

JOSHUA BASIN WATER DISTRICT  
Minutes of the  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
September 19, 2012

1. CALL TO ORDER: 7:00 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

Frank Coate	Present
Bill Long	Present
Mickey Luckman	Present
Mike Reynolds	Present
Gary Wilson	Present

STAFF PRESENT:

Joe Guzzetta, General Manager  
Susan Greer, Assistant General Manager/Controller  
Keith Faul, GIS Coordinator  
Marie Salsberry, Executive Secretary

CONSULTANTS PRESENT:

Gil Granito, District Counsel  
Kathleen Radnich, Public Outreach Consultant

GUESTS 18

4. APPROVAL OF AGENDA

MSC Luckman/Long 5/0 to approve the agenda for the September 19, 2012 Regular Board Meeting.

5. PUBLIC COMMENT

None.

6. CONSENT CALENDAR

MSC Luckman/Long 5/0 to approve the Minutes of the September 5, 2012 Regular Board Meeting

7. PRESENTATION ON CADIZ PROJECT AND CONSIDERATION OF WHETHER OR NOT BOARD WANTS TO TAKE A POSITION ON THE PROJECT

Seth Shteir of the National Parks Conservation Association was present; he stated the association has initiated a lawsuit opposing the project because the association believes the project is not sustainable and because of the project impacts. Mr. Shteir gave a Power Point presentation and requested that the Board oppose the project or alternatively support a requirement for review under the National Environmental Policy Act (NEPA) in a letter stating that no more water should be pumped out of the aquifer than USGS determines can be replaced through natural recharge. Mr. Shteir answered questions from the Board.

Leslie Thornberg, Operations Manager at Cadiz Farms stated that being a good steward of the land is important to the operation. Ms. Thornberg related information on the Cadiz Valley Water Conservation and Storage Project and introduced Terry Foreman of CH2M Hill. Mr. Foreman gave a presentation on the project and the Groundwater Management Monitoring and Mitigation Plan for the project. He answered questions from the Board.

President Reynolds called for a five-minute recess at 8:03 and the meeting resumed at 8:08.

Barbara Delph of Joshua Tree commented opposing the project.

Ramon Mendoza of Joshua Tree commented that JBWD is planning to import water from MWA he stated the Board should study desaturation.

Victoria Fuller of Joshua Tree commented opposing the project.

Tom Okeefe of Joshua Tree commented opposing the project.

Karen Tracy of Joshua Tree commented opposing the project and requested that the Board take a position opposing the project.

Douglas Buckley of Joshua Tree commented opposing the project.

Larry Pierce on behalf of Water for So Cal commented Santa Margarita is one of the largest recyclers in the country and that San Bernardino County would be in charge of the Groundwater Monitoring and Mitigation Plan for the project.

Seth Shteir commented rebutting some comments made by members of the project and opposing the project. Board discussion ensued. Director Coate stated he opposes the project; he is not in favor of exporting water away from the desert to another area. Director Wilson stated the Board should not take a position for or against the project. Vice President Luckman made a motion to consider a letter of concern including the fact that the Board feels the project needs a NEPA review and that because of differences in the scientific data presented more study should be required and done by an independent scientist. Director Coate seconded the motion. Director Long stated he agreed with Vice President Luckman. President Reynolds stated the project doesn't directly affect JBWD; however he is concerned with some of the data he heard tonight because the facts offered tonight were radically different from one another. He stated he supports Vice President Luckman's motion.

MSC Luckman/Coate 4/1 to authorize a letter of concern urging that NEPA review be conducted and that independent scientists be consulted to evaluate substantially differing and important scientific data presented in various studies.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

MSC Coate/Long 4/1 that the letter be reviewed by the Board President and Vice President before being sent.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

8. ANNUAL APPROVAL OF THE INVESTMENT POLICY

Assistant General Manager/Controller Susan Greer reported this is a routine matter; the District Investment Policy is re-approved annually; no changes to the policy are proposed. Staff will return with a detailed report about the policy at a later date.

MSC Luckman/Coate 5/0 to approve staff recommendation to approve the District Investment Policy.

9. INDEMNITY AGREEMENT WITH MOJAVE WATER AGENCY (MWA) FOR PASS THROUGH OF \$3 MILLION OF PROPOSITION 84 GRANT FUNDS FROM DEPARTMENT OF WATER RESOURCES

This item was continued to the next Board meeting at the request of staff.

10. PRESIDENT TO APPOINT DIRECTORS TO REPRESENT THE DISTRICT AT MEETINGS JT  
MAC, LAFCO AND SB CO. BOARD OF SUPERVISORS

President Reynolds appointed Vice President Luckman.

11. RECHARGE BASIN SECURITY & TORTOISE FENCE

General Manager Guzzetta reported the fence project has been completed; the tortoise monitor was onsite during construction and the construction inspector approved completion of the project with a change order for an additional gate.

MSC Long/Coate 5/0 to approve staff recommendation to authorize the filing of the notice of completion with the County of San Bernardino.

12. COMMITTEE REPORTS

- A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long: Kathleen Radnich, Public Outreach Consultant reported the Hi-Desert Medical Center wastewater treatment plant media launch was Thursday. The District picnic was last weekend; staff, docents and Citizens Advisory Committee members attended. A local "California Shakeout" event will take place October 18<sup>th</sup>; the District will participate.
- B. AD HOC GENERAL MANAGER CONTRACT NEGOTIATION COMMITTEE: President Reynolds and Director Long: President Reynolds reported the committee is close to a resolution and will soon have a final recommendation to the Board for consideration.
- C. AD HOC UTILITY SERVICES CONTRACT COMMITTEE: Director Coate and Director Long: Director Long stated the Committee did not meet but suggested the committee meet next week.
- D. AD HOC RECHARGE COMMITTEE: Director Long and Director Coate: No report.  
AD HOC ENGINEERING COMMITTEE: Director Coate and Director Long: No report.

13. PUBLIC COMMENT

Steven Whitman of Joshua Tree commented on the contract with Hi-Desert Medical Center and wanted to know if the District has received any funds from the hospital. GM Guzzetta stated the District expects to receive funds from the hospital.

14. GENERAL MANAGER REPORT

GM Guzzetta reported there have been four mainline leaks and four service line leaks in the last few days. The County Roads department has been using dirt from the WalMart project on local dirt roads; District staff is raising the valve cans along affected roadways during this process. Edison will install underground electric on the highway from Commercial to Whitefeather and District staff will work on locating facilities along that route. The H1 Tank Site grading project will start soon now that the Recharge Fencing project is completed; a fence will be installed at the site. The District has a new auditor this year and District accounting staff spent a lot of time preparing for the auditors' visit which concluded a day early. He reported that report managers are participating more strongly in the project budgeting process. Project accounting is being reduced for field crew and will be eliminated except when costs need to be tracked for fees or for grant information since much of the information previously collected was not used. The new auditors require a briefer process for inventory than has been used in the past. The District has outsourced payroll in the past but lately payroll has been done in-house; GM Guzzetta will bring a report to the Board recommending that the District outsource payroll services again.

15. DISTRICT GENERAL COUNSEL REPORT

District Counsel Gil Granito reported there has been a flurry of litigation regarding water quality and water

treatment which is likely to have broad implications for the construction industry, water agencies and water wholesalers.

16. FUTURE AGENDA ITEMS

None requested.

17. DIRECTORS COMMENTS/REPORTS

Director Wilson stated the only thing we know for sure is lawyers will make money.

Director Coate reported attending the Morongo Basin Pipeline Commission meeting. He noted that although comments have been made about JBWD District GM Guzzetta not moving the Recharge Project quickly enough, Darrel at Mojave Water Agency commented on the lengthy review process for grant funds confirming that this affects the timeline for award of construction contracts for the Recharge Project.

Director Long commented he attended the Morongo Basin Pipeline Commission where he reported on frustration with bureaucracy that has to be dealt with before the Recharge Project construction can begin.

Vice President Luckman stated Blu Homes used our parking lot for tours of the Disney home in Joshua Tree. The Joshua Tree Community Association will have Kathleen Rollings-McDonald to speak at a community roundtable on the National Historic Conservation Preserve, and formation of a Community Services District.

President Reynolds congratulated staff on the quick reaction time attending to a leak today. He reported attending the Association of San Bernardino County Special Districts meeting where a presentation was given on the uses and advantages of Geographic Information Systems mapping.

General Manager Guzzetta reported that the District has received the contract for \$3.2 million California Department of Health grant. The District could move ahead with construction of the Recharge Project with this grant; however this grant allows reimbursement for project expenses back to 2006 so it may be more prudent to use these funds for other expenses.

18. CLOSED SESSION: At this time the Board will go into closed session pursuant to Government Code Section 54957.6 in order for the Board to consult with and instruct the Board's Ad Hoc Negotiation Committee (Mike Reynolds and Bill Long), which is acting as the Board's designated representative and is charged with the responsibility of negotiating a new Employment Agreement with the District's General Manager.

There was no closed session.

19. ADJOURNMENT 9:30 PM

MSC Long/Coate 5/0 to adjourn the September 19, 2012 Regular meeting of the Board of Directors.

Respectfully submitted:



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Joe Guzzetta, General Manager

The next regular meeting of the Board of Directors is scheduled for October 3, 2012 at 7:00 pm.