

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, November 10, 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, Carol Thomas-Keefer.

Meeting recording and public comment letters submitted are made available at:

1. CALL TO ORDER:

The meeting is called to order by Chairman Hayman at 10:09 a.m.

2. AB-361 FINDING:

Motion made by John Vallejo and seconded by Phillip Peters to make a finding that health and safety risks as stated in AB-361 are still of concern.

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 10:16 a.m.

Vice Chair Rajtora joins the meeting for Closed Session

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 11:02 a.m.

5. OPEN SESSION:

Meeting reconvenes into Open Session at 11:08 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 Mike Neel, Josh Nugent, Elaine Mead, Nick Panzer, West Katzenstein, and Judie Decker.

7. CONSENT AGENDA:

- a. Approve Minutes of Board Meeting October 13, 2021.
- b. Approve Resolution 09-21 – Approval of PAC Membership Application for Regina Troglin
- c. Approve Expenditures

**To view itemized invoices please visit <https://iwvga.org/iwvga-meetings>*

- i. \$51,093.35 – Stetson Engineers
- ii. \$20,377.25 – Regional Government Services – (Replenishment / Extraction)
- iii. \$10,000.00 – Capitol Core Group – (Replenishment)
- iv. \$314.80 – Wellntel – (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 October 13, 2021, Resolution 09-21 and the following expenditures in the amount of \$51,093.35 to Stetson Engineers, \$20,377.25 to Regional Government Services, \$10,000.00 to Capitol Core Group, and \$314.80 to Wellntel.

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. 1 – Surface Percolation Replenishment
 - iii. Project No. 4 – Shallow Well Impact Mitigation Program Update
- c. Miscellaneous Items
 - i. Policy on Temporary Use
 - ii. Annual Report for Water Year 2021

The Board hears public comment from Josh Nugent, Don Decker, Nick Panzer, West Katzenstein, Judie Decker, Mike Neel and Renee Westa-Lusk.

9. BOARD REVIEW AND APPROVAL OF 2022 BUDGET:

Carole Thomas-Keefer presents 2022 budget (documents made available on the IWVGA website).

The Board hears public comment from Josh Nugent, Nick Panzer, Judie Decker, Renee Westa-Lusk and Mike Sinnott.

Motion made by Phillip Peters and seconded by Scott Hayman to approve the 2022 Budget.
Motion carries by the following roll call vote:

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

10. GENERAL MANAGER’S REPORT:

Carol Thomas-Keefer provides the Monthly Financial Report and 2022 Board rotation update. Jeff Simonetti of Capitol Core Group provides a Technical Memorandum and Sustainable Groundwater Management Act comment letter to be sent to Department of Water Resources (DWR). Roy Nelson of Wulff Hansen provides a presentation highlighting rates available in the current market (documents made available on the IWVGA website).

The Board hears public comment from Josh Nugent, Nick Panzer, Mike Neel, Renee Westa-Lusk and Mike Sinnott.

*Chairman Hayman calls for a recess at 2:00 p.m.
Meeting reconvenes at 2:06 p.m.*

11. PAC/TAC REPORT:

PAC Chair, David Janiec gives a report from the October 28, PAC Meeting (document made available on the IWVGA website). Steve Johnson provides a status update on TAC reengagement.

12. CLOSING COMMENTS:

Vice Chair Rajtora questions how the loan from the augmentation fund to the pump fee in the 2022 budget will be paid back. Rajtora further states he would like to see project costs associated with each revenue stream applied to the appropriate funding source.

Director Vallejo addresses the numerous public comments concerning the facilitation letter received from DWR. Vallejo states it would be unwise to get involved in facilitation discussions while there is outstanding litigation as well as a groundwater adjudication. He further states that once the litigation items are resolved he feels the

GA should get involved to continue the dialogue in a way that won't compromise the ability of the GA to move forward with acquiring a sustainable groundwater future for the Basin.

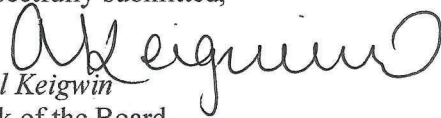
Chairman Hayman addresses Vice Chair Rajtora's comments about the budget and states that revenue would cover project costs if there weren't numerous lawsuits going on.

13. DATE OF NEXT MEETING – December 8, 2021

14. ADJOURN:

Chairman Hayman adjourns the meeting at 3:04 p.m. on November 10, 2021.

Respectfully submitted,



April Keigwin

Clerk of the Board

Indian Wells Valley Groundwater Authority