

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, July 16, 2020; 10:00 a.m.

IWVGA Members Present:

Chairman Mick Gleason, Kern County	Don Zdeba, IWVGA General Manager
John Vallejo, Inyo County	Phillip Hall, Legal Counsel
Ron Kicinski, IWVWD	Steve Johnson, Stetson Engineers
Scott Hayman, City of Ridgecrest	Commander Peter Benson, US Navy, DoD Liaison
Thomas Bickauskas, Bureau of Land Management	Lauren Duffy, Acting Clerk of the Board
Bob Page, San Bernardino County	

Attending via teleconference is Bob Page, John Vallejo, Steve Johnson, Commander Peter Benson, and April Nordenstrom, 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 Gleason at 10:00 a.m.

2. PUBLIC COMMENT ON CLOSED SESSION:

None.

Chairman Gleason calls the meeting into Closed Session at 10:02 a.m.

3. CLOSED SESSION:

- CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(4)) Number of cases: 3 or more: Based on existing facts and circumstances, the Board of Directors, on the advice of legal counsel, is meeting to decide whether, and when, to initiate litigation for failure to properly provide well registration and reporting.
- 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.

Closed Session adjourned at 10:55 a.m.

4. OPEN SESSION:

Meeting was reconvened into open session at 11:00 a.m.

a. Report on Closed Session:

Counsel Hall reports that no action was taken which would require disclosure under the Brown Act.

b. The Pledge of Allegiance is led by Lauren Duffy

c. Lauren Duffy calls the following roll call:

Director Vallejo	Present
Director Kicinski	Present
Chairman Gleason	Present

Director Page	Present
Vice Chair Hayman	Present

5. NOTICE OF ITEMS CONTINUED UNTIL AUGUST 20, 2020 MEETING

Counsel Hall briefly updates on June agenda items that were tabled until the August meeting.

6. PUBLIC COMMENT:

The Board hears public comments from Judie Decker, Derek Hoffman, Renee Westa-Lusk and Mike Neel.

7. CONSENT AGENDA:

- a. Approve Minutes of Board Meeting June 18, 2020
- b. Approve Expenditures
 - i. \$4,647.50 - RWG Law
 - ii. \$8,912.50 - Capitol Core Group (CCG)

Don Zdeba states the CCG invoice was paid by the Water District and will be applied as a credit towards future fees.

Motion made by Ron Kicinski and seconded by Scott Hayman to approve Minutes of Board Meeting June 18, 2020 and the following expenditures in the amount of \$4,647.50 to RWG Law and \$8,912.50 to Capitol Core Group.

Motion unanimously carries by the following roll call vote:

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

8. BOARD CONSIDERATION AND APPROVAL OF DATA PACKAGE ON AN INCREASE IN THE CURRENT GROUNDWATER EXTRACTION FEE AND ADOPTION OF CEQA FINDINGS AND ORDINANCE 02-20:

Jim Worth provides a staff report for Ordinance 02-20 and supporting Data Package amending Ordinance 02-18 (documents made available on the IWVGA website).

The Board hears public comment from Richard Wagner, Renee Westa-Lusk, Derek Hoffman, Mike Neel, Elisabeth Esposito, Joshua Nugent, Judie Decker, and Don Decker.

Motion made by Ron Kicinski and seconded by Scott Hayman to; 1) Adopt Ordinance 02-20 amending the current Groundwater Extraction Fee and 2) Make a finding that the proposed Ordinance is exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines.

Motion carries by the following roll call vote.

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

9. BOARD CONSIDERATION AND ADOPTION OF RESOLUTION 06-20 AND RELATED CEQA FINDINGS ADOPTING THE REPORT ON THE INDIAN WELLS VALLEY GROUNDWATER BASIN'S SUSTAINABLE YIELD OF 7,650 ACRE-FEET:

Counsel Hall provides a staff report for Resolution 06-20 (documents made available on the IWVGA website).

The Board hears public comment from Derek Hoffman and Renee Westa-Lusk.

Motion made by Bob page and seconded by John Vallejo to 1) Adopt Report on the Indian Wells Valley Groundwater Basin’s Sustainable Yield of 7,650 Acre-Feet via Resolution 06-20 and 2) Make a finding that the action is exempt from further CEQA review because the action is ministerial, does not include a discretionary act, is mandated by law and is provided statutorily and categorical exemptions, and will not have a significant effect on the environment.

Motion carries by the following roll call vote.

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

Chairman Gleason calls for a recess at 12:48 p.m.

Meeting is reconvened at 1:15 p.m.

10. BOARD CONSIDERATION AND SETTING A PUBLIC HEARING FOR FRANK BELLINO FOR FAILURE TO REGISTER, REPORT AND PAY GROUNDWATER EXTRACTION FEES:

Don Zdeba provides a staff report (document made available on the IWVGA website).

The Board hears public comment from Mike Neel.

Motion made by Bob Page and seconded by Scott Hayman to set a Public Hearing for August 20, 2020 for Frank Bellino for failure to register, report and pay groundwater extraction fees set forth in Ordinance 02-18.

Motion unanimously carries by the following roll call vote:

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

11. BOARD CONSIDERATION AND SETTING A PUBLIC HEARING FOR PEARSONVILLE PARK FOR FAILURE TO REPORT AND PAY GROUNDWATER EXTRACTION FEES:

Don Zdeba provides a staff report (document made available on the IWVGA website).

The Board hears public comment from Renee Westa-Lusk and Mike Neel

Motion made by Bob Page and seconded by Scott Hayman to set a Public Hearing for August 20, 2020 for Pearsonville Park for failure to report and pay groundwater extraction fees set forth in Ordinance 02-18.

Motion unanimously carries by the following roll call vote:

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

12. WATER RESOURCES MANAGER REPORT:

Steve Johnson provides updates on the following grants/programs: Prop 1 Grant Status, Prop 68 Grant Status, Groundwater Pumping Verification Reports and Schedule (presentations made available on the IWVGA website).

Board and staff further discuss the grants/programs (video recording made available on the IWVGA website). The Board hears public comment from Renee Westa-Lusk.

13. GENERAL MANAGER'S REPORT:

Don Zdeba provides updates on the following; Monthly Financial Report, Report on IWVGA's Water Marketer (Capitol Core Group), Severely Disadvantaged Communities (SDAC) Program, General Manager Recruitment, Delinquent Accounts, and Well Registration Update (documents made available on the IWVGA website).

14. CLOSING COMMENTS :

Commander Benson states the Navy will continue to be a committed partner to all involved with bringing this Basin into sustainability (full statement made available on the IWVGA website).

Director Vallejo wishes Steve Johnson well and states he is happy to hear he is on the mend.

Director Kicinski shares comments he has heard from the public about the cost of water causing people to leave the valley; as well as having no water will also cause residents to leave the valley. Kicinski encourages the public to participate and study the documents involved in the upcoming Public Hearing. Kicinski closes with wishing Steve Johnson well.

Director Hayman states he is glad to hear Steve Johnson is doing well.

Chairman Gleason asserts he took Chair this year and planned out objectives he would like to achieve. Gleason stresses the need to identify a partner for imported water. Without said partner, the GA does not have a shovel ready project and would not qualify for grant funding. Gleason acknowledges the high cost of imported water but emphasizes its importance.

15. DATE AND TIME OF NEXT MEETING – August 20, 2020; 10:00 a.m.

16. ADJOURN:

Chairman Gleason adjourned the meeting at 1:56 p.m.

Respectfully submitted,

April Nordenstrom



Clerk of the Board
Indian Wells Valley Groundwater Authority