

MINUTES OF THE REGULAR BOARD MEETING

BOARD OF DIRECTORS
INDIAN WELLS VALLEY WATER DISTRICT

October 13, 2009

The Regular Meeting of the Board of Directors of the Indian Wells Valley Water District was called to order by President Corlett at 7:00 p.m. in the Board of Directors Hearing Room, 500 West Ridgecrest Boulevard, Ridgecrest, California.

CALL TO ORDER

The Pledge of Allegiance was led by Director Breeden.

PLEDGE

DIRECTORS PRESENT: President Leroy H. Corlett
Vice-President Peter E. Brown
Director Margaret "Peggy" L. Breeden
Director Harold W. Manning

ROLL CALL

DIRECTORS ABSENT: Director Donald J. Cortichiato

ALSO PRESENT: Jim Worth, Attorney;
Tom Mulvihill, General Manager;
Larry DeGano, Operations Superintendent;
Jennifer Keep, Chief Financial Officer;
Reneé Morquecho, District Engineer;
Lucinda Crosby, Public Education and
Conservation Coordinator;
Rose Koch, Recording Secretary

AGENDA DECLARATION

**AGENDA
DECLARATION**

Recording Secretary, Rose Koch, reported that the agenda for tonight's Regular Board Meeting was posted on Friday, October 9, 2009.

CONFLICT OF INTEREST DECLARATION

**CONFLICT OF
INTEREST**

None.

PUBLIC QUESTIONS AND COMMENTS

**PUBLIC
COMMENTS**

None.

COMMERCIAL XERISCAPE RECOGNITION

**XERISCAPE
RECOGNITION**

Three commercial businesses were recognized for their outstanding xeriscaped gardens: Alta One Federal Credit Union, Holland and Lyons Mortuary, and Kentucky Fried Chicken. Accepting recognition for Alta One Federal Credit Union was David Gaska, for Holland and Lyons Mortuary was Debra Holland, and for Kentucky Fried Chicken was Assistant Manager Christina Olds. Mr. Gaska thanked their gardener Manuel Hernandez and Debra Holland acknowledged Ken Lefler.

CONSENT CALENDAR

**CONSENT
CALENDAR**

MOTION: was made by Vice-President Brown and seconded by Director Manning, to approve the Minutes of the September 14, 2009 Public Hearing and Regular Board Meeting and October 2, 2009 Special Board Meeting, and to approve payment of Accounts Payable totaling \$1,411,313.30. The Motion was carried. (Vote 4-0)

FINANCE COMMITTEE

FINANCE

Scott Evans gave a Power Point presentation of the audited financial statements, June 30, 2009 prepared by Burkey, Cox, Evans, Bradford, and Alden Accountancy Corporation. The format of the audit report is very standardized and typical of a water district. Mr. Evans reviewed the contents of the audit report which included the Independent Auditor's Report, Management Discussion and Analysis, Financial Statements, Notes to Financial Statements, Statement of Revenues and Expenses, and other Independent Auditor's Report.

AUDIT
PRESENTATION

Scott Evans announced that the District has rectified the five findings from the previous year, there are no findings to report this year, and that the audit proved to be a very good report for the District.

WATER MANAGEMENT COMMITTEE

**WATER
MANAGEMENT**

Per the Board of Directors goal to establish a desert legislative alliance, staff and the committee discussed the Regional Legislative Alliance (RLA). Director Breeden announced that the Water Management Committee recommended the District join the Regional Legislative Alliance. Congresswoman Jean Fuller had suggested that the District join an alliance of like-minded agencies.

RLA

MOTION: was made by President Corlett and seconded by Vice-President Brown, to join the Regional Legislative Alliance and appoint Tom Mulvihill as point-of-contact and Rose Koch as alternate. The Motion was carried. (Vote 4-0)

Tom Mulvihill reported that approximately three years ago the District and the City of Ridgecrest entered into a Memorandum of Understanding to jointly draft a Water Efficient Landscape Ordinance. The District hired a consultant to assist in this process. A citizen's advisory committee was formed to create ideas for the ordinance. Included in the Board Package, is the current draft Water Efficient Landscape Ordinance which will be presented at the City Council Work Session on Wednesday, October 21st at 6:30 p.m. If approved, the first reading will be on November 4th and a second reading will be on November 18th. Mr. Mulvihill summarized the ordinance and noted that drip irrigation systems along with the hand watering had been added to the exceptions for the restrictions on watering times. He also noted that there are no mandatory restrictions on single-family residential landscape. Single-family residential landscape requirements are voluntary at this time. There are mandatory landscape restrictions for new multi-family residential and commercial landscaping. Turf landscape is limited to 50% of the landscape area. There are requirements regarding swimming pool covers. Everyone is affected by the mandatory measures which include the following: 1) watering is prohibited during the months of

LANDSCAPE
ORDINANCE

May, June, July, August, September, and October between the hours of 8:00 a.m. and 8:00 p.m. with the exclusion of hand watering and drip irrigation and 2) zero runoff onto streets and sidewalks. Enforcement is under penalties which are not spelled out in this ordinance. The Ordinance refers back to a City Council resolution that defines the violation fines. Mr. Mulvihill also pointed out that the General Manager of the Indian Wells Valley Water District or designee may make administrative exceptions to the landscape and irrigation plan requirements on a case-by-case basis. Tom Mulvihill asked that the Board make a Motion to recommend to the Ridgecrest City Council to adopt the Water Efficient Landscape Ordinance as presented. Mr. Mulvihill will attend the City Council's Workshop on October 21st to convey the Board's recommendation. The District will then adopt an identical ordinance that the District would enforce. The District would have to change certain enforcement and administrative provisions. Mr. Mulvihill advised members of the public and reminded the Board that staff is working on additional landscape restrictions that would affect all new development, including residential.

MOTION: was made by Vice-President Brown and seconded by Director Manning, to accept the Water Efficient Landscape Ordinance as presented and authorize staff to make a recommendation to the City of Ridgecrest Council to adopt the Water Efficient Landscape Ordinance as presented. The Motion was carried. (Vote 4-0)

PLANT AND EQUIPMENT COMMITTEE

P & E

A list of surplus supplies, equipment, and vehicles (included in the Board Package) was presented. SURPLUS

MOTION: was made by Vice-President Brown and seconded by Director Breeden, to approve the list of surplus items as presented. The Motion was carried. (Vote 4-0)

ADMINISTRATION/EXECUTIVE COMMITTEE

ADMIN/EXEC

President Corlett announced the next meeting will be November 2nd. President Corlett will be attending a committee training meeting on Friday, October 16th. IRWMP

After review of the Association of California Water Agencies (ACWA) California Caucus Ballot for National Water Resources Association (NWRA) Position, 2010-2011 Term the committee recommended Adrienne "Ann" J. Mathews, Kern County Water Agency. The Board did not have any other recommendations. ACWA BALLOT

MOTION: was made by President Corlett and seconded by Vice-President Brown, to vote for Adrienne "Ann" J. Mathews for the ACWA California Caucus Ballot for NWRA Board Member Position, 2010-2011 Term. The Motion was carried. (Vote 4-0)

Staff advised the Board that the employee meal reimbursement limitations for the cost of meals purchased when employees are required to work through their regularly scheduled breaks and meal times due to a District emergency or time sensitive situation have not been adjusted for many years. The committee recommended adjusting the MEAL LIMITATIONS

current limits for maximum meal reimbursement in the Personnel Manual to the limits proposed by Staff.

MOTION: was made by Vice-President Brown and seconded by President Corlett, authorizing the General Manager to adjust the meal reimbursement maximum limitations according to staff's recommendations. The Motion was carried. (Vote 4-0)

**GENERAL
MANAGER &
STAFF UPDATE**

GENERAL MANAGER AND STAFF UPDATE

Tom Mulvihill reported that there were five new residential services for the month of September.

NEW SERVICES

Reneé Morquecho announced the bid notification for Arsenic Treatment Facility and Well 34 improvements had gone out. There is a mandatory contractor pre-bid walk through at the sites on Thursday at 9:00 a.m. There are seven plan holders at this time. Bid opening will be October 29th at 2:00 p.m. The results will be presented at the following Plant and Equipment Committee meeting for recommendation and will be presented to the Board for approval in November for award of contract.

ARSENIC
TREATMENT

Ms. Morquecho reported that she had attended and participated at the California-Nevada American Water Works Association Conference in Las Vegas, Nevada. Ms. Morquecho gave a presentation on the Brackish Water Pilot Study and was well attended with standing room only. This is the seventh presentation on this project.

AWWA
CONFERENCE

Ms. Morquecho also reported that the court filing for condemnation should be done by the end of the week for the D-Zone tank easements. Legal Consultant Jim Worth added that 90-days is the time limit for the order to get immediate possession. The order to allow construction to begin should be filed the same time as the filing for condemnation. The land owner has 30 days to respond. The District then has 30 days to respond to the land owner's response. Possession could take place earlier than 90 days.

CAPITAL
IMPROVEMENT
PROJECTS

Larry DeGano reported that the Construction Crew has installed approximately 2,640 feet of mainline pipe on the Drummond Avenue Mainline Replacement Project between Norma and Downs Streets. The crew is 40 feet past Peg Street and anticipate being at Norma Street by the end of this week. Completion of the project is expected within 30 days.

MAINLINE
REPLACEMENT
PROJECTS

The Home and Leisure Report was included in the Board Package. Hundreds of water-saving devices and conservation pamphlets were distributed. The XERIC© Event was also held at the Home and Leisure Show. It was standing-room only at the presentations.

H & L SHOW
XERIC© EVENT

The 2009 Fall Xeriscape Workshop will be held on Saturday, November 7th at 10:00 a.m., in the Historic USO Building. The guest speaker will be Mike Mumford, Outdoor Metal Artist, and special guest speaker will be Renée Günter, Los Angeles Landscape Designer. The workshop will be sponsored by the Oasis Garden Club and Desert Planters of Ridgecrest. There will also be a water wise plant sale from 9:00 a.m. to 1:00 p.m. The workshop is free, but reservations are required and can be made by calling Lucinda Crosby at (760) 384-5518.

FALL
XERISCAPE
WORKSHOP

BOARD COMMENTS/FUTURE AGENDA ITEMS

Tom Mulvihill announced that the District received from the California State Senate a Certificate of Recognition presented to the Indian Wells Valley Water District in honor of Excellence in Community Service Award signed by Senator Roy Ashburn.

**BOARD
COMMENTS**

President Corlett announced that Coachella Valley Water District has met their 20% conservation goal for golf courses, 20% conservation goal for farmers, but are struggling to reach their 10% conservation goal for residential. This was a 10-year goal.

With no further Board comments, President Corlett recessed the meeting and adjourned to Closed Session at 7:52 p.m.

CLOSED SESSION

**CLOSED
SESSION**

The meeting was reconvened in Closed Session at 7:55 p.m.

The meeting was recalled to Open Session at 9:20 p.m.

There was no action taken which would require disclosure under the Brown Act.

ADJOURNMENT

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned with the following Motion:

MOTION: was made by Vice-President Brown and seconded by Director Manning to adjourn the meeting at 9:21 p.m. The Motion was carried. (Vote 4-0)

Respectfully submitted,



Rose Koch
Recording Secretary

APPROVED: November 9, 2009