



**BEAUMONT CHERRY VALLEY RECREATION & PARK IMPROVEMENT CORPORATION
SPECIAL MEETING OF THE IMPROVEMENT CORPORATION**

**Monday, February 6, 2023 8:00am
390 W. Oak Valley Parkway
Beaumont, CA 92223**

AGENDA

www.bcvparks.com

PUBLIC PARTICIPATION ALLOWED IN PERSON AND BY TELECONFERENCE

Due to the spread of COVID-19 and the fact that state and local officials are recommending measures to promote social distancing, the Beaumont Cherry Valley Recreation & Park Improvement Corporation will be conducting this meeting in person and by teleconference in accordance with AB 361, amended Government Code section 54953, which allows for the continuation of virtual meetings. Government Code Section 54953 allows the legislative body to use teleconferencing when "The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing" after making certain findings. See Gov. Code § 54953.

Public comments on matters listed on the agenda or on any matter within the District's jurisdiction will be received during Public Comments, Agenda Item No. I.

The above special provisions allowing for teleconference meetings will only apply during a Governor-declared state of emergency, and we are still presently in a statewide state of emergency.

CLOSED SESSION – None.

REGULAR SESSION: Regular Session to Begin at 8:00am.

Regular Session is available by calling: +1 (669) 900-6833. Meeting ID: 820 8737 1594

You can also join the meeting from PC, Mac, Linux, iOS or Android: <https://us06web.zoom.us/j/82087371594>

Roll Call: Director Valdivia, Director Tinker, Director Aldrich, Director Ward, Treasurer Flores, Vice-Chair/Secretary Diercks, Chairman Hughes.

Adjustments to Agenda: Government code sec 54954.2(b) (2) provides "upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or if less than two-thirds of the members are present, a unanimous vote of those member present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a) "

Presentations: The Beaumont-Cherry Valley Rotary Club

- 1. PUBLIC COMMENT:** Anyone wishing to address the Board on any matter not on the agenda may do so now. All person(s) 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 clerk before the start of the meeting. There is a three (3) minute limit on public comments.
- 2. CONSENT CALENDAR:** Items are considered routine, non-controversial and generally approved in a single motion. A board member may request to have an item removed from the consent calendar for discussion or to be deferred. (Includes Minutes, Financials, Resolutions, and Policy & Procedure matters).

2.1 Minutes of January 11, 2023

2.2 Bank Balances for January 2023

2.3 Warrants for January 2023

2.4 Approve Special Provision Allowing for Teleconference Meetings during a Governor-Declared State of Emergency Pursuant to AB 361

3. ACTION ITEMS/BIDS & PUBLIC HEARING/REQUESTS:

3.1 Nomination and/or Appointment of Two (2) "Elected" Board Members by Ex-Officio Board

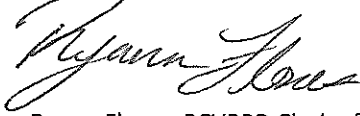
3.2 Approval of Resolution #2023-01 for Transfer of the Danny Thomas Ranch property from the Beaumont-Cherry Valley Recreation and Park Improvement Corporation to the Beaumont-Cherry Valley Recreation and Park District as Stated in the Deed

4. DEPARTMENT REPORTS:

Foundation Associate: Nick Hughes

5. ADJOURNMENT:

DECLARATION OF POSTING: I declare under penalty of perjury, that the foregoing agenda was posted at the District office and District web site February 3, 2023.



Ryann Flores, BCVRPD Clerk of the Board



**BEAUMONT CHERRY VALLEY RECREATION & PARK IMPROVEMENT CORPORATION
REGULAR MEETING OF THE BOARD OF DIRECTORS
Wednesday, January 11, 2023 5:00pm**

MINUTES

PUBLIC PARTICIPATION ALLOWED IN PERSON AND BY TELECONFERENCE

Due to the spread of COVID-19 and the fact that state and local officials are recommending measures to promote social distancing, the Beaumont Cherry Valley Recreation & Park Improvement Corporation will be conducting this meeting in person and by teleconference in accordance with AB 361, amended Government Code section 54953, which allows for the continuation of virtual meetings.

CLOSED SESSION – None.

WORKSHOP SESSION: None.

REGULAR SESSION: Regular Session to Begin at 5:00pm.

Regular session began at 5:03pm.

Roll Call:

Director Tinker: Absent

Director Valdivia: Present

Director Aldrich: Present

Director Ward: Present via teleconference

Treasurer Flores: Absent

Vice-Chair/Secretary Diercks: Present

Chairman Hughes: Present

General Manager, Duane Burk arrived in person at 5:07pm.

Legal Counsel of Best, Best & Krieger Albert Maldonado attended.

Adjustments to Agenda: None.

Presentations: None.

1. **PUBLIC COMMENT:** Chairman Hughes opened for public comment at 5:04pm. Hearing none, public comment closed at 5:04pm.
2. **CONSENT CALENDAR:**
 - 2.1 Minutes of December 14, 2022
 - 2.2 Bank Balances for December 2022
 - 2.3 Warrants for December 2022
 - 2.4 Approve Special Provision Allowing for Teleconference Meetings during a Governor-Declared State of Emergency Pursuant to AB 361

Albert Maldonado commented on item 2.4. He stated the Board has voted to hold teleconference meetings under AB361. The District needs to make certain findings every 30 days to continue teleconference meetings. There needs to be a Governor-Declared State of Emergency and then there needs to be two findings. 1) The District needs to consider the circumstance for the State of Emergency. 2) State or Local Officials have recommended social distancing.

Director Valdivia clarified that the Foundation is still currently paying the property taxes for Danny Thomas Ranch due to the transfer not being fully complete. General Manager, Duane Burk, stated that the Certificate

of Compliance is delayed with the County. He strongly believes that the Foundation will get reimbursed as it was paid in good faith. If it is repaid, the reimbursement will most likely not include the interest.

Motion made to accept the consent calendar items 2.1, 2.2, 2.3 and 2.4.

Initial Motion: Vice-Chair/Secretary Diercks

Second: Director Valdivia

Result of Motion: Carried 5-0

Director Tinker: Absent

Director Valdivia: Aye

Director Aldrich: Aye

Director Ward: Aye

Treasurer Flores: Absent

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3. ACTION ITEMS/BIDS & PUBLIC HEARING/REQUESTS:

3.1. Nomination and/or Appointment of Two (2) "Elected" Board Members by Ex-Officio Board

Motion was made to continue item 3.1 to next month's meeting.

Initial Motion: Chairman Hughes

Second: Vice-Chair/Secretary Diercks

Result of Motion: Carried 5-0

Director Tinker: Absent

Director Valdivia: Aye

Director Aldrich: Aye

Director Ward: Aye

Treasurer Flores: Absent

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

4. DEPARTMENT REPORTS:

Foundation Associate: Nick Hughes

- On 12/2/2022, I attended Rick Lozano's Christmas Cheer all Year Golf Tournament at Tukwet Canyon Golf Club.
- On 12/2 & 3/2022, I attended Winterfest.
- On 12/9/2022, I attended the Beaumont Chamber Breakfast (Guest Speaker: Sheri Bogh, Director of Community Relations for Child Help USA and the Radio Flyers).
- On 12/9/2022, I attended the BCVRPD Annual Holiday Party.
- On 12/13/2022. I attended the Calimesa Chamber Breakfast (Guest Speaker: Senator Rosalice Ochoa Bogh)
- On 12/16/2022, I attended the Banning-Beaumont Student of the Month.

Upcoming Events:

- January 14th and 15th BCVRPIC(The Foundation) and Beaumont Coyotes Fast Pitch Tournament (may move to the weekend of January 21st & 22nd due to weather)

Projects:

- Bogart Flag Pole/Candlelight Trail Brick Program. (General Manager, Duane Burk, noted that the Foundation will be purchasing the first 100 bricks and he would like to have a ribbon cutting ceremony and video of the progress of the trail.)
- GIS Project Bogart Park.
- 4th Annual Foundation Golf Classic Tournament.

5. ADJOURNMENT: Motion was made to adjourn the meeting at 5:20pm.



Beaumont-Cherry Valley Recreation & Park District Improvement Corporation

Bank Account Balance Summary

Month of January 2023

	Starting Balance	Payables	Deposits	Ending Balance	Notes/Comments
Bank of Hemet	\$ 34,964.66	\$ 753.79	\$ 1,060.00	\$ 35,270.87	

Deposit Details

Month of January 2023

Date	Total			
1/10/2023	\$ 1,000.00	Check		
		Advanced Erosion Services Corporation - Donation	\$	1,000.00
1/13/2023	\$ 60.00	Credit Card		
		10-1 - Deborah Phifer - Brick Program	\$	60.00

Beaumont-Cherry Valley Recreation and Park Improvement Corporation

Bank of Hemet - Foundation

Check Warrants

January 2023

Type	Date	Num	Name	Memo	Amount
1000 - Bank of Hemet					
Check	12/30/2022	DB12302022	Tartan of Redlands	Bus. Meal - Foundation - Duane, Burk & Dan Hughes	-87.32
Check	01/03/2023	DB01052023	Jakes Bistro	Bus Meal - Foundation Projects - Duane Burk, GAB, MD, Rich	-325.40
Check	01/03/2023	CCFEES	UMS Banking/Celero	Credit Card % Fees	-39.76
Check	01/17/2023	Fees	UMS Banking/Celero	Monthly CC Fees	-6.47
Check	01/19/2023	DB01192023	JRiley Distille	Bus. Meal - Foundation Donations/ Sponsorships	-294.84
TOTAL					-753.79

STAFF REPORT

Item 3.2

To: Chairman and Board of Directors

From: Duane Burk, General Manager

Re: Resolution # 2023-01. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK IMPROVEMENT CORPORATION AUTHORIZING THE TRANSFER OF APPROXIMATELY 2 ACRES OF LAND, INCLUDING AN EXISTING HOUSE AND OTHER BUILDINGS UNDER LEASE, TO THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK DISTRICT

Date: February 6, 2023

Background and Analysis:

On December 31, 2020, the Beaumont-Cherry Valley Recreation and Park Improvement Corporation (“Foundation”) received a donation from TSG Cherry Valley, L.P. (“Donation Agreement”) of approximately 123 acres of land (the “Property”) for the Foundation to operate consistent with its mission, and the mission of the Beaumont-Cherry Valley Recreation and Park District (“District”), of providing community recreation and park facilities and programs. The Property is located in unincorporated Riverside County, which is bordered to the north by undeveloped foothills, to the west by warehouse logistics buildings, to the east by a single family residential/agricultural property, and to the south by Cherry Valley Boulevard.

On June 8, 2022, the Foundation transferred, and the District accepted, approximately 123 acres of the Property, minus about 2 acres that contain a single family residence and other buildings. Now, the Foundation desires to transfer the remaining 2 acres that contains the single family residence and other buildings to the District. The Property, as of December 31, 2020, had an appraised estimated value of \$8.325 Million, of which the 2 acres is a part.

Fiscal Impact:

The Foundation will no longer have to pay property taxes on the 2 acres of the Property that is to be transferred.

Recommendations:

Staff recommends that the Board review, comment, approve or change Resolution # 2023-01, authorizing the transfer of approximately 2 acres of the Danny Thomas Ranch to the District.

Attachments:

Resolution # 2023-01

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK IMPROVEMENT CORPORATION AUTHORIZING THE TRANSFER OF APPROXIMATELY 2 ACRES, INCLUDING AN EXISTING HOUSE AND OTHER BUILDINGS UNDER LEASE, OF LAND TO THE BEAUMONT-CHERRY VALLEY RECREATION AND PARK DISTRICT

WHEREAS, the Beaumont-Cherry Valley Recreation and Park Improvement Corporation (the “Foundation”) is a 501(c)(3) nonprofit public benefit corporation existing under and pursuant to the laws of the State of California; and

WHEREAS, the Foundation exists to benefit the Beaumont-Cherry Valley Recreation and Park District (“District”), a California recreation and park district; and

WHEREAS, on December 31, 2020, the Foundation received a donation from TSG Cherry Valley, L.P. (“Donation Agreement”) of approximately 123 acres of land (the “Danny Thomas Ranch”) for the Foundation to operate consistent with its mission, and the mission of the District, of providing community recreation and park facilities and programs; and

WHEREAS, the Danny Thomas Ranch is located in unincorporated Riverside County, which is bordered to the north by undeveloped foothills, to the west by warehouse logistics buildings, to the east by a single family residential/agricultural property, and to the south by Cherry Valley Boulevard; and

WHEREAS, on June 8, 2022, the Foundation transferred, and the District accepted, approximately 123 acres of the Danny Thomas Ranch, minus about 2 acres that contain a single family residence and several agricultural buildings; and

WHEREAS, approximately 2 acres of the Danny Thomas Ranch contains a single family residence and several agricultural buildings, which are located at 37300 and 37356 Cherry Valley Boulevard, Beaumont, CA 92223 (Riverside County Assessor Parcel No. 407-200-018), which are now proposed to be transferred to the District; and

WHEREAS, as of December 31, 2020, the Danny Thomas Ranch had an appraised estimated value of \$8.325 Million, of which the 2 acres was a part; and

WHEREAS, the Foundation Board of Directors desires to transfer the remaining 2 acres of the Danny Thomas Ranch, including the single family residence and other buildings, to the District (hereinafter, the “Transfer”), which is more particularly described and shown in Exhibit A; and

NOW, THEREFORE, it is resolved by the Board of Directors of the Beaumont-Cherry Valley Recreation and Park Improvement Corporation as follows:

SECTION 1. Incorporation of Recitals. The recitals above are true and correct and are hereby incorporated herein by this reference.

SECTION 2. Property Transfer. The President of the Board of Directors, the General Manager or a designee in writing (each, an "Authorized Officer") is hereby authorized to execute any and all documents necessary for the Transfer of approximately 2 acres of the Danny Thomas Ranch to the District, subject to final approval as to form by the Foundation's legal counsel.

Section 3. CEQA. The Foundation finds that the Transfer is not subject to review under the California Environmental Quality Act ("CEQA") because it is not a "project" under State CEQA Guidelines section 15378(a) or 15004(b)(2)(A). In addition, if the action was to be considered a project under CEQA, it is categorically exempt from further CEQA review under State CEQA Guidelines sections 15301 (existing facilities). In addition, the Transfer is exempt under section 15061(b)(3) as it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment. The Transfer merely involves a change of ownership and no development is proposed. None of the exceptions to these categorical exemptions apply, and consequently, this action is exempt from further CEQA Review.

Section 4. Attestations. The Secretary of the Board or other appropriate Foundation officer is hereby authorized and directed to attest the signature of the Authorized Officer, and to affix and attest the seal of the Foundation, as may be required or appropriate in connection with the execution and delivery of any and all required documents to effectuate the Transfer.

Section 5. Other Actions. The Authorized Officer and other officers of the Foundation are each hereby authorized and directed, jointly and severally, to take any and all actions and to execute and deliver any and all documents, agreements, and certificates which they may deem necessary or advisable in order to carry out and give effect to this Resolution and any other documents required to effectuate the Transfer.

Section 6. Effect. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED, AND ADOPTED this sixth day of February, 2023, by the following vote:

AYES: Aldrich, Flores, Diercks, Hughes

NOES:

ABSTENTIONS:

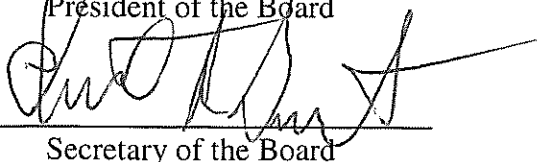
ABSENT: Ward

Approved:



President of the Board

Attest:



Secretary of the Board

EXHIBIT A

MAP OF PROPERTY TO BE TRANSFERRED

RECORDING REQUESTED BY AND WHEN
RECORDED MAIL TO:

Beaumont-Cherry Valley Recreation
& Park District
390 W. Oak Valley Parkway
Beaumont, California 92223
Attn: Duane Burk, General Manager

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

TRA: 056-014
APN: 407-200-018

TRANSFER TAX IS: _____
Computed on the full value of the interest of
property conveyed, or _____
Computed on the full value less the value of
liens or encumbrances remaining thereon at the
time of sale. _____ OR transfer is EXEMPT
from tax for the following reason:

BEAUMONT-CHERRY VALLEY RECREATION & PARK IMPROVEMENT CORPORATION, a California public benefit corporation, ("Grantor"), hereby grants to BEAUMONT-CHERRY VALLEY RECREATION & PARK DISTRICT, a special district in the State of California, ("Grantee"), all right, title and interest it has to that real property in the County of Riverside, State of California, described as:


See Exhibit "A" and Exhibit "B" attached hereto and made a part hereof

together with any and all improvements, easements, privileges and rights appurtenant thereto, including but not limited to water rights now associated with the Property granted in that certain Judgment entitled "San Timoteo Watershed Management Authority v. City of Banning, et. Al", Riverside County Superior Court Case No. RIC 389197 filed on February 4, 2004, adjudicating water rights in the Beaumont Basin; and that certain Resolution 2006-02 (A Resolution of the Beaumont Basin Watermaster Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific Parcels) recorded on February 15, 2006 as Instrument 2006-0112028 in the Official Records of the County of Riverside:

Subject to covenants, conditions, restrictions, easements, reservations, rights and rights-of-way and other matters of record and or apparent by inspection or survey.

IN WITNESS WHEREOF, the Grantors have executed this instrument this
Sixth day of February, 2023.

BEAUMONT-CHERRY VALLEY RECREATION & PARK IMPROVEMENT CORPORATION


By: Dan Hughes
Title: Chief Executive Officer

date: 2-6-2023

Attach all-purpose notary acknowledgment

EXHIBIT "A" – LEGAL DESCRIPTION

REMAINDER PARCEL: (APN 407-200-018)

THAT PORTION OF THE WEST 28 ACRES OF THE SOUTH 56 ACRES OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 29, ALSO BEING THE EAST LINE OF SAID 28 ACRES, SAID POINT BEING DISTANT NORTH 01° 23' 35" EAST, A DISTANCE OF 308.49 FEET FROM THE SOUTHWEST CORNER OF SAID EAST HALF;

THENCE NORTH 88° 36' 25" WEST, A DISTANCE OF 214.48 FEET;

THENCE NORTH 07° 37' 12" WEST, A DISTANCE OF 298.22 FEET;

THENCE NORTH 64° 36' 06" EAST, A DISTANCE OF 264.61 FEET;

THENCE SOUTH 88° 36' 25" EAST, A DISTANCE OF 25.00 FEET, TO A POINT ON SAID WEST LINE;

THENCE SOUTH 01° 23' 35" WEST ALONG SAID WEST LINE, A DISTANCE OF 413.80 FEET TO THE **POINT OF BEGINNING**;

TOGETHER WITH AN EASEMENT FOR INGRESS & EGRESS AND PUBLIC UTILITY PURPOSES OVER THE SOUTH 308.49 FEET OF THE EAST 25.00 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 29.




STEVEN H. RITCHEY 1/03/23
L.S. 7288 EXP. 12/31/24 DATE

EXHIBIT "B" - PLAT

N. LINE OF S. 56
ACRES OF E. 1/2
OF NW 1/4



SCALE: 1"=200'

NW 1/16 COR.
OF SEC. 29

N52°36'40"E
744.41'

N89°34'30"E
116.26'

W. LINE OF E. 1/2 OF
E. 1/2 OF NW 1/4

E. LINE OF W. 28 ACRES
OF S. 56 ACRES OF E.
1/2 OF NW 1/4

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	214.48'	N88°36'25"W
L2	298.22'	N07°37'12"W
L3	264.61'	N64°36'06"E
L4	25.00'	S88°36'25"E

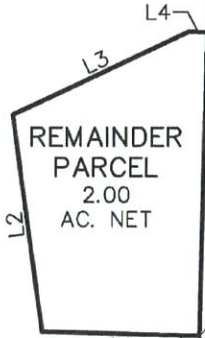
POR.
PARCEL B
22.34 AC. GROSS
23.00 AC. NET

W. LINE OF W.
28 ACRES

1311.10'

N00°58'15"E

NW 1/4 SEC. 29
T2S, R1W



REMAINDER
PARCEL
2.00
AC. NET

1759.23'

413.80'
S01°23'35"W



INGRESS & EGRESS AND
PUBLIC UTILITY EASEMENT
OVER PARCEL B FOR
REMAINDER PARCEL

1374.35' 42' 687.17'
N89°34'30"E CHERRY VALLEY BOULEVARD

W. 1/4 COR.
OF SEC. 29

Steven H. Ritchey
STEVEN H. RITCHEY
P.L.S. 7288, EXP. 12/31/24
1/03/23
DATE



P.O. BOX 541, 650 AVENUE K
CALIMESA, CALIFORNIA 92320
TEL: 909-795- 8882



BEAUMONT-CHERRY VALLEY

RECREATION & PARK IMPROVEMENT CORPORATION

TAX ID # 33-0588531

To: Foundation Board Members & General Manager

From: Nick Hughes (Special Projects/Foundation Associate)

Date: 02/06/2023

Foundation Department Report

Past Events:

- On 01/10/2023, I attended the Calimesa Chamber Breakfast. (Guest Speaker: Pro Se Legal).
- On 01/13/2023, I attended the Beaumont Chamber Breakfast. (Guest Speaker: Jeff Hart, City of Beaumont).
- On 01/18/2023, I attended the Banning Chamber Breakfast (Guest Speaker: Amy Herr, Boys and Girls Club).
- On 01/19/2023, I attended and was the Guest Speaker at the San Geronio Pass Rotary Club Meeting.
- On 01/21/2023, I attended the Pass Area Veterans Expo.
- On 01/22/2023, I attended the Foundation/Coyote Fast pitch Softball Tournament.
- On 01/26/2023, I attended the Calimesa Chamber Installation Dinner.
- On 01/27/2023, I attended the Banning/Beaumont Student of The Month.
- On 01/28/2023, I attended the BYBSB Pancake Breakfast.

Upcoming Events:

- None

Projects:

- Bogart Flag Pole/Candlelight Trail Brick Program.
- GIS Project Bogart Park.
- 4th Annual Foundation Golf Classic Tournament.

Fiscal Impact:

This report is for informational purposes only.

Respectfully Submitted,

Nicholas Hughes
Special Projects/Foundation Associate