

MINUTES OF THE REGULAR BOARD MEETING

BOARD OF DIRECTORS
INDIAN WELLS VALLEY WATER DISTRICT

JULY 10, 2023

The Regular Meeting of the Board of Directors of the Indian Wells Valley Water District was called to order by President Boyd at 4:30 p.m. in the Board of Directors Hearing Room, 500 West Ridgecrest Boulevard, Ridgecrest, California. **CALL TO ORDER**

The Pledge of Allegiance was led by Jason Lillion. **PLEDGE**

DIRECTORS PRESENT: President Mallory J. Boyd
Vice President Ronald R. Kicinski
Director Charles D. Griffin
Director Stan G. Rajtora
Director David C.H. Saint-Amand **ROLL CALL**

DIRECTORS ABSENT: None.

STAFF PRESENT: Don Zdeba, General Manager
Jim Worth, Attorney
Jason Lillion, Operations Manager
Renée Morquecho, Chief Engineer
Lauren Smith, Recording Secretary

AGENDA DECLARATION **AGENDA DECLARATION**
Recording Secretary, Lauren Smith, reported that the agenda for today's Regular Board Meeting was posted on Thursday, July 6, 2023.

CONFLICT OF INTEREST DECLARATION **CONFLICT OF INTEREST**
Director Saint-Amand stated his opinions shared during this meeting are his own and do not necessarily reflect the opinions of his employer, nor the Board.

PUBLIC QUESTIONS AND COMMENTS ON CLOSED SESSION **PUBLIC COMMENTS**
None.

With no further Board or Public comments, President Boyd recessed the meeting and adjourned to Closed Session at 4:32 p.m.

CLOSED SESSION **CLOSED SESSION**
The meeting was reconvened in Closed Session at 4:37 p.m.

Closed Session was adjourned at 5:55 p.m.

The meeting was reconvened to Open Session at 6:00 p.m.

No action was taken which would require disclosure under the Brown Act.

PUBLIC QUESTIONS AND COMMENTS

The Board heard public comment from Mike Neel and Judie Decker.

**PUBLIC
COMMENTS**

CONSENT CALENDAR

MOTION: was made by Vice President Kicinski and seconded by Director Saint-Amand approving the Minutes of the June 12, 2023, Regular Board Meeting, June 20, 2023, Special Board Meeting, June 27, 2023, Special Board Meeting, and Payment of Accounts Payable totaling \$933,384.40. Motion was carried, unanimously. (Ayes: Boyd, Griffin, Kicinski, Rajtora, Saint-Amand. Nays: None. Absent: None.)

**CONSENT
CALENDAR**

FINANCE COMMITTEE

The Board reviewed an Adjusted 2023-2024 General Fund budget proposal.

**FINANCE
2023-'24 GEN
FUND BUDGET**

In February, the District migrated its financial system to the Springbrook Cloud platform. This gave staff access to new report writing software. Unfortunately, the staff discovered the report used for consumption data has returned erroneous information. As such, the staff has revised the budget with consumption of approximately 5,100 acre-feet, a 5% reduction from the previous 12 months of consumption, and presented the revisions to the Finance Committee. With the proposed adjustments, the District will continue to meet its debt service obligation and operational reserve goals.

The proposal projects revenues at \$17,008,848 and expenses at \$17,690,677 for a difference in which expenses exceed revenues of \$681,829. The committee noted that the proposed expenditures still include GA fees based on 4,180 acre-feet replenishment-free allotment, as opposed to the 4,390. As the District is currently paying based on the 4,390-acre feet, the projected additional savings not represented within the budget is approximately \$400k.

The Board heard public comment from Mike Neel.

MOTION: was made by Vice President Kicinski and seconded by Director Rajtora approving the 2023-2024 General Fund Budget as presented. (Ayes: Boyd, Griffin, Kicinski, Rajtora, Saint-Amand. Nays: None. Absent: none.)

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY (IWVGA)

IWVGA

Director Griffin discussed action items of the June 14, 2023, IWVGA meeting, including:

- Next IWVGA meeting is scheduled for July 12, 2023
- Receive and file the 2021 Financial Audit conducted by Brown Armstrong. Director Griffin clarified the District's stance on paying the Replenishment Fee, regardless if it was found invalid
- Communication & Engagement Plan updates and discussion
- Resolution No. 06-23: Providing procedure to address legislative response needs of the authority. Director Griffin voted against this resolution; however, it was passed
- Supplemental monitoring to address wet conditions request by Department of Water Resources (DWR)

Director Griffin addressed a recent letter released on June 20, 2023, by Carol Thomas-Keefer, IWVGA General Manager. The letter includes the following statement:

"...encourage the IWVGA Board and other local parties to consider the Las Posas settlement - specifically the adoption of the basin's approved GSP as the court-approved management plan - as a model for resolving our local groundwater management conflicts."

Director Griffin stated he was opposed to this letter being written, especially on letterhead with his name on it, and was not made aware of it prior to its release.

The Board heard public comment from Judie Decker and Mike Neel.

COMPREHENSIVE ADJUDICATION

COMPREHENSIVE ADJUDICATION

Jim Worth reported that a judge still has not been assigned by the judicial council. The District is currently working on a petition to the Supreme Court of California directly requesting an assignment of Judge Claster.

The next Case Management Conference is scheduled for September 1, 2023; at 2:30 p.m.

The Board heard public comment from Mike Neel and Rene Westa-Lusk.

GENERAL MANAGER AND STAFF UPDATE

GENERAL MANAGER AND STAFF UPDATE SAFETY, PRODUCTION & NEW SERVICES

Don Zdeba reported as of today, employees at the Water District have worked 188 days since the last recordable injury.

Metered production at the wells for the month of June was 182,423,000 gallons (559.8 acre-ft). The number the State Water Resources Control Board (SWRCB) is using for comparison is metered water through the distribution system, or consumption, and non-revenue water which is water lost to leaks, flushing activities, blow-offs, etc. That number is 165,675,000 gallons (508.4 acre-feet). Since last June there has been a requirement from the State Board to submit a preliminary report with consumption, population, and R-gpcd by the third business day of the month. Both the preliminary short report and the full report, which is due by the 28th of the month, were submitted July 5th. The conservation results for June show consumption down 35.0% compared to June of 2013, the baseline year established by the State Water Board. The 20% conservation target established by the District Board took effect in June 2016 for comparison. Through June the cumulative result is at 24.1%.

In response to Governor Newsom's request for a voluntary 15% reduction to address current drought conditions, the State Board is also comparing current water consumption to the same month in 2021. Comparing June 2023 to June 2021, there is a 9.8% reduction in consumption. Comparing the June conservation results to recent years, consumption in 2022 was 31.7% lower than the 2013 baseline year, 2021 was 27.9% lower, 2020 was 30.9% lower, and 2019 was 37.6% lower.

The Residential gallons per capita per day (R-gpcd) for the month was 135.4. This includes both indoor and outdoor usage. There were four new connections added during the month. There have been 33 new connections during this fiscal year which began July 1st, including one

pre-paid. The 33 connections have contributed \$238,240 in Capital Facility Fees.

Mr. Zdeba reported that due to the 4th of July holiday falling on the first Tuesday of the month, the Community Collaborative meeting at City Hall has been rescheduled for tomorrow, July 11th.

PUBLIC
OUTREACH

A reminder, the exhibit entitled, "Artistic Water-Wise Landscape" continues on display at the Maturango Museum through October 22nd. The exhibit includes promotion of the District's WaterSmart program.

Staff continues to work with Providence Strategic Consulting to promote WaterSmart on social media. As of this morning, there are 1,613 active WaterSmart accounts accounting for 12.1% of customers. There were 1,256 customer alerts issued in June and there have been 13,014 in the past twelve months.

The Board was asked to send their agenda requests to President Boyd, Don Zdeba, and Lauren Smith no later than July 17th. The mid-year Board Workshop is scheduled for July 25, 2023; at 9:00 a.m.

MID-YEAR
BOARD WS

LADWP continues to release water from the aqueduct at two of the five locations in the Indian Wells Valley; Sage sand trap and Freeman sluice gate. After significant daily changes in the leading edge of the releases, last week flow extended north of Inyokern Road onto the base. The movement of the releases continues to be monitored regularly. As of yesterday, an estimated 9,489.4 acre-feet have been released into the basin. Word from the North Aqueduct Operations staff is that they are near the end of their spreading near Indian Wells Valley and have started to turn down some flows this past week and will work towards turning down more in the next couple of weeks.

STATUS
LADWP
RELEASES

ON

LADWP is providing regular updates on release points and rates and the information is being passed on to interested parties including the Navy, the Coso geothermal operation, and Stetson staff.

Fish and Wildlife finally acknowledged the Stream Alteration Agreement application staff submitted May 19th on June 19th. In their response they requested much more detail on the project including the source of material to be used, if it will be imported, how the temporary dams will be dismantled and the material disposed of, how the determination will be made when to remove the dams, and how impacts to desert tortoise and Mojave ground squirrel will be avoided if flows overtop the banks of the wash. They also advised to allow 30 days for their staff to review the new information and 60 days to approve the agreement. The information requested would require additional staff time and resources and based on the most recent information it is highly likely the releases from the aqueduct will have ceased by then. Staff believes resources should focus on long-term recapture solutions for future releases.

Mr. Zdeba reported the original indoor standard set by the bills was 55 gallons per person per day (gpcd) until January 2025, 52.5 gpcd until 2030, and 50 gallons gpcd after 2030. SB 1157 proposed a revised indoor standard of 55, 47, and 42 at the same milestones. SB 1157 passed the Senate last August with 28 voting in favor of the bill.

SB 606 & AB
1668

The Association of California Water Agencies (ACWA) submitted a letter to the Governor September 2nd requesting he veto the bill, but the bill

was signed September 28th. ACWA believes standards should be individually and locally feasible and eligible variances, as they are currently being considered, are not feasible requiring significant burden of proof and technical assistance for compliance. ACWA has established three work groups and set a schedule of regular meetings. The Outdoor Working Group was to meet Monday afternoons, starting June 12th, from 1:00 - 2:00 pm, for a total of 4 weeks. The Commercial/Institutional/Industrial Working Group was to meet Tuesday afternoons, starting June 13th, from 1:00 - 2:30 pm, for a total of 8 weeks. The Methodologies & Variances Working Group was to meet Wednesday afternoons, starting June 14th, from 2:00 - 3:30 pm, for a total of 8 weeks. However, every meeting has been canceled to date because the SWRCB has not yet released updated material to review.

The Motor Control Center (MCC) for the Booster Station is expected the last week of July, early August. Installation of the pumps is expected to begin the last week of July. Disinfection and filling of the College tank took place today. Once filled, bacteriological samples will need to be taken, along with addressing minor items identified during the initial Division of Drinking Water inspection prior to receiving permission from the state to begin using the tank.

BOOSTER
STATIONS &
TNKS

Debris was found in the new C-zone tank, upon diving inspection, cardboard was discovered and removed.

The estimated year-to-date revenues as of June 30, 2023, are \$16,275,743 and expenses are \$16,607,459. Expenditures exceeded revenues by \$331,716, which is better than budget by \$396,569. Estimates for the larger accruals have been included, but there will be additional accruals as staff closes the fiscal year.

FINANCIAL
STATUS

Due to an internal issue, ENGIE was unable to provide the solar production report until Friday, thus it not being in the Board packet. For June, the actual savings was \$53,296.31 and the guaranteed savings \$50,906.45. The total savings this fiscal year is \$574,604.54. At the Well 35 site (Phase 2), the actual savings for June was \$2,350.87 and guaranteed was \$2,085.11. The total savings since at the Well 35 site this calendar year is \$11,265.35.

SOLAR
PRODUCTION

Mr. Zdeba reported on the following conservation items:

CONSERVATION

State Water Resources Control Board (SWRCB) Water Waster Report - Thus far in 2023, there have been a total of 56 water waste reports received with 56 contacts made. There has been 22 formal Second Notices and seven penalties issued.

Staff awaits the decision if any funding will be received from the DCIP grant application. The results of the application are due to be announced sometime in the beginning of August. Staff continues to work on possible alternate sources of funding, should the grant application not be approved.

INYOKERN RD
TRANSM. MAIN

Plant 2 is running into the system and produced 50,211,000 gallons for the month. Staff has loaded the vessels with the support media under the supervision of Pureflow. Pureflow approved the loading technique and results and were extremely complimentary of staff's professionalism throughout the process. Staff has since loaded all the extra treatment media that was stored. Staff is now in the process of leveling the treatment media to establish what more needs to be added. Once that is determined, staff can begin screening the media recovered from the

ARSENIC
TREATMENT

treatment media to establish what more needs to be added. Once that is determined, staff can begin screening the media recovered from the vessels, with the goals of two vessels completed and Well 11 back in service.

Mr. Lillion reported for the month of June, 10 services were repaired and 24 were replaced. The NO-DES truck made five runs in June, filtering 66,630 gallons. Since inception, the NO-DES truck has filtered 8,880,645 gallons. 0 valves were exercised. OPERATIONS

BOARD COMMENTS/FUTURE AGENDA ITEMS

**BOARD
COMMENTS**

Director Saint-Amand requested an item on the workshop agenda to discuss the mandate of battery-operated vehicles in California after 2035.

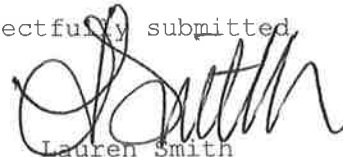
President Boyd and Director Rajtora thanked the public for their participation and the staff for their continued professionalism as recognized by Pureflow.

ADJOURNMENT

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned at 7:22 p.m.

Respectfully submitted,



Lauren Smith

Recording Secretary

APPROVED: August 14, 2023