

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

City of Ridgecrest, Indian Wells Valley Water District, Inyo County, Kern County, San Bernardino County

BOARD OF DIRECTORS

MINUTES

Thursday, March 21, 2019; 10:00 a.m.

IWVGA Members Present:

Chairman Ron Kicinski, IWVWD	Don Zdeba, IWVGA General Manager
John Vallejo, Inyo County	James Worth, Legal Counsel
Mick Gleason, Kern County	Stephen Johnson, IWVGA Water Resources Manager
John Kersey, US Navy	Robert Lovingood, San Bernardino County
Scott Hayman, City of Ridgecrest	Lauren Duffy, Clerk of the Board

Meeting recording and public comment letters submitted are made available at:

<https://iwvga.org/iwvga-meetings/>

1. CALL TO ORDER:

The meeting is called to order by Chairman Kicinski at 10:00 a.m.

2. PUBLIC COMMENTS ON CLOSED SESSION:

None.

With no further public comment made, Chairman Kicinski calls the meeting into Closed Session at 10:01 a.m.

3. CLOSED SESSION:

- CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION (Government Code Section 54956.9(d)(2)(e)(1)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Directors on the advice of legal counsel, based on: Facts and circumstances that might result in litigation against the IWVGA but which are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

4. OPEN SESSION 11:00 a.m.:

The meeting is reconvened into Open Session at 11:14 a.m.

a. Report on Closed Session:

Jim Worth reports that no action was taken that requires disclosure under the Brown Act.

b. The Pledge of Allegiance is led by Chairman Kicinski.

Lauren Duffy calls the following roll call:

Director Vallejo	Present
Director Hayman	Present
Chairman Kicinski	Present
Director Lovingood	Present
Vice Chair Gleason	Present

5. PUBLIC COMMENTS:

Sophia Merk expresses her concerns regarding the amount of closed sessions being held.

Tim Parker, Indian Wells Valley Water District (IWVWD) consultant and member of the Groundwater Resources Association (GRA) Board of Directors, announces that GRA is holding their 2nd Annual Groundwater Sustainability Agency Summit on June 5 & 6 in Fresno. He comments that he has secured grant funding to pay the registration fees for certain Groundwater Sustainability Agency (GSA) members to attend the summit. Members are encouraged to apply through an application on the GRA website.

Elaine Mead asks if Kern County or the IWVGA are going to try and capture any of the excess water which the Department of Water & Power (DWP) will release. She further asks if there is any way to track the water that is helping out the wells along the washes.

Ralph Lachenmaier asks John Kersey, U.S. Navy Representative, questions regarding the letter submitted by the Navy at the February IWVGA Board Meeting.

6. CONSENT AGENDA:

- a. Approve Minutes of Board Meeting February 21, 2019
- b. Approve Expenditures
 - i. \$9,360.00 – RWG Law
 - ii. \$3,000.00 – Brown Armstrong Accountancy Corp.
 - iii. \$15,604.23, \$20,599.45, and \$6,455.43 – DRI

Motion made by Mick Gleason and seconded by Scott Hayman to approve Minutes of Board Meeting on February 21, 2019, and the following expenditures: \$9,360.00 to RWG Law, \$3,000.00 to Brown Armstrong Accountancy Corp., and \$15,604.23, \$20,599.45, and \$6,455.43 to DRI. Motion carries. (Ayes: Gleason, Hayman, Kicinski, Vallejo. Nays: None. Absent: Lovingood.)

7. DISCUSSION AND APPROVAL OF REVISED 2019 IWVGA BUDGET:

Don Zdeba, General Manager, presents the revised IWVGA budget. The budget items coordinate with appropriate task numbers listed on the POAM.

The Board discusses that the deficit is due to a cash flow issue; Proposition 1 grant funding not yet being administered and pumping being low during the winter season, which result in lower fees being paid. IWVWD Chief Financial Officer (CFO), Tyrell Staheli, clarifies that the deficit also reflects the reimbursement to Kern County and IWVWD, however, the reimbursement to IWVWD would not take place in 2020, but later on, which results in the ending balance of 2020 being in the positive.

The Board hears comments from Renee Westa-Lusk, Alan Christensen, and Derek Hoffman.

Vice Chair Gleason comments that the IWVGA needs to hire a General Manager for 2020, as Kern County will be unable to fill that role. Vice-chair Gleason goes on the record stating that the costs of importing water are staggering, the probability of importing is low, and the plans will take dozens of years. He further states that he doesn't believe importing water is economical for the valley.

The Board approves the budget with the understanding that monthly updates will be provided to the Board, the budget can be revisited at any time, and the pumping fee can be extended to cover additional costs.

Motion made by Mick Gleason and seconded by Robert Lovingood to approve revised 2019 IWVGA Budget as presented to the Board. Motion carries unanimously. (Ayes: Gleason, Hayman, Kicinski, Lovingood, Vallejo. Nays: None. Absent: None.)

8. DISCUSSION AND APPROVAL OF TRANSITIONING PARTIAL FINANCIAL RESPONSIBILITIES TO THE INDIAN WELLS VALLEY WATER DISTRICT FOR 2019:

Don Zdeba refers to the letter in the Board Packet which authorizes IWWVD personnel to authorize payments for invoices.

Staff recommends a permanent agency maintain financial duties for the IWVGA, versus an annual transfer between agencies. Item will be added to the April agenda for discussion and approval.

The Board hears comments from Judie Decker.

Motion made by John Vallejo and seconded by Robert Lovingood to approve transitioning partial financial responsibilities to the Indian Wells Valley Water District for 2019. Motion carries unanimously. (Ayes: Gleason, Hayman, Kicinski, Lovingood, Vallejo. Nays: None. Absent: None.)

9. WATER REOURCES MANAGER REPORT:

a. Report/Discussion on Plan of Action and Milestones (POAM):

Jeff Helsley provides a report on the updated POAM. Available online.

b. Report on Proposition 1 Grant Status:

The draft Proposition 1 invoice package was submitted to Department of Water Resources (DWR) for review. Stetson received final comments and clarifications from DWR on the invoice. Stetson intends to respond to the comments and provide clarification and return by the end of the following week. Internal review can take up to 45 days. The first reimbursement check from DWR is tentatively expected mid to late May.

c. Report on Pump fee Status/Schedule:

There are currently 49 registered accounts. Staff is awaiting response from the 3rd notices sent to well owners who have failed to register and letters sent to newly identified possible non-deminimis pumpers. \$211,000 received to date in pumping fees.

The Board hears public comments from Judie Decker, West Katzenstein, Sophia Merk, Ralph Lachenmaier, Mallory Boyd, and Nick Panzer.

d. Summary of Water Supply Augmentation Plan:

Jeff Helsley presents the Water Supply Augmentation Plan. Available online.

e. Severely Disadvantaged Community (SDAC) Update:

Mr. Helsley also provides the presentation on the SDAC update.

The Board hears comments from Sophia Merk.

10. DISCUSSION AND APPROVAL OF CAPITOL CORE AGREEMENT:

Don Zdeba reads the Staff Memorandum included in the Board Packet. Staff recommends the Board approve the agreement between Capitol Core Group and the IWVGA.

Capitol Core Group employees, Jeff Simonetti and Todd Tatum, introduce themselves and answer questions from the Board and public.

The Board hears comments from Derek Hoffman and West Katzenstein.

Motion made by Mick Gleason and seconded by Robert Lovingood to approve the agreement between Capitol Core Group and the IWVGA. Motion carries unanimously. (Ayes: Gleason, Hayman, Kicinski, Lovingood, Vallejo. Nays: None. Absent: None.)

11. UPDATE ON OUTREACH EFFORTS:

Don Zdeba provides a report on outreach efforts for March and an update on the outreach postcard reflecting edits recommended by Board and public at the February IWVGA Board Meeting.

The Board hears comments from Sophia Merk and Elaine Mead.

Larry & Elaine Mead provide a check for \$2,000 on behalf of Mojave Pistachios, to contribute towards the cost of the postcard.

12. BOARD QUESTIONS REGARDING POLICY ADVISORY COMMITTEE (PAC) AND TECHNICAL ADVISORY COMMITTEE (TAC) REPORTS:

PAC Chairman Dave Janiec and TAC Chairman Adam Bingham report on highlights of the March 7th PAC and TAC meetings.

Director Lovingood excuses himself from the meeting.

Vice Chair Gleason directs staff to draft a letter to DWR, on behalf of Mr. Janiec's request, asking if there are any new authorities that the IWVGA is granted under the Sustainable Groundwater Management Act (SGMA). The request would seek a clear range of authorities that are available under SGMA for the IWVGA to proceed with management actions and scenarios for modeling.

The Board hears comments from Don Decker, Sophia Merk, West Katzenstein, and Judie Decker.

13. GENERAL MANAGER'S REPORT:

a. Report on Ramboll Geoscene 3D Model Presentation:

Don Zdeba clarifies that the presentation on the hydrological conceptual model (HCM), made the day prior, is different than the HCM being used by Stetson Engineers for the development of the Groundwater Sustainability Plan (GSP).

Mr. Zdeba comments that the presentation was televised and is available on the City of Ridgecrest's YouTube channel.

14. CLOSING COMMENTS:

None.

15. DATE AND TIME OF NEXT MEETING:

The next IWVGA Regular Board Meeting will be held on April 18, 2019; at 9:30 a.m.

With no further Board or Public comments, Chairman Kicinski recessed the meeting at 2:10 p.m. for a short break.

The meeting is reconvened into Closed Session at 2:14 p.m.

16. CLOSED SESSION:

- CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION (Government Code Section 54956.9(d)(2)(e)(1)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Directors on the advice of legal counsel, based on: Facts and circumstances that might result in litigation against the IWVGA but which are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

The meeting is reconvened into Open Session.

No action was taken that requires disclosure under the Brown Act.

17. ADJOURN:

With no further Board or Public comments, Chairman Kicinski adjourns the meeting at 2:29 p.m.

Respectfully submitted,



Lauren Duffy

Clerk of the Board of Directors
Indian Wells Valley Groundwater Authority