

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 13, 2023

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

SUBJECT

Request for Budget Adjustment for Water Payment and Glen Helen Improvements

RECOMMENDATION(S)

1. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the budget adjustments, as detailed in the Financial Impact section, to the Regional Park's 2022-23 budget to reflect the utilization of savings from the waiver of the Glen Helen bond payment in the amount of \$1,005,042 to fund unanticipated water usage costs at Mojave Narrows Regional Park and service and maintenance costs at Glen Helen Regional Park (Four votes required).
2. Approve the Payment of Replacement Water Assessments in the amount of \$584 per acre-foot for 1,193 acre-feet in the Alto Subarea, to Mojave Basin Area Watermaster for Mojave Narrows Regional Park for the water year ending September 30, 2022, in an amount not to exceed \$696,712.
3. Authorize the Purchasing Agent to issue a Purchase Order to Mojave Basin Area Watermaster in an amount not to exceed \$701,762, which includes the cost of \$696,712 identified in Recommendation No. 2 and \$5,050 in make-up water payments.
(Presenter: Beahta R. Davis, Director, 387-2340)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of these recommendations will not result in the use of Discretionary General Funding (Net County Cost). The Regional Parks Department (Department) is requesting appropriation adjustments as follows to move savings from the waiver of the Glen Helen Bond Payment in the Amphitheatre Improvement Fund (2730) to the Department's Maintenance Fund (2750), in the amount of \$1,005,042 to cover the costs for the Mojave Narrows Regional Park (Mojave Narrows) water replacement costs and maintenance and improvements at Glen Helen Regional Park (Glen Helen):

Fund Center	Commitment Item/GL Account	Description	Action	Amount
1101102730	55405012	Service and Supplies Transfers Out	Decrease	\$1,005,042
1101102730	55305030	Operating Transfers Out	Increase	\$1,005,042

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Fund Center	Commitment Item/GL Account	Description	Action	Amount
6520002750	40909975	Operating Transfers In	Increase	\$1,005,042
6520002750	52002135	Special Department Expense	Increase	\$1,005,042

The costs for Payment of Replacement Water Assessments and Make-Up Water for the Mojave Narrows Water Replacement are detailed below:

Type of Water	Acre-Feet Obligation Met	Cost per Acre- Foot	Total
Replacement Water	1,193	\$584	\$696,712
Make-Up Water	101	\$50	\$5,050
Grand Total	1,294		\$701,762

The remaining \$303,280 will be spent at Glen Helen Regional Park for unbudgeted irrigation services and materials and for the acquisition of new park operations equipment such as drinking fountains, lifeguard stands, replacement life jackets, and other resources to improve the general public's use of the facility.

BACKGROUND INFORMATION

In 1966, groundwater rights in the Mojave Basin Area were adjudicated through a judgment in the City of Barstow et al. v. City of Adelanto et al. (Riverside County Superior Court Case No. 208568). Under the judgment, the County has a Free Production Allowance (FPA) to pump 1,265 acre-feet of water every year for use at Mojave Narrows Regional Park (Park).

On March 2, 2023, the Department received two letters from the Watermaster. The first letter indicated that the County incurred a replacement water obligation of 1,193 acre-feet over the 1,265 FPA during the 2021-22 water year. A replacement of water obligation can occur when there are overdraft conditions, such as drought, in a subarea. In years past in lieu of payment directly to the Watermaster, the Department was able to transfer unused FPA from other producers in the area at a 1:1 ratio for industrial-grade water or at a ratio of 1.365:1 for agricultural water. The Department was not able to find a replacement water obligation as the entire water system has been taxed this last year, and no agencies have excess replacement water available for transfer.

The second letter indicated that the County also had a make-up water obligation of 50.32 acre-feet for the 2021-22 water year. The make-up obligation is when a subarea owes water to downstream producers in the water region. This obligation is mandated by the Watermaster due to the ruling in the above case. It is determined by the total amount of water that is diverted from the Adelanto aquifer to the Barstow aquifer to fulfill the obligations of the adjudication. This make-up water obligation would also cost \$584 per acre-foot if paid directly to the Watermaster. The County was given the option to transfer unused FPA in lieu of direct payment from other producers in the area at a 2:1 ratio, for a total need of 101 acre-feet of make-up water. The Department found this make-up water from Golden State Water Company at a rate of \$50.00

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per acre-feet, therefore reducing the costs from \$29,386.88 to \$5,050.00, saving the Department \$24,336.88.

The Amphitheatre Improvement Fund (2730) was established in 2010 to account for lease payments received annually from the operators of the Amphitheater at Glen Helen. Each year, this revenue has been transferred to the County General Fund to finance the cost of the amphitheater's debt service payment. The Department has been paying \$1,005,042 since 2011 for repayment of this bond debt. The County Administrative Office has approved the waiver of the remaining debt payments starting in fiscal year 2022-23. The Department is requesting the transfer of this amount in Fund 2730 to cover the Watermaster payment and improvements at Glen Helen.

The Department hosted the County Employee Appreciation Picnic at Glen Helen Regional Park on June 3, 2023. Use of the remaining \$303,280 from the Glen Helen bond payment transfer will allow the Department to fund unbudgeted improvements to the park to ensure that all those visiting the park this summer season will be able to enjoy a lush, green turf and that all amenities within the swim complex and park proper are new, accessible, and functioning properly.

This item aligns with the County and Chief Executive Officer's goal and objective of operating in a fiscally-responsible and business-like manner by allowing the Department to have enough water and to pay for services and equipment to provide for a positive customer experience.

PROCUREMENT

All procurement for equipment and services at Glen Helen will follow a competitive selection through a solicitation of bids following County procurement and California Public Contract Code requirements. The Watermaster is the sole proprietor of water rights in the Alto Subarea and Centro regions.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on May 5, 2023; Auditor-Controller/Treasurer/Tax Collector (Vanessa Doyle, Deputy Chief Controller, 382-3195) on May 8, 2023; Finance (Elias Duenas, Administrative Analyst, 387-4052) on May 8, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 18, 2023.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 13, 2023



cc: File - Regional Parks

JM 06/26/2023