

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
November 7, 2012

1. CALL TO ORDER: 7:00 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
Kelly Stewart, Maintenance & Construction II
Marie Salsberry, Executive Secretary

CONSULTANTS PRESENT:

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

GUESTS 9

4. APPROVAL OF AGENDA

MSC Luckman/Long 5/0 to approve the agenda for the November 7, 2012 Regular Board Meeting.

5. PUBLIC COMMENT

None.

6. CONSENT CALENDAR

MSC Long/Luckman 5/0 to approve the minutes of the October 17, 2012 Regular Board Meeting and to approve the financial report for September 2012.

7. GRANT APPLICATION FOR GROUND WATER RECHARGE PROJECT

General Manager Joe Guzzetta presented the staff report.

MSC Luckman/Long 4/1 to authorize Dudek Engineering to submit a grant application in the amount of approximately \$2 million for the ground water recharge project at a cost of about \$10,000; to authorize the expense to be paid from the General fund Opportunity Reserve and to delay construction of the ground water recharge ponds until it is known whether or not the grant is received.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

8. BOARD INFORMATIONAL PRESENTATION OF BACKFLOW PREVENTION PROGRAM

Kelly Stewart, Maintenance & Construction II who is also the District's cross-connection control specialist presented information on the backflow prevention program. He explained how backflow can occur, outlined the District's backflow prevention program and explained how different types of cross connection control devices work. Construction & Maintenance Supervisor Jim Corbin thanked Kelly for his work in developing the District's cross-connection control program.

9. CONSERVATION COORDINATOR REPORT

Conservation Coordinator Deborah Bollinger presented information on the District's conservation program, including the implementation of best management practices, elementary school education programs, and public education such as drip irrigation and desert landscape workshops.

10. APPROVE REQUIREMENT FOR OPENING OF NEW WATER ACCOUNTS

Assistant General Manager/Controller Susan Greer reported that the Citizens Advisory Committee (CAC) had discussed the subject of bad debt and she presented the CAC's recommendation to the Board. After discussion the Board took the following action:

MSC Coate/Wilson 5/0 To approve the Citizens Advisory Committee recommendation requiring owners to either take out service in their name or pay off the bad debt after three incidents of tenants leaving bad debt at the owners' property.

11. BOARD MEETING DATES IN NOVEMBER

GM Guzzetta reported that the next Board meeting date is scheduled for the evening before Thanksgiving day.

MSC Luckman/Long 5/0 to approve staff recommendation to cancel the regular meeting of Wednesday November 21 and direct staff to post a special meeting for Wednesday, November 28.

12. COMMITTEE REPORTS

A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long; Kathleen Radnich, Public Outreach Consultant reported tomorrow JBWD hosts "The ABCs of Water" on the subject of gray water. The District booth at the Joshua Tree Farmers Market this month features water-related holiday gifts.

B. AD HOC ENGINEERING AND RECHARGE COMMITTEE: Director Long and Director Coate:
No report.

13. NOMINATION OF JBWD BOARD MEMBER FOR BOARD OF DIRECTORS OF ASSOCIATION OF SAN BERNARDINO COUNTY SPECIAL DISTRICTS (ASBCSD)

GM Guzzetta reported that there is a vacancy on the ASBCSD Board.

MSC Luckman/Reynolds 5/0 to nominate Mike Reynolds for the ASBCSD board position.

14. PUBLIC COMMENT

None.

15. GENERAL MANAGER REPORT

GM Guzzetta shared the SEMS field report for October that categorized and tracked employee hours spent in various field activities such as mainline leak repair, system maintenance and customer service calls.

GM Guzzetta attended the Mojave Water Agency Technical Advisory Committee meeting where a report was given about upcoming state policies on septic regulation that would include a required minimum lot size of 2.5 acres to qualify for installation of a septic system for new development; and would add requirements for existing septic systems.

16. DISTRICT GENERAL COUNSEL REPORT

District Legal Counsel Gil Granito thanked Kelly Stewart for his presentation. Mr. Granito reviewed a recent Supreme Court decision that held an entity hiring contractors cannot be held responsible for injuries to a contractor's employees resulting from safety violations.

17. FUTURE AGENDA ITEMS

None requested.

18. DIRECTORS COMMENTS/REPORTS

Director Long reported attending the Mojave Water Agency (MWA) Board meeting. Vice President Luckman reported on attending the MWA Technical Advisory Committee meeting. Director Coate commented that Victoria Fuller won the election for the Board vacancy and congratulated her. Vice President Reynolds commented on the possibility of a future state requirement for a minimum of 2.5 acres for septic.

A. **President to appoint Ad Hoc Board Orientation Committee:** President Reynolds appointed Director Coate to work with staff to develop an orientation procedure for new Board members.

19. CLOSED SESSION:

A. 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 Negotiator and/or Ad Hoc Negotiation Committee charged with the responsibility of negotiating a new Employment Agreement with the District's Management, Supervisory and Confidential Unit Employees.

B. At this time the Board will go into closed session to confer with Legal Counsel pursuant to Government Code Section 54956.9(c) concerning a matter of potential litigation. [one matter- unidentified].

Legal Counsel Gil Granito commented that for the closed session item 19A the Board's designated negotiator is General Manager Joe Guzzetta. The Board went to closed session at 8:50 pm and returned to open session at 9:40 pm

Counsel Gil Granito reported that the Board considered Item 19 A pursuant to Government Code Section 54957.6 in order for the Board to consult with and instruct the District's negotiator, General Manager Joe Guzzetta charged with the responsibility of negotiating a new Agreement with the District's Management, Supervisor, and Confidential Unit Employees Unit; and that there was no reportable action.

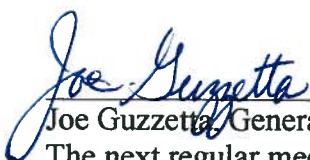
Counsel Gil Granito and General Manager Joe Guzzetta lead discussion on item 19B pursuant to Government code Section 54956.9c concerning a matter of potential litigation (one matter unidentified); no reportable action was taken.

General Counsel Gil Granito continued discussion of Item 16, District General Counsel Report to state that JBWD v Robert Ellis remains at the Appellate Court and that there is no time certain that the Appellate Court will issue a ruling.

20 ADJOURNMENT 9:42 PM

MSC Long/Luckman 5/0 to adjourn the November 7, 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 November 21, 2012 at 7:00 pm.