

# 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 Wednesday, October 13, 2021; 10:00 a.m.

### IWVGA Members Present:

Chairman Scott Hayman, City of Ridgecrest	Carol Thomas-Keefer, IWVGA General Manager
Phillip Peters, Kern County	Keith Lemieux, Legal Counsel
Stan Rajtora, IWVWD	Steve Johnson, Stetson Engineers
John Vallejo, Inyo County	Commander Benjamin Turner, US Navy, DoD Liaison
Tim Itnyre, San Bernardino County	April Keigwin, Clerk of the Board

Attending via teleconference is Tim Itnyre and John Vallejo.

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 Hayman at 10:05 a.m.

### 2. BOARD CONSIDERATION AND ADOPTION OF RESOLUTION NO. 07-21 PERTAINING TO AB-361

Motion made by Phillip Peters and seconded by John Vallejo to approve Resolution 07-21 pertaining to AB-361.

Motion carries by the following roll call vote:

Chairman Hayman	Aye
Vice Chair Rajtora	Absent
Director Itnyre	Aye
Director Peters	Aye
Director Vallejo	Aye

### 3. PUBLIC COMMENT ON CLOSED SESSION:

None.

Chairman Hayman calls the meeting into Closed Session at 10:09 a.m.

### 4. CLOSED SESSION:

- CONFERENCE WITH REAL PROPERTY NEGOTIATIONS – (Government Code Section 54956.8) - Property: State Water Project Importation; Agency Negotiator: Capitol Core Group; Negotiating Parties: Various; Under Negotiation: Price and terms of payment.
- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(b)) - Number of cases: (2)
- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9): IWVGA v. Inyokern CSD.

- CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Government Code Section 54956.9(d)(1)) - Name of case: Searles Valley Minerals Inc. v. Indian Wells Valley Groundwater Authority, et. al.
- CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION  
(Government Code Section 54956.9(d)(1)) - Name of case: Mojave Pistachios, LLC, a California limited liability company, et.al. v. Indian Wells Valley Groundwater Authority, a California Joint Powers Authority, et. al.

Closed Session adjourned at 11:17 a.m.

**5. OPEN SESSION:**

Meeting reconvenes into Open Session at 11:20 a.m.

- a. Report on Closed Session:  
Counsel Lemieux reports no action was taken that would require disclosure under The Brown Act.
- b. The Pledge of Allegiance is led by Chairman Hayman
- c. April Keigwin calls the following roll call:

Chairman Hayman	Present
Vice Chair Rajtora	Present
Director Itnyre	Present
Director Peters	Present
Director Vallejo	Present

**6. PUBLIC COMMENT:**

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

**7. CONSENT AGENDA:**

- a. Approve Minutes of Board Meeting September 8, 2021.
- b. Conflict Waiver Letter
- c. Approve Expenditures  
*\*To view itemized invoices please visit <https://iwvga.org/iwvga-meetings>*
  - i. \$54,904.50 – Stetson Engineers
  - ii. \$18,575.00 – Regional Government Services – (Replenishment / Extraction)
  - iii. \$17,831.25 – Capitol Core Group – (Replenishment)
  - iv. \$1,000.00 – Brown Armstrong – (Extraction)

The Board hears public comment from Judie Decker and Renee Westa-Lusk.

Motion made by Phillip Peters and seconded by Stan Rajtora to approve Minutes of Board Meeting September 8, 2021, Conflict Waiver Letter and the following expenditures in the amount of \$54,904.50 to Stetson Engineers, \$18,575.00 to Regional Government Services, \$17,831.25 to Capitol Core Group, and \$1000.00 to Brown Armstrong.

Motion carries by the following roll call vote:

Chairman Hayman	Aye
Vice Chair Rajtora	Aye
Director Itnyre	Aye
Director Peters	Aye
Director Vallejo	Aye

**8. WATER RESOURCES MANAGER REPORT:**

Steve Johnson and Joseph Montoya provide updates on the following grants/programs:



- a. Grant Funding
  - i. Proposition 1
  - ii. Proposition 68
- b. GSP Implementation Projects/Management Action Updates
  - i. Recycled Water Program
  - ii. Project No. 4 – Shallow Well Impact Mitigation Program Update
- c. Miscellaneous Items
  - i. Policy on Temporary Use

The Board hears public comment from Renee Westa-Lusk. Josh Nugent, Judie Decker, and Don Decker.

**9. RECORD RETENTION / DESTRUCTION POLICY:**

Counsel Lemieux provides a staff report and policy (documents made available on the IWVGA website).

The Board hears public comment from Don Decker.

Motion made by Phillip Peters and seconded by Stan Rajtora to approve the record retention and destruction policy with the edit that the policy will only subject board and staff of other agencies to GA related records. Motion carries by the following roll call vote:

Chairman Hayman	Aye
Vice Chair Rajtora	Aye
Director Itnyre	Aye
Director Peters	Aye
Director Vallejo	Aye

**10. BOARD CONSIDERATION OF BOND COUNSEL AGREEMENT WITH WULFF HANSEN:**

Wulff Hansen representative Roy Nelson provides a report, agreement and resolution (documents made available on the IWVGA website).

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

Motion made by Phillip Peters and seconded by Scott Hayman approving the bond counsel agreement with Wulff Hansen.

Motion carries by the following roll call vote:

Chairman Hayman	Aye
Vice Chair Rajtora	Nay
Director Itnyre	Aye
Director Peters	Aye
Director Vallejo	Aye

**11. 6-MONTH CHECK IN WITH REGIONAL GOVERNMENT SERVICES:**

Carol Thomas-Keefer provides 6-month check in report from Regional Government Services (documents made available on the IWVGA website).

**12. GENERAL MANAGER’S REPORT:**

Carol Thomas-Keefer provides the Monthly Financial Report. Jeff Simonetti of Capitol Core Group provides a Technical Memorandum discussing the status of potential alternate water supply purchases (documents made available on the IWVGA website).

The Board hears public comment from Denise Kight, Judie Decker and Renee Westa-Lusk.

**13. PAC/TAC REPORT:**

PAC Chair, David Janiec gives a report from the September 22, PAC Meeting (document made available on the

IWVGA website). Steve Johnson provides a status update on TAC reengagement.

**14. CLOSING COMMENTS:**

Vice Chair Rajtora requests the 2020 Water Year Report be sent to the TAC for review. Rajtora states he would like to see the 2020 audit completed soon as well as the 2022 Budget.

Director Peters appreciates the input provided by Alan Christensen regarding the GA being mindful of using its resources efficiently.

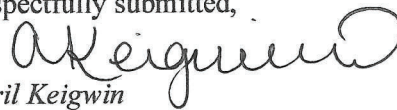
Director Vallejo expresses concerns with comments made by Indian Wells Valley Water District (IWVWD) Board Members at recent meetings and states that given these comments and the groundwater adjudication filed by IWVWD, there is a cause for concern with them assuming the role of Chair and General Counsel for the IWVGA as stated in section 3.2 of the Bylaws. Vallejo asks that staff review this matter and return with a recommendation regarding next year's rotation.

**15. DATE OF NEXT MEETING – November 10, 2021**

**16. ADJOURN:**

Chairman Hayman adjourns the meeting at 1:54 p.m. on October 13, 2021.

Respectfully submitted,



*April Keigwin*

Clerk of the Board

Indian Wells Valley Groundwater Authority