

Indian Wells Valley Groundwater Basin

GSA-Eligible Agencies Group

Meeting Summary Notes | July 15, 2016 | 10:00AM-11:30AM (Via Telecom)

MEETING ACTION ITEMS

Name	Task	Timeframe
Support Staff	Send out email regarding schedule for first JPA meeting	July 18
GSA Eligible Agencies	Respond to Send out email regarding schedule for first JPA meeting	July 20
Technical Consultant	Draft one page steps for GSA formation and provide to Kern County for review	July 18
Kern County	Review one page steps for GSA formation and distribute to GSA-Eligible Agencies	July 20
Technical Consultant	Draft July 15 meeting summary notes and provide for GSA-eligible agency review	July 18

ATTENDEES

GSA-Eligible Agency Representative Participants:

- *City of Ridgecrest*
 - Peggy Breeden, Mayor
 - Keith Lemieux, Outside Counsel
- *Indian Wells Valley Water District (IWWVD)*
 - Jim Worth, Outside Counsel
- *Naval Weapons Air Station*
 - Mary Kay Faryan, Counsel
- *Kern County*
 - Mick Gleason, County Supervisor
 - Teri Goldner, County Counsel
 - Phill Hall, Deputy County Counsel
 - Tony Rossmann, Outside Counsel
- *San Bernardino County*
 - Bob Page, Principal Management Analyst

Supporting Staff:

- Department of Water Resources Facilitator - Dale Schafer
- Kern County - Alan Christensen
- Technical Consultant - Tim Parker

MEETING INTRODUCTIONS

- The meeting began an overview of the meeting agenda by Dale Schafer
- GSA eligible agency meeting representatives introduced themselves

Indian Wells Valley Groundwater Basin

GSA-Eligible Agencies Group

JOINT POWERS AUTHORITY STATUS

- The JPA went live on July 15th as prescribed in the document
- Three members have resolved to join (Inyo County, San Bernardino County and Indian Wells Valley Water District)
- Since the JPA is now up and running, all meetings need to be under Brown Act requirements and the JPA can not have a majority of JPA Board Members present without complying with the Brown Act
- IWVWD and Inyo have yet not appointed Board members –
- San Bernardino County appointed Supervisor Robert Lovingood as the JPA primary director and Bob Page as the alternate -

UPDATE ON BOARD HEARINGS ON JPA

- San Bernardino County
 - There was a 3-minute presentation from Gresham Savage, Counsel for Meadow Brook Dairy
 - Board of Supervisors did not discuss or request any further info, just approved the resolution to adopt the JPA on consent
- Indian Wells Valley Water District
 - JPA resolution was approved 3-2
 - There was a similar 3-minute presentation from Gresham Savage for Meadow Brook Dairy
 - Donna Thomas with the Eastern Kern County RCD gave comments regarding urging IWVWD board to consider EKCRCd have a representation on the GSA Board – addressed by IWVWD counsel as saying late in game to add a Board member - SWRCB sent EKCRCd a letter dated June 22nd saying EKCRCd is GSA-eligible and offers a non-binding decision
 - There was also an issue brought up regarding the Doctrine of Incompatible Offices, which is when a public official holds two public offices – SGMA legislation sets up to the GSA to have GSA eligible agencies on the board – Incompatible Offices separate and SGMA would override with specific legislation
 - Also brought up GSA-Eligible Agency March Summary Meeting Notes. It was noted that language had changed from being specific as to committee membership to generic
 - Irrespective of vote to join JPA, all IWVWD directors would like to see as much participation by stakeholders as possible
- Kern County
 - Kern previously determined that EKCRCd is not eligible because they are not elected but appointed by Kern County– since not elected not accountable – also have no funding .The State Water Resources Control Board offered a non-binding, advisory opinion. However, the JPA Board will make the determination whether or not the EKCRCd should be on the Board.

Indian Wells Valley Groundwater Basin

GSA-Eligible Agencies Group

- City
 - ECKRCD also has no policing authority – regarding ECKRCD joining JPA, JPA Board will have to make formal decision in the near future
- City
 - Resolution to join JPA will be on agenda for August 3rd City Council meeting – delayed due to absence of a Council member –
- Kern County
 - Resolution to join JPA on calendar for July 19th – Mojave Pistachio optimistic about working with GSA
- IWVWD
 - Does not think mutual water companies are trying to push their way onto JPA Board – MWC's want assurances of meaningful participation on committees and don't see that as the documents stand now
 - If JPA board moves forward without more assurances for meaningful participation, they may consider litigation
- Facilitator
 - Meadow Brook Dairy has said they want meaningful participation – need to start thinking about what the advisory committee(s) would do and who would be on it
- City
 - JPA will have to take up bylaws and other things before committees
- Kern County
 - Gresham has it in writing that they will have meaningful participation – will be in bylaws
- City
 - Need to set expectations – will have a lot to do – so won't be the first task accomplished
- Kern County
 - Kern BoS could provide direction to staff to work on committees –
- City
 - Perhaps form an Adhoc committee to discuss meaningful participation and Committee composition?
- Kern County
 - Interested in demonstrating and showing how it will work and what meaningful participation looks like
 - Need fair representation from all aspects of our community – showing specific value of community, how the committee will be formed, and their charge
 - Committees have to have structure and have information flow back and forth – locals can help us construct
- Kern Legal
 - 92 court cases purport to define term “meaningful participation” – depends on circumstances – “An opportunity to present one views and for fairness”

Indian Wells Valley Groundwater Basin

GSA-Eligible Agencies Group

TIMING OF FIRST JPA MEETING

- Has to be within 45 days of July 15, or by August 29th
- Current Board and Council Meeting Schedules
 - IWWVD – second Mondays
 - Kern – Every Tuesday
 - City – First and third Wednesday – School Board meets on Thursday
 - Kern – Planning committees meet on 2nd and 4th Thursdays
- Schedule for first JPA meeting either August 19 or 25 at 10 AM at City hall
 - Agenda will mainly be housekeeping
 - Regular meeting time, principal office, conflict of interest code
 - JPA Members will have to have paid by August 15th to sit on the JPA Board
 - Agenda to come from Alan and Phil
- Kern County
 - Suggests annual rotation Chairman of Board amongst City, Water District, and Kern County including legal counsel
 - Counsels of Boards and City will need to discuss and have conflict of interest policy

ACTION ITEMS

- Get out email regarding first JPA meeting
- List of timing of JPA formation
- Prepare and transmit Meeting Summary Notes