



BEAUMONT CHERRY VALLEY RECREATION & PARK DISTRICT (BCVRPD)

REGULAR MEETING OF THE BOARD OF DIRECTORS

Wednesday, December 13, 2023, 5:00 p.m.

Noble Creek Community Center 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 District 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 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. 1.

Regular Session is available by calling: +1 (669) 900-6833. Meeting ID: 948 9929 3193

You can also join the meeting from PC, Mac, Linux, iOS or Android: <https://zoom.us/j/94899293193>

CLOSED SESSION: None.

WORKSHOP SESSION: None.

REGULAR SESSION: Regular Session to Begin at **5:00 p.m.**

Roll Call: Director Lawhead, Director Ward, Treasurer Flores, Vice-Chair/Secretary Diercks and Chairman Hughes

Invocation:

Pledge of Allegiance: Chairman Hughes

Presentations: James Hughes Retirement

Adjustments to Agenda: Government code sec 54954.2 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) "

1. PUBLIC COMMENT:

If you are unable to participate by telephone or via Zoom, you may submit comments and/or questions in writing for the Board's consideration by sending them to ryann@bcvparks.com. Submit your written inquiry prior to the start of the meeting. All public comments received prior to the start of the meeting will be provided to the Board and may be read into the record or compiled as part of the record.

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 November 8, 2023](#)

2.2 [Bank Balances for November 2023](#)

2.3 [Warrants for November 2023](#)

2.4 Approval of Special Provision Allowing for Teleconference Meetings Pursuant to AB361

3. ACTION ITEMS/BIDS & PUBLIC HEARING/REQUESTS: (Includes Committee Reports)

- 3.1 [Board Reorganization](#)
- 3.2 [Approval of Incorporating a Foundation Golf Tournament Ad-Hoc Committee and BCVRPD Policy Manual Ad-Hoc Committee](#)
- 3.3 [Committee Assignments](#)
- 3.4 [Approval of 2024 Facility Use License Agreements](#)
 - a. [Beaumont Youth Baseball \(BYB\)](#)
 - b. [Beaumont Lion's Club](#)
 - c. [Beaumont Woman's Club](#)
 - d. [San Gorgonio Pass Historical Society](#)
 - e. [Cherry Valley Horseman's Association \(CVHA\)](#)
 - f. [Thunder Alley RC Raceway](#)
 - g. [Catch a Star Theatrical Players \(CAST\)](#)

3 DEPARTMENT REPORTS:

[Activities Coordinator: Damon Valdivia](#)
[Human Resources Assistant/Clerk of the Board: Ryann Flores](#)
[Athletic Facilities Coordinator: Noah Valdivia](#)
[Assistant Maintenance Superintendent: Aaron Morris](#)
[Human Resources Administrator: Deidre Chatigny](#)
[Executive Assistant: Nancy Law](#)
[Assistant General Manager: Mickey Valdivia](#)

4 GENERAL MANAGER REPORT:

General Manager: Duane Burk

5 CALENDAR OF EVENTS:

5.1 Committee Meetings

- Collaborative Agency – First Wednesday Bi-Monthly, 5:00pm. The location is TBD. Next meeting, January 17, 2024
- Finance – 2nd Monday of Every Month 4:00 p.m. NCCC.
- Personnel – 1st Tuesday of Every Month 11:45 a.m.
- Facility Use Ad Hoc - TBD
- BCVRPD Board Meeting Schedule, NCCC – January 10, 2024

5.2 Upcoming Holidays

December 24, 2023 – Christmas Eve
 December 25, 2023 – Christmas Day
 December 31, 2023 – New Year's Eve

5.3 Events

N/A

6 DIRECTORS MATTERS/COMMITTEE REPORTS

7 ADJOURNMENT:

Any person with a disability who requires accommodation to participate in the meeting should telephone Ryann Flores at 951-845-9555, at least 48 hours prior to the meeting to make a request for a disability-related modification or accommodation.

DECLARATION OF POSTING: I declare under penalty of perjury, that I am employed by Beaumont-Cherry Valley Recreation and Park District, and the foregoing agenda was posted at the District office and District web site December 8, 2023.

Ryann Flores

Ryann Flores, Clerk of the Board



**BEAUMONT CHERRY VALLEY RECREATION & PARK DISTRICT (BCVRPD)
REGULAR MEETING OF THE BOARD OF DIRECTORS
Wednesday, November 8, 2023, 5:00 p.m.**

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 District 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.

DISTRICT CLOSED SESSION: None.

WORKSHOP SESSION: None.

REGULAR SESSION: Regular Session to Begin at 5:00 p.m.

Regular session began at 5:00 p.m.

Roll Call:

Director Lawhead: Present

Director Ward: Present

Treasurer Flores: Present via teleconference at 5:02pm

Vice-Chair/Secretary Diercks: Present

Chairman Hughes: Present

General Manager, Duane Burk and Legal Counsel of Best, Best & Krieger Albert Maldonado attended.

Invocation: Chairman Hughes gave the Invocation

Pledge of Allegiance: Director Lawhead led the pledge of allegiance.

Presentations: None.

Adjustments to Agenda: None.

1. PUBLIC COMMENT:

Chairman Hughes opened public comment at 5:03 p.m. Hearing none, public comment ended at 5:03 p.m.

2. CONSENT CALENDAR:

2.1 Minutes of October 11th, 2023.

2.2 Bank Balances for October 2023.

2.3 Warrants for October 2023.

2.4 Approval of Special Provision Allowing for Teleconference Meetings Pursuant to AB361

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 must be a Governor-Declared State of

Emergency and two findings. 1) The District to consider the circumstance for the State of Emergency. 2) State or Local Officials have recommended social distancing.

Vice-Chair/Secretary Diercks confirmed that the finance committee met and approved items 2.4 and 2.5.

Motion was made to accept items 2.1, 2.2, 2.3, and 2.4.

Initial Motion: Director Lawhead

Second: Director Ward

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3. ACTION ITEMS/BIDS & PUBLIC HEARING/REQUESTS: (Includes Committee Reports)

3.1 Approval of 2024 District Event Dates

Chairman Hughes opened public comment at 5:07 p.m. Hearing none, seeing none, public comment ended at 5:07 p.m.

Motion was made to accept item 3.1.

Initial Motion: Director Ward

Second: Vice/Chair Secretary Diercks

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.2 Approval of 2024 Board Meeting Dates

Chairman Hughes opened public comment at 5:09 p.m. Hearing none, seeing none, public comment ended at 5:09 p.m.

Motion was made to accept item 3.2.

Initial Motion: Vice/Chair Secretary Diercks

Second: Director Lawhead

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.3 Approval of 2024 Holidays

Chairman Hughes opened public comment at 5:10 p.m. Hearing none, seeing none, public comment ended at 5:10 p.m.

Motion was made to accept item 3.3.

Initial Motion: Vice/Chair Secretary Diercks

Second: Director Ward

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye
Chairman Hughes: Aye

3.4 Authorization of Financial Opportunity

Chairman Hughes opened public comment at 5:13 p.m. Hearing none, seeing none, public comment ended at 5:13 p.m.

Motion was made to accept item 3.4.

Initial Motion: Director Lawhead

Second: Vice/Chair Secretary Diercks

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.5 Approval to Authorize Payment for Merling Johnson Construction

Chairman Hughes opened public comment at 5:19 p.m. Hearing none, seeing none, public comment ended at 5:19 p.m.

Motion was made to accept item 3.5.

Initial Motion: Vice/Chair Secretary Diercks

Second: Director Lawhead

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.6 Approval of 2024 Winter Wish Proceeds

Chairman Hughes opened public comment at 5:23 p.m. Hearing none, seeing none, public comment ended at 5:23 p.m.

Motion was made to accept item 3.6.

Initial Motion: Director Lawhead

Second: Director ward

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.7 Approval of Changes to Campground Prices and Requirements (First Reading)

Kaylee Gemmill presented the RV Rate Study and Justifications of Requirements and Rate changes.

Chairman Hughes opened public comment at 5:28 p.m. Hearing none, seeing none, public comment ended at 5:28 p.m.

No Action was taken at this time.

3.8 Approval of Changes to Ball Field Rates (First Reading)

Noah Valdivia presented the Ball Field Rates.

Chairman Hughes opened public comment at 5:52 p.m. Hearing none, seeing none, public comment ended at 5:52 p.m.

No Action was taken at this time.

3.9 Approval of Draft FY 21/22 Audit

Chairman Hughes opened public comment at 5:57 p.m. Hearing none, seeing none, public comment ended at 5:57 p.m.

Motion was made to accept item 3.9.

Initial Motion: Director Lawhead

Second: Vice/Chair Secretary Diercks

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.10 Approval of Procurement Policy Resolution

Motion was made to accept item 3.10.

Initial Motion: Chairman Hughes with the exception of raising it to \$50,000.00.

Second: Director Lawhead

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.11 Approval of Submission for Grease Interceptor Program

Chairman Hughes opened public comment at 6:15 p.m. Hearing none, seeing none, public comment ended at 6:15 p.m.

Motion was made to accept item 3.11.

Initial Motion: Chairman Hughes

Second: Director Ward

Result of Motion: Carried 5-0

Director Lawhead: Aye

Director Ward: Aye

Treasurer Flores: Aye

Vice-Chair/Secretary Diercks: Aye

Chairman Hughes: Aye

3.12 CARB 2023 Fleet Roles (State and Local Government) Update

Chairman Hughes opened public comment at 6:27 p.m. Hearing none, seeing none, public comment ended at 6:27 p.m.

No Action was taken at this time, update information purposes only.

4. DEPARTMENT REPORTS:

Human Resources Assistant/Clerk of the Board: Ryann Flores (read by Deidre Chatigny)

Report:

- Completion of AB1825 Sexual Harassment Avoidance Training as of November 8th, 2023 (78%) of staff have completed the training and (71%) of Board have completed the training.
- Staff meetings continue every 1st and 3rd Tuesday of the month.

- The holiday party will be held on Friday, December 8th, 2023. (Location TBD)
- Attended Board Secretary/Clerk Conference – November 6th - 8th, 2023 in Monterey.

Community/Networking:

- Pumpkin Carve – October 27th, 2023.
- 1k/5k Fun Run – October 28th, 2023.

Upcoming Events:

- November 4th, 2023 – Strategic Planning (9am – 3:15pm)
- November 4th, 2023 – 30th Annual Autumn Elegance (6pm – 9pm)
- November 9th, 2023 – Good Morning Beaumont Breakfast
- November 14th, 2023 – Calimesa Chamber Breakfast
- November 15th, 2023 – Banning Sunrise Breakfast

Athletic Facilities Coordinator: Noah Valdivia

Report:

- Continuous Facility and Ball Field Training has been conducted with new staff.
- Beaumont Youth Baseball (BYB) has begun their fall season, this season has a total of 32 teams and approximately 350 kids.
- Adult Softball Summer League has begun and has a total of 34 teams throughout (4) leagues.
- Noble Creek Regional Park hosted the 16th Annual Engine 57 Baseball Tournament, with a total of 85 teams playing throughout the pass area including Beaumont High School, Banning High School and Lions Park.
- Our annual Spooky Spectacular adult slow-pitch was held on October 27th, 2023 with a total of 8 teams.
- Noble Creek Regional Park hosted the San Geronio/Mountain View Middle Schools cross country meet on October 26th, 2023.
- District facilities have been busy hosting a variety of events including weddings and birthday parties.

New Programming:

- Beaumont-Banning Pickleball group has been active (3) nights a week at the newly painted courts and encourage everyone to come out and play.

Community/Networking:

- Banning State of the City – October 12th, 2023
- Good Morning Beaumont – October 13th, 2023
- Banning Chamber Breakfast – October 18th, 2023

Activities Coordinator: Damon Valdivia (read by Noah Valdivia)

Report:

- Pumpkin Carve was changed and hosted at Bogart Regional Park, the event featured pumpkin decorating contest, a hay maze and games for kids. We sold out of 220 pumpkins within the first 90 minutes of opening. We counted 270 cars that entered the Bogart Regional Park Gate for an estimated 900 guests.
- The 1k/5k Fun Run was rescheduled to October 28th, 2023 the over 3-mile course started in the meadow, continuing up to candlelight trail to showcase the bricks and new flagpole down the cobblestone trail leading to the Bogart trails.

District Events:

- 30th Annual Winterfest – December 1st – 2nd, 2023 at Noble Creek Regional Park.

Community/Networking:

- Calimesa State of the City – October 7th, 2023.
- Banning State of the City – October 12th, 2023.
- Calimesa Truck or Treat – October 31st, 2023.

Assistant Maintenance Superintendent: Aaron Morris

Report:

- Department assisted with setup and tear down of Pumpkin Carve, 1k/5K Fun Run and Engine 57 tournament.
- Cal Fire inmate crews completed trail maintenance throughout the eastern part of Bogart Regional Park and weed abatement from the pond parking lot to Winesap Street.
- Field #4 right field was carved out to create a warning track going down foul line.
- Was on site for the Riverside County inspection of the well site at DTR (Danny Thomas Ranch) to move forward with utility hookup to the property.

Community/Networking:

- Calimesa Summerwind Park Trunk or Treat – October 31st, 2023.

Human Resources Administrator: Deidre Chatigny

Report:

- Open Enrollment individual meetings were completed October 10th, 2023.
- Working on the application for Women's Club Façade Improvements with the City of Beaumont.
- Conducted weekly meetings onboard/offboarding procedures, employee handbook, and organizational charts with Mickey Valdivia.
- CPSHR Audit has been completed.
- District 5 Hiring Program which would give incentives to hire 5th District residents, veterans and seniors.
- Completed CalPERS Prefunding Workshop for CERBT and CEPPT trust fund training.
- Working with Assistant Maintenance Superintendent on Quarterly Safety Training.

Employees:

- Currently we have (32) employees; 3 new hires (part-time); 2 promotions; 1 resignation and 1 upcoming retirement.
- Working on organizational chart, employee handbook and job description updates.

Workers Compensation – Cases/Incidents/Accidents:

- No open cases. It has been 609 days since our last employee accident.

Community/Networking:

- Good Morning Beaumont Breakfast – October 13th, 2023
- Banning Chamber Breakfast – October 18th, 2023
- A Nite at the Races Scholarship Fundraiser – October 21st, 2023
- Pumpkin Carve – October 27th, 2023
- 1k/5k Fun Run – October 28th, 2023
- Strategic Planning meeting – November 4th, 2023
- Autumn Elegance – November 4th, 2023

Executive Assistant: Nancy Law

Report:

- Finance Committee met on Monday, November 6th, 2023, to review October 2023 financial Reports.
- Property Tax Disbursements have not been updated as of November 2nd, 2023.
- Monthly transfer to Reserve has been completed bring our balance to \$107,185.06. Monthly transfer to Money Market was completed, and transfer of the yearly loan payment of \$87,217.18 to Project Account bring our balances to \$169,360.67.
- Working on the Community Development Block Grant (GDBG) 2024-2025.

- Setup of Community Development Block Grant (CDBG) 2023-2024 - \$82,231.00 – Bogart Regional Park Parking Lot Phase II.
- Working on District Transparency Certificate.
- Timelines and Issues regarding Acorn,
- Review of FY 21/22 Draft Audit.
- Filed CEQA Notice of Exemption for Prop 68 Grant - \$207,534.00 – Field #8
- Attended CalPERS Prefunding Program Workshop – October 26th, 2023.
- Pumpkin Carve – October 27th, 2023.

Community/Networking:

- Calimesa Event – October 7th, 2023.
- Beaumont Chamber Breakfast – October 13th, 2023.
- Beaumont Chamber Board Meeting – October 17th, 2023.
- Bank of Hemet Trunk or Treat – October 26th, 2023.
- Castillo Rentals Ribbon Cutting – October 27th, 2023.

Assistant General Manager: Mickey Valdivia

Report:

- Personnel Committee met on October 3rd, 2023 with Chairman Hughes and Director Ward.
- Cherry Festival Committee Meeting for 2024 is seeking 1-year contract in lieu of a MOU/multi-year deal.
 - Dates of 5/30/2024 – 6/02/2024.
 - Site walk conducted on October 4th, 2023
 - Meeting with Beaumont City Manager Elizabeth Gibbs & Cherry Festival Association Committee.
- City of Calimesa/Summerwind Park MOU meeting next month on November 11th, 2023.
 - Will include first draft by November 23rd, 2023. Final Proposal estimated to be completed by December 23rd, 2023.
 - Special Projects Associate Jim Tickemyer.
- City of Beaumont
 - Grease Trap at Noble Creek Regional Park snack bar/ grant opportunity (Update)
 - Façade Improvement Program
 - 2024 Event Dates
 - Master Plan
- Harmony Ranch (Update)
- UCI (Unincorporated Communities Initiative) \$400,000.00 grant/ BB&K (update)
- BCVRPD – 2024 Events Schedule (duplicates, costs and regionalization)
- Beaumont-Cherry Valley Water District Tank
- Facility License Agreement – Multi year and Single year.
- Special Project Associates leads for facility rentals.
- Regional Trail Committee – (Bogart, Noble Creek and Brookside)
 - Beaumont Ave Interchange
- “Welcome to Cherry Valley” – Donated Signage from Cherry Valley Chamber of Commerce.
- Appointment of Foundation Members for 2024.

Community/Networking:

- San Geronio Pass Water Agency – October 2023 meetings, HDL forecast – December 18th, 2023 (6pm)
- Student of the Month – September & October 2023.

- Regional Chamber Breakfasts – (Beaumont, Calimesa and Banning)
- Strategic Planning and Goal Setting workshop – 2025.

General Manager: Duane Burk

- He is currently conducting his business in a floating nature, started to clean out the office for the new General Manager.
- Completed the permit from Riverside County for the DTR Ranch SCE Meter.
- Met with Mickey Valdivia and Elizabeth Gibbs regarding Cherry Festival.
- Wanted to compliment the Board and Staff on completing the strategic planning and goal setting this was one of his goals since he was hired to complete. He was truly inspired by all the input and positivity by everyone, moving forward gives staff and the General Manager a clear picture of the future of the District.

5. CALENDAR OF EVENTS:

5.1 Committee Meetings

- Collaborative Agency – First Wednesday Bi-Monthly, 5:00pm. The location is TBD. Next meeting January 17, 2023
- Finance – 2nd Monday of Every Month 4:00 p.m. NCCC.
- Personnel – 1st Tuesday of Every Month 11:30 a.m.
- Facility Use Ad Hoc- Second & Fourth Tuesday Monthly 3:00 p.m.
- BCVRPD Board Meeting Schedule, NCCC
December 13, 2023

5.2 Upcoming Holidays

- November 11, 2023 – Veteran’s Day
- November 23, 2023 – Thanksgiving Day
- November 24, 2023 – Day after Thanksgiving
- December 24, 2023 – Christmas Eve
- December 25, 2023 – Christmas Day
- December 31, 2023 – New Year’s Eve

5.3 Events

December 1 & 2, 2023 – 30th Annual Winterfest at Noble Creek Regional Park

6.DIRECTORS MATTERS/COMMITTEE REPORTS:

Director Lawhead:

Richard really appreciated the staff and everyone that attended the strategic planning there was great collaboration and great ideas. He was really impressed with the turnout at Pumpkin Carve and the outstanding job that staff did to put the event on. He would like to see the District do a better job at getting the information out to the community, there were so many people that did not even know about the event. He also talked about how well our facilities look, but he drives by the Grange Community Center daily and he would like to see the District to plant some grass or take care of the grass, it just needs some work and make the front look presentable. He is very appreciative, has had a very interesting first month got his feet wet and started introducing himself to the community and everyone has been helpful.

Director Ward:

Denise wanted to say thank you to the staff, it is evident how much work you all put into everything you do whether it a staff report or and event and going to community meetings/networking and she sees a bright team to push the District forward and sees great things for us.

Treasurer Flores:

John wanted to thank the staff for the Pumpkin Carve and 1K/5K Fun Run it was an incredible amount of energy put into a short period of time. He commented that the strategical planning workshop was incredibly helpful and now we can all see each other's visions, he keeps picturing the one target that we all agreed on and he finds it amazing that no matter how diversified and opinionated we are we all came back with the District needs in mind and is looking forward to seeing the results and implementation of our goals.

Vice Chair/Secretary Diercks:

Chris agrees with everyone, he too thought the strategical planning workshop was fantastic and looks forward to moving forward with the results. He commented that he got a lot of compliments from the guests of the event he had at the Franco Gardens on how versatile the District was, with having a wedding, the Engine 57 tournament and RC Racetrack going on all at the same time.

Chairman Hughes:

Dan also agreed that the strategical planning workshop was good, and he thought it was amazing that they all came up with the same top 3 things the District needed to work on and looks forward to the future of the District.

7. DISTRICT CLOSED SESSION – Closed session to begin following Regular session. Chairman Hughes recused himself from closed session for reason of discussion included a family member.

Vice/Chair Secretary Diercks opened public comment at 6:54 p.m. Hearing none, seeing none, public comment ended at 6:54 p.m.

BB&K Attorney, Albert Maldonado commented that there are (2) items proposed, and they will not be discussing item #2 Conference with Labor Negotiator.

Closed session began at 6:55 p.m.

1. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One Case

2. Conference with Labor Negotiator – Unrepresented Employee(s) (Government Code section 54957.6)

Position: Assistant General Manager (Potential GM Agreement)

Vice/Chair Secretary Diercks announced Board return from closed session at 7:17 p.m.

BB&K Attorney, Albert Maldonado commented the board code regarding subdivision (d) of Section 54956.9 of government code, the Board approved settlement by a vote of 4-0. Results:

Vice/Chair Secretary Diercks: Aye

Treasurer Flores: Aye
Director Ward: Aye
Director Lawhead: Aye

8. ADJORNMENT:

Motion made to adjourn the meeting at 7:17 p.m.

Initial Motion: Director Lawhead

Second: Direct Ward

Beaumont Cherry Valley Recreation Park District

Bank Account Balances

As of 11/30/2023

	Starting Balance	Payables	Deposits	Ending Balance	Notes/Comments
1 HCN Bank - Operating	\$ 55,012.84	\$ 399,876.92	\$ 356,786.58	\$ 11,922.50	
2 HCN Bank- Payroll Account	\$ 3,943.71	\$ 114,966.85	\$ 116,200.00	\$ 5,176.86	
3 HCN Bank - Project Loan	\$ 90,588.70	\$ 390,444.36	\$ 400,000.00	\$ 100,144.34	
4 HCN Bank - Bogart	\$ 19,643.14	\$ 27,751.26	\$ 9,950.70	\$ 1,842.58	
5 HCN Bank - Money Market	\$ 169,360.67	\$ 5,282.82	\$ 7,516.86	\$ 171,594.71	7,500 Monthly Deposits for loan payment 11/2021
6 HCN Bank - Reserve Fund	\$ 107,185.06		\$ 5,002.07	\$ 112,187.13	
7 HCN Bank - Quimby/DIF	\$ 10,856.61		\$ 4,059.54	\$ 14,916.15	
9 Riverside County Fund	\$ 105,952.34	\$ 152,552.77	\$ 132,571.25	\$ 85,970.82	Sept Adjustments/October 2023
10	\$ 562,543.07	\$ 1,090,874.98	\$ 1,032,087.00	\$ 503,755.09	
11 HCN Bank - Reserve Fund	Balance	Payables	Deposits	Ending Balance	Notes/Comments
12 Operating Reserve	\$ 51,708.23		\$ 5,000.00	\$ 56,708.23	NOT to be USED
13 Capital Reserve	\$ 55,476.83		\$ 2.07	\$ 55,478.90	Min Balance of \$50,000
14 TOTAL RESERVE ACCOUNT	\$ 107,185.06	\$ -	\$ 5,002.07	\$ 112,187.13	

Beaumont-Cherry Valley Recreation & Park District Improvement Corporation

Bank Account Balance

As of 11/30/2023

	Starting Balance	Payables	Deposits	Ending Balance	Notes/Comments
15 HCN Bank	\$ 85,498.91	\$ 2,191.89	\$ 770.58	\$ 84,077.60	

Beaumont-Cherry Valley Recreation & Park District

Grant Balances

As of 11/30/2023

	Funded	Requested Distbursement	Received	Balance	Notes/Comments
16 Department of Parks and Recreation Per Capita Grant Program (Prop 68) <i>Field #8</i>	\$ 29,582.00	\$ -	\$ -	\$ 29,582.00	
17 Department of Parks and Recreation Per Capita Grant Program (Prop 68) <i>Field #8</i>	\$ 177,952.00	\$ 23,149.00	\$ -	\$ 177,952.00	
18 Housing and Workforce Solutions CDBG 2022-2023 <i>Bogart Regional Park ADA Parking Lot Improvements</i>	\$ 58,266.00	\$ -	\$ -	\$ 58,266.00	Mobilization will begin 11/11/2023
19 Housing and Workforce Solutions CDBG 2023-2024 <i>Bogart Regional Park ADA Parking Lot Improvements Project Phase II</i>	\$ 82,231.00	\$ -	\$ -	\$ 82,231.00	Mailed Sponsor Agreement 11/13/2023
20 County of Riverside Unincorporated Communities Initiative <i>Danny Thomas Ranch Infrastructure</i>	\$ 400,000.00	\$ -	\$ -	\$ 400,000.00	Attorney Review
21	\$ 748,031.00	\$ 23,149.00	\$ -	\$ 748,031.00	

Beaumont-Cherry Valley Recreation & Park District

HCN Bank - Operating

Check Warrant

November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/01/2023	Check	126286	Malik Coleman	Adult Softball Umpire	-315.00
11/01/2023	Check	126287	Pete Gerlach	Adult Softball Umpire	-70.00
11/01/2023	Check	126288	Michael Ruffolo	Adult Softball Umpire	-70.00
11/01/2023	Check	126289	Austin Gilmour	Adult Softball Umpire	-210.00
11/01/2023	Check	126290	Javier E. Cota	Adult Softball Umpire	-245.00
11/01/2023	Bill Payment (Check)	11012023BS	Blue Shield	Employee - Dental Insurance	-595.10
11/01/2023	Check	126292	Damon Valdivia	Mileage Reimbursement - Pumpkin order/Donations/Store/Pumpkin/candy Pickup	-141.48
11/01/2023	Check	126293	Dan Hughes	Director Fees - October 2023	-600.00
11/01/2023	Check	126296	the Haus Bistro	Holiday Party - Food Deposit	-1,000.00
11/01/2023	Bill Payment (Check)	1002486201	CalPERS-OPEB	Accrued Liability as of June 30, 2020 - Rate Plan: 1357	-6,098.58
11/01/2023	Bill Payment (Check)	1002486203	CalPers	Employee - 457 Plan	-275.00
11/01/2023	Check	126291	Jackson Grantz	Adult Softball Umpire	-105.00
11/02/2023	Check	NL11022023	Amazon.com	Amazon Prime - Annual Payment (Switch)	-148.77
11/02/2023	Bill Payment (Check)	6009865895	SCE (700194594370)	Utilities - Electric - James Hughes Trailer	-133.45
11/02/2023	Bill Payment (Check)	6009865900	SCE (700518137163)	Utilities - Electric - RV Park	-2,097.35
11/02/2023	Bill Payment (Check)	6009865897	SCE (700494090863)	Utilities - Electric (Fire Camp Lighting/Panel)	-345.88
11/02/2023	Bill Payment (Check)	6009865899	SCE (700492393735)	Utilities - Electric - Field #1 - 4	-685.61
11/02/2023	Bill Payment (Check)	6009865896	SCE (700593616907)	Utilities - Electric - Tennis Courts, Horse Areana & Field 5/6	-795.44
11/03/2023	Check	126299	Malik Coleman	Adult Softball Umpire	-105.00
11/03/2023	Bill Payment (Check)	126298	Matthew Pistilli Landscape Services	Weekly Landscape Services	-1,240.00
11/03/2023	Bill Payment (Check)	11032023	Rosalind Otero	Unfunded Health Payment	-133.81
11/03/2023	Check	RF11042023	Walmart	Strategical Planning - Drinks	-119.50
11/04/2023	Check	RF11042023	Manna Donuts	Strategical Planning - Donuts	-16.70
11/07/2023	Check	HF11072023	Beaumont Chamber of Commerce	Good Morning Breakfast - Dan Hughes, Noah Valdivia, Richard Lawhead & Nancy Law	-100.00
11/07/2023	Check	KG11072023	Stater Bros	Water Bottles - Office	-67.43
11/08/2023	Check	126300	3Mojo Khyra Ranch Limited	Staff Holiday Party - December 8th, 2023	-2,200.00
11/08/2023	Check	126301	Malik Coleman	Adult Softball Umpire	-140.00
11/08/2023	Check	126302	Pete Gerlach	Adult Softball Umpire	-35.00
11/08/2023	Bill Payment (Check)	11082023	Nextiva	Monthly Telephone Service	-358.45
11/08/2023	Check	126304	Austin Gilmour	VOID: Adult Softball Umpire - His Bank Unable to locate account GJE, RGJE Reissued on 12/04/2023	0.00
11/08/2023	Check	126305	James W. Halbrook	Adult Softball Umpire	-105.00
11/08/2023	Check	126303	Michael Ruffolo	Adult Softball Umpire	-105.00
11/09/2023	Check	126306	Katherine Mariscal	Refundable Security Deposit - 11/05/2023 - Grange 70th Birthday Party	-500.00
11/09/2023	Bill Payment (Check)	1002483403	CalPers	Employee - Health Insurance	-6,077.18
11/09/2023	Bill Payment (Check)	126307	Matthew Pistilli Landscape Services	Weekly Landscape Services	-2,780.00
11/09/2023	Bill Payment (Check)	98431685	Colonial Life	Employee - Life Insurance	-577.40
11/09/2023	Bill Payment (Check)	2493396-98	CalPers	Employee - Retirement	-7,329.74
11/09/2023	Bill Payment (Check)	6010046088	SCE (7000005100729)	Utilities - Electricity - Grange, Stack Bar, Maintenance, Woman's Club & NCCC	-3,818.50
11/09/2023	Bill Payment (Check)	126308	Pro Care Landscape Services, INC.	Weekly Landscape Services - Franco Garden & Woman's Club	-845.00
11/13/2023	Check	126309	Nancy Law	Strategical Planning - Sandwiches	-198.73
11/13/2023	Check	126310	Jim Smith.	Reimb. Gas/White Marking Paint	-35.70

Beaumont-Cherry Valley Recreation & Park District

HCN Bank - Operating

Check Warrant

November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/13/2023	Check	HF11132023	USPS	CDBG 23/24 - Sponsor Agreements Mail	-10.05
11/13/2023	Check	126312	Jessica Warrick	Payroll Period 10/9/2023 - 10/22/2023	-1,760.00
11/13/2023	Check	126313	Jessica Warrick	Payroll Period 10/23/2023 - 11/5/2023	-1,760.00
11/13/2023	Check	126311	John Flores	Director Fees - October 2023	-600.00
11/15/2023	Check	126314	James W. Halbrook	Adult Softball Umpire	-70.00
11/15/2023	Bill Payment (Check)	p236ZJ3258	Frontier (9600 Inter3021) B	Monthly Wifi Service - Bogart	-105.98
11/15/2023	Check	126316	Javier E. Cota	Adult Softball Umpire	-175.00
11/15/2023	Check	126317	Malik Coleman	Adult Softball Umpire	-175.00
11/15/2023	Check	126318	Michael Ruffolo	Adult Softball Umpire	-70.00
11/15/2023	Check	126319	Austin Gilmour	Adult Softball Umpire	-70.00
11/15/2023	Check	DB11152023	Tunnel of Towers Foundation	Golf Tournament - Entry	-700.00
11/15/2023	Check	af11152023	The Sand Trap Bar & Grill	Winterfest Meeting Lunch	-128.79
11/15/2023	Bill Payment (Check)	14430616	Wells Fargo Financial Leasing	Monthly Copier Lease Agreement	-1,268.78
11/15/2023	Bill Payment (Check)	1713078252	Huntington Bank	Monthly Lease Agreement - Toro Outcross 9060 & Ventrac 4520P - October 2023	-2,582.00
11/15/2023	Bill Payment (Check)	80083532884	Waste Management of the IE	Utilities - Trash - NCCC/Shack Bar/ Maintenance 3 Yard/ RV Park - (3) Coverage Service Charges	-1,970.86
11/15/2023	Bill Payment (Check)	80083532939	Waste Management of the IE	Utilities - Trash - Woman's Club	-147.46
11/15/2023	Bill Payment (Check)	80083533047	Waste Management of the IE	Utilities - Trash - Maintenance 40 Yard Trash & Green Waste	-3,118.32
11/15/2023	Bill Payment (Check)	p236M83FWS	Frontier (9600 Cherry3887) B	Monthly Wifi Service - Bogart	-136.76
11/15/2023	Check	126315	Fete Gerlach	Adult Softball Umpire	-70.00
11/16/2023	Check	CL11162023	The UPS Store	CDBG 24/25 - Grant Package Mailed	-43.20
11/16/2023	Bill Payment (Check)	126356	Matthew Pistilli Landscape Services	Weekly Landscape Services	-1,240.00
11/16/2023	Check	af11162023	Amazon.com	Winterfest Supplies	-76.37
11/17/2023	Check	126357	Chris Law	Reimbursement - Money Orders - ABC License for Winterfest 2023	-104.00
11/17/2023	Bill Payment (Check)	1002497984	CalPers	Employee - 457 Plan	-275.00
11/17/2023	Bill Payment (Check)	3210009	SoCalGas	Utilities - Gas - Grange	-49.60
11/17/2023	Bill Payment (Check)	2839800131	Verizon Wireless	Monthly Wireless Phone Service	-1,019.45
11/17/2023	Bill Payment (Check)	247365904	ARCO Business Solutions	Monthly Gas/Fuel - Traverse (65.361), F150 (39.092) & Dsl Car/Tank	-962.89
11/18/2023	Check	af11182023	Amazon.com	Supplies for Winterfest	-76.37
11/20/2023	Bill Payment (Check)	126355	Arctic Glacier	Winterfest - Snow Hill (50% Deposit)	-4,213.56
11/21/2023	Bill Payment (Check)	111222023	Chevron	Monthly Gas/Fuel - F150 (38,797), Chevy (46,757) & Gas Cans	-852.87
11/21/2023	Bill Payment (Check)	126320	Acorn Technology Services	CO #06-25 (0365 new user Valdivia, Noah), Monthly IT Service, Azure Firewall Storage, CO #06-27 Microsoft Surface Pro Tablet (Valdivia, Noah)	-7,180.54
11/21/2023	Bill Payment (Check)	126321	Action True Value Hardware	Oktoberfest Supplies, Materials for Spigot Repairs RV Sites #39 & 40, 1K/5K Fun Supplies	-440.12
11/21/2023	Bill Payment (Check)	126322	Alcha Plumbing Heating & Air Inc	NCCC Men's Restroom - Urinal Continuous Running - Shut water off to standard urinal on the left-hand side of the men's restroom near the baseball park. Removed the pressure valve due to cracked diaphragm. Installed a new American Standard pressure valve. Tested for Proper function - everything works no leaks	-750.00
11/21/2023	Bill Payment (Check)	126323	Awards & Specialties	Oktoberfest Awards & Metals, Bus. Card, Name tag, Name Plate (Lawhead, Richard) & (Deidre Chatigny)	-585.63
11/21/2023	Bill Payment (Check)	126324	Beaumont Chamber of Commerce	Beaumont Chamber Breakfast - Dan Hughes	-25.00
11/21/2023	Bill Payment (Check)	126325	Best Best & Krieger	Legal Fees - Labor & Employment (GM & AGM Agreements), Employee Benefits (GM Retirement), General Standards Review of Agendas attend meetings.	-15,368.20
11/21/2023	Bill Payment (Check)	126326	California Special Districts Association	CSDA Membership Renewal 12/31/2024 & (3) Employment Law Posters	-8,262.00
11/21/2023	Bill Payment (Check)	126327	Chadrick L. Halliday	2022 Financial Audit Progress, GASB 87 reporting	-8,477.00
11/21/2023	Bill Payment (Check)	126328	Cherry Valley Feed & Pet Supply	(200) Oktoberfest Hay Rental/ (10) Cinco De Mayo Hay Rental	-1,777.77

Beaumont-Cherry Valley Recreation & Park District

HCN Bank - Operating

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November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/21/2023	Bill Payment (Check)	126329	Cintas	Weekly Uniform Expense/Janitorial Supplies	-7,715.02
11/21/2023	Bill Payment (Check)	126330	City of Beaumont	Oktoberfest 2022 Officer Expense/ Oktoberfest 2023 Officer Expense	-7,120.11
11/21/2023	Bill Payment (Check)	126331	Clean Sport, Inc.	Janitorial Supplies - Trash Bags and Spray Bottles	-828.53
11/21/2023	Bill Payment (Check)	126332	Cooper Turf Solutions, Inc.	Field #7 Turfplanning, Sand Leveling	-9,340.00
11/21/2023	Bill Payment (Check)	126333	CPS HR Consulting	HR Audit Progress/ Consulting - 2/26/2023 - 8/26/2023	-7,492.96
11/21/2023	Bill Payment (Check)	126334	Department of Environmental Health	Grange - Health Department License Renewal	-763.00
11/21/2023	Bill Payment (Check)	126335	Department of Justice	Employee - Fingerprinting (James Trickeyer, Michael Sanchez & Dierdre Chaitigny)	-95.00
11/21/2023	Bill Payment (Check)	126336	Desert Quality Heating & Air Conditioning	Ortly Service - Grange & NCCC, NCCC Reroute Drain Lines to Roof Drain, Install new and flushed drains.	-1,010.00
11/21/2023	Bill Payment (Check)	126337	Event Services, LLC	BHS Reunion Portable Restroom Rental	-587.50
11/21/2023	Bill Payment (Check)	126338	Ferrellgas	Utilities - Propane - Snack Bar	-232.59
11/21/2023	Bill Payment (Check)	126339	Gophix Gopher Control	Monthly Gopher Maintenance - October 2023	-2,500.00
11/21/2023	Bill Payment (Check)	126340	Jani-King of California, Inc	Monthly Janitorial Service (October 2023)/ Final Monthly Service (November 2023)	-4,619.06
11/21/2023	Bill Payment (Check)	126341	Land Engineering Consultants, Inc.	Bogart Regional Park - ADA Parking lot Improvements - Add additional visit due to change in scope with grading contractor/ Coordinate survey with Duane Burk, and coordinate staking set up	-3,179.00
11/21/2023	Bill Payment (Check)	126343	MFC Smart Technology Solutions	Ortly copier lease overage fees and freight charges	-31.62
11/21/2023	Bill Payment (Check)	126344	PROCAM INC.	NCCC Fire Alarm Install, Fire Alarm Only Monitoring	-645.00
11/21/2023	Bill Payment (Check)	126345	Respond Systems	Replacement AED Pads (Bogart)	-73.22
11/21/2023	Bill Payment (Check)	126346	Safety Compliance Company	09/27/2023 1pm - Ladder Safety	-250.00
11/21/2023	Bill Payment (Check)	126347	Yucaipa Urgent Care Center	Employee - TB/Drug Test & Physical - Mike Sanchez & Deidre Chaitigny	-250.00
11/21/2023	Bill Payment (Check)	126348	All Purpose Rentals	Rental Equipment to Move Bleachers for Carlson Memorial, Pumpkin Carve Light Towers	-2,434.19
11/21/2023	Bill Payment (Check)	126349	Beaumont Cherry Valley Water Distr 8-005	Utilities - Water - Grange	-100.05
11/21/2023	Bill Payment (Check)	126350	Beaumont Cherry Valley Water Distr 8-006	Utilities - Water - Grange (fire)	-24.00
11/21/2023	Bill Payment (Check)	126351	Frontier (209183458) Maint	Monthly Wifi Service - Maintenance	-105.98
11/21/2023	Bill Payment (Check)	126352	Luis Azarcaya	Final Payment - Holiday Party DJ	-350.00
11/21/2023	Bill Payment (Check)	126353	Turf Star, Inc.	Monthly PM Service (October 2023), Equipment Repair (Ventrac) - replacement of belt	-4,572.50
11/21/2023	Bill Payment (Check)	126354	Weaver Grading, Inc.	Bogart Regional Park - Mowing	-2,100.00
11/21/2023	Bill Payment (Check)	126358	Matthew Fistilli Landscape Services	Weekly Landscape Services	-1,240.00
11/22/2023	Check	126359	Dhour Productions	Winterfest - Security	-3,063.36
11/22/2023	Check	126360	Pete Gerlach	Adult Softball	-30.00
11/22/2023	Bill Payment (Check)	BH03989585	UMPQUA Bank	Bus, Meals, DTR SCE Meter Inspection, Traverse Tires/Service, Flag (Candlelight Trail Flag Pole), Employee of the Month Lunch & refund Fraud Transaction	-1,591.74
11/22/2023	Bill Payment (Check)	6010382452	SCE (700558511896)	Utilities - Electric (Bogart)	-481.52
11/22/2023	Bill Payment (Check)	3260009	SoCalGas	Utilities - Gas - NCCC	-84.82
11/22/2023	Bill Payment (Check)	143073195	Office Depot	Monthly Office Supplies	-66.95
11/22/2023	Bill Payment (Check)	126369	Masonry Design & Concrete Inc.	Woman's Club Stabilization - Dig and Place 5/8 rebar in hole for retrofit from ground to roof(Concrete 3000PSI, Bogart Regional Park Tank Repairs - Incasement to protect high-end pump solid grout (8x8x16 grey precision block)	-7,900.00
11/22/2023	Bill Payment (Check)	126368	SRS Electric	Bogart Regional Park new Kiosk Building - Install all underground conduit for new gate motors exit loops, DT Ranch - Set new pole - install 480 volt meter panel - install (2) ground rods 8ft, installed 30" 2-1/2" PVC conduit from main panel to sub panel Materials, Maintenance Yard - Underground conduit that was hit when water leach system was being installed - Replacing conduit at storage unit pulling new wire, Woman's Club - Installation of New Strip Lighting, Repairs to RV Spaces	-25,129.00
11/22/2023	Bill Payment (Check)	126367	Merlin Johnson Construction, Inc.	Install 2" Waterline & Septic System to new Kiosk	-43,503.07

Beaumont-Cherry Valley Recreation & Park District

HCN Bank - Operating

Check Warrant

November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/22/2023	Bill Payment (Check)	126366	Grand American Builders, Inc.	New Kiosk Building - Interior & exterior Siding and Trim, install Barrel Latches on NCCC Men's Restrooms, Reinstall Signage at Bogart Regional Park, Remove flooring at Woman's Club, install Composite Material on Bogart Pavilion, Repair to Damaged Fencing along Oak Valley Parkway, Install signage NCRP Meadow and BBQ Pit.	-27,066.71
11/22/2023	Bill Payment (Check)	126365	West Coast Mobile Fleet Services	Repair and Maintenance to Chevy Silverado	-1,424.86
11/22/2023	Check	126364	Michael Ruffolo	Adult Softball Umpire	-70.00
11/22/2023	Check	126363	Austin Gilmour	Adult Softball Umpire	-105.00
11/22/2023	Check	126362	Javier E. Cota	Adult Softball Umpire	-105.00
11/22/2023	Check	126361	Malik Coleman	Adult Softball Umpire	-175.00
11/27/2023	Bill Payment (Check)	126373	Arctic Glacier	Final Payment - Snow Hill - Winterfest 2023	-4,213.56
11/27/2023	Bill Payment (Check)	126376	IRC Backflow	Backflow Testing - (2) NCCC (1) WC (2) Grange (1) Bogart	-300.00
11/27/2023	Bill Payment (Check)	126377	JayTown Industries, Inc.	Signage - *NO Hitting Balls against Fence or Buildings*	-409.45
11/27/2023	Bill Payment (Check)	126378	Respond Systems	AED Pads - Replacement / Onsite Phillips Pads	-441.69
11/27/2023	Bill Payment (Check)	126379	Safety Compliance Company	10/18/2023 1pm - Near-Misses	-250.00
11/27/2023	Check	126370	Highland Academy Charter School	Refundable Security Deposit NCCC Fall dance 11/17/2023	-250.00
11/27/2023	Check	126371	Cherry Valley Horsemen's Assoc	Refundable Security Deposit NCCC 11/19/23 Employee Rate	-250.00
11/27/2023	Bill Payment (Check)	126375	Desert Quality Heating & Air Conditioning	NCCC - Found defective induced draft motor causing loud noise. Ordered part through local vendor and will return when received.	-190.00
11/27/2023	Bill Payment (Check)	126374	Beaumont Safe & Lock	(2) Keys - Facilities Coord Office	-164.29
11/27/2023	Bill Payment (Check)	126372	Archange Protection Services	Overnight Security - Oktoberfest 9/15-9/17/2023 (24 hours)	-744.00
11/27/2023	Bill Payment (Check)	126362	Marco Salazar	Voided - VOID:	0.00
11/27/2023	Check	rf112723	Amazon.com	Staff Holiday Party Raffle Prizes	-232.73
11/28/2023	Check	126383	Aaron Morris	CAC License Bi-Annual Renewal	-60.00
11/28/2023	Check	af11282023	Amazon.com	Black Chain for Delineators/Light Tower/Deposit Bags for Bogart	-267.53
11/28/2023	Check	af112823	Amazon.com	Winter Wish Gifts for Families	-63.22
11/28/2023	Check	nv11282023	Amazon.com	Winter Wish Clothes/Toys	-332.59
11/28/2023	Check	nv112823	Amazon.com	Winter Wish Clothes/Toys	-418.87
11/28/2023	Check	126384	Kaylee G Gemmeil	Reimbursement Holiday Party Dry Cleaning/ 18 Tablecloths	-360.00
11/30/2023	Bill Payment (Check)	rf112823	Amazon.com	Holiday Party/Winterfest supplies	-146.61
11/30/2023	Check	126386	Alyssa R Fuimaono	Winterfest 2023 - Petty Cash - Snow Hill/Hay Rides	-500.00
11/30/2023	Bill Payment (Check)	1002514839	CalPERS	Employee - 457 Plan	-1,600.00
11/30/2023	Bill Payment (Check)	1002514823	CalPERS-OPEB	Accrued Liability as of June 30, 2020 - Rate Plan: 1357	-275.00
11/30/2023	Check	126389	Malik Coleman	Umpire Fees - 1 Game	-6,098.58
11/30/2023	Check	NL11302023	Beaumont Chamber of Commerce	Umpire Fees - 1 Game	-35.00
11/30/2023	Check	126390	Javier E. Cota	Chamber Breakfast - Dec 2023 - (8) - Christian Linnemann, John Flores, Richard Lawhead, Dan Hughes, Nancy Law & Noah, Damon & Mickey Valdivia	-200.00
11/30/2023	Check	126391	Pete Gerlach	Umpire Fees - 11/21/2023 - 2 Games	-70.00
11/30/2023	Bill Payment (Check)	vsp11302023	VSP-Vision Service Plan	Umpire Fees - 11/21/2023 - 1 Game	-35.00
11/30/2023	Check	126385	Chris Diercks.	Employee - Vision Insurance	-183.07
11/30/2023	Bill Payment (Check)	2484088390	Ford Credit	Director Fees - November 2023	-500.00
11/30/2023	Check	126393	Dtour Productions	Monthly Lease Payment - F150 XLT	-763.20
11/30/2023	Bill Payment (Check)	126392	Matthew Pistilli Landscape Services	Winterfest Security - Thur-Sat 2023	-2,042.24
11/30/2023	Bill Payment (Check)	126392	Matthew Pistilli Landscape Services	Weekly Landscape Services	-1,240.00

Beaumont-Cherry Valley Recreation & Park District

HCN Bank - Operating

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November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/30/2023	Bill Payment (Check)	2514835-837	CalPers	Employee - Retirement	-7,534.59

Beaumont-Cherry Valley Recreation & Park District
HCN Bank - Project Account
Check Warrant
November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/1/2023	Bill Pmt-Check	4611	Citizens Business Bank		-87,217.18
11/22/2023	Wire Transfer				400,000.00
11/22/2023	Fee		Service Charge for Wire Transfer	Service Charge	-10.00
11/22/2023	Journal Entry	Tran1122237	Transfer to Operating for Capital Improvement Bills		-300,000.00

Beaumont-Cherry Valley Recreation & Park District
Check Warrant
HCN Bank - Bogart
November 2023

Date	Transaction Type	Num	Name	Memo/Description	Amount
11/02/2023	Check	Nov2023	Clover(MRCH BNKCD)	Monthly Credit Card % Fees	-33.52
11/03/2023	Bill Payment (Check)	5548	Matthew Pistilli Landscape Services	Weekly Landscape Services	-1,030.00
11/06/2023	Check	5549	Armando Rivas	Refund for Bogart gate Fees (Gate did not open) 11/5/2023 2pm	-20.00
11/10/2023	Check	Fee	UMS/Celero Banking	Credit Card Monthly Fee	-6.50
11/15/2023	Bill Payment (Check)	80083532997	Waste Management of the IE	Utilities - Trash	-640.80
11/16/2023	Bill Payment (Check)	5555	Matthew Pistilli Landscape Services	Weekly Landscape Services	-880.00
11/21/2023	Bill Payment (Check)	5556	Matthew Pistilli Landscape Services	Weekly Landscape Services	-880.00
11/21/2023	Bill Payment (Check)	5554	Pro-Pipe & Supply	Installation of Sewer line	-571.52
11/21/2023	Bill Payment (Check)	5552	Beaumont-Cherry Valley Water Dist 3-003	Utilities - Water	-174.38
11/21/2023	Bill Payment (Check)	5553	Pattons Steel Corp	Material - Bogart Pavilion & New Kiosk Building	-1,107.85
11/30/2023	Bill Payment (Check)	5557	Matthew Pistilli Landscape Services	Weekly Landscape Services	-880.00



Proposed Committee Assignments

12/13/2023

2023	Director	Director	Director	Alternate	Notes
Finance Committee	John Flores	Chris Diercks	Dan Hughes		2nd Monday @ 4:00PM
Personnel Committee	Denise Ward	Dan Hughes			1st Tuesday @ 11:45AM
Collaborative Agency	John Flores	Denise Ward	Dan Hughes		Bi-Monthly @5:00 (1st Weds)
Facility Ad Hoc	Chris Diercks	Mike Aldrich	Denise Ward		2nd Tuesday @ 3:00PM
Bogart/BCVWD Ad Hoc	John Flores	Denise Ward	Mike Aldrich		4th Tuesday @ 3:00PM
BYB/SB Liaison	Chris Diercks	Mike Aldrich			1st & 3rd Tuesday @ 7:00PM
City of Beaumont Liaison	Dan Hughes	John Flores			1st & 3rd Tuesday @ 5:00PM
Improvement Corporation Liaison	John Flores	Dan Hughes	Denise Ward		2nd Wednesday @ 4:45 PM
City of Calimesa 2x2	Dan Hughes	John Flores	Denise Ward		1st & 3rd Monday @ 6:00PM

2024	Chair	Director	Alternate	Notes/Other
Finance Committee	John Flores	Rich Lawhead	Dan Hughes	
Personnel Committee	Denise Ward	Dan Hughes	Chris Diercks	
Collaborative Agency	Dan Hughes	John Flores	Chris Diercks	
Facility Ad Hoc	Chris Diercks	Rich Lawhead	Denise Ward	
BYB/SB Liaison	Chris Diercks	Denise Ward	Dan Hughes	
Government Liaison	Dan Hughes	Rich Lawhead	Chris Diercks	
Foundation Golf Tour, Board Ad Hoc*	John Flores	Dan Hughes		Christian Linnemann
BCVRPD Policy Manual Ad Hoc*	Chris Diercks	Denise Ward	Rich Lawhead	

	Dan Hughes	Chris Diercks	John Flores	Denise Ward	Rich Lawhead
Chair	2	3	2	1	0
Director	2	0	1	2	3
Alternate	2	3	0	1	1
Total	6	6	3	4	4



Committee Assignments

12/13/2023

2023	Director	Director	Director	Alternate	Notes
Finance Committee	John Flores	Chris Diercks	Chris Diercks	Dan Hughes	2nd Monday @ 4:00PM
Personnel Committee	Denise Ward	Dan Hughes	Dan Hughes	Dan Hughes	1st Tuesday @ 11:45AM
Collaborative Agency	John Flores	Denise Ward	Denise Ward	Denise Ward	Bi-Monthly @5:00 (1st Weds)
Facility Ad Hoc	Chris Diercks	Mike Aldrich	Mike Aldrich	Denise Ward	2nd Tuesday @ 3:00PM
Bogart/BCVWD Ad Hoc	John Flores	Denise Ward	Denise Ward	Mike Aldrich	4th Tuesday @ 3:00PM
BYB/SB Liaison	Chris Diercks	Mike Aldrich	Mike Aldrich		1st & 3rd Tuesday @ 7:00PM
City of Beaumont Liaison	Dan Hughes	John Flores	John Flores		1st & 3rd Tuesday @ 5:00PM
Improvement Corporation Liaison	John Flores	Dan Hughes	Dan Hughes	Denise Ward	2nd Wednesday @ 4:45 PM
City of Calimesa 2x2	Dan Hughes	John Flores	John Flores	Denise Ward	1st & 3rd Monday @ 6:00PM

2024	Chair	Director	Alternate	Notes/Other
Finance Committee				
Personnel Committee				
Collaborative Agency				
Facility Ad Hoc				
BYB/SB Liaison				
Government Liaison				
Foundation Golf Tour. Board Ad Hoc*				
BCVRPD Policy Manual Ad Hoc*				

	Dan Hughes	Chris Diercks	John Flores	Denise Ward	Rich Lawhead
Chair					
Director					
Alternate					
Total					



Staff Report

To: Board of Directors:

From: Noah Valdivia, Athletic Facilities Coordinator

Via: Duane Burk, General Manager

Date: December 13, 2023

Subject: Approval of 2024 Facility Use Agreements

Background and Analysis:

The Beaumont-Cherry Valley Recreation and Park District annually refines Facility Use License Agreements for independent operators which benefit our local community annually. With that, Staff is looking to renew the following Facility Use License Agreements for the 2024 calendar year:

- Beaumont Youth Baseball (BYB)
- Beaumont Lion’s Club
- Woman’s Club
- San Gorgonio Pass Historical Society
- Cherry Valley Horseman’s Association (CVHA)
- Thunder Alley RC Raceway
- Catch a Star Theatrical Players (CAST)

Staff would like to renew the contracts with the Woman’s Club and the San Gorgonio Historical Pass Society with no changes to their Facility Use License Agreements for the 2024 calendar year.

Staff recommends increasing the length of the contracts from (1) to (3) years for the Beaumont Lion’s Club and the Cherry Valley Horseman’s Association.

Additionally, Staff would like to increase the facility use fees for Beaumont Youth Baseball, Thunder Alley RC Raceway, Cherry Valley Horseman’s Association, and CAST. The current rates have not been raised since 2018.

Staff would like to update the facility use fees to the following:

	Current Facility Fees	Proposed Facility Fees
Beaumont Youth Baseball	\$10 per BYB sign up	\$15 per BYB sign up
Thunder Alley RC Raceway	\$330 per month	\$400 per month
CAST	\$63.53 per performance	\$75 per performance
CVHA	\$144.38 per event	\$160 per event

Recommendations:

Staff recommends that the Board review, comment, and approve the changes to the Facility Use License Agreements and allow the General Manager to adjust non substantial changes.

Fiscal Impact:

The operating account would see an increase in revenue from the organizations involved in the fee increases.

Respectfully Submitted,



Noah Valdivia,
Athletic Facilities Coordinator



Beaumont-Cherry Valley Recreation and Park District

FACILITY USE LICENSE AGREEMENT

This Facility Use License Agreement (the “Agreement”), dated January 1, 2024 for purposes of reference, is entered into by and between the Beaumont-Cherry Valley Recreation and Park District (“BCVRPD”) and BEAUMONT YOUTH BASEBALL/SOFTBALL (“BYB/SB”). BCVRPD and “BYB/SB” may be referred to herein generically as the “Party” or collectively as the “Parties”.

1. Whereas, BCVRPD owns and operates the NOBLE CREEK REGIONAL PARK located at 650 W. OAK VALLEY PARKWAY, BEAUMONT, CA, 92223.
2. Whereas BYB/SB desires to utilize BCVRPD facilities between January 1, 2024, and December 31, 2024, for BASEBALL/SOFTBALL LEAGUES AND SNACK BAR.
3. Whereas BYB/SB represents that it has the skill, ability, and personnel to operate such LEAGUES, AND SNACK BAR.

Now, therefore, it is agreed by and between the parties as follows:

TERMS

- I. BCVRPD shall authorize BYB/SB rental of NOBLE CREEK REGIONAL PARK, for spring season practices/games, and all-star practices/tournaments to begin January 1, 2024, through July 31, 2024, fields 1-7 and meadow Monday through Saturday, east end of meadow to be reserved for t-ball only due to fitness court user safety. Practices and games to run Monday through Saturday fields 1-7 for spring regular season and Monday through Saturday during All-Star season. BYB/SB will work with the General Manager, Athletic Facilities Coordinator, and Assistant Maintenance Superintendent to adjust field usage for prior and existing field rentals.
 - i. All-Star tournament dates include but not limited to:
 - i. BYBSB All-Star Warm-up tournament June 6th - June 9th, 2024. This tournament will be tentative due to Potential Cherry Festival at Noble Creek Regional Park.
 - ii. USA Softball “C” District All-Star Tournament June 13th - June 16th, 2024.
 - iii. All other tournament dates are TBD.
- II. BCVRPD shall authorize BYB/SB rental of NOBLE CREEK REGIONAL PARK, for fall season practices/games to begin September 1, 2024, through November 22,



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2024, fields 1-7 and meadow Monday through Friday, east end of meadow to be reserved for t-ball only due to fitness court user safety. Practices and games to run Monday through Friday fields 1-7 for Fall regular season. BYB/SB will work with the General Manager, Athletic Facilities Coordinator, and Assistant Maintenance Superintendent to adjust field usage for prior and existing field rentals.

- III. Building availability and ALL CLUB MEETINGS and EVENTS are subject to applicable federal, state, and local laws and regulations, as amended from time to time.
 - i. BUILDING AVAILABILITY, FACILITY USE, AND MEETING DATES FOR 2024 ARE NOT GUARANTEED.
 - ii. BYB/SB must get approval for any other usage of NOBLE CREEK REGIONAL PARK BALL FIELDS or any other property of the District for any other reason through the District office at regular rental prices.
 - iii. In the case there are ROOM CAPACITY restrictions, BYB/SB shall be required to assign time slots to users to maintain groups AT ALLOWED CAPACITY.
 - iv. BYB/SB must get approval for any other usage of NOBLE CREEK REGIONAL PARK or any other property of the District for any other reason through the District office at regular rental prices.
 - v. BYB/SB shall lease the snack bar all year. BYB/SB will reimburse BCVRPD for any and all utilities each month, including a yearly one-time fee for sewer cleaning. If a grease trap is installed BYB/SB will pay for inspections and monthly cleaning services.
 - vi. BYB/SB is provided Noble Creek Community Center Copper Room for (5) meetings in 2024: (1) manager meeting on February 10th at the Copper Room, (2) team parent meetings February 13th, and February 15th, and (2) Scorekeeper clinics which are TBD at the Cooper Room.
- IV. This agreement includes specified to NOBLE CREEK REGIONAL PARK and surrounding parking. Specialty equipment needed to operate the NOBLE CREEK REGIONAL PARK BALL FIELDS will not be the responsibility of BCVRPD.
 - i. Access to the parking area is by first request of event dates through the General Manager and Athletic Facilities Coordinator of the District.
 - ii. BYB/SB will ensure that NO metal cleats will be used or permitted on portable mounds.



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- iii. Use of the Tuff sheds will be permitted during regular spring and fall BYB/SB seasons. Locks will be consistent with those that are used on the ball fields.
- iv. BYB/SB agrees to maintain and repair the interior of the snack bars and equipment, keeping both in good repair during the term of this agreement.
 - i. BYB/SB will pay for the snack bar exhaust hood to be cleaned once per year due to grease.
 - ii. BYB/SB will pay for any grease trap maintenance/service should one be installed in 2024.
- V. BCVRPD will give notice to BYB/SB if there is another event taking place at the NOBLE CREEK REGIONAL PARK that could interfere with any dates in their agreement.
- VI. COMPLIANCE WITH ALL APPLICABLE LAW, RULES, & REGULATIONS PER STATE OF CALIFORNIA REGARDING COVID-19 REQUIREMENTS.
 - i. BYB/SB shall comply with all local, state, and federal laws and regulations related to the use of the facility and public gatherings.
 - ii. BYB/SB agrees to abide by all applicable local, federal, and state accessibility standards and regulations.
 - iii. BYB/SB further agrees that it is solely responsible for reviewing and ensuring compliance with all applicable public health rules, regulations, orders, and/or guidance in effect at the time of the use of the facility including, but not limited to, physical distancing, limits on the size of gatherings, use of appropriate sanitation practices, etc.
 - iv. BCVRPD reserves the right to immediately revoke BYB/SB right to use of the facility under this agreement should BYB/SB fail to comply with any provision of this section.
- VII. BCVRPD and its employees are not responsible for any misplaced, broken or stolen items that BYB/SB chooses to store in or around the facility.
 - i. BYB/SB must get prior approval for any stored items on the district property.
 - ii. BYB/SB will provide an inventory list of all items stored in NOBLE CREEK REGIONAL PARK and the square footage needed to store the items.
 - iii. BYB/SB will provide a set of keys or combinations to the District to anything stored on the district property.



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- iv. BYB/SB will be provided with 4 sets of keys for necessary facilities at Noble Creek Regional Park. No keys shall be duplicated. Outside of regular spring and fall seasons, keys will be returned to BCVRPD.

VIII. Fees, payable to BCVRPD for the above, shall be as follows:

- i. The following fees are good through the dates of this agreement
- ii. \$15.00 for each registered player for spring and fall baseball/softball leagues, and will provide a copy of each sign-up form.
- iii. SNACK BAR USAGE TO ONLY BE ALLOWED BY GENERAL MANAGER APPROVAL \$200.00 per month for rental use of the snack bar for the months of January 1, 2024 – July 31, 2024.
- iv. SNACK BAR USAGE TO ONLY BE ALLOWED BY GENERAL MANAGER APPROVAL \$650.00 per month for rental use of the snack bar for the months of August 1, 2024 – December 31, 2024.
 - i. If the snack bar is open for business by BYB/SB during the months of August 1, 2024 – December 31, 2024, BYB/SB will incur the \$650.00 per month rental use fee during the months in which the snack bar is open for business.
 - ii. If the snack bar is NOT open for business by BYB/SB during the months of August 1, 2023 – December 31, 2023, then BYB/SB will not be responsible for the \$650.00 per month rental use during the months in which the snack bar is NOT in use.
- v. SNACK BAR USAGE TO ONLY BE ALLOWED BY GENERAL MANAGER APPROVAL BYB/SB will pay for both snack bars propane, electrical, and alarm service from January 1, 2024 – December 31, 2024.
- vi. BYB/SB will be billed for each sewer cleaning.
- vii. Payable within (10) days after Finance Services Technician invoices for the month and emails to swagarch22@yahoo.com and bybaseballsoftball@gmail.com.
- viii. A late fee of \$25.00 will be added if not paid within 15 days of payment due date.
- ix. There will be a \$35.00 fee payable in cash to all returned checks. This fee is required in order to restore contract.



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- IX. BYB/SB shall during scheduled use perform set-up and take-down of all equipment used, and be responsible for the general cleanliness of the park after use.
- i. Cleanliness of the fields and bathrooms shall be the responsibility of BYB/SB during all facility use.
 - ii. BCVRPD will maintain the responsibility for the regular cleaning, maintenance, and sanitization of the bathrooms after all facility use.
 - iii. BYB/SB will remove all trash from the filled outside trash containers after each use.
 - iv. BYB/SB shall not permit gatherings beyond that of MEETINGS, PRACTICES, AND GAMES before or after building/FACILITY use.
 - v. BYB/SB is responsible for opening and closing all facilities at the beginning and end of each day during use. FIELDS, BINS, SNACK BARS, AND RESROOMS.
 - vi. If BYB/SB is deficient in the cleanliness in the park, the district will contact the BYB/SB President, Steve Wagner, and if not cleaned in a timely manner, the District will clean and bill BYB/SB.
- X. Any building upgrades or permanent fixtures must be approved by BCVRPD prior to construction. Any licenses, fees, permits will be the responsibility of BYB/SB and must meet all City/County/State legal standards.
- XI. BCVRPD is routinely doing upgrades to our facilities. During this time BYB/SB could have limited or no access during these upgrades. There will be no reimbursement for loss of anticipated revenue.
- XII. All fundraisers are subject to prior approval by the Board of Directors of BCVRPD.
- XIII. BCVRPD reserves the right to reassign BYB/SB to another facility if the NOBLE CREEK REGIONAL PARK should become unavailable due to an emergency.
- XIV. All keys shall be issued by BCVRPD. Keys must be returned to the District Office at the end of the agreement. BYB/SB shall not duplicate any keys. If a key is lost or stolen BYB/SB shall immediately report the loss to BCVRPD. BYB/SB will be charged the cost for re-keying of the building and for manufacture of new keys.
- XV. BYB/SB will provide the District a list of anyone that has been issued one of the four sets of keys.
- XVI. Access to any District storage and Maintenance yard is prohibited to any BYB/SB volunteers.



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- XVII. BYB/SB shall not make any changes to lock(s) on District property. District issued codes may not be given out to any person that is not authorize. In doing so will be subjected to a fine in consideration to changing the lock(s) or code(s)
- XVIII. Alarm codes shall be issued by BCVRPD. Alarm codes should only be shared with members that are issued keys.
- i. BYB/SB will be responsible for any charges incurred by a false alarm to the NOBLE CREEK REGIONAL PARK from any BYB/SB volunteers or Board members entering one of our buildings.
- XIX. BYB/SB will provide the District a list of anyone that has been issued the assigned alarm code.
- XX. BYB/SB shall promptly report any maintenance issues encountered during its use of the buildings in writing to BCVRPD. BCVRPD will address reported issues.
- XXI. BYB/SB will be responsible for any damage to the facility caused by BYB/SB members, volunteers, and/or patrons. BCVRPD will repair damages and bill the cost to BYB/SB.
- XXII. BCVRPD reserves the right to enter and inspect the facility at any time for any purpose during use of the facility. User shall follow all directives from District representatives.
- XXIII. BYB/SB members, volunteers, and patrons shall not interfere with the regular use of the facility by any other group or person. Excessive noise or other disruptive behavior is prohibited.
- i. BYB/SB members, volunteers, and patrons agree to cooperate fully with all other facility users and District representative in a professional and courteous manner at all times.
- XXIV. BYB/SB agrees to charge parking fees for All-Star Warm up Tournament JUNE 6th-9th, 2024 and USA Softball “C” District Tournament JUNE 13th -16th, 2024.
- i. 50 percent of the net parking revenue will be distributed to BCVRPD for fair share costs, the money received will go to the Improvement Corporation fund balance.
 - ii. Any minor helping with the collection of parking fees must be accompanied by an adult.



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- XXV. FORCE MAJEURE
- i. Force Majeure Events: Notwithstanding anything to the contrary contained in this agreement, the BCVRPD shall be excused from its obligations under this agreement to the extent and whenever it shall be prevented from the performance of such obligations by any Force Majeure Event. For purposes of this agreement, a “Force Majeure Event” includes but is not limited to fires, floods, earthquakes, pandemic, epidemic, civil disturbances, acts of terrorism, regulation of any public authority, and other causes beyond their control. BYB/SB waives any right of recovery against BCVRPD and BYB/SB shall not charge results of “acts of God” to BCVRPD, its officers, employees, or agents.
- XXVI. In the performance of this agreement, BYB/SB shall comply with all applicable provisions of the California Fair Employment Practices Act, California Government Code Section 12940-48, and all applicable state and federal laws, including but not limited to all regulations set forth by Riverside County and the Department of Health.
- XXVII. Any outside vendors utilized for BYB/SB events shall follow all necessary city legal requirements. Any damage to BCVRPD property by their vendors is responsibility of BYB/SB to repair and/or clean.
- XXVIII. Any volunteers operating a motorized vehicle must have a valid CA driver’s license and insurance. BCV Parks and Recreation is not responsible for any damage.
- XXIX. BYB/SB shall not assign or attempt to assign any portion of this agreement.
- XXX. BYB/SB agrees to turn all field lights off by 10:00pm each night in use unless prior approval from the General Manager of BCVRPD.
- XXXI. BYB/SB will require approval for advertisement banners on the inside ball field fences from January 31, 2024 – July 31, 2024. Any other locations will require prior approval of the General Manager. The placement, removal and maintenance/appearance of the banners will be the sole responsibility of BYB/SB. Any banner deemed inappropriate by the District standards will require immediate removal. If the banner is not removed in a timely manner the District will remove the banner.
- XXXII. Noble Creek Regional Park is one of Riverside County’s Fire Camp Bases and animal evacuation centers in the event of a natural disaster. The park can be shut down to the public on very short notice. You will be required to leave the park due to a sudden park closure. There will be no reimbursement for loss of anticipated revenue.
- XXXIII. BYB/SB shall maintain its own liability insurance, naming BCVRPD as additional insured.



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- i. **Minimum Requirements:** BYB/SB shall, at its own expense procure and maintain for the duration of the agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the agreement by BYB/SB, its agents, representatives, employees, or subcontractors. BYB/SB shall also require all of its subcontractors to procure and maintain the same insurance for the duration of the agreement. Insurance dates must cover January 1 through December 31 of each year. Such insurance shall meet at least the following minimum levels of coverage:
 - i. **Minimum Scope of Insurance:** Coverage shall be at least as broad as the latest version of the following:
 1. *General Liability:* Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001);
 2. *Automobile Liability:* Insurance Services Office Business Auto Coverage form number CA 0001, code 1 (any auto); and,
 3. *Workers' Compensation and Employer's Liability:* Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
 - ii. **Minimum Limits of Insurance:** BYB/SB shall maintain limits no less than:
 1. *General Liability:* Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with general aggregate limit is used including, but not limited to form CG 2503, either the general aggregate limit shall apply separately to this agreement/location or the general aggregate limit shall be twice the required occurrence limit. Therefore the CGL (Commercial General Liability) is (\$2,000,000.00) per occurrence; General Aggregate is (\$4,000,000.00).
 2. *Sports Organizations:* If the use includes athletic activities, the Organization shall provide evidence of that the CGL includes coverage for injuries to athletic participants and should also provide evidence of Participants Accident Insurance. Minimum coverage (\$2,000,000.00) per occurrence and (\$4,000,000.00) in general aggregate.



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3. *Sexual Abuse or Molestation (SAM) Liability*: If the work will include contact with minors, and the (CGL) policy referenced above is not endorsed to include affirmative coverage for sexual abuse or molestation, contractor shall obtain and maintain a policy covering Sexual Abuse and Molestation with a limit no less than (1,000,000.00) per occurrence or claim.
 4. *Automobile Liability*: One Million Dollars (\$1,000,000.00) per accident for bodily injury and property damage; and
 5. *Worker's Compensation and Employers' Liability*: Workers' Compensation limits as required by the Labor Code of the State of California. Employer's Liability limits of One Million Dollars (\$1,000,000.00) per accident for bodily injury or disease.
- iii. **Insurance Endorsements**: The insurance policies shall contain the following provisions, or BYB/SB shall provide endorsements on forms supplied or approved by the BCVRPD to add the following provisions to the insurance policies:
- iv. **General Liability**: The general liability policy shall be endorsed to state that:
1. The DISTRICT, its directors, officials, officers, employees, agents, and volunteers shall be covered as additional insured with respect to the activity or operations performed by or on behalf of the BYB/SB; and,
 2. The insurance coverage shall be primary insurance as respects the BCVRPD, its directors, officials, officers, employees, agents, and volunteers, or if excess, shall stand in a unbroken chain of coverage excess of the BYB/SB scheduled underlying coverage. Any insurance or self-insurance maintained by the BCVRPD, its directors, officials, officers, employees, agents, and volunteers shall be excess of the BYB/SB insurance and shall not be called upon to contribute with it in anyway.
- v. **Automobile Liability**: The automobile liability policy shall be endorsed to state that:
1. BCVRPD, its directors, officials, officers, employees, agents, and volunteers shall be covered as additional insured's with respect to the ownership operation, maintenance, use, loading



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or unloading of any auto owned, leased, hired or borrowed by the BYB/SB or for which BYB/SB is responsible; and

2. The insurance coverage shall be primary insurance as respects the BCVRPD, its directors, officials, officers, employees, agents, and volunteers, or if excess, shall stand in an unbroken chain of coverage excess of the BYB/SB scheduled underlying coverage. Any insurance or self-insurance maintained by BCVRPD, its directors, officials, officers, employees, agents, and volunteers shall be excess of the BYB/SB insurance and shall not be called upon to contribute with it in anyway.
- vi. **Workers' Compensation and Employer's Liability Coverage:** The insurer shall agree to waive all rights of subrogation against the BCVRPD, its directors, officials, officers, employees, agents, and volunteers for losses paid under the terms of the insurance policy which arise from work performed by BYB/SB.
- vii. **All Coverages:** Each insurance policy required by this agreement shall be endorsed to state that:
1. Coverage shall not be suspended, voided, reduced or canceled except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the BCVRPD; and,
 2. Any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the BCVRPD, its directors, officials, officers, employees, agents, and volunteers.
- viii. **Separation of Insured's; No Special Limitations:** All insurance required by this section shall contain standard separation of insured's provisions. In addition, such insurance shall not contain any special limitations on the scope of protection afforded to the BCVRPD, its directors, officials, officers, employees, agents and volunteers.
- ix. **Deductibles and Self-Insurance Retentions:** Any deductibles or self-insured retentions must be declared to and approved by BCVRPD. BYB/SB shall guarantee that, at the option of the BCVRPD, either:
1. The insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the BCVRPD, its directors, officials, officers, employees, agents, and volunteers; or



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2. BYB/SB shall procure a bond guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.
 - x. **Acceptability of Insurers:** Insurance is to be placed with insurers with a current A:M. Best's rating no less than A:VIII, licensed to do business in California, and satisfactory to the DISTRICT.
 - xi. **Verification of Coverage:** BYB/SB shall furnish DISTRICT with original certificates of insurance and endorsements effecting coverage required by the agreement on forms.
 - xii. **Satisfactory to the BCVRPD:** The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by the BCVRPD before the activity commences. The BCVRPD reserves the right to require complete, certified copies of all required insurance policies, at any time.
 - xiii. **Reporting of Claims:** BYB/SB shall report to the BCVRPD, in addition to the insurer, any and all insurance claims submitted by BYB/SB in connection with this agreement.
- XXXIV. BYB/SB shall indemnify, defend, and hold harmless (BCVRPD), its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time out of or in any way related to the BYB/SB use or occupancy of a facility or property controlled by the (BCVRPD), unless solely caused by the gross negligence or willful misconduct of (BCVRPD), its officers, employees, or agents.
- XXXV. BYB/SB shall defend, with counsel of its choosing and at BYB/SB own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind covered by the section that may be brought or instituted against BCVRPD or its directors, officials, officers, employees, volunteers and agents. BYB/SB shall pay and satisfy any judgment, award or decree that may be rendered against BCVRPD or its directors, officials, officers, employees, volunteers and agents as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for BCVRPD's attorney's fees and costs, including expert witness fees. BYB/SB shall reimburse BCVRPD and its directors, officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the BCVRPD, its directors, officials, officers, employees, agents and volunteers.



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XXXVI. In the event of litigation between parties arising out or connected with this agreement, the prevailing party in such litigation shall be entitled to recover, in addition to any other amounts, reasonable attorney’s fees and costs of such litigation.

XXXVII. This agreement represents the entire and integrated agreement of the parties and supersedes any and all prior negotiations, representations, or agreements, either written or oral. This agreement may be amended only by written instrument signed by both parties.

XXXVIII. This agreement and any dispute hereunder shall be governed by and interpreted according to the laws of the State of California. Venue shall be in Riverside County.

XXXIX. All notices pertaining to this agreement shall be in writing and addressed as follows:

- i. Beaumont-Cherry Valley Recreation and Park District
390 W Oak Valley Parkway
Beaumont CA 92223
- ii. BYB/SB Steve Wagner
950 Beaumont Ave
PO Box 3358
Beaumont, CA 92223

Notices shall be deemed effective when received by the other Party

XL. This agreement is to be affective on January 1, 2024 and end on December 31, 2024. It may be extended by mutual agreement. Cancellation by either party will require a (90) day written notice.

XLI. The Parties acknowledge that each has all requisite power and authority to conduct its business and to execute, deliver, and perform the agreement. Each party warrants that the individuals who have signed this agreement have the legal power, right, and authority to make this agreement and bind each respective party.

XLII. The recitals above are true and correct and are incorporated herein by this reference.

XLIII. The Parties hereto hereby agree that electronic signatons are acceptable and shall have the same force and effect as original wet signature.

Mickey Valdivia, General Manager (BCVRPD)

Steve Wagner, President (BYB/SB)

Date

Date



District

Beaumont-Cherry Valley Recreation and Park

FACILITY USE LICENSE AGREEMENT

This Facility Use License Agreement (the “Agreement”), dated January 1, 2024 for purposes of reference, is entered into by and between the Beaumont-Cherry Valley Recreation and Park District (“BCVRPD”) and BEAUMONT LIONS CLUB. BCVRPD and BEAUMONT LIONS CLUB may be referred to herein generically as the “Party” or collectively as the “Parties”.

RECITALS

1. Whereas, BCVRPD owns and operates the MAINTENANCE SHOP “C” located at 650 W Oak Valley Parkway, Beaumont CA 92223.
2. Whereas, BEAUMONT LIONS CLUB desires to utilize BCVRPD facilities between January 1, 2024 and December 31, 2026 for MEETINGS and EVENTS.
3. Whereas, BEAUMONT LIONS CLUB represents that it has the skill, ability and personnel to render such MEETINGS AND EVENTS.

Now, therefore, it is agreed by and between the parties as follows:

TERMS

- I. BCVRPD shall authorize BEAUMONT LIONS CLUB rental of the MAINTENANCE SHOP “C”. On the 2nd and 4th Thursday of every month for Club Meetings starting at 5pm – 10pm, including (15) events a year, date to be determined at later date.
- II. Building availability and ALL MEETINGS and EVENTS are subject to all applicable federal, state, and local laws and regulations, as amended from time to time.
 - i. BUILDING AVAILABILITY AND MEETING DATES FOR 2024- 2026 ARE NOT GUARANTEED.
 - ii. BEAUMONT LIONS CLUB must get approval for any other usage of MAINTENANCE SHOP “C” or any other property of the District for any other reason through the District office at regular rental prices.
 - iii. BCVRPD will give notice to BEAUMONT LIONS CLUB if there are any other meetings or event scheduled in the building.



District

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- iv. In the case there is ROOM CAPACITY restrictions, BEAUMONT LIONS CLUB shall be required to assign time slots to users to maintain groups AT ALLOWED CAPACITY.
- III. This agreement includes full access to MAINTENANCE SHOP “C” and surrounding parking. Specialty equipment needed to operate the MAINTENANCE SHOP “C” will not be the responsibility of BCVRPD.
 - i. Access to the parking area is by first request of event dates through the Athletic Facilities Coordinator or General Manager of the park District.
- IV. BCVRPD will give notice to BEAUMONT LIONS CLUB if there is another event taking place at the MAINTENANCE SHOP “C” that could interfere with any dates in their agreement.
- V. COMPLIANCE WITH ALL APPLICABLE LAW, RULES, & REGULATIONS PER STATE OF CALIFORNIA REGARDING COVID-19 REQUIREMENTS
 - i. BEAUMONT LIONS CLUB shall comply with all local, state, and federal laws and regulations related to the use of the facility and public gatherings.
 - ii. BEAUMONT LIONS CLUB agrees to abide by all applicable local, federal, and state accessibility standards and regulations.
 - iii. BEAUMONT LIONS CLUB further agrees that it is solely responsible for reviewing and ensuring compliance with all applicable public health rules, regulations, orders, and/or guidance in effect at the time of the use of the facility including, but not limited to, physical distancing, limits on the size of gatherings, use of appropriate sanitation practices, etc.
 - iv. BCVRPD reserves the right to immediately revoke BEAUMONT LIONS CLUB right to use of the facility under this agreement should BEAUMONT LIONS CLUB fail to comply with any provision of this section.
- VI. BCVRPD and its employees are not responsible for any misplaced, broken or stolen items that BEAUMONT LIONS CLUB chooses to store in or around the facility.
 - i. BEAUMONT LIONS CLUB must get prior approval for any stored items on the district property.
 - ii. BEAUMONT LIONS CLUB will provide an inventory list of all items stored in/or around MAINTENANCE SHOP “C” and the square footage needed to store the items.



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- iii. BEAUMONT LIONS CLUB will provide a set of keys or combinations to the District to anything stored on the district property.
- VII. Fees, payable to BCVRPD for the above, shall be as follows:
- i. The following fees are good through the dates of this agreement
 - ii. \$515.00 bi- monthly (\$450.00 + \$65 for Pest Control) starting “February 1, 2024 through December 1, 2026”. With Beaumont Lions Club to agree to do (3 or more) projects for BCVRPD a year, in which the rent will be \$0 for the month of said project completion.
 - iii. Payable to BCVRPD the 1st of every month.
 - iv. A late fee of \$25.00 will be added if not paid within 15 days of payment due date.
 - v. There will be a \$35.00 fee payable in cash on all returned checks. This is required in order to restore contract.
- VIII. BEAUMONT LIONS CLUB, agrees to abide by their BCVRPD APPROVED COVID-19 CLEANING AND GATHERING PROTOCOL PROCEDURE DOCUMENT.
- IX. BEAUMONT LIONS CLUB shall during scheduled use perform set-up and take-down of all chairs, tables, equipment, and be responsible for the general cleanliness of the building after use.
- i. Cleanliness of the kitchen and bathroom shall be the responsibility of BEAUMONT LIONS CLUB during and after all facility use.
 - ii. BEAUMONT LIONS CLUB will remove all trash to the outside trash containers after each use.
 - iii. BEAUMONT LIONS CLUB shall not permit gatherings beyond that of MEETINGS AND EVENTS before or after building use.
 - iv. BEAUMONT LIONS CLUB shall abide by state and federal guidelines regarding safe distancing.
 - v. BEAUMONT LIONS CLUB agrees to CALIFORNIA STATE GOVERNOR’S ORDERS and shall clean restroom facilities following each



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use of the MAINTENANCE SHOP “C” with CDC approve COVID-19 viral cleaning products.

- X. Any building upgrades or permanent fixtures must be approved by BCVRPD prior to construction. Any licenses, fees, permits will be the responsibility of BEAUMONT LIONS CLUB and must meet all City/County/State legal standards.
 - i. Cost of any approved permanent fixtures will be the responsibility of BEAUMONT LIONS CLUB and will be donated to BCVRPD and remain as part of the MAINTENANCE SHOP “C” property if/when the BEAUMONT LIONS CLUB no longer resides at the MAINTENANCE SHOP “C”.
- XI. BCVRPD is routinely doing upgrades to our facilities. During this time BEAUMONT LIONS CLUB could have limited or no access during these upgrades. There will be no reimbursement for loss of anticipated revenue.
- XII. All fundraisers are subject to prior approval by the Board of Directors of BCVRPD.
- XIII. BCVRPD reserves the right to reassign BEAUMONT LIONS CLUB to another facility if the MAINTENANCE SHOP “C” should become unavailable due to an emergency.
- XIV. All keys shall be issued by BCVRPD. Keys must be returned to the District Office at the end of the agreement. BEAUMONT LIONS CLUB shall not duplicate any keys. If a key is lost or stolen BEAUMONT LIONS CLUB shall immediately report the loss to BCVRPD. BEAUMONT LIONS CLUB will be charged the cost for re-keying of the building and for manufacture of new keys.
- XV. BEAUMONT LIONS CLUB will provide the District a list of anyone that has been issued keys and for what locations.
- XVI. BEAUMONT LIONS CLUB shall not make any changes to lock(s) on District property.
- XVII. BEAUMONT LIONS CLUB shall promptly report any maintenance issues encountered during its use of the buildings in writing to BCVRPD email aaron@bcvparks.com and nancy@bcvparks.com. BCVRPD will address reported issues.
- XVIII. BEAUMONT LIONS CLUB will be responsible for any damage to the facility caused by BEAUMONT LIONS CLUB members, volunteers, and/or patrons. BCVRPD will repair any damages and bill the cost to BEAUMONT LIONS CLUB.



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- XIX. BCVRPD reserves the right to enter and inspect the facility at any time for any purpose during use of the facility. User shall follow all directives from District representatives.
- XX. Noble Creek Community Park is one of Riverside County's Fire Camp Bases and animal evacuation centers in the event of a natural disaster. The park can be shut down to the public on very short notice. You will be required to leave the park due to a sudden park closure. There will be no reimbursement for loss of anticipated revenue.
- XXI. BEAUMONT LIONS CLUB members, volunteers, and patrons shall not interfere with the regular use of the facility by any other group or person. Excessive noise or other disruptive behavior is prohibited.
- i. BEAUMONT LIONS CLUB members, volunteers, and patrons agree to cooperate fully with all other facility users and District representative in a professional and courteous manner at all times.
- XXII. FORCE MAJEURE
- i. Force Majeure Events: Notwithstanding anything to the contrary contained in this agreement, the BCVRPD shall be excused from its obligations under this agreement to the extent and whenever it shall be prevented from the performance of such obligations by any Force Majeure Event. For purposes of this agreement, a "Force Majeure Event" includes but is not limited to fires, floods, earthquakes, pandemic, epidemic, civil disturbances, acts of terrorism, regulation of any public authority, and other causes beyond their control. BEAUMONT LIONS CLUB waives any right of recovery against BCVRPD and BEAUMONT LIONS CLUB shall not charge results of "acts of God" to BCVRPD, its officers, employees, or agents.
- XXIII. BEAUMONT LIONS CLUB shall maintain its own liability insurance, naming BCVRPD as additional insured.
- i. Minimum Requirements: BEAUMONT LIONS CLUB shall, at its own expense procure and maintain for the duration of the agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the agreement by BEAUMONT LIONS CLUB, its agents, representatives, employees, or



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subcontractors. BEAUMONT LIONS CLUB shall also require all of its subcontractors to procure and maintain the same insurance for the duration of the agreement. Insurance dates must cover December 1st, 2024 through December 31, 2026, and January 1 through December of each year. Such insurance shall meet at least the following minimum levels of coverage:

i. **Minimum Scope of Insurance:** Coverage shall be at least as broad as the latest version of the following:

1. *General Liability:* Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001);
2. *Automobile Liability:* Insurance Services Office Business Auto Coverage form number CA 0001, code 1 (any auto); and,
3. *Workers' Compensation and Employer's Liability:* Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

ii. **Minimum Limits of Insurance:** BEAUMONT LIONS CLUB shall maintain limits no less than:

1. *General Liability:* Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with general aggregate limit is used including, but not limited to form CG 2503, either the general aggregate limit shall apply separately to this agreement/location or the general aggregate limit shall be twice the required occurrence limit. Therefore the CGL (Commercial General Liability) is (\$2,000,000.00) per occurrence; General Aggregate is (\$4,000,000.00)
2. *Sexual Abuse or Molestation (SAM) Liability:* If the work will include contact with minors, and the (CGL) policy referenced above is not indorsed to include affirmative coverage for sexual abuse or molestation, Contractor shall obtain and maintain a policy covering Sexual Abuse and Molestation with a limit no less than (\$1,000,000.00) per occurrence or claim.
3. *Automobile Liability:* One Million Dollars (\$1,000,000.00) per accident for bodily injury and property damage; and



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4. *Worker's Compensation and Employers' Liability*: Workers' Compensation limits as required by the Labor Code of the State of California. Employer's Liability limits of One Million Dollars (\$1,000,000.00) per accident for bodily injury or disease.
- iii. **Insurance Endorsements**: The insurance policies shall contain the following provisions, or BEAUMONT LIONS CLUB shall provide endorsements on forms supplied or approved by the BCVRPD to add the following provisions to the insurance policies:
- iv. **General Liability**: The general liability policy shall be endorsed to state that:
 1. The DISTRICT, its directors, officials, officers, employees, agents, and volunteers shall be covered as additional insured with respect to the activity or operations performed by or on behalf of the BEAUMONT LIONS CLUB; and,
 2. The insurance coverage shall be primary insurance as respects the BCVRPD, its directors, officials, officers employees, agents, and volunteers, or if excess, shall stand in a unbroken chain of coverage excess of the BEAUMONT LIONS CLUB scheduled underlying coverage. Any insurance or self-insurance maintained by the BCVRPD, its directors, officials, officers, employees, agents, and volunteers shall be excess of the BEAUMONT LIONS CLUB insurance and shall not be called upon to contribute with it in anyway.
- v. **Automobile Liability**: The automobile liability policy shall be endorsed to state that:
 1. BCVRPD, its directors, officials, officers, employees, agents, and volunteers shall be covered as additional insured's with respect to the ownership operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the BEAUMONT LIONS CLUB or for which BEAUMONT LIONS CLUB is responsible; and
 2. The insurance coverage shall be primary insurance as respects the BCVRPD, its directors, officials, officers, employees, agents, and volunteers, or if excess, shall stand in an unbroken



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chain of coverage excess of the BEAUMONT LIONS CLUB scheduled underlying coverage. Any insurance or self-insurance maintained by BCVRPD, its directors, officials, officers, employees, agents, and volunteers shall be excess of the BEAUMONT LIONS CLUB insurance and shall not be called upon to contribute with it in anyway.

- vi. **Workers' Compensation and Employer's Liability Coverage:** The insurer shall agree to waive all rights of subrogation against the BCVRPD, its directors, officials, officers, employees, agents, and volunteers for losses paid under the terms of the insurance policy which arise from work performed by BEAUMONT LIONS CLUB.
- vii. **All Coverages:** Each insurance policy required by this agreement shall be endorsed to state that:
 1. Coverage shall not be suspended, voided, reduced or canceled except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the BCVRPD; and,
 2. Any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the BCVRPD, its directors, officials, officers, employees, agents, and volunteers.
- viii. **Separation of Insured's; No Special Limitations:** All insurance required by this section shall contain standard separation of insured's provisions. In addition, such insurance shall not contain any special limitations on the scope of protection afforded to the BCVRPD, its directors, officials, officers, employees, agents and volunteers.
- ix. **Deductibles and Self-Insurance Retentions:** Any deductibles or self-insured retentions must be declared to and approved by BCVRPD. BEAUMONT LIONS CLUB shall guarantee that, at the option of the BCVRPD, either:
 1. The insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the BCVRPD, its directors, officials, officers, employees, agents, and volunteers; or



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2. BEAUMONT LIONS CLUB shall procure a bond guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.
 - x. **Acceptability of Insurers:** Insurance is to be placed with insurers with a current A: M. Best's rating no less than A:VIII, licensed to do business in California, and satisfactory to the DISTRICT.
 - xi. **Verification of Coverage:** BEAUMONT LIONS CLUB shall furnish DISTRICT with original certificates of insurance and endorsements effecting coverage required by the agreement on forms.
 - xii. **Satisfactory to the BCVRPD:** The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by the BCVRPD before the activity commences. The BCVRPD reserves the right to require complete, certified copies of all required insurance policies, at any time.
 - xiii. **Reporting of Claims:** BEAUMONT LIONS CLUB shall report to the BCVRPD, in addition to the insurer, any and all insurance claims submitted by BEAUMONT LIONS CLUB in connection with this agreement.
- XXIV. BEAUMONT LIONS CLUB shall indemnify, defend, and hold harmless (BCVRPD), its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time out of or in any way related to the BEAUMONT LIONS CLUB use or occupancy of a facility or property controlled by the (BCVRPD), unless solely caused by the gross negligence or willful misconduct of (BCVRPD), its officers, employees, or agents.
- XXV. BEAUMONT LIONS CLUB shall defend, with counsel of its choosing and at BEAUMONT LIONS CLUB own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind covered by the section that may be brought or instituted against BCVRPD or its directors, officials, officers, employees, volunteers and agents. BEAUMONT LIONS CLUB shall pay and satisfy any judgment, award or decree that may be rendered against BCVRPD or its directors, officials, officers, employees, volunteers and agents as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for BCVRPD's attorney's fees and costs, including expert witness fees. BEAUMONT



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LIONS CLUB shall reimburse BCVRPD and its directors, officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the BCVRPD, its directors, officials, officers, employees, agents and volunteers.

- XXVI. In the event of litigation between parties arising out or connected with this agreement, the prevailing party in such litigation shall be entitled to recover, in addition to any other amounts, reasonable attorney's fees and costs of such litigation.
- XXVII. This agreement represents the entire and integrated agreement of the parties and supersedes any and all prior negotiations, representations, or agreements, either written or oral. This agreement may be amended only by written instrument signed by both parties.
- XXVIII. This agreement and any dispute hereunder shall be governed by and interpreted according to the laws of the State of California. Venue shall be in Riverside County.
- XXIX. All notices pertaining to this agreement shall be in writing and addressed as follows:
- i. Beaumont-Cherry Valley Recreation and Park District
390 W Oak Valley Parkway
Beaumont CA 92223
 - ii. BEAUMONT LIONS CLUB
c/o Glenn Shelley
1632 Sams Canyon
Beaumont CA 92223

Notices shall be deemed effective when received by the other Party.

- XXX. This agreement is to be affective on January 1, 2024 and end on December 31, 2026. It may be extended by mutual agreement. Cancellation by either party will require a (90) day written notice.
- XXXI. The Parties acknowledge that each has all requisite power and authority to conduct its business and to execute, deliver, and perform the agreement. Each party warrants that the individuals who have signed this agreement have the legal power, right, and authority to make this agreement and bind each respective party.
- XXXII. The recitals above are true and correct and are incorporated herein by this reference.
- XXXIII. The Parties hereto hereby agree that electronic signatures are acceptable and shall have the same force and effect as original wet signatures.



Beaumont-Cherry Valley Recreation and Park

District

Mickey Valdivia, General Manager (BCVRPD)

Nicholas Hughes, Secretary (Lions Club)

Date

Glenn Shelley, Treasure (Lions Club)

Date