

# INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

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

## BOARD OF DIRECTORS MEETING MINUTES

Thursday, June 20, 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                    | Jeff Helsley, Stetson Engineers              |
| Scott Hayman, City of Ridgecrest             | Commander Peter Benson, US Navy, DoD Liaison |
| Thomas Bickauskas, Bureau of Land Management | 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 9:58 a.m.

- a. The Pledge of Allegiance is led by Larry Mead.
- b. Lauren Duffy calls the following roll call:

|                    |                     |
|--------------------|---------------------|
| Director Vallejo   | Present             |
| Director Hayman    | Present             |
| Chairman Kicinski  | Present             |
| Director Page      | *Via Teleconference |
| Vice Chair Gleason | Present             |

### 2. PUBLIC COMMENTS:

Lorry Wagner submits a comment letter regarding Board compliance with the Sustainable Groundwater Management Act (SGMA) and the need to lift the current mandated filing date of January 20, 2020. (Available online)

Judie Decker asks if the City of Ridgecrest is currently paying their groundwater authority water fees.

Nick Panzer submits a comment letter addressing two material aspects which the draft Groundwater Sustainability Plan, section 3, comes up short. (Available online)

### 3. PRESENTATIONS:

#### a. Wellntel Well Monitoring Pilot Project

Lee Knudtson, of Wellntel, provides a brief report on the results of the 60-day trial which demonstrated their well monitoring program of 10 wells within the basin. (Slide available online)

Jeff Helsley comments that Stetson Engineers find this data very useful and believes it would be very beneficial after the Groundwater Sustainability Plan (GSP) is developed. However, at this time it isn't essential for the development of the GSP.

Vice-chair Gleason asks for a recommendation from Stetson Engineers on how they would like to proceed and when they would like to have Wellntel continue this program after the development of the GSP.

The Board hears public comments from Tim Carrol, Early Wilson, Peggy Breeden, Larry Mead, Stan Rajtora, West Katzenstein, and Judie Decker.

Mr. Helsley comments that albeit valuable, they wouldn't necessarily choose using funds towards this project versus another.

**4. CONSENT AGENDA:**

- a. Approve Minutes of Board Meeting May 16, 2019 and Special Meeting May 30, 2019
- b. Approval of Resolution No. 02-19: Appointing Thomas Bickauskas as PAC representative for Bureau of Land Management (BLM)
- c. Approval of Resolution No. 03-19: Appointing Mallory John Boyd as TAC representative for Business Interests
- d. Approve Expenditures
  - i. \$12,137.36 – RWG Law
  - ii. \$26,717.19 and \$10,777.02 – DRI
  - iii. \$89,203.59, \$92,542.40, \$101,799.45, \$104,714.33 – Stetson Engineers
  - iv. \$747.00 – City of Ridgecrest
  - v. \$1,309.24 – Reimbursement to IWWWD or Postcard Mailer
  - vi. \$2,000.00 – Lynn Rickard, Appraisal Fee
  - vii. \$21,859.99 – Capitol Core Group

Motion made by Mick Gleason and seconded by Scott Hayman to approve Resolution No. 02-19: Appointing Thomas Bickauskas as PAC Representative for BLM. Motion carries unanimously by the following roll call vote:

|                    |     |
|--------------------|-----|
| Director Vallejo   | Aye |
| Director Hayman    | Aye |
| Chairman Kicinski  | Aye |
| Director Page      | Aye |
| Vice Chair Gleason | Aye |

Vice-chair Gleason discloses that he has recently taken on a financial relationship with Mallory John Boyd. The relationship is a part-time employee for Mr. Gleason through Kern County. Mr. Boyd's total scope and responsibilities will consist of understanding and forming independent opinions and reporting back to Kern council.

The Board hears public comments from Derek Hoffman regarding Resolution No. 03-19.

Motion made by Scott Hayman and seconded by John Vallejo to approve Resolution No. 03-19: Appointing Mallory John Boyd as TAC Representative. Motion carries by the following roll call vote:

|                    |         |
|--------------------|---------|
| Director Vallejo   | Aye     |
| Director Hayman    | Aye     |
| Chairman Kicinski  | Aye     |
| Director Page      | Aye     |
| Vice Chair Gleason | Abstain |

Motion made by Mick Gleason and seconded by Scott Hayman to approve Minutes of Board Meeting May 16, 2019 and Special Meeting May 30, 2019, and the following expenditures in the amount of \$12,137.36 to RWG Law, \$26,717.19 and \$10,777.02 to DRI, \$89,203.59, \$92,542.40, \$101,799.45, and \$104,714.33 to Stetson Engineers, \$747.00 to City of Ridgecrest, \$1,309.24 Reimbursement to IWWWD for postcard mailer, \$2,000.00 to Lynn Rickard, and \$21,859.99 to Capitol Core Group. Motion carries by the following roll call vote:

|                  |         |
|------------------|---------|
| Director Vallejo | Abstain |
| Director Hayman  | Aye     |

|                    |     |
|--------------------|-----|
| Chairman Kicinski  | Aye |
| Director Page      | Aye |
| Vice Chair Gleason | Aye |

Don Zdeba clarifies the invoices for Stetson Engineers will be paid once the Proposition 1 Grant reimbursement arrives, which is expected either this week or the following.

**5. PRESENTATIONS ON REQUEST FOR PROPOSALS (RFP) FOR SEVERELY DISADVANTAGED COMMUNITIES (SDAC) WATER AUDIT, LEAK DETECTION AND REPAIR PROGRAM:**

Xylem, M.E. Simpson, and California Rural Water Association provide presentations to the Board in response to the RFP that was distributed by Staff after Board approval. Responses were due by May 23, 2019. All presentations are made available online.

**6. PRESENTATIONS ON REQUEST FOR PROPOSALS (RFP) FOR SEVERELY DISADVANTAGED COMMUNITIES (SDAC) RESIDENTIAL AND COMMERCIAL REBATE PROGRAM:**

WaterWise Consulting President, Ajay Dhawan, provides a presentation in response to the SDAC Program RFP. Responses were due by May 16, 2019; 3:00 p.m.

Mr. Helsley reiterates that the programs are not critical to the development of the GSP, instead the programs are a grant opportunity.

Mr. Page asks that Stetson Engineers find out the eligibility period for the grant monies and if it can be extended.

The previously established Ad-Hoc Committee for Imported Water is to review the proposals and provide a recommendation on which firm to proceed with for both programs at the July 18<sup>th</sup> Regular Board Meeting.

**7. DISCUSSION AND BOARD APPROVAL OF AMENDMENT TO IWVGA/DESERT RESEARCH INSTITUTE CONTRACT:**

Mr. Helsley reviews the amendment to the contract between IWVGA and DRI. The amendment was made available as a handout for the public and Board Members, as well as posted online.

Director Vallejo asks if all tasks are unbudgeted amounts, to which Mr. Helsley answers yes. However, the first task will be reimbursed by the Brackish Water Group in the amount of \$8,235.

Derek Hoffman states for the record that model scenarios 3, 4, 5, and 6 on the flow runs have not been vetted by the TAC or the TAC Ad-Hoc committee prior to presenting to the Board.

The Board hears public comments from Don Decker.

Motion made by Mick Gleason and seconded by Scott Hayman to approve the amendment to the contract between Desert Research Institute and IWVGA. Motion carries unanimously by the following roll call vote:

|                    |     |
|--------------------|-----|
| Director Vallejo   | Aye |
| Director Hayman    | Aye |
| Chairman Kicinski  | Aye |
| Director Page      | Aye |
| Vice Chair Gleason | Aye |

**8. WATER REOURCES MANAGER REPORT:**

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

No update is available.

b. Report on Proposition 1 Grant Status:

Mr. Helsley comments the first invoice was approved on May 9, 2019. The first reimbursement is expected by this week or next; the total payment received will be \$335,566.69. The second invoice was submitted on June 13, 2019 and is currently being reviewed by DWR; the total payment to be received is \$352,087.42.

c. Report on Pump fee Status/Schedule:

As of June 19, 2019, 52 accounts have been registered and total payment received to date is \$315,900.

Stetson Engineers is currently reviewing specific criteria for individual properties to determine if they are de-minimis or non-de-minimis. IWVWD staff will then use the developed checklist to conduct field inspections.

## 9. UPDATE ON IWVGA FINANCES

Mr. Zdeba provides an update on the IWVGA finances.

The Board discusses the costs involved with the Wellntel program, which is \$12,000 for the initial costs and \$2,000 per year for the upkeep and continued monitoring of the wells.

The Board directs staff to provide a more in-depth, long-term, financial projection at the next IWVGA Meeting.

The Board hears public comments from Don Decker.

Director Page requests that, going forward, any new contracts or proposed work be accompanied by a staff report stating if the item was originally budgeted for and if not, the financial impact of approving the item.

## 10. UPDATE ON OUTREACH EFFORTS

Mr. Zdeba comments on the recent IWVGA mailer that was sent out roughly three weeks ago. The mailer was geared toward urging de-minimis users to register their wells within the IWV basin, specifically Domestic Well Owners. The mailing list staff used was a drastically reduced mailing list previously used for mailers sent to impacted parcel owners within the basin, including San Bernardino, Inyo, and Kern counties. It has since been noted some private well owners with addresses within the service area of the Water District had been removed from the mailing list as a result of filtering the original master list. Since the release of the mailer, no voluntary registration forms have been submitted.

Vice-chair Gleason asks that an item be added to the July meeting agenda addressing mandatory well registration for all, including de-minimis users.

The Board hears public comments from Don and Judie Decker.

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

The Board asks PAC and TAC chairs questions with respect to their reports included in the Board Packet.

The Board hears public comments from Judie Decker.

## 12. GENERAL MANAGER'S REPORT:

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

Mr. Zdeba reads the project update memorandum provided by Capitol Core Group (CCG) and made available in the Board Packet, distributed to the Public and available online.

~~— b. Discussion and Board Direction regarding Bureau of Reclamation WaterSMART Grant Opportunity~~

Jeff Simonetti, of CCG, comments this specific grant opportunity is a program which would provide 50% matching funds to an eligible agency, which the IWVGA would be, and would match approximately \$130,000 of what the IWVGA has already committed to water marketing strategies.

Mr. Simonetti provides the following example: The IWVGA has already committed funds toward the contract with CCG to research water marketing services, the grant would be able to match everything except the funding sources and direct lobbying; specifically, tasks 1, 2, and 4 would be eligible to be matched.

Mr. Simonetti, on behalf of CCG, believes this grant would be pertinent because it's not just a "move-forward program", it allows you to build on work that has already been completed to-date. He further provides details of the grant.

Due to the deadline to submit an application is July 31, 2019, CCG needs direction from the Board today on how to proceed. Stetson Engineers would need to work with CCG to provide assistance with the grant application. Additionally, if the Board directs CCG to pursue this grant, CCG would need approval to divert approximately 30 hours of work that has already been budgeted from their initial scope of work to focus on applying for this grant.

The Board discusses the additional costs associated with pursuing this grant which roughly estimates as: \$2,000 - \$3,000 for Stetson Engineers and \$6,000 for CCG.

The Board hears public comments from Judie Decker, Renee Westa-Lusk, and West Katzenstein.

Motion made by Scott Hayman and seconded by Ron Kicinski to authorize Capitol Core Group to pursue the WaterSMART grant and authorize staff to do all things necessary in that regard. Motion carries by the following roll call vote:

|                    |         |
|--------------------|---------|
| Director Vallejo   | Abstain |
| Director Hayman    | Aye     |
| Chairman Kicinski  | Aye     |
| Director Page      | Aye     |
| Vice Chair Gleason | Aye     |

### 13. CLOSING COMMENTS:

Commander Peter Benson provides a letter to the Board regarding the Navy's personnel and historic water use, which was previously requested by the Board, Policy Advisory Committee, and Technical Advisory Committee. The letter and supporting document are available online.

Director Vallejo reiterates the benefit of having a staff report for each agenda item that includes a recommendation from staff on any action items.

### 14. DATE AND TIME OF NEXT MEETING – July 18, 2019; 10:00 a.m.

With no further Board or Public comments, Chairman Kicinski recessed the meeting at 1:44 p.m. for a short break.

The meeting is reconvened into Closed Session at 1:54 p.m.

### 15. CLOSED SESSION:

- CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION (Government Code Section 54956.9(d)(2)(e)(1)) Number of cases: Two (2) 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.

- CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATIONS  
(Government Code Section 54956.8) IWVGA Negotiator: Capitol Core Group  
Negotiating with: Representatives of Antelope Valley-East Kern Water Agency, Mojave Water Agency, City of Napa and Semitropic Water Storage District Real Property: Miscellaneous Imported Water Supplies

The meeting is called back into Open Session at 3:32 p.m.

No action is taken which would require disclosure under the Brown Act.

**16. ADJOURN:**

Chairman Kicinski adjourns the meeting at 3:34 p.m.

Respectfully submitted,



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