

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

October 21, 2015

1. CALL TO ORDER: 7:00 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
Seth Zielke, Director of Water Resources and Operations
Keith Faul, GIS Coordinator

CONSULTANTS PRESENT:

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

GUESTS 12

4. APPROVAL OF AGENDA

MSC Reynolds/Luckman, 5/0 to approve the agenda for the October 21, 2015 meeting.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

5. PUBLIC COMMENT

David Fick, Joshua Tree: Regarding mitigation protocol for solar fields in the Morongo Basin. Mr. Fick described a situation where Coronas Clean Focus Group misused the Crest Program because they chained together several Crest Developments and had a total of about 112 acres with three projects: Mesquite Springs Project (12 ac), the Alta Loma Project (35 ac), and the Cascade Project (56 ac). The projects were up for approval in 29 Palms and Clean Focus offered \$200,000 in mitigation fees for the 12 acres project: an average of \$16,000 per acre. The 29 Palms Town Counsel did not approve the project because they decided that the offer was considered a bribe.

6. CONSENT CALENDAR

MSC Luckman/Reynolds, 5/0 to approve Draft Minutes of the October 7, 2015 Regular Meeting of the Board of Directors.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

7. REVIEW AND CONSIDER ISSUANCE OF WILL SERVE LETTER FOR NEXTERA SOLAR PROJECT

GM Sauer gave the report, describing the proposed NextEra Solar Project and estimated water usage. GM Sauer also described the conditional will serve letter, which is similar to the Altamira conditional will serve letter that restricts authorization of water service during any state of emergency water restrictions. D1 is NextEra's offer to the District of \$30,000 to purchase 60 acre feet of recharge water for the project to offset water that will be utilized for the project. Jess Melin from NextEra was available to answer questions.

Public Comment:

David Fick, Joshua Tree: Mr. Fick asked questions: who is the current owner of the property? What is the total assessed value of the 120 acres? And, is the rumor true that NextEra is seeking a waiver of water usage from the governor?

GM Sauer summarized a letter from Al Marquez as a public comment, stating that Mr. Marquez believes the NextEra project is similar to the Altamira project in this time of drought conditions and restrictions; thus a conditional will serve letter to NextEra should have the same restrictions as the Altamira conditional will serve letter.

Richard Fountain, Joshua Tree: Mr. Fountain suggested that (in lieu of the \$30,000 offer) there be a requirement in the will serve letter that NextEra should purchase the double the water at market value of what they use for construction (e.g. if they use 35 acre feet that they purchase 70 acre feet of water).

Directors Fuller and Luckman commented that the conditional will serve letter is appropriate as written, minus the D1 clause (\$30,000 offer to purchase water), which would not go in the will serve letter but could be discussed as a separate topic.

Director Reynolds asked and GM Sauer clarified that Mojave Water Agency has and would be willing to sell the 60 acre feet of water in addition to the regular JBWD allocation. Director Reynolds agreed that the same restrictions as the conditional will serve letter provided to Altamira project be required for the NextEra project.

Director Unger would first like to see the General Plan Update and the 2015 Urban Water Management Plan before going forward with a will serve letter for the project.

MSC Luckman/Johnson, 4/1 to approve the conditional will serve letter as written, excluding the D1 clause.

Fuller	Aye
Luckman	Aye
Johnson	Aye

Reynolds Aye
Unger No

8. DISCUSSION AND APPROVAL FOR THE PURCHASE / APPLICATION OF SOIL/BANK STABILIZATION PRODUCT AT VARIOUS FACILITIES TO PROTECT INFRASTRUCTURE

GM Sauer gave the presentation and explained the condition of the land around the C-1 tank and the D3 Booster with regards to erosion and deterioration of netting. GM Sauer recommends that some areas be stabilized using Envirotac as a preventative measure with the predicted el Nino weather forecasted for southern California in the coming year. Staff report mentions coating recharge ponds, however, the stabilization applied in 2013 is sufficient, and no further treatment is needed at this time according to Dudek. Thus, no action is required by the Board on this item, as potential expenses for stabilization are not estimated to exceed \$10,000.

Seth Zielke, Director of Water Resources and Operations provided an update on general maintenance and stabilization needed generally around the recharge area. Zielke also suggested there are roads that would benefit from Envirotac stabilization and described the process of application. Estimates are being sought and will be brought to the Board at a later date.

Public Comment:

David Fick, Joshua Tree: Made the comment of vertical mulching (for humor).

Directors commented in support of proactive preventative maintenance.

9. STANDING COMMITTEE REPORTS

- A. **LEGISLATIVE AND PUBLIC INFORMATION COMMITTEE:** Vice President Luckman and Director Unger: Kathleen Radnich, Public Outreach Consultant, gave the report. The JBWD website has been updated, and updates on the site were shown on screen. The new Joshua Tree National Park Visitor Center newsletter is out and features JBWD in an article about water conservation. The Fall Native Plant Sale will be on November 14th at the Mojave Desert Land Trust. Next meeting is scheduled for November 4th.
- B. **FINANCE COMMITTEE:** President Fuller and Director Johnson: There has not been a meeting since the last Board meeting. Next meeting is scheduled for October 26th.
- C. **WATER RESOURCES & OPERATIONS COMMITTEE:** Vice President Luckman and Director Johnson: There was not a meeting last month. Next meeting is scheduled for October 27th.

10. DISTRICT COUNSEL REPORT

Counselor Granito reported on AB 401, signed by the Governor, cited as the Low Income Water Rate Assistance Act. The bill directs SWRCB and the State Board of Equalization to develop a funding system to generate low water rates to help fund reduced rates for economically challenged customers.

11. GENERAL MANAGER REPORT

General Manager Curt Sauer gave the report. The book Death of a Water District by Leo Havenor and Richard Wilson was distributed to the Board, Staff, and to the CAC for lessons learned from mistakes made by another water district in northern California.

Seth Zielke, Director of Water Resources and Operations reported on the impacts of a lightning strike/fire that occurred near the turnout of the JBWD groundwater recharge ponds. Zielke was highly complementary of staff and how they handled events and issues resulting from the fire.

GM Sauer commented on previous public comments to provide accurate information with regard to reimbursement of a surcharge from 23 years ago, provided evaporation rate estimates corresponding with the groundwater recharge ponds. GM Sauer also provided updates on conservation efforts of the Tier 4 Institutional users.

Susan Greer reported that the District's financial audit is complete for the year ending 6/30/15. District is working on new software for the financial system, and utility billing will be on the new system next week.

12. FUTURE DIRECTOR MEETINGS AND TRAINING OPPORTUNITIES

Mojave Water Agency BOD Meeting: October 22nd: Rebecca Unger

13. INDIVIDUAL DIRECTOR REPORTS ON MEETINGS ATTENDED

Reynolds, Special Districts meeting spoke with Leo Havenor, co-author of the book death of a Water District, who said he may come speak at a meeting.

Directors Fuller and Luckman attended the 2015 ACWA Regulatory Summit meeting on October 14th. The topic was the Sustainable Groundwater Management Act – Fuller presented the important points of the meeting.

14. DIRECTORS COMMENTS/FUTURE AGENDA ITEMS

15. ADJOURNMENT

MSC Unger/Luckman, 5/0 to adjourn the Regular Meeting of the Board of Directors of October 21, 2015 at 8:38 PM.

Fuller	Aye
Luckman	Aye
Johnson	Aye
Reynolds	Aye
Unger	Aye

Respectfully submitted:



Curt Sauer, General Manager and Board Secretary