

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
February 15, 2012

1. CALL TO ORDER: 7:01 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

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| 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

GUESTS 5

4. APPROVAL OF AGENDA

MSC Long/Luckman 5/0 to approve the agenda for the February 15, 2012 regular meeting of the Board of Directors

5. PUBLIC COMMENT

Al Marquez of Joshua Tree commented opposing the recommendation for Item 16A of this meeting agenda: "Trip to Washington DC to Seek Funds for Groundwater Pipeline and Recharge Project".

6. CONSENT CALENDAR

MSC Luckman/Long 5/0 to approve the minutes of the February 1, 2012 Regular Board Meeting; to approve the minutes of the February 7, 2012 Special Board Meeting; to approve the Financial Report for January 2012; and to approve the Check Audit Report for January 2012.

7. CONSIDER RFP FOR AUDIT SERVICES

Assistant General Manager/Controller Susan Greer reported. The Board took the following action after lengthy discussion:

MSC Long/Coate 4/1 to direct staff to issue a request for proposals for the District's audited financial statement and to include Messner and Hadley in the request for proposals.

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| Coate | Aye |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

8. RETAINING OF MARTIN RAUCH COMMUNICATIONS FOR ANNUAL BOARD STRATEGIC PLANNING WORKSHOP

General Manager Guzzetta reported, noting that staff would like to conduct an in-depth review of the District’s Project Priority List at a Board meeting prior to holding the Strategic Planning Workshop. Discussion ensued.

A motion was made by Vice President Luckman and seconded by Director Long to authorize an agreement with Martin Rauch and Associates in the amount of \$7,935 plus travel expenses to facilitate the Board’s annual strategic planning workshop.

Director Coate requested a roll call vote:

MSC Luckman/Long 3/2 to authorize an agreement with Martin Rauch and Associates in the amount of \$7,935 plus travel expenses to facilitate the Board’s annual strategic planning workshop

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| Coate | No |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

9. SCHEDULE WORKSHOP FOR MID-YEAR BUDGET REVIEW AND PRIORITY UPDATE

GM Guzzetta suggested that the first board meeting in March focus on project priorities and budget available for capital projects.

MSC Luckman/Long 5/0 to schedule workshop for mid-year budget review and priority update for March 7 as part of the Regular Board meeting.

10. COMMITTEE REPORTS

- A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long; Kathleen Radnich, Public Outreach Consultant: Director Long reported that Kathleen Radnich was absent due to the snowy weather. Director Long reported for the committee, that a presentation was given by Darrel Shade of the Joshua Tree National Park Desert Institute and attended by 14 people. Director Coate reported that he attended, and stated that it was an excellent presentation on native plants.
- B. AD HOC GENERAL MANAGER PERFORMANCE FACILITATED REVIEW PROCESS: President Reynolds and Director Long: Vice President Reynolds reported that the Board is in the final stages of the review process and this will be considered in closed session tonight.
- C. AD HOC RECHARGE BASIN SITE VEGETATION: Vice President Luckman and Director Coate: GM Guzzetta reported that it was determined that the property needs to be surveyed before relocating the cacti in order to place them correctly. The survey has been ordered and is underway.

11. PUBLIC COMMENT

Al Marquez of Joshua Tree commented that he has received articles implying that importing water will affect development.

12. PROJECT PRIORITY LIST

There were no questions about the Project Priority List.

13. GENERAL MANAGER REPORT

GM reported on the status of Well 10, that all of the casing has been removed and it was noted that the casing below water level is significantly eroded. The extraction was completed today.

14. DISTRICT GENERAL COUNSEL REPORT

Legal Counsel Gil Granito stated that he had nothing newsworthy to report at this time.

GM Guzzetta requested that the Board set a date for strategic planning workshop; Mr. Granito suggested that the Board President re-open Item #8 for further discussion. Several dates were considered by the Board; the consensus of the Board was that the strategic planning workshop be held on Wednesday March 14th beginning at 8:00 am.

Mr. Granito suggested that the Board amend the earlier motion. GM Guzzetta suggested that a motion be made to reconsider the item.

MSC Luckman/Long 5/0 to reconsider the item of retaining Martin Rauch Communications for the annual Board strategic planning workshop.

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| Coate | Aye |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

MSC Luckman/Long 3/2 to authorize an agreement with Martin Rauch and Associates in the amount of \$7,935 plus travel expenses to facilitate the Board’s annual strategic planning workshop

| | |
|----------|-----|
| Coate | No |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

MSC Luckman /Coate 5/0 to set date for a Board strategic planning meeting for March 14 at 8 am.

15. FUTURE AGENDA ITEMS

None.

16. DIRECTORS COMMENTS/REPORTS

Vice President Reynolds reported; discussion ensued.

MSC Long/Luckman 3/2 to authorize the President and Vice President to join the General Manager on a trip to Washington DC to meet with representatives and present our case for additional funding for the Groundwater Recharge Project.

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| Coate | No |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

Director Wilson commented that he was contacted by a customer who stated that a member of the District's Citizens Advisory Committee was present at meeting about Cadiz and commented as a representative of the District.

Director Long reported attending a Mojave Water Agency Board meeting; the agency is working on their five year plan, and the re-districting vote took place. He commented on a 2003 proposed JBWD solar power project that was initially planned to power wells.

17. 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).
- C. At this time, the Board will go into Closed Session pursuant to Government Code Section 54957 (b) to continue the evaluation performance process of the District's General Manager.

The Board went to closed session at 8:11 pm.

18. REPORT ON CLOSED SESSION

Mr. Granito stated that the record should reflect that at approximately 8:11 pm, the Board went into Closed Session on all closed session matters noted on tonight's agenda (Items 17 A, B, and C).

Mr. Granito reported that during the first phase of the Closed Session, the District's general Counsel gave a brief status report on the pending litigation matters noted in Items 17A and B of tonight's agenda; the Ellis litigation and the Ironhead/Prax Beard litigation. Mr. Granito stated that there was no further reportable action on these two matters and that Mr. Guzzetta had participated in this phase of the Closed Session.

Mr. Granito went on to report that the second and last phase of the Closed Session concerned Item 17 C of tonight's agenda, the performance evaluation of the District's General Manager. Mr. Granito reported that during this phase of the closed session, the Board resumed the evaluation performance process that the Board started at its February 7, 2012 Special Board Meeting and that Mr. Guzzetta did not participate in this phase of tonight's closed session. Mr. Granito concluded his open session report by stating that after deliberations, the Board had determined that the evaluation process would be suspended until sometime after the Board's Strategic Planning Workshop is concluded.

Mr. Granito concluded his report by stating that the Closed Session ended at approximately 9:00 pm and the regular session resumed.

19. ADJOURNMENT 9:05 PM

MSC Long/Luckman 5/0 to adjourn the February 15, 2012 Regular Meeting of the Board of Directors.

Respectfully submitted;



Joe Guzzetta, General Manager

The next Regular Meeting of the Board of Directors is scheduled for Wednesday March 7, 2012 at 7:00 pm.