

## Bighorn-Desert View Water Agency

### Board of Directors

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



### Agency Office

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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, July 26, 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.

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, please 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. DRAFT AGREEMENT CONCERNING MANAGEMENT OF THE PIPES AND RECHE GROUNDWATER SUBBASINS OF THE AMES VALLEY GROUNDWATER BASIN FOR THE AMES/RECHE GROUNDWATER STORAGE AND RECOVERY PROGRAM AND GROUNDWATER MANAGEMENT PLAN**

Recommended Action:

No Board action requested - Informational item only.

**6. RESOLUTION NO. 11R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY EXPRESSING APPRECIATION TO DIRECTOR LARRY COULOMBE**

Recommended Action:

The Board to consider adopting resolution 11R-XX, Expressing appreciation to Director Larry Coulombe.

**7. RESOLUTION NO. 11R-XX - A RESOLUTION OF THE GOVERNING BODY OF THE BIGHORN-DESERT VIEW WATER AGENCY FOR ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS**

Recommended Action:

1. The Board to consider electing President Terry Burkhart and choose up to two other candidates to elect to the Special District Risk Management Authority Board of Directors.

2. The Board to consider adopting Resolution 11R-XX - A Resolution of the Governing Body of the Bighorn-Desert View Water Agency for election of directors to the Special District Risk Management Authority Board of Directors.

**8. BOARD TO CHOOSE A CANDIDATE TO FILL THE VACANT BOARD OF DIRECTOR FOR REGION 5, SEAT C OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA)**

Recommended Action:

The Board to consider voting for one (1) of the three (3) candidates nominated to serve as a representative to the CSDA Board of Directors for BDVWA's geographical Region: Region 5, Seat C.

**9. RESOLUTION NO. 11R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN DESERT VIEW WATER AGENCY PROVIDING FOR EMPLOYEE LIFE INSURANCE LIMITS OF TWO (2) TIMES ANNUAL SALARY, MAXIMUM OF \$200,000 FOR ANY ONE EMPLOYEE**

Recommended Action:

The Board to consider adopting Resolution 11R-XX - providing for employee Life Insurance limit at two (2) times annual earnings, exclusive of overtime and bonus, to a maximum of \$200,000 for any one eligible employee.

**10. AUTHORIZE ATTENDANCE AT THE FIFTH ANNUAL SAN BERNARDINO COUNTY WATER CONFERENCE**

Recommended Action:

Board to consider authorizing attendance at the 5<sup>th</sup> Annual San Bernardino County Water Conference scheduled for August 26, 2011 in Ontario CA at an approximate cost of @ \$306 per Board member.

**11. DISBURSEMENTS JUNE 2011**

Recommended Action:

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

- 12. 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 June 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, June 2011
- c. Service Order Report, June 2011
- d. Production Report, June 2011
- e. Progress Report on the Ames/Reche Recharge Facility Project, Todd Engineers, June 2011
- f. Regular Board Meeting Minutes, June 28, 2011
- g. Resolution No. 11R-XX - A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Authorizing Agency Credit Cards and Setting Guidelines for the Use of the Same.

Recommended Action:

Approve as presented (Items a - g):

**13. MATTERS REMOVED FROM CONSENT ITEMS**

**14. 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, please 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.

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

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

**16. ITEMS FOR NEXT AGENDA**

**17. 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.

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.

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

**Meeting Date:** July 26, 2011

**To:** Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:** N/A

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** Completed June 2010

**Subject:** Draft Agreement Concerning Management of the Pipes and Reche Groundwater Subbasins of the Ames Valley Groundwater Basin for the Ames/Reche Groundwater Storage and Recovery Program and Groundwater Management Plan

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**SUMMARY**

The attached draft *Agreement Concerning Management of the Pipes and Reche Groundwater Subbasins of the Ames Valley Groundwater Basin* is the product of many years of staff level negotiations followed by five formal negotiating meetings between Hi Desert Water District (HDWD), County Service Area Zone W-1 (Landers) and W-4 (Pioneertown), Mojave Water Agency (MWA) and Bighorn Desert View Water Agency (BDVWA) along with their general counsel representatives.

At this time, the draft Agreement has the full support of the manager's and their general counsel to move forward. The next step is to circulate the document before the public and the various governing bodies for their input followed by eventual approval.

To that end, staff is presenting the draft Agreement for Board and public input at this time. It is anticipated that the document could be brought before the Board in August for formal approval.

The only notable change from the Principles of Agreement is a revision of the governance boundary to include the managed control of the upper watershed of the Ames Valley Water Basin thereby encompassing the Pioneertown service area (W-4) and the setting of a production baseline for that service area. The Ames/Reche Ad Hoc Committee has approved this modification with the assurance that County Special District's staff would then move to formally accept this draft Agreement as written.

Once all the signatory authorities approve the Agreement then the document can be brought before the Court in a request to amend the existing Ames Valley Water Basin Agreement.

**RECOMMENDATION**

No Action Required, Informational Purposes Only

## BACKGROUND/ANALYSIS

In 2001 the Hi Desert Water District filed a Motion to Reform the Judgment (Ames Valley Water Basin Agreement). The presiding justice was Judge Simmons who ordered,

"as suggested in the papers filed by counsel for both parties to this dispute, there are several provisions of the agreement, and the incorporating Judgment, which require further examination and attempts to clarify, modify, and improve its terms. This dispute underlines the need for such clarification. In the interest of the constituents of both agencies, this arbitrator urges the parties to cooperate in an effort to preserve, protect and make effective use of the critical resources under their control".

He also ordered,

"Bighorn seems to suggest that Hi-Desert should not be entitled to supply recharge water to the Ames Valley to replace water taken from Well 24 and used outside of that Basin. This needs to be reexamined by the parties for further clarification".

Sometime thereafter the affected parties began to discuss options for improved managed control of the Ames Valley Water Basin which was to include a Conjunctive Use component involving percolation of State Water Project supplies from the Morongo Basin Pipeline to supplement the native groundwater supplies. The plan was to cooperate in an effort to preserve, protect and make effective use of the resource in accordance with Judge Simmons orders.

In March 2010, the Board reviewed the "Principles of Agreement" document that had been drafted following the approval of the *Guidance Document for the Development of a Groundwater Management Plan and Construction of an Artificial Recharge Project in the Reche Groundwater Subbasin of the Ames Valley Groundwater Basin* (otherwise known as the "Strawman Proposal") on January 27, 2009. HDWD and MWA agendized the discussion of this step as well. All parties were directed to move forward in the discussions.

Beginning in January 2011, the parties began meeting together with their respective general counsel representatives to transition from the manager's Principles of Agreement to a formal *Agreement for the Management of the Pipes and Reche Groundwater Subbasins of the Ames Valley Groundwater Basin* (Agreement). The Parties have now met five times and have developed the attached Agreement. The "referee" attorney, James Markman, has declared the respective parties are ready to bring the draft before their Board's and their public to review and ultimately approve this formal (draft) Agreement.

Once executed the Agreement must undergo further implementation through the continuing jurisdiction of the Court. In order to implement the approved formal Agreement, Hi Desert Water District and Bighorn Desert View Water Agency shall enter into a Stipulation to Enter

an Amended and Restated Judgment which supersedes the Ames Valley Water Basin Judgment and which embodies the terms and conditions of this (draft) Agreement. County Service Area W-1 (Landers) and W-4 (Pioneertown) and Mojave Water Agency will seek to intervene as Parties in the case and join in a joint motion of all Parties hereto for the entry of the Amended and Restated Judgment.

The components of the attached draft Agreement are as follows:

- The only material change from the POA circulated in 2010 is that a new governance boundary has been drawn that is inclusive of the upper Ames Valley Water Basin watershed which then governs all participating municipal producers (HDWD, W-1, W-4 and BDVWA). This is a notable change from the POA's where the governance boundary was exclusive of the upper watershed and therefore did not place production controls on Pioneertown (County Zone W-4). In this draft, W-4 has production controls and a native production baseline. The new governance boundary is formally defined in the attached document Exhibit A and Exhibit B.
- Each Party is provided a production baseline derived from their documented 5-year average production between calendar years 2004 and 2008. Unused production can be carried over for up to two (2) years.
- Any production needs above the defined baseline must be mitigated with imported State Water Project Supplies to the Ames/Reche Groundwater Storage facility to be constructed and operated by MWA.
- MWA may pre-store water in the storage facility at no cost. Upon transfer of pre-stored MWA supplies to a project participant, BDVWA will be allocated 5% of the transferred amount.
- Annual reporting of groundwater production, measured water levels and water quality sample analysis by municipal producers to MWA. MWA will provide additional monitoring of "non-producing" wells. The monitoring program has been drafted for approval at the management level with the Agreement (Exhibit C) defining the wells that will be monitored. Every 5-years MWA shall compile a report that will make recommendations regarding the Parties ability to produce their Annual Baseline amounts.
- Includes drought mitigation measures which might temporarily raise baseline production allocations with a Court approved written motion.
- Pro-rated allocation of recharge capacity based on the ID 'M' Morongo Basin Pipeline allocated capacities.
- Ability to construct transfer agreements between parties such as the proposed "wheeling" arrangement contemplated between HDWD and Pioneertown aimed at solving their complicated local water quality problems.

The 5<sup>th</sup> distributed draft Agreement is attached. Staff believes this document provides for managed control of the groundwater resources using mechanisms that are better defined than the existing Ames Valley Water Basin Agreement, more flexible in meeting the water supply demands of the groundwater basin's "region" and most importantly inclusive of all the municipal producers.

Staff is presenting this draft for information purposes only to receive questions and input from the Board and public. Thereafter, staff anticipates that the Agreement can be brought back to the Board for approval, perhaps, in August 2011.

**PRIOR RELEVANT BOARD ACTION(S)**

**4/22/2011 Receive and file** the 2010 Ames Valley Water Basin Monitoring Program Report.

**2/8/2011 BOD authorization** of Change Order No. 6 to Candida Neal, AICP for CEQA/NEPA services related to the water infrastructure restoration program.

**12/28/2010 BOD authorization** of Change Order No. 5 to Candida Neal, AICP for CEQA/NEPA Services related to the Water Infrastructure Restoration Program, specifically the Ames/Reche Spreading Grounds, in the amount of \$8,250.

**12/28/2010 BOD authorization** of Change Order No. 4 to Candida Neal, AICP for CEQA/NEPA Services related to the Water Infrastructure Restoration Program, specifically the Ames/Means Reche Recharge facility, in the amount of \$8,350.00.

**8/24/2010 BOD authorization** of Change Order No. 3 to Candida Neal, AICP for CEQA/NEPA services related to the Water Infrastructure Restoration Program, specifically the Ames/Means Reche Recharge Facility.

**6/29/2010 Resolution No. 10R-04** Approving the Water Infrastructure Restoration Program: Ames/Reche Groundwater Storage and Recovery Program and Pipeline Installation/Replacement Program.

**6/15/2010 BOD Public Hearing:** Notice of Intent to Adopt a Mitigated Negative Declaration (MND) Pertaining to the Water Infrastructure Restoration Program: Ames/Reche Groundwater Storage and Recovery Program; and Pipeline Installation/Replacement Project

**3/23/2010 BOD review** of Draft "Principles of Agreement" between Bighorn Desert View Water Agency, Hi Desert Water District, County Special Districts (W-1 and W-4) and Mojave Water Agency for the Reche Groundwater Subbasin.

**3/19/2010 PLEGS Committee** Review of Draft "Principles of Agreement" between Bighorn Desert View Water Agency, Hi Desert Water District, County Special Districts (W-1 and W-4) and Mojave Water Agency for the Reche Groundwater Subbasin.

**2/18/2010 PLEGS Committee** California Environmental Quality Act (CEQA) and Water Master Plan Update.

**1/26/2010 BOD overview** of the Ames Valley Water Basin Agreement.

**1/26/2010 Board authorization** of Change Order No. 1 to Todd Engineers for an amount not to exceed \$53,340 for the Project Management, Permitting, Hydrogeologic Feasibility Study and Groundwater Management Plan for the Ames/Reche Project.

**11/17/2009 BOD authorization** of Change Order No. 2 to Candida Neal, AICP for an amount not to exceed \$37,842.90 for CEQA/NEPA services related to the Water Infrastructure Improvement Program.

**11/5/2009 FPREP Committee** Report on status of Water Infrastructure Restoration Program Pending Change Order No. 2 to Candida Neal, AICP for CEQA/NEPA services specifically related to the Ames/Means Reche Recharge Facility.

**8/25/2009 Motion** to authorize staff to execute Memorandum of Understanding by and between Mojave Water Agency and Bighorn Desert View Water Agency regarding Project Management of Phases for Phase I and II Planning and Design of the Ames-Means Recharge Project (aka Reche Recharge Facility) and accepting financial participation from Mojave Water Agency in the amount of \$279,495.



**7/28/2009 Draft** financial participation MOU with MWA presented to Board for information and discussion only.

**1/27/2009 R09-03 Resolution** of Board of Directors approving the Guidance Document for the Development of a Groundwater Management Plan and Construction of an Artificial Recharge Project in the Reche Groundwater Subbasin of the Ames Valley Groundwater Basin.

**1/15/2009 PLEGS Committee** recommending the "Strawman" Guidance Document for the Development of a Groundwater Management Plan and Conjunctive Use Program for the Ames Basin be brought before the full board on January 27, 2009.

**8/26/2008 BOD introduction** of the "Strawman" Guidance Document for the Development of a Groundwater Management Plan and Conjunctive Use Program for the Ames Basin.

**6/16/2008 Motion** to authorize staff to seek formal partnerships with interested parties to participate financially in the Agency's EPA Grant Program – Water Infrastructure Restoration Program CEQA/NEPA documentation.

**5/27/2008 BOD authorization** of Change Order No. 1 to Candida Neal, AICP in the amount of \$32,250.48 for completion of Water Infrastructure Restoration Program CEQA/NEPA documentation which includes Reche Recharge Project.

**2/26/2008 BOD receive and file** *Ames Groundwater Basin Report* dated February 26, 2008 by General Counsel Trager. A chronology of Ames activities from the 1970's to 2001.

**1/22/2008 BOD review and discuss** the status and history of monitoring of the Reche Subbasin pursuant to the Ames Valley Water Basin Agreement (aka Stipulated Judgement).

**9/30/2007 Motion** to authorize staff to execute a Professional Services Agreement with Candida Neal, AICP in the amount of \$44,193.24 for preparation of the Water Infrastructure Program CEQA/NEPA documentation which includes Reche Recharge Project.

**9/18/2007 Board Workshop** to discuss the results of the Basin Conceptual Model and Assessment of Water Supply and Demand for the Ames Valley, Johnson Valley, and Means Valley Groundwater Basins by Kennedy/Jenks/Todd, LLC.

**4/24/2007 Motion** to accept the Basin Conceptual Model and Assessment of Water Supply and Demand for the Ames Valley, Johnson Valley, and Means Valley Groundwater Basins by Kennedy/Jenks/Todd, LLC.

**4/24/2007 Motion** to accept Water Master Plan Report by Don Howard Engineering which includes recharge facilities.

**12/20/2006 06R-18 Resolution** of the Board of Directors of the Bighorn-Desert View Water Agency declaring its intention to draft a Groundwater Management Plan for the Ames/Mean/Johnson Valley Groundwater Basins.

**3/28/2006 06R-04 Resolution** authorizing General Manager to enter Grant Agreement of \$477,000 (EPA STAG).

**11/8/2001 Ames Valley Water Basin Agreement:** Court's Ruling and Related Order on Hi Desert Water District's Motion to Reform the Judgment

**2/6/1997 Ames Valley Water Basin Agreement Amendment No. 2**

**6/12/1993 Ames Valley Water Basin Agreement Amendment No. 1**

**1/10/1991 Execution of the Ames Valley Water Basin Agreement**

**AGREEMENT CONCERNING MANAGEMENT  
OF THE PIPES AND RECHE GROUNDWATER SUB BASINS  
OF THE AMES VALLEY GROUNDWATER BASIN**

This Agreement ("the Agreement" hereinafter) is made and entered into by and among Bighorn Desert View Water Agency ("BDV" hereinafter), County of San Bernardino Special District County Service Area No. 70 Zone W-1 Landers ("W-1" hereinafter), County of San Bernardino Special District County Service Area No. 70 Zone W-4 Pioneertown ("W-4" hereinafter), Hi-Desert Water District ("Hi-Desert" hereinafter) and Mojave Water Agency ("MWA" hereinafter) who are collectively referred to herein as "Parties" and individually referred to herein as a "Party."

**A. Recitals**

(i) Bighorn Desert View Water Agency is a public entity organized and operating pursuant to the provisions of the Bighorn Desert View Water Agency Law, California Water Code Appendix, Sections 112-1 *et. seq.*

(ii) Hi-Desert Water District is a County Water District organized and operating pursuant to the provisions of the County Water District Law, California Water Code Sections 30,000 *et. seq.*

(iii) Mojave Water Agency is a public entity organized and operating pursuant to the provisions of the Mojave Water Agency Law, California Water Code Appendix Sections 97-1 *et. seq.*

(iv) County of San Bernardino Service Area 70 W-1 Landers is a public entity governed by the San Bernardino County Board of Supervisors pursuant to the provisions of California Government Code Sections 25210 *et. seq.*

(v) County of San Bernardino Service Area 70 W-4 Pioneertown is a public entity governed by the San Bernardino County Board of Supervisors pursuant to the provisions of California Government Code Sections 25210 *et. seq.*

(vi) BDV and Hi-Desert entered into an agreement entitled "Ames Valley Water Basin Agreement" effective January 10, 1991 ("the Original Agreement" hereinafter) which was the result of a CEQA complaint against Hi-Desert by a predecessor agency, Desert View Water District.

(vii) The Original Agreement provided for the settlement of a lawsuit protesting the adequacy of an environmental impact report through the entry of a Judgment by which a water production well referred to as the Section 24 Well (Main Stream Well) and other water production facilities owned and operated by Hi-Desert would be governed, the groundwater basin monitored and the water supplies therein protected.

(viii) That Judgment, dated June 3, 1991 was entered in Riverside County Superior Court Case 211504 ("the Judgment" hereinafter).

(ix) The Original Agreement was amended twice, as of August 12, 1993 and then as of February 3, 1997 and the Judgment was amended pursuant to a Court order dated November 8, 2001.

(x) The groundwater basin referred to in the Original Agreement and the Judgment as Ames Valley Water Basin now is commonly referred to as the Pipes and Reche Groundwater Sub-basins and, together with that area commonly referred to as Pioneertown, is referred to herein as "the Basin." The boundaries of the Basin are described in Exhibit A and depicted on Exhibit B hereto. With BDV overlying most of the Basin, the Parties hereto have conducted studies which indicate the Basin is overdrafted and that storage space is available, including the calculation of water available perennially in the Basin due to natural supplies, a calculation of the water produced from the Basin from calendar year 2004 through calendar year 2008, and the feasibility of a project by which MWA would import state project water to the Basin and percolate it into the Basin on property owned and managed by the Bureau of Land Management within the Sphere of Influence of and leased by BDV, thereby supplementing the local water supply. For purposes of applicable environmental laws, BDV is named the lead project proponent for this project known and referred to as the Ames/Reche Spreading Grounds and Recovery Program. In furtherance of this Agreement and the Ames/Reche Spreading Grounds and Recovery Program, the Ames/Reche Groundwater Management Plan has been developed to provide a basis for long-term management of groundwater resources.

(xi) BDV, W-1, W-4 and Hi-Desert all wish to increase the amount of water available in the Basin and to make the Basin a more reliable source of water to be served to residents and businesses and each of those Parties desires to modify its common law water rights to reflect the rights afforded to them herein and in the Restated and Amended Judgment referred to herein.

(xii) The purposes of the Agreement are to provide the settlement of basic pumping allocation disputes and to establish mechanisms to bring the Basin demand and supply into operational balance.

(xiii) In order to implement the Agreement, the Parties shall enter into a Stipulation to Enter an Amended and Restated Judgment which supersedes the Judgment and which embodies the terms and conditions of this Agreement. W-1, W-4 and MWA will seek to intervene as Parties in the case and join in a joint motion of all Parties hereto for the entry of the Amended and Restated Judgment.

#### **B. Agreement**

NOW, THEREFORE, the Parties hereto agree as follows:

1. Upon the Recharge Facilities described in paragraph 3 below being fully operative, the Parties will enter promptly into a Stipulation for Entry of an Amended and Restated Judgment embodying the terms and conditions of this Agreement including, but not limited to, an injunction prohibiting the production of water from the Basin by any Party which

is not based on production rights articulated herein, and take any and all actions necessary to support the Court's entering said Amended and Restated Judgment. W-1, W-4 and MWA shall at the same time move to intervene as Parties to that Amended and Restated Judgment.

2. There hereby is established for BDV, W-1, W-4 and Hi-Desert the following water production allowances ("Annual Baseline Amounts" hereinafter) based upon a methodology agreed to by the Parties. The Annual Baseline Amounts are based upon amounts produced from the Basin by the Parties from calendar year 2004 through calendar year 2008, as verified by meter readings or energy usage data:

<u>Party</u>	<u>Annual Baseline Amount</u>
CSA 70 I.Z. W-1 (Landers)	267 Acre Feet
CSA 70 I.Z. W-4 (Pioneer Town)	35 Acre Feet
Hi-Desert Water District	703 Acre Feet
Bighorn Desert View Water Agency	641 Acre Feet

Commencing upon entry of the Amended and Restated Judgment referred to above, each Party shall have the right to produce native water from the Basin in each fiscal year (July 1 - June 30) equal to its Annual Baseline Amount, prorated for any partial fiscal year on a 365 day year basis, subject to the terms and provisions hereof. Any Party withdrawing less than its Annual Baseline Amount in any fiscal year may carryover its right to produce that unproduced amount for the next two fiscal years. The first water produced at any time by any Party shall be deemed to be water credited to the Party which has been carried over for two fiscal years and the next water produced by that Party shall be deemed to be water credited to that Party which has been carried over for one fiscal year. Any Annual Baseline Amount not produced by that Party, or any transferee of that right, for more than said two fiscal years shall be deemed to be abandoned and the right to produce it knowingly and intentionally waived and relinquished. No Party or other person or entity shall have the right to produce such abandoned carryover which shall serve to provide protection against over production of Basin water. Further, the Parties hereto hereby waive and relinquish any right they might assert to produce return flows emanating from state project water percolated into the Basin on their account.

3. MWA will employ its best efforts to construct at its sole cost, and then to own, maintain and operate recharge facilities ("the Recharge Facilities" hereinafter) on that land leased by BDV described and depicted on Exhibit C hereto. Such facilities are to include pipeline and ancillary structures and equipment necessary to connect those Recharge Facilities to MWA's Morongo Pipeline, all as described in "Bighorn Desert View Water Agency (BDVWA) Mitigated Negative Declaration for Water Infrastructure Restoration Program (WIRP): Ames/Reche Groundwater Storage and Recovery Program; and Pipeline Installation/Replacement Program and the Ames/Reche Groundwater Management Plan." MWA must comply with all the Mitigation Monitoring Provisions of the Mitigated Negative Declaration, all stipulations placed on the project's constructions, operations and maintenance activities under permits obtained from United States Fish and Wildlife Service, California Fish and Game, Army Corps of Engineers and other permits identified or obtained as part of the project. The Recharge

Facilities are designed for a capacity of approximately 1,500 acre feet per year. MWA shall complete the Recharge Facilities so that those facilities are fully operative no later than September 1, 2012. If the Recharge Facilities are not fully operative on or before September 1, 2012, any Party hereto may terminate the Agreement by written notice provided to each Party hereto on or before November 1, 2012. In light of the Parties' extensive time and effort to formulate this Agreement and to complete regulatory approvals for and completion of the Recharge Facilities, the Parties shall attempt in good faith to agree to a new date if construction of the Recharge Facilities is substantially complete but the facilities are not fully operative by September 1, 2012. Each party hereto agrees to support the completion of the Recharge Facilities and not to impede in any way the implementation of the recharge process through the completion and operation of the Recharge Facilities.

4. Subject to the provisions of paragraph 6 hereof, BDV, W-1, W-4 and Hi-Desert may purchase state project water from MWA to be percolated into the Basin at the Recharge Facilities and later withdrawn from the Basin by the purchasing entity. MWA shall maintain storage accounts reflecting the amount of water in storage in the Basin by each other Party due to state project water percolated in the Basin on its behalf by MWA. Amounts withdrawn above a Party's Annual Baseline Amount must be based on water then credited in that Party's storage account. State project water purchases are not subject to the maximum two year carryover imposed on the production of Annual Baseline Amounts. No Party shall produce water from the basin not based upon either the Party's available Annual Baseline Amount or water present in its storage account except pursuant to an order of the Court obtained in accordance with the procedure referred to below. No person or entity not a Party to this Agreement shall store or be allowed to store water in the Basin.

A party may by written motion seek an order of the Court which provides that it may produce water from the Basin in excess of water based upon its Annual Baseline Amount, carryover rights or stored water in its account provided that the following criteria are met:

A. The hearing of the motion must be upon at least 90 days' written notice provided to the other parties hereto; and

B. At a minimum, the moving party shall provide substantial evidence demonstrating that it has exhausted all reasonably available means to meet its demands based on water rights allocated hereunder, including, but not limited to, seeking in writing to purchase or lease other parties' production rights at reasonable prices.

5. Subject to the provisions of paragraph 6 hereof, MWA may percolate state project water into the Basin for its own account for subsequent sale, production and use in any location within MWA's physical boundaries so long as such activity does not substantially impair or inhibit any other Party's use of the Basin as a source of water for its residents and businesses.

6. Five percent (5%) of all state project water percolated into the Basin at the Recharge Facilities pursuant to orders from and for the banked credit of Hi-Desert, W-1 or W-4 shall be credited to the BDV storage account in consideration of the use of the groundwater sub basin principally overlain and leased by BDV as the site of the Recharge Facilities without regard to which Party hereto other than BDV has purchased or owns the right to such water when

so percolated. The Parties also recognize that BDV production results in return flows to the Basin to a degree substantially greater than the other Parties. For example, if MWA percolates 100 acre feet of water into the Basin through use of the Recharge Facilities to be credited to the storage account of W-1, W-4 or Hi-Desert, five acre feet of that water shall be credited to the BDV storage account and 95 acre feet of that water shall be credited to the storage account of the other Party which purchased the state project water.

7. Water production rights as specified herein may be transferred from any Party hereto to any other Party hereto permanently or for any delineated period of time. The execution of this Agreement does not constitute a transfer of any water right from one party to another. A transfer of rights carried over by a Party as provided in paragraph 2 hereof shall not extend the two year period in which those rights must be exercised.

8. MWA shall offer water available for storage and later extraction through the Recharge Facilities to the other three Parties hereto whenever such water is made available to MWA from time to time in the following proportionate percentages which are in accord with the Parties' proportionate pipeline capacity rights delineated in existing agreements binding on the parties here and said percentages shall remain in effect throughout the term of said Agreement, to be renegotiated in good faith concerning that period subsequent to the term of said Agreement:

BDV -	13%
Hi-Desert -	85.5%
W-1 -	1.5%

MWA shall offer and provide water hereunder in accordance with MWA's applicable ordinances and policies in effect at the time when any such offer and provision of water occurs.

Within 60 days of MWA extending any such offer, each Party shall accept or reject the offer extended to it in whole or in part in writing provided to MWA. Any acceptance tendered shall include provision of the funds necessary to complete the transaction. Any amount rejected by a Party shall be offered to the Party or Parties which wholly accepted the prior amount or amounts offered to it and to W-4. Any such subsequent offer of amounts original offered to another Party must be accepted within 60 days of MWA extending the offer and any such acceptance tendered shall include provision of the funds necessary to complete the transaction.

9. MWA shall administer a monitoring program to ensure protection of the Basin as a water supply for the Parties hereto and their end users at MWA's sole cost and expense. The monitoring program will utilize the wells identified in Exhibit C hereto at a minimum. At MWA's direction, additional wells may be added to or removed from the program to provide a more accurate depiction of the state of the Basin as to maintenance of supplies and water quality. MWA's staff will take groundwater level measurement and samples for quality testing on a schedule and in accordance with protocols reasonably satisfactory to and approved in writing by the other Parties' general managers.

10. BDV, W-1, W-4 and Hi-Desert agree to provide to MWA each year no later than July 10, the meter readings, electrical records and any available data reflecting the production of

water from the Basin from all of the entities' wells for the immediately prior 12 months (July 1 - June 30). On or before the following September 1, MWA shall provide to the other Parties a report which compiles all water production, water quality and Basin well elevation data for the immediately previous fiscal year (June 30 - July 1). Every five years, the MWA report shall make recommendations on the Parties' ability to produce their Annual Baseline Amounts during the then current fiscal year and any other recommendations for actions which MWA believes are required to protect the Basin water supply based on the Ames/Reche Groundwater Management Plan. If necessary, to ensure maintenance of Basin elevations at acceptable levels and still allow withdrawals, and with the unanimous agreement of the general managers of BDV, W-1, W-4 and Hi-Desert, the Annual Baseline Amount for each such Party may be reduced by the same percentage. The first determination on such potential reduction shall occur within 90 days of MWA issuing its first report required hereunder.

11. Each Party shall indemnify, hold harmless and assume the defense of the other Parties, their officers, agents, employees, and elective boards, and that Party shall pay all court costs and reasonable attorneys fees relating thereto, in any action, with respect to a claim, loss, damage or injury, asserted by a third Party against any Party entitled to indemnification under this Agreement, and arising out of a negligent act, error or omission, or willful misconduct, of an employee or agent of the Party whose actions under this Judgment gave rise to such third Party claim.

12. Any notice, tender or delivery to be given hereunder by any Party to another Party or Parties shall be effected by personal delivery in writing or by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed communicated as of mailing or in case of personal delivery, as of actual receipt. Mailed notices shall be addressed as set forth below, but each Party may change its address by written notice in accordance with this paragraph 11.

To: Hi-Desert Water District  
55439 29 Palms Hwy.  
Yucca Valley, CA 92284  
Attention: General Manager

To: Bighorn-Desert View Water Agency  
622 S. Jemez Trail  
Yucca Valley, CA 92284  
Attention: General Manager

To: County of San Bernardino Special District  
County Service Area No. 70  
12402 Industrial Blvd., Building D, Suite 6  
Victorville, CA  
Attention: General Manager

To: Mojave Water Agency  
13846 Conference Center Drive  
Apple Valley, CA 92307  
Attention: General Manager

13. Full jurisdiction, power and authority shall be retained and reserved by the Court for the purpose of enabling the Court, upon application of any Party hereto by motion and upon at least thirty (30) days notice thereof, after hearing thereon, to make such further or supplemental orders or directions as may be necessary or appropriate for the construction, enforcement or implementation of this Agreement, and the Judgment entered based on this Agreement, including independent review of any decision presented to the General Managers of BDV, W-1, W-4 and Hi-Desert required in paragraph 10 of this Agreement which is not unanimously approved. The responding and/or defending Party who is determined to be the prevailing Party in any such hearing shall be entitled to recover as costs upon the conclusion of such hearing all attorneys fees or other costs actually incurred in connection with resolving the dispute by the making of such motion and the hearing thereon.

14. If a dispute arises regarding breach or enforcement of the provisions of this Agreement, the responding and/or defending Party who is determined to be the prevailing Party therein shall be entitled to recover all attorneys fees or other costs actually incurred in connection with resolving the dispute.

15. This is an entire Agreement and supersedes all prior agreements oral or written between any of the Parties and their agents, on the same subject matter, and cannot be amended unless in writing, with specific reference hereto by the Parties authorized to be charged. Failure by any Party to enforce any provisions shall not constitute a waiver of said Party's right to enforce subsequent violation of the same or any other provisions.

16. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties.

17. If any section, clause or phrase of this Agreement is for any reason held to be unconstitutional or unlawful, such a decision shall not affect the validity of the remaining portions of this Agreement.

18. The persons executing this Agreement on behalf of the Parties hereto represent and warrant that (i) such Party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said Party and to bind that Party, including its members, agents and assigns, and (iii) by so executing this Agreement, such Party is formally bound to the provisions of this Agreement.

19. This Agreement may be executed in multiple counterparts, each of which shall be considered an original but all of which shall constitute one agreement.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the date stated below opposite the name of each such Party.



BIGHORN DESERT VIEW WATER AGENCY

Dated: \_\_\_\_\_ By: \_\_\_\_\_

By: \_\_\_\_\_

COUNTY OF SAN BERNARDINO SPECIAL DISTRICT  
COUNTY SERVICE AREA 70 IMPROVEMENT ZONE W-1

Dated: \_\_\_\_\_ By: \_\_\_\_\_

By: \_\_\_\_\_

COUNTY OF SAN BERNARDINO SPECIAL DISTRICT  
COUNTY SERVICE AREA 70 IMPROVEMENT ZONE W-4

Dated: \_\_\_\_\_ By: \_\_\_\_\_

By: \_\_\_\_\_

HI-DESERT WATER DISTRICT

Dated: \_\_\_\_\_ By: \_\_\_\_\_

By: \_\_\_\_\_

MOJAVE WATER AGENCY

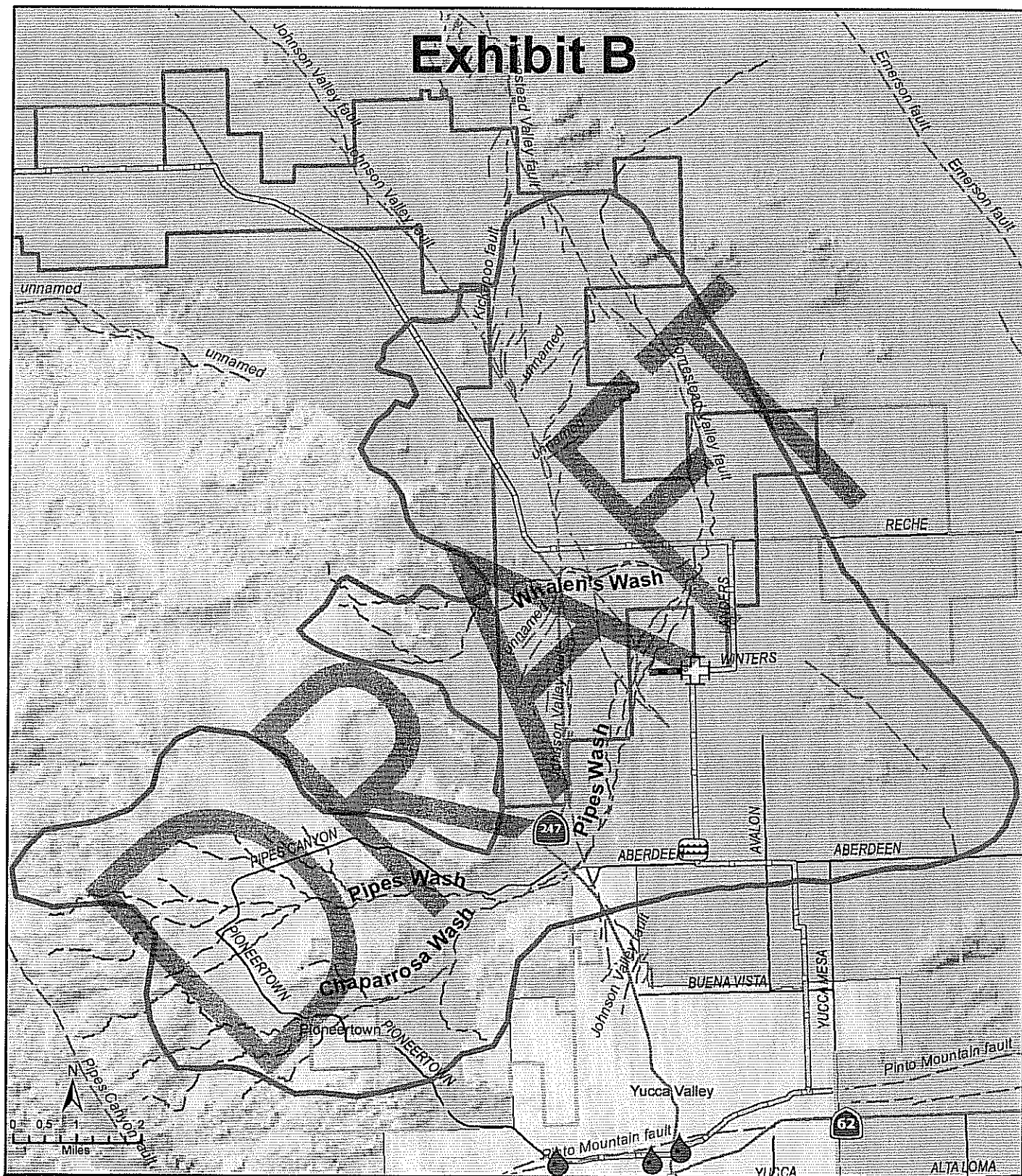
Dated: \_\_\_\_\_ By: \_\_\_\_\_

By: \_\_\_\_\_

## EXHIBIT A

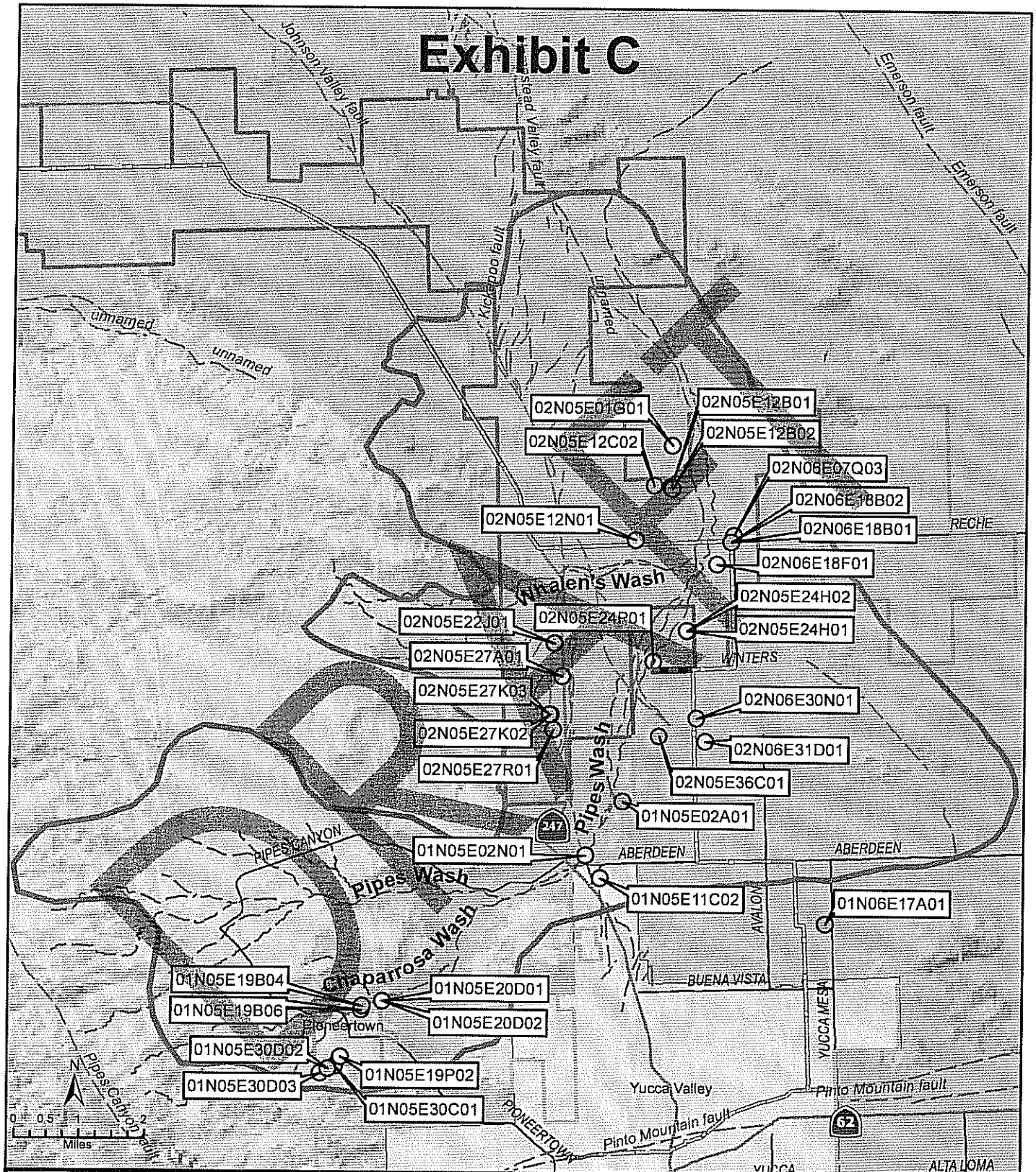
Exhibit B depicts the geographical boundaries of the groundwater management area subject to this MOU. The governance boundary is described as a regional area, including the upper watershed and encompassing those portions of the Ames Valley Groundwater Basin (DWR, 2003) that are subject to municipal production and which would benefit from managed control. The Department of Water Resources does not further divide the Ames Valley Basin so the United States Geologic Survey subbasin names and boundaries (as defined by Stamos et al., 2004) have been used to provide additional specificity in the overall basin boundaries to be managed. Those areas that have been directly impacted by past production practices include the Pipes and Reche subbasins, along with the area historically defined as Pioneertown (Lewis, 1972) which comprise portions of the Ames Valley Basin as adopted by DWR in Bulletin 118 on California's groundwater (DWR, 2003). Combining those boundaries with the upper watershed meets the objective of managed control within the geographical boundaries which is intended to secure a safe, reliable and sustainable water supply for current and future users and to protect the entities from overproduction by any one party.

# Exhibit B



- |                |                                   |                            |
|----------------|-----------------------------------|----------------------------|
| BDVWA Boundary | Proposed Pipeline                 | MWA Pipeline               |
| HDWD Boundary  | Proposed Recharge Site            | Recharge Site              |
| CSA 70 W4      | Proposed Recharge Management Area | MWA Warren Vista Reservoir |
| CSA 70 W1      | Faults (CDMG & Todd Report 2007)  | MWA Turnout                |
|                | Drainage (Census 2000)            |                            |

# Exhibit C



- |                |                                   |                                  |
|----------------|-----------------------------------|----------------------------------|
| BDVWA Boundary | Proposed Pipeline                 | Faults (CDMG & Todd Report 2007) |
| HDWD Boundary  | Proposed Recharge Site            | Drainage (Census 2000)           |
| CSA 70 W4      | Proposed Recharge Management Area | MWA Pipeline                     |
| CSA 70 W1      | Proposed Monitoring Well          |                                  |
|                | Production Well                   |                                  |



**RESOLUTION NO. 11R-XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE BIGHORN-DESERT VIEW WATER AGENCY  
EXPRESSING APPRECIATION TO DIRECTOR LARRY COULOMBE**

**WHEREAS**, Larry Coulombe was elected to service with the Bighorn-Desert View Water Agency in November of 2009 and for the past 2 years humbly provided service, loyalty and commitment to the Agency customers, staff and Board of Directors; and

**WHEREAS**, Larry Coulombe served as Vice President to the Board of Directors, member of the Finance/Public Relations/ Education/ Personnel Standing Committee and Chaired the Ad Hoc Committee on Financial Matters from January 2010 to his resignation, where his background in accounting and finance were a great asset to the community he served demonstrated by improved financial status and transparency in financial reporting during his tenure; and

**WHEREAS**, Larry Coulombe served as the Agency's representative to the Mojave Water Agency Technical Advisory Committee and the Morongo Basin's Association of Water Awareness and Conservation (MB-AWAC) where his commitment to communicating, planning, and strategizing on technical issues and conservation practices is recognized; and

**WHEREAS**, Larry Coulombe contributed numerous personal hours to educate himself resulting in a fundamental understanding of water related issues and the constantly increasing demands of externally imposed regulations; and

**WHEREAS**, Larry Coulombe supported the Agency's vision to build a groundwater recharge facility and to create a new groundwater management structure that would significantly enhance the possibility for "managed control" of the region's groundwater resource; and

**WHEREAS**, Larry Coulombe in his various Board Committee assignments brought good judgment, integrity, and cooperation through enthusiasm good humor, encouragement, helpfulness, openness, and availability; and

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the Bighorn-Desert View Water Agency hereby extends its sincere gratitude and appreciation to Larry Coulombe for his dedication to the Bighorn-Desert View Water Agency.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of Bighorn-Desert View Water Agency this 26th day of July, 2011.

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

I, the undersigned, hereby certify that I am the duly-appointed Secretary of the Board of Directors of the Bighorn-Desert View Water Agency, and that at a regular meeting of the Board held on July 26, 2011 the foregoing Resolution No. 11R-XX was adopted by said Board, and that it has not been rescinded or amended since the date of its adoption, and is now in full force and effect.

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

**BIGHORN DESERT VIEW WATER  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** July 26, 2011

**To:** Board of Directors

**Budgeted:** No

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:** N/A

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** SDRMA: Resolution No. 11R-XX - A Resolution of the Governing Body of the Bighorn-Desert View Water Agency for election of directors to the Special District Risk Management Authority Board of Directors

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**SUMMARY**

Directors for the Special District Risk Management Authority (SDRMA) Board of Directors are elected to 4 year terms. This year three (3) Director seats are open for the election. The term of office for the newly elected Directors will begin January 1, 2012 and expire December 31, 2015.

Bighorn-Desert View Water Agency unanimously nominated our Board President, Terry Burkhart, at our April 26, 2011 Board meeting, for one of the three (3) seats open for the election.

Our Agency is to select up to two (2) out of the six (6) other nominees for subject resolution. Their names and Statement of Qualifications are included in your Board packet. Staff has no specific recommendation on the remaining candidates at this time.

The role and responsibilities of the SDRMA Director is a commitment to serve as a part of a unified governing body; govern Board of Directors' policies, standards and ethics; commitment of the time and energy to be effective and make policy decisions for the benefit and in the best interest of all SDRMA members; support decisions; communicate as a cohesive Board of Directors with a common vision and voice; and operate with the highest standards of integrity and trust.

The Agency's Resolution must be delivered to SDRMA by September 16, 2011 on or before 5:00 p.m.

**RECOMMENDATION**

1. The Board to consider electing President Terry Burkhart and choose up to two other candidates to elect to the Special District Risk Management Authority Board of Directors.

2. The Board to consider adopting Resolution 11R-XX - A Resolution of the Governing Body of the Bighorn-Desert View Water Agency for election of directors to the Special District Risk Management Authority Board of Directors.

### **BACKGROUND/ANALYSIS**

No further analysis completed.

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

**4/26/2011 Resolution 11R-04** - A Resolution of the Governing body of the Bighorn-Desert View Water Agency nominating Terry Burkhart as a candidate for election to The Special District Risk Management Authority Board of Directors.

**8/23/2005 Resolution 05R-06** - A Resolution of the Board of Directors of Bighorn-Desert View Water Agency for the election of seven directors to the Special District Risk Management Authority Board of Directors.





SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

## OFFICIAL ELECTION RESOLUTION AND BALLOT ENCLOSED

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This is an official election packet that contains items that require ACTION by your Agency's governing body for the selection of up to three (3) candidates to the SDRMA Board of Directors.

### ELECTION PACKET ENCLOSURES

- ☐ Election Ballot Instructions
- ☐ Official Resolution and Ballot (Action Required)
- ☐ Candidate's Statements of Qualifications (7)
- ☐ Self-addressed, Stamped Envelope



## SDRMA'S BOARD OF DIRECTORS ELECTION BALLOT INSTRUCTIONS

Notification of nominations for three (3) seats on the Special District Risk Management Authority's (SDRMA's) Board of Directors was mailed to the membership in January 2011.

On May 10, 2011, SDRMA's Election Committee reviewed the nomination documents submitted by the candidates in accordance with SDRMA's Policy No. 2011-02 Establishing Guidelines for Director Elections. The Election Committee confirmed that seven (7) candidates met the qualification requirements and those names are included on the Official Election Resolution and Ballot.

Enclosed is the Official Election Resolution and Ballot along with a Statement of Qualifications as submitted by each candidate. Election instructions are as follows:

1. The enclosed combined Official Election Resolution and Ballot must be used to ensure the integrity of the balloting process.
2. After selecting up to three (3) candidates, your agency's governing body must approve the enclosed Official Election Resolution and Ballot. **Ballots containing more than three (3) candidate selections will be considered invalid and not counted.**
3. The signed Official Election Resolution and Ballot **MUST** be sealed and received by mail or hand delivery at SDRMA's office on or before 5:00 p.m. on Friday, September 16, 2011 to the address below. Faxes or electronic transmissions are NOT acceptable. A self-addressed, stamped envelope is enclosed.

Special District Risk Management Authority  
Election Committee  
1112 "I" Street, Suite 300  
Sacramento, California 95814

5. The four-year terms for newly elected Directors will begin on January 1, 2012 and terminate on December 31, 2015.
6. Important balloting and election dates are:

**September 16, 2011 - Deadline for members to return the signed Official Election Resolution and Ballot**

September 20, 2011 - Ballots are opened and counted

September 21, 2011 - Election results are announced and candidates notified

October 12, 2011 - Newly elected Directors are introduced at the SDRMA Annual Meeting/Breakfast to be held in Monterey at the CSDA Annual Conference

November 2, 2011 - Invite newly elected Board members to attend SDRMA Board meeting (Sacramento)

January 2012 - Newly elected Directors are seated and Board officer elections are held

Please do not hesitate to call SDRMA's Chief Executive Officer Greg Hall at 800.537.7790 if you have any questions regarding the election and balloting process.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE GOVERNING BODY OF THE  
Bighorn-Desert View Water Agency  
FOR THE ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT  
RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS**

**WHEREAS**, Special District Risk Management Authority (SDRMA) is a Joint Powers Authority formed under California Government Code Section 6500 et seq., for the purpose of providing risk management and risk financing for California special districts and other local government agencies; and

**WHEREAS**, SDRMA's Sixth Amended and Restated Joint Powers Agreement specifies SDRMA shall be governed by a seven member Board of Directors nominated and elected from the members who have executed the current operative agreement and are participating in a joint protection program; and

**WHEREAS**, SDRMA's Sixth Amended and Restated Joint Powers Agreement Article 7 - Board of Directors specifies that the procedures for director elections shall be established by SDRMA's Board of Directors; and

**WHEREAS**, SDRMA's Board of Directors approved Policy No. 2011-02 Establishing Guidelines for Director Elections specifies director qualifications, terms of office and election requirements; and

**WHEREAS**, Policy No. 2011-02 specifies that member agencies desiring to participate in the balloting and election of candidates to serve on SDRMA's Board of Directors must be made by resolution adopted by the member agency's governing body.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Bighorn-Desert View Water Agency selects the following candidates to serve as Directors on the SDRMA Board of Directors:

(continued)



**OFFICIAL 2011 ELECTION BALLOT  
SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY  
BOARD OF DIRECTORS**

**VOTE FOR ONLY THREE (3) CANDIDATES**

Mark each selection directly onto the ballot, voting for no more than three (3) candidates. Each candidate may receive only one (1) vote per ballot. A ballot received with more than three (3) candidates selected will be considered invalid and not counted. All ballots must be sealed and received by mail or hand delivery in the enclosed self-addressed, stamped envelope at SDRMA on or before 5:00 p.m., Friday, September 16, 2011. Faxes or electronic transmissions are NOT acceptable.

- ☐ **SANDY RAFFELSON**  
District Clerk, Herlong Public Utility District
  
- ☐ **EMERY ROSS**  
Director, Mariposa County Resource Conservation District
  
- ☐ **MIKE SCHEAFER**  
Director/Secretary, Costa Mesa Sanitary District
  
- ☐ **EDMUND K. SPRAGUE (INCUMBENT)**  
Board President, Olivenhain Municipal Water District
  
- ☐ **ED GRAY (INCUMBENT)**  
Director, Chino Valley Independent Fire District
  
- ☐ **BETHZABE YANEZ**  
Board President, East Palo Alto Sanitary District
  
- ☐ **TERRY BURKHART**  
Board President, Bighorn-Desert View Water Agency

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011 by the Bighorn-Desert View Water Agency by the following roll call votes listed by name:

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

NOES: \_\_\_\_\_

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

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

ATTEST:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_

Special District Risk Management Authority

Board of Directors

Candidate's Statement of Qualifications

Nominee/Candidate: Terry Burkhart  
District/Agency: Bighorn-Desert View Water Agency  
Work Address: 622 Jemez Trail, Yucca Valley, CA 92284

**Why do you want to serve on the SDRMA Board of Directors?**

I believe my thirty four years experience in the insurance industry, primarily in agency commercial departments, can be of value to SDRMA. I enjoy working with my current Board of Directors and expect SDRMA to be interesting, challenging, and educational.

**What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization)**

Currently I am President, Bighorn-Desert View Water Agency Board of Directors, in the second year of a two year term. Other Boards include Johnson Valley Improvement Association, nine years as board member or officer; Business and Professional Women (BPW), North Orange County BPW, board member and all offices; BPW Regional board – secretary.

Instructor for Insurance Educational Association for twelve years.

Completed Special District Leadership Academy

Completed Special District Institute three part course.

Committees: BDVWA – Planning, Legislative, Engineering, Grants & Security – chair

Various ad hoc committees: Reche Basin Recharge Project

Financial/Budget

Commissioner, Mojave Pipeline Commission

Representative to Mojave Water Agency Technical Advisory  
Committee

**What special skills, talents or experience (including volunteer experience) do you have?**

34 years in insurance industry, much as agency Commercial Department Manager. Did policy analysis for risk management consultant for large international company. Experience noted above.

**What is your overall vision for SDRMA?**

The name speaks for itself: "Risk Management" must be the essential goal. Providing education to clients on avoidance of loss, mitigation of loss, as a means of achieving safety goals. Prompt response to client loss situations, working with the client to control/minimize loss, and where applicable prevent future loss is vital. Satisfied clients are apt to pay more attention to loss prevention information provided them.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature Terry Burdick Date 4-29-2011

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.**

Nominee/Candidate Bethzabe Yanez  
District/Agency East Palo Alto Sanitary District  
Work Address 901 Weeks Street, East Palo Alto, CA 94303  
Work Phone 650-325-9021 Home Phone

**Why do you want to serve on the SDRMA Board of Directors? (Response Required)**

I want to serve on the SDRMA Board because risk management is one of the most important challenges facing our agency today. I've been involved in public service in various capacities in my community for the past ten (10) years and I've come to understand the importance of transparency, accountability, and fiscal responsibility. Managing risk is crucial to the success or failure of any Public Agency.

**What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)**

I'm currently serving as Board President on the East Palo Alto Sanitary District Board of Directors. In my position, I'm responsible for agenda preparation and the conduct of Regular Board meeting. I also serve on the District Finance Committee responsible for approving all district warrants and advising District Management on issues coming before the board. In these positions I have learned the art of negotiations and compromise to get projects developed and implemented that serve the best interest of our community. If selected, I bring my skills and commitment to the SDRMA Board.

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?  
(Response Required)**

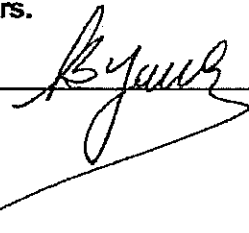
I offer the following skill set, that I feel will benefit the SDRMA Board if selected: Past President of the East Palo Alto YMCA, City of East Palo Alto Traffic & Transportation Commission, Board Member of the Mouton Mental Health Center, Owner Operator of Gaston & Betsy Catering Service. Also, I'm bilingual and have used my skills as an interpreter for various city agencies.

**What is your overall vision for SDRMA? (Response Required)**

I see the future of SDRMA as a primary source of education to member agencies leading the way in developing strategies that we can use to meet the risk management challenges of the future. While I believe the services currently being offered both crucial and important, I feel the ability to identify future agency needs and the education of member agencies is priority number one.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4.26.11

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.**

Nominee/Candidate    Ed Gray  
District/Agency      Chino Valley Independent Fire District  
Work Address          14011 City Center Drive Chino Hills, California 91709  
Work Phone            (909) 902-5260                      Home Phone (909) 627-4821

**Why do you want to serve on the SDRMA Board of Directors? (Response Required)**

When appointed to the Board of Directors of SDRMA in November of 2010, I made a commitment to be an effective member of the SDRMA team and to work hard to ensure the continued success of the organization. Although I have been on the Board a short time, I believe I have shown that I seek to understand issues and use common sense when making decisions.

I wish to continue my service to SDRMA as I can be a positive member of the SDRMA team and an asset to the members, board and staff.

**What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)**

I currently serve on the Board of Directors of the SDRMA.

I have been an elected Director of the Chino Valley Independent Fire District since 2004. During my tenure, I have served multiple terms as President and Vice-President, and as a member of our Finance, Planning and Personnel Committees. I have served as Liaison to the City Councils of Chino and Chino Hills and to the San Bernardino County Board of Supervisors. I am also the District's representative and current Chairman of the Citizens Advisory Committee for the California Institution for Men in Chino. I serve on the Citizens Oversight Committee to the Chino Valley Unified School District and am a member of the Chino Valley Lions Club.



**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?  
(Response Required)**

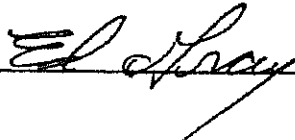
After serving in the US Army, I enjoyed a lengthy career in law enforcement retiring in 2004 as a Police Lieutenant. I learned early in my career, that to be an effective individual and leader, it was important to actively listen to people; to seek understanding of all sides of an issue; and make decisions based on common sense and "rightness".

My experience as an elected official has broadened my knowledge and reinforced my belief that decisions must be made based on what is right, and not on what is a personal preference.

**What is your overall vision for SDRMA? (Response Required)**

I see SDRMA as continuing its' journey as a successful, effective and efficient service provider through innovation, right thinking and conservative business strategies. I can visualize the organization exploring other avenues of financial endeavors that will benefit our customers.

**I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.**

Candidate Signature  Date APRIL 21, 2011

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.**

Nominee/Candidate **Edmund K. Sprague**  
District/Agency **Olivenhain Municipal Water District**  
Work Address **1966 Olivenhain Road, Encinitas, CA 92024**  
Work Phone **(760) 753-6466** Home Phone **(760) 484-4404**

**Why do you want to serve on the SDRMA Board of Directors? (Response Required)**

I have made a career-long commitment to safety and risk management, as a firefighter since 1986, emergency planner since 1993, and president of Olivenhain Municipal Water District's Board of Directors for the last three years, to which I was recently named to another term as president. My experience developing oversight standards and risk management assessment programs across several public agencies, combined with 14 years of leadership experience, is invaluable to a greater understanding of the field of risk management and my ability to properly navigate challenges faced by those in the industry.

Thankfully, I have been able to share my extensive knowledge and give back to the community in my capacity serving the customers of OMWD. A founding member of SDRMA, OMWD's commitment to safety far exceeds simply meeting minimum requirements, and this commitment has been renewed annually by the Board of Directors as part of our "Safety Has No Quitting Time" program. We have taken advantage of the Target Safety program since its inception, and have found it a cost-effective and valuable tool in providing employees with the training that they need to continually operate as safely as possible. Board members and management also routinely attend SDRMA trainings and events. Our commitment has yielded an unmatched lost-time injury rate and an exceptional experience modification factor—among the best in the state—proving that SDRMA has acted wisely in rewarding agencies such as ours with discounted premiums. OMWD has invested its trust in SDRMA, and SDRMA has most prudently returned the favor.

SDRMA's commitment to safety and risk management is just as extraordinary as at OMWD, and my successful track record of managing risk across agencies and disciplines provides me with a unique opportunity to positively contribute to the guidance of an organization as committed to risk management as I am.

**What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)**

The lion's share of my board-level experience is as president of OMWD's Board of Directors. During my tenure, OMWD has responded to the economic crisis of the last several years by dedicating ourselves like never before to the efficient expenditure of public funds. The board enacted policies such as the "Holding the Line" program, a unique cost-containing initiative that recently earned CSDA's Innovative Program of the Year award. The Special District Leadership Foundation recognized OMWD as a District of Distinction based on our sound fiscal and administrative policies, also recognized by the Government Finance Officers Association of the US and Canada for Excellence in Financial Reporting. Further, I serve as an elected councilmember of the La Costa Heights School Site Council, which oversees budgets and planning for supplemental educational programs. I am proud of my successes in leading such fiscally prudent public organizations, and I look forward to sharing these same principles at SDRMA.

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?  
(Response Required)**

Teamwork is critical when working together as a board, and I have proven as a member of Carlsbad Fire Department and OMWD's Board of Directors that my exemplary ability to work as part of a larger team is a valuable resource in pursuit of common goals. Compromise in the boardroom, however, is only effective when balanced with the ability to communicate one's informed position. This never-ceasing desire for maintaining my willingness to learn on behalf of my constituents is evidenced through my pursuit of a masters degree in Public Administration, as well as Special District Administrator certification through the Special District Leadership Academy. Just as important is sharing this knowledge with others; I ably convey lessons as a Battalion Chief with Carlsbad Fire, as a fire service instructor at Palomar College, as an Assistant Scoutmaster with Boy Scout Troop 2000, and as a volunteer with the Carlsbad Boys & Girls Club and Elin Forest Recreational Reserve.

**What is your overall vision for SDRMA? (Response Required)**

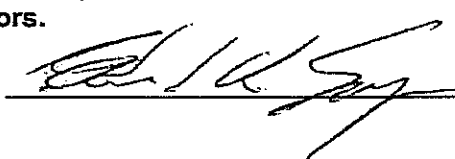
SDRMA is widely respected in the special district community for its commitment to risk management, insurance, safety, and service to its members. Even during my relatively brief tenure on OMWD's Board of Directors, I have witnessed SDRMA constantly striving to improve the services that it offers, and I hope to assist SDRMA in continuing and enhancing the level of service that it provides.

This is not to say that SDRMA shouldn't continue to explore opportunities to improve; streamlining of the CIP program by which to offer more competitive base-level premiums is one area that may be examined. Another area is ensuring that the package of services SDRMA provides is competitive with that of other providers; SDRMA may consider a program through which instructors visit job sites for specific trainings when a Target Safety module may not be sufficient.

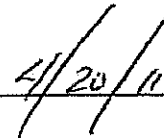
However, the groundwork for effective administration of SDRMA has clearly already been set by the board, and I hope to continue the strong tradition of exemplary service to its members.

**I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.**

Candidate Signature



Date



**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Nominee/Candidate Mike Scheafer

District/Agency Costa Mesa Sanitary District

Work Address 1551-B Baker St, Costa Mesa, CA 92626

Work Phone 714-435-0300

Home Phone 714-549-4961

**Why do you want to serve on the SDRMA Board of Directors? (Response Required)**

I believe I have the qualifications and experience that enable me to assess the needs of Special Districts in risk management areas. I enjoy being able to help manage the risks of my customers, and would look forward to bringing that attitude and ability to Special Districts. I feel a commitment to serving a broad base of constituents and being able to provide a service if I can. Personally I enjoy examining the issues faced by Districts and then being able to provide help with solutions.

I believe serving on the SDRMA Board of Directors presents challenges and opportunities that will help me grow as a Director of my Special District.

**What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)**

Former and current Special District Director, former City Councilmember City of Costa Mesa. Active in Lions Clubs International as a Past District Governor and member of several local, state and international committees. Service on several non profit boards of directors: Boys and Girls Clubs, Little League Baseball, AYSO, Costa Mesa Senior Center, others. Have served as President of all boards that I have been a member of.

Former member of Western Insurance Information Service, having served as a public speaker for that organization. I hold a community college teaching credential in Insurance Education.

Former instructor for AD Banker, Insurance Education. Taught California pre licensing classes as well as California Department of Insurance Continuing Education classes.

Participant and speaker for the insurance industry in both Sacramento and Washington DC. Served as political liaison for State Farm Insurance.

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?  
(Response Required)**


In almost every board that I have associated with I have been asked to take a leadership role, either on the board or as a speaker for that organization. I possess a skill in public speaking and interaction with people. I enjoy public speaking, especially for organizations and causes where I feel I can provide a service. I have years of volunteer experience in insurance, sports, youth activities, public service and other areas.

**What is your overall vision for SDRMA? (Response Required)**

I would look forward to continuing the excellent work that SDRMA currently does. I would like to be a part of expanding and marketing the work of SDRMA. As a Director I appreciate the need to manage the risk that we all face. My vision would be to continue that work, but look for ways to make sure that all Special Districts are aware of the service provided by SDRMA.

**I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.**

Candidate Signature \_\_\_\_\_



Date \_\_\_\_\_

4/11/11

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

**This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.**

Nominee/Candidate    Emery Ross  
District/Agency       Mariposa County Resource Conservation District  
Work Address           5009 Fairgrounds Road, P. O. Box 746, Mariposa, CA 95338  
Work Phone            209-966-3431                      Home Phone 209-852-2606

**Why do you want to serve on the SDRMA Board of Directors?**

- To gain more knowledge about the SDRMA and what factors affect the decisions it renders.
- To assist in maintaining SDRMA as a top-notch organization, from a Board member perspective.

**What Board or committee experience do you have that would help you to be an effective Board member? (SDRMA or any other organization)**

- Appointed to the Board of Directors of the Mariposa County Resource Conservation District in June 2010; served as an Associate Director for 1-1/2 years.
- Currently President of the Board of Directors of the Lake Don Pedro Community Services District; have served on the LDPCSD Board since 2008.

**What special skills, talents or experience (including volunteer experience) do you have?**

- 15 years experience working for a public agency with 250 employees where there was much exposure to risk management from all sides. During my years as a manager, worked with County District Attorney, judges and County Counsel.
- Work experience with family law firm.
- Independent columnist for local newspaper for past 7 years; ag editor.
- Cattle rancher in Mariposa County for past 18 years.

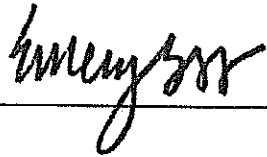
**What is your overall vision for SDRMA?**

See SDRMA broaden its existing resource capability in the area of training for elected officials and special district staff in order to reduce future exposure.

**Special District Risk Management Authority  
Board of Directors  
Candidate's Statement of Qualifications**

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

MAY-2-2011

**Special District Risk Management Authority  
Board of Directors  
Candidates' State of Qualifications**

**This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA**

Nominee/Candidate: Sandy Raffelson  
District/Agency: Herlong Public Utility District  
Work Address: 448-805 Pole Line Rd, P O Box 515, Herlong CA 96113  
Work Phone: (530) 827-3150 Home Phone: (530) 254-0234

Why do you want to serve on the SDRMA Board of Directors?

I think it would be a great experience to serve on the Board and I could give Northern California and Small District's a voice on the Board. I feel I would be an asset to the Board with my degree in business and my 25 years experience in accounting and auditing. I have audited small districts and know what they need and what they can afford.

I understand the challenges that small District face every day when it comes to managing liability insurance and worker's compensation for a few employees with limited revenues and staff. My education and experience gives me an appreciation of the importance of risk management services and programs, especially for smaller district's that lack expertise among staff because of not dealing with claims on a day to day basis to be proficient in it.

I feel I could be an asset to this Board and would love a chance to try.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization)

I am currently the District Clerk for the Herlong PUD Board of Directors for the last 3 years, before that serving as the Secretary to the Board of Herlong Utilities, Inc. I worked directly with the formation of our District which included working for 2 separate Board's of Directors and the transfer of assets from a public benefit corporation to a special district. As part of the team that worked to form the District I was directly involved with LAFCo, Lassen County Board of Supervisors and County Clerk to establish the District's initial Board of Directors as well as the transfer of multiple permits and closure procedures from multiple agencies for the seamless transition of our District operations. I closed out the Corporation books and established the books for the District transitioning to fund accounting. I have also administered the financial portion of a large capital improvement project as well as worked on the first ever successful water utility privatization project with the US Army and Department of Defense. I also am the primary administrator of a federal contract for utility services with the Federal Bureau of Prison.

In the last 15 years I have served on several Boards in Logan and Lassen County. I have served 4 years on a Preschool Board that during that time the school purchase property and moved the Preschool to a better location, hired a new Director and 2 new teachers.

I have served as PTA President for 2 years for a private K-8<sup>th</sup> grade school. After resigning from PTA President, I accepted a Board member position for 4 years during which time we hired 1 principal and 2 teachers, purchased computer lab equipment enough for all student, upgraded water system in building and purchased insulated windows to keep children warm and heating cost down.



**Special District Risk Management Authority  
Board of Directors  
Candidates' State of Qualifications**

I was nominated for Treasurer for Lassen County 4H Council, at which time I was also on several committees including Fair, Scholarship, Grant and Fundraising. I served as Treasurer for 3 years, paying all bills, reimbursing funds, making all deposits and did all bookkeeping for the Board. I also transformed the books from the 60's to the current age by setting the Council books up on a Bookkeeping Software and designing Financial Statements everyone could understand.

I am currently Lassen County Horse Show Manager for a 2 day horse show with over 100 classes. Also this is my 9<sup>th</sup> year putting together the Lassen County 4H/FFA Horse Show for the Community. This includes all fundraising/donations to run the shows, purchasing all awards, getting staff to help with shows, and managing the show on the event date.

What special skills, talents, or experience (including volunteer experience) do you have?

I have my Bachelors Degree in Business with a minor in Sociology. I have audited Small Districts for 5 years, worked for a Small District for 4 years and have 25 years of accounting experiences. I am a good communicator and organizer. I have served on several Boards and feel I work well within groups or special committees. I am willing to go that extra mile to see things get completed.

I believe in recognition for jobs well done. I encourage Incentive programs that get members motivated to participate and strive to do their very best to keep all losses at a minulm and reward those with no losses.

I have completed my Certificate for Special District Board Secretary/Clerk Program through CSDA and co-sponsored by SDRMA and California Special District Alliance. I have completed several of the SDRMA's Target Safety courses and CSDA courses. I am currently working on my completion of the CSDA Special District Leadership Academy and will complete these courses on April 28<sup>th</sup>, 2011.

I work for a District in Northeastern California that has under gone major changes from a Cooperative Company to a 501c12 Corporation, to finally a Public Utility District. I have worked with LAFCo to become a District. Through past experience I hope to make a great Board member representing the small districts of Northern California and their growing pains and make decisions that would help all rural/small districts.

What is your overall vision for SDRMA?

I appreciate the way the Board and staff has worked hard to make SDRMA programs affordable for small district and I would like to help continue in this direction. I would also like to grow the education program to help keep claims down and if claims are down than each district would benefit by less cost.

**I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.**

Candidate Signature: Sandy Raffelson Date: 3/30/11

**BIGHORN DESERT VIEW WATER  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** July 26, 2011

**To:** Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:** N/A

**From:** Marina D. West

**Staff Contact:** Lynda Tompkins

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Choose a candidate to fill the vacant Board of Director for Region 5, Seat C of the California Special Districts Association (CSDA)

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**SUMMARY**

The California Special Districts Association (CSDA) is requesting that our Agency vote for one (1) of the three (3) nominated representatives to the CSDA Board of Directors for our Region: Region 5, Seat C.

The candidates, Jim Acosta (Saticoy Sanitary District), John Fox (Goleta Sanitary District), and R.J. Kelly (Castaic Lake Water Agency) statements are attached for your review.

The ballots must be received by at the CSDA office by 5:00 p.m. on Friday, August 5, 2011.

**RECOMMENDATION**

The Board to consider voting for one (1) of the three (3) candidates nominated to serve as a representative to the CSDA Board of Directors for BDVWA's geographical Region: Region 5, Seat C.

**BACKGROUND/ANALYSIS**

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Manager who are interested in leading the direction of the California Special Districts Association (CSDA) for the 2011-2014 term.

The leadership of CSDA is elected from its six geographical regions. Each of the six regions has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA regular member located within the geographical region that they seek to represent. BDVWA is located in Region 5.

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services; legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the common interests of all California's special districts before the Legislature and the State Administration.

Serving on the Board requires one's interest in the issues confronting special districts statewide. A board member is expected to attend all board meetings held every other month, usually on the second Friday of the month, at CSDA's office in Sacramento. Besides on the Board, each Board member is expected to participate on at least one committee, which usually meets 3-4 times a year in Sacramento. CSDA reimburses directors for their related expenses for Board and Committee meetings as outlined in CSDA's Board Policy. In addition, all Board Members are expected to attend CSDA's two annual events: Special Districts Legislative Days (held in the spring) and the Annual Conference (held in the fall) as part of their obligation to the CSDA membership; expenses for these two events are not reimbursed by CSDA, even if a board meeting or committee meeting is held in conjunction with an event.

**PRIOR RELEVANT BOARD ACTION(S)**

None

CSDA BOARD OF DIRECTORS  
JOHN FOX'S CANDIDATE STATEMENT

I joined the Board in 1989 and have served CSDA continuously in many capacities including Board Member over 18 years, President 2006-07, Chair of most committees, Santa Barbara Chapter President 4 times, CSDA Finance Corporation President 7 times.

I believe very strongly that Special Districts serves an important role as the third leg of local government in bringing mostly single purpose focus to grass roots in more than twenty different infrastructure and community needs through over 2100 independent Special Districts statewide. I feel my background and experience over a considerable period of time uniquely qualify me to provide a leadership contribution to maintaining and strengthening CSDA further during the current unsettling times.

My primary thrust at present is on five project areas:

CSDA Finance Corporation - Current President of this dynamic activity which has financed almost one BILLION dollars in Capital Improvements and equipment leases to over 70 Special Districts.

I am also actively involved in the following:

Chapter Development  
Membership Committee  
Education Committee  
New Products and Services

Creative Programs designed to address membership retention and growth, low cost tax exempt loans and consideration of new products and services are underway and I look forward to participating in those deliberations.

Space does not allow further elaboration here but I will be sending a letter to you expanding on these and other topics in the near future.

CSDA needs dedicated directors who are willing and able to commit substantial amounts of time to attending meeting in Sacramento and elsewhere and communicating by Email and phone regarding all manner of

## CSDA Board of Directors Supplemental Material to John Fox's Candidate Statement

The information contained in this mailing provides elaboration on items I only had Room to list in the Candidate Statement that you received with the ballot. It also Sets forth a bit more biographic material.

### CSDA FINANCE CORPORATION

This activity is particularly busy during these difficult times as we endeavor to help fill the gaps left by cutbacks in funding resources and fulfilling the needs of new projects which can currently be completed in amounts that are up to 30% or more below original estimates.

### CHAPTER DEVELOPMENT

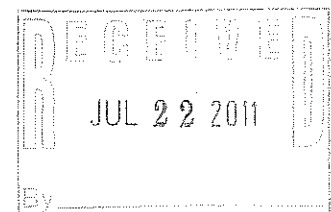
I am currently active in expanding CSDA's Chapter network by initiating NEW chapters in Fresno and Los Angeles counties. Chapters provide significant benefits to both CSDA and the individual districts by providing grass roots support of legislative programs and access to Financing, Insurance, Education seminars and membership incentive recruiting activities.

### NEW PRODUCTS & SERVICES

New products are continually being evaluated and contacts with Special District groups in other states is accelerating where opportunities to cooperate on support of Federal legislation are very useful.

Thank you for your consideration of my candidacy. Remember, CSDA does not require your vote to be by Board action, only written validation by a District Official (General Manager or Board President for example). Don't forget the deadline is Friday, August 5<sup>th</sup> in CSDA's office.

AND I'm asking for your vote by MARKING THE BOX FOR FOX



## **RJ Kelly, Castaic Lake Water Agency Region 5**

RJ Kelly has been serving on the Castaic Lake Water Agency Board for the past 8 years. How did this happen? RJ's private practice is in the finance and tax field. This lead the Board to request him to replace an outgoing director that was retiring. During the 8 years of service RJ has served as Board Vice President for 4 years and Board president for the last 2 years.

RJ earned the CSDA award of Board President of the Year in 2010. RJ has been promoting CSDA to his Board and Agency (which has been a member for several years) and attends the annual conferences. He completed and was certified with both the SDI and CSDI Governance programs. RJ is committed to giving a 100% to the CSDA Region 5 Board if elected and looks forward to your votes and resolutions of support.

**JIM ACOSTA**  
**P.O. BOX 4464**  
**VENTURA, CA 93007**  
**805.647.6477 cell 805.340.0870 email:acostabserv@aol.com**

My name is Jim Acosta and I am currently on the board of directors of CSDA. I am seeking re-election to the CSDA board of directors. I would like your support to continue the work of representing you at CSDA.

I am proud of the accomplishments of CSDA during my time on the board. Working in conjunction with the rest of the directors, we have increased the membership numbers, targeting small districts, by offering incentives to become members of CSDA. We also have increased the number of member benefit programs. One of the accomplishments that I am most proud of is the Annual Conference. We have focused resources on the Annual Conference to elevate it to the stature of a premier conference amongst the different associations. We have accomplished that by bringing in speakers to the conference that are timely, and bringing a message that is pertinent to special districts.

This past year has seen many challenges for Independent Special Districts. The transparency laws that were put in place presented another challenge to Special Districts and CSDA was there to assist members to comply and meet the deadline. The CSDA continues to meet those kinds of challenges and I think we have a good board that works well together. For these reasons I would like your support for re-election to the board of CSDA

I serve as President of the Saticoy Sanitary District, and treasurer of the Saticoy Lions Club, and Secretary Treasurer for the Downtown Center for the Arts. I have served as a director of the Ventura Regional Sanitation District and the Triunfo Sanitary District. I have also served as a commissioner of the Ventura County LAFCO, representing the Special Districts of Ventura County. Other boards that I have served include the Ventura County Special District Association, the Boys and Girls Club of Ventura and the Saticoy Community Council.

Please support me in my bid for re-election.



## REGION FIVE

●  
*Seat C - term  
ends 2014*

## CSDA BOARD OF DIRECTORS ELECTION 2011

*All Fields Must Be Completed for ballot to be counted.  
(Please vote for only one.)*

☐ **Jim Acosta\***  
*Salicoy Sanitary District*

☐ **R.J. Kelly**  
*Castaic Lake Water Agency*

☐ **John Fox**  
*Goleta Sanitary District*

☐ [REDACTED]

*\* incumbent*

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

Member District: \_\_\_\_\_

**Must be received by 5pm, August 5, 2011. CSDA, 1112 I Street, Suite 200, Sacramento, CA 95814**



**BIGHORN DESERT VIEW WATER  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** July 26, 2011

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** \$1,440

**Cost:** \$1,440

**Funding Source:** Line Item 01-56100

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject: Providing Association of California Water Agency-Health Benefits Authority (ACWA-HBA) Life Insurance Coverage to All Employees Equivalent to Two (2) Times Annual Earnings, Exclusive of Overtime or Bonus, to a Maximum of \$200,000 for Any One Eligible Employee at an Annual Cost of \$1,440**

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**SUMMARY**

When the General Manager Performance/Compensation "2-Member" Ad Hoc Committee brought forward to the full Board a contract renewing the term of employment of the General Manager it included modifications to the life insurance benefit provision specifically increasing the limit to two (2) times annual earnings.

It had been made clear to the Ad Hoc Committee in negotiations with the General Manager that the Agency currently contracts with the Association of California Water Agency Health Benefit Authority (ACWA-HBA) as the contract administrator for the ACWA/Standard Insurance Company Plan of Life and Accidental Death and Dismemberment Insurance and that increasing the General Managers' limit to two (2) times the annual earnings would obligate the Agency to increase the benefit for all employees. In addition, ACWA-HBA imposes a cap on life insurance policies at \$200,000. The Ad Hoc Committee understood that in order to provide the benefit negotiated by the General Manager there would be an added financial impact which was estimated at \$120/mo. or \$1,440/yr. The average cost increase per employee is \$17/mo. or \$206/yr.

The Employee Handbook states, "the Agency provides a comprehensive medical, vision, dental, and **life insurance** plan for full and eligible part time employees" which directs the Board to set the limits by Resolution.

Staff proposes the Board adopt Resolution 11R-XX defining the life insurance limit at two (2) times annual earnings, exclusive of overtime or bonus, to a maximum of \$200,000 for any one eligible employee as currently imposed by our existing provider, ACWA-HBA and the approved General Manager's Employment Agreement.

In the future, should the Agency change service provider's staff will have guidelines within which to obtain competitive bids comparing like plans.

## **RECOMMENDATION**

The Board to consider adopting Resolution 11R-XX - A Resolution of The Board of Directors of The Bighorn-Desert View Water Agency Providing For Employee Life Insurance Limits of Two (2) Times Annual Salary, Maximum of \$200,000 For Any One Eligible Employee.

## **BACKGROUND/ANALYSIS**

When the General Manager Performance/Compensation "2-Member" Ad Hoc Committee brought forward an Agreement renewing the term of employment of the General Manager it included modifications to the life insurance provisions increasing the limit to two (2) times annual earnings. However, the final Agreement language, approved by the Board on May 31, 2011 states, "shall be entitled to a term life insurance policy (including all of the other amenities associated with the policy) two (2) times her annual salary or the limit imposed by the provider, but not to be lower than \$200,000".

It had been made clear to the Ad Hoc Committee in negotiations with the General Manager that the Agency currently contracts with the Association of California Water Agency Health Benefit Authority (ACWA-HBA) as the contract administrator for the ACWA/Standard Insurance Company Plan of Life and Accidental Death and Dismemberment Insurance and that increasing the General Managers' limit to two (2) times the annual earnings would obligate the Agency to increase the benefit for all employees. In addition, ACWA-HBA imposes a cap on life insurance policies at \$200,000. The approved Agreement language reflects the accuracy of the understanding the Ad Hoc Committee had with respect to the complexities of this benefit change.

The Ad Hoc Committee was also briefed on the added cost. In 2011, in order to provide the benefit, negotiated by the General Manager and approved by the Board, through the existing provider, ACWA-HBA, the combined increase in cost was estimated at \$120/mo. or \$1,440/yr. The average cost increase per employee is \$17/mo. or \$206/yr. The Fiscal Year 2011/12 budget included this estimated increase. The costs are further broken down in the attached Table A.

The Employee Handbook states, "the Agency provides a comprehensive medical, vision, dental, and **life insurance** plan for full and eligible part time employees" which allows the Board to set the limits by Resolution. The current life insurance limit is \$20,000. Although staff can find no past Resolution which set that limit, the Agency contracted with ACWA-HBA for this limit in 1998. Staff proposes the Board adopt Resolution 11R-XX defining the life insurance limit at two (2) times annual earnings, excluding overtime and bonus, to a maximum of \$200,000 for any one eligible employee as currently defined by our existing provider, ACWA-HBA.

The General Manager's Employment Agreement was executed on May 31, 2011 and compels the Agency to implement the term life insurance policy within three (3) months of approving the Agreement. Therefore, staff recommends that the Board set the insurance limits for all

employees by Resolution and complete the transaction with ACWA-HBA to meet its contractual obligation to both the General Manager and ACWA-HBA.

Staff continues to evaluate alternative benefit providers for dental, vision and life insurance. With the passage of this resolution, staff has the appropriate authority within which to obtain competitive bids for like plans from alternative service providers.

**PRIOR RELEVANT BOARD ACTION(S)**

**5/31/2011 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.

**4/26/2011 11R-03** Amending Employee Handbook adding Fraud in the Workplace, add Accounting Technician I II III Job Description, and Modifying Executive Secretary/Personnel Administration Job Description.

**9/11/1998 Life Insurance Agreement** - Life Insurance of a flat amount of \$20,000 for each eligible employee.

Table A  
Life Insurance Premium Review

All Employees		
	per month	per year
Current Premium: \$20,000	\$34	\$408
Proposed Premium: 2X Salary	\$153	\$1,836
Difference	\$119	\$1,428

Employees w/o GM		
	per month	per year
Current Premium: \$20,000	\$30	\$360
Proposed Premium: 2X Salary	\$120	\$1,440
Difference	\$90	\$1,080

General Manager only		
	per month	per year
Current Premium: \$20,000	\$4	\$50
Proposed Premium: \$200,000 cap	\$33	\$396
Difference	\$29	\$346

**RESOLUTION NO. 11R-XX**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE BIGHORN DESERT VIEW WATER AGENCY  
PROVIDING FOR EMPLOYEE LIFE INSURANCE LIMITS  
OF TWO (2) TIMES ANNUAL SALARY, MAXIMUM  
OF \$200,000 FOR ANY ONE ELIGIBLE EMPLOYEE**

**WHEREAS**, the Agency currently provides a Life Insurance Benefit to its Employees at a flat amount of \$20,000; and

**WHEREAS**, the current flat amount of Life Insurance Benefit was provided to the Agency's employees on September 11, 1998; and

**WHEREAS**, BDVWA's Employee Handbook provides a life Insurance plan for full and eligible part time employees which allows the Board to set the limits by Resolution.

**WHEREAS**, staff proposes the Board implement a life insurance benefit at two (2) times annual salary excluding overtime and bonus to a maximum of \$200,000 for any one eligible employee.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Bighorn-Desert View Water Agency that:

1. The Agency shall implement a Life Insurance Benefit at two (2) times annual salary excluding overtime and bonus to a maximum of \$200,000 for any one eligible employee; and
2. An eligible employee as defined in the BDVWA Employee Handbook.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of Bighorn-Desert View Water Agency this 26th day of July 2011, by the following roll call vote:

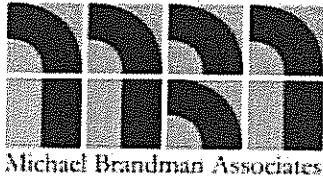
By \_\_\_\_\_  
Terry Burkhart, Board President

I, the undersigned, hereby certify that I am the duly-appointed Secretary of the Board of Directors of the Bighorn-Desert View Water Agency, and that at a regular meeting of the Board held on July 26, 2011 the foregoing Resolution No. 11R-XX was adopted by said Board, and that it has not been rescinded or amended since the date of its adoption, and is now in full force and effect.

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

# San Bernardino Water Conference

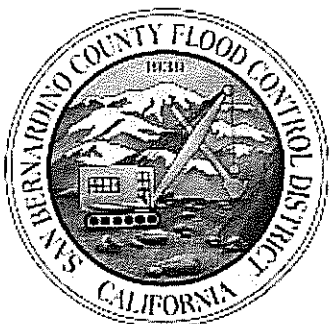
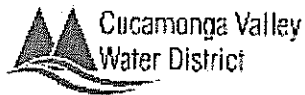
## Conference History



Michael Brandman Associates

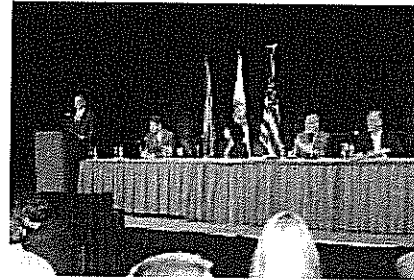


**Mojave  
Water  
Agency**



## Welcome

Working together to identify long-range solutions that ensure a reliable water supply is a top priority. Amidst Southern California's growing population and demand for more water, we are faced with the harsh reality of groundwater depletion, water-quality issues, strict regulations, monumental infrastructure expenditures and few alternative sources of water.



In order for businesses and residents to continue to have access to water, and our local economy to prosper, we need to explore unique ways to meet present and future water demands. On August 26, 2011, government officials, premier water experts, business leaders and community stakeholders will attend the Fifth Annual San Bernardino County Water Conference to discuss solutions to overcome California's water challenges.

We hope you will join us for this solution-driven event!

For registration information please call 1-866-737-4880

## Water Conference Hosted By:

Supervisor Josie Gonzales  
Chair  
Supervisor Brad Mitzelfelt  
Vice Chairman  
Building Industry Association  
Baldy View Chapter  
Mojave Water Agency  
Congressman David Drier  
26th District  
Congressman Gary Miller  
42nd District  
Congressman Joe Baca  
43rd District  
Senator Bob Dutton  
Assemblyman Curt Hagman  
60th District  
Assemblyman Mike Morrell  
63rd District  
Assemblyman Paul Cook  
65th District  
Supervisor Neil Derry  
Supervisor Gary Ovitt  
Supervisor Janice Rutherford  
Angelus Block Co, Inc.  
Big Bear Municipal Water  
District

### Bighorn-Desert View Water Agency

California Latino Water  
Coalition  
Chino Basin Water  
Conservation District  
City of Adelanto  
City of Barstow  
City of Big Bear Lake  
City of Chino  
City of Chino Hills  
City of Fontana  
City of Grand Terrace  
City of Hesperia  
City of Ontario  
City of Rancho Cucamonga  
City of Rialto  
City of San Bernardino  
City of Upland  
City of Victorville  
Crestline  
Village Water District  
Cucamonga Valley Water  
District  
Hesperia Water District  
Hi-Desert Water District

IE Real Estate Insider  
Inland Empire Utilities  
Agency  
Joshua Basin Water District  
League of California Cities  
Desert Mountain Division  
Mayor Larry McCallon  
Highland  
Mayor Scott Nassif  
Apple Valley  
Metropolitan Water District  
Mojave Water Agency  
Monte Vista Water District  
San Bernardino Valley  
Municipal Water District  
Santa Ana Watershed Project  
Authority  
Southern California Water  
Committee  
Town of Apple Valley  
Town of Yucca Valley  
Twentynine Palms Water  
District  
Victor Valley Wastewater  
Reclamation Authority  
Water Resources Institute  
CSU San Bernardino

## Schedule of Activities

### PROGRAM OVERVIEW

- 8:00 a.m. WELCOME
- o Carlos Rodriguez - CEO, BIA Baldy View Chapter
  - o Jonathan Weldy - President, BIA Baldy View Chapter
- 8:05 a.m. OPENING REMARKS
- o Supervisor Josie Gonzales, Chair, Board of Supervisors, 5<sup>th</sup> District
  - o Supervisor Brad Mitzelfelt, Vice-Chair, Board of Supervisors, 1<sup>st</sup> District
- 8:15 a.m. Opportunity & Challenges - Addressing California's Growing Water Demands
- H. David Nahai, David Nahai Companies
- 8:30 a.m. BREAK AND VENDOR SHOWCASE
- 9:15 a.m. PANEL – STORMWATER CAPTURE
- Panel with southland focus. 5 county strategy for stormwater, coordination with flood control, acoe etc. Given federal funding constraints, great opportunity for regional strategy to secure reoperation of federal infrastructure to support local capture strategies.
- 9:15 a.m. PANEL – NEXT STEPS IN CONSERVATION
- We have done a great job on water conservation in the home and our work is not done yet, but we as a region need to also focus on areas with larger landscape applications such as parks, school districts and golf courses. We will bring in people to talk about what they have done to conserve water, how much savings they've seen and how the audience can do it for themselves.
- 10:00 a.m. BREAK AND VENDOR SHOWCASE
- 10:40 a.m. PANEL – LOW IMPACT DEVELOPMENT AND THE MS4 PERMIT
- What is and should be done to link LID with enhanced water management? Show people who have done LID?
- 10:40 a.m. PANEL – URBAN WATER MANAGEMENT PLANS
- What are the main themes, conclusions coming out of these plans? What are the implications for SB county growth, future water reliability, compliance with AB 32/375? What are the lessons learned from having the plan? What is the consistency/inconsistency with the County Vision Plan?
- 11:25 a.m. BREAK
- 11:40 a.m. KEYNOTE SPEAKER - BAY DELTA CONSERVATION PLAN
- Until or unless the Delta is fixed, our water situation will always be precarious at best, and now that the BDCP is underway, the locals need to understand how inextricably linked our region is to the Delta and that what occurs or doesn't occur affects us.
- Gerald Meral – Deputy Secretary, California Natural Resources Agency
- 12:00 p.m. CLOSING REMARKS AND RAFFLE

BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
JUNE 30, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11189	06/03/11	MOJAVE WATER AGENCY	
11201	06/09/11	2012 MWA PIPELINE DEBT SERVICE	73,097.00
11202	06/09/11	AT&T MOBILITY	
		COMMUNICATIONS EXPENSE	148.43
		BARR LUMBER CO INC	
		SHOP OFFICE MAINTAINANCE	
		DISINFECTION WELL 8	72.63
11203	06/09/11	* VOID *	
11204	06/09/11	TERRY BURKHART	
		SPECIAL MEETING	100.00
11205	06/09/11	BURRTEC WASTE & RECYLING SVCS	
11206	06/09/11	TRASH FEES, JUN	72.71
		CANDIDA NEAL	
		ENVIRO STUDY, PROJ MNGT	
11207	06/09/11	ENVIRO STUDY, REVIEW REMAINING	1,525.00
		CLINICAL LABORATORY OF	
		BACT TEST, PLATE CT	13.00
11208	06/09/11	JUDY CORL-LORONO	
		SPECIAL MEETING	
		AMES AD HOC	200.00
11209	06/09/11	GRESHAM SAVAGE NOLAN&TILDEN	
11210	06/09/11	LEGAL FEES, FEB GRESHAM/SAVAGE	110.40
		HI-DESERT WATER DISTRICT	
		AMES BASIN MONITORING	4,528.18
11211	06/09/11	JEFF DROZD	
		MAP UPGRADES	200.00
11212	06/09/11	KILLER BEE PEST CONTROL	
		BEE REMOVAL, 6 LOCATIONS	540.00
11213	06/09/11	DAVID LARSON	
		AD HOC/LEGAL COUNSEL	
		SPECIAL MEETING	
		STANDING CMTE TAC/MOJAVE	300.00
11214	06/09/11	MAID TO ORDER	
		C/SVC JEMEZ,CLEANED 06/03/11	68.00
11215	06/09/11	MICHAEL MCBRIDE	
		SPECIAL MTG & AMES AD HOC	200.00
11216	06/09/11	QUILL	
		OFFICE SUPPLIES	39.94
11217	06/09/11	UNDERGROUND SERVICE ALERT	
		DIG ALERTS, 119 TICKETS	178.50
11218	06/09/11	VERIZON CALIFORNIA	
		OFFICE PHONES & AUTO CONTROL	519.05
11219	06/08/11	CHARLES TALIAFERRO	
		BALANCE RFND ACCT# 0703805	50.39
11220	06/08/11	DEBBIE DIMAGGIO	
		BALANCE RFND ACCT# 0806283	97.84
11221	06/08/11	DEBORAH ANDERSON	
		BALANCE RFND ACCT# 0305905	61.55
11222	06/08/11	SHELLY O'MALLEY	
		BALANCE RFND ACCT# 0906493	83.56



BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
JUNE 30, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11223	06/08/11	TERRY LANGFORD	
11224	06/17/11	BALANCE RFND ACCT# 0506008 ACWA-HBA SERVICES CORP.	69.66
11225	06/17/11	ACWA/HEALTH BENEFITS JULY CINTAS CORPORATION #150	629.05
11226	06/17/11	UNIFORM SVC, MAY CLINICAL LABORATORY OF	172.67
11227	06/17/11	PLATE CT, BACT TEST, GEN PHYS PLATE CT, BACT TEST PLATE CT, BACT TEST DATASTREAM BUSINESS SOLUTIONS	283.00
11228	06/17/11	SOFTWARE MAINT 07/1/11-9/30/11 HP 9000 PROGRAMMING MAY EMPLOYEE RELATIONS, INC.	1,078.45
11229	06/17/11	PRE-EMPLOY BACKGROUND GOODSPEED DISTRIBUTING INC	151.00
11230	06/17/11	UNLEADED FUEL INLAND WATER WORKS	1,885.95
11231	06/17/11	FIELD SUPPLIES NELSON HEATING AND AIR	494.58
11232	06/17/11	AC REPAIR/OFFICE BLDG OFFICE DEPOT	765.00
11233	06/17/11	OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES CREDIT FOR INV 61888683 OFFICE SUPPLIES	271.19
11234	06/17/11	PITNEY BOWES PURCHASE POWER POSTAGE FOR METER	600.00
11235	06/17/11	PROTECTION ONE OFFC/QTLY, SHOP MO SEC SVC 06/26-07/25	175.82
11236	06/17/11	SDRMA JULY-SEP WORKER'S COMP PREMIUM SDRMA MEDICAL BENEFITS JULY	6,425.86
11237	06/17/11	TODD ENGINEERS PROF SVC RECHE MAY WILKES, DOUGLAS	3,317.79
11249	06/24/11	REFUND OVERPAD PROP TAX DQ - APN 635-631-14 BUCKNAM & ASSOCIATES, INC.	255.83
11250	06/28/11	GRANT CONSULTING FEES ALESHIRE & WYNDER, LLP	402.50
11251	06/28/11	LEGAL FEES, APR - ALSHIRE LEGAL FEES, MAY - ALESHIRE LEGAL FEES, MAR - ALESHIRE CA SPECIAL DISTRICTS ASSN	41,084.06
11252	06/28/11	WEBINAR, L TOMPKINS CALIFORNIA HIGHWAY PATROL	49.00
11253	06/28/11	NAPA/OWS HYDRANT DAMAGE MICHAEL CARUSO	10.00
11254	06/28/11	WORKBOOTS, CARUSO CLINICAL LABORATORY OF	141.36
		PT COUNT, BACT TEST	115.00

BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
JUNE 30, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11255	06/28/11	CYBERSPIKE	
		WEBSITE UPDATES JAN-JUN 2011	393.75
11256	06/28/11	DISCOUNT TIRE CENTERS	
		10F/RANGER, BRAKES, OIL CHG	403.06
11257	06/28/11	FIRST BANKCARD	
		BOD MTG. DINNER, SDI CONFERENC	
		LODGING -LARSON,MCBRIDE,	
		BURKHART, CORL-LORONO	
		EQUIP - BACKHOE REPAIR	836.23
11258	06/28/11	GOODSPEED DISTRIBUTING INC	
		OIL FOR WELLS & HYDRANTS	232.14
11259	06/28/11	HI-DESERT STAR	
		PUBLIC NOTICE, DQ WATER BILLS	
		JUNE 28 PUBLIC HEARING	627.24
11260	06/28/11	HI-DESERT WATER DISTRICT	
		AMES BASIN MONITORING	19.10
11261	06/28/11	INLAND WATER WORKS	
		FIELD SUPPLIES	
		INVENTORY	
		INVENTORY	
		FIELD SUPPLIES	1,307.73
11262	06/28/11	MAID TO ORDER	
		C/SVC JEMEX & MTG RM 2	153.00
11263	06/28/11	OFFICE DEPOT	
		OFFICE SUPPLIES	106.53
11264	06/28/11	SOUTHERN CALIFORNIA EDISON	
		POWER EXP MAY	6,395.43
11265	06/28/11	TODD ENGINEERS	
		PROF SVC, RECHE, APR	22,140.71
11266	06/28/11	TOWN OF YUCCA VALLEY	
		LECTURE, ABC'S WATER	50.00
11267	06/28/11	MARINA WEST	
		GM EDUCATION REIMB JUNE 2011	1,328.00
11268	06/28/11	APRIL AND ERIC EDWARTOSKI	
		BALANCE RFND ACCT# 1001007	29.06
11269	06/28/11	BULMARO ZARRAGA	
		BALANCE RFND ACCT# 1103002	46.21
11270	06/28/11	FEDERAL NATIONAL MORT ASSOC	
		BALANCE RFND ACCT# 0610711	2.75
11271	06/28/11	GLORIA GALINDO	
		BALANCE RFND ACCT# 0801703	170.00
11272	06/28/11	JOSEPH "JAY" TENA	
		BALANCE RFND ACCT# 0704499	76.22
11273	06/28/11	JOSEPH BINNS	
		BALANCE RFND ACCT# 0701143	0.15
11274	06/28/11	MARTHA OSWALT	
		BALANCE RFND ACCT# 0405901	142.21
11275	06/28/11	WILLIAM P RICHARDSON	
		BALANCE RFND ACCT# 0205800	44.50
11276	06/30/11	TERRY BURKHART	
		S/D & BROWN WORKSHOP	238.19
11277	06/30/11	TERRY BURKHART	
		PLEGS	
		S/D & BROWN WORKSHOP	300.00

BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
JUNE 30, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11278	06/30/11	JUDY CORL-LORONO S/D & BROWN WORKSHOP	244.52
11279	06/30/11	JUDY CORL-LORONO S/D & BROWN WORKSHOP	400.00
11285	06/30/11	DAVID LARSON S/D & BROWN WORKSHOP	200.00
11286	06/30/11	DAVID LARSON S/D & BROWN ACT WORKSHOP.	59.03
11287	06/30/11	MICHAEL MCBRIDE S/D & BROWN ACT WORKSHOP	41.88
11288	06/30/11	MICHAEL MCBRIDE S/D & BROWN WORKSHOP	200.00
11289	06/30/11	BOYD, JOHN T PROP APPRAISAL JVHT NON-EPA REIMBURSEABLE	450.00
11290	06/30/11	TERRY BURKHART REG MEETING 06/28/11	100.00
11291	06/30/11	CRISTI BUSH YE 2010-2011	1,868.81
11292	06/30/11	CINTAS CORPORATION #150 UNIFORM SVC JUNE	37.92
11293	06/30/11	CLINICAL LABORATORY OF URANIUM, GROSS ALPHA PT COUNT, BACT TEST	293.00
11294	06/30/11	JUDY CORL-LORONO REG MEETING 06/28/11	100.00
11295	06/30/11	DAVID LARSON REG MEETING 06/28/11	100.00
11296	06/30/11	MAID TO ORDER SVC JEMEN 06/26/11	68.00
11297	06/30/11	MICHAEL MCBRIDE REG MEETING 06/28/11	100.00
11298	06/30/11	OFFICE DEPOT OFFICE SUPPLIES OFFICE SUPPLIES	200.57
11299	06/30/11	POSTMASTER BULK MAILING, CCR	404.95
11300	06/30/11	VERIZON CALIFORNIA OFFICE PHONES & AUTO CONTROLS	532.45
11312	07/07/11	AT&T MOBILITY COMMUNICATION EXPENSE	145.82
11313	07/07/11	AUTO ZONE FIELD MATERIAL & SUPPLIES	12.13
11314	07/07/11	BARR LUMBER CO INC KEYS FOR JV HYDRANT FIELD MATERIALS & SUPPLIES	26.96
11315	07/07/11	CINTAS CORPORATION #150 UNIFOMR SVC JUNE 7 UNIFORM SVC JUNE 14 UNIFORM SVC JUNE 28	112.03
11316	07/07/11	MYFLEETCENTER.COM 10 F/RANGER OIL & FILTER	35.68
11317	07/07/11	OFFICE DEPOT OFFICE SUPPLIES	6.66

BIGHORN-DESERT VIEW WTR AGENCY  
CHECK REGISTER  
JUNE 30, 2011

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
11318	07/07/11	PETTY CASH	
		MISC PETTY CASH	281.29
11319	07/07/11	UNDERGROUND SERVICE ALERT	
		DIG ALERTS, 15 TICKETS	22.50
11320	07/07/11	VALLEY INDEPENDENT PRINTING	
		CCR, NEWSLETTER	1,018.44
		TOTAL	182,688.80

## GENERAL FUND

## ASSETS

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## CASH &amp; CASH EQUIVALENTS

01 13120	CASH UNION BANK OF CA	29,983.57
01 13130	CASH CASH DRAWERS BASE FUND	750.00
01 13400	CASH PETTY CASH FUND	800.00

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TOTAL CASH & CASH EQUIVALENTS	31,533.57
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## INVESTMENTS

01 13303	CASH LAIF-UNRESTRICTED	730,684.60
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TOTAL INVESTMENTS	730,684.60
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## ACCOUNTS RECEIVABLE, WATER

01 13710	A/R WATER	164,140.15
01 13713	A/R UNBILLED	40,250.50

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TOTAL ACCTS RECEIVABLE, WATER	204,390.65
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## ACCOUNTS RECEIVABLE, OTHER

01 13600	A/R INTEREST EARNINGS	1,954.92
01 13800	A/R PROPERTY TAXES	22,706.73

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TOTAL ACCTS RECEIVABLE, OTHER	24,661.65
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## INVENTORIES

01 14301	INVENTORY-WATER SYSTEM PARTS	61,100.00
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TOTAL INVENTORY	61,100.00
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## PREPAID EXPENSES

TOTAL PREPAID EXPENSES	0.00
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## FIXED ASSETS

01 11130	FA ORGANIZATION	336,271.36
01 11140	FA LAND & BUILDINGS	294,654.63
01 11150	FA YARDS	52,957.71
01 11160	FA FUELS TANKS	16,604.30
01 11170	FA WATER SYSTEM	7,533,872.86
01 11180	FA SHOP EQUIPMENT	43,075.46
01 11181	FA MOBILE EQUIPMENT	444,498.62
01 11190	FA OFFICE EQUIPMENT	129,713.10
01 11400	ACCUMULATED DEPRECIATION	( 5,272,450.94)

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TOTAL FIXED ASSETS	3,579,197.10
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## WORK IN PROGRESS (FOR OTHERS)

01 12004	WIP BLUCKER ANNEXATION	111.52
01 12038	WIP HAHM INTERNATIONAL	2,339.87

## GENERAL FUND

TOTAL WORK IN PROGRESS (OTHERS)	2,451.39
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WORK IN PROGRESS (AGENCY)	
01 12005 WIP EPA GRANT	741,390.73
01 12041 WIP-JV HYDROGEOLOGIC INVSTGTN	450.00
TOTAL WORK IN PROGRESS (AGENCY)	741,840.73

DEBT ISSUANCE COST	
TOTAL DEBT ISSUANCE COST	0.00

TOTAL ASSETS	5,375,859.69
	=====

## LIABILITIES

ACCOUNTS PAYABLE	
01 22520 ACCRUED INTEREST PAYABLE	3,750.00
01 22700 ACCOUNTS PAYABLE	28,078.24
TOTAL ACCOUNTS PAYABLE	31,828.24

ACCRUED PAYROLL	
01 22900 ACCRUED PAYROLL LIABILITIES	18,930.02
01 22910 ACCRUED EMPLOYEE COMP BALANCES	25,228.90
TOTAL ACCRUED PAYROLL	44,158.92

CUSTOMER DEPOSITS	
01 22550 CUSTOMER DEPOSITS PENDING	100.00
01 22600 CUSTOMER DEPOSITS	50,804.00
TOTAL CUSTOMER DEPOSITS	50,904.00

WORK IN PROGRESS DEPOSIT	
01 23004 WIP-DEP-BLUCKER ANNEXATION	7,500.00
TOTAL WORK IN PROGRESS DEPOSIT	7,500.00

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
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

BALANCE SHEET  
PERIOD ENDING 06/30/11

## GENERAL FUND

TOTAL LONG TERM DEBT

-----  
988,977.05

TOTAL LIABILITIES

1,129,855.42

## EQUITY

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01 30109 CONTRIBUTED CAPITAL/HUD 291,035.88  
01 30111 FMHA GRANTS 758,297.76  
01 31000 FUND BALANCE 2,369,327.08  
01 31001 FUND BALANCE FEMA & OES 427,895.00  
01 31111 CURR YEAR NET REVENUE/EXPENSE 399,448.55

TOTAL EQUITY

4,246,004.27

TOTAL LIABILITIES &amp; EQUITY

5,375,859.69

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STATEMENT OF REVENUE AND EXPENSE  
PERIOD ENDING 06/30/11

## GENERAL FUND

	BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
REVENUE					
-----					
OPERATING REVENUE					
01 41000 SERVICE LINE INSTALLATION FEES	2,510.00	1,320.00	2,640.00	-130.00	105.18%
01 41001 BASIC FACILITIES CHARGE	8,196.00	4,098.00	8,196.00	0.00	100.00%
01 41100 INCOME METERED WATER	444,931.00	37,247.54	398,287.00	46,644.00	89.52%
01 41300 BASIC SERVICE CHARGE	559,350.00	48,989.40	595,583.45	-36,233.45	106.48%
01 41400 INCOME METERED BULK WATER	0.00	5,757.05	56,151.12	0.00	0.00%
01 41600 INCOME REVENUE BONDS DV FMHA	47,709.00	8,343.27	50,206.42	-2,497.42	105.23%
01 41700 INCOME OTHER (OPERATING)	21,600.00	5,530.50	42,056.77	-20,456.77	194.71%
-----					
TOTAL OPERATING REVENUE	1,084,296.00	111,285.76	1,153,120.76	-68,824.76	106.35%
NON-OPERATING REVENUE					
01 49100 INCOME GEN TAX ID A 1% BH GA02	52,100.00	5,314.09	48,426.15	3,673.85	92.95%
01 49101 INCOME BOND DEBT BH FMHA DA01	125,900.00	27,008.72	127,981.07	-2,081.07	101.65%
01 49102 INCOME GENERAL TAX 1% DV GA01	52,100.00	4,634.62	47,357.24	4,742.76	90.90%
01 49200 INTEREST INCOME	2,000.00	922.92	4,472.02	-2,472.02	223.60%
01 49201 INTEREST INCOME BOND FUNDS	6,000.00	0.00	0.00	6,000.00	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	159,332.24	401,932.47	0.00	0.00%
-----					
TOTAL NON-OPERATING REVENUE	238,600.00	197,212.59	637,266.48	-398,666.48	267.09%
-----					
TOTAL REVENUE	1,322,896.00	308,498.35	1,790,387.24	-467,491.24	135.34%
EXPENSE					
-----					
OPERATIONS EXPENSE					
01 54102 OPERATIONS COMPENSATION	200,000.00	42,431.02	153,404.66	46,595.34	76.70%
01 54103 UNIFORMS	2,650.00	463.98	2,369.84	280.16	89.43%
01 54105 AUTO CONTROLS	4,500.00	337.88	2,520.12	1,979.88	56.00%
01 54106 VEHICLE/TRACTOR/EQUIP EXPENSE	9,000.00	530.36	6,444.43	2,555.57	71.60%
01 54107 VEHICLE EXPENSE - FUEL	20,000.00	1,885.95	17,680.76	2,319.24	88.40%
01 54109 FIELD MATERIALS & SUPPLIES	25,000.00	3,158.39	15,655.07	9,344.93	62.62%
01 54111 WATER TESTING	9,000.00	513.00	11,064.00	-2,064.00	122.93%
01 54112 CONTRACTUAL SERV- ENGINEERING	50,000.00	-5,918.50	34,274.00	15,726.00	68.55%
01 54114 WATER SYSTEM REPAIRS	30,000.00	0.00	9,218.47	20,781.53	30.73%
01 54115 BUILDING MAINTENANCE/REPAIR	8,680.00	1,396.11	8,237.62	442.38	94.90%
01 54117 AMES BASIN MONITORING	9,500.00	4,547.28	5,112.28	4,387.72	53.81%
01 54119 COMMUNICATIONS EXPENSE	2,150.00	294.25	1,783.62	366.38	82.96%
01 54121 DISINFECTION EXPENSE	4,000.00	19.05	3,552.34	447.66	88.81%
01 54125 POWER WELLS & PUMPS	67,000.00	11,040.60	59,815.85	7,184.15	89.28%
01 54130 OTHER OPERATIONS EXPENSES	10,800.00	540.00	12,523.71	-1,723.71	115.96%
01 54150 PAYROLL LABOR TO PROJECTS	0.00	-152.88	-152.88	0.00	0.00%



STATEMENT OF REVENUE AND EXPENSE  
PERIOD ENDING 06/30/11

## GENERAL FUND

	BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
01 54160 VEH & EQUIP EXPENSE TO PROJECT	0.00	-600.75	-600.75	0.00	0.00%
TOTAL OPERATIONS EXPENSE	452,280.00	60,485.74	342,903.14	109,376.86	75.82%
BULK SYSTEM EXPENSE					
01 55001 PUMPING PLANT EXPENSE	0.00	1,578.05	10,486.83	0.00	0.00%
01 55002 BULK OPERATIONS & MAINTENANCE	0.00	5.83	1,357.39	0.00	0.00%
TOTAL BULK SYSTEM EXPENSE	0.00	1,583.88	11,844.22	0.00	0.00%
ADMINISTRATIVE EXPENSE					
01 56001 DIRECTOR FEES	15,000.00	2,300.00	15,000.00	0.00	100.00%
01 56002 DIRECTOR MEETING EXPENSES	5,000.00	1,291.51	12,182.88	-7,182.88	243.66%
01 56003 ADMINISTRATIVE COMPENSATION	225,000.00	51,687.50	224,630.30	369.70	99.84%
01 56005 ADMINISTRATIVE MEETING EXPENSE	1,000.00	0.00	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	30,931.52	56,200.33	23,799.67	70.25%
01 56008 PERS CONTRIBUTION	34,675.00	5,297.43	29,874.21	4,800.79	86.15%
01 56009 PAYROLL TAXES	10,000.00	3,322.61	13,075.63	-3,075.63	130.76%
01 56011 TELEPHONE/FAX/INTERNET/WEB	8,500.00	1,156.92	6,675.77	1,824.23	78.54%
01 56012 MAILING EXPENSES	8,800.00	2,296.79	8,825.35	-25.35	100.29%
01 56014 CONTRACTUAL SERV-OTHER	37,400.00	3,984.51	36,822.61	577.39	98.46%
01 56016 PROPERTY/LIABILITY EXPENSE	30,600.00	2,543.18	28,475.24	2,124.76	93.06%
01 56017 WORKERS COMP INSURANCE	15,000.00	2,409.27	13,023.02	1,976.98	86.82%
01 56018 DUES & SUBSCRIPTIONS	8,000.00	201.00	9,175.15	-1,175.15	114.69%
01 56020 POWER OFFICES & YARDS	5,200.00	1,118.22	5,245.64	-45.64	100.88%
01 56022 BAD DEBT EXPENSE	6,000.00	-415.90	30,070.71	-24,070.71	501.18%
01 56025 PROPANE	1,500.00	0.00	1,741.07	-241.07	116.07%
01 56030 OFFICE SUPPLIES	4,000.00	869.21	5,692.40	-1,692.40	142.31%
01 56100 EMPLOYEE BENEFITS INSURANCE	77,500.00	4,854.65	61,624.15	15,875.85	79.52%
01 56110 EMPLOYEE EDUCATION	6,000.00	1,377.00	6,131.15	-131.15	102.19%
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	-55.04	-55.04	0.00	0.00%
01 56160 OVERHEAD TO PROJECTS	0.00	-24.95	-24.95	0.00	0.00%
TOTAL ADMINISTRATIVE EXPENSE	607,175.00	115,145.43	609,197.38	-2,022.38	100.33%
TOTAL OPERATING EXPENSE	1,059,455.00	177,215.05	963,944.74	95,510.26	90.98%
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	50.00	1,095.67	1,904.33	36.52%
01 56400 OTHER ADMINISTRATIVE EXPENSES	3,000.00	1,863.34	6,734.51	-3,734.51	224.48%
01 57000 INTEREST EXPENSE - BH BONDS	39,000.00	0.00	38,599.98	400.02	98.97%
01 57100 DEPRECIATION EXPENSE	0.00	19,710.08	239,330.71	0.00	0.00%
01 57110 AMORTIZATION	0.00	2,011.24	2,011.24	0.00	0.00%
01 57350 MWA PIPELINE DEBT	73,000.00	73,097.00	73,097.00	-97.00	100.13%
01 59100 INTEREST EXPENSE - DV BONDS	15,750.00	0.00	15,598.84	151.16	99.04%

STATEMENT OF REVENUE AND EXPENSE  
PERIOD ENDING 06/30/11

## GENERAL FUND

	BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
01 59400 GAIN (LOSS) ASSET DISPOSAL	0.00	79,874.67	44,831.75	0.00	0.00%
TOTAL NON-OPERATING EXPENSE	137,200.00	176,606.33	426,993.95	-289,793.95	311.22%
TOTAL EXPENSE	1,196,655.00	353,821.38	1,390,938.69	-194,283.69	116.24%
NET REV/EXP GENERAL FUND	126,241.00	-45,323.03	399,448.55	-273,207.55	316.42%

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

Jun-11

**SOURCES OF FUNDS:**

SERVICE LINE INSTALLATION FEES	1,320.00
BAD DEBT EXPENSE	28.88
A/R - WATER	94,705.63
MISCELLANEOUS REVENUE	468.96
1% GENERAL TAX	4813.57
BIGHORN AD VALOREM TAX	9437.13
WORKFORCE DEVELOPMENT GRANT	
A/P REFUND	13618.50
CUSTOMER DEPOSITS	<u>1,200.00</u>

TOTAL

125,592.67

**USE OF FUNDS:**

A/R WATER	874.10
WIP EXPENSE	450.00
CAPITAL PURCHASES (EPA GRANT)	42,648.94
INVENTORY PURCHASES	1,187.56
PREPAYMENTS - INSURANCE	1,606.00
PAYMENTS FOR SALARIES & WAGES	34,092.31
ADMINISTRATIVE EXPENSE	46,079.95
OPERATIONS EXPENSES	17,842.49
INTEREST EXPENSE - BH BONDS	
MWA PIPELINE DEBT	73,097.00

TOTAL

217,878.35

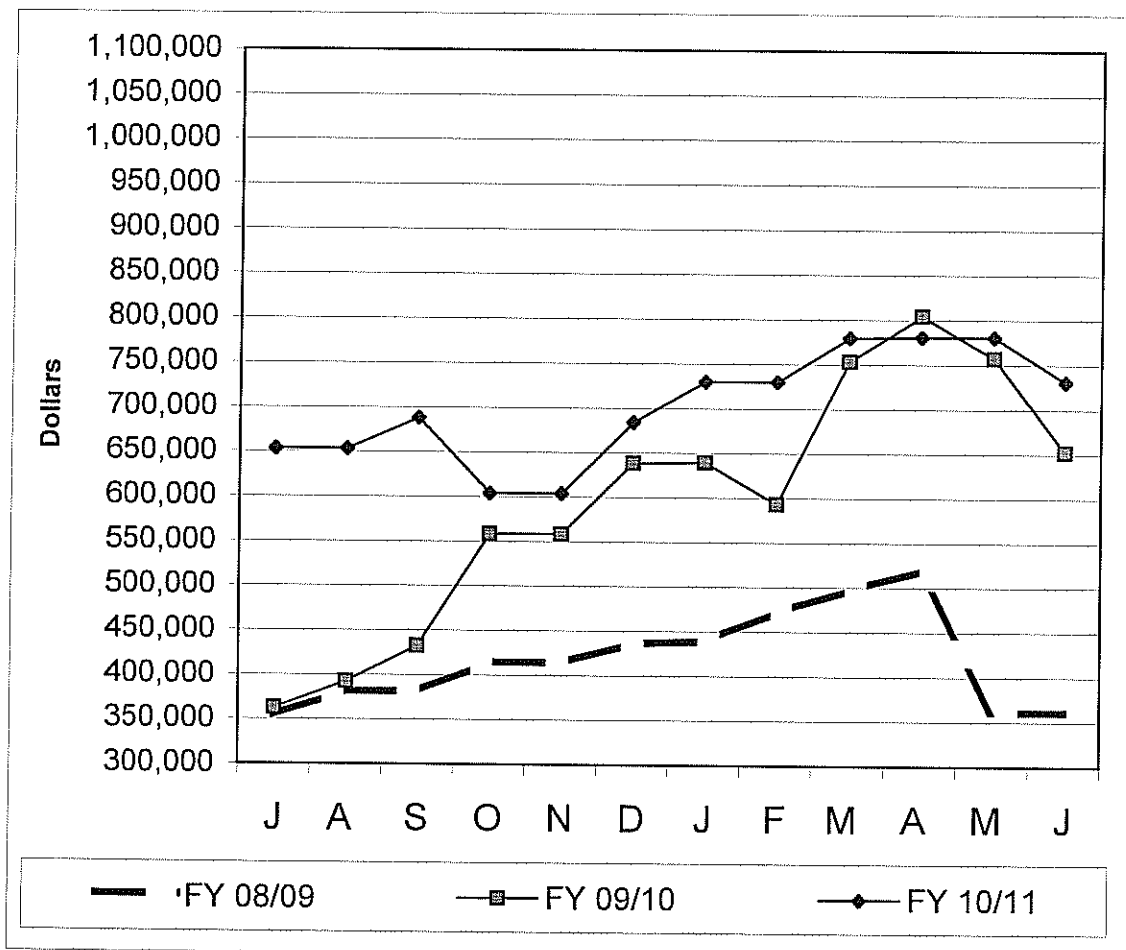
**UNION BANK OF CALIFORNIA  
DISBURSEMENTS JUNE 2011**

Datastream Check Register	<u>182,688.80</u>	<u>182,688.80</u>	
EFT for Vendor Services			
Bank Fees	182.34		
Credit Card Fees	854.91		
Internet Access Fee	<u>59.99</u>		
Total EFT for Vendor Services		<u>1,097.24</u>	
Wages for Paydate 06/09/11			
Employee Tax Withholdings	2,583.58		
Employer Tax Expenses	292.32		
Wages check # 11190-11200	<u>14,848.48</u>		
		<u>17,724.38</u>	17724.38
Wages for Paydate 06/23/11			
Employee Tax Withholdings	2,069.36		
Employer Tax Expenses	278.48		
Wages check # 11238-11248	<u>14,020.09</u>		
		<u>16,367.93</u>	16367.93
Transfers to LAIF	<u>-</u>	<u>-</u>	
Total Disbursements			<u><u>217,878.35</u></u>

## Local Agency Investment Fund Balance Timeline

Balance as of June 30, 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	730,685



**DATE:** JULY 2011  
**TO:** LYN I TOMPKINS  
**FROM:** Michelle Corbin  
**RE:** Consumption & Billing Comparison June 2011

### Consumption

#### Residential- North- Bighorn

	Meters	Usage (c.f.)
Book 1	149	0
Book 2	183	0
Book 3	160	0
Book 4	152	1,157
Book 5	129	0
Book 6	137	0
<b>Total</b>	<b>910</b>	<b>1,157</b>

#### Residential- South- Desert View

	Meters	Usage (c.f.)
Book 7	164	165,722
Book 8	177	272,111
Book 9	188	326,931
Book 10	179	256,080
Book 11	191	280,555
<b>Total</b>	<b>899</b>	<b>1,301,399</b>

#### Bulk -Kickapoo, Well 4, Cherokee

	Meters	Usage (c.f.)
Book 30	41	21,414
Book 31	6	4,466
Book 32	4	13,850
<b>Total</b>	<b>51</b>	<b>39,730</b>

#### Construction Meters

	Meters	Usage (c.f.)
Book 40	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

Billed Consumption	1,369,108
Non Billed Usage	14,066
<b>Total Consumption</b>	<b>1,383,174</b>

#### Bulk - Well 10

	Meters	Usage (c.f.)
Book 33	46	26,822
<b>Total</b>	<b>46</b>	<b>26,822</b>

Active Residential Meters	1,809
Active Bulk Meters	97
<b>Total Active Meters</b>	<b>1,906</b>

### Billing Comparison

	This Year JUNE 2011	Last Year JUNE 2010	Difference More (Less)
<b>Statistics</b>			
Total Customer Accounts	996	996	0
Usage in Cubic Feet	1,369,108	1,496,665	(127,557)
Percentage Increase/(Decrease)			-9%

#### Revenues

Water Revenues	44,733.73	48,623.04	(3,889.31)
Basic Service Charge	49,374.40	49,549.49	(175.09)
Miscellaneous	185.55	433.99	(248.44)
Delinquent Charges	1,475.41	1,571.76	(96.35)
<b>Total Operating Revenues</b>	<b>95,769.09</b>	<b>100,178.28</b>	<b>(4,409.19)</b>

#### Debt Service Revenues (pass through)

FMHA **	8,343.27	8,364.40	(21.13)
<b>Total Debt Service Revenues</b>	<b>8,343.27</b>	<b>8,364.40</b>	

#### Additional Information Regarding Pass Through Revenues

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

Total Charges (Proof)	104,112.36	108,542.68	(4,430.32)
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DATE: July 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	0	2
Service Line Repairs:	8	6	3	5	4	2	1	3	2	0	8	8	50
Service Line Replacements:	11	2	0	0	0	1	0	2	0	0	0	0	16
Service Line Installations:	0	1	0	0	0	0	0	0	0	0	0	1	2
Water System Operations Concerns:**	2	0	2	0	0	0	0	0	3	3	0	1	11
48 Hour Tags for NSF Checks:	1	1	2	1	0	1	1	1	3	0	0	0	11
Lock Offs for Non-Payment:	12	14	5	13	11	6	4	5	7	6	5	8	96
Unlocks After Payment Made:	4	6	1	9	4	2	3	2	3	1	3	1	39
Fire Hydrant Maintenance	n/a	n/a	n/a	n/a	18	31	50	0	0	0	0	0	99
All Other Miscellaneous:	114	207	183	118	89	87	107	139	159	141	139	108	1591
Total	152	237	196	146	126	131	167	152	177	151	155	127	1917

Bi-annual Flushing of Deadends and Blowoffs was 100% Completed in June

*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:** 6/6/2011  
**TO:** Board of Directors  
**FROM:** Kit Boyd  
**RE:** JUNE 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	485,420	3,630,942	385	157.1	11.14
Well 4	0	0	#DIV/0!	0	0.00
Well 6	620,800	4,643,584	445	174	14.25
Well 7	251,690	1,882,641	383	81.9	5.78
Well 8	152,400	1,139,952	868	21.9	3.50
Well 9	278,400	2,082,432	678	51.2	6.39
Well 10	14,220	106,366	42	42.6	0.33
<b>Total</b>	<b>1,802,930</b>	<b>13,485,916</b>			<b>41.39</b>

Wells 2, and 4 did not run this month

Well 3 back on line

<b>A Boosters</b>	108,660	812,777	142	95.7
<b>C Boosters</b>	388,400	2,905,232	266	182.2
<b>Total</b>	<b>497,060</b>	<b>3,718,009</b>		



# TODD ENGINEERS

GROUNDWATER · WATER RESOURCES · HYDROGEOLOGY · ENVIRONMENTAL ENGINEERING

July 11, 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 – June 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 June 1 through 30, 2011.

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

## **Work Completed During June 2011**

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

*Task 2 Permitting Support* – On June 10, 2011, the USACOE made a determination that the Pipes Wash is not a "Water of the United States" and they also found that there is no interstate or foreign commerce connection with the wash. This jurisdictional determination is beneficial to the project as there will be no additional COE regulatory requirements for the Reche spreading grounds project. On June 15, 2011 California Fish & Game indicated they would process the Stream Alteration Permit Application and issue the permit.

*Task 4.2 Support for MOU and Water Agreement Amendment* - Richards, Watson & Gershon additional provided support to the Agency for the MOU/Agreement amendment.

## **Work Planned for July 2011**

*Task 4.1 Groundwater Management Plan* - Todd will 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 June 30, 2011) are summarized in the attached tables. Total professional charges for the Period June 1 through 30, 2011 are \$1,707.00, bringing total charges to date to \$517,598.30 out of the approved project budget of \$531,321.50. The remaining budget is \$13,723.20.

Attachments:

Table 1. Charges Details by Task

Table 2. Charges to Date and Budget Remaining



**Todd Engineers and Kennedy/Jenks Consultants**  
**Accrued Hours by Task**

**Table 1 Charges Details by Task (through June 30, 2011)**

**Project Management, Permitting, Hydrogeologic Feasibility Study, and Groundwater Management Plan**

Classification	Project Manager Craig \$185	Principal Geologist Stanin \$190	Senior Geologist Lin \$180	Senior Geologist Abbott \$170	Senior Geologist Taylor \$160	QC Priest \$190	Graphics	Total Labor Hours	Total Labor	Comm Fee	Travel Admin Costs	Subcontractors Driller, Lab, Other Direct Costs	Expense Fee	Subcontractor Kennedy/Jenks	Total Costs
<b>Task 1 – Project Management</b>															
	140	0.25	20.5	4.5	2.5	2	12.5	200.25	\$ 34,660.00	\$ 693.20	\$ 1,307.86	\$ 54.92	\$ 8.24	\$ -	\$ 36,724.22
									\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Task 1 – Project Management</b>	149	0.25	20.5	4.5	2.5	2	12.5	200.25	\$ 34,660.00	\$ 693.20	\$ 1,307.86	\$ 54.92	\$ 8.24	\$ -	\$ 36,724.22
<b>Task 2 – Permitting Support</b>	56.75	0	21.5	0	0	0	0	80.25	\$ 15,766.75	\$ 315.78	\$ -	\$ -	\$ -	\$ 22,161.41	\$ 38,255.94
<b>Task 3 – Hydrogeology Feasibility Studies</b>															
3.1 Vadose Zone Investigation and Monitoring Well Installation	143.5	0	24.5	0	0	0	0	168	\$ 30,467.50	\$ 609.35	\$ 569.66	\$ 79,940.70	\$ 7,984.07	\$ 44,329.71	\$ 163,633.44
3.2 HWD Well No. 24 Aquifer Test	40.5	0	0	55	0	0	0	95.5	\$ 16,842.50	\$ 336.85	\$ -	\$ 1,239.30	\$ 123.03	\$ 12.39	\$ 18,554.87
3.3 Perennial Yield Assessment	28	0	57	0	0	0	0	83	\$ 13,030.00	\$ 270.60	\$ -	\$ 1,107.50	\$ -	\$ -	\$ 15,398.10
3.4 Groundwater Flow Evaluation	303	0	140.75	0	0.5	0	0	450.25	\$ 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	\$ -	\$ 4,955.00	\$ 405.50	\$ 1,326.13	\$ 18,964.08
3.6 Hydrogeology FS Report	102.5	0	0	0	0	0	23	194.5	\$ 33,667.50	\$ 673.75	\$ -	\$ 21.00	\$ 2.11	\$ 0.21	\$ 34,384.66
<b>Task 3 Total</b>	<b>725</b>	<b>0</b>	<b>255.25</b>	<b>55</b>	<b>0.5</b>	<b>0</b>	<b>23</b>	<b>1053.75</b>	<b>\$ 186,575.00</b>	<b>\$ 3,731.50</b>	<b>\$ 569.66</b>	<b>\$ 80,455.50</b>	<b>\$ 9,525.61</b>	<b>\$ 45,688.44</b>	<b>\$ 331,446.24</b>
<b>Task 4 – Groundwater Management Plan and Water Agreement Amendment</b>															
4.1 GWMP	88.5	10.25	99.5	0	0	0	52.75	251	\$ 39,251.25	\$ 785.03	\$ -	\$ -	\$ -	\$ -	\$ 40,036.28
4.2 Agreement Amendment	55	28	60.5	0	0	0	0	183.5	\$ 31,600.00	\$ 632.00	\$ -	\$ 31,921.11	\$ 3,192.11	\$ 3,700.40	\$ 71,335.02
<b>Task 4 Total</b>	<b>144.5</b>	<b>38.25</b>	<b>160</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>52.75</b>	<b>434.5</b>	<b>\$ 70,851.25</b>	<b>\$ 1,417.03</b>	<b>\$ -</b>	<b>\$ 31,921.11</b>	<b>\$ 3,192.11</b>	<b>\$ 3,700.40</b>	<b>\$ 111,171.60</b>
<b>Task 5 – Support Stakeholder/Public Outreach Support</b>															
								0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Charges to Date through June 30, 2011</b>	<b>1064.25</b>	<b>38.5</b>	<b>595.25</b>	<b>55.5</b>	<b>3</b>	<b>2</b>	<b>80.25</b>	<b>1761.75</b>	<b>\$ 307,875.00</b>	<b>\$ 5,157.50</b>	<b>\$ 1,877.52</b>	<b>\$ 118,420.62</b>	<b>\$ 11,725.06</b>	<b>\$ 71,610.25</b>	<b>\$ 517,598.90</b>



Todd Engineers and Kennedy/Jenks Consultants

**Table 2 Charges to Date and Budget Remaining (through June 30, 2011)**

Project Management, Permitting, Hydrogeologic Feasibility Study, and Groundwater Management Plan				
Task Name	Task Budget	Charges to Date (June 30, 2011)	Remaining Budget	
Task 1 – Project Management	\$36,831.60	\$36,724.22	\$107.38	
Task 2 – Permitting Support	\$39,366.00	\$38,255.94	\$1,100.06	
Task 3 – Hydrogeology Feasibility Studies				
3.1 Vadose Zone Investigation and Monitoring Well Installation	\$158,130.55	\$163,833.44	-\$5,702.89	
3.2 HDWD Well No. 24 Aquifer Test	\$18,638.40	\$18,554.97	\$83.43	
3.3 Perennial Yield Assessment	\$15,381.60	\$15,386.10	-\$4.50	
3.4 Groundwater Flow Evaluation	\$81,227.05	\$81,212.20	\$14.85	
3.5 Water Quality Evaluation	\$18,083.10	\$18,084.88	\$28.22	
3.6 Hydrogeology FS Report	\$34,399.60	\$34,384.66	\$14.94	
Task 3 Total	\$325,870.30	\$331,446.24	-\$5,575.94	
Task 4 – Groundwater Management Plan and Water Agreement Amendment				
4.1 GWMP	\$40,330.80	\$40,036.28	\$294.53	
4.2 Agreement Amendment	\$74,451.20	\$71,135.62	\$3,315.58	
Task 4 Total	\$114,782.00	\$111,171.90	\$3,610.10	
Task 6 - Support Stakeholder/Public Outreach Support	\$14,481.60	\$0.00	\$14,481.60	
Project Total	\$531,321.50	\$517,598.30	\$13,723.20	

# Bighorn-Desert View Water Agency

## Board of Directors

Terry Burkhardt, President  
Michael McBride, Vice President  
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)

## BOARD OF DIRECTORS' REGULAR MEETING MINUTES

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
**Tuesday, June 28, 2011 - 6:00 p.m.**

### CALL TO ORDER

Meeting convened by Board President Terry Burkhardt at 6:00 p.m.

### PLEDGE OF ALLEGIANCE

Led by Mark Johannes.

### ROLL CALL

Directors Present:

David Larson  
Terry Burkhardt  
Judy Corl-Lorono  
Michael McBride  
*vacant seat*

Staff Present:

Marina West  
Lyni Tompkins

### APPROVAL OF AGENDA

*Motion to approve the agenda.*

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

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

General Manager West gave the staff report. The bill is approximately \$7,300 and staff had offered \$500 in relief. The Marconnette's are appealing the staff decision and seeking additional relief from the BOD.

Public comment:

Maryann Marconnette, of Yucca Valley, reported on the leak at their second home and asked for some relief for that bill, and requested the balance to be on a payment plan.

Duane Lisiewski, of Flamingo Heights, commented on the budget for leak relief, his opinion on what the Agency should give as leak relief, and how often BDVWA reads meters.

Board consensus was it is not fair to the other rate payers to waive an entire bill. However, the Agency has a program that will help with some relief.

**MOTION NO. 11-029**

*Director McBride made a motion that the Agency reduce the Marconnette's \$7300 bill by \$1825 and the balance of \$5475 is to be paid over 24 months. Director Larson seconded the motion.*

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

**PUBLIC HEARING: RESOLUTION 11R-06 - 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**

General Manager West gave the staff report and made note that the Agency did not receive any written letters from any customers prior to the opening of the public hearing.

Director Larson verified that the letters to the customers were sent in accordance with the law.

The public hearing opened at 6:17 p.m.

President Burkhart asked for public comments.

Public comment:

Barry Mack, of Landers, handed out a letter to the Board at this meeting dated back from 2010. He commented about the location of his meter, payment of his bills, and threatened litigation.

No additional public comments were received.

President Burkhart closed the public hearing at 6:19 p.m.

**MOTION NO. 11-030**

*After brief Board discussion, Director Corl-Lorono made a motion to adopt Resolution No. 11R-06 - 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. The motion was seconded by Director McBride.*

Roll Call Vote:

Ayes:	Larson, Burkhart, Corl-Lorono, McBride
Nays:	None
Abstain:	None
Absent:	None

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

**RESOLUTION NO. 11R-07 - 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**

General Manager West gave the staff report.

Director McBride commented that we know this was coming from last year's audit.

Director Corl-Lorono commented that we have to set the tax every year.

President Burkhart commented that we generally do not have to raise it this much, but it is a major catch up, because essentially Bighorn Mountains Water Agency is being carried by Desert View Water District and that is not fair.

Director Larson commented that this is something that we visited last year. It is a difficult situation because there is no way around it, and this issue has to be addressed. He does not have a problem looking at it and weighing the available options. However, this is something that we have done in the past because it is necessary. He continued, when it comes to paying for infrastructure it is a burden that everyone shares. Yucca Valley is looking at paying for a sewer system, and it has always been an argument down there as to who is going to pay for it; everybody pays for it, and that is the burden of paying for infrastructure and improving the capabilities and the district for future generations.

Public comments:

John Paul Dossey, of Landers, questioned if the Agency was increasing the Ad Valorem tax for Landers people only, and how the money from the tax is used.

Duane Lisiewski, of Flamingo Heights, commented on an incorrect date in the staff report and the amount of the tax.

**MOTION NO. 11-031**

*Director McBride made a motion to adopt Resolution No. 11R-07 - 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, at a maximum of \$175,900. Director Corl-Lorono seconded the motion.*

Roll Call Vote:

Ayes: Corl-Lorono, McBride, Burkhart

Nayes: Larson

Abstain: None

Absent: None

MSC<sup>1</sup> (McBride/Corl-Lorono) motion carried.

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

General Manager West gave the staff report.

**MOTION NO. 11-032**

*After Board discussion, Director McBride made a motion that the Board call for an appointment of a new Director. The motion was seconded by Director Larson.*

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

**ELECTION OF OFFICER - VICE PRESIDENT**

**MOTION NO. 11-033**

*Director Larson made a motion to nominate Director McBride to be Vice President. Director Corl-Lorono seconded the motion.*

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

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

Public Comment:

Duane Lisiewski, of Flamingo Heights, questioned why the Agency was dissolving these Ad Hoc Committees on an agenda at an open Board meeting.

**MOTION NO. 11-034**

*Director Larson made a motion that we dissolve the General Manager Performance/Compensation "2-Member" Ad Hoc Committee and dissolve the Finance Research Ad Hoc Committee as they are no longer necessitated by the Agency. The motion was seconded by Vice President McBride.*

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

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

General Manager West gave a report.

Public comment:

Jim Hanley, of Johnson Valley, questioned the compensation of a Board member to attend a committee.

**MOTION NO. 11-035**

*After brief Board discussion, Director Corl-Lorono made a motion to approve 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. Director Larson seconded the motion.*

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



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

General Manager West gave the staff report.

**MOTION NO. 11-036**

*After brief Board discussion, Vice President McBride made a motion to approve the schedule for some "Board Meeting Assignments For Agency Related Business" identified as Category 'A' meetings in Resolution No. 10R-02 to attend Board meetings at Hi-Desert Water District, Joshua Basin Water District, Mojave Water Agency, and at the County of San Bernardino Special Districts (W1 Water District) as it relates to our Agency. The motion was seconded by Director Corl-Lorono.*

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

**DISBURSEMENTS MAY 2011**

Public comments:

Jim Hanley, of Johnson Valley, questioned several disbursement checks.

*Vice President McBride made a motion to approve the disbursements for May 2011. Director Corl-Lorono seconded the motion.*

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

Adjourned for a Break at 7:00 p.m. - Reconvened from Break at 7:12 p.m.

**CONSENT ITEMS**

- 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

*Vice President McBride made a motion to approve consent items a - h. The motion was seconded by Director Corl-Lorono.*

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

## **PUBLIC PARTICIPATION**

Public comments:

Jim Hanley, of Johnson Valley, commented about redacted attorney invoices.

Duane Lisiewski, of Flamingo Heights, commented about the requirement of Directors to take an AB1234 class, the Agency's budget, and the General Manager's compensation.

## **VERBAL REPORTS**

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

General Manager West reported on the Ames Reche project.

### **DIRECTORS' REPORT**

Director Larson reported on attending the Special District & Local Government Institute Administration's Brown Act, Public Records Act, and Conflict of Interest Laws Workshop on June 11, 2011 in San Diego. He noted the Conflict of Interest Laws workshop credited 2 hours toward AB1234 compliance for those directors that attended this workshop.

Vice President McBride reported on attending the Special District & Local Government Institute Administration's Brown Act, Public Records Act, and Conflict of Interest Laws Workshop on June 11, 2011 in San Diego. He also commented about his completion of on-line AB1234 training.

Director Corl-Lorono reported on attending the Special District & Local Government Institute Administration's Seminar on June 9 & 10, 2011 in San Diego, and attending the Brown Act, Public Records Act, and Conflict of Interest Laws Workshop on June 11, 2011 at the same location.

### **PRESIDENT'S REPORT**

President Burkhart reported on attending the Special District & Local Government Institute Administration's Brown Act, Public Records Act, and Conflict of Interest Laws Workshop on June 11, 2011 in San Diego. She noted there is a general etiquette required during the meeting. The public may not be required to identify themselves as a condition of attending the meeting; it is allowed however, to ask an individual to identify him or herself for the record if they so desire. A person may certainly politely decline to do so.

## **ITEMS FOR NEXT AGENDA**

Filling the Director vacancy

**ADJOURNMENT** - President Burkhart adjourned the meeting at 7:39:15 p.m.

Approved by:

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Judy Corl-Lorono  
Board Secretary

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

**BIGHORN DESERT VIEW WATER  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** July 26, 2011

**To:** Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** N/A

**Funding Source:** N/A

**From:** Marina D. West

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Credit Card Authorization: Resolution No. 11R-XX - A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Authorizing Agency Credit Cards and Setting Guidelines for the Use of the Same

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**SUMMARY**

When the Board approved an increase in the credit card limits on August 24, 2010 it was done by Motion rather than Resolution. Therefore, this action is administrative in nature.

Staff recommends the Board approve the subject Resolution affirming the use and limits of the Agency credit cards.

**RECOMMENDATION**

The Board to consider adopting Resolution 11R-XX - A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Authorizing Agency Credit Cards and Setting Guidelines for the Use of the Same.

**BACKGROUND/ANALYSIS**

Oftentimes the Agency needs to make a purchase with a credit card over the phone or internet. This is to avoid the time, paperwork and credit references/checks involved in setting up vendor accounts for a single or one time transaction. It is also advantageous to use a credit card to make travel arrangements and on-line purchases.

At the August 24, 2010 Board of Director's meeting, the Board passed a motion to increase the individual limits for each Agency credit card by \$1000. Staff followed through with that approval and changed the individual credit card limits to \$2500.00 with the Agency's current banking institution, Union Bank of California (First Bank Card).

Recently, staff found two Resolutions (03R-10 & 06R-13) that had not been rescinded or updated to reflect the Board's current credit card authorizations and approvals.

Staff created a Resolution to reflect the updated actions of the Board and rescind the outdated resolutions.

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

**8/24/2010 Board of Director's Meeting** - Motion No. 10-065 approved to increase the individual limits for each Agency credit card by \$1000.

**10/24/2006 Resolution No. 06R-13** -A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency authorizing an Agency credit card and setting guidelines for the use of same. Authorized a second credit card for the Agency to be used by the Executive Secretary. The credit limit was set at \$1500.

**7/22/2003 Resolution No. 03R-10** - A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency authorizing an Agency credit card and setting guidelines for the use of same. Authorized a credit card for the General Manager. The Credit limit was set at \$1500.

**3/23/2004 Policy Statement No. 04P-02** - Establishing a Purchasing Manual Policy.

**2/14/1995 Resolution No. 95R-03** - A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency authorizing an Agency business credit card. Authorized a credit card for the General Manager. The Credit limit was set at \$5,000.

## **RESOLUTION NO. 11R-XX**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY AUTHORIZING AGENCY CREDIT CARDS AND SETTING GUIDELINES FOR THE USE OF THE SAME**

**WHEREAS**, on July 22, 2003 the Board approved Resolution 03R-10 which set forth the terms and conditions for the General Manager to obtain a credit card for Agency with First Bank (Union Bank of California); and

**WHEREAS**, in the course of daily Agency business there are times when the use of a business credit card would be advantageous for the efficiencies provided and cost savings available by using such; and

**WHEREAS**, Resolution 03R-10 set the credit card limit at \$1500; and

**WHEREAS**, the Agency currently has in effect a Purchasing Manual which sets forth the processes and authorizations necessary for purchasing goods and services; and

**WHEREAS**, on October 24, 2006 the Board approved Resolution 06R-13 authorizing a second cardholder for the existing account and set forth the terms and conditions for the second cardholder with First Bank (Union Bank of California); and

**WHEREAS**, Resolution 06R-13 set the original card and the second card limits at \$1500; and

**WHEREAS**, there is still a need to authorize a second cardholder for the existing account; and

**WHEREAS**, by unanimous vote on August 24, 2010, the Board of Directors of the Agency made a motion to increase the credit limit for each card by \$1,000.00; and

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the Agency do hereby authorize the following:

1. That the General Manager possess and utilize a credit card through the Agency's current banking institution, Union Bank of California (First Bank Card); and
2. That the Executive Secretary possess and utilize a credit card through the Agency's current banking institution, Union Bank of California (First Bank Card); and

3. That the credit limit shall be \$2500.00 for each credit card; and
4. That the credit cards shall only be used as a method of payment for purchases which have been approved in compliance with the existing Purchasing Manual with supporting documentation signed by the party requesting the use of the card, and
5. That Resolution No. 03R-10 and Resolution No. 06R-13 are hereby rescinded in their entirety and of no further force and effect.

**PASSED, APPROVED AND ADOPTED** by the Board of Directors of Bighorn-Desert View Water Agency this 26th day of July, 2011.

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

I, the undersigned, hereby certify that I am the duly-appointed Secretary of the Board of Directors of the Bighorn-Desert View Water Agency, and that at a regular meeting of the Board held on July 26, 2011 the foregoing Resolution No. 11R-XX was adopted by said Board, and that it has not been rescinded or amended since the date of its adoption, and is now in full force and effect.

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