

**BEAUMONT CHERRY VALLEY WATER DISTRICT**

**AGENDA**

**ADJOURNED MEETING OF THE BOARD OF DIRECTORS  
WEDNESDAY, September 26, 2007 – 7:00PM  
815 E. 12<sup>th</sup>, Beaumont CA 92223**





## BEAUMONT CHERRY VALLEY WATER DISTRICT

### AGENDA ADJOURNED MEETING OF THE BOARD OF DIRECTORS WEDNESDAY, September 26, 2007 – 7:00PM 815 E. 12<sup>th</sup>, Beaumont CA 92223

**Assistance for the Disabled:** If you are disabled in any way and need accommodation to participate in the meeting, please call Blanca Marin Administrative Assistant, at (951) 845-9581 Ext. 23 for assistance so the necessary arrangements can be made.

1. Call to Order, Pledge of Allegiance, Invocation and Roll Call – President Parks
2. Adoption and Adjustment of Agenda (additions and/or deletions)

**Recommendation:** Move to adopt the Agenda

BALL	M	S	A	N
CHATIGNY	M	S	A	N
DOPP	M	S	A	N
LASH	M	S	A	N
PARKS	M	S	A	N

3. Public Input

*Anyone wishing to address the Board on any item that is not set for public hearing, or any topic within the Board's jurisdiction that is not on the agenda, may do so at this time. This is not a time for Board Member comment or action, but the Board may ask questions for clarification or make a referral to staff for factual information to be reported back to the Board at a later meeting. When called upon, please step forward, state your name and address for the record, who you represent and any statement you wish to make. Presentations are limited to three minutes.*

4. Action Items Discussion and Possible Action

- a) Board of Directors Reimbursement Policy.

BALL	M	S	A	N
CHATIGNY	M	S	A	N
DOPP	M	S	A	N
LASH	M	S	A	N
PARKS	M	S	A	N

## b) Consent Calendar for Future Agendas

BALL	M	S	A	N
CHATIGNY	M	S	A	N
DOPP	M	S	A	N
LASH	M	S	A	N
PARKS	M	S	A	N

## c) Board/Facilitator Governance Study for Additional Services Invoice

BALL	M	S	A	N
CHATIGNY	M	S	A	N
DOPP	M	S	A	N
LASH	M	S	A	N
PARKS	M	S	A	N

## 7. Closed Session

- a) Continue Discussion and Possible Action Regarding Potential Litigation.  
Pursuant to Government Code Section 54956.9 – 1 case

## 8. Adjournment.



## **BEAUMONT-CHERRY VALLEY WATER DISTRICT**

### **BOARD MEMBERS= COMPENSATION AND EXPENSE REIMBURSEMENT**

#### **Travel Guidelines:**

1. Per diems and expenses will be paid for the period of any conference attended and all conference-related activities scheduled prior to and after the conference, with a reasonable time allowed to travel to and from the conference-related activities. This guideline acknowledges that if early arrival or stay-over is required because of transportation scheduling, per diem and expenses will be paid for that period. Conference lodging expenses shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Board member at the time of booking. If the group rate is not available, the board member shall use comparable lodging. Government and group rates shall be used when available.
2. Expenses for travel by personal automobile will not exceed those paid to Board members traveling by scheduled airlines to attend the same conference. Reimbursement for mileage will be in accordance with the IRS standard mileage rate.
3. If a spouse travels with the claimant, and expenses are prepaid by the District for the spouse, those prepaid expenses must be reimbursed to the District as soon as is practical upon the Board member=s return. Generally, they are deducted from the Board member=s check through the payroll cycle subsequent to submittal of the expense report.
4. Reasonable expenses to call home once each day will be reimbursed.
5. Meal reimbursement of Fifty Dollars (\$50.00) per day, including a limit of Thirty Dollars (\$30.00) for the dinner meal, with the remainder reimbursable for other meals during the same day will be prepaid or reimbursed when traveling at District expense for conferences, seminars, and/or business meetings.
6. All reimbursed expenses require receipts to be attached to the expense claim form. If a receipt is not provided by a vendor or is lost, an explanation of the expenditure shall be included on the expense claim form and approved by the Board for payment.
7. If claimant expenses are prepaid by the District and are not used, the District will require reimbursement unless the reason for not attending was due to personal illness or an event that impeded good faith efforts to attend. Such events could include flight or other public transportation delays or cancellations, meeting cancellations or date changes, or sudden events within Beaumont-Cherry Valley Water District which would serve the District=s best interest that the individual not be away. Claimant would still be responsible for prepaid spouse expenses.

8. The District does not make credit cards available to Board members. Payment for Board expenses will be made through departmental credit cards, purchase orders, checks, or reimbursement through accounts payable or payroll.

Guidelines for Payment of Per Diems and Expenses:

The following are the current guidelines:

1. The activities/events that are preapproved for all Board members in attendance to receive a per diem and expenses are:

ACWA and ACWA-JPA Conferences, ACWA Region 9 meetings  
San Geronio Pass Water Agency meetings  
Yucaipa Valley Water District meetings  
Official City of Beaumont meetings  
San Timoteo Watershed Management Authority meetings  
State Mandated Ethics Training  
Brown Act Training

2. The following activities/events are preapproved for Board members designated to represent the District by the Board President. Any other Board members who wish to attend must have approval prior to the event or be designated by the President to attend and receive a per diem or expense reimbursement.

ACWA Committees

3. Board members may seek authorization to attend other functions that constitute the performance of official duties, including, but not limited to, tours of Beaumont-Cherry Valley Water District facilities, tours of other agency facilities, dedication ceremonies, open houses, groundbreaking ceremonies, receptions for officials, retirement celebrations for other agency officials, anniversary celebrations, ribbon-cutting ceremonies, legislative roundtables, public hearings, project update meetings, meetings of ACWA Regions 1 through 10, and association dinners and lunches. Board members desiring to attend events of this nature should obtain approval from the Board in order to receive a per diem and expense reimbursement.
4. New Board members may receive up to five (5) per diems and expense reimbursement for an orientation program that meets the following criteria:
  - a. Is part of a planned orientation schedule
  - b. The orientation meeting is at least two (2) hours in duration
  - c. The per diems for this purpose must be claimed during the first six (6) months of service on the Board.

5. The following activities/events are not eligible for per diem or expense claims:
  - a. Attending other district=s Board meetings other than listed under Paragraph 1 above, unless authorized by the Board
  - b. Retirement receptions for Beaumont-Cherry Valley Water District employees/Board members
  - c. Beaumont-Cherry Valley Water District picnics or other social functions
  - d. Harassment awareness training for Beaumont-Cherry Valley Water District employees (except the first training for new Board members)
  - e. Chamber of Commerce meetings or mixers.
6. New Board members may attend a formal harassment awareness training held for Beaumont-Cherry Valley Water District employees and receive one per diem for the first training session they attend because this is part of a new Board member=s training or orientation.
7. When the Chairman appoints a Board member to a committee or to represent Beaumont-Cherry Valley Water District at a meeting, the meeting or event is preapproved for the appointed Board member to receive a per diem.
8. At the first Board meeting following the events or meetings attended, each Board member shall briefly report on the meetings or events attended at District expense. If multiple Board members attended, a joint report may be made.

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Ms. Stella Parks  
President  
Board of Directors  
Beaumont-Cherry Valley Water District  
560 N. Magnolia Avenue  
Beaumont, CA 92220

September 18, 2007

Dear President Parks:

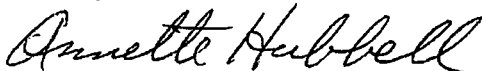
Jay Malinowski and I wish to thank you and the entire Board of Directors for the opportunity to complete the governance study of the District on September 12. The cooperation extended by the Board and by General Manager Butcher was extremely helpful in completing our work. We both feel that working through the recommendations made by us will move your agency much closer to operating more efficiently and being more responsive to the public.

Please note on the attached invoice that we have separated our time to reflect both the original agreement, which was capped at \$5,000 plus expenses, and the actual time we spent on this project. As you may recall, I contacted you early in the process to advise you that the changed scope of work would result in Jay and I exceeding the contract amount. The indication at that time was that you were comfortable with that information. Nevertheless, and in the interest of good government, we recognize that such additional costs would need to be approved by your entire Board. We desired to complete this project as professionally as possible and took the risk that your Board would eventually approve the actual costs incurred.

The invoice shows two costs: the first accounts for 20 hours each of Jay's time and my time, plus expenses. This is the limit of the agreement. The second cost shows actual charges. As a courtesy to your General Counsel, we billed the first 20 hours each at a discounted rate of \$125 per hour. All additional hours, which we hope your board agrees to pay, are billed at a standard rate of \$180 per hour.

We look forward to assisting you with the implementation of many of the recommendations made in our final draft report; including responding to any comments made by the Board or staff after the draft report has been reviewed. Should the Board desire to continue its relationship with us, please feel free to contact us either directly or through your General Counsel or General Manager.

Sincerely,



Annette Hubbell

cc: Mr. Chuck Butcher, General Manager  
Mr. Gerry Shoaf, Legal Counsel

# Invoice

September 18, 2007

**To: Beaumont-Cherry Valley Water District  
Beaumont, California**

**From: Jay Malinowski  
11082 Plainview Ave.  
Tujunga, CA 91042**

**Annette Hubbell  
17156 St. Andrews Dr.  
Poway, CA 92064**

This invoice covers all time and expenses for the Beaumont/Cherry Valley Water District Governance Study completed September 12, 2007. **Special note:** The agreement price for this work was board-approved for \$5,000 plus reasonable and necessary expenses. The general manager and the president of the board were advised by Ms. Hubbell early in the process that a revised scope of work would likely exceed the contract price. This increase was understood by both, but no board action was taken to increase the contract amount. As a result, this invoice shows two amounts for each contractor. The first amount is the board-approved agreement of \$5,000 plus expenses. Both Ms. Hubbell and Mr. Malinowski agree that this is the board's legal obligation. The second amount is for all work completed by Ms. Hubbell and Mr. Malinowski. Payment of this second amount would be both appropriate and appreciated and would require a board action to approve.

## For Ms. Hubbell

### Hours:

Meetings with individual directors and doc review	26.00
Board meeting (Sept 12)	7.00
Other meetings and telephone conferences:	3.75
Research and report writing:	<u>31.25</u>
 Total Hours	 68.00 (20 hours @ \$125/hr; 48.0 hours @180/hr)

### Expenses:

7/30 Lunch at El Rancho w/JM	\$20.00
7/31 Brkfst Coco's w/JM	22.45
8/8 Cenote Grill conf. with D. Lynn (water district finance director re financial documents)	17.92
8/27 Printing cartridge (Frye's)	20.41
9/10 JRC Print & Copy	35.69
 Total exp:	 <u>\$116.47</u>

Mileage: 417 miles @ 44.5 \$185.57

Total \$302.04

Amount payable to Ms. Hubbell under basic agreement is: \$ 2,802.04  
Total amount payable to Ms. Hubbell for all work completed is: \$11,442.04\*

**For Mr. Malinowski**

Hours:

Meetings with individual directors and doc review:	23.00
Board meeting (Sept 12)	9.50
Other meetings and telephone conferences:	2.00
Research and report writing:	6.00
Total Hours	40.5 (20 hours @ \$125/hr; 20.5 hours @ \$180/hour*)

Expenses:

7/30 Brkfst @ Baker's with Hubbell	\$ 7.93
7/30 Dinner @ BJs with Hubbell	35.87
7/31 Lunch in Beaumont with Hubbell	27.14

Total exp: \$ 70.94

Mileage: 482 miles @ 44.5 \$214.49

Total \$285.43

Amount payable to Mr. Malinowski under basic agreement is: \$2,785.43  
Total amount payable to Mr. Malinowski for all work completed is: \$6,475.43\*

Please remit checks to Ms. Hubbell and Mr. Malinowski in the amounts shown and mailed to their individual addresses as shown at the top of this invoice once the board has determined which amount(s) it will pay.

Thank you.

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\* The first 20 hours for each consultant is billed at a courtesy rate of \$125/hour; all remaining hours are billed at a standard rate of \$180/hour, and as advised to Mr. Butcher prior to the commencement of any work.