

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE TWENTYNINE PALMS WATER DISTRICT
72401 HATCH ROAD, TWENTYNINE PALMS, CA 92277**

June 23, 2021 / 4:00 P.M.

Call to Order and Roll Call

President Giannini called the Board meeting to order at 4:00 p.m. Those responding to roll call were Michael Arthur, Bob Coghill, and Carol Giannini. Director Leazer was late. Director Suzi Horn was absent. Also present were General Manager Ray Kolisz, Maintenance Superintendent Matt Shragge, and District Secretary Cindy Fowlkes. District Counsel Steve Anderson was also present. Treatment/Production Superintendent Mike Minatrea and Financial Consultant Cindy Byerrum, were absent.

Pledge of Allegiance

Cindy Fowlkes led the pledge.

Additions/Deletions to the Agenda

Formation of Wastewater Ad Hoc Committee will be added as Agenda Item 6A.

Public Comments

Anna O'hare, of Twentynine Palms, spoke in favor of keeping the District separate from the City.

1. Public Hearing on Proposed Continuation of Water Availability Assessment

1.1 Board to Hear Public Testimony at this Time

Director Coghill moved to open the Public Hearing at 4:06 p.m., seconded by Director Arthur, and unanimously approved.

There being no public comment, Director Giannini moved to close the public hearing at 4:07 p.m., seconded by Director Arthur, and unanimously approved.

2. Consider Resolution 21-06 Continuing the Current Existing Level of Water Availability Assessments for Fiscal Year 2021-2022

Director Arthur moved to adopt Resolution 21-06 Continuing the Current Existing Level of Water Availability Assessments for Fiscal Year 2021-2022, seconded by Director Coghill, and unanimously approved by all those present. Directors Horn and Leazer were absent.

3. Presentation and Public Hearing on the District's Urban Water Management Plan
Lauren Everett-Smith, with Kennedy Jenks, provided the Board with a PowerPoint presentation touching upon key points:

- Urban Water Management Plans are a framework for long-term water resource planning

- The District has met and exceeded the 20% reduction in water usage, per the Water Conservation Act of 2009
- The plan includes swamp cooler water consumption, which is unique to our District
- There is no projected supply shortage
- Water Shortage Contingency Plan, a required separate document that can be updated more frequently

3.1 Board to Hear Public Testimony at this Time

Director Coghill moved to open the Public Hearing at 4:24 p.m., seconded by Director Arthur, and unanimously approved.

Anna O'Hare, of Twentynine Palms, asked how private wells were monitored.

Eric Cetnarski, of Wonder Valley, asked for clarification on the projected time frame used in the calculations.

Director Arthur moved to close the public hearing at 4:27 p.m., seconded by Director Coghill, and unanimously approved by all present. Director Horn was absent.

4. Consider Resolution 21-07 Adopting the 2020 Urban Water Management Plan and Water Shortage Contingency Plan

Director Leazer moved to approve Resolution 21-07 adopting the 2020 Urban Water Management Plan and Water Shortage Contingency Plan, seconded by Director Coghill, and approved by the following roll call vote:

Ayes:	Directors Arthur, Coghill, Leazer, and Giannini
Noes:	None
Abstain:	None
Absent:	Director Horn

5. Discussion of Illegal Marijuana Cultivation Activities

Steven Reyes, of unincorporated Twentynine Palms, had questions regarding the data used in the report.

Anna O'Hare, of Twentynine Palms, stressed that community members need to do their due diligence and report suspicious activity.

Eric Cetnarski, of Wonder Valley, reported three illegal grow operations appeared in the last few months next to his property and asked if there were any environmental laws that could be used for a more severe penalty.

Les Snodgrass, of Twentynine Palms, inquired about non-potable water rates.

Jeff Dunn, of Twentynine Palms, suggested a new policy restricting the amount of water purchased at the pay meter station.

General Manager, Ray Kolisz, introduced District Counsel Steve Anderson and Logan Largent with Ortega Strategies Group. Mr. Kolisz provided background regarding the increase in suspected illegal grow operations and emphasized that when water service is requested, the District does not have enforcement authority to determine if the water usage is in violation of the Adult Use of Marijuana Act (AUMA). The following were some of the items that were discussed:

- The District's Code referring to excessive water use refers to water runoff that results in excessive use.
- There is a 26% increase at the pay-meter station, with no means of knowing where the water is being taken or the reason for purchase.
- Local law enforcement has recently received more funding for additional teams to address illegal grows.
- The District was instrumental in creating the Community Water Systems Alliance to collectively give smaller Districts a voice in Sacramento. The alliance has progressed the problem of illegal cannabis grows to the forefront of the State Water Resource Control Board as a regional priority.
- Creation of the Highway 62-247 Initiative will provide much needed media attention to address regional grow operations and water conservation, including but not limited to, letters drafted and sent to various governmental agencies including the EPA, Department of Justice, Department of Agriculture, and several senators.
- AB1138, if adopted, would allow agencies to charge higher penalties for water theft.
- UWMP includes the 2020 increased water production data.
- The District can monitor the AMI meters that were locked off without having to send staff.
- The District may consider asking commercial water haulers for a business license to ensure their legitimacy.

Steve Anderson, District Counsel, reiterated that water districts have limited power and will be taking financial risks if they go outside of their immunities. The authority to address illegal grow operations lies with County and State agencies.

The Board was in agreement to draft a public education flyer asking citizens to report suspicious activity and asked for a detailed study on water usage at the pay station.

6. Approval of Amendment to General Manager Employment Agreement

The contract was amended to extend the termination date of the Agreement from June 30, 2022 to June 30, 2024.

Director Coghill moved to extend the General Manager contract two years, from June 30, 2022 to June 30, 2024, seconded by Director Arthur, and approved unanimously by all those present. Director Horn was absent.

6A. Formation of Wastewater Ad Hoc Committee

General Manager Ray Kolisz informed the Board the City of Twentynine Palms requested that both agencies jointly meet with their respective Ad Hoc's to discuss the Waste Water Master Plan and steps moving forward.

After discussion, Director Giannini appointed herself and Director Leazer to sit on the committee.

7. Consent Calendar

- Minutes of a Regular Meeting held on May 26, 2021
- Audit List

Director Coghill, moved to approve the Minutes and Audit List, seconded by Director Arthur, and unanimously approved by all present. Director Horn was absent.

8. Items Removed from the Consent Calendar for Discussion or Separate Action

None

9. Management Reports

9.1 Maintenance

Matt Shragge reported that the District responded to 145 Underground Service Alerts, had 0 water main leaks, 0 water meter leaks, 0 service line leaks, 1 fire hydrant repairs/maintenance, installed 37 new services, replaced 2 customer gate valves, performed 2 leak audits, painted 62 fire hydrants, performed 2 customer pressure checks, replaced 1 meter, Tested and exercised emergency generators and sounded wells for May. 0 water waste inquiries were received. 399 work orders were generated and performed during the month. There were no shut offs due to COVID-19. 0 AMI/AMR meters were installed. There were 217 new services since January 2020. Currently there are 221 potential grow operations that have been reported by concerned citizens.

9.2 Water Quality

Mike Minatrea was absent. Ray reported Water production was down 7.54% as compared to the same month in 2013. 38 routine and 8 special water samples were taken. All samples tested negative for Colilert. The fluoride variance of 3.0 mg/L will expire in 2023. All current wells meet the 2.0 mg/L standard variance set by the State Water Resource Control Board.

9.3 Finance

Ms. Byerrum was absent. Ray Kolisz reported that revenues are up, as more water is being captured through the AMI meters. Expenditures are tracking as expected.

9.4 General Manager

Mr. Kolisz reported members of the community are the District's best resources in reporting grow operations. Materials for TP-2 project is delayed. There have been several alerts concerning a shortage in chlorine supplies in the industry. The District has been proactive in increasing stock and have not been affected by the shortage. The District is still unable to lock off due to non-payment, expecting to continue through September.

10. Future Agenda Items and Staff Tasks/Directors' Comments and Reports

Director Coghill inquired if the District has tested the Contingency Plan in case of anticipated rolling blackouts and asked how long the District can maintain sustainability in an emergency.

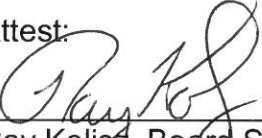
11. Adjournment

On motion by Director Leazer seconded by Director Arthur, and approved by the Board, the meeting was adjourned at: 6:01 p.m.



Carol Giannini, President
Board of Directors

Attest:



Ray Kolisz, Board Secretary
Twentynine Palms Water District