



BIGHORN-DESERT VIEW WATER AGENCY

BOARD OF DIRECTORS' REGULAR MEETING AGENDA

BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CALIFORNIA

April 28, 2009
TUESDAY
6:00 P.M.

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

Public Participation-Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment please state your name and have your information prepared. Due to time constraints a three minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **PUBLIC PARTICIPATION**- Any person may address the Board on any matter within the District's jurisdiction on items not appearing on this agenda.
2. **DISCUSSION AND ACTION ITEMS**- The following items will be discussed by the Board of Directors and Staff, and the Board will consider taking action, if so inclined.
 - a. **RESOLUTION 09R-XX RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN DESERT VIEW WATER AGENCY APPOINTING A BOARD SECRETARY** – Board to consider appointing Michelle Corbin as "interim" Board Secretary of the Agency.
 - b. **MAYER HOFFMAN MCCANN P.C. AUDIT CONTRACT** – Board to review and authorize staff to enter into Agreement between Bighorn-Desert View Water Agency and Mayer Hoffman McCann P.C. for audit services for a three year period beginning with Fiscal Year end June 30, 2009 at a cost of \$28,000 in year one.
 - c. **REGIONAL LEGISLATIVE ALLIANCE PRESENTATION BY MIKE STEVENS OF MOJAVE WATER AGENCY** – Board to receive presentation and consider joining Regional Legislative Alliance.
 - d. **SPECIAL DISTRICTS SELECTION COMMITTEE ELECTION FOR LOCAL AGENCY FORMATION COMMISISON (LAFCO) ALTERNATE SPECIAL DISTRICTS MEMBER** – Board to review nominees and consider casting a ballot for the LAFCO Alternate Special Districts Member seat.

- e. **FY2009/2010 BUDGET REVIEW** – Board to receive presentation regarding FY2009/2010 revenue and expense projections. Information and discussion only.
- f. **AUTHORIZE ATTENDANCE AT SPECIAL DISTRICTS LEADERSHIP ACADEMY TRAINING** – Board to consider authorizing Director attendance to Special Districts Leadership Academy Module 3: Board's Role in Finance and Fiscal Accountability, May 29th in Sacramento, CA at a cost of approximately \$1,200 per director.
- g. **AUTHORIZE ATTENDANCE AT THE RIVERSIDE COUNTY WATER SYMPOSIUM** – Board to consider authorizing Director attendance to the Riverside County Water Symposium on May 28th in Palm Springs, CA at a cost of \$235 per director.

3. CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code section 54957(b)(1)) Title: General Manager

4. CLOSED SESSION REPORT

5. DISBURSEMENTS MARCH 2009

- 6. **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. Minutes of the February 24, 2009 Regular Meeting
 - b. Minutes of the February 28, 2009 Workshop
 - c. Minutes of the March 18, 2009 Special Meeting – To be distributed at the meeting
 - d. Minutes of the March 24, 2009 Regular Meeting – To be distributed at the meeting
 - e. Financial Statements March 2009
 - f. Consumption & Billing Comparison Report March 2009
 - g. Production Report March 2009
 - h. Service Order Report March 2009
 - i. Policy Statement No. 09P-02 A Statement Establishing An Agency Meeting Agenda Preparation Policy – Approve renumbering of Policy to correct typos on Policy No. 09P-01, thereby rescinding all previous Policy Nos. related to Statement(s) Establishing An Agency Meeting Agenda Preparation Policy.

7. MATTERS REMOVED FROM CONSENT ITEMS-

- 8. **CONSENT ITEMS RECOMMENDED FOR APPROVAL AT THE FINANCE/PUBLIC RELATIONS & EDUCATION/PERSONNEL COMMITTEE MEETING-** No April 2009 meeting held.

9. **CONSENT ITEMS RECOMMENDED FOR APPROVAL AT THE PLANNING & ENGINEERING/LEGISLATIVE/GRANT/SECURITY COMMITTEE MEETING-** No April 2009 meeting held.
10. **PROJECT STATUS REPORT**
11. **DIRECTORS' REPORTS/COMMENTS**
12. **GENERAL MANAGER'S REPORT (ORAL)**
13. **COMMUNICATION AND INFORMATION ITEMS**
14. **ITEMS FOR NEXT AGENDA**
15. **ADJOURNMENT**

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Bighorn-Desert View Water Agency office at 622 S. Jemez Tr., Yucca Valley, CA during normal business hours.

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: yes

Funding Source: Administrative
Compensation (line 56003)

From: Marina D. West

General Counsel Approval: Obtained

Staff Contact:

CEQA Compliance: N/A

Subject: Appointment of a "interim" Board Secretary

SUMMARY

Following the recent departure of the Agency Board Secretary Kim Heller, it is necessary to appoint a Board Secretary. Staff recommends that Michelle Corbin be considered by the Board to fill this appointment on an "interim" basis during the formal recruitment period.

RECOMMENDATION

That the Board take the following action;

1. Adopt Resolution 09R-XX Appointing Michelle Corbin as Board Secretary effective April 28, 2009.

BACKGROUND/ANALYSIS

No further analysis provided.

PRIOR RELEVANT BOARD ACTION(S)

9/25/07 Resolution 07R-10 Resolution of the Board of Directors of Bighorn Desert View Water Agency Appointing a Board Secretary.

RESOLUTION NO. 09R-XX

RESOLUTION OF THE BOARD OF DIRECTORS
OF BIGHORN-DESERT VIEW WATER AGENCY APPOINTING
A BOARD SECRETARY

WHEREAS, pursuant to Section 112-14 of the Bighorn-Desert View Water Agency Law, the Board of Directors shall appoint by a majority vote a vice president, secretary, treasurer, attorney, chief engineer, general manager and auditor, all of whom shall serve at the pleasure of the Board.

NOW THEREFORE BE IT RESOLVED the Bighorn-Desert View Water Agency Board of Directors does hereby rescind resolution 07R-10 and appoint Michelle Corbin Board Secretary effective April 28, 2009.

I the undersigned hereby certify that I am the duly appointed and acting Secretary of the Bighorn-Desert View Water Agency, and that a regular meeting of the Board of Directors of said Agency held on April 28, 2009, the foregoing Resolution 09R-XX was duly and regularly adopted by said Board, and that said resolution has not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By _____
Board Secretary

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: n/a

From: Marina D. West

Funding Source: n/a

Staff Contact:

General Counsel Approval: as written

CEQA Compliance: N/A

Subject: Audit Engagement Services Beginning Fiscal Year 2008/09: Mayer Hoffman McCann P.C.

SUMMARY

The Agency's current auditor, Messner & Hadley LLP has now been engaged with Bighorn Desert View Water Agency for a period of five years beginning with the Fiscal Year ending June 30, 2003. The Agency has found that due to the pricing offered by Messner & Hadley LLP it has been difficult for the Agency to receive from our current auditors all of the ancillary advisory services that are needed for a small agency our size, especially with the limited financial personnel affordable to the Agency at this time. Therefore staff has taken measures to secure a new audit firm by exercising a practice known as "piggy backing" to capitalize on the efforts of other governmental entities who have already obtained similar professional services through a formal competitive process. The theory is that, should BDVWA enter into the competitive market at this time the likelihood of a similar outcome justifies proceeding with the outcomes of a neighboring agency's efforts in the same area of expertise. These practices are extremely valuable to an agency like BDVWA because internally the appropriate skills to conduct such activities are limited and thus the process is cumbersome at the least. Through a formal competitive proposal process, the firm of Mayer Hoffman McCann PC was recently selected by the Mojave Water Agency to execute their upcoming audit services beginning with fiscal year end 2008/09. Staff has secured an engagement proposal from Mayer Hoffman McCann PC in the amount of \$28,000 for the FY 2008/09 audit with the intent to continue services for a minimum three year period.

RECOMMENDATION

That the Board take the following action:

1. Direct staff to enter into engagement with Mayer Hoffman McCann P.C. for Fiscal Year 2008/2009 Audit at a cost not to exceed \$28,000 in year one with the intent to continue the contract for a three year period with an option to engage for an additional two years.

BACKGROUND/ANALYSIS

The Agency has utilized the services of Messner & Hadley LLP for all audit periods beginning with FY2003/04, which totals five service years. Although the Board, in January 2007, had approved continuance with Messner & Hadley, LLP for an additional three years the Boards engagement with the auditor is via an annual service agreement (engagement letter), last approved by the Board in September 2008. The 2008 engagement letter is silent as to future engagement obligations. Staff and legal counsel are not aware of any formal signed three-

year contract requiring the Agency to continue professional services other than on a year-to-year basis. Since it is usual and customary to retain an auditor for a minimum period of three years but generally conducting a formal re-evaluation of service at the end of year five, Staff proceeded to identify if any new opportunity existed before addressing a change and an opportunity does in fact exist.

In relying on the competitive bidding system, small entities thorough subsequent participation, can capitalize on the efforts of larger entities to obtain true professional services competitive bids as larger entities have the resources to not only write detailed qualitative and quantitative project specifications they also retain the expertise to evaluate proposals received. This is a tremendous asset and cost saving measure allowable and acceptable under public contracting guidelines.

Mojave Water Agency (MWA) has just concluded such a competitive process to engage a new auditor. MWA has utilized the services of Messner & Hadley LLP in the immediate prior fiscal years. By default their previous audit consultant, Messner & Hadley LLP was not invited to participate in the audit review.

Attached is the staff report from MWA summarizing the findings of their selection process which resulting in the hiring of Mayer Hoffman McCann PC (MHM). Subsequent to the MWA selection process BDVWA staff contacted MHM and negotiated a service proposal tailored to the Agency audit needs. The intent is to engage MHM for a minimum period of three years with the initial first year engagement cost of \$28,000. The remaining fiscal years ending June 30, 2010 and 2011 would be \$28,700 and \$29,418 respectfully with an option to extend the engagement for up to two additional years at a nominal fee increase of 2.5% per year. Staff is sensitive to the cost increases to the Agency budget from approximately \$10,000 to nearly \$30,000 but the attached table from the May 25, 2004 Board meeting shows that Messner & Hadley LLP underbid the project by 50%. Furthermore, the Agency has always lacked internal experience to control both structural and oversight activities which could be contributing to the trends in financial fluctuations identified through the annual audit process through the years. An auditor who will place emphasis on assisting the agency to identify opportunities to improve financial practice mechanics and advise in the best ways to document them and assist in communicating to the layperson for understanding is favored over those that do not. Mr. Al-Imam, CPA, is committed to assisting Bighorn Desert View Water Agency to plan, train, identify, assist and execute accounting and financial management recordkeeping practices and develop reporting opportunities, communicate them to staff, and verify they are executed. These efforts are intended to benefit the Agency long term.

Mr. Al-Imam will be available via phone conference to address any questions the Board may wish to present in considering the engagement of Mayer Hoffman McCann PC for a minimum three year period commencing immediately with FY2008/09 audit services.

PRIOR RELEVANT BOARD ACTION(S)

3/24/2009 Presentation by Messner & Hadley, LLP on the June 30, 2008 Audit Report for the Bighorn-Desert View Water Agency.

9/30/2008 Authorize staff to sign (annual) agreement with Messner & Hadley, LLP for audit of net assets as of June 30, 2008 and 2007.

11/19/2007 Presentation by Messner & Hadley, LLP on the June 30, 2007 Audit Report for the Bighorn-Desert View Water Agency.

1/23/2007 Motion to accept the renewal (Messner & Hadley LLP for audit services) at \$9,345 per year (three year term with annual review implied).

9/26/2006 Presentation by Messner & Hadley, LLP on the June 30, 2006 Audit Report for the Bighorn-Desert View Water Agency.

10/25/2005 Presentation by Messner & Hadley, LLP on the June 30, 2005 Audit Report for the Bighorn-Desert View Water Agency.

10/26/2004 Presentation by Messner & Hadley, LLP, on the June 30, 2004 Audit Report for the Bighorn-Desert View Water Agency.

5/25/2004 Motion to accept proposal of Messner & Hadley, LLP for FY2003/04 audit services in the amount of \$8,900.

2/24/2004 Motion to solicit proposals to auditing firms for annual auditing services beginning 2003/04.

12/23/2003 Motion to accept the Audit for the period 6/30/2003 presented by Rogers, Anderson, Malody & Scott.

Auditing Firm Comparisons
Fiscal Year 2003/04

Auditing Firm	Total Hours Bid	Senior Partner Rate	Total Bid Price	Office Locations	Years Experience
Diehl, Evans & Company, L.L.P.	259	\$ 150	\$23,210	Irvine	15
Conrad & Associates, L.L.P.	235	\$ 150	\$19,975	Irvine	20
Rogers, Anderson, Malody & Scott, L.L.P.	167	\$ 180	\$17,000	San Berdo	20
Charles Z. Fedak & Co., C.P.A.s	196	\$ 125	\$20,000	Cypress	25
Messner & Hadley, L.L.P.*	85	\$ 140	\$8,900	Victorville	11

*New auditing firm for Mojave Water Agency. Audit was contracted for \$12,000.

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Approved Reg. BoD May 25, 2004

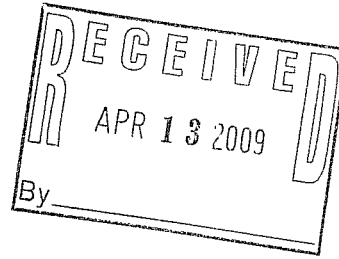
T:\Summary of Audit Proposals



Mayer Hoffman McCann P.C.

An Independent CPA Firm

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April 7, 2009

Marina D. West, PG
General Manager
Bighorn-Desert View Water Agency
622 S. Jemez Trail
Yucca Valley, California 92284

Dear Ms. West:

This letter sets forth the nature, terms, and objectives of our proposed engagement to audit the financial statements of the Bighorn-Desert View Water Agency ("the Organization" or "the Agency" below) for the years ended June 30, 2009, 2010, and 2011, with the option to audit the two subsequent fiscal years (at the sole discretion of the Agency).

MAYER HOFFMAN MCCANN P.C. is one of the largest firms in Southern California whose audit practice is predominantly focused on auditing local governments. We currently serve as the independent auditors for over 45 cities in the five-county area of Southern California, and several large water and sewer agencies (including the Orange County Sanitation District, Inland Empire Utilities Agency, Coachella Valley Water District, Moulten Niguel Water District, South Coast Water District, Cucamonga Valley Water District, Chino Basin Watermaster, Santa Margarita Water District, Elsinore Valley Municipal Water District, San Bernardino Municipal Water Department, Vista Irrigation District, Eastern Municipal Water District, South County Regional Wastewater Authority, West Basin Municipal Water District and the Big Bear Area Regional Wastewater Authority). Ken Al-Imam is a member of CCMA (California Committee on Municipal Accounting) and has authored a number of CCMA white papers, including recent white papers on GASB No. 34 (the new financial reporting model), GASB No. 40 (investment disclosures), and GASB No. 44 (the new statistical section). Because of our leadership role in serving local governments, Mr. Al-Imam has been appointed by GASB to serve on a select nationwide committee to assist GASB in the annual update of its Comprehensive Implementation Guide.

We will provide the financial statements of the Agency, with our independent auditors' report thereon. The financial statements will include all of the disclosures required by generally accepted accounting principles for local governmental units. We will also report to the Agency any material weaknesses in internal control or other reportable conditions that are revealed by our audit. The auditors will prepare the state controller's report for the Agency.

We will perform our audit for a fee of \$ 28,000, \$28,700, and \$29,418 for the fiscal years ending June 30, 2009, 2010, and 2011, respectively, with an option to extend the engagement for up to two additional years (years ending June 30, 2012 and 2013) at a nominal fee increase of 2.5% per year. Our client service model includes unlimited telephone consultations at no extra charge. We believe that we would be a good fit to meet your Agency's needs.

Our fees contemplate no substantive changes in the nature, scope, and extent of the audit work to be performed, including changes necessitated by audit and regulatory requirements. The Agency will provide at the start of the audit trial balances reflecting all necessary year-end adjustments, reconciliations, schedules supporting asset and liability balances, and provide assistance in the pulling of documents and the typing of confirmation requests. Should

assistance be required for our firm to prepare year end journal entries or resolve reconciliation issues, we would perform the same at the hourly rates indicated herein.

Should the Agency require additional services, including the preparation of year end adjustments, beyond the scope of the normal annual audit, we will bill you for such additional services at the following rates:

Classification

Shareholder	\$195
Manager	155
Senior Associate	115
Associate	110

The objective of our audit is the expression of an opinion about whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit will be conducted in accordance with U.S. generally accepted auditing standards and will include tests of your accounting records and other procedures we consider necessary to enable us to express such an opinion. If our opinion is other than unqualified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts. We will also request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. Also, we will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the Organization or to acts by management or employees acting on behalf of the Organization.

Because an audit is designed to provide reasonable, but not absolute, assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform you of any material errors that come to our attention, and we will inform you of any fraudulent financial reporting or misappropriation of assets that comes to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility, as auditors, is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors. We are not responsible for interim period reports.

Our audit will include obtaining an understanding of internal control sufficient to plan the audit and to determine the nature, timing, and extent of audit procedures to be performed. An audit is not designed to provide assurance on internal control or to identify control

deficiencies, that is, significant deficiencies or material weaknesses in the design or operation of internal control. However, during the audit, if we become aware of such control deficiencies, we will communicate them to you.

You are responsible for management decisions and functions, and for designating a competent employee to oversee any bookkeeping services, tax services, or other services we provide. You are responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services. You are responsible for establishing and maintaining internal controls, including monitoring ongoing activities.

You are responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, but the responsibility for the financial statements remains with you. As part of our engagement we may propose standard, adjusting, or correcting journal entries to your financial statements. You are responsible for reviewing the entries and understanding the nature of any proposed entries and the impact they have on the financial statements. Further, you are responsible for designating a competent management-level employee to be responsible and accountable for overseeing these services. This responsibility includes the establishment and maintenance of adequate records and effective internal controls over financial reporting, the selection and application of accounting principles, and the safeguarding of assets. You are responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the Organization involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements. You are also responsible for informing us of your knowledge of any allegations of fraud or suspected fraud affecting the Organization received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring the Organization complies with applicable laws and regulations.

During the course of our engagement, we will request information and explanations from management regarding the Organization's operations, internal controls, future plans, specific transactions, and accounting systems and procedures. At the conclusion of our engagement, we will require, as a precondition to the issuance of our report, that management provide certain representations in a written representation letter. The procedures we will perform in our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the written and oral representations that we receive from management. In view of the foregoing, the Organization agrees to release our firm and its personnel from any liability and costs relating to our services under this letter resulting from false or misleading representations made to us by any member of the Organization's management.

As a result of our prior or future services to you, we might be requested to provide information or documents to you or a third party in a legal, administrative, or arbitration or similar proceeding in which we are not a party. If this occurs, our efforts in complying with such requests will be deemed billable to you as a separate engagement. We shall be entitled to compensation for our time and reasonable reimbursement for our expenses (including legal fees) in complying with the request. For all requests, we will observe the confidentiality requirements of our profession and will notify you promptly of the request.

We understand that your employees will prepare all confirmations and schedules we request and will locate any documents selected by us for testing.

Our relationship is strictly confidential. For that reason, it is our policy that we will not release any information to a third party either from our files or from material temporarily in our care without first obtaining consent from your office. It is agreed that we will provide CBIZ Accounting, Tax & Advisory Services, LLC access to your accounting, financial and other records we maintain so CBIZ Accounting, Tax & Advisory Services, LLC can provide you with tax, advisory and/or consulting services you have engaged them to perform.

Our fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee as appropriate.

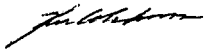
This letter and the attached Terms and Conditions set forth the rights and responsibilities of the parties with respect to the Services. The attachment is an integral part of this agreement.

We appreciate the opportunity to be of service to you. If you are in agreement with the nature, terms, and objectives of our audit engagement, please sign a copy of this letter where indicated and return it to our office.

We appreciate the opportunity to be of service to you. If you are in agreement with the nature, terms, and objectives of our audit engagement, please sign a copy of this letter where indicated and return it to our office.

Sincerely,

MAYER HOFFMAN MCCANN P.C.



Ken Al-Imam, C.P.A.
Shareholder

* * * * *

ACCEPTED:

Member of Management:

Signature: _____

Title: _____

Date: _____

Member of Board of Directors:

Signature: _____

Title: _____

Date: _____

Mayer Hoffman McCann P.C.
Engagement Letter
Terms and Conditions

These Terms and Conditions and the engagement letter (and any attachments) (the "Engagement Letter"), and any subsequent amendments or addenda thereto, to which these Terms and Conditions are attached (collectively, the "Agreement") constitute the entire agreement between Client and Mayer Hoffman McCann P.C. ("MHM"), regarding the services described in the Engagement Letter. Capitalized terms not otherwise defined herein, shall have the meaning ascribed to them in the Engagement Letter.

Services

Services. MHM will provide the Services described in the Engagement Letter, and will use all reasonable efforts to perform the Services in accordance with any agreed upon timeframe. MHM has every expectation that this engagement will be conducted by the MHM professionals designated for this engagement. If for any reason any of those individuals are not able to complete this engagement, professionals with similar qualifications and experience will do so. Where any changes are necessary, MHM will give Client reasonable notice of the changes.

Changes to Services. Either party may request changes to the Services as set out in the Engagement Letter. Changes must be requested in writing with sufficient detail to enable the other party to assess the impact of the requested change on the cost, timing or any other aspect of the Services. Both parties agree to consider and, if appropriate, agree to any changes. Any changes must be in writing and signed by both parties. Until a change is agreed to in writing, the latest agreed upon terms will apply.

Acceptance. The passage of ten working days without notice of non-acceptance by Client, or use by Client of the project deliverables or outputs (each a "Deliverable"), will constitute acceptance by Client of the Deliverable. If a Deliverable is not accepted, the Client's notice must specify in reasonable detail the reasons that the Deliverable fails to meet the requirements described in this Agreement in all material respects. Upon receipt of such notice and confirmation by MHM of the Deliverable's non-conformance with the requirements of this Agreement, MHM will use commercially reasonable efforts to correct the Deliverable and upon such correction will re-submit the Deliverable to Client for review. Acceptance by Client will not be unreasonably withheld.

Ownership. Client shall own the copyright in all written material originated and prepared for and delivered to the Client under this Agreement. However, MHM working papers and MHM Confidential Information (as defined below) belong exclusively to MHM. The ideas, concepts, know-how, techniques, inventions, discoveries and improvements developed during the course of this Agreement by MHM personnel, alone or in conjunction with Client personnel, may be used by MHM in any way it deems appropriate, including without limitation by or for its clients or customers, without an obligation to account, notwithstanding any provision in this Agreement to the contrary. MHM is in the business of providing attestation services for a wide variety of clients and the Client understands that MHM will continue these activities. Accordingly, nothing in this Agreement shall preclude or limit MHM from providing consulting services and/or developing software or materials for itself or other clients, irrespective of the possible similarity of materials, which might be delivered to the Client.

Confidentiality. MHM agrees that all financial, statistical, marketing and personnel data relating to the Client's business, and other information identified as confidential by the Client, are confidential information of the Client ("Client Confidential Information"). The Client agrees that MHM proprietary software, tools and other methodologies and any other information identified as confidential by MHM, are confidential information of MHM ("MHM Confidential Information"). Client Confidential Information and MHM Confidential Information are collectively referred to as "Confidential Information." Each party shall use Confidential Information of the other party which is disclosed to it only for the purposes of this Agreement and shall not disclose such Confidential Information to any third party without the other party's prior written consent, other than to MHM subcontractors hired in connection with this engagement, if any, and to each other's employees on a need-to-know basis in connection with this engagement. Each party agrees to take measures to protect the confidentiality of the other party's Confidential Information that, in the aggregate, are no less protective than those measures it uses to protect the confidentiality of its own Confidential Information, but at a minimum, each party shall take reasonable steps to advise their employees (and, in the case of MHM, its subcontractors, if any) of the confidential nature of the Confidential Information and of the prohibitions on copying or revealing such Confidential Information contained herein. MHM and the Client each agree to require that the other party's Confidential Information be kept in a reasonably secure location.

Notwithstanding anything to the contrary contained in this Agreement, Client may convey MHM's comments and thoughts to Client's outside counsel and investment bankers provided Client accurately describes the terms, including the limitations, of MHM's engagement. Furthermore, neither party shall be obligated to treat as confidential, or otherwise be subject to the restrictions on use, disclosure or treatment contained in this Agreement for, any information disclosed by the other party (the "Disclosing Party") which: (1) is rightfully known to the recipient prior to its disclosure by the Disclosing Party; (2) is released by the Disclosing Party to any other person, firm or entity (including governmental agencies or bureaus) without restriction; (3) is independently developed by the recipient without any reliance on Confidential Information; or (4) is or later becomes publicly available without violation of this Agreement or may be lawfully obtained by a party from any nonparty. Neither party will be liable to the other for inadvertent or accidental disclosure of Confidential Information if the disclosure occurs notwithstanding the party's exercise of the same level of protection and care that such party customarily uses in safeguarding its own confidential information. Notwithstanding the foregoing, either party will be entitled to disclose Confidential Information of the other to a third party to the extent that this is required by valid legal or regulatory process, provided that (and without breaching any legal or regulatory requirement) the party to which the request is made provides the Disclosing Party with prompt written notice and allows the Disclosing Party to seek a restraining order or other appropriate relief.

We may be requested to make certain workpapers available to certain regulatory agencies pursuant to authority given to it by law or regulation. If requested, access to such workpapers will be provided under the supervision of MHM's personnel. Furthermore, upon request, we may provide photocopies of selected workpapers to certain regulatory agencies. Certain regulatory agencies may intend, or decide, to distribute the photocopies or information contained therein to others, including other government agencies.

Client Responsibilities

Client agrees to provide reasonable workspace, administrative support, computer facilities and other support, which are necessary to perform the Services; including providing high-speed Internet access to our engagement team, if practicable, while working at the Client premises. Client agrees to perform in a timely fashion those tasks and provide the personnel agreed to by

the parties. Client personnel assigned to work on matters related to this engagement will be qualified for the tasks for which they are assigned. MHM's performance is dependent on Client carrying out its responsibilities as set out in this Agreement. Client's failure to satisfy its responsibilities under this Agreement may lead to an increase in our fees, depending upon the extent to which we have to perform more work ourselves or reschedule our commitments to deliver the Services, or our inability to provide the Services. Should Client fail to perform any of its obligations under this Agreement, MHM shall not be responsible for any delay or other consequences due to such failure.

Fees and Payment

Client shall pay MHM the fees set forth in the Engagement Letter. All charges are exclusive of expenses, unless the Engagement Letter states otherwise. Client agrees to pay MHM reasonable approved travel, subsistence and out-of-pocket expenses (e.g. photocopying, printing, phone, fax and courier, etc) incurred in connection with the Services. Any special expense arrangements will be agreed and set out in the Engagement Letter. Client shall also be responsible for paying any taxes (such as applicable sales taxes, duties or goods and services taxes) for which it is legally liable arising from this Agreement at the rate in force at the date the liability arises. Our invoices will be issued as set out in the Engagement Letter. All invoices will be due upon receipt. MHM reserves the right to charge a commercial rate of interest on accounts that are overdue by more than one month. Services rendered after the expiration of the term of the engagement or in addition to the scope contemplated herein and in the Engagement Letter, such as meetings, planning, etc., will be billed separately at our hourly rates.

Term and Termination

Term of Agreement. This Agreement will apply from the commencement date stated in the Engagement Letter, if any, or where no commencement date is specified, from the date of signature by both parties. If MHM commenced the performance of the Services prior to the execution of this Agreement, this Agreement shall nonetheless cover the performance of such Services. This Agreement will continue until the services and deliverables have been provided unless it is terminated earlier in accordance with the terms set out elsewhere herein. MHM shall be under no duty to update or revise its opinion or report, once issued, unless expressly engaged to do so by the Client, and MHM shall be under no duty to accept any such engagement. If we accept such an engagement, we will be required to perform certain procedures required by generally accepted auditing standards. The following sections of this Agreement will survive completion of the Services or its earlier termination: Confidentiality, Ownership, and such other provisions of this Agreement which by their nature are intended to survive.

Termination. Either party may terminate this Agreement upon written notice to the other party irrespective of whether MHM has issued its opinion or report. Client will be responsible for fees and expenses incurred through the date termination notice is received. Where Client terminates this Agreement, Client will pay MHM for additional costs necessarily incurred as a result of early termination of the Services.

General

This Agreement forms the entire agreement between the parties relating to the Services, and replaces and supersedes any previous proposals, correspondence, understandings or other communications whether written or oral. Neither party shall be liable to the other for any delay or failure to perform any of the Services or obligations set forth in this Agreement due to causes beyond its reasonable control. If any provision of this Agreement is determined to be invalid

under any applicable statute or rule of law, it is to that extent to be deemed omitted, and the balance of the Agreement shall remain enforceable. The section headings used herein are for reference and convenience only and shall not enter into the interpretation hereof.

MHM, in furnishing services to the Client, is an independent contractor. MHM does not undertake to perform any regulatory or contractual obligation of the Client or to assume any responsibility for the Client's business or operations. No delay or omission by either party in exercising any right or power shall impair such right or power or be construed to be a waiver. A waiver by either party of any of the covenants to be performed by the other or any breach thereof shall not be construed to be a waiver of any succeeding breach or of any other covenant. No waiver or discharge shall be valid unless in writing and signed by an authorized representative of the party against whom such waiver or discharge is sought to be enforced. It is common practice for professional service firms such as ours, in discussions with prospective clients, to make reference to prior work, and we would like to have the opportunity to do so with respect to this assignment. Unless Client informs MHM to the contrary, on completion of this assignment we understand that we will be entitled to make reference to having undertaken it, including a brief description of its objectives, in MHM newsletters and publications and discussions with third parties regarding work opportunities.

Leased personnel

In performing our engagement we will lease professional and administrative staff, both of which are employed by CBIZ MHM, LLC or its related entities. These individuals will be under the direct control and supervision of MHM, which is solely responsible for the professional performance of our engagement. Additionally, the professional staff is subject to the standards governing the accounting profession, including the requirement to maintain the confidentiality of client information and MHM and CBIZ MHM, LLC and its related entities have contractual agreements requiring confidential treatment of all client information.

Employment offers to our personnel

Professional standards require us to be independent with respect to the Company in the performance of our services. Any discussions that the Company has with personnel of our Firm regarding potential employment with the Company could impair our independence with respect to this engagement. Therefore, we request that you inform us prior to any such discussions so that we can implement appropriate safeguards to maintain our independence and objectivity.

Employment offers to any staff member working on your engagement without our prior knowledge may require substantial additional procedures to ensure the independence and objectivity of our engagement. Any additional costs incurred due to these procedures will be fully billable in addition to our fee.

Property

The workpapers and files for this engagement are the property of MHM and constitute confidential information. However, ownership of workpapers representing original company records shall rest with you.

Electronic Communication

In the interest of facilitating our services to you, we may communicate by facsimile transmission or by sending electronic mail over the Internet. Such communications may include information that is confidential to you. Our firm employs measures in the use of facsimile machines and computer technology designed to maintain data security. While we will use our best efforts to keep such communications secure in accordance with our obligations under applicable laws and

professional standards, we have no control over the unauthorized interception of these communications once they have been sent.

Electronic Dissemination of Financial Statements

With regard to the electronic dissemination of financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Dispute Resolution

If any dispute, controversy or claim arises in connection with the performance or breach of this agreement, either party may, upon written notice to the other party, request that the matter be mediated. Such mediation will be conducted by a mediator appointed by and pursuant to the Rules of the American Arbitration Association or such other neutral facilitator acceptable to both parties. Both parties will exert their best efforts to discuss with each other in good faith their respective positions in an attempt to finally resolve such dispute or controversy.

Each party may disclose any facts to the other party or to the mediator which it, in good faith, considers necessary to resolve the matter. All such discussions, however, will be for the purpose of assisting in settlement efforts and will not be admissible in any subsequent litigation against the disclosing party. Except as agreed by both parties, the mediator will keep confidential all information disclosed during negotiations. The mediator may not act as a witness for either party in any subsequent arbitration between the parties.

The mediation proceedings will conclude within sixty days from receipt of the written notice unless extended or terminated sooner by mutual consent. Each party will be responsible for its own expenses. The fees and expenses of the mediator, if any, will be borne equally by the parties.

In the unlikely event that differences arise between the parties related to or arising from this Agreement that are not resolved by mutual agreement, to facilitate a judicial resolution and save time and expense of both parties, Client and MHM agree not to demand a trial by jury in any action, proceeding or counterclaim.

Mojave Water Agency

DATE: March 26, 2009

TO: Board of Directors

FROM: Kirby Brill, General Manager

BY: Kathy Cortner, Chief Financial Officer

SUBJECT: CONSIDER AWARDING MAYER HOFFMAN MCCANN P.C. A PROFESSIONAL SERVICES AGREEMENT FOR AUDITING SERVICES FOR A FIVE-YEAR TERM

RECOMMENDATION

Staff recommends that the Board of Directors award a professional services agreement to Mayer Hoffman McCann P.C. for auditing services for a five-year term.

PREVIOUS CONSIDERATION BY COMMITTEE/BOARD OF DIRECTORS

- Personnel, Finance and Security Committee Meeting – December 16, 2008: The Committee recommended that staff bring to the Board for consideration authorization to proceed with a Request for Proposal for auditing services and a change to the Board Policy to rotate auditors every five years.
- Board of Directors Meeting – January 8, 2009: The Board of Directors approved the Policy change to rotate auditors every five years and authorized staff to solicit proposals for auditing services.
- Personnel, Finance and Security Committee Meeting – March 17, 2009: the Committee recommended that staff bring to the Board to consider authorizing a professional services agreement to Mayer Hoffman McCann P.C. for auditing services for a five-year term.

BACKGROUND

In 1996 and 2002, the Government Finance Officers Association (GFOA) adopted a "Recommended Practice" for the procurement of auditing services. The Recommended Practice includes:

- *Governmental entities should enter into multiyear agreements of at least five years in duration when obtaining the services of independent auditors. Such multiyear agreements can take a variety of different forms (e.g., a series of single-year contracts), consistent with applicable legal requirements. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Multiyear agreements can also help to reduce audit costs by allowing auditors to recover certain "startup" costs over several years, rather than over a single year.*
- *Governmental entities should undertake a full-scale competitive process for the selection of independent auditors at the end of the term of each audit contract,*

consistent with applicable legal requirements. Ideally, auditor independence would be enhanced by a policy requiring that the independent auditor be replaced at the end of the audit contract, as is often the case in the private sector.

In 2004, the Mojave Water Agency contracted with the audit firm of Messner and Hadley to audit the fiscal year 2003/2004 financials. Messner and Hadley have continued with the audit engagement through the most recent fiscal year 2007/2008, its fifth year of auditing services.

On January 8, 2009, the Board of Directors approved modifying the Board Policy to rotate auditors every five years and authorized staff to solicit for proposals for auditing services for a term of five years.

Staff solicited proposals from the following firms:

- Caporicci & Larson, Irvine, Ca.
- Diehl Evans & Co., Irvine, Ca.
- Mayer Hoffman McCann, Irvine, Ca.
- Mark Poindexter, CPA, Ventura, Ca.
- Miers & Miers, Victorville, Ca.
- McGladrey & Pullen, Riverside, Ca.
- Vavrinek Trine Day & Co., Rancho Cucamonga, Ca.
- Conrad Giedt, Newport Beach, Ca.
- Vasquez & Co., Los Angeles, Ca.
- Jennifer Starbuck, Apple Valley, Ca.
- Charles Z. Fedak, Cypress, Ca.

ANALYSIS

Five proposals were received. A breakdown of the firms, the cost of the audit, hours and average cost per hour are as follows:

<u>Company</u>	<u>Cost</u>	<u>Hours</u>	<u>Avg. Hrly Rate</u>
Diehl Evans & Co.	\$28,900	264	\$109
Caporicci & Larson	\$36,000	325	\$111
Mayer Hoffman McCann	\$36,653	300	\$122
Charles Z. Fedak	\$36,200	244	\$148
McGladrey & Pullen	\$84,450	615	\$137

Finance staff reviewed the proposals utilizing the following criteria, as specified in the Request for Proposal:

- a. The audit firm is independent and licensed to practice in California.
- b. The firm has no conflict of interest with regard to any of the work performed by the firm for the Mojave Water Agency (Agency).

- c. The firm adheres to the instructions in the request for proposals on preparing and submitting the proposal.
- d. The firm submits a copy of its last external quality control review report and the firm has a record of quality audit work.
- e. The firm's past experience and performance on comparable water district engagements.
- f. The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation.
- g. Adequacy of proposed staffing plan for various segments of the engagement.
- h. Thoroughness of approach to conducting the audit of the Agency and demonstration of the understanding of the objectives and scope of the audit.
- i. Commitment to timeliness in the conduct of the audit.
- j. Maximum fees to conduct the audit.
- k. Adequacy of sampling techniques.
- l. Adequacy of analytical procedures.

Weight was given to e. through h. above, since it is these qualities that become important in the quality of the final product and ongoing support for the Board of Directors and for staff. After careful review and consideration of the firms, the firm that staff recommends as having the highest level of quality staff assigned to the Agency audit as well as experience with water agencies similar to the Mojave Water Agency is Mayer Hoffman McCann. Mayer Hoffman McCann performs the audit for the Chino Basin Watermaster, as well as many water agencies and cities. The partner assigned to this audit, Ken Al-Imam, is very active in the government sector committees and professional organizations. Mr. Al-Imam has 27 years of local government experience and is the past Chairman of the state-wide "Governmental Accounting and Auditing Committee" for the California Society of Certified Public Accountants and served from 1996-2001 as Chairman of the Governmental Accounting and Auditing Committee for the Long Beach-Orange County Chapter of the California Society of CPA's. He is also an active member and past president of California Committee on Municipal Accounting and has made presentations in public hearings before the Governmental Accounting Standards Board (GASB). The Engagement Manager assigned to Mojave Water Agency has over 10 years experience.

FISCAL IMPACT

The five year contract for Mayer Hoffman McCann is attached as "Attachment A".

Action

Staff recommends that the Board of Directors award a professional services agreement to Mayer Hoffman McCann P.C. for auditing services for a five-year term.

Board Action: _____

Conditions: _____

Date: _____

General Manager: _____

MOJAVE WATER AGENCY
REQUEST FOR PROPOSALS
For
PROFESSIONAL AUDITING SERVICES



Kathy Cortner
Chief Financial Officer
Mojave Water Agency
22450 Headquarters Drive
Apple Valley, CA 92307

MOJAVE WATER AGENCY
REQUEST FOR PROPOSALS
PROFESSIONAL AUDITING SERVICES

TABLE OF CONTENTS

I. INTRODUCTION	1
A. General Information.....	1
B. Term of Engagement.....	2
II. NATURE OF SERVICES REQUIRED	2
A. Scope of Work to be Performed.....	2
B. Auditing Standards to be Followed	3
C. Working Paper Retention	3
D. Irregularities and Illegal Acts.....	3
E. Reports to be Issued.....	4
III. DESCRIPTION OF THE GOVERNMENT	4
A. Agency Overview	4
B. Component Units.....	5
C. Magnitude of Finance Operations	5
D. Computer Systems	5
E. Availability of Prior Reports and Work Papers.....	6
IV. TIME REQUIREMENTS	6
A. Proposal Calendar	6
B. Date Audit May Commence.....	6
C. Date Reports Are Due	6
V. ASSISTANCE TO BE PROVIDED TO THE AUDITOR AND REPORT PREPARATION.....	7
A. Finance Department and Clerical Assistance.....	7
B. Work Area, Telephone, and Office Equipment.....	7
C. Report Preparation.....	7
VI. PROPOSAL REQUIREMENTS	7
A. General Requirements.....	7
B. Format for Technical Proposal	8
C. Contents of Technical Proposal.....	8
D. Contents of Cost proposal.....	11

MOJAVE WATER AGENCY
TABLE OF CONTENTS (Continued)

VII. EVALUATION PROCEDURES 11

 A. Review of Proposals..... 11

 B. Evaluation Criteria 11

ATTACHMENT A

 Audit Work Cost Proposal Form..... 13

ATTACHMENT B

 Estimate of Cost 14

**MOJAVE WATER AGENCY
REQUEST FOR PROPOSALS
PROFESSIONAL AUDITING SERVICES**

I. INTRODUCTION

A. General Information

The Mojave Water Agency is requesting proposals from qualified certified public accountant firms to audit its financial statements for the three fiscal years beginning with the fiscal year ending June 30, 2009, with the option of auditing its financial statements for each of the two (2) subsequent fiscal years, in addition to performing other financial audits and reviews as specified below. These audits are to be performed in accordance with auditing standards generally accepted in the United States of America, the standards set forth for financial audits contained in *Government Auditing Standards (1994)* issued by the Comptroller General of the United States, and the U.S. Office of Management and Budget (OMB) Circular A-133 *Audits of State and Local Governments and Non-Profit Organizations*.

There is no expressed or implied obligation for the Mojave Water Agency to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. Materials submitted by respondents are subject to public inspection under the California Public Records Act (Government Code Sec. 6250 et seq.), unless exempt.

To be considered, five (5) copies of a proposal must be received by Kathy Cortner, Chief Financial Officer at 22450 Headquarter Drive, Apple Valley, CA 92307 by 5:30 P.M. on Monday, February 9, 2009. The Agency reserves the right to reject any or all proposals submitted.

During the evaluation process, the Mojave Water Agency reserves the right, where it may serve the Agency's best interest, to request additional information or clarification from proposers, or to allow corrections of errors or omissions. At the discretion of the Mojave Water Agency, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

The Agency reserves the right to retain all proposals submitted and to use any idea(s) in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in the request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Mojave Water Agency and the firm selected.

It is anticipated the selection of a firm will be completed by February 27, 2009. Following the notification of the selected firm, a recommendation and proposed contract will be prepared for review and approval by the Agency's Board of Directors at its March 12, 2009 meeting. The Agency reserves the right to reject any or all proposals, to waive any non-material irregularities or information in any proposal, and to accept or reject any items or combination of items.

B. Term of Engagement

It is the intent of The Agency to contract for the services presented herein for a term of five (5) years. The Mojave Water Agency reserves the right to terminate contract for services upon unsatisfactory work.

The proposal package shall present all inclusive audit fees for each year of the contract term.

II. NATURE OF SERVICES REQUIRED

A. Scope of the Work to be Performed

The Mojave Water Agency desires a Comprehensive Annual Financial Report (CAFR) and its component unit financial statements for the Mojave Water Agency and financial statements for the Mojave Basin Area Watermaster to be prepared by the independent auditor and be fully compliant for GASB 34 for the fiscal year ended June 30, 2009 and each of the subsequent years of the audit firm's contract with The Agency. The Agency will be planning to submit the CAFR to the California Society of Municipal Finance Officers (CSMFO) for review in their Certificate of Award for Outstanding Financial Reporting program OR to the Government Finance Officers Association (GFOA) for review in their Certificate of Achievement for Excellence in Financial Reporting program.

The selected independent auditor will be required to perform the following tasks.

1. The audit firm will perform an audit of all funds of the Mojave Water Agency. The audit will be conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller of the United States. The Agency's Comprehensive Annual Financial Report (CAFR) will be prepared and word processed by the audit firm. The CAFR will be in full compliance with GASB 34. The audit firm will render their auditors' report on the basic financial statements which will include both Government-Wide Financial Statements and Fund Financial Statements. The audit firm will also apply limited audit procedures to Management's Discussion and Analysis (MD&A) and required supplementary information pertaining to the General Fund and each major fund of The Agency.

The audit firm will conduct a financial and compliance audit of the Mojave Basin Area Watermaster. The compliance audit shall include the provisions of laws and regulations identified by the State Controller. The auditors shall prepare GASB 34 compliant component unit financial statements for each year of the engagement.

2. The audit firm will perform a single audit on the expenditures of federal grants, as needed, in accordance with OMB Circular A-133 and render the appropriate audit reports on Internal Control over Financial Reporting based upon the audit of the Agency's financial statements in accordance with *Government Auditing Standards* and the appropriate reports on compliance with Requirements Applicable to each Major Program, Internal Control over Compliance and on the Schedule of Expenditures of Federal Awards in Accordance with OMB Circular A-133. The single audit report will include appropriate schedule of expenditures of federal awards, footnotes, findings and questioned costs, including reportable conditions and material weaknesses, and follow up on prior audit findings where required.

3. The audit firm shall perform agreed-upon auditing procedures pertaining to the Agency's GANN Limit (Appropriations Limit) and render a letter annually to the Agency regarding compliance.
4. The audit firm shall issue a separate "management letter" that includes recommendations for improvements in internal control, accounting procedures and other significant observations that are considered to be non-reportable conditions. Management letters shall be addressed to the Agency's General Manager.
5. The audit firm shall prepare the Annual State Controller's Reports for the Mojave Water Agency.

B. Auditing Standards to be Followed

To meet the requirements of this Request for Proposals, the audit shall be performed in accordance with:

1. Generally accepted auditing standards (GAAS) as set forth by the American Institute of Certified Public Accounts;
2. The standards applicable to financial audits contained in *Government Auditing Standards* (1994 Revision), issued by the Comptroller General of the United States;
3. The provisions of the Single Audit Act of 1984, as amended in 1996; and
4. The provisions of U. S. Office of Management and Budget (OMB) Circular A-133, *Audits of State and Local Governments and Non-Profit Organizations*, Audits of State and Local Governments.
5. Minimum audit requirements and reporting guide lines for Special Districts pursuant to California Code of Regulations, State Controller, Subchapter 5, 1131.2 "Minimum Audit Requirements and Reporting Guidelines for Special Districts".

C. Working Paper Retention

All working papers and reports must be retained at the auditor's expense for a minimum of seven (7) years, unless the firm is notified in writing by the Mojave Water Agency of the need to extend the retention period. The auditor will be required to make working papers available to the Mojave Water Agency or any government agencies included in the audit of federal grants. In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance.

D. Irregularities and Illegal Acts

Auditors shall be required to make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the following parties: General Manager; Agency Attorney; and the Chief Financial Officer.

E. Reports to be Issued

Following the completion of the audit of the fiscal year's financial statements, the auditor shall issue:

1. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles, including an opinion on the fair presentation of the supplementary schedule of expenditures of federal awards in relation to the audited financial statements.
2. A report on compliance and internal control over financial reporting based on an audit of the financial statements.
3. A report on compliance and internal control over compliance applicable to each major federal program.
4. Special District's Financial Transaction Report to the State Controller.

In the required reports on compliance and internal controls, the auditor shall communicate any reportable conditions found during the audit. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which could adversely affect the organization's ability to record, process, summarize and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report.

Nonreportable conditions discovered by the auditors shall be reported in a separate letter to the management (the "Management Letter") which shall be referred to in the reports on compliance and internal controls.

III. DESCRIPTION OF THE GOVERNMENT

A. Agency Overview

The Mojave Water Agency is a public agency that is one of twenty nine State Water Project contracting agencies and is governed by a seven (7) member elected Board of Directors. It is located in the high desert of San Bernardino County and serves nearly 5,000 square miles of the Mojave Desert. Day to day management of the MWA is delegated to the General Manager who reports directly to the Board of Directors.

The California State Legislature authorized the formation of the Mojave Water Agency (MWA) in 1959 for the purpose of managing declining groundwater levels in the Mojave Basin Area, El Mirage Basin and Lucerne Basin. The Legislature's act required the vote of the residents within the boundaries of the proposed agency, which would finalize the creation of the agency. With the vote of the people, MWA was formed on July 21, 1960. MWA was expanded by annexation in 1965 to include Johnson Valley and Morongo Basin areas.

Triggered by the rapid growth within the Mojave Water Agency service area, particularly in the Victor Valley area, the City of Barstow and the Southern California Water Company filed a complaint in 1960 against upstream water users claiming that the increased withdrawals and lowering of groundwater levels reduced the amount of natural water available to downstream users. Through an adjudication

process, the resulting judgment appointed the Mojave Water Agency the court appointed Watermaster for the Mojave Basin.

B. Component Units

The Agency is defined, for financial reporting purposes, in conformity with the Governmental Accounting Standards Board's *Codification Governmental Accounting and Financial Reporting Standards*, Section 2100. Using these criteria, component units are included in the Agency's financial statements.

The management of the Agency identified the following component unit (with fiscal year ending June 30) for inclusion in the Agency's financial statements:

Mojave Basin Area Watermaster

This component unit is to be audited as part of the audit of the Agency's financial statements. The contact person and record location is the same as the primary unit. A separate audit report is required for filing with the courts.

C. Magnitude of Finance Operations

The Finance Department is headed by Kathy Cortner, Chief Financial Officer and consists of 4 employees. The principal functions performed and the number of employees assigned to each are as follows:

<u>Function</u>	<u>Number of Employees</u>
Accounting/Payroll	1
Financial Analyst	1
Controller	1
Personnel/Risk Management	1

D. Computer Systems

The Agency's computerized systems are run on a Local Area Network (LAN). The accounting functions are computerized using Sage MAS 90. The applications operating on this system are general ledger, accounts payable, payroll, purchase order, job cost, accounts receivable and bank reconciliation. The agency recently issued an RFP for new financial software and are currently looking at Tyler/Incode and Dynamics GP. Implementation is expected to occur approximately October/November of Fiscal Year 2009/2010.

F. Availability of Prior Reports and Work Papers

Messner & Hadley, LLP of Victorville, CA conducted The Agency's most recent audit. The work papers of the previous audits are the property of the previous auditor and can be reviewed by the successful Proposer. The following financial statements were prepared or audited by Messner & Hadley, LLP.

1. Mojave Water Agency Comprehensive Annual Financial Report;
2. Component Unit Financial Statements for the Mojave Basin Area Watermaster

TIME REQUIREMENTS

A. Proposal Calendar

The following is a list of key dates up to, and including, the date proposals are to be submitted:

<u>Date</u>	<u>Activity</u>
01/12/2009	Request for Proposal issued
02/09/2009	Due date for proposals (due by 5:30 p.m.)
02/13/2009	Oral Interviews may be scheduled at Agency's discretion
03/12/2009	Contract awarded by Board of Directors

B. Date Audit May Commence

Audit planning, documentation of systems of internal control and compliance and transaction testing should be completed during interim stage. It is expected the Agency will close its books and be ready for the final audit by the end of August, 2009.

C. Date Reports Are Due

The auditor shall provide all drafts and recommendations for improvements to the Chief Financial Officer within a reasonable time period after the last day of field work. The auditor should be available for any meetings that may be necessary to discuss the draft audit reports. Once all issues of discussion are resolved, the completed CAFR, component unit financial statements, Single Audit report and other reports shall be delivered to the Chief Financial Officer. It is anticipated that this process will be completed and the final products to be delivered by the end of October.

V. ASSISTANCE TO BE PROVIDED TO THE AUDITOR AND REPORT PREPARATION

A. Finance Department and Clerical Assistance

The Finance Department staff will be available during the audit to assist the firm by providing information, documentation, and explanations. Debbie Cain, will be responsible for acting as the liaison between the audit firm and the accounting personnel.

B. Work Area, Telephone, and Office Equipment

The Agency will provide the auditor with reasonable work space, desks and chairs. The auditor will also be provided access to a telephone, photocopying and FAX machines.

C. Report Preparation

Report preparation, editing, printing, binding shall be the responsibility of the auditor.

1. *Comprehensive Annual Financial Report (20)*

2. *Single Audit Report (10)*

3. *Mojave Basin Area Watermaster (10)*

In addition to the reports above, the audit firm will also provide an electronic copy of each report noted above to the Agency.

VI. PROPOSAL REQUIREMENTS

A. General Requirements

1. Inquiries concerning the Request for Proposals and the subject of the Request for Proposals must be made to:

Kathy Cortner
Chief Financial Officer
22450 Headquarters Drive
Apple Valley, CA 92307
(760) 946-7000
kcortner@mojavewater.org

CONTACT WITH PERSONNEL OF THE AGENCY OTHER THAN THE ABOVE REGARDING THIS REQUEST FOR PROPOSALS MAY BE GROUNDS FOR ELIMINATION FROM THE SELECTION PROCESS.

2. Submission of Proposal. Five (5) copies of the Proposal shall be received in the office of the Finance Department of the Mojave Water Agency by 5:30 p.m. on February 9, 2009 for a proposal to be considered. The Proposal should address the items listed in sections C and D below.

The Proposal should be addressed as follows:

**Mojave Water Agency
Kathy Cortner
Chief Financial Officer
22450 Headquarters Drive
Apple Valley, CA 92307**

B. Format for Technical Proposal

1. Title Page showing the request for proposals subject; the firm's name; the name, address and telephone number of the contact person; and the date of the proposal.
2. Table of Contents identifying the materials submitted by section and page number. Cross-referencing to section and page number in the RFP would be helpful.
3. Signed Transmittal Letter briefly stating the Proposer's understanding of the work to be done; the commitment to perform the work within the time period; and the name(s) of the person(s) authorized to represent the Proposer, title, address, and telephone number.
4. Detailed Proposal following the order set forth in Section C below.

C. Contents of Technical Proposal

The purpose of the Technical Proposal is to demonstrate the qualifications, competence and capacity of the firm seeking to undertake an independent audit of the Agency in conformity with the requirements of this request for proposals. As such, the substance of proposals will carry more weight than the form or manner of presentation. The Technical Proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement. It should also specify an audit approach that will meet the request for proposals requirements.

The Technical Proposal should address all points outlined in the request for proposals (excluding any cost information which should only be included in the Sealed Dollar Cost Bid). The proposal should be prepared simply and economically, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements of this request for proposals. While additional data may be presented, the following subjects must be included. They represent the criteria against which the proposal will be evaluated.

1. License to Practice in California

An affirmative statement is required verifying the firm and all assigned key professional staff are properly licensed to practice in California.

2. Independence

The firm must be able to provide an affirmative statement that it is independent of the Mojave Water Agency as defined by auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

3. Firm Qualifications and Experience

To qualify, the firm must have extensive experience conducting high quality audits of local government and/or water agencies as well as experience with preparation of Comprehensive Annual Financial Statements in GASB 34 format. The Proposer should state the size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed, and the number and nature of the professional staff to be employed in this engagement on a full-time basis and the number and nature of the staff to be so employed on a part-time basis. Staff consistency is an important consideration.

The Proposer should provide the range of activities performed by the local office, e.g., audit, accounting, tax service and/or management consulting services.

The Proposer must provide a list of all current municipal clients.

The Proposer is also required to submit a copy of a report on its most recent external quality control review (peer review), with a statement whether that quality control review included a review of specific government engagements (required by Government Audit Standards (1994).

The Proposer shall also provide information on the results of any Federal or State desk reviews or field reviews of its audits during the past three (3) years. In addition, the Proposer shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with State regulatory bodies or professional organizations.

Single Audit: Significant experience performing compliance audits as required by the United States Office of Management and Budget (OMB) Circular A-133 *Compliance Supplement*, and certain provisions of the Transportation Development Act, including Public Utilities Code Section 99245 as enacted and amended by statute.

4. Partner, Supervisory and Staff Qualifications and Experience

Identify the principal supervisory and management staff, including engagement partners, managers, other supervisors and specialists who would be assigned to this engagement. Include resumes, indicating whether each such person is registered or licensed to practice as a certified public account in California. Provide information on the government auditing experience of each person, including

information on relevant continuing professional education for the past (3) three years and membership in professional organizations relevant to the performance of this audit.

Provide as much information as possible regarding the number, qualifications, experience and training, including relevant continuing professional education, of the specific staff to be assigned to this engagement. Indicate how the quality of staff over the term of the agreement will be assured.

Engagement partners, managers, other supervisory staff and specialists may be changed if those personnel leave the firm, are promoted or are assigned to another office. These personnel may also be changed for other reasons with the express prior written permission of the Agency. However, in either case, the Agency retains the right to approve or reject replacements.

Other audit personnel may be changed at the discretion of the Proposer provided that replacements have substantially the same or better qualifications or experience.

5. Similar Engagements with Other Government Entities

For the firm's office that will be assigned responsibility for the audit, list the most significant engagements (maximum - 5) performed in the last three (3) years that are similar to the engagement described in this request for proposals. These engagements should be ranked on the basis of total staff hours. Indicate the scope of work, date, engagement partners, total hours, and the name and telephone number of the principal client contact. Also, please indicate whether the audit was part of a Comprehensive Annual Financial Report prepared in conformance with the GASB 34 requirements. Information should be provided regarding clients that the firm serves that have received the CSMFO and GFOA awards.

Please provide a list of not less than five client references for whom services similar to those outlined in the RFP are currently being provided. For each reference listed, provide the name of the organization, dates for which the service(s) are being provided, type of service(s) being provided and the name, address and telephone number of the responsible person within the reference's organization. The Agency reserves the right to contact any or all of the listed references regarding the audit services performed by the Proposer.

6. Specific Audit Approach

The proposal should set forth a work plan, including an explanation of the audit methodology to be followed, to perform the services required in Section II of this request for proposals. In developing the work plan, reference should be made to such sources of information as Mojave Water Agency's budget and related materials, organizational charts, manuals, programs, and financial and other management information systems.

Proposers will be required to provide the following information on their audit approach:

- a. Proposed segmentation for the engagement;
- b. Level of staff and number of hours to be assigned to each proposed segment of the engagement;
- c. Sample size and the extent to which statistical sampling is to be used in this engagement;
- d. Extent of use of EDP software in this engagement;

- e. Type and extent of analytical procedures to be used in this engagement;
- f. Approach to be taken to gain and document an understanding of The Agency's internal control structure;
- g. Approach to be taken in determining laws and regulations that will be subject to audit test work; and
- h. Approach to be taken in drawing audit samples for purposes of tests of compliance.

7. *Identification Anticipated Potential Audit Problems*

The proposal should identify and describe any anticipated potential audit problems, the firm's approach to resolving these problems and any special assistance that will be requested from the Agency.

D. Contents of Cost Proposal

1. *Total All-Inclusive Maximum Price*

The cost proposal should contain all pricing information relative to performing the audit engagement as described in this request for proposal. The total all-inclusive maximum price to be bid is to contain all direct and indirect costs including all out-of-pocket expenses. Costs should be identified separately for the single audit as this may or may not be necessary.

The Agency will not be responsible for expenses incurred in preparing and submitting the technical proposal or the sealed dollar cost bid. Such costs should not be included in the proposal.

The cost proposal should be submitted in the format provided in Attachment A, "AUDIT WORK COST PROPOSAL FORM" and Attachment B, "ESTIMATE OF COST."

2. *Manner of Payment*

Progress payment will be made on the basis of hours of work completed during the course of the engagement and out-of-pocket expenses incurred in accordance with the firm's proposal. Interim billings shall cover a period of not less than a calendar month.

VII. EVALUATION PROCEDURES

A. *Review of Proposals*

Agency Staff will evaluate submitted proposals:

B. *Evaluation Criteria*

Proposals will be evaluated using three (3) sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated and scored for both technical qualifications and price. The following represent the principal selection criteria, which will be considered during the evaluation process.

1. Mandatory Elements

- a. The audit firm is independent and licensed to practice in California.
- b. The firm has no conflict of interest with regard to any of the work performed by the firm for The Agency.
- c. The firm adheres to the instructions in this request for proposals on preparing and submitting the proposal.
- d. The firm submits a copy of its last external quality control review report and the firm has a record of quality audit work.
- e. The firm's past experience and performance on comparable water district engagements.
- f. The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation.
- g. Adequacy of proposed staffing plan for various segments of the engagement.
- h. Thoroughness of approach to conducting the audit of the Agency and demonstration of the understanding of the objectives and scope of the audit.
- i. Commitment to timeliness in the conduct of the audit.
- j. Maximum fees to conduct the audit.
- k. Adequacy of sampling techniques.
- l. Adequacy of analytical procedures.

Cost will not be the primary factor in the selection of an audit firm.

Oral Presentation: During the evaluation process, the Agency may, at its discretion, request any one or all firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions there may be on a firm's proposal. Not all firms will be asked to make such oral presentations.

“Attachment A”

AUDIT WORK COST PROPOSAL FORM

NAME OF FIRM: _____

Service	2008/09	2009/10	2010/2011
Agency Audit & Related Reports	\$	\$	\$
Single Audit and Related Reports	\$	\$	\$
Mojave Basin Area Watermaster Audit	\$	\$	\$
Total for Fiscal Year (not-to exceed)	\$	\$	\$

“Attachment B”

ESTIMATE OF COST

Name of Firm: _____

Address: _____

Contact Name: _____

Contact Phone #: _____ Fax #: _____

Contact Email: _____

1. Auditor's Standard Billing Rates

Auditors Standard Hourly Billing Rates						
POSITION	No. of Hours	2008/09	2009/10	2010/11	2011/2012	2012/13
Partner		\$	\$	\$	\$	\$
Manager		\$	\$	\$	\$	\$
Senior Accountant		\$	\$	\$	\$	\$
Staff Accountant		\$	\$	\$	\$	\$
Clerical		\$	\$	\$	\$	\$

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: n/a

From: Marina D. West

Funding Source: n/a

Staff Contact:

General Counsel Approval: n/a

CEQA Compliance: N/A

Subject: Regional Legislative Alliance Organization Participation

SUMMARY

Following the recent departure of the Agency Board Secretary Kim Heller, it is necessary to appoint a Board Secretary. Staff recommends that Michelle Corbin be considered by the Board to fill this appointment on an "interim" basis during the formal recruitment period.

RECOMMENDATION

That the Board take the following action;

1. Adopt Resolution 09R-XX Appointing Michelle Corbin as Board Secretary effective April 28, 2009.

BACKGROUND/ANALYSIS

No further analysis provided.

PRIOR RELEVANT BOARD ACTION(S)

9/25/07 Resolution 07R-10 Resolution of the Board of Directors of Bighorn Desert View Water Agency Appointing a Board Secretary.

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: n/a

Funding Source: n/a

Cost: no decision could increase LAFCO costs

From: Marina D. West

General Counsel Approval: n/a

Staff Contact:

CEQA Compliance: N/A

**Subject: Special Districts Selection Committee Election for Local Agency
Formation Commission (LAFCO) Alternate Special Districts Member**

SUMMARY

RECOMMENDATION

That the Board take the following action by role call vote:

1. Cast a ballot for LAFCO Alternate Special Districts Member seat and direct Board Secretary to certify such ballot and forward to LAFCO per Government Code Section 56332.

BACKGROUND/ANALYSIS

The Agency has received correspondence dated April 13, 2009 from the Local Agency Formation Commission (LAFCO) indicating that the Presidents of the Boards of Directors of the Independent Special Districts in San Bernardino County are being called to cast a ballot for LAFCO Alternate Special Districts Member seat vacated when Mr. Curatalo, prior alternate was elected by the delegates to fill a Regular Commission Member seat recently.

Attached is the letter from LAFCO and all supporting documentation including candidate statements received to date.

LAFCO requires 26 member agencies to participate with a requirement of 14 minimum votes for a candidate to qualify for selection. Since little time has been allotted for the Board to consider such action, Staff recommends that the Board consider those candidates that have similar community issues, interests and values as the Agency. The Board is also encouraged to make a selection on April 28th for the following reasons, there are a large number of candidates and failure to obtain a qualified selection will cause a "run-off" election adding additional cost to the process since overall LAFCO costs are borne by the member agencies. However, the exact fiscal impact of LAFCO general activities including a "run-off" election is indirect and difficult to assess.

PRIOR RELEVANT BOARD ACTION(S)

Not determined

BALLOT

**ALTERNATE SPECIAL DISTRICT MEMBER
OF THE LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby votes for the marked candidate as indicated below:

ALTERNATE MEMBER OF LAFCO:

- _____ **CHERYL KARNS AVENT (Member of the Board of Directors of
Inland Empire Resource Conservation District)**
- _____ **STEVEN FARRELL (Member of the Board of Directors of Crestline
Village Water District)**
- _____ **ROBYN GAFFNEY (Member of the Board of Directors of Big River
Community Services District)**
- _____ **OSCAR GONZALEZ (Member of the Board of Directors of
Cucamonga Valley Water District)**
- _____ **JOHN LONGVILLE (Member of the Board of Directors of San
Bernardino Valley Water Conservation District)**
- _____ **RICHARD LUPTON (Member of the Board of Directors of
Hesperia Recreation and Park District)**
- _____ **TODD MURPHY (Member of the Board of Directors of Big Bear
Municipal Water District)**
- _____ **JEFF NEWSOME (Member of the Board of Directors of Big Bear
City Community Services District)**
- _____ **BOB SMITH (Member of the Board of Directors of Yermo
Community Services District)**

I, _____, do hereby certify that at its regularly-scheduled
meeting of _____, the Board of Directors voted to elect the above-marked
candidate as the Alternate Special District Member of the Local Agency Formation Commission of San
Bernardino County, by the following vote:

AYES:

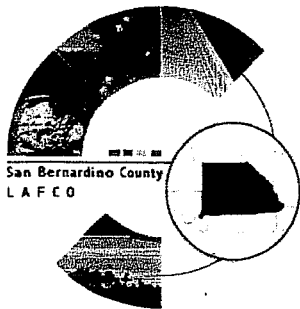
NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

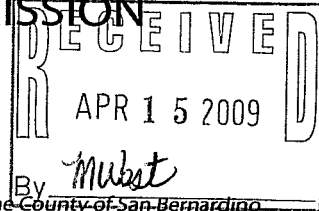
Dated: _____



LOCAL AGENCY FORMATION COMMISSION

215 North "D" Street, Suite 204 • San Bernardino, CA 92415-0490
(909) 383-9900 • Fax (909) 383-9901
E-mail: lafco@lafco.sbcounty.gov • www.sbclafco.org

Established by the State of California to serve the Citizens, Cities, Special Districts and the County of San Bernardino



COMMISSIONERS

PAUL BIANE
Board of Supervisors

KIMBERLY COX
Special District

JAMES V. CURATALO
Special District

LARRY McCALLON
City Member

BRAD MITZELFELT, Vice Chair
Board of Supervisors

MARK NUAIMI, Chair
City Member

RICHARD P. PEARSON
Public Member

ALTERNATES

JIM BAGLEY
Public Member

Vacant
Special District

NEIL DERRY
Board of Supervisors

DIANE WILLIAMS
City Member

STAFF

KATHLEEN ROLLINGS-McDONALD
Executive Officer

SAMUEL MARTINEZ
Senior LAFCO Analyst

MICHAEL TUERPE
LAFCO Analyst

ANNA M. RAEF
Clerk to the Commission

ANGELA M. SCHELL
Deputy Clerk to the Commission

REBECCA LOWERY
Deputy Clerk to the Commission

LEGAL COUNSEL

CLARK H. ALSOP

April 13, 2009

TO: Presidents of the Boards of Directors of the Independent Special Districts in San Bernardino County

SUBJECT: Special Districts Election for Alternate LAFCO Member

By distribution of this memorandum, the official voting process for the Alternate Special District Member of the Local Agency Formation Commission shall commence. Enclosed is the ballot for the selection of this position. Pursuant to the provisions of Government Code Section 56332, the voting period will be for 32 days, commencing as of today's date and ending on **May 15, 2009**. The voting instructions for this selection are as follows:

1. Each District may vote for one candidate only. The vote shall be cast as directed by the Board of Directors of the District through consideration at a Board Hearing and a roll call vote. A copy of the information provided by each of the candidates is enclosed for your information.
2. The signed original ballot, with the name of each voting Board Member outlined, must be received in the LAFCO office by 5:00 p.m. on **May 15, 2009**. If a faxed copy of the ballot is provided by the May 15 deadline, the original signed copy must be received by 5:00 p.m. on **May 22, 2009**, or the ballot will be declared invalid.
3. Twenty-six (26) ballots are required to be received for selection of the Special District Member position. The election will require that a candidate receive 14 votes for selection. Otherwise, the top two candidates will go to a run-off election.

The completed ballot is to be mailed to:

Kathleen Rollings-McDonald, Executive Officer
Local Agency Formation Commission
215 N. D Street, Suite 204
San Bernardino, CA 92415

If you are faxing a copy of the ballot, the LAFCO fax number is (909) 383-9901. As outlined in Item #2 above, if the ballot is faxed to the LAFCO office, the original signed copy of the ballot will need to be mailed to the above address and received by 5:00 p.m. on May 22, 2009 to be considered in the election.

Please let me know if you have any questions concerning this selection process. You may contact me at the address listed above, by e-mail at lafco@lafco.sbcounty.gov, or by phone at (909) 383-9900.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Rollings-McDonald". The signature is fluid and cursive, with the first name "Kathleen" being more prominent.

KATHLEEN ROLLINGS-McDONALD
Executive Officer

KRM/amr
Attachments

CHERYL KARNS AVENT
FOR
ALTERNATE SPECIAL DISTRICTS MEMBER OF LAFCO

I would like to introduce myself, Cheryl Karns Avent, current Vice-President of the Inland Empire Resource Conservation District (IERCD). I am writing to ask for your vote and support for the position of LAFCO's Alternate Special District Member.

BACKGROUND:

I am a retired Public Relations Manager for Southern California Edison. Throughout my career I had the opportunity to work closely with local governments, ranging from water and conservation districts to cities and counties. I understand the importance of the decisions that these front line entities make on a daily basis, and how decisions made today impact the future for generations to come.



EXPERIENCE:

I have had the privilege for the past eight years of serving on the Board of Directors for IERCD. The first two years I served as Secretary-Treasurer for Inland Empire West RCD. It has been rewarding during these last four years to be a part of a successful transition, where LAFCO combined two resource conservation districts, East and West, into one district that serves approximately 27 cities and communities in San Bernardino County. The district is comprised of approximately 850,000 acres and spans from the Los Angeles County line to Big Bear in the San Bernardino Mountains. Recently I had the honor of being re-appointed to this position for another four year term.

I have lived in the west end of the Inland Empire all my life. The following is a brief list of some my community involvements and achievements:

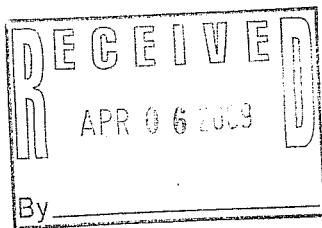
- Upland YMCA- Board member
- Upland Council Advisory – Past Committee member
- Chino Valley Chamber of Commerce Former Board Member
- Montclair Chamber of Commerce Former Board Member
- Ontario and Upland Chamber of Commerce-Former Vice President
- Upland Chamber of Commerce -Former President
- San Antonio Community Hospital Foundation-Former Secretary
- Baldy View Public Private Coalition (Clout)-Former Chairwomen and Treasurer
- Congressional Woman of Achievement Award
- 63rd Assembly District Leader Award 1999
- 1999 Woman of Distinction for the Inland Empire

I have always considered it an honor and a privilege to serve my community. I hope you will honor me with your vote as Alternate Special Districts Member for LAFCO. If elected I will proudly represent the 51 Special Districts in our county.

Thank you for your consideration,



Cheryl Karns Avent

RESOURCE
CONSERVATION DISTRICT

909.799.7407 | PHONE

909.799.1438 | FAX

25864-K Business Center Drive, Redlands, CA 92374

www.iercd.org

April 3, 2009

Bighorn-Desert View Water Agency
622 Jemez Trail
Yucca Valley, Ca 92284-1440

Dear President and Members of the Board:

On behalf of the Inland Empire Resource Conservation District, I am urging your support of Director Cheryl Karns Avent for the Alternate Special District Member position that is currently vacant for the County of San Bernardino Local Agency Formation Commission (LAFCo).

Director Avent has been on the Board of Directors of the Inland Empire Resource Conservation District for eight years. During this time she helped facilitate the 2005 LAFCo consolidation of the Inland Empire West and the East Valley Resource Conservation Districts. The experience gives Director Avent a working knowledge of LAFCo's process.

Director Avent is extremely active with the IERCD board, serving as vice-president while also participating on the mitigation and public outreach committees. Director Avent will work for the benefit of all special districts in the county. Join me in supporting her nomination as Alternate Special Districts Member of LAFCo.

If you have any questions regarding Inland Empire Resource Conservation District's nomination of Director Cheryl Karns Avent, please contact me directly at (909) 987-1805.

Sincerely,

A handwritten signature in cursive script that reads "Paul Williams".

Paul Williams
President



PO Box 3347, 777 Cottonwood Drive, Crestline, CA 92325-3347
Telephone: (909) 338-1727 <>> FAX: (909) 338-4080

April 1, 2009

Ms. Kathleen Rollings-McDonald
Executive Officer
Local Agency Formation Commission
215 North D St, Suite 204
San Bernardino, CA 92415

RECEIVED
APR 10 2009

LAFCO
San Bernardino County

Dear Ms. Rollings-McDonald:

I am pleased to accept the nomination of the Crestline Village Water District to serve as a Commission Alternate Special Districts member.

I hope to serve LAFCO with a strong voice and advocacy not only for the business and interests of the independent special district specifically, but also for the perspective and views of our special San Bernardino mountain areas, in general.

As an Alternate, I will be committed to staying informed of the issues that come before the Commission and will always be prepared to vote responsibly when it may be required.

My early 25 year career was supporting and consulting in the management of large scale information systems which honed my problem solving and analytical skills. For many years now, I have used these skills as a private citizen, to extensively participate in many of our County planning processes (including the recent General Plan Update) and LAFCO decisions. I regularly attend board meetings of multiple agencies. All of which has given me a perhaps unusual education in Special District issues. As a district board member I am eager to now contribute to County planning on behalf of Special Districts as an active member of LAFCO itself.

I strive for excellence and will always act and represent Special Districts fairly, thoughtfully and well.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Farrell".

Steven Farrell
Board Member
Crestline Village Water District



BIG RIVER COMMUNITY SERVICES DISTRICT

150351 Del Rey Drive
P. O. Box 2376
Big River, Calif. 92242-2376
Phone: (760) 665-8454
Fax #: (760) 665-5554
E-Mail: csdboard@yahoo.com

March 26, 2009

Special District Members:

My name is Robyn Gaffney and I would like to be considered for the Alternate Special District Member vacancy on the San Bernardino County Local Agency Formation Commission (LAFCO).

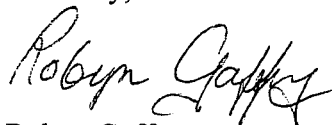
I was appointed to the Big River Community Services Board in February, 2003 to fill the Park Director vacancy. This position required monitoring park activities and employees. I was officially elected to the Board in November, 2003 and served a five year term. During this term I filled the position of Architecture Director which required reviewing and approving Plot Plans for new construction in the Big River community. This position was also responsible for reviewing complaints submitted by Big River residents against property owners that had let their lots fall into disarray. This resulted in implementing Big River Beautification week which involved setting up special areas for large items to be gathered for disposal and to help the elderly keep their properties clean. During this time I also chaired an Ad Hoc committee to write a Records Retention policy that was required by our auditor. This involved follow-up with community volunteers to implement the policy. In November, 2008 I was re-elected for a four year term and now serve as Vice-President of the Board.

I have been a member of the Big River community since 1997. In 2000 I participated in the Census activity for Big River and surrounding communities serving as a Crew Leader. I served as a Big River polling place volunteer for the 2004 presidential election. I am currently a member of the Big River Garden Club which raises money for scholarships for Big River students.

I am very involved in the community and play an active role in helping the other Board members with Big River Park activities.

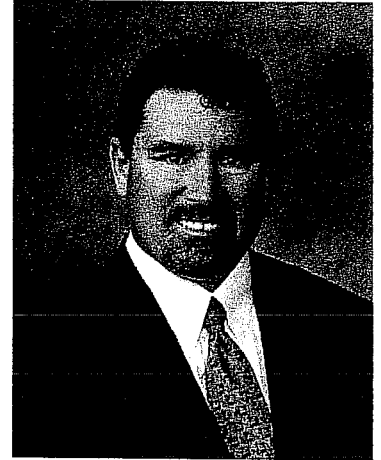
I would like to expand my involvement in Special District activities and feel this can be accomplished through LAFCO.

Sincerely,



Robyn Gaffney

Oscar Gonzalez
For Alternate Special District Voting Member for LAFCO



Dear Special District Members:

My name is Oscar Gonzalez and I am seeking the position of the Alternate Special District Voting Member for the Local Agency Formation Commission (LAFCO). My professional experience and my commitment to serve my community is what urged me to seek an elected position with a local public agency. In November 2008 I was elected to serve on the Cucamonga Valley Water District (CVWD) board of directors. I am proud to serve in an organization that is the model of special district governance and the benefits it provides local citizenry.

My experience at CVWD has prompted me to take a more active role in special district governance issues throughout San Bernardino County. As the Alternate Voting Member I will work to ensure the integrity and scope of special district governance is preserved and effective not just for special district organizations, but for the constituents that we serve. I will constructively engage with representatives from the county, cities and other special districts to participate in consensus building, diversity, and policy development that benefit all special districts.

In my current capacity on the CVWD board of directors, I also serve on the Finance Committee, as well as on the Fontana Union Water Company board of directors. I also serve as a director on the Frontier Project Foundation, a non-profit corporation formed by the CVWD to construct and manage a 14,000 square foot LEED® Platinum demonstration facility designed to educate the public about sustainable building practices and products.

Professionally, I have over 20 years of experience in the water and wastewater engineering industry. I have been involved in the planning, design, construction engineering, and operations, for domestic water, recycled water, wastewater, and storm water facilities. I worked for over 10 years at the Los Angeles County Sanitation District and over 10 years in private consulting including District Engineer at Golden State Water Company. I am a Registered Professional Civil Engineer with the State of California. I earned my Bachelor of Science degree in Mechanical Engineering from California State University, Los Angeles and a Master of Science degree from California State Polytechnic University in Environmental Engineering.

My work experience and my commitment to quality representation to the communities I serve provide me an excellent foundation as your Alternate Special District Member. I will serve you and the LAFCO organization to the best of my ability and for the betterment of *all* special districts. *Thank you in advance for your support!*

Oscar Gonzalez

Director

Significant Positions Held by John Longville

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Trustee, San Bernardino Community College District | Dec. 2008 – present |
| Director, San Bernardino Valley Water Conservation District | Oct. 2007 – present |
| Commissioner, California Medical Assistance Commission | Apr. 2007 – Mar. 2008 |
| Political Science Instructor, San Bernardino Valley College | May 2005 – Dec. 2008 |
| <ul style="list-style-type: none"> • taught American and Calif. govt., community leadership, and group leadership | |
| Member, California State Assembly | Dec. 1998 – Nov. 2004 |
| <ul style="list-style-type: none"> • authored 32 bills signed into law by Governors Davis and Schwarzenegger (including the first bill any Assembly member got passed in 1999, despite my freshman status at the time) and one constitutional amendment adopted by Calif. voters in Nov. 2002 • chaired Local Government Committee for two years, during which I achieved passage of legislation returning part of the money stolen from local government via the Educational Revenue Augmentation Fund — the only two years that any ERAF funds were repaid | |
| Mayor, City of Rialto | Aug. 1987 – Nov. 1998 |
| <ul style="list-style-type: none"> • during this time, and during my prior seven years on the city council, served on numerous regional boards and commissions, including Omnitrans (18 yrs.), San Bernardino Associated Governments (18 yrs.), and SCAG's Transportation and Utilities Committee, Executive Committee, and Regional Council • President, Southern California Association of Governments 1992 – 1993 • coauthor, SCAG bylaws revision which created Regional Council • founding board member, Southern California Regional Rail Authority 1992 – 1998 • founding board member and five-term president, Mobile Source Air Pollution Reduction Review Committee (MSRC) 1991 – 1998 | |
| Councilmember, City of Rialto | Oct. 1978 – Nov. 1984 & Nov. 1986 – Aug. 1987 |
| <ul style="list-style-type: none"> • President, San Bernardino Associated Governments (SANBAG) 1982 – 1983 • founding member (in 1979), board member, and president (1997-98), Local Government Commission (now independent LGC, Inc.) • alternate city member, San Bernardino County LAFC (early 1980s) | |
| Congressional Press Secretary & Legislative Assistant | Dec. 1968 – Dec. 1979 |

Throughout these years I also have served on the boards and as an officer of many civic and charitable organizations, including the Rialto Chamber of Commerce, United Way, Kiwanis, League of Women Voters, Inland AIDS Project, American Cancer Society, and Option House (child/spouse-abuse shelter).



Post Office Box 401055 • Hesperia, California 92340-1055 • (760) 244-5488

March 12, 2009

RECEIVED
MAR 17 2009

LAFCO
San Bernardino County

Local Agency Formation Commission
215 North "D" Street, Suite 204
San Bernardino, CA 92415-0490

Attention Special Districts Selection Committee

The Hesperia Recreation and Park District would like to nominate Mr. Richard Lupton for the Alternate Special District Member position held by James Curatalo. Mr. Lupton is an elected member of the Board of Directors for the Hesperia Recreation and Park District.

The following is a brief Bio on Mr. Lupton:

- Hesperia Resident for since 1976
- Hesperia Recreation and Park District Board Member since 1994
- Employed by the Hesperia Fire Department from 1977 to 1996
- Member of Hesperia Kiwanis since 1996
- President of Hesperia Kiwanis for 2 years
- Hesperia Tri-Agency Committee for 6 years
- Member of the Board for the Association of the San Bernardino County Special Districts since 2004

Enclosed is the completed Nomination for Alternate Special District Member, Member of the Local Agency Formation Commission Form nominating Richard Lupton to serve on the Local Agency Formation Commission.

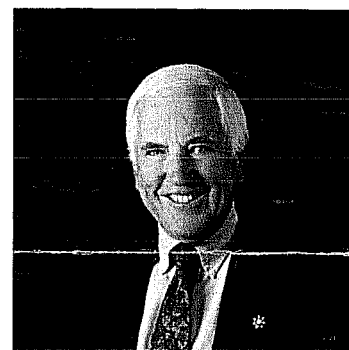
Sincerely,

HESPERIA RECREATION AND PARK DISTRICT

Rachel Thomas
Administrative Operations Manager

TODD MURPHY
For
ALTERNATE SPECIAL DISTRICT MEMBER OF LAFCO

My name is Todd Murphy, Director and current President of the Board of Directors of Big Bear Municipal Water District (MWD). I am proud to announce that I am running for the position of LAFCO's Alternate Special District Member and I am seeking your support and your vote.



BACKGROUND & EXPERIENCE:

I have served on the Board of Directors for Big Bear Municipal Water District since January 2007 and as President since January 2009. I am currently serving as Chairman of County Service Area 53B and I have also served as chairman and Board Member of MARTA (Mountain Area Regional Transit Authority). I have worked as manager for the Orange County Transportation Authority, manager for Rockwell International, as a 6th grade math and science teacher for Placentia Yorba Linda School District, and also served as Mayor and Councilman for the City of Yorba Linda.

I have lived full time in the Big Bear Valley for over 13 years. The following is a list of some of my community involvements and achievements:

Founder – Southern California Environmental Education and Leadership Foundation
Founder – OCTA Scholarship Foundation
Board Member – San Bernardino National Forest Association
Founder – Big Bear Discovery Center Leadership Council
Board Member/Past President – North Shore Improvement Association
Yorba Linda Man of the Year
Recipient – YMCA Arch Raitt Award - 1978
Recipient – YMCA Community Service Award - 1978
Recipient – Fairmont PTO Service Award - 1978
Recipient – Girl Scouts Gold Key Award - 1983
Recipient – Boy Scouts Order of Merit - 1969
Recipient – Boy Scouts Portola Award – 1984
Little League Manager – 1979 – 1983

I am honored to be included in the list of candidates for Alternate Special District Member of LAFCO. I would consider it a privilege to represent the Special Districts of San Bernardino County and thank you for your consideration.


Todd Murphy

RESUME

Todd Murphy

1068 Fawnskin Drive, Fawnskin, CA 92333

toddkathymurphy@hotmail.com

909-866-5784

Experience

- 2006 – Present Big Bear Municipal Water District – Board of Directors
Elected director from District 1. Responsible for the overall management of Big Bear Lake and the dam. Serving as President of the Board, 2009.
- 1997 – Present CSA 53B – Commissioner
Present Chair that advises on sewer fire issues in Fawnskin
- 1996 – 2004 MARTA – Board of Director
Chairman and Board Member of the Mountain Transit system
- 1988 – 2001 Orange County Transportation Authority - Manager
Managed the bus operations with 1300 employees and a budget of over \$100,000,000. Also managed various other departments including Marketing, General Services, Public Outreach, and Special Projects
- 1986 – 1988 Rockwell International – Manager
Managed Small Business and Ethics Department
- 1974 – 1986 Placentia Yorba Linda School District – Teacher
Taught sixth grade math and science
- 1980 – 1988 City of Yorba Linda – Mayor/Councilman
Served as Mayor and Councilman for the citizens of Yorba Linda. Represented Yorba Linda on the O.C. Sanitation District and Chairman of District 15. Served as Chairman of the Santa Ana Flood Protection Agency
- 1967 – 1970 North Orange County YMCA – Director
Served as Youth and Camp Director
- 1964 – 1967 United States Army

Education

- | | | |
|---------------------|------------------------------------|-------------------------|
| Bachelor of Science | San Jose State University – 1967 | Business Management |
| Teaching Credential | California State University – 1973 | Elementary Education |
| Masters of Art | Redlands University – 1978 | Environmental Education |

Community Involvement

Founder – Southern California Environmental Education and Leadership Foundation

Founder – OCTA Scholarship Foundation

Board Member – San Bernardino National Forest Association

Founder – Big Bear Discovery Center Leadership Council

Board Member/Past President – North Shore Improvement Association

Yorba Linda Man of the Year

Recipient – YMCA Arch Raitt Award - 1978

Recipient – YMCA Community Service Award - 1978

Recipient – Fairmont PTO Service Award - 1978

Recipient – Girl Scouts Gold Key Award - 1983

Recipient – Boy Scouts Order of Merit - 1969

Recipient – Boy Scouts Portola Award – 1984

Little League Manager – 1979 – 1983



Big Bear Municipal Water District

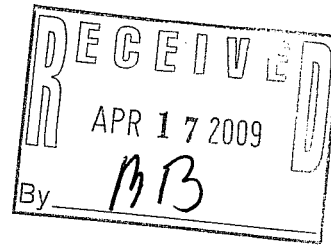
Lake Management

Board of Directors

Todd Murphy - Division 1
Paula Fashempour - Division 2
Skip Suhay - Division 3
John Eminger - Division 4
Vince Smith - Division 5

April 15, 2009

Bighorn-Desert View Water Agency
622 Jemez Trail
Yucca Valley, CA 92284-1440



Dear President and Members of the Board:

On behalf of the Big Bear Municipal Water District, I am asking for your support of Director Todd Murphy who has been nominated for the position of Alternate Special District Member for the County of San Bernardino Local Agency Formation Commission (LAFCO).

Director Murphy has actively served on the Board of Directors of Big Bear Municipal Water District (MWD) since his election in 2006 and now is serving as President of the Board. He has also represented MWD as ACWA/JPIA representative and served on many of the MWD special committees such as Budget & Finance, Executive, Operations, and Water/Watermaster.

Director Murphy's experience as Manager of the Orange County Transportation Authority and Council Member/Mayor of Yorba Linda provides him with unique insight on assuring government effectiveness and efficiency.

I know Todd to be very active and well respected in the Big Bear community having served on several other boards and also having been the recipient of many merit awards. I urge you to vote for Director Murphy for Alternate Special District Member of LAFCO. If you have any questions please feel free to contact me directly at (909) 841-0219 or e-mail me at pdfash@aol.com.

Respectfully,

Paula Fashempour

Vice President of the Board of Directors

SERGEANT JEFF NEWSOME

*1040 Pinon Lane
Big Bear City, CA 92314*

**Local Agency Formation Commission for San Bernardino
County**

215 North D Street, Suite 204
San Bernardino, CA 92415-0490



Dear LAFCO Member Agency Representative:

My experience as a cold war era submarine crewman in the US Navy and California National Guard Tank Commander, twenty-two year veteran of police work for the State's largest law enforcement agency, Big Bear City Community Services District Director and my service to my brother and sister officers as a California Association of Highway Patrolmen Supervisor's Representative has taught me the significance of public service. Now, I look forward to the challenge of serving the citizens of San Bernardino County as a LAFCO Alternate Member, and the opportunity to continue that pattern of service.

As a peace officer with law enforcement experience throughout Southern California, I have seen first hand what ill conceived jurisdictional limits can do to day to day and long range operations for emergency service and other government functions. As a locally elected official, I understand the importance of assuring that local, state and federal entities work together in the public interest. I am proud of the work I have done on behalf of the citizens of our great state, and I look forward to working at LAFCO, an agency formed to protect the citizens in our expanding communities and promote the greater good for all stakeholders.

I hope you will consider this letter and the attached resume, and honor me with your vote. I assure you I will continue the tradition of excellence and public commitment begun in 1963, when LAFCO was formed. If I can answer any questions you may have regarding my plans, do not hesitate to contact me via mail, phone at (909) 936-9427, or at my e-mail address, Teamnewsome@charter.net.

Respectfully,

Sergeant Jeff Newsome, MBA, Big Bear City
Community Services District Director

Attachments



WORK HISTORY

December 2, 2001 to Present

Director/President, Big Bear City Community Services District, and Board Member, Big Bear Area Regional Waste Water Agency

October 31, 1997 to Present

California Highway Patrol Sergeant

September 10, 1995 to June 15, 2000

San Bernardino Valley College Extended Basic Law Enforcement Academy instructor.

January 08, 1987 to October 31, 1997

State Traffic Officer/ Officer.

August 01, 1986 to January 08, 1987

California Highway Patrol, State Traffic Cadet.

January 15, 1986 to December 08, 1986

California Army National Guard, 185th Armored Battalion. Sergeant.

Duty as tank commander.

March 22, 1983 to November 30, 1985

US Navy, Unmanned Vehicle Detachment, NAS North Island, San Diego, Ca.

Petty Officer Third Class (E-4) and Petty Officer Second Class (E-5).

1981 to 1983

US Navy, USS James Madison SSBN 627, Charleston, S.C.

Petty Officer Third Class (E-4), submarine qualified crewman, sonar operator, and sonar supervisor.

1979 to 1981

US Navy, various training commands.

Seaman Recruit (E-1) to Petty officer Third Class (E-4).

EDUCATION

- California Coast University, January, 2008, Master of Arts Degree in Business Administration.
- California Coast University, November, 2002, Bachelor of Arts Degree in Business Administration.
- California Highway Patrol First Line Supervisors Academy and HazMat Incident Commander, 1997.
- Intermediate and advanced POST certificate 1996.
- Supplemental courses at the California Highway Patrol Academy
- California Highway Patrol Academy, graduated January 08, 1987.
- Chapman College, Orange, CA, Associate of Arts Degree, November, 1986.
- USN, Basic training, Sub school, miscellaneous electronic and sonar schools, 1979 to 1981.

AWARDS

- 5th Mothers Against Drunk Driving (MADD) Award, November 21, 1997.
- 2nd 10851 Award (for vehicle theft apprehension), January, 1997.
- Master Marksman Award (pistol), May, 1989.
- Honorable Discharge, California Army National Guard, December 08, 1986.
- Honorable Discharge, USN, October 31, 1985.
- Deep Submergence Award, May 11, 1984.
- Good Conduct Award, October 31, 1983.
- Presidential Unit Citation, KAL 007 Operation, December 1983.
- Combat Deterrent Patrol Award, January, 1983.
- Submarine Qualification Award (Dolphins), June 28, 1982.

CIVIC ORGINIZATIONS

- Big Bear High School Football Coach
- Dawnbuster's Rotary International of Big Bear Lake
- BPOE (Elks) of Big Bear Lake



Robert W. Smith

Candidate

ALTERNATE SPECIAL DISTRICTS MEMBER OF LAFCO

"He has proven experience and a strong public service background to get the job done"

Brad Mitzelfelt-LAFCO Vice-Chair

P.O. Box 1209, Yermo, CA 92398-1209 Ph: (760) 508-0607 (c)

Email: bobsmith@san.ir.com

Website: <http://electbobsmith.com>

- 27 years with the San Bernardino County Sheriff's Department
 - Deputy / Detective / Watch Commander
 - Numerous committees and Boards
- 7 years with San Bernardino County Board of Supervisors
 - Field Representative / Sr. Field Representative / District Director
 - Numerous committees and Boards
 - Morongo Transit Authority
 - Victorville Economic Development
 - Victorville Transit Authority
 - Barstow Police Chief Advisory Board
- 2 years with California State Assembly
 - Field Representative / Sr. Field Representative
 - Specialized Training through California Assembly Capitol Institute:
 - Legislative Services
 - Field Representation
 - Constituent Casework
 - Legislative Process
 - Bill Tracking
 - Budget Process
- Currently: Retired?
- Currently: President of the Yermo Community Service Board
- Currently: Assistant Fire Chief for Yermo / Calico Fire Department.
- Currently: Rotarian - Rotary Club of Barstow
- Currently: Appointed by President Bush to the Selective Service Board at the recommendation of Governor Schwarzenegger for 20 year commitment.
- Currently: Arrowhead Credit Union Advisory Board.
- Currently: Serving on two School Boards as Board President
 - Summit Leadership Academy High Desert
 - Lucerne Valley Career Academy
- Currently: Lt. Col – United States Air Force Auxiliary, Civil Air Patrol
 - Pilot and Commander of California State Legislative Squadron.
- Currently: San Bernardino County Superintendant of School Advisory Board.
- Currently: Board of Directors for PAL (Police Activities League)
- Currently: Board of Directors for Barstow Boys and Girls Club
- Past recipient of the "Officer of the Year" Law Enforcement Award by Optimist International.
- Past President of the United States Air Smuggling Investigator Association
- Past Board of Directors for One 2 One Mentors, Inc.

ENDORSEMENT BY LAFCO MEMBERS & SPECIAL DISTRICTS

- **Brad Mitzelfelt**
LAFCO VICE CHAIR
- **Kimberly Cox**
LAFCO SPECIAL DIST
COMMISSIONER
- **Larry McCallon**
LAFCO
COMMISSIONER
- **Jim Ventura**
Mojave Water Agency
- **Doug Shumway**
Mojave Water Agency
- **Paul A. Courtney**
Barstow Fire Protection
- **Chuck Bell**
Mojave Desert RCD
- **Rex Gutierrez**
Rancho Cucamonga
Fire
- **Craig Schneider**
Helendale CSD
- **Ken Anderson**
Phelan-Pinion Hill CSD
- **Art Bishop**
Mojave Water Agency
- **Daryl Schendel**
Barstow Heights CSD
- **Tim Silva**
Odessa Water CSD
- **Pete Lounsbury**
Mojave Desert RCD
- **James Keoshkerian**
Helendale CSD
- **Sandy Haas**
Helendale CSD
- **Bob Dunn**
Yucca Valley Airport

PARTIAL ENDORSEMENT LIST

UNANIMOUSLY NOMINATED BY:

- YERMO CSD
- NEWBERRY
SPRINGS CSD
- MOJAVE WATER
AGENCY
- BARSTOW
CEMETERY CSD



22450 Headquarters Drive ♦ Apple Valley, California 92307
Phone (760) 946-7000 ♦ Fax (760) 240-2642 ♦ www.mojavewater.org

April 09, 2009

Dear President and Board Directors,

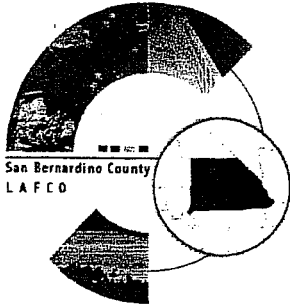
I am a Special Districts LAFCO Commissioner and your representative to the Local Agency Formation Commission (LAFCO) for San Bernardino County. I am requesting your vote to elect Robert W. Smith as a Special Districts LAFCO Alternate.

I am strongly urging you to give him your support because I am confident that he will be strongly dedicated to accomplishing the responsibilities of the job with the highest degree of devotion. I have watched his commitment in many different roles and I know that he will excel in accomplishing the necessary goals for this position.

Robert W. Smith will serve you well and be a very positive influence on our team. Thank you in advance for your generous support.

Sincerely,

Kimberly Cox
Vice-President
Board of Directors

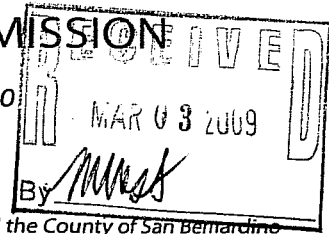


LOCAL AGENCY FORMATION COMMISSION

215 North "D" Street, Suite 204 • San Bernardino, CA 92415-0490
(909) 383-9900 • Fax (909) 383-9901

E-mail: lafco@lafco.sbcounty.gov • www.sbclafco.org

Established by the State of California to serve the Citizens, Cities, Special Districts and the County of San Bernardino



COMMISSIONERS

PAUL BIANE
Board of Supervisors

KIMBERLY COX
Special District

JAMES V. CURATALO
Special District

LARRY McCALLON
City Member

BRAD MITZELFELT, Vice Chair
Board of Supervisors

MARK NUAIMI, Chair
City Member

RICHARD P. PEARSON
Public Member

ALTERNATES

JIM BAGLEY
Public Member

Vacant
Special District

Vacant
Board of Supervisors

DIANE WILLIAMS
City Member

STAFF

KATHLEEN ROLLINGS-McDONALD
Executive Officer

SAMUEL MARTINEZ
Senior LAFCO Analyst

MICHAEL TUERPE
LAFCO Analyst

ANNA M. RAEF
Clerk to the Commission

ANGELA M. SCHELL
Deputy Clerk to the Commission

REBECCA LOWERY
Deputy Clerk to the Commission

LEGAL COUNSEL

CLARK H. ALSOP

March 2, 2009

TO: Presidents of the Boards of Directors of the Independent
Special Districts in San Bernardino County

SUBJECT: Special Districts Selection Committee

I am pleased to announce that the Special Districts Selection Committee's election for Regular Special Districts Member was successful in obtaining a quorum vote of the members. Thirty-six districts (71%) participated in the election. James Curatalo was elected to the position with 28 votes. Richard Lupton received five votes and Robert Royalty received three votes.

As Mr. Curatalo held the Alternate Special Districts Member position, notice is hereby given that a vacancy now exists for the Alternate Special Districts Member on the Local Agency Formation Commission (LAFCO). This letter will officially open the nomination period for the position of Alternate Special Districts Member of LAFCO. The nomination period for this position will be 30 days, opening on Wednesday, March 4, 2009, and ending at the close of business at 5:00 p.m. on Friday, April 3, 2009.

Pursuant to the May 2008 election, the method by which business of the Special Districts Selection Committee is conducted is by mailed ballot. Nominations for the position will need to be submitted by District Board vote. Enclosed with this letter is a sample nomination form for the position outlining the date of the action and District Board vote. Nominations submitted without a date or Board action will be returned to the District and will need to be re-submitted within the nomination period in order to be considered valid. If only a single candidate is nominated for the position, pursuant to the provisions of Government Code Section 56332(c)(1), that candidate shall be deemed selected with no further vote required.

At the end of the nomination period, LAFCO staff will prepare and send, by certified mail, to each independent special district a ballot with the candidates nominated and the voting instructions.

Please note the following important points related to the selection process:

1. There are currently 51 independent special districts in San Bernardino County; representatives from **26 districts** will need to vote to establish a quorum.

2. The individual selected will serve the remainder of Commissioner Curatalo's term, which ends in May 2010.
3. A long-standing policy of the Selection Committee has been to encourage balanced geographic representation with valley, desert and mountain districts seated on the Commission as voting or alternate members. Mountain districts are encouraged to nominate candidates from their Boards, as the mountains are currently unrepresented. A copy of the Policy Statement is attached for your information.

Please let me know if you have any questions concerning this selection process.

Sincerely,



KATHLEEN ROLLINGS-McDONALD
Executive Officer

KRM/amr
Enclosure

- 1) Nomination Form
- 2) Policy Statement

4. SPECIAL DISTRICT REPRESENTATIVES. *(Amendment adopted by Commission April 17, 2002)*

It shall be the policy of LAFCO that special district representatives and alternate should represent districts located in the San Bernardino Valley area, the desert area, and the mountain area. Inasmuch as possible, they should not represent agencies that provide like service, (i.e., they should represent fire protection service, water service, sewer service, cemetery service, etc.). They shall be chosen as provided by the provisions within Government Code Section 56000 et seq.

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: n/a

Funding Source: n/a

Cost: n/a

From: Marina D. West

General Counsel Approval: n/a

Staff Contact:

CEQA Compliance: N/A

Subject: Fiscal Year 2009/2010 Operations Budget Baseline Review

SUMMARY

Staff will provide a presentation introducing baseline Fiscal Year 2009/2010 budget revenue and expense projections for information and discussion purposes in preparation of the final FY2009/2010 budget to be presented for adoption by the Board in June 2009.

RECOMMENDATION

Information and discussion only.

BACKGROUND/ANALYSIS

No further information provided.

PRIOR RELEVANT BOARD ACTION(S)

7/22/2008 08R-06 Resolution fixing and adopting the Agency budget for the Fiscal Year 2008-2009 for the Bighorn-Desert View Water Agency.

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: yes

Funding Source: Administrative
Compensation (line 56003)

From: Marina D. West

General Counsel Approval: Obtained

Staff Contact:

CEQA Compliance: N/A

Subject: AUTHORIZE ATTENDANCE AT SPECIAL DISTRICTS LEADERSHIP ACADEMY
TRAINING

SUMMARY

Board to consider authorizing Director attendance to the Special Districts Leadership Academy Module 3: Board's Role in Finance and Fiscal Accountability May 29, 2009 in Sacramento, CA at a cost of approximately \$1,200 per director.

RECOMMENDATION

That the Board take the following action;

1. Authorize director attendance to the Special Districts Leadership Academy Module 3: Board's Role in Finance and Fiscal Accountability May 29, 2009 in Sacramento, CA at a cost not to exceed \$1,200 per director.

BACKGROUND/ANALYSIS

No further analysis provided.

PRIOR RELEVANT BOARD ACTION(S)

Board's Role in Finance & Fiscal Accountability - Sacramento



The third module in the series looks at how the special district board carries out its fiduciary responsibility to the district. The budget is arguably the most significant policy document in the special district. It reflects the short and long-term goals of the district. Boards do more than just adopt budgets; they also monitor budgets, receive audit reports and understand the principles of facility development.

Registration & Continental Breakfast 8:30 - 9:00 am Workshop 9:00 am - 4:00 pm (lunch on your own)

Start Date: Friday, May 29, 2009

End Date: Friday, May 29, 2009

Coordinators: For more information please contact Pamela Williams, Meetings Coordinator at 916.442.7887 or email at pamelaw@csla.net.

Address: California Rural Water Association
4125 Northgate Blvd.
Sacramento, CA 95834
USA

Thank you for using the CSDA web site.



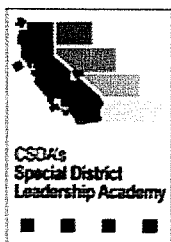
California Special Districts Association

MONDAY

APR 20TH

Home

CSDA Special District Leadership Academy



CSDA Special District Leadership Academy

Methods for Improving Productivity, Communication & Employee Teamwork

Cost per workshop

CSDA member: \$225

SDLF Sponsored Organization: \$250

Non-member: \$300

Sign up for all four academy workshops and save \$\$\$

CSDA member: \$820

SDLF Sponsored Organization: \$920

Non-member: \$1,180

CSDA's Special District Leadership Academy is a groundbreaking and curriculum-based continuing education program that recognizes the necessity for the board and general manager to work closely toward a common goal. If you are a special district professional, you must include this training in your schedule. It is important. It is your responsibility.

Completion of the Leadership Academy training program marks a hallmark in your special district career. This program of training is the signature of professionalism for special district leadership and special district governance.

Program participants attend four six hour modules.

Module 1 - Governance foundations

As the core of CSDA's Special District Leadership Academy, this module serves as the "foundation" for the series on the effective governance of special districts.

This course focuses on the three critical dimensions of governance:

- Special District Trustees as Policy Leaders
- The Effective Special District Board
- The Board's Responsibilities and Roles in Special Districts

The focus of this course, The Effective Special District Board, is on the four essential steps leading to effective governance for special districts.

Directors/Trustees will learn how to:

- Develop a unity of purpose on their board
- Understand and work within the board's role in the district
- Build a strong, positive operational culture on the board
- Organize the formal structure of the board.

Register Now

Module 2 - Setting Direction/Community Leadership

The second module in the Academy focuses on two critical aspects of governance: the board's role in setting the long-term direction for the special district and the board's role in educating the public on the importance of the agency's agenda.

The **setting direction** portion of this class will provide a step-by-step discussion of the board and senior management's roles in establishing the vision, mission and strategic goals and success indicators for the district. The

community leadership portion of the class will address the importance of the board providing leadership and information to the public on the essential services provided by the special district in their community.

Register Now

Module 3 - Board's Role In Finance And Fiscal Accountability

The third module in the series looks at how the special district board carries out its fiduciary responsibility in the district. The budget is arguably the most significant policy document in a special district. It reflects the short and long-term goals of the district. Boards do more than just adopt budgets. They also monitor budgets, receive audit reports and understand the principles of facility development.

In this time of financial crisis, this course becomes even more important. It is essential that special district boards understand and carry out their fiscal oversight duties in a responsible manner.

Participants will learn how to:

- Develop a method for approving the district's annual budget.
- Communicate budget information to the public.
- Establish financial goals
- Review district finances.
- Develop a process for capital improvement plans and developing a reserves guideline.

Link district finance to:

- Values
- District belief
- Mission
- Strategic goals

Register Now

Module 4 - Board's Role In Human Resources

The fourth and final module in the series focuses on what might be the most difficult area for most special district boards: personnel. The main employee hired by the governing board is the general manager. This module will address the board's ongoing relationship with the manager, the senior staff and other staff in the district. It will address general manager evaluations, the board's role in the evaluation of other staff members and what to do and not do in human resources.

Participants will learn how to:

- Develop guidelines when assessing the performance of the general manager.
- Determine a protocol for approving personnel policies.
- Create a process for approving job descriptions and organizational structure.
- Understand confidentiality and legal liabilities of a district board member.

Register Now

Agenda

8:30 – 9:00 a.m.

Registration & Continental Breakfast

9:00 a.m. – 12:00 p.m.

Workshop

12:00 – 1:00 p.m.

Lunch on your own

1:00 – 4:00 p.m.

Workshop

Agenda is the same for each module.

< Prev

Next >

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: yes

Funding Source: Line No. 56002

Cost: \$235 per director

From: Marina D. West

General Counsel Approval: n/a

CEQA Compliance: n/a

Subject: Riverside County Water Symposium Attendance

SUMMARY

Staff recommends that at least one board member attend the Riverside County Water Symposium at a cost not to exceed \$235 per director. This seminar is recommended and extended to at least one director, especially the newest member, Dir. Strodel. Staff feels this symposium is relevant to educating Dir. Strodel on the status of State Water Project issues, State Water Board Legislation and the impact of AB32 (global warming solutions act) as well as other up-to-date water issues affecting not only Riverside County but BDVWA.

RECOMMENDATION

That the Board take the following action:

1. Authorize attendance at the Riverside County Water Symposium at a cost of approximately \$235 per director.

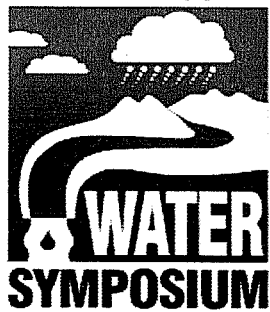
BACKGROUND/ANALYSIS

No further information provided.

PRIOR RELEVANT BOARD ACTION(S)

none

May 28, 2009

RIVERSIDE COUNTY

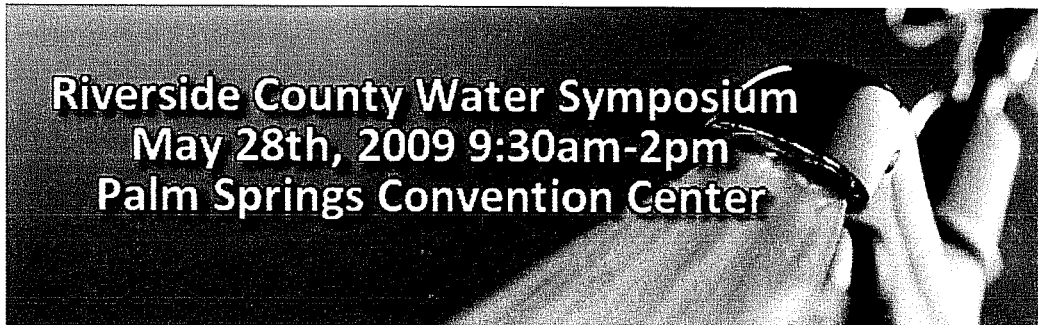
Produced and coordinated by
TMG Communications, Inc.

TMG
-Strategic Communications-

[HOME](#) | [ABOUT US](#) | [REGISTER](#) | [PROGRAM](#) | [SPEAKERS](#) | [LOCATION](#) | [SPONSORS](#)

Riverside County Water Symposium

May 28th, 2009 9:30am-2pm
Palm Springs Convention Center

**Program****2009 Program of Events****Featured Topics Include:**

- California – In a State of Emergency
- Water Reuse; New Treatment Technologies
- State Water Bond Legislation in 2009, What Does Southern California Need?
- AB32 and its Impact on Water Agencies
- The Salton Sea

2008 Program Highlights and Photos**View 2008 Program PowerPoint Presentations**

- [Adam Probolsky](#)
- [Greg Freeman](#)
- [Joe Grindstaff](#)
- [Joseph Hayes](#)
- [Terry Fulp](#)

View 2008 Photos Albums

- [Photo Albums](#)

Honorary Co-Hosts

- Congressman Calvert
- Congresswoman Mary Bono Mack

2009 Event Hosts

Hosted by Riverside County Supervisors Marion Ashley, Roy Wilson, Jeff Stone, the Riverside County Water Task Force &

- 31st District Senator Bob Dutton
- 36th District Senator Dennis Hollingsworth
- 37th District Senator John Benoit
- 40th District Senator Denise Ducheny
- 63rd District Assemblyman Bill Emmerson
- 64th District Assemblyman Brian Nestande
- 65th District Assemblyman Paul Cook
- 66th District Assemblyman Kevin Jeffries
- 71st District Assemblyman Jeff Miller
- 80th District Assemblyman Manuel Perez
- Association of California Water Agencies
- Beaumont-Cherry Valley Water District
- Beaumont Chamber of Commerce
- Building Industry Association – Desert Chapter
- California Department of Water Resources
- California Municipal Utilities Association
- California Urban Water Conservation Council
- Calimesa Chamber of Commerce
- City of Beaumont
- City of Calimesa
- City of Canyon Lake
- City of Coachella
- City of Desert Hot Springs
- City of Hemet
- City of Indian Wells

Tickets are \$135 each. Table of ten - \$1,000.

Register by Phone

For **general information or registration issues**, please contact: Brittany James Office: 951-275-5800 (M-F 8am to 5pm) 1-888-697-5836 (Evenings and weekends) Email: brittany@tmqonline.com

Register by Mail

[Download the Registration Form](#)

Register Online

Select Number of Tickets

*Number of Tickets:

Enter Your Billing Number

Payment Information

To complete your transaction, please complete the information below and be sure to provide us with your credit card billing address. This is a security measure to verify you as the card holder.

Cannot use the special character Ampersand(&) in the form

Company

*Name

*Address

*City

*State

*ZIP

*Email

*Phone

Payment Method



*Credit Card Number

*Expiration Date

Month Year

*Security Code

Secure Online payment provided by LinkPoint

Ticket Holder Information

*Ticket Holder Information

In order for your registration to be complete, please provide the name, company and email address for each ticket holder in the space provided below.

<input type="text"/>
<input type="text"/>

By submitting this order, you authorize RivcoH2O.com to charge your credit card



(please click **Submit once**, and wait until the thank you page is displayed)

Earn Contact Hours



Water professionals can earn up to 5 hours from the California Department of Health Services by attending this regional event!

A L B E R T A .
WEBB
A S S O C I A T E S

BIGHORN-DESERT VIEW WTR AGENCY
CHECK REGISTER
MARCH 31, 2009

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
1691	02/21/08	DON BARTZ VOID STALE DATED PAYCHEX CK#1691	-1,089.04
9129	03/05/09	MICHELLE BOWLING CONTRACTUAL SVC 22709	876.00
9130	03/05/09	TERRY BURKHART SPECIAL MEETING 22809	100.00
9131	03/05/09	CALIFORNIA PUBLIC EMPLOYEE'S PERS CONTRIBUTION PPE 22709	2,947.70
9132	03/05/09	CINTAS CORPORATION #150 UNIFORM SVC 21809 UNIFORM SVC 22509	54.20
9133	03/05/09	CLINICAL LABORATORY OF BAC-T, PLATE COUNT	33.00
9134	03/05/09	JUDY CORL-LORONO SPECIAL MEETING 22809	100.00
9135	03/05/09	DATASTREAM BUSINESS SOLUTIONS HP9000/D220 PROG, JAN	1,235.00
9136	03/05/09	FERRELLGAS PROPANE SHOP & OFFICE	461.19
9137	03/05/09	GOODSPEED DISTRIBUTING INC UNLEADED FUEL	1,119.25
9138	03/05/09	DUANE LISIEWSKI SPECIAL MEETING 22809	100.00
9139	03/05/09	MICHAEL MCBRIDE SPECIAL MEETING 22809	100.00
9140	03/05/09	PROTECTION ONE OFFICE QTLY, SHOP 32609-42509	165.48
9141	03/05/09	WARREN NORMAN STRODEL SPECIAL MEETING 22809	100.00
9142	03/05/09	UNDERGROUND SERVICE ALERT DIG ALERTS, 8 TICKETS	12.00
9143	03/05/09	VERIZON CALIFORNIA JV SVC CALL, OFFICE PHONES & AUTO CONTROLS 1/22/09-2/21/09	899.34
9144	03/13/09	DON BARTZ PAYROLL ADJUSTMENT	170.05
9145	03/13/09	ACWA-HBA SERVICES CORP. ACWA/HEALTH BENEFITS, APR	5,464.76
9146	03/13/09	AT&T MOBILITY COMMUNICATIONS EXPENSE	210.09
9147	03/13/09	BARNETT CONSTRUCTION WELL 10	1,500.00
9148	03/13/09	BARR LUMBER CO INC SUPPLY SUPPLIES	67.42
9149	03/13/09	BUCKNAM & ASSOCIATES, INC. CONSULTING, 2009 ECON STIMULUS FED APPROPRIATIONS FOLLOW-UP	1,937.50
9150	03/13/09	BURRTEC WASTE & RECYLING SVCS	

BIGHORN-DESERT VIEW WTR AGENCY
CHECK REGISTER
MARCH 31, 2009

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
9151	03/13/09	TRASH FEES, MAR CRISTI BUSH	72.71
9152	03/13/09	CONSULTING SVC 2/12,2/17,2/19 CINTAS CORPORATION #150	1,020.00
9153	03/13/09	UNIFORM SVC 30409 CNH CAPITAL AMERICA LLC	27.10
9154	03/13/09	NEW HOLLAND BACKHOE LEASE PYMT DEPT OF PUBLIC HEALTH	17,173.89
9155	03/13/09	WATER SYS FEES 70108-123108 AB 2995	55.53
9156	03/13/09	INLAND WATER WORKS INVENTORY INVENTORY METER REPL PROG, FIELD SUPPLIES	1,739.90
9157	03/13/09	PITNEY BOWES INK CARTRIDGE	220.20
9158	03/19/09	USDA RURAL DEVELOPMENT DV BOND PAYMENT	31,974.42
9159	03/19/09	MICHELLE BOWLING CONTRACTUAL SVC 31309	918.00
9160	03/19/09	CALIFORNIA PUBLIC EMPLOYEE'S PERS CONTRIBUTION PPE 31309	2,947.70
9161	03/19/09	CINTAS CORPORATION #150 UNIFORM SVC 31109	27.10
9162	03/19/09	CLINICAL LABORATORY OF BAC-T, PLATE COUNT BAC-T, PLATE COUNT	86.00
9163	03/19/09	FIRST BANKCARD ON LINE BILL PAY, SECURITY CERT	78.40
9164	03/19/09	THE HOME DEPOT #6971 MISC ITEMS	174.36
9165	03/19/09	INLAND WATER WORKS FIELD MATERIALS & SUPPLIES WELL 6-SHUT OFF VALVE REPL	621.07
9166	03/19/09	NELSON HEATING AND AIR CLEANING & REPAIR, BH OFFICE	940.00
9167	03/19/09	SDRMA APR-JUN WORK COMP PREMIUM	3,414.00
9168	03/24/09	SUPERIOR READY MIX CONCRETE, FUEL SPILL/INSURANCE REIM FUEL SPILL/INSURANCE REIM	1,095.40
9169	03/27/09	MESSNER & HADLEY, LLP AUDITED FINANCIAL STATEMENTS 2007/2008	4,627.50
9170	03/27/09	JAMES BROWN BALANCE RFND ACCT# 0501617	21.65
9171	03/27/09	LISA NARY BALANCE RFND ACCT# 0210511	53.45
9172	03/27/09	PEDRO TORRES OJEDA BALANCE RFND ACCT# 4030002	276.00
		RICHARD ROHR BALANCE RFND ACCT# 3342261	9.41

BIGHORN-DESERT VIEW WTR AGENCY
CHECK REGISTER
MARCH 31, 2009

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
9173	03/27/09	VERIZON CALIFORNIA	
		AUTO CONTROLS 3/13-4/13	44.14
9174	03/27/09	AFFORDABLE PLUMBING	
		FUEL SPILL-SEPTIC	2,100.25
9175	03/27/09	ECOLOGY CONTROL INDUSTRIES	
		FUEL SPILL-SOIL EXCAVATION	
		AND DISPOSAL	25,594.62
9176	03/27/09	SB CO FIRE DEPT	
		FUEL SPILL-HAZMAT OVERSIGHT	6,808.00
9177	03/27/09	SHARP ENVIRONMENTAL	
		FUEL SPILL-ENVIRONMENTAL	
		SITE ASSESSMENT	6,830.00
9178	03/27/09	BARR LUMBER CO INC	
		SUPPLIES	
		SUPPLIES	
		METER EXCHANGE	40.22
9179	03/27/09	TERRY BURKHART	
		SPECIAL MEETING 31809	100.00
9180	03/27/09	CRISTI BUSH	
		CONSULTING SVC 3/11-3/12	
		DATASTREAM AP/AR	1,582.93
9181	03/27/09	CINTAS CORPORATION #150	
		UNIFORM SVC 31809	27.10
9182	03/27/09	CLINICAL LABORATORY OF	
		BAC-T, PLATE COUNT	
		BAC-T, GEN PHY	202.00
9183	03/27/09	JUDY CORL-LORONO	
		SPECIAL MEETING 31809	100.00
9184	03/27/09	DATASTREAM BUSINESS SOLUTIONS	
		SOFTWARE MAINT 40109-63009	645.00
9185	03/27/09	DUANE LISIEWSKI	
		SPECIAL MEETING 31809	100.00
9186	03/27/09	MICHAEL MCBRIDE	
		SPECIAL MEETING 31809	100.00
9187	03/27/09	NELSON HEATING AND AIR	
		SERVICE CHARGE/OFFICE BLDG	65.00
9188	03/27/09	SOUTHERN CALIFORNIA EDISON	
		POWER EXPENSE, FEB	4,730.51
9189	03/27/09	WARREN NORMAN STRODEL	
		SPECIAL MEETING 31809	100.00
9190	03/27/09	VERIZON CALIFORNIA	
		AUTO CONTROLS 3/13-4/13	44.14
TOTAL			117,351.64

Prepared By

Date

Reviewed By



BIGHORN-DESERT VIEW WATER AGENCY

BOARD OF DIRECTORS' REGULAR MEETING MINUTES

BOARD MEETING OFFICE
1720 N. CHEROKEE TR.
LANDERS, CALIFORNIA

FEBRUARY 24, 2009
TUESDAY
6:00 P.M.

- **CALL TO ORDER-** 6:07 P.M.
- **PLEDGE OF ALLEGIANCE-** Led by Dennis Staley
- **ROLL CALL-** Directors Present: Director Corl-Lorono, Director McBride, Director Lisiewski, Director Strodel, Director Burkhart
Staff Present: Marina West, Kim Heller
Guests Present: Approximately 17
- **APPROVAL OF THE AGENDA-** MS Burkhart/Strodel to approve Agenda as presented- Failed. MS Lisiewski/McBride 2/3 to approve Agenda with Item 6i moved above Item 6a- Failed. MSC Burkhart/Strodel 4/1, with Director Lisiewski voting no, to approve Agenda as presented.

Public Participation-Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment please state your name and have your information prepared. Due to time constraints a three minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **PUBLIC PARTICIPATION-** Any person may address the Board on any matter within the District's jurisdiction on items not appearing on this agenda- **Paul Dossey commented on a letter he received from Agency regarding the option to pay the Basic Service Fee or disconnect from the system, uses of Agency vehicles and the Agency's upcoming election.**
Jim Langer commented on the Agency's General Manager, the Agency's recent rate increase, and the Agency's testing of Rock Corral.
Martha Oswalt commented on the Local Agency Formation Commission awaiting her report on the Agency's audit and inquired on amount of Agency's budget deficit.
2. **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-**MSC McBride/Burkhart 5/0 to approve Consent Items with Items 2d, 2g and 2h removed to Item 5, as requested by Director Lisiewski.**

a) Minutes of the December 2, 2008 Public Hearing Special Meeting

- b) Minutes of the December 16, 2008 Special Meeting
- c) Consumption & Billing Comparison Report January 2009
- d Financial Statements January 2009
- e Production Report January 2009
- f) Service Order Report January 2009
- g) Back up documentation in support of check # 8872
- h) Summary of Local Agency Investment Fund (LAIF) Transactions from September 2007 to present.

3. **CONSENT ITEMS RECOMMENDED FOR APPROVAL AT THE FINANCE/PUBLIC RELATIONS & EDUCATION/PERSONNEL COMMITTEE MEETING-** No February 2009 meeting held.

4. **CONSENT ITEMS RECOMMENDED FOR APPROVAL AT THE PLANNING & ENGINEERING/LEGISLATIVE/GRANT/SECURITY COMMITTEE MEETING OF FEBRUARY 19, 2009-** No consent items.

5. **MATTERS REMOVED FROM CONSENT ITEMS-** Items 2d, 2g and 2h- Information only-
Item 2d- Director Lisiewski questioned Legal billing being over budget. Ms. West advised that the Legal billing was under budget for FY08-09 and the balance sheet shows payments that will be accrued to FY07-08 after the audit.

Jim Langer inquired how much the Legal bills were. Ms. West advised approximately \$19,000.00 was billed to the Agency by Legal for the FY08-09.

Director Lisiewski questioned the 1% General Tax asking if this was the property tax from the people. Ms. West advised that it was the property tax of the Bighorn and Desert View received for that month (January). Director Lisiewski asked if that included Johnson Valley. Ms. West said she could not say exactly who paid or how much was paid. The Agency does not receive that information from the tax collector.

Director Lisiewski questioned the amount of wages and salaries paid for the month of January as opposed to the amount of wages and salaries paid in past months. Ms. West invited Director Lisiewski to come in to the Administration Office with his inquiries as she did not have that documentation with her she would not be able to answer that question.

Martha Oswalt asked who the designated Treasurer of the Agency was. Ms. West responded that to her knowledge, there was no designated Treasurer.

Item 2g- Director Lisiewski asked if a written report had been submitted by then Director Johnson for the charges incurred on check #8872. Director Lisiewski said he would forgo discussion of this item until he had seen report.

Item 2h- Director Lisiewski questioned withdrawals on the Local Agency Investment Fund (LAIF) account. Ms West gave a brief summary on how to read the LAIF Transaction Report. Director Lisiewski pointed out a withdrawal from LAIF on 12/03/07 and noted there was no description of what the withdrawal was for. Ms. West concurred that, although she did not work for the Agency on these dates, she too noted an odd series of events on this particular Transaction Report. She noted that on 11/16/07 and on 12/03/07 a total of \$100,000.00 was withdrawn and that on 12/11/08 and on 01/18/09 a total of \$100,000.00

was put back in to LAIF and there were no payments made. Ms. West stated she did not know why these transactions took place.

Director Lisiewski also questioned a LAIF withdrawal on 07/07/08 for \$23,000.00. Ms West stated that although this amount could not be tied to any large expenditure, it was possible this amount was withdrawn to make the payments on bills due. As Director Lisiewski read off the Transaction report what was taken out and what was paid, Ms. West stated again that she did not work for the Agency at the time some of the withdrawals and payments were made. Ms. West pointed out if all the withdrawals were added up and all the payments were added up, one satisfied the other.

Recess: 6:49 P.M. – 6:58 P.M.

6. DISCUSSION AND ACTION ITEMS- The following items will be discussed by the Board of Directors and Staff, and the Board will consider taking action, if so inclined.

a) PROPOSED AD HOC COMMITTEE ON LEGISLATIVE ISSUES- Recommended by PLEGS Committee, Board to consider creating Ad Hoc Committee to work on acquisition of State and Federal stimulus dollars- **MSC McBride/Burkhart 4/1, with Director Lisiewski voting no, to create Ad Hoc Committee to work on acquisition of State and Federal stimulus dollars.**

Director Burkhart proposed that an Ad Hoc Committee be appointed stating that the Legislative issues needed special attention to be sure advantage was taken on all opportunities and to stay on top of problems that needed to be addressed immediately. Ms. West stated that, in regards to Legislation, the wheels are moving very fast and if the Agency expected to received any of the stimulus dollars there needs to be a face with the name and as the Agency has no Lobbyist, an Ad Hoc Committee could keep on top of issues. Director McBride agreed an Ad Hoc Committee was needed. Director Lisiewski disagreed stating the Agency already had a Legislative Committee (PLEGS) and an Ad Hoc was a waste of money. Director Corl-Lorono commented she had learned during an AWAC meeting that there were new restrictions on Grant Funding.

Director Corl-Lorono and Director Burkhart appointed to Ad Hoc Committee on Legislative Issues.

b) PROPOSED AD HOC COMMITTEE ON AMES MEANS PROJECT ISSUES- Recommended by PLEGS Committee, Board to consider creating Ad Hoc Committee to communicate between interested parties- **MSC McBride/Strodel 5/0 to create Ad Hoc Committee to communicate between interested parties on Ames Means project issues.**

Director McBride inquired as to the specific function of this Ad Hoc Committee. Director Burkhart stated the Committee would act as a liaison with other interested parties such as the County, Hi-Desert Water District, and Mojave Water Agency. Director McBride agreed the Ad Hoc Committee was a good idea. Ms. West pointed out the Ad Hoc would be dealing with issues collectively, Ames Means, recharge facility and the CEQA issues that would be addressed later in this meeting. Director Lisiewski stated that because the Ames Agreement was one of the main issues, he also agreed to the Ad Hoc Committee saying he did not want to see the Ames Agreement destroyed.

Vic DiAco commented that the Ad Hoc Committees were never paid before. Ms. West responded by saying when an Ad Hoc meets the members are entitled to a \$50.00 stipend, however a Director is not obligated to receive stipend and the Ad Hoc

committees were not created for the purpose of stipend, but for the purpose of staying on top of issues that have a serious effect on the Agency.

Director Lisiewski and Director Cori-Lorono appointed to Ad Hoc Committee on Ames Means Project Issues.

c) **STAND-BY ASSESSMENT FEES-** Board to provide direction to start the staff work to obtain information necessary for the Board to make a future decision on whether or not to pursue water availability assessments this calendar year- **No motion made, item failed.** Ms. West verified that Q, S, & T had originally taken the stand-by fee away but afterward the Agency could have re-instated that fee and did not. She clarified that putting this fee back in place required a process and was asking the board if staff should begin process. She stated the Agency was the only water district around that did not collect the water availability assessment fee and this is a revenue stream. Director Burkhardt stated she did not want to pursue these fees. She stated she did not want to put another fee on the residents at this time and she did not feel it would pass the public vote. Director Lisiewski and Director McBride agreed.

Phil Johnson commented these fees were eliminated because of a certain law suit against a certain entity, the entity being Bighorn-Desert View Water Agency. It was found to be illegal in that if you charge a fee you must be able to provide the service immediately. The California State Constitution was changed to reflect the Supreme Court ruling however, other entities all around the Agency that had the same fees in place and were not named in the suit were not affected by the suit.

d) **ASSOCIATION OF CALIFORNIA WATER AGENCIES 2009 LEGISLATIVE SYMPOSIUM-** Board to consider authorizing attendance of Directors to the Association of California Water Agencies 2009 Legislative Symposium being held at the Sacramento Convention Center, March 18, 2009 at a cost of approximately \$1000.00 per Director- **No motion made, item failed (conflict with Special Board Meeting scheduled for March 18, 2009).**

e) **DISBURSEMENTS JANUARY 2009-**No motion required-

Director Lisiewski questioned check # 9012 payable to Ms. West, re-imbursement for GM education. Ms. West advised she was enrolled in a quarterly program and this check paid for the fall quarter. She stated she understood her contract to read that from April 21, 2008 to April 21, 2009 she was entitled to \$3000.00 of education re-imbursement. That fact was confirmed by Director McBride. Director McBride said that was negotiated by the Board and approved by the Board.

Director Lisiewski also questioned why there was no payment to the attorney on the check register and there was an invoice submitted by the attorney in January. Ms. West clarified that as of January 31st, the attorney bill had not been paid, the payment occurred in February.

Director McBride requested clarification on check on check # 9034 (for miscellaneous items) payable to First Bankcard. Ms. West said she could not say what the check detail was without looking at the credit card detail and asked Director McBride if wanted staff to provide the back-up for this check. Director McBride said he did not.

Director Lisiewski also questioned check # 9044 payable to Barnett Construction. Ms. West advised check was for required down payment for materials.

f) **RESOLUTION NO 09R-XX- A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY SETTING FEE FOR SERVICE FOR ALL BULK STATION ACCOUNTS (BILLING ROUTES 30-33) AT \$8.50 PER UNIT AND \$0 BASIC SERVICE CHARGE-** Board to discuss and consider adoption of Resolution 09R-XX- MSC Burkhardt/McBride 4/1 to adopt Resolution No. 09R-05 by roll call vote:

Director McBride- Aye
Director Lisiewski- No
Director Corl-Lorono- Aye
Director Strodel- Aye
Director Burkhart- Aye

Director McBride commented that his wish was not granted. He had wanted the \$9.62 rate, currently being applied to the Johnson Valley Bulk Hauling Station, to be applied to all Bulk Hauling Stations. He pointed out it was important that all Bulk Hauling Stations be charged the same rate.

Director Lisiewski commented that the Bulk Hauling customers would now have their rate increased by \$8.50 per unit. Ms. West clarified that all customers that are receiving water from Bulk Hauling Stations will have their rate changed to \$8.50 per unit with no monthly Basic Service Charge. She explained that there were currently two different rate structures for Bulk Hauling customers. 1) Johnson Valley (route 33) at \$9.62 per unit with no monthly Basic Service Charge. 2) Routes 30, 31 and 32 at \$3.00 per unit with \$27.50 monthly Basic Service Charge. Director Lisiewski also commented this new rate structure was not a cure for the exportation problem. Ms. West agreed and clarified this rate structure was not intended to be a cure for the exportation issue.

Sharon Edwards commented that if the Agency charged Johnson Valley a monthly Basic Service Charge, as with all other accounts in the district, the Agency would be guaranteed an annual revenue of \$16,170.00.

Recess: 7:54 P.M. – 8:05 P.M.

g) MAIL BALLOT ELECTION OFFER FROM REGISTRAR OF VOTERS- Request by the Registrar to consider a “mail ballot election”- **MS McBride/Burkhart, failed for Option “C”- to adopt Resolution requesting the San Bernardino County Board of Supervisors to authorize and change the Agency’s current odd- year election date to an August all-mail ballot election.**

MSC 4/1, with Director Lisiewski voting no, for Option “D”- to Adopt Resolution (09R-06) requesting the San Bernardino County Board of Supervisors to authorize and change the Agency’s current odd- year election date to an even-year election. Ms. West explained that the change to an August all-mail ballot election would mean the nominations would be moved to May, the election to August and the elected Board member would not be seated until December.

Ms. West commented that not a lot of time was given by the Registrar to debate this item or to get voter feedback, pointing out the letter was received from the Registrar on February 4th and the Agency has until March 11th to make a decision. Ms. West read the options of the Board as presented in her staff report. Ms. West advised the board that the Registrar had indicated she would not support the option of changing the Agency’s current odd-year election date to an even-year election. Ms. West stated she did not think the Agency could convince the Board of Supervisors by March 11th, to allow the change to even-year elections.

Phil Johnson expressed his regret that he had not been at the committee meeting when this item was first discussed. Mr. Johnson commented that the credibility of the Board is worth more than (\$9000.00) the money that might be saved by changing to all-mail ballot, stating the perception of the voter is that when you start changing things like this, you’re hiding something.

Director McBride stated that \$9000.00 was a huge savings and he was in favor of changing to the August all-mail ballot election.

h) NOTICE OF AVAILABILITY/INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PIONEERTOWN WATER SYSTEM IMPROVEMENTS PROJECT- Board to discuss and consider directing staff to proceed with letter opposing Mitigated Negative Declaration- **MSC Burkhardt/Strodel 5/0 directing staff to proceed with comment letter on Mitigated Negative Declaration-** Ms. West explained that this plan proposes to pump water from wells located in CSA-70/W-1 and wheel the water through Hi-Desert Water District (HDWD) into the CSA-70/W-4 water system in the Pioneertown area. Ms. West read from her DRAFT letter opposing the project: "The transfer of water from W-1 to W-4 via facilities owned and operated by the Hi-Desert Water District (HDWD) appears to violate state law regarding basic precepts of groundwater law. HDWD's wheeling of the water via its facilities also appears to violate the spirit, if not the letter, of long-standing agreements between the Agency and HDWD and court judgments entered regarding water extractions from the Ames Valley Groundwater Basin." "The ISMND is not in compliance with the California Environmental Quality Act, Public Resources Code section 21000 et. seq. (CEQA). The IS/MND has the following principal defects: It inadequately describes the Project. The Project description fails to incorporate the extraction of water by W-1 from the Reche Groundwater Sub-basin of the Ames Valley Groundwater Basin (the "Reche Sub-basin"). It fails to adequately analyze the environmental impacts of the Project on the Reche Sub-Basin and on the public and private pumpers who rely on it to meet their water demands. It fails to consider the growth-inducing impacts of the Project on the unincorporated communities of Pioneertown and Landers."

Recess: 8:48 P.M. - 9:02 P.M.

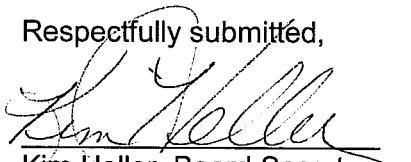
i) CUSTOMER REQUEST FOR RELIEF OF BILLING FOR PARCEL 629-405-01- No motion made. Staff directed to research consumption reports for the month prior, the month during, and the month after incident and present findings to the Board at the March 24, 2009 Regular Meeting for a final decision of relief request- **Mr. Bengtson addressed the Board going over information that had been presented and discussed at previous Board meetings. Mr. Bengtson commented that he was a long time customer of the Agency and felt he deserved some consideration. Mr. Bengtson brought Mr. Brad Day, a former employee of Wulf's Recycling, to speak on his behalf. Mr. Day described how he dismantled meters at Wulf's and stated the numbers on the meters do spin when the meters are "smacked face on with a hammer". Director McBride commented that the damaged meter being discussed was a new meter, less than five years old and asked the PLEGS Committee for their recommendations. Director Strodel asked numerous questions to staff. He pointed out to Mr. Bengtson that it is possible to have a leak well below the surface. Mr. Bengtson argued he had a 'leak detector' come to his property and no leak was found.** Following discussion with the Board, staff and Mr. Bengtson and numerous Public comments, Board directed staff to estimate usage from production records and present information at the March Regular Board Meeting.

- 7. DIRECTORS' REPORTS/COMMENTS-** Director McBride reminded everyone about the Workshop scheduled for Saturday, February 28th. Director Lisiewski inquired of staff how many meters had been exchanged and if the agency has seen a significant gain of the 24% loss of water. Ms West responded 23 were exchanged in January and she had not yet done the water loss analyses. Director Strodel-None. Director Burkhardt read from the California Public Records Act, under section of 'Request For Public Records' and 'Responding to the Request'.

Director Corl-Lorono- advised of the upcoming AWAC Landscaping Workshop sponsored by the Agency (in kind services), presented by Robin Kobaly and the Summer Tree Institute on Saturday, March 21st at the Yucca Valley Community Center and Wednesday, March 25th at the Joshua Tree Community Center.

8. **GENERAL MANAGER'S REPORT (ORAL)-** Ms. West advised that in lieu of the PLEGS Committee Meeting on March 18th, the Agency will be holding a Special Board Meeting that day with presentations by SDRMA and the Agency's attorney, Francis Logan.
Ms. West advised that the Agency Website (www.bdvwa.org) is back up and running.
Ms. West clarified one of the issues brought up by Mr. Langer during Public Comment- Rock Corral Testing: Ms. West stated she had Rock Corral tested mainly to get an assessment of the plate count for Rock Corral, Well 10, and a private well in Johnson Valley that had also been tested. She stated she had never told anyone not to use the Rock Corral facility; the tests were not performed to scare anyone from using Rock Corral. She merely pointed out the one test in time of Rock Corral showed a problem. Ms. West stated she had asked Mr. Langer for a copy of his test results for Rock Corral and they had not been provided to her.
Ms. West gave closure to the matter of a check issued to Phil Johnson as a Director stating Mr. Johnson attended a security conference and she was briefed. She clarified that Mr. Johnson did not charge the Agency for lodging; he stayed at a relatives and did not take full stipend for meals.
Ms. West verified for a member of the Public that the Agency does not have a Treasurer. She stated whether or not we have a Treasurer does not change the spending habits of past management.
Ms. West advised the Board the Project Status Report would be presented quarterly instead of monthly.
9. **COMMUNICATION AND INFORMATION ITEMS**
10. **ITEMS FOR NEXT AGENDA-** Customer Request for relief of billing for Parcel 629-405-01, Auditor's Report.
11. **ADJOURNMENT-** 10:29 P.M.

Respectfully submitted,


Kim Heller, Board Secretary



BIGHORN-DESERT VIEWWATER AGENCY

BOARD OF DIRECTORS' WORKSHOP SPECIAL MEETING MINUTES

BOARD MEETING OFFICE
1720 CHEROKEE
LANDERS, CALIFORNIA

FEBRUARY 28, 2009
SATURDAY
9:30 A.M.

- **CALL TO ORDER-** 9:58 A.M.
- **PLEDGE OF ALLEGIANCE-** Led by Susan Johnson
- **ROLL CALL-** Directors Present: Director Corl-Lorono, Director McBride,
Director Lisiewski, Director Strodel,
Director Burkhart
Staff Present: Marina West, Kim Heller
Guests Present: Approximately 4

Public participation-Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment please state your name and have your information prepared. Due to time constraints a three minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **WORKSHOP DISCUSSION-** An open forum discussion of future goals and objectives of each Director for 2009. No action is to be taken-**Ms. West gave her presentation on the following:**
 - **Overview of Agency Territory-** Ms. West provided 3 maps. Each map showing the Agency's sphere of influence and the Agency's boundaries as well as the sphere of influence and boundaries for Hi-Desert Water District (HDWD), Joshua Basin Water District (JBWD), County Service Area 70 W-1 and W-4 (CSA 70). Ms. West stated the lines depicted on these maps were going to be reviewed in the sphere of influence study by Local Agency Formation Commission (LAFCO).
 - **Summary of '08 Workshop Goals and Objectives/Progress Report '08 Workshop Goals and Objectives:**

1. Infrastructure-

- **Education of both Board and staff which is on-going.**
- **Strategic Plan which is essentially laid out in the Water Master Plan (WMP). The CEQA for the first five years of the WMP is in process having been slowed due to lack of funding. The Ames Means Strawman adopted by this Board in January and Hi-Desert Water District intends to adopt Strawman on March 11th and the recent release of the Initial Study for the County W-1 and W-4 water transfer. Residential meter replacement program moving forward, virtual meter reading system on-hold due to funding.**
- **Security: Alarm installation in shop building complete.**

2. Solidarity/PR/Outreach:

- **Citizens Outreach Committee – not begun**
- **Public Relations: positive relationship established with Supervisor Derry and Field Representative Alan Rasmussen, Assemblyman Paul Cook.**
- **Active Standing Committees: Eight committees consolidated into two, Planning/Legislative/Engineering/Grant/Security and Finance/Public Relations/Education/Personnel which meet regularly.**
- **Newsletter – not begun**
- **Active representation at Alliance for Water Awareness and Conservation (AWAC) and local Morongo Basin AWAC group, local associations such as Homestead Valley Community Council (HVCC), Landers Community Association, Flamingo Heights Community Association, Johnson Valley Improvement Association and Flamingo Heights Emergency Operations Committee, and Morongo Basin Open Space Group are attended by general manager and/or various board members.**
- **Mission Statement reviewed, and now posted on the website**
- **Website functional and on-line bill pay is available**
- **Mojave Water Agency: Mojave Water Agency Technical Advisory Committee, MWA ID M Managers meetings quarterly, MWA ID M Pipeline. Continued pursuit of cost sharing financial participation.**

3. Budget- Rate increase successful to stabilize revenue, audit presentation coming in March, Inactive meters have been billed. Handful of customers have formally terminated. Bulk hauling rates adjusted Agency-wide.

4. Grants-

- **Federal Authorization resubmitted to Sen. Boxer and Sen. Feinstein for FY2010. No Authorization's issued in FY2009. Continued struggles without lobbyist to represent Agency. Potential to tap into Mojave Water Agency lobbyists.**
- **Submitted four applications for State stimulus funds being offered through State Revolving Fund.**

5. LAFCO-

- **Sphere of Influence document has not been submitted but document is under construction.**

Public Participation: Mr. Johnson proposes that rather than relying on DC lobbyist, invest in sending your own representative down to the local representative offices of Boxer and Feinstein. Politicians love to carry the banner of a winning proposal. Cong. Lewis supported the BDVWA package because it was good for Cong. Lewis. Past Board members have gone unprepared and Mr. Johnson stressed that being prepared is absolutely key. They want to talk to the elected representative not necessarily the GM or a lobbyist. Mr. Johnson also discussed flood control/rain water management as a means of capturing flows for recharge. All local water agencies need more water and this is an ideal time to package a program to work regionally on water supply problems.

- **Update on Current Events**
 1. **Ames Means Recharge**
 2. **Johnson Valley Groundwater Basin Assessment**
 3. **Marine Corp. Ground Combat Center Base Expansion**
 4. **CSA-70/W-1 and CSA-70/W-4 Water Transfer Project**
- **Suggestions from General Manager on future priorities**
 1. **Survey Johnson Valley landowners to determine interest in water supply system. If no interest, then no need to pursue any stimulus funds for this service area at this time when stimulus funds are potentially available. However, any majority interest in a water system does not preclude the Agency from pursuing exploration of water resources within the Agency boundaries (All Directors concur).**
 2. **Marine Corps Air Ground Combat Center Expansion, no comments received to date. Comment by Field Representative Alan Rasmussen regarding Base Expansion indicating the plan is being prepared by folks in D.C. and does not believe that it will stand the test of need, in his opinion.**
 3. **Four projects have been submitted under State Revolving Fund and include meter replacement program, reservoir maintenance, chlorination facilities, and the Ames Recharge Project.**
 4. **LAFCO annexations in Section 19 and Section 35 will be funding by the developers wishing to Annex to Bighorn Desert View Water Agency**

Followed by Board discussion on priority objectives for the 2009 calendar year, continue progress on all goals and objectives listed in 2008 Workshop with current progress noted above.

Restatement of Current and Additional Goals and Objectives of Board for 2009

1. **Research projects that capture storm flow for artificial recharge (Dir. Lisiewski and Dir. Strodel).**
2. **Johnson Valley Groundwater Basin Studies and funding to conduct research (Dir. Lisiewski).**

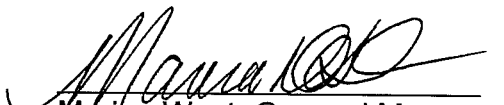
3. Annual program to pull and overhaul production well pumps, valves, boosters, etc. to maintain production wells over projected proactive preventative maintenance schedules for turbine pump life as well as booster pumps and pressure reducing stations (Dir. McBride).
 4. Accelerate schedule for meter replacement program (Dir. McBride)
 5. Pursue State Revolving Fund Grant for replacement and refurbishment of chlorination system, reservoir maintenance, meter replacement program, and recharge facility including security and telemetry enhancements (Dir. Corl-Lorono)
 6. Focus on Public Relations with other elected officials including County, Mojave Water Agency, Hi Desert Water District (Dir. Burkhart)
 7. Improved communication and cooperation between members of the Board (Dir. Burkhart)
 8. Continuing Board education (Dir. Burkhart and Dir. Strodel)
 9. Continue to work on facility security enhancements (Dir. Corl-Lorono)
 10. Complete LAFCO Sphere of Influence application and submit (Dir. Corl-Lorono)
2. **PUBLIC COMMENTS-** Any person may address the Board on any matter within the District's jurisdiction on items not appearing on this agenda.

Mr. Johnson asked if the Board was going to take an official position on the Greenpath North Project.

Mr. Rasmussen commented about Greenpath North and that Supervisor Derry is opposed to this project alignment. He also expressed interest in being able to access the Agency facility on Cherokee Trail on occasion to be available for meetings with area residents.

3. **ADJOURNMENT- 12:55 P.M.**

Respectfully submitted,


Mariha West, General Manager

GENERAL FUND

ASSETS			

CASH & CASH EQUIVALENTS			
01 13120	CASH UNION BANK OF CA	23,194.43	
01 13130	CASH CASH DRAWERS BASE FUND	750.00	
01 13400	CASH PETTY CASH FUND	800.00	

TOTAL CASH & CASH EQUIVALENTS		24,744.43	
INVESTMENTS			
01 13303	CASH LAIF-UNRESTRICTED	496,737.18	

TOTAL INVESTMENTS		496,737.18	
ACCOUNTS RECEIVABLE, WATER			
01 13710	A/R WATER	114,063.14	

TOTAL ACCTS RECEIVABLE, WATER		114,063.14	
ACCOUNTS RECEIVABLE, OTHER			
01 13600	A/R INTEREST EARNINGS	4,072.42	
01 13800	A/R PROPERTY TAXES	(39,984.46)	

TOTAL ACCTS RECEIVABLE, OTHER		(35,912.04)	
INVENTORIES			
01 14301	INVENTORY-WATER SYSTEM PARTS	61,614.90	
01 14302	INVENTORY-DIESEL FUEL	1,230.37	
01 14303	INVENTORY-UNLEADED FUEL	1,789.25	

TOTAL INVENTORY		64,634.52	
PREPAID EXPENSES			
01 14401	PREPAYMENTS WORKERS COMP INSUR	3,413.94	
01 14402	PREPAYMENTS PL & PD LIAB INS	9,339.15	
01 14403	POSTAGE	6,584.12	

TOTAL PREPAID EXPENSES		19,337.21	
FIXED ASSETS			
01 11130	FA ORGANIZATION	336,271.36	
01 11140	FA LAND & BUILDINGS	298,457.41	
01 11150	FA YARDS	57,934.48	
01 11160	FA FUELS TANKS	16,604.30	
01 11170	FA WATER SYSTEM	7,223,519.41	
01 11180	FA SHOP EQUIPMENT	99,211.92	
01 11181	FA MOBILE EQUIPMENT	424,831.47	
01 11190	FA OFFICE EQUIPMENT	139,079.33	
01 11400	ACCUMULATED DEPRECIATION	(4,916,582.82)	

TOTAL FIXED ASSETS		3,679,326.86	

GENERAL FUND

WORK IN PROGRESS (FOR OTHERS)

01 12004	WIP BLUCKER ANNEXATION	111.52
01 12006	WIP FLAMINGO HTS ASSN, SEC35	14,597.53

TOTAL WORK IN PROGRESS (OTHERS)		14,709.05

WORK IN PROGRESS (AGENCY)

01 12005	WIP GRANTS CEQA/NEPA	67,969.04
01 12011	WIP WELL 9 REHAB (NTE\$89K)	102,558.17
01 12014	WIP PRV 7 INTERTIE	796.55
01 12016	WIP WELL 10 REHAB	81,230.21
01 12017	WIP METER REPLACEMENT PROGRAM	94,630.39
01 12020	WIP FUEL SPILL CLAIM	46,483.47
01 12022	WIP WELL 7	660.67
01 12025	WIP WELL 6-SHUT OFF VALVE REPL	567.41

TOTAL WORK IN PROGRESS (AGENCY)		394,895.91

DEBT ISSUANCE COST

01 15400	BOND ISSUE COSTS	4,022.49

TOTAL DEBT ISSUANCE COST		4,022.49

TOTAL ASSETS
4,776,558.75
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LIABILITIES

ACCOUNTS PAYABLE

01 22400	CAPITAL LEASE	19,955.48
01 22520	ACCRUED INTEREST PAYABLE	3,750.00
01 22700	ACCOUNTS PAYABLE	44,316.43

TOTAL ACCOUNTS PAYABLE		68,021.91

ACCRUED PAYROLL

TOTAL ACCRUED PAYROLL		0.00

CUSTOMER DEPOSITS

01 22550	CUSTOMER DEPOSITS PENDING	1,150.00
01 22600	CUSTOMER DEPOSITS	50,134.00

TOTAL CUSTOMER DEPOSITS		51,284.00

WORK IN PROGRESS DEPOSIT

01 23004	WIP-DEP-BLUCKER ANNEXATION	7,500.00
01 23006	WIP DEP-FLAMINGO HTS ASSN S35	7,500.00
01 23020	WIP-DEP-FUEL SPILL CLAIM	43,378.72
01 23024	WIP DEP-RIGGS ID MODELLING	3,645.00

GENERAL FUND

TOTAL WORK IN PROGRESS DEPOSIT	62,023.72
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LIAB PYBL FRM RESTRICTD ASSETS

01 22950	ACCRUED INT PAYABLE DV ID BNDS	4,487.21
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01 22951	ACCRUED BONDS PAYABLE DV ID	2,000.00
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TOTAL LIAB PYBL FRM REST ASSET	6,487.21
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LONG TERM DEBT

01 21101	REVENUE BONDS PAYABLE - DV	335,977.05
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01 22300	REVENUE BONDS PAYABLE - BH	900,000.00
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TOTAL LONG TERM DEBT	1,235,977.05
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TOTAL LIABILITIES	1,423,793.89
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EQUITY

01 30109	CONTRIBUTED CAPITAL/HUD	291,035.88
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01 30111	FMHA GRANTS	758,297.76
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01 31000	FUND BALANCE	1,785,703.09
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01 31001	FUND BALANCE FEMA & OES	427,895.00
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01 31111	CURR YEAR NET REVENUE/EXPENSE	89,833.13
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TOTAL EQUITY	3,352,764.86
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TOTAL LIABILITIES & EQUITY	4,776,558.75
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2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818

Prepared By

Date 4/20

Reviewed By

PERIOD ENDING 03/31/09

GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
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REVENUE						

OPERATING REVENUE						
01 41000	SERVICE LINE INSTALLATION FEES	4,500.00	0.00	4,920.00	-420.00	109.33%
01 41001	BASIC FACILITIES CHARGE	9,500.00	0.00	9,500.00	0.00	100.00%
01 41100	INCOME METERED WATER	459,500.00	24,266.98	362,004.48	97,495.52	78.78%
01 41300	BASIC SERVICE CHARGE	508,530.00	48,817.85	343,123.59	165,406.41	67.47%
01 41600	INCOME REVENUE BONDS DV FMHA	43,189.00	-14.87	30,964.25	12,224.75	71.69%
01 41700	INCOME OTHER (OPERATING)	21,600.00	2,489.52	17,741.39	3,858.61	82.14%
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	TOTAL OPERATING REVENUE	1,046,819.00	75,559.48	768,253.71	278,565.29	73.39%
NON-OPERATING REVENUE						
01 49100	INCOME GEN TAX ID A 1% BH GA02	49,565.00	3,605.28	23,214.27	26,350.73	46.84%
01 49101	INCOME BOND DEBT BH FMHA DA01	106,315.00	15,857.83	44,604.68	61,710.32	41.96%
01 49102	INCOME GENERAL TAX 1% DV GA01	48,847.00	2,945.97	23,247.36	25,599.64	47.59%
01 49200	INTEREST INCOME	18,500.00	0.00	9,445.21	9,054.79	51.06%
01 49600	INCOME OTHER (NON OPERATING)	1,000.00	0.00	233.10	766.90	23.31%
01 49601	INCOME-CONT CAPTL WIP(NONOPER)	0.00	0.00	335.32	0.00	0.00%
01 49999	FEDERAL/STATE GRANTS FEMA/OES	0.00	0.00	41,018.93	0.00	0.00%
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	TOTAL NON-OPERATING REVENUE	224,227.00	22,409.08	142,098.87	82,128.13	63.37%
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	TOTAL REVENUE	1,271,046.00	97,968.56	910,352.58	360,693.42	71.62%

EXPENSE

OPERATING EXPENSE

01 54102	OPERATIONS COMPENSATION	185,853.00	14,284.15	140,481.50	45,371.50	75.59%
01 54103	UNIFORMS	2,675.00	135.50	1,191.27	1,483.73	44.53%
01 54105	AUTO CONTROLS	4,500.00	767.96	3,237.97	1,262.03	71.95%
01 54106	VEHICLE/TRACTOR/EQUIP EXPENSE	9,000.00	75.36	4,002.54	4,997.46	44.47%
01 54107	VEHICLE EXPENSE - FUEL	27,000.00	2,245.54	17,282.59	9,717.41	64.01%
01 54109	FIELD MATERIALS & SUPPLIES	45,000.00	1,260.12	18,489.61	26,510.39	41.09%
01 54111	WATER TESTING	10,000.00	321.00	5,368.00	4,632.00	53.68%
01 54112	CONTRACTUAL SERV- ENGINEERING	5,000.00	0.00	0.00	5,000.00	0.00%
01 54114	WATER SYSTEM REPAIRS	12,000.00	0.00	3,396.86	8,603.14	28.31%
01 54115	BUILDING MAINTENANCE/REPAIR	4,750.00	1,463.19	4,881.27	-131.27	102.76%
01 54117	AMES BASIN MONITORING	3,000.00	0.00	0.00	3,000.00	0.00%
01 54119	COMMUNICATIONS EXPENSE	3,200.00	210.09	1,791.92	1,408.08	56.00%
01 54121	DISINFECTION EXPENSE	6,500.00	0.00	2,891.48	3,608.52	44.48%
01 54125	POWER WELLS & PUMPS	60,000.00	4,331.12	38,609.28	21,390.72	64.35%
01 54130	OTHER OPERATIONS EXPENSES	12,500.00	55.53	11,839.74	660.26	94.72%
01 54150	PAYROLL LABOR TO PROJECTS	0.00	0.00	-11,150.29	0.00	0.00%
01 54160	VEH & EQUIP EXPENSE TO PROJECT	0.00	0.00	-6,901.37	0.00	0.00%
01 54170	INVENTORY EXP TO WIP PROJECTS	0.00	0.00	-40,890.58	0.00	0.00%

GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
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01 56001	DIRECTOR FEES	10,000.00	1,500.00	7,000.00	3,000.00	70.00%
01 56002	DIRECTOR MEETING EXPENSES	10,000.00	0.00	2,649.68	7,350.32	26.50%
01 56003	ADMINISTRATIVE COMPENSATION	212,550.00	14,155.13	137,580.32	74,969.68	64.73%
01 56005	ADMINISTRATIVE MEETING EXPENSE	1,000.00	48.41	737.66	262.34	73.77%
01 56006	CONTRACTUAL SERV-AUDITOR	9,500.00	4,627.50	9,345.00	155.00	98.37%
01 56007	CONTRACTUAL SERV-LEGAL	70,000.00	105.60	47,890.35	22,109.65	68.41%
01 56008	PERS CONTRIBUTION	33,600.00	2,415.88	22,037.74	11,562.26	65.59%
01 56009	PAYROLL TAXES	8,800.00	-468.90	7,467.57	1,332.43	84.86%
01 56011	TELEPHONE/FAX/INTERNET/WEB	6,250.00	950.64	5,130.17	1,119.83	82.08%
01 56012	MAILING EXPENSES	7,500.00	412.55	5,486.26	2,013.74	73.15%
01 56014	CONTRACTUAL SERV-OTHER	25,100.00	9,878.54	50,454.07	-25,354.07	201.01%
01 56016	PROPERTY/LIABILITY EXPENSE	38,000.00	2,946.38	26,517.42	11,482.58	69.78%
01 56017	WORKERS COMP INSURANCE	12,500.00	1,125.34	18,047.36	-5,547.36	144.38%
01 56018	DUES & SUBSCRIPTIONS	6,500.00	12.00	6,210.50	289.50	95.55%
01 56020	POWER OFFICES & YARDS	7,000.00	399.39	3,764.52	3,235.48	53.78%
01 56022	BAD DEBT EXPENSE	6,000.00	0.00	-6.50	6,006.50	- .11%
01 56025	PROPANE	1,750.00	461.19	799.89	950.11	45.71%
01 56030	OFFICE SUPPLIES	7,500.00	0.00	1,948.95	5,551.05	25.99%
01 56100	EMPLOYEE BENEFITS INSURANCE	63,358.00	5,114.84	54,032.43	9,325.57	85.28%
01 56110	EMPLOYEE EDUCATION	6,000.00	0.00	3,221.00	2,779.00	53.68%
01 56120	GROUNDWATER MGMT PLANNING EXP	0.00	0.00	19,018.04	0.00	0.00%
01 56121	NEMER METER UPGRADE EXP	0.00	0.00	335.32	0.00	0.00%
01 56150	PAYROLL FRINGE EXP TO PROJECTS	0.00	0.00	-4,014.11	0.00	0.00%
01 56160	OVERHEAD TO PROJECTS	0.00	0.00	-7,755.94	0.00	0.00%
TOTAL OPERATING EXPENSE		933,886.00	68,834.05	612,419.49	321,466.51	65.58%
NON-OPERATING EXPENSE						
01 56200	OFFICE EQUIPMENT EXPENSE	6,000.00	220.20	1,958.32	4,041.68	32.64%
01 56300	CUSTOMER RELATIONS	1,000.00	0.00	458.67	541.33	45.87%
01 56400	OTHER ADMINISTRATIVE EXPENSES	4,000.00	74.57	1,322.80	2,677.20	33.07%
01 57000	INTEREST EXPENSE - BH BONDS	0.00	0.00	22,499.99	0.00	0.00%
01 57100	DEPRECIATION EXPENSE	0.00	18,179.13	163,911.34	0.00	0.00%
01 59100	INTEREST EXPENSE - DV BONDS	0.00	8,974.42	17,948.84	0.00	0.00%
TOTAL NON-OPERATING EXPENSE		11,000.00	27,448.32	208,099.96	-197,099.96	1891.82%
TOTAL EXPENSE		944,886.00	96,282.37	820,519.45	124,366.55	86.84%
NET REV/EXP GENERAL FUND						
		326,160.00	1,686.19	89,833.13	236,326.87	27.54%
		=====	=====	=====	=====	=====

Prepared By M. Alredal
Date 4/8/09
Reviewed By M. Alredal

GENERAL ACCOUNT (UNION BANK)

Mar-09

SOURCES OF FUNDS:

SERVICE LINE INSTALLATION FEES	0.00	
BASIC FACILITIES CHARGE	0.00	
A/R - WATER	84,375.04	
MISCELLANEOUS REVENUE	366.53	
1% GENERAL TAX	6,551.25	
BIGHORN ADVALOREM TAX	15,857.83	
WIP-DEP FUEL SPILL CLAIM	43,378.72	
CUSTOMER DEPOSITS	<u>1,500.00</u>	
 TOTAL		<u><u>152,029.37</u></u>

USE OF FUNDS:

DEBT SERVICE	23,000.00	
CAPITAL PURCHASES	45,749.12	
CAPITAL LEASE	1,173.89	
INVENTORY PURCHASES	1,359.26	
PREPAYMENTS - INSURANCE & POSTAGE	3,414.00	
PAYMENTS FOR SALARIES & WAGES	25,047.93	
ADMINISTRATIVE EXPENSE	35,701.30	
OPERATIONS EXPENSES	7,381.66	
TRANSFERS TO INCREASE LAIF	25,000.00	
MISCELLANEOUS & CUSTOMER REFUNDS	<u>360.51</u>	
 TOTAL		<u><u>168,187.67</u></u>

Prepared By 

Date 4/20/09

Reviewed By 

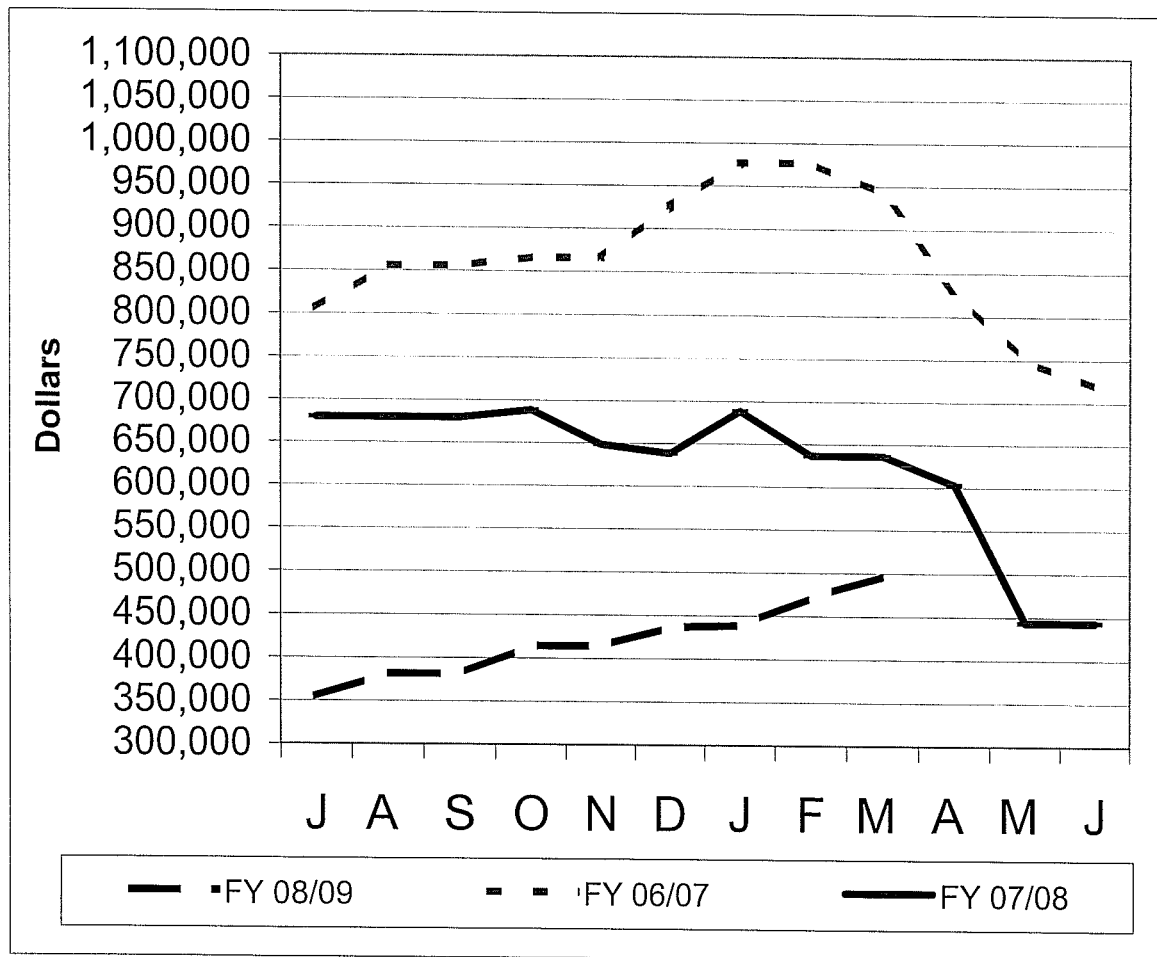
**UNION BANK OF CALIFORNIA
DISBURSEMENTS MARCH 2009**

Datastream Check Register	<u>117,351.64</u>	<u>117,351.64</u>	
EFT for Vendor Services			
Payroll Processing Fee	173.30		
Bank Fees	178.16		
Credit Card Fees	376.65		
Internet Access Fee	<u>59.99</u>		
Total EFT for Vendor Services		<u>788.10</u>	
Wages for Paydate 03/13/09			
Wages EFT	5,406.02		
Employee Tax Withholdings	1,441.06		
Employer Tax Expenses	236.92		
Wages check #1902-1908	<u>4,967.63</u>		
		<u>12,051.63</u>	
Wages for Paydate 03/27/09			
Wages EFT	5,909.68		
Employee Tax Withholdings	1,779.67		
Employer Tax Expenses	213.17		
Wages check #1909-1915	<u>5,093.78</u>		
		<u>12,996.30</u>	
Transfers to LAIF	<u>25,000.00</u>	<u>25,000.00</u>	
Total Disbursements			<u><u>168,187.67</u></u>

Prepared By M. Cleland
 Date 4/2/09
 Reviewed By Marina

Local Agency Investment Fund Balance Timeline
Balance as of March 31, 2009

	FY 06/07	FY 07/08	FY 08/09
July	805,315	679,189	354,364
August	855,315	679,189	381,364
September	855,315	679,189	381,364
October	865,621	688,186	414,076
November	865,621	648,186	414,076
December	925,621	638,186	436,076
January	976,800	688,186	438,737
February	976,800	636,402	471,737
March	941,800	636,402	496,737
April	829,004	603,292	
May	749,004	443,292	
June	719,004	443,292	



Prepared By *M. Mendel*
 Date 4/29/09
 Reviewed By *M. Mendel*

DATE: APRIL 2009
TO: MARINA WEST
FROM: MICHELLE BOWLING
RE: Consumption & Billing Comparison MARCH 2009
Consumption

Residential- North- Bighorn

	Meters	Usage (c.f.)
Book 1	150	120,806
Book 2	181	151,173
Book 3	159	162,109
Book 4	154	107,873
Book 5	129	92,054
Book 6	137	98,929
Total	910	732,944

Residential- South- Desert View

	Meters	Usage (c.f.)
Book 7	168	0
Book 8	174	354
Book 9	187	939
Book 10	181	0
Book 11	194	0
Total	904	1,293

Bulk -Kickapoo, Well 4, Cherokee

	Meters	Usage (c.f.)
Book 30	39	12,496
Book 31	5	65
Book 32	5	13,890
Total	49	26,451

Construction Meters

	Meters	Usage (c.f.)
Book 40	0	200
Total	0	200

Billed Consumption	777,127
Non Billed Usage	2,830
Total Consumption	779,957

Bulk - Well 10

	Meters	Usage (c.f.)
Book 33	49	16,239
Total	49	16,239

Active Residential Meters	1,814
Active Bulk Meters	98
Total Active Meters	1,912

Billing Comparison

	This Year MAR 2009	Last Year MAR 2008	Difference More (Less)
Statistics			
Total Customer Accounts	1008	815	193
Usage in Cubic Feet	777,127	971,388	(194,261)
Percentage Increase/(Decrease)			-20%

Revenues

Water Revenues	25,654.02	30,117.67	(4,463.65)
Basic Service Charge	50,175.58	30,184.68	19,990.90
Miscellaneous	806.61	395.00	411.61
Delinquent Charges	1,465.71	1,276.32	189.39
Total Operating Revenues	78,101.92	61,973.67	16,128.25

Debt Service Revenues (pass through)

FMHA **	12.41	44.04	(31.63)
Total Debt Service Revenues	12.41	44.04	(31.63)

Additional Information Regarding Pass Through Revenues

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

Total Charges (Proof)	78,114.33	62,017.71	
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DATE: 3/6/2009
TO: Board of Directors
FROM: Kit Boyd
RE: March Production

	<u>Cubic Feet</u> <u>Pumped</u>	<u>Total Gallons</u> <u>Pumped</u>	<u>Average</u> <u>GPM</u>	<u>Total</u> <u>Running Time</u>	<u>acre feet</u>
Well 2	93,870	702,148	367	31.9	2.15
Well 3	155,850	1,165,758	381	51	3.58
Well 4	0	0	#DIV/0!	0	0.00
Well 6	7,710	57,671	458	2.1	0.18
Well 7	61,870	462,788	410	18.8	1.42
Well 8	370,600	2,772,088	1,079	42.8	8.51
Well 9	712,200	5,327,256	660	134.6	16.35
Well 10	22,480	168,150	90	31.1	0.52
Total	1,424,580	10,655,858			32.70

Wells 4 did not run this month

A Boosters	69,320	518,514	141	61.5
C Boosters	141,500	1,058,420	293	60.2
Total	210,820	1,576,934		



DATE: FEBRUARY 2009

TO: Kim Heller

FROM: Michelle Bowling

SUBJECT: Service Order Report July 2008 through June 2009

	J	A	S	O	N	D	J	F	M	A	M	J	YTD
Mainline Leaks:	1	1	1	1	0	0	0	1	0				
Service Line Repairs:	2	0	3	1	2	4	5	1	5				
Service Line Replacements:	10	7	9	2	2	5	0	1	3				
Service Line Installations:	0	0	1	2	1	0	0	0	0				
Meter Changeouts*	60	5	51	48	43	19	23	53	153				
Water Quality Complaints:**	2	3	2	2	0	1	1	0	0				
48 Hour Tags for NSF Checks:	2	0	4	2	1	2	0	1	2				
Lock Offs for Non-Payment:	4	9	5	9	10	6	9	11	8				
Unlocks After Payment Made:	3	6	0	7	4	2	4	1	5				
All Other Miscellaneous:	106	111	94	63	73	108	136	164	125				
Total	190	142	170	137	136	147	174	233	301				

*Meter replacement program started 6/18/08 with Route 09. Other meter exchanges included in misc.

** High or low pressure complaints fall within this category.

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

Meeting Date: April 28, 2009

To: Board of Directors

Budgeted: n/a

Funding Source: n/a

Cost: n/a

From: Marina D. West

General Counsel Approval: n/a

Staff Contact:

CEQA Compliance: N/A

Subject: Policy Statement No. P09-02 A Statement Establishing an Agency Meeting Agenda Preparation Policy

SUMMARY

The Finance/Public Relations/Education/Personnel Standing Committee reviewed Agenda Preparation Policy 08P-02 on January 7, 2009. The Board adopted Policy No. 09P-01 on March 24, 2009. Staff was alerted to several typos including incorrect reference to the prior policy number and is bringing the item back to the Board for reaffirmation.

RECOMMENDATION

That the Board take the following action:

1. Adopt Policy No. 09P-02 A Statement Establishing an Agency Meeting Agenda Preparation Policy.

BACKGROUND/ANALYSIS

On March 24, 2009, the Board approved a revised Policy with respect to Preparation of the Agenda. It has been brought to staff's attention that certain typos warrant correction of the Policy at the Board level. Most importantly, Policy No. 09P-01 references a rescinding of a prior policy number which were later found to be an incorrect reference and there are other typos. Therefore, staff recommends the Board adopt Policy No. 09P-02 rescinding all prior Policy Nos. regarding A Statement Establishing an Agency Meeting Agenda Preparation Policy to bring closure of the issue.

PRIOR RELEVANT BOARD ACTION(S)

3/24/2009 09P-01 Adopt A Statement Establishing an Agency Meeting Agenda Preparation Policy

1/7/2009 FPREP Committee discussion regarding modification to the Agenda Preparation Policy

4/22/2008 08P-02 Adopt A Statement Establishing an Agency Meeting Agenda Preparation Policy.

POLICY STATEMENT NO. 09P-02
BIGHORN-DESERT VIEW WATER AGENCY

A STATEMENT ESTABLISHING AN AGENCY MEETING AGENDA
PREPARATION POLICY

The Board of Directors of the Bighorn-Desert View Water Agency hereby set the following policy which will establish the process by which the agendas for Agency meetings will be generated.

1. The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors.
2. In regards to the regularly scheduled meeting held currently on the fourth Tuesday of each calendar month the following process and timeline for agenda preparation shall be followed-

Directors may request and seek majority consensus for appropriate items to be placed on the Agenda at the regular Board meeting.

Tuesday prior to the meeting – Director deadline for adding appropriate items to the Agenda will be the end of business Tuesday. The Board President shall make any final determinations as to what constitutes an appropriate item to be agendized for the Board meeting.

Wednesday prior to the meeting – Before days end, Staff shall email the first draft of the agenda to the Directors who have email and a copy will be made available to the remaining Directors who will be notified via phone.

12:00 Noon Thursday prior to the meeting – Directors' revisions should be delivered to the General Manager.

Upon completion of the Board Agenda with the backup material packet on the Friday prior to the meeting- A field representative shall hand deliver Agenda Binders to Directors and post agendas. So as to not create the appearance of preferential treatment agendas shall not be delivered to any other parties other than Agency Directors.

The Official Posting Location for the purposes of meeting the requirements of the Ralph M. Brown Act will be the Agency Office at 622 S. Jemez Trail.

As a courtesy the Agenda shall also be posted at the following locations-

- Johnson Valley Improvement Association
- 1720 North Cherokee Trail- Agency Meeting Hall
- Hero Market
- Western Coffee Pot Cafe
- Landers Homeowners Association- Belfield Hall
- Mojave Market
- Halliday's Market

In addition, the agenda will be emailed to the "Agenda Notification List" maintained by the Agency Board Secretary. This list includes the following:

- Z107.7 Radio Station
- Hi-Desert Star Newspaper

Pursuant to the Brown Act Section 54957.5(a) once the Agenda and related materials have been prepared office staff shall make available upon request, and without delay, the agenda and related materials for public viewing during regular business hours. However, this shall not include any writing exempt from public disclosure under Section 6253.5, 6254.7, or 6254.22.

Complete agendas without the backup material packet shall be prepared and without delay made available at the Agency administrative office and shall be provided upon request at no charge to the requester.

Complete Agendas with backup material packets will be made available, and without delay, for public viewing during regular business hours at the Agency Business Office. Complete Agendas with backup material packets will be uploaded to the Agency website as soon as technologically possible.

Any member of the public can purchase a complete Agenda packet, with backup material at the then current per page copy charge outlined in the Agency's Rates, Fees and Charges for public information requests pursuant to the California Public Records Act. Hard copies of presentations made or materials distributed at Agency meetings will be thereafter be subject to the California Public Records Act.

3. The General Manager, in cooperation with the Standing Committee Chair, shall prepare an agenda for each Standing Committee meeting.
4. Any Director may contact the Committee Chair to place any appropriate item on the Committee meeting agenda no later than Tuesday prior to the agenda mail out day which is scheduled for the Friday before the scheduled time and date of the meeting.
5. Board Workshops shall be scheduled and the agenda set by the Board of Directors at the regular or special meeting of the Board or by the Board President.
6. During the Consent Calendar portion of the Board meeting, any member of the Board may specifically request any agenda item be removed from the Consent Calendar and placed under Deferred Items for consideration and Board action.
7. Under Deferred Items on the agenda, any item removed from the Consent Calendar shall be considered separately for Board action. At that time, the Board may, by a majority vote, amend, refer, retain, or remove each deferred item on the agenda.

Policy Statement 09P-02 was adopted by the Board of Directors at a Regular meeting held on April 28, 2009 and hereby rescinds all previous Policies regarding preparation of the agenda.

Board Secretary