

JOSHUA BASIN WATER DISTRICT
Minutes of February 7, 2018
REGULAR MEETING OF THE BOARD OF DIRECTORS

1. CALL TO ORDER: 6:30 PM
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM: Mickey Luckman Present
Bob Johnson Present
Geary Hund Present
Rebecca Unger Present
Tom Floen Present

STAFF PRESENT: Curt Sauer, General Manager
Susan Greer, Assistant General Manager
Keith Faul, GIS Coordinator
Beverly Waszak, Executive Assistant

CONSULTANTS PRESENT: Gil Granito, Redwine & Sherrill
Kathleen Radnich, Public Outreach

GUESTS 9

Tom McCarthy, General Manager of the Mojave Water Agency, introduced himself and went on to talk about the joint Water Agreement between JBWD and MWA. He also thanked this region and the Board for making the MWA Board meetings to voice your opinions.

GM Sauer echoed what a joy it is to work with the staff at MWA and with GM McCarthy. President Luckman affirmed that GM McCarthy is a perfect fit to fill Kirby Brill's shoes.

4. APPROVAL OF AGENDA –

MSC/Johnson/Hund 5/0/0 to approve the Agenda of the Regular Meeting of the Board of Directors of February 7, 2018.

Floen	Aye
Hund	Aye
Luckman	Aye
Johnson	Aye
Unger	Aye

5. PUBLIC COMMENT

Ed Vallerand, Joshua Tree stated that he had heard multiple times about the leak at the Farmers Market but hasn't seen anything concrete about it. Mr. Vallerand asked the Board to have JBWD operations add a report that shows the number of leaks, which would substantiate a panic mode. He also gave a Public Information Request form to GM Sauer for a copy of the latest data that was used for the budget process about meter replacement.

Al Marquez, Joshua Tree concurred with Mr. Vallerand and moved on to inform the Board of Mr. Gary Lee Wilson's passing. Mr. Wilson was a JBWD employee and a Board member. Mr. Marquez proceeded to read part of Mr. Wilson's obituary to the Board.

PUBLIC COMMENT CLOSED

6. CONSENT CALENDAR –

MSC Johnson/Floen 5/0/0 to approve the Draft Minutes of 01/17/2018 with the following corrections:

1) Within Mr. Granito's General Counsel report; add the word "right" before the word "pursuant" within the sentence "Generally speaking, that right pursuant to Prop. 218, is provided to those who are impacted by the proposed increases such as parcel owners and customers.

2) Within Mr. Marquez's public comment statement item #10 remove the words "what he thought was."

MSC/Johnson/Floen 5/0/0 to approve the minutes of January 17, 2018, with the above corrections.

Floen	Aye
Hund	Aye
Luckman	Aye
Johnson	Aye
Unger	Aye

7. MR. ADAN ORTEGA, ORTEGA STRATEGIES GROUP, TO PRESENT UPDATES ON CURRENT LEGISLATIVE CONSIDERATIONS THAT MAY AFFECT JOSHUA BASIN WATER DISTRICT, TO INCLUDE BILLS AB 401 AND AB623 –

GM Sauer introduced Mr. Adan Ortega of Ortega Strategies and Mr. Ray Kolisz, General Manager of Twentynine Palms Water District; both have just returned from Sacramento, CA.

GM Kolisz gave a little background on himself, stating that he has been in the water industry for 30 years with 27 years with Special Districts including JBWD. In late 2016, Twentynine Palms Water District started their own Legislative Committee to be more active and have a voice in Sacramento. Twentynine Palms Water District began working with Mr. Adan Ortega of Ortega Strategies, who has been guiding us with legislative and procedures in Sacramento. Mr. Kolisz then introduced his two Board members who accompanied him to Sacramento, Vice President Carol Giannini, and Director Bob Coghill, Jr.

Mr. Adan Ortega, Ortega Solutions, gave an overview of how the Court invalidated the chrome 6 standard and convinced the Attorney General not to appeal the ruling. The Board had also approved a standard for 123TCP, which many supported because of the statute of limitations to file claims against the responsible party to recover the cost of treatment. However, a Board member explicitly asked staff what they did differently in the adoption of the TCP standard compared to what they did with Chrome 6. The staff answered with "nothing." We supported the standard but requested that the Board adopt a compliance period so that people could recover the money that was spent on installing the treatment systems. The Board said "no" if they adopt a compliance period this would mean that disadvantaged communities would get their clean water last. Even without a compliance period, you still can't afford it, and it doesn't solve anything. It doesn't seem like a viable argument, but the argument prevails because of who is advocating for these issues in Sacramento right now.

The overarching theme in Sacramento is there are measures to accrue powers in the State Water Resources Control Board (SWRCB) to determine statewide standards that are more expanded than what you would expect. The SWRCB has the power to set a maximum contaminate level, but extra steps are being taken or that are not being done (allowance of compliance period) to comply with standards.

Mr. Ortega introduced Denise Peralta Gailey, who was a former Legislative Aide and has her master's in Public Administration. Ms. Peralta Gailey proceeded to update the Board on AB 1323, AB 1668, and SB 606 all three Bills are vehicles for the implementation of Governor Brown's Executive Order B-37-16, which focuses on conservation, eliminating water waste, strengthening local drought resilience, and improving AG efficiency and planning. She continued informing the Board on ACA 21 (Infrastructure Funding), SB 998 (Water Shutoffs) urban, and community water systems. A copy of Ms. Peralta Gailey's Memorandum will be attached to the minutes at the District office.

Director Unger responded that she just returned from Leadership Academy of Special Districts and they are very concerned with this and are in Sacramento. When the draught Regulations were enacted, and water districts had sent in their monthly pumping report, it was a no-cost way for Sacramento to see where the water is. The fact that they can consolidate water districts and have the authority to do it is very alarming.

8. SCADA CONTRACT – Recommend that the Board authorize the General Manager to enter into a contract with Forshock at a cost not to exceed \$86,000.

GM Sauer stated that he and staff have gone through the existing Capital Improvement Budget (CIP) and there is sufficient money available in the approved CIP budget. There is money in the approved CIP budget that will not be expended because we are not doing certain projects this year.

Randy Mayes, IDWRO gave a presentation on how the SCADA system works and a brief Q&A period with the Board followed.

MSC/Johnson/Floen 5/0/0 to approve the GM to enter into a contract with Forshock not to exceed \$86,000.

Floen	Aye
Hund	Aye
Luckman	Aye
Johnson	Aye
Unger	Aye

9. DISTRICT GENERAL COUNSEL REPORT –Mr. Granito indicated that he had no report but did indicate that recently introduced SB 998 which addresses the subject of “shutoffs” as reported tonight by the staff of Ortega Strategies Group, will no doubt, meet with concerns associated with the costs of implementing the proposed changes. Mr. Granito also commented briefly on the value of local community input and engagement early in the regulatory process on matters of importance to local communities.
10. GENERAL MANAGER REPORT – GM Sauer reported that at the last Board meeting it was suggested that USGS documents indicate that the Joshua Tree aquifer increased by some 50-60 feet in the 1990's. This chart illustrates the actual aquifer levels as recorded by the District. In consultation with USGS, I have confirmed that they have no data indicating the aquifer increased by 60 or more feet in any period. Indeed, if it had the aquifer would be higher than it was in the 1960's. On an average extraction rate of 1400 AF per year, natural recharge would have had to supply over 84,000 AF to raise the aquifer 50 feet. If average rainfall for the last 40 years is approximately 5 to 6 inches, and average natural recharge is estimated by USGS to be 175 AF, we would have to receive over 2,000 inches of rain to recharge the aquifer enough to raise it 50 feet.

GM Sauer continued to update the Board on the following:

- Chrome 6
- Well 14
- CEC Solar Grant
- Ordering Vehicles
- Capital Budget Adjustments

JBWD also received a complimentary call from a satisfied customer because of the helpfulness and patience Peggy gave her over the phone. A complete copy of GM Sauer's report is attached to the minutes at the District.

11. DIRECTOR REPORTS ON MEETINGS ATTENDED, COMMENTS AND FUTURE AGENDA ITEMS:

- Karen Tracy, Chairperson, CAC gave a brief overview of the topics that were discussed at the CAC meeting January 9, 2018. Topics included Reserve Fund, Fee Portion of Rate/Fee Study, and talking points of the Rate Study.
- Director Floen commented that MWA approved the Water Storage Agreement and discussed the MWA connection pipe.
- President Luckman attended the MWA Technical Advisory Committee meeting and that at the next meeting in two months there will be a field trip to the Victor Valley Wastewater Reclamation Authority.
- Kathleen Radnich, Public Outreach Consulted attended the High Desert Water District Summit along with Sarah Johnson, JBWD HR Manager, Randy Mayes, Interim Director Water Resources, and Operations. She also confirmed the District tours for February 22, 2018, and February 27, 2018, at the District Office. March 25, 2018, is Water Education Day also at the District office

Director Unger commented on the Special Districts Leadership Academy she attended for three days and mentioned how vital the Newsletter is to receive in each ratepayer bill.

Vice President Johnson invited everyone to the monthly Finance Committee. He also thanked Gary Wilson for his service, who had recently passed away.

Director Hund spoke on the Solar Feasibility Grant.

Director Floen commented on the upcoming Finance Committee meeting on February 14, 2018; he also mentioned Gary Wilson's funeral.

President Luckman commented on the Water Resources and Operations Committee that will immediately follow the Finance Committee on February 14, 2018.

12. FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES – President Luckman read the list of upcoming meetings.
13. ADJOURNMENT- President Luckman adjourned the meeting in honor of Gary Wilson, who had been a previous Board Member.

MSC/Unger/Johnson 5/0/0 to adjourn the Regular Meeting of the Board of Directors of January 17, 2018, at 8:10 p.m.

Floen	Aye
Hund	Aye
Luckman	Aye
Johnson	Aye
Unger	Aye

Respectfully submitted:


Curt Sauer, GM and Board Secretary

