

JOSHUA BASIN WATER DISTRICT
REGULAR MEETING MINUTES
WEDNESDAY, MARCH 20, 2019

CALL TO ORDER/PLEDGE OF ALLEGIANCE - Vice President Unger called the meeting to order at 6:30 p.m.

DETERMINATION OF A QUORUM –Vice President Unger, Director Hund, Director Luckman, and Director Reynolds. President Johnson is absent.

STAFF PRESENT -Curt Sauer, GM, Susan Greer, AGM-Controller, and Beverly Waszak, Executive Assistant

CONSULTANTS PRESENT - Kathleen Radnich, Public Outreach, Jennifer Farrell, Rutan & Tucker, LLP, and Jeff Tilton, National Demographics Corporation (NDC) Research.

APPROVAL OF AGENDA –Director Reynolds asked why there were no minutes. GM Sauer responded that the workload for his EA was quite severe and the minutes will be included at the next Board meeting. Vice President Unger asked the Board if they wanted to keep item #11 on the Agenda or move it to the next Board meeting. Director Reynolds made a motion to move Miscellaneous Fees (Item #11) to the next Board meeting; motion was defeated 3-1. Director Hund made a motion to approve the Agenda. Director Luckman seconded.

MSC¹ (Hund/Luckman) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger

Noes: None

Absent: Johnson

Abstain: None

PUBLIC COMMENT – None.

CONSENT CALENDAR – January 2019 Check Register (reviewed by Finance Committee on March 13, 2019 and referred to the Board of Directors for approval).

MSC¹ (Hund/Luckman) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger

Noes: None

Absent: Johnson

Abstain: None

PUBLIC HEARING – Vice President Unger opened the Public Hearing to receive and discuss public input & comment regarding the potential transition from an “at large” election system to a “district-based election” pursuant to Elections Code Section 10010 (a) (1).

Jennifer Farrell, Rutan & Tucker, LLP stated that at the last Public Hearing the Board had requested a more detailed map. This would entail where the each of the Board of Directors reside, street names, and neighborhoods with population size. This is NOT the District map, this is just a map with additional information to facilitate our discussion. The next meeting on April 3, 2019 is when we will be discussing actual District maps. Ms. Farrell introduced Jeff Tilton, NDC if there are any additional questions on the maps.

PUBLIC TESTIMONY –

Gayle Austin, Joshua Tree commented that at the last Board meeting Vice President Unger had requested a map with the District divided by vertical lines and asked why we are not seeing this map.

Ms. Farrell, Rutan & Tucker, LLP replied that by Statute they are not allowed to bring the maps for review at this time.

Steven Whitman, Joshua Tree stated that this is the dumbest thing he has seen come in this room. There are large areas of our territory that no one is represented, does this mean that no one cares about this District? He feels this is lawyer generated fraud to see who is out there they he can victimize, and this is not a healthy situation.

Tom Floen, Joshua Tree said that he clarified with Jeff Tilton, NDC that there is 10% wig/wag room in the 1,908 people that can populate any given District on the map. If there are considerations for the protected class or a good community centered District, the 10% will allow the boundaries to move a little bit, in order to accommodate these.

Karen Tracy, Joshua Tree, CAC President stated that she queried the other 6 members, unfortunately, only one responded and she agrees with Steven Whitman's comments.

PUBLIC TESTIMONY CLOSED –

BOARD COMMENTS –

Director Hund discussed how the District could be divided up into 5 sections.

PUBLIC HEARING CLOSED -

GENERAL MANAGER EMPLOYMENT AGREEMENT –The Board will consider approving Amendment No. 3 to the Employment Agreement with the District's General Manager.

Mr. Gil Granito, District Counsel stated that at the last Board meeting on March 13, 2019, the Board went into Closed Session to review the General Manager's annual performance evaluation and to evaluate the General Manager's Employment Agreement, which terminates on March 31, 2019. There are two items to consider, 1) extend the Employment Agreement and 2) is a merit raise in order and what the amount should be and the draft suggests a 5% merit raise, effective April 1, 2019 through September 30, 2019.

PUBLIC COMMENT –

Steven Whitman, Joshua Tree stated that GM Sauer is a great General Manager and extending his employment would be admirable, however, he had an issue with the raise portion of the Amendment.

Tom Floen, Joshua Tree North, commented that he was impressed with GM Sauer on how fully engaged he was with the Strategic Planning and is in favor of extending GM Sauer's contract. He informed received a notice from LA County that he is getting a raise of 3% for his cost of living.

Gayle Austin, Joshua Tree commented that she has watched the positive changes that GM Sauer has brought to the District during his tenure. A person that goes above and beyond, several times over, is the person who should receive a percentage. She feels he should receive a 5% raise.

The Board had a discussion on General Manager Sauer's extension and percentage.

Director Reynolds made a motion to have the extension and percentage voted on separately. Director Hund seconded.

Director Hund made a motion to extend General Manger's Sauer contract from April 1, 2019 to September 30, 2019. Director Reynolds seconded.

MSC¹ (Hund/Reynolds) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger

Noes: None

Absent: Johnson

Abstain: None

Director Luckman made a motion to a merit increase of 5% effective April 1, 2019. Director Hund seconded.

MSC¹ (Hund/Reynolds) motion carried by the following vote:

Ayes: Hund, Luckman, and Unger
Noes: Reynolds
Absent: Johnson
Abstain: None

Director Luckman made a motion to approve Amendment No. 3 to General Manager Sauer's employment contract. Director Hund seconded.

MSC¹ (Luckman/Hund) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger
Noes: None
Absent: Johnson
Abstain: None

RESOLUTION NO. 19-995 – A Resolution of the Board of Directors, of the Joshua Basin Water District, designating its authorized representatives for the purpose of applying and obtaining Federal financial and/or State financial assistance under the California Disaster Act. GM Sauer gave a staff report on what adopting this Resolution entails.

Director Reynolds made a motion to adopt Resolution No. 19-995. Director Luckman seconded.

MSC¹ (Reynolds/Luckman) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger
Noes: None
Absent: Johnson
Abstain: None

CONSIDER MISCELLANEOUS FEE INCREASES –RESOLUTION NO. 19-996 – Recommend the Board of Directors approve Resolution No. 19-996 (reviewed by the Finance Committee on March 13, 2019). AGM Greer gave a brief staff report and a discussion followed with the Board.

PUBLIC COMMENT –

Gayle Austin, Joshua Tree stated that she has attended two meetings on the subject already and was impressed everything was done with a formula and a cohesive unit. She likes the idea of money coming into the District right away and not from the rate payers as a whole but from each person.

Steven Whitman, Joshua Tree commented that the Finance Committee meetings are very detailed, however, none of these details are in this room tonight.

PUBLIC COMMENT CLOSED –

Director Luckman made a motion to adopt Resolution No. 19-996. Director Hund seconded.

MSC¹ (Luckman/Hund) motion carried by the following vote:

Ayes: Hund, Luckman, and Unger
Noes: Reynolds
Absent: Johnson
Abstain: None

CONSIDER OUTSOURCING OF ANNUAL STANDBY ADMINISTRATION – Recommend that the Board approve contract with NBS for Standby Administration, (reviewed by the Finance Committee on March 13, 2019). AGM Greer gave the staff report and a discussion with the Board followed.

PUBLIC COMMENT –

Tom Floen, Joshua Tree North stated that the revenues that are projected to be received this year is \$1,139,000 and the cost of administering through this company is \$25,000. There is a proportion here that favors us and he supports outsourcing this.

PUBLIC COMMENT CLOSED –

Director Hund made a motion to outsource annual standby administration. Director Luckman seconded.

MSC¹ (Hund/Luckman) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger

Noes: None

Absent: Johnson

Abstain: None

RECHARGE IMPACTS –GM Sauer gave the staff report on the recharge impacts, followed by a brief discussion with the Board.

PUBLIC COMMENT –

Tom Floen, Joshua Tree North stated that if we get down to a certain level in our Aquifer we are going to have to pull pipe in and re-drill, which is very expensive. On the positive side we are spending the money to receive water but we are not drilling 5 wells and an ever decreasing water supply.

Al Marquez, Sunfair asked how much water has reached the aquifer since we began recharging in 2014.

GM Sauer responded that all the water that has been recharged has reached the aquifer, followed by a short discussion with Mr. Marquez.

PUBLIC COMMENT CLOSED-

ANNUAL RECHARGE OF WATER – CHANGE IN SCHEDULE WITH MWA INFRASTRUCTURE SCHEDULE – GM Sauer gave the staff report followed by a short discussion with the Board.

PUBLIC COMMENT –

Al Marquez, Sunfair asked if Mojave Water Agency is still banking water in our aquifer.

GM Sauer responded that yes they can still bank water in our aquifer and we receive 15% of whatever they bank, but they haven't banked any water yet.

PUBLIC COMMENT CLOSED –

Director Reynolds made a motion to use the 2019/2020 budget to fund the recharging of 808 acre-feet this year. Director Luckman seconded.

MSC¹ (Reynolds/Luckman) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger

Noes: None

Absent: Johnson

Abstain: None

WELL 14 UPDATE – GM Sauer gave a brief update on Well 14’s rehabilitation and disinfection efforts including total expenditures made as of this staff report. A brief discussion followed with the Board.

PUBLIC COMMENT –

Gayle Austin, Joshua Tree asked if we could get a grant through the chlorine maker. GM Sauer replied that this is a great idea and that he would look into it.

PUBLIC COMMENT CLOSED –

DISTRICT GENERAL COUNSEL REPORT – Mr. Gil Granito gave a brief report on Assembly Bill 533 to tax water rebate vouchers and conservation incentives.

GENERAL MANAGER REPORT – GM Sauer commented that water conservation for last month was 20% compared to 18% in 2013. He has been working on the re-districting and hiring the CIRP crew.

DIRECTORS COMMENTS & REPORTS ON MEETINGS ATTENDED –

Kathleen Radnich, Public Outreach Consultant commented on the following:

- JTNP/JBWD Contract
- Water Education Day
- ADA Compliant Website

Karen Tracy, Citizens Advisory Committee Chairperson stated that they reviewed the Employee Recognition and Awards Program and also discussed the Low-Income Assistance Program, which is in its first year. There was an allocation of money to subsidize the program and half of it has been asked for to date. After much discussion they tabled this until the next CAC meeting. Ms. Tracy then went on to discuss the Solar Program.

Vice President Unger reported on the Finance Committee.

Director Hund reported on the Water Resources and Operations Committee.

Director Luckman reported on the Morongo Basin Pipeline Commission.

FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES –

Vice President Unger informed the Board of the upcoming meetings.

ADJOURNMENT-

Director Luckman made a motion to adjourn the Board meeting at 8:37 p.m. Director Hund seconded.

MSC¹ (Luckman/Hund) motion carried by the following vote:

Ayes: Hund, Luckman, Reynolds, and Unger

Noes: None

Absent: Johnson

Abstain: None

Respectfully Submitted,


Curt Sauer, GM and Board Secretary