

#### BEAUMONT CHERRY VALLEY WATER DISTRICT AGENDA REGULAR MEETING OF THE BOARD OF DIRECTORS 560 Magnolia Avenue, Beaumont, CA 92223 Closed Session (6:00 p.m.) Regular Session (7:00 p.m.) Wednesday, July 14, 2010

#### CLOSED SESSION

Closed Session will begin at 6:00 p.m.

- A. A Closed Session will be held pursuant to subdivision (a) of Government Code Section 54956.9 to confer with legal counsel on a pending litigation matter (Daniel Slawson and Arlene Slawson vs. Beaumont Cherry Valley Water District-Riverside County Superior Court, Case No. RIC 533149)
- 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 regarding a personnel matter pursuant to Government Code Section 54957- Interim General Manager-Performance Review.

#### REGULAR SESSION

Regular Session will begin at 7:00 p.m.

#### CALL TO ORDER, PRESIDENT BALL

#### PLEDGE OF ALLEGIANCE, VICE PRESIDENT PARKS

#### INVOCATION, PRESIDENT BALL

#### 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

| HALLIWILL | М | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | Μ | S | Α | N |
| ROSS      | Μ | S | Α | N |
| WOLL      | М | S | А | N |
| BALL      | Μ | S | Α | Ν |

#### 2. FINANCIAL REPORTS

a. Bills for Consideration\*\*(Page 5)

#### **Board Action**

June 2010

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

| HALLIWILL | М | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | Μ | S | А | N |
| ROSS      | Μ | S | Α | N |
| WOLL      | Μ | S | А | N |
| BALL      | М | S | А | Ν |

b. Invoices Pending Approval\*\* (Page 7)

Board Action June 2010

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

| HALLIWILL | Μ | S | Α | N |
|-----------|---|---|---|---|
| PARKS     | Μ | S | А | N |
| ROSS      | Μ | S | А | N |
| WOLL      | Μ | S | Α | N |
| BALL      | Μ | S | А | Ν |

c. Month End Financial Statements\*\* (Page 10)

Board Action May 2010

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

| HALLIWILL | М | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | М | S | А | N |
| ROSS      | М | S | А | N |
| WOLL      | М | S | А | N |
| BALL      | М | S | А | Ν |

#### 3. APPROVAL OF THE MINUTES

Minutes of the Regular Board Meeting of June 9, 2010\*\*(Page 21)

| HALLIWILL | М | S | Α | Ν |
|-----------|---|---|---|---|
| PARKS     | М | S | Α | N |
| ROSS      | М | S | Α | Ν |
| WOLL      | М | S | Α | Ν |
| BALL      | М | S | А | Ν |

#### 4. APPROVAL OF RESOLUTION 2010-10, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT AMENDING PART III OF THE DISTRICT'S POLICIES AND PROCEDURES TO INCLUDE A RESERVES POLICY\*\* (Page 26)

| HALLIWILL | Μ | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | М | S | А | N |
| ROSS      | М | S | Α | N |
| WOLL      | М | S | А | N |
| BALL      | М | S | А | N |

5. APPROVAL OF RESOLUTION 2010-11, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT AMENDING PART III OF THE DISTRICT'S POLICIES AND PROCEDURES MANUAL TO INCLUDE AN UNCLAIMED FUNDS/OUTSTANDING CHECKS POLICY\*\*\* (Page 32)

| HALLIWILL | М | S | А | Ν |  |
|-----------|---|---|---|---|--|
| PARKS     | М | S | А | Ν |  |
| ROSS      | М | S | А | Ν |  |
| WOLL      | М | S | А | Ν |  |
| BALL      | М | S | А | N |  |

6. REQUEST FROM THE GENERAL MANAGER TO DECLARE RETIRED EQUIPMENT AS "SURPLUS" AND TO ADVERTISE SUCH SURPLUS EQUIPMENT FOR SALE\*\* (page 43)

| HALLIWILL | Μ | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | М | S | А | Ν |
| ROSS      | М | S | А | Ν |
| WOLL      | М | S | А | Ν |
| BALL      | М | S | А | Ν |

#### 7. REVIEW OF THE DISTRICT'S CONFLICT OF INTEREST CODE-APPROVAL OF BIENNIAL NOTICE FOR MULTI-COUNTY AGENCIES\*\*(Page 44)

| HALLIWILL | М | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | М | S | А | Ν |
| ROSS      | М | S | Α | Ν |
| WOLL      | М | S | Α | Ν |
| BALL      | М | S | А | Ν |

## 8. VOTING TO ELECT A REPRESENTATIVE TO THE CSDA BOARD OF DIRECTORS IN REGION 6, SEAT B\*\*(Page 50)

| HALLIWILL | М | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | Μ | S | А | N |
| ROSS      | Μ | S | Α | N |
| WOLL      | Μ | S | Α | N |
| BALL      | Μ | S | А | N |

#### 9. REVIEW AND APPROVAL OF THE PROPOSED CSDA BYLAWS\*\* (Page 56)

| HALLIWILL | М | S | А | Ν |
|-----------|---|---|---|---|
| PARKS     | Μ | S | Α | Ν |
| ROSS      | Μ | S | Α | Ν |
| WOLL      | Μ | S | Α | Ν |
| BALL      | Μ | S | А | N |

#### 10. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

#### (a) Ad hoc Committees

#### (b) General Manager

- Policies and Procedures Manual update
- SWP Water Allotment
- Recycled Water Projects

#### (c) Directors

- Dr. Blair Ball
- John Halliwill
- Stella Parks

#### Ken Ross

Ryan Woll

#### (d) Legal Counsel

#### 11. ANNOUNCEMENTS

- A) Finance & Audit Committee Meeting, August 5, 2010 at 4:00 p.m.
- B) Regular Board Meeting August 11, 2010 at 7:00 p.m.

ACTION LIST

### 12. ADJOURNMENT

| HALLIWILL<br>PARKS<br>ROSS<br>WOLL<br>BALL | M<br>M<br>M<br>M | S<br>S<br>S<br>S | A<br>A<br>A<br>A | N<br>N<br>N<br>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, 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.

## BEAUMONT-CHERRY VALLEY WATER DISTRICT Check Register-Summary-Bank

A&A FENCE To ZETLMAIER

Cheque Dt.: 01-Jun-2010 To 30-Jun-2010

: 7 - ACCOUNTS PAYABLE

Vendor :

Bank



AP5090 Date : Jul 08, 2010

Seq :

Page : 1 Time : 3:19 pm

Cheque No. Status : All

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

| Check #        | Check Date                  | Vendor           | Vendor Name                              | Status           | Batch      | Medium | Amount             |
|----------------|-----------------------------|------------------|--|------------------|------------|--------|--------------------|
| 40914          | 03-Jun-2010                 |                  | AC PROPANE                               | Issued           | 239        | C      | 861.89             |
| 40914<br>40915 | 03-Jun-2010<br>03-Jun-2010  |                  | AC PROPANE<br>ACTION TRUE VALUE HARDWARE | Issued           | 239<br>239 | C      | 611.24             |
| 40916          | 03-Jun-2010                 | ALSCO            | ALSCO                                    | Issued           | 239        | c      | 58.00              |
| 40917          | 03-Jun-2010                 | B ACE HOME       | BEAUMONT DO IT BEST HOME CENTER          | Issued           | 239        | C      | 21.07              |
| 40918          | 03-Jun-2010                 | BIGTEXTRAI       | BIG TEX TRAILERS                         | Issued           | 239        | C      | 150.08             |
| 40919          | 03-Jun-2010                 | BTIRE            | BEAUMONT TIRE                            | Issued           | 239        | C      | 60.00              |
| 40920          | 03-Jun-2010                 | CLEANBYDES       | CLEAN BY DESIGN INC.                     | Issued           | 239        | С      | 1,000.00           |
| 40921          | 03-Jun-2010                 | CONTROLVAL       | CONTROL VALVE SYSTEMS INC                | Issued           | 239        | С      | 715.65             |
| 40922          | 03-Jun-2010                 | EDISON           | SOUTHERN CALIFORNIA EDISON               | Issued           | 239        | С      | 99,885.58          |
| 40923          | 03-Jun-2010                 | ERICDAHLST       | DAHLSTROM, ERIC                          | Issued           | 239        | С      | 130.00             |
| 40924          | 03-Jun-2010                 | ESBABCOCK        | ES BABCOCK                               | Issued           | 239        | С      | 480.00             |
| 40925          | 03-Jun-2010                 | HIGHLANDSP       | HIGHLAND SPRINGS EXPRESS LUBE            | Issued           | 239        | С      | 478.81             |
| 40926          | 03-Jun-2010                 | HUDECS           | HUDEC'S COMPUTER CONSULTING              | Issued           | 239        | С      | 2,306.44           |
| 40927          | 03-Jun-2010                 | INLANDWATE       | INLAND WATER WORKS                       | Issued           | 239        | С      | 1,733.74           |
| 40928          | 03-Jun-2010                 | JOHNSONPO        | JOHNSON POWER SYSTEMS                    | Issued           | 239        | С      | 3,365.08           |
| 40929          | 03-Jun-2010                 |                  | OCB REPROGRAPHICS                        | Issued           | 239        | С      | 93.53              |
| 40930          | 03-Jun-2010                 |                  | PRESTIGE MOBILE DETAIL                   | Issued           | 239        | С      | 432.00             |
| 40931          | 03-Jun-2010                 | SAFEGUARD        |  | Issued           | 239        | С      | 398.34             |
| 40932          | 03-Jun-2010                 | STAPLES          | STAPLES BUSINESS ADVANTAGE               | Issued           | 239        | С      | 523.84             |
| 40933          | 03-Jun-2010                 | VERIZON          | VERIZON CALIFORNIA                       | Issued           | 239        | С      | 547.26             |
| 40934          | 03-Jun-2010                 | -                | RIVERSIDE COUNTY WASTE MANAGEMENT        | Issued           | 239        | C      | 38.15              |
| 40935          | 10-Jun-2010                 |                  | ACTION TRUE VALUE HARDWARE               | Issued           | 244        | C      | 239.92             |
| 40936          | 10-Jun-2010                 |                  | AMERICAN OFFICE SOLUTION                 | Issued           | 244        | C<br>C | 97.88              |
| 40937<br>40938 | 10-Jun-2010<br>10-Jun-2010  | AQMD<br>ARCO     | AQMD<br>ARCO GASPRO PLUS                 | Issued           | 244<br>244 | C      | 550.00<br>4,906.16 |
| 40938          | 10-Jun-2010                 |                  | BEAUMONT DO IT BEST HOME CENTER          | Issued           | 244<br>244 | C      | 4,900.10           |
| 40939<br>40940 | 10-Jun-2010                 |                  | HOWARD CLASEN                            | Issued<br>Issued | 244<br>244 | C      | 6,800.00           |
| 40940          | 10-Jun-2010                 | -                | ES BABCOCK                               | Issued           | 244<br>244 | c      | 800.00             |
| 40942          | 10-Jun-2010                 | GASCO            | THE GAS COMPANY                          | Issued           | 244        | c      | 14.30              |
| 40943          | 10-Jun-2010                 |                  | GERRISH, JEREMY                          | Issued           | 244        | C      | 50.00              |
| 40944          | 10-Jun-2010                 | HALLIWILLJ       | HALLIWILL, JOHN                          | Issued           | 244        | C      | 200.00             |
| 40945          | 10-Jun-2010                 | HUDECS           | HUDEC'S COMPUTER CONSULTING              | Issued           | 244        | C      | 1,520.00           |
| 40946          | 10-Jun-2010                 | MENDOZAAN        | I MENDOZA, ANTONIO                       | Issued           | 244        | С      | 130.00             |
| 40947          | 10-Jun-2010                 | METROCALL        | USA MOBILITY WIRELESS INC.               | Issued           | 244        | С      | 25.73              |
| 40948          | 10-Jun-2010                 | NAPAAUTOPA       | NAPA AUTO PARTS                          | Issued           | 244        | С      | 20.64              |
| 40949          | 10-Jun-2010                 | ONLINE INF       | ONLINE INFORMATION SERVICES              | Issued           | 244        | С      | 298.65             |
| 40950          | 10-Jun-2010                 | PRESTIGEMO       | PRESTIGE MOBILE DETAIL                   | Issued           | 244        | С      | 64.00              |
| 40951          | 10-Jun-2010                 | ROSSK000         | ROSS, KEN                                | Issued           | 244        | С      | 600.00             |
| 40952          | 10-Jun-2010                 | STELLAPARK       | PARKS, STELLA                            | Issued           | 244        | С      | 400.00             |
| 40953          | 10-Jun-2010                 | TERMINIX         | TERMINIX                                 | Issued           | 244        | С      | 49.00              |
| 40954          | 10-Jun-2010                 | TOMLARA          | TOM LARA                                 | Issued           | 244        | С      | 3,950.00           |
| 40955          | 10-Jun-2010                 | USABLUEBOC       | USA BLUE BOOK                            | Issued           | 244        | С      | 85.07              |
| 40956          | 10-Jun-2010                 | VERIZON          | VERIZON CALIFORNIA                       | Issued           | 244        | С      | 208.96             |
| 40957          | 10-Jun-2010                 | VERIZONBUS       | VERIZON COMMUNICATION                    | Issued           | 244        | С      | 119.99             |
| 40958          | 10-Jun-2010                 | VERIZONIPI       | VERIZON BUSINESS                         | Issued           | 244        | С      | 688.85             |
| 40959          | 17-Jun-2010                 | ALSCO            | ALSCO                                    | Issued           | 248        | С      | 58.00              |
| 40960          | 17-Jun-2010                 | ARAMARK          | ARAMARK REFRESHMENT SERVICES             | Issued           | 248        | C      | 122.53             |
| 40961          | 17-Jun-2010                 | B76              | BEAUMONT 76                              | Issued           | 248        | C      | 217.65             |
| 40962          | 17-Jun-2010                 | BASICCHEMI       | BASIC CHEMICAL SOLUTIONS LLC             | Issued           | 248        | C      | 3,072.48           |
| 40963          | 17-Jun-2010                 | BLAIRBALL        | BALL, BLAIR                              | Issued           | 248        | C      | 760.00             |
| 40964          | 17-Jun-2010                 |                  | CALIFORNIA TOOL & WELDING                | Issued           | 248        | C      | 46.80              |
| 40965          | 17-Jun-2010                 |                  | CUTTING EDGE SUPPLY CO                   | Issued           | 248        | C      | 214.46             |
| 40966          | 17-Jun-2010                 |                  | DALEY & HEFT LLP                         | Issued           | 248        | C      | 4,582.50           |
| 40967<br>40968 | 17-Jun-2010                 |                  |  | Issued           | 248        | C      | 485.00             |
| 40968<br>40969 | 17-Jun-2010<br>17- Jun-2010 |                  | FREEMAN OFFICE PRODUCTS                  | Issued<br>Issued | 248<br>248 | C<br>C | 101.40<br>1,000.00 |
| 40303          | '′ <b>"₽ä</b> 5e'5'8f6      | 2 of the Règular | TOTALFUNDS BY HASLER                     | 133000           | 240        | U      | 1,000.00           |

## BEAUMONT-CHERRY VALLEY WATER DISTRICT Check Register-Summary-Bank

A&A FENCE To ZETLMAIER

: 7 - ACCOUNTS PAYABLE

Cheque Dt.: 01-Jun-2010 To 30-Jun-2010

Vendor :

Bank



AP5090 Date : Jul 08, 2010 Page : 2 Time : 3:20 pm

Seq : Cheque No. Status : All

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

|                | Check Date                 | Vendor     | Vendor Name                         | Status | Batch | Medium    | Amount     |
|----------------|----------------------------|------------|-------------------------------------|--------|-------|-----------|------------|
| 40970          | 17-Jun-2010                | HIGHLANDSP | HIGHLAND SPRINGS EXPRESS LUBE       | Issued | 248   | С         | 152.59     |
| 40971          | 17-Jun-2010                | LINDENMEYR | LINDENMEYR MUNROE INC.              | Issued | 248   | С         | 2,586.00   |
| 40972          | 17-Jun-2010                | PARSONS    | PARSONS WATER & INFRASTRUCTURE INC. | Issued | 248   | С         | 41,310.74  |
| 40973          | 17-Jun-2010                | POUANTHON  | POU, ANTHONY                        | Issued | 248   | С         | 46.22      |
| 40974          | 17-Jun-2010                | PRESTIGEMO | PRESTIGE MOBILE DETAIL              | Issued | 248   | С         | 320.00     |
| 40975          | 17-Jun-2010                | REDWINE    | REDWINE AND SHERRILL                | Issued | 248   | С         | 10,738.50  |
| 40976          | 17-Jun-2010                | STAPLES    | STAPLES BUSINESS ADVANTAGE          | Issued | 248   | С         | 156.02     |
| 40977          | 17-Jun-2010                | STMP000991 | SCHWEIGL, DIANA                     | Issued | 248   | С         | 6.09       |
| 40978          | 17-Jun-2010                | TIMEWARNER | TIME WARNER CABLE                   | Issued | 248   | С         | 120.01     |
| 40979          | 17-Jun-2010                | UNDERGROU  | UNDERGROUND SERVICE ALERT           | Issued | 248   | С         | 147.00     |
| 40980          | 17-Jun-2010                | VERIZONWIR | VERIZON WIRELESS                    | Issued | 248   | С         | 412.93     |
| 40981          | 17-Jun-2010                | WASTEMANA  | WASTE MANAGEMENT                    | Issued | 248   | С         | 237.36     |
| 40982          | 17-Jun-2010                | WASTEMANA  | WASTE MANAGEMENT                    | Issued | 248   | С         | 118.95     |
| 40983          | 17-Jun-2010                | WELLSFARGO | WELLS FARGO REMITTANCE CENTER       | Issued | 248   | С         | 209.89     |
| 40984          | 17-Jun-2010                | Z&LPAVING  | Z&L PAVING                          | Issued | 248   | С         | 9,496.28   |
| 40985          | 24-Jun-2010                | AUTOVALUE  | STAR AUTO PARTS                     | Issued | 253   | С         | 12.63      |
| 40986          | 24-Jun-2010                | B ACE HOME | BEAUMONT DO IT BEST HOME CENTER     | Issued | 253   | С         | 138.53     |
| 40987          | 24-Jun-2010                |            | BANK OF SACRAMENTO                  | Issued | 253   | С         | 4,233.25   |
| 40988          | 24-Jun-2010                | BCVWD      | BEAUMONT CHERRY VALLEY WATER DISTR  |        | 253   | C         | 386.92     |
| 40989          | 24-Jun-2010                |            | WILFLEY, BRYAN                      | Issued | 253   | C         | 1,267.06   |
| 40990          | 24-Jun-2010                | CR&RINCORP |                                     | Issued | 253   | C         | 225.15     |
| 40991          | 24-Jun-2010                | CVAUTO     | CHERRY VALLEY AUTOMOTIVE            | Issued | 253   | C         | 20.00      |
| 40992          | 24-Jun-2010                |            | CHERRY VALLEY NURSERY               | Issued | 253   | C         | 20.00      |
| 40993          | 24-Jun-2010                | EDISON     | SOUTHERN CALIFORNIA EDISON          | Issued | 253   | C         | 40,153.84  |
| 40993<br>40994 | 24-Jun-2010<br>24-Jun-2010 |            | ES BABCOCK                          | Issued | 253   | C         | 40,155.84  |
| 40994<br>40995 | 24-Jun-2010<br>24-Jun-2010 | HALLIWILLJ | HALLIWILL, JOHN                     | Issued | 253   | C         | 400.00     |
|                | 24-Jun-2010<br>24-Jun-2010 |            | HEMET VALLEY TOOL & SUPPLY          |        | 253   | C         | 108.34     |
| 40996          |                            |            | HOME DEPOT CREDIT SERVICES          | Issued | 253   | C         | 258.87     |
| 40997          | 24-Jun-2010                |            | SUPERMEDIA LLC                      | Issued | 253   | c         | 258.87     |
| 40998          | 24-Jun-2010                |            |                                     | Issued |       | C         |            |
| 40999          | 24-Jun-2010                |            |                                     | Issued | 253   |           | 216.64     |
| 41000          | 24-Jun-2010                |            | JOHNSON POWER SYSTEMS               | Issued | 253   | C         | 5,282.34   |
| 41001          | 24-Jun-2010                | KHOV       | K HOVNANIAN HOMES                   | Issued | 253   | C         | 65,586.02  |
| 41002          | 24-Jun-2010                |            | KV'S PAINT AND DECORATING           | Issued | 253   | C         | 48.88      |
| 41003          | 24-Jun-2010                |            |                                     | Issued | 253   | С         | 27.70      |
| 41004          | 24-Jun-2010                |            |                                     | Issued | 253   | С         | 202.00     |
| 41005          | 24-Jun-2010                |            | PASO ROBLES TANK INC.               | Issued | 253   | С         | 80,431.75  |
| 41006          | 24-Jun-2010                | PATSPOTS   | PAT'S POTS                          | Issued | 253   | С         | 310.00     |
| 41007          | 24-Jun-2010                |            | PRESTIGE MOBILE DETAIL              | Issued | 253   | С         | 80.00      |
| 41008          | 24-Jun-2010                |            | KARL SCANLAN COMPANY INC.           | Issued | 253   | С         | 162,991.69 |
| 41009          | 24-Jun-2010                | SGPWA      | SAN GORGONIO PASS WATER AGENCY      | Issued | 253   | С         | 94,783.00  |
| 41010          | 24-Jun-2010                | STAPLES    | STAPLES BUSINESS ADVANTAGE          | Issued | 253   | С         | 291.35     |
| 41011          | 24-Jun-2010                | STMP000992 | LOPEZ, YOLANDA                      | Issued | 253   | С         | 25.49      |
| 41012          | 24-Jun-2010                | TERMINIX   | TERMINIX                            | Issued | 253   | С         | 98.00      |
| 41013          | 24-Jun-2010                | VERIZON    | VERIZON CALIFORNIA                  | Issued | 253   | С         | 182.31     |
| 41014          | 24-Jun-2010                | WOLLR000   | WOLL, RYAN                          | Issued | 253   | С         | 360.00     |
| 41015          | 24-Jun-2010                | XEROX      | XEROX CORPORATION                   | Issued | 253   | С         | 1,071.48   |
| Total Comp     | outer Paid :               | 672,121.90 | Total EFT PAP : 0.                  | 00     | Tot   | al Paid : | 672,121.90 |
|                | ually Paid :               | 0.00       | Total EFT File : 0.                 | 00     |       |           |            |

Page 6 of 62 of the Regular Meeting Agenda

**Date:** July 14, 2010

From: Anthony Lara, Interim General Manager

To: Board of Directors

Subject: Invoices Pending Payment

Attached please find copies of the professional services invoices which are pending payment. Total amount pending approval is \$29,760.02

| Vendor Name        | Invoice No. | Amount      |
|--------------------|-------------|-------------|
| Redwine & Sherrill | 610001      | \$12,825.10 |
| Parsons            | 10060137    | \$16,934.92 |
|                    | -           | \$29,760.02 |

**Recommendation:** That the Board approves the attached invoices totaling \$29,760.02

\\Server\shared\Administrative\BOARD ADMINISTRATION\Agendas\Agendas 2010\20100714 Regular Board Meeting\20100714 Memorandum Regarding Pending Invoices.doc

#### LAW OFFICES

## REDWINE AND SHERRILL

STATEMENT FOR PROFESSIONAL SERVICES

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

June 29, 2010

## INVOICE # 610001

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

For Services Rendered During June 2010

| Legal Fees due for Month | \$12,825.00 |
|--------------------------|-------------|
| Costs Advanced for Month | \$ 68.10    |
| CURRENT AMOUNT DUE       | \$12,893.10 |

# COPY

## MEMORANDUM

## June 7, 2010

| TO:<br>FROM:<br>SUBJECT:   | Tony Lara, Interim General Ma<br>Steve Gratwick<br>Work During Billing Period: 5/<br>Invoice No. 10060137        |   | DECEIVED<br>JUN 0 9 2010<br>BY:           |
|--|--|---|---|
| During this pa   | st billing period we performed the   | e following tasks:  |   |
| Task 01000 –   | General: 1-5-5820-4  | t l   |   |
| <ul> <li>Fire Flo</li> </ul>                                       | w Analysis: 40881 Oregon Trail   |   | \$340.00                                  |
| <u>Task 10003 –</u>  | 2800 Recycled Water Tank: 2-   | 1-0809-705  |   |
| <ul> <li>Review:</li> <li>Field co</li> <li>ODCs (2000)</li> </ul> | ing Contractor's Submittals and R<br>ating inspection of tank<br>Postage, Reproduction, & Travel)                | FIs, project billing,   | \$6,662.50<br>\$197.67 VSVO.17            |
|  |  | Connection: 2-1- 0304 - 705   |   |
|  |  |   |   |
|  | Ring Ranch Road Extension:   |   |   |
| <ul><li>Review</li><li>ODCs (2000)</li></ul>                       | and prepare contractor's change of Postage, Reproduction, & Travel)  | rders and review contractor's submitt   | als;\$5,610.00 5706.00<br>\$96.00 5706.01 |
| <u>Task 10022 –</u>  | Brookside Blvd Pipeline 2 - 1  | -0810-705   |   |
| Review     prepare   | and prepare change order, meeting final project billing;   |   | \$2,380.00 2417,50<br>vel)\$37.50         |
|  | Postage, Reproduction, & Travel)<br>HOLD INVOICE<br>HOLD INVOICE<br>HOLD INVOICE<br>HOLD INVOICE<br>HOLD INVOICE | TOTAL   | \$16,934.92                               |
| 1  | Board E.   | and the second se |   |
|  |  |   |   |
| 10060137 doc   | Р  | age 1 of 1  |   |

|   | Actual    | Adopted<br>Budget | Budget<br>Remaining | Percent to<br>Budget |
|---|-----------|-------------------|---------------------|----------------------|
| Operating revenues:                           |           |                   |                     |                      |
| Water consumption sales                       | 1,154,364 | 4,329,564         | 3,175,200           | 26.66%               |
| Water service charges                         | 690,199   | 1,863,415         | 1,173,216           | 37.04%               |
| Water importation surcharges                  | 240,261   | 996,851           | 756,590             | 24.10%               |
| Water pumping power surcharges                | 306,126   | 1,311,650         | 1,005,524           | 23.34%               |
| Development and installation charges          | 109,204   | 160,000           | 50,796              | 68.25%               |
| Other charges for services                    | 97,331    | 259,000           | 161,669             | 37.58%               |
| Total operating revenues                      | 2,597,484 | 8,920,480         | 6,322,996           |                      |
| Operating expenses:                           |           |                   |                     |                      |
| Source of supply                              | 751,166   | 3,071,820         | 2,320,654           | 24.45%               |
| Transmission and distribution                 | 344,122   | 1,033,700         | 689,578             | 33.29%               |
| Customer accounts                             | 70,379    | 183,400           | 113,021             | 38.37%               |
| Maintenance & general plant                   | 123,705   | 298,000           | 174,295             | 41.51%               |
| In-House engineering                          | 44,568    | 112,012           | 67,444              | 39.79%               |
| Professional services                         | 105,225   | 290,000           | 184,775             | 36.28%               |
| Administrative                                | 754,499   | 2,471,669         | 1,717,170           | 30.53%               |
| Total operating expenses                      | 2,193,664 | 7,460,601         | 5,266,937           |                      |
| Operating income before depreciation          | 403,820   | 1,459,879         | 1,056,059           | 27.66%               |
| Depreciation                                  | (843,896) | (2,025,351)       | (1,181,455)         | 41.67%               |
| Operating income(loss)                        | (440,076) | (565,472)         | (125,396)           |                      |
| Non-operating revenue(expense):               |           |                   |                     |                      |
| Interest earnings                             | 14,266    | 51,000            | 36,734              | 27.97%               |
| Rental income                                 | 10,811    | 30,800            | 19,989              | 35.10%               |
| Other non-operating revenues                  | 15,461    | 15,000            | (461)               | 103.07%              |
| Total non-operating revenues, net             | 40,538    | 96,800            | 56,262              | 41.88%               |
| Net income(loss) before capital contributions | (399,538) | (468,672)         | (69,134)            |                      |
| Capital contributions:                        |           |                   |                     |                      |
| Facilities charges                            | 2,000     | 272,402           | 270,402             | 0.73%                |
| Front footage fees                            | 0         | 0                 | 0                   |                      |
| Total capital contributions                   | 2,000     | 272,402           | 270,402             |                      |
| Change in net assets                          | (397,538) | (196,270)         | 201,268             |                      |

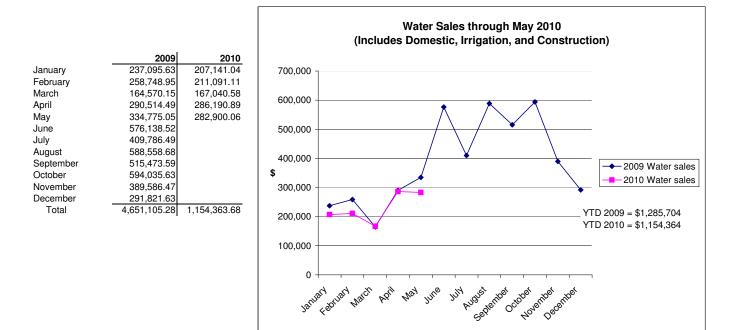
|                                      | Actual     | Adopted<br>Budget | Budget<br>Remaining | Percent to<br>Budget |
|--------------------------------------|------------|-------------------|---------------------|----------------------|
| Operating revenues:                  |            |                   |                     |                      |
| Water consumption sales              | 4 00 4 070 |                   |                     | 00.000 <i>/</i>      |
| DOMESTIC WATER SALES                 | 1,084,876  | 4,074,564         | 2,989,688           | 26.63%               |
| IRRIGATION WATER SALES               | 5,355      | 30,000            | 24,645              | 17.85%               |
| CONSTRUCTION WATER SALES             | 28,488     | 125,000           | 96,512              | 22.79%               |
| RECHARGE INCOME (CITY OF BANNING)    | 35,645     | 100,000           | 64,355              | 35.64%               |
| Water service charges (meter charge) | 000 / 00   |                   |                     | 07.0404              |
| SERVICE CHARGES                      | 690,199    | 1,863,415         | 1,173,216           | 37.04%               |
| Water importation surcharge          | 240,261    | 996,851           | 756,590             | 24.10%               |
| Water pumping power surcharge        | 306,126    | 1,311,650         | 1,005,524           | 23.34%               |
| Development and installation charges |            |                   |                     |                      |
| INSTALLATION CHARGES                 | 90,809     | 100,000           | 9,191               | 90.81%               |
| DEVELOPMENT INCOME                   | 18,395     | 60,000            | 41,605              | 30.66%               |
| Other charges for services           |            |                   |                     |                      |
| REIMB. CUST. DAMAGES/UPGRADES        | 7,254      | 30,000            | 22,746              | 24.18%               |
| BACKFLOW DEVICES                     | 11,344     | 22,500            | 11,156              | 50.42%               |
| RETURNED CHECK FEES                  | 640        | 3,500             | 2,860               | 18.29%               |
| TURN ONS                             | 14,200     | 36,000            | 21,800              | 39.44%               |
| THIRD NOTICE CHARGE                  | 30,940     | 76,000            | 45,060              | 40.71%               |
| PENALTIES                            | 32,952     | 91,000            | 58,048              | 36.21%               |
| Total operating revenues             | 2,597,484  | 8,920,480         | 6,322,996           | 29.12%               |
| Operating expenses:                  |            |                   |                     |                      |
| Source of supply                     |            |                   |                     |                      |
| STATE PROJECT WATER PURCHASED        | 184,811    | 570,600           | 385,789             | 32.39%               |
| HEALTH INSURANCE                     | 19,690     | 55,000            | 35,310              | 35.80%               |
| RETIREMENT/CALPERS                   | 25,478     | 65,000            | 39,522              | 39.20%               |
| LABOR                                | 86,925     | 275,000           | 188,075             | 31.61%               |
| BEREAVEMENT/SEMINAR/JURY DUTY        | 245        | 1,000             | 755                 | 24.54%               |
| SICK LEAVE                           | 3,143      | 4,500             | 1,357               | 69.85%               |
| VACATION                             | 1,349      | 6,000             | 4,651               | 22.49%               |
| HOLIDAYS                             | 2,956      | 9,500             | 6,544               | 31.12%               |
| LIFE INSURANCE                       | 569        | 1,600             | 1,031               | 35.57%               |
| UNIFORMS, EMPLOYEE BENEFITS          | 114        | 1,000             | 886                 | 11.44%               |
| TREATMENT & CHEMICALS                | 8,428      | 160,000           | 151,572             | 5.27%                |
| LAB TESTING                          | 30,579     | 45,000            | 14,421              | 67.95%               |
| MAINTENANCE EQUIPMENT (PUMPING)      | 57,047     | 160,000           | 102,953             | 35.65%               |
| UTILITIES - GAS                      | 54         | 120               | 66                  | 45.20%               |
| UTILITIES - ELECTRIC                 | 321,290    | 1,700,000         | 1,378,710           | 18.90%               |
| TELEMETRY MAINTENANCE                | 621        | 6,000             | 5,379               | 10.34%               |
| SEMINAR & TRAVEL EXPENSES            | 0          | 500               | 500                 | 0.00%                |
| EDUCATION EXPENSES                   | 245        | 1,000             | 755                 | 24.50%               |
| WORKER'S COMPENSATION INSURANCE      | 7,621      | 10,000            | 2,379               | 76.21%               |
| Total Source of supply               | 751,166    | 3,071,820         | 2,320,654           | 24.45%               |
| Transmission and distribution        |            |                   |                     |                      |
| HEALTH INSURANCE                     | 50,908     | 115,000           | 64,092              | 44.27%               |
| RETIREMENT/CALPERS                   | 55,044     | 110,000           | 54,956              | 50.04%               |
| LABOR                                | 162,154    | 370,000           | 207,846             | 43.83%               |
| BEREAVEMENT/SEMINAR/JURY DUTY        | 1,291      | 2,400             | 1,109               | 53.78%               |
| SICK LEAVE                           | 11,254     | 18,000            | 6,746               | 62.52%               |
| VACATION                             | 4,909      | 24,000            | 19,091              | 20.46%               |
|                                      |            |                   |                     |                      |

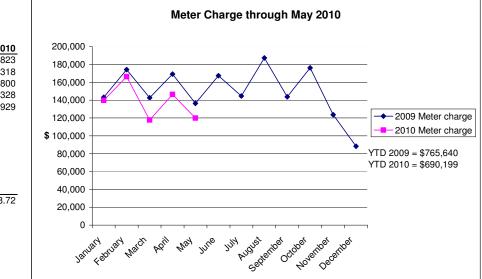
|  | Actual  | Adopted<br>Budget | Budget<br>Remaining | Percent to<br>Budget |
|--|---------|-------------------|---------------------|----------------------|
| HOLIDAYS   | 6,020   | 24,000            | 17,980              | 25.08%               |
| LIFE INSURANCE   | 1,330   | 3,100             | 1,770               | 42.92%               |
| UNIFORMS, EMPLOYEE BENEFITS                                  | 529     | 3,200             | 2,671               | 16.52%               |
| SEMINAR & TRAVEL EXPENSES                                    | 0       | 1,000             | 1,000               | 0.00%                |
| EDUCATION EXPENSES   | 55      | 2,000             | 1,945               | 2.75%                |
| WORKER'S COMPENSATION INSURANCE                              | 15,913  | 15,000            | (913)               | 106.09%              |
| MAINT PIPELINE/FIRE HYDRANT                                  | 7,561   | 95,000            | 87,439              | 7.96%                |
| LINE LOCATES   | 1,143   | 3,500             | 2,357               | 32.66%               |
| MAINT METERS & SERVICES                                      | 13,309  | 175,000           | 161,691             | 7.61%                |
| BACKFLOW DEVICES   | 0       | 500               | 500                 | 0.00%                |
| MAINTENANCE RESERVOIRS/TANKS                                 | 3,760   | 10,000            | 6,240               | 37.60%               |
| MAINTENANCE PRESSURE REGULATORS                              | 0       | 12,000            | 12,000              | 0.00%                |
| INSPECTIONS  | 10,055  | 35,000            | 24,945              | 28.73%               |
| INVENTORY PURCHASE DISCOUNTS                                 | (1,115) | (5,000)           | (3,885)             | 22.30%               |
| OBSOLETE OR DAMAGED INVENTORY                                | 0       | 20,000            | 20,000              | 0.00%                |
| Total transmission and distribution                          | 344,122 | 1,033,700         | 689,578             | 33.29%               |
| Customer accounts  |         |                   |                     |                      |
|  | 12,660  | 34,000            | 21,340              | 37.24%               |
| RETIREMENT/CALPERS   | 12,329  | 31,000            | 18,671              | 39.77%               |
|  | 35,051  | 99,000            | 63,949              | 35.40%               |
| BEREAVEMENT/SEMINAR/JURY DUTY                                | 86      | 1,000             | 914                 | 8.58%                |
| SICK LEAVE   | 1,632   | 3,000             | 1,368               | 54.40%               |
| VACATION   | 2,801   | 4,000             | 1,199               | 70.03%               |
| HOLIDAYS   | 2,027   | 6,500             | 4,473               | 31.19%               |
|  | 293     | 800               | 507                 | 36.61%               |
| UNIFORMS, EMPLOYEE BENEFITS                                  | 0       | 800               | 800                 | 0.00%                |
|  | 0       | 1,000             | 1,000               | 0.00%                |
| WORKER'S COMPENSATION  | 3,500   | 2,300             | (1,200)             | 152.18%              |
| Total customer accounts                                      | 70,379  | 183,400           | 113,021             | 38.37%               |
| Maintenance & general plant                                  | 07.005  | 05 400            | 50.015              | 00.070/              |
| UTILITIES - DISTRICT PROPERTIES                              | 37,085  | 95,400            | 58,315              | 38.87%               |
|  | 25,819  | 85,000            | 59,181              | 30.37%               |
| SAFETY EQUIPMENT<br>COMMUNICATION MAINTENANCE                | 0<br>0  | 3,000<br>1,000    | 3,000               | 0.00%<br>0.00%       |
| REPAIR & MAINT OF GEN EQUIPMENT                              | 948     |                   | 1,000<br>2,052      | 31.62%               |
| REPAIR & MAINT OF GEN EQUIPMENT<br>REPAIR VEHICLES AND TOOLS | 1,547   | 3,000<br>40,000   | 38,453              | 3.87%                |
| LARGE EQUIPMENT MAINTENANCE                                  | 6,381   | 35,000            | 28,619              | 18.23%               |
| EQUIP. PREVENTATIVE MAINTENANCE                              | 0,301   | 1,000             | 1,000               | 0.00%                |
| AUTO/EQUIPMENT OPERATION                                     | 10,877  | 40,000            | 29,123              | 27.19%               |
| MAINT GENERAL PLANT (BUILDINGS)                              | 1,330   | 10,000            | 8,670               | 13.30%               |
| LANDSCAPE MAINTENANCE  | 22,917  | 50,000            | 27,083              | 45.83%               |
| RECHARGE FAC, CANYON & POND MAINTENANCE                      | 16,800  | 30,000            | 13,200              | 40.00%               |
| Total maintenance & general plant                            | 123,705 | 393,400           | 269,695             | 31.45%               |
|  | 120,700 | 000,400           | 200,000             | 01.4070              |
| In-House engineering<br>HEALTH INSURANCE                     | 1,735   | 4,000             | 2,265               | 43.37%               |
| RETIREMENT/CALPERS   | 5,348   | 10,000            | 4,652               | 43.37 %<br>53.48%    |
| LABOR  | 29,440  | 82,000            | 4,652<br>52,560     | 35.90%               |
| BEREAVEMENT/SEMINAR/JURY DUTY                                | 29,440  | 82,000<br>500     | 500                 | 0.00%                |
| SICK LEAVE   | 0       | 2,000             | 2,000               | 0.00%                |
|  | U       | 2,000             | 2,000               | 0.00 /0              |

|                                       | Actual  | Adopted<br>Budget | Budget<br>Remaining | Percent to<br>Budget |
|---------------------------------------|---------|-------------------|---------------------|----------------------|
| VACATION                              | 980     | 3,200             | 2,220               | 30.61%               |
| HOLIDAY                               | 764     | 3,200             | 2,436               | 23.88%               |
| LIFE INSURANCE                        | 139     | 312               | 173                 | 44.57%               |
| SEMINAR & TRAVEL EXPENSES             | 0       | 500               | 500                 | 0.00%                |
| EDUCATION EXPENSE                     | 4,350   | 5,000             | 650                 | 87.00%               |
| WORKER'S COMPENSATION                 | 1,813   | 1,300             | (513)               | 139.48%              |
| Total in-house engineering            | 44,568  | 112,012           | 67,444              | 39.79%               |
| Professional services                 |         |                   |                     |                      |
| GENERAL LEGAL                         | 64,266  | 125,000           | 60,734              | 51.41%               |
| DEVELOPMENT - REIMB. LEGAL            | 0       | 1,000             | 1,000               | 0.00%                |
| AUDIT                                 | 18,733  | 19,000            | 267                 | 98.59%               |
| ACCOUNTING (NON AUDIT)                | 0       | 10,000            | 10,000              | 0.00%                |
| GENERAL ENGINEERING                   | 21,508  | 120,000           | 98,492              | 17.92%               |
| DEVELOPMENT - REIMB. ENGINEERING      | 718     | 5,000             | 4,282               | 14.36%               |
| ENGINEERING - PERMITTING (REC WATER)  | 0       | 10,000            | 10,000              | 0.00%                |
| Total professional services           | 105,225 | 290,000           | 184,775             | 36.28%               |
| General and administrative            | 54 700  | 450.000           | 07.040              | 00.000/              |
|                                       | 54,760  | 152,000           | 97,240              | 36.03%               |
| RETIREMENT/CALPERS                    | 81,593  | 221,000           | 139,407             | 36.92%               |
|                                       | 258,012 | 810,000           | 551,988             | 31.85%               |
| BEREAVEMENT/SEMINAR/JURY DUTY         | 385     | 2,500             | 2,115               | 15.38%               |
| SICK LEAVE                            | 14,514  | 20,000            | 5,486               | 72.57%               |
| VACATION                              | 9,986   | 38,000            | 28,014              | 26.28%               |
| HOLIDAYS                              | 9,943   | 39,000            | 29,057              | 25.49%               |
|                                       | 1,879   | 5,600             | 3,721               | 33.56%               |
| SEMINAR & TRAVEL EXPENSES             | 105     | 2,000             | 1,895               | 5.25%                |
| EDUCATION EXPENSES                    | 175     | 1,000             | 825                 | 17.50%               |
| WORKER'S COMPENSATION INSURANCE       | 8,345   | 8,000             | (345)               | 104.32%              |
|                                       | 3,438   | 14,000            | 10,562              | 24.56%               |
| EMPLOYER SHARE FOR RETIRED (CALPERS)  | 2,086   | 4,500             | 2,414               | 46.35%               |
| ADMINISTRATIVE COSTS (CALPERS)        | 560     | 2,000             | 1,440               | 27.98%               |
| BANK CHGS/MONEY MARKET/TRANS. FEES    | 10,274  | 20,000            | 9,726               | 51.37%               |
| OFFICE SUPPLIES                       | 20,263  | 47,500            | 27,237              | 42.66%               |
| OFFICE EQUIPMENT/SERVICE AGREEMENTS   | 15,704  | 85,000            | 69,296              | 18.48%               |
| OFFICE MAINTENANCE                    | 5,335   | 15,000            | 9,665               | 35.57%               |
| MEMBERSHIP DUES                       | 19,678  | 21,000            | 1,322               | 93.71%               |
| OFFICE EQUIP.MAINT. & REPAIRS         | 0       | 2,000             | 2,000               | 0.00%                |
| POSTAGE                               | 17,829  | 40,000            | 22,171              | 44.57%               |
| SUBSCRIPTIONS                         | 2,050   | 1,600             | (450)               | 128.13%              |
| MISCELLANEOUS OPERATING SUPPLIES      | 3,599   | 15,000            | 11,402              | 23.99%               |
| MISCELLANEOUS TOOLS/EQUIPMENT         | 1,619   | 10,000            | 8,381               | 16.19%               |
| EMPLOYEE MEDICAL/FIRST AID            | 143     | 600               | 457                 | 23.83%               |
| RANDOM DRUG TESTING                   | 75      | 500               | 425                 | 15.00%               |
| PROPERTY/AUTO/GEN LIABILITY INSURANCE | 30,136  | 60,000            | 29,864              | 50.23%               |
| STATE MANDATES AND TARIFFS            | 4,248   | 27,000            | 22,752              | 15.73%               |
| MISCELLANEOUS EXPENSES                | 147,523 | 3,000             | (144,523)           | 4917.42%             |
| PUBLIC EDUCATION                      | 0       | 10,000            | 10,000              | 0.00%                |
| PROPERTY DAMAGE                       | 264     | 0                 | (264)               | -                    |
| IT SUPPORT/SOFTWARE SUPPORT           | 16,703  | 65,000            | 48,297              | 25.70%               |
| PRINCIPAL PAYMENT                     | 0       | 470,000           | 470,000             | 0.00%                |

|   | Actual    | Adopted<br>Budget | Budget<br>Remaining | Percent to<br>Budget |
|---|-----------|-------------------|---------------------|----------------------|
| INTEREST EXPENSE                              | 0         | 84,969            | 84,969              | 0.00%                |
| BAD DEBT EXPENSES                             | 2,439     | 1.000             | (1,439)             | 243.91%              |
| BOARD OF DIRECTOR FEES                        | 10,800    | 40,000            | 29,200              | 27.00%               |
| SEMINAR & TRAVEL EXPENSES                     | 0         | 3,500             | 3,500               | 0.00%                |
| ELECTION EXPENSES                             | 35        | 34,000            | 33,965              | 0.10%                |
| Total general and administrative              | 754,499   | 2,376,269         | 1,621,770           | 31.75%               |
| Total operating expenses                      | 2,193,664 | 7,460,601         | 5,266,937           | 29.40%               |
| Operating income before depreciation          | 403,820   | 1,459,879         |                     |                      |
| Depreciation                                  | 843,896   | 2,025,351         | 1,181,455           | 41.67%               |
| Operating income(loss)                        | (440,076) | (565,472)         |                     |                      |
| Non-operating revenue(expense):               |           |                   |                     |                      |
| Interest earnings                             | 14,266    | 51,000            | 36,734              | 27.97%               |
| Rental income                                 | 10,811    | 30,800            | 19,989              | 35.10%               |
| Other non-operating revenues                  |           |                   |                     |                      |
| MISCELLANEOUS INCOME                          | 15,461    | 15,000            | (461)               | 103.07%              |
| Total non-operating revenues, net             | 40,538    | 96,800            |                     |                      |
| Net income(loss) before capital contributions | (399,538) | (468,672)         |                     |                      |
| Capital contributions:                        |           |                   |                     |                      |
| Facilities charges                            | 2,000     | 272,402           | 270,402             | 0.73%                |
| Front footage fees                            | 0         | 0                 |                     |                      |
| Total capital contributions                   | 2,000     | 272,402           |                     |                      |
| Change in net assets                          | (397,538) | (196,270)         |                     |                      |

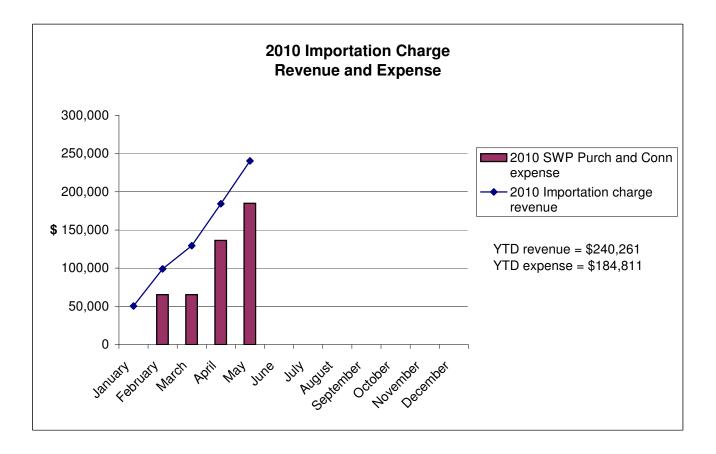
#### Beaumont Cherry Valley Water District Water Sales and Meter Charge May 2010

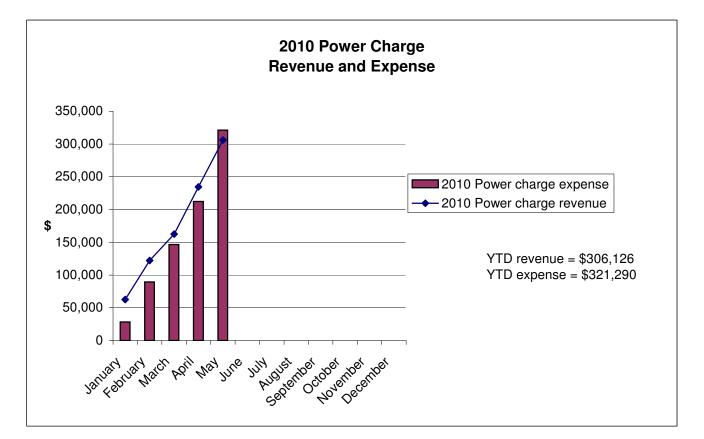




|           | 2009         | 2010       |
|-----------|--------------|------------|
| January   | 143,230      | 139,823    |
| February  | 174,113      | 166,318    |
| March     | 142,716      | 117,800    |
| April     | 169,148      | 146,328    |
| May       | 136,432      | 119,929    |
| June      | 167,405      |            |
| July      | 144,567      |            |
| August    | 187,274      |            |
| September | 143,760      |            |
| October   | 176,144      |            |
| November  | 123,708      |            |
| December  | 88,319       |            |
| Total     | 1,796,816.34 | 690,198.72 |

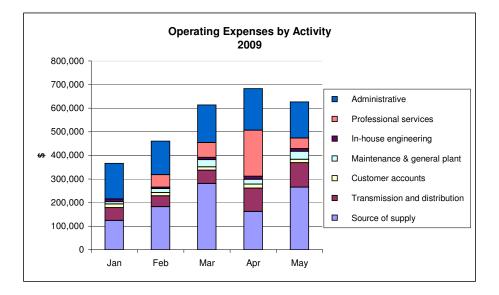
## Beaumont Cherry Valley Water District Importation Charge and Power Charge May 2010

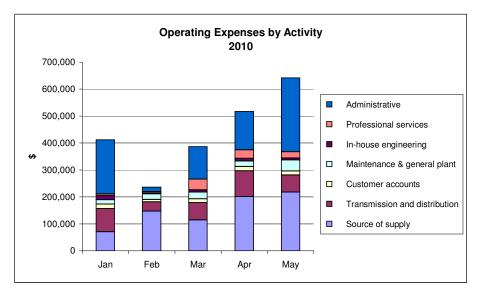




#### Beaumont-Cherry Valley Water District Operating Expenses by Activity May 31, 2010

| 2009                          | Jan     | Feb     | Mar     | Apr     | Мау     |
|-------------------------------|---------|---------|---------|---------|---------|
| Source of supply              | 124,034 | 182,079 | 280,459 | 162,181 | 265,301 |
| Transmission and distribution | 54,074  | 46,350  | 56,318  | 98,899  | 103,605 |
| Customer accounts             | 16,095  | 13,751  | 14,432  | 16,553  | 14,403  |
| Maintenance & general plant   | 9,291   | 16,482  | 30,534  | 20,677  | 33,688  |
| In-house engineering          | 11,272  | 6,135   | 9,545   | 12,563  | 11,504  |
| Professional services         | 0       | 52,877  | 62,730  | 195,758 | 44,550  |
| Administrative                | 151,141 | 142,809 | 159,423 | 175,761 | 153,599 |
| 2010                          | Jan     | Feb     | Mar     | Apr     | Мау     |
| Source of supply              | 70,365  | 147,182 | 114,454 | 201,122 | 218,043 |
| Transmission and distribution | 86,483  | 34,424  | 64,291  | 95,762  | 63,163  |
| Customer accounts             | 16,529  | 8,911   | 13,931  | 15,973  | 15,034  |
| Maintenance & general plant   | 16,123  | 20,866  | 25,348  | 20,102  | 41,266  |
| In-house engineering          | 15,903  | 3,522   | 8,151   | 9,972   | 7,022   |
| Professional services         | 5,906   | 4,824   | 40,053  | 31,453  | 22,988  |
| Administrative                | 200,465 | 16,752  | 120,040 | 143,029 | 274,213 |





#### Beaumont-Cherry Valley Water District Month-end Financial Statement Cash and Investments (Unaudited) May 2010

| Cash and cash equivalents<br>Restricted: | 4,442,853 |
|--|-----------|
| Debt service                             | 184,990   |
| Construction                             | 642,491   |
| Total                                    | 5,270,335 |

Cash and cash equivalents consist of the following:

| Petty cash                           | 1,400     |
|--------------------------------------|-----------|
| Deposits with financial institutions | 4,441,453 |
|                                      |           |
| Total cash and cash equivalents      | 4,442,853 |

#### Beaumont-Cherry Valley Water District Bank of America Note Reconciliation May 31, 2010

| Funds received on March 31, 2010<br>Add: Interest earned | \$4,965,000<br>\$578 |
|--|----------------------|
| Less: reimbursement for costs incurred                   |                      |
| on capital projects                                      |                      |
| 2800 Zone Tank   | \$2,158,092          |
| 24" Recycled - Brookside                                 | \$480,932            |
| 1 MG Reservoir/Booster                                   | \$63,716             |
| 24" Recycled - Westerly Loop Phase 4B                    | \$1,084,152          |
| Ring Ranch Rd  | \$444,273            |
| 24" Recycled - Westerly Loop Phase 4A                    | \$91,923             |
| Total  | \$4,323,086          |
|  |                      |
| Capital Project Fund balance                             | \$642,491            |

#### Beaumont Cherry Valley Water District Month End Financial Statement - Detail Recycled Water System - Breakdown by Project, by Category As of May 31, 2010

| 2-1-0809 2800 ZONE RECYCLED WATER TANK PH 1    |                   | Project Status            | 95%       |
|--|-------------------|---------------------------|-----------|
| GENERAL  | 4,256             | Contract Total            | 2,030,000 |
| OUTSIDE LABOR                                  | 2,622             | Remaining Contract        | 146,851   |
| MATERIAL                                       | 45,098            |                           |           |
| CONTRACT                                       | 1,883,149         |                           |           |
| ENGINEERING                                    | 222,966           |                           |           |
|  | 2,158,092         |                           |           |
| 2-1-0810 24" RECYCLED MAIN BROOKSIDE PH 2      | The second second | Project Status            | 100%      |
| GENERAL  | 10,359            | Contract Total            | 420,929   |
| LABOR  | 670               | Remaining Contract        | 96,309    |
| EQUIPMENT                                      | 1,001             |                           | 00,000    |
| MATERIAL                                       | 1,447             |                           |           |
| CONTRACT                                       | 324,620           |                           |           |
| ENGINEERING                                    | 142,835           |                           |           |
|  | 480,932           |                           |           |
|  |                   |                           |           |
| 2-1-0811 1 MG RESERVOIR/BOOSTER PH 3           |                   | Project Status            |           |
| LABOR  | 260               | Contract Total            | •         |
| ENGINEERING                                    | 63,456            | Remaining Contract        | -         |
|  | 63,716            |                           |           |
| 2-1-0812 24" RECYCLED MAIN WESTERLY LOOP PH 4B |                   | Project Status            | 100%      |
| GENERAL  | 1,730             | Contract Total            | 911,000   |
| LABOR  | 2,805             | <b>Remaining Contract</b> | (17,429)  |
| MATERIAL                                       | 225               |                           | (,        |
| CONTRACT                                       | 928,429           |                           |           |
| ENGINEERING                                    | 150,962           |                           |           |
|  | 1,084,152         |                           |           |
| 2-1-0813 REC MAIN RING RANCH/OAK VALLEY PH 5   |                   | Project Status            | 95%       |
| GENERAL  | 2,648             | Contract Total            | 430,000   |
| LABOR  | 2,040             | Remaining Contract        | 197,011   |
| CONTRACT                                       | 232,989           | Remaining Contract        | 137,011   |
| ENGINEERING                                    | 209,616           |                           |           |
|  | 445,273           |                           |           |
|  |                   | Project Status            |           |
|  |                   | Contract Total            | 1         |
|  |                   |                           |           |
| GENERAL  | 3,353             | Remaining Contract        |           |
| GENERAL<br>LABOR                               | 1,123             | Remaining Contract        | -         |
|  |                   | Remaining Contract        | •         |

#### RECORD OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT June 9, 2010

#### CLOSED SESSION

Closed Session will begin at 6:00 p.m.

- A. A Closed Session will be held pursuant to subdivision (a) of Government Code Section 54956.9 to confer with legal counsel on a pending litigation matter (Daniel Slawson and Arlene Slawson vs. Beaumont Cherry Valley Water District-Riverside County Superior Court, Case No. RIC 533149)
- B. A Closed Session will be held to confer with legal counsel on two matters of potential litigation pursuant to subdivision (b) of Government Code Section 54956.9 –TWO 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.

Upon opening the Open Meeting at approximately 6PM, the Board immediately went into closed session to discuss the matters as reflected on tonight's closed session agenda. During this phase of the closed session, the Board conferred with legal counsel pursuant to subdivision (a) of Government Code Section 54956.9 on the pending litigation matter noted in Item A. of tonight's closed session agenda. No further reportable action was taken on this matter.

This phase of the closed session adjourned at approximately 6:50PM and the Board went back into open session and preceded with the open session agenda at approximately 7PM.

#### **REGULAR SESSION**

Regular Session will begin at 7:00 p.m.

#### CALL TO ORDER, PRESIDENT BALL

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

#### PLEDGE OF ALLEGIANCE, DIRECTOR HALLIWILL

Director Halliwill led the pledge.

#### INVOCATION, DIRECTOR ROSS

Director Ross recited an invocation.

#### **ROLL CALL, JEANNETTE OLKO**

Those responding to roll call were President Ball, Vice President Parks and Directors Halliwill, Ross and Woll. Also present at this meeting were General Counsel Gil Granito, Interim General Manager Anthony Lara and Controller Jeannette Olko.

#### PUBLIC INPUT

Secretary Woll invited Patsy Reeley to address the Board on an item not on the agenda. Ms. Reeley thanked Staff and the Board for street repairs.

Secretary Woll invited Ms. Anglin to address the Board on an item not on the agenda. Ms. Anglin complained about the water tower located by the water ponds. She further asked if more towers will be located there. She expressed concern about the towers lowering the value of their nearby homes.

#### ACTION ITEMS

#### 1. ADOPTION OF THE AGENDA

Director Halliwill moved to adopt the agenda as presented. Director Woll seconded. The motion passed unanimously.

#### 2. FINANCIAL REPORTS

a. Bills for Consideration\*\*

Board Action May 2010

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

Director Ross moved to approve the May 2010 invoices. Vice President Parks seconded. The motion passed unanimously.

b. Invoices Pending Approval\*\*

Board Action May 2010

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

Director Ross moved to approve the May 2010 Invoices pending approval. Vice President Parks seconded. The motion passed unanimously.

c. Month End Financial Statements\*\*

Board Action April 2010

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

Director Halliwill requested that Staff include graphs of expenses. He also commented that he noticed the surplus for the importation charge and it is against surpluses.

Director Ross moved to receive and file the April 2010 Month End Report. Vice President Parks seconded. The motion passed unanimously.

#### 3. APPROVAL OF THE MINUTES

a. Minutes of the Regular Board Meeting of May 12, 2010 \*\*

Director Halliwill recommended that Staff include in the minutes the names of all Staff members in attendance at the meetings.

Director Halliwill moved to approve the minutes with corrections (submitted by Director Ross in writing). Director Woll seconded. The motion passed unanimously.

Director Woll requested clarification regarding the comment made regarding request made by Ms. Magee.

Interim General Manager Anthony Lara indicated that he has not had the time to meet with Ms. Magee regarding her questions.

Board requested that Interim General Manager Anthony Lara to contact Ms. Magee regarding subject brought up at the last month meeting under public comments.

#### 4. THE BOARD WILL REVIEW AND APPROVE THE TRANSMITTAL OF ELECTION INFORMATION FORM COMPLETED IN DRAFT BY STAFF AND DECIDE WHETHER THE DISTRICT WILL OR WILL NOT PAY FOR THE STATEMENT OF CANDIDATES\*\*\*

After review, Vice President Parks moved for candidates to pay for the cost of the candidate statement and to approve the Election Information Form completed in draft form by Staff. Director Ross seconded. The motion passed unanimously.

#### 5. APPROVAL OF AMENDING ORDINANCE 2007-01, TO REDUCE COMPENSATION OF MEMBERS OF THE BOARD OF DIRECTORS\*\*

Director Woll recommended a 10% reduction per meeting for as long as the furloughs are in place for employees.

Director Ross questioned legal counsel if the 10% reduction could be voluntary.

Legal Counsel Gil Granito stated that the 10% reduction could be voluntary. He further stated that a formal procedure, including a public hearing would be required if stipends are to be increased, but not decreased. He recommended that an end date be included with the motion.

Director Halliwill expressed concern about timing if formal compensation is decreased.

Vice President Parks suggested that the 10% reduction be voluntary.

Director Woll suggested a temporary suspension of the ordinance.

Vice President Parks moved to make compensation reduction voluntary. Director Woll seconded. The motion passed unanimously.

#### 6. APPROVAL OF AGREEMENT CONSENTING TO JOINT USE OF CITY EASEMENT\*\*

Interim General Manager Anthony Lara reported that the easement is for access for construction and to allow staff to operate and maintain portion of the pipeline that is in the easement.

Vice President Parks moved to approve. Director Woll seconded. The motion passed unanimously.

#### 7. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

#### (a) Ad hoc Committees

#### (b) General Manager

• SWP Water Allotment- Lara reported that the State Water allocation has been increased to 45% and will increase 2.5 times the amount currently being delivered, which is about 300 acre feet per month.

• Recycled Water Projects-Lara reported that the only project pending is the completion of the reservoir and the Ring Ranch pipeline. The reservoir is full of water and has been tested, the water samples have been taken and the results will be received soon. The Ring Ranch Road pipeline was pressure tested, chlorinated and it is ready to be flushed.

• AWWA Water Conservation Workshops-Lara announced that AWWA is sponsoring a conservation workshop in Rancho Cucamonga in November. He indicated that he would like to attend the four day workshop with another employee. The cost to attend is \$1500.

Vice President Parks moved to approve. Director Ross seconded. The motion passed unanimously.

#### (c) Directors

• Dr. Blair Ball-He reported that he also attended a conservation meeting provided by the SGPWA at the Grange. He further commented that the Southern California Gas has included information on tips for interior conservation that customers can apply for.

• John Halliwill-He reported that he attended the SGPWA water conservation meeting in Calimesa. He suggested that the District look into interior conservation in addition to focusing on landscaping and irrigation.

• Stella Parks-She attended a meeting at the SGPWA on May 17, 2010 it was suggested that their board review Rules and Regulations of the Watermaster to see if they wanted to join the committee. She further announced that she will be attending a meeting at the SGPWA next Friday regarding the review of the Beaumont Adjudication as well at the Beaumont Storage Account.

- Ken Ross-He announced that he will be on vacation until June 28.
- Ryan Woll-None

#### (d) Legal Counsel

Legal Counsel Gil Granito announced that Closed Session will resume after adjournment of regular meeting.

Director Woll announced that he will be on vacation after June 30 and he will return before the July board meeting.

#### 8. ANNOUNCEMENTS

- A) Rate Increase Workshop June 30, 2010 at 7 p.m.
- B) Regular Board Meeting July 14, 2010 at 7 p.m.
- C) Office will be Closed, Monday, July 5, 2010 in Observance of 4<sup>th</sup> of July Holiday

#### ACTION LIST

• Anthony Lara to meet with Ms. Magee regarding subject brought up at the last board meeting.

#### 9. CLOSED SESSION-CONTINUATION

Board adjourned to Closed Session at 7:53 p.m.

#### 10. OPEN SESSION REPORT ON CLOSED SESSION

At approximately 7:53Pm the open session concluded and the Board went back into closed session.

The first matter discussed in this phase of the closed session concerned item B. of tonight's agenda which was held pursuant to subdivision (b) of Government Code Section

54956.9 for the purpose of conferring with legal counsel on two matters concerning potential litigation. No further reportable action was taken.

The second matter discussed in this phase of the closed session concerned Item C. of tonight's closed session agenda. This phase of the Closed Session was held pursuant to Government Code Section 54957.6 for the purpose of conferring with the District's labor negotiators. No further reportable action was taken.

This phase of the Closed Session was adjourned at approximately 8:55PM and the board went back into open session.

#### 11. ADJOURNMENT

President Ball adjourned the meeting at approximately 9:55 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

#### **RESOLUTION No. 2010-10**

#### RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT AMENDING PART III OF THE DISTRICT'S POLICIES AND PROCEDURES TO INCLUDE A RESERVES POLICY

WHEREAS, the Board of Directors of the Beaumont Cherry Valley Water District has determined that it is in the best interest of the District to include a Reserves Policy;

WHEREAS, the Board of Directors of the Beaumont Cherry Valley Water District has carefully reviewed Exhibit A to this Resolution which sets forth a Reserves Policy;

NOW, THEREFORE, BE IT RESOLVED, that Part III of the Beaumont Cherry Valley Water District's Policy Manual is hereby amended in its entirety in the form and content set forth in Exhibit A to this Resolution;

ADOPTED, SIGNED AND APPROVED, THIS 14<sup>th</sup> DAY OF JULY, 2010 BY THE FOLLOWING VOTES:

AYES: NOES: ABSENT: ABSTAIN:

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



## BEAUMONT-CHERRY VALLEY WATER DISTRICT

## **RESERVES POLICY**

ADOPTED BY THE BOARD OF DIRECTORS

JULY 2010

Page 27 of 62 of the Regular Meeting Agenda

In order to adequately meet the water needs of the communities of Beaumont and Cherry Valley, the Board of Directors authorizes the prudent accumulation and management of reserve funds. This policy establishes the fundamental guidelines to be used in management of the District's reserve funds, to identify appropriate use of reserve funds, and sources for funding the reserves. Separate policies direct the investment of these funds and capital improvement budgeting. The Board recognizes that the accumulation of adequate reserves is critical for the continued provision of services, planning for future growth demands, and replacement of system assets.

Reserves shall be identified as restricted or unrestricted. **Restricted reserves** are funds that are not appropriable; that is, they cannot be freely spent or are limited by legal or contractual requirements. Examples include capital fees that are collected for a specific purpose and debt service reserves. **Unrestricted reserves** are funds that are set aside based upon board policy or plans. Examples include reserves dedicated for operations, capital improvements, and rate stabilization.

## Section 1. Reserves Established:

To provide accountability of public funds, the following reserves are established:

## I. Restricted Reserves

## A. Reserves for Future Capital Commitments

These restricted reserves are established by resolution to ensure that specific fees are set aside to provide for expansion of the domestic water system. The following developer impact fees are in place at this time:

- 1. Front footage
- 2. Wells
- 3. Water rights
- 4. Water treatment plant
- 5. Facility fees

The Board establishes these restricted reserves by resolution. The annual minimum funded is represented by fees collected during the year. The Board will review these reserves in the first quarter, in conjunction with adoption of the Capital Improvement Budget. Appropriation of these reserves shall be done by Board action. Funds appropriated to these reserves shall be invested in the same manner as other District

investments, and interest earnings shall be credited to the restricted reserves.

## B. Reserve for Funds Held for Others

The Board establishes these Restricted Reserves in the General Fund, to be used to segregate funds held for others, including refundable or prepaid deposits. Reserve balances will be reviewed annually, and will be adjusted to equal the amount of funds held for others at year-end (December 31). Funds maintained in these reserves shall be invested in the same manner as other District investments.

## C. Debt Service Reserve

The Board establishes this Restricted Reserve, to be used to provide for repayment of debt. The Installment Payment Fund accumulates all accrued debt service payments until transferred to the Bank for payment. This reserve will be maintained at the minimum required by funding covenants. Funds appropriated to this reserve shall be invested in the same manner as other District investments, and interest earnings shall be credited to the restricted reserve.

## II. Board Designated Unrestricted Reserves

## D. Board Designated Reserves for Emergencies and Contingencies

These reserve funds are provided to ensure continued service to the District's customers and service areas, for events which are impossible to anticipate and budget for. The ability of the District to quickly restore facilities and services is critical to the public health and safety of our residents. The Emergency Reserve will be used to fund unanticipated emergency repairs (for example, earthquake damage) that are necessary for the continued provision of service to District customers, where service would otherwise be inhibited or interrupted. The Emergency Reserve shall be adjusted annually to a minimum of 15% of the annual operating budget. Emergency Reserves may be established for other operations of the District upon recommendation by the General Manager.

Reserves for Contingencies are authorized as provision for contingent liabilities which the District may be aware of from time to time. These reserves may be established by the Board at an amount to be recommended by the General Manager and legal counsel, and may or may not be maintained over time, at the Board's discretion. No minimum or maximum is established as they are funded based upon a case-by-case basis. Funds appropriated to these reserves may be accessed at any time for any other District purpose by Board action. Funds appropriated to these reserves shall be invested in the same manner as other District investments, and interest earnings shall be credited to the District's General Fund.

## E. Board Designated Capital Replacement Revolving Fund

The Board recognizes that ongoing replacement of capital facilities, and additional investment in capital is essential to maintain the desired level of service for District customers and meet increased demand upon services.

This reserve shall be earmarked for the purchase of operating equipment, physical plant, infrastructure, water conservation projects, and other capital items. They are designed to stabilize funding for capital by accumulating "pay as you go" reserves available for necessary capital purchases. This reserve's fund balance parameters will be reviewed and determined annually, in connection with the adoption of the District's Capital Improvement Budget.

Ongoing funding of this reserve is intended to be done through any sources available for capital improvements, including operating revenues, and initial funding may be provided from any sources other than restricted revenues. Funds appropriated to the Capital Improvement Reserve may be accessed at any time for any other District purpose upon approval of the Board. Funds appropriated to the Capital Improvement Reserve shall be invested in the same manner as other District funds, and the earnings shall be credited to the District's General Fund.

## F. Board Designated Reserve for Operations

The Reserve for Operations will be used to maintain working capital for current operations, including vendor payments, payroll expenses, and other budgeted operating expenses. The reserve is the minimum cash and securities to be held in the Operating Fund on December 31 of each year, to be used for working capital purposes and to ensure continuity of customer services regardless of cash flow. The Board will review these reserves annually, and shall fund them from any sources other than restricted revenues.

The District shall endeavor to maintain in the Reserve for Operations a minimum amount sufficient to pay for three months of budgeted operating expenditures, not exceeding a maximum of six months budgeted operating expenditures. However, funds appropriated to the Reserve for Operations may be accessed at any time for any other District purpose, upon approval by the Board. Funds appropriated to the Reserve for Operations shall be invested in the same manner as other District funds, and the earnings shall be credited to the District's General Fund.

## G. Other Reserves

In addition to the restricted and unrestricted reserves identified above, the Board may approve the creation of other such reserves, whether temporary or permanent, as the Board deems necessary. In such an event, the Board will identify the purpose for which such reserves are created, provide guidance as to how funds are to be appropriated for the reserves, and establish limits and restrictions pertaining to these accounts.

## Section 2. Use of Reserves:

Appropriation of reserves will be done by Board action, incorporated into a Board resolution approving payment or appropriation, with specific language approving the use of reserves or by adoption of the annual Operating or Capital Improvement Budgets.

## Section 3. Annual Review:

Each year the Board shall receive a report indicating the beginning and ending balance of reserve funds and the purposes for which expenditures have been made, and shall annually consider replenishment, augmentation, or amendment of the reserve balances as appropriate. This report will be prepared as of the fiscal year end, and will be provided to the Board no later than June 30 of each year.

#### **RESOLUTION No. 2010-11**

#### RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT CHERRY VALLEY WATER DISTRICT AMENDING PART III OF THE DISTRICT'S POLICIES AND PROCEDURES TO INCLUDE AN UNCLAIMED FUNDS/OUTSTANDING CHECKS POLICY

WHEREAS, the Board of Directors of the Beaumont Cherry Valley Water District has determined that it is in the best interest of the District to include an Unclaimed Funds/Outstanding Checks Policy;

WHEREAS, the Board of Directors of the Beaumont Cherry Valley Water District has carefully reviewed Exhibit A to this Resolution which sets forth an Unclaimed Funds/Outstanding Checks Policy;

NOW, THEREFORE, BE IT RESOLVED, that Part III of the Beaumont Cherry Valley Water District's Policy Manual is hereby amended in its entirety in the form and content set forth in Exhibit A to this Resolution;

ADOPTED, SIGNED AND APPROVED, THIS 14<sup>th</sup> DAY OF JULY, 2010 BY THE FOLLOWING VOTES:

AYES: NOES: ABSENT: ABSTAIN:

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



## BEAUMONT-CHERRY VALLEY WATER DISTRICT

## UNCLAIMED FUNDS/ OUTSTANDING CHECKS POLICY AND PROCEDURE

ADOPTED BY THE BOARD OF DIRECTORS

JULY 2010

## Beaumont-Cherry Valley Water District Unclaimed Funds/Outstanding Checks Policy and Procedure

## PURPOSE:

This policy is intended to establish proper disposition and account for unclaimed money in accordance with government statutes.

Unclaimed property is generally defined as a liability the District owes to an individual or entity when a debt or obligation remains outstanding after a specific amount of time. This creates a property right protected by the State's unclaimed property laws.

The District is required to comply with the requirements of the unclaimed property laws and regulations as well as the governing escheatment laws of other states that relate to various forms of abandoned property, including uncashed checks. This policy outlines the procedures to be followed with regard to checks issued by the District that remain uncashed after a specified period of time.

## POLICIES:

## A. IDENTIFICATION

 Every quarter an outstanding check report will be generated which identifies all outstanding accounts payable checks over six months old. The listing will be reviewed to determine if disposition of the check is correct. This will include examination of the original documentation and the review of all relevant financial information as needed.

2. When the review process is completed, a letter and affidavit form for replacement checks will be mailed to the address on record for the issued warrant. See attachments A and B for examples. A copy of the letter and the review history will be maintained.

- 3. A check will be considered unclaimed if:
  - No response is received to the inquiry within 30 days.
  - The payee can't be identified or located.
  - The payee declines payment.

## **B. STALE DATING CHECKS**

1. Accounts Payable checks drawn on District bank accounts that remain outstanding for one year or more will be considered stale dated, and will not be honored by the District's bank if presented for payment.

7/8/2010

## C. RECLASSIFYING STALE DATED CHECKS

- 1. All checks that remain unclaimed will be transferred to the District's Unclaimed Property account based on the following criteria:
  - Accounts payable checks One year from the issue date
- 2. These checks will be cancelled, and notification of the cancellation will be sent to the District's bank. Accounting entries will be generated to record the dollar amount of unclaimed checks in the liability account Unclaimed Property.
- 3. The payee/check information will be recorded in an unclaimed check spreadsheet. This list of unclaimed checks will include the individual or business name as shown on the issued check, the amount of the issued check, the check number, the check issue date, and the original expense account.

## D. CLAIMING FUNDS

- Upon or prior to publication, an individual or business may file a claim for funds with the District. Claimants will be required to complete an Unclaimed Funds Claim Form, along with supporting documentation to establish entitlement to payment. See Attachment C for example. All funds that remain unclaimed based on the timelines established in Section E will be transferred to the District's General Fund.
- 2. Examples of claims and the types of supporting information that may be required include:
  - a) <u>Individual Claimant</u> Claims initiated by the customer or owner of the property.
    - Completed and signed Unclaimed Property Request Form.
    - A copy of the check (if available).
    - Copy of any official form, used for identification, such as a driver's license, military identification card, or passport.
    - Proof of reported address associated with the unclaimed check. The following documents are acceptable: pay stub, tax return, mortgage, telephone or utility bill, bank or credit card statement.
  - <u>Business Claimant</u> The claim must be made by an officer or official claiming on behalf of the business or corporation, partnership, professional association, non-profit organization, government entity, or private organization.
    - Completed and signed Unclaimed Property Request Form.
    - A copy of the check (if available).

- Copy of official identification for each officer or official, such as a driver's license.
- Federal tax identification number.
- Business card of the authorized officer or official.
- Proof of the business's reported address associated with the unclaimed check, such as tax return documents, a mortgage, rent, telephone, or utility bill, or a bank statement.
- If a company or business has dissolved or changed names additional information may be requested to process the claim.
- c) <u>Heir or Trustee of Deceased Property Owner</u> Claims initiated by the authorized lawful heir or trustee of the deceased payee's claim.
  - Completed and signed Unclaimed Property Request Form.
  - Death certificate of the deceased owner or owners of the property.
  - Copy of any official form used for identification for each heir, such as a driver's license, military identification card, or passport.
  - Proof of reported address associated with the unclaimed property. The following documents are acceptable: Pay stub, tax return document, mortgage, telephone, or utility bill, bank or credit card statement.
  - Proof of the deceased owner's relationship to the claim holder. The following documents are acceptable: Bank statement, mortgage, telephone, or utility bill.
  - Proof that no other person has a superior right to the interest of the decedent in the described property.
  - All claims made by heirs or trustees of a deceased payee are subject to review and approval by the District's legal counsel.

The Beaumont-Cherry Valley Water District retains the right to reject any claim in which entitlement has not been established to the District's satisfaction.

If a claim is approved, the check will be reissued and the original check will be removed from the unclaimed check listing.

## E. TRANSFER OF CHECKS TO THE GENERAL FUND

On an annual basis, the unclaimed check list will be reviewed to determine which checks can be transferred to the District's General Fund, as determined by Government Code Sections 50050 through 50056, as follows:

<u>Checks under \$15</u>

Checks for less than \$15 that remain unclaimed for a period of at least one year will become the property of the District and will be transferred to the District's General Fund.

• Checks \$15 and Greater

Checks that are greater than \$15 and have remained outstanding for more than three years will be published once a week for two consecutive weeks in a newspaper of general circulation stating the payee, the amount, and the fund in which the money is held. The notice will also contain the specific date the money will become the property of the District. This date shall not be less than 45 days nor more than 60 days after the first publication.

If there are no claims for the check by the date identified in the notice, a list of unclaimed checks and dollar amounts will be submitted to the Board of Directors for approval and transfer to the District's General Fund. Upon approval by the Board, a journal entry will be prepared to recognize the revenue.

Attachments:

Attachment A – Sample letter Attachment B – Sample affidavit Attachment C – Unclaimed property form Attachment D – Notice to be published in newspaper

#### Attachment A

Sample Letter

Dear \_\_\_\_\_,

Our records indicated that check number \_\_\_\_\_ issued to you on

\_\_\_\_\_ in the amount of \$\_\_\_\_\_by the Beaumont-Cherry Valley Water

District has not been cashed and is now stale dated. To claim this money, please

complete the enclosed 'Stale Dated Check Replacement Affidavit' as indicated and mail

to:

#### Beaumont-Cherry Valley Water District 560 Magnolia Ave. Beaumont, CA 92223

Upon receipt of the properly signed affidavit, a new check will be issued to you. Please feel free to call if you have any questions or if I can be of any assistance. The District telephone number is 951-845-9581.

Sincerely,

Jeannette Olko Controller Beaumont-Cherry Valley Water District

Enclosure

#### Attachment B

#### Sample Affidavit

#### Beaumont-Cherry Valley Water District Affidavit of Unclaimed Monies

|    | haraby dealars that I am the legal owner or   |
|----|---|
| Ι. | , hereby declare that I am the legal owner or |
| -, | ;   |

custodian of check number \_\_\_\_\_, issued by the Beaumont-Cherry

Valley Water District, in the amount of \$\_\_\_\_\_, dated

\_\_\_\_\_ and the name of the payee shown is \_\_\_\_\_

Indicate below what happened – Mark on the box and explain.

- () The above check was not received.
- ( ) The above check was destroyed by \_\_\_\_\_
- () The above check was lost by me on \_
- ( ) Other \_\_\_\_\_.
- () The above check is attached. The check is now void because it was not cashed within six months and became stale dated.

I request that a replacement check be issued to me and agree that if the above warrant is received I will promptly return it to the Beaumont-Cherry Valley Water District.

#### I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

| EXECUTED  | АТ       |                      |
|-----------|----------|----------------------|
| THIS      | , DAY OF | , 20                 |
| Signature |          | Daytime Phone number |
| Address   |          | _                    |
| City Stat | te Zip   | _                    |
| 7/8/2010  |          | - 7 -                |

#### Attachment C

#### Sample Notice to be published in the newspaper

Notice is hereby given that the Beaumont-Cherry Valley Water District is holding funds for the following persons. If said funds are not claimed by MMMM dd, yyy, these funds will become the property of the Beaumont-Cherry Valley Water District in accordance with California Government Code Sections 50050 – 50056. These funds may be released to the depositor, their heir, beneficiary, or duly appointed representative provided a claim form has been completed with the necessary information.

The Unclaimed Funds Claim form is available at the Beaumont-Cherry Valley Water District, 560 Magnolia Ave., Beaumont, CA 92223, or by calling Customer Service, at (951) 845-9581. Required claim information includes name, address, phone number, amount of claim, and a copy of supporting documentation to establish entitlement to payment. Once a claim is submitted, the Controller will determine what, if any, additional information is necessary.

Person with funds on deposit for 3 Years:

| NAME     | AMOUNT   | SOURCE OF FUNDS |
|----------|----------|-----------------|
| Vendor A | \$345.78 | General Fund    |
| Vendor B | \$127.52 | General Fund    |
| Vendor C | \$300    | General Fund    |

#### <u>Attachment D</u>

#### Sample Unclaimed Money Claim Form

#### Beaumont-Cherry Valley Water District Unclaimed Funds Claim Form

Pursuant to California Government Code Section 50052, I wish to file a claim for previously unclaimed funds in the amount of \$\_\_\_\_\_\_ that was published in the Local Newspaper on \_\_\_\_\_\_. Attached is a copy of one of the following that establishes my entitlement to payment:

For individual claimants:

- $\Box$  A copy of the check (if available).
- Copy of any official form, used for identification, such as a driver's license, military identification card, or passport.
- Proof of reported address associated with the unclaimed check. The following documents are acceptable: pay stub, tax return, mortgage, telephone or utility bill, bank or credit card statement.

For business claimants:

- □ A copy of the check (if available).
- Copy of official identification for each officer or official, such as a driver's license.
- □ Federal tax identification number.
- □ Business card of the authorized officer or official.
- Proof of the business's reported address associated with the unclaimed check, such as tax return documents, a mortgage, rent, telephone, or utility bill, or a bank statement.

Vendor or individual Name

Signature

Telephone

Address

City, State, Zip

7/8/2010

| FINANCE USE ONLY                              |                |                    |  |  |
|---|----------------|--------------------|--|--|
| Claim received on                             | Approved       | Denied             |  |  |
| Original Warrant #:<br>Replacement Warrant #: | Date:<br>Date: | Amount:<br>Amount: |  |  |
| Controller                                    |                |                    |  |  |

**Date:** July 14, 2010

From: Anthony Lara, Interim General Manager

To: Board of Directors

Subject: Surplus Equipment

The District currently has several pieces of equipment that have been retired. In order to dispose of equipment that is no longer in use it must be declared "Surplus" by the Board of Directors.

Once equipment is declared surplus, it is advertised for sale along with the date, time and place it can be viewed by interested parties and a deadline date for sealed bids. All equipment is sold "As is" and the District reserves the right to reject any and all bids.

Sealed bids shall be opened at the next Regular Board Meeting and action taken to accept or reject the highest bid. Employees and Board of Directors and their immediate families are prohibited from bidding surplus District equipment and assets.

#### **Recommendation**

The Board of Directors declares the following list of equipment surplus:

- Ingersoll Rand gas powered tow behind compressor
- 2002 Dodge Ram 1500 4x4
- 1995 Cushman (Meter reading vehicle)
- 1985 Jeep Scrambler
- 1989 Ford Super Duty Dump Truck
- 1994 Dodge Pickup
- 1991 John Deere Backhoe/Loader

#### FAIR POLITICAL PRACTICES COMMISSION

# 2010 Conflict-of-Interest Code Biennial Notice for Multi-County Agencies

The Political Reform Act requires every local government agency to review its conflict-ofinterest code biennially.

October 1, 2010: Your agency must review its conflict-of-interest code and submit the attached notice to the FPPC indicating whether or not an amendment is necessary. Return this notice to the FPPC regardless of how recently your agency's code has been approved, or if the code is currently under review.

If amendments are necessary, the revised code must be forwarded to the FPPC for approval within **90 days** from the date the biennial notice is filed. An agency's amended code is <u>not effective</u> until it has been approved by the FPPC.

**New Positions:** FPPC Regulation 18734, effective January 1, 2010, requires an individual hired for a position not yet covered under your agency's conflict-of-interest code to file Form 700 if the individual serves in a position that makes or participates in making governmental decisions. These individuals must file under the broadest disclosure category until the code is amended to include the new position unless your agency has provided, in writing, a limited disclosure requirement.

**Example:** An agency hires a new IT Specialist. This is a brand new position, thus not listed in the agency's conflict-of-interest code. Because this individual will make decisions on purchasing software, the position must be added to the code. In the meantime, this person will file Form 700 and use the same disclosure category as the general manager, who is subject to the agency's broadest disclosure category. Only if the agency provides the individual with a separate written document can the IT Specialist disclose limited types of economic interests.

#### Attend a Seminar!

Learn about the new FPPC regulations affecting local agencies.

- County of San Diego Administration Center Wednesday, June 16, 2010 1600 Pacific Highway, Room 402 San Diego, CA 92101 1:00-3:00 PM
- San Rafael Council Chambers Wednesday, June 23, 2010 1400 Fifth Avenue San Rafael, CA 94901 1:30-3:30 PM
- City of Long Beach Council Chambers Wednesday, June 30, 2010
   333 W. Ocean Boulevard Long Beach, CA 90802
   1:30-3:30 PM
- Sacramento FPPC 8<sup>th</sup> Floor Hearing Room
   Wednesday, July 7, 2010
   428 J Street
   Sacramento, CA 95814
   1:00-3:00 PM
- Ukiah Administration Building, Board Chambers Wednesday, July 21, 2010 501 Low Gap Road Ukiah, CA 95482 1:00-3:00 PM
  - To register for a seminar, call the FPPC at (866) ASK-FPPC, press 4. Seminars are subject to change.

# 2010 Multi-County Agency Biennial Notice

| Name of Agency:   |  |  |
|---|--|--|
| Mailing Address:  |  |  |
| Contact Person:   | Office Phone No:   |  |
| E-mail:   |  |  |
| Accurate disclosure is essential to monitor whe<br>ensure public trust in government. This agency<br>determined that (check one box): | ether officials have conflicts of interest and to help<br>has reviewed its conflict-of-interest code and has |  |
| An amendment is required. (Check all that ap  | pply.)   |  |
| Substantive   | Non-Substantive  |  |
| O Include new positions (including  | O Revise the titles of existing positions  |  |
| consultants) that must be designated  | O Modification of any provision of a code,   |  |
| O Delete Positions that manage public<br>investments from the list of designated<br>positions   | provided no disclosure or disqualification obligations are disturbed   |  |
|   | O Delete titles of positions that have been  |  |
| O Revise disclosure categories  | abolished  |  |
| O Other (describe)  | O Other (describe)   |  |

Code is currently under review by the code-reviewing body.

No amendments necessary.

#### Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice, including agencies whose codes are currently under review. Please return this notice no later than **October 1, 2010**, to:

Fair Political Practices Commission 428 J Street, Suite 620 Sacramento, CA 95814 (866) ASK-FPPC Fax (916) 322-3711

California Fair Political Practices Commission Page 45 of 62 of the Regular Meeting Agenda

#### DECLARATION OF CHIEF EXECUTIVE OFFICER FOR MULTI-COUNTY AGENCIES

The proposed Conflict-of-Interest Code specifically enumerates each of the positions within the agency which involve the making or participation in the making of decisions which may foreseeably have a material financial effect on any financial interest. The agency has satisfied all of the requirements of Title 2, Division 6 of the California Code of Regulations §18750.1 preliminary to approval of the proposed code.

Signature of Chief Executive Officer

Date

# How to Review a Conflict-of-Interest Code<sup>1</sup>

Who is a Designated Employee?



#### Who Should Not be Designated?



#### **Designate these Positions:**

High level positions that have authority to vote on a matter, appoint a person, obligate or commit his or her agency to a course of action, or enter into any contractual agreement on behalf of his or her agency.

Mid-Level positions that have authority to negotiate decisions on behalf of the agency, without significant substantive review; or

Employees that advise or make recommendations to the decision-maker by conducting research or an investigation, preparing or presenting a report, analysis or opinion that requires the exercise of judgment on the part of the employee and the employee is attempting to influence the decision.

A designated employee is an officer, employee, member, or consultant of an agency whose position is designated in the code because the position entails the making or participation in the making of governmental decisions that may foreseeably have a material effect on his or her financial interest. (Government Code Section 82019.)

Mayors

City Managers

City AttorneysCity Treasurers

• Other city, county, and local agency public

officials who manage public investments

#### Do Not Designate these Positions:

- Board of Supervisors
- Chief Administrative Officers
- District Attorneys
- County Counsels
- County Treasurers
- Planning Commissioners
- City Council Members
- Solely clerical, ministerial, or manual positions
- Unsalaried members of boards or commissions that are solely advisory

#### **Review:**

First, eliminate positions outlined above that are not designated employees.

Second, evaluate the remaining employees, committees, officers, or consultants. Top level management personnel are normally broad policy makers and should be designated. Beyond that, read duty statements and talk to supervisors. Each position should be analyzed to determine if it makes decisions. Be sure all positions that have authority to authorize contracts are designated.

Next, review the disclosure categories. Employees should only disclose economic interests that relate to their job. Do not assign the same disclosure to every position as jobs are different. The disclosure category assignments must adequately differentiate between positions.

Contact other counties for examples and guidance. The FPPC also posts model disclosure categories on its website.

Check Duty Statements Review Disclosure Categories



<sup>&</sup>lt;sup>1</sup> This information sheet should not be used to determine whether an agency is required to adopt a conflict-of-interest code. Contact the FPPC for assistance in making that determination.

#### (Your agency would fill in the underscored inserts)

#### (Name of Agency)

#### NOTICE OF INTENTION TO ADOPT OR AMEND A CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the (<u>your agency's name</u>) intends to adopt or amend a conflict-of-interest code pursuant to Government Code Section 87300 and 87306. Pursuant to Government Code Section 87302, the code will designate employees who must disclose certain investments, income, interests in real property, and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

A written comment period has been established commencing on (first day of comment period) and terminating on (last day of comment period). Any interested person may present written comments concerning the proposed code no later than (last day of comment period) to the (your agency's name and address). No public hearing on this matter will be held unless any interested person or his or her representative requests a public hearing no later than 15 days prior to the close of the written comment period.

The (<u>your agency's name</u>) has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposal is based.

(Describe the proposed code or amendment in general terms. Include a concise, clear summary of the provisions of the existing code, if any, which will be affected by the proposed amendments and a summary of how those provisions will be affected by the proposed amendments.)

Copies of the proposed code and all of the information upon which it is based may be obtained from the (<u>your agency's name and address</u>). Any inquiries concerning the proposed code should be directed to (<u>name of agency official and telephone</u> number, email (<u>optional</u>)).

California Fair Political Practices Commission

Page 1 of 1

# How to Amend a Conflict-of-Interest Code

The following are the FPPC's guidelines of the steps necessary to amend a conflict-of-interest code. Additional information may be required depending on the specific amendment. The FPPC's website, <u>www.fppc.ca.gov</u>, has available all of the necessary forms and documents to prepare an amendment. When the code reviewing body is a City Council or Board of Supervisors, contact the local code reviewing body concerning their code amendment procedures.

#### **Non-Substantive Amendments**

- 1. Provide a letter or memorandum describing the positions that have been deleted or renamed.
- 2. Include a copy of the entire code showing the changes in strikeout/underscore format.
- 3. Include a declaration by the chief executive officer.

#### **Substantive Amendments**

- 1. Prepare the proposed amendment using strikeout/underscore format.
- 2. Prepare a Notice of Intention and conduct a public comment period. Multi-county agencies must have a 45-day comment period. Other local agencies must follow the city's or county's requirements. Provide a copy of the notice to:
  - a. Members of the public and to each employee affected by the proposed amendment.
  - b. Multi-county agencies should also forward the notice to the FPPC.
- 3. Submit to the code reviewing body the proposed code amendment in strikeout/underscore format. Multi-county agencies must provide the following:
  - a. A declaration by the Chief Executive Officer
  - b. A summary of any hearing, including the names and addresses of any participants
  - c. Copies of all written comments
  - d. Written justification for all changes
  - e. The most current organizational chart of the agency
  - f. Job descriptions of all positions being added or whose disclosure category is being changed
  - g. Minutes of the last two agency board meetings, if applicable.

#### Example strikeout/underscore format

#### 

California Fair Political Practices Commission

Page 1 of 1



# CALIFORNIA SPECIAL DISTRICTS ASSOCIATION

### **2010 BOARD ELECTIONS**

#### MAIL BALLOT INFORMATION

Dear Member:

A mail ballot has been enclosed for your district's use in voting to elect a representative to the CSDA Board of Directors in Region 6, Seat B. Each of CSDA's six (6) regional divisions has three seats on the Board. Each of the candidates is either a board member or management-level employee of a member district located in your geographic region. Each Regular Member (district) in good standing shall be entitled to vote for one (1) director to represent its region.

We have enclosed the candidate statements for each candidate <u>who</u> <u>submitted one</u>. Please vote for <u>only one</u> candidate to represent your region in Seat B and be sure to sign, date and fill in your member district information (*in some regions, there may only be one candidate*). If any part of the ballot is not complete, the ballot will not be valid and will not be counted.

Please utilize the enclosed return envelope to return the completed ballot. Ballots must be received at the CSDA office at 1112 | Street, Suite 200, Sacramento, CA 95814 by **5:00pm on Friday, August 6, 2010.** 

If you do not use the enclosed envelope, please mail in your ballot to: California Special Districts Association Attn: 2010 Board Elections 1112 | Street, Suite 200 Sacramento, CA 95814

Please contact Diana Zavala toll-free at 877.924.CSDA or dianaz@csda.net with any questions.



# **Board of Directors by Region**

#### **Region 1**

Mark Bryant, Garberville Sanitary District Phil Schoefer, Western Shasta RCD Alan Schoenstein, McCloud CSD

#### **Region 2**

Noelle Mattock, El Dorado Hills CSD Ginger Root, Tuxedo Country Club FPD Pete Kampa, Tuolumne Utilities District

#### **Region 3**

Stanley Caldwell, Mt. View Sanitary District James Kohnen, Alameda County Mosquito AD Sherry Sterrett, Pleasant Hill RPD

#### **Region 4**

Adrienne (Ann) Mathews, Kern County Water Agency Tim Unruh, Kern County Cemetery District No. 1 Vacant

#### **Region 5**

Jim Acosta, Saticoy Sanitary District Jack Curtis, Ojai Valley Sanitary District John Fox, Goleta Sanitary District

#### **Region 6**

Dewey Ausmus, North County Cemetery District Jo MacKenzie, Vista Irrigation District Arlene Schafer, Costa Mesa Sanitary District



**Board of Directors** Arlene Schafer Robert Ooten Gary Monahan Arthur Perry James Ferryman

Staff Scott C. Carroll **General Manager** 

Robin B. Hamers District Engineer (444) 631-1731

Joan Revak Office Manager Clerk of the District

> Ahm R. Burns Legal Counsel

Marcus D. Davis Treasurer

Phone (949) 645-8400 Fax (444) 6511-2253

Address 628 IE 19th Street Costa Mesa, C4 926272716

# Costa Mesa Sanitary District

... an Independent Special District

May 28, 2010

#### TO: CSDA Members – Region 6

It is an honor and pleasure to serve as a CSDA Board member representing you and I submit this statement as a candidate for reelection for Region 6. I possess excellent experience in the role and would like to continue serving you. As an active CSDA Board member, I served as President, Vice President, Treasurer and Secretary on the CSDA Board and with your support and vote I will be able to continue. I served on the Finance Corporation as Vice President and the Legislation Committee. Presently, I am Chair of the Education Committee, Chair of the Annual CSDA Conference in Orange County. I am on the Fiscal Committee and past Membership Recruitment Chair.

I bring a myriad of experience relevant to CSDA, having served the City of Costa Mesa as Mayor, Planning Commissioner, Executive Manager of the Chamber of Commerce, Independent Special Districts of Orange County (ISDOC), President of the Costa Mesa Sanitary District and I serve on the Commission of Orange County LAFCO (former Chair). I serve on WACO and am a presenter at all meetings.

Along with my experience and background necessary to serve on CSDA, I offer my dedication, enthusiasm and solid track record. My attendance is 100%, an accomplishment I feel is extremely important to serving as a good representative. I am fortunate to have time available to be a dependable and reliable member - I believe in balance.

I have the support of my Sanitary District Board of Directors and look forward to your vote and support to enable me to continue in my seat on the CSDA Board. I appreciate your support.

Sincerely,

arlene Schafer

Arlene Schafer President, Costa Mesa Sanitary District Former CSDA President



Protecting our community's health and the environment by providing solid waste and sewer collection services. www.cmsdca.gov



**Vice President Ruthie Harris** 

Vice President Ruthie Harris was elected to Director in November of 2004. Vice President Harris, Re-elected in 2008, is serving her second four-year term with North County Fire Protection District. She was elected to serve as Vice President of the Board for 2006 and 2010 and served as President for 2008.

Vice President Harris is vitally interested in public safety and acted as a liaison between the Fallbrook Chamber of Commerce and North County Fire Protection District during the 2007 Rice Fire in Fallbrook, California, coordinating public inquiries before, during and after the evacuation. She is committed to the communities served by the District and to working with the Special District to ensure that public safety's voice is not forgotten in Sacramento. She is a fiscally conservative public servant, dedicated to protecting community resources.

#### **Background:**

#### Employment:

Restaurant Owner Exec. Administrator Bonsall Chamber of Commerce

#### **Education:**

Covina High School Mt. San Antonio College Palomar College

#### Awards:

Lioness Of The Year Lion Of The Year Small Business Of The Year

#### **Community Service/Other Boards:**

Director Harris has been a Lions/Lioness Club member for 25 years, serving as President for four terms. In addition, she has been a member of the Fallbrook Chamber of Commerce for seven years, serving as committee chair for various committees.

#### Shannon G. Hough Candidate Statement California Special Districts Association Region 6

My name is Shannon Hough and I am a candidate for the California Special Districts Association (CSDA), Board of Directors, Region 6. Believing that Special Districts perform a critical and important, cost-effective role in California, and, having a passion to serve in a more active role on issues that impact us on a state and local level, election to the CSDA would fulfill my strong desire to work with others around the state in order to make the voices of Special Districts heard at the highest levels possible.

I was elected in 2008 to serve on the Rossmoor Community Services District; I currently serve as the President of the RCSD. Initially, I served as the First Vice President of the RCSD and have served on the Budget and Investment Committee as well as the Personnel Committee. I currently serve on the CSDA Special Task Force Committee.

On a professional level, I have worked as a legislative analyst and a budget analyst for the Hawaii State House of Representatives and Senate. I hold a B.A in Government and International Studies with an emphasis in Political Science from USC. I have always worked in local or state government positions and have a strong passion for issues that local governments face in these challenging times.

I believe my experience and leadership provides me the ability to be an effective voice on the CSDA Board of Directors and that I make an excellent candidate for Region 6. I look forward to the opportunity to work and serve with each of you and ask for your vote.



#### Bob Topolovac Vice President, Board of Directors Olivenhain Municipal Water District

"I am honored to have served for the past eleven years as a member of Olivenhain Municipal Water District's Board of Directors. During my tenure, we have demonstrated our commitment to improving local water supplies by completing the Olivenhain Dam & Reservoir, building a 34 MGD membrane water treatment plant, and extensively expanding our recycled water supplies. The areas of my agency's jurisdiction include water distribution and treatment, wastewater collection and treatment, hydroelectricity, and parks and recreation. As such, I am familiar with many different types of special districts and the challenges that we all face. In addition, I serve as a volunteer sheriff on behalf of my community.

Given the state's fiscal crisis, all of California's special districts are facing unprecedented challenges. Dependence on imported water has become costprohibitive, and water agencies MUST continue to pursue environmentally responsible, local alternatives. Wastewater districts face regulatory challenges in connection with both treatment and disposal. Fire districts must find ways to continue their vital emergency services in the face of shrinking budgets. All agencies- be they water, wastewater, fire, cemetery or recreation—are facing financial hurdles in these dire economic times. Further, the state has helped itself to our local property tax revenues, further burdening special districts. For these reasons and many more, I feel it is imperative to funnel our collective efforts, influencing our state agencies in making decisions that are both fiscally responsible and in OUR best interests. I look forward to continuing to be a part of CSDA's past excellence and its tradition of representing special districts. I would be honored to be entrusted with your vote."

Vote Bob Topolovac, the candidate with proven leadership and experience.



ECEIVE JUN 1 6 2010 BY:

#### MEMORANDUM

DATE: June 9, 2010

TO: California Special Districts Association (CSDA) Voting Members

FROM: Mark Bryant, CSDA Board President Neil McCormick, CSDA Executive Director

SUBJECT: Proposed CSDA Bylaws Amendments

The CSDA Elections and Bylaws Committee and the CSDA Board of Directors have approved changes to the CSDA Bylaws (last amended October 2009). The main reason for the proposed change to the bylaws is to redefine CSDA voting members and non-voting associate members. A few other changes have been made as well and are indicated on the attached "Major Amendments Summary."

The current CSDA Bylaws require a majority vote of a quorum of Regular CSDA members. All documents have been placed online for easy access and viewing. The current CSDA bylaws (October 2009), the proposed 2010 Bylaws in mark-up form and an electronic version of the enclosed "Major Amendments Summary."

Once your district has reviewed the proposed updated bylaws, please use the official ballot with prepaid postage to cast your vote via mail. <u>Completed ballots need to be received before</u> <u>Friday, July 30, 2010 at 5:00 pm.</u> An official ballot with return postage is enclosed for your convenience. The results of the Bylaws ballot will be announced in the CSDA E-News and on the CSDA website -- <u>www.csda.net</u>. If approved, the updated bylaws will take effect on August 1, 2010.

If you have any questions or require hard copies of any of any of these documents, you can contact Diana Zavala, Executive Assistant at <u>dianaz@csda.net</u> or 916.442.7887. Thank you for your participation and continued support of CSDA.

California Special Districts Association 1112 | Street, Suite 200 Sacramento, CA 95814 toll-free: 877.924.CSDA (2732) t: 916.442.7887 f: 916.442.7889 www.csda.net

A proud California Special Districts Alliance partner

Special District Risk Management Authority 1112 1 Street, Suite 300 Sacramento, CA 95814 toll-free: 800.537,7790 f: 918.231.4111

CSDA Finance Corporation 1112 I Street, Suite 200 Sacramento, CA 95814 toll-free: 877.924 CSDA (2732) f: 916.442.7889

Page 56 of 62 of the Regular Meeting Agenda



# Proposed 2010 CSDA Bylaws Updates Major Amendments Summary

# **PROPOSED AMENDMENT #1:**

Independent Special District (ISD) is changed to "Regular Voting Member" throughout the bylaws.

# **PROPOSED AMENDMENT #2:**

#### Article II. Membership

CSDA Regular Voting Member and Associate Member definitions were updated. This section was updated in order to clarify that air quality management districts, air pollution control districts, county water agencies or authorities, transit or rapid transit districts, metropolitan water districts, flood control districts and sanitation agencies are voting CSDA members. Associate Member definition was updated to specifically include LAFCOs and Joint Powers Authorities (JPAs).

#### **OLD LANGUAGE:**

#### A. <u>Regular Voting Members:</u>

Shall be those ISDs given authority to perform, under California law, governmental or proprietary functions within limited boundaries. ISDs do not include the state, city, county, school districts or any entity not defined as an ISD under state law. ISD members have voting privileges and may hold seats on the Board of Directors.

#### B. Associate Non-Voting Members:

Shall be those organizations such as dependent districts, joint power authorities, cities, mutual water companies, improvement associations, and those entities who are not defined as ISDs under California law. Associate members have no voting privileges and may not hold a seat on the Board of Directors.

#### **NEW LANGUAGE:**

#### A. <u>Regular Voting Members:</u>

Regular voting members shall be any public agency formed pursuant to either general law or special act for the local performance of governmental and/or proprietary functions within limited boundaries, and which meets any one of the following criteria:

California Special Districts Association (CSDA) Proposed 2010 Bylaws Updates 1

- 1. Meets the definition of "independent special district" set forth in Government Code Section 56044 by having a legislative body all of whose members are elected, or which members are appointed to fixed terms; or
- 2. A public agency whose legislative body is composed of representatives of two or more other public agencies. Such representatives may be either members of the legislative body or designated employees of such other public agencies. Public agencies which qualify as regular members pursuant to these criteria include, but are not limited to the following public agencies: (a) air quality management districts; (b) air pollution control districts; (c) county water agencies or authorities; (d) transit or rapid transit districts, or transportation authorities; (e) metropolitan water districts; (f) flood control and/or water conservation districts; (g) sanitation agencies.

Regular voting members do not include the state, cities, counties, school districts, community college districts, dependent districts, or joint powers authorities. Dependent districts are defined as those special districts whose legislative body is composed exclusively of members of a Board of Supervisors of a single county or city council of a single city, LAFCOs, joint powers authorities or the appointees of such legislative bodies with no fixed terms.

Regular voting members have voting privileges and may hold seats on the Board of Directors.

#### B. Associate Non-Voting Members:

Shall be those organizations such as dependent districts, cities, mutual water companies, and those public agencies that do not satisfy the criteria for regular voting membership specified in Section A above.

Associate members have no voting privileges and may not hold a seat on the Board of Directors.

# **PROPOSED AMENDMENT #3:**

#### Article II. Section 4, A: Voting Designee

This section was updated to state that voting members must be "in good standing."

#### **OLD LANGUAGE:**

#### A. Voting Designee:

In accordance with these Bylaws, only ISD members who hold regular member status may have voting privileges. The governing body of each ISD shall designate by resolution, one representative from their respective district who shall have the authority to exercise the right of the ISD to vote. Such voting designee shall be a Board member or managerial employee of the member ISD. Each member ISD shall file such resolution with CSDA.

#### **NEW LANGUAGE:**

#### A. Voting Designee:

In accordance with these Bylaws, only regular voting members in good standing shall have voting privileges. The governing body of each regular voting member shall designate by resolution, one representative from their respective district who shall have the authority to exercise the right of the regular voting member to vote. Such voting designee shall be a Board member or managerial employee of the member regular voting member. Each regular voting member shall file such resolution with CSDA.

#### PROPOSED AMENDMENT #4:

#### Article III, Section 2: Term of Office:

This section updates the date that newly elected CSDA Directors take office. Currently, the new Directors take their seat at the CSDA Annual Conference in September. This update would have new directors as "directors-elect" until January 1 and they would take their seat at that time. New Board Officers are currently selected at the Annual Conference and take office immediately. This also updates them to "officers-elect" until January 1 of the following year. These updates bring all of CSDA to a calendar year – committees, budget, officers, directors, etc.

#### OLD LANGUAGE:

#### Section 2 Term of Office:

Directors elected from each of the six (6) regions shall hold staggered three (3) year terms. After the annual election of directors, a meeting of the Board shall be held. The term of office of the newly elected persons shall commence upon being ratified and seated by the Board of Directors, and shall terminate in three (3) years when their successors take office or are appointed and qualified.

#### **NEW LANGUAGE:**

#### Section 2 Term of Office:

Directors elected from each of the six (6) regions shall hold staggered three (3) year terms. After the annual election of directors, a meeting of the Board shall be held to ratify the election results. The term of office of the newly elected persons shall commence on the following January 1 and shall terminate in three (3) years.

# **PROPOSED AMENDMENT #5**

#### Article III, Section 4: Balloting and Election:

This adds "Staff will execute a proof of service certifying the date upon which all regular voting members of each region were mailed a ballot." It also consolidates Section A and B into one.

#### **OLD LANGUAGE:**

#### B. **Balloting**:

After the nomination period for directors is closed, a mailed ballot specifying the certified nominees in each region shall be distributed to each ISD regular member in good standing by first class mail. Each such regular member in each region shall be entitled to vote for each of that region's open seats on the Board.

The ballot shall contain all nominations accepted and approved by CSDA. A certified affidavit from the Elections & Bylaws Committee will be included, stating all current ISD members in each region were sent a mail ballot.

#### C. Election:

ISD members will be entitled to cast one vote for each of the open seats of directors in their region for which nominations have been accepted and approved by CSDA.

Ballots shall be returned by mail to the principal business address of CSDA prior to the close of business (5 pm) on the designated election date, which shall be at least forty-five (45) days prior to the annual business meeting of the members held at the Annual Conference. Ballots received after the specified date shall not be counted.

All ballots shall remain sealed until opened in the presence of the Election and Bylaws Committee chairperson or his/her designee.

#### **NEW LANGUAGE:**

#### B. Balloting and Election:

After the nomination period for directors is closed, a mailed ballot specifying the certified nominees in each region shall be distributed to each regular voting member in good standing by first class mail. Each such regular member in each region shall be entitled to cast one vote for each of that region's open seats on the Board.

The ballot for each region shall contain all eligible nominees. Staff will execute a Proof of Service certifying the date upon which all regular voting members of each region were mailed a mail ballot.

Ballots shall be returned by mail to the principal business address of CSDA prior to the close of business (5 pm) on the designated election date, which shall be at least forty-five (45) days prior to the annual business meeting of the members held at the Annual Conference. Ballots received after the specified date shall not be counted.

All ballots shall remain sealed until opened in the presence of the Election and Bylaws Committee chairperson or his/her designee.

# **PROPOSED AMENDMENT #6:**

#### Article III, Section 7: Director Disgualification:

Adds the following paragraph: "Any officer or director may resign at any time by giving written notice to the President or Executive Director. Any such resignation shall take effect at the date of the receipt of such notice or at any time specified therein."

#### OLD LANGUAGE:

#### Section 7. Director Disgualification:

A director shall become disqualified from further service upon the occurrence of the following:

A director's ISD is no longer a member of the CSDA; a director is no longer a Board member or an employee of a member ISD; and/or a director shall resign.

A. The position of a director may be declared vacant by a majority vote of the CSDA Board of Directors when a director shall fail to attend three (3) consecutive meetings of the Board, without prior notice to the Board President.

#### **NEW LANGUAGE:**

#### Section 7. Director Disgualification:

A director shall become disqualified from further service upon the occurrence of the Following:

A director's voting member district is no longer a member of the CSDA; a director is no longer a Board member or an employee of a regular voting member; and/or a director shall resign.

Any officer or director may resign at any time by giving written notice to the President or Executive Director. Any such resignation shall take effect at the date of the receipt of such notice or at any time specified therein.

A. The position of a director may be declared vacant by a majority vote of the CSDA Board of Directors when a director shall fail to attend three (3) consecutive meetings of the Board, without prior notice to the Board President.

# **PROPOSED AMENDMENT #7:**

# Article VI, Section 4: Standing Committees:

The Audit Committee is a standing committee of CSDA and was inadvertently left off of the last bylaws update. Therefore, the Audit committee is added including language defining the committee's responsibilities.

#### **NEW LANGUAGE:**

#### I. Audit Committee:

The Audit Committee is responsible for maintaining and updating internal controls. The Committee selects the Auditor for Board approval and provides guidance to the auditors on possible audit and fraud risks. The Committee reviews the audit and management letter and makes recommendation to the Board for action.

All other changes shown in the proposed 2010 Bylaws are grammatical and/or changes making the Bylaws reflect CSDA's current policy (i.e. Past President is an officer, Legislative Committee serves the Legislative Department (we now have three advocates), etc.

You can access the full 2009 bylaws; the 2010 proposed bylaws revisions; this "Major Amendments Summary" page and a sample resolution at <u>bylaws.csda.net</u>.

Contact:

Diana Zavala, Executive Assistant California Special Districts Association 1112 I Street, Suite 200 Sacramento, CA 95814 (916) 442-7887 dianaz@csda.net