



**JOSHUA BASIN WATER DISTRICT**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**WEDNESDAY JULY 20, 2011 7:00 PM**  
**61750 CHOLLITA ROAD, JOSHUA TREE, CA 92252**  
**AGENDA**

- |         |  |
|---------|--|
| Pg 1-4  | <ol style="list-style-type: none"> <li>1. CALL TO ORDER</li> <li>2. PLEDGE OF ALLEGIANCE</li> <li>3. DETERMINATION OF QUORUM</li> <li>4. APPROVAL OF AGENDA</li> <li>5. PUBLIC COMMENT: At this time, any member of the public may address the Board on matters within the Board’s jurisdiction that are <u>not</u> listed on the agenda. Please use the podium microphone. The Board may not discuss at length or take action on items not on the agenda.<br/>During either "Public Comment" Item, please use the podium microphone. State your name and have your information prepared and be ready to provide your comments to the Board. The District is interested and appreciates your comments. A 3-minute time limit may be imposed. Thank you.</li> <li>6. CONSENT CALENDAR: Items on the Consent Calendar are considered routine in nature and will be adopted in total by one action of the Board of Directors unless any Board Member or any individual or organization interested in one or more consent calendar items wishes to be heard.             <ol style="list-style-type: none"> <li>A. Approve Minutes of the Regular Board Meeting of July 6, 2011</li> </ol> </li> </ol> |
| Pg 5-6  | <ol style="list-style-type: none"> <li>7. REVIEW AND COPY OF DISTRICT DOCUMENTS BY DIRECTORS<br/>Recommend that the Board consider the attached policy and approve, modify, or decline to approve the policy; amend the Administration Code to adopt the policy.</li> </ol>  |
| Pg 7    | <ol style="list-style-type: none"> <li>8. WAIVER OF COST FOR PUBLIC INFORMATION DOCUMENTS<br/>Recommend that the Board consider waiving cost of \$224.75 for documents copied in response to a request for information by Director Luhrs; provide direction to staff for future requests.</li> </ol>   |
| Pg 8-10 | <ol style="list-style-type: none"> <li>9. PROJECT PRIORITY LIST</li> <li>10. COMMITTEE REPORTS             <ol style="list-style-type: none"> <li>A: PUBLIC INFORMATION COMMITTEE: Kathleen Radnich, Public Outreach Consultant</li> <li>B: AD HOC GENERAL MANAGER PERFORMANCE FACILITATED REVIEW<br/>PROCESS: Vice President Reynolds and Director Long</li> <li>C: AD HOC PIPELINE REPLACEMENT FUNDING COMMITTEE; Director Luhrs and Director Wilson</li> </ol> </li> <li>11. PUBLIC COMMENT<br/>At this time, any member of the public may address the Board on matters within the Board’s jurisdiction that are <u>not</u> listed on the agenda. Please use the podium microphone. The Board may not discuss at length or take action on items not on the agenda.</li> </ol>   |

12. GENERAL MANAGER REPORT
13. DIRECTORS COMMENTS/REPORTS
14. CLOSED SESSION
  - A. At this time, the Board will go into Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Robert Ellis, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 900168).
  - B. At this time, the Board will go into Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Ironhead LLC a California Limited Liability Company, Praxedes Beard and Does 1 – 10 inclusive, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 1100087).
15. REPORT ON CLOSED SESSION
16. ADJOURNMENT

#### INFORMATION

The public is invited to comment on any item on the agenda during discussion of that item.

Any person with a disability who requires accommodation in order to participate in this meeting should telephone Joshua Basin Water District at (760) 366-8438, at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the District's office located at 61750 Chollita Road, Joshua Tree, California 92252 during normal business hours.

**JOSHUA BASIN WATER DISTRICT**  
**Minutes of the**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**July 6, 2011**

**1. CALL TO ORDER: 7:00 PM**

**2. PLEDGE OF ALLEGIANCE**

**3. DETERMINATION OF QUORUM:**

Bill Long	Present
Mickey Luckman	Present
Michael Luhrs	Present
Mike Reynolds	Present
Gary Wilson	Present

**STAFF PRESENT:** Joe Guzzetta, General Manager  
Susan Greer, Assistant General Manager/Controller  
Marie Salsberry, Executive Secretary

**CONSULTANTS PRESENT:** Gil Granito, District Counsel  
Kathleen Radnich, Public Outreach Consultant

**GUESTS 25**

**4. APPROVAL OF AGENDA**

MSC Long/Reynolds 5/0 to approve the Agenda for the July 6, 2011 Regular Meeting of the Board of Directors.

**5. PUBLIC COMMENT**

Barb Delph of Joshua Tree commented to Director Luhrs regarding his absence from a prior Board Meeting where public hearings were held. Director Luhrs responded that he had been in the hospital having a lung removed.

Michael Perez of Joshua Tree commented that he was uncomfortable with disruptive behavior and outbursts by directors. Director Luhrs responded.

President Luckman called a five minute recess at 7:06; the meeting resumed at 7:11 pm.

Mr. Perez continued his comment, stating that he was overwhelmed at Director Luhrs' outburst.

**6. CONSENT CALENDAR**

President Luckman stated that a correction had been made to the draft minutes of the June 15 regular board meeting, Item 9 where a reference to "600,000 gallons" was corrected to read "600,000 acre-feet".

MSC Long/Reynolds 5/0 to approve the minutes of the Regular Board Meeting of June 15, 2011 as amended and to approve the Financial Report for May 2011.

**7. RULES AND REGULATIONS ARTICLE 1.4 METER ACCURACY**

General Manager Guzzetta presented the staff report and the subject was discussed briefly.

MSC Reynolds/Long 5/0 to approve staff recommendation to Adopt Resolution 11-872 amending Resolution 97-572, as amended, Repealing "Article 1.4 Meter Accuracy" and adopting a new "Article 1.4 Meter Accuracy" using accuracy standards set by the American Water Works Association.

**8. BOARD ATTENDANCE AT SAN BERNARDINO COUNTY WATER CONFERENCE**

GM Guzzetta presented the staff report; discussion followed regarding attendance at the water conference by Directors and others.

Karen Tracy of Joshua Tree commented that as a member of the CAC she has attended the San Bernardino County Water Conference in the past and appreciates the opportunity to learn about the water industry and issues that the CAC reviews and comments on.

MSC Long/Reynolds 3/2 to approve staff recommendation to authorize per diem pay for board members to attend the annual San Bernardino County Water Conference.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	No

**9. TEMPORARY EMPLOYEE TO CONTINUE VALVE MAINTENANCE PROGRAM**

GM Guzzetta reported. It was noted that one employee will be retiring this year and a decision has not yet been made regarding filling this position.

MSC Reynolds/Long 3/2 to approve staff recommendation to authorize continuing the employment of a temporary contract employee for an additional six months, approximately, to begin the second round of the new systematic valve maintenance program, with funds (23,000) to come from salary savings.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	No

**10. ENDORSEMENT OF ART BISHOP, MOJAVE WATER AGENCY (MWA) BOARD MEMBER, FOR NOMINATION TO THE ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REGION 9 BOARD OF DIRECTORS**

GM Guzzetta reported.

MSC Long/Reynolds 4/1 to approve staff recommendation to support Art Bishop's application to serve on the ACWA Region 9 Board of Directors and authorize a letter of support to ACWA Region 9 Board of Directors.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	Aye

**11. WAIVER OF COST FOR PUBLIC INFORMATION DOCUMENTS**

GM Guzzetta presented the staff report requesting that the Board consider waiving the cost of \$224.75 for documents that were copied in response to a request for information by Director Luhrs. GM Guzzetta reviewed District policy regarding information requests made by Directors, and requested that the Board provide direction to staff for future requests made by Directors. Director Wilson made a motion to waive the cost of \$224.75 for the documents; President Luckman seconded the motion. Discussion followed.

Steven Whitman of Joshua Tree commented opposing charging Directors for copies of documents. District Counsel Gil Granito stated it would be appropriate for the Board to direct the General Manager and District Counsel to review the current policy and propose amendments. No action was taken to the motion and second that were on the table. The following action was completed:

MSC Long/Reynolds 5/0 to continue the item for discussion at the next meeting.

**12. PROJECT PRIORITY LIST**

GM Guzzetta reported that staff will be bringing the priority list to the Board for review soon. There was no discussion.

### **13. COMMITTEE REPORTS:**

#### **A. Public Information Committee: Kathleen Radnich, Public Outreach Consultant**

Ms. Radnich reported that the July is “Smart Irrigation Month”; the District is offering a drip irrigation workshop on August 31 from three to five pm at the Joshua Tree Community Center.

#### **B. Ad Hoc General Manager Performance Facilitated Review Process: Vice President Reynolds and Director Long:**

Director Long stated the committee had nothing to report at this time.

#### **C. Ad Hoc Pipeline Replacement Funding Committee: Director Luhrs and Director Wilson:**

Director Wilson reported that the committee had previously made a recommendation for work to be done. Director Luhrs reported that the project that is already paid for should be built, and that the consensus at a prior meeting was to build it out-of-pocket.

### **14. PUBLIC COMMENT**

Karen Tracy of Joshua Tree requested the date of San Bernardino County Water Conference. GM Guzzetta stated it is Aug 26.

### **15. GENERAL MANAGER REPORT**

GM Guzzetta stated that Assistant General Manager/Controller Susan Greer researched answers to questions asked by Director Luhrs at the June 1<sup>st</sup> Board meeting. AGM Greer reported.

### **16. DIRECTORS COMMENTS/REPORTS**

Director Long commented that the District’s Conservation consultant, Deborah Bollinger, donates personal time above that shown on invoices, at no charge to the District; he thanked Ms. Bollinger for that.

Vice President Reynolds commented that he was uncomfortable with strife during Board meetings; he commented on Director Luhrs’ demeanor, statements and behavior during past meetings. He quoted Director Luhrs saying that Vice President Reynolds violated every rule in the Districts “Board of Directors Best Practices” policy; he requested that Director Luhrs recite every rule from the “Best Practices” and explain how he believes Vice President Reynolds violated each rule; he requested that this be agendized for the next meeting.

Director Luhrs addressed some comments stating that a meeting was cancelled because of a tie vote and that he and Director Wilson would make sure that rules are followed. He stated that he did not slander anyone and “we are going to make you follow the rules” and “any chance I get to go after you legally, trust me I will”.

Director Wilson asked GM Guzzetta about repair work on Well 10. GM Guzzetta stated that the well is still in operation but is having problems that will be addressed after the summer.

President Luckman stated that Directors should call as a courtesy to notify the General Manager if they will be absent from a meeting, and that she was sorry that Director Luhrs was in the hospital.

### **17. CLOSED SESSION**

1. At this time, the Board will go into Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Robert Ellis, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 900168).

2. At this time, the Board will go into Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Ironhead LLC a California Limited Liability Company, Praxedes Beard and Does 1 – 10 inclusive, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 1100087).

3. At this time, the Board will go into Closed Session to confer with Legal Counsel on a matter of potential litigation pursuant to subdivision (c) of Government Code Section 54956.9. (one matter – unidentified)

District Counsel Granito reported that the Board would now go to Closed Session and that a brief report would follow. Director Luhrs confirmed that he would recuse himself from item 1 of the closed session, not due to financial reasons but for personal reasons. President Luckman called a five minute recess at 8:04 to be followed by the closed session. The Board went to closed session at 8:09 and open session resumed at 8:26.

**18. REPORT ON CLOSED SESSION ITEMS**

District Counsel Granito reported during item one of the closed session he gave the Board a status report and that Director Luhrs recused himself from the discussion. During item two Mr. Granito gave a status report and scheduled a case management conference for July 26<sup>th</sup>. For item three, Mr. Granito stated that no reportable action had taken place during the closed session discussion

**19. NOTICE OF TERMINATION OF CONTRACT WITH UTILITY SERVICE COMPANY FOR MAINTENANCE OF WATER TANKS**

GM Guzzetta reported.

MSC Long/Luhrs 5/0 to approve staff recommendation to authorize the general manager to give notice to Utility Services Company (USC) of termination of contracts effective October 17, 2011.

**20. ADJOURNMENT 8:30 PM**

MSC Long/Reynolds 5/0 to adjourn the July 6, 2011 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 Wednesday July 20, 2011 at 7:00 pm.

JOSHUA BASIN WATER DISTRICT  
SUPPLEMENTAL DATA SHEET

Regular Meeting of the Board of Directors

July 20, 2011

Report to: President and Members of the Board  
From: Joe Guzzetta, General Manager



TOPIC: REVIEW AND COPY OF DISTRICT DOCUMENTS BY  
DIRECTORS

RECOMMENDATION: That the Board consider the attached policy and approve,  
modify, or decline to approve the policy, and amend the  
Administrative Code to adopt the policy.

ANALYSIS: At the last meeting the Board discussed interest in having a  
more formal, concrete policy giving directors access to copies  
of district documents.

The proposed policy would provide basic documents such as  
the Administrative Code, Urban Water Management Plan, etc.  
at no cost to directors.

It would provide up to 25 copies (pages) per week of other  
documents for each director at no cost. Beyond that, directors  
would pay the same cost as charged to the general public,  
currently \$.25 per page. Cost of any copies in excess of 25  
could be waived by the Board.

The proposed policy would require Board approval for requests  
for the "production" of a work product such as analyses,  
summaries of documents, etc.

Adoption of a policy would provide clearer direction to staff  
and board members.

#### 4.04.23 Document Review/Inspection by Board Members

The General Manager shall coordinate all requests by individual Directors to review/inspect the District's records. The General Manager shall schedule any such review/inspection to a date and time mutually agreed upon.

#### 4.04.24 Document Reproduction for Board Members

- (a) The General Manager shall provide Directors, at no cost to the Directors, a copy of documents relative to the governance of the District such as the Administrative Code, Best Practices, Urban Water Management Plan, Groundwater Management Plan, special studies of the US Geological Survey, information pertaining to the Brown Act, and similar documents.
- (b) The General Manager shall coordinate all requests by individual Directors for copies of District records. Requests for copies in excess of 25 pages per week, unless pre-approved by the Board in an open and public meeting, shall be subject to the same fees that are applicable to Public Records Requests from the public-at-large. This includes the requirement to submit a deposit in advance for documents based on the number of pages.

#### 4.04.25 Document Production

The General Manager shall forward all requests by individual Directors for the "production" of a work product (e.g. summaries, reports, and the like) to the Board for the Board's consideration. No such work effort shall be undertaken unless approved by the Board in advance, in an open and public meeting.

#### 4.04.26 Dispute Resolution

Any question concerning the General Manager's compliance with regard to Sections 4.04.23 through 4.04.25 of this Article 4 shall be referred to the Board for consideration at an open and public meeting.



JOSHUA BASIN WATER DISTRICT  
SUPPLEMENTAL DATA SHEET

Regular Meeting of the Board of Directors

July 6, 2011

Report to: President and Members of the Board  
From: Joe Guzzetta, General Manager

TOPIC: WAIVER OF COST FOR PUBLIC INFORMATION DOCUMENTS

RECOMMENDATION: That the Board consider waiving the cost of \$224.75 for documents that were copied in response to a request for information by Director Luhrs and provide direction to staff for future requests.

ANALYSIS: **The Board's policy regarding** requests for information from board members is to authorize staff to copy a few pages or provide general information requiring limited research at no cost to the director.

Requests that require copying more than a few pages are to **be treated the same as "Public Information Requests,"** so that the board member pays \$.25 per copy.

Requests that require extensive research and that are not **subject to "Public Information Requests" are to be brought to** the board for approval prior to providing the information.

Staff copied 899 pages of documents for Director Luhrs in order to comply with his public information request. However he believes that these documents were not necessary and do not meet his needs. Staff had brought a request to the board for consideration of the research that Director Luhrs wanted, but the item was pulled from the agenda.

The board may waive this request. Staff looks for any direction for future requests to avoid the cost of staff time and making copies that are unnecessary.

## ***Project Priority List***

### **PROJECTS NEARING COMPLETION**

#### **Personnel Policy Manual** (Joe Guzzetta)

This will be considered during labor negotiations this year.

### **PROJECTS UNDERWAY**

#### **Conduct Fee Study/Update Rate Study** (Susan Greer – Year 1)

The Board approved Bartle Wells Associates to conduct a fee study at a cost not to exceed \$14,700, including 10% contingency.

#### **Election to Charge Private Wells for Replacement Water**

Attorney is reviewing election options.

#### **Property Acquisition for Future Water Facilities** (Joe Guzzetta – Year 1)

The Master Plan identifies 27 to 37 million gallons of additional reservoir storage that will be needed to operate the District in the future. Staff proposes to begin acquiring the land before the most ideal parcels are developed, especially for reservoirs which are constrained by altitude, proximity to the existing system, and other considerations. Potential sites are under evaluation. . The Board has authorized staff to prioritize the proposed sites and receive some preliminary information from CE Prime to consider phasing the acquisition of the parcels.

#### **Recharge Basin & Pipeline Project** (Joe Guzzetta)

Property has been purchased. Monitoring well has been installed. Final design contract was awarded to Krieger & Stewart Engineers at August 4<sup>th</sup> Board meeting and is about 70% complete. Construction is contingent on Proposition 84 and other funding.

#### **Final Phase of 4" Pipe Replacement** (Director Luhrs, Director Wilson, Joe Guzzetta)

Priorities have been established. 15,000' of pipeline has been designed with 60,000' yet to be designed. Completion design and construction of this project is pending a financial strategy to be considered by the Board. Referred to Board Committee (Luhrs/Wilson) at the January 19, 2011 Regular Board Meeting. The Committee has recommended installing 15,000 feet of pipe and is now considering funding.

#### **Record Archival System** (Susan Greer – Year 1)

Staff had second presentation. This will eventually enable the District to maintain more electronic files for easier access and less physical storage.

#### **Hauling Station Coin/Card Reader – Under Study** (Jim Corbin – Year 1)

Staff is considering a system to enable selling of water at the hauling station.

### **PROJECTS COMPLETED**

#### **Update Urban Water Management Plan** (Joe Guzzetta – Year 1)

The Public Hearing was held and the 2010 UWMP approved on June 15<sup>th</sup>.

#### **Field Laptop Computers** (Keith Faul – Year 1)

Laptops are installed

#### **Well #16** (Randy Little)

The well has been completed and is permitted by Department of Health Services.

#### **Hot Master + Backup Computer – SCADA** (Randy Little – Year 1)

Complete. This computer provides backup to the Telemetry System.

#### **LAFCO Mandatory Municipal Services Review** (Joe Guzzetta – Year 1)

State law requires LAFCO to conduct a review of each agency's boundaries and services (at agency cost) to determine the appropriateness and to recommend any changes. LAFCO will conduct a hearing on January 19.

### **PROJECTS NOT BEGUN: YEAR 1**

**Develop/Update Board Policies and Procedures** (Susan Greer)

**Update 3030 Plan** (Joe Guzzetta)

Staff intends to solicit proposals for this project.

**Fire Cabinet for Maps** (Keith Faul – Year 1)

**Custom Software Programming** (Susan Greer/Keith Faul – Year 1)

Staff is re-assessing this issue and considering whether modifications to the existing software or an upgrade to the Version X software which adds the lacking features plus more is a better alternative.

**GIS Server for Field Login** (Keith Faul – Year 1)

Field crew will receive laptop computers to be used in the field for more accuracy and efficiency. This server is needed in order to connect to the GIS system.

**Pressure Reducing Station Replace/Refurbishment** (Randy Little – Years 1-2)

Assess and overhaul or replace PRV/PSV/Altitude valve over a three year period. Twelve in use, one completed.

### **PROJECTS NOT BEGUN: YEAR 2**

**Carpet for Office** (Terry Spurrier – Year 2)

**D31 New Booster Pumps and Housing** (Randy Little – Year 2)

The pumps at this booster station operate at a low efficiency rate such that it is timely to replace them.

**Chlorine Analyzers With Telemetry Programming** (Randy Little – Year 2)

Install analyzers to monitor chlorine residual at up to four remote sites.

**Flow Meter Refurbishment** (Randy Little – Year 2)

Four remaining flow meters (2 this year) with digital displays and telemetry plus DTS programming.

**Storage Bays for Rock, Sand, Asphalt** (Jim Corbin – Year 1)

This will allow for more orderly storage of rock, sand, and asphalt which are used regularly in normal district operations. This item is being moved to Year 2 because lack of meter sales/leaks under pavement has reduced the need for these materials at this time.

**Asphalt Installation Equipment – Under Study** (Jim Corbin – Year 2)

**Altitude Valves at C2B, SCADA Electric Controls C1 and C3 Tanks** (Randy Little – Year 2)

These valves will prevent the overflowing of the C Zone tanks.

**Space Needs Assessment for Office Building Addition** (Joe Guzzetta – Year 2 (per Board deferral)

A needs assessment will determine how much space the District needs for an Emergency Operations Center in order to apply for grant construction funds. This item was discussed at the August 4, 2010 Board meeting, and deferred.

**Relocate C2 Tank & J Booster** (Randy Little – Years 2-3)

This project has been designed and would relocate a 500,000 gallon tank from the C Zone where it is no longer needed to the H Zone where it is severely needed. The project was deferred pending funding.

**System Reliability Upgrade for Hospital and County Complex; C, B and D3 zones** (Jim Corbin – Years 2-3)

This entire area has one single water supply feed. It does not have a redundant water supply for emergency situations. Staff has proposed a secondary “emergency” source.

### **PROJECTS NOT BEGUN: YEAR 3**

**Security (Motion Sensors) at Shop and Well 10** (Randy Little – Year 3)

This would provide security to an expanded area at the shop.

**EMERGENCY PREPAREDNESS PROJECTS:** (Postponed to determine funding potential)

**Well 10 and 14 Soft Start Bypass – Generator Controls** (Randy Little – Year 1)

The new 600 KW generators need this equipment in order to operate properly at the two largest producing wells.

**Earthquake Shutoff Valves for Three Tanks** (Randy Little – Year 1)

Currently, if a pipe from a reservoir is broken the entire reservoir can be drained unless a valve is manually located and shut off. This will provide automatic shutoff in case of earthquake to the two major C tanks and the B tank serving the hospital.

**Transfer Switches at Remaining Booster Sites** (Randy Little – Year 1)

The switches are needed in order to be able to use the emergency generators at the pump stations.

**Large Meter Bypasses** (Jim Corbin – Year 1)

Currently, in order to test or remove a large meter, the service needs to be disconnected. This is a serious problem for some large meters such as the hospital. The bypass will allow the meter to be removed and replaced without discontinuing service.

**Emergency Supplies** (Rick Cook – Years 1-2)

These include food, water, cots, etc. for serious emergencies for employees.