

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

October 5, 2016

1. **CALL TO ORDER:** 6:30 PM

2. **PLEDGE OF ALLEGIANCE**

3. **DETERMINATION OF QUORUM:**

Victoria Fuller	Present
Bob Johnson	Present
Mickey Luckman	Present
Mike Reynolds	Present
Rebecca Unger	Present

STAFF PRESENT:

Curt Sauer, General Manager
Susan Greer, Assistant General Manager/Controller
Keith Faul, GIS Coordinator
Seth Zielke, Director, Water Resources and Operations
Beverly Waszak, Executive Assistant

CONSULTANTS PRESENT:

Kathleen Radnich, Public Outreach Consultant
Gil Granito, District Counsel, Redwine & Sherrill

GUESTS 7

4. **APPROVAL OF AGENDA – MSC/ Luckman/Reynolds 5/0 to approve the Agenda.**

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

5. **PUBLIC COMMENT**

Al Marquez, Joshua Tree informed the BoD that he is a write-in candidate for the Joshua Tree Water District Board of Directors. He complimented GM Sauer on the decision to terminate the contract with the lobbying firm of Capri and Clay. The lobbying efforts from 2009-2015 resulted in the District paying \$260K to the lobbying firm and not receiving any grant funds. Also, the President and Vice President traveled to Washington D.C. to also lobby for these grant funds. Not only spending \$260K on the lobbying firm but also spending \$20,000 for them to go to Washington, DC. Supposedly the GM and the BoD went over there for other things. The grant funds that the District received for the Water Recharge Project and other projects were received from the Mojave Water Agency. If they would have spent their time working with the Mojave Water Agency more often than they had been they probably would have got more funds.

PUBLIC COMMENT CLOSED

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 Draft Minutes of the September 7, 2016 Regular Meeting of the Board of Directors.

MSC/ Luckman/Reynolds 5/0 to approve the September 7, 2016 Minutes of the Board of Directors. With the change that the Pipeline Commission will meet on October 12th, 2016 at 2:00 p.m. and not October 11th, 2016 at 2:00 p.m. as originally stated.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

7. RESOLUTION NO. 16-966 AMENDING ARTICLE 1.23 OF THE DISTRICT'S RULES AND REGULATIONS AS IT PERTAINS TO EXCESSIVE WATER USE AND THE WATER ACCOUNT ASSISTANCE PROGRAM. Recommend that the Board approve Resolution No. 16-966

GM Sauer stated that at the September 7, 2016 BoD meeting the BoD directed the GM to bring a Resolution to the BoD, changing the name of the Water Account Assistance Program to the Customer Account Assistance Program, and making simplifications to the manner in which assistance to customers would be performed for excessive water bills due to unknown or accidental origin.

A brief question and answer period followed between the BoD, GM Sauer and AGM Greer.

PUBLIC COMMENT

Richard Fountain, Joshua Tree suggested to the BoD that instead of dollar figure a consumption figure may work better.

PUBLIC COMMENT CLOSED

**Director Reynolds made a motion to table, no second.
MSC/Luckman/Unger 4/1 to adopt Resolution No. 16-966.**

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	No
Unger	Aye

9. STANDING COMMITTEE REPORTS

A. FINANCE COMMITTEE – President Fuller and Director Johnson. Next meeting is scheduled for October 31, 2016 at 9:00 a.m.

B. WATER RESOURCES AND OPERATIONS COMMITTEE – Vice President Luckman and Director Johnson. Next meeting is scheduled for October 31, 2016 at 10:00 a.m.

C. LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE – Vice President Luckman and Director Unger. Kathleen Radnich gave a brief report.

10. DISTRICT GENERAL COUNCIL REPORT – Gil Granito

The District's General Counsel, Gil Granito reported that on August 25, 2016, Sacramento Superior Court Judge Christopher Krueger had issued a tentative ruling in a matter (California Manufacturers and Technology Association and the Solano County Taxpayers Association ("the Petitioners) vs. State Water Resources Control Board ("the Respondent") – Case No. 34-2014-80001850) in which, Petitioners are challenging the Department of Public Health's maximum containment level (MCL) for hexavalent chromium (Chromium 6) in drinking water. The Petitioners claim that the MCL is too low, and that compliance will be "massively expensive". Petitioners claim that the Department failed to comply with the substantive and procedural requirement imposed by the Safe Drinking Water Act and the Administrative Procedures Act when it set the MCL at 10 parts per billion. The Petitioners

seek a writ of mandate ordering the Department to withdraw the current MCL and to set a new MCL. Mr. Granito stated that the tentative ruling is to grant the petition, in part, and to remand the matter to the Department to consider the MCL's economic feasibility. Following argument on the court's tentative ruling, the court took the matter under submission and has yet to issue a final ruling.

11. **GENERAL MANAGER REPORT**

GM Sauer gave a brief report on conservation percentages and questions from the public on the Chromium VI letter was mailed with October's billing.

12. **FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES**

Director Unger attended the Mojave Water Agency Board of Directors meeting and gave a brief report on the meeting. Director Unger invited everyone to a Candidate's Forum for all of the Water District's Candidates, including Al Marquez (write in) who are on the ballot on October 20, 2016 from 6:30-8:00 pm at the Joshua Tree Chamber of Commerce Office on Haley Road next to Z107 and everyone is invited.

Director Johnson encouraged the public to attend the Finance Committee and the Water Resources and Operations Committee meetings on October 31, 2016.

Director Reynolds- No report.

Vice President Luckman attended the Mojave Planning, Resources and Technology Committee meeting on September 12, 2016 and also the Mojave Water Agency Board of Directors Meeting on September 22, 2016.

President Fuller attended the USGS and reiterated the support of Kirby Brill. She also attended the Communications Committee meeting and the Emergency Management Seminar. She praised Kathleen Radnich for a great job on the EMS class.

16. **ADJOURNMENT**

MSC Reynolds/Luckman, 5/0 to adjourn the Regular Meeting of the Board of Directors of October 5, 2016 at 7:34 p.m.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

Respectfully submitted:


Curt Sauer, GM and Board Secretary