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An Equal Opportunity Provider

JOSHUA BASIN WATER DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
WEDNESDAY OCTOBER 21, 2015 7:00 PM  
61750 CHOLLITA ROAD, JOSHUA TREE, CALIFORNIA 92252  
AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF A QUORUM
4. APPROVAL OF AGENDA
5. PUBLIC COMMENT  
Members of the public may address the Board at this time with regard to matters within the Board's jurisdiction that are not listed on the agenda. State law prohibits the Board of Directors from discussing or taking action on items not included on the agenda. Members of the public will have the opportunity for public comment on any item listed on the agenda when it is addressed on the agenda. Please limit comments to three (3) minutes or less.
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.
  - A. Approve Draft Minutes of the October 7, 2015 Regular Meeting of the Board of Directors.
7. REVIEW AND CONSIDER ISSUANCE OF WILL SERVE LETTER FOR NEXTERA SOLAR PROJECT  
Recommend that the Board receive information from staff and authorize and direct General Manager on action to be taken.
8. DISCUSSION AND APPROVAL FOR THE PURCHASE / APPLICATION OF SOIL/BANK STABILIZATION PRODUCT AT VARIOUS FACILITIES TO PROTECT INFRASTRUCTURE  
Recommend that the Board approve the expenditure of funds to purchase and apply a stabilization product at select locations.

Pgs. 1-5

Pgs. 6-7

9. STANDING COMMITTEE REPORTS:
  - A. LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Unger: Kathleen Radnich, Public Outreach Consultant to report. Next meeting is scheduled for November 4, 2015.
  - B. FINANCE COMMITTEE: President Fuller and Director Johnson. Next meeting is scheduled for October 26, 2015.
  - C. WATER RESOURCES & OPERATIONS COMMITTEE: Vice President Luckman and Director Johnson. Next Meeting is scheduled for October 27, 2015.
10. DISTRICT GENERAL COUNSEL REPORT
11. GENERAL MANAGER REPORT
12. FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES  
Mojave Water Agency BOD Meeting: October 22<sup>nd</sup>: Bob Johnson
13. INDIVIDUAL DIRECTOR REPORTS ON MEETINGS ATTENDED
14. DIRECTORS COMMENTS/FUTURE AGENDA ITEMS
15. 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.

***This meeting is scheduled to be broadcast on Time Warner Cable Channel 10 on October 28 at 7:00 pm and November 4 at 7:00 pm.***

JOSHUA BASIN WATER DISTRICT  
Minutes of the  
REGULAR MEETING OF THE BOARD OF DIRECTORS

October 7, 2015

1. CALL TO ORDER: 7:00 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM: Victoria Fuller Present  
Bob Johnson Present  
Mickey Luckman Present  
Mike Reynolds Present  
Rebecca Unger Present

STAFF PRESENT:

Curt Sauer, General Manager  
Susan Greer, Assistant General Manager/Controller  
Seth Zielke, Director of Water Resources and Operations  
Keith Faul, GIS Coordinator

CONSULTANTS PRESENT:

Kathleen Radnich, Public Outreach Consultant  
Gil Granito, District Counsel, Redwine & Sherrill

GUESTS 7

4. APPROVAL OF AGENDA

MSC Reynolds/Luckman, 5/0 to approve the agenda for the October 7, 2015 meeting.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

5. CONSENT CALENDAR

MSC Luckman/Johnson, 5/0 to approve Draft Minutes of the September 16, 2015 Regular Meeting of the Board of Directors.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

6. PUBLIC COMMENT PERIODS

GM Sauer presented the rules and regulations regarding the required public comment period, and presented examples of what other governing agencies have on their agendas for board meetings with regard to public

comment periods, noting that most agencies have one comment period at the beginning of the meeting following the consent calendar.

Public Comment:

Al Marquez, ratepayer, Joshua Tree: Mr. Marquez stated that one public comment period is limiting and noted that he believes most people who comment during the public comment period do so on the second public comment period.

Gary Wilson, 46 year rate payer, Joshua Tree: Mr. Wilson had a comment on pulled meters, noting that all service lines with meters up to 1.5 inches are on one inch lines. Mr. Wilson states it would make sense to charge all pulled meters up to 1.5 inches the minimum basic rate, and at the time the customer wants a meter reinstalled, to charge the customer the prevailing rates at that time for that size meter. Mr. Wilson also noted that possibly, due to change in ownership or conservation, customers may request a smaller meter size.

President Fuller agrees with staff recommendations and notes that having the public comment period at the beginning of the meeting offers people the option to leave after their comment instead of having to attend the entire meeting.

Director Unger agrees with staff recommendations and also suggested combining items 14 and 15 on the agenda which include: Individual Director Reports on Meetings attended and Directors Comments/Future Agenda Items.

Director Reynolds supports having two public comment periods as has been the JBWD status quo, and would prefer not limiting the public to one comment.

Vice President Luckman agrees with staff recommendation for one public comment period and pointed out that the public also has opportunity to comment each item on the agenda.

MSC Luckman/Unger, 4/1 to approve one public comment period for items of interest not on the agenda, and clearly state that public comment for each agenda topic will be available during consideration of each agenda item, and that the Public Comment period will occur after the Approval of the Agenda.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	No
Unger	Aye

**7. UPDATE AND DISCUSSION ON HEXAVALENT CHROMIUM MITIGATION PLANNING, FINANCIAL ASSISTANCE REQUEST TO RESOURCE CONTROL BOARD**

GM Sauer gave the report, including information pertaining to the financial assistance process, which will pertain to item #8 on the agenda. GM Sauer provided information on potential monies available to help finance Chromium 6 compliance. The Board received the hexavalent chromium mitigation planning and financial assistance request update for information only.

**8. RESOLUTION 15-951- A RESOLUTION OF THE BOARD OF DIRECTORS OF THE JOSHUA BASIN WATER DISTRICT, AUTHORIZING THE DISTRICT TO APPLY FOR A PROPOSITION 1 FUNDING PROGRAM FINANCING AGREEMENT AND AUTHORIZING THE GENERAL MANAGER TO SUBMIT AN APPLICATION**

GM Sauer gave the presentation, and read the resolution.

MSC Unger/Luckman, 5/0 to adopt Resolution 15-951.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

## 9. WATER RECHARGE DELIVERY SCHEDULE

GM Sauer gave presentation about water recharge schedule as it relates to cost of water purchases through the Mojave Water Agency. Staff recommends that the Board approve purchase of water in Spring 2016.

### Public Comment:

Gary Wilson: 46 year rate payer, Joshua Tree: Mr. Wilson believes that the evaporation rate would be approximately 10% higher if water is received in the spring instead of the fall.

Al Marquez: Sunfair area, Joshua Tree: Mr. Marquez believes evaporation rate would be approximately 20% if water is received in the spring and approximately 30% if water is in the ponds during the summer.

GM Sauer clarified that the evaporation rate is significantly less than the numbers provided by public commenters, and clarifies that water would not be taken during the summer when evaporation rates are higher or when larval insects may occur. Mr. Sauer also points out that both Hi-Desert Water District and Bighorn Desert View Water Agency take their water during the spring to minimize evaporation and for the cost savings.

Director Johnson raised concerns with regards to funding in consideration with other project funding issues, and the ambiguous timeframe to repay the Opportunity Fund.

MSC Luckman/Reynolds, 4/1 to approve the purchase and delivery of water in Spring 2016 funded by the Opportunity Fund, with repayment to the Opportunity Fund in successive years in the amount of the savings derived by purchasing the water during the spring instead of the fall.

Fuller	Aye
Luckman	Aye
Johnson	No
Reynolds	Aye
Unger	Aye

## 10. STANDING COMMITTEE REPORTS

- A. LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Unger: Kathleen Radnich, Public Outreach Consultant, gave the report. Ms. Radnich reported on the public tour of the Joshua Basin Water District on October 6<sup>th</sup> and highly complimented JBWD staff in their presentations during the tour. The Fall Native Plant Sale will be on November 14<sup>th</sup> at the Mojave Desert Land Trust. Next meeting is scheduled for November 4<sup>th</sup>.
- B. FINANCE COMMITTEE: President Fuller and Director Johnson: There has not been a meeting since the last Board meeting. Next meeting is scheduled for October 26<sup>th</sup>.
- C. WATER RESOURCES & OPERATIONS COMMITTEE: Vice President Luckman and Director Johnson: There was not a meeting last month. Next meeting is scheduled for October 27<sup>th</sup>.

9. PUBLIC COMMENT

Al Marquez, Sunfair Area, Joshua Tree: Mr. Marquez commented regarding basic fees and monthly water production sales fees. Mr. Marquez states that the basic monthly rate has increased from 2007 to 2018, from \$20.00 per month to \$27.58 per month which he states is an increase of 38% and uses Tier 2 additional water in another example of the rate increase, and states he believes that the majority of the monies are going towards water importation through the Morongo Pipeline.

10. DISTRICT COUNSEL REPORT

Counselor Granito reported on SB 20, which proposes a statewide fund to address the emergency drought conditions and fund conservation efforts. Counselor Granito pointed out that the mechanism to fund the bill has not yet been resolved, and that one of the initial alternatives is to impose a statewide tax on water bills. Granito states that the bill includes funding for safe drinking water for disadvantaged communities.

11. GENERAL MANAGER REPORT

General Manager Curt Sauer gave the report. GM Sauer discussed the Mojave Water Agency Integrated Regional Water Management Plan. GM gave an update on the groundwater recharge, conservation efforts, and the Capital Improvement Program.

12. FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES

Mojave Water Agency Board Meeting October 8<sup>th</sup> – Director Luckman  
ASBCSD Meeting October 19<sup>th</sup> – Director Reynolds  
ACWA Fall 2015 Regulatory Summit October 14<sup>th</sup> – Directors Fuller, Luckman, and GM Sauer.

13. INDIVIDUAL DIRECTOR REPORTS ON MEETINGS ATTENDED

Directors Fuller and Luckman attended the ACWA Region 9 The Heat is On, Managing the Drought meeting on September 18<sup>th</sup>, which included several items of interest such as conservation in the inland empire, development during a drought, and saving our water's new focus: Reduce Your Use.

Director Reynolds attended the Special Districts meeting on September 28<sup>th</sup>. Richard Wilson gave a presentation at the meeting about how to avoid the most common mistakes made with regards to rate increases, using the example of a small water district in northern California that failed to raise rates while the cost of doing business increased, almost bankrupting that water district. Mr. Wilson provided strategic ideas for keeping up with cost of running a water district and dealing with reduced revenues due to conservation.

Director Luckman also attended the Groundwater Committee meeting for ACWA on September 23<sup>rd</sup>, where there was discussion about managing the groundwater throughout the state.

14. DIRECTORS COMMENTS/FUTURE AGENDA ITEMS

GM Sauer suggested a future agenda item as Nextera Solar had contacted him indicating they had consolidated their parcels and will be requesting a Will Serve letter at the next Board meeting.

15. ADJOURNMENT

MSC Luckman/Reynolds, 5/0 to adjourn the Regular Meeting of the Board of Directors of October 7, 2015 at 8:40 PM.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

Respectfully submitted:

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Curt Sauer, General Manager and Board Secretary

JOSHUA BASIN WATER DISTRICT  
MEETING AGENDA REPORT

Meeting of the Board of Directors

October 21, 2015

Report to: President and Members of the Board

Prepared by: Curt Sauer

TOPIC: Review and consider issuance of will serve letter for NextEra solar project

RECOMMENDATION: Receive information from staff and authorize and direct General Manager on action to be taken.

ANALYSIS: NextEra Solar is a project to install a solar field on the property locally referred to as the Joshua Tree Airport. Originally, the project was on 120 acres of land, consisting of 10 parcels. The project was issued a will serve letter in September of 2012, at the time the project was being pursued by Joshua Tree Solar Farm LLC.

There is one meter for the Airport, with an average annual consumption over the past 5 years of 1.34 AF.

In July of this year NextEra requested a will serve letter from the District. Because the parcels had not been legally combined by the County, the Board tabled the request until such time as the legal combination of parcels was completed.

On September 17<sup>th</sup> NextEra provided the District a copy of the County Notice of Merger for 9 of the 10 parcels. The 10<sup>th</sup> parcel will not require water service and will not be part of the will serve letter.

NextEra expects to begin construction in March 2016, and end construction in September 2016. Estimated water needs for construction is 30 AF. Estimated water needs for operation and maintenance each year for 20 years is .35 AF per year. Estimated water needs for decommissioning at the end of the 20 year project is 12 AF. Therefore, total project estimated water need is 49 AF.

As a reference, Cascade Solar was a 140 acre project that used 38 AF for construction, in 2013.

In their letter requesting a will serve letter, NextEra proposes to provide \$30,000 to the District for the purchase of a quantity of water greater than the anticipated need of the project. At current rates for 2015 Water Year, the District could purchase approximately 60 AF of additional water from the State Water Project. Putting that water into the aquifer would result in this project not contributing to aquifer drawdown.



Potential Actions for the Board to Consider :

1. Considering the current emergency restriction on total monthly production, condition this will serve letter on no water being provided until Emergency Regulations are rescinded. A draft conditional will serve letter is being prepared, similar to the Altamira will serve letter. This conditional will serve letter will be available at the Board meeting.
2. Condition the acceptance of the \$30,000 for additional water purchase on the project being approved by the County.
3. Stipulate that the will serve letter is good for one year and may be affected by any updated finding of water availability dependent upon the 2015 Urban Water Management Plan, which will be submitted to the State in June, 2016. However, the proposal to acquire 60 AF of SWP water offsets the potential impacts to the aquifer.
4. Direct staff on how to proceed with the will serve letter request.

STRATEGIC PLAN ITEM:

FISCAL IMPACT: