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RECEIVED

FEB 05 2009

Sweetwater Authority

February 3, 2009

Mark Rogers
General Manager
Sweetwater Authority
505 Garrett Avenue
Chula Vista, CA 91910

C. Michael Cowett, Esquire
BEST, BEST & KRIEGER LLP
655 West Broadway, 15th Floor
San Diego, CA 92101

Bud Pocklington
Board Chairperson
Sweetwater Authority
505 Garrett Avenue
Chula Vista, CA 91910

Re: Request to Cure Violations of the Ralph M. Brown Act

Dear Messrs. Rogers, Pocklington and Cowett:

On behalf of my client, R. Mitchel Beauchamp, I am writing to request the cure of a violation of the Ralph M. Brown Act (Government Code §54950 *et seq.*) committed by members of the Sweetwater Authority Board of Directors with respect to the actions taken by members of the Sweetwater Authority surrounding the information presented to the National City City Council at its meeting of 16 December 2008.

The violations requiring the cure is the concurrence, and subsequent coordinated action, undertaken by the Sweetwater Authority in regards to fellow Sweetwater Authority Board member Beauchamp. In a series of letters drafted between 9 November 2008 and 11 November 2008, and hand delivered by former General Manager Richard Reynolds to National City Mayor Ron Morrison, Board Members Pocklington, Alkire, Doud, Thomas, and Welsh called for the removal of Mr. Beauchamp from the Sweetwater Authority Board. The tenor, content, and appearance of these letters, attached for your review, indicate that the decision to uniformly proceed in this manner was procured wholly or partly through a secret meeting, or through a series of serial meetings, involving a majority of the members of the Authority. Both secret meetings and serial meetings are prohibited by the Brown Act. The collective concurrence evidenced by these letters was reached without compliance with Government Code §54953.

Messrs. Rogers, Pocklington and Cowett
February 3, 2009
Page 2

In order to effectively cure this violation, the members of the Board must unequivocally rescind the letters by sending a retraction to Mayor Morrison. Any further action in this matter should be noticed for open session of the Sweetwater Authority.

Under the Brown Act, the violation must be cured not more than 30 days after receipt of this letter. Please notify me in writing as soon as possible to let me know if and when the violation will be cured. If the violation is not cured, my client will have no choice but to proceed with the preparation and filing of a writ of mandamus in Superior Court in this matter.

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael J. Aguirre". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael J. Aguirre

Attachments

November 11, 2008
Honorable Ron Morrison
Mayor of National City
City Hall
National City, CA 92950

Dear Mayor Morrison,

In my many years of public service, I have never met anyone in an elected or appointed position, who acted as irresponsible and deceitful as Mitch Beauchamp has toward the organization he was appointed to serve. Mr. Beauchamp has diverted the attention of the board away from necessary board actions to resolve problems he is causing by his wrongful actions. I urge you to remove him from his appointment to the Sweetwater Authority board.

Sincerely,


W. D. "Bud" Pocklington

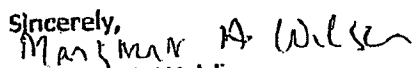
Sweetwater Authority Board Member

656 Glover Place, Chula Vista, CA

November 9, 2008
Honorable Ron Morrison
Mayor of National City
City Hall
National City, CA 92950

Dear Mayor Morrison,

Please remove Mitch Beauchamp as a member of the Sweetwater Authority Board. I came to the decision to make this request after much serious deliberations about how to handle this problem of having him disrupt our board. Mr. Beauchamp's harmful actions fly in the face of all logic and expectations about a productive board member and even common sense or fair play. I believe I have to ask you for this action because Mr. Beauchamp's actions have been deplorable.

Sincerely,

Margaret A. Welsh

Sweetwater Authority Board Member

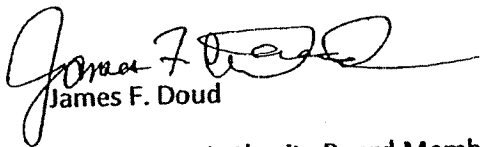
4616 Schaumberg Place, Bonita, CA

November 9, 2008
Honorable Ron Morrison
Mayor of National City
City Hall
National City, CA 92950

Dear Mayor Morrison,

By his actions over the past seven months, Mr. Mitch Beauchamp has made statements about Sweetwater Authority staff and board members which would surely result in dismissal had he been an employee. This kind of conduct does not meet the standards for a Sweetwater Board member. He has lied to me and the board as to his activities concerning the Authority and has proven to me that he does not consider himself a member of the board but rather a critic of the board and the Sweetwater Authority staff. Please use your authority as Mayor of National City to remove him from the Sweetwater board and to replace him with someone with integrity and honesty.

Sincerely,



James F. Doud

Sweetwater Authority Board Member

501 Anita Street, Space 47, Chula Vista, CA

November 11, 2008

Honorable Ron Morrison
Mayor of National City
City Hall
National City, CA 92950

Dear Mayor Morrison,

I regret that I must write this letter asking you to remove Mitch Beauchamp from the Sweetwater Authority Board of Directors. It is the responsibility of the Board Chairman to represent the full board and its actions in any public announcements, meetings or forums he attends and to be only in support of the decisions of the full board. He has not done this.

He has spread his negative personal opinions about the Sweetwater Authority and has overstepped his authority as Board Chairman by interfering with employees at work and off duty. His actions have been harmful to the good reputation of Sweetwater Authority. He has also shown a lack of respect for Board members and staff and this is unacceptable.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teresa Thomas". The signature is written in black ink and is positioned above the printed name.

Teresa "Terry" Thomas

Sweetwater Authority Board Member

1339 Second Avenue, Chula Vista, CA 91911

November 10, 2008
Honorable Ron Morrison
Mayor of National City
City Hall
National City, CA 92950

Dear Mayor Morrison,

I am writing to ask you to remove, your appointee, Mitch Beauchamp from the Sweetwater Authority Board. He has been a divisive influence on the board. Mitch has gone against the advice of the counsel and manager to try to get employees to give information they do not have. He has discussed closed session information with employees and has formed a personal relationship with an employee about whom the board is making sensitive personnel decisions.

Mitch cannot be allowed to remain on the board because he is acting in an irresponsible manner by contacting employees and discussing board matters with them.

Sincerely,


James C. Alkire

Sweetwater Authority Board Member

361 E. James Court, Chula Vista CA

November 10, 2008
Honorable Ron Morrison
Mayor of National City
City Hall
National City, CA 92950

Dear Mayor Morrison,

As a former GM of Sweetwater Authority (1992 thru 1999) I am very upset about the actions of Mitch Beauchamp in his appointed position on the Sweetwater Authority Board. He has spread false information which defames the best water district in the county. Mr. Beauchamp has derided the Authority on many public occasions to members of the public, the water community and political office holders. He has spread his opinions that Sweetwater Authority is not properly managed. By these actions he has proved that he has no interest in the seat he occupies or in being a productive board member. He only seeks to tear down what others have worked for 31 years to build up.

Please remove him from the Board at this very critical juncture.

Sincerely,



Richard A. Reynolds
Former General Manager