

**Borrego Water District Board of Directors**  
**Special Meeting**  
**April 14, 2020 @ 9:00 a.m.**  
**806 Palm Canyon Drive**  
**Borrego Springs, CA 92004**

COVID-19 UPDATE: The Borrego Water District Board meeting on Tuesday, April 14th will be held as scheduled. BWD will be providing public access to the Meeting thru electronic means only to minimize the spread of the COVID-19 virus, based upon direction from the California Department of Public Health, the California Governor's Office and the County Public Health Office. Anyone who wants to listen to the meeting is encouraged to observe the GO TO MEETING stream at:

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**I. OPENING PROCEDURES**

- A. Call to Order:
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of Agenda
- E. Approval of Minutes - None
- F. Comments from the Public & Requests for Future Agenda Items (may be limited to 3 min)
- G. Comments from Directors
- H. Correspondence Received from the Public - None

**II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION**

- A. COVID 19 Update – G. Poole/J. Clabaugh (3-15)
  - 1. Employee/Customer Protections
  - 2. Potential Financial Impacts – Revenue Update - VERBAL
  - 3. Comment Letter on Federal Legislation
- B. Schedule for Proposition 218 Rate Setting Process – G Poole (16)
- C. Draft Letter to the County re: Status of Wells in Borrego Springs Sub Basin – M. Panchal (17-18)
- D. UPDATE: BWD Signature on Memorandum of Understanding with the Borrego Springs Stewardship Council – K Dice (19-21)
- E. Watermaster Board Meeting Report – Verbal
  - Summary of 3-31meeting – Duncan
  - Use of BWD as mailing address – Poole
  - Poole/Anderson to assist with WM Board Meetings, until WM Ed Selected - Poole

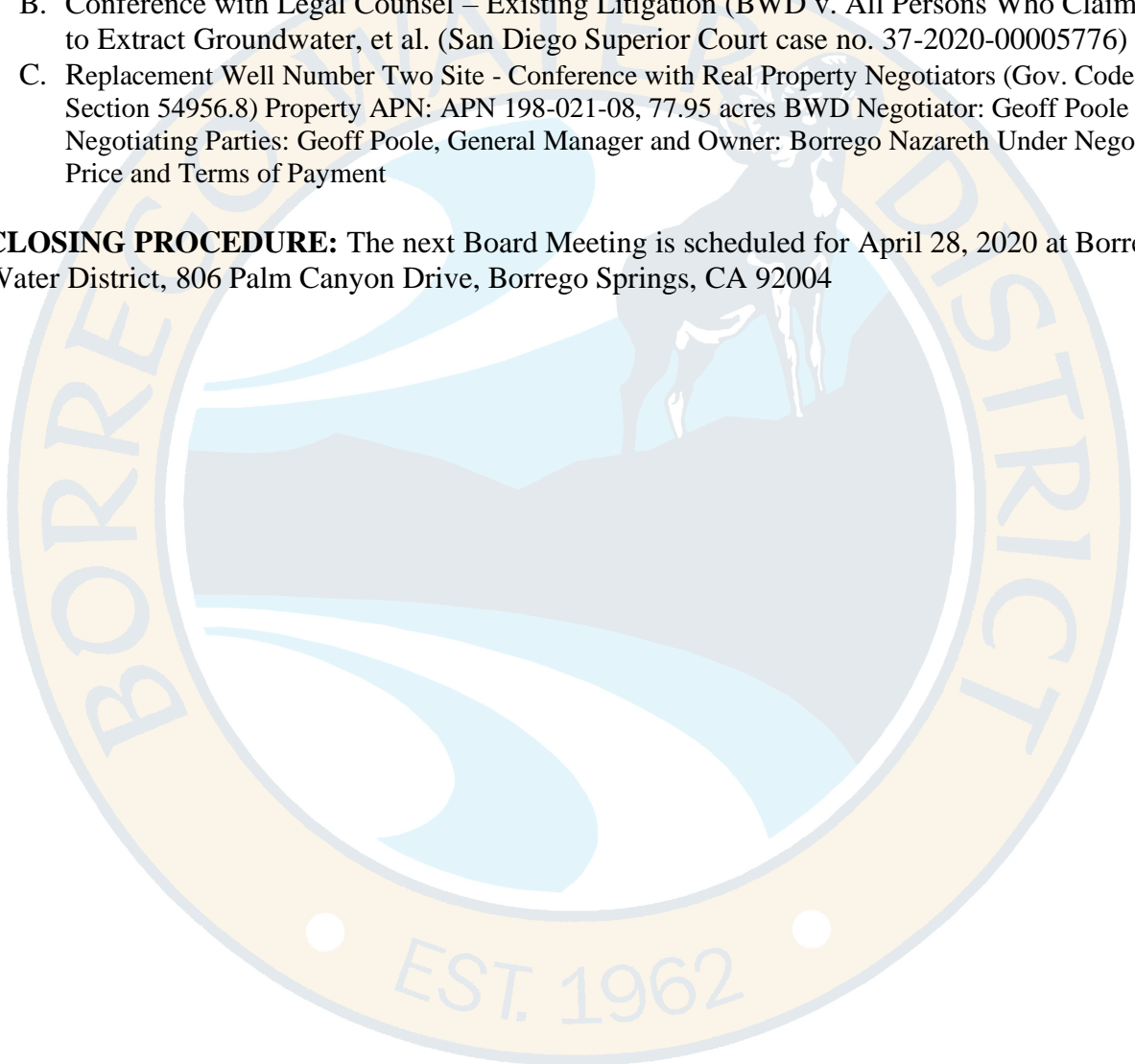
**III. STAFF REPORTS (22-23)**

- A. 2020-2021 Budget Process Update – G Poole
- B. BWD Bond Fund Projections – J Clabaugh - VERBAL
- C. Description of Proposed Waste Water Treatment Plant Grant Components – G Poole
- D. Air Quality Grant Update – G Poole

**IV. CLOSED SESSION:**

- A. Conference with Legal Counsel - Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9: (One (1) potential case)
- B. Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a Right to Extract Groundwater, et al. (San Diego Superior Court case no. 37-2020-00005776)
- C. Replacement Well Number Two Site - Conference with Real Property Negotiators (Gov. Code § Section 54956.8) Property APN: APN 198-021-08, 77.95 acres BWD Negotiator: Geoff Poole  
Negotiating Parties: Geoff Poole, General Manager and Owner: Borrego Nazareth Under Negotiation:  
Price and Terms of Payment

- V. CLOSING PROCEDURE:** The next Board Meeting is scheduled for April 28, 2020 at Borrego Water District, 806 Palm Canyon Drive, Borrego Springs, CA 92004



AGENDA: April 14, 2020

All Documents for public review on file with the District’s secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004. Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole – Board Secretary at (760) 767 – 5806 at least 48 hours in advance of the start of this meeting, in order to enable the District to make reasonable arrangements to ensure accessibility.

If you challenge any action of the Board of Directors in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Directors (c/o the Board Secretary) at, or prior to, the public hearing.

BORREGO WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
APRIL 14, 2020  
AGENDA ITEM II.A

April 8, 2020

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: COVID 19 Update – G. Poole/J. Claybaugh

1. Employee/Customer Protections
2. BWD Operations
3. Potential Financial Impacts – Revenue Update
4. Rate Impacts Info – L Brecht
5. Comment Letter on Federal Legislation – G. Poole

**RECOMMENDED ACTION:**

Discuss and direct staff as deemed appropriate

**ITEM EXPLANATION:**

1. Employee/Customer Protections: BWD has continued to close the office to public access and staff intends to extend this Policy thru the end of April at least. To date, NO BWD employees have experienced any illness or symptoms, including those similar COVID.

Safety: Diana has taken the lead in COVID compliance from the Employee perspective and done a great job with notifications/postings, monitoring current requirements and looking for and purchasing PPEs and cleaning items. On 4-7, Staff held a meeting in the warehouse to review the latest posting requirements, cleaning protocols and answer questions.

Productivity: Personally, I have been very proud of the staff who are willing to come in and work every day, however, it's still important to minimize contact going forward. Therefore, computer capabilities for Admin/Finance employees are also being improved to allow for an increase in work from home days. Diana is working on a rotating schedule that provides adequate coverage for essential duties such as processing payments and customer service response with back up. This rotating schedule and computer upgrades will also allow other employees to work from home with full data access when they are not in the office.

2. BWD Operations: Staff is working on an update of BWD Emergency Response Plan, including the State recommended Incident Action Checklist (template attached). I have asked Esme to take the lead on creation of the Checklist using Ops and Admin staff as needed.

3. Potential Financial Impacts: With the discontinuation of late fees and service disconnections, the impact to BWD revenues need to be continuously monitored. Jessica will provide a verbal update on Water Bill revenues including a comparison to last month and the same timeframe last year. Director Brecht has also provided some insight into the planning efforts around potential rate impacts of COVID (attached).

4. Comment Letter on Federal Legislation: Various water agencies, organized by BBK, are beginning to lobby the Federal Government for financial assistance due to potential reductions in revenues attributed to item #3 above and other issues. I signed the attached letter on behalf of BWD.

**NEXT STEPS**

TBD

**FISCAL IMPACT**

N/A

**ATTACHMENTS**

- 1 Incident Action Checklist Info
2. Water Rate Impacts due to COVID
3. Comment Letter







# Incident Action Checklist – Pandemic Incidents

*The actions in this checklist are divided up into three “rip & run” sections and are examples of activities the water sector (drinking water and wastewater systems) can take to prepare for, respond to and recover from a pandemic. You can also populate the “My Contacts” sections with critical information that your utility may need during a pandemic.*

## Coronavirus Pandemic and Water Utilities

For general information from EPA about COVID-19 and water, see [www.epa.gov/coronavirus](http://www.epa.gov/coronavirus). The risk of transmission of COVID-19 via drinking water and wastewater is low. However, there are other impacts to drinking water and wastewater utilities, which may include, but are not limited to:

- Staff shortages due to absenteeism;
- Supply chain disruptions (chemicals, materials, personal protective equipment);
- Field operations interruptions (repairs, meter reading, sampling); and
- Inability to maintain all operations.

Many water and wastewater utilities have created pandemic resilience plans based on best practices and experiences from past global outbreaks such as the avian flu in 2003 and swine flu in 2009. Utilities should review and update those plans and stay in close contact with their local health department and regulatory agency as the COVID-19 situation is dynamic and evolving rapidly. Water and wastewater systems need the most up-to-date information in order to make decisions that are right for their utility based on the pandemic impacts to their specific community.



Sign up for any COVID-19 alerts or notifications available from your regulatory agency and local emergency management agencies and health departments to stay up to date.

## General COVID-19 Information

- [U.S. Coronavirus Website](#)
- [U.S. Centers for Disease Control and Prevention](#) Drinking Water and Wastewater COVID-19 (CDC)
- [World Health Organization](#) COVID-19 (WHO)
- [Association of State Drinking Water Administrators](#) COVID-19 (ASDWA)
- [Water Information Sharing and Analysis Center](#) COVID-19 (Water ISAC)
- [Water Environment Federation COVID-19](#) (WEF)
- [American Water Works Association](#) COVID-19 (AWWA)
- [Coronavirus Research Update](#) (WRF)

## Information on Hygiene and Water Safety

- [OSHA Guidance for Wastewater Workers](#) COVID-19 (OSHA)
- [Water, Sanitation, Hygiene and Waste Management for COVID-19](#) (WHO, UNICEF)
- [Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response](#) (DHS)

# Actions to Prepare for a Pandemic



## Planning

- Identify a lead, back-up, and team of individuals to serve as the Pandemic Response Team.
  - Develop a process for maintaining situational awareness of the current and future spread of the virus, as well as community impacts.
  - Develop strategies for managing the pandemic such as identifying response actions based on current information and the system's emergency response plan and continuity of operations plan.
- Update your [drinking water emergency response plan](#) (ERP) and [wastewater ERP](#) to ensure all contacts (24/7 availability), system diagrams and standard operating procedures for system operations are up to date.
- Develop or update a Continuity of Operations Plan (COOP) that specifically addresses the challenges of a pandemic and plans for significant staff shortages. Resources to help in the development of the plan include the [Pandemic Continuity of Operations Template](#) and [Business Continuity Planning for Water Utilities: Guidance Document](#). The COOP should include, at a minimum, plans for the following:
  - Defining Roles and Responsibilities During the Pandemic
  - Protecting Employee Health
  - Maintaining Essential Operations and Critical Positions
  - Maintaining Essential Equipment, Materials and Supplies
  - Communications
  - Addressing Community Mitigation Impacts – Impacts of required social distancing, quarantine, school, and business closures, etc.
  - Identifying Delegations of Authority – Including orders of succession
  - Training – Cross-training and pandemic plan training
- [Join your state's Water and Wastewater Agency Response Network \(WARN\)](#) or other local mutual aid network. In addition, check to see if you are included in a statewide mutual aid law. WARNs may be able to provide assistance in the form of personnel, equipment, materials and technical assistance.
  - In addition, the Rural Community Assistance Partnership ([RCAP](#)), National Rural Water Association ([NRWA](#)), Rural Utilities Service ([RUS](#)), Indian Health Service ([IHS](#)), the Inter Tribal Council of Arizona ([ITCA](#)) and the United South and Eastern Tribes ([USET](#)), among others, may be able to provide licensed operators or technical assistance.
- Assess your system's Information Technology (IT) capability to ensure it can accommodate remote work arrangements without compromising security.
- Work with local law enforcement and health departments to ensure water sector staff are considered first responders, as specified in the [Department of Homeland Security's \(DHS\) Crisis Emergency Response and Recovery Access \(CERRA\) Framework](#), and will have the ability to conduct field work when necessary if quarantines are placed on a community.
  - DHS developed a [memorandum](#) that identifies drinking water and wastewater personnel as essential workers during the COVID-19 response
- Share your COOP, and any specific pandemic issues, with your local emergency management agency (EMA) and health departments, regulatory agency, and any consecutive systems.
- Conduct internal and external (e.g. EMA, health department, regulatory agency) pandemic specific [tabletop exercises](#) regularly. Be sure to conduct remote exercises to ensure capability during a pandemic.

# Actions to Prepare for a Pandemic *(continued)*



## Protecting Employee Health

- Reinforce good personal hygiene practices with all staff.
  - [Post proper hand washing techniques](#), with [pictures](#), at all sinks.
  - Share [preventative measures](#) (washing hands, covering cough, not touching face, etc.) provided by the [CDC](#) to minimize risk.
- Ensure availability of adequate proper personal protective equipment (PPE), infection control (hand sanitizer, tissues, disinfecting wipes, electronic cleaners), and cleaning supplies. The disinfection of electronics may require specific supplies.
- Set up a pandemic policy for screening employees for symptoms, setting up extended sick leave and telework, keeping critical staff on-site for an extended period of time (with access to beds, food, water, medical supplies, communications), and social distancing in the office (no meetings, keeping 6 feet apart, etc.).
- Establish pandemic-specific health and safety protocols for field sampling conducted by staff or others providing sampling assistance in the event of staff shortages.
- Work with staff to develop their own family response plans so their families are taken care of during a pandemic while they are working.

## Maintaining Essential Operations

- Identify critical positions (plant operator, sampler, in-house and contract laboratory personnel, etc.) and skills, along with back-ups for each of those positions.
- Identify critical functions (disinfection, pumping, sampling and analysis, aeration, purchasing chemicals and supplies, etc.) and the minimum staff required to keep those functions operating.
- Develop a list of critical customers who need a continuous source of potable drinking water (e.g., hospitals, nursing homes, dialysis clinics, manufacturers).
- Assess staffing alternatives:
  - Determine the process to use for your state's WARN to request personnel during a pandemic. Reach out to your state or tribe's assistance providers such as [RCAP](#), [NRWA](#), [RUS](#), [IHS](#), [ITCA](#), and [USET](#) to determine their ability to provide personnel if your staff cannot report to work due to illness, caring for an ill family member, or being quarantined themselves.
  - Cross-train staff to handle multiple positions and critical operations.
  - Ensure redundancy in laboratory personnel and, when possible, have contracts with multiple commercial laboratories as a contingency measure in cases of laboratory staff shortages.
  - Assess your remote operations capabilities (i.e., SCADA).
- Communicate with the laboratory that does your analytical work to ensure that they have a pandemic plan in place and are available to receive and analyze your samples. Also, make sure they have a back-up laboratory option in place.
  - [The Water Laboratory Alliance](#) (WLA) is a nationwide network of laboratories that serves the water sector. The WLA is part of the national Environmental Response Laboratory Network. Encourage your laboratory to become a member of the WLA to ensure national capabilities during a pandemic.

Notes:

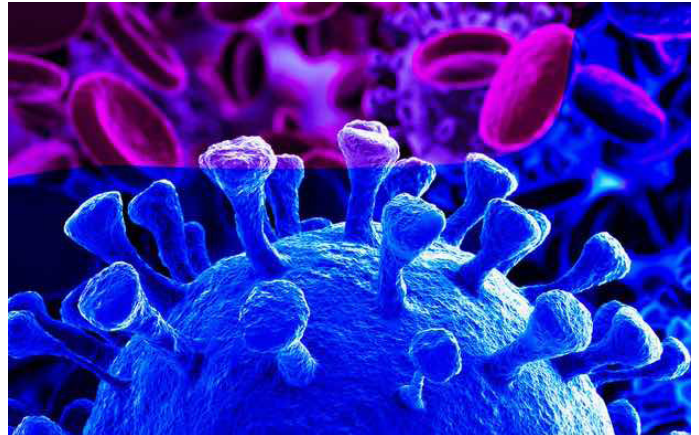


## Maintaining Essential Facilities, Equipment, and Supplies

- Identify critical facilities (booster pump, chlorinator, aerator, etc.) and supplies (chlorine, other treatment chemicals, fuel, electricity, etc.) that must stay operational and available.
- Create an inventory of all critical materials, chemicals, supplies and equipment.
- Contact all vendors and manufacturers to ensure they have a pandemic plan in place and can deliver needed supplies.
  - Stock up on treatment chemicals and critical materials and equipment, as space, costs, and expiration dates allow.
- If possible, source materials and chemicals from two or more suppliers from different regions to mitigate supply chain disruptions.
  - Work with your vendors and require them to identify who their second-tier sources are to make sure the vendors you are using are not using the same source (which would equate to a sole source supply).

## Communication

- Develop [communication templates](#) so you can communicate with your customers quickly.
- Identify appropriate distribution mechanisms such as via the website, social media, local news, reverse 911, etc.
- Identify emergency contacts with your local health department, regulatory agency, and EMA to communicate throughout the pandemic.



Notes:

# Actions to Respond to a Pandemic



## Initial Actions

- Activate your Pandemic Response Team
- Execute your pandemic COOP and Emergency Response Plan
  - Activate defined emergency roles and responsibilities
- Stay in close contact with your regulatory agency** to coordinate on any issues that arise (lack of certified operators, laboratory capacity, or access to sample locations).

## Protecting Employee Health

- Inform all staff on the latest CDC recommendations to limit the further transmission of the virus.
- Close all offices to the public.
  - Communicate with customers via phone, email, social media, and websites.
  - Offer payment options online, via mail, or through drop boxes.
- Temporarily suspend any in-home non-sampling appointments by staff such as water efficiency visits. Compliance sampling activities must continue. Work with homeowners concerning any health and safety issues with compliance sampling and follow established pandemic-specific health and safety protocols.
- Consider temporarily suspending drinking water shut-offs due to non-payment in order to protect staff and maintain essential water services to individuals.
- Limit or cease all in-person meetings, gathering of people in the same location, and travel.
- Ensure that workers and those with overlapping expertise are generally separated to minimize the risk of co-transmission.
- Increase the frequency of cleaning and disinfecting all surfaces and equipment, including control rooms, vehicles, computers, phones, tablets, break rooms, and conference rooms.

- Implement telework for as many staff as is feasible to maintain operations.
- Assess all construction and maintenance activities and limit to only critical projects.

## Maintaining Essential Operations

- Implement minimum staffing plans and set up shift rotations.
- If you begin or anticipate experiencing critical staffing shortages:
  - Keep your regulatory agency up to date on your situation.
  - Reach out to your [WARN](#). WARN members may be able to assist with personnel, equipment, supplies, and technical assistance.
  - If you are not a WARN member or your WARN is unable to assist, reach out to neighboring utilities and develop mutual aid agreements, if possible.
  - Reach out to your local assistance providers such as [RCAP](#), [NRWA](#), [RUS](#), [IHS](#), [ITCA](#), and [USET](#) about their ability to provide licensed operators or technical assistance.
  - If the above resources are not available, contact your local EMA. Make sure to be specific about the type of personnel you need and for the type of water system (license level, plant rating, treatment, drinking water, wastewater, etc.).
- Make immediate preparations to house critical staff on-site (with access to beds, food, water, medical supplies, communications, etc.).
- Communicate often with the laboratory that does your analytical work to ensure that they are available to receive and analyze your samples and make sure they have a back-up laboratory option in place.





- Remind all staff to anticipate cyber threats including social engineering, phishing, and other opportunistic cyber-attack tactics preying on fear and the need for information that could disrupt billing or supervisory control and data acquisition (SCADA) operations.
  - Remind staff not to click on any links that could execute a hostile program.
  - Back-up all critical files and ensure security systems (firewalls, anti-virus) are functioning on all remote equipment.

## Maintaining Essential Facilities, Equipment, and Supplies

- Secure all facilities in preparation for limited access and surveillance.
- Stay in close contact with your suppliers of equipment, materials, treatment chemical, and other supplies, especially if you were not able to stockpile chemicals or materials. If you anticipate an impending shortfall of chemicals, contact your WARN to see if other utilities can assist, your assistance providers ([RCAP](#), [NRWA](#), [RUS](#), [IHS](#), [ITCA](#), [USET](#)) to see if they have resources, and your local emergency management agency who can request chemicals through state or tribal emergency authorities or make requests to the federal level.

## Communication

- Drinking Water - Communicate with your customers as soon as possible and often about the safety of their water supply using guidance provided by the EPA and CDC.
  - If there is a temporary loss of water (line break, pump failure), remind customers to use the CDC-recommended alternative to hand washing, which is hand sanitizer with at least 60 percent alcohol content.
- Wastewater - Communicate with your customers (local news, social media, or webpage) about wet wipes and the consequences of flushing them down the toilet (e.g., sewage backups).
- Stay in close contact with your regulatory agency, local health department, and local EMA.

## Documentation

- Document all events, timeframes, and resulting impacts, so this information can be used as part of the post-incident investigation.
  - Be sure to document all hours (regular and overtime) and keep invoices for all equipment, supplies, contracts, vendors, etc.

Notes:



# Actions to Recover from a Pandemic



- Assign a utility representative to continue providing updates to customers regarding current mitigation actions, as well as preparation for future incidents.
- Work with vendors and internal departments to return to normal service.
- Develop a lessons-learned document and an after-action report (AAR) to document your response activities, including what went well and what did not go well. Create an improvement plan (IP) based on your AAR and use the IP to update your vulnerability assessment, ERP and COOP.
- Revise budget and asset management plans to address increased costs from response-related activities and follow-up actions.
- Identify mitigation measures that can help increase utility resilience for future pandemics.
- Conduct annual utility-specific pandemic awareness training with all employees.

Notes:

# My Contacts and Resources



CONTACT NAME	UTILITY/ORGANIZATION NAME	PHONE NUMBER
	Primacy Agency	
	Local Health Department	
	Local EMA	
	WARN Chair	
	Local Laboratory	
	State EMA	

## Resources

### Mutual Aid Programs

- [Water/Wastewater Agency Response Network](#) (EPA)

### Emergency Response and Continuity of Operations Planning

- [Drinking Water Emergency Response Plans](#) (EPA)
- [Wastewater Emergency Response Plan Template](#) (RCAP)
- [Pandemic Continuity of Operations Template](#) (GLCAP)
- [Business Continuity Planning for Water Utilities: Guidance Document](#) (WRF, AWWA, EPA)
- [Business Continuity Planning in the Event of an Influenza: A Reference Guide](#) (AMWA, WaterISAC)
- [Tabletop Exercise Tool, Pandemic Scenario](#) (EPA)

### Other Tools and Resources

- [Water Laboratory Alliance](#) – Drinking Water and Wastewater (EPA)
- [Crisis Emergency Response and Recovery Access \(CERRA\) Framework](#) (DHS)
- [Water Utility Communication During Emergency Response](#) (EPA)
- [Water Utility Response On-The-Go](#) (EPA)
- [Resources for Small Public Water System Operators](#) (EPA)

## FINANCIAL IMPACT OF COVID – L BRECHT

### Discussion

- Municipal water and wastewater service is considered “critical infrastructure” in a national emergency, including the present COVID-19 public health emergency. That means the Board’s governance responsibility is to do its best to see that municipal service persists during the emergency;
- At present, it is uncertain how long this emergency will last, its ultimate impact on the economy, how long it will take for the economy to recover, or its short and long term impacts on the finances of BWD’s ratepayer base;
- In order to fulfill its mission, BWD will continue to require adequate cash to pay its operating expenses and continue to invest in Repair and Replacement (R&R) of critical infrastructure to assure continuance of service to its customers;
- In other words, deferring some critical infrastructure R&R is neither advisable nor prudent fiduciary governance, nor is budgeting for an unsustainable operating deficit;
- However, the District does possess some contingency cash reserves, that if tapped into for *budgeting* purposes would likely not present an immediate credit problem. *Budgeting* for a deficit would, however, impact future cash reserves targets, which could make it more difficult to implement BWD’s current CIP plan in BWD’s ability to secure low cost bond funding;
- The current amount of discretionary contingency cash reserves is approximately \$500,000.
- For FY 2021 rates, the Board has authorization under BWD’s 2016 Proposition 218 COS study to increase water rates up to 6% and sewer rates up to 5% from FY 2020 rates;
- The Board’s current direction is to revisit its 2020 proposition 218 COS study initiative in the Fall of 2020 for rates that could go into effect in January 2021. Alternatively, the Board could also decide to use its 2016 Proposition 218 authority to raise rates at that time.

### Recommendations

- As part of the development of the FY 2020-21 Budget, staff is to propose an O&M and CIP that will enable establishing ongoing rates based upon the previously approved 2016 Proposition 218 COS rates that would produce no greater than a \$500,000 budgeted reduction in cash reserves (deficit balance);
- To keep any rate increases to an absolute minimum, assume headcount remains the same and freeze wages at their FY 2020 level;
- Based on the COVID-19 emergency situation in September 2020, revisit rates again and adjust as necessary to go into effect January 1, 2021.

## DRAFT COMMENT LETTER ATTACHMENT

The Honorable Donald J. Trump  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

The Honorable Steven T. Mnuchin  
Secretary of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

The Honorable Nancy Pelosi  
Speaker of the House of Representatives  
United States House of Representatives  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20515

The Honorable Mitch McConnell  
Majority Leader of the Senate  
United States Senate  
Washington, D.C. 20510

The Honorable Charles E. Schumer  
Minority Leader of the Senate  
United States Senate  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
Minority Leader of the House of  
Representatives  
United States House of Representatives  
Washington, D.C. 20515

April 10, 2020

Dear Mr. President, Secretary Mnuchin, Madam Speaker, Majority Leader McConnell, Minority Leader Schumer, and Minority Leader McCarthy:

Thank you for your bipartisan leadership on the measures taken to date to support Americans during the coronavirus (COVID-19) pandemic.

As written, the previous measures do not address a number of issues public agencies are facing, and we write to request federal aid and appropriations to public agencies to assist with the overwhelming economic impacts and unmet needs caused by the coronavirus (COVID-19) pandemic.

We write to request federal aid and appropriations to assist public agencies with the economic impacts of the coronavirus (COVID-19) pandemic.

The three primary requests we have are:

First, we ask that the Families First Coronavirus Response Act, which was signed into law on March 18, 2020, be amended by striking Secs. 7001(e)(4) and 7003(e)(4) from H.R. 6201 and explicitly clarifying that state and local governmental employers and public agencies, including those exempt from 26 USC 3111, fully qualify for both the Section 7001 and Section 7003 credits.

The reality of COVID-19 has created a need for employees to stay at home, whether they or a loved one is ill or they are home to take care of a child who's school or daycare is closed due to COVID-19. Congress's response was to create a paid sick leave and additional family medical leave requirements for both public and private employers. However, under the legislation only private employers will receive a tax credit against their payroll taxes to offset the costs for the paid leave provisions in the Families First Act. Public agencies pay payroll taxes and are subject to the same costs as private employers. They should be treated equally.

Second, we request a fund to provide assistance to public agencies who are absorbing increased costs and losing revenue that are due to COVID-19. Due to the critical need for water and sanitation during this pandemic, public utility agencies are deferring shut offs and turning services back on for constituents in their district who find

themselves unable to pay for utility services at this time. When the current crisis passes, many customers will have racked up large, unpaid bills, and public utilities will be required either to engage in massive shutoffs or absorb crippling revenue losses. A fund is necessary to allow for public agencies to apply for federal assistance with the costs that had been absorbed and revenues lost as a result of the COVID-19 pandemic. So as to ensure there is no delay in distribution and funds are available before it is time to resume normal collection procedures, the funds should be made available directly to the public agencies.

Third, we request that funds be made available for infrastructure projects. An influx of dollars for infrastructure allow for jobs to be preserved and new ones created, while also ensuring that constituents have access to the water and wastewater infrastructure necessary. This can be accomplished through appropriations into the Bureau of Reclamation's Title XVI program, the EPA WIFIA program, and the Drinking Water and Clean Water State Revolving Loan Funds. Additionally, seek that the advance refunding of tax-exempt bonds be reinstated. This measure, was removed for bonds issued after 2017. Reinstatement would allow local governments and other qualified entities to have access to billions of dollars which could be reallocated and spent on other projects;

We thank you for taking the time to consider these asks and we stand ready to provide any information you should on any of these measures, or any additional provisions you are considering in the next emergency appropriations package for public agencies.

Sincerely,

BORREGO WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
APRIL 14, 2020  
AGENDA ITEM II.B

April 8, 2020

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Schedule for Proposition 218 Rate Setting Process – G Poole

**RECOMMENDED ACTION:**

Discuss and direct staff as deemed appropriate

**ITEM EXPLANATION:**

BWD staff and Director Brecht, with assistance from Harry Ehrlich, are working with Raftelis Financial Consultants on development of the financial model and assumptions for the next round of rate setting required by Proposition 218. In early 2021, water and sewer rates and charges will be set for the next 5 years.

In anticipation of this event, public outreach on the recommended changes needs to begin in process in October continuing thru the beginning of 2021. A protest vote provision is included in Prop 218 requirement and that will be sent out in February with responses back by April. The Board will then set the rates in May/June 2021.

**NEXT STEPS**

Continue working with Consultants on model revisions and preparation for public outreach later this year.

**FISCAL IMPACT**

TBD

**ATTACHMENTS**

1. None



BORREGO WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
APRIL 14, 2020  
AGENDA ITEM II.C

April 8, 2020

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Status of Wells in Borrego Springs Sub Basin – M Panchal

**RECOMMENDED ACTION:**

Discuss and direct staff as deemed appropriate

**ITEM EXPLANATION:**

Staff has developed a Draft Letter to the County of San Diego requesting further action to identify improperly abandoned wells in the Basin. In the letter, BWD is requesting the County require information from each well owner in the UNKNOWN category to determine its current status and do something about it if a well is determined to be a nuisance.

**NEXT STEPS**

Send letter to County

**FISCAL IMPACT**

TBD

**ATTACHMENTS**

1. Draft Letter

April 14, 2020

Jamelle McCollough  
County of San Diego  
Department of Environmental Health  
5555 Overland Drive  
San Diego, CA 92123

Dear Jamelle:

I hope all is well in your world.

The Borrego Water District has consolidated the List of Wells from the County of San Diego as well as the one created by Dudek Engineering during the Groundwater Sustainability Planning process. Based on our calculations 221 wells are in the valley and 108 are of an "unknown" status, which in our opinion means the possibility of a safety hazard or source of contamination to our overdrafted aquifer.

To develop an understanding of the situation, BWD is requesting the County of San Diego send a letter to each well owner in Borrego Springs sub basin inquiring about the well current status and requesting at least one photo of the well's current condition. For those wells that are determined to be a Nuisance, we further request the County to take the action to require the well owner to properly abandon the well.

Protection of water quality in the Borrego Springs Basin is of utmost importance to BWD and its ratepayers.

Sincerely,

Geoff Poole  
General Manager

BORREGO WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
APRIL 14, 2020  
AGENDA ITEM II.D

April 8, 2020

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Consideration of BWD Signature on Draft Memorandum of Understanding with the Borrego Springs Stewardship Council – K Dice

**RECOMMENDED ACTION:**

Discuss and direct staff as deemed appropriate

**ITEM EXPLANATION:**

Members of The Borrego Springs Stewardship Council are currently going through a process to determine its future role in our Community. Below is a cover memo from a Committee of Council members (Deichler, Dice, Troy, Wermers) and a proposed MOU. The BWD Board had previously authorized signatures of the MOU and President Dice is presenting these materials for Informational purposes.

*Hello Everyone,*

*We hope you are doing well in these strange and challenging times. Please keep your spirits up and your eyes focused on the good things to happen in Borrego Springs in our near future!*

*Attached for signature is the approved Borrego Valley Stewardship Council (BVSC) Memorandum of Understanding (MOU). It represents a consensus from Council deliberations conducted over the past several months. Also attached are minutes from our March 6 meeting.*

*At that meeting, we discussed conducting a group signing ceremony but, in light of the COVID19 situation, have opted to send the MOU out for signature. The last page includes a signature block. We request just one signature from each member (business, organization, or institution).*

*Please sign, scan, and return to me, Martha Deichler. If preferred, you may take a photo of your signed MOU and send to me.*

*Regards,*

*Martha Deichler  
Kathy Dice  
Dick Troy  
Jim Wermers*

**ATTACHMENTS**

1. Draft MOU

# **BORREGO VALLEY STEWARDSHIP COUNCIL**

## **MEMORANDUM OF UNDERSTANDING**

March 6, 2020

**WHEREAS**, the community of Borrego Springs, California is the primary gateway for visitors to Anza-Borrego Desert State Park (ABDSP, the Park), which surrounds the community on all sides;

**WHEREAS**, ABDSP, a National Natural Landmark and an International Biosphere Reserve, is the largest desert State Park in the nation (640,000 acres) and one of the largest protected areas in the West;

**WHEREAS**, the Park and the community, together, drive national and international visitation exceeding ~ 500,000 tourists each year. (Visitors to the ABDSP account for over \$40 million in annual revenue to the region.);

**WHEREAS**, Borrego Springs encompasses a thriving community with 3,400 permanent residents, 5,000 seasonal residents, golf courses, lodging establishments, a university research center, airports, electric vehicle-charging stations, and a community medical center;

**WHEREAS**, Borrego Springs is California's first International Dark Sky Community and is home to numerous art, architecture, music, environment, sport, and recreation events and experiences;

**WHEREAS**, the community of Borrego Springs has a diversity of active, effective, and engaged volunteer organizations, State, Federal, and County agencies, and thriving local businesses;

**WHEREAS**, there is a strong desire to build, maintain, and preserve a sense of place, community identity and pride, stressing the authentic and unique attributes of the town and region;

**WHEREAS**, there is a need for a council to link community organizations, focus resources, prioritize activities, engage publics, orient the community toward an economically vibrant and sustainable future, define attainable goals, and identify policies of government agencies that foster effective stewarding of the town and region;

**THE UNDERSIGNED** parties to this Memorandum of Understanding commit to support the following Mission and Objectives:

### **MISSION**

**To celebrate, promote, and protect the unique character, irreplaceable resources, and economic vitality of the Borrego Springs Community and the Anza Borrego Desert State Park for residents, businesses, visitors, and future generations.**

### **OBJECTIVES**

- Advocate long-term economic vitality, social equity, and well-managed growth for the community and Park by facilitating and supporting the integration of planning, natural and cultural resource management, land use, and economic development
- Identify and facilitate a shared vision for community and region with an emphasis on sustainable tourism and destination management
- Promote inclusiveness through a commitment to citizen involvement, diverse membership, outreach, partnerships, and collaboration
- Serve as a forum for discussion, input, and community action on topical issues, opportunities, and challenges related to the mission

**SCOPE OF CONCERN**

BVSC will confine its deliberations to issues and strategic actions related to Sustainable Tourism, Natural and Cultural Resource Management, Land Use, and Economic Development.

**MEMBERSHIP**

The Council consists of (1) one Member from each of the signatory organizations, institutions, and businesses. There is no limit to the number of organizations, institutions, and businesses that may join the Council. The Council may create and utilize an advisory group representing public and private stakeholders.

**MEETING GOVERNANCE & PROCEDURES**

The Council will convene at least once per year and more frequently as needed.

Council meetings will be governed by Roberts Rules of Order.

As a collaborative body, the Council will strive to make decisions using a consensus process. If the Council is not able to arrive at a decision to which all members consent, a member may call to decide by majority vote.

A meeting quorum will consist of a majority of Council Members.

Each Member will have one vote. No proxy votes will be allowed.

Individuals and representatives of non-member organizations may attend, bring forth issues and testify at Council meetings.

**LEADERSHIP TEAM**

The Members of the Council will elect a 5-person Leadership Team from the signatories.

Ideally, the individuals elected to the Leadership Team should represent a broad spectrum of the community.

The members of the Leadership Team will serve one-year terms and may be re-elected to additional terms.

The Leadership Team will meet at least once per quarter or as needed. A meeting quorum will consist of 3 members of the Leadership Team.

The Leadership Team’s responsibilities will include but not be limited to the following:

- Schedule, plan, provide notice, and preside at Council Meetings
- Implement the Councils goals and support the Council’s activities
- Make time-sensitive decisions necessary for the functioning of initiatives undertaken by the council
- Other responsibilities as agreed to by the council

**AMENDMENTS**

This Memorandum of Understanding can only be amended by a majority of Council members at any regular or special meeting, provided the notice for the meeting includes written proposals for the amendments at least 10 days in advance of the meeting at which they are to be acted upon.

\_\_\_\_\_

\_\_\_\_\_ Borrego Water District \_\_\_\_\_

Signature

Organization or Business

BORREGO WATER DISTRICT  
BOARD OF DIRECTORS MEETING  
APRIL 14, 2020  
AGENDA ITEM III – STAFF REPORT

April 8, 2020

TO: Board of Directors  
FROM: Geoffrey Poole, General Manager  
SUBJECT: Staff Reports

A. 2020-2021 Budget Process Update

Staff has begun development of the 2020-21 Draft Budget and will be ready to present to the Budget Committee during the week of 4-20 and the full Board on the 4-28 meeting (my Bday!!).

B. BWD Bond Fund Projections – J Clabaugh, Verbal

C. Description of Waste Water Grant Components (\$468,000) – G Poole

a. Headworks – Replace grit removal system

The Headworks facility rehabilitation includes the replacement of the grit screw classifier unit, the replacement of the air lift blower system, the replacement of process piping and valves, installation of screening's receptacle containment, cleaning and coating of the interior concrete walls, as well as the repair of damaged areas of the headworks facility's concrete walls. The interior coating of the concrete walls and concrete repairs will require the contractor to temporarily bypass raw wastewater from the WWTP's upstream manhole to the downstream oxidation ditch splitter box.

The basis for selection is that the existing grit screw classifier unit is in an in-operable condition, and repairs or rehabilitation would require replacement of the entire unit. The basis of selection for headworks concrete walls rehabilitation is that the existing walls have corrosive damage. Not rehabilitating and coating will only further damage the walls, which will lead to a costly replacement of the headworks system.

b. Secondary Clarifier – Rehabilitate (1) secondary clarifier, repair concrete

There are two (2) secondary clarifiers at the BWD WWTP. The rehabilitation for Clarifier No. 1 includes the repair of the concrete spall areas around the exterior Clarifier walls, sandblasting and re-coating of the interior steel components, cleaning and coating of the interior concrete walls, replacement of squeegees and hardware connected to the raker arms, as well as the removal and replacement of grout at the bottom.

The basis of selection for Clarifier No. 1 rehabilitation is that the existing concrete walls and steel components have corrosive damage. Not rehabilitating and coating will only further damage the walls



and steel components, which will lead to a costly replacement of the entire Clarifier structure. Replacement of the Clarifier's components is required due to an end of useful life for the system.

The rehabilitation for Clarifier No. 2 includes the sandblasting and re-coating of the interior steel components, cleaning and coating of the interior concrete walls, replacement of squeegees and hardware connected to the raker arms, removal and replacement of the grout at the bottom, and the repair of the existing gear box. The current wastewater treatment flows only require operation of a single clarifier. The rehabilitation for the clarifiers is to be conducted one clarifier at a time.

The basis of selection for Clarifier No. 2 rehabilitation is that the existing concrete walls and steel components have corrosive damage. Not rehabilitating and coating will only further damage the walls and steel components, which will lead to a costly replacement of the entire clarifier structure. Replacement of the Clarifier's components is required due to an end of useful life for the system.

c. Oxidation Ditch – Replace decanting level control unit

The Oxidation Ditch rehabilitation includes the removal and replacement of the effluent weir which controls the oxidation ditch mixed liquor liquid level. The rehabilitation will require draw down of the mixed liquor level, via pumping from the oxidation ditch to the secondary clarifier. The drawdown of mixed liquor will allow temporary access to bolt connections for removal and replacement of the effluent weir. The drawdown of mixed liquor is to be conducted on two separate occasions; once to measure dimensions of the effluent weir required for fabrication and re-installation; and secondly to replace the existing effluent weir with a new weir.

The basis of selection is due to the need for replacement of the decanting level control unit due to normal wear and end of useful life of the unit. The remainder of the Oxidation Ditch facility is in good and operable condition.

d. Waste Sludge Aerobic/Digester/Sludge Holding Tank – Replace air diffusers and isolation valves.

The Sludge Holding Station rehabilitation includes the installation of a dedicated air blower system, as well as air piping and valves. The air blower system will tie into the existing air piping that extends from the Headworks Facility. The new air blower system will allow for adequate air flow to the sludge holding tank, while providing a redundant air flow to the Headworks Facility.

The basis of selection is due to the need for replacement of air piping and valves due to normal wear and end of useful life of the existing piping, as well as implementing a dedicated air blower for the Waste Sludge System to provide adequate air for treatment. The remainder of the Waste Sludge facility is in good and operable condition.

#### D. Air Quality Monitoring Grant

David Garmon and the BVEF, with help from BWD/Rick Alexander have organized a bundled Grant Request including air quality monitoring. BVEF is the Applicant for the Grant and staff will keep the Board updated on the progress of the Grant Application