



BEAUMONT-CHERRY VALLEY WATER DISTRICT
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS**

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq. and
under the provisions of Assembly Bill 361 and BCVWD Resolution 2021-21*

Wednesday, December 8, 2021 - 6:00 p.m.
560 Magnolia Avenue, Beaumont, CA 92223

COVID-19 NOTICE

This meeting of the Board of Directors is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards and the California Department of Public Health Recommendations

- **Face coverings are mandatory for unvaccinated persons and must be properly worn over the nose and mouth at all times**
- **Face coverings are recommended for fully vaccinated persons indoors**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**
- **There will be no access to restrooms in the building**

TELECONFERENCE NOTICE

*The BCVWD Board of Directors will attend in person at the BCVWD Administrative Office **and/or** via Zoom Video Conference*

To access the Zoom conference, use the link below:

<https://us02web.zoom.us/j/84318559070?pwd=SXlzMFZCMGh0YTFIL2tnUGlpU3h0UT09>

*To telephone in, please dial: **(669) 900-9128***

*Enter Meeting ID: **843 1855 9070***

*Enter Passcode: **113552***

*For Public Comment, use the **“Raise Hand”** feature if on the video call when prompted, if dialing in, please **dial *9 to “Raise Hand”** when prompted*

Meeting materials are available on the BCVWD’s website:

<https://bcvwd.org/document-category/regular-board-agendas/>

Call to Order: President Slawson

Roll Call - Board of Directors

Pledge of Allegiance: Director Williams

Invocation: President Slawson

Teleconference Verification

Roll Call

Public Comment

	President Daniel Slawson
	Vice President Lona Williams
	Secretary Andy Ramirez
	Treasurer David Hoffman
	Member John Covington

PUBLIC COMMENT: RAISE HAND OR PRESS *9 to request to speak when prompted

At this time, any person may address the Board of Directors on matters within its jurisdiction. However, state law prohibits the Board from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

ACTION ITEMS

Action may be taken on any item on the agenda. Information on the following items is included in the full Agenda Packet.

1. Adjustments to the Agenda: In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.

- a. Item(s) to be removed or continued from the Agenda
- b. Emergency Item(s) to be added to the Agenda
- c. Changes to the order of the agenda

2. 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) Review of the October 2021 Budget Variance Reports (pages 6 - 10)
- b) Review of the October 31, 2021 Cash/Investment Balance Report (page 11)
- c) Review of Check Register for the Month of November 2021 (pages 12 - 30)
- d) Review of November 2021 Invoices Pending Approval (pages 31 - 32)
- e) Minutes of the Regular Meeting of November 10, 2021 (pages 33 - 40)
- f) Minutes of the Regular Meeting of November 22, 2021 (pages 41 - 47)
- g) Resolution 2021-__ Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same (pages 48 - 50)

3. Recognition of Leadership Academy Graduates

4. Presentation: Keenan and Associates: CalPERS Breakout Study

5. **Draft BCVWD Fiscal Year 2022 Operating & Capital Improvement Budget Preliminary Finances and 2021 Carryovers** (pages 51 - 170)
6. **Consideration of Award of Contract for Well 23 – Well and Well Pumping Unit Rehabilitation and Repair and Authorization of Additional Motor Repair or Replacement** (pages 171 - 174)
7. **Resolution 2021-__ Amending Policies and Procedures Manual Part II Section 5: Policy 4025 Board Meetings and Section 6C Director Requests Regarding Addition of Items to Agenda** (pages 175 - 186)
8. **Continued Review of California Drought Conditions, District Urban Water Management Plan Drought Restrictions and BCVWD Resolution 2014-05 Regarding Issuance of Will-Serve Letters and Other Drought Response** (pages 187 - 230)
9. **Status of Local Emergency regarding the Impact of the Respiratory Illness Pandemic COVID-19 pursuant to Resolution 2020-07** (Report due every 21 days) (No written Staff Report)
10. **Status of Declared Local Emergencies related to Fires**
 - a. **Impact of the Apple Fire pursuant to Resolution 2020-17** (No Staff Report)
 - b. **Impact of the El Dorado Fire pursuant to Resolution 2020-20** (No Staff Report)
11. **Reports For Discussion**
 - a. Ad Hoc Committees
 - i. Communications
 - ii. Sites Reservoir
 - iii. Water Re-Use 2x2
 - b. Directors' Reports

In compliance with Government Code § 53232.3(d), Water Code § 20201, and BCVWD Policies and Procedures Manual Part II Policies 4060 and 4065 directors claiming a per diem and/or expense reimbursement (regardless of pre-approval status) will provide a brief report following attendance.

 - ACWA Fall Conference – Nov. 30 – Dec. 3 – Directors Covington, Ramirez, Williams, and President Slawson
 - CSDA webinar: The Great Board Chair – Dec. 7, 2021 – Directors Ramirez and Williams, and President Slawson
 - c. Directors' General Comments
 - d. General Manager's Report
 - e. Legal Counsel Report
12. **Action List for Future Meetings**
 - Water supply for BCVWD and the region
 - Matrix for delivery of recycled water
 - Legal Counsel report on changes in Proposition 218
 - Legal update on drought conditions in the west

- Maintenance costs at 800-hp well sites

13. Announcements

Pursuant to the provisions of AB 361, BCVWD Board and Committee meetings may be held via Teleconference only. Meetings listed below will be held both in-person at the BCVWD Administrative Office AND via Zoom teleconference unless otherwise indicated below:

- Personnel Committee Meeting: Monday, Dec. 20, 2021 at 5:30 p.m.
- Engineering Workshop: Tuesday, Dec. 21, 2021 at 6 p.m. (Note date change due to holiday)
- District offices will be closed Thursday, Dec. 23 in observance of Christmas Day
- District offices will be closed Thursday, Dec. 30 in observance of New Year's Day
- Collaborative Agencies Meeting: Wednesday, Jan. 5, 2022 at 5:30 p.m.
In-person or teleconference TBD.
- Finance and Audit Committee Meeting: Thursday, Jan. 6, 2022 at 3 p.m.
Open to the public in the Conference Room at the BCVWD Administration Building
- Regular Board Meeting: Wednesday, Jan. 12, 2022 at 6 p.m.

14. Closed Session

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54947
Title: General Manager

15. Report on Closed Session

16. Consideration and Possible Action Regarding Proposed Changes to Contract, Salary, and / or Fringe Benefits of General Manager

17. Adjournment

NOTICES

AVAILABILITY OF AGENDA MATERIALS - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available on the District website at the same time as they are distributed to Board Members: website: www.bcvwd.org.

REVISIONS TO THE AGENDA - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Board Meeting.

REQUIREMENTS RE: DISABLED ACCESS - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at info@bcvwd.org or in writing to the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

CERTIFICATION OF POSTING

A copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).



**Beaumont-Cherry Valley Water District
Regular Board Meeting
December 8, 2021**

Item 7

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Resolution 2021-__ Amending Policies and Procedures Manual Part II
Section 5: Policy 4025 Board Meetings and Section 6C Director Requests
Regarding Addition of Items to Agenda

Staff Recommendation

Adopt Resolution 2021-__: Amending the District's Policies and Procedures Manual Part II Section 5 Board Meetings and Section 6 Board Meeting Agendas.

Background

The Board requested staff to present an option for consideration of a policy on rotation of officers. At the November 10, 2021 and November 22, 2021 Regular Meetings, the Board discussed components of the policy, and directed staff regarding the revisions.

In addition, District legal counsel James Markman advised the Board to include a policy regarding the addition of items to the agenda.

Summary

To be effective for the 2022 term, the Board should adopt a policy on or before the December 21, 2021 regular meeting and the election of officers.

Rotation Policy – Attachments 1A and 1B

The District's current Policies and Procedures Manual, Part II, Section 5 would be amended and renumbered as Policy 4025. A redline version of the proposed new policy language with comparison to the original policy language is attached as Attachment 1A.

The current portion of the policy proposed to be substantially amended reads:

Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President, Vice President, Secretary and Treasurer from among its members to serve during the coming calendar year, and will appoint a staff member recommended by the General Manager as the Board's Recording Secretary.

For Board consideration: Staff notes there are three sections of the proposed Policy 4025 remaining in question (highlighted on Attachment 1B in **bold**) and requests clarification from the Board:



- Section 4025.4 (4)

In the event that two or more Board members are appointed at the same time, the newly appointed Board members will be placed on the rotation list in the order determined by **the outgoing Board President.**

Rather than a random selection, the Board indicated that the rotation of appointed directors will be set by the Board President. Staff made the assumption that this responsibility would fall to the outgoing president, not the president-elect for the next year's term, in order to prevent the appearance of conflict or favoritism. The Board may approve this detail or direct staff as desired.

- Section 4025.4 (X)

To establish the rotation, an election will be held.

This section was deleted from the policy per Board discussion at the November 22 meeting. However, it is this section that provides for the initial establishment of the rotation list by election, which would be held at the Annual Reorganization Meeting on December 22, 2021. Without this key provision, the Board will not have an established method of how to set up the rotation. Staff has retained the section in red on Attachment 1B for Board reconsideration.

In the event that this section is deleted, staff requests Board direction regarding the establishment of the initial rotation of officers in order to prepare for the annual reorganization meeting on December 22, 2021, if there is not to be an election.

- Section 4025.4 (7)

At any time prior to the appointment of officers during the Annual Organizational Meeting, the Board may determine by majority vote on a motion to waive or otherwise suspend the implementation of this section. In that event, an election for president, vice president, secretary, and treasurer will be held. Any such motion may also address what impact, if any, the suspension of the rotation procedure will have on the position of Board members in the rotation for future elections/appointments.

The Board had mentioned the desire for an “escape clause” in the event that the automatic rotation of officers was opposed by a majority of the Board for any reason. This section is that said escape clause. Without it, in order to suspend the automatic rotation, the Board would have to pass a resolution amending the policy. At the November 22, 2021 meeting, one director favored deleting this section, another director advocated to retain it. There was no consensus reached. Staff recommends retaining the section in order to allow the Board flexibility in the event of any unforeseen circumstances.



Agenda policy – Attachment 2

Per advice of legal counsel, the Board may also consider amending Policies and Procedures Manual, Part II, Section 6C related to the addition of items to the meeting agenda. At its November 22, 2021 meeting, the Board rejected the recommended amendments but retained the one proposed clarification to the policy regarding submission of agenda items to the general manager.

Legal Counsel James Markman has reviewed the policy items and has indicated he sees no legal defect.

Fiscal Impact: None.

Attachments:

Attachment 1A – Proposed Policy 4025 redline

Attachment 1B – Rotation Policy redline for discussion / determination

Attachment 2 – Agenda Policy redline

Attachment 3 – Resolution 2021-__ (with Exhibit A)

Staff Report prepared by Lynda Kerney, Administrative Assistant

ATTACHMENT 1A

BEAUMONT-CHERRY VALLEY WATER DISTRICT

BOARD OF DIRECTORS

POLICY TITLE: BOARD MEETINGS
POLICY NUMBER: 4025

of themselves to act as chairperson of the meeting.

4025.1 **Regular Meetings.** Regular meetings of the Board of Directors shall be held on the second Wednesday and fourth Thursday of each calendar month at 6:00 p.m. in the meeting room at 560 Magnolia Avenue, Beaumont, California, 92223-2258. The date, time, and place of regular Board meetings may be reconsidered annually at the annual organizational meeting of the Board.

4025.2 **Special Meetings and Workshops.** Special Meetings and Workshops of the Board of Directors may be called by the Board President or by a majority of the Board.

1. All Directors shall be notified of a Special Board Meeting and/or Workshop and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least ~~twenty-four~~ (24) hours prior to the meeting.

4025.3 **Adjourned Meetings.** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager ~~or their designee~~ may declare the meeting adjourned to a stated time and place, and ~~they/he/she~~ shall cause a written notice of adjournment to be given to those specified in the paragraph above.

4025.4 **Annual Organizational Meeting.** The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. ~~At this meeting the Board will affirm the rotation of officers for the offices of elect a pPresident, vVice pPresident, sSecretary, and tTreasurer, from among its members to serve during the coming calendar year, and will appoint a staff member recommended by the General Manager as the Board's Recording Secretary.~~

1. **Rotation of Officers.**
 - a. ~~The offices of president, vice president, secretary, and treasurer will rotate annually with the vice president succeeding the president, the secretary succeeding the vice president, and the treasurer succeeding the secretary.~~
 - b. ~~The Board member serving as president before the annual organizational meeting shall rotate out of that position and into the fifth position in the rotation among Board members.~~
 - c. ~~The Board member serving as vice president before the annual meeting shall be appointed to the office of president.~~
 - d. ~~Any Board member who takes office as a new member of the Board, as opposed to taking office upon reelection, shall take the fifth position in the rotation among the Board members as of the annual organizational meeting. At the time of such an event, the other Board members shall then be rotated to one higher position in the rotation.~~
2. ~~At each Annual Organizational Meeting, all newly elected or newly appointed Board members will be added to the rotation list above the outgoing president and below all reelected.~~
3. ~~In the event that two or more Board members are elected in the same election, the newly elected Board members will be placed in the rotation list in the order of the highest number of votes received to the lowest number of votes received.~~
4. ~~In the event that two or more Board members are appointed at the same time, the newly appointed Board members will be placed on the rotation list in the order determined by the outgoing Board president.~~
5. ~~If a Board member declines the automatic nomination for the next office in the rotation, a vote may be held to fill the office, or the rotation may move forward to fill the position with the declining Board member returning to the fifth position.~~

5. BOARD MEETINGS

- A. **Regular Meetings.** Regular meetings of the Board of Directors shall be held on the second Wednesday and fourth Thursday of each calendar month at 6:00 p.m. in the meeting room at 560 Magnolia Avenue, Beaumont, California, 92223-2258. The date, time and place of regular Board meetings may be reconsidered annually at the annual organizational meeting of the Board.
- B. **Special Meetings and Workshops.** Special Meetings and Workshops of the Board of Directors may be called by the Board President or by a majority of the Board.
 - i. All Directors shall be notified of a Special Board Meeting and/or Workshop and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least twenty-four (24) hours prior to the meeting.
- C. **Adjourned Meetings.** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in the subparagraph above.
- D. **Annual Organizational Meeting.** The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President, Vice President, Secretary and Treasurer from among its members to serve during the coming calendar year, and will appoint a staff member recommended by the General Manager as the Board's Recording Secretary.
- E. **Agenda Order.** The President of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.
- F. **Public Involvement.** The President and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

6. BOARD MEETING AGENDAS

- A. **Agenda.** The General Manager, in cooperation with the Board President and/or Vice President, shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Ralph M. Brown Act.
- B. **Public Requests.** Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:
 - i. The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least ten (10)

Adopted by Resolution 21-XX, DATE

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6. In the event the president, vice president, secretary, or treasurer does not complete their term in such office, the Board member next in line on the rotation list to assume that office will serve for the balance of the vacant term and the following term unless such officer desires to return to the end of the rotation list at the next Annual Organizational Meeting.

7. At any time prior to the appointment of officers during the Annual Organizational Meeting, the Board may determine by majority vote on a motion to waive or otherwise suspend the implementation of this section. In that event, an election for president, vice president, secretary, and treasurer will be held. Any such motion may also address what impact, if any, the suspension of the rotation procedure will have on the position of Board members in the rotation for future elections/appointments.

4025.5 Recording Secretary. A staff member recommended by the General Manager, or their designee, shall be appointed by the Board as the Board's Recording Secretary.

4025.6 **Agenda Order.** The President of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

4025.7 **Public Involvement.** The President and the General Manager, or their designee, shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

POLICY TITLE: BOARD MEETINGS
 POLICY NUMBER: 4025

ATTACHMENT 1B

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1. All Directors shall be notified of a Special Board Meeting and/or Workshop and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least ~~twenty-four~~ (24) hours prior to the meeting.

4025.3 **Adjourned Meetings.** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager or their designee may declare the meeting adjourned to a stated time and place, and ~~they/he/she~~ shall cause a written notice of adjournment to be given to those specified in the paragraph above.

4025.4 **Annual Organizational Meeting.** The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will affirm the rotation of officers for the offices of elect a pPresident, vVice pPresident, sSecretary, and tTreasurer. ~~from among its members to serve during the coming calendar year, and will appoint a staff member recommended by the General Manager as the Board's Recording Secretary.~~

1. Rotation of Officers.

- a. The offices of president, vice president, secretary, and treasurer will rotate annually with the vice president succeeding the president, the secretary succeeding the vice president, and the treasurer succeeding the secretary.
- b. The Board member serving as president before the annual organizational meeting shall rotate out of that position and into the fifth position in the rotation among Board members.
- c. The Board member serving as vice present before the annual meeting shall be appointed to the office of president.
- d. Any Board member who takes office as a new member of the Board, as opposed to taking office upon reelection, shall take the fifth position in the rotation among the Board members as of the annual organizational meeting. At the time of such an event, the other Board members shall then be rotated to one higher position in the rotation.

2. At each Annual Organizational Meeting, all newly elected or newly appointed Board members will be added to the rotation list above the outgoing president and below all reelected.
3. In the event that two or more Board members are elected in the same election, the newly elected Board members will be placed in the rotation list in the order of the highest number of votes received to the lowest number of votes received.
4. In the event that two or more Board members are appointed at the same time, the newly appointed Board members will be placed on the rotation list in the order determined by the **outgoing** Board president.
5. If a Board member declines the automatic nomination for the next office in the rotation, a vote may be held to fill the office, or the rotation may move forward to fill the position with the declining Board member returning to the fifth position.

Adopted by Resolution 21-XX, DATE

6. In the event the president, vice president, secretary, or treasurer does not complete their term in such office, the Board member next in line on the rotation list to assume that office will serve for the balance of the vacant term and the following term unless such officer desires to return to the end of the rotation list at the next Annual Organizational Meeting.

7. At any time prior to the appointment of officers during the Annual Organizational Meeting, the Board may determine by majority vote on a motion to waive or otherwise suspend the implementation of this section. In that event, an election for president, vice president, secretary, and treasurer will be held. Any such motion may also address what impact, if any, the suspension of the rotation procedure will have on the position of Board members in the rotation for future elections/appointments.

4025.5 Recording Secretary. A staff member recommended by the General Manager, or their designee, shall be appointed by the Board as the Board's Recording Secretary.

4025.6 **Agenda Order.** The President of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

4025.7 **Public Involvement.** The President and the General Manager, or their designee, shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

ATTACHMENT 2

Proposed Policy

Part II, Section 6C:

- C. **Director Requests.** **By contacting the General Manager,** ~~Any~~ ~~two~~ Directors may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:
- i. The request must be in writing and submitted to the Board President and General Manager together with supporting documents and information, if any, by noon at least six ~~(6)~~ working days prior to the date of the next scheduled regular meeting.
 - ii. ~~If an agenda item placed by two agreeing directors on the agenda for initial discussion would require a significant expenditure of staff time or other resources, such as the engagement of an outside consultant, the majority of the Board must authorize the agenda item and preparation of the staff report to be presented at a future meeting.~~

Current Policy Adopted December 18, 2019 via Resolution 2019-16

Part II, Section 6C:

- C. **Director Requests.** Any Director may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:
- i. The request must be in writing and submitted to the Board President and General Manager together with supporting documents and information, if any, by noon at least six (6) working days prior to the date of the next scheduled regular meeting.

NOTE:

The green ~~strikethrough~~ changes were rejected by the Board and will not be included in the amendment.

RESOLUTION 2021-__

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AMENDING THE DISTRICT'S POLICIES AND PROCEDURES MANUAL PART II: APPLICABLE TO BOARD OF DIRECTORS AND STAFF

WHEREAS, on March 18, 2009 the Board of Directors of the Beaumont-Cherry Valley Water District adopted Resolution 2009-05, establishing a Policy and Procedures Manual applicable to Board of Directors and District staff; and

WHEREAS, pursuant to Water Code 21376 et. seq. and Beaumont-Cherry Valley Water District Policies and Procedures Manual Part II, Section 5, the Board of Directors "shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President, Vice President, Secretary and Treasurer from among its members to serve during the coming calendar year;" and

WHEREAS, the Board of Directors has determined that it is in the best interests of the District and to establish equality of opportunity, that the officers of the Board shall be automatically appointed pursuant to an established rotation; and

WHEREAS, the Board of Directors has reviewed and considered the revisions and additions to the BCVWD Policy and Procedures Manual Part II attached as Exhibit A, finds the policies relevant and acceptable, deems it to be in the best interests of the District, and desires that the following actions be taken,

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

1. The BCVWD Policies and Procedures Manual, Part II Section 5 is replaced in entirety with Policy 4025 as attached hereto as Exhibit A.
2. The BCVWD Policies and Procedures Manual Part II Section 6C is hereby amended to read:
 - C. Director Requests.** By contacting the General Manager, any Director may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:
 - i. The request must be in writing and submitted to the Board President and General Manager together with supporting documents and information, if any, by noon at least six working days prior to the date of the next scheduled regular meeting.

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ADOPTED this _____ day of _____, _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Director Daniel Slawson, President of the
Board of Directors of the
Beaumont-Cherry Valley Water District

Director Andy Ramirez, Secretary to the
Board of Directors of the
Beaumont-Cherry Valley Water District

Attachment – Exhibit A

DRAFT

POLICY TITLE: BOARD MEETINGS
POLICY NUMBER: 4025

EXHIBIT A

4025.1 **Regular Meetings.** Regular meetings of the Board of Directors shall be held on the second Wednesday and fourth Thursday of each calendar month at 6:00 p.m. in the meeting room at 560 Magnolia Avenue, Beaumont, California, 92223-2258. The date, time, and place of regular Board meetings may be reconsidered annually at the annual organizational meeting of the Board.

4025.2 **Special Meetings and Workshops.** Special Meetings and Workshops of the Board of Directors may be called by the Board President or by a majority of the Board.

1. All Directors shall be notified of a Special Board Meeting and/or Workshop and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least 24 hours prior to the meeting.

4025.3 **Adjourned Meetings.** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager or their designee may declare the meeting adjourned to a stated time and place, and they shall cause a written notice of adjournment to be given to those specified in the paragraph above.

4025.4 **Annual Organizational Meeting.** The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will affirm the rotation of officers for the offices of president, vice president, secretary, and treasurer.

1. Rotation of Officers.
 - a. The offices of president, vice president, secretary, and treasurer will rotate annually with the vice president succeeding the president, the secretary succeeding the vice president, and the treasurer succeeding the secretary.
 - b. The Board member serving as president before the annual organizational meeting shall rotate out of that position and into the fifth position in the rotation among Board members.
 - c. The Board member serving as vice present before the annual meeting shall be appointed to the office of president.
 - d. Any Board member who takes office as a new member of the Board, as opposed to taking office upon reelection, shall take the fifth position in the rotation among the Board members as of the annual organizational meeting. At the time of such an event, the other Board members shall then be rotated to one higher position in the rotation.
2. At each Annual Organizational Meeting, all newly elected or newly appointed Board members will be added to the rotation list above the outgoing president and below all reelected.
3. In the event that two or more Board members are elected in the same election, the newly elected Board members will be placed in the rotation list in the order of the highest number of votes received to the lowest number of votes received.
4. In the event that two or more Board members are appointed at the same time, the newly appointed Board members will be placed on the rotation list in the order determined by the outgoing Board president.
5. If a Board member declines the automatic nomination for the next office in the rotation, a vote may be held to fill the office, or the rotation may move forward to fill the position with the declining Board member returning to the fifth position.
6. In the event the president, vice president, secretary, or treasurer does not complete their term in such office, the Board member next in line on the rotation list to assume that office will serve for

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the balance of the vacant term and the following term unless such officer desires to return to the end of the rotation list at the next Annual Organizational Meeting.

7.

4025.5 **Recording Secretary.** A staff member recommended by the General Manager, or their designee, shall be appointed by the Board as the Board's Recording Secretary.

4025.6 **Agenda Order.** The President of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

4025.7 **Public Involvement.** The President and the General Manager, or their designee, shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

Item 7 From Red-lined Versions Above Was Not Included in Draft Attachment A