



**BEAUMONT CHERRY VALLEY WATER DISTRICT
AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
Wednesday, September 9, 2009 at 7:00 PM
560 Magnolia Avenue, Beaumont, CA 92223**

CALL TO ORDER, PRESIDENT BALL

PLEDGE OF ALLEGIANCE, DIRECTOR ROSS

INVOCATION, VICE PRESIDENT PARKS

ROLL CALL, BLANCA MARIN

PUBLIC INPUT

PUBLIC COMMENT: Anyone wishing to address the Board of Directors on any matter not on the agenda of this meeting may do so now. Anyone wishing to speak on an item on the agenda may do so at the time the Board considers that item. All persons wishing to speak must fill out a "Request to Speak" form and give it to the Secretary at the beginning of the meeting. The forms are available on the table at the back of the room. There is a three (3) minute limit on public comments. Sharing or passing time to another speaker is not permitted. Please do not repeat what was said by a previous speaker except to note agreement with that speaker. Thank you for your cooperation.

ACTION ITEMS

1. ADOPTION OF THE AGENDA

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

2. FINANCIAL REPORTS

a. Bills for Consideration**

Board Action

The Board will take action on the Bills for Consideration taking into account the recommendations of the Finance and Audit Committee.

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

b. Invoices for Payment Approval**

Board Action

The Board will take action on the Bills for Consideration taking into account the recommendations of the Finance and Audit Committee.

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

c. Month End Financial Statements**
August 2009

Board Action

The Board will take action to "accept and file" the Month End Financial Statements presented by staff.

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

3. APPROVAL OF THE MINUTES

a. Minutes of the Regular Meeting of August 12, 2009**

ROSS	M	S	A	N
PARKS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N
MAGEE	M	S	A	N

b. Minutes of the Special Meeting of August 20, 2009**

ROSS	M	S	A	N
PARKS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N
MAGEE	M	S	A	N

4. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL- (ONE MATTER)

A. Closed Session will be held to confer with legal counsel on ONE matter of potential litigation pursuant to subdivision (b) of Government Code section 54956.9-ONE MATTER-Potential Litigation

5. OPEN SESSION-REPORT ON CLOSED SESSION

6. REQUEST FROM MICHAEL C. JOSEPH REGARDING DRILLING OF NEW WELL

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

**7. BEAUMONT CHERRY VALLEY RECREATION AND PARK DISTRICT
REQUEST FOR INSTALLATION OF A 2"SERVICE LATERAL****

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

**8. REQUEST FROM ACWA REQUESTING COMMITTEE
NOMINATIONS****

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

9. REQUEST FROM ACWA TO ELECT CANDIDATE FOR REGION 9**

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

**10. RESOLUTION 2009-08, RESOLUTION OF THE BOARD OF
DIRECTORS OF THE BEAUMONT CHERRY VALLEY WATER
DISTRICT ADOPTING A RESOLUTION FOR THE REQUIRED
AMENDMENT FOR TERMINATING DC PLANS (FOR THE PENSION
PROTECTION ACT OF 2006)****

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

11. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

(a) Ad hoc Committees

(b) General Manager

- Update on Financial Consulting Services
- Update on Importation Charges
- Rate Study
- Recycled Water Project
- Recycled Water ARRA/SRF Loan Cash Flow Analysis**

(c) Directors

- Dr. Blair Ball
- Stella Parks
- Ken Ross
- Ryan Woll
- Niki Magee

(d) Legal Counsel

12. ANNOUNCEMENTS

- Regular Board Meeting, October 14, 2009 at 7:00 p.m.

ACTION LIST

13. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL- (FIVE MATTERS)

- A. Closed Session will be held to confer with legal counsel on one matter of potential litigation pursuant to subdivision (c) of Government Code section 54956.9-ONE MATTER-Potential Litigation
- B. A Closed Session will be held to confer with legal counsel on three matters of potential litigation pursuant to subdivision (b) of Government Code Section 54956.9 –THREE MATTERS – Potential Litigation
- C. A Closed Session will be held pursuant to Government Code Section 54957.6 to confer with the District's designated representatives/negotiators, which consist of Personnel Committee Members (Directors Parks & Ross) and Anthony Lara, Concerning the District's ongoing labor negotiations with the Employees' Association. The purpose of this Closed Session matter is to review the District's position and to instruct the District's designated representatives.

14. OPEN SESSION- REPORT ON CLOSED SESSION

15. ADJOURNMENT

MAGEE	M	S	A	N
PARKS	M	S	A	N
ROSS	M	S	A	N
WOLL	M	S	A	N
BALL	M	S	A	N

** Information included in the agenda packet

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

The agenda material for this meeting is available to the public at the District's Administrative Office which is located at 560 Magnolia Avenue, Beaumont, CA 92223. If any additional material related to an open session agenda item is distributed to all or a majority of the board of directors after this agenda is posted, such material will be made available for immediate inspection at the same location.

Check Register-Summary-Bank



AP5090

Page : 1

Date : Sep 01, 2009

Time : 8:23 am

Vendor : A&A FENCE To ZETLMAIER

Cheque Dt. : 01-Aug-2009 To 31-Aug-2009

Bank : 1 - GENERAL CHECKING WELLS FARGO

Seq : Cheque No.

Status : All

Medium : M=Manual C=Computer E=EFT-PA

Check #	Check Date	Vendor	Vendor Name	Status	Batch	Medium	Amount
39233	06-Aug-2009	ACTIONTRUE	ACTION TRUE VALUE HARDWARE	Issued	318	C	128.58
39234	06-Aug-2009	ACWAJPIA	ACWAJPIA	Issued	318	C	59,672.00
39235	06-Aug-2009	AIRPROSERV	AIR PRO SERVICES	Issued	318	C	1,257.00
39236	06-Aug-2009	ARCO	ARCO GASPRO PLUS	Issued	318	C	4,944.14
39237	06-Aug-2009	B ACE HOME	BEAUMONT ACE HOME CENTER	Issued	318	C	149.04
39238	06-Aug-2009	B76	BEAUMONT 76	Issued	318	C	201.80
39239	06-Aug-2009	BGLASS	BEAUMONT GLASS	Issued	318	C	238.65
39240	06-Aug-2009	BTIRE	BEAUMONT TIRE	Issued	318	C	1,081.53
39241	06-Aug-2009	CLEANBYDES	CLEAN BY DESIGN INC.	Issued	318	C	1,110.00
39242	06-Aug-2009	COFRIVASSE	COUNTY OF RIVERSIDE ASSESSOR COUNT	Issued	318	C	3.00
39243	06-Aug-2009	CORRPROWA	CORRPRO WATERWORKS,	Issued	318	C	635.00
39244	06-Aug-2009	CVAUTO	CHERRY VALLEY AUTOMOTIVE	Issued	318	C	1,490.63
39245	06-Aug-2009	DANGELO	DANGELO CO.	Issued	318	C	352.04
39246	06-Aug-2009	EDISON	SOUTHERN CALIFORNIA EDISON	Issued	318	C	171,978.12
39247	06-Aug-2009	EDISON	SOUTHERN CALIFORNIA EDISON	Issued	318	C	12,769.72
39248	06-Aug-2009	ESBABCOCK	ES BABCOCK	Issued	318	C	507.00
39249	06-Aug-2009	FEDEX	FEDEX	Issued	318	C	39.65
39250	06-Aug-2009	HEMETOIL	HEMET OIL CO	Issued	318	C	7,275.79
39251	06-Aug-2009	HUDECS	HUDECS COMPUTER CONSULTING	Issued	318	C	6,534.16
39252	06-Aug-2009	INLANDWATE	INLAND WATER WORKS	Issued	318	C	5,180.76
39253	06-Aug-2009	LAFCO	LAFCO	Issued	318	C	510.50
39254	06-Aug-2009	LUTHERSTRU	LUTHERS TRUCK & EQUIPMENT	Issued	318	C	1,007.74
39255	06-Aug-2009	MAGEENIKI	MAGEE, NIKI	Issued	318	C	400.00
39256	06-Aug-2009	NAPAAUTOPA	NAPA AUTO PARTS	Issued	318	C	129.45
39257	06-Aug-2009	PERFORMANC	PERFORMANCE METER INC	Issued	318	C	50.00
39258	06-Aug-2009	PRESSENTER	PRESS ENTERPRISE	Issued	318	C	662.40
39259	06-Aug-2009	PRESTIGEMO	PRESTIGE MOBILE DETAIL	Issued	318	C	96.00
39260	06-Aug-2009	PURCHASEPC	PITNEY BOWES PURCHASE POWER	Issued	318	C	2,000.00
39261	06-Aug-2009	SAFEGUARD	SAFEGUARD	Issued	318	C	67.27
39262	06-Aug-2009	SOCALWEST	SO CAL WEST COST ELECTRIC	Issued	318	C	27.68
39263	06-Aug-2009	STAPLES	STAPLES BUSINESS ADVANTAGE	Issued	318	C	338.76
39264	06-Aug-2009	STMP000735	KB HOME INC	Issued	318	C	52.96
39265	06-Aug-2009	STMP000736	SERVICES AND SOLUTIONS REAL HOME	Issued	318	C	106.33
39266	06-Aug-2009	STMP000737	OCHOA Z, ENRIQUE	Issued	318	C	23.36
39267	06-Aug-2009	STMP000738	ESQUIVEL, NATIVIDAD	Issued	318	C	107.70
39268	06-Aug-2009	VERIZON	VERIZON	Issued	318	C	54.06
39269	06-Aug-2009	VERIZON	VERIZON	Issued	318	C	239.22
39270	06-Aug-2009	VERIZON	VERIZON	Issued	318	C	376.73
39271	13-Aug-2009	ACTIONTRUE	ACTION TRUE VALUE HARDWARE	Issued	323	C	400.50
39272	13-Aug-2009	AIR&HOSES	AIR & HOSE SOURCE INC.	Issued	323	C	680.88
39273	13-Aug-2009	AIRPROSERV	AIR PRO SERVICES	Issued	323	C	198.00
39274	13-Aug-2009	ALLPURPOSE	ALL PURPOSE RENTALS	Issued	323	C	23.87
39275	13-Aug-2009	B ACE HOME	BEAUMONT ACE HOME CENTER	Issued	323	C	26.58
39276	13-Aug-2009	BSAFE&LOCK	BEAUMONT SAFE & LOCK	Issued	323	C	8.81
39277	13-Aug-2009	CADETUNIFO	CADET UNIFORM SERVICE	Issued	323	C	67.92
39278	13-Aug-2009	CONTROLVAL	CONTROL VALVE SYSTEMS INC	Issued	323	C	684.50
39279	13-Aug-2009	ESBABCOCK	ES BABCOCK	Issued	323	C	455.00
39280	13-Aug-2009	FEDEX	FEDEX	Issued	323	C	54.63
39281	13-Aug-2009	GASSCO	GAS ARC STEEL SUPPLY CO	Issued	323	C	41.00
39282	13-Aug-2009	HEMETVALLE	HEMET VALLEY TOOL & SUPPLY	Issued	323	C	170.90
39283	13-Aug-2009	HOMEDPOT	HOME DEPOT CREDIT SERVICES	Issued	323	C	2,247.11
39284	13-Aug-2009	JOHNSONMAC	JOHNSON MACHINERY	Issued	323	C	5,307.66
39285	13-Aug-2009	LUTHERSTRU	LUTHERS TRUCK & EQUIPMENT	Issued	323	C	4,605.35
39286	13-Aug-2009	MIKEMORENC	MORENO, MIKE	Issued	323	C	2,500.00
39287	13-Aug-2009	NOBELSYSTE	NOBEL SYSTEMS	Issued	323	C	30,006.25
39288	13-Aug-2009	OAKGLENCON	OAK GLEN CONSERVATION CAMP	Issued	323	C	6,726.00

Check Register-Summary-Bank



AP5090

Page : 2

Date : Sep 01, 2009

Time : 8:23 am

Vendor : A&A FENCE To ZETLMAIER

Cheque Dt. : 01-Aug-2009 To 31-Aug-2009

Bank : 1 - GENERAL CHECKING

Seq : Cheque No. Status : All

Medium : M=Manual C=Computer E=EFT-PA

Check #	Check Date	Vendor	Vendor Name	Status	Batch	Medium	Amount
39289	13-Aug-2009	PERFORMANC	PERFORMANCE METER INC	Issued	323	C	75.00
39290	13-Aug-2009	PRESTIGEMO	PRESTIGE MOBILE DETAIL	Issued	323	C	304.00
39291	13-Aug-2009	RAINFORREN	RAIN FOR RENT	Issued	323	C	2,147.09
39292	13-Aug-2009	SGPWA	SAN GORGONIO PASS WATER AGENCY	Issued	323	C	25,000.00
39293	13-Aug-2009	SOUTHMESA	SOUTH MESA WATER COMPANY	Issued	323	C	50,000.00
39294	13-Aug-2009	STAPLES	STAPLES BUSINESS ADVANTAGE	Issued	323	C	804.12
39295	13-Aug-2009	STELLAPARK	PARKS, STELLA	Issued	323	C	400.00
39296	13-Aug-2009	SUNCA002	SUNCAL COMPANIES	Issued	323	C	7,117.96
39297	13-Aug-2009	TERMINIX	TERMINIX	Issued	323	C	49.00
39298	13-Aug-2009	TOMLARA	TOM LARA	Issued	323	C	3,950.00
39299	13-Aug-2009	VERIZON	VERIZON	Issued	323	C	573.10
39300	13-Aug-2009	WELLSFARGC	WELLS FARGO REMITTANCE CENTER	Issued	323	C	303.20
Total Computer Paid :		426,727.20	Total EFT PAP :	0.00	Total Paid :		426,727.20
Total Manually Paid :		0.00	Total EFT File :	0.00			

68 Total No. Of Cheque(s) ...

Check Register-Summary-Bank



AP5090

Page : 1

Date : Sep 01, 2009

Time : 8:25 am

Vendor : A&A FENCE To ZETLMAIER

Cheque Dt. : 01-Aug-2009 To 31-Aug-2009

Bank : 7 - ACCOUNTS PAYABLE BANK OF HEMET

Seq : Cheque No.

Status : All

Medium : M=Manual C=Computer E=EFT-PA

Check #	Check Date	Vendor	Vendor Name	Status	Batch	Medium	Amount
39500	20-Aug-2009	ACTIONTRUE	ACTION TRUE VALUE HARDWARE	Issued	329	C	610.29
39501	20-Aug-2009	ARAMARK	ARAMARK REFRESHMENT SERVICES	Issued	329	C	25.00
39502	20-Aug-2009	ARTUROFLO	ARTURO FLORES, ARTURO	Issued	329	C	114.44
39503	20-Aug-2009	B ACE HOME	BEAUMONT ACE HOME CENTER	Issued	329	C	111.31
39504	20-Aug-2009	B76	BEAUMONT 76	Issued	329	C	72.53
39505	20-Aug-2009	BRINKS INC	BRINK'S INC	Issued	329	C	397.17
39506	20-Aug-2009	CALTOOL	CALIFORNIA TOOL & WELDING	Issued	329	C	46.80
39507	20-Aug-2009	CITYOFB	CITY OF BEAUMONT	Issued	329	C	3,892.00
39508	20-Aug-2009	CR&RINCORP	CR&R INC	Issued	329	C	225.15
39509	20-Aug-2009	DAUGHTERY	DAUGHTERY'S PEST CONTROL	Issued	329	C	200.00
39510	20-Aug-2009	ESBABCOCK	ES BABCOCK	Issued	329	C	455.00
39511	20-Aug-2009	FREEMANOFF	FREEMAN OFFICE PRODUCTS	Issued	329	C	192.33
39512	20-Aug-2009	GASCO	THE GAS COMPANY	Issued	329	C	10.26
39513	20-Aug-2009	HIGHLANDSP	HIGHLAND SPRINGS EXPRESS LUBE	Issued	329	C	659.28
39514	20-Aug-2009	IDEARCMEDI	IDEARC MEDIA CORP.	Issued	329	C	49.25
39515	20-Aug-2009	INLANDWATE	INLAND WATER WORKS	Issued	329	C	4,667.71
39516	20-Aug-2009	JASONSTOWI	JASON'S TOWING	Issued	329	C	150.00
39517	20-Aug-2009	LEESAUTOBO	LEE'S AUTO BODY	Issued	329	C	271.88
39518	20-Aug-2009	LUTHERSTRU	LUTHERS TRUCK & EQUIPMENT	Issued	329	C	3,958.39
39519	20-Aug-2009	MAYERHOFFM	MAYER HOFFMAN MCCANN P.C.	Issued	329	C	11,122.00
39520	20-Aug-2009	MCCROMETEI	MCCROMETER	Issued	329	C	245.83
39521	20-Aug-2009	MIKEMCGEOR	MIKE MCGEORGE GOPHER CONTROL	Issued	329	C	250.00
39522	20-Aug-2009	PACIFICALA	PACIFIC ALARM	Issued	329	C	408.98
39523	20-Aug-2009	PARSONS	PARSONS WATER & INFRASTRUCTURE INC.	Issued	329	C	46,841.75
39524	20-Aug-2009	PRESTIGEMO	PRESTIGE MOBILE DETAIL	Issued	329	C	80.00
39525	20-Aug-2009	PRIORITYPA	PRIORITY PALLETS	Issued	329	C	4,001.32
39526	20-Aug-2009	REDWINE	REDWINE AND SHERRILL	Issued	329	C	8,917.65
39527	20-Aug-2009	REIDHELLYE	REID & HELLYER	Issued	329	C	550.00
39528	20-Aug-2009	STAPLES	STAPLES BUSINESS ADVANTAGE	Issued	329	C	292.70
39529	20-Aug-2009	STMP000739	HENKLES & MCCOY INC	Issued	329	C	261.26
39530	20-Aug-2009	STMP000740	HERMAN WEISSKER INC	Issued	329	C	581.27
39531	20-Aug-2009	STMP000741	PRIORITY PALLETS	Issued	329	C	523.92
39532	20-Aug-2009	STMP000742	ARIZONA PIPELINE COMPANY	Issued	329	C	608.65
39533	20-Aug-2009	TIMEWARNER	TIME WARNER CABLE	Issued	329	C	178.63
39534	20-Aug-2009	UNDERGROU	UNDERGROUND SERVICE ALERT	Issued	329	C	129.00
39535	20-Aug-2009	VERIZON	VERIZON	Issued	329	C	538.78
39536	20-Aug-2009	WASTEMANA	WASTE MANAGEMENT	Issued	329	C	237.36
39537	20-Aug-2009	WASTEMANA	WASTE MANAGEMENT	Issued	329	C	118.95
39538	20-Aug-2009	XEROX	XEROX CORPORATION	Issued	329	C	1,722.82
39539	24-Aug-2009	CDPH-OCP	CA DEPT OF PUBLIC HEALTH	Issued	335	C	110.00
39540	27-Aug-2009	ACTIONTRUE	ACTION TRUE VALUE HARDWARE	Issued	338	C	257.20
39541	27-Aug-2009	AVAYA	AVAYA INC	Issued	338	C	120.38
39542	27-Aug-2009	B ACE HOME	BEAUMONT ACE HOME CENTER	Issued	338	C	99.15
39543	27-Aug-2009	BASICCHEMI	BASIC CHEMICAL SOLUTIONS LLC	Issued	338	C	5,068.80
39544	27-Aug-2009	BLAWNMOWE	BEAUMONT LAWNMOWER	Issued	338	C	128.26
39545	27-Aug-2009	BTIRE	BEAUMONT TIRE	Issued	338	C	20.00
39546	27-Aug-2009	CADETUNIFO	CADET UNIFORM SERVICE	Issued	338	C	67.92
39547	27-Aug-2009	CROWLEYCOI	CROWLEY COMPANY INC.	Issued	338	C	1,060.46
39548	27-Aug-2009	CVAUTO	CHERRY VALLEY AUTOMOTIVE	Issued	338	C	505.86
39549	27-Aug-2009	DAVINCI	DA VINCI PRINTING & BLUEPRINTS	Issued	338	C	6.25
39550	27-Aug-2009	EDISON	SOUTHERN CALIFORNIA EDISON	Issued	338	C	24,732.20
39551	27-Aug-2009	ESBABCOCK	ES BABCOCK	Issued	338	C	752.00
39552	27-Aug-2009	FEDEX	FEDEX	Issued	338	C	21.44
39553	27-Aug-2009	FREEMANOFF	FREEMAN OFFICE PRODUCTS	Issued	338	C	400.67
39554	27-Aug-2009	GASSCO	GAS ARC STEEL SUPPLY CO	Issued	338	C	45.18
39555	27-Aug-2009	HEMETOIL	HEMET OIL CO	Issued	338	C	5,412.79

Check Register-Summary-Bank



AP5090

Page : 2

Date : Sep 01, 2009

Time : 8:25 am

Vendor : A&A FENCE To ZETLMAIER

Cheque Dt. : 01-Aug-2009 To 31-Aug-2009

Bank : 7 - ACCOUNTS PAYABLE

Seq : Cheque No.

Status : All

Medium : M=Manual C=Computer E=EFT-PA

Check #	Check Date	Vendor	Vendor Name	Status	Batch	Medium	Amount
39556	27-Aug-2009	HUDECS	HUDEC'S COMPUTER CONSULTING	Issued	338	C	3,338.32
39557	27-Aug-2009	INLANDWATE	INLAND WATER WORKS	Issued	338	C	6,756.03
39558	27-Aug-2009	JOHNSONMAC	JOHNSON MACHINERY	Issued	338	C	2,627.09
39559	27-Aug-2009	KVSPAINANT	KV'S PAINT AND DECORATING	Issued	338	C	219.95
39560	27-Aug-2009	MACROCOMM	MACRO COMMUNICATIONS	Issued	338	C	150.00
39561	27-Aug-2009	MAGEENIKI	MAGEE, NIKI	Issued	338	C	600.00
39562	27-Aug-2009	MARKESRAMI	ESRAMILLA, MARK	Issued	338	C	82.30
39563	27-Aug-2009	METROCALL	USA MOBILITY WIRELESS INC.	Issued	338	C	24.61
39564	27-Aug-2009	NAPAAUTOPA	NAPA AUTO PARTS	Issued	338	C	20.62
39565	27-Aug-2009	OAKMONTIND	OAKMONT INDUSTRIAL GROUP	Issued	338	C	8,021.62
39566	27-Aug-2009	PATSPOTS	PAT'S POTS	Issued	338	C	310.00
39567	27-Aug-2009	POUANTHON\	POU, ANTHONY	Issued	338	C	46.21
39568	27-Aug-2009	POWERPLAN	POWERPLAN OIB	Issued	338	C	14.63
39569	27-Aug-2009	PRESTIGEMO	PRESTIGE MOBILE DETAIL	Issued	338	C	352.00
39570	27-Aug-2009	ROSSK000	ROSS, KEN	Issued	338	C	800.00
39571	27-Aug-2009	SGPWA	SAN GORGONIO PASS WATER AGENCY	Issued	338	C	96,368.00
39572	27-Aug-2009	STAPLES	STAPLES BUSINESS ADVANTAGE	Issued	338	C	366.94
39573	27-Aug-2009	STELLAPARK	PARKS, STELLA	Issued	338	C	600.00
39574	27-Aug-2009	STMP000743	VANGROUN, TARAH	Issued	338	C	98.64
39575	27-Aug-2009	STMP000744	WALLS, TONIA	Issued	338	C	18.18
39576	27-Aug-2009	TALLEY	TALLEY	Issued	338	C	565.00
39577	27-Aug-2009	USABBLUEBOC	USA BLUE BOOK	Issued	338	C	755.27
39578	27-Aug-2009	USPOSTAL	US POSTAL SERVICE	Issued	338	C	370.00
39579	27-Aug-2009	VERIZON	VERIZON	Issued	338	C	621.95
39580	27-Aug-2009	VERIZON	VERIZON	Issued	338	C	182.35
39581	27-Aug-2009	VERIZONWIR	VERIZON WIRELESS	Issued	338	C	746.60
39582	27-Aug-2009	WASTEMANA	WASTE MANAGEMENT	Issued	338	C	31.79
39583	27-Aug-2009	WESTERNREF	WESTERN REFINING	Issued	338	C	1,940.27
39584	27-Aug-2009	WOLLR000	WOLL, RYAN	Issued	338	C	400.00
39585	27-Aug-2009	RDOEQUIP	RDO EQUIPMENT CO.	Issued	339	C	46,762.50
Total Computer Paid :		305,719.09	Total EFT PAP :	0.00	Total Paid :		305,719.09
Total Manually Paid :		0.00	Total EFT File :	0.00			

86 Total No. Of Cheque(s) ...

Memorandum

Date: September 9, 2009
From: Anthony Lara, Interim General Manager
To: Finance and Audit Committee
Subject: Invoices Pending Payment

Attached please find copies of the professional services invoices which are pending approval for payment. Total amount pending approval is \$70, 641.89

Vendor Name	Inv No	Amount
Parsons Engineering	9080160	\$51,586.34
Geoscience	15061-40	\$6,179.00
Redwine & Sherrill	809001	\$12,876.55
Total		<u>\$70,641.89</u>

Recommendation: That the Finance and Audit Committee recommends approval of the attached invoices totaling \$70, 641.89

HOLD INVOICE
Board Approval Required
A. Lara 8/18/09

MEMORANDUM

August 12, 2009

RECEIVED
AUG 17 2009

BY: _____

TO: Tony Lara, Interim General Manager
FROM: Steve Gratwick
SUBJECT: Work During Billing Period: 06/27/09 through 07/31/09
Invoice No. 09080160

Approved for Payment
VARIOUS ACCOUNTS 8/17

During this past billing period we performed the following tasks:

Task 01000 – General: 1-5-5820-611

- Administration\$260.00
- ODCs\$8.00

Task 10003 – 2800 Recycled Water Tank: 2-1-0809-705

- Finalize final plans and specifications. Attend pre-bid meeting. Prepare addendum and assist in answering contractor questions. Bid date scheduled for August 5, 2009\$11,180.00
- ODCs\$145.75

Task 10018 – Ring Ranch Road Extension: 2-1-0813-705

- Complete final pipeline plans and specifications. Coordinate with land owners for encroachment. Field research to determine habitat to meet requirements for Riverside County MSHCP.\$19,423.75

Task 10019 – WWTP Recycled Water Improvements: 2-1-0811-705

- Location of Recycled Water Tank still not determined. Attend field meetings with City staff. City provided 2 proposed locations, but conflicting with existing site conditions and permit requirements. Additional coordination with City on going\$7,310.00
- ODCs\$181.34

Task 10020 – Desert Lawn Dr. Project: 2-1-0812-705

- Prepare preliminary pipeline alignment design.\$3,570.00
- ODCs\$805.00

Work During Billing Period:
6/27/09 through 7/31/09
Invoice No. 09080160
August 12, 2009

Task 10021 – Potrero Blvd. Pipeline Project: 2-1-0812-705

- Ongoing coordination with property owners and City of Beaumont to get latest topo surveys in the vicinity of Potrero Blvd. Prepare preliminary pipeline alignment for City. Review environmental requirements for DFG. Prepare encroachment permits for UPRR. \$7,990.00
- ODCs \$19.25

Task 96000 – Riverside LAFCO Annexations: 1-5-5820-411

- Revise legal description for final submittal. \$340.00
- Subcontractor (Wayne Wheeler) \$345.00
- ODCs \$8.25

PARSONS

100 West Walnut Street • Pasadena, California 91124 • (626) 440-2000 • Fax: (626) 440-2630 • www.parsons.com

I N V O I C E

NET 30 DAYS
AUGUST 12, 2009

CLIENT REF. : CONTRACT 8/31/81
INVOICE NO. : 09080160
PROJECT NO. : 723185-W
CLIENT NO. : 72192

TO: BEAUMONT-CHERRY VALLEY WATER DISTRICT
560 MAGNOLIA AVE.
BEAUMONT, CA 92223-2037

ATTN: MR. ANTHONY LARA, INTERIM GEN. MGR.

PLEASE REMIT TO:
PARSONS WATER & INFRASTRUCTURE
P. O. BOX 601094
PASADENA, CA

91189-1094

FOR: BEAUMONT-CHERRY VALLEY ENGINEER

BILLING PERIOD: 6/27/09 THROUGH 7/31/09

	HOURS	CURRENT PERIOD THROUGH 7/31/09
PROFESSIONAL SERVICES		
Labor Costs:	343.2	50,073.75
ODCS without markup:		1,512.59
		<hr/>
SUBTOTAL:		51,586.34
		<hr/>
TOTAL THIS INVOICE:		51,586.34
		=====



GEOSCIENCE

August 11, 2009

Accounts Payable
Beaumont Cherry Valley Water District
560 Magnolia Ave.
Beaumont, CA 92223-2258

RECEIVED
AUG 17 2009

BY:

Re: Progress Billing Invoice for Geohydrologic Consulting – Noble Creek Artificial Recharge

Period of this Invoice: June 6 – July 31, 2009

Invoice #15061-40

Accounts Payable:

This letter is an invoice for the above referenced project.

Please Pay This Amount: \$6,179

Payable to:

GEOSCIENCE Support Services, Inc.
P.O. Box 220
Claremont, CA 91711

Approved for Payment
1-5-SB20-611
8/17

HOLD INVOICE
Board Approval Required
A. Lam 8/18/09

GEOSCIENCE SUPPORT SERVICES INCORPORATED

Ground Water Resources Development

P.O. Box 220, Claremont, CA 91711

T: 909-451-6650

F: 909-451-6638

Reimbursable Expenses for Beaumont Cherry Valley Water District

Monitoring Wells - MW3 S, MW3 D, MW4 S, MW4 D, MW4 S, MW5 D, MW5 S

Time Period: June 6 - July 31, 2009

GEOSCIENCE Invoice #15061-40

Date	Vendor	Description	Amount
15-Jun-09	GEOSCIENCE	Field Work Per Diem - Download Data	\$125
15-Jul-09	GEOSCIENCE	Field Work Per Diem - Download Data	\$125
Subtotal Reimbursable Expenses [Excluding Subcontractors]:			\$250
Subtotal Subcontractor:			\$0
5% Fee on Subcontractors:			\$0
Total Reimbursable:			\$250

LAW OFFICES
REDWINE AND SHERRILL
STATEMENT FOR PROFESSIONAL SERVICES

1950 MARKET STREET
RIVERSIDE, CALIFORNIA 92501-1720
TELEPHONE 951-684-2520
ID # 95-1979827

RECEIVED
SEP 02 2009
BY: _____


August 31, 2009

Beaumont Cherry Valley Water District
ATTN: Tony Lara
P. O. Box 2037
Beaumont, CA 92223

For Services Rendered During August 2009

Legal Fees due for Month	\$12,282.00 ✓
Costs Advanced for Month	\$ 594.55
CURRENT AMOUNT DUE	\$ 12,876.55

MEMORANDUM

TO: FINANCE & AUDIT COMMITTEE
FROM: JULIE J. SALINAS, BUSINESS MANAGER 
SUBJECT: MONTH END FINANCIAL REPORTS
DATE: 9/4/2009
CC: ANTHONY L. LARA, ASST. G.M.

Summary (as requested by Director Ross):

Revenue	Current Month	Year to Date
Operating Revenue		
Water Sales	757,139.73	4,042,814.93
Penalties	15,130.00	128,650.00
Pass Thru Charges	338,822.35	1,562,861.58
Other	52,868.74	383,451.02
District Housing	800.00	1,800.00
	1,164,760.82	6,119,577.53
Expenses		
Labor & Benefits		
501 - Labor	119,615.82	1,033,737.35
502 - Bereavement/Seminar/Jury Duty	195.31	1,387.92
503 - Sick Leave	4,205.17	125,274.99
504 - Vacation	5,707.26	56,184.10
505 - Holidays	640.13	45,045.34
243 - Retirement/CalPERS	32,691.45	298,609.07
237 - Health Insurance	27,500.53	225,980.50
507 - Life Insurance	822.77	7,625.19
508 - Uniforms, Employee Benefits	242.95	4,156.87
	191,621.39	1,798,001.33
Utilities		
515 - Electric	221,657.09	843,544.37
580 - Telephone	3,536.03	25,101.02
581 - Sanitation	613.25	5,165.59
583 - Propane	-	1,588.08
	225,806.37	875,399.06

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

General Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
Revenue						
OPERATING REVENUE						
1-4-4010-401	Domestic Water Sales	734,550	3,923,234	6,325,918	2,402,684	62%
1-4-4010-402	Irrigation Water Sales	10	16,058	30,000	13,942	54%
1-4-4010-403	Construction Water Sales	22,580	103,523	109,000	5,477	95%
1-4-4010-404	Installation Charges	21,725	228,404	280,251	51,847	81%
1-4-4010-407	Reimb. Cust. Damages/Upgrades	402	23,101	34,752	11,651	66%
1-4-4010-408	Backflow Devices	2,691	14,504	17,522	3,018	83%
1-4-4010-410	Returned Check Fees	200	2,520	6,000	3,480	42%
1-4-4010-411	Miscellaneous Income	7,240	23,292	10,000	(13,292)	233%
1-4-4010-412	Rental Income	100	800	1,200	400	67%
1-4-4010-414	Recharge Income (City of Banning)	18,587	81,023	85,000	3,977	95%
1-4-4010-441	Turn Ons	2,800	21,720	47,500	25,780	46%
1-4-4010-442	Third Notice Charge	5,625	50,430	81,000	30,570	62%
1-4-4010-443	Penalties	6,705	56,500	85,000	28,500	66%
1-4-4010-444	SGPWA Importation Charge	165,960	771,854	749,029	(22,825)	103%
1-4-4010-445	SCE Power Charge	172,863	791,008	1,101,514	310,506	72%
1-4-4010-446	Bonita Vista Repayment - Interest	1,923	9,807	34,000	24,193	29%
Total OPERATING REVENUE		1,163,961	6,117,778	8,997,686	2,879,908	68%
DISTRICT HOUSING REVENUE						
1-4-4011-412	Rent - 12303 Oak Glen Road	200	800	-	(800)	
1-4-4012-412	Rent - 13695 Oak Glen Road	400	400	-	(400)	
1-4-4013-412	Rent - 13697 Oak Glen Road	200	400	-	(400)	
1-4-4014-412	Rent - 9781 Avenida Miravilla	-	200	-	(200)	
1-4-4015-515	Electric/Propane - 12303 Oak Glen Road	-	-	-	-	
1-4-4016-515	Electric/Propane - 13695 Oak Glen Road	-	-	-	-	
1-4-4017-515	Electric/Propane - 13697 Oak Glen Road	-	-	-	-	
1-4-4018-515	Electric/Propane - 9781 Avenida Miravilla	-	-	-	-	
Total DISTRICT HOUSING REVENUE		800	1,800	-	(1,800)	-
Total Revenue		1,164,761	6,119,578	8,997,686	2,878,108	0.68

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

General Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
Expense						
SOURCE OF SUPPLY & WATER TREATMENT						
1-5-5200-237	Health Insurance	3,876	31,348	55,000	23,652	57%
1-5-5200-243	Retirement/CalPERS	4,605	40,563	65,000	24,437	62%
1-5-5200-501	Labor	22,991	170,303	240,000	69,697	71%
1-5-5200-502	Bereavement/Seminar/Jury Duty	195	992	1,000	8	99%
1-5-5200-503	Sick Leave	106	17,716	24,000	6,284	74%
1-5-5200-504	Vacation	-	1,431	12,750	11,319	11%
1-5-5200-505	Holidays	-	4,832	8,500	3,668	57%
1-5-5200-507	Life Insurance	112	1,058	1,600	542	66%
1-5-5200-508	Uniforms, Employee Benefits	114	681	1,270	589	54%
1-5-5200-511	Treatment & Chemicals	5,069	76,435	135,000	58,565	57%
1-5-5200-512	Lab Testing	2,047	24,531	95,000	70,469	26%
1-5-5200-513	Maintenance Equipment (pumping)	8,760	85,150	125,000	39,850	68%
1-5-5200-514	Utilities - Gas	10	70	50	(20)	140%
1-5-5200-515	Utilities - Electric	217,277	824,116	1,530,000	705,884	54%
1-5-5200-517	Telemetry Maintenance	-	4,080	6,000	1,920	68%
1-5-5200-518	Seminar & Travel Expenses	-	110	500	390	22%
1-5-5200-519	Education Expenses	-	530	1,000	470	53%
1-5-5200-520	Worker's Comp Insurance	1,834	6,174	22,000	15,826	28%
1-5-5200-620	State Project Water Purchased	96,368	370,436	480,000	109,564	77%
1-5-5200-621	Groundwater Purchase (SMWC)	50,000	392,000	550,000	158,000	71%
Total SOURCE OF SUPPLY & WATE		413,365	2,052,557	3,353,670	1,301,113	61%
TRANSMISSION & DISTRIBUTION						
1-5-5300-237	Health Insurance	10,024	70,198	130,000	59,802	54%
1-5-5300-243	Retirement/CalPERS	10,077	69,482	140,000	70,518	50%
1-5-5300-501	Labor	34,860	207,348	435,000	227,652	48%
1-5-5300-502	Bereavement/Seminar/Jury Duty	-	351	6,500	6,149	5%
1-5-5300-503	Sick Leave	1,689	15,243	18,000	2,757	85%
1-5-5300-504	Vacation	1,944	11,808	24,000	12,192	49%
1-5-5300-505	Holidays	-	11,892	20,000	8,108	59%
1-5-5300-507	Life Insurance	264	1,934	3,400	1,466	57%
1-5-5300-508	Uniforms, Employee Benefits	129	2,807	4,430	1,623	63%

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

General Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
1-5-5300-518	Seminar & Travel Expenses	-	-	1,000	1,000	0%
1-5-5300-519	Education Expenses	-	383	2,000	1,618	19%
1-5-5300-520	Worker's Comp Insurance	3,363	10,188	38,000	27,812	27%
1-5-5300-530	Maint Pipeline/Fire Hydrant	5,000	32,834	82,500	49,666	40%
1-5-5300-531	Line Locates	164	1,882	2,000	118	94%
1-5-5300-534	Maint Meters & Services	1,358	26,547	95,000	68,453	28%
1-5-5300-535	Backflow Devices	-	-	750	750	0%
1-5-5300-536	Maintenance Reservoirs/Tanks	635	1,240	10,000	8,760	12%
1-5-5300-537	Maintenance Pressure Regulators	-	10,794	18,000	7,206	60%
1-5-5300-538	Inspections	2,455	25,290	40,000	14,710	63%
Total TRANSMISSION & DISTRIBUTION		71,963	500,220	1,070,580	570,360	47%

CUSTOMER SERVICE & METER READING

1-5-5400-237	Health Insurance	2,259	21,184	42,000	20,816	50%
1-5-5400-243	Retirement/CalPERS	2,168	19,202	40,000	20,798	48%
1-5-5400-501	Labor	7,707	62,588	95,000	32,412	66%
1-5-5400-502	Bereavement/Seminar/Jury Duty	-	45	500	455	9%
1-5-5400-503	Sick Leave	390	3,106	2,000	(1,106)	155%
1-5-5400-504	Vacation	190	3,152	5,850	2,698	54%
1-5-5400-505	Holidays	-	3,544	5,500	1,956	64%
1-5-5400-507	Life Insurance	54	525	900	375	58%
1-5-5400-508	Uniforms, Employee Benefits	-	668	890	222	75%
1-5-5400-519	Education Expenses	-	-	1,000	1,000	0%
1-5-5400-520	Worker's Comp Insurance	686	2,528	8,000	5,472	32%
Total CUSTOMER SERVICE & METER READING		13,453	116,541	201,640	85,099	58%

ADMINISTRATION

1-5-5500-237	Health Insurance	11,243	100,393	148,500	48,107	68%
1-5-5500-243	Retirement/CalPERS	15,572	161,801	275,000	113,199	59%
1-5-5500-501	Labor	52,730	542,129	830,000	287,871	65%
1-5-5500-502	Bereavement/Seminar/Jury Duty	-	-	2,500	2,500	0%
1-5-5500-503	Sick Leave	2,020	89,210	100,000	10,790	89%
1-5-5500-504	Vacation	3,574	39,793	38,000	(1,793)	105%
1-5-5500-505	Holidays	640	23,178	40,000	16,822	58%

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

General Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
1-5-5500-507	Life Insurance	385	3,883	4,800	917	81%
1-5-5500-518	Seminar & Travel Expenses	-	577	6,000	5,423	10%
1-5-5500-519	Education Expenses	-	-	1,000	1,000	0%
1-5-5500-520	Worker's Comp Insurance	1,738	6,517	25,000	18,483	26%
1-5-5500-522	Unemployment Insurance	-	4,989	-	(4,989)	
1-5-5500-547	Employer Share for Retired (CalPERS)	474	2,370	-	(2,370)	
1-5-5500-548	Administrative Costs (CalPERS)	135	1,120	-	(1,120)	
1-5-5500-549	Bank Charges/Transaction Fees	-	14,544	14,600	56	100%
1-5-5500-553	Temporary Labor	-	3,638	17,500	13,862	21%
1-5-5500-555	Office Supplies	2,331	31,731	55,000	23,269	58%
1-5-5500-556	Office Equipment/Service Agreement	3,448	44,184	60,000	15,816	74%
1-5-5500-557	Office Maintenance	1,284	9,578	20,000	10,422	48%
1-5-5500-558	Membership Dues	-	1,300	15,000	13,700	9%
1-5-5500-559	Armored Car	397	3,148	5,000	1,852	63%
1-5-5500-560	Office Equip Maint & Repairs	-	1,799	3,200	1,401	56%
1-5-5500-561	Postage	2,412	27,187	40,000	12,813	68%
1-5-5500-562	Subscriptions	49	414	2,850	2,436	15%
1-5-5500-563	Miscellaneous Operating Supplies	1,501	8,580	15,000	6,421	57%
1-5-5500-564	Miscellaneous Tools/Equipment	1,268	3,996	15,000	11,004	27%
1-5-5500-567	Employee Medical/First Aid	-	129	600	471	22%
1-5-5500-568	Random Drug Testing	25	25	500	475	5%
1-5-5500-570	Property/Auto/Liability Insurance	59,672	55,235	80,090	24,855	69%
1-5-5500-572	State Mandates & Tarriffs	-	14,726	30,000	15,274	49%
1-5-5500-573	Miscellaneous Expenses	-	158	1,000	842	16%
1-5-5500-574	Public Education	-	8,265	10,000	1,735	83%
1-5-5500-577	Property Taxes (out of district parcels)	-	6,410	6,410	0	100%
1-5-5500-578	IT Support/Software Support	6,168	43,125	65,000	21,875	66%
1-5-5500-630	Accounts Receivable	-	1,435	1,000	(435)	143%
Total ADMINISTRATION		167,066	1,255,566	1,928,550	672,984	65%

BOARD OF DIRECTORS

1-5-5510-550	Board of Director Fees	3,200	25,600	60,000	34,400	43%
1-5-5510-551	Seminar & Travel Expenses	-	812	3,500	2,688	23%
1-5-5510-552	Election Expenses	-	202	22,575	22,373	1%

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

General Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
Total BOARD OF DIRECTORS		3,200	26,614	86,075	59,461	67%
MAINTENANCE & GENERAL PLANT						
1-5-5610-514	560 Magnolia Ave - Gas	-	-	150	150	0%
1-5-5610-515	560 Magnolia Ave - Electric	2,523	13,392	22,000	8,608	61%
1-5-5610-580	560 Magnolia Ave - Telephone	3,482	24,746	55,000	30,254	45%
1-5-5610-581	560 Magnolia Ave - Sanitation	151	1,669	2,400	731	70%
1-5-5610-582	560 Magnolia Ave - Maintenance	176	1,783	3,500	1,717	51%
1-5-5615-501	12303 Oak Glen Rd - Labor	-	342	1,000	658	34%
1-5-5615-515	12303 Oak Glen Rd - Electric	237	968	1,500	532	65%
1-5-5615-582	12303 Oak Glen Rd - Maintenance	63	574	3,000	2,426	19%
1-5-5615-583	12303 Oak Glen Rd - Propane	-	123	1,500	1,377	8%
1-5-5620-501	13695 Oak Glen Rd - Labor	-	-	1,000	1,000	0%
1-5-5620-515	13695 Oak Glen Rd - Electric	31	31	1,000	969	3%
1-5-5620-582	13695 Oak Glen Rd - Maintenance	516	2,632	3,000	368	88%
1-5-5620-583	13695 Oak Glen Rd - Propane	-	27	1,500	1,473	2%
1-5-5625-501	13697 Oak Glen Rd - Labor	-	-	1,000	1,000	0%
1-5-5625-515	13697 Oak Glen Rd - Electric	124	998	1,500	502	67%
1-5-5625-582	13697 Oak Glen Rd - Maintenance	1,527	2,818	3,000	182	94%
1-5-5625-583	13697 Oak Glen Rd - Propane	-	1,262	1,500	238	84%
1-5-5630-501	9781 Avenida Miravilla - Labor	-	-	1,000	1,000	0%
1-5-5630-515	9781 Avenida Miravilla - Electric	6	326	300	(26)	109%
1-5-5630-582	9781 Avenida Miravilla - Maintenance	113	3,907	8,000	4,093	49%
1-5-5630-583	9781 Avenida Miravilla - Propane	-	176	-	(176)	
1-5-5635-515	815 E. 12th Street - Electric	1,459	3,713	9,000	5,287	41%
1-5-5635-580	815 E. 12th Street - Telephone	54	355	480	125	74%
1-5-5635-581	815 E. 12th Street - Maintenance	237	1,697	3,000	1,303	57%
1-5-5635-582	815 E. 12th Street - Sanitation	353	2,415	4,000	1,585	60%
1-5-5640-581	11083 Cherry Ave - Sanitation	225	1,800	3,000	1,200	60%
1-5-5700-589	Auto/Fuel	5,175	35,859	120,000	84,141	30%
1-5-5700-590	Safety Equipment	-	22	3,000	2,978	1%
1-5-5700-591	Communication Maintenance	-	-	1,000	1,000	0%
1-5-5700-592	Repair/Maint of General Equip	206	335	3,000	2,665	11%
1-5-5700-593	Repair Vehicles and Tools	697	5,895	30,000	24,105	20%

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

General Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
1-5-5700-594	Large Equip Maintenance	7,517	27,042	35,000	7,958	77%
1-5-5700-595	Equip Preventative Maintenance	-	-	1,000	1,000	0%
1-5-5700-596	Auto/Equipment Operation	7,540	26,257	20,000	(6,257)	131%
1-5-5700-597	Maint General Plant (Buildings)	220	4,251	10,000	5,749	43%
1-5-5700-598	Landscape Maintenance	3,950	27,987	72,000	44,013	39%
1-5-5700-601	Recharge Fac, Canyon & Pond Maint	7,949	21,532	18,000	(3,532)	120%
Total MAINTENANCE & GENERAL PL		44,530	214,934	445,330	230,396	48%
ENGINEERING (IN-HOUSE)						
1-5-5800-237	Health Insurance	98	2,857	5,200	2,343	55%
1-5-5800-243	Retirement/CalPERS	269	7,560	17,000	9,440	44%
1-5-5800-501	Labor	1,329	51,370	120,000	68,630	43%
1-5-5800-502	Bereavement/Seminar/Jury Duty	-	-	500	500	0%
1-5-5800-503	Sick Leave	-	-	2,000	2,000	0%
1-5-5800-504	Vacation	-	-	3,200	3,200	0%
1-5-5800-505	Holidays	-	1,600	2,600	1,000	62%
1-5-5800-507	Life Insurance	8	226	312	86	72%
1-5-5800-518	Seminar & Travel Expenses	-	-	500	500	0%
1-5-5800-519	Education Expenses	-	421	5,000	4,579	8%
1-5-5800-520	Worker's Comp Insurance	94	816	4,000	3,184	20%
Total ENGINEERING (IN-HOUSE)		1,798	64,850	160,312	95,462	40%
PROFESSIONAL SERVICES						
1-5-5810-611	General - Legal	9,468	130,917	125,000	(5,917)	105%
1-5-5810-612	Dev Reimb - Legal	-	-	1,000	1,000	0%
1-5-5810-614	Audit	3,666	18,819	19,000	181	99%
1-5-5810-616	Accounting (non audit)	7,456	7,456	1,000	(6,456)	746%
1-5-5820-611	General - Engineering	3,548	95,505	120,000	24,495	80%
1-5-5820-612	Dev Reimb - Engineering	-	3,813	40,000	36,187	10%
1-5-5820-614	STWMA Project Committee #1	-	185,264	-	(185,264)	
1-5-5820-615	Engineering - Permitting (Rec Water)	-	855	50,000	49,145	2%
Total PROFESSIONAL SERVICES		24,137	442,629	356,000	(86,629)	124%

**BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT**



**GL5410
Date: Sep 01, 2009**

For Period Ending 31-Aug-2009

General Funds	Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
Total Expenses	739,512	4,673,913	7,602,157	2,928,244	61%
Total Revenue	1,164,761	6,119,578	8,997,686	2,878,108	68%
SURPLUS/(DEFICIT)	425,249	1,445,665	1,395,529	(50,136)	

BEAUMONT CHERRY VALLEY WATER DISTRICT
MONTH END FINANCIAL REPORT



GL5410
Date: Sep 01, 2009

For Period Ending 31-Aug-2009

Restricted Funds		Current Month	Year to Date	Adopted Budget	Budget Remaining	Percent to Budget
Revenue						
NON-OPERATING REVENUE						
1-4-4020-421	Front Footage Fees	-	31,640			
1-4-4020-422	FF- Wells	-	26,210			
1-4-4020-423	FF- Water Rights	-	208,679			
1-4-4020-424	FF- Water Treatment Plant	-	12,498			
1-4-4020-425	FF- Local Water Resources	-	87,012			
1-4-4020-426	FF- Recycled Water Facilities	-	18,882			
1-4-4020-427	FF- Transmission	-	21,240			
1-4-4020-428	FF- Storage	-	27,177			
1-4-4020-429	FF- Booster	-	1,888			
1-4-4020-430	FF- Pressure Reducing Station	-	964			
1-4-4020-431	FF- Miscallenous Projects	-	841			
1-4-4020-432	Ff- Financing Costs	-	4,133			
1-4-4020-435	Interest Income	-	27,942			
Total NON-OPERATING REVENUE		-	469,105			
Expense						
CONSTRUCTION IN PROGRESS						
2-1-0001	New Service Installation	1,800	50,409	-	(50,409)	
2-1-0006	Water Master Plan Update	-	7,249	35,000	27,751	21%
2-1-0304	Recycled Water System	320	2,213	-	(2,213)	
2-1-0605	Sunny Cal Egg Ranch Well Rehab	-	10,032	-	(10,032)	
2-1-0700	SRF Loan - Recycled Water System	303	1,155	-	(1,155)	
2-1-0710	CV Pollution Control Project	-	-	100,000	100,000	0%
2-1-0809	2800 Zone Recycled Water Tank (PH 1)	7,113	11,901	2,200,000	2,188,099	1%
2-1-0810	24" Recycled Main - Brookside (PH 2)	1,484	19,124	750,000	730,876	3%
2-1-0811	1MG Reservoir/Booster Station (PH 3)	4,785	11,829	1,300,000	1,288,171	1%
2-1-0812	24" Recycled Main - Westerly Loop (PH 4)	20,128	30,902	5,000,000	4,969,098	1%
2-1-0813	Rec Main Ring Ranch/OVP (PH 5)	21,355	54,485	1,700,000	1,645,515	3%
2-1-0815	Edgar 8" Replacement Pipeline	-	135,251	150,000	14,749	90%
2-1-0816	SWP - Permanent Connection	25,000	25,096	400,000	374,904	6%
2-1-0901	2007 John Deere Backhoe 310SG	46,763	46,763	50,000	3,238	94%
2-1-0902	1 Ton Truck w/ 3/4 Ton Dump Bed	-	35,154	50,000	14,846	70%
2-1-0904	Loan Amortization Software	-	-	3,500	3,500	0%
2-1-0905	UWMP Update (2010)	-	-	30,000	30,000	0%
2-1-0906	GIS/GPS Software Purchase	33,711	35,477	65,000	29,523	55%
2-1-0907	OVP 24" & 10" Main Relocation	-	878	-	(878)	
Total CONSTRUCTION IN PROGRESS		162,761	477,917	11,833,500	11,355,583	4%

BEAUMONT CHERRY VALLEY WATER DISTRICT
Aug 2009 - FUND BALANCE*



	Beginning Balance Jul-09	Additions	Expenses	Transfers	Ending Balance Aug-09
GENERAL	5,027,251.77	1,164,760.82	821,784.85	(106,785.48)	5,263,442.26
DEPRECIATION	(2,955,565.23)			50,000.00	(2,905,565.23)
OPERATING RESERVE	1,798,412.36			37,856.99	1,836,269.35
EMERGENCY RESERVE	680,009.96			18,928.49	698,938.45
FRONT FOOTAGE	1,568,468.86				1,568,468.86
FACILITIES FEES POTABLE					
WELLS & WELL UPGRD	6,277,398.95				6,277,398.95
TRANSMISSIONS MAINS	(3,005,379.04)				(3,005,379.04)
STORAGE	(4,403,704.36)				(4,403,704.36)
BOOSTER STATIONS	1,407,636.58				1,407,636.58
TREATMENT PLANTS	9,905,049.40				9,905,049.40
MISC. ENGIN	525,322.23				525,322.23
PRESSURE REDUCING STA.	(267,461.96)				(267,461.96)
MISC. PROJECTS	(1,327,996.54)				(1,327,996.54)
FINANCING COSTS	1,419,683.85				1,419,683.85
 FACILITY FEES RECYCLED	 (3,801,305.90)		 68,590.31		 (3,869,896.21)
REC STORAGE	(22,172.85)		11,897.87		(34,070.72)
 WATER RIGHTS (SWP)	 6,385,020.99				 6,385,020.99
LOCAL WATER RESOURCE	(8,303,784.91)				(8,303,784.91)
 DEVELOPER REIMBURSEMENT	 (243,304.54)				 (243,304.54)
City of Banning -	9,290.22				9,290.22
*Total	10,672,869.85	1,164,760.82	902,273.03	-	10,935,357.64

**Completion of Construction in Progress including carry over from prior year*

**Actual Cash Balance does not reflect inventory purchased for capital improvement jobs in progress.*

****The difference in the deposit balance and the facility balance represents construction in progress****

Bank Balances (in memo only)

Wells Fargo - Commercial	325,701.69
Bank of Hemet - General Fund	165,844.65
Bank of Hemet - AP	196,471.63
Bank of Hemet - Payroll	98,260.25
LAIF	3,083,717.68
	<hr/>
	3,869,995.90

**RECORD OF THE MINUTES OF THE
REGULAR BOARD MEETING OF THE
BOARD OF DIRECTORS OF THE
BEAUMONT CHERRY VALLEY WATER DISTRICT
August 12, 2009**

CALL TO ORDER, PRESIDENT BALL

President Ball called the meeting to order at 7:00 p.m., 560 Magnolia Avenue, Beaumont California.

PLEDGE OF ALLEGIANCE, DIRECTOR WOLL

Director Woll led the pledge.

INVOCATION, DIRECTOR ROSS

Director Ross recited an invocation.

ROLL CALL, BLANCA MARIN

Those responding to roll call were President Ball, Vice President Parks and Directors Magee Ross and Woll. Also present at this meeting were Interim General Manager Anthony Lara, General Counsel Gil Granito and Executive Assistant Blanca Marin.

PUBLIC INPUT

President Ball invited Frances Flanders to address the Board on an item not on the agenda. Ms. Flanders commented on information on the District's website which indicates that the City of Beaumont will provide recycled water to the District. She also commented that the information provided is not factual as there is no recycled water. She also inquired as to whether or not the signs regarding recycled water on the parks around the area are legal as these signs are providing the wrong information to the public as currently there is no recycled water.

Ms. Flanders complimented the District on the improvement which is reflected on the agendas.

President Ball requested that Staff verify if the District is following the State law regarding the signs and the website information related to recycled water.

President Ball invited Patsy Reeley to address the Board on an item not on the agenda. Ms. Reeley questioned the Board regarding the District's Policies and Procedures and whether or not the District is implementing these. She further questioned whether or not the District will post the Policies and Procedures on the District's website.

President Ball invited Ted Deits to address the Board on an item not on the agenda. Mr. Deits referred to a project located on Third Street indicating that the District requirement of detector protection check. He further referred to prices for meter services compared to other agencies.

ACTION ITEMS

1. ADOPTION OF THE AGENDA

Interim General Manager, Anthony Lara requested tabling Items 6, 9 and 11 and schedule a Special Meeting for Thursday, August 20, 2009.

Vice President Parks moved to adopt agenda as amended and to table Items 6, 9 and 11 and renumber all items. Director Woll seconded. The motion passed unanimously.

Vice President Parks moved to add Special Meeting for Thursday August 20, 2009. Director Ross seconded. The motion passed unanimously.

2. FINANCIAL REPORTS

a. Bills for Consideration**

Board Action

The Board will take action on the Bills for Consideration taking into account the recommendations of the Finance and Audit Committee.

The Finance and Audit Committee reported that the Committee met and reviewed the reports. The Finance and Audit Committee recommended acceptance.

Vice President Parks moved to approve the Bills for Consideration. Director Ross seconded. The Motion passed unanimously.

b. Invoices for Payment Approval**

Board Action

The Board will take action on the Bills for Consideration taking into account the recommendations of the Finance and Audit Committee.

After report from the Finance and Audit Committee, Vice President Parks moved to approve invoices for payment. Director Ross seconded. The motion passed unanimously.

c. Month End Financial Statements July 2009**

Board Action

The Board will take action to "accept and file" the Month End Financial Statements presented by staff.

Director Ross moved to accept the July 2009 Month End Report. Vice President Parks seconded. The motion passed unanimously.

3. APPROVAL OF THE MINUTES

a. Minutes of the Regular Meeting of July 8, 2009**

Vice President Parks moved to accept the minutes of the July 8, 2009 as presented. Director Ross seconded. The motion passed unanimously.

b. Minutes of the Special Meeting of July 23, 2009**

Vice President Parks moved to accept the minutes of the July 23, 2009 as presented. Director Ross seconded. The motion passed unanimously.

4. EMERGENCY WATER SUPPLY REQUEST, SUNNY-CAL EGG & POULTRY COMPANY**

This item was tabled at the beginning of the meeting.

5. REVIEW AND SELECTION OF FINANCIAL CONSULTANT SERVICES PROPOSAL**

President Ball invited Luwana Ryan to address the Board on this item. Ms. Ryan requested that the Board does not make a decision on this item based on a personal knowledge or preference of any Staff or Board member.

General Counsel Gil Granito stated that he noticed that one of the candidates, the accounting firm of Teaman Ramirez & Smith Inc performed accounting and tax services for Redwine and Sherrill.

Vice President Parks requested that the Board does not select the company that will be working with the District.

Vice President Parks moved that the Interim General Manager makes the decision on selecting the company to work with the District. Director Ross seconded.

President Ball indicated that the Finance and Audit Committee had made a decision and a recommendation to make to the full Board. He indicated that the Board should make the decision.

Director Woll recommended that the Board select two firms and to direct the Interim General Manager to negotiate a proposal.

Director Ross indicated that he was introduced to Mr. Borrowman by his daughter. Director Ross indicated that he would refrain from voting should the Board select Mr. Borrowman.

Vice President Parks moved for the Interim General Manager to select from two companies.

President Ball requested that a roll call be taken to determine whether the Board should choose the Financial Consultant or the Interim General Manager should make this decision. The decision to authorize Interim General Manager, Anthony Lara selects the financial consultant failed by the following roll call.

Aye:	Magee and Parks
Nay:	Ross, Woll and Ball
Absent:	None
Abstain:	None

President Ball moved to select Steve Borrowman for the financial Consulting services. Director Woll seconded.

Vice President Parks moved to amend the earlier motion and to select Siebert Botkin Hickey & Associates. Director Magee seconded. The motion failed by the following roll call:

Aye:	Magee and Parks
Nay:	Woll and Ball
Absent:	None
Abstain:	Ross

Director Woll made a motion to authorize Interim General Manager Anthony Lara to make a selection between Steve Borrowman and Botkin Hickey & Associates. President Ball seconded. The motion passed by the following roll call:

Aye:	Magee, Ross, Woll, Parks and Ball
Nay:	None
Absent:	None
Abstain:	None

6. APPROVE AND AWARD BID FOR THE 2800 ZONE RECYCLED WATER TANK TO PASO ROBLES TANK AND CONSTRUCTION INC

**AND PENDING REVIEW AND APPROVAL OF DBE COMPLIANCE
AND SUBJECT TO RECEIPT OF APPROVAL OF AWARD FROM THE
STATE WATER RESOURCES CONTROL BOARD****

Interim General Manager Anthony Lara reported that after thoroughly review of all the bids the lowest bidder did not meet all of the requirements. The project was awarded to the second lowest bidder, Paso Robles Tank.

Director Ross moved to award the 2800 Zone Recycled Water Tank project to Paso Robles Tank. Vice President Parks seconded. The motion passed unanimously.

7. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

This item was tabled at the beginning of the meeting.

(a) Ad hoc Committees

(b) General Manager

- Correspondence from Cherry Valley Water Company**
- Noble Creek Artificial Recharge Facility-Ground Water Monitoring Report**
- Consolidation of Water Districts-Correspondence from City of Calimesa**
- Update on Recommendations from Auditors
- Purchase of New Backhoe/Loader**

(c) Directors

- Dr. Blair Ball
- Stella Parks
- Ken Ross
- Ryan Woll
- Niki Magee

(d) Legal Counsel

8. ANNOUNCEMENTS

- **The District will be Closed on September 7, 2009 in Observance of Labor Day**
- **Special Board Meeting on August 20, 2009 at 7:00 p.m.**
- **Regular Board Meeting, September 9, 2009 at 7:00 p.m.**

ACTION LIST

**9. CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL-ONE
MATTER**

President Ball adjourned to Closed Session at 7:55 p.m.

**A Closed Session will be held to confer with legal counsel on a matter
of potential litigation pursuant to subdivision (c) of Government
Code Section 54956.9-ONE MATTER**

10. OPEN SESSION –REPORT ON CLOSED SESSION

President Ball reconvened the meeting at 9:14 p.m.

General Counsel Gil Granito reported that the Board adjourned into Closed Session as noted in Item 2 of tonight's agenda. During the Closed Session, legal counsel for the

District led a discussion on a matter of Potential Litigation. No further reportable action was taken.

11. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL- (THREE MATTERS)

All three of these matters were tabled at the beginning of the meeting.

- A. Closed Session will be held to confer with legal counsel on two matters of potential litigation pursuant to subdivision (c) of Government Code section 54956.9-TWO MATTERS-Potential Litigation**
- B. A Closed Session will be held to confer with legal counsel on one matter of potential litigation pursuant to subdivision (b) of Government Code Section 54956.9 –ONE MATTER – Potential Litigation**

12. OPEN SESSION- REPORT ON CLOSED SESSION

All three of these matters were tabled at the beginning of the meeting.

13. ADJOURNMENT

President Ball adjourned the meeting at 9:16 p.m.

Dr. Blair Ball, President of the
Board of Directors of the
Beaumont Cherry Valley Water District

Attest:

Ryan Woll, Secretary to the
Board of Directors of the
Beaumont Cherry Valley Water District

**RECORD OF THE MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT
August 20, 2009**

CALL TO ORDER, PRESIDENT BALL

President Ball called the meeting to order at 7:00 p.m., 560 Magnolia Avenue, Beaumont, California.

PLEDGE OF ALLEGIANCE, VICE PRESIDENT PARKS

Vice President Parks led the pledge

INVOCATION, DIRECTOR WOLL

Director Woll recited an invocation

ROLL CALL, BLANCA MARIN

Those responding to roll call were President Ball, Vice President Parks and Directors Magee, Ross and Woll. Also present at this meeting were Interim General Manager Anthony Lara, General Counsel Gil Granito and Executive Assistant Blanca Marin.

PUBLIC INPUT

President Ball invited Michael Joseph to address the Board on an item not on the agenda. Mr. Joseph spoke in regards to Well 24. He provided the Board with copies of letters that he had mailed to the district in 2004. He voiced his concerns regarding his well which adjacent to Well 24. He indicated that he has been pumping a lot of dirt from his well. He questioned the Board as to what the District can do to help him as the water levels from his well have dropped.

ACTION ITEMS

1. ADOPTION OF THE AGENDA

Vice President Parks moved to adopt the agenda as presented. Director Woll seconded. The motion passed unanimously.

2. EMERGENCY WATER SUPPLY REQUEST, SUNNY-CAL EGG & POULTRY COMPANY**

Interim General Manager Anthony Lara indicated that due to a potential system failure Sunny Cal was requesting emergency service. He also indicated that since the date of the letter no communication has been going on with Sunny Cal representatives. He recommended that the Board table this item until Sunny Cal contact the District again.

President Ball invited Patsy Reeley to address the Board on this item. Ms. Reeley expressed her opposition and requested that the Board deny the request.

President Ball invited Luwana Ryan to address the Board on this item. Ms. Ryan indicated that Sunny Cal as any other overliar needs to direct their concerns to the Beaumont Basin Watermaster not just BCVWD.

Director Ross moved to table this item until Sunny Cal contacts the District. Vice President Parks seconded. The motion passed unanimously.

3. APPROVE AND AWARD BID FOR THE 24" RECYCLED WATER TRANSMISSION MAIN IN BROOKSIDE AVENUE TO MCC EQUIPMENT RENTALS INC., PENDING REVIEW AND APPROVAL OF DBE COMPLIANCE AND SUBJECT TO RECEIPT OF APPROVAL OF AWARD FROM THE STATE WATER RESOURCES CONTROL BOARD

Interim General Manager Anthony Lara reported that MCC Equipment Rental Inc was the lowest bidder for the project and that they also met all the requirements therefore, approval to award the project to MCC Equipment Rentals was recommended.

Director Woll moved to award the contract to the lowest bidder, MCC Equipment Rentals Inc. Vice President Parks seconded. The motion passed unanimously.

4. AUTHORIZATION TO ADVERTISE FOR THE REMAINDER OF THE PHASES OF THE RECYCLED WATER PROJECTS

Interim General Manager Anthony Lara requested that the Board authorize Staff to advertise the remainder of the projects, as some of the projects are nearing design completion and will be ready to advertise, rather than schedule special meetings to obtain approval.

President Ball requested that a monthly report be provided on the status of the projects by the Interim General Manager.

Vice President Parks moved to authorize Staff to advertise for the remainder of the projects. Director Woll seconded. The motion passed unanimously.

5. REQUEST FROM PACIFIC REAL ESTATE LLC TO WAIVE, REDUCE OR PROVIDE INSTALLMENT PLAN FOR THE FACILITY FEES AT OAK VALLEY CHEVRON PROJECT**

President Ball invited Frances Flanders to address the Board on this issue. Ms. Flanders requested that the District charge the required fees. She further requested that the District does not serve this project until a Water Supply Assessment is done.

President Ball invited Patsy Reeley to address the Board on this item. Ms. Reeley expressed her opposition to granting to waive any fees for this project.

President Ball invited Benny Mirshaftee to address the Board on this item. Mr. Mirshaftee indicated that due to the economic situation the funds budgeted for this project were reduced. He indicated that all his financial resources have been used and that is the reason that he is asking that the Board waive, reduce or at least provide an installment plan of \$10, 000 per month.

Vice President Parks moved to deny the request. Director Woll seconded. The motion passed unanimously.

6. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

(a) Ad hoc Committees - None

(b) General Manager

- Correspondence from Cherry Valley Water Company-

President Ball invited Luwana Ryan to address the Board on this item. Ms. Ryan referred to the statement made in the attached letter regarding the facility fees that were waived for Bonita Vista. Ms. Ryan also indicated that the Bonita Vista project was much straight forward. She requested that the Board does not agree to arrangements that do not make sense at the present time.

Interim General Manager, Anthony Lara indicated that after communications with LAFCO, it was discovered that the District is currently providing services to Cherry Valley Water Company without an extraterritorial service agreement. He recommended the Board requests that Cherry Valley Water Company deposit \$10,000 to start the process for an extraterritorial agreement.

Vice President Parks moved for Interim General Manager to follow through with the request, Staff to request \$10,000 and Staff also to work jointly with Cherry Valley Water Company to find funding for the project. Director Woll seconded. The motion passed unanimously.

President Ball invited Samuel Trussell to address the Board on this item. Mr. Trussell requested clarification on the amounts required by the District from Cherry Valley Water Company. He further requested that Staff provides the requirements from LAFCO. He indicated that the CVWC has applied to different agencies for funding on this project but they have been turned down because of being a small company. He further requested that the District work jointly with the CVWC to seek funding.

President Ball recommended that the Cherry Valley Water Company Ad hoc Committee meet with Staff from CVWC to further discuss requirements.

- Noble Creek Artificial Recharge Facility-Ground Water Monitoring Report**

Vice President Parks moved to receive and file report. Director Magee seconded. The motion passed unanimously.

- Consolidation of Water Districts-Correspondence from Oak Valley Partners/City of Yucaipa**

Director Woll moved to receive and file correspondence. Vice President Parks seconded. The motion passed unanimously.

- Update on Recommendations from Auditors

Interim General Manager, Anthony Lara indicated that changes are being made to comply with the recommendations from Auditors. He indicated that one of the recommendations was related to the Bank Reconciliations and Staff is in the process of reassigning some of the duties as recommended by the auditors.

- Purchase of New Backhoe/Loader**

After discussion, President Ball moved to approve Staff to purchase Backhoe/Loader for an amount up to \$64,000. Vice President Parks seconded. The motion passed unanimously.

- Request from the Beaumont Unified School District **

Interim General Manager, Anthony Lara indicated that due to misread of meters in favor of the Beaumont Unified School District the amounts on the bills were incorrect. He indicated that when Staff discovered this discrepancy, Staff met with BUSD to resolve this issue. He indicated that the BUSD requested a reduction of the bills. He indicated that when he met with Staff from BUSD a payment plan was offered however, approval from Board of Directors was needed to reduce the bill amounts.

President Ball invited Patsy Reeley to address the Board on this item. Ms. Reeley opposed the reduction of the water bills for the Beaumont Unified School District. She recommended that the Board deny this request.

Director Woll moved to offer a payment plan for the Beaumont Unified School District for the full amount of the bills. Vice President Parks seconded. The motion passed unanimously.

(c) Directors

- Dr. Blair Ball- None
- Stella Parks- The Pass Agency is delivering water on time.
- Ken Ross- None
- Ryan Woll- None
- Niki Magee- None

(d) Legal Counsel - None

7. ANNOUNCEMENTS

- **Regular Board Meeting, September 9, 2009 at 7:00 p.m.**

ACTION LIST

1. Ad hoc Committee to meet with Cherry Valley Water Company

8. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL- (FOUR MATTERS)

President Ball adjourned to Closed Session at 8:18 p.m.

- A. Closed Session will be held to confer with legal counsel on Two matters of potential litigation pursuant to subdivision (c) of Government Code section 54956.9-TWO MATTERS-Potential Litigation**
- B. A Closed Session will be held to confer with legal counsel on one matter of potential litigation pursuant to subdivision (b) of Government Code Section 54956.9 –ONE MATTER – Potential Litigation**
- C. A closed session will be held to confer with legal counsel on one matter of pending litigation pursuant to subdivision (a) of Government Code Section 54956.9—Claimant/Plaintiff Daniel Slawson and Arlene Slawson—Case RIC 533149, Superior Court, County of Riverside**

9. OPEN SESSION- REPORT ON CLOSED SESSION

President Ball reconvened to Open Session at approximately 10:15 p.m. General Counsel Gil Granito reported that the Board adjourned to Closed Session tonight as agendized. During the Closed Session, General Counsel led a discussion on three matters of potential litigation and one matter of pending litigation, all of which are reflected on tonight's agenda. Mr. Lara assisted General Counsel and no reportable action was taken.

10. ADJOURNMENT

President Ball adjourned the meeting at approximately 10:20 p.m.

Dr. Blair Ball, President of the
Board of Directors of the
Beaumont Cherry Valley Water District

Attest:

Ryan Woll, Secretary to the
Board of Directors of the
Beaumont Cherry Valley Water District

Memorandum

To: Board of Directors

From: Anthony Lara, Interim General Manager

Date: September 9, 2009

Re: Service request from Beaumont Cherry Valley Recreation and Park District for the Installation of a 2" Service Lateral

The District has received a request from The Beaumont Cherry Valley Recreation and Park District (BCVRPD) for a domestic service to the Noble Creek Park property for future use. The request has been made in order to have the service installed prior to the completion of the Oak Valley Parkway Project. BCVRPD will be required to pay for the installation of a 2" service lateral only. Any additional fees will be charged at the time application is made for the installation of the meter.

Recommendation

That the Board authorizes staff to proceed with the application and installation of the 2" service lateral



MEMORANDUM

August 4, 2009

**TO: MEMBER AGENCY BOARD PRESIDENT'S
MEMBER AGENCY GENERAL MANAGER'S**

FROM: GLEN PETERSON, ACWA PRESIDENT

**SUBJECT: ACWA COMMITTEE APPOINTMENT NOMINEES FOR THE
2010-2011 TERM**

PLEASE RESPOND BY SEPTEMBER 30, 2009

Committees are an integral part of ACWA's activities and policy development. The end of the current committee term is fast approaching and it is time again to request committee nominations from ACWA members. New officers (President/Vice President) will be elected at the fall conference, so it is time to prepare to reconstitute all committees for the 2010-2011 term.

In submitting names for consideration, please do so with the understanding that committees need active, involved individuals able to expend the time and provide their expertise if appointed. **Please keep in mind, that the district is responsible for all costs associated with the participation of their representative on committees.**

An important part in helping committees to be as effective as possible is attendance. ACWA's bylaws state, "Two consecutive, unexcused absences from an ACWA **limited** committee shall constitute a resignation and a replacement will be named as soon as possible." Also, those with a record of repeated, excused absences will be reviewed and considered for replacement.

The following information is enclosed in this packet.

- Current agency committee representation (if you receive a blank report, this indicates your agency has no committee representation)
- Committee attendance records (only for limited committees)
- Summary of ACWA's Committee Purposes and Responsibilities
- Committee consideration form (before you begin, please make extra copies)

- *Sample* committee consideration form
- Committee Timeline

All correspondence and forms regarding committee appointments must be in the ACWA office no later than **September 30, 2009** to be eligible for consideration. Please contact Kelly Smith at (916) 441-4545 or kellys@acwa.com, if you have any questions concerning the committee appointment process.

We appreciate your timely attention to this matter.

Enclosures

GP:ks



Beaumont-Cherry Valley WD

*** No Standing or Regular Committee Participation by Your Agency ***

ACWA COMMITTEES

PURPOSES AND RESPONSIBILITIES

COMMUNICATIONS COMMITTEE - *STANDING/LIMITED*

MEETINGS ARE HELD 4 TIMES A YEAR

- One at both the Fall and Spring conferences
- One at the Sacramento office between conferences
- One at a member agencies site between conferences

The purpose of the ACWA Communications Committee is to develop and make recommendations to the Board of Director's and association staff regarding comprehensive internal and external communications/public affairs programs. Programs are crafted to support ACWA and its members' positions on legislative, regulatory, and policy issues.

The committee is responsible for developing and updating a comprehensive communications plan for ACWA. The committee promotes the development and implementation of sound public information and education programs and practices among member agencies. It prepares materials that can be duplicated or used by member agencies for their local public information/education efforts. As a member of the committee, you will be enrolled as an active participant in ACWA's Outreach Program. The committee also provides guidance to ACWA's Communications Department.

ENERGY COMMITTEE – *STANDING/UNLIMITED*

MEETINGS ARE HELD 2 TIMES A YEAR

- One at both the Fall and Spring conferences

The purpose of the Energy Committee is to work with staff in developing and making recommendations to the Board of Directors regarding:

- ♦ Programs to assure an adequate power supply for member agencies, including energy, availability, pricing, distribution and hydro generation
- ♦ Policy recommendations relating to the development of new power sources
- ♦ Recommended positions regarding state and federal legislation to the State Legislative and Federal Affairs Committees
- ♦ Assistance with the development, direction and work associated with representation before the Public Utilities Commission, the Federal Energy Regulatory Commission and other regulatory agencies dealing with energy
- ♦ Educate members on all energy matters having impact on their operations

GROUNDWATER COMMITTEE - *STANDING/UNLIMITED*

MEETINGS ARE HELD 4 TIMES A YEAR

- One at both the Fall and Spring conferences
- One in Northern California between conferences
- One in Southern California between conferences

The Groundwater Committee monitors state and federal regulations and legislation that could affect the quality or quantity of groundwater, conducts studies, develops policies regarding the management of groundwater and coordinates with other ACWA committees on issues directly related to groundwater.

Committee members are expected to participate in a variety of activities including writing legislation, preparing comments for state or federal hearings on groundwater issues, developing programs for workshops and conferences, and providing input on state and federal legislation. As a member of the committee, you will be enrolled as an active participant in ACWA's Outreach Program.

INSURANCE AND PERSONNEL COMMITTEE - *STANDING/LIMITED*

MEETINGS ARE HELD 4 TIMES A YEAR

- One at both the Fall and Spring conferences
- One in April in the Sacramento office
- One in July in Southern California

The Insurance and Personnel Committee works with staff in developing, reviewing and making recommendations to the Board of Directors regarding the following:

- ♦ All ACWA group insurance program offerings
- ♦ Annual contract negotiations and renewal of all group employee benefit plans.
- ♦ Sponsor special studies on insurance-related problems and issues
- ♦ Sponsor safety programs for risk management or workers' compensation claims
- ♦ Define the scope of any audit to be performed by an independent actuary, as needed
- ♦ Gather, develop and publish comparative data on salary ranges, employee benefits and other personnel and administrative data pertinent to the management of member agencies

LEGAL AFFAIRS COMMITTEE - *STANDING/LIMITED*

MEETINGS ARE HELD APPROXIMATELY 2-3 TIMES A YEAR

- One at both the Fall and Spring conferences
- As needed in between the conferences

STATE LEGISLATIVE COMMITTEE - *STANDING/LIMITED*

MEETINGS ARE HELD APPROXIMATELY 10-12 TIMES A YEAR

- Every three weeks during Session in the Sacramento Office
- One planning meeting at the end of the year in the Sacramento Office

The State Legislative committee sets state legislative policy for the Associations. Committee members are responsible for reading relevant legislation, developing positions, working with staff to draft appropriate amendments to bills, providing input to the ACWA Board of Directors, and directing ACWA legislative staff on legislative matters. As a member of the committee, you will be enrolled as an active participant in ACWA's Outreach Program.

WATER MANAGEMENT COMMITTEE - *STANDING/LIMITED*

MEETINGS ARE HELD 4 TIMES A YEAR

- One at both the Fall and Spring conferences
- Two between conferences in the Sacramento office

The purpose of the Water Management Committee is to work with staff in developing and making recommendations to the Board of Directors regarding policy and programs on significant areas of concern in water management, review and recommend positions regarding legislation and regulations as requested by other committees, select recipients of the Theodore Roosevelt Environmental Awards.

The committee is also responsible for the gathering and dissemination of information regarding management of agricultural and domestic water, conjunctive use, water management and conservation activities, development and use of water resources, and wastewater treatment and its reclamation and reuse. As a member of the committee, you will be enrolled as an active participant in ACWA's Outreach Program.



COMMITTEE CONSIDERATION FORM

ASSOCIATION OF CALIFORNIA WATER AGENCIES

910 K Street, Suite 100
Sacramento, California 95814-3577
(916) 441-4545 FAX (916) 554-2324

This is NOT an address change form – any addresses, phone numbers or emails entered on this form will not be changed in ACWA's database.

***Rank**
1=first choice
2=second choice
3=third choice

NAME <small>Please print legibly</small>	COMMITTEE	RANK

QUESTIONS? Please call Kelly Smith at ACWA (916) 441-4545

RECOMMENDATION SUBMITTED BY:

Agency/District Name _____ Phone _____

SIGNATURE _____ Title _____

Either the Agency/District General Manager or Board President must sign this form.

COMMITTEE CONSIDERATION FORM

ASSOCIATION OF CALIFORNIA WATER AGENCIES

910 K Street, Suite 100

Sacramento, California 95814-3577

(916) 441-4545 FAX (916) 554-2324

This is NOT an address change form – any addresses, phone numbers or emails entered on this form will not be changed in ACWA’s database.

***Rank**

1=first choice

2=second choice

3=third choice

NAME	COMMITTEE	RANK
Please print legibly		
Jane Doe, General Manager	Water Management Committee	1
Jane Doe, General Manager	Federal Affairs Committee	2
John Smith, President	State Legislative Committee	1
T.O. Goode	Communications Committee	1

QUESTIONS? Please call Kelly Smith at ACWA (916) 441-4545

RECOMMENDATION SUBMITTED BY:

Agency/District Name	Phone
ACWA	

SIGNATURE _____ Title _____

Either the Agency/District General Manager or Board President must sign this form.

ACWA

COMMITTEE APPOINTMENT

Process / Timeline

AUGUST

7th Committee Appointment Packets are sent to all Agency general managers, board presidents & Friends of ACWA contacts.

The packet contains:

- List of all agency staff, directors, associate / affiliate members currently serving on ACWA committees.
- Committee descriptions, purposes / responsibilities.
- Committee consideration form and sample for the 2010-2011 term.
- 2010-2011 Committee consideration process / timeline outline.

14th Letters are sent to all **current** committee members notifying them of the process for reappointment to ACWA committees. **Important note:** all current committee members must stand again for reappointment by completing and submitting to ACWA a committee consideration form.

SEPTEMBER

30th **Deadline:** All committee consideration forms must be submitted to ACWA.

OCTOBER

Committee Considerations are compiled and organized for recommendations by the new Region Chairs.

NOVEMBER

19th

Deadline: The Incoming Region Chairs / Vice Chairs will make their recommendations for committee appointments. They will meet with the Outgoing and Incoming Region Chairs / Vice Chairs for training, input and continuity of the committee process.

16th - 27th

Region recommendations are compiled and organized for the new ACWA President.

DECEMBER

2nd

Region committee recommendations are submitted to the incoming ACWA President and Vice President for their consideration.

14th

Deadline: for the ACWA President to complete committee appointments.

31th

ACWA sends official appointment letters to new committee members who will serve for the 2010-2011 term.

JANUARY

5th

ACWA sends letters to those not receiving an appointment to ACWA committees and places those individuals on a waiting list for possible future appointment as vacancies occur.



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 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 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: katie@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)

- ☐ 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

Randy A. Record

P.O. Box 1539
San Jacinto, CA 92581
Phone/fax: 951-654-8835

August 26, 2009

Dear Charles J. Butcher,

After considerable thought and deliberation, I have decided to seek the position of Association of California Water Agencies (ACWA) Vice President in the upcoming election. The Boards of Directors of Eastern Municipal Water District and Metropolitan Water District of Southern California, both of which I am a member, have adopted resolutions nominating and supporting me for this important position.

I believe my experience as a southern California farmer and water district board member have prepared me well for the challenges associated with this important position. I spent much of my youth working on my family's dairy farm; after graduating from college I farmed field crops, vegetables, tree crops and vines with well water, imported water and recycled water. I have experienced plentiful, affordable water and I have experienced insufficient and cost-prohibitive water.

I have no doubt that California has plentiful water to meet the needs of our environment, our farms and our homes. I also have no doubt that if we are to have access to this water the leaders of California must create change in infrastructure, governance and life-style to ensure that our state's future is not limited by inadequate or unaffordable water.

We find ourselves at a critical moment in water history. I want to be involved in the discussion and decision making of water policy development so that generations to come will understand that when the challenge was the greatest the leadership stepped forward to meet that challenge.

If you, individually or as a larger group, plan to endorse a candidate I respectfully request that you consider me as your choice for ACWA Vice President.

Yours truly,



Randy Record

enclosure

Board member Eastern Municipal Water District
Board member Metropolitan Water District of Southern California
Board member Association of California Water Agencies
Board member The Bank of Hemet

RESUME'
RANDY A. RECORD

DOB 1952

SCHOOL/COLLEGE

1957-1966 Primary, elementary, junior high school - San Jacinto Unified School District

1966-1970 High school education - San Jacinto High School

1976 DECEMBER B.S. Ag Management - Cal Poly San Luis Obispo

WORK EXPERIENCE

2007 – present Founding partner Paso de Record, wine grape vineyard, San Miguel

2003 – present Board member, Bank of Hemet

1992 – present Founding partner De Anza Ranch, Star Ruby grapefruit grove, Hemet

1988 – present Partner McCleish Group, land development, San Jacinto

1977 JANUARY- 2008 Founding partner R.G.R. Farming Company, San Jacinto. Alfalfa, wheat, oat, barley, field corn, onion, potato, carrot, bell pepper production

ELECTED/APPOINTED PUBLIC AGENCY POSITIONS

2008 – present Chairman ACWA Federal Affairs Committee

2004 – present Member Riverside County Water Task Force, founding chairman.

2003 – present Board member Metropolitan Water District of Southern California; chairman Engineering and Operations committee, vice chairman Real Property and Asset Management committee.

2003 – 2007 Board member, Center for Water Education

2001 – present Board member Eastern Municipal Water District, board president 2003 -2005.

1998 – 2000 Member, Eastern Municipal Water District Reclamation Advisory Committee

1995 – 1997 California Potato Research Advisory Board

PROFESSIONAL ASSOCIATION MEMBERSHIP

1990 – present Western Growers Association

1990 – present Riverside County Farm Bureau, board of directors 1996 – 2006

2006 – present Water Education Foundation

2002 – present Member, past president, Hemet/San Jacinto Action Group

2005 – present Monday Morning Group of Western Riverside County

1998 – 2004 California Alfalfa and Forage Association



IRVINE RANCH WATER DISTRICT

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

August 13, 2009

Mr. Charles J. Butcher
Beaumont-Cherry Valley WD
PO Box 2037
Beaumont, CA 92223

RECEIVED
AUG 17 2009

BY: _____

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

Dear Mr. Charles J. Butcher:

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

Beaumont-Cherry Valley WD – IRWD Director Peer Swan's
Nomination as ACWA Vice President
August 13, 2009
Page 2

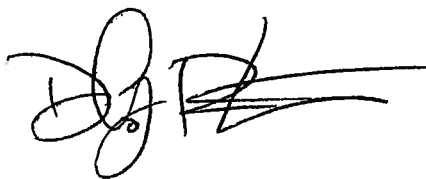
been active in proposing and developing innovative statewide solutions to critical water supply conveyance issues now faced by the California Bay-Delta estuary.

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 12, 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', with a long horizontal line extending to the right.

Douglas J. Reinhart
President

- SAMPLE RESOLUTION -

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
PLACING IN NOMINATION PEER A. SWAN AS VICE PRESIDENT OF THE
ASSOCIATION OF CALIFORNIA WATER AGENCIES**

WHEREAS, the Board of Directors of the _____ 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 _____ DOES
HEREBY RESOLVE, DETERMINE and ORDER as follows:

Section 1. Affirms its support for the nomination of Peer A. Swan for Vice
President of the Association of California Agencies, and the Secretary is hereby directed to
forward a certified copy of this resolution to the Association of California Water Agencies.

ADOPTED, SIGNED AND APPROVED this ____ day of ____, 2009.

President, _____ and of the Board of
Directors thereof



John V. Rossi
General Manager

August 17, 2009

Charles D. Field
Division 1

Thomas P. Evans
Division 2

Brenda Dennstedt
Division 3

Donald D. Galleano
Division 4

S.R. Al Lopez
Division 5

Tony Lara
General Manager
Beaumont Cherry Valley Water District
560 Magnolia Avenue
Beaumont, CA 92223

RE: Support for John Rossi for ACWA Region 9 Board of Directors

Dear Tony:

In the interest of building a strong, effective ACWA advocacy for issues concerning Region 9 in the state of California, I urge you to support John Rossi for another term to the Board of Directors for ACWA Region 9.

As California water woes grow to crisis levels and policy makers inevitably seek new solutions from a new mix of fiscal and water resource strategies, ACWA must foster innovative leaders with proven success in achieving solutions that make sense at every level - local, regional, state and federal.

John Rossi is a seasoned executive prepared for this development, ready to lead Region 9, and eager to infuse smart, creative solutions into the state water policy discussion.

In his sixth year as general manager of one of the fastest growing public water agencies in the county, John Rossi has front line knowledge of water resource difficulties facing our rapidly growing state. As a court-appointed watermaster for basins that are among the most carefully monitored and maintained in the nation, he is involved in the cutting-edge resource management strategies foundational for regional water supply reliability in California.

Rossi is at the forefront of intense efforts to develop and promote water use efficiency strategies equitable in every sector of water use in California. Rossi is a chief proponent of a successful legislative strategy that is proactively challenging entities such as NRDC to embrace a comprehensive approach beyond prescriptive demand reduction to ensure agencies in Region 9 are treated fairly.

As a CPA, John Rossi brings financial acumen to the ACWA Region 9 Board and a reputation as a fierce defender of agencies in this region suffering disproportionate loss of property taxes to previous state legislative grabs.

Rossi also brings the power of inter-organizational advocacy to the Region 9 Board as Vice Chairman of the Federal Legislative Committee and Board Member for the WaterReuse and as a Board member for the California Groundwater Coalition and the New Water Supply Coalition.

John Rossi offers tremendous leadership experience in the most pressing issues facing delivery of clean reliable water supplies across California. I urge you to give him your unqualified support for a second term as member of the Board of Directors for ACWA Region 9.

Sincerely,

A blue ink signature of Phil Rosenfrater, written in a cursive style.

PHIL ROSENFRATER

Chairman, ACWA Outreach Task Force

Mail to: P.O. Box 5286, Riverside, California 92517-5286
450 E. Alessandro Blvd. Riverside, California 92508
(951) 789-5000 • FAX (951) 780-3837
www.wmwd.com

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.

SUBMIT FORM

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 Municipal 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 Municipal Water District

Candidates for Vice Chair: (Choose one)

- ☐ Brian J. Brady, Imperial Irrigation District

Candidates for Board Members: (Max of 5 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

RESOLUTION No. 2009-08
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAUMONT CHERRY VALLEY WATER DISTRICT
ADOPTING A RESOLUTION FOR THE REQUIRED AMENDMENT FOR TERMINATING
DC PLANS (FOR THE PENSION PROTECTION ACT OF 2006)

WHEREAS, the Beaumont-Cherry Valley Water District (the "District") maintains a Pension Plan (Plan) which qualifies under Section 401(a) and 501(a) of the Internal Revenue Code; and

WHEREAS, a change in federal law under The Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") affects the operation of the Plan; and

WHEREAS, a change in federal law under the final Code Section 415 Regulations affects the operation of the Plan; and

WHEREAS, said changes require the Plan to be amended and restated to maintain its qualified status under Section 401(a) and 501(a) of the Internal Revenue Code; and

WHEREAS, the only remaining assets in the Plan are in an unallocated Forfeiture Account

NOW, THEREFORE, BE IT RESOLVED, that the Plan be amended and restated to comply with the provisions of EGTRRA as well as the good faith compliance requirements concerning the final Code Section 415 Regulations; and

BE IT FURTHER RESOLVED that the Amendment and Restatement of the Plan, effective September 9, 2009, presented in this meeting is hereby approved and adopted; and

BE IT FURTHER RESOLVED that Executive Director of the Authority, as Trustee of the Plan, is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Amendment and Restatement; and

BE IT FURTHER RESOLVED that any Director of the District, as Trustee of the Plan, shall act as soon as possible to notify employees of the adoption of the Amendment and Restatement by delivering to each employee a copy of the Summary of the Plan, which form is hereby approved; and

BE IT FURTHER RESOLVED that in order to close the Trust the remaining assets in the Forfeiture Account will be first used to restore the amounts forfeited by any Participant after April 8, 2002; then to pay for all remaining services to complete the termination of the Plan; then any remaining funds thereafter will be allocated, in a one time action, to those who received a contribution in 2002, the final year a contribution was made. This final allocation of the Forfeiture Account will be allocated in a pro-rata manner based on the contributions then allocated in 2002.

THE UNDERSIGNED FURTHER CERTIFIES, that attached hereto as Exhibits A and B respectively, are true copies of the Amendment and Restatement of the District Pension Plan and Summary of the Plan approved and adopted in the foregoing resolution

PASSED, APPROVED, AND ADOPTED this 9 day of September, 2009

Dr. Blair Ball, President of the
Board of Directors of the
Beaumont Cherry Valley Water District

Ryan Woll, Secretary to the
Board of Directors of the
Beaumont Cherry Valley Water District

CERTIFICATE OF CORPORATE RESOLUTION

The undersigned Secretary of Beaumont-Cherry Valley Water District (the Corporation) hereby certifies that the following resolutions were duly adopted by the board of directors of the Corporation on September 9, 2009, and that such resolution have not been modified or rescinded as of the date hereof;

RESOLVED, that the Amendment for Terminating Defined Contribution Plan to the Beaumont-Cherry Valley Water District Money Purchase Pension Plan (the Amendment) presented at this meeting to the Board of Directors is hereby approved and adopted and that the proper officers of the Corporation are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

RESOLVED, that the proper officers of the Corporation shall act as soon as possible to notify employees of the Corporation of the adoption of this Amendment by delivering to each employee a copy of the summary description of the changes to the Plan in the form of the Summary of Material Modifications presented at this meeting to the Board of Directors, which form is hereby approved.

The undersigned further certifies that attached hereto as Exhibits A and B respectively, are true copies of the Amendment and Summary of Material Modifications approved and adopted in the foregoing resolutions.

Ryan Woll, Secretary to the
Board of Directors of the
Beaumont Cherry Valley Water District

**AMENDMENT FOR TERMINATING DEFINED CONTRIBUTION PLAN
BEAUMONT-CHERRY VALLEY WATER DISTRICT MONEY PURCHASE PENSION PLAN**

Beaumont-Cherry Valley Water District, as Employer sponsor ("Employer"), adopts this Amendment to the Beaumont-Cherry Valley Water District Money Purchase Pension Plan ("Plan").

RECITALS

WHEREAS, the Employer has decided to terminate the Plan; and

WHEREAS, recent law changes, including the Pension Protection Act of 2006 ("PPA"), affect the Plan; and

WHEREAS, the Plan gives the Employer the authority to make amendments to the Plan, and the law requires that the Plan be updated for all laws in effect as of the Plan's termination date;

NOW, THEREFORE, the Employer amends the Plan by adding the following provisions to the Plan:

**ARTICLE I
PREAMBLE**

- 1.1 **Adoption and effective date of Amendment.** The Employer adopts this Amendment to the Plan to reflect recent law changes. This Amendment is effective as indicated below for the respective provisions.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Employer's election.** The Employer adopts all Articles of this Amendment, except those Articles which the Employer specifically elects at the end of the Article not to adopt.
- 1.4 **Construction.** Any "Section" reference in this Amendment refers only to this Amendment, and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to the Plan article, section or other numbering designations.

**ARTICLE II
NONELECTIVE CONTRIBUTION VESTING**

[Note: The Employer either: (i) must elect one of Section 2.1(a), (b) or (c); or (ii) must elect Section 2.3. If the Employer makes an election under Section 2.1, the Employer should elect Section 2.2, if applicable. If the Employer elects Section 2.3, the Employer should not make any other election under this Article II.]

- 2.1 **Post-2006 plan year vesting for all nonelective contributions.** Effective for plan years beginning after December 31, 2006, for any participant who completes at least one hour of service in a plan year beginning after December 31, 2006, the following vesting schedule will apply, as the Employer elects in this Section 2.1. Unless the Employer elects Section 2.2, this vesting schedule also will apply to all nonelective contributions subject to a vesting schedule, including nonelective contributions allocated

under the Plan terms as of a date in a plan year beginning *before* January 1, 2007.

- a. ☒ **6-year graded.** The Plan will apply the following graded vesting schedule to all nonelective contributions:

Years of Vesting Service	Vested Percentage
2	20%
3	40%
4	60%
5	80%
6	100%

- b. ☐ **3-year cliff.** All nonelective contributions will be 100% vested upon a participant's completion of 3 years of vesting service.

- c. ☐ **Other.** A participant will vest in all nonelective contributions as follows *[Note: any vesting schedule elected below must be at least as favorable as (a) or (b). Also note that any vesting schedule change must not violate the anti-cutback rules with respect to the participant's vesting in the pre-Amendment account balance. See Treas. Reg. §1.411(d)-3(a)(3).]*

Years of Vesting Service	Vested Percentage
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

- 2.2 ☐ **No application to pre-2007 nonelective contributions: bifurcated schedule.** The vesting schedule the Employer elects in Section 2.1 will apply **only** to nonelective contributions subject to a vesting schedule for plan years beginning after December 31, 2006. *[Note: While the provisions of this Article II are mandatory for nonelective contributions for post-2006 plan years, PPA does not require the Plan to apply the PPA vesting schedule to pre-2007 nonelective contributions. However, applying a more rapid PPA vesting schedule to **all** nonelective contributions may simplify administration. The Employer should elect this Section 2.2 **only** if the Employer does **NOT** wish to apply the PPA vesting requirements to pre-2007 nonelective contributions.]*

- 2.3 ☐ **Article II is not adopted.** The Plan, prior to the adoption of this Amendment, had a vesting schedule for any nonelective contributions that is at least as favorable as PPA requires.

ARTICLE III PARTICIPANT DISTRIBUTION NOTIFICATION

- 3.1 **180-day notification period.** For any distribution notice issued in plan years beginning after December 31, 2006, any reference to the 90-day maximum notice period prior to distribution in applying the notice requirements of Code §§402(f) (the rollover notice), 411(a)(11) (participant's consent to distribution), and 417 (notice under the joint and survivor annuity rules), will become 180 days.
- 3.2 **Notice of right to defer distribution.** For any distribution notice issued in plan years beginning after December 31, 2006, the description of a participant's right, if any, to defer receipt of a distribution also will describe the consequences of failing to defer receipt of the distribution. For notices issued before the 90th day after the issuance of Treasury regulations (unless future Revenue Service guidance otherwise requires), the notice will include: (i) a description indicating the investment options available under the Plan (including fees) that will be available if the participant defers distribution; and (ii) the

portion of the summary plan description that contains any special rules that might affect materially a participant's decision to defer.

[Note: Although a plan need not extend to 180 days the 90-day earliest notice date provided under prior law, there is no reason for an employer not to take advantage of the extended notice period. PPA requires the plan administrator to provide the information described in Section 3.2. This Amendment provides enabling language.]

ARTICLE IV QUALIFIED DOMESTIC RELATIONS ORDERS

- 4.1 **Permissible QDROs.** Effective April 6, 2007, a domestic relations order that otherwise satisfies the requirements for a qualified domestic relations order ("QDRO") will not fail to be a QDRO: (i) solely because the order is issued after, or revises, another domestic relations order or QDRO; or (ii) solely because of the time at which the order is issued, including issuance after the annuity starting date or after the participant's death.
- 4.2 **Other QDRO requirements apply.** A domestic relations order described in Section 4.1 is subject to the same requirements and protections that apply to QDROs.

[Note: This Article IV reflects a PPA provision which mandated DOL clarification of the QDRO statute. The DOL issued interim final regulations on March 7, 2007.]

ARTICLE V ROLLOVER OF AFTER-TAX/ROTH AMOUNTS

- 5.1 **Direct rollover to qualified plan/403(b) plan.** For taxable years beginning after December 31, 2006, a participant may elect to transfer employee (after-tax) or Roth elective deferral contributions by means of a direct rollover to a qualified plan or to a 403(b) plan that agrees to account separately for amounts so transferred, including accounting separately for the portion of such distribution which is includible in gross income and the portion of such distribution which is not includible in gross income.

ARTICLE VI DIVESTMENT OF EMPLOYER SECURITIES

- 6.1 **Rule applicable to elective deferrals and employee contributions.** For plan years beginning after December 31, 2006, if any portion of the account of a participant (including, for purposes of this Article VI, a beneficiary entitled to exercise the rights of a participant) attributable to elective deferrals or employee contributions is invested in publicly-traded Employer securities, the participant may elect to direct the Plan to divest any such securities, and to reinvest an equivalent amount in other investment options which satisfy the requirements of Section 6.3.
- 6.2 **Rule applicable to Employer contributions.** If any portion of a participant's account attributable to nonelective or matching contributions is invested in publicly-traded Employer securities, then a participant who has completed at least 3 years of vesting service, or a beneficiary of any deceased participant entitled to exercise the right of a participant, may elect to direct the Plan to divest any such securities, and to reinvest an equivalent amount in other investment options which satisfy the requirements of Section 6.3.

- 6.2.1 **Three-year phase-in applicable to Employer contributions.** For Employer securities acquired with nonelective or matching contributions during a plan year beginning before January 1, 2007, the rule described in this Section 6.2 only applies to the percentage of the Employer securities (applied separately for each class of securities) as follows:

<u>Plan Year</u>	<u>Percentage</u>
2007	33%
2008	66%
2009	100%

- 6.2.2 **Exception to phase-in for certain age 55 participants.** The 3-year phase-in rule of Section 6.2.1 does not apply to a participant who has attained age 55 and who has completed at least 3 years of service before the first plan year beginning after December 31, 2005.

- 6.3 **Investment options.** For purposes of this Article VI, other investment options must include not less than 3 investment options, other than Employer securities, to which the participant may direct the proceeds of divestment of Employer securities required by this Article VI, each of which options is diversified and has materially different risk and return characteristics. The Plan must provide reasonable divestment and reinvestment opportunities at least quarterly. Except as provided in regulations, the Plan may not impose restrictions or conditions on the investment of Employer securities which the Plan does not impose on the investment of other Plan assets, other than restrictions or conditions imposed by reason of the application of securities laws or a condition permitted under Notice 2006-107 or other applicable guidance.
- 6.4 **Exceptions for certain plans.** This Article VI does not apply to a one-participant plan, as defined in Code §401(a)(35)(E)(iv), or to an employee stock ownership plan ("ESOP") if: (i) there are no contributions to the ESOP (or related earnings) attributable to elective deferrals or matching contributions; and (ii) the ESOP is a separate plan, for purposes of Code §414(l), from any other defined benefit plan or defined contribution plan maintained by the same employer or employers.
- 6.5 **Treatment as publicly traded Employer securities.** Except as provided in Treasury regulations or in Code §401(a)(35)(F)(ii) (relating to certain controlled groups), a plan holding Employer securities which are not publicly traded Employer securities shall be treated as holding publicly traded Employer securities if any Employer corporation, or any member of a controlled group of corporations which includes such Employer corporation (as Code §401(a)(35)(F)(iii) defines such terms) has issued a class of stock which is a publicly traded Employer security.

*[Note: If the Plan does not invest any Plan assets in publicly-traded Employer securities, this Article VI is inapplicable to the Plan, but nonetheless incorporates statutory language. Although this provision is not mandatory if the Plan does not invest in publicly-traded Employer securities, the Revenue Service nonetheless may require this language for all plans, since the statutory provision (Code §401(a)(35) is a qualification requirement). Therefore, there is no election for the Employer **not** to adopt this Article VI.]*

ARTICLE VII DIRECT ROLLOVER OF NON-SPOUSAL DISTRIBUTION

- 7.1 **Non-spouse beneficiary rollover right.** For distributions after December 31, 2006, a non-spouse beneficiary who is a “designated beneficiary” under Code §401(a)(9)(E) and the regulations thereunder, by a direct trustee-to-trustee transfer (“direct rollover”), may roll over all or any portion of his/her distribution to an individual retirement account the beneficiary establishes for purposes of receiving the distribution. In order to be able to roll over the distribution, the distribution otherwise must satisfy the definition of an eligible rollover distribution.
- 7.2 **Certain requirements not applicable.** Although a non-spouse beneficiary may roll over directly a distribution as provided in Section 7.1, the distribution is not subject to the direct rollover requirements of Code §401(a)(31), the notice requirements of Code §402(f) or the mandatory withholding requirements of Code §3405(c). If a non-spouse beneficiary receives a distribution from the Plan, the distribution is not eligible for a “60-day” rollover.
- 7.3 **Trust beneficiary.** If the participant’s named beneficiary is a trust, the Plan may make a direct rollover to an individual retirement account on behalf of the trust, provided the trust satisfies the requirements to be a designated beneficiary within the meaning of Code §401(a)(9)(E).
- 7.4 **Required minimum distributions not eligible for rollover.** A non-spouse beneficiary may not roll over an amount which is a required minimum distribution, as determined under applicable Treasury regulations and other Revenue Service guidance. If the participant dies before his/her required beginning date and the non-spouse beneficiary rolls over to an IRA the maximum amount eligible for rollover, the beneficiary may elect to use either the 5-year rule or the life expectancy rule, pursuant to Treas. Reg. §1.401(a)(9)-3, A-4(c), in determining the required minimum distributions from the IRA that receives the non-spouse beneficiary’s distribution.

[Note: The rollover option described in this Article VII is not mandatory. An employer that has elected not to provide the rollover for non-spouse beneficiaries should check “Article VII is not adopted” below.]

[x] Article VII is not adopted.

ARTICLE VIII PRE-RETIREMENT PENSION IN-SERVICE DISTRIBUTIONS

- 8.1 **Age 62 distributions.** For plan years beginning after December 31, 2006, if the Plan is a money purchase pension plan or a target benefit plan, a participant who has attained age 62 and who is not separated from employment may elect to receive a distribution of his/her Vested Account Balance.

[Note: This provision is not mandatory. An employer that has elected not to provide age 62 in-service distributions permitted under this provision should check “Article VIII is not adopted” below.]

[X] Article VIII is not adopted.

**ARTICLE IX
DISTRIBUTION BASED ON BENEFICIARY HARDSHIP**

- 9.1 **Beneficiary-based distribution.** Beginning August 17, 2006, or such later date as elected below, a participant's hardship event, for purposes of the Plan's safe harbor hardship distribution provisions pursuant to Treas. Reg. §1.401(k)-1(d)(3)(iii)(B), includes an immediate and heavy financial need of the participant's primary beneficiary under the Plan, that would constitute a hardship event if it occurred with respect to the participant's spouse or dependent as defined under Code §152 (such hardship events being limited to educational expenses, funeral expenses and certain medical expenses). For purposes of this Article IX, a participant's "primary beneficiary under the Plan" is an individual who is named as a beneficiary under the Plan and has an unconditional right to all or a portion of the participant's account balance under the Plan upon the participant's death.

[Note: This provision is not mandatory. If the Employer has elected not to permit distributions on account of a hardship of the participant's beneficiary, check "Article IX is not adopted" below. If the Employer elected to permit such distributions effective as of a date later than August 17, 2006, check the immediately following box, and enter the effective date for this provision. Although this provision primarily applies to 401(k) plans, the provision also may apply to a profit sharing plan that incorporates the 401(k) safe harbor hardship distribution rules for purposes of non-401(k) hardship distributions. In addition, a plan that otherwise applies the safe harbor hardship provisions need not apply this provision in order to satisfy the hardship distribution safe harbor, since failure to adopt this provision simply would mean the Plan is applying a narrower standard for hardship distributions than the regulations would permit.]

☒ **Article IX is not adopted.**

☐ **Article IX is adopted effective as of _____ (not earlier than August 17, 2006).**

**ARTICLE X
QUALIFIED RESERVIST DISTRIBUTION**

- 10.1 **401(k) distribution restrictions.** For distributions after September 11, 2001, in addition to the permissible distribution events the Plan otherwise includes, the Plan permits a participant to elect a Qualified Reservist Distribution, as defined in this Article X.
- 10.2 **Qualified Reservist Distribution defined.** A "Qualified Reservist Distribution" is any distribution to an individual who is ordered or called to active duty after September 11, 2001, and before December 31, 2007, if: (i) the distribution is from amounts attributable to elective deferrals in a 401(k) plan; (ii) the individual was (by reason of being a member of a reserve component, as defined in section 101 of title 37, United States Code) ordered or called to active duty for a period in excess of 179 days or for an indefinite period; and (iii) the Plan makes the distribution during the period beginning on the date of such order or call, and ending at the close of the active duty period.

[Note: This provision is not mandatory. If the Employer has elected not to permit Qualified Reservist Distributions, check "Article X is not adopted" below.]

☒ **Article X is not adopted.**

ARTICLE XI GAP PERIOD INCOME ON DISTRIBUTED EXCESS DEFERRALS

- 11.1 **Gap period income requirement.** This Article XI applies to excess deferrals made in taxable years 2006 and later. The plan administrator must calculate allocable income for the taxable year and also for the gap period (i.e., the period after the close of the taxable year in which the excess deferral occurred and prior to the distribution); provided that the plan administrator will calculate and distribute the gap period allocable income only if the plan administrator in accordance with the Plan terms otherwise would allocate the gap period allocable income to the participant's account.

*[Note: This provision is proposed to be mandatory for 401(k) plans. See Prop. Treas. Reg. §1.402(g)-1(e)(5)(i). If the Plan is not a 401(k) plan, the Plan will not have excess deferrals and this Article XI will be inconsequential. However, to eliminate the possibility that a 401(k) plan incorrectly might fail to adopt this Article XI, there is no election for the Employer **not** to adopt this Article XI.]*

ARTICLE XII STATUTORY HURRICANE RELIEF

- 12.1 **Qualified Hurricane Distribution.** A participant may take a Qualified Hurricane Distribution, provided that the aggregate amount of Qualified Hurricane Distributions received by a participant for any taxable year (from all plans maintained by the Employer, including any member of any controlled group that includes the Employer) may not exceed \$100,000.

12.1.1 **Repayment of distribution.** If the Plan permits rollover contributions, a participant who receives a Qualified Hurricane Distribution, at any time during the 3-year period beginning on the day after receipt of the distribution, may make one or more contributions to the Plan, as rollover contributions, in an aggregate amount not to exceed the amount of such distribution. *[Note: The Plan must permit rollover contributions for a participant to repay the distribution, since the repayment is a rollover contribution.]*

12.1.2 **Definition of Qualified Hurricane Distribution.** A "Qualified Hurricane Distribution" means a distribution defined in Code §1400Q(a)(4)(A), which does not exceed the amount limitation described in Section 12.1.

- 12.2 **Recontribution of home purchase withdrawal.** If the Plan permits rollover contributions, a participant who received a Qualified Distribution (relating to a hardship distribution to purchase or construct a principal residence in an applicable hurricane disaster area), but who, on account of the hurricane, did not use the funds to purchase or construct a principal residence, may make one or more contributions to the Plan, as rollover contributions, during the Applicable Period, in an aggregate amount not to exceed the amount of such Qualified Distribution. *[Note: The Plan must permit rollover contributions for a participant to recontribute the distribution, since the recontribution is a rollover contribution.]*

12.2.1 **Definition of Qualified Distribution.** A "Qualified Distribution" for purposes of this Section 12.2 means any qualified Katrina distribution, any qualified Rita distribution, and any qualified Wilma distribution, as defined in Code §1400Q(b)(2).

12.2.2 **Definition of Applicable Period.** The "Applicable Period" for purposes of this Section 12.2 means the applicable period as defined in Code §1400Q(b)(3).

12.3 Increased loan limit and repayment extension. Notwithstanding the loan limitation that otherwise would apply, the Plan will determine the loan limit under Code §72(p)(2)(A) for a loan to a Qualified Individual made during the Applicable Period by substituting "\$100,000" for "\$50,000," and by substituting "the present value of the nonforfeitable accrued benefit of the employee under the Plan" for "one-half of the present value of the nonforfeitable accrued benefit of the employee under the Plan."
[Note: This provision assumes the plan administrator applied the maximum hurricane relief provisions available under Code §1400Q. The Employer should modify this Section 12.3 if the plan administrator applied a different provision. For example, if the plan administrator applied an increased loan limit but retained the 50% of vested account balance limit, the Employer should delete the remainder of Section 12.3 after "\$50,000," and end the sentence with "\$50,000."]

12.3.1 Extension of certain repayments. If a Qualified Individual has an outstanding loan from the Plan on or after the Qualified Beginning Date, then: (i) if the date for any repayment of such loan occurs during the period beginning on the Qualified Beginning Date and ending on December 31, 2006, the due date is extended for one year; (ii) the Plan will adjust any subsequent repayments to reflect the extension of the due date under (i) and any interest accrued during the extension; and (iii) the Plan will disregard the period of extension described in (i) in determining the 5-year period and the loan term under Code §72(p)(2)(B) or (C).

12.3.2 Definition of Qualified Individual. A "Qualified Individual" for purposes of this Section 12.3 means any qualified individual as defined in Code §1400Q(c)(3).

12.3.3 Definition of Applicable Period. The "Applicable Period" for purposes of this Section 12.3 means the applicable period as defined in Code §1400Q(c)(4).

12.3.4 Definition of Qualified Beginning Date. The "Qualified Beginning Date" for purposes of this Section 12.3 means the qualified beginning date as defined in Code §1400Q(c)(4).

[Note: The hurricane relief provided for in this Article XII is not mandatory. If the Employer operationally did not apply any statutory hurricane relief provisions, check "Article XII is not adopted" below.]

[x] Article XII is not adopted.

ARTICLE XIII IRS HURRICANE RELIEF

13.1 Additional Hurricane Katrina provisions. Notwithstanding that Plan language before the adoption date of this Amendment did not authorize loans to participants or hardship distributions, the Plan permits a loan or a hardship distribution, made on or after August 29, 2005, and no later than March 31, 2006, for a need arising from Hurricane Katrina, to an employee or former employee: (i) whose *principal residence* on August 29, 2005, was in one of the counties or parishes in Louisiana, Mississippi or Alabama that have been or later are designated as disaster areas eligible for Individual Assistance by the Federal Emergency Management Agency; (ii) whose *place of employment* was located in one of these counties or parishes on August 29, 2005; or (iii) whose lineal ascendant or descendant, dependent or spouse had a principal residence or place of employment in one of these counties or parishes on August 29, 2005. *[Note: Under Announcement 2005-70, the Plan could make loans or hardship distributions or both pursuant to the relief described in this Section 13.1. The Employer should modify this provision if the Plan permitted loans or hardship distributions, but not both, under Announcement 2005-70. Announcement 2005-70 requires the Employer maintaining a plan that does not*

permit loans or hardship distributions to amend the Plan to permit loans or such hardship distributions no later than the last day of the first plan year beginning after December 31, 2005 (i.e., December 31, 2006, or if later, the last day of the 2006 plan year).]

- 13.2 **Loan provisions.** The requirements of Code §72(p) apply to loans permitted by this Amendment.
- 13.3 **Hardship distribution timing.** A hardship distribution under this Article XIII is permissible only if the Plan makes the distribution on account of a hardship resulting from Hurricane Katrina, and makes the distribution on or after August 29, 2005, and no later than March 31, 2006. A hardship distribution under this Article XIII is permissible only to the extent the Plan, if it had contained enabling language provided by this Article XIII, could make hardship distributions.
- 13.4 **Reliance on employee representations.** For purposes of a hardship distribution under this Article XIII, the plan administrator may rely upon representations from the employee or former employee as to the need for, and the amount of, a hardship distribution, unless the plan administrator has actual knowledge to the contrary.
- 13.5 **Treatment as hardship distribution/Amount limitation and restrictions.** A hardship distribution under this Article XIII is treated as a hardship distribution for all purposes under the Code and Treasury regulations. The amount available for hardship distribution under this Article XIII is limited to the maximum amount permitted to be available for a hardship distribution under the Code and Treasury regulations. However, a distribution under this Article XIII applies to any hardship of the employee, and not just the types enumerated in the regulations (*i.e.*, the regulatory “safe harbor” hardship distribution events), and the Plan does not require any post-distribution restrictions (*i.e.*, suspension of deferrals for 6 months after the hardship distribution).

[Note: The hurricane relief provided for in this Article XIII is not mandatory. If the Employer operationally did not apply the Announcement 2007-70 hurricane relief provisions, check “Article XIII is not adopted” below.]

[x] Article XIII is not adopted.

Except as provided in this Amendment, the Plan remains unchanged and in full force and effect.

IN WITNESS WHEREOF, the Employer has executed this Amendment on

_____.

BEAUMONT-CHERRY VALLEY WATER DISTRICT

By:_____

BEAUMONT CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue

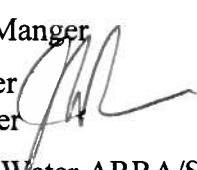
Beaumont, CA 92223

(951)-845-9581

MEMORANDUM

August 24, 2009

TO: Tony Lara
Interim General Manager

FROM: J. Reichenberger 
District Engineer

SUBJECT: Recycled Water ARRA/SRF Loan
Cash Flow Analysis

As part of the submittals needed for the Recycled Water ARRA/SRF Loan, the District Engineer was required to provide a cash flow analysis. To provide some background, the State Water Resources Control Board (SWRCB) will be sending a Loan Agreement for the District to execute. It is our understanding that the SWRCB will be issuing a separate agreement for each of the 6 project phases since they all do not start at the same time. The first two projects are the 2 MG recycled water reservoir (Phase 1) and the Brookside Pipeline (Cherry Avenue to the District's Groundwater Recharge Site – Phase 2). These will be followed by the Desert Lawn Pipeline (Phase 4B), the Ring Ranch Road Pipeline Extension to Oak Valley Parkway (Phase 5), the Potrero Road Pipeline from Fourth Street to Oak Valley Parkway (old San Timoteo Canyon Rd – Phase 4A) and the Pumping Station and Balancing Reservoir at the City's Treatment Plant (Phase 3) – all in the order listed. Once an agreement is signed, the District can begin to request reimbursement for past expenditures for Planning and Design on the particular project phase.

The SWRCB will issue an Approval of Award (AOA) for each project separately based on the bids received and the information provided to the SWRCB by the District. The request for AOA for the 2 MG Recycled Water Tank (Phase 1) was submitted on August 20; the request for AOA for the Brookside Pipeline will be submitted before August 28. Once the District receives the AOA (30 days or less), the recommended contractor will be issued Notice to Proceed. This starts the "construction time clock." Typically the contractor will submit progress payment requests every 30 days. These will be reviewed by the Inspector and the Project Contract Administrator. The contract states the District must pay the contractor within 30 days. A retention of 10% will be held back from each pay request. This will be paid to the contractor with the final payment on completion of all work and release of any claims.

When the District approves the contractor's pay request, the District can "invoice the SWRCB" for the work. The SWRCB will review the invoice, draw from the loan and pay the District. The time between submittal of the invoice to the SWRCB and receipt of

the payment from the SWRCB is 30 days or so, per James Garcia (project manager with the SWRCB). This sets up a cash flow issue with the District “fronting” the money to the contractor before receiving payment from SWRCB. Also when the project is complete there is a “hit” with payment of the contractor’s retention (10% of the contract amount). Consequently it will be necessary that the District maintain sufficient funds on hand to be able to pay the contractors as their pay requests come in.

The District Engineer prepared a month by month “cash flow” analysis based on the anticipated monthly construction pay requests, project phase start and completion date, reimbursements for planning and design, and payments from the SWRCB. Also included in the analysis is the impact on the District’s General Fund over the period.

The attached Table shows the month by month results. Also included are 3 graphs:

- Cumulative Construction Expenditures over time (month by month)
- Changes in the General Fund month by month
- Cumulative General Fund Balance month by month

March 2010 will be the “worst” month from a cash standpoint. At this point there will be a cumulative \$2.25 million “draw” on the District’s General fund. In other words, the District will need to maintain at least that much in the General Fund to cover the payments to the contractors through March 2010. The “deficit” decreases quite rapidly (begins to go toward positive) as the SWRCB pays the District. Beginning in May 2010 the impact of the contractor payments is not too significant. Toward the end, at completion of the Pump Station and Balancing Tank at the Treatment Plant (Phase 3) there is another “bump” requiring over \$0.6 million in the “bank.”

The loan repayments do not start until 1 year after completion of the project construction, which is March 2011 for Phase 2. The estimated annual payment due at that time is about \$30,000. The next payment of \$137,000 will be due about June 2011 for Phase 2. A summary of the estimated annual loan payments and their due dates are as follows:

Phase	Description	First Annual Payment	Annual Payment Amount
1	2 MG Tank	June 2011	\$137,000
2	Brookside Pipe	March 2011	\$30,000
3	Booster Pumps	April 2012	\$182,000
4A	Potrero Pipe	September 2011	\$247,000
4B	Desert Lawn Pipe	July 2011	\$130,000
5	Ring Ranch Road Pipe	July 2011	\$125,000
Total			\$851,000

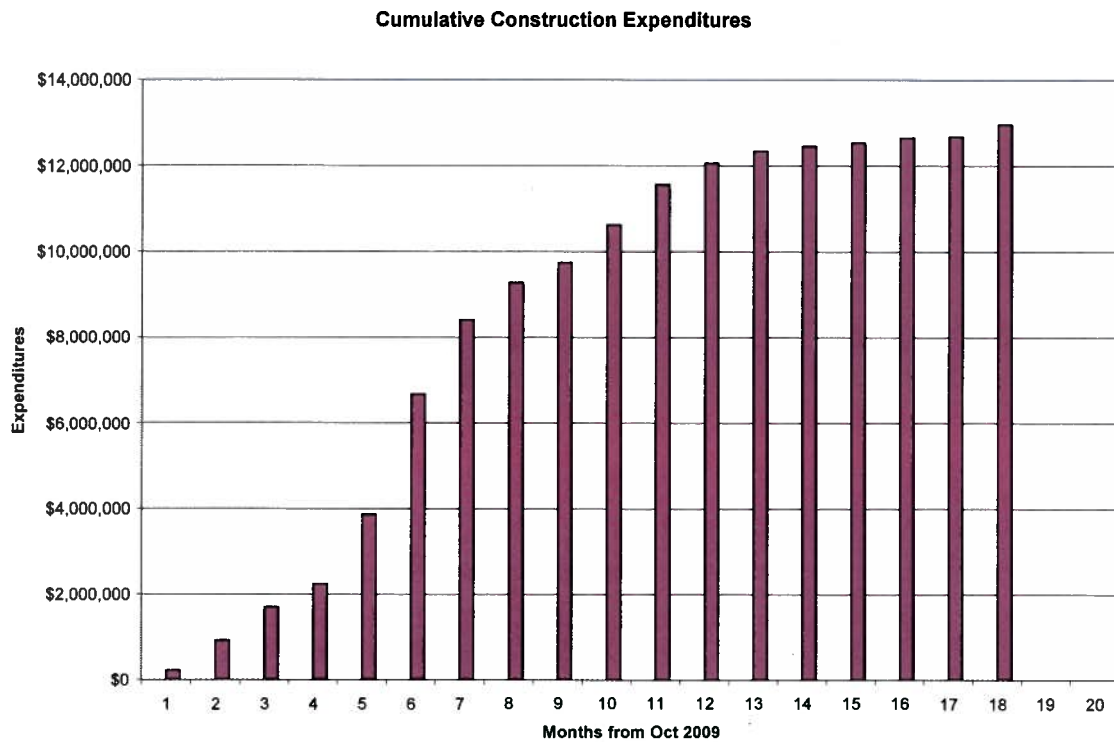


Figure 1 – Cumulative Construction Expenditures

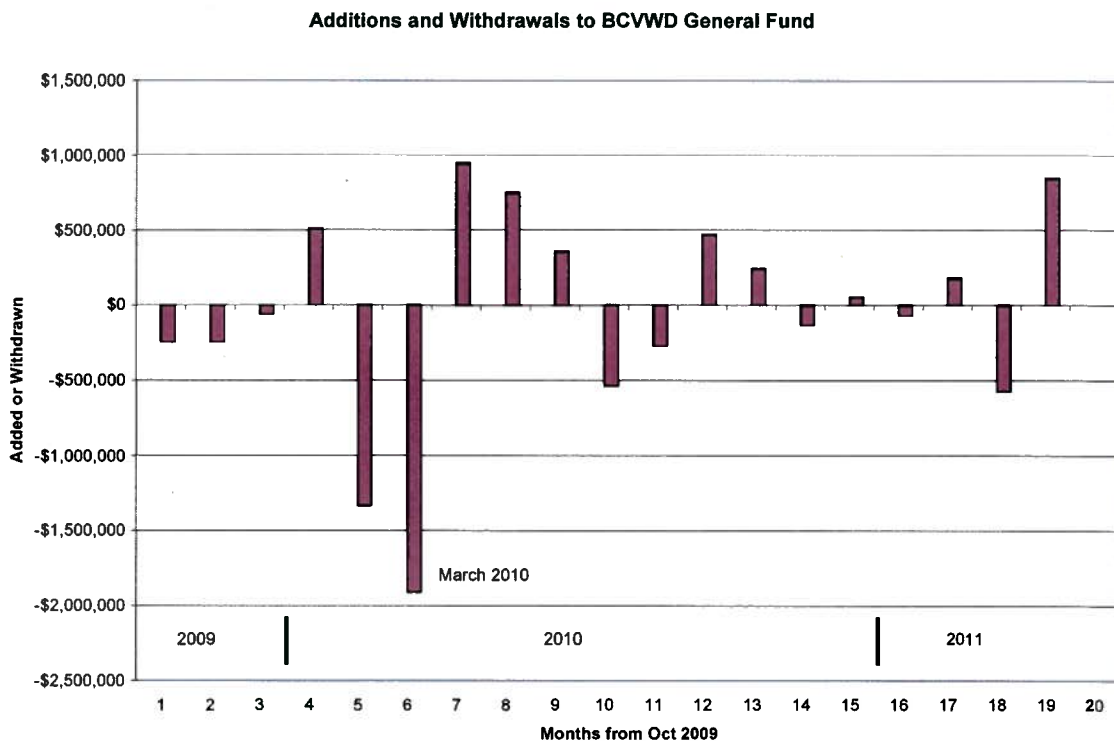


Figure 2 – Monthly Additions or Withdrawals from the BCVWD General Fund

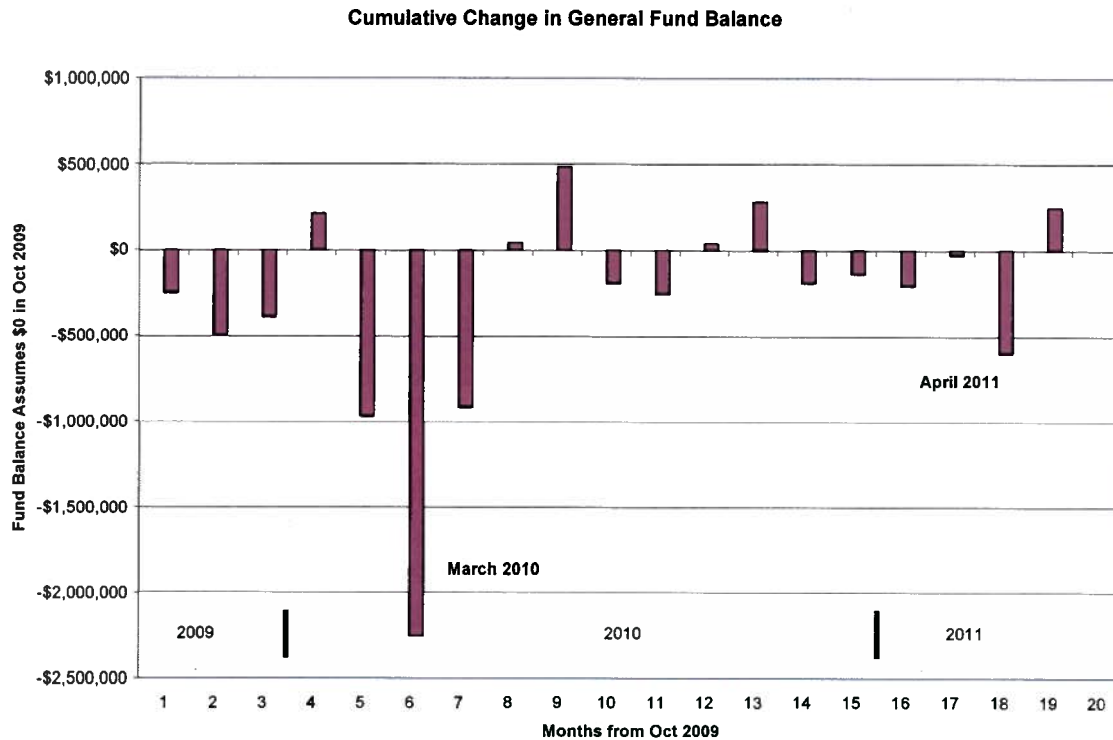


Figure 3 – Cumulative Change in the BCVWD General Fund Balance

Summary

There will be some short term cash requirements that require maintaining a minimum amount of money available to pay the construction contractors until the payment is received from the state. Figure 3 shows that the District will need to have at least \$0.5 million on hand in Nov 2009, \$1 million on hand by Feb 2010, \$2.3 million on hand for Mar 2010 and \$1 million on hand for April 2010. After April 2010 Figure 3 shows the cash needed becomes less critical.

Loan repayment will not start until March 2011 which is near the end of the construction period so the impact of the initial loan payment on the District's cash flow is minimal.

The Board may find this information useful as they plan their future expenditures and rate study.

[illegible]