

# Bighorn-Desert View Water Agency

## Board of Directors

Terry Burkhardt, President  
Michael McBride, Director  
David Larson, Director  
Judy Corl-Lorono, Director  
*Director Vacancy*



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

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

Marina D West, PG, General Manager  
Lyni Tompkins, Board Exec. Secretary

A Public Agency

[www.bdvwa.org](http://www.bdvwa.org)

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## BOARD OF DIRECTORS' REGULAR MEETING AGENDA

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, June 28, 2011 - 6:00 p.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, have your information prepared, if you wish to be identified for the record then please state your name. Due to time constraints, a three-minute time limit may be imposed.

5. **REQUEST FOR A BILLING ADJUSTMENT FOR "LEAK RELIEF" FROM MR. & MRS. MARCONNETTE**

Recommended Action:

Determine the amount of billing adjustment for "leak relief" to be provided to Mr. & Mrs. Marconette.

**6. PUBLIC HEARING: RESOLUTION 11R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER AGENCY CONFIRMING REPORTS OF DELINQUENT ACCOUNTS FOR WATER CHARGES, METER CHARGES, AND BONDED INDEBTEDNESS, AND FEES AND AUTHORIZING THE PLACEMENT OF PROPERTY LIENS ON THE SECURED TAX ROLLS OF SAN BERNARDINO COUNTY FOR COLLECTION OF DELINQUENCIES WITHIN BIGHORN-DESERT VIEW WATER AGENCY**

**Recommended Actions:**

1. Review staff report, and note any letters received; and
2. Receive questions from the Board of Directors; and
3. Open public hearing; and
4. Receive public comments; and
5. Close public hearing; and
6. Board discussion of public comments received; and
7. Board to consider adopting Resolution No. 11R-XX - Confirming reports of delinquent accounts for water charges, meter charges, bonded indebtedness, and fees AND authorizing the placement of property liens on the secured tax rolls of San Bernardino County for collection of delinquencies within Bighorn-Desert View Water Agency.

**7. RESOLUTION NO. 11R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY PROVIDING FOR THE LEVY AND COLLECTION OF TAXES (SETTING THE AD VALOREM TAX) WITHIN IMPROVEMENT DISTRICT NO. 1 FOR FISCAL YEAR 2011/2012**

**Recommended Actions:**

1. Board to review and discuss background for the levy and collection of the taxes (property tax apportionment) within the Improvement District No. 1 (Bighorn Debt Service area) for Fiscal Year 2011/2012 to provide for a total collection of a value to be determined at the board meeting no greater than 175,900.00; and
2. Board to consider adopting Resolution No. 11R-XX - Providing for the levy and collection of taxes (setting the Ad Valorem tax) within Improvement District No. 1 for Fiscal Year 2011/2012.

**8. BOARD TO CHOOSE PROCESS FOR FILLING VACANT BOARD OF DIRECTOR SEAT**

**Recommended Action:**

Board to direct staff on one of the following procedures for filling a vacancy on the Board of Directors within sixty (60) days of the date notified of the resignation;

- 1) Direct staff to call for an election; OR
- 2) Determine to fill the vacancy by appointment; OR
- 3) Do nothing, thereby leaving the decision to San Bernardino County Board of Supervisors, either to appoint or to order the agency to call an election, within ninety (90) days of the date on the notice of resignation.

**9. ELECTION OF OFFICER - VICE PRESIDENT**

Recommended Action:

Board to select a Director to be appointed Vice President by a majority vote, effective June 28, 2011.

**10. BOARD TO DISSOLVE GENERAL MANAGER PERFORMANCE/COMPENSATION "2 MEMBER" AD HOC COMMITTEE & DISSOLVE FINANCE RESEARCH AD HOC COMMITTEE**

Recommended Action:

Board to consider dissolving the General Manager Performance/Compensation "2-Member" Ad Hoc Committee, and dissolve the Finance Research Ad Hoc Committee.

**11. BOARD APPROVAL OF STANDING COMMITTEES, AD HOC COMMITTEES, AND OTHER COMMITTEE ASSIGNMENTS**

Recommended Action:

Board to consider approving the appointments made by the Board President to committees and meeting assignments as they appear on "Standing Committees, Ad Hoc Committees & Other Meeting Assignments 2011", dated 6/28/2011.

**12. BOARD MEETING ASSIGNMENTS FOR AGENCY RELATED BUSINESS FOR SOME CATEGORY A MEETINGS - REFERENCE RESOLUTION NO. 10R-02**

Recommended Action:

Board to consider approving a schedule for some "Board Meeting Assignments For Agency Related Business" identified as Category 'A' meetings in Resolution No. 10R-02.

**13. DISBURSEMENTS MAY 2011**

Recommended Action:

Ratify Check Register (payment of bills) for May 2011.

**14. 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.

- a. Financial Statements May 2011
  - 1. Balance Sheet
  - 2. Statement of Revenue and Expense
  - 3. General Account (Union Bank)
  - 4. Disbursements
  - 5. Local Agency Investment Fund Balance Timeline
- b. Consumption & Billing Comparison Report, May 2011
- c. Service Order Report, May 2011
- d. Production Report, May 2011
- e. Progress Report on the Ames/Reche Recharge Facility Project, Todd Engineers, May 2011
- f. Special Board Meeting Minutes, May 24, 2011
- g. Regular Board Meeting Minutes, May 24, 2011
- h. Special Board Meeting Minutes, May 31, 2011

Recommended Action:

Approve as presented (Items a - h):

**15. MATTERS REMOVED FROM CONSENT ITEMS**

**16. PUBLIC PARTICIPATION**

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

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

When giving your public comment, have your information prepared, if you wish to be identified for the record then please state your name. 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's Secretary at 760-364-2315 during Agency business hours.

**17. VERBAL REPORTS** - Including Reports on Courses/Conferences/Meetings.

- a. GENERAL MANAGER'S REPORT
- b. DIRECTORS' REPORT
- c. PRESIDENT'S REPORT

**18. ITEMS FOR NEXT AGENDA**

## 19. 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.

**BIGHORN DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** June 28, 2011

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** \$3,000

**Funding Source:** Leak Relief/Bad Debt

**From:** Marina D. West

**General Counsel Approval:** n/a

**CEQA Compliance:** n/a

**Subject:** Request for a Billing Adjustment for "Leak Relief" from Mr. & Mrs. Marconette  
Parcel No. 0629 021 360000

**SUMMARY**

The Agency received a request for relief from a bill for a water leak for approximately \$7,300.00 from Mr. & Mrs. Marconette on May 25, 2011. Upon review, staff felt that total relief from the bill was beyond their authority and staff believes that relief should be "capped" at \$500 so that the program is accessible to other customers without exceeding the budgetary allowance. The Marconette's were offered an adjustment of \$500 under the existing leak relief guidelines.

The Marconette's asked to address the Board to appeal staff's decision. Their attached written request was submitted in according with the existing Rules and Regulations for Water Service.

**RECOMMENDATION**

That the Board take the following action:

Determine the amount of billing adjustment for "leak relief" to be provided to Mr. & Mrs. Marconette.

**BACKGROUND/ANALYSIS**

No further background provided.

**PRIOR RELEVANT BOARD ACTION(S)**

1. none

To: Bighorn-Desert View Water Agency  
622 So. Jemez Tr.  
Yucca Valley, Ca. 92284  
(760) 364-2315

May 25, 2011

From: Mary Ann Marconette  
[REDACTED]  
[REDACTED]  
[REDACTED]

Acct # 11-0306-0  
[REDACTED]  
[REDACTED]

Re: Request for Bill Adjustment.

The water bill you sent to me on April 29, 2011 for \$7359.94 is the result of a broken water line.

As you can see in photo #1 we had a break in our water line and we believe this is the result of the ground shifting and the pipe shearing in half. This is an act of nature not the act of neglect or abuse on my part.

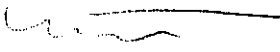
This is a house we do not live in and unfortunately this happened during the seven week period that my husband was confined to bed with pneumonia. Normally we go by the house every weekend to water the trees and check on things but I was unable to do so during that time. It was not until this week that my husband was physically able to do the repairs (due to the recession I could not afford to hire a plumber to get the repairs done any sooner).

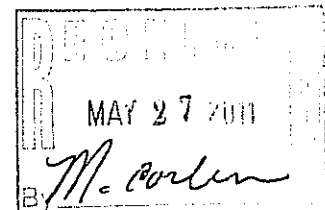
As you can see in photo #2 my husband has fixed the broken pipe-  
He replaced the shut off valve, part of the pipe and the coupler.  
The receipts from Barr Lumber and Home Depot are attached and came to a total of \$16.15  
(Most of the parts we already had).

Also I was under the impression that because I came in and talked to you about the bill, that delinquent charges would not be added to my account while we settled the request for adjustment.

So I am asking for the largest adjustment possible on my bill and to have the delinquent charges removed as well.

Thank you for your understanding and I will be waiting to hear from you.

  
Mary Ann Marconette



RETURN POSTAGE GUARANTEED

50057 BIGHORN - DESERT VIEW WATER AGENCY  
622 SO. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 - (760) 364-2315

ACCOUNT NO.		SERVICE FROM	SERVICE TO
11-0306-0		02/25/11	04/28/11
METER READING		CONSUMPTION	
PREVIOUS	PRESENT	IN CU. FT.	

1039 244227 243188 7,295.64  
FMHA LOAN 9.30  
BASIC SERVICE CHARGE 55.00

MARCONETTE MARYANN  
SEE COMMENTS

THIS DATE REFLECTS  
CURRENT CHARGES ONLY

online bill pay  
now available  
at [bdvwa.org](http://bdvwa.org)

PLEASE RETURN THIS STUB  
WITH YOUR REMITTANCE

TO AVOID DELINQUENT CHARGE, PAYMENT  
MUST BE RECEIVED BY:

05/19/11

PLEASE PAY  
THIS AMOUNT

ACCOUNT NUMBER

PLEASE PAY  
THIS AMOUNT

7,359.94

11-0306-0

7,359.94

SERVICE  
ADDRESS

PLEASE SEE REVERSE SIDE FOR TERMS  
OF BILL PAYMENT

RETURN POSTAGE GUARANTEED

50068 BIGHORN - DESERT VIEW WATER AGENCY  
622 SO. JEMEZ TRAIL, YUCCA VALLEY, CA 92284 - (760) 364-2315

ACCOUNT NO.		SERVICE FROM	SERVICE TO
11-0306-0		02/25/11	04/28/11
METER READING		CONSUMPTION	
PREVIOUS	PRESENT	IN CU. FT.	

PREVIOUS BALANCE

7,359.94

**URGENT**

MARCONETTE MARYANN  
SEE COMMENTS

DELINQUENT CHARGE

368.00

SECOND NOTICE

PLEASE RETURN THIS STUB  
WITH YOUR REMITTANCE

TO AVOID TERMINATION OF SERVICE  
PAYMENT MUST BE IN OUR HANDS BY:

06/06/11

PLEASE PAY  
THIS AMOUNT

ACCOUNT NUMBER

PLEASE PAY  
THIS AMOUNT

7,727.94

11-0306-0

7,727.94

SERVICE  
ADDRESS

2424 DWS RD

PLEASE SEE REVERSE SIDE FOR TERMS  
OF BILL PAYMENT

Parcel 0629 021 360000





**More saving.  
More doing.™**

58705 29 PALMS HWY  
YUCCA VALLEY, CA 92284 (760)3659202

6971 00015 13019 05/25/11 11:10 AM  
CASHIER MARIBEL - MXL6124

715339090287 VEG PEAT 4IN <A> 2.98N  
RSN: 5 NEW AMT 2.50 MKDN -0.48  
MAX REFUND VALUE \$2.50  
715339090287 VEG PEAT 4IN <A> 2.98N  
RSN: 5 NEW AMT 2.50 MKDN -0.48  
MAX REFUND VALUE \$2.50  
044752110082 PVC SOLVENT <A> 4.97

SUBTOTAL 9.97  
SALES TAX 0.43  
TOTAL \$10.40  
CASH 20.00  
CHANGE DUE 9.60



6971 15 13019 05/25/2011 2692

RETURN POLICY DEFINITIONS  
POLICY ID DAYS POLICY EXPIRES ON  
A 1 90 06/23/2011

GUARANTEED LOW PRICES  
LOOK FOR HUNDREDS OF  
LOWER PRICES STOREWIDE

\*\*\*\*\*

**ENTER FOR A CHANCE  
TO WIN A \$5,000  
HOME DEPOT GIFT  
CARD!**

Share Your Opinion With Us! Complete  
the brief survey about your store visit  
and enter for a chance to win at:

[www.homedepot.com/opinion](http://www.homedepot.com/opinion)

**¡PARTICIPE EN UNA  
OPORTUNIDAD DE GANAR  
UNA TARJETA DE  
REGALO DE THD  
DE \$5,000!**

¡Comparta Su Opinión! Complete la breve  
encuesta sobre su visita a la tienda y  
tenga la oportunidad de ganar en:

[www.homedepot.com/opinion](http://www.homedepot.com/opinion)

User ID:  
33298 26342

Password:  
11275 26327

Entries must be entered by 06/24/2011.  
Entrants must be 18 or older to enter.  
See complete rules on website. No  
purchase necessary.

BARR LUMBER CO - YUCCA VALLEY  
7054 OLD WOMAN SPRINGS ROAD  
YUCCA VALLEY, CA 92284  
(760) 365-2357

92395379 Salesperson: BARBARA MISSETT  
WS: 567 DRW: 3 05/25/2011 09:15:51

SoLo: YUCCA VALLEY

TO :  
:  
:

ITEM NUMBER	QTY	PRICE	EXTENSION
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93425063	1.00	0.39 EACH	0.39
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3/4" SAE 1/2" MALE ADAPTER

031004	1.00	9.49 EACH	9.49
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06-17141 3/4 BRASS BALL VALVE #2

SUBTOTAL \$9.88

0.00

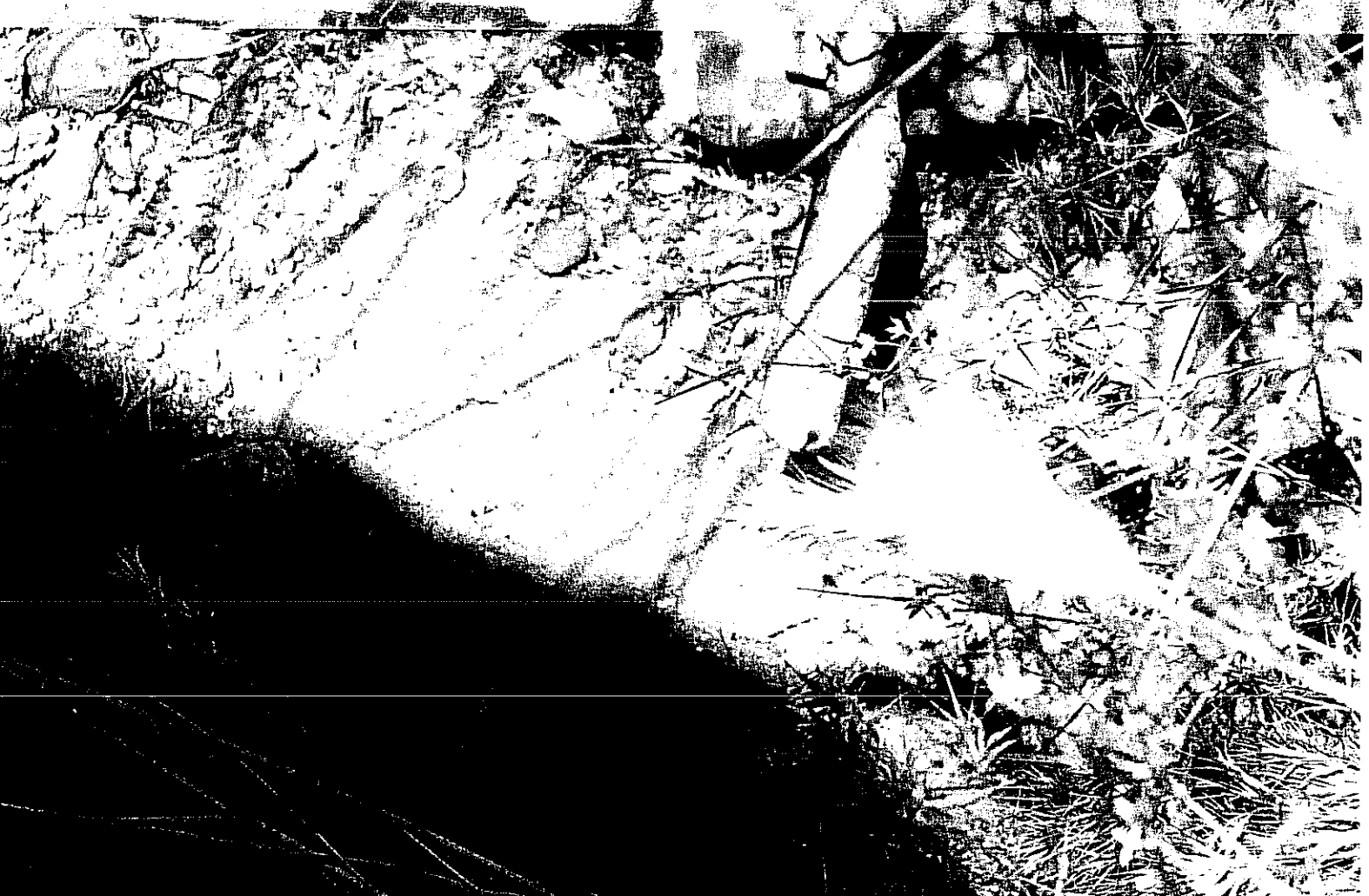
Ticket # 92395379 SALES TAX 0.00

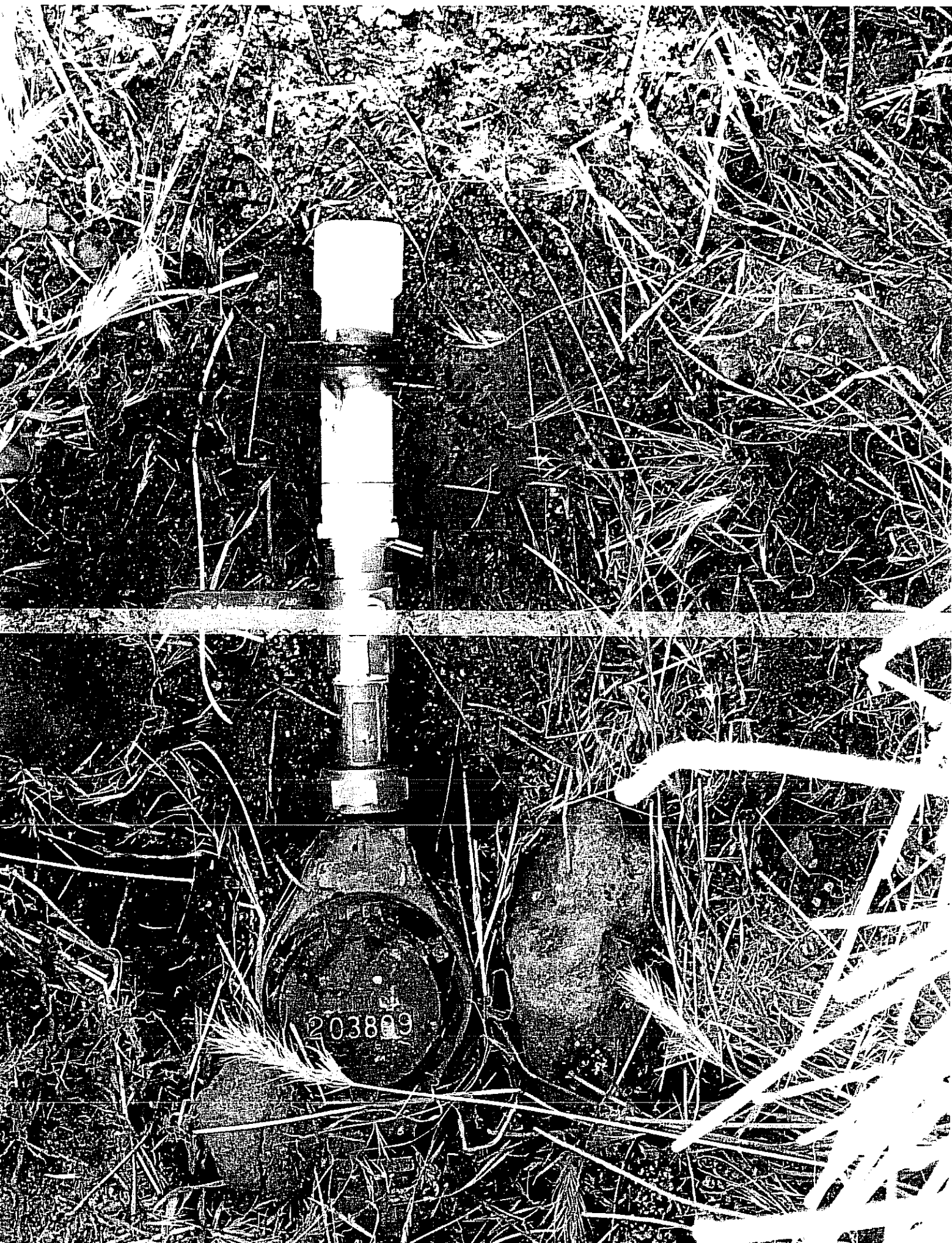
posobarr TOTAL \$10.74

Cash: 11.00

Tendered: 11.00

Change : 0.26





**BIGHORN DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** June 28, 2011

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** \$3,000

**Cost:** \$36,092.27

**Funding Source:** Property Lien

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Public Hearing: Resolution No 11R-XX: A Resolution Confirming Reports of Delinquent Accounts for Water Charges, Meter Charges, Bonded Indebtedness and Fees AND Authorizing Placement of Property Liens on the Secured Tax Rolls of San Bernardino County for Collection of Delinquencies within Bighorn Desert View Water Agency

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**SUMMARY**

Each June the Agency summarizes the report of Bad Debt expenses owed for the prior year period April 2010 to April 2011 and prepares for the submission of a collections report to the County of San Bernardino for inclusion on the secured tax rolls. This year the total amount to be forwarded to the County of San Bernardino for collections is \$36,092.27.

On May 24, 2011 a letter to each delinquent property owner over the amount of \$125.00 was mailed. This letter served to inform each owner of the pending property tax lien. The letter was mailed both certified and regular first class. A public notice has been placed in the Hi Desert Star for publishing. The notice will run on June 18, 2011 and June 22, 2011.

**RECOMMENDATION**

Recommended Action:

1. Review staff report, and note any letters received;
2. Receive questions from the Board of Directors;
3. Open public hearing;
4. Receive public comments;
5. Close public hearing;
6. Board discussion of public comments received;
  - a. Board to consider approving Resolution No. 11R-XX - Confirming reports of delinquent accounts for water charges, meter charges, bonded indebtedness, and fees AND authorizing the placement of property liens on the secured tax rolls of San Bernardino County for collection of delinquencies within Bighorn-Desert View Water Agency

## **BACKGROUND/ANALYSIS**

In May 2011, one-hundred fourteen (114) properties were identified as being excessively delinquent. On May 24, 2011 these property owners were mailed, via regular and certified mailings, a letter warning of the pending hearing for placement of the debt on a property tax lien. Of the original one-hundred fourteen (114) delinquent properties, twenty (20) paid their debt in the amount of \$ 6,625.51 thus reducing the total outstanding debt to \$36,092.27.

As part of the notification requirement, the names, parcel number and debt of the remaining ninety-four (94) delinquent property owners was published in the Hi Desert Star on June 18, 2011 and June 22, 2011. August 10, 2011 is the deadline for submitting the Special Assessment to the 2011/12 Tax Rolls. September 1, 2011 is the deadline for all corrections.

## **PRIOR RELEVANT BOARD ACTION(S)**

**6/29/2010 Resolution No. 10R-05:** Resolution of the Board of Directors of Bighorn-Desert View Agency confirming reports of delinquent accounts for water charges, meter charges, bonded indebtedness, and processing fees and authorizing the placement of property liens on the secured tax rolls of San Bernardino County for collection of delinquencies within Bighorn-Desert View Water Agency.

## RESOLUTION NO. 11R-XX

### A RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER AGENCY CONFIRMING REPORTS OF DELINQUENT ACCOUNTS FOR WATER CHARGES, METER CHARGES, BONDED INDEBTEDNESS, AND FEES AND AUTHORIZING THE PLACEMENT OF PROPERTY LIENS ON THE SECURED TAX ROLLS OF SAN BERNARDINO COUNTY FOR COLLECTION OF DELINQUENCIES WITHIN BIGHORN-DESERT VIEW WATER AGENCY

**WHEREAS**, the Board of Directors of the Bighorn-Desert View Water Agency resolves as follows:

#### **SECTION 1:**

The Board of Directors of the Bighorn-Desert View Water Agency finds and declares as follows:

- A. On May 24, 2011, the General Manager did cause written notification to be mailed, by both certified and first class U.S. Mail, to such delinquent customers that public notices would be placed in the local newspaper on June 18, 2011 and June 22, 2011 and that a public hearing would be held on June 28, 2011; and
- B. On June 17, 2011, public notices were placed in the local newspaper and published on June 18, 2011. Also on June 21, 2011, public notices were placed in the local newspaper and published on June 22, 2011.

#### **SECTION 2:**

The Board of Directors of the Bighorn-Desert View Water Agency resolves that the following delinquent accounts will be placed on the (2011/2012) Secured Property Tax Roll of the County of San Bernardino Tax Collector:

BCSI, INC	635-041-12	\$383.60
SHREWSBURY, KURT MICHAEL	635-041-11	\$383.60
BAUTISTA, ALICE R	635-071-64	\$383.60
CARVEL, LISA	635-071-26	\$363.74
FRITTS, THOMAS	635-601-01	\$443.60
HERRERA, ADRIAN C	635-071-29	\$333.60
CERDA, JESUS	635-091-24	\$555.70
KUNZ, JAMES	635-031-27	\$383.60
RIOS, GENY	635-031-01	\$383.60
PAYNE, KENNETH D	635-021-17	\$383.60
LANGREHR, DWAIN	635-061-51	\$261.67
PLUMMER, SCOTT	635-061-55	\$383.60
OAKES, JEANETTE AND MATTHEW	635-511-46	\$383.60
PARRIOTT, LYLE	635-511-05	\$383.60
DRURY, JULIE EST OF	635-511-11	\$513.42
CAPITAL AMERICANA INC	635-511-60	\$383.60
BENGTSON, WILLIAM	629-405-01	\$383.60

HEREDIA, JESUS	629-382-02	\$760.27
ELLISON, RON	629-394-02	\$383.60
TYZA INDUSTRIES LLC	629-372-07	\$383.60
TYZA INDUSTRIES LLC	629-372-08	\$383.60
PURDUM, ROBERT GLENN	629-352-19	\$323.60
KINDIG, CHARLES R	629-352-35	\$393.60
LOVELL, STEVEN	629-352-36	\$383.60
HAYDEN, BRAM C	629-342-17	\$383.60
ATAYDE, LYDIA A	629-292-40	\$383.60
LEITCH, JULIAN B	629-292-46	\$383.60
GOSS, ROBERT A	629-302-25	\$383.60
JONES, MIKE D	629-301-38	\$383.60
NARANJO, JUAN	629-301-11	\$203.60
HOMESTEAD HOLDINGS LLC	629-311-35	\$150.09
HARVEY, WILLIAM A	629-311-18	\$383.60
GUZMAN, REFUGIO O	629-302-29	\$203.60
PARKER, JAMES F II	629-311-23	\$383.60
LAFLEUR, JAMES L	630-011-11	\$384.05
WINCHESTER, JAMES	630-021-23	\$541.80
DUNN, MAURICETTE Y	630-011-71	\$283.60
GROSS, DUAINÉ	631-061-47	\$383.60
LOPEZ, RICKY JOE	630-011-19	\$323.60
ROWAN, LYNELLEN	630-032-34	\$383.60
BROWN, SHIRLEY I	630-032-46	\$383.60
SCARDINA, MELANIE A	630-031-13	\$203.60
GRAY, NEAL A	630-051-24	\$383.60
MICHAL, TED W	630-051-23	\$383.60
SAMSON, PATRICIA A INTERVIVOS	630-082-36	\$383.60
DUNN, KEVIN	630-051-37	\$383.60
OTTERBINE, CHRISTOPHER	630-081-25	\$383.60
GONZALEZ, RUTILIO	630-081-10	\$333.60
RISEING PHOENIX GROUP LLC	630-051-62	\$383.60
MITCHELL, DON	630-051-63	\$483.90
POWELL, JAMES L	630-051-10	\$383.60
JONES, ELMORE B	630-071-04	\$383.60
HERNANDEZ, PEDRO	630-071-03	\$383.60
RANDALL, TEDDIE J	630-062-34	\$383.60
DESSELLE PROP INC ETAL	630-062-12	\$383.60
MACK, BARRY ETAL	630-061-27	\$800.75
HARMON, JACK D	629-291-60	\$304.50
JOSIAH, MICHAEL	629-291-64	\$444.40
RODEN, BLAIN M	629-281-15	\$936.85
REVERSE MORT SOLUTIONS	629-291-39	\$158.28
VENOBLE, DEBORAH J	629-282-10	\$444.40
FEDERAL HOME LOAN MOR CO	629-291-04	\$1,598.26
WONG, GENE S	629-291-25	\$385.10
CAMPBELL, DONALD	629-271-30	\$444.40
BAUGHMAN, NANCY	629-291-62	\$182.20
SIPPER, MICHAEL D	629-071-07	\$444.40
LAFLEUR, JAMES L	629-072-15	\$444.40

TONELLA, USHLA P	629-241-43	\$444.40
GOLIYAN, ROBERT	629-071-45	\$162.20
TOUN, KROUT C/O NGAR, BUNL	629-231-04	\$439.40
LAMBERT, STEVEN A	629-072-51	\$444.40
CRONCE, GENE-MARIE E	629-062-25	\$444.40
TYZA INDUSTRIES LLC	629-103-03	\$444.40
WESTERN SKY RANCHES, INC	629-231-55	\$437.97
BRACAMONTE, ELIZABETH	629-092-01	\$344.38
STODOLKA, JOHN M	629-111-06	\$681.97
FEDERAL HOME LOAN MORG CORP	629-131-06	\$382.25
SAAVEDRA, ENCARNACION	629-232-43	\$444.40
SAAVEDRA, ENCARNACION	629-232-42	\$444.40
SECRETARY OF THE DEPT OF HUD	629-441-33	\$441.09
MCALLASTER, ROBERT G	629-051-09	\$236.15
GABRIELES, CHARLES	629-051-11	\$790.90
HAGA, JACK WES	629-062-10	\$444.40
PARROTT, DOROTHY L	629-051-37	\$295.80
DALBEY, KORI	629-042-19	\$240.40
HAMILTON, CARRIE	629-161-36	\$238.13
DUPRE, CINDY	629-161-26	\$365.50
FEDERAL NATIONAL MORT ASSOC	629-032-32	\$295.80
THORNTON, BRADLEY	629-032-57	\$218.62
CA CRAWFORD PROPERTIES LLC	629-021-29	\$444.40
FEDERAL NATIONAL MORT ASSOC	629-032-77	\$454.33
GRAMTECH INC	629-161-15	\$444.40
EZELL FAMILY TRUST	629-431-13	\$444.40

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of Bighorn-Desert View Water Agency this 28th day of June 2011, by the following roll call vote:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

BY \_\_\_\_\_

Terry Burkhardt, Board President

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of the Bighorn-Desert View Water Agency, and that a Special meeting of the Board of Directors of said Agency held on June 28, 2011, the foregoing Resolution 11R-XX was duly and regularly adopted by said Board, and that said resolution had not been Rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By \_\_\_\_\_  
Judy Cori-Lorono, Board Secretary



## Bighorn-Desert View Water Agency

### Board of Directors

Terry Burkhart, President  
J. Larry Coulombe, Vice President  
Michael McBride, Director  
David Larson, Director  
Judy Corl-Lorono, Board Secretary



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

[www.bdvwa.org](http://www.bdvwa.org)

A Public Agency

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May 16, 2011

Account No.  
Assessors Parcel No:

Dear Customer,

This letter is to advise you that your account has been referred to my attention as excessively delinquent. Upon review, your account has a balance of \$. Several attempts have been made to contact you, regarding this matter, without response.

This is to notify you by letter that if payment is not received within 15 days of the date of this letter, then the Agency will place a public notice in the local newspaper on June 18, 2011 and June 22, 2011 in a further attempt to notify you. The Agency has scheduled a public hearing on the matter for June 28, 2011 at 6:00 pm. The Board of Directors will thereafter consider a Resolution confirming the report of delinquent accounts for water charges, meter charges, and bonded indebtedness. If approved it would authorize the placement of the property liens on the tax rolls of San Bernardino County for collection of delinquencies within Bighorn-Desert View Water Agency.

The Agency's power to place a lien against your property is based upon Ordinance No. 08-01 Rules and Regulations for Water, Service Article 3.22, Water Code App. 112-5 and Water Code App. 112-15, and other provisions.

Please remit immediately to avoid this legal action.

Sincerely,  
Marina D. West, PG  
General Manager

**PROOF OF PUBLICATION**  
(2015.5 C.C.P.)

STATE OF CALIFORNIA  
County of San Bernardino

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the:

HI-DESERT STAR

a newspaper of general circulation, printed and published BI-WEEKLY

in the City of YUCCA VALLEY County of San Bernardino, and which news- paper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California,

under the date of 11/27 19 61

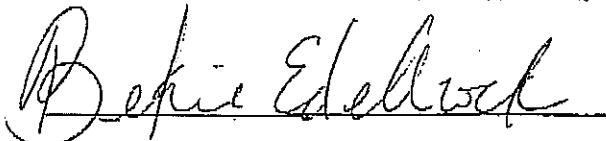
Case Number 107762; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

6/18, 6/22

all in the years 2011

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at: YUCCA VALLEY, California,  
this 22nd. day July 2011



Signature  
Bekle Edelbrock

This space is for the County Clerk's Filing Stamp

Proof of Publication

**ANNOUNCEMENT OF PUBLIC HEARING  
BIGHORN-DESERT VIEW WATER AGENCY**

**"ANNOUNCEMENT OF PUBLIC HEARING"**

JUNE 22, 2011 AT 8 PM  
BIGHORN-DESERT VIEW WATER AGENCY  
BOARD MEETING OFFICE  
720 N. CHEROKEE TRAIL, LANDERS, CA 92285

**NOTICE OF INTENT BY THE BOARD OF DIRECTORS  
OF THE BIGHORN-DESERT VIEW WATER AGENCY  
TO CONSIDER ADOPTING A RESOLUTION CONFIRMING THE REPORT OF DELINQUENT  
ACCOUNTS FOR WATER CHARGES, METER CHARGES, BONDED INDEBTEDNESS, AND  
PROCESSING FEES. IF APPROVED, IT WOULD AUTHORIZE THE PLACEMENT OF THE  
PROPERTY LIENS ON THE TAX ROLLS OF SAN BERNARDINO COUNTY FOR COLLECTION  
OF DELINQUENCIES WITHIN BIGHORN-DESERT VIEW WATER AGENCY.**

**RESOLUTION NO. 118XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER  
AGENCY CONFIRMING REPORTS OF DELINQUENT ACCOUNTS FOR WATER CHARGES,  
METER CHARGES, BONDED INDEBTEDNESS, AND FEES AND AUTHORIZING THE  
PLACEMENT OF PROPERTY LIENS ON THE SECURED TAX ROLLS OF  
SAN BERNARDINO COUNTY FOR COLLECTION OF DELINQUENCIES  
WITHIN BIGHORN-DESERT VIEW WATER AGENCY.**

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency resolves as follows:

**SECTION 1.**

The Board of Directors of the Bighorn-Desert View Water Agency finds and declares as follows:

As of May 24, 2011, the General Manager did cause written notification to be mailed, by both certified and first class U.S. Mail, to such delinquent customers that public notices would be placed in the local newspaper on June 18, 2011 and June 22, 2011 and that a public hearing would be held on June 28, 2011 and

On June 17, 2011, public notices were placed in the local newspaper and published on June 18, 2011. Also on June 21, 2011, public notices were placed in the local newspaper and published on June 22, 2011.

The Board of Directors of the Bighorn-Desert View Water Agency resolves that the following delinquent accounts will be placed on the 2011 (2012) Secured Property Tax Roll of the County of San Bernardino Tax Collector:

BOBBI, JANE	635-041-12	\$383.80
BHREWBURY, KURT MICHAEL	635-041-11	\$383.60
BAUNIS, ALICE	635-071-64	\$383.80
CARVE, LISA	635-071-26	\$383.74
CRIMIS, GEORGE	635-801-01	\$443.80
HERBER, ADRIAN D.	635-071-28	\$383.60
CEBA, JAMES	635-091-24	\$666.70
KUNZ, JAMES	635-031-27	\$383.89
RICKS, GENE	635-031-01	\$383.60
PAYKE, KENNETH D.	635-021-17	\$383.80
LANGHEER, DWAIN	635-061-31	\$281.67
OKRES, SCOTT	635-081-55	\$383.60
CARRIS, JAMIE AND MATTHEW	635-511-48	\$383.60
PARRIS, CYCLE	635-811-05	\$383.80
DRURY, JUDITH	635-511-11	\$519.42
CARRAS, AMERICAN	635-511-00	\$383.80
DENO, SCOTT	635-405-01	\$383.80
HEREDIA, JESUS	635-382-02	\$760.27
ELISON, RON	629-304-02	\$383.80
WYMAN INDUSTRIES LLC	629-372-07	\$383.80
WYMAN INDUSTRIES LLC	629-372-08	\$383.80
PURDUM, ROBERT GLENN	629-352-18	\$383.80
SKINDIG, CHARLES R.	629-352-35	\$383.80
GOVELL, STEVEN	629-352-36	\$383.80
RAYDEN, BRAM	629-342-17	\$383.80
KATAYON, LYDIA A.	629-292-40	\$383.80
LEITCH, JULIAN B.	629-292-46	\$383.60
GROSS, ROBERT	629-302-25	\$383.80
JONES, MIKE	629-301-38	\$383.80
NABAN, JUAN	629-301-11	\$203.60
HOMER, B. HOLDINGS LLC	629-311-33	\$160.09
HARVEY, WILLIAM A.	629-311-18	\$383.80
GUZMAN, FERRIS	629-302-28	\$203.60
PARKER, JAMES L.	629-011-23	\$383.60
LAFLEUR, JAMES L.	630-011-11	\$384.05
WINCHESTER, JAMES	630-021-23	\$541.80
DUNN, MAURICE L.	630-011-71	\$283.60
GROSS, DUANE	631-051-47	\$383.60
LOPEZ, RICKY JOE	630-011-19	\$323.60
ROWAN, LYNN	630-032-34	\$383.60
BROWN, SHIRLEY	630-032-46	\$583.80
SCARDINA, MELANIE A.	630-031-13	\$403.60
GRAY, NEAL A.	630-051-24	\$383.60
MICHAEL, TED W.	630-051-23	\$383.60
SAMSON, PATRICIA A INTERVIVOS	630-082-35	\$383.60
DUNN, KEVIN	630-051-37	\$383.80
OTTERBINE, CHRISTOPHER	630-081-25	\$383.80
GONZALEZ, RUTILIO	630-081-10	\$383.60
RISEING PHOENIX GROUP LLC	630-051-62	\$383.60
MITCHELL, DON	630-051-63	\$483.00
POWELL, JAMES L.	630-051-10	\$383.60
JONES, ELMORE B.	630-071-04	\$383.80
HERRANDEZ, PEDRO	630-071-03	\$383.80

**\*\*ANNOUNCEMENT OF PUBLIC HEARING\*\***

JUNE 28, 2011 AT 8 PM  
BIGHORN-DESERT VIEW WATER AGENCY  
BOARD MEETING OFFICE  
720 N. CHEROKEE TRAIL, LANDERS, CA 92285

NOTICE OF INTENT BY THE BOARD OF DIRECTORS  
OF THE BIGHORN-DESERT VIEW WATER AGENCY  
TO CONSIDER ADOPTING A RESOLUTION CONFIRMING THE REPORT OF DELINQUENT  
ACCOUNTS FOR WATER CHARGES, METER CHARGES, BONDED INDEBTEDNESS, AND  
PROCESSING FEES, IF APPROVED IT WOULD AUTHORIZE THE PLACEMENT OF THE  
PROPERTY LIENS ON THE TAX ROLLS OF SAN BERNARDINO COUNTY FOR COLLECTION  
OF DELINQUENCIES WITHIN BIGHORN-DESERT VIEW WATER AGENCY.

**RESOLUTION NO. 11R-XX**

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER  
AGENCY CONFIRMING REPORTS OF DELINQUENT ACCOUNTS FOR WATER CHARGES,  
METER CHARGES, BONDED INDEBTEDNESS, AND FEES AND AUTHORIZING THE  
PLACEMENT OF PROPERTY LIENS ON THE SECURED TAX ROLLS OF  
SAN BERNARDINO COUNTY FOR COLLECTION OF DELINQUENCIES  
WITHIN BIGHORN-DESERT VIEW WATER AGENCY

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency resolves as follows:

**SECTION 1:**

The Board of Directors of the Bighorn-Desert View Water Agency finds and declares as follows:

A. On May 24, 2011, the General Manager did cause written notification to be mailed, by both certified and first class U.S. Mail, to such delinquent customers that public notices would be placed in the local newspaper on June 18, 2011 and June 22, 2011 and that a public hearing would be held on June 28, 2011; and

B. On June 17, 2011, public notices were placed in the local newspaper and published on June 18, 2011. Also on June 21, 2011, public notices were placed in the local newspaper and published on June 22, 2011.

The Board of Directors of the Bighorn-Desert View Water Agency resolves that the following delinquent accounts will be placed on the (2011/2012) Secured Property Tax Roll of the County of San Bernardino Tax Collector:

BCSI, INC	635-041-12	\$383.60
SHREWSBURY, KURT MICHAEL	635-041-11	\$383.60
BAUTISTA, ALICE R	635-071-64	\$383.60
CARVEL, LISA	635-071-26	\$383.60
FRITTS, THOMAS	635-601-01	\$383.60
HERRERA, ADRIAN C	635-071-29	\$383.60
CERDA, JESUS	635-091-24	\$383.60
KUNZ, JAMES	635-031-27	\$383.60
RIOS, GENEY	635-031-01	\$383.60
PAYNE, KENNETH D	635-021-17	\$383.60
LANGHEIR, DWANE	635-061-51	\$383.60
PLUMMER, SCOTT	635-061-55	\$383.60
JAKES, JENNIFER AND MATTHEW	635-511-46	\$383.60
PARROTT, LYLE	635-511-05	\$383.60
DRURY, JULIE EST OF	635-511-11	\$383.60
CAPITAL AMERICANA INC.	635-511-60	\$383.60
BENGTSON, WILLIAM	629-405-01	\$383.60
HEREDIA, JESUS	629-382-02	\$760.27
ELLISON, RON	629-384-02	\$383.60
TYZA INDUSTRIES LLC	629-372-07	\$383.60
PURDUM, ROBERT GLENN	629-372-08	\$383.60
KINDIG, CHARLES R	629-352-19	\$383.60
LOVELL, STEVEN	629-352-35	\$383.60
HAYDEN, BRAM C	629-342-36	\$383.60
ATAYDE, LYDIA A	629-342-17	\$383.60
LEITCH, JULIAN B	629-282-45	\$383.60
GOSS, ROBERT A	629-302-25	\$383.60
JONES, MIKE D	629-301-38	\$383.60
NARANJO, JUAN	629-301-11	\$203.60
HOMESTEAD HOLDINGS LLC	629-311-35	\$150.09
HARVEY, WILLIAM A	629-311-18	\$383.60
GUZMAN, REFUGIO O	629-302-29	\$203.60
PARKER, JAMES F II	629-311-23	\$383.60
LAFLEUR, JAMES I	630-011-11	\$384.05
WINCHESTER, JAMES	630-021-23	\$541.80
DUNN, MARCETTE Y	630-011-71	\$293.60
GROSS, DUANE	631-061-47	\$383.60
LOPEZ, RICKY JOE	630-011-19	\$383.60
ROWAN, LYNELLEN	630-032-34	\$383.60
BROWN, SHIRLEY I	630-032-46	\$383.60

SCARDINA, MELANIE A	630-031-13	\$203.60
GRAY, NEAL A	630-051-24	\$383.60
MICHAEL, TED W	630-051-23	\$383.60
SAMSON, PATRICIA A INTERVIVOS	630-082-36	\$383.60
DUNN, KEVIN	630-051-37	\$383.60
OTTETBINE, CHRISTOPHER	630-081-25	\$383.60
GONZALEZ, RUTILIO	630-081-10	\$383.60
RISING PHOENIX GROUP LLC	630-051-62	\$383.60
MITCHELL, DON	630-051-63	\$483.90
POWELL, JAMES L	630-051-10	\$383.60
JONES, ELMORE B	630-071-04	\$383.60
HERNANDEZ, PEDRO	630-071-03	\$383.60
RANDALL, TEDDIE J	630-082-34	\$383.60
DESSELLE TROP INC ETAL	630-082-12	\$383.60
MACK, BARRY ETAL	630-081-27	\$800.75
IARMON, JACK D	629-281-60	\$304.50
JOSIAH, MICHAEL	629-281-64	\$444.40
RODEN, BLAIN M	629-281-15	\$383.60
REVERSE MORT SOLUTIONS	629-281-39	\$158.28
VENORLE, DEBORAH J	629-282-10	\$444.40
FEDERAL HOME LOAN MOR CO	629-281-04	\$158.26
WONG, GENE S	629-281-25	\$383.60
CAMPBELL, DONALD	629-271-30	\$444.40
BAUGHMAN, NANCY	629-281-62	\$182.20
SIPPER, MICHAEL D	629-071-07	\$444.40
LAFLEUR, JAMES P	629-072-15	\$444.40
TOMELLA, USHLA P	629-241-43	\$444.40
GOLIJAN, ROBERT	629-071-45	\$439.40
TOUN, KRUT C/O NGAR, BUNL	629-231-04	\$182.20
LAMBERT, STEVEN A	629-072-51	\$444.40
CHORCE, GENE MARIE E	629-082-25	\$444.40
TYZA INDUSTRIES LLC	629-103-03	\$444.40
WESTERN SKY FRANCHISE, INC	629-231-55	\$437.97
BRACAMONTE, ELIZABETH	629-092-01	\$344.38
STODOLICA, JOHN M	629-111-06	\$581.97
FEDERAL HOME LOAN MORG CORP	629-131-06	\$262.26
SAAVEDRA, ENCARNACION	629-232-43	\$444.40
SAVEDITA, ENCARNACION	629-232-42	\$444.40
SECRETARY OF THE DEPT OF HUD	629-441-33	\$441.09
MCALLASTER, ROBERT G	629-051-09	\$236.15
GABRIELES, CHARLES	629-051-11	\$790.90
LIAGA, JACK WES	629-062-10	\$444.40
PATROTT, DOROTHY L	629-051-37	\$295.80
DALREY, KORI	629-042-19	\$240.40
HAMILTON, CARRIE	629-161-36	\$238.13
DUPRE, CINDY	629-161-26	\$365.50
FEDERAL NATIONAL MORT ASSOC	629-032-32	\$295.80
TIONNIN, BRADLEY	629-032-57	\$218.62
CA CRAWFORD PROPERTIES LLC	629-021-29	\$444.40
FEDERAL NATIONAL MORT ASSOC	629-032-77	\$454.33
GRANTECH INC	629-161-15	\$444.40
EZELL FAMILY TRUST	629-431-13	\$444.40

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this XX day of XXX 2011, by the following roll call vote:

AYES:  
NAYES:  
ABSTAIN:

BY  
Terry Burkhardt, Board President

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of Bighorn-Desert View Water Agency, and that a Special meeting of the Board of Directors of said Agency held on June 28, 2011, the foregoing Resolution 11R-XX was duly and regularly adopted by said Board, and that said resolution had not been Rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By  
Judy Cort-Lorono, Board Secretary  
(PUB: S. 6/18, 6/22/2011)

**\*\*ANNOUNCEMENT OF PUBLIC HEARING\*\***

JUNE 29, 2011 AT 9 PM  
BIGHORN-DESERT VIEW WATER AGENCY  
BOARD MEETING OFFICE  
720 N. CHEROKEE TRAIL, LANDERS, CA 92285

**NOTICE OF INTENT BY THE BOARD OF DIRECTORS  
OF THE BIGHORN-DESERT VIEW WATER AGENCY  
TO CONSIDER ADOPTING A RESOLUTION CONFIRMING THE REPORT OF DELINQUENT  
ACCOUNTS FOR WATER CHARGES, METER CHARGES, BONDED INDEBTEDNESS, AND  
PROCESSING FEES. IF APPROVED IT WOULD AUTHORIZE THE PLACEMENT OF THE  
PROPERTY LIENS ON THE TAX ROLLS OF SAN BERNARDINO COUNTY FOR COLLECTION  
OF DELINQUENCIES WITHIN BIGHORN-DESERT VIEW WATER AGENCY.**

**RESOLUTION NO. 11R-XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER  
AGENCY CONFIRMING REPORTS OF DELINQUENT ACCOUNTS FOR WATER CHARGES,  
METER CHARGES, BONDED INDEBTEDNESS, AND FEES AND AUTHORIZING THE  
PLACEMENT OF PROPERTY LIENS ON THE SECURED TAX ROLLS OF  
SAN BERNARDINO COUNTY FOR COLLECTION OF DELINQUENCIES  
WITHIN BIGHORN-DESERT VIEW WATER AGENCY**

WHEREAS, the Board of Directors of the Bighorn-Desert View Water Agency resolves as follows:

**SECTION 1:**

The Board of Directors of the Bighorn-Desert View Water Agency finds and declares as follows:

- A. On May 24, 2011, the General Manager did cause written notification to be mailed, by both certified and first class U.S. Mail, to such delinquent customers that public notices would be placed in the local newspaper on June 16, 2011 and June 22, 2011 and that a public hearing would be held on June 29, 2011; and
- B. On June 17, 2011, public notices were placed in the local newspaper and published on June 18, 2011. Also on June 21, 2011, public notices were placed in the local newspaper and published on June 22, 2011.

The Board of Directors of the Bighorn-Desert View Water Agency resolves that the following delinquent accounts will be placed on the (2011/2012) Secured Property Tax Roll of the County of San Bernardino Tax Collector:

BCSI, INC	635-041-12	\$383.60
SHREWSBURY, KURT MICHAEL	635-041-11	\$383.60
BAUTISTA, ALICE R	635-071-64	\$383.60
CARVEL, LISA	635-071-28	\$383.60
FRITTS, THOMAS	635-601-01	\$443.60
HERRERA, ADRIAN C	635-071-29	\$383.60
GERDA, JESUS	635-081-24	\$555.70
KUNZ, JAMES	635-031-27	\$383.60
RIOS, GENY	635-031-01	\$383.60
PAYNE, KENNETH D	635-021-17	\$383.60
LANGREHR, OWAINA	635-061-51	\$281.87
PLUMMER, SCOTT	635-061-55	\$383.60
OAKES, JEANETTE AND MATTHEW	635-511-46	\$383.60
DRURY, JULIE EST OF	635-511-05	\$513.42
CAPITAL AMERICANA INC	635-511-60	\$383.60
BENGTSON, WILLIAM	628-405-01	\$383.60
HEREDIA, JESUS	628-382-02	\$760.27
ELLISON, RON	628-394-02	\$383.60
TYZA INDUSTRIES LLC	628-372-07	\$383.60
PURDUM, ROBERT GLENN	628-352-08	\$383.60
KINDIG, CHARLES R	628-352-19	\$323.60
LOVELL, STEVEN	628-352-35	\$383.60
HAYDEN, BRAM C	628-352-38	\$383.60
ATAYDE, LYDIA A	628-342-17	\$383.60
LEITCH, JULIAN B	628-292-40	\$383.60
GOS, ROBERT A	628-292-25	\$383.60
JONES, MIKE D	628-302-25	\$383.60
NARANJO, JUAN	628-301-38	\$383.60
HOMESTEAD HOLDINGS LLC	628-311-11	\$203.60
HARVEY, WILLIAM A	628-311-35	\$150.08
GUZMAN, REFUGIO O	628-311-18	\$383.60
PARKER, JAMES F II	628-302-29	\$203.60
LAFLUR, JAMES L	628-311-23	\$383.60
WINCHESTER, JAMES	630-011-11	\$384.05
DUNN, MAURICETTE Y	630-021-23	\$283.60
GROSS, DUANE	630-01-71	\$383.60
LOPEZ, RICKY JOE	631-051-47	\$383.60
ROWAN, LYNELLEN	630-011-19	\$383.60
BROWN, SHIRLEY I	630-032-34	\$383.60
SCARDINA, MELANIE A	630-032-46	\$203.60
GRAY, NEAL A	630-031-13	\$383.60
	630-051-24	\$383.60

MICHAEL, TED W	630-051-24	\$383.60
SAMSON, PATRICIA A INTERVIVOS	630-051-23	\$383.60
DUNN, KEVIN	630-082-36	\$383.60
OTTERBINE, CHRISTOPHER	630-051-37	\$383.60
GONZALEZ, RUTLIO	630-081-25	\$383.60
RISEING PHOENIX GROUP LLC	630-081-10	\$383.60
MITCHELL, DON	630-051-62	\$383.60
POWELL, JAMES L	630-051-63	\$483.90
JONES, ELMORE B	630-051-10	\$383.60
HERNANDEZ, PEDRO	630-071-04	\$383.60
RANDALL, TEDDIE J	630-071-03	\$383.60
DESSELLE, PROP INC ETAL	630-062-34	\$383.60
MACK, BARRY ETAL	630-062-12	\$383.60
HARRON, JACK D	630-061-27	\$800.75
IOSIAH, MICHAEL	628-291-80	\$304.50
ROUSE, BLAIN M	628-291-84	\$444.40
REVERE MORT SOLUTIONS	628-281-15	\$936.85
VENDABLE, DEBORAH J	628-281-39	\$158.28
FEDERAL HOME LOAN MOR CO	628-282-10	\$444.40
WONG, GENE S	628-291-04	\$1,598.26
CAMPBELL, DONALD	628-291-25	\$385.10
BAUGHMAN, NANCY	628-271-30	\$444.40
SIPPER, MICHAEL D	628-291-62	\$182.20
LAFLUR, JAMES L	628-071-07	\$444.40
TONELLA, USHLA P	628-072-15	\$444.40
GOLYAN, ROBERT	628-241-43	\$444.40
TOUN, KROUT C/O NGAR, BUNL	628-071-45	\$162.20
LAMBERT, STEVEN A	628-231-04	\$338.40
CRONCE, GENE-MARIE E	628-072-51	\$444.40
TYZA INDUSTRIES LLC	628-062-25	\$444.40
WESTERN SKY RANCHES, INC	628-103-03	\$444.40
BRACAMONTE, ELIZABETH	628-231-55	\$437.97
STODOLKA, JOHN M	628-092-01	\$344.38
FEDERAL HOME LOAN MORG CORP	628-111-08	\$881.97
SAAVEDRA, ENCARNACION	628-131-08	\$382.25
SAAVEDRA, ENCARNACION	628-232-43	\$444.40
SECRETARY OF THE DEPT OF HUD	628-232-42	\$444.40
MCALLISTER, ROBERT G	628-441-33	\$441.09
GABRIELLES, CHARLES	628-051-09	\$238.15
HAGA, JACK WES	628-051-11	\$790.90
PARROTT, DOROTHY L	628-082-10	\$444.40
DALBEY, KORI	628-051-37	\$295.80
HAMILTON, CARRIE	628-042-19	\$240.40
DUPRE, CINDY	628-161-36	\$238.13
FEDERAL NATIONAL MORT ASSOC	628-161-28	\$365.50
THORNTON, BRADLEY	628-032-32	\$295.80
CA CRAWFORD PROPERTIES LLC	628-032-57	\$218.62
FEDERAL NATIONAL MORT ASSOC	628-021-29	\$444.40
GRAMTECH INC	628-032-77	\$454.33
EZELL FAMILY TRUST	628-161-15	\$444.40
	628-431-13	\$444.40

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this XX day of XXX 2011, by the following roll call vote.

AYES: \_\_\_\_\_  
NAYES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

BY  
Bry Burkhardt, Board President

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of Bighorn-Desert View Water Agency, and that a Special meeting of the Board of Directors of said Agency held on June 28, 2011, the foregoing Resolution 11R-XX was duly and regularly adopted by said Board, and that said resolution had not been Rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By  
Judy Cort-Lorono, Board Secretary  
(PUB: S. 8/18, 6/22/2011)

**BIGHORN DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** June 28, 2011

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** \$175,900

**Funding Source:** Revenue - Ad Valorem

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Setting the Ad Valorem Tax Amount for Fiscal Year 2011/2012 for the Property Tax Apportionment of the Bighorn Debt Service Area Improvement Zone 1 at a maximum of \$175,900.00

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**SUMMARY**

Each fiscal year the Agency must notify the County of San Bernardino Auditor/Controller of the Bighorn Mountains Improvement District 1 (BH ID 1) special assessment to the tax rolls. This assessment is necessary to generate the revenue for the annual bond payment and a repair/refurbishment fund to maintain the BH ID 1 water system which was constructed with a fixed interest rate, forty-year bond, purchased by the United States of America acting through the Farmers Home Administration (FHA).

The Agency must submit a preliminary Notification of Special Assessment by June 30, 2009, with submission due August 10<sup>th</sup>, Staff is recommending an increase in the total amount of the levy and is seeking Board authority to assess BH ID 1 at a maximum of \$175,900.

**RECOMMENDATION**

That the Board take the following action:

1. Adopt Resolution 11R-XX, providing for the levy and collection of taxes (setting the Ad Valorem tax) within Improvement District No. 1 for Fiscal Year 2011/2012.

**BACKGROUND/ANALYSIS**

On August 9, 1977, the voters of the Bighorn Mountains Water Agency, a predecessor-in-interest to the Agency, approved a bond proposition to *"issue general obligation bonds for BH ID 1 in the amount of \$2,500,000 for the purpose of acquisition, construction, completion or repair of a waterworks system... for the benefit of Improvement District No. 1"* (Resolution No. 121 adopted June 21, 1977).

The tax rate statement that accompanied the proposition discussed the impact of the bond proposition on property tax rates, and estimated that property tax rates would be about \$4.70 per \$100 of assessed valuation in the first fiscal year after the bond sale and \$0.76 per \$100 of assessed value by the 20<sup>th</sup> year after the bond sale (Exhibit A to Resolution No. 127

adopted June 28, 1977). For comparison the levy imposed in FY2010/11 equated to approximately \$0.22 per \$100 of assessed value. It is the County Assessor who determines the total tax roll value upon which the Ad Valorem will be calculated; in FY2011/12 the levy is estimated at \$0.31 per \$100 of assessed value based on \$175,900.

Thereafter, on May 21, 1979, the Board of Directors of Bighorn Mountains Water Agency (BMWA) adopted Resolution No. 174, proposing to issue and sell \$1,875,000 of BMWA bonds for the purposes set forth in the BMWA Bond Proposition, in order to incur the BH ID 1 Debt.

Under Section 9 of Resolution No. 174, the Agency Board is charged with setting water rates within BH ID 1 at a level sufficient to collect enough revenue which will pay the operating expenses of the improvement district, provide for repairs and depreciation of works, provide a reasonable surplus for improvements extensions, and enlargement, pay the interest on the bonded debt and provide a sinking fund for the payment of the principal of such debt as it may become due.

Annual principal and interest payments are approximately \$109,000. Payments will be made in FY2011/2012 according to the following schedule: December (interest only approximately \$17,500) and June (interest approximately \$17,500.00 and principal approximately \$74,000) Any additional funds collected, estimated at \$20,000, will be used for needed infrastructure improvements within BH ID 1. The additional \$50,000 was proposed and adopted in the FY2011/12 budget to begin to close the deficit in net assets of the Bighorn Mountains service area against the Desert View service area as outlined in the FY2009/10 Audit Report. The bond payments will conclude in 2019.

Staff is recommending a change in the total amount of the levy from FY2010/11 and is seeking Board authority to assess BH ID 1 for a total of \$175,900. The Board has the authority to alter the levy amount or decline to assess a levy. Should the Board opt to reduce or decline to assess the levy then other measures such as a rate increase will be evaluated to close the revenue gap created by such a decision.

## **PRIOR RELEVANT BOARD ACTION(S)**

**6/29/2010 Resolution No. 10R-07:** Resolution of the Board of Directors of the Bighorn-Desert View Water Agency providing for the levy and collection of taxes within improvement district no. 1 for fiscal year 2010/2011 in the total amount of \$125,900.

**6/25/2009 Resolution 09R-13:** Resolution of the Board of Directors of Bighorn-Desert View Water Agency providing for the levy and collection of taxes within Improvement District 1 for Fiscal Year 2009/10 in the total amount of \$125,900.

**6/23/2009 Special Board of Directors Meeting:** Receive report from General Counsel Logan reviewing voter approved bond language, bond debt obligations and other alternative means of generating necessary revenues.

**5/21/1979 BOD Resolution No. 174:** Resolution of the Board of Directors of Bighorn Mountains Water Agency providing for the issuance and sale of bonds of said Agency for Improvement District No. 1 thereof in the amount of \$1,875,000 for the acquisition and construction of certain Agency Improvements.

**6/28/1977 BOD Resolution No. 127:** Resolution of the Board of Directors of the Bighorn Mountains Water Agency, Approving the Tax Statement to be mailed to voters within Improvement District No. 1 of the Agency.

**6/21/1977 BOD Resolution No. 121:** Resolution of the Board of Directors of Bighorn Mountains Water Agency, Ordering, Calling, Providing for, and Giving Notice of a Special Election to be held in Improvement District No. 1 of said Agency on August 9, 1977, for the purpose of submitting to the qualified voters of said Improvement District a Proposition of incurring bonded indebtedness and issuing bonds of said Agency for said Improvement District.

**RESOLUTION NO. 11R-XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE BIGHORN-DESERT VIEW WATER AGENCY  
PROVIDING FOR THE LEVY AND COLLECTION OF TAXES  
(SETTING THE AD VALOREM TAX) WITHIN IMPROVEMENT DISTRICT NO. 1  
FOR FISCAL YEAR 2011/2012**

**WHEREAS**, the Bighorn-Desert View Water Agency's ("Agency") Law is set forth in the Water Code Appendix, Chapter 112 of the Statutes of the State of California; and

**WHEREAS**, the voters of Improvement District No. 1 of the Bighorn Mountains Water Agency did, on August 9, 1979, authorize said Agency to incur indebtedness by issuing general obligation bonds in the amount of \$2,500,000.00 for the purpose of the acquisition, construction, completion or repair of a water works system within said Improvement District No. 1; and

**WHEREAS**, the Agency has issued to date, general obligation bonds in the amount of \$1,875,000.00 for the express purpose of the acquisition, construction, completion or repair of a water works system within said Improvement District No. 1; and

**WHEREAS**, the Agency is empowered, pursuant to the Water Code Appendix Chapter 112, Sections 112-26 and 112-27, and Resolution No. 174 of the Bighorn Mountains Water Agency, adopted on May 21, 1979, to determine the amount necessary to be collected by taxation to pay for the operating expenses of the Agency, provide for repairs and depreciation of works owned or operated by the Agency, and to meet all obligations of the Agency, including principal of or interest on any bonded debt of the Agency as it becomes due;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Bighorn-Desert View Water Agency finds that the revenues of the Agency will be inadequate to pay the operating expenses of the Agency, provide for repairs and depreciation of works owned or operated by it and to meet all obligations of the Agency;

**BE IT FURTHER RESOLVED**, that the Board of Directors of the Bighorn-Desert View Water Agency hereby provides for the levy and collection of a tax against all taxable property within the Improvement District No. 1 of the Bighorn-Desert View Water Agency, for Fiscal Year 2011/2012, sufficient to raise \$175,900 in order that the Agency clearly have sufficient funds to pay the operating expenses of the Improvement District, provide for repairs and



depreciation of works, provide a reasonable surplus for improvements, extensions, and enlargements, pay the interest on the bonded debt and provide a sinking or other fund for the payment of the principal of such debt as it may become due on said general obligation bonds; and

**BE IT FURTHER RESOLVED**, that the Board of Directors of the Bighorn-Desert View Water Agency does hereby request that at the time and in the manner prescribe by law for the Board of Supervisors of San Bernardino County to levy taxes for County purposes, the Board of Supervisors of said County in addition to all other taxes levied, levy a tax upon all taxable property within Improvement District No. 1 of the Bighorn-Desert View Water Agency at the rate necessary to raise the amount of money hereby fixed and determined by this Resolution; and

**BE IT FURTHER RESOLVED**, that the Board of Directors of the Bighorn-Desert View Water Agency does hereby direct the Secretary to the Board to deliver a true and correct copy of this Resolution No. 11R-XX to the San Bernardino County Board of Supervisors, County Auditor/Controller, County Tax Assessor, and County Collector.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of Bighorn-Desert View Water Agency this 28th day of June 2011, by the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

By \_\_\_\_\_  
Terry Burkhart, Board President

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of the Bighorn-Desert View Water Agency, and that a meeting of the Board of Directors of said Agency held on June 28, 2011, the foregoing Resolution 11R-XX was duly and regularly adopted by said Board, and that said Resolution had not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By \_\_\_\_\_  
Judy Corl-Lorono, Board Secretary

**BIGHORN DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** June 28, 2011

**To:** Board of Directors

**Budgeted:** No

**Budgeted Amount:** \$0

**Cost:** \$0 (no special election required)

**Funding Source:** Operating Budget

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Resignation of Dir. Coulombe: Process for Filling Vacant Board Seat

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**SUMMARY**

Director Coulombe resigned from the Agency Board of Directors effective May 26, 2011. The vacancy is filled according to the procedure set forth in Government Code Section 1780.

Government Code Section 1780 gives the Board 60-days to make its decision.

At the May 31<sup>st</sup> 2011 Special Board of Directors' meeting, the Board discussed the option to "call an election to fill the vacancy". At that time, the Board deferred it's decision and directed staff to verify if such a decision would result in a "special election" to be held prior to the regularly scheduled election of November 2011, or not. Staff was unable to get written confirmation from the Registrar of Voters regarding the Board's question. Staff has reviewed Government Code Section 1780. Staff is confident that election will be coincident with the November 2011 general district election.

**RECOMMENDATION**

That the Board take the following action:

1. Direct staff on one of the following procedures for filling a vacancy on the Board of Directors within sixty (60) days of the date notified of the resignation;
  - a. Direct staff to call for an election; OR
  - b. Determine to fill the vacancy by appointment; OR
  - c. Do nothing, thereby leaving decision to San Bernardino County Board of Supervisors, either to appoint or to order the agency to call an election, within ninety (90) days of the date on the notice of resignation.

**BACKGROUND/ANALYSIS**

The process for filling a vacancy on the Board of Directors is outlined in Government Code section 1780, which states that the Board can fill by appointment, call for an election or do nothing. In either event, the Board must make a decision within 60 days of the date on

which the Agency was notified. The effective date of resignation is May 26, 2011. Sixty days thereafter falls on July 25, 2010.

#### "Do Nothing":

The "do nothing" option results in the decision about which process to follow being forfeited to the Board of Supervisors. Should the Board not take action within 60 days of the resignation, then the Board of Supervisors has 90 days from the date of resignation to either appoint a person to fill the vacancy or order the Agency to call an election. If the County Board takes no action, the Agency Board must thereafter call an election. That election would be held November 8, 2011.

#### Call for Election:

At the May 31<sup>st</sup> 2011 Special Board of Directors' meeting, the Board discussed the option to "call an election to fill the vacancy". At that time, the Board deferred it's decision and directed staff to verify if such a decision would result in a "special election" to be held prior to the regularly scheduled election of November 2011, or not.

Staff was unable to get written confirmation regarding the Board's question but has reviewed Government Code Section 1780 which states: "If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 days or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

Director Coulombe's resignation became effective May 26, 2011. October 3, 2011 is 130 days after his resignation. This is "at least" 130 days prior to the next general district election to be held in November 2011 so the next general district election is "more than" 130 days from May 26<sup>th</sup>. Therefore, if the Agency Board decides to "call for an election" to fill the vacancy left by Dir. Coulombe, staff is confident that election will be coincident with the November 2011 general district election.

A candidate selected mid-term for a vacancy filled by (a call for) election shall hold office for the unexpired balance of the term of office. In this case the election would be called on November 8<sup>th</sup>, 2011 with the term then expiring in 2013. There would be no additional cost for the called election as the Agency is already scheduled to have the November 2011 general election.

#### Appointment to Vacancy:

Filling the vacancy by appointment is the final choice. Should the Board decide that it should proceed with an appointment then staff recommends the following course of action be taken:

- Post a "Notice of Vacancy of Directorship" at the Agency routine posting locations

- Accept applications from interested members of the community with the Board Secretary verifying candidate requirements such as residency and voter registration.
- Final candidate selection following oral interviews at a full Board meeting prior to the July 25, 2011 deadline.

A candidate appointed by the remaining Board shall hold office until the next general election which is scheduled for November 8, 2011. Following the November 2011 general election it is the officially elected candidate, not necessarily the appointed director, that then fills the remainder of the original term of office unto 2013.

If no applications are submitted or the Board fails to reach a majority decision on the appointment of one particular candidate then the Board can revert back to the other two choices as long as its decision is made by the July 25, 2011 deadline. In order to prevent any misunderstanding, under the appointment option, it is the Board's sole discretion as to whether a candidate is appointed or not. In other words, if only one candidate applies the Board still has to cast a majority vote for that person to actually be appointed.

Attached is a copy of Government Code Section 1750-1752 and 1770-1782.

**PRIOR RELEVANT BOARD ACTION(S)**

**May 31, 2011 - Special Board of Directors' Meeting:** Motion to defer the decision to fill the Board vacancy until the next Board meeting to allow time for the General Manager to verify in writing that calling such an election would not be a special election at extra cost to the Agency.

# GOVERNMENT CODE

## SECTION 1750-1752

1750. Resignations shall be in writing, and made as follows:

(a) By the Governor and Lieutenant Governor, to the Legislature, if it is in session; and if not, then to the Secretary of State.

(b) By all officers commissioned by the Governor, to the Governor.

(c) By Senators and Members of the Assembly, to the presiding officers of their respective houses, who shall immediately transmit the resignation to the Governor.

(d) By all officers of a county or judicial district or special district other than an air pollution control district which includes territory in more than one county or a school district, not commissioned by the Governor, to the clerk of the board of supervisors of their respective counties, unless by the terms of the act under which a district is formed appointment to vacancies is made by other than the board of supervisors, in which case the resignation shall be submitted to the appointing body.

(e) By officers of a municipal corporation, to the clerk of the legislative body of their corporation.

(f) By all other appointed officers, to the body or officer that appointed them.

1750.5. The Speaker of the Assembly and the Chairman of the Senate Rules Committee shall immediately inform the Governor in writing whenever a resignation has been made to them, pursuant to subparagraph (f) of Section 1750 of this chapter, from any board or commission having members appointed by the Speaker of the Assembly, the President pro Tempore of the Senate, or the Senate Rules Committee and whenever an appointment has been made by them to any board or commission having members appointed by the Speaker of the Assembly, the President pro Tempore of the Senate, or the Senate Rules Committee.

1751. In all cases not otherwise provided for in this article or elsewhere, a resignation is made by filing the resignation in the

office of the Secretary of State.

1752. (a) Except as provided in subdivision (b), no person elected or appointed to the governing body of any city, county, or district having an elected governing body, shall be appointed to fill any vacancy on that governing body during the term for which he or she was elected or appointed.

(b) With respect to a general law city, if a vacancy in the elected office of mayor occurs, the council may fill that vacancy by appointing a member of the council to the office of mayor. Any person appointed to fill the vacancy shall hold the office of mayor for the unexpired term of the former mayor. Any vacancy created in the membership of a city council as the result of an appointment of a member to the office of mayor shall be filled in accordance with Section 36512.

## GOVERNMENT CODE

### SECTION 1770-1782

1770. An office becomes vacant on the happening of any of the following events before the expiration of the term:

(a) The death of the incumbent.

(b) An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term. This subdivision shall not apply to offices created by the California Constitution nor to federal or state legislators.

(c) His or her resignation.

(d) His or her removal from office.

(e) His or her ceasing to be an inhabitant of the state, or if the office be local and one for which local residence is required by law, of the district, county, or city for which the officer was chosen or appointed, or within which the duties of his or her office are required to be discharged.

(f) His or her absence from the state without the permission required by law beyond the period allowed by law.

(g) His or her ceasing to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.

(h) His or her conviction of a felony or of any offense involving a violation of his or her official duties. An officer shall be deemed to have been convicted under this subdivision when trial court judgment is entered. For the purposes of this subdivision, "trial court judgment" means a judgment by the trial court either sentencing the officer or otherwise upholding and implementing the plea, verdict, or finding.

(i) His or her refusal or neglect to file his or her required oath or bond within the time prescribed.

(j) The decision of a competent tribunal-declaring void his or her election or appointment.

(k) The making of an order vacating his or her office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond.

(l) His or her commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.

1770.1. The disqualification from holding office upon conviction, as provided in Section 1021, or the forfeiture of office upon conviction, as provided in subdivision (h) of Section 1770 and Section 3000, is neither stayed by the initiation of an appeal from the conviction, nor set aside by the successful prosecuting of an appeal from the conviction by the person suffering the conviction.

1770.2. Upon the entry of a plea of guilty, the entry of a plea of nolo contendere, or the rendering of a verdict of a guilty either by a jury or by the court sitting without a jury of a public offense, the conviction of which would invoke the provisions of Section 1021, subdivision (h) of Section 1770, or Section 3000, the person found



guilty shall not assume the office for which the person is otherwise qualified or shall be suspended immediately from the office the person then holds. During the time of inability to assume an office or of suspension from office, the person shall not be entitled to receive the emoluments of the office, including, but not limited to, the exercise of the powers of the office, the rights to be seated in the office, and the compensation, including benefits, prescribed for the office.

In the event the trial court sets aside or otherwise nullifies the plea or verdict before the trial court judgment is entered, the inability to assume office or the suspension from holding office shall be lifted, and the person suspended from office shall be restored to office with its emoluments, including those that would have otherwise accrued during the suspension, excluding, however, interest on any monetary payment.

1771. When an officer is removed, declared insane, or convicted of a felony or offense involving a violation of his official duty, or when his election or appointment is declared void, the body or person before whom the proceedings are had shall give notice thereof to the officer empowered to fill the vacancy.

1772. When any office becomes vacant and no mode is provided by law for filling the vacancy, the Governor shall fill the vacancy by granting a commission, to expire at the end of the next session of the Legislature or at the next election by the people.

1773. When a vacancy occurs in the office of Representative to Congress, or in either house of the Legislature, the Governor shall within 14 calendar days after the occurrence of the vacancy issue a writ of election to fill the vacancy; provided, that when such vacancy occurs in a congressional office after the close of the nomination period in the final year of the term of office, a special election may be held, at the Governor's discretion; and provided, further, that when a vacancy occurs in a legislative office after the close of the nomination period in the final year of the term of office, no special election shall be held.

The Governor shall issue the election proclamation under his hand and the Great Seal of the state, and transmit copies to the board of supervisors of the counties in which the election is to be held.

1773.5. In addition to any other applicable provision of law, a vacancy occurs in the office of Representative in Congress in the event of his or her disappearance, as defined in subdivision (c) of Section 10731 of the Elections Code.

1774. (a) When an office, the appointment to which is vested in the Governor and Senate, either becomes vacant or the term of the incumbent thereof expires, the Governor may appoint a person to the office or reappoint the incumbent after the expiration of the term. Until Senate confirmation of the person appointed or reappointed, that person serves at the pleasure of the Governor. If the term of office of an incumbent subject to this section expires, the Governor shall have 60 days after the expiration date to reappoint the incumbent. If the incumbent is not reappointed within the 60-day period, the office shall be deemed to be vacant as of the first day following the end of the 60-day period.

(b) With respect to the appointment or reappointment by the Governor of a person to an office subject to confirmation by the Senate, the Governor shall submit the name of the person appointed, or the name of the incumbent reappointed, and the effective date of the appointment or reappointment to the Senate or, if the Senate is in recess or has adjourned, to the Secretary of the Senate, within 60 days after the person first began performing the duties of the office, or, as to the reappointment of an incumbent, within 90 days after the expiration date of the term. If the Governor does not provide the required notification within 60 days after the person first began performing the duties of the office, or, as to the reappointment of an incumbent to an office after the expiration date of the term, within 90 days after the expiration of the term, the office shall be deemed to be vacant as of the first day immediately following the end of the applicable period.

(c) If the Senate either refuses to confirm, or fails to confirm within 365 days after the day the person first began performing the

duties of the office, or, with respect to an incumbent whose appointment to that office previously had been confirmed by the Senate and who is reappointed to that office, within 365 days after the expiration date of the term, the following shall apply:

(1) If the Senate refuses to confirm, the person may continue to serve in that office until 60 days have elapsed since the refusal to confirm or until 365 days have elapsed since the person first began performing the duties of the office, whichever occurs first, or with respect to an incumbent whose appointment to that office previously had been confirmed by the Senate and who is reappointed to that office, until 60 days have elapsed since refusal or until 365 days after the expiration date of the prior term, and the office for which the appointment was made shall be deemed to be vacant as of the first day immediately following the end of the applicable period.

(2) If the Senate fails to confirm within the applicable 365-day period, the person may not continue to serve in that office, and the office for which the appointment was made shall be deemed to be vacant as of the first day immediately following the end of the 365-day period.

1774.1. Notwithstanding any other provision of law, whenever the appointment by the Governor of a person to a public office is subject to confirmation by the Senate, and the Senate confirms the appointment within the applicable period described in Section 1774, and the term of office is at the pleasure of the Governor, such confirmation shall be deemed the last act necessary for appointment and the Governor shall not be required to issue another commission to complete the act of appointment.

1774.2. (a) For any person whose term of office expires prior to Senate confirmation and who is reappointed to that office, the time served prior to, as well as subsequent to, the expiration date of the prior term shall be counted for purposes of Section 1774.

(b) For any person who resigns an office prior to Senate confirmation and who is reappointed to that office at any time within 365 days of the resignation, the time served prior to, as well as subsequent to, the resignation shall be counted for purposes of

Section 1774.

(c) The subsequent appointment of a person to an office 365 days or more after the date the person last served in that office shall be considered a new appointment, and not a reappointment, for purposes of Section 1774.

1774.3. With respect to any body or entity having more than one member, including, but not limited to, a board, commission, or committee, "office" includes every position on the body or entity, regardless of qualifications, expiration date of the term, or duties and responsibilities of the position.

1774.5. Notwithstanding any other provisions of law, no person holding an office which is deemed to be vacant pursuant to Section 1774 may, after the time the office has been deemed to be vacant pursuant to those provisions, continue to discharge the duties of the office, and no warrant shall be drawn by the Controller for the payment of any salary or expenses of that person attributable to the discharge of the duties of the office after that time. In addition, the Governor shall not reappoint the person to the same office for a period of 365 days after the time the office has been deemed to be vacant.

1774.7. (a) Sections 1774, 1774.2, 1774.3, and 1774.5 shall apply to any person appointed, or reappointed, prior to, or on or after, January 1, 1981, except as follows:

(1) With respect to any person appointed prior to January 1, 1981, the 365-day period specified in Section 1774 shall not commence to run until January 1, 1981.

(2) With respect to the term of office of an incumbent which expires during the period from the first Monday after January 1 of the year a newly elected Governor takes office for the first time, until January 31 of that year, inclusive, the 60-day period specified in subdivision (a) of Section 1774 and the 90-day period specified in subdivision (b) of Section 1774 shall not commence to run until February 1 of that year.

(b) It is the intent of the Legislature that Sections 1774,

1774.2, 1774.3, and 1774.5 shall prevail over any contrary special or general provision of this code, any other code, or any uncoded statute of this state. These sections shall be construed as superseded by another statute only if that statute specifically provides that these sections shall not apply and expressly refers to the numbers of the sections superseded.

1775. Whenever there is a vacancy in the office of the Superintendent of Public Instruction, the Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization, the Governor shall nominate a person to fill the vacancy who shall take office upon confirmation by a majority of the membership of the Senate and a majority of the membership of the Assembly and who shall hold office for the balance of the unexpired term. In the event the nominee is neither confirmed nor refused confirmation by both the Senate and the Assembly within 90 days of the submission of the nomination, the nominee shall take office as if he or she had been confirmed by a majority of the Senate and Assembly; provided, that if such 90-day period ends during a recess of the Legislature, the period shall be extended until the sixth day following the day on which the Legislature reconvenes.

After a vacancy has occurred in an office specified in this section and prior to the time such vacancy is filled as provided in this section, the chief deputy to the above constitutional officers shall discharge the duties of the office.

1776. Except as otherwise provided in the Constitution, when a person is appointed by the Governor, or by the Governor by and with the advice and consent of the Senate, either to fill a vacancy in any office or to fill an office when the appointment is not made until after the expiration of the preceding term, the appointee holds office only for the balance of the unexpired term as provided by the law creating the office.

1777. After filing his official oath and bond, any person elected or appointed to fill a vacancy possesses all the rights and powers and is subject to all the liabilities, duties, and obligations of the

officer whose vacancy he fills.

1778. A vacancy in any appointive office on the governing board of a special district shall be filled by appointment by the board of supervisors of the county in which the larger portion of the district is located unless, by the terms of the act under which the district is formed, another method of appointment is expressly provided.

1779. A vacancy on any appointed governing board of a special district shall be filled by the appointing authority within 90 days immediately subsequent to its occurrence. If no action is taken for a period of 90 days immediately subsequent to a vacancy on such a board, the board of supervisors of the county in which the larger portion of the district is located shall have authority to fill the vacancy by appointment.

1780. (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled as provided in this section. The district shall notify the county elections official of the vacancy no later than 15 days following either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The remaining district board members may fill the vacancy by appointment. The person appointed shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall fill the balance of the unexpired term. If the term of office is due to expire following the next general district election and that election is scheduled 130 or more days after the date the county elections official is notified of the vacancy, the person appointed to the vacancy shall fill the balance of the unexpired term of his or her predecessor. Appointments pursuant to this subdivision shall be made within a period of 60 days immediately subsequent to either the date on which the district board is notified of the vacancy or the

effective date of the vacancy, whichever is later, and a notice of the vacancy shall be posted in three or more conspicuous places in the district at least 15 days before the appointment is made. The county elections official shall be notified of the appointment no later than 15 days after the appointment. In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(b) If the vacancy is not filled by the district board as specified, or if the board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or county supervisors may order the district to call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(c) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, the district shall call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(2) If the number of remaining members of the board falls below a quorum, at the request of the district secretary, or a remaining board member, the board of supervisors or the city council may waive the 60-day period provided in subdivision (a) and appoint immediately to fill the vacancy as provided in subdivision (a), or may call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

The board of supervisors or the city council shall only fill enough vacancies to provide the board with a quorum.

(d) Persons appointed to fill a vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the county elections official is notified of the vacancy and thereafter until the person elected at that election to fill the vacancy has been qualified, but persons elected to fill a vacancy shall hold office for the unexpired balance of the term of office.

1781. The provisions of Section 1780 shall not apply to a school district, a district organized pursuant to Division 6 (commencing with Section 11501) of the Public Utilities Code, or a district subject to the provisions of Chapter 5 (commencing with Section 22825) of Part 5 of Division 11 of the Water Code.

1782. Notwithstanding any other provision of the law, whenever a vacancy occurs on a state board or commission, or a seat on a board or commission is abolished by statute, the board or commission shall notify the appropriate appointing authority of this occurrence and the appropriate appointing authority shall notify the person occupying the vacated or abolished seat that the person may no longer serve on the board or commission. Except as provided in Section 1774, the person occupying the vacated or abolished seat on the board or commission shall continue to serve until notified by the appropriate appointing authority.



# Bighorn-Desert View Water Agency

## Board of Directors

Terry Burkhart, President  
Michael McBride, Director  
David Larson, Director  
Judy Cori-Lorono, Director  
*Director Vacancy*



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  
Lyni Tompkins, Executive Secretary

A Public Agency

[www.bdvwa.org](http://www.bdvwa.org)

## APPLICATION FOR APPOINTMENT TO THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY

(Deadline for consideration is noon, June XX, 2011)

Name: \_\_\_\_\_ Contact Phone Number: \_\_\_\_\_

Home Address: \_\_\_\_\_

Registered Voter Residing Within Agency Boundaries: ☐ Yes ☐ No

Please state your reasons for wanting to become a Director of the Agency:

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List any community activities:

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return completed application to the Executive Secretary at the Agency address, provided above





# Standing Committees, Ad Hoc Committees & Other Meeting Assignments 2011

## **Planning/Legislative/Engineering/Grant & Security Committee**

***(Meeting Schedule: 3<sup>rd</sup> Thursday of every other month 8:45 a.m.)***

Chairperson: President Burkhart

Member: Director Larson

## **Financial/Public Relations/Education & Personnel Committee**

***(Meeting Schedule: 2<sup>nd</sup> Wednesday of every other month 4:00 p.m.)***

Chairperson: Director McBride

Member: President Burkhart

## **Morongo Basin Pipeline Commission Representatives**

Director Larson

President Burkhart as alternate

## **Mojave Water Agency Technical Advisory Committee Representatives**

President Burkhart

Director Larson as alternate

## **Alliance for Water Awareness and Conservation (AWAC) Representatives**

Director Corl-Lorono

President Burkhart as alternate.

## **Ames/Means Ad Hoc Committee**

Director Corl-Lorono

Director McBride

## **Acquisition of Legal Counsel Ad Hoc Committee**

Chairperson: Director Corl-Lorono

Member: Director Larson

## **Homestead Valley Community Council**

***(Normally meets 3<sup>rd</sup> Monday of each month at 3:00 p.m.)***

Director McBride

Director Larson as alternate



**BIGHORN DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** June 28, 2011

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** \$100/mtg

**Funding Source:** Director Per Diem

**From:** Marina D. West

**General Counsel Approval:** n/a

**CEQA Compliance:** n/a

**Subject:** Board Meeting Assignments for Agency Related Business for some Category A Meetings - Reference Resolution No. 10R-02

**SUMMARY**

On June 16, 2011 the Planning/ Legislative/ Engineering/Grant & Security Standing Committee discussed the Category "A" Meeting assignments proposed by staff in accordance with Resolution No. 10R-02. The attached table outlines a calendar of assignments to certain public water board meetings and a rotation of attendance going forward. This table includes some, not all, of the relevant assignments. The Chair of the PLEGS Committee asked the item be moved to the full Board for further discussion and action.

**RECOMMENDATION**

That the Board take the following action:

Approve schedule for some "Board Meeting Assignments For Agency Related Business" identified as Category 'A' meetings in Resolution No. 10R-02.

**BACKGROUND/ANALYSIS**

Resolution No. 10R-02, Establishing A Policy for Compensation for Performance of Official Duties and Reimbursement of Actual and Necessary Expenses ("Official Duties Policy"), permits attendance by any member of the Board to other Agency/District water board meetings.

Since the Agency budget is limited and not all meetings have sufficient relevance to suggest attendance even be warranted, staff has developed the attached schedule for planning purposes.

Each relevant meeting has a primary and alternate Director assigned to attend. The Director would be responsible to review the relevant agenda posting to determine if attendance is warranted. The chair of the PLEGS Committee recommended that in the event a Director determines a particular meeting is relevant to attend, the Director should obtain concurrence from the General Manager before attending the meeting.

Attendance at relevant meetings will demonstrate to our neighboring agencies that the Directors are paying attention and listening to their viewpoints. Additionally, Directors and

staff will remain apprised and aware of regional and local issues that affect Bighorn-Desert View Water Agency as well as build relationships and rapport with neighboring communities.

**PRIOR RELEVANT BOARD ACTION(S)**

**June 16, 2011 Regular FPREP Committee Meeting:** discussion at the meeting.

**June 15, 2010 Resolution 10R-02:** Establishing A Policy For Compensation For Performance Of Official Duties And Reimbursement Of Actual And Necessary Expenses ("Official Duties Policy").



## Board Meeting Assignments For Agency Related Business July - December 2011

### HDWD Board Meetings 6:00 p.m.

(Normally meets 1<sup>st</sup> & 3<sup>rd</sup> Wednesday)

	7/6	7/20	8/3	8/17	9/7	9/21	10/5	10/19	11/2	11/16	12/7	12/21
<b>Burkhart</b>	1				2	1				2	1	
<b>McBride</b>	2	1				2	1				2	1
<b>Corl-Lorono</b>		2	1				2	1				2
<b>Larson</b>			2	1				2	1			
<b>Vacant Seat</b>				2	1				2	1		

- <http://www.HDWD.org>
- 55439 29 Palms Highway, Yucca Valley CA 92284

### Joshua Basin Water District Board Meetings 7:00 p.m.

(Normally meets 1<sup>st</sup> & 3<sup>rd</sup> Wednesday)

	7/6	7/20	8/3	8/17	9/7	9/21	10/5	10/19	11/2	11/16	12/7	12/21
<b>Burkhart</b>			2	1				2	1			
<b>McBride</b>				2	1				2	1		
<b>Corl-Lorono</b>	1				2	1				2	1	
<b>Larson</b>	2	1				2	1				2	1
<b>Vacant Seat</b>		2	1				2	1				2

- <http://www.jbwd.com>
- 61750 Chollita Road, Joshua Tree, CA 92252

### MWA Board Meetings 4:30 p.m.

(Normally meets 2<sup>nd</sup> & 4<sup>th</sup> Thursday)

	7/14	7/28	8/11	8/25	9/8	9/22	10/13	10/27	11/10	11/24	12/8	12/22
<b>Burkhart</b>				2	1				2	1		
<b>McBride</b>	1				2	1				2	1	
<b>Corl-Lorono</b>	2	1				2	1				2	1
<b>Larson</b>		2	1				2	1				2
<b>Vacant Seat</b>			2	1				2	1			

- <http://www.mojavewater.org/home/about/aboutCalendarContent.aspx>
- 13846 Conference Center Drive, Apple Valley, CA 92307

**County of San Bernardino  
Special Districts (W1 Water District)**

**Governed by  
SBC Board of Supervisors Board Meetings 10:00 a.m.  
(Normally meets Tuesdays)**

	7/12	7/26	8/9	8/23	9/13	9/27	10/4	10/18	11/1	11/15	12/6	12/13
<b>Burkhart</b>		2	1				2	1				2
<b>McBride</b>			2	1				2	1			
<b>Corl-Lorono</b>				2	1				2	1		
<b>Larson</b>	1				2	1				2	1	
<b>Vacant Seat</b>	2	1				2	1				2	1

- [www.sbcounty.gov/meetings.asp](http://www.sbcounty.gov/meetings.asp)
- County Government Center in San Bernardino, 385 N. Arrowhead Avenue - San Bernardino, CA 92415

*These meetings are to be attended by the designated board member or alternate (if the designated board member or alternate can not attend, then the attendance can be by the next available board member on the list). Meetings can only be attended with the consensus of the General Manager or Board of Directors. The meeting attended must be related to BDVWA business or interests.*

- 1 - Representative attendee  
2 - Alternate representative attendee

BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
MAY 31, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11109	05/06/11	AT&T MOBILITY COMMUNICATIONS EXPENSE	147.01
11110	05/06/11	BARR LUMBER CO INC OFFICE MAINT, SHOP SUPPLIES SUPPLIES	95.75
11111	05/06/11	TERRY BURKHART PLEGS CMTE MEETING 42111 REG MEETING 42611	200.00
11112	05/06/11	BURRTEC WASTE & RECYLING SVCS TRASH FEES, MAY	72.71
11113	05/06/11	CA SPECIAL DISTRICTS ASSN WEBINAR REGISTRATION	49.00
11114	05/06/11	CLINICAL LABORATORY OF BACT TEST, PLATE COUNT	13.00
11115	05/06/11	JUDY CORL-LORONO AWAC MEETING REG MEETING 42611	200.00
11116	05/06/11	CORVALLIS MICROTECHNOLOGY BATTERIES FOR CMT	255.00
11117	05/06/11	LARRY COULOMBE AD HOC GM CONTRACT AD HOC CONTRACT NEGOTIATIONS REG MEETING 42611	400.00
11118	05/06/11	DATASTREAM BUSINESS SOLUTIONS HP9000 PROG/MAR	2,280.00
11119	05/06/11	INLAND WATER WORKS FIELD SUPPLIES FIELD SUPPLIES	947.00
11120	05/06/11	DAVID LARSON PLEGS STANDING CMTE 42111 REG MEETING 42611	200.00
11121	05/06/11	MICHAEL MCBRIDE AD HOC CONTRACT NEGOTIATIONS REG MEETING 42611	200.00
11122	05/06/11	PITNEY BOWES GLOBAL FINANCIAL QUARTERLY LEASE 51011-81011	234.90
11123	05/06/11	QUILL OFFICE SUPPLIES	194.14
11124	05/06/11	STATE WATER RES CONTROL BOARD RECORDATION FEES	400.00
11125	05/06/11	UNDERGROUND SERVICE ALERT DIG ALERT, 11 TICKETS	16.50
11126	05/06/11	VERIZON CALIFORNIA OFFICE PHONES AND AUTO CONTROL	524.18
11144	05/13/11	AUTO ZONE VEHICLE EXPENSE VEHICLE EXPENSE	71.27
11145	05/13/11	AW ASSOCIATES, INC. CARB TESTING	500.00

BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
MAY 31, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11146	05/13/11	CINTAS CORPORATION #150 UNIFORM SVC, APR	136.48
11147	05/13/11	CLINICAL LABORATORY OF BACT TEST, PLATE COUNT	83.00
11148	05/13/11	EAST VALLEY WATER DISTRICT EMPLOYEE EDUCATION ERNIE	40.00
11149	05/13/11	HI-DESERT STAR CLASSIFIED EMPLOY AD	85.15
11150	05/13/11	SDRMA SCRMA MEDICAL BENEFITS/JUN	3,874.06
11151	05/13/11	SPECIAL DISTRICT AND LOCAL BD JUNE 2DAY, BROWN ACT WORKSHOP, BURKHART BD JUNE 2DAY, BROWN ACT WORKSHOP, COULOMBE BD JUNE 2DAY, BROWN ACT WORKSHOP, LARSON BD JUNE 2DAY, BROWN ACT WORKSHOP, MC BRIDE BD JUNE, BROWN ACT WORKSHOP AND SEMINAR, CORL-LORONO	1,775.00
11152	05/13/11	USDA RURAL DEVELOPMENT BH BOND PAYMENT PRIN. & INT.	89,299.99
11153	05/13/11	WATERLINE TECHNOLOGIES HYPOCHLORITE SOLUTIONS	639.28
11154	05/23/11	ACWA-HBA SERVICES CORP. ACWA/HEALTH BENEFITS JUNE	589.67
11155	05/23/11	AW ASSOCIATES, INC. FUEL HOSE, SVC CALL	239.63
11156	05/23/11	BUCKNAM & ASSOCIATES, INC. GRANT CONSULTING FEES	1,202.50
11157	05/23/11	CRISTI BUSH INVENTORY, PASSWORDS, ASSET PROGRAM, AP, MILEAGE, HOTEL	1,783.81
11158	05/23/11	CLINICAL LABORATORY OF BACT TEST, PLATE CT GYN PHYSICAL, NITRATES	412.00
11159	05/23/11	LARRY COULOMBE AD HOC GM CONTRACT NEG 5/13/11	100.00
11160	05/23/11	GOODSPEED DISTRIBUTING INC UNLEADED FUEL	2,004.11
11161	05/23/11	GRESHAM SAVAGE NOLAN&TILDEN LEGAL FEES, MAR GRESHAM/SAVAGE LEGAL FEES, APR GRESHAM/SAVAGE	1,225.60
11162	05/23/11	MAID TO ORDER C/SVC 51411 JEMEZ & CHEROKEE	153.00
11163	05/23/11	POSTMASTER MAILING CERT LETTER FOR DQ ACCOUNTS	642.85
11164	05/23/11	PROTECTION ONE SHOP MO SVC 5/26/11-6/25/11	39.69
11175	05/31/11	AVALON URGENT CARE INC. PHYSICAL, NEW HIRE	75.00
11176	05/31/11	TERRY BURKHART	



BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
MAY 31, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
		CRISIS COMM WKSHOP 5/23/11	
		REGULAR & SPECIAL MEETING	200.00
11177	05/31/11	CLINICAL LABORATORY OF	
		BACT TEST, PLATE CT	
		BACT TEST, PLATE CT	131.00
11178	05/31/11	JUDY CORL-LORONO	
		AWAC MEETING, AD HOC LEGAL	
		CRISIS COMM WKSHOP 5/23/11	
		REG MEETING 052411	400.00
11179	05/31/11	LARRY COULOMBE	
		REGULAR & SPECIAL MEETING	100.00
11180	05/31/11	FIRST BANKCARD	
		INTERVIEW PANEL/LUNCH	23.59
11181	05/31/11	THE HOME DEPOT #6971	
		PAINT & LIGHTS-OFFICE/SHOP/	
		TRUCK	345.11
11182	05/31/11	SOUND BILLING	
		F/RANGER OIL & FILTER	43.97
11183	05/31/11	DAVID LARSON	
		REGULAR & SPECIAL MEETING	100.00
11184	05/31/11	MICHAEL MCBRIDE	
		AD HOC 5/12/11	
		REGULAR & SPECIAL MEETING	200.00
11185	05/31/11	QUILL	
		BOARD MEMBER BINDERS & DATA	
		BINDERS	
		DATA BINDERS	
		DATA BINDERS	127.96
11186	05/31/11	SOUTHERN CALIFORNIA EDISON	
		POWER EXPENSE APRIL	5,829.02
11187	05/31/11	VALLEY INDEPENDENT PRINTING	
		NEWSLETTER COPIES, BUSINESS	
		CARDS, BRASS PLAQUE	137.30
11188	05/31/11	VERIZON CALIFORNIA	
		OFFICE PHONES & AUTO CONTROLS	43.54
		TOTAL	119,082.77

GENERAL FUND

ASSETS

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CASH & CASH EQUIVALENTS

01 13120	CASH UNION BANK OF CA	41,065.60
01 13130	CASH CASH DRAWERS BASE FUND	750.00
01 13400	CASH PETTY CASH FUND	800.00
		-----
TOTAL CASH & CASH EQUIVALENTS		42,615.60

INVESTMENTS

01 13303	CASH LAIF-UNRESTRICTED	780,684.60
		-----
TOTAL INVESTMENTS		780,684.60

ACCOUNTS RECEIVABLE, WATER

01 13710	A/R WATER	152,054.78
		-----
TOTAL ACCTS RECEIVABLE, WATER		152,054.78

ACCOUNTS RECEIVABLE, OTHER

01 13600	A/R INTEREST EARNINGS	1,032.00
		-----
TOTAL ACCTS RECEIVABLE, OTHER		1,032.00

INVENTORIES

01 14301	INVENTORY-WATER SYSTEM PARTS	62,190.68
01 14302	INVENTORY-DIESEL FUEL	2,149.80
01 14303	INVENTORY-UNLEADED FUEL	1,639.02
		-----
TOTAL INVENTORY		65,979.50

PREPAID EXPENSES

01 14401	PREPAYMENTS WORKERS COMP INSUR	803.27
01 14402	PREPAYMENTS PL & PD LIAB INS	3,043.19
01 14403	POSTAGE	5,636.44
		-----
TOTAL PREPAID EXPENSES		9,482.90

FIXED ASSETS

01 11130	FA ORGANIZATION	336,271.36
01 11140	FA LAND & BUILDINGS	302,260.19
01 11150	FA YARDS	62,911.25
01 11160	FA FUELS TANKS	16,604.30
01 11170	FA WATER SYSTEM	7,736,367.96
01 11180	FA SHOP EQUIPMENT	155,348.38
01 11181	FA MOBILE EQUIPMENT	445,494.98
01 11190	FA OFFICE EQUIPMENT	148,445.56
01 11400	ACCUMULATED DEPRECIATION	( 5,534,711.44)
		-----
TOTAL FIXED ASSETS		3,668,992.54

GENERAL FUND

WORK IN PROGRESS (FOR OTHERS)

01 12004	WIP BLUCKER ANNEXATION	111.52
01 12038	WIP HAHM INTERNATIONAL	5,006.25
		-----
TOTAL WORK IN PROGRESS (OTHERS)		5,117.77

WORK IN PROGRESS (AGENCY)

01 12005	WIP EPA GRANT	698,741.79
		-----
TOTAL WORK IN PROGRESS (AGENCY)		698,741.79

DEBT ISSUANCE COST

01 15400	BOND ISSUE COSTS	2,011.24
		-----
TOTAL DEBT ISSUANCE COST		2,011.24

TOTAL ASSETS

5,426,712.72

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LIABILITIES

ACCOUNTS PAYABLE

01 22400	CAPITAL LEASE	( 0.48)
01 22520	ACCRUED INTEREST PAYABLE	3,750.00
01 22700	ACCOUNTS PAYABLE	7,938.24
		-----
TOTAL ACCOUNTS PAYABLE		11,687.76

ACCRUED PAYROLL

01 22900	ACCRUED PAYROLL LIABILITIES	( 64.10)
01 22910	ACCRUED EMPLOYEE COMP BALANCES	( 23,425.00)
		-----
TOTAL ACCRUED PAYROLL		( 23,489.10)

CUSTOMER DEPOSITS

01 22550	CUSTOMER DEPOSITS PENDING	1,820.00
01 22600	CUSTOMER DEPOSITS	50,944.00
		-----
TOTAL CUSTOMER DEPOSITS		52,764.00

WORK IN PROGRESS DEPOSIT

01 23004	WIP-DEP-BLUCKER ANNEXATION	7,500.00
01 23038	WIP DEP HAHM INTERNATIONAL	3,500.00
01 24000	DEFERRED REVENUE	128,209.00
		-----
TOTAL WORK IN PROGRESS DEPOSIT		139,209.00

LIAB PYBL FRM RESTRICTD ASSETS

01 22950	ACCRUED INT PAYABLE DV ID BNDS	4,487.21
01 22951	ACCRUED BONDS PAYABLE DV ID	2,000.00

BALANCE SHEET  
PERIOD ENDING 05/31/11

GENERAL FUND

-----		
TOTAL LIAB PYBL FRM REST ASSET		6,487.21
LONG TERM DEBT		
01 21101	REVENUE BONDS PAYABLE - DV	286,977.05
01 22300	REVENUE BONDS PAYABLE - BH	702,000.00
-----		
TOTAL LONG TERM DEBT		988,977.05
TOTAL LIABILITIES		1,175,635.92
EQUITY		
-----		
01 30109	CONTRIBUTED CAPITAL/HUD	291,035.88
01 30111	FMHA GRANTS	758,297.76
01 31000	FUND BALANCE	2,329,076.58
01 31001	FUND BALANCE FEMA & OES	427,895.00
01 31111	CURR YEAR NET REVENUE/EXPENSE	444,771.58
TOTAL EQUITY		4,251,076.80
TOTAL LIABILITIES & EQUITY		5,426,712.72
=====		

GENERAL FUND						
		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	YTD % OF AVAILABLE	YTD % OF BUDGET
REVENUE						
-----						
OPERATING REVENUE						
01 41000	SERVICE LINE INSTALLATION FEES	2,510.00	0.00	1,320.00	1,190.00	52.59%
01 41001	BASIC FACILITIES CHARGE	8,196.00	0.00	4,098.00	4,098.00	50.00%
01 41100	INCOME METERED WATER	444,931.00	28,949.21	361,039.46	83,891.54	81.15%
01 41200	INCOME AVAILABILITY/STANDBY	0.00	0.00	0.00	0.00	0.00%
01 41300	BASIC SERVICE CHARGE	559,350.00	50,025.26	546,594.05	12,755.95	97.72%
01 41400	INCOME METERED BULK WATER	0.00	3,719.36	50,394.07	0.00	0.00%
01 41500	INCOME CONNECT/FACILITY CHARGE	0.00	0.00	0.00	0.00	0.00%
01 41600	INCOME REVENUE BONDS DV FMHA	47,709.00	13.52	41,863.15	5,845.85	87.75%
01 41700	INCOME OTHER (OPERATING)	21,600.00	2,715.17	36,526.27	-14,926.27	169.10%
01 41800	WATER SYSTEM IMPROVEMENT JOBS	0.00	0.00	0.00	0.00	0.00%
01 41900	INTERBASIN WATER TRANSFER	0.00	0.00	0.00	0.00	0.00%
-----						
TOTAL OPERATING REVENUE		1,084,296.00	85,422.52	1,041,835.00	42,461.00	96.08%
NON-OPERATING REVENUE						
01 49100	INCOME GEN TAX ID A 1% BH GA02	52,100.00	11,553.38	43,112.06	8,987.94	82.75%
01 49101	INCOME BOND DEBT BH FMHA DA01	125,900.00	18,717.09	100,972.35	24,927.65	80.20%
01 49102	INCOME GENERAL TAX 1% DV GA01	52,100.00	11,464.55	42,722.62	9,377.38	82.00%
01 49200	INTEREST INCOME	2,000.00	0.00	3,549.10	-1,549.10	177.46%
01 49201	INTEREST INCOME BOND FUNDS	6,000.00	0.00	0.00	6,000.00	0.00%
01 49400	MWA PIPELINE SURCHARGE	0.00	0.00	0.00	0.00	0.00%
01 49401	MWA PIPELINE OMP&R	0.00	0.00	0.00	0.00	0.00%
01 49500	ID B DEBT SERVICE	0.00	0.00	0.00	0.00	0.00%
01 49600	INCOME OTHER (NON OPERATING)	500.00	0.00	0.00	500.00	0.00%
01 49601	INCOME-CONT CAPTL WIP(NONOPER)	0.00	0.00	7,097.53	0.00	0.00%
01 49999	FEDERAL/STATE GRANTS FEMA/OES	0.00	6,968.14	242,600.23	0.00	0.00%
-----						
TOTAL NON-OPERATING REVENUE		238,600.00	48,703.16	440,053.89	-201,453.89	184.43%
-----						
TOTAL REVENUE		1,322,896.00	134,125.68	1,481,888.89	-158,992.89	112.02%
EXPENSE						
-----						
OPERATIONS EXPENSE						
01 54102	OPERATIONS COMPENSATION	200,000.00	11,426.43	110,973.64	89,026.36	55.49%
01 54103	UNIFORMS	2,650.00	136.48	1,905.86	744.14	71.92%
01 54105	AUTO CONTROLS	4,500.00	42.23	2,182.24	2,317.76	48.49%
01 54106	VEHICLE/TRACTOR/EQUIP EXPENSE	9,000.00	854.87	5,914.07	3,085.93	65.71%
01 54107	VEHICLE EXPENSE - FUEL	20,000.00	2,083.12	15,794.81	4,205.19	78.97%
01 54109	FIELD MATERIALS & SUPPLIES	25,000.00	2,507.32	12,496.68	12,503.32	49.99%
01 54111	WATER TESTING	9,000.00	514.00	10,551.00	-1,551.00	117.23%
01 54112	CONTRACTUAL SERV- ENGINEERING	50,000.00	0.00	40,192.50	9,807.50	80.39%
01 54114	WATER SYSTEM REPAIRS	30,000.00	7,039.48	9,218.47	20,781.53	30.73%

STATEMENT OF REVENUE AND EXPENSE  
PERIOD ENDING 05/31/11

## GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
01 54115	BUILDING MAINTENANCE/REPAIR	8,680.00	425.81	6,841.51	1,838.49	78.82%
01 54117	AMES BASIN MONITORING	9,500.00	0.00	565.00	8,935.00	5.95%
01 54119	COMMUNICATIONS EXPENSE	2,150.00	0.00	1,489.37	660.63	69.27%
01 54121	DISINFECTION EXPENSE	4,000.00	639.28	3,533.29	466.71	88.33%
01 54125	POWER WELLS & PUMPS	67,000.00	4,972.89	48,775.25	18,224.75	72.80%
01 54130	OTHER OPERATIONS EXPENSES	10,800.00	0.00	11,983.71	-1,183.71	110.96%
01 54150	PAYROLL LABOR TO PROJECTS	0.00	0.00	0.00	0.00	0.00%
01 54160	VEH & EQUIP EXPENSE TO PROJECT	0.00	0.00	0.00	0.00	0.00%
01 54170	INVENTORY EXP TO WIP PROJECTS	0.00	0.00	0.00	0.00	0.00%
	TOTAL OPERATIONS EXPENSE	452,290.00	30,641.91	282,417.40	169,862.60	62.44%

## BULK SYSTEM EXPENSE

01 55001	PUMPING PLANT EXPENSE	0.00	692.02	8,908.78	0.00	0.00%
01 55002	BULK OPERATIONS & MAINTENANCE	0.00	0.00	1,351.56	0.00	0.00%
	TOTAL BULK SYSTEM EXPENSE	0.00	692.02	10,260.34	0.00	0.00%

## ADMINISTRATIVE EXPENSE

01 56001	DIRECTOR FEES	15,000.00	1,100.00	12,700.00	2,300.00	84.67%
01 56002	DIRECTOR MEETING EXPENSES	5,000.00	1,775.00	10,891.37	-5,891.37	217.83%
01 56003	ADMINISTRATIVE COMPENSATION	225,000.00	15,948.18	172,942.80	52,057.20	76.86%
01 56005	ADMINISTRATIVE MEETING EXPENSE	1,000.00	23.59	1,514.23	-514.23	151.42%
01 56006	CONTRACTUAL SERV-AUDITOR	28,000.00	0.00	28,700.00	-700.00	102.50%
01 56007	CONTRACTUAL SERV-LEGAL	80,000.00	968.00	25,268.81	54,731.19	31.59%
01 56008	PERS CONTRIBUTION	34,675.00	2,112.03	24,576.78	10,098.22	70.88%
01 56009	PAYROLL TAXES	10,000.00	3,761.67	9,753.02	246.98	97.53%
01 56011	TELEPHONE/FAX/INTERNET/WEB	8,500.00	59.99	5,518.85	2,981.15	64.93%
01 56012	MAILING EXPENSES	8,800.00	1,113.59	6,528.56	2,271.44	74.19%
01 56014	CONTRACTUAL SERV-OTHER	37,400.00	2,671.29	32,838.10	4,561.90	87.80%
01 56016	PROPERTY/LIABILITY EXPENSE	30,600.00	2,543.18	25,932.06	4,667.94	84.75%
01 56017	WORKERS COMP INSURANCE	15,000.00	803.33	10,613.75	4,386.25	70.76%
01 56018	DUES & SUBSCRIPTIONS	8,000.00	0.00	8,974.15	-974.15	112.18%
01 56020	POWER OFFICES & YARDS	5,200.00	277.42	4,127.42	1,072.58	79.37%
01 56022	BAD DEBT EXPENSE	6,000.00	-3,718.19	30,486.61	-24,486.61	508.11%
01 56023	LEAK RELIEF	0.00	0.00	0.00	0.00	0.00%
01 56025	PROPANE	1,500.00	0.00	1,741.07	-241.07	116.07%
01 56026	ASSESSMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
01 56030	OFFICE SUPPLIES	4,000.00	218.02	4,823.19	-823.19	120.58%
01 56100	EMPLOYEE BENEFITS INSURANCE	77,500.00	3,869.47	56,769.50	20,730.50	73.25%
01 56110	EMPLOYEE EDUCATION	6,000.00	40.00	4,754.15	1,245.85	79.24%
01 56120	GROUNDWATER MGMT PLANNING EXP	0.00	0.00	0.00	0.00	0.00%
01 56121	NEMER METER UPGRADE EXP	0.00	0.00	0.00	0.00	0.00%
01 56122	RIGGS ID MODELLING EXP	0.00	0.00	0.00	0.00	0.00%
01 56123	PRV 7 INTERTIE EXP	0.00	0.00	0.00	0.00	0.00%
01 56124	WIP WELL 7	0.00	0.00	0.00	0.00	0.00%
01 56125	WELL 6-SHUT OFF VALVE EXP	0.00	0.00	0.00	0.00	0.00%
01 56126	BLOW OFF REPAIR EXP	0.00	0.00	0.00	0.00	0.00%
01 56127	WELL 9 FLOWMETER EXP	0.00	0.00	0.00	0.00	0.00%

		GENERAL FUND				
		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
		-----	-----	-----	-----	-----
01 56128	FUEL SPILL CLAIM EXP	0.00	0.00	0.00	0.00	0.00%
01 56129	NATZEL METER UPGRADE EXP	0.00	0.00	0.00	0.00	0.00%
01 56130	VALVE MAINTENANCE EXP	0.00	0.00	0.00	0.00	0.00%
01 56131	PRV 2 DV EXP	0.00	0.00	0.00	0.00	0.00%
01 56132	PRV 5 BH EXP	0.00	0.00	0.00	0.00	0.00%
01 56133	PRV 11 BH EXP	0.00	0.00	0.00	0.00	0.00%
01 56134	FLAMINGO HEIGHTS ASSN EXP	0.00	0.00	14,597.53	0.00	0.00%
01 56150	PAYROLL FRINGE EXP TO PROJECTS	0.00	0.00	0.00	0.00	0.00%
01 56160	OVERHEAD TO PROJECTS	0.00	0.00	0.00	0.00	0.00%
TOTAL ADMINISTRATIVE EXPENSE		607,175.00	33,566.57	494,051.95	113,123.05	81.37%
TOTAL OPERATING EXPENSE		1,059,455.00	64,900.50	786,729.69	272,725.31	74.26%
NON-OPERATING EXPENSE						
01 56200	OFFICE EQUIPMENT EXPENSE	3,450.00	0.00	5,694.25	-2,244.25	165.05%
01 56300	CUSTOMER RELATIONS	3,000.00	0.00	1,045.67	1,954.33	34.86%
01 56400	OTHER ADMINISTRATIVE EXPENSES	3,000.00	404.92	4,871.17	-1,871.17	162.37%
01 57000	INTEREST EXPENSE - BH BONDS	39,000.00	19,299.99	38,599.98	400.02	98.97%
01 57100	DEPRECIATION EXPENSE	0.00	19,710.35	219,620.63	0.00	0.00%
01 57110	AMORTIZATION	0.00	0.00	0.00	0.00	0.00%
01 57350	MWA PIPELINE DEBT	73,000.00	0.00	0.00	73,000.00	0.00%
01 57360	MWA PIPELINE FIXED CMP & R	0.00	0.00	0.00	0.00	0.00%
01 58100	ELECTION COSTS	0.00	0.00	0.00	0.00	0.00%
01 58200	EMPLOYEE SOC SEC REFUND	0.00	0.00	0.00	0.00	0.00%
01 59100	INTEREST EXPENSE - DV BONDS	15,750.00	0.00	15,598.84	151.16	99.04%
01 59400	GAIN (LOSS) ASSET DISPOSAL	0.00	-35,042.92	-35,042.92	0.00	0.00%
TOTAL NON-OPERATING EXPENSE		137,200.00	4,372.34	250,387.62	-113,187.62	182.50%
TOTAL EXPENSE		1,196,655.00	69,272.84	1,037,117.31	159,537.69	86.67%
NET REV/EXP GENERAL FUND		126,241.00	64,852.84	444,771.58	-318,530.58	352.32%
		=====	=====	=====	=====	=====

**SOURCES & USES OF FUNDS STATEMENT**  
**GENERAL ACCOUNT (UNION BANK)**

**May-11**

**SOURCES OF FUNDS:**

SERVICE LINE INSTALLATION FEES	0.00
BAD DEBT EXPENSE	3,945.13
A/R - WATER	85,783.65
MISCELLANEOUS REVENUE	575.82
1% GENERAL TAX	23017.93
BIGHORN AD VALOREM TAX	18717.09
WORKFORCE DEVELOPMENT GRANT	6968.14
PERS CONTRIBUTION	1539.12
CUSTOMER DEPOSITS	<u>1,900.00</u>

TOTAL

142,446.88

**USE OF FUNDS:**

BOND PAYABLE BH	70,000.00
CAPITAL PURCHASES (EPA GRANT)	1,202.50
INVENTORY PURCHASES	2,004.11
PREPAYMENTS - INSURANCE	0.00
PAYMENTS FOR SALARIES & WAGES	31,912.61
ADMINISTRATIVE EXPENSE	16,171.79
OPERATIONS EXPENSES	10,404.38
INTEREST EXPENSE - BH BONDS	<u>19,299.99</u>

TOTAL

150,995.38



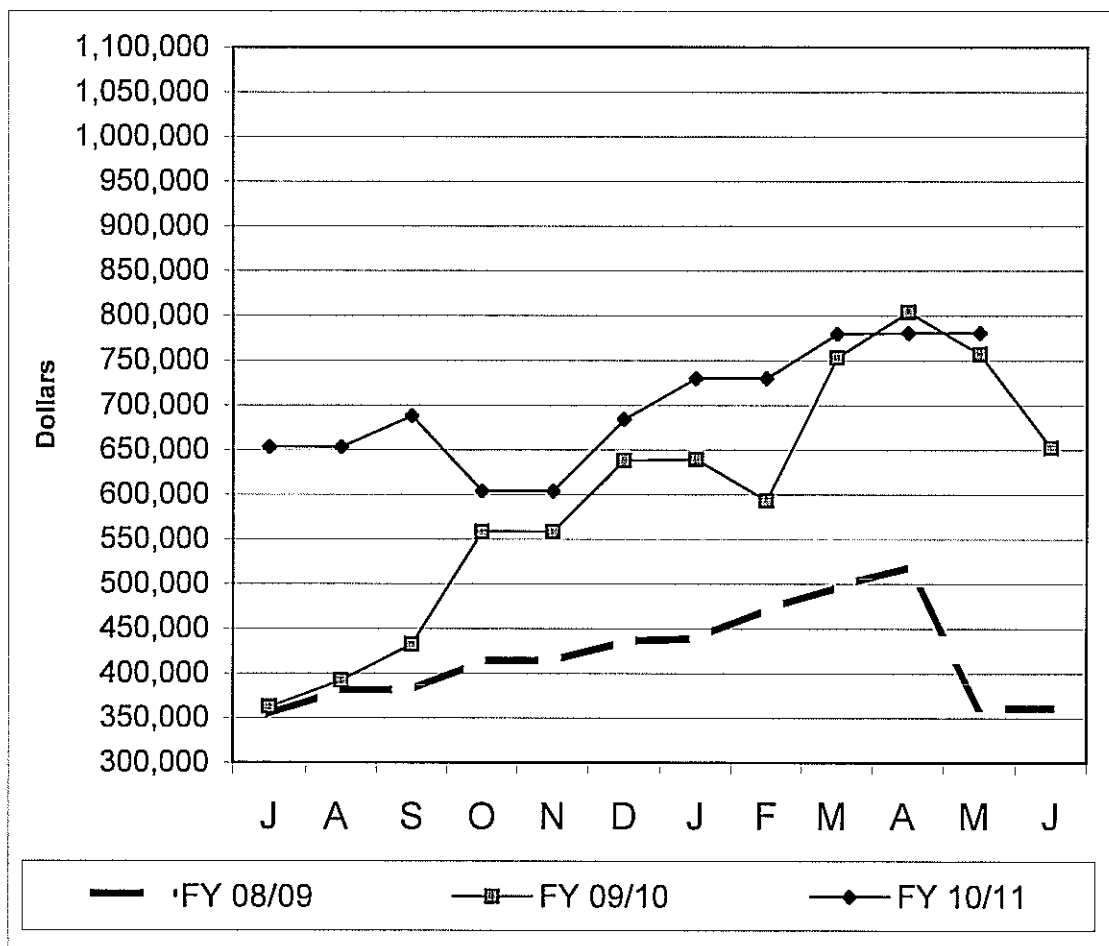
**UNION BANK OF CALIFORNIA**  
**DISBURSEMENTS MAY 2011**

Datastream Check Register	<u>119,082.77</u>	<u>119,082.77</u>	
EFT for Vendor Services			
Bank Fees	179.18		
Credit Card Fees	708.30		
Internet Access Fee	<u>59.99</u>		
Total EFT for Vendor Services		<u>947.47</u>	
Wages for Paydate 05/12/2011			
Employee Tax Withholdings	2,064.05		
Employer Tax Expenses	266.78		
Wages check # 11134 - 11143	<u>13,098.56</u>		
		<u>15,429.39</u>	
Wages for Paydate 05/26/11			
Employee Tax Withholdings	2,077.50		
Employer Tax Expenses	266.86		
Wages check # 11165 - 11174	<u>13,191.39</u>		
		<u>15,535.75</u>	
Transfers to LAIF	<u>-</u>	<u>-</u>	
Total Disbursements			<u><u>150,995.38</u></u>

## Local Agency Investment Fund Balance Timeline

**Balance as of May 31, 2011**

	FY 08/09	FY 09/10	FY 10/11
July	354,364	362,520	653,168
August	381,364	392,520	653,168
September	381,364	432,520	688,168
October	414,076	558,397	604,025
November	414,076	558,397	604,025
December	436,076	638,397	684,025
January	438,737	639,258	729,762
February	471,737	593,258	729,762
March	496,737	753,258	779,762
April	518,901	804,136	780,685
May	360,901	757,136	780,685
June	360,901	652,136	



DATE: JUNE 2011  
 TO: LYNI TOMPKINS  
 FROM: Michelle Corbin  
 RE: Consumption & Billing Comparison May 2011

### Consumption

Residential- North- Bighorn		
	Meters	Usage (c.f.)
Book 1	149	161,293
Book 2	183	202,600
Book 3	160	195,262
Book 4	152	139,797
Book 5	129	143,106
Book 6	137	123,880
<b>Total</b>	<b>910</b>	<b>965,938</b>

Residential- South- Desert View		
	Meters	Usage (c.f.)
Book 7	165	29
Book 8	177	36
Book 9	188	199
Book 10	179	0
Book 11	191	0
<b>Total</b>	<b>900</b>	<b>264</b>

Bulk -Kickapoo, Well 4, Cherokee		
	Meters	Usage (c.f.)
Book 30	41	12,242
Book 31	6	3,894
Book 32	4	11,050
<b>Total</b>	<b>51</b>	<b>27,186</b>

Construction Meters		
	Meters	Usage (c.f.)
Book 40	0	0
<b>Total</b>	<b>0</b>	<b>0</b>
Billed Consumption		1,009,958
Non Billed Usage		4,853
<b>Total Consumption</b>		<b>1,014,811</b>

Bulk - Well 10		
	Meters	Usage (c.f.)
Book 33	46	16,570
<b>Total</b>	<b>46</b>	<b>16,570</b>

Active Residential Meters	1,810
Active Bulk Meters	97
<b>Total Active Meters</b>	<b>1,907</b>

### Billing Comparison

	This Year MAY 2011	Last Year MAY 2010	Difference More (Less)
<b>Statistics</b>			
Total Customer Accounts	1007	1004	3
Usage in Cubic Feet	1,009,958	1,030,869	(20,911)
Percentage Increase/(Decrease)			-2%

<b>Revenues</b>			
Water Revenues	32,836.43	34,184.62	(1,348.19)
Basic Service Charge	50,025.26	50,158.21	(132.95)
Miscellaneous	261.11	494.10	(232.99)
Delinquent Charges	1,793.40	1,832.48	(39.08)
<b>Total Operating Revenues</b>	<b>84,916.20</b>	<b>86,669.41</b>	<b>(1,753.21)</b>

<b>Debt Service Revenues (pass through)</b>			
FMHA **	13.52	30.59	(17.07)
<b>Total Debt Service Revenues</b>	<b>13.52</b>	<b>30.59</b>	

### **Additional Information Regarding Pass Through Revenues**

\*\* FMHA annual debt service of \$41,150 divided over 6 months equals \$6,858

Total Charges (Proof)	<b>84,929.72</b>	<b>86,700.00</b>	<b>(1,770.28)</b>
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DATE: June 1, 2011

TO: Lyni Tompkins

FROM: Michelle Corbin

SUBJECT: Service Order Report July 2010 through June 2011

	J	A	S	O	N	D	J	F	M	A	M	J	YTD
Mainline Leaks:	0	0	0	0	0	1	1	0	0	0	0		2
Service Line Repairs:	8	6	3	5	4	2	1	3	2	0	8		42
Service Line Replacements:	11	2	0	0	0	1	0	2	0	0	0		16
Service Line Installations:	0	1	0	0	0	0	0	0	0	0	0		1
Water System Operations Concerns:**	2	0	2	0	0	0	0	0	3	3	0		10
48 Hour Tags for NSF Checks:	1	1	2	1	0	1	1	1	3	0	0		11
Lock Offs for Non-Payment:	12	14	5	13	11	6	4	5	7	6	5		88
Unlocks After Payment Made:	4	6	1	9	4	2	3	2	3	1	3		38
Fire Hydrant Maintenance	n/a	n/a	n/a	n/a	18	31	50	0	0	0	0		99
All Other Miscellaneous:	114	207	183	118	89	87	107	139	159	141	139		1483
Total	152	237	196	146	126	131	167	152	177	151	155		1790

Bi-annual Flushing of Deadends and Blowoffs was 90% Completed in April

*Fire Hydrant Maintenance and Overhaul activities began in November 2010*

*\*\* Includes Water Quality (taste, odor, color) as well as high or low pressure concerns.*



DATE: 6/7/2011  
 TO: Board of Directors  
 FROM: Kit Boyd  
 RE: MAY PRODUCTION

	Cubic Feet Pumped	Total Gallons Pumped	Average GPM	Total Running Time	acre feet
Well 2	0	0	#DIV/0!	0	0.00
Well 3	270,890	2,026,257	388	87	6.22
Well 4	0	0	#DIV/0!	0	0.00
Well 6	540,630	4,043,912	446	151.2	12.41
Well 7	159,580	1,193,658	386	51.6	3.66
Well 8	255,700	1,912,636	957	33.3	5.87
Well 9	307,400	2,299,352	683	56.1	7.06
Well 10	19,640	146,907	59	41.7	0.45
Total	1,553,840	11,622,723			35.67

Wells 2, and 4 did not run this month

Well 3 back on line

A Boosters	85,210	637,371	111	95.7	
C Boosters	325,200	2,432,496	259	156.6	
Total	410,410	3,069,867			

# TODD ENGINEERS

GROUNDWATER · WATER RESOURCES · HYDROGEOLOGY · ENVIRONMENTAL ENGINEERING

June 17, 2011

**To:** Marina West  
Bighorn-Desert View Water Agency  
622 S. Jemez Trail  
Yucca Valley, California 92284

**From:** Daniel Craig, Project Manager

**Subject:** **Progress Report – May 2011**  
***Project Management, Permitting, Hydrogeologic Feasibility Study and Groundwater Management Plan Project***  
**Bighorn-Desert View Water Agency and Todd Engineers**

Todd Engineers (Todd) is pleased to submit this Monthly Progress Report for the *Project Management, Permitting, Hydrogeologic Feasibility Study and Groundwater Management Plan Project* (Project) for the period of May 1 through 31, 2011.

The following summarizes the work completed during the period, costs for the period and to date, and anticipated activities for the upcoming May 2011 monthly period.

## **Work Completed During May 2011**

*Task 1 Project Management* – Todd provided project management support including tracking of project costs, progress, and schedule.

*Task 4.2 Support for MOU and Water Agreement Amendment* - Todd and Richards, Watson & Gershon additional provided support to the Agency for the MOU/Agreement amendment. Pumping and recharge allocations for each water agency were documented in the GWMP.

## **Work Planned for June 2011**

*Task 2 Permitting Support* - Todd and Kennedy/Jenks will contact USACOE and California Fish & Game Agencies to determine final regulatory requirements for the Reche spreading grounds.

*Task 4.1 Groundwater Management Plan* - Todd incorporate BDVWA and MWA comments on the draft and prepare the final GWMP.

*Task 4.2 Support for MOU and Water Agreement Amendment* - Todd and Richards, Watson & Gershon will provide support as-needed for the MOU/Agreement amendment.

## **Charges to Date and Budget Summary**

Charges to date and budget remaining (through May 31, 2011) are summarized in the attached tables. Total professional charges for the Period May 1 through 31, 2011 are \$3,317.70, bringing total charges to date to \$515,891.30 out of the approved project budget of \$531,321.50. The remaining budget is \$15,430.20.

Attachments:

Table 1. Charges Details by Task

Table 2. Charges to Date and Budget Remaining



### Accrued Hours by Task

Project Management, Permitting, Hydrogeologic Feasibility Study, and Groundwater Management Plan																
Classification	Project Manager	Principal Geologist	Senior Geologist	Senior Geologist	Senior Geologist	QC	Graphics	Total Labor Hours	Total Labor	Comm Fee	Travel Admin Costs	Subcontractors Driller, Lab, Other	Subcontractor Expenses	Subcontractor	Total Costs	
Staff Name	Craig	Stanton	Lin	Abbott	Taylor	Priest								Kennedy/Jenks		
Hourly Rates	\$185	\$190	\$160	\$170	\$150	\$180	\$99									
Task 1 – Project Management	149	0.25	28.5	4.5	2.5	2	12.5	200.25	\$	661.20	\$	1,303.16	\$	8.24	\$	36,719.32
Task 1 – Project Management	140	0.25	20.5	4.5	2.5	2	12.5	200.25	\$	661.20	\$	1,303.16	\$	8.24	\$	36,718.52
Task 2 – Permitting Support	86.75	0	21.5	0	0	0	0	86.25	\$	15,788.75	\$	316.76	\$	-	\$	37,886.94
Task 3 – Hydrogeology Feasibility Studies																
3.1 Vadose Zone Investigation and Monitoring Well Installation	143.5	0	24.5	0	0	0	0	168	\$	30,467.50	\$	609.35	\$	7,994.07	\$	163,893.44
3.2 HDWD Well No. 24 Aquifer Test	49.5	0	0	55	0	0	0	92.5	\$	18,842.50	\$	338.85	\$	123.93	\$	18,554.87
3.3 Perennial Yield Assessment	28	0	57	0	0	0	0	83	\$	13,930.00	\$	278.60	\$	-	\$	15,386.30
3.4 Groundwater Flow Evaluation	303	0	149.75	0	0.5	0	0	459.25	\$	79,610.00	\$	1,592.20	\$	10.00	\$	81,212.20
3.5 Water Quality Evaluation	49.5	0	18	0	0	0	0	67.5	\$	12,037.50	\$	240.75	\$	405.50	\$	18,064.88
3.6 Hydrogeology FS Report	182.5	0	9	0	0	0	23	194.5	\$	33,697.50	\$	673.75	\$	2.11	\$	34,384.66
Task 3 Total	725	0	235.25	55	0.5	0	23	1058.75	\$	186,578.00	\$	3,731.90	\$	8,376.61	\$	331,440.24
Task 4 – Groundwater Management Plan and Water Agreement Amendment																
4.1 GWMP	89.5	10.25	89.5	0	0	0	52.75	251	\$	38,251.25	\$	785.03	\$	-	\$	40,036.28
4.2 Agreement Amendment	54	27.5	80.5	0	0	0	0	181	\$	31,135.00	\$	622.70	\$	3,114.11	\$	88,803.32
Task 4 Total	144.5	37.75	169	0	0	0	52.75	432	\$	70,386.25	\$	1,407.73	\$	3,114.11	\$	109,839.60
Task 5 – Support Stakeholder/Public Outreach Support								0	\$	-	\$	-	\$	-	\$	-
Total Charges to Date through May 31, 2011	1083.25	38	505.25	59.5	3	2	86.25	1779.25	\$	307,410.00	\$	6,148.20	\$	11,847.96	\$	515,891.30





**Todd Engineers and Kennedy/Jenks Consultants**

**Table 2 Charges to Date and Budget Remaining (through May 31, 2011)**

<b>Project Management, Permitting, Hydrogeologic Feasibility Study, and Groundwater Management Plan</b>			
<b>Task Name</b>	<b>Task Budget</b>	<b>Charges to Date (May 31, 2011)</b>	<b>Remaining Budget</b>
<b>Task 1 – Project Management</b>	\$36,831.60	\$36,719.62	\$112.08
<b>Task 2 – Permitting Support</b>	\$39,366.00	\$37,866.94	\$1,470.06
<b>Task 3 – Hydrogeology Feasibility Studies</b>			
3.1 Vadose Zone Investigation and Monitoring Well Installation	\$158,130.65	\$163,933.44	-\$5,702.89
3.2 HDWD Well No. 24 Aquifer Test	\$19,638.40	\$18,554.97	\$983.43
3.3 Perennial Yield Assessment	\$15,381.60	\$15,396.10	-\$14.50
3.4 Groundwater Flow Evaluation	\$81,227.05	\$81,212.20	\$14.85
3.5 Water Quality Evaluation	\$18,093.10	\$18,064.88	\$28.22
3.6 Hydrogeology FS Report	\$34,399.60	\$34,384.66	\$14.94
<b>Task 3 Total</b>	<b>\$326,870.30</b>	<b>\$331,446.24</b>	<b>-\$5,676.94</b>
<b>Task 4 – Groundwater Management Plan and Water Agreement Amendment</b>			
4.1 GWMP	\$40,330.80	\$40,036.28	\$294.53
4.2 Agreement Amendment	\$74,451.20	\$69,803.32	\$4,647.88
<b>Task 4 Total</b>	<b>\$114,782.00</b>	<b>\$109,839.60</b>	<b>\$4,942.40</b>
<b>Task 6 - Support Stakeholder/Public Outreach Support</b>	\$14,481.60	\$0.00	\$14,481.60
<b>Project Total</b>	<b>\$531,321.50</b>	<b>\$515,891.30</b>	<b>\$15,430.20</b>

# Bighorn-Desert View Water Agency

**Board of Directors**  
Terry Burkhart, President  
J. Larry Coulombe, Vice President  
Michael McBride, Director  
David Larson, Director  
Judy Corl-Lorono, Director



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

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[www.bdvwa.org](http://www.bdvwa.org)

Marina D West, P.G., General Manager

A Public Agency

## **BOARD OF DIRECTORS' SPECIAL MEETING MINUTES**

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
**Tuesday, May 24, 2011 - 4:00 p.m.**

### **CALL TO ORDER**

Meeting convened by Board President Terry Burkhart at 4:04 p.m.

### **PLEDGE OF ALLEGIANCE**

Led by John Burkhart.

### **ROLL CALL**

Directors Present:

Terry Burkhart  
Michael McBride  
David Larson  
Larry Coulombe  
Judy Corl-Lorono

Staff Present:

Marina West  
Lyni Tompkins

### **APPROVAL OF AGENDA**

Motion to approve the agenda.

MSC<sup>1</sup> (Corl-Lorono/Larson) unanimously approved.

**PUBLIC PARTICIPATION** - Addressing items not appearing on this agenda.

No public comments.

## **CLOSED SESSIONS**

Adjourned for closed session at 4:07 p.m. - Reconvened closed session at 5:18 p.m.

### **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**

The Board went 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 (two matters - unidentified).

Interim Legal Counsel, Aleshire & Wynder, LLP, will be participating via teleconference from the following location: 18881 Von Karman Avenue, Suite 1700, Irvine, CA 92612, pursuant to Government Code Section 54953.

No public comment.

Adjourned for a break at 5:19 p.m.

Reconvened at 5:30 p.m. adjourning to closed session, Conference with Labor Negotiators, absent the General Manager.

### **CONFERENCE WITH LABOR NEGOTIATORS:**

The Board went into closed session with the Agency's designated Board representatives, Ad Hoc Committee of Larry Coulombe and Michael McBride, for an unrepresented employee, the General Manager, pursuant to Government Code Section 54957.6.

Interim Legal Counsel, Aleshire & Wynder, LLP, will be participating via teleconference from the following location: 18881 Von Karman Avenue, Suite 1700, Irvine, CA 92612, pursuant to Government Code Section 54953.

No public comments.

Reconvened at 6:03 p.m.

### **CLOSED SESSION REPORTS:**

#### **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**

President Burkhart reported: On the first item of possible litigation, the Board directed the General Manager to notify all parties by certified mail and give a specific time frame for response. On the second item of possible litigation, the Board directed the General Manager to attempt a confidential settlement with the parties involved.

CONFERENCE WITH LABOR NEGOTIATORS - President Burkhart reported the Board has accepted the report of the Ad Hoc Committee and has directed them to complete negotiations with the General Manager.

The Board amended the above report in the Regular Board of Directors meeting of May 24, 2011, item 14 at 7:37 p.m. which followed this Special Board of Directors meeting.

President Burkhart reported that after further discussion with the Board since there was no vote taken in the closed session of the Special Board of Directors meeting earlier today, the reported action in that Special Board of Directors meeting for item 7 (Conference with Labor Negotiators) is stricken. The closed session report for item 13 (Conference with

Labor Negotiators) of the Regular Board of Directors Meeting of May 24, 2011 is "No Reportable Action".

**ADJOURNMENT** - President Burkhart adjourned the meeting at 6:03 p.m.

Approved by:

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*Judy Cori-Lorono*  
Board Secretary

MSC<sup>1</sup> - Motion made, seconded, and carried.

# Bighorn-Desert View Water Agency

## Board of Directors

Terry Burkhart, President  
J. Larry Coulombe, Vice President  
Michael McBride, Director  
David Larson, Director  
Judy Corl-Lorono, Director



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Marina D West, PG, General Manager

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A Public Agency

## BOARD OF DIRECTORS' REGULAR MEETING MINUTES

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, May 24, 2011 - 6:00 p.m.

### CALL TO ORDER

Meeting convened by Board President Terry Burkhart at 6:12 p.m.

### PLEDGE OF ALLEGIANCE

Led by Rebecca Unger.

### ROLL CALL

Directors Present: Michael McBride  
Judy Corl-Lorono  
David Larson  
Larry Coulombe  
Terry Burkhart

Staff Present: Marina West  
Lyni Tompkins

### APPROVAL OF AGENDA

Motion to approve the agenda.

MSCI (Corl-Lorono/McBride) unanimously approved.

### PUBLIC PARTICIPATION

No public comments.

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

General Manager West gave the staff report.

No public comment.

**MOTION NO. 11-022**

*After brief Board discussion, Director McBride made a motion authorizing staff to provide water for fire protection at the "Third of July" Community celebration at Homestead Valley Park. Director Corl-Lorono seconded the motion.*

MSC<sup>1</sup> (McBride/Corl-Lorono) unanimously approved.

**PROTECTION ONE SECURITY ENHANCEMENTS FOR AGENCY OPERATIONS YARD AT AN ESTIMATED COST OF \$4,450.48**

General Manager West gave the staff report.

No public comment.

Board commented it is important the Agency has their own fuel source in case of disasters and that fuel is protected against theft.

**MOTION NO. 11-023**

*After Board discussion, Director Corl-Lorono made a motion authorizing the General Manager to proceed with the installation of security enhancements through the Agency's existing security provider, Protection One, at an estimated cost of \$4,450.48. Director McBride seconded the motion.*

MSC<sup>1</sup> (Corl-Lorono/McBride) unanimously approved.

**CHANGE CREDIT CARD PROCESSING PROVIDERS FROM ELAVON TO OFFICIAL PAYMENTS WITH A PROJECTED COST SAVINGS TO THE AGENCY OF \$9,000.00 PER YEAR (YEAR ONE)**

General Manager West gave the staff report.

Public comment:

Allen Fisher, of Landers, commented in support of the free use of credit cards to pay water bills.

**MOTION NO. 11-024**

*After Board discussion, Director Corl-Lorono made a motion to change credit card providers from Elevon to Official Payments with a projected cost savings to the Agency of \$9,000.00 per year. The motion was seconded by Director McBride.*

*Director Corl-Lorono amended her motion to Board directs staff to agendize approval of the change in service providers and to present the charge (processing fee) in an open public meeting prior to commencement of the new charge. Director McBride seconded the amended motion.*

MSC<sup>1</sup> (Corl-Lorono/McBride) unanimously approved.

## **FISCAL YEAR 2011/2012 PRELIMINARY BUDGET OVERVIEW - REVIEW AND DISCUSS ONLY**

General Manager Marina West gave the staff report.

No public comment.

Board directed staff to present the final budget at the next Board meeting.

Adjourned for a break at 7:17 p.m. - Reconvened from break at 7:29:15 p.m.

### **DISBURSEMENTS APRIL 2011**

No public comment.

*Director Cori-Lorono made a motion to approve the disbursements from April 2011. Director McBride seconded the motion.*

MSC<sup>1</sup> (Cori-Lorono/McBride) unanimously approved.

### **CONSENT ITEMS**

- a. Financial Statements April 2011
  1. Balance Sheet
  2. Statement of Revenue and Expense
  3. General Account (Union Bank)
  4. Disbursements
  5. Local Agency Investment Fund Balance Timeline
- b. Consumption & Billing Comparison Report, March 2011 (not approved from the 4/26/11 Board Meeting)
- c. Consumption & Billing Comparison Report, April 2011
- d. Service Order Report, April 2011
- e. Production Report, April 2011
- f. Regular Board Meeting Minutes, April 26, 2011
- g. Progress Report on the Ames/Reche Recharge Facility Project, Todd Engineers, April 2011

No public comments.

*Director Cori-Lorono made a motion to approve consent items a and g. The motion was seconded by Director McBride.*

MSC<sup>1</sup> (Cori-Lorono/McBride) unanimously approved.

Adjourned to closed session at 7:31 p.m. - Reconvened from closed session at 7:37 p.m.

### **CONFERENCE WITH LABOR NEGOTIATORS IF NEEDED**

Unrepresented Employee: General Manager.

Designated Board Representative: Ad Hoc Committee of Larry Coulombe and Michael McBride. Pursuant to Government Code Section 54957.6.

No public comment.

The Board amended the closed session report from the Special Board of Directors meeting of May 24, 2011, item 7 at this closed session report.

President Burkhart reported that after further discussion with the Board since there was no vote taken in the closed session of the Special Board of Directors meeting earlier today, the reported action in that Special Board of Directors meeting for item 7 (Conference with Labor Negotiators) on the agenda is stricken. The closed session report for item 13 (Conference with Labor Negotiators) of this Regular Board of Directors Meeting agenda of May 24, 2011 is "No Reportable Action".

## **VERBAL REPORTS**

### **DIRECTORS' REPORT**

Director Corl-Lorono reported on her attendance at an AWAC meeting on May 10, 2011; and her attendance at the Crisis Communications and Disaster Preparedness Workshop hosted by Joshua Basin Water District on May 23, 2011.

### **PRESIDENT'S REPORT**

President Burkhart reported on her attendance at the Crisis Communications and Disaster Preparedness Workshop hosted by Joshua Basin Water District on May 23, 2011.

### **ITEMS FOR NEXT AGENDA**

Director McBride would like staff to update the Board on the Ames Reche project.

Budget

Bad Debt

Ad Valorem Tax

Property Lien Public Hearing

**ADJOURNMENT** - President Burkhart adjourned the meeting at 7:49:30 p.m.

Approved by:

---

*Judy Corl-Lorono*  
*Board Secretary*

MSC<sup>1</sup> – Motion made, seconded, and carried.



Bighorn-Desert View Water Agency

**Board of Directors**

Terry Burkhart, President  
Michael McBride, Director  
David Larson, Director  
Judy Corl-Lorono, Director  
*Director Vacancy*



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Marina D West, P.G., General Manager  
Lyni Tompkins, Executive Secretary

A Public Agency

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**BOARD OF DIRECTORS'  
SPECIAL MEETING MINUTES**

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, May 31, 2011 - 5:00 p.m.

**CALL TO ORDER**

Meeting convened by Board President Terry Burkhart at 5:07 p.m.

**PLEDGE OF ALLEGIANCE**

Led by Roger Taylor.

**ROLL CALL**

Directors Present: Judy Corl-Lorono  
Terry Burkhart  
David Larson  
Michael McBride

Staff Present: Marina West  
Lyni Tompkins

**APPROVAL OF AGENDA**

Motion to approve the agenda.  
MSC<sup>1</sup> (Corl-Lorono/McBride) unanimously approved.

**PUBLIC PARTICIPATION** - Addressing items not appearing on this agenda.

No public comment:

## **CLOSED SESSIONS**

Adjourned for closed session at 5:14:30 p.m. - absent General Manager -  
Reconvened from closed session at 5:34 p.m.

## **CONFERENCE WITH LABOR NEGOTIATORS:**

The Board went into closed session with the Agency's designated Board representatives, General Manager Compensation Ad Hoc Committee, for an unrepresented employee, the General Manager, pursuant to Government Code Section 54957.6.

No public comment.

## **CLOSED SESSION REPORT:**

President Burkhart reported "no reportable action".

Public comments following closed session:

Jim Hanley, of Johnson Valley, commented on the pending General Manager employment agreement clause, "Termination Without Cause in the 180 Days Following an Election".

Court Prittie, of Johnson Valley, commented about General Manager West's role of Johnson Valley's Improvement Association pursuit in drilling a well.

General Manager West discussed a couple of Mr. Prittie's specific comments in the General Manager's Report section of the agenda.

Director Larson commented about the Johnson Valley Association regarding their pursuit of drilling a well.

## **EMPLOYMENT AGREEMENT FOR THE POSITION OF GENERAL MANAGER OF THE BIGHORN-DESERT VIEW WATER AGENCY**

Director McBride of the Ad Hoc committee explained and reported on the General Manager's pending employment agreement.

Public comments:

Jim Hanley, of Johnson Valley, commented on the car allowance, and the educational allowance in the pending General Manager's employment agreement. He also commented on other public servants' salaries.

Jim Harvey, of Johnson Valley, commented on the Brown Act.

Director Larson commented on the "termination without cause in the 180 days following an election" clause and the General Manager's compensation in the pending General Managers employment agreement.

**MOTION NO. 11-025**

*After Board discussion, Director Corl-Lorono made a motion approving of and authorize execution of the Bighorn-Desert View Water Agency Employment Agreement (which includes compensation) with Marina D. West, P.G. for the position of General Manager. Director McBride seconded the motion.*

MSC<sup>1</sup> (Corl-Lorono/McBride) unanimously approved.

Adjourned for a break at 6:03 p.m. - reconvened at 6:15 p.m.

**RESOLUTION NO. 11R-XX FIXING AND ADOPTING THE AGENCY BUDGET FOR THE FISCAL YEAR 2011-2012**

General Manager West gave the staff report.

No public comment.

**MOTION NO. 11-026**

*After Board discussion, Director Corl-Lorono made a motion to adopt Resolution No. 11R-05, A Resolution Fixing and Adopting the Agency Budget for the Fiscal Year 2011/2012 for the Bighorn-Desert View Water Agency. The motion was seconded by Director McBride.*

MSC<sup>1</sup> (Corl-Lorono/McBride) unanimously approved.

**RESIGNATION OF VICE PRESIDENT J. LARRY COULOMBE FROM THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER AGENCY**

General Manager West gave the staff report.

No public comment.

**MOTION NO. 11-027**

*After brief Board discussion, Director Larson made an amended motion accepting a letter with regret received May 26, 2011 from J. Larry Coulombe resigning from the Bighorn-Desert View Water Agency Board of Directors. Director McBride seconded the motion.*

MSC<sup>1</sup> (Larson/McBride) unanimously approved.

**BOARD TO DISCUSS PROCESS FOR FILLING VACANT BOARD OF DIRECTOR SEAT**

General Manager West gave the staff report.

No public comment.

## MOTION NO. 11-028

*After Board discussion, Director Larson made a motion to defer the decision to fill the Board vacancy until the next Board meeting to allow time for the General Manager to verify in writing that calling such an election would not be a special election at extra cost to the Agency. The motion was seconded by Director McBride.*

MSC<sup>1</sup> (Larson/McBride) unanimously approved.

### **VERBAL REPORTS** - Including Reports on Courses/Conferences/Meetings.

#### **GENERAL MANAGER'S REPORT**

General Manager West commented that she feels bad that Mr. Prittie did not stay until the end of the meeting to hear the General Manager's comments, and address his comments that "the General Manager has done nothing to help us" and "has gone behind our backs". If anything it would appear that the Johnson Valley Improvement Association chose not to involve the Agency in their pursuit of drilling a well, General Manager West had offered her services. However, the majority of the Johnson Valley Board did not accept them. So to say that the General Manager went behind their back is really not a true statement. To say that nothing was done to help is also a false statement, because General Manager West did offer hydrogeologic information from the 2007 Conceptual Model which is the people's information, so that they would not fall short of their goal and possibly hit a dry well by not drilling deep enough. She offered financial assistance so that the Agency could garner additional information from this location. The Agency is in the best position to know where a production well ought to be drilled based on a lot of extensive studies and funds that have been expended to give the Agency that information. That is public information and it was offered to the Johnson Valley Board. It is believed the Agency is dealing with people that are not being careful enough with accusations. They are hearing false information from the public, and they believe that false information without coming forth and getting their own information. Just because certain individuals have pre-judged the General Manager does not make it factual. General Manager West personally cannot tell what the issue really is with the people that are giving the false information, but she wanted to help the whole entire time and made offers to help through the channels.

The goals and objectives by obtaining this particular facility (JVIA well) were not in conjunction with the incremental steps that the Agency has taken to provide what the residents in Johnson Valley desire. Those desires began with bulk hauling; they moved to obtaining a well known as Well No. 10 (the community well); they moved from that to a survey, as anonymous as it might have been, it represented the voice of the property owners in those jurisdictions. A majority of the respondents said that they wanted water. If a majority of those respondents said we do not want any water then the Agency would take that information whole heartily as it took the information that we do want water; it was merely a planning tool. The next incremental step was to complete the Johnson Valley Hydrogeologic Investigation, which is a study that has been on the books since

long before this General Manager ever arrived on scene and long before any of the present Board members arrived on scene. So it is a mission and goal of past Boards and the present Board that the grant money available be used in JV; that is the next incremental step for Johnson Valley. The next incremental step will be what ever that turns out to be. Johnson Valley Improvement Association has every right to have its own well to serve its needs. The question becomes, because of all the secrecy, the lack of transparency at the county level about where these funds are from; where these funds are going; it has been very difficult to get a straight answer out of the Supervisors office about these funds. Therefore, the Agency has been cautious the entire time and the Agency has reason to believe that there is something more to it, because people do not want to be honest and straight forward and tell the truth. This meeting is in open session to discuss these issues and provide the public the opportunity to comment. In this case, unfortunately, Mr. Prittie seems to have his information and wants to run with it; unfortunately he ran out the door before he could hear a response from General Manager West at the appropriate time. She apologized for that.

#### **DIRECTORS' REPORT**

Director McBride commented about the cell tower across the street from the Board room, wanted to know the status of the Reche project, and wanted to know if there were any current correspondences with Johnson Valley

Director Corl-Lorono reported on a demonstration garden.

#### **PRESIDENT'S REPORT**

President Burkhart commented that she agrees with General Manager West; she lives in Johnson Valley and has been on the Johnson Valley Board. She stated that help has been offered by this Agency to Johnson Valley, but has been refused multiple times. She reported that several Johnson Valley residents want piped/pressurized water.

#### **ITEMS FOR NEXT AGENDA**

**ADJOURNMENT** - President Burkhart adjourned the meeting at 6:40 p.m.

Approved by:

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*Judy Corl-Lorono*  
Board Secretary

MSC<sup>1</sup> – Motion made, seconded, and carried.