

JOSHUA BASIN WATER DISTRICT
REGULAR MEETING MINUTES
WEDNESDAY, APRIL 3, 2019

CALL TO ORDER/PLEDGE OF ALLEGIANCE – President Johnson called the meeting to order at 6:30 p.m.

DETERMINATION OF A QUORUM – President Johnson, Vice President Unger, Director Hund, Director Luckman, and Director Reynolds

STAFF PRESENT -Curt Sauer, GM, Mark Ban, AGM-Operations, Sarah Johnson, HR Manager, and Beverly Waszak, Executive Assistant

CONSULTANTS PRESENT - Kathleen Radnich, Public Outreach, Jennifer Farrell, Rutan & Tucker, LLP, and Jeff Tilton, National Demographics Corporation (NDC) Research, and Doug Johnson, National Demographics Corporation (NDC).

APPROVAL OF AGENDA – Director Luckman made a motion to approve the Agenda. Director Reynolds seconded.

MSC¹ (Luckman/Reynolds) motion carried by the following vote:

Ayes: Hund, Johnson, Luckman, Reynolds, and Unger
Noes: None
Absent: None
Abstain: None

PUBLIC COMMENT –

Al Marquez, Sunfair inquired about the minutes from the last meeting that Director Reynolds had requested and he was concerned about transparency.

CONSENT CALENDAR – Director Reynolds made a motion to approve the draft minutes of the March 6, 2019, Regular Board of Directors meeting, and March 13, 2019, Special Board of Directors meeting.. Director Luckman seconded.

MSC¹ (Reynolds/Luckman) motion carried by the following vote:

Ayes: Hund, Johnson, Luckman, Reynolds, and Unger
Noes: None
Absent: None
Abstain: None

UPDATING THE WASTEWATER TREATMENT STRATEGY – Director Hund made a motion to approve the update of the 2009 Wastewater treatment Strategy, by the original author of the document, Dudek Engineering, at a cost not to exceed \$44,000 with a 10% contingency fee. Vice President Unger seconded.

MSC¹ (Hund/Unger) motion carried by the following vote:

Ayes: Hund, Johnson, Luckman, Reynolds, and Unger
Noes: None
Absent: None
Abstain: None

PUBLIC HEARING #3 – At this time the Board will conduct a Public Hearing to receive and discuss public input & comment regarding the potential transition from an “at-large” election system to a district-based” election system pursuant to Elections Code Section 10010 (a) (1).

Ms. Jennifer Farrell, Rutan & Tucker, LLP introduced the three draft maps to the public and Mr. Jeff Tilton, NDC Research, and Mr. Doug Johnson, NDC Research, proceeded to walk the Board and public through the process. If there is a consensus on a map, then a draft ordinance will be introduced at the next public hearing.

GM Sauer commented that the April 10, 2019 date for the next hearing, may be moved to April 11, 2019, to accommodate the requirements of the posting, if there are changes to the maps.

Mr. Jeff Tilton, NDC led the Board, and the public through the presentation.

PUBLIC TESTIMONY OPENED –

Thomas Fauls, Joshua Tree asked that if two of the Board members are in the same district, how would this work out, as far as representation?

President Johnson replied that one of the Board members would not be eligible to run.

Thomas Fauls, Joshua Tree asked what if there is a District and no one runs in that particular District would that District be at large?

Doug Johnson, NDC replied that it would not be an at large district and the Board could choose to appoint someone or have a special election. If you are going to appoint someone they would need to be appointed from the vacant District.

Al Marquez, Sunfair Community, is in support of Map #103 even though the Board of Directors are in support of a North to South division, Mr. Marquez is in support of an East to West division.

Thomas Fauls, Joshua Tree commented that if you didn't have someone to run, that the Board would allow an at large rather than appointing someone.

Doug Johnson, NDC stated that unfortunately, the rules on what happens if no one runs is all set in State law.

Mr. Gil Granito stated that you have 60 days to either appoint or call a Special Election, if the Board does not appoint or call a Special Election within the 60 days then the Board of Supervisors could appoint someone or call for a Special Election.

A brief Q&A followed with the Board and Doug Johnson, NDC.

Gayle Austin, Joshua Tree, supports Map #103 because it's balanced with ethnicity, income, and all the current Directors are in each District.

Tom Floen, Joshua Tree North, stated that he had discussed various options with protected class citizens at the Farmer's Market.

PUBLIC TESTIMONY CLOSED

The Board discussed the differences in all three maps and what they like most about Map #103. Vice President Unger brought up the timelines for discussion. There was a consensus that Map #103 was the best.

Vice President Unger made a motion to move forward with adopting Map #103. Director Reynolds seconded the motion.

MSC¹ (Hund/Unger) motion carried by the following vote:

Ayes: Hund, Johnson, Luckman, Reynolds, and Unger

Noes: None

Absent: None

Abstain: None

DISTRICT GENERAL COUNSEL REPORT –

Mr. Granito noted that as a point of interest, AB 533 which is currently pending before the State Legislature, provides an exclusion from state gross income tax, any amounts received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for any water conservation or efficiency program. Mr. Granito indicated that opposition to AB 533 does not oppose excluding rebate amounts for households but maintain that AB 533 goes too far by including exemptions for large users and corporations.

GENERAL MANAGER REPORT – GM Sauer reported on the following:

- Hiring for 3 positions, Equipment Operator, Part-Time Office Assistant, & Contracting/Purchasing Assistant
- Strategic Plan Draft is complete and will be forwarded to Mary Orton
- Recharge for MWA could be later
- Vulnerability Assessment is completed
- Emergency Response Plan is almost completed
- Spending \$6,800 to add new control valves to the Demo Garden to restore it

Mark Ban, AGM-Ops, reported that he had just received the water truck and a dump truck.

DIRECTOR COMMENTS & REPORTS ON MEETINGS ATTENDED –

Kathleen Radnich, Public Outreach Consultant reported on how great Water Education Day turned out to be, Farmers Market, and a computer virus that has reached every District.

Director Luckman complimented Kathleen Radnich on everything she does for the District, this was followed by a round of applause.

Director Hund also praised Kathleen Radnich.

Vice President Unger reported on the Mojave Water Agency Board of Directors meeting she attended on March 28, 2019.

FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES –

President Johnson read off the list of upcoming meetings.

ADJOURNMENT- The April 3, 2019 Regular Meeting of the Board of Directors by Motion & Order of the Board was adjourned to 6:30PM, April 10, 2019. The Notice of Adjournment was posted within 24 hours after said adjournment in the manner required by Government Code Section 54955.

MSC¹ (Hund/Unger) motion carried by the following vote:

Ayes: Hund, Johnson, Luckman, Reynolds, and Unger

Noes: None

Absent: None

Abstain: None

Respectfully Submitted:


Curt Sauer, GM and Board Secretary