

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, September 17, 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	April Keigwin, Clerk of the Board
Bob Page, San Bernardino County	

Attending via teleconference is Bob Page, John Vallejo, Commander Peter Benson, and Thomas Bickauskas.

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 - 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.

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 no action was taken that would require disclosure under the Brown Act.

b. The Pledge of Allegiance is led by Scott Hayman

c. April Keigwin calls the following roll call:

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

5. PUBLIC COMMENT:

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

6. CONSENT AGENDA:

a. Approve Minutes of Board Meeting August 20-21, 2020

b. Approve Expenditures

- i. \$147,792.99 – Stetson Engineers
- ii. \$8,018.75 – Capitol Core Group
- iii. \$145.00 – Water District Jobs, General Manager (GM) Ad
- iv. \$475.00 – Association of California Water Agencies (ACWA), GM Ad.
- v. \$4,000.00 – Brown Armstrong
- vi. \$12,810.00 – WaterWise Consulting, Inc. (July and August)

Don Zdeba explains an updated WaterWise invoice was received after the agenda was posted. Total of both July and August invoices is \$19,245.00.

Motion made by Ron Kicinski and seconded by Scott Hayman to approve Minutes of Board Meeting August 20-21, 2020 and the following expenditures in the amount of \$147,792.99 to Stetson Engineers, \$8,018.75 to Capitol Core Group (CCG), \$145.00 to Water District Jobs, \$475.00 to Association of California Water Agencies (ACWA), \$4,000 to Brown Armstrong and \$19,245.00 to WaterWise Consulting, Inc.

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

7. BOARD CONSIDERATION AND APPROVAL OF BROWN ARMSTRONG REQUEST FOR ADDITIONAL FUNDING:

Don Zdeba provides a staff report and agreement (documents made available on the IWVGA website).

Motion made by Bob Page and seconded by Ron Kicinski to approve the request for additional funding in the amount of \$5,000 to complete the 2018 and 2019 Audits.

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 REQUEST FOR CONTRACT EXTENSION WITH DESERT RESOURCE INSTITUTE (DRI):

Don Zdeba provides a staff report and Contract Extension Agreement (documents made available on the IWVGA website).

The Board hears public comment from Camille Anderson.

Motion made by Ron Kicinski and seconded by Bob Page to extend the terms of the May 23, 2018 agreement and the draft amendment to that agreement through June 30, 2021.

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

9. METER ORDINANCE COMPLIANCE (ORDINANCE 01-20) REPORT AND POSSIBLE ACTION:

Don Zdeba provides a verbal report explaining since adoption of Ordinance 01-20, staff only has two Non De minimis pumpers in compliance. Zdeba clarifies this may be due to a lack of follow through on staff's side post adoption. Zdeba states staff is looking for Board direction.

The Board hears public comment from Josh Nugent and Renee Westa-Lusk.

Motion made by Scott Hayman and seconded by Ron Kicinski directing staff to send a letter to each Non De minimis pumper explaining the information/testing needed to be within compliance of Ordinance 01-20.

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

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

Don Zdeba provides a staff report and supporting documentation (documents made available on the IWVGA website). Zdeba states no communication has been received from Mr. Bellino.

Motion made by Ron Kicinski and seconded by Scott Hayman directing staff to send a third letter to Mr. Bellino requiring payment by October 6, 2020 or IWVGA will move forward with an order for an immediate cease of pumping followed by further Board action at the October Regular Board Meeting.

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. PUBLIC HEARING FOR PEARSONVILLE PARK FOR FAILURE TO REPORT AND PAY GROUNDWATER EXTRACTION FEES:

Don Zdeba provided Phillip Berry of Berry's Well Service, well manager for Pearsonville Park, with the total delinquent amount owed. Mr. Berry confirmed receipt and will drop off a check to the Indian Wells Valley Water District.

12. VISION PLAN FOR 2035:

Chairman Gleason discusses his vision plan and goals for the IWVGA in the next coming years. After further discussion, Chairman Gleason tasks Policy Advisory Committee (PAC) Chair, Dave Janiec with beginning an open discussion with PAC members of their goals/concerns going forward. Comments received from PAC members will be posted to GA website and discussed at the next IWVGA Regular Board Meeting.

The Board hears public comment from Mallory Boyd, Judie Decker, Norman Alexander, and Dave Janiec.

13. BOARD CONSIDERATION AND APPROVAL OF LITIGATION TOLLING AGREEMENTS WITH MEADOWBROOK DAIRY AND SEARLES VALLEY MINERALS:

In light of California’s prevailing conditions and the recent approval of the Replenishment Fee and Transient Pool and Fallowing Program, Meadowbrook Dairy has requested an extension of the current Tolling Agreement until January 31, 2021. Searles Valley Minerals did not submit an updated agreement.

Motion made by Bob Page and seconded by Scott Hayman to approve the Tolling Agreement, extending the end date to January 31, 2021.

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

14. WATER RESOURCES MANAGER REPORT:

Steve Johnson provides updates on the following grants/programs: Prop. 1 Grant Status, Prop. 68 Grant Status, TDS Sampling and Testing Results, Isotopes Sampling and Testing Results and Schedule (presentations made available on the IWVGA website).

15. 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). Board directs staff to look into potential of a Finance Committee and return with staff recommendation at the October Regular Board Meeting.

16. CLOSING COMMENTS :

Thomas Bickauskas expresses excitement for Board direction given to PAC.

Director Kicinski thanks everyone involved with the meeting and is happy with results from today’s discussions.

Chairman Gleason adjourns for a recess at 1:01 p.m.
Chairman Gleason calls the meeting into closed session at 1:10 p.m.
Chairman Gleason adjourns closed session at 2:19 p.m.
Chairman Gleason calls the meeting into open session at 2:22 p.m.

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

17. DATE OF NEXT MEETING – October 15, 2020

18. ADJOURN:

Chairman Gleason adjourns the meeting at 2:22 p.m.

Respectfully submitted,

April Keigwin



Clerk of the Board
Indian Wells Valley Groundwater Authority