

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
October 5, 2011

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

2. **PLEDGE OF ALLEGIANCE**

3. **DETERMINATION OF QUORUM:**

Bill Long	Present
Mickey Luckman	Present
Michael Luhrs	Via Teleconference
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
Deborah Bollinger, Conservation Coordinator
Kathleen Radnich, Public Outreach Consultant

GUESTS 15

4. **APPROVAL OF AGENDA**

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

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

5. **PUBLIC COMMENT**

Barbara Delph of Joshua Tree commented on a candidate for Third District County Supervisor, opposing his statements regarding combining local water agencies.

6. **CONSENT CALENDAR**

Director Wilson requested that Item B "Agreement between Hi-Desert Medical Center and Joshua Basin Water District for package waste water treatment plant" be removed from the Consent Calendar.

MSC Reynolds/Long 5/0 to approve the Financial Report for August 2011; and to remove Item B of the Consent Calendar.

Roll Call Vote

Long	Aye
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Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

General Manager Joe Guzzetta requested clarification regarding the item removed from the Consent Calendar; Director Wilson agreed to discussion of the item later in the meeting.

7. BOARD OF DIRECTORS TO CONSIDER AUTHORIZING STAFF TO WRITE-OFF BAD DEBT FOR FISCAL YEAR 10/11

Assistant General Manager Susan Greer reported; Board discussion ensued. Director Long asked how bad debt from one customer exceeds \$2,000; AGM Greer answered it can be a result of a leak, and usually it is the case that several bills accrue before the service is locked off. Director Long stated he was in favor of property owners being responsible for these debts. Director Luhrs commented this is an ongoing problem; he is in favor of finding solutions. Vice President Reynolds questioned whether owners have been contacted for bad debt; at this time they are not. Account holders are contacted and in these cases they have not responded, resulting in the bad debt. It was noted that there are a number of cases where certain properties have successive tenants that leave the account with bad debt at the same property.

President Luckman recommended that the item be referred to the District’s Citizens Advisory Committee; (CAC); it was noted that the CAC has discussed this issue in the past.

Gary Given of Joshua Tree commented that this has been an ongoing problem; he commented in favor of making property owners responsible.

Barbara Delph of Joshua Tree commented in favor of all property owners being held responsible for water bills.

MSC Reynolds/Long 5/0 to approve staff recommendation to approve the \$27,099.82 bad debt write off and to authorize filing of liens for unpaid owners bills over \$100; and to refer to the Citizens Advisory Committee discussion of the third staff recommendation, “authorization for staff to develop a policy for making owners responsible for accounts at addresses with multiple bad debts.”

Director Luhrs commented the CAC should develop a list of suggestions for the Board to consider regarding the matter of owner responsibility.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

8. DONATION OF SURPLUS COMPUTER TO CHAMBER OF COMMERCE

GM Guzzetta reported the District has surplus computers that will be disposed of soon; in the past the Board has authorized local non-profit organizations to receive the donated computers. The Joshua Tree Chamber of Commerce is in need of a computer. Director Wilson commented in favor of all of the District’s surplus items being auctioned. Director Luhrs stated he was fine with staff’s recommendation. Director Long noted that the Chamber of Commerce is not a charitable organization and spoke in favor of a policy that gives all surplus computers together to one organization. Director Reynolds stated he was in favor of auctioning surplus items

Al Marquez of Joshua Tree commented in favor of auctioning the surplus computers.

GM Guzzetta stated staff will bring complete list of surplus equipment to at a future meeting and computers

can be included on the list. Ebay is being considered as an option. Director Wilson stated he preferred that auctions are done locally. Director Luhrs stated he is fine with either giving the computers, or auctioning them. Staff noted that the District has a policy regarding disposition of surplus property.

MSC Reynolds/Long 5/0 to table the item.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

9. EXTENSION OF WILL-SERVE LETTER FOR ALTA MIRA PROJECT

GM Guzzetta reported that the District issued a Will Serve letter in 2007 for a proposed 276 single-family home project; the applicants have been processing this through the County since that time and are now requesting an updated will serve letter. The will serve letter states only that water is available; when plans for development are submitted, any need for system improvements to deliver the water will be addressed.

John Christe, development planner from Terra Nova, was present and stated that the project has been reduced in the number of lots to be developed, and a drought tolerant plant palette will be used.

Director Luhrs stated that the applicants have violated stipulations in the original Will Serve letter and he is opposed to re issuing the letter. Director Wilson commented the Board discussed this proposed project and another during 2007 and that both were in the same pressure zone. Dudek prepared an analysis of needed system upgrades for one project but not for the other. GM Guzzetta stated that the District engineer reviews system needs when the project plans are submitted to the District.

District Counsel Granito confirmed that the will serve letter states only that water is available; and cannot be refused to the customer if there is water.

MSC Long/Reynolds 3/2 to approve staff recommendation to extend the will-serve letter issued in 2007 for a 248 unit housing development along Sunny Vista and Alta Loma in the area of Friendly Hills Elementary School.

Long	Aye
Luckman	Aye
Luhrs	No
Reynolds	Aye
Wilson	No

10. CONTRACT WITH UTILITY SERVICES COMPANY FOR MAINTENANCE OF WATER TANKS

GM Guzzetta reported that the contractor has been cooperative and has addressed District staff's concerns.

Staff will follow up with analysis on this service going forward and with Legal Counsel Granito.

MSC Long/Reynolds 5/0 to give authority to the GM to negotiate a contract addendum to the original contract that takes the rescission into consideration.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

11. COMMITTEE REPORTS:

A. Public Information Committee: Kathleen Radnich, Public Outreach Consultant: Ms. Radnich reported landscape tours of the Water Wise Demonstration Garden will be given in conjunction with the Morongo Basin art tours. She noted that the District will host “The ABCs of Water” on Nov 9; the subject will be careers in water

B. Ad Hoc General Manager Performance Facilitated Review Process: Vice President Reynolds and Director Long: Director Long reported a request for proposal has was sent out and the committee is waiting for a response.

6B. AGREEMENT BETWEEN HI-DESERT MEDICAL CENTER AND JOSHUA BASIN WATER DISTRICT FOR PACKAGE WASTE WATER TREATMENT PLANT

Vice President Reynolds recused himself from the discussion because he is a plumber who has done work at the hospital. GM Guzzetta stated there has not been an opportunity for Director Luhrs to meet with District counsel to discuss his concerns on the matter. Director Luhrs confirmed, and requested that District Counsel Granito call him the following day.

MSC Wilson/Long 4/0 (1 Abstain) to table the item until the October 19th regular meeting of the Board of Directors.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Abstain
Wilson	Aye

12. PUBLIC COMMENT

None.

13. GENERAL MANAGER REPORT

GM Guzzetta reported that staff has done an excellent job with plans for the recharge project where some potholing required and it was later found that 22 additional pothole locations were requested. District field crew did the additional potholing, which required CalTrans and other permits, saving the District over twenty two thousand dollars. At the H tank crews have replaced the visqueen in anticipation of rains. Staff expects to go out to bid for earthwork in the area soon.

14. DIRECTORS COMMENTS/REPORTS

Director Luhrs made no comment. Director Long made no comment. Vice President Reynolds reported attending the Association of California Water Agencies legal conference where he learned of some practices of acquiring and recycling water. He attended the Association of San Bernardino County Special Districts meeting where he was informed of several pending state bills.

President Luckman reported attending the legal conference noting that it was very informative.

15. CLOSED SESSION

A. 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 a matter of

potential litigation pursuant to subdivision (c) of Government Code Section 54956.9 (one matter – unidentified).

District Counsel Granito stated that there would be no closed session. He reported on AB 187 which expanded the authority of the state Controller to audit agencies such as cities, special districts and other public entities.

16. REPORT ON CLOSED SESSION ITEMS

None.

17. ADJOURNMENT 8:15 PM

MSC Long/Reynolds 5/0 to adjourn the October 5, 2011 Regular Meeting of the Board of Directors.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

Respectfully submitted;



Joe Guzzetta, General Manager

The next Regular Meeting of the Board of Directors is scheduled for Wednesday October 19, 2011 at 7:00 pm.