



P.O. BOX 675 • 61750 CHOLLITA ROAD • JOSHUA TREE • CALIFORNIA 92252  
TELEPHONE (760) 366-8438 FAX (760) 366-9528 E-MAIL [jbwd@jbwd.com](mailto:jbwd@jbwd.com)

JOSHUA BASIN WATER DISTRICT  
REGULAR MEETING OF THE CITIZENS ADVISORY COMMITTEE  
TUESDAY SEPTEMBER 9, 2014 7:00 PM  
61750 CHOLLITA ROAD, JOSHUA TREE, CA 92252

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM
4. APPROVAL OF AGENDA
5. PUBLIC COMMENTS:  
This public comment portion of this agenda provides an opportunity for the public to address the Committee on items not listed on the agenda that *are of interest to the public at large* and are within the subject matter jurisdiction of this Committee. The Committee is prohibited by law from taking action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Board does not respond to public comments at this time.  
  
Comments are to be limited to three minutes per speaker and shall not exceed a total of 20 minutes. Members of the public are expected to maintain a professional, courteous decorum during their comments. Public input may be offered on an agenda item when the item comes up for discussion and/or action. Members of the public who wish to speak shall proceed to the podium when called by the President of the Board. Please state your name and community of residence for the record.
6. CONSENT CALENDAR
  - A. Approve Minutes of July 8, 2014 Regular Meeting of the Citizens Advisory Committee
7. SELECTION OF VICE CHAIRPERSON
8. GENERAL MANAGER REPORT
  - A. Update on Development Packet
  - B. Conservation Ordinance
  - C. Water Theft
  - D. Chromium 6
9. CONFIRM DATE FOR NEXT CITIZENS ADVISORY COMMITTEE MEETING  
Next meeting is scheduled for Tuesday, November 11, 2014
10. COMMITTEE COMMENTS/REPORTS
11. ADJOURNMENT

INFORMATION

During "Public Comment", please use the podium microphone. State your name and have your information prepared and be ready to provide your comments to the Committee. The District is interested and appreciates your comments. A 3-minute time limit will be imposed. Thank you.

Any person with a disability who requires accommodation in order to participate in this meeting should telephone Joshua Basin Water District at (760) 366-8438, at least 48 hours prior to the meeting to make a request for a disability-related accommodation.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the District's office located at 61750 Chollita Road, Joshua Tree, California 92252 during normal business hours.

**JOSHUA BASIN WATER DISTRICT**  
**Minutes of the**  
**REGULAR MEETING**  
**OF THE CITIZENS ADVISORY COMMITTEE**  
**July 8, 2014**

**1. CALL TO ORDER 7:00 PM**

**2. PLEDGE OF ALLEGIANCE**

**3. DETERMINATION OF QUORUM:**

Fred Klintworth	Present
Karen Tracy	Present
Karen Morton	Present
Amy Fauls	Present
Douglas Buckley	Absent
Shari Long	Present
Karen Sernka	Absent

**STAFF PRESENT:** Curt Sauer, General Manager

**4. APPROVAL OF AGENDA**

MSC Klintworth/Fauls 5/0 (2 Absent) to approve the agenda for the July 8, 2014 Regular Meeting of the Citizens Advisory Committee.

Douglas Buckley	Absent
Amy Fauls	Aye
Fred Klintworth	Aye
Shari Long	Aye
Karen Morton	Aye
Karen Sernka	Absent
Karen Tracy	Aye

**5. PUBLIC COMMENT**

None.

**6. CONSENT CALENDAR**

MSC Long/Morton 5/0 (2 Absent) to approve the draft minutes of the May 13, 2014 Regular Meeting of the Citizens Advisory Committee and to approve the draft minutes of the June 4, 2014 Special Joint Meeting of the Board of Directors and Citizens Advisory Committee.

Douglas Buckley	Absent
Amy Fauls	Aye
Fred Klintworth	Aye
Shari Long	Aye
Karen Morton	Aye
Karen Sernka	Absent
Karen Tracy	Aye

**7. GENERAL MANAGER REPORT**

General Manager Curt Sauer updated the Committee on current District projects and activities.

**8. BROWN ACT REFRESHER**

GM Sauer and the Committee discussed the Brown Act and reviewed the information on open meetings presented by staff.

**9. ROLL CALL VOTES**

GM Sauer reported that recent legislative updates to the Brown act require all legislative bodies to verify the votes of all members when actions are taken meetings of governmental bodies.

The District has adopted this practice for its Board meetings. Although the Citizens Advisory Committee is not a legislative body, the minutes of each Citizens Advisory Committee meeting will reflect the votes of each committee member. Taking “Roll call votes” is now the standard practice.

**10. CONFIRM DATE FOR NEXT CITIZENS ADVISORY COMMITTEE MEETING**

The next regular meeting of the Citizens Advisory Committee is scheduled for Tuesday, September 9<sup>th</sup>, 2014 at 7:00 pm.

**11. ADJOURNMENT**

The meeting was adjourned at approximately 8:35 pm.

Respectfully submitted;

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Curt Sauer, General Manager

## ORDINANCE NO. 14-8

### AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE JOSHUA BASIN WATER DISTRICT (“DISTRICT”) REQUIRING WATER USE EFFICIENCY MEASURES AND THE PREVENTION OF WATER WASTE PURSUANT TO CALIFORNIA WATER CODE SECTION 375 et seq.

#### Recitals, Findings, and Determinations.

- A. On January 17, 2014, Governor Brown declared a drought state of emergency and on April 25, 2014, the Governor signed an Executive Order (“Executive Order”) calling on the State Water Resources Control Board (“State Water Board”) to adopt emergency regulations to ensure that urban water suppliers implement drought response plans to limit outdoor potable water irrigation and prohibit other wasteful water practices; and
- B. On July 15, 2014, the State Water Board adopted Emergency Regulations (“State Regulations”) effective July 29, 2014 that prohibit certain outdoor water uses and require urban water agencies to implement mandatory outdoor water use restrictions under their local water shortage contingency plans. The State Regulations will remain in effect for a minimum of 270 days or nine months. The State Regulations require urban water agencies to report monthly water production data, GPCD (Gallons per Capita per Day), conservation-related implementation measures and/or enforcement actions by the 15<sup>th</sup> of each month starting with August. With regard to reporting GPCD, the State Water Board acknowledged that the GPCD reporting requirement will be delayed to October 15 in order for the state to develop guidance on how the GPCD should be calculated. Water production data for each preceding month will be compared to a similar month in 2013. The State will develop an electronic reporting portal that will include applicable data fields. Nothing in the State Regulations or in the enforcement provisions of the State Regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures; and
- C. The water conservation measures and restrictions on water use identified by this Ordinance provide certainty to water users and enable the District to control water use and plan and implement water measures and restrictions in a fair and orderly manner for the benefit of the public. This Ordinance is further intended to comply with the mandates of the State Water Board Regulations applicable to the District.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE JOSHUA BASIN WATER DISTRICT DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Conservation Water Use Restrictions and Measures.**

Except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency, the following water use restrictions and conservation measures shall apply:

- a) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited;
- b) The use of a hose that dispenses potable water to wash a motor vehicle is prohibited, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- c) The application of potable water to driveways and sidewalks is prohibited;
- d) The use of potable water in a fountain or other decorative water feature is prohibited, except where the water is part of a recirculating system;
- e) Water shall not be permitted to leak from any water line, faucet or other facility on any premises. Any leak shall be repaired in a timely manner.
- f) All conventional (overhead) spray irrigation systems shall be scheduled to run between the hours of 8 pm and 9 am.
- g) Water for construction purposes, including but not limited to debrushing of vacant land, compaction of fills and pads, trench backfill and other construction uses, shall be used in an efficient manner.
- h) All new construction, including residential, commercial and industrial, shall be equipped with low flow toilets and fixtures.
- i) All new model homes and commercial and industrial development, when landscaped, shall include low water use, drought tolerant or native plant material, and matched precipitation rate, low-gallonage sprinkler heads, bubblers, and drip irrigation systems. Irrigation systems shall include a smart irrigation controller or equivalent technology.
- j) Dedicated (separate) landscape water meters shall be installed for all irrigated landscape areas in excess of 2500 square feet, except for single family residences.

- k) Water used for cooling systems must be recycled to the extent possible.
- l) Evaporation resistant covers are required for all new swimming pools and hot tubs and are encouraged on existing pools.
- m) Hotels/motels and vacation rentals are encouraged to post notices urging guests to conserve water.
- n) Restaurants or other public places where food is served are encouraged to provide glasses of drinking water to customers only when specifically requested.
- o) All water customers are encouraged to install flow reducers and faucet aerators.

**SECTION 2. Non-Compliance Charges and Penalties.**

The District intends to achieve customer compliance with the water use restrictions and measures of this Ordinance through the District's educational and communication efforts. The District will not initiate enforcement action, except in those instances where the customer demonstrates intentional or gross negligent disregard for the water use restrictions and measures set forth in this Ordinance.

Non-Compliance Charges: The following will apply to persons or entities failing to comply with any provision of this Ordinance.

- 1. First Instance of Non-Compliance: The District will issue a written warning and send it along with an explanation of the violation.
- 2. Second Instance of Non-Compliance: A second instance of non-compliance with this Ordinance within the preceding twelve (12) calendar months is subject to a non-compliance charge of twenty five dollars (\$25.00) on the water bill.
- 3. Third Instance of Non-Compliance: A third instance of non-compliance with this Ordinance within the preceding twelve (12) calendar months is subject to a non-compliance charge of fifty dollars (\$50.00) on the water bill.
- 4. Subsequent instances of non-compliance are each subject to a non-compliance charge of one hundred dollars (\$100.00).

**SECTION 3. Appeals.**

- A. Any person or entity wishing to appeal a non-compliance charge, action or

penalty shall do so in writing to the District's General Manager.

- B. The District's General Manager and/or his designee shall review and make a decision on the appeal.
- C. If the applicant disagrees with the decision, the applicant may appeal the decision to the District's Board of Directors for consideration.

**SECTION 4. Purpose and Intent.** It is the purpose and intent of this Ordinance to limit the use of water to beneficial purposes only and to prohibit and restrict the unnecessary and wasteful use of water.

**SECTION 5. Ordinance Controlling.** The provisions of this Ordinance shall prevail and control in the event of any inconsistency between this Ordinance and any other rule, regulation or code of this District, except as later amended by resolution or emergency rule.

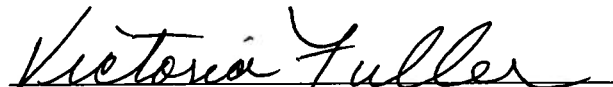
**SECTION 6. Effective Date.** This Ordinance shall be effective upon its adoption.

**SECTION 7. Publication.** The District's General Manager or his designee is hereby directed to publish this Ordinance in full within 10 days of August 20, 2014 pursuant to Section 376 of the Water code of the State of California.


**ADOPTED, SIGNED, AND APPROVED** by the following vote this 20<sup>th</sup> day of August, 2014.

Director Victoria Fuller	<u>Aye</u>
Director Bob Johnson	<u>Aye</u>
Director Mickey Luckman	<u>Aye</u>
Director Mike Reynolds	<u>Aye</u>
Director Gary Wilson	<u>Aye</u>

**JOSHUA BASIN WATER DISTRICT**

  
VICTORIA FULLER, President  
Joshua Basin Water District and the  
Board of Directors thereof

ATTEST:

  
CURT SAUER, General Manager/Secretary  
Joshua Basin Water District and the  
Board of Directors thereof