

MINUTES OF THE SPECIAL BOARD MEETING

BOARD OF DIRECTORS
INDIAN WELLS VALLEY WATER DISTRICT

OCTOBER 9, 2020

The Special Meeting of the Board of Directors of the Indian Wells Valley Water District was called to order by Vice President Saint-Amand at 9:39 a.m. via WebEx. **CALL TO ORDER**

The Pledge of Allegiance was led by Director Kicinski. **PLEDGE**

DIRECTORS PRESENT: Director Donald J. Cortichiato
Director Ronald R. Kicinski
Director Stan G. Rajtora
Vice President David C.H. Saint-Amand **ROLL CALL**

DIRECTORS ABSENT: President Charles F. Cordell

STAFF PRESENT: Jim Worth, Attorney;
Don Zdeba, General Manager;
Lauren Duffy, Recording Secretary

AGENDA DECLARATION

**AGENDA
DECLARATION**

Recording Secretary, Lauren Duffy, reported that the agenda for today's Special Board Meeting was posted on Wednesday, October 7, 2020.

CONFLICT OF INTEREST DECLARATION

**CONFLICT OF
INTEREST**

None.

PUBLIC QUESTIONS AND COMMENTS

**PUBLIC
COMMENTS**

Lauren Duffy read the following comments for the record on behalf of Mike Neel: "Here you are, for one of many to come closed sessions to discuss lawsuits. Why? Because the GA, led by Mick Gleason's rabid push to pass a District wide fundamentally distasteful and financially disastrous fee that will push many low income people to extinction, has now embroiled you in at least three lawsuits to date and apparently three more are potential. So, the People in your District get to pay the lawyers twice or three times. Once to represent the Water District, next the GA proper and third likely the City. basically, any entity in the GA. So, I ask, who is "benefiting" from this ambitious scheme to play water banker and buy water we have no way to bring in. Just one group, the lawyers. You get to take the heat, the People get to pay the money, and the lawyers get rich. Meanwhile, we all feel betrayed and most cannot figure out who to blame.

So, while you listen to your lawyer tell you (and us, but we can't hear it) how to bear this burden, start to think please of ways to counteract this attack on the populace and the People in your District, at least temporarily. If you cannot come up with any ideas, I may have one to present to you next week. One which will be presented in public so all can hear.

In the meantime, I ask that you task your lawyer with one useful action for the sake of your rate payers. Have him review carefully the

claim that the Wilde vs City of Dunsmuir case actually disallows the application of the referendum request for repeal of the replenishment fee that was presented to the GA on Sep 17. I have read it and believe that it only applies to water rates passed by utilities, which the GA is most certainly not. If you think that Mr. Hall's claim is in error, then the Water District could benefit it's People greatly by taking the GA to court itself, to have the referendum applied and the replenishment and following fees repealed. That certainly beats a single vote of dissent and then just accepting this odious fee. Just think, that would relieve you and US of almost all these lawsuits. At least you would then trade having one lawsuit against the GA for the three plus you are now looking at due to the GA's erroneous actions. Doesn't that sound better. It would sure sound better to me and the rest of your rate payers. Remember, you were elected to represent us in respect to the provision and cost of our water needs. We are now being taxed unjustly by the GA, and you are in the best position to rectify the problem."

With no further Board or Public comments, President Cordell adjourned to Closed Session at 9:45 a.m.

CLOSED SESSION

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The meeting was reconvened in Closed Session at 9:50 a.m.

The Board recessed for a five-minute break at 10:45 p.m. until 10:50 a.m.

The meeting was recalled to Open Session at 12:08 p.m.

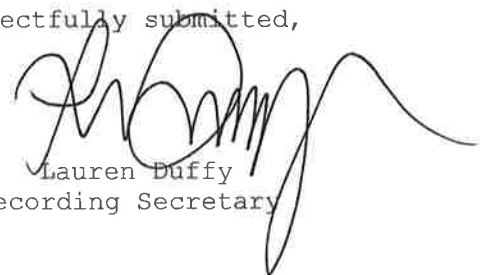
No action was taken which would require disclosure under the Brown Act.

ADJOURNMENT

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With no further business to come before the Board, the meeting was adjourned at 12:09 p.m.

Respectfully submitted,



Lauren Duffy
Recording Secretary

APPROVED: October 13, 2020