



PO Box 675 • 61750 Chollita Road • Joshua Tree CA 92252  
Phone (760) 366-8438 • Fax (760) 366-9528 • [www.jbwd.com](http://www.jbwd.com)  
An Equal Opportunity Provider

JOSHUA BASIN WATER DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
WEDNESDAY JULY 18, 2012 7:00 PM  
61750 CHOLLITA ROAD, JOSHUA TREE CALIFORNIA 92252

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. DETERMINATION OF QUORUM
4. APPROVAL OF AGENDA
5. PUBLIC COMMENT: At this time, any member of the public may address the Board on matters within the Board's jurisdiction that are not listed on the agenda. Please use the podium microphone. The Board may not discuss at length or take action on items not on the agenda.  
During either "Public Comment" Item, please use the podium microphone. State your name and have your information prepared and be ready to provide your comments to the Board. The District is interested and appreciates your comments. A 3-minute time limit may be imposed. Thank you.
6. CONSENT CALENDAR: Items on the Consent Calendar are considered routine in nature and will be adopted in total by one action of the Board of Directors unless any Board Member or any individual or organization interested in one or more consent calendar items wishes to be heard.
  - A. Approve Minutes of June 20, 2012 Regular Board Meeting
  - B. Approve June 2012 Check Audit Report
7. MEMORANDUM OF UNDERSTANDING (MOU) WITH JT CHAMBER OF COMMERCE REGARDING WATER SUPPLY TO THE PROPOSED TURTLE ISLAND COMMERCIAL DEMONSTRATION GARDEN  
Recommend that the Board approve the MOU and authorize waiver of Article 2.7, requiring individual meters on all parcels.
8. APPROVAL OF RESOLUTION AUTHORIZING TO APPLY FOR DEPARTMENT OF WATER RESOURCES GRANT FOR MONITORING WELL  
Recommend that the Board adopt a resolution authorizing submittal of a grant in the amount of \$250,000 for an additional monitoring well at the ground water recharge site.
9. COMMITTEE REPORTS
  - A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long: Kathleen Radnich, Public Outreach Consultant to report
  - B. AD HOC GENERAL MANAGER CONTRACT NEGOTIATION COMMITTEE: President

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Reynolds and Director Long:

C. AD HOC STRATEGIC PLAN COMMITTEE: Director Coate and Director Long

D. AD HOC UTILITY SERVICES CONTRACT COMMITTEE: Director Coate and Director Long

E. AD HOC RECHARGE COMMITTEE: Director Long and Director Coate

10. PUBLIC COMMENT

At this time, any member of the public may address the Board on matters within the Board's jurisdiction that are not listed on the agenda. Please use the podium microphone. The Board may not discuss at length or take action on items not on the agenda.

11. GENERAL MANAGER REPORT

12. DISTRICT GENERAL COUNSEL REPORT

13. FUTURE AGENDA ITEMS

14. DIRECTORS COMMENTS/REPORTS

15. 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 Ad Hoc Negotiation Committee (Mike Reynolds and Bill Long), which is acting as the Board's designated representative and is charged with the responsibility of negotiating a new Employment Agreement with the District's General Manager.

B. At this time the Board will go into closed session pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding price and terms. District negotiator: Joe Guzzetta. APN 603-231-14; negotiator, Barbara Moreland.

16. ADJOURNMENT

INFORMATION

The public is invited to comment on any item on the agenda during discussion of that item.

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 in order to make a request for a disability-related modification or 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.

*This meeting is scheduled to be broadcast on Time Warner Cable Channel 10 on July 25 at 7:00 pm and August 1 at 7:00 pm. DVD recordings of Joshua Basin Water District Board meetings are available at the District office and at the Joshua Tree Library.*

JOSHUA BASIN WATER DISTRICT  
Minutes of the  
REGULAR MEETING OF THE BOARD OF DIRECTORS

June 20, 2012

1. CALL TO ORDER: 7:02 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

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

GUESTS 9

4. APPROVAL OF AGENDA

General Manager Guzzetta presented a report for "Authorization to Apply for Department of Water Resources Grant for Monitoring Well," and explained the reason that this report was not able to be included on the agenda and met the requirements for consideration as an action requiring immediate action was because the need for action on this item came to the attention of the District subsequent to the Agenda being posted, and the grant has a deadline of July 13.

MSC Luckman/Long 4/1 to make a finding to determine that there is a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda being posted; and that this item be placed on the agenda after Item 10.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

MSC Long/Luckman 4/1 to approve the agenda for the regular meeting of June 20, 2012 as modified by the above action.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

5. PUBLIC COMMENT

Steve Whitman recommended that the CAC be requested to appoint a vice chair to report their actions to the Board when the Chair is not available.

Al Marquez objected to the characterization of grants as “having been received” if the money has not yet been received. He questioned who was referred to as being a bigot by a member of the public at a previous board meeting.

6. CONSENT CALENDAR

MSC Luckman/Long 5/0 to approve the Minutes of the June 6, 2012 regular Board Meeting; to approve the minutes of the June 13, 2012 special Board meeting; to approve the May 2012 Check Audit Report; to Dissolve the Board Ad Hoc General Manager Facilitated Performance Evaluation Committee; to Dissolve the Board Ad Hoc CAC Committee; and to Dissolve the Board Ad Hoc Budget Committee.

7. PUBLIC HEARING TO CONSIDER THE WATER AVAILABILITY (STANDBY) CHARGE FOR FISCAL YEAR 2012/2013

Assistant General Manager/Controller Susan Greer gave the staff report. President Reynolds opened the public hearing.

Al Marquez of Joshua Tree spoke to explain his letter submitted in protest of the Water availability charge. President Reynolds closed the Public Hearing.

MSC Coate/Luckman 4/1 to approve staff recommendation to adopt Resolution 12-889, establishing water availability charges for 12/13 and authorizing collection by San Bernardino County.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

8. UNITED STATES GEOLOGICAL SURVEY (USGS STUDY CONTINUATION)

General Manager Joe Guzzetta gave the staff report.

MSC Long/Luckman 4/1 to approve staff recommendation to approve a “No Cost Extension” Joint Funding Agreement with USGS to complete the report of the ground water recharge project and the Transport Solute Model septic study.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

9. AGREEMENT WITH PAY PRO ADMINISTRATORS TO ADMINISTER THE EMPLOYEE CAFETERIA PLAN – FLEXIBLE SPENDING ACCOUNT

AGM/Controller Greer gave the staff report.

MSC Luckman/Coate 5/0 to approve staff recommendation to approve the agreement with PAYPRO Administrators.

10. CONSIDER MEMORANDUM OF UNDERSTANDING (MOU) WITH JT CHAMBER OF COMMERCE REGARDING WATER SUPPLY TO THE PROPOSED TURTLE ISLAND COMMERCIAL DEMONSTRATION GARDEN

GM Guzzetta noted that JBWD is a member of the JT Chamber of Commerce; he has served as liaison to the Chamber of Commerce for many years and is now on the Board; and that he will

not participate tonight in the discussions about the proposed agreement in order to avoid the appearance of any conflict of interest. He left the room for the during consideration of this item. AGM/Controller Greer presented the report on behalf of the Ad Hoc Committee.

MSC Coate/Long 4/1 to approve the Ad Hoc Turtle Island Committee recommendation to approve the memorandum of understanding with the Joshua Tree Chamber of Commerce, on condition of approval of legal counsel, and authorize Board President Mike Reynolds to work with District legal counsel and the Chamber to fine-tune any details.

Coate	Aye
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

10.b AUTHORIZATION TO APPLY FOR DEPARTMENT OF WATER RESOURCES GRANT FOR MONITORING WELL

General Manager Guzzetta gave the staff report noting that there is an opportunity to apply for a grant for a monitoring well, but it must be submitted by July 13, before the next Board meeting. MSC Luckman/Long 3/2 to approve staff recommendation to authorize Dudek Engineering to prepare a grant application at a cost not to exceed \$17,000, for a grant in the amount of \$250,000 for an additional monitoring well at the Ground Water Recharge Site if the district engineer and general manager determine with further review that it is to the District's benefit to do so.

Coate	No
Long	Aye
Luckman	Aye
Reynolds	Aye
Wilson	No

11. CONSERVATION COORDINATOR REPORT

Conservation Coordinator Deborah Bollinger reported on the District's school conservation education program and the amount of water conservation realized through these efforts.

12. COMMITTEE REPORTS

- A. PUBLIC INFORMATION COMMITTEE: Vice President Luckman and Director Long: Kathleen Radnich, Public Outreach Consultant reported on attending the Association of San Bernardino County Special Districts meeting, and noted that the District maintains a Facebook page..
- B. AD HOC GENERAL MANAGER CONTRACT NEGOTIATION COMMITTEE: President Reynolds and Director Long: President Reynolds reported discussions are underway.
- C. AD HOC STRATEGIC PLAN COMMITTEE: Director Coate and Director Long: No report.
- D. AD HOC UTILITY SERVICES CONTRACT COMMITTEE: Director Coate and Director Long: No Report.
- E. AD HOC RECHARGE COMMITTEE: Director Long and Director Coate: No report.
- F. CITIZENS ADVISORY COMMITTEE: Jay St. Gaudens, Chair: No report.

13. PUBLIC COMMENT

Ratepayer Karen Tracy commented on a prior Board meeting where a member of the public spoke twice on the same subject.

Al Marquez of Joshua Tree commented on the Board's prior actions on the Recharge Fencing Project.

Steven Whitman of Joshua Tree commented on positive encounters and conversations he had with the District's Public Outreach Consultant and with Director Wilson.

14. GENERAL MANAGER REPORT

GM Guzzetta had no report. Director Wilson asked about monitoring for the recharge project. GM Guzzetta answered that the District's environmental consultant is putting out the RFP for the several types of monitoring that will be needed for the project.

15. DISTRICT GENERAL COUNSEL REPORT

District Counsel Gil Granito commented on litigation where the deadline to file an appeal will be met within a few days. He suggested that President Reynolds and the Ad Hoc Turtle Island Committee meet with him regarding the proposed Memorandum of Understanding with the Joshua Tree Chamber of Commerce.

16. FUTURE AGENDA ITEMS

None requested.

17. DIRECTORS COMMENTS/REPORTS

Director Wilson commented that he considered support of District Consultants for the Memorandum of Understanding with the Joshua Tree Chamber of Commerce a possible conflict of interest.

Director Coate commented that a decision was made regarding land for a proposed casino that would not allow it to be owned by a trust.

President Reynolds reported on attending the Association of San Bernardino County Special Districts meeting where the topic was public awareness about the water. He attended the Mojave Water Agency Board meeting and commented on the processes used in their meetings.

Director Coate commented on the value of water.

18. CLOSED SESSION

A. Closed session pursuant to Government Code Section 54957.6 to consult with and instruct the Board's Ad Hoc Negotiation Committee (Mike Reynolds and Bill Long), which is acting as the Board's designated representative and is charged with the responsibility of negotiating a new Employment Agreement with the District's General Manager.

There was no Closed Session.

19. ADJOURNMENT

The meeting was adjourned at 9:00 pm.

Respectfully submitted:

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Joe Guzzetta, General Manager

The next regular meeting of the Board of Directors is scheduled for July 4, 2012 at 7:00 pm.

CHECK NO	CHECK DATE	STATUS	VENDOR INFO			CHECK AMOUNT
051501	6/07/2012	R	1	CUSTOMER REFUNDS (MISC.)		
				I-000201206061709	SAWSIRI, AMANDA :US REFUND	44.84
						-----
						44.84
051502	6/07/2012	R	1	CUSTOMER REFUNDS (MISC.)		
				I-000201206061710	DEVOS, KELLY :US REFUND	45.85
						-----
						45.85
051503	6/07/2012	R	1	CUSTOMER REFUNDS (MISC.)		
				I-000201206061711	BRANSFIELD, RUSSELL :US REFUND	56.44
						-----
						56.44
051504	6/07/2012	R	1	CUSTOMER REFUNDS (MISC.)		
				I-000201206061712	JONES, MELISSA E :US REFUND	68.72
						-----
						68.72
051505	6/07/2012	R	1	CUSTOMER REFUNDS (MISC.)		
				I-000201206061713	RAY, CHRISTINA :US REFUND	11.05
						-----
						11.05
051506	6/08/2012	R	000650	AKLUFU AND WYSOCKI		
				I-AK0512	LEGAL SERVICES - MAY 12	326.68
						-----
						326.68
051507	6/08/2012	R	001630	AT&T MOBILITY		
				I-829480028X06052012	COMMUNICATIONS - MAY 12	932.15
						-----
						932.15
051508	6/08/2012	R	000985	AVALON URGENT CARE, INC		
				I-2222	CLASS A MEDICAL EXAM: J CORBIN	75.00
						-----
						75.00
051509	6/08/2012	R	001002	BUSINESS CARD		
				I-BA0612	BUS EXP/TRAINING EXP/AUTO EXP	2,769.51
						-----
						2,769.51
051510	6/08/2012	R	001004	BUSINESS CARD		
				I-BA0612	BUS EXP/PUMP PLT/MISC EXP	8,518.27
						-----
						8,518.27

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051511	6/08/2012	R	001010	BARR LUMBER COMPANY, INC	
			I-9550451	WATER UTILITY TRAILER SUPPLIES	43.72
			I-9550455	WATER UTILITY TRAILER SUPPLIES	10.32
					-----
					54.04
051512	6/08/2012	R	001461	DEBORAH BOLLINGER	
			I-503	WATER CONSERVATION - MAY	2,500.00
			I-504	RECHARGE BASIN CONSULT SERVICE	262.50
					-----
					2,762.50
051513	6/08/2012	R	004110	BURRTEC WASTE & RECYCLING SVCS	
			I-BW0612	RECYCLING - JUN 12	54.63
			I-BW0612B	TRASH REMOVAL - JUN 12	248.81
			I-BW0612C	TRASH REMOVAL - JUN 12	79.92
					-----
					383.36
051514	6/08/2012	VOID	000145	CALIFORNIA STATE DISBURSEMENT UNIT	
			I-060812	EE REMITTANCE	198.92
			I-CSB060112	PARCEL DATA CD ROM	256.00
					-----
					454.92
051515	6/08/2012	R	001526	CANYON AUTO SERVICES, INC	
			I-6664	HYDRO VACUUM MAINTENANCE	66.69
					-----
					66.69
051516	6/08/2012	R	001530	CARQUEST/SOUTHERN AUTO SUPPLY	
			I-7340-409231	VEHICLE REPAIR/SHOP EXPENSE	21.32
					-----
					21.32
051517	6/08/2012	R	001555	CENTRATTEL	
			I-120603192101	DISPATCH SERVICES - MAY 12	280.19
					-----
					280.19
051518	6/08/2012	R	001595	CHEM-TECH INTERNATIONAL, INC.	
			I-JBWD150	WATER TREATMENT EXPENSE	1,212.51
					-----
					1,212.51
051519	6/08/2012	R	001865	COMPUTER GALLERY	
			I-306587	OFFICE EQUIPMENT	62.50
					-----
					62.50



CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051520	6/08/2012	R	002213	JOHN ZACCARIA	
			I-10697	EQUIPMENT REPAIRS & MAINTENANC	131.25
					-----
					131.25
051521	6/08/2012	R	000156	MICHAEL JEAN KLUTTS	
			I-20120426-201	TELEENTRY SECURITY REPAIR	415.00
					-----
					415.00
051522	6/08/2012	R	000109	PATRICIA FREEMAN	
			I-PF060112	REIMB: MILES & POSTAGE	88.82
					-----
					88.82
051523	6/08/2012	R	000058	GARDA CL WEST, INC.	
			I-181-911612	COURIER FEES - JUN 12	444.30
					-----
					444.30
051524	6/08/2012	R	005621	KENNY STRICKLAND, INC	
			I-5062847	FUEL FOR VEHICLES	3,706.28
			I-5062848	FUEL FOR VEHICLES	1,145.29
					-----
					4,851.57
051525	6/08/2012	R	005640	KILLER BEE PEST CONTROL	
			I-2253	BEE REMOVAL	70.00
					-----
					70.00
051526	6/08/2012	R	008414	ROBERT L. STEPHENSON	
			I-1182	VIDEO TAPING BD MEETINGS - MAY	200.00
					-----
					200.00
051527	6/08/2012	R	008415	PRUDENTIAL OVERALL SPLY.	
			I-20521763	SHOP EXPENSE	97.67
					-----
					97.67
051528	6/08/2012	R	009054	KATHLEEN J. RADNICH	
			I-052012-20	PUBLIC RELATIONS SERVICES	471.60
			I-052712-20	PUBLIC RELATIONS SERVICES	414.00
			I-052712-20A	REIMB: PUBLIC RELATIONS SUPPLY	33.78
			I-060312-21	PUBLIC RELATIONS SERVICES	468.00
					-----
					1,387.38
051529	6/08/2012	R	009072	LAW OFFICES REDWINE AND SHERRILL	

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
			I-RS0512	LEGAL SERVICES - MAY 12	8,297.00
					-----
					8,297.00
051530	6/08/2012	R	009878	SOUTHERN CALIFORNIA EDISON	
			I-SCE0512	POWER FOR PUMPING - MAY 12	23,620.17
					-----
					23,620.17
051531	6/08/2012	R	010690	TYLER TECHNOLOGIES	
			I-025-44259	INCODE TRAINING	750.00
					-----
					750.00
051532	6/08/2012	R	010850	UNDERGROUND SERVICE ALERT	
			I-520120334	TICKET DELIVERY SERVICE - MAY	60.00
					-----
					60.00
051533	6/08/2012	R	010990	UTILIQUEST L.L.C.	
			I-182843-Q	CONTRACT LOCATING EXPENSE	58.12
			I-183070-Q	CONTRACT LOCATING EXPENSE	15.71
					-----
					73.83
051534	6/08/2012	R	011109	VALLEY INDEPENDENT PRINTING	
			I-29555	WATER METER TAGS	910.53
					-----
					910.53
051535	6/08/2012	R	000145	CALIFORNIA STATE DISBURSEMENT UNIT	
			I-60812	EE REMITTANCE	198.92
					-----
					198.92
051536	6/08/2012	R	001932	COUNTY OF SAN BERNARDINO	
			I-CSB60112	SECURED ROLL-STANDBY PROCESSNG	256.00
					-----
					256.00
051537	6/14/2012	R	000181	BASIN WIDE FOUNDATION	
			I-BWF060412	ANNUAL MEMBERSHIP	100.00
					-----
					100.00
051538	6/14/2012	R	002003	D & B INDUSTRIAL SAFETY	
			I-18916	SAFETY EXPENSE	69.07
					-----
					69.07

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051539	6/14/2012	R	002213	JOHN ZACCARIA I-10940	OFFICE SUPPLIES 333.82
					----- 333.82
051540	6/14/2012	R	003015	EUGENE K FAUL I-KF061112	REIMB: POSTAGE 43.36
					----- 43.36
051541	6/14/2012	R	000058	GARDA CL WEST, INC. I-7138916	EVENXCHANGE FEES - MAY 12 7.44
					----- 7.44
051542	6/14/2012	R	003505	LORI PARKER I-6466	VEHICLE REPAIRS 19.00
					----- 19.00
051543	6/14/2012	R	004195	HOME DEPOT CREDIT SERVICES I-HD0612	SHOP EXP/SM TOOL/MISC EXP 1,676.83
					----- 1,676.83
051544	6/14/2012	R	004720	INLAND WATER WORKS	
			I-242179	SHOP EXPENSE	953.59
			I-242486	CROSS CONNECTION SUPPLIES	37.99
			I-242487	SHOP EXPENSE	155.16
			I-242488	HACIENDA PRV SUPPLIES	263.99
			I-242521	HACIENDA PRV SUPPLIES	6,518.88
					----- 7,929.61
051545	6/14/2012	R	000211	LEGEND PUMP & WELL SERVICE INC. I-50337B	WELL 10 REHAB & REPAIR 7,797.50
					----- 7,797.50
051546	6/14/2012	R	009897	THE MALLANTS CORPORATION I-2490	TEMPORARY LABOR 1,586.25
					----- 1,586.25
051547	6/14/2012	R	008102	OFFICEMAX CONTRACT INC. I-073553	OFFICE SUPPLIES 409.44
					----- 409.44
051548	6/14/2012	R	008300	POSTMASTER	

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
			I-SD060812	POSTAGE FOR WATER BILLING	3,000.00
					-----
					3,000.00
051549	6/14/2012	R	008405	PRECISION ASSEMBLY	
			I-14972	MAY WATER BILLING & PUBL INFO	1,823.77
					-----
					1,823.77
051550	6/14/2012	R	010633	LISA THOMPSON	
			I-LT061112	EDUCATION REIMBURSEMENT	310.95
					-----
					310.95
051551	6/14/2012	R	000227	TOWN OF YUCCA VALLEY	
			I-TYV060712	ENCROACHMENT PERMIT FEE	380.00
					-----
					380.00
051552	6/14/2012	R	010990	UTILIQUEST L.L.C.	
			I-183364-Q	CONTRACT LOCATING EXPENSE	58.12
					-----
					58.12
051553	6/14/2012	R	003595	VERIZON CALIFORNIA	
			I-V0612	TELEPHONE (SHOP) - JUN 12	343.99
					-----
					343.99
051554	6/14/2012	R	011615	WESTERN EXTERMINATOR CO.	
			I-WE0512	EXTERMINATOR - MAY 12	73.50
			I-WE0512B	EXTERMINATOR - MAY 12	32.00
					-----
					105.50
051555	6/14/2012	R	000009	WESTERN PUMP, INC.	
			I-0116885-IN	REPAIRS: GAS PUMP	237.41
					-----
					237.41
051556	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.)	
			I-000201206201714	JIMENEZ, ADRIANNA :US REFUND	72.69
					-----
					72.69
051557	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.)	
			I-000201206201715	ZITTEL, ANDREA M :US REFUND	11.86
					-----
					11.86

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051558	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201716 GUEVARA, COREY D :US REFUND	1.68 ----- 1.68
051559	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201717 ION HOME SOLUTIONS I:US REFUND	66.10 ----- 66.10
051560	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201718 ION HOME SOLUTIONS I:US REFUND	70.07 ----- 70.07
051561	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201719 BYRNE, PAMELA KAY :US REFUND	70.07 ----- 70.07
051562	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201720 LOCKHART, LINCOLN A :US REFUND	87.25 ----- 87.25
051563	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201721 OLSON, ANDREW :US REFUND	53.56 ----- 53.56
051564	6/21/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206201722 DIEMART, JENNIFER :US REFUND	150.37 ----- 150.37
051565	6/22/2012	R	000505	ACWA I-ACWA0712 EE ASSISTANCE PROGRAM JULY 12	67.26 ----- 67.26
051566	6/22/2012	R	000501	ACWA/JPIA I-ACWA0712 EE HEALTH BENEFIT - JULY 12	10,761.91 ----- 10,761.91
051567	6/22/2012	R	000656	AMERICAN HERITAGE LIFE INS CO. I-ALL0512 EE LIFE INSURANCE - MAY 12	304.89 ----- 304.89

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051568	6/22/2012	R	000229	C & S ELECTRIC	
			I-1054	WELL 14 ELECTRICAL REPLACEMENT	332.00
					-----
					332.00
051569	6/22/2012	R	001540	F.C. COMPTON DBA C & S	
			I-15760	WELL 14 ELECTRICAL REPLACEMENT	48.29
					-----
					48.29
051570	6/22/2012	R	000145	CALIFORNIA STATE DISBURSEMENT UNIT	
			I-062212	EE REMITTANCE	198.92
					-----
					198.92
051571	6/22/2012	R	001526	CANYON AUTO SERVICES, INC	
			I-6734	VEHICLE REPAIRS	488.28
					-----
					488.28
051572	6/22/2012	R	001528	CARPI & CLAY, INC	
			I-CC0512	LOBBYIST - MAY 12	3,500.00
					-----
					3,500.00
051573	6/22/2012	R	001850	CLINICAL LAB OF S.B. INC	
			I-921693	SAMPLING - MAY 12 & WELL 10	924.00
					-----
					924.00
051574	6/22/2012	R	001932	COUNTY OF SAN BERNARDINO	
			I-105017	PARCEL DATA CD ROM	238.23
					-----
					238.23
051575	6/22/2012	R	002026	DATASTREAM	
			I-4650	MAINT. AGREEMENT - 3RD QTR 12	720.00
					-----
					720.00
051576	6/22/2012	R	002565	DUDEK AND ASSOCIATES, INC	
			I-20121451	ENG SERV: MULTIPLE PROJECTS	24,571.08
			I-20121713	ENG SERV: MULTIPLE PROJECTS	24,088.22
					-----
					48,659.30
051577	6/22/2012	V	C-CHECK	VOID CHECK	0.00
					-----
					0.00

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051578	6/22/2012	V	C-CHECK	VOID CHECK	0.00
					-----
					0.00
051579	6/22/2012	R	000228 FATTY'S FENCE		
			I-FF061012	TEMPORARY FENCING HACIENDA PRV	550.00
					-----
					550.00
051580	6/22/2012	R	003505 LORI PARKER		
			I-6519	VEHICLE REPAIRS	17.00
			I-6521	VEHICLE REPAIRS	22.00
					-----
					39.00
051581	6/22/2012	R	001006 SUSAN GREER		
			I-SG060712	REIMB: MWA MILES & OFFICE SPLY	100.04
					-----
					100.04
051582	6/22/2012	R	004018 HACH COMPANY		
			I-7777836	PUMPING PLANT	741.73
					-----
					741.73
051583	6/22/2012	R	000205 LORI HERBEL		
			I-LH061512	PUBLIC INFO/FARMER'S MARKET	100.00
					-----
					100.00
051584	6/22/2012	R	004152 HI-DESERT STAR		
			I-01550319	PUBLIC NOTICE: STANDBY HEARING	107.16
					-----
					107.16
051585	6/22/2012	R	004165 HI-GRADE MATERIALS CO.		
			I-18-1299113	#3 ROCK FOR HACIENDA PRV SITE	193.95
					-----
					193.95
051586	6/22/2012	R	004720 INLAND WATER WORKS		
			I-242654	HYDRANT COVER BAGS	538.75
			I-242655	CROSS CONNECTION SUPPLIES	202.63
			I-242656	HACIENDA PRV SUPPLIES	12.93
			I-242657	HACIENDA PRV SUPPLIES	159.47
			I-242658	HACIENDA PRV SUPPLIES	150.85
					-----
					1,064.63

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051587	6/22/2012	R	005000	JANET MORNINGSTAR I-JM061212                      LEGAL SERVICES	632.50 ----- 632.50
051588	6/22/2012	R	009897	THE MALLANTS CORPORATION I-2494                              TEMPORARY LABOR	1,790.66 ----- 1,790.66
051589	6/22/2012	R	006790	MOBILE MINI, LLC - CA I-217001222                      23' RECORD STORAGE RENTAL	226.71 ----- 226.71
051590	6/22/2012	R	003930	NBS I-61200126                      CMM ADMIN FEES - 3RD QTR 12	2,087.26 ----- 2,087.26
051591	6/22/2012	R	008102	OFFICEMAX CONTRACT INC. I-127142                              OFFICE SUPPLIES/SHOP EXPENSE	887.34 ----- 887.34
051592	6/22/2012	R	008201	PURCHASE POWER I-PB060112                              POSTAGE REFILL FOR METER	500.00 ----- 500.00
051593	6/22/2012	R	008415	PRUDENTIAL OVERALL SPLY. I-20528648                              SHOP EXPENSE	97.89 ----- 97.89
051594	6/22/2012	R	009054	KATHLEEN J. RADNICH I-061012-22                              PUBLIC RELATIONS SERVICES I-061712-23                              PUBLIC RELATIONS SERVICES	529.20 457.20 ----- 986.40
051595	6/22/2012	R	009880	SOUTHERN CALIFORNIA EDISON CO I-SCE0612                              POWER TO BUILDINGS - JUN 12	1,489.94 ----- 1,489.94
051596	6/22/2012	R	009920	STANDARD INSURANCE CO I-ST0612                              EE LIFE INSURANCE - JUN 12	734.57 ----- 734.57



CHECK NO	CHECK DATE	STATUS	VENDOR INFO			CHECK AMOUNT
051597	6/22/2012	R	003596	SUPERMEDIA LLC		
			I-SM0612	MORONGO BASIN ADVERT - JUN 12		22.25
						-----
						22.25
051598	6/22/2012	R	000510	TIME WARNER CABLE		
			I-TW0612	CABLE SERVICE - JUN 12		58.32
						-----
						58.32
051599	6/22/2012	R	010990	UTILIQUEST L.L.C.		
			I-183602-Q	CONTRACT LOCATING EXPENSE		11.28
						-----
						11.28
051600	6/22/2012	R	003600	VERIZON CALIFORNIA		
			I-V0612	TELEPHONE (OFFICE) - JUN 12		765.51
						-----
						765.51
051601	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.)		
			I-000201206281723	SUM, CODY	:US REFUND	67.63
						-----
						67.63
051602	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.)		
			I-000201206281724	CARRANZA, EDGAR A	:US REFUND	66.95
						-----
						66.95
051603	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.)		
			I-000201206281725	MOSS, JAMES	:US REFUND	34.77
						-----
						34.77
051604	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.)		
			I-000201206281726	CUMMINGS, KEVIN D	:US REFUND	43.22
						-----
						43.22
051605	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.)		
			I-000201206281727	LEBRUN, YVONNE	:US REFUND	48.79
						-----
						48.79
051606	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.)		
			I-000201206281728	STRAWN, MICAH	:US REFUND	40.83
						-----
						40.83

CHECK NO	CHECK DATE	STATUS		VENDOR INFO	CHECK AMOUNT
051607	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281729 PETERSON, KATHLEEN :US REFUND	46.88 ----- 46.88
051608	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281730 DUBE, YVETTE :US REFUND	64.27 ----- 64.27
051609	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281731 HUDSPETH, JOSEPH F :US REFUND	19.60 ----- 19.60
051610	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281732 BARRON, PAUL C :US REFUND	84.62 ----- 84.62
051611	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281733 POHLY, JASON :US REFUND	21.90 ----- 21.90
051612	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281734 KLEIST JR., GEORGE :US REFUND	46.97 ----- 46.97
051613	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281735 TREVELYAN, LYDIA :US REFUND	51.74 ----- 51.74
051614	6/28/2012	R	1	CUSTOMER REFUNDS (MISC.) I-000201206281736 HILL, RICHARD E :US REFUND	78.39 ----- 78.39
051615	6/28/2012	R	000575	AFSCME LOCAL 1902 I-AFSCME0612 EE UNION DUES - JUN 12	468.00 ----- 468.00
051616	6/28/2012	R	000675	AQUA-METRIC SALES COMPANY I-0043708-IN INVENTORY	1,293.26 ----- 1,293.26

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051617	6/28/2012	R	001460	SHIRLEY BOLHA	
			I-SB062612	REIMBURSE MILEAGE	51.01
					-----
					51.01
051618	6/28/2012	R	001595	CHEM-TECH INTERNATIONAL, INC.	
			I-JBWD151	WATER TREATMENT EXPENSE	845.08
					-----
					845.08
051619	6/28/2012	R	001652	CIRCLE MOUNTAIN BIOLOGICAL	
			I-CM062012	RECHARGE: BASIN & PIPELINE	3,377.50
					-----
					3,377.50
051620	6/28/2012	R	001888	RICHARD H COOK	
			I-RC062512	EMERGENCY MANAGEMENT PROGRAM	1,200.00
					-----
					1,200.00
051621	6/28/2012	R	000231	DIGITAL BUYER	
			I-0796622	CUST SERV PAYMENT DROP BOX	147.90
					-----
					147.90
051622	6/28/2012	R	003505	LORI PARKER	
			I-6555	VEHICLE REPAIRS	80.00
					-----
					80.00
051623	6/28/2012	R	001006	SUSAN GREER	
			I-SG062712	REIMB: MILES TO PROP 84 CONF	118.77
					-----
					118.77
051624	6/28/2012	R	004720	INLAND WATER WORKS	
			I-242823	HYDRANT MAINTENANCE	280.15
			I-242824	INVENTORY	1,757.62
					-----
					2,037.77
051625	6/28/2012	R	006029	LIEBERT CASSIDY WHITMORE	
			I-152090	LEGAL SERVICES - MAY 12	1,530.00
					-----
					1,530.00
051626	6/28/2012	R	009897	THE MALLANTS CORPORATION	
			I-2497	TEMPORARY LABOR	1,320.21
					-----
					1,320.21

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
051627	6/28/2012	R	006200	HELEN A. MCALLISTER I-5678B	JANITORIAL SERVICES - JUN 12 580.00 ----- 580.00
051628	6/28/2012	R	009054	KATHLEEN J. RADNICH I-062412-24	PUBLIC RELATIONS SERVICES 540.00 ----- 540.00
051629	6/28/2012	R	010690	TYLER TECHNOLOGIES I-025-45605	ONLINE PRODUCTS - JUN 12 185.00 ----- 185.00
051630	6/28/2012	R	010990	UTILIQUEST L.L.C. I-183832-Q	CONTRACT LOCATING EXPENSE 62.66 ----- 62.66
*900261	6/07/2012	D	001517	CalPERS I-PPE 6-1-12	PAY PERIOD ENDING 6/1/12 9,451.90 ----- 9,451.90
900262	6/11/2012	D	004800	INTERNAL REVENUE SERVICE I-IRS PD 6-8-12	FED W/H, SOC SEC, MEDICARE 13,971.79 ----- 13,971.79
900263	6/11/2012	D	002822	EMPLOYMENT DEVELOPMENT I-EDD PD 6-8-12	STATE & SDI W/H 2,685.88 ----- 2,685.88
900264	6/14/2012	D	001517	CalPERS I-PPE 6-1-12	DESTINY PAY PERIOD ENDING 6-1-12 DIAZ 193.78 ----- 193.78
900265	6/21/2012	D	001517	CalPERS I-PPE 6-15-12	PAY PERIOD ENDING 6/15/12 9,743.30 ----- 9,743.30
900266	6/25/2012	D	004800	INTERNAL REVENUE SERVICE I-PD 6/22/12	FED W/H, SOC SEC, MEDICARE 20,094.28 ----- 20,094.28

7/06/2012 8:48 AM  
CASH ACCOUNT: 01 -11200

C H E C K   A U D I T   R E P O R T

PAGE: 16

CHECK NO	CHECK DATE	STATUS	VENDOR INFO		CHECK AMOUNT
900267	6/25/2012	D	002822	EMPLOYMENT DEVELOPMENT	
			I-PD 6/22/12	STATE & SDI W/H	4,558.09
					-----
					4,558.09
900268	6/30/2012	D	000025	ICMA RC	
			I-900268	457 REMITTANCE - JUNE 12	2,305.38
					-----
					2,305.38
TOTALS:	148				244,183.55

<b>LESS - PRIOR MONTH VOIDS:</b>		
	51421	(19.60)
	Stale	(1,313.67)
<b>LESS - CURRENT MONTH VOIDS:</b>		
	51514	(454.92)
		0.00
		-----
		242,395.36
		=====

**DIRECTOR PAYROLL & REIMBURSEMENTS**

**JUNE 2012**

<u>Check Date</u>	<u>Event Date</u>	<u>Event Description</u>	<u>Pay Description</u>	<u>Amount</u>
<b><u>COATE, PAUL F</u></b>				
06/08/2012	05/24/2012	MWA BOARD MEETING	DIRECTOR'S FEES	173.63
06/08/2012	05/24/2012	MILES TO MWA BD MTG	REIMBURSEMENT	77.70
06/22/2012	06/06/2012	JBWD BOARD MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/13/2012	JBWD SPECIAL MEETING	DIRECTOR'S FEES	173.63
<b>Total:</b>				<u>598.59</u> =====
<b><u>LONG, WILLIAM C</u></b>				
06/22/2012	06/06/2012	JBWD BOARD MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/13/2012	JBWD SPECIAL MEETING	DIRECTOR'S FEES	173.63
<b>Total:</b>				<u>347.26</u> =====
<b><u>LUCKMAN, MICKEY C</u></b>				
06/08/2012	04/25/2012	WASHINGTON DC TRIP	DIRECTOR'S FEES	694.52
06/08/2012	05/11/2012	ACWA/JPIA CONFERENCE	DIRECTOR'S FEES	1,041.78
06/22/2012	06/06/2012	JBWD BOARD MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/13/2012	JBWD SPECIAL MEETING	DIRECTOR'S FEES	173.63
<b>Total:</b>				<u>2,083.56</u> =====
<b><u>REYNOLDS, MICHAEL P</u></b>				
06/08/2012	05/29/2012	CAC MEETING	UNPAID	0.00
06/08/2012	05/29/2012	JBWD AGENDA MEETING	DIRECTOR'S FEES	173.63
06/08/2012	05/24/2012	MWA MEETING	DIRECTOR'S FEES	173.63
06/08/2012	05/24/2012	MILES TO MWA BD MTG	REIMBURSEMENT	76.59
06/08/2012	05/21/2012	SPECIAL DISTRICTS MG	DIRECTOR'S FEES	173.63
06/08/2012	05/21/2012	MILES: SPECIAL DIST	REIMBURSEMENT	91.02
06/22/2012	06/05/2012	COMMITTEE MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/06/2012	JBWD BOARD MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/06/2012	REIMB: MEAL JBWD MTG	REIMBURSEMENT	14.84
06/22/2012	06/12/2012	JBWD AGENDA MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/13/2012	JBWD SPECIAL MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/14/2012	MWA MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/14/2012	REIMB: MEAL MWA MTG	REIMBURSEMENT	22.14
<b>Total:</b>				<u>1,593.63</u> =====

<u>Check Date</u>	<u>Event Date</u>	<u>Event Description</u>	<u>Pay Description</u>	<u>Amount</u>
<b><u>WILSON, GARY L</u></b>				
06/22/2012	06/06/2012	JBWD BOARD MEETING	DIRECTOR'S FEES	173.63
06/22/2012	06/13/2012	JBWD SPECIAL MEETING	DIRECTOR'S FEES	173.63
<b>Total:</b>				<u>347.26</u> =====

**Grand Total:** 4,970.30  
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\* \* T O T A L S \* \*

	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	137	180,724.23	0.00	180,724.23
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	8	63,004.40	0.00	63,004.40
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
		VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
VOID CHECKS:	3	454.92	0.00	0.00

TOTAL ERRORS: 0



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SELECTION CRITERIA  
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ACCOUNT: 01 -11200  
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CHECK SELECTION

CHECK RANGE: 000000 THRU 999999

DATE RANGE: 6/01/2012 THRU 6/30/2012

CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99  
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PRINT OPTIONS

DETAIL: Vendor Info  
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JOSHUA BASIN WATER DISTRICT  
SUPPLEMENTAL DATA SHEET

Regular Meeting of the Board of Directors

July 18, 2012

To: Board of Directors

From: Ad hoc Turtle Island Committee  
Mike Reynolds  
Mickey Luckman  
Staff assistance - Susan Greer



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TOPIC: Memorandum of Understanding (MOU) with JT Chamber of Commerce Regarding Water Supply to the Proposed Turtle Island Commercial Demonstration Garden

RECOMMENDATION: The Committee makes the following recommendations:

1. Approve the MOU with the JT Chamber of Commerce
2. Authorize waiver of Article 2.7, requiring individual meters on all parcels

ANALYSIS: The Ad hoc Committee worked with the Chamber President, Eva Soltes and District legal counsel to develop the attached MOU for the Chamber's Turtle Island Demonstration Garden project. The MOU provides the Chamber of Commerce with a free water supply, up to \$1,000 per year, or approximately 250 units at the current rates, for a five-year period. The MOU also provides a 90-day termination clause.

At the June 20<sup>th</sup> meeting, the Board authorized the Board President to work with counsel to fine-tune the details of the MOU. Significant changes are indicated below:

- Section 1A has been amended to specify the amount of water to be provided.
- Section 2C has been changed to eliminate the requirement that JBWD approve the plans for the garden to requiring the Chamber to provide us with bi-weekly written updates and the opportunity to provide input during development.
- Section 2D has been reinforced with the addition of the requirement to identify that the Turtle Island garden is intended to work in concert with the JBWD garden.
- Section 6 has been added to address the variance required in order to provide water to multiple parcels via one meter.

Noteworthy is that the Chamber was unable to agree to the task of having all 17 parcel owners agree to a covenant that would run

with the land which would bind current and future parcel owners to the terms of this MOU.

The Committee is comfortable waiving said requirement in view of the District's ability to terminate the MOU by giving 90-days written notice as provided for in section 5E.

Approval of the MOU is contingent upon the Board also granting a variance from Article 2.7 of the Rules and Regulations, cited below:

*The District will not allow service from a customer's service line to other parcels, premises, or hauling tanks except as approved by the District, allowing service to other parcels or premises shall be grounds for immediate termination of service.*

The primary purpose of Article 2.7 is to prohibit customers from becoming quasi water purveyors by allowing them to serve multiple parcels from one meter. The Board has full authority to overrule any provision of the Rules and Regulations, within legal limits. In this instance, there are 17 individual parcels, varying in width from 20 feet to 120 feet, with most being 40 feet wide and only one parcel being over 80 feet wide. The alternative would require 17 individual meters, to provide a total of 250 units of water per year; or about one unit per month, per meter. Since we are providing the water for free anyway, what would be the point of 16 more meters than are needed to do the job? The total acreage of all 17 parcels is about 1/3 acre and easily served by one meter. In addition to the unnecessary meters, individual irrigation systems would need to be connected to each meter, to serve the small sections of the Garden individually, driving up the Chamber's costs.

The garden will benefit the District by promoting our water conservation efforts as well as meeting the Best Management Practices for water conservation as required by state law. It will be a nice complement to the District's Residential Demonstration Garden and the CMC Educational Demonstration Garden. The garden will be designed using guidelines established by the Alliance for Water Awareness and Conservation, including plants appropriate to the Joshua Tree climate and avoidance of irrigation run-off and overspray.

Chamber President, Eva Soltes will be at the meeting to answer any questions.

FISCAL IMPACT: \$1,000 per year, for five years.

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (MOU) is entered into by and between Joshua Basin Water District (JBWD) and the Joshua Tree Chamber of Commerce (the Chamber).

**RECITALS**

- A. Whereas, in 2008, the JBWD Board of Directors authorized staff to work with the Chamber to develop the concept of a commercial demonstration garden at the location commonly referred to as the Turtle Island Demonstration Garden (hereafter "Turtle Island").
- B. Whereas, it is the Chamber's intent that Turtle Island will illustrate the two climactic and eco-systems in Joshua Tree National Park.
- C. Whereas, Turtle Island will benefit JBWD by promoting its water conservation efforts by demonstrating how businesses can landscape commercial properties in a water-efficient manner.
- D. Whereas, Turtle Island will assist JBWD in meeting its Best Management Practices for water conservation.

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**SECTION 1: JBWD'S OBLIGATIONS**

- A. JBWD will install one meter at no cost and will provide water via said meter to Turtle Island for purposes of landscape irrigation. JBWD will provide said water cost free up to a total maximum sum of \$1,000.00 per fiscal year starting July 1, 2012 which equates to approximately 250 units of water per year based on JBWD's current rate structure.
- B. JBWD is only responsible for providing water free of charge to the water meter at the Turtle Island site for plant irrigation under the terms and conditions of this MOU.
- C. JBWD is not responsible for any damage or injury to persons or property resulting from water it delivers to Turtle Island, or as a result of any failure to deliver water from the meter at Turtle Island.
- D. JBWD will make all reasonable efforts to assist the Chamber in carrying out the purpose of this MOU.

**SECTION 2: THE CHAMBER'S OBLIGATIONS**

- A. The Chamber assumes all risk for any damage resulting from water provided to Turtle Island, or as a result of any failure of water to be delivered from the meter to Turtle Island.

- B. The Chamber agrees to bear all costs for maintenance and repairs of the systems and facilities, beyond the water meter at Turtle Island. The Chamber is solely responsible for the irrigation systems and facilities beyond the meter at Turtle Island. The Chamber also agrees to bear all costs for repairs to the water meter resulting from damage.
- C. The Chamber shall provide JBWD with bi-weekly written updates of the development of Turtle Island and shall provide JBWD with an opportunity to provide input at key intervals of development.
- D. The Chamber will ensure that Turtle Island promotes public education about water conservation and efficient water management practices, including identifying JBWD as a participant advocating conservation and by referring to the fact that the Turtle Island Project is intended to act in concert with JBWD's Demonstration Garden.
- E. The Chamber will ensure that Turtle Island applies a water budget based on an Evapotranspiration (ET) Adjustment Factor of .4, as recommended by the Alliance for Water Awareness and Conservation.
- F. The Chamber will ensure that Turtle Island complies with the following water-efficient landscaping standards for commercial sites as identified by the Alliance for Water Awareness and Conservation:
  - 1. Design the irrigation system to avoid run-off, overspray, low-head drainage, and conditions where water flows off-site, such as onto the parking lot or highway;
  - 2. Employ drip or low-volume irrigation equipment where it is determined that overhead spray irrigation would result in waste of water due to excessive runoff or overspray;
  - 3. Follow proper hydro-zoning principles when designing irrigation systems in order to water turf, and bedded areas, separately;
  - 4. Group plants into hydro-zones (irrigated areas based on plant water requirements);
  - 5. Install a pressure regulator if water-supply pressure exceeds 80 psi;
  - 6. Install anti-drain check valves as needed to minimize or prevent low-head drainage;
  - 7. Install backflow prevention devices;
  - 8. Install irrigation equipment that meets the Irrigation Association's design guidelines for maximum irrigation operational uniformity;
  - 9. Match precipitation rates on sprinkler heads within each hydro-zone;
  - 10. Minimize run-off through use of permeable material, swales, terracing, and berms as appropriate;

11. Prohibit use of invasive species;
  12. Use Irrigation Association approved “smart controllers” (with dual or multiple-programming capability to accommodate a five-day schedule, multiple start times, a percent switch, etc.) along with rain sensors, or use weather-based (ET) controllers;
  13. Use plants appropriate to the Joshua Tree climate;
  14. Use water-efficient varieties of turf;
- G. The Chamber will make all reasonable efforts to assist JBWD in carrying out the purpose of this MOU.

**SECTION 3:** **TERM**

- A. This MOU will become effective on July 1, 2012, and will continue in effect for a period of five (5) years unless terminated sooner as provided in Section 5 E of this MOU. The term of this MOU may be extended as agreed to in writing by the parties to this MOU.
- B. JBWD retains all regulatory approval authority.

**SECTION 4:** **INDEMNIFICATION**

- A. The Chamber agrees to indemnify, defend, and hold JBWD harmless from all liability and suits for claims, costs, damages, expenses, losses, or injuries to persons or property related to the subject matter of this MOU.
- B. The Chamber releases JBWD and waives the right of claim, defense, and costs against JBWD, arising out of, in connection with, or resulting from the subject matter of this MOU.
- C. This MOU is also a full and final accord and satisfaction and release of all matters arising prior to the execution of this MOU which pertain to the subject matter of this MOU, and the Parties acknowledge that each is familiar with Civil Code section 1542: “A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.”
- D. If the Chamber fails to indemnify, defend, and hold JBWD harmless, JBWD shall have the right, but not the obligation, to defend any claims or demands and charge all of the direct or incidental costs of the defense, including attorneys’ fees, to the Chamber and to recover the costs from the Chamber upon presentation of an invoice.
- E. While performing this MOU, the Chamber agrees to secure adequate insurance against bodily injury and/or property damage in adequate types and amounts and to hold JBWD harmless against all loss claims. The Chamber’s insurance for Turtle Island must designate JBWD as an additional insured.
- F. This section will continue to apply despite the termination of this MOU.

**SECTION 5:**

**GENERAL PROVISIONS**

- A. The relationship between JBWD and the Chamber regarding Turtle Island is governed by the terms of this MOU.
- B. This MOU supersedes any and all agreements, either oral or written, between the parties with respect to Turtle Island.
- C. Both parties to this MOU acknowledge that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not contained in this MOU, and that any other agreements, statements, or promises not contained in this MOU are invalid and unenforceable.
- D. This MOU may only be modified by a writing signed by both parties.
- E. Either party may terminate this MOU at any time by giving ninety (90) days written notice to the other party.
- F. Each party to this MOU has participated in its preparation. In the event of any dispute or disagreement involving the interpretation of this MOU, no inference may be drawn from the fact that either party had contributed any particular part in the preparation of this MOU.
- G. The Chamber and JBWD are represented by independent legal counsel and each party has had the opportunity to obtain the advice of counsel prior to signing this MOU.
- H. Each individual executing this MOU represents and warrants that they are duly authorized to execute and deliver this MOU.

**SECTION 6:**

**CONDITION PRECEDENT**

Notwithstanding anything to the contrary in this MOU, this MOU is conditioned on the Board of Directors of JBWD granting a variance to the JBWD's Rules and Regulations which requires separate meters for each parcel served.

**Executed at Joshua Tree, California:**

**Joshua Basin Water District**

**Joshua Tree Chamber of Commerce**

By: \_\_\_\_\_

By: \_\_\_\_\_

Mike Reynolds

Title: President

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

JOSHUA BASIN WATER DISTRICT  
SUPPLEMENTAL DATA SHEET

Regular Meeting of the Board of Directors

July 18, 2012

Report to: President and Members of the Board  
From: Joe Guzzetta, General Manager



TOPIC: AUTHORIZATION TO APPLY FOR DEPARTMENT OF WATER  
RESOURCES GRANT FOR MONITORING WELL

RECOMMENDATION: That the Board adopt a resolution authorizing submittal of a  
grant in the amount of \$250,000 for an additional monitoring  
well at the ground water recharge site.

ANALYSIS:

At the June 20 meeting the Board authorized preparation of a  
grant to the Department of Water Resources for an additional  
monitoring well at the site of the ground water recharge  
ponds. The well was recently recommended by USGS.

The attached resolution is required as part of the grant  
application process. The grant is through the Local  
Groundwater Assistance Program and is part of the Safe  
Drinking Water Act Bond.

USGS estimates the cost of the monitoring well at \$220,000.  
However, the exact cost cannot be determined until the work  
is actually completed, and JBWD should anticipate that there  
could be some additional costs. Maximum grant is for  
\$250,000 which is what we are requesting. The grant does  
not require matching funds.

This funding application would meet the Board's strategic  
effort to seek grant funding. If any additional funds are  
needed the "opportunity reserve" would be an appropriate  
source. Approval of this resolution will allow the District to  
compete for these funds.



RESOLUTION 12-890

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE JOSHUA BASIN WATER DISTRICT AUTHORIZING THE DISTRICT TO APPLY  
FOR A LOCAL GROUNDWATER ASSISTANCE GRANT AND AUTHORIZING THE  
GENERAL MANAGER TO SUBMIT AN APPLICATION

**WHEREAS**, the Board of Directors of the Joshua Basin Water District has the authority to construct, operate, and maintain the Joshua Basin Water District; and

**WHEREAS**, the Board of Directors of the Joshua Basin Water District desires to enhance the provision and protection of the drinking water supplied to the consumers of the Joshua Basin Water District; therefore;

**BE IT RESOLVED** by the Board of Directors of the Joshua Basin Water District that application be made to the California Department of Water Resources to obtain a Local Groundwater Assistance Grant pursuant to the Safe Drinking Water, Water Quality and supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code (PRC) Section 75001 *et seq.*), and to enter into an agreement to receive a grant for the Water Recharge Monitoring Well Project. The General Manager of Joshua Basin Water District is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with California Department of Water Resources.

Passed and adopted at a regular meeting of the Joshua Basin Water District Board of Directors on the 18<sup>th</sup> day of July, 2012.

Signature: \_\_\_\_\_

Mike Reynolds

Title: President, Board of Directors

Signature: \_\_\_\_\_

Joe Guzzetta

Title: Board Secretary/General Manager