



BIGHORN-DESERT VIEW WATER AGENCY  
A PUBLIC AGENCY

**BOARD OF DIRECTORS'  
REGULAR MEETING AGENDA**

**BOARD MEETING OFFICE  
1720 N. CHEROKEE TRAIL  
LANDERS, CA 92285**

**August 25, 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. When giving your public comment, please first state your name and have your information prepared. Due to time constraints, a three-minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board Secretary at 760-364-2315 during Agency business hours.

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

**2. CLOSED SESSION**

- **CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
(2 potential cases)

**3. CLOSED SESSION REPORT**

**4. DISCUSSION AND ACTION ITEMS** - The Board of Directors and Staff will discuss the following items, and the Board will consider taking action, if so inclined.

- a. **RESOLUTION NO. 09R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY UPDATING LIST OF AGENCY STAFF MEMBERS AUTHORIZED TO INVEST MONIES INTO THE LOCAL AGENCY INVESTMENT FUND (LAIF)** - Board to approve and adopt a resolution for the purpose of replacing prior Board Secretary, Kim Heller, with current Board Secretary, Joanne Keiter.
- b. **RESOLUTION NO. 09R-XX - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY PLACING IN NOMINATION PEER A. SWAN AS VICE PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES** - Board to adopt a resolution by roll-call vote for the purpose of review, consideration and nomination of candidate Peer A. Swan for Vice President of The Association of California Water Agencies Board of Directors.
- c. **BOARD TO ELECT 2010-2011 ACWA REGION 9 OFFICERS AND BOARD MEMBERS** - Board to review official ballot identifying individual candidates running for the Region 9 Board and elect a Region 9 Chair, Vice Chair and three to five Board Members.
- d. **MEMORANDUM OF UNDERSTANDING ACCEPTING FINANCIAL PARTICIPATION FROM MOJAVE WATER AGENCY FOR PHASES I AND II AMES-MEANS RECHARGE FACILITY IN THE AMOUNT OF \$279,495** – Authorize staff to execute a Memorandum of Understanding between Mojave Water Agency and Bighorn Desert View Water Agency regarding Project Management of Phases I and II of the Ames-Means Recharge Project (aka Reche Recharge Facility) and accepting financial participation in the amount of \$275,495.00
- e. **BOARD TO APPROVE DIRECTORS' REQUESTED 2009 CSDA COURSES** – Board to consider and approve new fiscal year California Special District Academy (CSDA) courses for interested Directors. Registration fees estimated at no more than \$2,250.00 plus \$100 per diem per director and related mileage expenses.

## **5. DISBURSEMENTS JULY 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. Financial Statements July 2009
  - b. Minutes of the June 23, 2009 Special Meeting –  
Minutes to be distributed as soon as available following Agenda posting.
  - c. Minutes of the June 25, 2009 Special Meeting –  
Minutes to be distributed as soon as available following Agenda posting.

- d. Consumption & Billing Comparison Report July 2009
- e. Production Report July 2009
- f. Service Order Report July 2009

**7. MATTERS REMOVED FROM CONSENT ITEMS**

**8. DIRECTORS' REPORTS/COMMENTS**

**9. GENERAL MANAGER'S REPORT (ORAL)**

**10. COMMUNICATION AND PUBLIC INFORMATION ITEMS**

**11. ITEMS FOR NEXT AGENDA**

**12. 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.

RESOLUTION NO. 09R-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BIGHORN-DESERT VIEW WATER AGENCY  
AUTHORIZING INVESTMENT OF MONIES INTO THE  
LOCAL AGENCY INVESTMENT FUND

**WHEREAS**, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

**WHEREAS**, the Board of Directors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the Bighorn-Desert View Water Agency.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Directors does hereby authorize the deposit and withdrawal of Bighorn-Desert View Water Agency monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

**BE IT FURTHER RESOLVED**, that the following Bighorn-Desert View Water Agency officers in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund -

Authorized Board Members

\_\_\_\_\_  
Judy Corl-Lorono, Director

\_\_\_\_\_  
Terry Burkhart, Director

\_\_\_\_\_  
Michael McBride, Director

\_\_\_\_\_  
Duane Lisiewski, Director

\_\_\_\_\_  
Warren Strodel, Director

Authorized Agency Staff Members

\_\_\_\_\_  
Marina D. West, General Manager

\_\_\_\_\_  
Joanne L Keiter, Board Secretary

**BE IT FURTHER RESOLVED**, that each transaction shall require one Authorized Board Member and one Authorized Agency Staff Member to complete a transaction or two Authorized Board Members.

**BE IT FURTHER RESOLVED**, that this resolution shall become effective on the official date of adoption, August 25, 2009.

\_\_\_\_\_  
Judy Corl-Lorono, Board President

I, the undersigned, hereby certify that I am the duly appointed Secretary of the Board of Directors of the Agency, and that at a regular meeting of the Board held on August 25, 2009, the foregoing Resolution No. 09R-XX was adopted by said Board and that it has not been rescinded or amended since the date of its adoption, and is now in full force and effect.

\_\_\_\_\_  
Joanne L Keiter, Board Secretary

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

**Meeting Date:** August 25, 2009

**To:** Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** None

**Funding Source:** N/A

**From:** Marina West

**General Counsel Approval:** N/A

**Staff Contact:** Joanne Keiter

**CEQA Compliance:** N/A

**Subject: Nomination of Peer A. Swan for Vice President of the Association of California Water Agency's (ACWA) for a Two-year Term Beginning January 1, 2010**

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**SUMMARY**

The Agency has received a request for nomination of Mr. Peer A. Swan for the position of Vice President of the Association of California Water Agency's (ACWA). Mr. Swan, currently a director with the Irvine Ranch Water District, is a committed statewide leader in the water industry with over 30 years of experience. He has served as Vice Chair of the ACWA Region 10 Board of Directors and currently serves as a Region 10 director. BDVWA is served by Region 9; therefore, connection to the ACWA Vice President could provide additional awareness to issues and concerns directly affecting BDVWA, and the Hi Desert Region. Mr. Swan is familiar with BDVWA and recently was introduced to two BDVWA directors. Staff supports the nomination of Mr. Peer A. Swan for the position of Vice President of ACWA for a two-year term beginning January 1, 2010.

**RECOMMENDATION**

That the Board take the following action;

1. Adopt Resolution No. 09R-XX, via roll call vote, placing in nomination Peer A. Swan as Vice President of the Association of California Water Agency's for a two-year term beginning January 1, 2010.

**BACKGROUND/ANALYSIS**

Information provided by Irvine Ranch Water District is attached. No other candidate statements have been received. The ballot must be received at the ACWA office by 5:00 pm on September 1, 2009.

**PRIOR RELEVANT BOARD ACTION(S)**

None

RESOLUTION NO. 09R-XX

RESOLUTION OF THE BOARD OF DIRECTORS  
OF BIGHORN-DESERT VIEW WATER AGENCY  
PLACING IN NOMINATION PEER A. SWAN AS VICE PRESIDENT  
OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES

**WHEREAS**, the Board of Directors of the Bighorn-Desert View Water Agency has been made aware of the call for nominations for Vice President of the Association of California Water Agencies, and;

**WHEREAS**, Irvine Ranch Water District's Director Peer A. Swan has indicated a desire to serve as Vice President of the Association of California Water Agencies; and

**WHEREAS**, if elected Director Swan plans to work with the ACWA President, the ACWA Board of Directors and ACWA management staff to implement actions to accomplish the goals of the ACWA Blueprint; provide strong leadership for a Delta solution that resolves and achieves the co-equal goals of sustaining water supply and quality and protecting environmental objectives; and to support member agencies water resource and energy management objectives by identifying funding opportunities and providing regulatory and legislative advocacy for local resource development and effective water use efficiency programs.

**WHEREAS**, Director Swan is seeking the office of Vice President after serving as Vice Chair of the Association of California Water Agencies' Region 10 Board of Directors and as such is a member of the Association of California Water Agencies Board of Directors; and

**WHEREAS**, over the years Director Swan has served on several Association of California Water Agencies Committees including its Finance Committee and Water Management Committee, and has recently been active in two task forces developing innovative statewide solutions to the critical water supply conveyance and conservation issues now faced in California; and

**WHEREAS**, Director Swan is a committed and experienced leader in the water industry and his in-depth knowledge and understanding of critical water issues facing California would be a great benefit to the Association; and

**WHEREAS**, Director Swan has further demonstrated his leadership experience by serving on a wide variety of Boards in his community including the YMCA of Orange County; the Orange Coast College Foundation, where he was the founding Treasurer of the Board; the Orange County Sanitation District where he served as Vice Chairman for six years; and Founding Director of the Board of the National Water Research Institute.

**WHEREAS**, the Association of California Water Agencies is the largest coalition of public water agencies in the country and the premier water organization in California.

**NOW, THEREFORE**, the Board of Directors of the Bighorn-Desert View Water Agency DOES HEREBY RESOLVE, DETERMINE and ORDER the following:

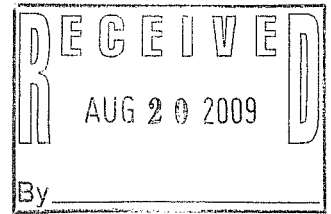
Affirms its support for the nomination of Peer A. Swan for Vice President of the Association of California Agencies, and on the Board's behalf, the Board Secretary is hereby directed to forward a certified copy of this resolution to the Association of California Water Agencies.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 25th day of August, 2009.

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

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of the Bighorn-Desert View Water Agency, and that a special meeting of the Board of Directors of said Agency held on August 25, 2009, the foregoing Resolution 09R-XX was duly and regularly adopted by said Board, and that said resolution had not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By \_\_\_\_\_  
Joanne L Keiter, Board Secretary



## IRVINE RANCH WATER DISTRICT

15600 Sand Canyon Avenue • P.O. Box 57000 • Irvine, California 92619-7000 • (949) 453-5300 • [www.irwd.com](http://www.irwd.com)

August 18, 2009

Ms. Kim Heller  
Bighorn-Desert View WA  
622 S Jemez Trail  
Yucca Valley, CA 92284

Subject: IRWD Director Peer Swan's Nomination as ACWA Vice President

Dear Ms. Kim Heller:

On July 13, 2009, The Irvine Ranch Water District (IRWD) Board of Directors unanimously approved a resolution supporting the nomination of Director Peer Swan as Vice President of the Association of California Water Agencies (ACWA). On behalf of the Board, I respectfully request that you join us in supporting Peer Swan by adopting a similar resolution. Director Swan is a committed statewide leader in the water industry with 30 years of experience and is uniquely qualified for the position of ACWA Vice President. Director Swan's deep knowledge and understanding of critical water issues facing California would be a great benefit to the ACWA community.

As Vice President, Director Swan has committed to work with the ACWA President, the ACWA Board of Directors and ACWA management staff on the following three key objectives:

**Implement Actions to Accomplish the "Blueprint:"** Complete a performance evaluation of ACWA's effectiveness in achieving the *"Blueprint for California's Water: No Time to Waste."* Identify and prioritize areas for improvement, and identify specific staff resources and member support needed to accomplish the Blueprint's objectives.

**Provide Strong Leadership for a Delta Solution:** Pursue the historic opportunity available to ACWA to provide a central leadership role in a comprehensive solution for the Delta that resolves and sustains water supply, water quality, and environmental objectives through the Bay-Delta Conservation Plan, legislative actions and other processes.

**Support Member Agencies' Water Resource and Energy Management Objectives:** Provide assistance to ACWA's member agencies by identifying funding opportunities and providing regulatory advocacy for local resource development, meaningful and effective water use efficiency programs, and energy/greenhouse gas reduction measures.

Director Swan is seeking the office of Vice President after serving as Vice Chair of ACWA's Region 10 Board of Directors, and as such is a member of the ACWA Board of Directors. Swan has served on the ACWA Finance Committee, the Groundwater Committee and has recently


been active in proposing and developing innovative statewide solutions to critical water supply conveyance issues now faced by the California Bay-Delta estuary.

Director Swan was first elected to the Irvine Ranch Water District Board of Directors in 1979. After a term as Vice President of the Board his fellow Directors elected him President, a position he held from December 1981 until December 1995 and again in 2006. He currently serves as chairman of the Finance and Personnel Committee, serves on the Water Banking Committee and is a member of several Ad Hoc Committees. Director Swan was re-elected to the IRWD Board without opposition in 2006 and his current term runs through 2010. Further, Director Swan's current list of community and professional involvement includes membership as the President of the Board of the Water Advisory Committee of Orange County, the President of the Board of the San Joaquin Wildlife Sanctuary, and member of the Steering Committee of the Southern California Water Dialog Committee.

For your convenience, attached is a sample resolution in support of Director Swan. **Resolutions are due by September 1, 2009, and should be sent to the Association of California Water Agencies, 910 K Street, Suite 100, Sacramento, CA 95814-3577.** ACWA elections will take place at the ACWA Fall Conference in San Diego, CA. If elected, Director Swan would begin his two-year term as ACWA Vice President on January 1, 2010.

On behalf of the Irvine Ranch Water District Board, thank you for your support for Director Swan's nomination. If we can be of further assistance, please do not hesitate to contact me or General Manager Paul Jones at 949-453-5310.

Sincerely,

A handwritten signature in black ink, appearing to read 'DJR', followed by a long horizontal line.

Douglas J. Reinhart  
President

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

**Meeting Date:** August 25, 2009

**To:** Board of Directors

**Budgeted:** N/A

**Budgeted Amount:** N/A

**Cost:** None

**Funding Source:** N/A

**From:** Marina West

**General Counsel Approval:** N/A

**Staff Contact:** Joanne Keiter

**CEQA Compliance:** N/A

**Subject: Association of California Water Agencies (ACWA) Region 9 Election for the 2010/2011 Term**

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**SUMMARY**

The Association of California Water Agency's (ACWA) has submitted the candidate list for the Region 9 officers and board members who will represent and serve the members of Region 9 for the 2010/11 term. Recently, the Board endorsed Mr. Art Bishop, a director with Mojave Water Agency, to fill a vacant seat on the ACWA Region 9 Board. Mr. Bishop is not listed on the "slate" of candidates recommended by the Region 9 Nominating Committee. Therefore, if the Board desires to vote for Mr. Bishop then the Board shall cast its vote for a Region 9 chair, vice chair and three to five board members.

**RECOMMENDATION**

That the Board take the following action;

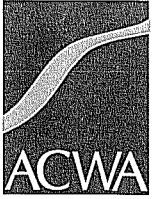
1. Elect Association of California Water Agencies (ACWA) Region 9 chair, vice chair and three to five Board Members.

**BACKGROUND/ANALYSIS**

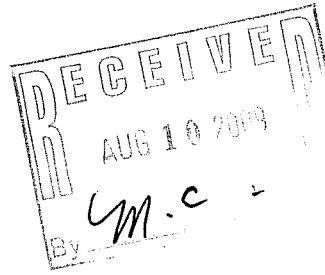
Information provided by ACWA is attached. No candidate statements have been received. The ballot must be received at the ACWA office by 5:00 pm on September 30, 2009.

**PRIOR RELEVANT BOARD ACTION(S)**

None



Association of California Water Agencies  
Leadership Advocacy Information Since 1910



August 7, 2009

TO: ACWA REGION 9 MEMBER AGENCY BOARD PRESIDENT

FROM: TIFFANY GIAMMONA, ACWA REGIONAL AFFAIRS  
REPRESENTATIVE

SUBJECT: REGION 9 ELECTION FOR THE 2010-2011 TERM

It is time to elect the 2010-2011 ACWA Region 9 officers and board members who will represent and serve the members of Region 9. Enclosed, you will find the official ballot which includes the Region 9 Nominating Committee's recommended slate as well as individual candidates running for the Region 9 Board.

**Your agency is entitled to cast only one vote.** Please review the enclosed ballot and have your agency's authorized representative cast its vote for the slate as recommended by the Region 9 Nominating Committee or cast its vote for a Region 9 chair, vice chair and three to five board members.

**Return the ballot to ACWA by SEPTEMBER 30, 2009\***

Attention: Katie Dahl, ACWA Region Coordinator

Please e-mail to [katied@acwa.com](mailto:katied@acwa.com) or fax to 916-561-7124 or mail to:

Association of California Water Agencies

910 K Street, Suite 100

Sacramento, CA 95814

**\*Ballots received after September 30 will not be accepted.**

**REMEMBER, YOUR VOTE IS IMPORTANT.** Region 9 board members are elected to represent the issues, concerns and needs of your region. The Region 9 chair and vice chair will serve on ACWA's board of directors for the next two year-term of office beginning January 1, 2010. Additionally, the newly elected chair and vice chair will make the Region 9 committee appointment recommendations to the ACWA president for the 2010-2011 term. Also, either the chair or vice chair will hold a seat on the ACWA Finance Committee.

If you have questions, please contact me at [tiffanyg@acwa.com](mailto:tiffanyg@acwa.com) or call me at 916-441-4545. Thank you for your careful consideration and participation in the Region 9 election process.

Enclosure: ACWA Region 9 Ballot

# Region 9 Board Ballot

2010-2011 TERM



Association  
of California  
Water Agencies  
Since 1910  
Leadership  
Advocacy  
Information

**Please return completed ballot  
by September 30, 2009**

E-mail: katied@acwa.com  
Fax: 916-561-7124  
Mail: ACWA  
910 K Street, Suite 100  
Sacramento, CA 95814

## General Voting Instructions:

1. Please complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures. Region 9 Rules and Regulations "require the Board President's signature for approval."
2. You may either vote for the slate recommended by the Region 9 Nominating Committee or vote for individual region board members. Please mark the appropriate box to indicate your decision.

## Region 9 Nominating Committee's Recommended Slate

- ☐ I concur with the Region 9 Nominating Committee's recommended slate below.

### Chair:

W. Ben Wicke, Elsinore Valley Water District

### Vice Chair:

Brian J. Brady, Imperial Irrigation District

### Board Members:

Craig Alexander Ewing, Desert Water Agency  
Joseph J. Kuebler, Eastern Municipal Water District  
Steve Robbins, Coachella Valley Water District  
John V. Rossi, Western Municipal Water District  
Kathy Tiegs, Cucamonga Valley Water District

## Region 9 Individual Board Candidate Nominations

- ☐ I do not concur with the Region 9 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

### Candidates for Chair: (Choose one)

- ☐ W. Ben Wicke, Elsinore Valley Water District

### Candidates for Vice Chair: (Choose one)

- ☐ Brian J. Brady, Imperial Irrigation District

### Candidates for Board Members: (Max of 5 choices)

- Min. of 3 choices*
- ☐ Craig Alexander Ewing, Desert Water Agency  
☐ Art Bishop, Mojave Water Agency  
☐ Joseph J. Kuebler, Eastern Municipal Water District  
☐ Steve Robbins, Coachella Valley Water District  
☐ John V. Rossi, Western Municipal Water District  
☐ Kathy Tiegs, Cucamonga Valley Water District

\_\_\_\_\_  
AGENCY NAME

\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
BOARD PRESIDENT SIGNATURE

\_\_\_\_\_  
DATE

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

**Meeting Date:** August 25, 2009

**To:** Board of Directors

**Budgeted:** n/a

**Budgeted Amount:**

**Cost:**

**Funding Source:** EPA Grant Funds 55%  
/MWA financial participation will provided  
required 45% match

**From:** Marina D. West

**General Counsel Approval:** Obtained  
**CEQA Compliance:** Required

**Subject: Memorandum of Understanding Accepting Financial Participation from Mojave Water Agency for Phase I and II Planning and Design of the Ames-Means Recharge Project (aka Reche Recharge Facility) and Accepting Financial Participation from Mojave Water Agency in the Amount of \$279,495**

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**SUMMARY**

The Board authorized staff to seek financial partnerships in a Motion passed on June 16, 2008. The Board reviewed a Draft Memorandum of Understanding (MOU) on July 28<sup>th</sup> which if approved engages Mojave Water Agency in providing \$279,495 of financial participation for Phases I and II of the Ames-Means Recharge Project (aka Reche Recharge Facility). Phase I and II includes grant and project administration, completion of the CEQA/NEPA process, right-of-way acquisition, permit processing, on-site feasibility studies, and development of a Groundwater Management Plan for the Reche Basin.

Monies received from MWA will be used as "matching funds" for the existing EPA Grant that was obtained in 2005. To date this grant has been used to complete a Water Master Plan for the Agency and for preparation of the CEQA/NEPA including required biological field surveys. All prior relevant Board actions and discussions regarding the EPA grant and the development of the Reche Recharge Facility are summarized herein.

Once the MOU is executed by BDVWA Board then it will be forwarded to MWA for approval at an upcoming MWA Board meeting.

**RECOMMENDATION**

That the Board take the following action:

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

## **BACKGROUND/ANALYSIS**

No further analysis provided.

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

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

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

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

**8/26/2009** Introduction of the "Strawman" Guidance Document for the Development of a Groundwater Management Plan and Conjunctive Use Program for the Ames Basin.

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

**5/27/2008** Authorize issuance of Change Order No. 1 to Candida Neal, AICP in the amount of \$32,250.48 for completion of Water Infrastructure Restoration Program CEQA/NEPA documentation.

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

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

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

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

**4/24/2007** Motion to accept Water Master Plan Report by Don Howard Engineering

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

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

## **MEMORANDUM OF UNDERSTANDING**

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2009, by and between the MOJAVE WATER AGENCY, a public agency (hereinafter "MWA"), and the BIGHORN-DESERT VIEW WATER AGENCY, a public agency (hereinafter "BDVWA") regarding Project Management of Phases I and II of the Ames-Means Recharge Project.

### **RECITALS**

A. MWA is a special district duly organized and operating pursuant to the Mojave Water Agency Law, California Water Code Appendix Chapter 97.

B. BDVWA is a special district duly organized and operating pursuant to the Bighorn-Desert View Water Agency, California Water Code Appendix Chapter 112.

C. MWA has the responsibility to ensure a stable, reliable source of water within its service area.

D. MWA has an interest in developing recharge basins to store water during wet years for later use during dry years or when the Delta is under stress and water is not available to meet annual demands. BDVWA shares in this interest.

E. The Ames/Means recharge area was identified as a priority project in the MWA Integrated Regional Water Management Plan 2005.

F. Completion of the Project will result in construction of an artificial recharge facility for conjunctive use and water banking.

G. BDVWA has obtained an EPA grant from the federal government to provide funding for certain portions of the Project (hereinafter "the Grant").

H. The purpose of this Agreement is to clarify BDVWA's role as Project Manager for the Phase I and Phase II of the Project, as identified in Exhibit A attached hereto, and to memorialize the relationship between MWA and BDVWA in relation to the funding requirements from MWA, and the billing for and receipt of, Grant funds.

### **COVENANTS**

NOW THEREFORE, in consideration of the preceding Recitals and the mutual Covenants contained herein, the parties hereto agree as follows:

Section 1. PROJECT MANAGEMENT. The Parties agree the Bighorn Desert View Water Agency ("BDVWA") shall be the responsible and sole entity to negotiate, manage and be financially responsible for securing the contractors and consultants for that portion of the Ames-Means Recharge Project defined in Exhibit A hereto.

Mojave Water Agency ("MWA") will help fund the Project and advance payment of a share of these estimated costs in its sole discretion based on amounts and invoices submitted by MWA staff and approved by the Board of Directors, currently estimated to be \$279,495 as shown on Exhibit A. The timing of such payments shall be in the sole discretion of the Board of Directors and copies of all invoices shall be forwarded to MWA. BDVWA will reimburse MWA for any funds not expended for Phase I and II of the Project as determined jointly by MWA and BDVWA.

Any future funding requirements for the construction of any pipeline or improvement shall be subject to a new Memorandum of Understanding to be executed by the Parties. BDVWA shall be the recipient of the grant and at all times shall be responsible for its administration and compliance with its terms and conditions.

Section 2. INDEMNIFICATION. Excepting the sole or active negligence or willful misconduct of MWA, BDVWA agrees to indemnify MWA and the MWA agrees to indemnify the BDVWA, its officers, directors, agents, and employees against, and hold them free of and harmless from, all claims, demands, damages, losses, costs, fees, expenses, and liabilities of any kind arising out of, in connection with, incident to, or resulting from, either in whole or in part, and whether directly or indirectly, the management and/or implementation of the Project, and/or any and all acts or omissions on the part of BDVWA and MWA and/or its agents, employees, or representatives, and/or any and all acts or omissions on the part of all contractors, subcontractors, and consultants that are retained, in connection with the Project and/or the performance of this Agreement, and defend each other's officers, directors, agents, and employees from any suits or actions at law or in

equity for damages, and pay all court costs and counsel fees in connection therewith.

Section 3. TERMINATION. This Agreement shall be effective and binding immediately upon its execution by all parties hereto, and shall remain in full force and effect at all times thereafter unless otherwise mutually terminated by MWA and BDVWA.

Section 4. NOTICES. Any notice, tender, or delivery to be given hereunder by either party to the other shall be effected by personal delivery in writing or by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed communicated as of mailing or in the case of personal delivery, as of actual receipt. Mailed notices shall be addressed as set forth below, but each party may change its address by written notice in accordance with this section.

If to MWA: Mojave Water Agency  
22450 Headquarters Drive  
Apple Valley, CA 92307  
Attn: General Manager

If to BDVWA: Bighorn-Desert View Water Agency  
622 Jemez Trail  
Yucca Valley, CA 92284  
Attn: General Manager

Section 5. DISPUTES. Any dispute or controversy arising out of, under, or in connection with, or in relation to this Agreement, and any amendments thereto, or the breach thereof, shall be submitted to binding arbitration in accordance with the California Arbitration Act, Sections 1280 through 1294.2 of the Code of Civil Procedure. The cost of such arbitration shall be paid by the parties equally.

Section 6. ATTORNEYS FEES. If a dispute arises which cannot be resolved by arbitration, regarding the breach or enforcement of the provisions of this Agreement, the prevailing party therein shall be entitled to recover all attorneys fees or other costs actually incurred in connection with reaching a resolution of the dispute whether or not an action, claim, or lawsuit is filed. In any action brought, the entitlement to recover attorneys' fees and costs will be considered an element of costs and not of damages.

Section 7. INTEGRATION AND AMENDMENT. This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements, whether oral or written, between the parties in connection therewith. No variation, modification, change, or amendment of this Agreement shall be binding upon any party hereto unless such variation, modification, change, or amendment is in writing and duly authorized and executed by said party. This Agreement shall not be amended or modified by oral agreements or understandings among the parties hereto or by any acts or conduct of said parties.

Section 8. WAIVER. No waiver of any breach or default by any party hereto shall constitute a waiver of any other breach or default, nor shall any such waiver constitute a continuing waiver. Failure of any Party to enforce at any time, or from time to time, any provision of this Agreement shall not be construed as a waiver thereof or as a waiver of said party's right to enforce subsequent violations of the same or any other terms or conditions herein. The remedies herein reserved shall be cumulative and additional to any other remedies in law or equity.

Section 9. INUREMENT. This Agreement shall be binding upon and inure to the benefit of any successors and assigns of the parties hereto. Nothing in this Agreement shall be construed to give any person, other than the parties hereto, any legal or equitable right, remedy, or claim under or in respect of this Agreement or any of its provisions. This Agreement is intended to be and is for the sole and exclusive benefit of the parties hereto.

Section 10. CAPTIONS. The captions of sections and subsections of this Agreement are for reference only and are not to be construed in any way as a part of this Agreement.

Section 11. ASSIGNMENT. This Agreement may not be assigned without the written consent of all parties hereto.

Section 12. INTERPRETATION AND ENFORCEMENT. The parties hereto have been represented by counsel in the preparation and negotiation of this Agreement. Accordingly, this Agreement shall be construed according to its fair language and as if all parties hereto jointly prepared this Agreement such that any uncertainty or ambiguity contained herein shall not be resolved against the drafting party. If any provision or provisions of this Agreement are for any reason adjudged to be unenforceable or invalid, it is the specific intent of the parties hereto that the remainder of this Agreement remains in full force and effect. This Agreement shall be governed by, interpreted under, and construed and enforced in accordance with, the laws of the State of California, without regard to its conflict of law provisions.

Section 13. COUNTERPARTS. This Agreement may be executed in multiple counterparts and the signed counterparts shall constitute a single instrument. The signatories to this Agreement attest, warrant, and represent that they are duly authorized to execute this Agreement and bind their respective party to the terms contained herein.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers as of the date first above written.

**MOJAVE WATER AGENCY**

**BIGHORN-DESERT VIEW WATER  
AGENCY**

By: \_\_\_\_\_  
Kirby Brill, General Manager

By: \_\_\_\_\_  
Marina West, General Manager



# Ames Means Recharge Project

Project Components:		Funding Amount by Sources				
		Funding Amount	MWA	County	BDVWA ID M Reserve Fund Release	BDVWA EPA Grant
<b>Phase I - Planning Phase</b>						
1 Grant Administration/Project Management		105,000	47,250			57,750
2 CEQA/NEPA (C. Neal)		101,100	45,495			55,605
3 Groundwater Management Plan		60,000	27,000			33,000
4 Permitting/Land Acquisition		325,000	146,250			178,750
<b>Subtotal</b>		<b>\$ 591,100</b>	<b>\$ 265,995</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 325,105</b>
<b>Phase II - Site Investigation</b>						
1 Feasibility Analysis/Pre-Design		30,000	13,500			16,500
<b>Subtotal</b>		<b>\$ 30,000</b>	<b>\$ 13,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 16,500</b>
<b>Phase III A - Construction - Recharge pipeline and improvements</b>						
1 Plans, Specs&Est Prep. For Recharge Facility		109,000	49,050			59,950
2 Pipeline		285,000	92,000		193,000	
3 Installation		200,000	200,000			
<b>Subtotal</b>		<b>\$ 594,000</b>	<b>\$ 341,050</b>	<b>\$ 193,000</b>	<b>\$ -</b>	<b>\$ 59,950</b>
<b>Phase III B - Construction - Pipeline for Pioneertown</b>						
1 Plans, Specs&Est Prep. For Recharge Facility		-	-			-
2 Pipeline						
3 Installation		1,460,480	-	1,460,480		
<b>Subtotal</b>		<b>\$ 1,460,480</b>	<b>\$ -</b>	<b>\$ 1,460,480</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Other</b>						
1 Program Management, CM & Inspection		196,500	141,500			55,000
<b>Subtotal</b>		<b>\$ 196,500</b>	<b>\$ 141,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 55,000</b>
<b>TOTAL PROJECT COST</b>		<b>\$ 2,872,080</b>	<b>\$ 762,045</b>	<b>\$ 1,460,480</b>	<b>\$ 193,000</b>	<b>\$ 456,555</b>
Contingency (10%)		\$ 287,208	\$ 95,505	\$ 146,048	\$	\$ 45,656
Total w/Contingency		\$ 3,159,288	\$ 857,550	\$ 1,606,528	\$ 193,000	\$ 502,211

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

**Meeting Date:** August 25, 2009

**To:** Board of Directors

**Budgeted:** Yes

**Budgeted Amount:** \$10,000

**Cost:** varies pending director choices

**Funding Source:** Operations

Director Meeting Expense (line 56002)

**From:** Marina West

**General Counsel Approval:** N/A

**Staff Contact:** Joanne Keiter

**CEQA Compliance:** N/A

**Subject: Directors' Requested California Special Districts Association 2009  
Conferences and Courses**

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**SUMMARY**

Several Board members expressed interest in attending the following conference and seminars: California Special Districts Association Annual Conference in Indian Wells, CA, California Special District Academy courses: Board's Role in Human Resources and Governance Workshop.

The attached table outlines which directors requested approval and for which events. In addition to registration fees for seminars and conferences, each director is entitled to necessary accommodations (eg. meals, hotel and travel) and per diem.

The total cost of registration for all the indicated courses is \$2,250. Per diem is \$100 per day per director. Hotel accommodations are estimated at \$150 per day or less where necessary. Mileage reimbursement is set by the IRS and is currently set at \$0.55 per mile.

All costs are expected to be within the \$2,000 per director budget approved by the Board.

**RECOMMENDATION**

That the Board take the following action;

1. Approve requests by individual directors as follows:
  - a. Dir. Burkhart: California Special Districts Association 2009 Annual Conference, Indian Wells, CA including registration, per diem and travel expenses.
  - b. Dir. Corl-Lorono: California Special Districts Association 2009 Annual Conference, Indian Wells, CA including registration, per diem, meals and travel expenses. California Special Districts Academy: Board's Role in Human Resources, Irvine, CA including registration, hotel, meals, per diem and travel expenses.
  - c. Dir. Strodel: California Special Districts Academy Workshop: Governance, Indian Wells, CA including registration, per diem and travel. California Special Districts Association 2009 Annual Conference, Indian Wells, CA including registration, per diem, meals and travel expenses. California Special Districts

Academy: Board's Role in Human Resources, Irvine, CA including registration, hotel, meals, per diem and travel expenses.

**BACKGROUND/ANALYSIS**

No further analysis provided.

**PRIOR RELEVANT BOARD ACTION(S)**

None

## 2009 Directors' Seminars/Courses Requested

Corl-Lorono:	09/21/09 10/09/09	CSDA Annual Conference Board's Role in Human Resources	Indian Wells, CA Irvine, CA	\$525.00 + per diem and travel \$225.00 + per diem and travel
McBride:	None			
Burkhart:	09/21/09	CSDA Annual Conference	Indian Wells, CA	\$525.00+ per diem and travel
Strodel:	09/21/09 09/21/09 10/09/09	Pre-Conference Workshop - Governance CSDA Annual Conference Board's Role in Human Resources	Indian Wells, CA Indian Wells, CA Irvine, CA	\$225.00 + per diem and travel \$525.00 + per diem and travel \$225.00 + per diem and travel
Lisiewski:	None			

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

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
9340	07/20/09	ACWA-HBA SERVICES CORP. ACWA/HEALTH BENEFITS, AUG	4,956.31
9341	07/20/09	AUTO ZONE L-8000 STAKEBED PARTS	38.91
9342	07/20/09	BARR LUMBER CO INC METER EXCHANGE PROGRAM METER EXCHANGE PROGRAM	49.51
9343	07/20/09	CRISTI BUSH AR/AP CONSULTING SVC	3,032.80
9344	07/20/09	CLINICAL LABORATORY OF BAC-T, PLATE COUNT, GEN PHY	93.00
9345	07/20/09	CNH CAPITAL AMERICA LLC NEW HOLLAND BACKHOE LEASE PYMT	1,173.89
9346	07/20/09	DESERT IMAGES RI-2310 ANNUAL SVC CONTRACT	500.00
9347	07/20/09	DISCOUNT TIRE CENTERS #154 L-8000 JACOBSEN TRAILER REPAIR	166.26
9348	07/20/09	GOODSPEED DISTRIBUTING INC UNLEADED FUEL	1,336.27
9349	07/20/09	OFFICE DEPOT OFFICE SUPPLIES	45.87
9350	07/20/09	SDRMA JUL-SEP WORK COMP PREMIUM	3,138.00
9417	07/10/09	AT&T MOBILITY COMMUNICATIONS EXPENSE	210.23
9418	07/10/09	BARR LUMBER CO INC PERSONAL PROTECTIVE EQUIPMENT	6.84
9419	07/10/09	BURRTEC WASTE & RECYLING SVCS TRASH FEES, JULY	72.71
9420	07/10/09	CALIFORNIA PUBLIC EMPLOYEE'S PERS CONTRIBUTION PPE 70309	3,275.10
9421	07/10/09	CLINICAL LABORATORY OF THM, BAC-T, PLATE COUNT	433.00
9422	07/10/09	COMPUTER MAINTENANCE&CONCEPTS NETWORK REPAIR, GM COMPUTER	167.80
9423	07/10/09	JUDY CORL-LORONO STANDING CMTE 70709	50.00
9424	07/10/09	INLAND WATER WORKS INVENTORY	519.83
9425	07/10/09	MICHAEL MCBRIDE STANDING CMTE 70709	50.00
9426	07/10/09	PROTECTION ONE SHOP SEC SVC 72609-82509	39.69
9427	07/10/09	UNDERGROUND SERVICE ALERT DIG ALERTS, 20 TICKETS	30.00
9428	07/10/09	MARINA WEST GM EDUCATION, 4/21/09-4/21/10, PERIOD YR 2	961.50
9441	07/20/09	SDRMA PROP/LIABILITY INSURANCE	33,531.06

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

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
9442	07/31/09	JAMES JONES	
		BALANCE RFND ACCT# 0704924	17.45
9443	07/31/09	NOAH FORKEL	
		BALANCE RFND ACCT# 0306006	44.86
9444	07/31/09	SILVIA GUTIERREZ	
		BALANCE RFND ACCT# 0501104	21.01
9445	07/31/09	VERIZON CALIFORNIA	
		AUTO CONTROLS 7/13-8/13	44.46
9446	07/31/09	CALIFORNIA PUBLIC EMPLOYEE'S	
		PERS CONTRIBUTION PPE 71709	3,181.27
9447	07/31/09	CLINICAL LABORATORY OF	
		BAC-T, PLATE COUNT	
		BAC-T, PLATE COUNT, GEN PHY	206.00
9448	07/31/09	DATASTREAM BUSINESS SOLUTIONS	
		HP9000/D220 PROG, JUNE	95.00
9449	07/31/09	DISCOUNT TIRE CENTERS #154	
		05 F/F150 2X2, OIL & FILTER	33.58
9450	07/31/09	FIRST BANKCARD	
		COMPUTER BATTERY BACK-UP	533.24
9451	07/31/09	GENEIE'S CLEANING SERVICE	
		CLEANING SVC, JULY	195.00
9452	07/31/09	THE HOME DEPOT #6971	
		MISC ITEMS	277.61
9453	07/31/09	INLAND WATER WORKS	
		INVENTORY & SUPPLIES	
		INVENTORY	
		TOOLS, '05 F/F250 4X4	
		INVENTORY	
		INVENTORY	4,029.15
9454	07/31/09	JOHN ALEXANDER	
		BALANCE RFND ACCT# 0400103	41.67
9455	07/31/09	OFFICE DEPOT	
		OFFICE SUPPLIES	
		CREDIT/RETURNED ITEM	
		OFFICE SUPPLIES	187.15
9456	07/31/09	SOUTHERN CALIFORNIA EDISON	
		POWER EXPENSE, JUNE	6,033.42
9457	07/31/09	VERIZON CALIFORNIA	
		AUTO CONTROLS 7/13-8/13	44.46
		TOTAL	68,863.91

Prepared By *[Signature]*  
Date 8/11/09  
Reviewed By *[Signature]*

## GENERAL FUND

## ASSETS

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## CASH &amp; CASH EQUIVALENTS

01 13120	CASH UNION BANK OF CA	49,785.15
01 13130	CASH CASH DRAWERS BASE FUND	750.00
01 13400	CASH PETTY CASH FUND	800.00
		-----
TOTAL CASH & CASH EQUIVALENTS		51,335.15

## INVESTMENTS

01 13303	CASH LAIF-UNRESTRICTED	362,520.04
		-----
TOTAL INVESTMENTS		362,520.04

## ACCOUNTS RECEIVABLE, WATER

01 13710	A/R WATER	149,351.08
		-----
TOTAL ACCTS RECEIVABLE, WATER		149,351.08

## ACCOUNTS RECEIVABLE, OTHER

		-----
TOTAL ACCTS RECEIVABLE, OTHER		0.00

## INVENTORIES

01 14301	INVENTORY-WATER SYSTEM PARTS	100,855.69
01 14302	INVENTORY-DIESEL FUEL	1,000.35
01 14303	INVENTORY-UNLEADED FUEL	797.78
		-----
TOTAL INVENTORY		102,653.82

## PREPAID EXPENSES

01 14401	PREPAYMENTS WORKERS COMP INSUR	2,091.94
01 14402	PREPAYMENTS PL & PD LIAB INS	31,236.82
01 14403	POSTAGE	5,981.80
		-----
TOTAL PREPAID EXPENSES		39,310.56

## 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	7,424,607.18
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	( 4,989,634.64)
		-----
TOTAL FIXED ASSETS		3,807,362.81

## WORK IN PROGRESS (FOR OTHERS)

01 12004	WIP BLUCKER ANNEXATION	111.52
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## GENERAL FUND

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	69,346.54
01 12008	WIP GROUNDWATER MGMT PLANNING	112.50
01 12017	WIP METER REPLACEMENT PROGRAM	224,628.24
		-----
TOTAL WORK IN PROGRESS (AGENCY)		294,087.28

## DEBT ISSUANCE COST

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

TOTAL ASSETS	4,823,341.03
=====	

## LIABILITIES

## ACCOUNTS PAYABLE

01 22400	CAPITAL LEASE	15,259.92
01 22520	ACCRUED INTEREST PAYABLE	3,750.00
01 22700	ACCOUNTS PAYABLE	7,938.24
		-----
TOTAL ACCOUNTS PAYABLE		26,948.16

## ACCRUED PAYROLL

		-----
TOTAL ACCRUED PAYROLL		0.00

## CUSTOMER DEPOSITS

01 22550	CUSTOMER DEPOSITS PENDING	1,170.00
01 22600	CUSTOMER DEPOSITS	51,114.00
		-----
TOTAL CUSTOMER DEPOSITS		52,284.00

## WORK IN PROGRESS DEPOSIT

01 23004	WIP-DEP-BLUCKER ANNEXATION	7,500.00
01 23006	WIP DEP-FLAMINGO HTS ASSN S35	7,500.00
		-----
TOTAL WORK IN PROGRESS DEPOSIT		15,000.00

## LIAB PYBL FRM RESTRICTD ASSETS

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

## LONG TERM DEBT

01 21101	REVENUE BONDS PAYABLE - DV	335,977.05
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## GENERAL FUND

01 22300	REVENUE BONDS PAYABLE - BH	838,000.00
TOTAL LONG TERM DEBT		1,173,977.05

TOTAL LIABILITIES	1,274,696.42
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## EQUITY

01 30109	CONTRIBUTED CAPITAL/HUD	291,035.88
01 30111	FMHA GRANTS	758,297.76
01 30113	CONTRIBUTED CAPITAL-WIP	47,441.57
01 31000	FUND BALANCE	1,972,489.29
01 31001	FUND BALANCE FEMA & OES	427,895.00
01 31111	CURR YEAR NET REVENUE/EXPENSE	51,485.11
TOTAL EQUITY	3,548,644.61	
TOTAL LIABILITIES & EQUITY	4,823,341.03	

Prepared By

Date 8/18/09

Reviewed By

PERIOD ENDING 07/31/09

## GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
		-----	-----	-----	-----	-----
REVENUE						
-----						
OPERATING REVENUE						
01 41000	SERVICE LINE INSTALLATION FEES	2,510.00	0.00	0.00	2,510.00	0.00%
01 41001	BASIC FACILITIES CHARGE	8,196.00	0.00	0.00	8,196.00	0.00%
01 41100	INCOME METERED WATER	485,459.00	46,013.60	46,013.60	439,445.40	9.48%
01 41200	INCOME AVAILABILITY/STANDBY	0.00	0.00	0.00	0.00	0.00%
01 41300	BASIC SERVICE CHARGE	567,930.00	50,128.69	50,128.69	517,801.31	8.83%
01 41500	INCOME CONNECT/FACILITY CHARGE	0.00	0.00	0.00	0.00	0.00%
01 41600	INCOME REVENUE BONDS DV FMHA	48,546.00	43.27	43.27	48,502.73	0.09%
01 41700	INCOME OTHER (OPERATING)	21,600.00	2,673.92	2,673.92	18,926.08	12.38%
01 41800	WATER SYSTEM IMPROVEMENT JOBS	0.00	0.00	0.00	0.00	0.00%
01 41900	INTERBASIN WATER TRANSFER	0.00	0.00	0.00	0.00	0.00%
		-----	-----	-----	-----	-----
	TOTAL OPERATING REVENUE	1,134,241.00	98,859.48	98,859.48	1,035,381.52	8.72%
NON-OPERATING REVENUE						
01 49100	INCOME GEN TAX ID A 1% BH GA02	30,918.00	-536.87	-536.87	31,454.87	-1.74%
01 49101	INCOME BOND DEBT BH FMHA DA01	125,900.00	-8,652.70	-8,652.70	134,552.70	-6.87%
01 49102	INCOME GENERAL TAX 1% DV GA01	32,027.00	-580.85	-580.85	32,607.85	-1.81%
01 49200	INTEREST INCOME	2,000.00	-381.21	-381.21	2,381.21	-19.06%
01 49201	INTEREST INCOME BOND FUNDS	6,000.00	0.00	0.00	6,000.00	0.00%
01 49400	MWA PIPELINE SURCHARGE	0.00	0.00	0.00	0.00	0.00%
01 49401	MWA PIPELINE OMP&R	0.00	0.00	0.00	0.00	0.00%
01 49500	ID B DEBT SERVICE	0.00	0.00	0.00	0.00	0.00%
01 49600	INCOME OTHER (NON OPERATING)	500.00	0.00	0.00	500.00	0.00%
01 49601	INCOME-CONT CAPTL WIP(NONOPER)	0.00	0.00	0.00	0.00	0.00%
01 49999	FEDERAL/STATE GRANTS FEMA/OES	0.00	0.00	0.00	0.00	0.00%
		-----	-----	-----	-----	-----
	TOTAL NON-OPERATING REVENUE	197,345.00	-10,151.63	-10,151.63	207,496.63	-5.14%
		-----	-----	-----	-----	-----
	TOTAL REVENUE	1,331,586.00	88,707.85	88,707.85	1,242,878.15	6.66%
EXPENSE						
-----						
OPERATING EXPENSE						
01 54102	OPERATIONS COMPENSATION	199,000.00	5,313.76	5,313.76	193,686.24	2.67%
01 54103	UNIFORMS	2,420.00	0.00	0.00	2,420.00	0.00%
01 54105	AUTO CONTROLS	4,500.00	88.92	88.92	4,411.08	1.98%
01 54106	VEHICLE/TRACTOR/EQUIP EXPENSE	9,000.00	282.25	282.25	8,717.75	3.14%
01 54107	VEHICLE EXPENSE - FUEL	20,000.00	1,796.04	1,796.04	18,203.96	8.98%
01 54109	FIELD MATERIALS & SUPPLIES	45,000.00	15,489.83	15,489.83	29,510.17	34.42%
01 54111	WATER TESTING	9,000.00	732.00	732.00	8,268.00	8.13%
01 54112	CONTRACTUAL SERV- ENGINEERING	10,000.00	0.00	0.00	10,000.00	0.00%
01 54114	WATER SYSTEM REPAIRS	12,000.00	0.00	0.00	12,000.00	0.00%
01 54115	BUILDING MAINTENANCE/REPAIR	6,680.00	526.73	526.73	6,153.27	7.89%

PERIOD ENDING 07/31/09

## GENERAL FUND

		BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
		-----	-----	-----	-----	-----
01 54117	AMES BASIN MONITORING	9,500.00	-3,000.00	-3,000.00	12,500.00	-31.58%
01 54119	COMMUNICATIONS EXPENSE	3,200.00	210.23	210.23	2,989.77	6.57%
01 54121	DISINFECTION EXPENSE	4,000.00	0.00	0.00	4,000.00	0.00%
01 54125	POWER WELLS & PUMPS	62,000.00	461.49	461.49	61,538.51	0.74%
01 54130	OTHER OPERATIONS EXPENSES	13,520.00	0.00	0.00	13,520.00	0.00%
01 54150	PAYROLL LABOR TO PROJECTS	0.00	-2,183.98	-2,183.98	0.00	0.00%
01 54160	VEH & EQUIP EXPENSE TO PROJECT	0.00	-1,333.20	-1,333.20	0.00	0.00%
01 54170	INVENTORY EXP TO WIP PROJECTS	0.00	-9,179.80	-9,179.80	0.00	0.00%
01 56001	DIRECTOR FEES	10,000.00	100.00	100.00	9,900.00	1.00%
01 56002	DIRECTOR MEETING EXPENSES	10,000.00	0.00	0.00	10,000.00	0.00%
01 56003	ADMINISTRATIVE COMPENSATION	217,000.00	13,593.50	13,593.50	203,406.50	6.26%
01 56005	ADMINISTRATIVE MEETING EXPENSE	1,000.00	0.00	0.00	1,000.00	0.00%
01 56006	CONTRACTUAL SERV-AUDITOR	28,000.00	0.00	0.00	28,000.00	0.00%
01 56007	CONTRACTUAL SERV-LEGAL	80,000.00	-15,000.00	-15,000.00	95,000.00	-18.75%
01 56008	PERS CONTRIBUTION	37,000.00	-804.85	-804.85	37,804.85	-2.18%
01 56009	PAYROLL TAXES	9,300.00	627.71	627.71	8,672.29	6.75%
01 56011	TELEPHONE/FAX/INTERNET/WEB	6,250.00	59.99	59.99	6,190.01	0.96%
01 56012	MAILING EXPENSES	7,900.00	409.10	409.10	7,490.90	5.18%
01 56014	CONTRACTUAL SERV-OTHER	30,600.00	4,613.27	4,613.27	25,986.73	15.08%
01 56016	PROPERTY/LIABILITY EXPENSE	32,600.00	2,794.25	2,794.25	29,805.75	8.57%
01 56017	WORKERS COMP INSURANCE	13,000.00	1,046.00	1,046.00	11,954.00	8.05%
01 56018	DUES & SUBSCRIPTIONS	7,050.00	30.00	30.00	7,020.00	0.43%
01 56020	POWER OFFICES & YARDS	5,200.00	71.93	71.93	5,128.07	1.38%
01 56022	BAD DEBT EXPENSE	6,000.00	1,475.09	1,475.09	4,524.91	24.58%
01 56025	PROPANE	1,000.00	0.00	0.00	1,000.00	0.00%
01 56026	ASSESSMENT EXPENSE	0.00	0.00	0.00	0.00	0.00%
01 56030	OFFICE SUPPLIES	3,000.00	233.02	233.02	2,766.98	7.77%
01 56100	EMPLOYEE BENEFITS INSURANCE	86,000.00	9,372.86	9,372.86	76,627.14	10.90%
01 56110	EMPLOYEE EDUCATION	6,000.00	961.50	961.50	5,038.50	16.03%
01 56120	GROUNDWATER MGMT PLANNING EXP	0.00	0.00	0.00	0.00	0.00%
01 56121	NEMER METER UPGRADE EXP	0.00	0.00	0.00	0.00	0.00%
01 56122	RIGGS ID MODELLING EXP	0.00	0.00	0.00	0.00	0.00%
01 56123	PRV 7 INTERTIE EXP	0.00	0.00	0.00	0.00	0.00%
01 56124	WIP WELL 7	0.00	0.00	0.00	0.00	0.00%
01 56125	WELL 6-SHUT OFF VALVE EXP	0.00	0.00	0.00	0.00	0.00%
01 56126	BLOW OFF REPAIR EXP	0.00	0.00	0.00	0.00	0.00%
01 56127	WELL 9 FLOWMETER EXP	0.00	0.00	0.00	0.00	0.00%
01 56128	FUEL SPILL CLAIM EXP	0.00	0.00	0.00	0.00	0.00%
01 56129	NATZEL METER UPGRADE EXP	0.00	0.00	0.00	0.00	0.00%
01 56150	PAYROLL FRINGE EXP TO PROJECTS	0.00	-786.23	-786.23	0.00	0.00%
01 56160	OVERHEAD TO PROJECTS	0.00	-1,617.99	-1,617.99	0.00	0.00%
		-----	-----	-----	-----	-----
	TOTAL OPERATING EXPENSE	1,006,720.00	26,383.42	26,383.42	980,336.58	2.62%

## NON-OPERATING EXPENSE

01 56200	OFFICE EQUIPMENT EXPENSE	3,450.00	701.04	701.04	2,748.96	20.32%
01 56300	CUSTOMER RELATIONS	1,000.00	0.00	0.00	1,000.00	0.00%
01 56400	OTHER ADMINISTRATIVE EXPENSES	2,000.00	-23.93	-23.93	2,023.93	-1.20%
01 57000	INTEREST EXPENSE - BH BONDS	40,000.00	-3,750.00	-3,750.00	43,750.00	-9.38%

PERIOD ENDING 07/31/09

## GENERAL FUND

	BUDGET	REV OR EXP THIS MONTH	REV OR EXP YEAR TO DATE	AVAILABLE	YTD % OF BUDGET
01 57100 DEPRECIATION EXPENSE	0.00	18,399.67	18,399.67	0.00	0.00%
01 57110 AMORTIZATION	0.00	0.00	0.00	0.00	0.00%
01 57350 MWA PIPELINE DEBT	73,000.00	0.00	0.00	73,000.00	0.00%
01 57360 MWA PIPELINE FIXED OMP & R	0.00	0.00	0.00	0.00	0.00%
01 58100 ELECTION COSTS	15,000.00	0.00	0.00	15,000.00	0.00%
01 58200 EMPLOYEE SOC SEC REFUND	0.00	0.00	0.00	0.00	0.00%
01 59100 INTEREST EXPENSE - DV BONDS	17,000.00	-4,487.46	-4,487.46	21,487.46	-26.40%
01 59400 GAIN (LOSS) ASSET DISPOSAL	0.00	0.00	0.00	0.00	0.00%
TOTAL NON-OPERATING EXPENSE	151,450.00	10,839.32	10,839.32	140,610.68	7.16%
TOTAL EXPENSE	1,158,170.00	37,222.74	37,222.74	1,120,947.26	3.21%
NET REV/EXP GENERAL FUND	173,416.00	51,485.11	51,485.11	121,930.89	29.69%

Prepared By

Date

Reviewed By

GENERAL ACCOUNT (UNION BANK)

Jul-09

SOURCES OF FUNDS:

SERVICE LINE INSTALLATION FEES	0.00
BASIC FACILITIES CHARGE	0.00
A/R - WATER	101,714.46
MISCELLANEOUS REVENUE	818.86
1% GENERAL TAX	12,901.07
BIGHORN ADVALOREM TAX	17,483.50
EPA GRANT #11	0.00
CUSTOMER DEPOSITS	<u>2,400.00</u>

TOTAL

135,317.89

USE OF FUNDS:

DEBT SERVICE	0.00
CAPITAL PURCHASES	0.00
CAPITAL LEASE	1,173.89
INVENTORY PURCHASES	5,733.44
PREPAYMENTS - INSURANCE & POSTAGE	36,669.06
PAYMENTS FOR SALARIES & WAGES	41,735.28
ADMINISTRATIVE EXPENSE	18,701.43
OPERATIONS EXPENSES	7,524.56
TRANSFERS TO INCREASE LAIF	0.00
MISCELLANEOUS & CUSTOMER REFUNDS	<u>124.99</u>

TOTAL

111,662.65


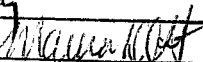
Prepared By

Date

Reviewed By

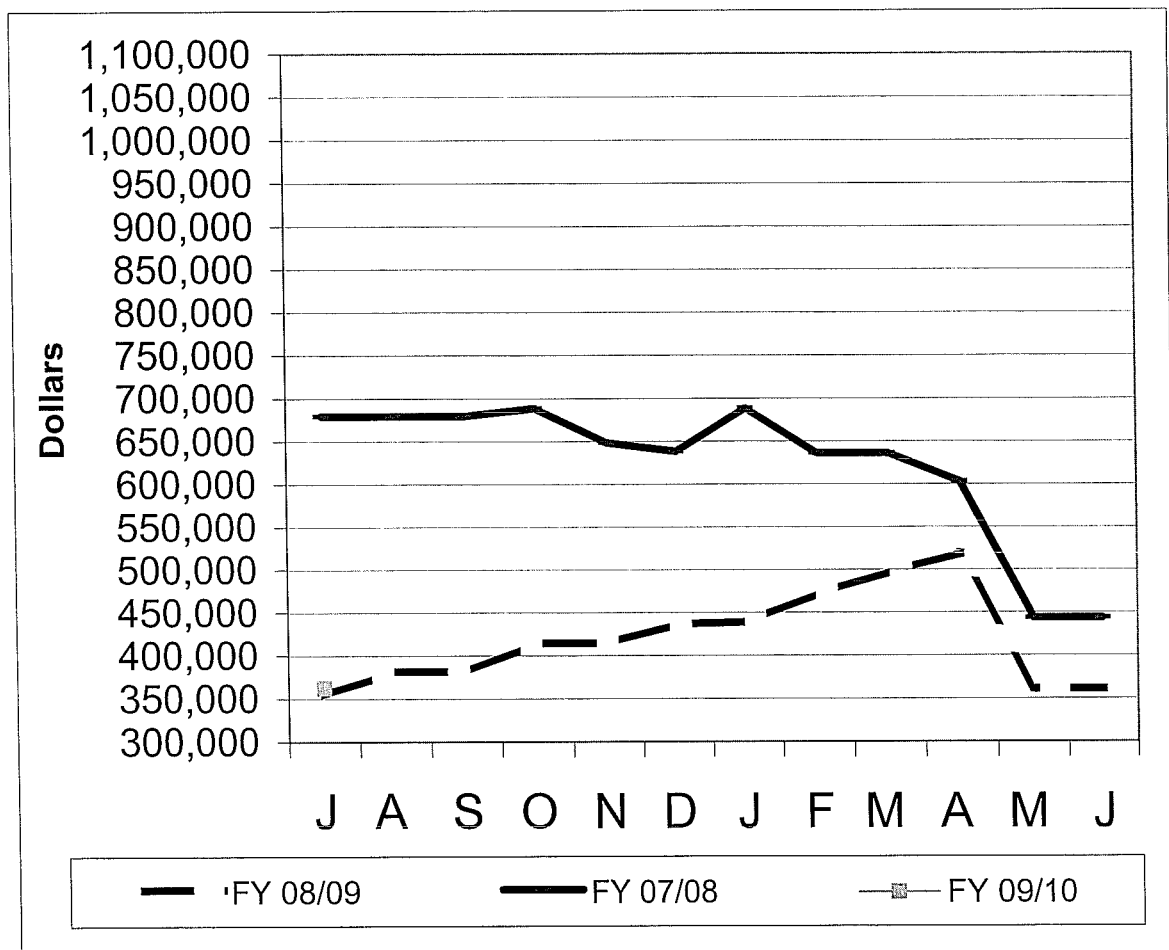
**UNION BANK OF CALIFORNIA**  
**DISBURSEMENTS JULY 2009**

Datastream Check Register	<u>68,863.91</u>	<u>68,863.91</u>
EFT for Vendor Services		
Payroll Processing Fee	186.14	
Bank Fees	195.12	
Credit Card Fees	622.21	
Internet Access Fee	<u>59.99</u>	
Total EFT for Vendor Services		<u>1,063.46</u>
Wages for Paydate 07/03/09		
Wages EFT	5,860.73	
Employee Tax Withholdings	1,900.45	
Employer Tax Expenses	381.41	
Wages check #1963-1970	<u>6,234.87</u>	
		<u>14,377.46</u>
Wages for Paydate 07/17/09		
Wages EFT	5,489.73	
Employee Tax Withholdings	1,626.37	
Employer Tax Expenses	330.73	
Wages check #1971-1978	<u>5,989.38</u>	
		<u>13,436.21</u>
Wages for Paydate 07/31/09		
Wages EFT	5,860.73	
Employee Tax Withholdings	1,862.63	
Employer Tax Expenses	233.24	
Wages check #1979-1986	<u>5,965.01</u>	
		<u>13,921.61</u>
Transfers to LAIF	<u>-</u>	<u>-</u>
Total Disbursements		<u><u>111,662.65</u></u>

Prepared By   
Date 8/18/09  
Reviewed By 

**Local Agency Investment Fund Balance Timeline**  
**Balance as of July 31, 2009**

	FY 07/08	FY 08/09	FY 09/10
July	679,189	354,364	362,520
August	679,189	381,364	
September	679,189	381,364	
October	688,186	414,076	
November	648,186	414,076	
December	638,186	436,076	
January	688,186	438,737	
February	636,402	471,737	
March	636,402	496,737	
April	603,292	518,901	
May	443,292	360,901	
June	443,292	360,901	



**DATE:** AUGUST 2009  
**TO:** JOANNE KEITER  
**FROM:** MICHELLE CORBIN  
**RE:** Consumption & Billing Comparison JULY 2009

### Consumption

#### Residential- North- Bighorn

	Meters	Usage (c.f.)
Book 1	149	246,177
Book 2	183	287,611
Book 3	161	273,003
Book 4	154	208,917
Book 5	130	185,471
Book 6	133	164,586
<b>Total</b>	<b>910</b>	<b>1,365,765</b>

#### Residential- South- Desert View

	Meters	Usage (c.f.)
Book 7	169	26
Book 8	177	0
Book 9	189	0
Book 10	180	10
Book 11	192	13
<b>Total</b>	<b>907</b>	<b>49</b>

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

	Meters	Usage (c.f.)
Book 30	41	19,660
Book 31	5	214
Book 32	5	11,030
<b>Total</b>	<b>51</b>	<b>30,904</b>

#### Construction Meters

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

Billed Consumption	1,425,602
Non Billed Usage	7,252
<b>Total Consumption</b>	<b>1,433,864</b>

#### Bulk - Well 10

	Meters	Usage (c.f.)
Book 33	49	28,884
<b>Total</b>	<b>49</b>	<b>28,884</b>

Active Residential Meters	1,817
Active Bulk Meters	100
<b>Total Active Meters</b>	<b>1,917</b>

### Billing Comparison

	This Year JULY 2009	Last Year JULY 2008	Difference More (Less)
<b>Statistics</b>			
Total Customer Accounts	1010	816	194
Usage in Cubic Feet	1,425,602	1,586,488	(160,886)
Percentage Increase/(Decrease)			-10%

#### Revenues

Water Revenues	46,013.60	48,148.03	(2,134.43)
Basic Service Charge	50,335.05	29,699.35	20,635.70
Miscellaneous	225.00	276.00	(51.00)
Delinquent Charges	1,679.48	1,310.47	369.01
<b>Total Operating Revenues</b>	<b>98,253.13</b>	<b>79,433.85</b>	<b>18,819.28</b>

#### Debt Service Revenues (pass through)

FMHA **	43.27	10.40	32.87
<b>Total Debt Service Revenues</b>	<b>43.27</b>	<b>10.40</b>	<b>32.87</b>

#### Additional Information Regarding Pass Through Revenues

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

Total Charges (Proof)	<b>98,296.40</b>	<b>79,444.25</b>	<b>18,852.15</b>
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**DATE:** 8/19/2009  
**TO:** Board of Directors  
**FROM:** Kit Boyd  
**RE:** JULY 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	169,560	1,268,309	364	58	3.89
Well 3	370,320	2,769,994	380	121.5	8.50
Well 4	0	0	#DIV/0!	0	0.00
Well 6	481,420	3,601,022	458	130.9	11.05
Well 7	426,020	3,186,630	407	130.5	9.78
Well 8	526,300	3,936,724	1,053	62.3	12.08
Well 9	275,200	2,058,496	696	49.3	6.32
Well 10	41,120	307,578	87	59	0.94
<b>Total</b>	<b>2,289,940</b>	<b>17,128,751</b>			<b>52.57</b>

Wells 4 did not run this month

<b>A Boosters</b>	128,830	963,648	136	117.9
<b>C Boosters</b>	223,000	1,668,040	292	95.3
<b>Total</b>	<b>351,830</b>	<b>2,631,688</b>		



DATE: AUGUST 2009  
TO: Joanne Keiter  
FROM: Michelle Corbin  
SUBJECT: Service Order Report July 2009 through June 2010

	J	A	S	O	N	D	J	F	M	A	M	J	YTD
Mainline Leaks:	1												
Service Line Repairs:	2												
Service Line Replacements:	8												
Service Line Installations:	0												
Meter Changeouts*	110												
Water Quality Complaints:**	0												
48 Hour Tags for NSF Checks:	2												
Lock Offs for Non-Payment:	8												
Unlocks After Payment Made:	6												
All Other Miscellaneous:	170												
Total	307												

\*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.