

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

June 20, 2012

1. CALL TO ORDER: 7:02 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

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

CONSULTANTS PRESENT: Gil Granito, District Counsel
Deborah Bollinger, Conservation Coordinator
Kathleen Radnich, Public Outreach Consultant

GUESTS 9

4. APPROVAL OF AGENDA

General Manager Guzzetta presented a report for "Authorization to Apply for Department of Water Resources Grant for Monitoring Well," and explained the reason that this report was not able to be included on the agenda and met the requirements for consideration as an action requiring immediate action was because the need for action on this item came to the attention of the District subsequent to the Agenda being posted, and the grant has a deadline of July 13.

MSC Luckman/Long 4/1 to make a finding to determine that there is a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda being posted; and that this item be placed on the agenda after Item 10.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

MSC Long/Luckman 4/1 to approve the agenda for the regular meeting of June 20, 2012 as modified by the above action.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

5. PUBLIC COMMENT

Steve Whitman recommended that the CAC be requested to appoint a vice chair to report their actions to the Board when the Chair is not available.

Al Marquez objected to the characterization of grants as “having been received” if the money has not yet been received. He questioned who was referred to as being a bigot by a member of the public at a previous board meeting.

6. CONSENT CALENDAR

MSC Luckman/Long 5/0 to approve the Minutes of the June 6, 2012 regular Board Meeting; to approve the minutes of the June 13, 2012 special Board meeting; to approve the May 2012 Check Audit Report; to Dissolve the Board Ad Hoc General Manager Facilitated Performance Evaluation Committee; to Dissolve the Board Ad Hoc CAC Committee; and to Dissolve the Board Ad Hoc Budget Committee.

7. PUBLIC HEARING TO CONSIDER THE WATER AVAILABILITY (STANDBY) CHARGE FOR FISCAL YEAR 2012/2013

Assistant General Manager/Controller Susan Greer gave the staff report. President Reynolds opened the public hearing.

Al Marquez of Joshua Tree spoke to explain his letter submitted in protest of the Water availability charge. President Reynolds closed the Public Hearing.

MSC Coate/Luckman 4/1 to approve staff recommendation to adopt Resolution 12-889, establishing water availability charges for 12/13 and authorizing collection by San Bernardino County.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

8. UNITED STATES GEOLOGICAL SURVEY (USGS STUDY CONTINUATION)

General Manager Joe Guzzetta gave the staff report.

MSC Long/Luckman 4/1 to approve staff recommendation to approve a “No Cost Extension” Joint Funding Agreement with USGS to complete the report of the ground water recharge project and the Transport Solute Model septic study.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

9. AGREEMENT WITH PAY PRO ADMINISTRATORS TO ADMINISTER THE EMPLOYEE CAFETERIA PLAN – FLEXIBLE SPENDING ACCOUNT

AGM/Controller Greer gave the staff report.

MSC Luckman/Coate 5/0 to approve staff recommendation to approve the agreement with PAYPRO Administrators.

10. CONSIDER MEMORANDUM OF UNDERSTANDING (MOU) WITH JT CHAMBER OF COMMERCE REGARDING WATER SUPPLY TO THE PROPOSED TURTLE ISLAND COMMERCIAL DEMONSTRATION GARDEN

GM Guzzetta noted that JBWD is a member of the JT Chamber of Commerce; he has served as liaison to the Chamber of Commerce for many years and is now on the Board; and that he will

not participate tonight in the discussions about the proposed agreement in order to avoid the appearance of any conflict of interest. He left the room for the during consideration of this item. AGM/Controller Greer presented the report on behalf of the Ad Hoc Committee.

MSC Coate/Long 4/1 to approve the Ad Hoc Turtle Island Committee recommendation to approve the memorandum of understanding with the Joshua Tree Chamber of Commerce, on condition of approval of legal counsel, and authorize Board President Mike Reynolds to work with District legal counsel and the Chamber to fine-tune any details.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

10.b AUTHORIZATION TO APPLY FOR DEPARTMENT OF WATER RESOURCES GRANT FOR MONITORING WELL

General Manager Guzzetta gave the staff report noting that there is an opportunity to apply for a grant for a monitoring well, but it must be submitted by July 13, before the next Board meeting.

MSC Luckman/Long 3/2 to approve staff recommendation to authorize Dudek Engineering to prepare a grant application at a cost not to exceed \$17,000, for a grant in the amount of \$250,000 for an additional monitoring well at the Ground Water Recharge Site if the district engineer and general manager determine with further review that it is to the District's benefit to do so.

Coate	No
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

11. CONSERVATION COORDINATOR REPORT

Conservation Coordinator Deborah Bollinger reported on the District's school conservation education program and the amount of water conservation realized through these efforts.

12. COMMITTEE REPORTS

- A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long; Kathleen Radnich, Public Outreach Consultant reported on attending the Association of San Bernardino County Special Districts meeting, and noted that the District maintains a Facebook page..
- B. AD HOC GENERAL MANAGER CONTRACT NEGOTIATION COMMITTEE: President Reynolds and Director Long; President Reynolds reported discussions are underway.
- C. AD HOC STRATEGIC PLAN COMMITTEE: Director Coate and Director Long; No report.
- D. AD HOC UTILITY SERVICES CONTRACT COMMITTEE: Director Coate and Director Long; No Report.
- E. AD HOC RECHARGE COMMITTEE: Director Long and Director Coate; No report.
- F. CITIZENS ADVISORY COMMITTEE: Jay St. Gaudens, Chair; No report.

13. PUBLIC COMMENT

Ratepayer Karen Tracy commented on a prior Board meeting where a member of the public spoke twice on the same subject.

Al Marquez of Joshua Tree commented on the Board's prior actions on the Recharge Fencing Project.

Steven Whitman of Joshua Tree commented on positive encounters and conversations he had with the District's Public Outreach Consultant and with Director Wilson.

14. GENERAL MANAGER REPORT

GM Guzzetta had no report. Director Wilson asked about monitoring for the recharge project. GM Guzzetta answered that the District's environmental consultant is putting out the RFP for the several types of monitoring that will be needed for the project.

15. DISTRICT GENERAL COUNSEL REPORT

District Counsel Gil Granito commented on litigation where the deadline to file an appeal will be met within a few days. He suggested that President Reynolds and the Ad Hoc Turtle Island Committee meet with him regarding the proposed Memorandum of Understanding with the Joshua Tree Chamber of Commerce.

16. FUTURE AGENDA ITEMS

None requested.

17. DIRECTORS COMMENTS/REPORTS

Director Wilson commented that he considered support of District Consultants for the Memorandum of Understanding with the Joshua Tree Chamber of Commerce a possible conflict of interest.

Director Coate commented that a decision was made regarding land for a proposed casino that would not allow it to be owned by a trust.

President Reynolds reported on attending the Association of San Bernardino County Special Districts meeting where the topic was public awareness about the water. He attended the Mojave Water Agency Board meeting and commented on the processes used in their meetings.

Director Coate commented on the value of water.

18. CLOSED SESSION

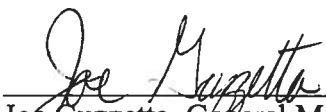
- A. Closed session pursuant to Government Code Section 54957.6 to consult with and instruct the Board's Ad Hoc Negotiation Committee (Mike Reynolds and Bill Long), which is acting as the Board's designated representative and is charged with the responsibility of negotiating a new Employment Agreement with the District's General Manager.

There was no Closed Session.

19. ADJOURNMENT

The meeting was adjourned at 9:00 pm.

Respectfully submitted:



Joe Guzzetta, General Manager

The next regular meeting of the Board of Directors is scheduled for July 4, 2012 at 7:00 pm.