

Bighorn-Desert View Water Agency

Board of Directors

Terry Burkhart, President
J. Larry Coulombe, Vice President
Michael McBride, Director
David Larson, Director
Director Vacancy



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

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

Marina D West, P.G., General Manager
Joanne L Keiter, Board Secretary

A Public Agency

www.bdvwa.org

BOARD OF DIRECTORS' SPECIAL MEETING AGENDA

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, September 21, 2010 - 6:00 PM

- **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 — EXISTING LITIGATION**
(Government Code Section 54956.9 (a) one case
Maryan Barkley v. Bighorn-Desert View Water Agency; Phillip Johnson; and DOES 1 through 100 inclusive (Unlawful Eavesdropping; Common Law Intrusion; Public Disclosure of Private Facts; Constitutional Invasion of Privacy; Negligent Supervision (San Bernardino Superior Court Case No. 900916)

Legal Counsel Trager will be participating via teleconference from the following location: 19712 MacArthur Blvd, Suite 120, Irvine, California 92612

3. CLOSED SESSION REPORT

4. BOARD TO CONDUCT CANDIDATE INTERVIEWS FOR FILLING VACANT BOARD SEAT

RECOMMENDED ACTION:

- 1) Direct staff to sequester candidates to conference room pending interview;
- 2) Conduct individual interviews while in a public, open session;
- 3) Board to cast written ballots until it is determined that a majority vote has been tallied. Once a majority by written ballot is determined, a roll call vote will be recorded; and
- 4) Candidate who receives a majority of three (3) votes will be appointed. Subsequently, Candidate will be sworn in, and officially seated as a Board member at the next meeting.

5. 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. 10R-XX - A RESOLUTION OF THE BIGHORN-DESERT VIEW WATER AGENCY INCORPORATING BY REFERENCE THE STANDARD CONFLICT OF INTEREST AND DISCLOSURE CODE ADOPTED BY THE FAIR POLITICAL PRACTICES COMMISSION

RECOMMENDED ACTION:

- 1) Review and discuss proposed Resolution; and
- 2) Consider adoption of said Resolution incorporating by reference the Standard Conflict of Interest and Disclosure Code adopted by the Fair Political Practices Commission

6. DISBURSEMENTS AUGUST 2010

RECOMMENDED ACTION:

- 1) Ratify/authorize payment of bills

7. CONSENT ITEMS - The following items are expected to be routine and non-controversial and will be acted on by the Board at one time without discussion, unless a member of the Public or member of the Board requests that an item be held for discussion or further action.

RECOMMENDED ACTION:

- 1) Approve as presented (Items a - h)

- a. Financial Statements August 2010
- b. Minutes of the July 27, 2010 Regular Meeting
- c. Minutes of the August 10, 2010 Special Meeting
- d. Minutes of the August 24, 2010 Regular Meeting
- e. Consumption & Billing Comparison Report August 2010
- f. Production Report August 2010
- g. Service Order Report August 2010
- h. Progress Report on the Ames/Means Reche Recharge Facility Project

END OF THE CONSENT CALENDAR

8. MATTERS REMOVED FROM CONSENT ITEMS

9. VERBAL REPORTS

- GENERAL MANAGER'S REPORT
- DIRECTORS' REPORTS
 - > Report from the Ames/Reche Ad Hoc Committee
 - > Report from the Finance Ad Hoc Committee
 - > Report from the 08-11-10 JV Water Supply Survey Ad Hoc Committee Meeting
 - > Oral Reports on Conferences/Meetings Attended at Agency Expense
- PRESIDENT'S REPORT

10. COMMUNICATION AND PUBLIC INFORMATION ITEMS

- > Announce Agency's participation in Gubler's 2010 Orchid Festival (Oct 2nd);
- > Oct 9th AWAC Landscaping Seminar facilitated by Robin Kobaly

11. ITEMS FOR NEXT AGENDA

12. ADJOURNMENT

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Agency Secretary. Backup material for the Agenda is available at the Agency offices for public review and can be viewed online at the Agency's website: www.bdvwa.org.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda, and can be reviewed at www.bdvwa.org.

Copies of these materials and other discloseable public records distributed to all or a majority of the members of the Board of Directors in connection with an open session agenda item are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday.

If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.