



REGULAR MEETING OF THE LEGISLATIVE & PUBLIC INFORMATION COMMITTEE
61750 CHOLLITA ROAD, JOSHUA TREE, CA 92252
WEDNESDAY, APRIL 1, 2020, 9:30 AM

In an effort to protect public health and prevent the spread of COVID-19 (Coronavirus), and in accordance with the Governor's Executive Order N-29-20, the public may view or listen to this Committee meeting online, as there will be no public location for attending in person.

This meeting will be streamed at <https://zoom.us/j/688147793>, Meeting ID: 688147793 or you may join by phone at 1-253-215-8782, Meeting ID: 688147793.

AGENDA

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENT
4. APPROVAL OF DRAFT MINUTES
 - February 5, 2020
5. LEGISLATIVE REPORT – Vice President Unger/Director Floen
 - AB 2093
6. PUBLIC INFORMATION & OUTREACH UPDATES– Kathleen Radnich
 - Inland Empire's Legislative Workgroup Meeting Notes
 - COVID-19
7. STAFF REPORT – GM Mark Ban –
8. FUTURE AGENDA ITEMS –
9. NEXT MEETING DATE –
 - June 3, 2020
10. ADJOURNMENT

INFORMATION

During "Public Comment," please use the podium microphone. State your name and have your information prepared and be ready to provide your comments. The District is interested and appreciates your comments. A 3-minute time limit will be imposed. Thank you.

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 request a disability-related modification or accommodation.

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

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**REGULAR MEETING OF THE LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE
61750 CHOLLITA ROAD, JOSHUA TREE, CA 92252
WEDNESDAY, FEBRUARY 5, 2020, 9:30 AM**

MINUTES

1. CALL TO ORDER at 9:30AM

- (1) In Attendance: Director Floen, V.P. Unger, IGM Ban, Kathleen Radnich
- (2) Public: Gayle Austin, Karen Tracy, Frank Coate

2. APPROVAL OF AGENDA

- (1) Approved: Director Floen (1st) / V.P. Unger (2nd)

3. PUBLIC COMMENT —none

4. APPROVAL OF DRAFT MINUTES from October 2nd, 2019

- (1) Director Floen asked for the minutes to reflect a correction on item 5.3 (change reverse "indemnification" to reverse "condemnation.")
- (2) Approved with the noted correction: Director Floen (1st) / V.P. Unger (2nd)

5. LEGISLATIVE REPORT – Vice President Unger/Director Floen

- (1) Director Floen continued an overview of the Little Hoover Commission. He pointed out from an article in the LA Times (Sat., Jan 11th, 2020) that California was amassing / collecting a "surplus" vs. indicating if, in fact, the sums being reported weren't part of dedicated "reserves." He feels this could be a mis direction for the public, whose concerns focus on the increasing water rates state-wide; water affordability is becoming a huge public concern.
- (2) Director Floen reminded the committee that a link to the LAFCO website needs to be on our website.
- (3) Director Floen noted that the Little Hoover Commission would credit our solar project towards its Green Initiative (for climate change.) He also noted that storm water capture will be a topic on the forefront with the new conservation mandates coming down.
- (4) Radnich asked if "Redistricting" was on the radar for 2020. GM Ban confirmed it was.
- (5) Radnich also reported that AWAC's "reorganization" is leaning more towards legislative activism. MWA plans to provide needed updates to the members for action.
- (6) V.P. Unger brought up SB998—and when it becomes effective. GM Ban informed the committee it went into effect February 1st. A brief discussion of how the other local Districts were complying followed.
- (7) Director Floen brought up AB1668 (latest State conservation bill), and if the 55 gallons per person per day was the final decision. GM Ban said there was still discussion out as to what was being required, along with, an outside water mandate coming in October, 2020.

6. PUBLIC INFORMATION & OUTREACH REPORT – Kathleen Radnich

- (1) Water Education Day
 - 1) Radnich reviewed the line-up of exhibits and participants (she noted HDWD/TPWD & BDVWA were not participating.)
 - 2) Promotional costs (advertising) have been contracted with local media, and will come in at just below \$1500. There is no grant this year for advertising.

- 3) Radnich passed around the event flyer.
 - 4) V.P. Unger requested we loop a movie (or several) in the Board Room for public viewing during Water Education Day. Radnich shared that their were voiced concerns about having public in the Board Room with all the new technology, and the question was also who would be responsible for monitoring the running of the video.
 - I. GM Ban offered to assist with "running" the video with the new technology.
 - II. GM Ban and V.P. Unger will review several options for short movies on water.
 - III. CAC member, Gayle Austin volunteered herself, and Jane Jarlsberg to be "Board Room monitors" during the event.
- (2) Farmers' Market
- 1) Radnich reported JBWD was on track to return to the market on March 7th
 - 2) Barring an unforeseen need to change the monthly themes, Radnich presented the following schedule of main themes for the market:
 - I. March: Water Education Day
 - II. April: Earthquake/Water for Emergencies
 - III. May: Baby Tortoises teaching water conservation
 - IV. June: New CCR and exhibit on our ground water source/aquifer
 - V. July: Hydration for Good Health
 - VI. August: Tap water's a bargain
 - VII. September: National Emerg. Preparedness Month: Water for Emergencies
 - VIII. October: Ground water pollution
 - IX. November: Winterizing
- (3) QR Code
- 1) Radnich shared the new QR Code (graphic) for our website.
 - 2) The plan is to have this code available for all the hospitality industry (on business card sized reminders that can be taped inside rental's for instant information access on our water safety.
 - 3) This QR code will be linked to JTNP's website, as well.
- (4) Strategic Partners' Grants-MWA/AWAC
- 1) The deadline for the grant is the end of this month
 - 2) AWAC has diminished grant funding (we will have to cover balances of any project submitted as they will not completely fund a project.)
- (5) Winter Water Saving Classes
- 1) 2/1—Soil Amendments (9 registrations/ participants)
 - 2) 2/8—Basic Drip Irrigation Design (12 registrations, to date)
 - 3) 2/22/AM—Irrigation Troubleshooting for the Homeowner (13 registrations, to date)
 - 4) 2/22/AP—Native Plants and Xeriscaping (25 registrations, to date)
- (6) Other Dates to Note:
- 1) April 9th, Thursday (1-4:30PM) United Way of the Desert Application Intake event
 - 2) May 1st, 8th, 15th, 29th, Fridays (varied times) Wild Crafting Course

7. STAFF REPORT – IGM Ban

- (1) Ban shared that MWA hired Tim Crider, to produce a book on *Ground Water Recharging* on behalf of MWA's past endeavors. Crider has already contact GM Ban to obtain information.
- (2) Ban also mentioned he is in possession of more videos to review for Water Education Day.

8. FUTURE AGENDA ITEMS:

- (1) SB988 unified message

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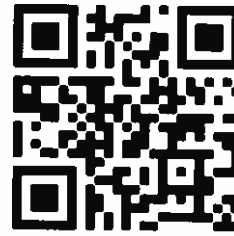
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- (2) Solar Project Update
- (3) Waste Water program

9. NEXT MEETING DATE – April 1, 2020.

10. ADJOURNMENT: 10:45AM

Respectfully Submitted,



SCAN ME



FREE TO THE PUBLIC!

WATER EDUCATION DAY

SUNDAY, MARCH 29th, 2020 1PM-4PM


**2020
MINERVA BOYD
NATIVE PLANT
Seeding SALE**

- Desert Willow
- Woolly Brickellia
- Antelope Brittle bush
- Encelia/Desert Rock Pea
- Creosote & Buckwheat
- Cat Claw Acacia
- Bladderpod & Peach Thorn
- Desert senna & Cat's Tongue
- Jojoba & Paperbush bush
- Desert Mallow
- Mojave Aster
- Smoke Tree & Gallata grass
- Mojave Yucca
- Desert Sage
- Desert Needlegrass




**Sale starts at 1PM
SHARP!**

**\$9 each or 3/\$25 (cash)
Given by the JTNP Nursery!**

*Minerva Hoyt, Joshua Tree
National Park Champion*



**Protecting our most valuable
natural resource: WATER!**

FREE, FUN AND EDUCATIONAL FOR THE ENTIRE FAMILY!

- Learn water conservation from LIVE Tortoises— Adopt!
- FREE Water Wise Plant and Seed SWAP Booth
- Garden Art! Artists teaching and creating in the garden!
- Demonstrations and Garden Tours
- Careers in Water—check it out!
- Demonstrations and Garden Tours

- FREE FUN Hydrocaching game for all! **PRIZES!**
- Test home water samples for "total dissolved solids"—on site!
- Landscape irrigation system "tune-up" information to save water
- The Plant Doctor is in! Bring your plant questions!
- "Do-it-yourself" Evaporative Cooler servicing and more!
- Hydroponics vs. traditional gardening

Plus so much more! Three hours—just one afternoon, so...

COME JOIN US! 61750 Chollita Road., Joshua Tree, CA
(At the Joshua Basin Water District Office in Joshua Tree)

WHERE WATER IS EVERYTHING, AND EVERYTHING IS WATER!

Sponsored by: Joshua Basin Water District, Joshua Tree National Park (JTNP), State Water Resources Control Board/Division of Drinking Water, San Bernardino County Special Districts, Mojave Water Agency/Alliance for Water Awareness & Conservation, JTNP Association, Morongo Basin Community Health Center, Morongo Basin CERT, Transition Joshua Tree Permaculture & Water Group, Unique Nursery, Mojave Desert Resource Conservation District, Mojave Desert Land Trust, SBCo. ERT, San Bernardino Valley College, CMC's Fire Technology Club, Mt. San Jacinto College, Yucca Valley Home Depot, JT Tortoise Rescue, Mojave Desert Chapter of the California Native Plant Society, Morongo Basin Conservation Association, GrowForce Hydroponics, High Desert Beekeepers Assn., United Way of the Desert, and more... **CALL 780.821.5718 for more information.**

Introduced by Assembly Member Gloria

February 5, 2020

An act to add Section 6253.32 to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 2093, as introduced, Gloria. Public records: writing transmitted by electronic mail: retention.

Existing law, the California Public Records Act, requires a public agency, defined to mean any state or local agency, to make public records available for inspection, subject to certain exceptions. Existing law specifies that public records include any writing containing information relating to the conduct of the public's business, including writing transmitted by electronic mail. Existing law requires any agency that has any information that constitutes a public record not exempt from disclosure to make that public record available in accordance with certain provisions, and authorizes every agency to adopt regulations stating the procedures to be followed when making its records available, if the regulations are consistent with those provisions. Existing law authorizes cities, counties, and special districts to destroy or to dispose of duplicate records that are less than two years old when they are no longer required by the city, county, or special district, as specified.

This bill would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least

2 years every public record, as defined, that is transmitted by electronic mail.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6253.32 is added to the Government
2 Code, immediately following Section 6253.31, to read:

3 6253.32. Unless a longer retention period is required by statute
4 or regulation, or established by the Secretary of State pursuant to
5 the State Records Management Act (Article 7 (commencing with
6 Section 12270) of Chapter 3 of Part 2 of Division 3 of Title 2), a
7 public agency shall, for the purpose of this chapter, retain and
8 preserve for at least two years every public record, as defined in
9 subdivision (e) of Section 6252, that is transmitted by electronic
10 mail.

11 SEC. 2. The Legislature finds and declares that Section 1 of
12 this act, which adds Section 6253.32 to the Government Code,
13 furthers, within the meaning of paragraph (7) of subdivision (b)
14 of Section 3 of Article I of the California Constitution, the purposes
15 of that constitutional section as it relates to the right of public
16 access to the meetings of local public bodies or the writings of
17 local public officials and local agencies. Pursuant to paragraph (7)
18 of subdivision (b) of Section 3 of Article I of the California
19 Constitution, the Legislature makes the following findings:

20 This act furthers the right of public access to the writings of local
21 public officials and local agencies by requiring that public agencies

1 preserve for at least two years every public record that is
2 transmitted by electronic mail.

3 SEC. 3. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district under this act would result from a legislative mandate that
7 is within the scope of paragraph (7) of subdivision (b) of Section
8 3 of Article I of the California Constitution.

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[Your Agency's Letterhead (REQUIRED)]

[Date]

The Honorable Todd Gloria
California State Assembly
State Capitol
Sacramento, CA 95814

RE: Assembly Bill 2093 (Gloria) – Oppose [As Introduced]

Dear Assembly Member Gloria:

The [Name of Your Agency] is respectfully opposed to your Assembly Bill 2093, which will require all public agencies to maintain all transmitted emails related to agency business for at least two years. [Include a brief description of your agency, particularly the services it provides (optional)].

To be clear, this is not a transparency bill, it is a data storage bill. The public will have no greater access to public records under AB 2093, nor will they have less. This bill creates no new disclosures or exemptions of records. This bill only mandates that public agencies retain all emails related to agency business for two years and avoids the constitutionally-required mandate subvention process declaring that the provisions of the bill are in furtherance of the California Public Records Act (CPRA).

While this measure is intended to improve public access to government records, in practice it will merely increase the burdens for both public agencies and CPRA requesters. The vast majority of emails consist of auto-replies, spam, and insignificant routine communications of minimal public interest. As the bulk of these emails increases, the burden to search through them and locate responsive records in the event of a CPRA request rises accordingly. Under the CPRA, the requester may be required to bear the cost of this data extraction - and indiscriminately mandating that emails be retained will thus make CPRA requests more expensive, perversely impeding public access. Moreover, for those costs that cannot be passed on to the requester, the public agency has no source for reimbursement, and must divert funds from other public programs. Compelling public agencies to retain masses of routine emails - which neither the sender nor recipient otherwise thought important enough to save - imposes significant burdens on all concerned for minimal public benefit. This point is corroborated by the Department of Finance's analysis of AB 1184 (Gloria, 2019), a bill that is completely identical to AB 2093 that was vetoed by Governor Newsom. In their analysis of AB 1184, the Department of Finance wrote that "[t]he retention of non-pertinent e-mails and the need to search through those e-mails, particularly for less specific CPRA requests, increases the amount of time needed to complete CPRA requests. This makes compliance with the CPRA more difficult in these instances and *produces worse outcomes for persons and entities submitting those requests* [emphases added]."

To further underscore this point, the Governor's veto message of AB 1184 read "[t]his bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to taxpayer."

AB 2093 will add millions of dollars in costs annually to the state and local agencies, including school districts. Public agencies will be forced to pay for additional data storage space as well as

AB 2093 (Gloria) – Oppose
Page 2 of 2

hire additional staff to sort through the millions of emails that are exempt from disclosure under the CPRA but mandated to be retained under AB 2093 in order to respond to public records act requests. Without the ability to be reimbursed for this costly unfunded mandate, public agencies will be forced to either raise fees and taxes or cut services to the communities they serve.

It is for these reasons that the [Name of Your Agency] must respectfully oppose AB 2093 (Gloria). Should you have any questions about our position, please feel free to contact us.

Sincerely,

[Name of Responsible Officer]
[Title]
[Name of Your Agency]

CC: Raquel Mason, Legislative Assistant, Office of Assembly Member Todd Gloria
[Raquel.mason@asm.ca.gov]

Dillon Gibbons, Senior Legislative Representative, California Special Districts Association
[advocacy@csda.net]

Inland Empire's Legislative Workgroup Meeting Notes

March 10, 2020 – 3:30 p.m. – 4:00 p.m.

Call 909-993-1600, ask for Conference #2409

- 1. Welcome and Introductions – C. Pieroni**
- 2. Status Update on Legislative Process – B. Olhasso**
- 3. Legislative Topics and Bills of Interest – B. Olhasso**
 - **Administrative:**
 - AB 2093 (Gloria): Public records: writing transmitted by electronic mail: retention
 - AB 2095 (Cooper): Water theft: enhanced penalties
 - AB 2186 (Grayson): Public contracting: contractor retention withholding
 - AB 2452 (C. Garcia): State auditor: audits: high-risk local government agency audit program.
 - AB 2987 (Flora): Local agency public contracts: bidding procedures
 - AB 3147 (Gabriel): Fees for development projects
 - **Water and Energy Resources:**
 - AB 2656 (Eggman): Wholesale water suppliers: water loss audit reports: Spot Bill
 - AB 3014 (Muratsuchi): Electricity: centralized procurement.
 - SB 1052 (Hertzberg): Water quality: municipal wastewater agencies
 - SB 1208 (Monning): Fish and wildlife: taking and possession
 - **Water Quality: Bills related to Constituents of Emerging Concern**
 - AB 2560 (Quirk): Water Board Adoption RL/NL
 - AB 3232 (Friedman): Commercial washing machines: microfiber filter
 - SB 996 (Portantino): CEC (Recommend Support to WRCA Board as amended)
 - SB 1056 (Portantino): Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances
 - **Public Safety Power Shutoffs (PSPS)**
 - SB 1099 (Dodd): Flexibility to Operate Emergency Generators
 - AB 2182 (Rubio): Emergency Backup Generators: Water and Wastewater Agencies

- **Climate Resilience Bonds –Governor’s Bond --\$4.7 Billion**
 - SB 45 (Allen) -- \$5.5 Billion
 - AB 3256 (Garcia) -- (Spot bill)