

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, June 18, 2020

Closed Session 10:00 a.m.

Open Session 11:00 a.m.

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.*

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://iwvga.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 May 21, 2020
- b. Approve Expenditures
 - i. \$3,542.50 - RWG Law
 - ii. \$113,815.49 - Stetson Engineers
 - iii. \$9,412.50 - Capitol Core Group
 - iv. \$14,000 – Packwrap Prop 218 Notice; Quote Received: \$10,705.24 17,000 Self-mailers

7. BOARD CONSIDERATION AND APPROVAL OF LITIGATION TOLLING AGREEMENTS WITH MEADOWBROOK DAIRY, MOJAVE PISTACHIO, AND SEARLES VALLEY MINERAL

8. BOARD CONSIDERATION AND ADOPTION OF RESOLUTION 05-20 – ESTABLISHING A REPORTING POLICY FOR ALL NEW GROUNDWATER EXTRACTION WELLS IN THE BASIN

9. BOARD CONSIDERATION AND INTRODUCTION OF ORDINANCE 02-20 AND SUPPORTING DATA PACKAGE AMENDING ORDINANCE 02-18 TO PROVIDE FOR A NEEDED INCREASE IN THE CURRENT GROUNDWATER EXTRACTION FEE DUE TO INCREASED STUDIES AND LITIGATION COSTS

10. BOARD CONSIDERATION AND PRELIMINARY ADOPTION OF REPORT ON THE INDIAN WELLS VALLEY GROUNDWATER BASIN’S SUSTAINABLE YIELD OF 7,650 ACRE-FEET AND SETTING HEARING ON SAME FOR JULY BOARD MEETING

11. BOARD CONSIDERATION AND ADOPTION OF ENGINEER’S REPORT FOR THE ADOPTION OF A BASIN REPLENISHMENT FEE, AUTHORIZE THE MAILING OF NOTICES ON THE SAME AND SETTING HEARING FOR AUGUST BOARD MEETING

12. BOARD CONSIDERATION AND PRELIMINARY ADOPTION OF REPORT ON TRANSIENT POOL AND FALLOWING PROGRAM AND SETTING HEARING ON SAME FOR JULY BOARD MEETING

13. WATER RESOURCES MANAGER REPORT

- a. Report on Proposition 1 Grant Status
- b. Severely Disadvantaged Communities (SDAC) Programs Update
- c. Proposition 68 Grant Status Update

- d. Groundwater Pumping Verification
- e. Coso Royalty Funding
- f. Schedule

14. GENERAL MANAGER'S REPORT

- a. Monthly Financial Report
- b. Report on IWVGA's Water Marketer (Capitol Core Group)
- c. General Manager Recruitment
- d. Delinquent Accounts
- e. Well Registration Update

15. CLOSING COMMENTS

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

16. DATE AND TIME OF NEXT MEETING – July 16, 2020

17. 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@iwwvd.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. All communication, whether it is a formal letter or an online informal email, is read by the Clerk of the Board.

- **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 Council as having a large group in attendance.