

RESOLUTION NO. 2007-02

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT
CALLING FOR AN ALL-MAILED BALLOT ELECTION
TO BE HELD IN THE ENTIRE PORTION OF THE DISTRICT'S BOUNDARIES
LOCATED WITHIN RIVERSIDE COUNTY FOR THE PURPOSE
OF DETERMINING WHETHER OR NOT THE DISTRICT
SHOULD PROVIDE FOR SEWAGE DISPOSAL SERVICE**

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RIVERSIDE LOCAL AGENTS
FORMATION COMMISSION

WHEREAS, the Beaumont-Cherry Valley Water District is a public agency duly formed and operating under the Irrigation District Law set forth in the California Water Code Section 20500 et seq.; and

WHEREAS, the Beaumont-Cherry Valley Water District is currently empowered to provide water service to its customers but not sanitation services; and

WHEREAS, the Beaumont-Cherry Valley Water District's water supply is composed solely of groundwater serving the Cherry Valley Community of Interest, The City of Beaumont, a portion of the City of Calimesa and other unincorporated areas of Riverside and San Bernardino Counties and

WHEREAS, the San Timoteo Watershed Management Authority has commissioned a groundwater study at the Beaumont Cherry Valley Water District's suggestion which has determined that effluent from on-site waste disposal systems is contaminating the District's groundwater supply; and

WHEREAS, the Board of Directors of the Beaumont-Cherry Valley Water District has determined that in furtherance of protecting and preserving the quality of the District's groundwater supply, it is in the best interest of the District to secure statutory powers and authority to render sewage disposal services throughout the entire portion of the District's boundaries which is located within Riverside County; and

WHEREAS, in furtherance of securing the necessary powers and authority to provide sewage disposal services, and to acquire and/or construct sewage disposal facilities, the District must first obtain voter approval by a majority of the votes cast on the matter as provided by California Water Code Section 22170.

WHEREAS, in the judgment of the Board of Directors of the Beaumont-Cherry Valley Water District it will serve the best interest of the District to call for an all-mail ballot election in the entire portion of the District's boundaries which is located within Riverside County and to submit to the electors of the District residing in Riverside

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WHEREAS, the San Timoteo Watershed Management Authority has commissioned a groundwater study at the Beaumont Cherry Valley Water District's suggestion which has determined that effluent from on-site waste disposal systems is contaminating the District's groundwater supply; and

WHEREAS, the Board of Directors of the Beaumont-Cherry Valley Water District has determined that in furtherance of protecting and preserving the quality of the District's groundwater supply, it is in the best interest of the District to secure statutory powers and authority to render sewage disposal services throughout the entire portion of the District's boundaries which is located within Riverside County; and

WHEREAS, in furtherance of securing the necessary powers and authority to provide sewage disposal services, and to acquire and/or construct sewage disposal facilities, the District must first obtain voter approval by a majority of the votes cast on the matter as provided by California Water Code Section 22170.

WHEREAS, in the judgment of the Board of Directors of the Beaumont-Cherry Valley Water District it will serve the best interest of the District to call for an all-mail ballot election in the entire portion of the District's boundaries which is located within Riverside County and to submit to the electors of the District residing in Riverside

County, the question of whether or not the District should acquire the authority to provide sewage disposal service.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors (the "Board") of the Beaumont-Cherry Valley Water District (the "District") as follows:

Section 1. Recitals. The Board hereby finds that the above recitals are true and correct in all material respects.

Section 2. Call for Election. The Board hereby calls and orders an election to be held throughout the entire portion of the District's boundaries which are located within Riverside County.

Section 3. Election Date. The Board hereby calls and orders an all-mail ballot election for Tuesday, September 25, 2007, to be held within the entire portion of the District's boundaries which are located within Riverside County in accordance with California Elections Code Section 4108.

Section 4. Purpose of Election; Ballot Proposal; Passage. The purpose of the election shall be for the qualified resident voters in the District who reside in Riverside County to vote on a ballot proposal (the "Proposal") containing the following question as provided for in California Water Code Section 22171:

"Shall the Beaumont-Cherry Valley Water District provide for sewage disposal, or acquire existing sewage disposal facilities, within that portion of the district, and in the manner, set forth in the proposed application to the Riverside County Local Agency Formation Commission, dated June 12, 2007, a copy of which application is on file in the office of the district."

The Proposal shall pass if a majority of the votes cast on the Proposal are "Yes".

Section 5. Request for All-Mail Ballot; Costs.

(a) The District requests that the Riverside County Registrar of Voters take all steps necessary to hold the election by all-mail ballot pursuant to Division 4 (commencing with Section 4000) of the California Elections Code.

(b) The District hereby agrees to reimburse Riverside County for actual costs incurred by it for the District election, as set forth in the current election cost allocation procedures of Riverside County.

Section 6. Delivery of this Resolution. The Secretary of the District or his designee is hereby directed to fax a copy of this Resolution to the Riverside County Registrar of Voters (fax number 951-486-7272) attention Rebecca Martine, Chief Deputy Registrar of Voters and file (or cause to be filed) a certified copy of this Resolution no later than the close of business on June 22, 2007, with the Riverside County Registrar of Voters. In addition, the Secretary of the District or his designee is hereby directed to file

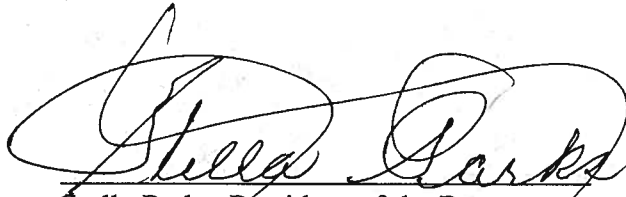
a certified copy of this Resolution no later than the close of business on June 22, 2007 with the Executive Officer of the Riverside County Local Agencies Formation Commission.

Section 7. Further Authorization. The Secretary of the District or his designee is hereby authorized and directed, subject for the Board of Director's approval for and on behalf of the District, to act as an author of any legally permissible ballot argument prepared in connection with the election, including a rebuttal argument. The Secretary of the District or his designee is authorized and directed, for and on behalf of the District, to execute any and all documents, and perform any and all acts necessary or proper to place the Proposal on the ballot or otherwise effectuate the purpose of this Resolution.

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption.


ADOPTED AND APPROVED at a Regular Meeting of the Board of Directors of the Beaumont-Cherry Valley Water District held on the 13th day of June, 2007, by the following vote:

AYES: PARKS, LASH, CHATIGNY, DOPP
NAYES: BALL
ABSTAIN: NONE



Stella Parks, President of the Beaumont-Cherry Valley Water District and the Board of Directors thereof.

ATTEST



C. J. Butcher, Secretary to the Beaumont-Cherry Valley Water District and the Board of Directors thereof.