



**BEAUMONT-CHERRY VALLEY WATER DISTRICT  
AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
560 Magnolia Avenue, Beaumont, CA 92223  
Wednesday, December 10<sup>th</sup>, 2014  
Regular Session 7:00 p.m.**

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**Swearing in of New Directors: Covington and Hoffman**

*Director Slawson swore in new Directors Covington and Hoffman.*

**Call to Order, Vice President Ross**

*Vice President Ross began the meeting at 7:01 p.m.*

**Pledge of Allegiance, Director Slawson**

*Director Slawson led the pledge.*

**Invocation, Vice President Ross**

*Vice President Ross led the invocation.*

**Roll Call**

*Present at the meeting were Vice President Ross, Directors Slawson, Cottrell, Hoffman and Covington. Legal Counsel: James Markman. District Staff: General Manager: Eric Fraser, Director of Operations: Anthony Lara and Director of Engineering: Dan Jagers. Public that registered their attendance were John M Halliwill, Patsy Reeley, Barbara Brown, Fran Flanders and Pam Lindgren.*

**Public Comment**

*Patsy Reeley commented on the Agenda not being posted at the District office 72 hours prior to the Board meeting per the Brown Act. General Manager Fraser responded that the agenda and packets had been posted as usual the prior week including posting to the District website and being sent by e-mail to the list of interested parties, and once office staff was notified that the agenda missing from the office window, it was replaced immediately.*

*Mark Orozco congratulated the new Board member appointments and wanted to introduce himself as a newly appointed Beaumont City Council member. He invited the Board members to contact him as he would like to work together with the District in moving forward with the City.*

**ACTION ITEMS**

**1. Adjustments to the Agenda**

*General Manager Fraser advised the Board that there were no changes to the Agenda.*

**2. Reorganization of the Board of Directors (page 4)**

- Nomination and Election of the President  
*Director Cottrell nominated Director Ross for President. Director Slawson seconded the motion and passed 5-0.*
- Nomination and Election of the Vice President  
*President Ross nominated Director Cottrell for Vice President. Director Hoffman seconded the motion and passed 5-0.*
- Nomination and Election of the District Treasurer  
*President Ross nominated Director Covington for Treasurer. Director Slawson seconded the motion and passed 5-0.*
- Nomination and Election of the District Secretary  
*Director Cottrell nominated Director Slawson for Secretary. President Ross seconded the motion and passed 5-0.*
- Appointment of the Personnel Committee  
*President Ross appointed Director Covington and Director Cottrell to the Personnel Committee.*
- Appointment of the Finance & Audit Committee  
*President Ross appointed Director Hoffman to join him for the Finance & Audit Committee.*

**3. Consent Calendar:** All matters listed under the Consent Calendar are considered by the Board of Directors to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion unless members of the Board, the administrative staff, or the public request specific items to be discussed and/or removed from the Consent Calendar.

- a. October 2014 Budget Variance Report Review\*\* (pages 5-9)
- b. October 31<sup>st</sup>, 2014 Cash/Investment Balance Report\*\* (page 10)
- c. November 2014 Check Register Review\*\* (pages 11-25)
- d. November 2014 Invoices Pending Approval\*\* (pages 26-30)
- e. Minutes of the Special Meeting November 5<sup>th</sup>, 2014\*\* (pages 31-32)
- f. Minutes of the Regular Meeting November 12<sup>th</sup>, 2014\*\* (pages 33-35)
- g. Minutes of the Special Meeting December 1<sup>st</sup>, 2014\*\* (pages 36-37)

*Director Covington requested item 2g be pulled for discussion.*

*Director Slawson motioned to approve items 2a through 2f of the consent calendar. The motion was seconded by Director Covington and passed 5-0.*

*Director Covington requested that item 2g, on page 37 on the last paragraph include the Board actions. General Manager Fraser verified that the resolutions had been motioned for approval by Director Ross, and were seconded by Director Slawson and suggested the minutes reflect those actions. General Manager Fraser also noted that the sequence numbers on the resolutions had been corrected by staff. Director Covington motioned to approve the minutes as amended. The motion was seconded by Director Hoffman and passed 5-0.*

**4. Consider Authorization for As-Needed Professional Services Related to CAD Drafting, Scanning, GIS Technician, and Record Drawing Scanning by Nobel Systems not to exceed \$30,000\*\*(pages 38-40)**

*General Manager Fraser presented the request for the established vendor to expand on existing drawing sets in order for the District to continue its modeling and documentation efforts for a final amended master plan. The maps provided would be complimentary to the existing GIS database currently in place and would assist in the development of the master plan and the recycled water master plan. Additional information was provided by Director of Engineering Jagers in regards to the funding for the plans being sufficient for the work required. Director Slawson motioned to approve the authorization for services by Nobel Systems. The motion was seconded by Director Cottrell and passed 5-0.*

**5. Consideration of Request for updated "Will Serve Letter" for Ongoing Development within K Hovnanian Homes - Four Seasons at Beaumont Development (Tract 33096-5) \*\*(pages 41-61)**

**Public Comment**

*Patsy Reeley commented that "Will Serve Letters" should maintain their current deadline as it is reasonable and should not be renewed. She expressed concern with these letters becoming at-will requests as developers anticipate projects in the future. She also suggested that Director Covington excuse himself from discussion items pertaining to recycled water as there are some concerns with overlying rights and discussions between the City of Beaumont and the property held by the Morongo Band of Cahuilla Mission Indians. Legal Counsel Markman addressed the concern with Director Covington explaining that, as the City discussions are referenced not as a direct agenda item but for background, Director Covington did not need to remove himself from the discussion at this time.*

*John M. Halliwill expressed concerns regarding the references to the City of Beaumont and their potential recycled water program with the Morongo Band of Cahuilla Mission Indians and requested that the agenda be amended to separate that item for discussion. General Manager Fraser addressed the request explaining that the references were included as the previously tabled item was based on the availability of recycled water and was directly related.*

*General Manager Fraser presented the request as the project has been a continuous development where infrastructure has been put in place and where the density as a whole has already been included in the urban water management plan with all planned demands being included in facility assessments. Legal Counsel Markman further explained that sections 2a and 2b of Resolution 2014-05 allowed for exemptions for projects that had established Will Serve Letters and had invested in the infrastructure and District facilities. He explained how the City, County, and State have kept these tracts active and preserved the right of the developers to finish the projects and reminded the Board that denying the Will Serve Letters could encourage lawsuits for inverse condemnation.*

*President Ross commented that, as the community has been requested to conserve water by the state, the developers should also respond in a like-minded way until after the drought. Director Covington requested the Board members obtain a copy of the Will Serve Letter to see the details that are involved and*

*asked for clarification on the recycled water aspect of all Will Serve Letters. Director Cottrell voiced concerns of burdening rate payers with lawsuits and clarification on limits to new Will Serve Letters.*

*After discussion, President Ross motioned to table the request until after a closed session with the new Directors takes place to discuss the exposure to potential litigation. The motion was seconded by Director Covington and passed 4-1 with Director Slawson dissenting.*

## **6. Reports For Discussion**

### **a. Ad Hoc Committees**

*No reports were made.*

### **b. General Manager**

*General Manager Fraser thanked staff for their continued efforts in maintaining the diversions in the Edgar Canyon area. All of the water from the last storm event was captured and fed into the recharge facilities. Staff continues to prepare for the upcoming storm events.*

### **c. Directors Reports**

*No reports were made.*

### **d. Legal Counsel Report**

*No reports were made.*

## **7. Announcements**

- District Offices will be closed on December 25<sup>th</sup>, 2014 in observance of Christmas Day.
- District Offices will be closed on January 1<sup>st</sup>, 2015 in observance of the New Year
- Finance & Audit Committee meeting, January 8<sup>th</sup>, 2015 at 3:00 p.m.
- Regular Board meeting, January 14<sup>th</sup>, 2015 at 7:00 p.m.

*President Ross made the announcements above.*

## **8. Action List for Future Meetings**

- Schedule a workshop to discuss the landscape for the Noble Creek Recharge Phase II Project with the public
- Update the Board on Infosend after one year
- Solar System Update
- Grand Avenue Storm Water Capture Project

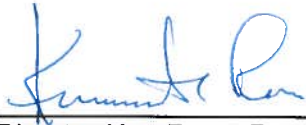
*General Manager Fraser presented the request for an extended tour of the District facilities for new Board members, as well as the public. After discussion, the consensus was for a Special Meeting Tour on January 19, 2015.*

## **9. Adjournment**

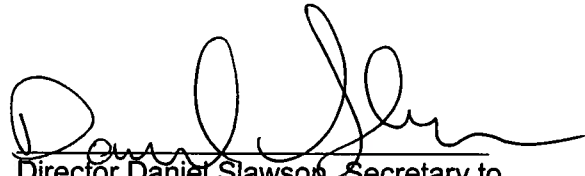
*President Ross adjourned the meeting at 8:08 p.m.*

**\*\* Information included in the agenda packet**

**Attest:**



\_\_\_\_\_  
Director Ken Ross, President  
of the Board of Directors of the  
Beaumont-Cherry Valley Water District



\_\_\_\_\_  
Director Daniel Slawson, Secretary to  
the Board of Directors of the  
Beaumont-Cherry Valley Water District

**\*\* Information included in the agenda packet**