

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
September 5, 2012

1. CALL TO ORDER: 7:03 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

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| 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
Marie Salsberry, Executive Secretary

CONSULTANTS PRESENT:

Gil Granito, District Counsel
Kathleen Radnich, Public Outreach Consultant

GUESTS 7

4. APPROVAL OF AGENDA

MSC Luckman/Long 5/0 to approve the agenda for the September 5, 2012 Regular Board Meeting.

5. PUBLIC COMMENT

None.

6. CONSENT CALENDAR

MSC Long/Coate 5/0 to approve the Minutes of the August 15, 2012 Regular Board Meeting

7. CONSIDER ADOPTION OF BRANDING STATEMENT

Assistant General Manager/Controller Susan Greer reported the Public Information Committee has been considering several options for a District "branding statement"; input was also gathered from District Staff and the Citizens Advisory Committee. Board discussion ensued and the following action was taken:
MSC Long/Luckman 5/0 to adopt the branding statement "Joshua Tree...it's the water!"

8. BAD DEBT WRITE-OFF FOR FISCAL YEAR 11/12

AGM/Controller Greer reported on bad debt for the fiscal year just ended.

MSC Coate/Long 5/0 to approve staff recommendation to approve \$20,898.92 bad debt write-off and authorize filing of liens for unpaid owners bills over \$100.

9. H-1 RESERVOIR SLOPE GRADING REHABILITATION AWARD CONTRACT

General Manager Joe Guzzetta reported the Board had approved award of the contract to Luna Pacific Construction; however, award of the project was delayed and contractor incurred extra costs. The contractor's request was reviewed by the District Engineer and found to be reasonable.

Al Marquez of Joshua Tree commented he felt the 10% contingency in the original bid amount should have been sufficient to cover any additional expenses.

The Board discussed this item and took the following action:

MSC Luckman/Long 5/0 to authorize an increase in the previously awarded contract to Luna Pacific Construction, revising the award amount from \$24,777 to \$29,193, for slope rehabilitation work at the H-1 Reservoir site and approve an increase in the budget of \$4,857 for a total budget of \$32,112 including a 10 percent contingency.

10. DISTRICT STRATEGIC PLAN

GM Guzzetta reported on the final draft of the District's Strategic Plan developed by consultant Martin Rauch and revised by the Board Ad Hoc Strategic Plan Committee and District staff. He reviewed the plan and explained that the Strategic Plan Summary will be presented to the Board monthly to update progress on the Board's identified goals. Vice President Luckman noted several typographical errors in the consultant report.

MSC Luckman/Long 4/1 to approve staff recommendation to adopt the 2012 Strategic Plan.

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| Coate | Aye |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

President Reynolds thanked the committee members and dissolved the Ad Hoc Strategic Plan Committee.

11. AGREEMENT WITH CARPI CLAY FOR REPRESENTATION IN WASHINGTON

GM Guzzetta reported that the current cost for legislative advocate consultants is \$3,500 per month; the consultants are offering a \$1,750 monthly fee going forward. Vice President Luckman requested that the consultants be advised to report regularly on their activities.

MSC Coate/Long 4/1 to approve staff recommendation to authorize continuation of the agreement with Carpi Clay, advocates in Washington DC for Joshua Basin Water District, at reduced cost of \$1,750 per month.

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| Coate | Aye |
| Long | Aye |
| Luckman | Aye |
| Reynolds | Aye |
| Wilson | No |

12. COMMITTEE REPORTS

- A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long; Kathleen Radnich, Public Outreach Consultant thanked Home Depot and Dig Corporation for hosting a landscape workshop last month; the Committee will meet September 10. September 13 the Board will attend the media launch for the package wastewater treatment plant at Hi-Desert Medical Center. September 13 Hi Desert Water District hosts "The ABCs of Water".
- B. AD HOC GENERAL MANAGER CONTRACT NEGOTIATION COMMITTEE: President Reynolds and Director Long; President Reynolds reported the committee is moving forward and negotiations are in process; a closed session will be held this evening.
- C. AD HOC STRATEGIC PLAN COMMITTEE: Director Coate and Director Long: The committee was dissolved after the Strategic Plan was adopted by the Board (Item 10 this agenda).
- D. AD HOC UTILITY SERVICES CONTRACT COMMITTEE: Director Coate and Director Long: Director Long noted the status was covered during review of the strategic plan.
- E. AD HOC RECHARGE COMMITTEE: Director Long and Director Coate: Director Long requested that GM Guzzetta address this item under Item 14, General Manager Report.
- F. AD HOC ENGINEERING COMMITTEE: Director Coate and Director Long: Also to be addressed

during the General Manager's report.

13. PUBLIC COMMENT

Steven Whitman commented opposing 10% contingency for construction projects and opposing additional expenses for the H-1 Reservoir grading contract.

14. GENERAL MANAGER REPORT

GM Guzzetta reported that the delay of the H-1 Reservoir site grading project saved money due to its relationship to the Recharge fence project which was timed so that the expense of a tortoise monitor would not be needed. The cost saved by not having a tortoise monitor for the recharge excavation saved more than the increased cost of the H-1 Reservoir site grading project as a result.

The Department of Water Resources grant was awarded to MWA, three million dollars of which is for our Recharge Project; this grant is taking longer than the grant awarded to JBWD by the California Department of Public Health. GM Guzzetta updated the Board on the status of the grant reviews.

15. DISTRICT GENERAL COUNSEL REPORT

Gil Granito reported he met with the Ad Hoc General Manager Contract Negotiation Committee this afternoon and there will be a closed session tonight. He noted that the (Brown Act) Government Code code cited in this agenda provides that a committee can confer with the Board in closed session for purposes of soliciting instruction on how to proceed in negotiating the contract. Financial matters, including compensation will be discussed in open session at a Board meeting

16. FUTURE AGENDA ITEMS

Director Coate requested a presentation to the Board on the Cadiz water project.

17. DIRECTORS COMMENTS/REPORTS

Vice President Luckman reported the Open Space Group has dissolved; she will bring the conservation priorities report to the next Board meeting.

President Reynolds thanked District staff Keith Faul and Patricia Freeman for their work which resulted in savings for the District.

18. CLOSED SESSION: At this time the Board will go into closed session pursuant to Government Code Section 54957.6 in order for the Board 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.

The Board went to closed session at 8:37 pm and open session resumed at 9:30 pm. District legal counsel Gil Granito reported that the Board met in closed session for Item 18 of tonight's agenda. Only the Board and District Counsel participated. The Ad Hoc General Manager Contract Negotiation Committee and District Counsel reported to the Board on the status of negotiations. After, the committee was directed to conclude negotiations and arrange for a presentation of the final proposed agreement for the Board's consideration and action at a future Board Meeting.

19. ADJOURNMENT

MSC Luckman/Coate 5/0 to adjourn the September 5, 2012 Regular meeting of the Board of Directors.

Respectfully submitted:



Joe Guzzetta, General Manager

The next regular meeting of the Board of Directors is scheduled for September 19, 2012 at 7:00 pm.