

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

Ridgecrest City Hall 100 W California Ave., Ridgecrest, CA 93555 760-499-5002

BOARD OF DIRECTORS

A G E N D A

Thursday, August 20, 2020

Closed Session 10:00 a.m.

Open Session 11:00 a.m.

Adjourned in part to
10:00 am Friday, August 21, 2020

NOTICE: *In accordance with the evolving public health declarations, we are temporarily limiting public attendance to virtual alternatives only. Please see the Public Comment Notice below for detailed instructions on submitting public comment as well as websites for livestream broadcasting. Telephonic participation by the majority of Board Members and staff is expected.*

SPECIAL NOTICE ON COMMENTS FOR PUBLIC HEARING AGENDA ITEMS 10, 11, 17 and 18: Given the nature of these agenda items, it is requested and highly recommended that those wishing to address the Board contact *April Nordenstrom* (at (760) 384-5511 or by email at apriln@iwwvd.com) and notify her of which items you wish to address and provide a written comment and/or a phone number that can be used to call you during comment portion of those agenda items. Normal call in procedures will also be used but by providing your written comment and/or number before the close of business the day before the individual item is heard you will greatly assist the efficiency of receiving and responding to comments for these items.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact April Nordenstrom at (760) 384-5511. Requests must be made as early as possible and at least one full business day before the start of the meeting. Documents and material relating to an open session agenda items that are provided to the IWVGA Board of Directors prior to a regular meeting will be available for public inspection and copying at Indian Wells Valley Water District, 500 Ridgecrest Blvd, Ridgecrest, CA 93555, or online at <https://iwwvga.org/>.

Statements from the Public

The public will be allowed to address the Board during Public Comments about subjects within the jurisdiction of the IWVGA Board and that are NOT on the agenda. No action may be taken on off-agenda items unless authorized by law. Questions posed to the Board may be answered after the meeting or at future meeting. Dialog or extended discussion between the public and the Board or staff will be limited in accordance with the Brown Act. The Public Comments portion of the meeting shall be limited to three (3) minutes per speaker. Each person is limited to one comment during Public Comments.

Due to the length of the agenda, one or more recesses should be expected.

1. CALL ORDER
2. PUBLIC COMMENT ON CLOSED SESSION
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.

4. OPEN SESSION - 11:00 a.m.

- a. Report on Closed Session
- b. Pledge of Allegiance
- c. Roll Call

5. PUBLIC COMMENTS

This time is reserved for the public to address the Board about matters NOT on the agenda. No action will be taken on non-agenda items unless authorized by law. Comments are limited to three minutes per person.

6. CONSENT AGENDA

- a. Approve Minutes of Board Meeting July 16, 2020
- b. Approve Expenditures
 - i. \$212,778.67 – Stetson Engineers (June and July Invoice)
 - ii. \$18,543.75 – Capitol Core Group
 - iii. \$475.00 – Association of California Water Agencies

7. AMENDMENT TO ADVANCED FUNDS AGREEMENT WITH INDIAN WELLS VALLEY WATER DISTRICT

8. BOARD CONSIDERATION AND ADOPTION OF PUMPING VERIFICATION REPORTS

9. BOARD CONSIDERATION AND POSSIBLE APPROVAL OF VARIANCE REQUESTS TO ORDINANCE NO. 01-20 BY MEADOWBROOK DAIRY AND QUIST FARMS

10. PUBLIC HEARING FOR FRANK BELLINO FOR FAILURE TO REGISTER, REPORT AND PAY GROUNDWATER EXTRACTION FEES (*see special notice on comments above*)

11. PUBLIC HEARING FOR PEARSONVILLE PARK FOR FAILURE TO REPORT AND PAY GROUNDWATER EXTRACTION FEES (*see special notice on comments above*)

12. WATER RESOURCES MANAGER REPORT

- a. Report on Proposition 1 Grant Status
- b. Proposition 68 Grant Status Update
- c. TDS Sampling and Testing Results
- d. Isotopes Sampling and Testing Results

- e. Schedule

13. GENERAL MANAGER'S REPORT

- a. Monthly Financial Report
- b. Report on IWVGA's Water Marketer (Capitol Core Group)
- c. Severely Disadvantaged Communities (SDAC) Programs Update
- d. General Manager Recruitment
- e. Delinquent Accounts
- f. Meter Ordinance Compliance (Ordinance 01-20)
- g. Well Registration Update

14. CLOSING COMMENTS

This time is reserved for comments by Board members and/or staff and to identify matters for future Board business.

15. ADJOURN MEETING TILL 10:00 a.m. FRIDAY, AUGUST 21, 2020

FRIDAY, AUGUST 21, 2020 10:00 a.m.

16. OPEN SESSION – 10:00 a.m.

- a. Pledge of Allegiance
- b. Roll Call

17. PUBLIC HEARING AND PROCEEDING ON AND BOARD'S CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE 03-20 ESTABLISHING A BASIN REPLENISHMENT FEE AND ADOPTION OF RELATED CEQA FINDINGS (*see special notice on comments above*)

18. PUBLIC HEARING AND BOARD CONSIDERATION AND ADOPTION OF RESOLUTION 05-20 REGARDING A TRANSIENT POOL AND FALLOWING PROGRAM AND ADOPTION OF RELATED CEQA FINDINGS (*see special notice on comments above*)

19. DATE AND TIME OF NEXT MEETING – September 17, 2020

20. ADJOURN

PUBLIC COMMENT NOTICE

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, relating to the convening of public meetings in light of the COVID-19 pandemic. At this time, the Indian Wells Valley Groundwater Authority is continuing to hold board meetings in order to conduct essential business. However, as suggested by the Center for Disease Control and set forth in the Executive Order, we are temporarily limiting public attendance through the following virtual alternatives:

- **Watch meetings on-line:**

All of our meetings are streamed live at <https://ridgecrest-ca.gov/369/Watch> (4 second streaming delay) or on YouTube at <https://www.youtube.com/cityofridgecrest/live> (22 second streaming delay) and are also available for playback after the meeting.

- **Call in for public comments:**

If you wish to make verbal comment, *please call (760) 499-5010*. This phone line will allow only one caller at a time, so if the line is busy, please continue to dial. We will be allowing a 20-30 second pause between callers to give time for media delays and callers to dial in. Due to media delays, please mute your streaming device while making public comment. If you wish to comment on multiple items, you will need to call in as each item is presented.

*Please Note – This process will be a learning curve for all, *please be patient*.

- **Submit written comments:**

We encourage submittal of written comments supporting, opposing, or otherwise commenting on an agenda item, for distribution to the Board prior to the meeting. Send emails to apriln@iwvwd.com written correspondence may be sent to April Nordenstrom, Clerk of the Board, 500 W. Ridgecrest Blvd., **Ridgecrest, CA 93555**. Please specify to which agenda item your comment relates.

- **Large Groups:**

If you are part of a large group that would like to comment on an agenda item, please consider commenting in writing. This will be as impactful to the Board as having a large group in attendance.