

Bighorn-Desert View Water Agency

Board of Directors

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A Public Agency

BOARD OF DIRECTORS' SPECIAL MEETING AGENDA

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, February 8, 2011 - 6:00 p.m.

1. CALL TO ORDER

Any member of the audience using an audio or video recording device during this meeting must advise members of the public when the device is turned on and when it is turned off.

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE FOR DELMOUR MAYBURY AND BETTY LAWSON

4. ROLL CALL

5. APPROVAL OF AGENDA

6. 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.

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

7. CLOSED SESSION

- a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:** At this time, the Board will go into Closed Session to confer with Legal Counsel pursuant to subdivision (c) of Government Code Section 54956.9 and Government Code Section 54954.5 for the purpose of deciding whether to initiate litigation (one matter - unidentified).

Special Legal Counsel Susan M. Trager will be participating via teleconference from the following location: 420 Center Street, Laguna Beach, California 92651, pursuant to Government Code Section 54953.

b. CLOSED SESSION REPORT

- 8. 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. AGENCY FINANCIAL AUDIT FOR FISCAL YEAR 2009-2010, CONDUCTED BY THE INDEPENDENT CPA FIRM OF MAYER, HOFFMAN, MCCANN, P.C.**

RECOMMENDED ACTION:

- 1) The Board to receive and file the Agency Financial Audit for fiscal year 2009-2010.

b. ELECTION OF OFFICER - VICE PRESIDENT

RECOMMENDED ACTION:

- 1) The Board to select a Director to be appointed Vice President by a majority vote, effective February 8, 2011.

c. COMMITTEE ASSIGNMENTS

RECOMMENDED ACTIONS:

- 1) President, with Board consensus, to appoint or reappoint Board members to the following existing committees:
- a. Planning/Legislative/Engineering/Grant & Security Committee.
 - b. Finance/Public Relations/Education & Personnel Committee.
 - c. Morongo Basin Pipeline Commission & Mojave Water Agency Technical Advisory Committee.
 - d. Ames/Means Ad Hoc Committee.
 - e. Alliance for Water Awareness and Conservation (AWAC).
 - f. Financial Research Ad Hoc Committee.

- 2) President, with Board consensus, to dissolve the Legislation Ad Hoc Committee formed on February 24, 2009 to work on acquisition of State and Federal stimulus dollars which no longer exist.

d. BOARD TO CONSIDER FORMATION OF AN AD HOC COMMITTEE TO REVIEW THE GENERAL MANAGER'S EMPLOYMENT CONTRACT PRIOR TO THE APRIL 21, 2011 EXPIRATION DATE

RECOMMENDED ACTION:

- 1) President, with Board consensus, to create an Ad Hoc Committee to review the General Manager's Employment Contract prior to the April 21, 2011 expiration date, and;
- 2) Negotiate new terms for the Employment Contract with the General Manager, and
- 3) Bring recommendation back to the full Board for approval.

e. RESOLUTION NO 11R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY AUTHORIZING INVESTMENT OF MONIES INTO THE LOCAL AGENCY INVESTMENT FUND (LAIF)

RECOMMENDED ACTION:

- 1) Board to approve Resolution No. 11R-XX authorizing the Local Agency Investment Fund (LAIF) signature authority.

f. WATER SCIENCE PROJECT PARTICIPATION

RECOMMENDED ACTION:

- 1) Agendize Special Board of Directors' Meeting to start at 4:30 p.m. on April 26, 2011 so the members of the Board can participate as judges for this competition.

g. SPECIAL DISTRICT AND LOCAL GOVERNMENT INSTITUTE (SDI) GOVERNANCE CONFERENCE

RECOMMENDED ACTION:

- 1) Board to authorize attendance at the SDI Governance Conference scheduled for February 17-18, 2011 in Anaheim CA at an approximate cost of \$1465.00 per Board member.

h. CHANGE ORDER NO. 3 TO TODD ENGINEERS FOR PROJECT MANAGEMENT, PERMITTING, HYDROGEOLOGIC FEASIBILITY STUDY AND GROUNDWATER MANAGEMENT PLAN PROJECT

RECOMMENDED ACTION:

- 1) Authorize Change Order No. 3 to Todd Engineers Professional Services Agreement for Project Management, Permitting, Hydrogeologic Feasibility Study and Groundwater Management Plan Project, for a time extension to November 30, 2011 with no increase in project costs.

i. CHANGE ORDER NO. 6 TO CANDIDA NEAL, AICP FOR CEQA/NEPA SERVICES RELATED TO THE WATER INFRASTRUCTURE RESTORATION PROGRAM

RECOMMENDED ACTION:

- 1) Authorize Change Order No. 6 Candida Neal, AICP for CEQA/NEPA Services related to the Water Infrastructure Restoration Program, specifically the Ames/Reche Spreading Grounds, for a time extension to November 30, 2011 with no increase in project costs.

9. DISBURSEMENTS DECEMBER 2010

RECOMMENDED ACTION:

- 1) Ratify/authorize payment of bills for December 2010.

10. 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 - i):
 - a. Financial Statements, December 2010.
 - b. Consumption & Billing Comparison Report, December 2010.
 - c. Service Order Report, December 2010.
 - d. Revised Production Report, November 2010.
 - e. Production Report, December 2010.
 - f. Special Board Meeting Minutes, October 25, 2010.
 - g. Special Board Meeting Minutes, November 15, 2010.
 - h. Regular Board Meeting Minutes, December 28, 2010.
 - i. Progress Report on the Ames/Reche Recharge Facility Project.

END OF THE CONSENT CALENDAR

11. MATTERS REMOVED FROM CONSENT ITEMS

12. VERBAL REPORTS

- a. GENERAL MANAGER'S REPORT
- b. DIRECTORS' REPORT
 - 1) Reports on Courses/Conferences/Meetings Attended at Agency Expense.
- c. PRESIDENT'S REPORT

13. COMMUNICATION AND PUBLIC INFORMATION ITEMS

14. ITEMS FOR NEXT AGENDA

- a. February 22, 2011 Regular Board of Directors' Meeting.

15. 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.

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.

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.