

# 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, April 18, 2019; 9:30 a.m.

### IWVGA Members Present:

Chairman Ron Kicinski, IWVWD	Don Zdeba, IWVGA General Manager
Matthew Kingsley, Inyo County	James Worth, Legal Counsel
Mick Gleason, Kern County	Stephen Johnson, IWVGA Water Resources Manager
Commander Peter Benson, US Navy, DoD Liaison	Thomas Bickauskas, Bureau of Land Management
Scott Hayman, City of Ridgecrest	Lauren Duffy, Clerk of the Board

Attending via teleconference is Bob Page, San Bernardino County

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 9:30 a.m.

### 2. PUBLIC COMMENTS ON CLOSED SESSION:

None.

With no further public comment made, Chairman Kicinski calls the meeting into Closed Session at 9:30 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 11:03 a.m.

#### a. Report on Closed Session:

Jim Worth reports the Board took action on the following matters:

1. The Board authorized staff to retain an independent appraiser to appraise certain properties within the basin.
2. The Board authorized Stetson Engineers to conduct multiple model runs based on different pumping scenarios that have been discussed in attorney allocation meetings.

No other action was taken which requires disclosure under the Brown Act.

- b. The Pledge of Allegiance is led by Don Decker.

Lauren Duffy calls the following roll call:

Director Kingsley	Present
Director Hayman	Present
Chairman Kicinski	Present
Director Page	Via teleconference
Vice Chair Gleason	Present

**5. PUBLIC COMMENTS:**

Don Decker references an outline of the IWV Domestic Well Owner Groundwater Sustainability Plan included in the Board Packet under the PAC report.

**6. CONSENT AGENDA:**

- a. Approve Minutes of Board Meeting March 21, 2019
- b. Approve Expenditures
  - i. \$5,764.47 – RWG Law
  - ii. \$11,304.71 – DRI
  - iii. \$8,314.00 JPRIMA 2019-2020 Policy Term

Motion made by Scott Hayman and seconded by Mick Gleason to approve Minutes of Board Meeting on March 21, 2019, and the following expenditures: \$5,764.47 to RWG Law, \$11,304.71 to DRI, and \$8,314.00 to JPRIMA for 2019-2020 Policy Term. Motion carries by the following roll call vote:

Director Kingsley	Abstain
Director Hayman	Aye
Chairman Kicinski	Aye
Director Page	Aye
Vice Chair Gleason	Aye

**7. REPORT ON THE FINAL 2017/2016 AUDIT CONDUCTED BY BROWN ARMSTRONG:**

Thomas Young, CPA of Brown Armstrong, provides a report via teleconference to the Board on findings from the audit conducted for 2017/2016. A hard copy of the report was distributed to the Board at the March Regular Board Meeting. Mr. Young recommends going forward, that bookkeeping be completed and maintained in-house versus through the County of Kern.

Motion made by Mick Gleason and seconded by Scott Hayman to accept report on audit findings conducted by Brown Armstrong. Motion carries by the following roll call vote:

Director Kingsley	Aye
Director Hayman	Aye
Chairman Kicinski	Aye
Director Page	Aye
Vice Chair Gleason	Aye

**8. DISCUSSION AND BOARD APPROVAL FOR INDIAN WELLS VALLEY WATER DISTRICT TO MAINTAIN LOCAL FINANCIAL RESPONSIBILITIES FOR THE IWVGA BEYOND 2019:**

Don Zdeba reviews the Staff Report provided in the Board Packet.

The Board hears comments from Mark Williamson

Motion made by Mick Gleason and seconded by Scott Hayman to approve the IWVWD to maintain local financial responsibilities for the IWVGA beyond 2019 until a permanent structure is in place to handle those responsibilities full-time. Motion carries unanimously by the following roll call vote:

Director Kingsley	Aye
Director Hayman	Aye
Chairman Kicinski	Aye
Director Page	Aye
Vice Chair Gleason	Aye

#### 9. DISCUSSION AND BOARD DIRECTION TO STAFF FOR IWVGA GENERAL MANAGER POSITION:

Chairman Kicinski comments he has had discussions with Don Zdeba with respect to Mr. Zdeba continuing his role as Acting General Manager for the IWVGA through 2020, to allow for time to review the budget and find a permanent General Manager. Mr. Zdeba is willing to accept the role if the Board approves it.

The Board hears comments from Judie Decker and Renee Westa-Lusk.

Motion made by Mick Gleason and seconded by Scott Hayman to approve staff recommendation and have Don Zdeba maintain his current role as Acting General Manager until the position is permanently filled. Motion carries unanimously by the following roll call vote:

Director Kingsley	Aye
Director Hayman	Aye
Chairman Kicinski	Aye
Director Page	Aye
Vice Chair Gleason	Aye

#### 10. DISCUSSION AND APPROVAL OF IWVGA LOGO:

Mr. Zdeba comments that three logo options were created by a local artist and presented at the April PAC meeting for vote and recommendation. The PAC, by majority vote, recommend the below option to the Board for approval to be the official logo of the IWVGA.



Motion made by Mick Gleason and seconded by Scott Hayman to accept PAC recommendation and approve the IWVGA logo. Motion carries unanimously by the following roll call vote:

Director Kingsley	Aye
Director Hayman	Aye
Chairman Kicinski	Aye
Director Page	Aye
Vice Chair Gleason	Aye

#### 11. WATER REOURCES MANAGER REPORT:

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

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

**b. Report on Proposition 1 Grant Status:**

Heather Steele reports the third draft invoice was submitted to Department of Water Resources (DWR) at the beginning of April. DWR is currently reviewing the invoice and Progress Report. The first payment is anticipated to be received by the end of May or early June. The first invoice covers the time period from the beginning of the project through September 2018. The second invoice will cover the period from October 2018 through the end of 2018.

**c. Report on Pump fee Status/Schedule:**

Ms. Steele reports there are currently 51 registered non-deminimis accounts. Staff is awaiting response from the 3<sup>rd</sup> notices sent to non-deminimis well owners who have failed to register and first letters sent to newly identified possible non-de-minimis pumpers. \$215,300 received to date in pumping fees. There are 15 accounts not registered and believed to be non-de-minimis.

**d. Severely Disadvantaged Community (SDAC) Update:**

Mr. Helsley provides an update on SDAC.

**e. Report on IWVGA's Water Marketer (Capitol Core Group)**

Don Zdeba provides a report on the efforts and actions taken since the execution of the agreement with Capitol Core Group (CCG). CCG was authorized to move forward with the following three tasks:

1. Develop a technical memorandum regarding potential water supplies and delivery options.
2. Identify and secure funding sources for the infrastructure improvements to import water.
3. Provide Capitol Core with resources to attend Board Meetings.

The financial impact of those tasks total \$158,325 out of the \$221,225 from the original proposal.

Todd Tatum, of CCG, provides an update on the progress made thus far.

Director Kingsley expresses his concerns, on behalf of Inyo County, with respect to importing/exporting water.

The Board hears public comments from Renee Westa-Lusk and Joshua Nugent.

**12. UPDATE ON IWVGA FINANCES:**

Mr. Zdeba provides an update on the IWVGA financial report included in the Board Packet.

The ending balance, including the three (3) invoices approved at today's meeting, is \$6,198.71

**13. UPDATE ON OUTREACH EFFORTS:**

Mr. Zdeba provides a report on outreach efforts, including the IWVWD booth at the Home & Leisure Show and the previously approved Sustainable Groundwater Management Act postcard mailed to all impacted parcel owners within the basin.

After much deliberation, the Board directs Staff to draft an oversized postcard for the private well owners within the basin requesting well information via a simplified voluntary well registration form provided by the Domestic Well Owners Association. The postcard will include wording suggestions provided by the PAC chair.

The Board hears comments from Don Decker, West Katzenstein, Judie Decker, and Mayor Peggy Breeden.

**14. 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 April 4<sup>th</sup> PAC and TAC meetings and answer Board questions.

**15. GENERAL MANAGER'S REPORT:**

Mr. Zdeba has nothing more to report.

**16. CLOSING COMMENTS:**

Commander Benson provides the following feedback. The guidance for the Energy and Water security projects was released by the secretary of the Navy's office this month. Naval Air Weapons Station China Lake worked in conjunction with the Water Resources Manager to refine the scope of work for project No. 3, dealing with land subsidence. The refined scope of work will be submitted today for funding consideration through the Navy Chain of Command. Commander Benson comments they expect to find out if the project is selected for funding in August 2019.

Director Kingsley expresses his concerns and possible issues with importing water. Specifically, if Los Angeles Department of Water and Power (LADWP) provides water to the IWV basin and the possible effect it would have on the Owens Valley.

**17. DATE AND TIME OF NEXT MEETING:**

The next IWVGA Regular Board Meeting will be held on May 16, 2019; at 9:30 a.m.

With no further Board or Public comments, Jim Worth announces the Board will not recess into Closed Session as there is no need to.

**18. CLOSED SESSION: (CANCELLED)**

- 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.

**19. ADJOURN:**

Chairman Kicinski adjourns the meeting at 12:49 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lauren Duffy', with a long, sweeping flourish extending to the right.

Lauren Duffy  
Clerk of the Board of Directors  
Indian Wells Valley Groundwater Authority