

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
November 2, 2011

1. CALL TO ORDER: 7:00 PM

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF QUORUM:

Bill Long	Present
Mickey Luckman	Present
Michael Luhrs	Present Via Teleconference
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
Deborah Bollinger, Conservation Coordinator
Kathleen Radnich, Public Outreach Consultant

GUESTS 16

4. APPROVAL OF AGENDA

MSC Long/Reynolds 5/0 to approve the Agenda for the November 2, 2011 Regular Meeting of the Board of Directors.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

5. PUBLIC COMMENT

Barbara Delph of Joshua Tree commented that Mr. Ellis is being sued by his partner. Victoria Fuller of Joshua Tree commented in favor of the District controlling and maintaining package wastewater treatment plants.

6. CONSENT CALENDAR

MSC Reynolds/Long 5/0 to approve the Minutes of the Regular Board Meeting of September 21, 2011, to approve the Minutes of the Regular Board Meeting of October 5, 2011, and to approve the Minutes of the Regular Board Meeting of October 19, 2011

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye

Reynolds Aye
Wilson Aye

7. PRESENTATION OF SCHOOL CONSERVATION AWARDS RECOGNIZING MR. CHAMBLESS' 5TH GRADE CLASS AT FRIENDLY HILLS ELEMENTARY SCHOOL AND MRS. HADLEY'S CLASS AT JOSHUA TREE ELEMENTARY SCHOOL

Conservation Coordinator Deborah Bollinger reported on last year's school education water conservation challenge; Joshua Tree fifth graders attended conservation class and all were given water efficient fixtures to install. The classes installed fixtures that will save over half a million gallons of water each year. Mr. Chambless of Friendly Hills Elementary School accepted the award for his class and on behalf of Mrs. Hadley's Joshua Tree Elementary School fifth grade class. Board President Mickey Luckman presented framed certificates to the teachers. Mr. Chambless stated that Deb Bollinger does a fantastic job and commented that the students, teachers and parents were impressed with the conservation education program.

8. CONSERVATION COORDINATOR REPORT

Conservation Coordinator Deborah Bollinger reported on conservation efforts including the drip irrigation workshop. The schools are looking forward to participating in water conservation education again in the spring; grant funds have been provided by the Mojave Environmental Education Consortium and Ms. Bollinger will work with the teachers to revise the water saving kits for students in order to save money. She reported that staff attended the Alliance for Water Awareness and Conservation (AWAC) meeting this week; AWAC has provided funding and fixtures for past conservation efforts but has informed the District that they have no funding to support projects other than the "Cash for Grass" program for the next year.

9. AGREEMENT BETWEEN HI-DESERT MEDICAL CENTER AND JOSHUA BASIN WATER DISTRICT FOR PACKAGE WASTE WATER TREATMENT PLANT

District Legal counsel Gil Granito reported that he and Director Luhrs were unable to meet due to Director Luhrs' other commitment in Los Angeles. He asked Director Luhrs if they could meet the following Monday or Tuesday. Director Luhrs and Mr. Granito agreed to meet on Tuesday morning at 9:30. The item was continued to the next meeting.

10. COMMITTEE REPORTS:

- A. **Public Information Committee:** Kathleen Radnich, Public Outreach Consultant, reported that the Public Information Committee will meet on Monday November 7; on November 9 the District will present "The ABCs of Water" on Careers in Water beginning at 5:30.
- B. **Ad Hoc General Manager Performance Facilitated Review Process:** Vice President Reynolds and Director Long reported the committee has not received the proposal yet.

11. PUBLIC COMMENT

Steven Whitman of Joshua Tree asked when the CAC will meet next. General Manager Guzzetta stated that a meeting is being scheduled.

12. GENERAL MANAGER REPORT

GM Guzzetta reported that the District will soon go out to bid for earth moving adjacent to a District reservoir.

13. DISTRICT COUNSEL REPORT

District Counsel Granito reported on SB293 limiting local agencies' ability for retentions on public contracts. This will limit retention to 5%; however there is a procedure whereby a governing body can call a public

meeting to determine and justify retention of more than five percent; a public hearing is required.

14. DIRECTORS COMMENTS/REPORTS

Director Luhrs made no comment. Director Wilson made no comment. Vice President Reynolds thanked guests for attending the meeting; he reported that it is time to prepare for winter by winterizing pipes at home to protect them from freezing. Director Long commented that he was first involved with the District about ten years ago when he heard many statements about the water district; he later found out that many of the malicious comments made to him were untrue. He stated that lately a malicious individual has been making these comments derogatory to the District again. He stated the District is doing a great the job and trying to do their best for the community. President Luckman reported attending the Mojave Water Agency Board meeting where she received a copy of the State Water Contractors strategic plan which she felt was a good example.

15. CLOSED SESSION

A. At this time, the Board will go into Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Robert Ellis, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 900168).

B. At this time, the Board will go into Closed Session to confer with Legal Counsel on existing litigation pursuant to subdivision (a) of Government Code Section 54956.9. (Re Joshua Basin Water District v. Ironhead LLC a California Limited Liability Company, Praxedes Beard and Does 1 – 10 inclusive, San Bernardino Superior Court - Joshua Tree District, Case No. CIVMS 1100087).

The Board went to Closed Session at 7:30 pm and returned to Open Session at 8:00 pm.

16. REPORT ON CLOSED SESSION ITEMS

District Legal Counsel Granito reported that Item B of the Closed session was heard first and that he gave a status report. Director Luhrs then disconnected as he wished to be recused from Item A of the Closed Session. Mr. Granito reported that for Item A of the Closed Session, he gave a status report to the Board.

17. ADJOURNMENT 8:02 PM

MSC Long/Reynolds 4/0 to adjourn the November 2, 2011 Regular Meeting of the Board of Directors.

Roll Call Vote

Long	Aye
Luckman	Aye
Luhrs	Aye
Reynolds	Aye
Wilson	Aye

Respectfully submitted;



Joe Guzzetta, General Manager

The next Regular Meeting of the Board of Directors is scheduled for Wednesday November 16, 2011 at 7:00 pm.