

## Bighorn-Desert View Water Agency

### Board of Directors

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A Public Agency

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## BOARD OF DIRECTORS' SPECIAL MEETING AGENDA

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, June 15, 2010 - 6:00 PM

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- APPROVAL OF THE AGENDA

**Public Participation** - Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. When giving your public comment, please first state your name and have your information prepared. Due to time constraints, a three-minute time limit may be imposed. 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 Secretary at 760-364-2315 during Agency business hours.

1. **PUBLIC PARTICIPATION-** Any person may address the Board on any matter within the District's jurisdiction on items not appearing on this agenda.
2. **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.
  - a. **PUBLIC HEARING: NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION (MND) PERTAINING TO THE WATER INFRASTRUCTURE RESTORATION PROGRAM: AMES/RECHE GROUNDWATER STORAGE AND RECOVERY PROGRAM; AND PIPELINE INSTALLATION/REPLACEMENT PROJECT**

**RECOMMENDED ACTION:**

- 1) Review Staff Report;
- 2) Receive Questions and Comments from the Board of Directors;
- 3) Open Public Hearing;
- 4) Receive Public Comments;
- 5) Close Public Hearing;
- 6) Board Discussion; and
- 7) Board to Consider the following Proposed Actions:
  - a. Adoption of a Resolution for a Mitigated Negative Declaration (MND) pertaining to the Water Infrastructure Restoration Program: Ames/Reche Groundwater Storage And Recovery Program; And Pipeline Installation/Replacement Project
  - b. Defer Action until a later date following preparation of response to public comments
  - c. Decline to Adopt a Resolution for a Mitigated Negative Declaration (MND) pertaining to the Water Infrastructure Restoration Program: Ames/Reche Groundwater Storage And Recovery Program; And Pipeline Installation/Replacement Project and direct staff how to proceed with Water Infrastructure Improvement Project

**b. PUBLIC HEARING: ORDINANCE 100-XX - AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY PROVIDING FOR COMPENSATION OF THE BOARD OF DIRECTORS AND ESTABLISHING PROCEDURES RELATED THERETO**

**RECOMMENDED ACTION:**

- 1) Review Staff Report;
- 2) Receive Questions from the Board of Directors;
- 3) Open Public Hearing;
- 4) Receive Public Comments;
- 5) Close Public Hearing;
- 6) Board Discussion; and

7) Board to Consider the following Proposed Actions:

- a. Adopt Ordinance Providing For Compensation of The Board of Directors and Establishing Procedures Related Thereto
- b. Defer Action until a later date
- c. Decline to Adopt Ordinance Providing For Compensation of The Board of Directors and Establishing Procedures Related Thereto

**c. RESOLUTION NO. 10R-XX - A RESOLUTION OF THE BIGHORN-DESERT VIEW WATER AGENCY ESTABLISHING A POLICY FOR COMPENSATION FOR PERFORMANCE OF OFFICIAL DUTIES AND REIMBURSEMENT OF ACTUAL AND NECESSARY EXPENSES ("OFFICIAL DUTIES POLICY")**

**RECOMMENDED ACTION:**

- 1) Review and discuss proposed Resolution; and
- 2) Consider adoption of said Resolution establishing a written policy specifying the types of occasions that constitute the performance of "Official Duties" for which a Director may receive payment.

**d. RESOLUTION NO. 10R-XX - A RESOLUTION OF THE BIGHORN-DESERT VIEW WATER AGENCY ACKNOWLEDGING MOJAVE WATER AGENCY FOR ACHIEVING ITS GOLDEN ANNIVERSARY, 50-YEARS, SERVING THE HIGH DESERT AS A STATE WATER CONTRACTOR**

**RECOMMENDED ACTION:**

- 1) Review and discuss proposed Resolution; and
- 2) Consider approval of said Resolution commemorating Mojave Water Agency's (MWA's) 50th anniversary as a State water Contractor serving the high desert communities.

**e. AUTHORIZE FIRE PROTECTION FOR THE THIRD OF JULY (INDEPENDENCE DAY) COMMUNITY CELEBRATION AT HOMESTEAD VALLEY PARK**

**RECOMMENDED ACTION:**

- 1) Consider approval for providing water for pre-event fire protection measures during the Third of July Community Celebration to be held at Homestead Valley Park, Landers

**3. DISBURSEMENTS APRIL 2010**

**RECOMMENDED ACTION:**

1) Ratify/authorize payment of bills

- 4. 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 an item be held for discussion or further action.

**RECOMMENDED ACTION:**

- 1) Approve as presented (Items a - c)
- a. Financial Statements April 2010
  - b. Minutes of the April 27, 2010 Regular Meeting
  - c. Progress Report on the Ames/Means Reche Recharge Facility Project

**END OF THE CONSENT CALENDAR**

**5. MATTERS REMOVED FROM CONSENT ITEMS**

**6. VERBAL REPORTS**

- PRESIDENT'S REPORT
- GENERAL MANAGER'S REPORT
- DIRECTORS' REPORTS
  - > Report from the Ames/Reche Ad Hoc Committee
  - > Report from the Finance Ad Hoc Committee
  - > March 10, 2010 Finance/Public Relations/Education & Personnel Committee Special Meeting Report
  - > Oral Reports on Conferences/Meetings Attended at Agency Expense

**7. COMMUNICATION AND PUBLIC INFORMATION ITEMS**

- > Public Comment to Local Agency Formation Commission (LAFCO) pertaining to Service Review and Sphere of Influence Update for Bighorn-Desert View Water Agency (Case No. LAFCO 3148):
  - > Mr. Gubler's letter of opposition
- > Allegation of Brown Act Violation:
  - > Mr. J. Harvey's "Cure and Correct" letter (dated 5-1-10)
  - > Counsel Trager's "Cure and Correct" response letter (dated 5-10-10)

**8. ITEMS FOR NEXT AGENDA**

**9. 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 prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Agency Secretary. Backup material for the Agenda is available at the Agency offices for public review and can be viewed online at the Agency's website: [www.bdvwa.org](http://www.bdvwa.org).

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda, and can be reviewed at [www.bdvwa.org](http://www.bdvwa.org).

Copies of these materials and other discloseable public records distributed to all or a majority of the members of the Board of Directors 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.