

**RECORD OF THE MINUTES OF THE
REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
BEAUMONT CHERRY VALLEY WATER DISTRICT
May 11, 2011**

CALL TO ORDER, PRESIDENT BALL

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

PLEDGE OF ALLEGIANCE, DIRECTOR EARHART

Director Earhart led the pledge.

INVOCATION, DIRECTOR ROSS

Director Ross recited an invocation.

ROLL CALL, BLANCA MARIN

Those responding to roll call were President Ball and Directors Earhart Guldseth and Ross. Vice President Woll was absent at this meeting. Also present at this meeting were General Counsel Gil Granito, Interim General Manager Anthony Lara, Executive Assistant Blanca Marin and Superintendant Knute Dahlstrom.

Public Present:

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|------------------|----------------|
| Patsy Reeley | Bill Dickson |
| Frances Flanders | Ray Morris |
| Niki Magee | David Castaldo |
| Barbara Voigt | Barbara Brown |

PUBLIC INPUT

No public input presented at this time.

ACTION ITEMS

1. ADOPTION OF THE AGENDA

Director Earhart moved to adopt the agenda as presented. Director Guldseth seconded. The motion passed with Vice President Woll absent.

2. CONSENT CALENDAR: Matters listed in the Consent Calendar are considered to be routine and will be approved by one motion as recommended. There will be no separate discussion unless Board or Staff Member request separate discussion prior to approval.

- a. April 2011 Bills for Consideration**
- b. April 2011 Invoices Pending Approval**
- c. March 2011 Month End Financial Statement**
- d. Minutes of the Regular Meeting of April 13, 2011**
- e. Minutes of the Special Meeting of April 28, 2011**

Director Ross moved to approve the Consent Calendar as presented. Director Earhart seconded. The motion passed with Vice President Woll absent.

**3. APPROVAL OF PURCHASE OF SURPLUS WATER FROM SOUTH MESA
MUTUAL WATER COMPANY****

Director Ross invited Patsy Reeley to address the Board on this item. Mrs. Reeley requested that the Board take into consideration that the purchase of water is "not wet water".

Interim General Manager Anthony Lara provided a brief report on this item indicating that the District needs to purchase all water available.

Director Guldseth moved to approve the purchase of surplus water from South Mesa Mutual Water Company. Director Earhart seconded. The motion passed with Vice President Woll absent.

4. REPORTS FOR DISCUSSION AND POSSIBLE ACTION

(a) Ad hoc Committees – President Ball reported that he, along with Director Ross, as a new ad hoc committee met with officials from the City of Beaumont regarding disaster preparedness. He further recommended that Staff and other board members become involved in these types of meetings related to disasters in order to be better prepared to assist people in case of natural disasters. He indicated that the City of Beaumont will host some of these trainings in the next months.

(b) General Manager

- Presentation on Preliminary Imported Water Allocation Concepts- Lara provided a slide show on this item and he further answered questions from the Board.
- Proposed dates for June meetings- Lara requested that the next Finance & Audit and Regular Board Meetings for June be changed due to the Memorial Day holiday.

(c) Directors

- Dr. Blair Ball- None
- James Earhart- None
- John Guldseth-None
- Ken Ross-None
- Ryan Woll-Absent

(d) Legal Counsel- General Counsel Granito provided a report on assembly bills AB34 and AB457

5. ANNOUNCEMENTS

A) The District will be closed on May 30, 2011 for Memorial Day

B) Finance & Audit Meeting, June 9, 2011 at 2:00 p.m.

C) Regular Board Meeting, June 15, 2011 at 7:00 p.m.

6. ACTION LIST

- **LARA-** Contact ACWA on information regarding AB34
- **MARIN-**Complete calendar of events for Board of Directors

7. CLOSED SESSIONS- (THREE MATTERS)

President Ball adjourned the meeting into Closed Session at 7:45p.m.

A. A Closed Session will be held to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9 (Re: Joseph Scott vs Beaumont Cherry Valley Water District, Superior Court of California, County of Riverside, Case No. RIC 10021518)

- B. A Closed Session will be held to confer with Legal Counsel pursuant to subdivision (c) of Government Code Section 54956.9 during which time, based on existing facts and circumstances, the Board will review and confirm its decision to initiate litigation against Richard L. Schaffner For Failure to Comply With Judgment re Case No. RIC 436913 (Beaumont Cherry Valley Water District vs. Richard L. Schaffner, Superior Court of California, County of Riverside)**
- C. A Closed Session will be held to pursuant to Government Code Section 54957 to continue discussion concerning the recruitment/appointment to the General Manager position.**

8. OPEN SESSION REPORT ON CLOSED SESSION

President Ball reconvened the meeting to open session at 8:22 p.m.

General Counsel Gil Granito reported that the board did go into Closed Session as agendized in the agenda at approximately 7:45 p.m. During Closed Session Item 7A was held to confer with Legal Counsel on a matter pursuant to subdivision (a) of Government Code Section 54956.9, Joseph Scott vs Beaumont Cherry Valley Water District, Superior Court of California, County of Riverside, case No. RIC 10021518. There was no further reportable action.

General Counsel Gil Granito further reported that Item 7B was also held in Closed Session pursuant to subdivision (c) of Government Code Section 54956.9. During Closed Session the Board reviewed and confirmed initiation of litigation against Richard L. Schaffner for failure to comply with Judgment regarding Case No. 436913.

General Counsel Gil Granito lastly reported that Item 7C was also held in Closed Session pursuant to Government Code Section 54957 to continue discussions concerning the recruitment/appointment to the General Manager's position. There was no further reportable action.

9. ADJOURNMENT


Director Earhart moved to adjourn the meeting. Director Ross seconded. The motion passed with Director Woll absent.

President Ball adjourned the meeting at 8:25pm.



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

Attest:



Kenneth Ross, Secretary to the
Board of Directors of the
Beaumont Cherry Valley Water District