

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
May 4, 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
Mike Reynolds	Present
Gary Wilson	Present

STAFF PRESENT: Joe Guzzetta, General Manager
Susan Greer, Assistant General Manager/Controller
Keith Faul, GIS Coordinator

CONSULTANTS PRESENT: Gil Granito, District Counsel
Kathleen Radnich, Public Outreach Consultant

GUESTS 10

4. **APPROVAL OF AGENDA**

MSC Long/Reynolds 5/0 approve the Agenda for May 4, 2011 Regular Meeting of the Board of Directors

5. **PUBLIC COMMENT**

None.

6. **CONSENT CALENDAR**

MSC Long/Reynolds 5/0 to approve the Minutes of the April 20, 2011 Regular Meeting and to approve the Financial Report for March 2011.

7. **RECOGNITION OF DIRECTOR RECEIVING CERTIFICATE IN SPECIAL DISTRICTS ADMINISTRATION**

President Luckman reported and congratulated Vice President Reynolds for completing the Special District Institute Local Government Leadership and Management Program.

8. **TESTING OF BACKFLOW DEVICE AT VETERANS OF FOREIGN WARS LODGE**

General Manager Joe Guzzetta reported that the District is considering performing testing of backflow devices as part of its cross-connection prevention program. Currently, the District notifies the customer when testing is needed and the customer arranges it. The District has two employees who are certified to test the devices, and the VFW has requested that District staff test the device at their building. This has presented an opportunity for the District's certified testers to gain some experience in the field.

MSC Long/Reynolds 5/0 to approve staff recommendation to authorize District staff to test the backflow device at the VFW Lodge as a training exercise and to help evaluate the backflow testing program.

9. **DEPOSITS REQUIRED FOR NEW ACCOUNTS AND ACCOUNTS THAT HAVE BEEN TURNED OFF FOR NON-PAYMENT**

GM Guzzetta reported that the Board had previously approved a credit rating system based on a "red, yellow and green" rating where water account applicants who had "yellow" or "red" credit scores would pay a \$100 deposit that would be refunded after 24 or 48 months of good payment history, respectively. It

was found that the District's cost to have two different retention periods for deposits would be prohibitive.

MSC Long/Reynolds 5/0 to approve staff recommendation to revise the length of time to hold deposits based on "green, yellow or red" scores from a credit-rating agency and adopt Resolution 11-869.

10. 2011 DRAFT URBAN WATER MANAGEMENT PLAN (UWMP)

GM Guzzetta presented the staff report noting that the Urban Water Management Plan (UWMP) must be adopted before June 30, 2011. Director Luhrs questioned the timing of the report stating that two months was insufficient time to review the report. He asked why the Citizens Advisory Committee (CAC) had received some of the chapters in advance of the Board. GM Guzzetta responded that the CAC had originally been appointed to serve as "stakeholders" to review the plan as required by state guidelines. The Board receives CAC agendas, and staff will assure that the Board receives attachments in the future with the CAC agendas. Dr. Robert Ellis, member of the public, commented that he believed the plan should distinguish between urban and rural areas of the District. No action was taken.

11. COMMITTEE REPORTS:

A. Public Information Committee: Kathleen Radnich, Public Outreach Consultant

Kathleen Radnich demonstrated new water conservation props showing the difference between low flow and high flow shower heads. She discussed public information activities including docent and volunteer activities, emergency preparedness activities, the dig alert promotional items, water conservation tips, the toilet exchange program, field trips from elementary schools to the demonstration garden and the first anniversary of the demonstration garden with participation by several community organizations. She announced that may 6 is national public garden day.

B. Ad Hoc General Manager Performance Facilitated Review Process: Vice President Reynolds and Director Long: Vice President Reynolds stated that there was no new information to report.

C. Ad Hoc Pipeline Replacement Funding Committee: Director Luhrs and Director Wilson
Directors Luhrs and Wilson reported that they would have an item on a future agenda recommending replacement of about 15,000 feet of pipe that is already designed at an anticipated cost of (\$150,000 to \$200,000)

D. Ad Hoc Morongo Pipeline Capacity Post 2022: Vice President Reynolds and Director Long:
Vice President Reynolds stated that there was no new information to report.

12. PROJECT PRIORITY LIST

The General Manager had no further comments.

13. PUBLIC COMMENT

None.

14. GENERAL MANAGER REPORT

GM Guzzetta reported that the District used the Call Fire automated phone calling system to notify customers of the toilet exchange program and that all 300 toilets had been reserved. Director Wilson stated that he has five water accounts but was not authorized for toilets for each account through the toilet exchange program. Staff will get more information on the program.

15. DIRECTORS COMMENTS/REPORTS

Director Luhrs asked for clarification on the cost for the General Manager and Board President to travel to Washington DC.

GM Guzzetta explained that flights were changed when they were able to return early. He noted that flight reservations were made in their names as they cannot be made in the name of the District. GM Guzzetta stated he is seeking reimbursement to the District for the two unused flights and that if the District is not reimbursed for those he and President Luckman will pay for them. Director Luhrs stated he believes people are being reimbursed in violation of District policies and that in his opinion funds were used illegally. Director Luhrs stated that he had attempted to initiate a criminal complaint at the Sheriff's office but the Sheriff decided he didn't want to investigate it. Director Luhrs noted that the Sheriff's name is on the campaign literature. Director Luhrs stated his intention to approach the Attorney General with his concerns.

Director Wilson asked if reservations had been made for the Association of California Water Agencies (ACWA) conference in Washington DC.

Vice President Reynolds reported that he participated in the water agency tour of four local agencies; he also attended the Mojave Water Agency Board meeting where it was noted that the Morongo Basin has the lowest water use in their service area.

President Luckman reported that she and the General Manager had intended to register on-site for the Washington DC ACWA Conference and had also arranged to meet with legislators there. She explained the reasons for not incurring the cost to attend the ACWA sessions. She reported attending a Special District Institute seminar where she learned the importance of preparing a strategic plan linked to the budget and to a business plan; she suggested this for the District. She reported that she will attend the meetings of the Joint Powers Insurance Authority and the Spring ACWA Conference in Sacramento next week.

16 CLOSED SESSION

1. 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).

2. 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).

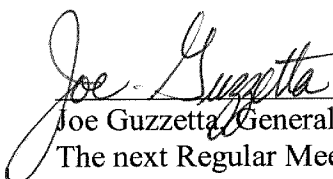
15. REPORT ON CLOSED SESSION ITEMS

District Council Gil Granito stated that a Closed Session would not be necessary. He reported that proposed state legislation AB34 would tax retail water agencies to provide funding for major state water projects. AB457 would allow unsuccessful bidders on construction projects who prevail, to be compensated for attorney fees in addition to the cost of bidding for which they currently can be compensated. Both bills are opposed by ACWA.

20. ADJOURNMENT 8:11PM

MSC Long/Reynolds 5/0 to adjourn the May 4, 2011 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 Wednesday May 18, 2011 at 7:00 pm.