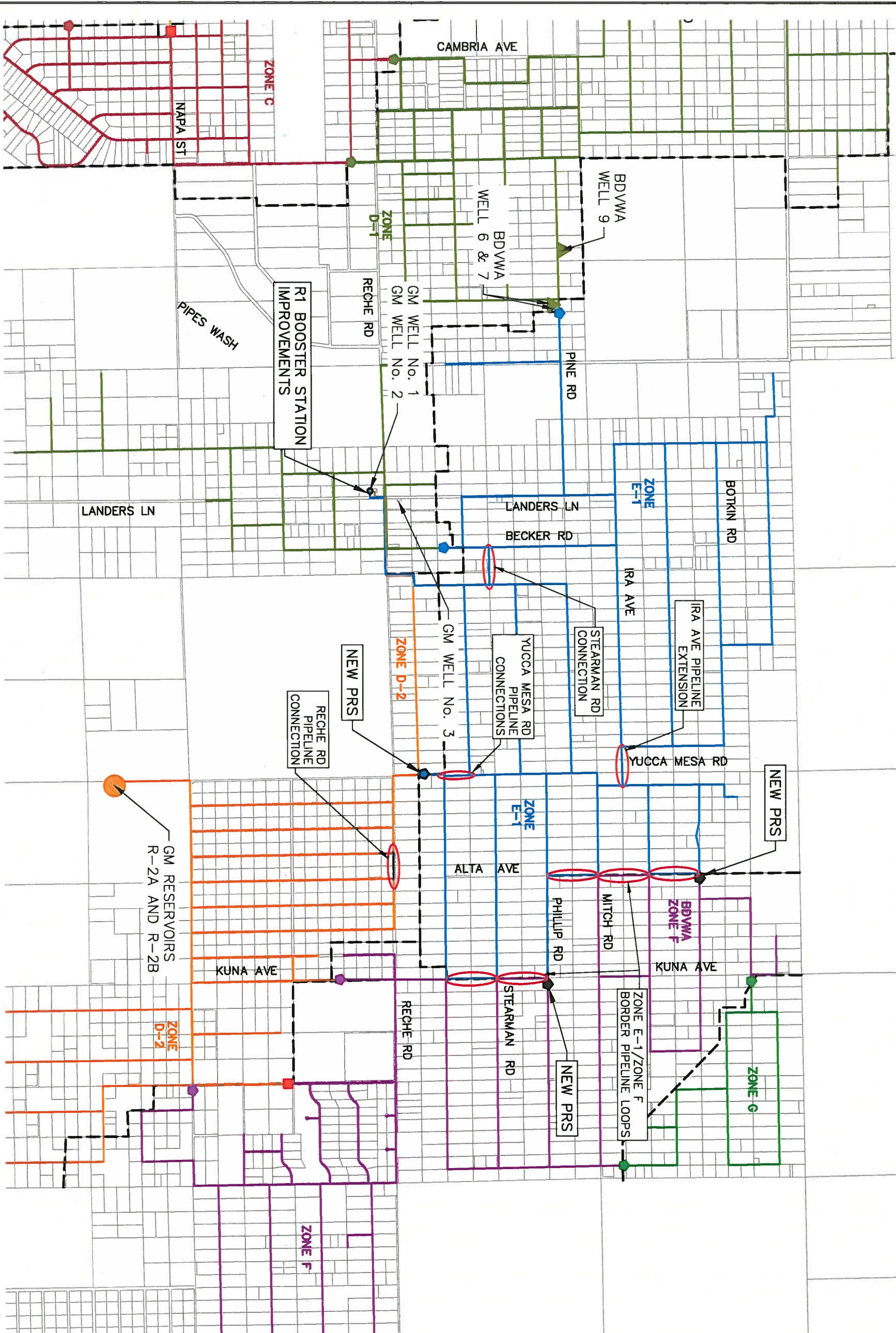
OF 8



LEGEND

- PROPOSED PRESSURE ZONE BOUNDARY
- STORAGE TANK SITE
- PRESSURE REDUCING STATION
- WELL
- VULNERABLE PIPELINE ALIGNMENTS
- VULNERABLE WELLS
- EXISTING PIPELINES
- BDVWA BOUNDARY
- GM BOUNDARY





LEGEND

PROPOSED PRESSURE ZONE BOUNDARY

PROPOSED STORAGE TANK

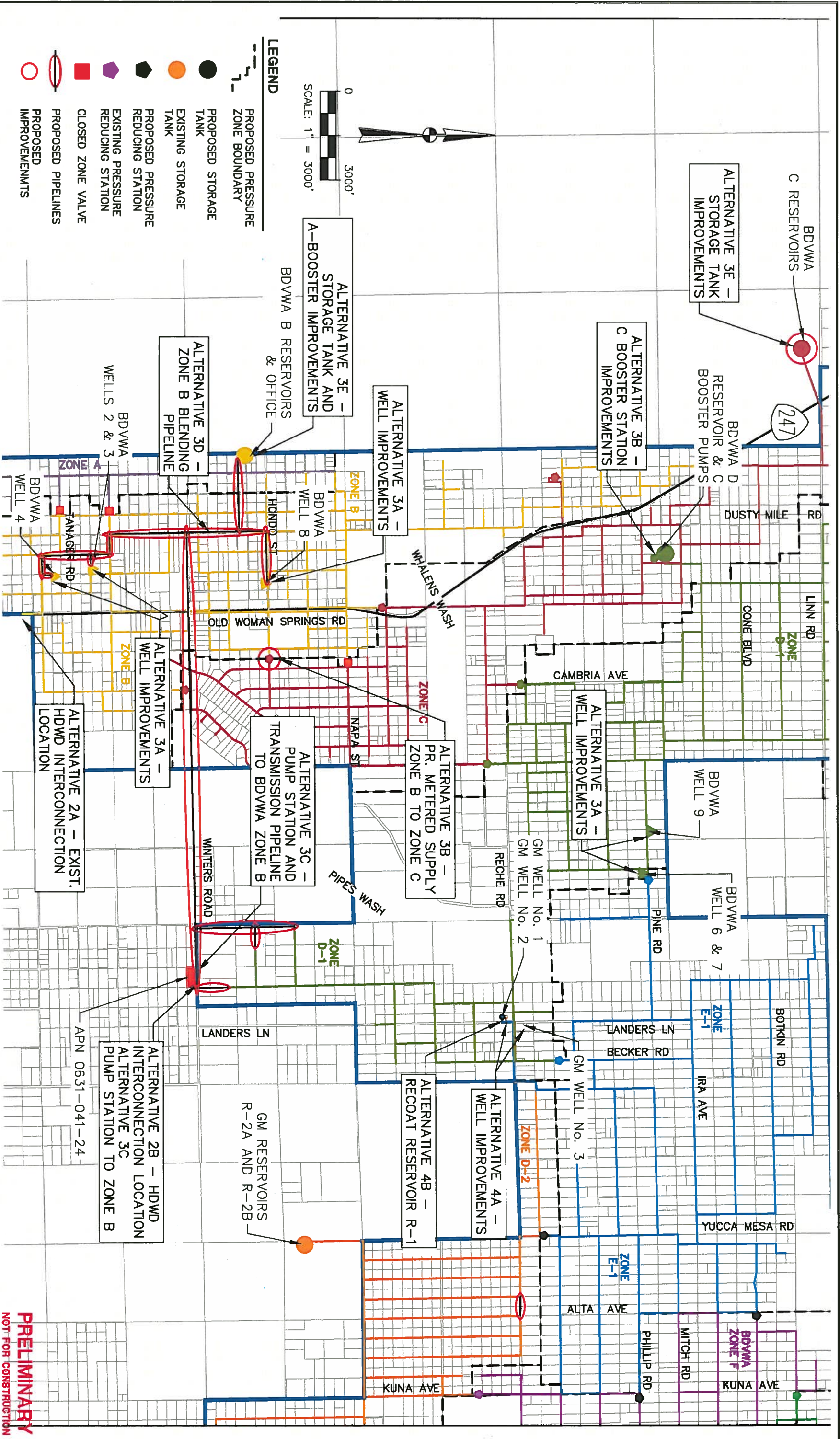
EXISTING STORAGE TANK

PROPOSED PRESSURE REDUCING STATION

EXISTING PRESSURE REDUCING STATION

CLOSED ZONE VALVE

PROPOSED PIPELINES



PRELIMINARY
NOT FOR CONSTRUCTION



Colorado River Funding Area

**Proposition 1
Disadvantaged Community
Involvement Grant
Proposal**

**Submitted by:
Coachella Valley Water
District**

**on behalf of the Colorado River
Funding Area Partners**

Revised October 2017

- 90% Design Package
- 100% Design Package

Task 5.2 Milestones

- Completion of field surveys, survey records, and topographic maps
- Completion of 60% design package
- Completion of 90% design package
- Completion of 100% design package

Task 5.2 Timing

Field surveys will commence at the Grant Execution Date. The consultant will begin developing the 60% design package following completion of field surveys and associated work. The 90% design package will begin following completion of the 60% design package and development of 100% design will begin following completion of 90% design. Design is anticipated to take approximately 8 months with completion in May 2018.

Task 5.3: Environmental and Permitting

CEQA Compliance

MSWD anticipates that the *Groundwater Protection Program – Design and Engineering for Areas H & I Activity* will be considered categorically exempt under CEQA. This task includes preparation and filing of the Notice of Exemption (NOE) with the County Clerk and Office of Planning & Research.

Permitting

Several permits will be required for the *Groundwater Protection Program – Design and Engineering for Areas H & I Activity* including a stormwater pollution prevention plan (SWPPP) and a right-of-way encroachment permit from the City of Desert Hot Springs and the County of Riverside. This task includes acquisition of said permits.

Task 5.3 Deliverables

- NOE
- Approved SWPPP
- Approved ROW Encroachment Permit

Task 5.3 Milestones

- Filing of NOE
- Approval of SWPPP
- Approval of ROW Encroachment Permit

Task 5.3 Timing

MSWD will begin to prepare the NOE and apply for required permits upon completion of the 60% design package. CEQA compliance is anticipated to take one month, while permitting is expected to take 4 months. As such, Task 5.3 is anticipated to be complete in October 2018.

Activity 6: Uranium Treatment Alternatives Analysis

Activity Description

Activity Sponsor

Bighorn Desert View Water Agency (BDVWA or Agency)

Activity Partners:

None

Description

BDVWA relies on groundwater as the primary water supply for its service area which is comprised of DACs. Currently, BDVWA pumps groundwater for its customers via six active groundwater wells in the Ames-Means Valley Groundwater Basin and two in the Johnson Valley Groundwater Basin. BDVWA provides water services to its customers via two water systems. The water system associated with this planning activity is supplied by two active wells and serves approximately 100 AFY (in 2016) to 1,525 customers. BDVWA owns two additional wells that are currently inactive, one of which (Well 4) is currently inactive due to elevated levels of uranium. The Agency received correspondence from the Division of Drinking Water (DDW, formerly Department of Public Health) on April 14, 2010 documenting elevated levels of uranium in the system and recommending BDVWA "consider long term solutions for treatment if the MCL is exceeded".

The *Uranium Treatment Alternatives Analysis Activity* will assist the Agency in determining options best suited to deal with elevated uranium in its "Flamingo Heights Wellfield" which would then allow BDVWA's Well 4 to be brought back to an "active" status and provide BDVWA with a plan should other wells in this wellfield begin to exceed the uranium MCL. The *Uranium Treatment Alternatives Analysis Activity* includes evaluating various mechanisms by which BDVWA could address elevated uranium such as wellhead treatment or blending and the capital costs associated with the options identified.

Activity Justification

BDVWA's service area qualifies as a DAC, with the majority qualifying as a severely DAC according to the DWR DAC Mapping Tool. BDVWA's water system that serves the Desert View service territory, which has an approximate population of 1,525, includes a total of four wells, two of which are currently inactive due to elevated uranium levels (including Well 4). The SWRCB DDW in 2010 recommended BDVWA "consider long term solutions for treatment if the MCL is exceeded". In late 2016, the Agency began performing water quality testing of the inactive Well 4 on a quarterly basis. The first two quarters of testing indicate the uranium levels will exceed the MCL as calculated using the Running Annual Average (RAA) and therefore it is highly unlikely the well can be brought back to active status without some form of mitigation for uranium. Without Well 4, this water system relies on two wells to serve this portion of BDVWA's service area, one of which is located in the same geographic area as the two inactive wells with elevated uranium. If the two remaining active wells were to fail, BDVWA would have to activate an emergency intertie with Hi Desert Water District, which would increase the water rates for these severely DACs. The *Uranium Treatment Alternatives Analysis Activity* will allow BDVWA to determine a solution to the elevated uranium levels, while increasing supply reliability and protecting water rates for the DACs within its service area. Until a proposed solution to the elevated uranium levels is identified, BDVWA will continue serving water with elevated uranium levels to its customers.

Task Outline, Deliverables, Milestones, and Timing

Task 6.1: Activity Administration

This task includes activity administration, including preparation of progress reports and invoicing. BDVWA will coordinate with MWA, the Mojave IRWM Region's point of contact, and project consultants. Activity administration will be submitted on a quarterly basis per requirements of the Final Grant Agreement. BDVWA will prepare a Activity Completion Summary for inclusion within the CRFA Final Report summarizing work completed under the grant contract.

Task 6.1 Deliverables

- Quarterly Progress Reports
- Quarterly Invoices
- Activity Completion Summary

Task 6.1 Milestones

- Grant Award
- Execution of agreement with DWR
- Quarterly invoicing

- Activity completion

Task 6.1 Timing

BDVWA will begin activity administration at the Grant Execution Date. BDVWA will submit invoices and progress reports starting three months after grant contract execution through activity completion on a quarterly basis. BDVWA will prepare and submit a Final Activity Completion Report within 45 days of activity completion.

Task 6.2: Uranium Treatment Alternatives Analysis

BDVWA will retain a consultant to complete a Treatment Alternatives Analysis for achieving compliance with the uranium MCL in Flamingo Heights Wellfield, specifically Well 4.

Task 6.2 Deliverables

- Treatment Alternatives Analysis Report

Task 6.2 Milestones

- Completion of Treatment Alternatives Analysis Report

Task 6.2 Timing

BDVWA will retain a consultant to begin the treatment alternatives analysis work at the Grant Execution Date. The report is anticipated to take up to 15 months, with completion no later than September 2018.

Activity 7: Pioneertown Pipeline & Booster Station Design Services

Activity Description

Activity Sponsor

County of San Bernardino Special Districts Department – County Service Area (CSA) 70-W-4 Pioneertown (District)

Activity Partners

None

Description

The District provides an assortment of municipal type services to unincorporated communities through the County of San Bernardino. The communities served include many DACs, including Pioneertown. The District operates and maintains CSA 70, Zone W-4, Pioneertown. The District serves Pioneertown with five active wells, all of which have Arsenic and Fluoride levels exceeding the MCL allowed by DDW. Furthermore, the District is in need of additional water supplies to meet its service area demands. As such, after performing a preliminary evaluation of several options to determine the most effective method to mitigate both water quality and quantity issues, the District has opted to abandon its existing wells to import and pump non MCL tainted potable water from a Hi-Desert Water District (HDWD) well located in Yucca Valley via a pipeline and booster stations. In order to convey the water from the HDWD well, a pipeline and booster pump stations are to be designed. Design for the pipeline and two booster stations was completed previously. However, modifications are required, as discussed below. The *Pioneertown Pipeline & Booster Station Design Services Activity* will include design modifications to the existing design of Booster Station No. 2 to convey water from HDWD to the District.

Preliminary design of Booster Station No. 2 was completed; however, modifications to the previous design will be conducted to include a below grade tank and booster station per request of the property owner (Wildlands Conservancy Group). If changes aren't accommodated the use and purchase of the property would be denied.

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: November 28, 2018

To: Board of Directors

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Employee Handbook Revision – Article 7.14 Student Loan Assistance Benefit Program

SUMMARY

At the October 23, 2018 Board of Directors meeting staff introduced the concept of a new benefit to assist staff with student loan debt acquired in pursuit of college level degree programs. The Board provided feedback on the draft Student Loan Assistance Benefit Program and directed staff to bring the changes back to the full Board for further consideration and possible adoption.

In anticipation that the Board of Directors would approve the benefit at their regularly scheduled meeting of November 27, 2018 then Staff is asking the FPREP Committee to consider the associated language for the Employee Handbook.

Should the program be approved, staff would return to the full Board for adoption of the Employee Handbook by resolution.

RECOMMENDATION

Information Only

BACKGROUND/ANALYSIS

No additional information provided.

PRIOR RELEVANT BOARD ACTION(S)

11/27/2018 Board to consider authorizing implementation of the Student Loan Assistant Benefit and Amending the Employee Handbook and bringing modified handbook back to the Board for formal approval by Resolution.

10/23/2018 No Motion. Board requested staff to make various modifications/changes to the Student Loan Assistance Benefit Agreement and bring back to the Board for further consideration.

10/2/2018 Motion No. M18-043 Resolution No. 18R-13 Approving the Employee Handbook for Purposes of Establishing the Rules and Procedures for the Conduct of Personnel / Human Resources Matters and Authorizing the Modification thereof by Resolution

SECTION 7.14 STUDENT LOAN ASSISTANCE BENEFIT

The Agency offers assistance in repayment of College/University student loan debt to eligible employees. Eligible employees may receive up to \$500 per month to repay their student loan debt to a maximum reimbursement of \$30,000 for a four-year Bachelor's degree, \$10,000 for an Associate of Arts (or Sciences) degree or \$20,000 for a Master of Science degree from an accredited college or university.

The repayment for student loan debt for tuition, books, applications, and tests is limited to current debt that the employee has directly related to tuition payments for having received a degree (referred to above), relevant to the employee's job (as determined by the General Manager) at an accredited college or university. The requesting employee must have at least 3 years continuous service at the Agency at the time of the request.

The requesting employee must submit paperwork satisfactory to the General Manager that confirms the debt amount (for example, if the Employee only owes \$20,000 for their Bachelor of Science degree, the reimbursement maximum will be limited to that \$20,000.) At such time as the employee ceases to be a regular full-time employee, the benefit will stop. For example, should the employee become a part-time employee, temporary employee or have their employment terminate, the benefit will no longer be available to Employee.

The maximum lifetime benefit available to an employee is \$60,000.

The employee can only participate in one reimbursement benefit agreement at a time. For example, an employee who has student loans for both a Masters and a Bachelor's degree would have to select which debt they wish to seek reimbursement for.

Only two employees are eligible for the benefit during any fiscal year. Eligibility for the benefit will be determined based on the date which the Employee has provided their request to the General Manager.

BIGHORN DESERT VIEW WATER AGENCY
STUDENT LOAN ASSISTANCE BENEFIT AGREEMENT

This Student Loan Assistance Benefit Agreement is made effective as of _____, 2018 by and between Bighorn Desert View Water Agency (“Agency”) a California special district and _____ (“Employee”).

RECITALS

WHEREAS the Bighorn Desert View Water Agency encourages its employees to further their education in areas that will be beneficial to the agency’s customers;

WHEREAS the Board of Directors of the Bighorn Desert View Water Agency (“Board”) recognizes the expense of obtaining higher education and the debt incurred can be difficult for its employees;

WHEREAS, the Board of Directors has determined that it is in the best interests of its customers to retain qualified and educated employees;

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree as follows:

AGREEMENT

1.1 Recitals: The recitals set forth above are specifically incorporated in this Agreement as though set forth in full herein.

1.2 Benefit: While maintaining full-time employment with Agency, Employee shall be eligible to receive \$500 per month to repay the Employee’s student loan debt to a maximum reimbursement of \$30,000 for a four year Bachelor’s degree, \$10,000 for an Associate of Arts (or Sciences) degree or \$20,000 for a Master’s degree from an accredited college or university.

1.3 Conditions:

a. The repayment for student loan debt for tuition, books, applications, and tests is limited to current debt that the Employee has directly related to tuition payments for having received a degree referred to in 1.2, relevant to the Employee’s job (as determined by the General Manager) at an accredited college or university. The Employee must submit paperwork satisfactory to the General Manager that confirms the debt amount (for example, if the Employee only owes \$20,000 for their Bachelor of Science degree, the reimbursement maximum will be limited to that \$20,000.) At such time as the Employee ceases to be a regular full-time Employee, the benefit will stop. For example, should the Employee become a part-time employee, temporary employee or have their employment terminate, the benefit will no longer be available to Employee.

b. The Employee has at least 3 years continuous service at the Agency.

c. The maximum lifetime benefit available to an employee is \$60,000.

d. The Employee can only participate in one reimbursement benefit agreement at a time. For example, an Employee who has student loans for both a Master’s and a Bachelor’s degree would have to select which debt they wish to seek reimbursement for.

e. Only two Employees are eligible for the benefit during any fiscal year. Eligibility for the benefit will be determined based on the date which the Employee has provided their request to the General Manager.

1.4 No Guarantee of Employment: This Agreement shall not be construed to guarantee employment for any particular term. Employee is still subject to the disciplinary procedures of the Agency and any reductions in force.

1.5 Assignment: Neither this Agreement nor any benefits or obligations under this Agreement may be assigned by any party.

1.6 Entire Agreement of the Parties: This Agreement supersedes any and all Agreements, either oral or written, between the parties hereto with respect to student loan assistance benefits and contains all of the covenants and agreements between the parties with respect to these types of benefits. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or acting on behalf of any party, which are not embodied herein, and that no other agreement, statements, or promise not contained in this Agreement shall be valid or binding. Any modification of this Agreement shall be effective only if in writing and signed by the General Manager of the Agency.

1.7 Severability; Reformation: If any provision of this Agreement is prohibited, unenforceable or not authorized, such provision shall be deemed unenforceable and stricken from the Agreement, without invalidating the remaining provisions of the Agreement or affecting the validity, enforceability or legality of the remainder of the Agreement. It is the intention of the parties that this Agreement and each provision herein shall constitute a binding and legally enforceable agreement. In the event a court of competent jurisdiction shall for any reason determine that a provision shall be stricken or unenforceable as described above, that in that event, the parties expressly authorize and direct and so hereby jointly request the court to exercise its equitable power and to reform this Agreement to the extent and to the manner it may be necessary and/or appropriate under the circumstances, so as to render said provisions enforceable to the maximum extent possible and thereby effectuate the intention of the parties thereto.

Dated: _____

BIGHORN DESERT VIEW WATER AGENCY

MARINA WEST
General Manager

Dated: _____

EMPLOYEE

**BIGHORN DESERT VIEW WATER AGENCY STANDING COMMITTEE
FINANCE/PUBLIC RELATIONS/EDUCATION/PERSONNEL
AGENDA ITEM SUBMITTAL**

Meeting Date: November 28, 2018

To: Board of Directors

Budgeted: N/A

Budgeted Amount: N/A

Cost: N/A

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Layout Changes to Agenda and Meeting Minute Templates

SUMMARY

Staff has received feedback from several members of the Board regarding the layout (format) of the agenda as well as suggestions for rearranging topics on the agenda.

Staff has made some of the suggested changes but will review other suggestions with the Committee to obtain additional feedback.

RECOMMENDATION

Information Only

BACKGROUND/ANALYSIS

Attached is the Agenda posted for the November 27, 2018 Board meeting.

Changes incorporated already include:

- Dropped the “letterhead” from the Agenda. This information was replaced with Agency Logo and name only.
- Added mission statement at top.
- Added “Recipient of the 2015 Association of California Water Agencies Clair A. Hill Agency Award for Excellence”
- Added “Upcoming Director Meetings” with date and director assigned to attend.

Changes suggested:

- Move “Public Comment Period” for items not on Agenda from the end of the Agenda to the beginning of the Agenda (first action item).

PRIOR RELEVANT BOARD ACTION(S)

None.

Bighorn-Desert View Water Agency

Board of Directors

Michael McBride, President
Judy Corl-Lorono, Vice President
Terry Burkhardt, Secretary
J. Larry Coulombe, Director
J. Dennis Staley, Director



Agency Office

622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone
760/364-3412 Fax

Marina D West, P.G., General Manager

A Public Agency

www.bdvwa.org

Finance/Public Relations/Education And Personnel Committee Special Meeting Report

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285
Wednesday, September 19, 2018 - 9:00 a.m.

Committee Members: Michael McBride & Larry Coulombe

Call to Order

President McBride called the meeting to order at 9:00 a.m.

Pledge of Allegiance

Led by Dave Chapman

Roll Call

Directors: Michael McBride
Larry Coulombe

Staff: Marina West
Seth Kish

Approval of the Agenda

President McBride and Director Coulombe approved the agenda as presented.

Drug & Alcohol Policy Update

General Manager West gave her report to the Board and explained that this policy has not been updated since the 1990's. These changes were made by the Agency's legal counsel to meet current drug and alcohol regulations. The drug and alcohol testing program applies to those employees who are considered "Safety Sensitive" employees. Safety sensitive employees are employees who have a commercial driver's license (Class A or B). General Manager West explained that one of the things outstanding in the policy was drug and alcohol training. A member of the public asked if there was a suspicion of drug or alcohol use, would the Agency call that employee specifically for testing. General Manager West explained that any suspicious employee would be sent to get tested at an independent lab. A member from the public asked if the testing site is a random facility or does the Agency have a facility it currently uses. General Manager

West explained that it depends on the required test. President McBride showed concern regarding prescription or over the counter medication and work and are employees required to let the Agency know that they are taking medication. General Manager West explained that any employees under doctor prescribed medication would need to let the Agency know.

Public comment: None

Consent Items

- a. FPREP Committee Meeting Minutes, July 25, 2018

Public comment: None

President McBride and Director Coulombe approved the minutes as presented.

Public Comment Period

No public comment.

Verbal Reports

None

General Manager's Report

None

Adjournment – President McBride adjourned the meeting at 9:45 a.m.

Approved by:

Michael McBride, Committee Chair