

MINUTES OF THE REGULAR BOARD MEETING
& PUBLIC HEARING

BOARD OF DIRECTORS
INDIAN WELLS VALLEY WATER DISTRICT

MARCH 13, 2023

The Regular Meeting and Public Hearing 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 Renée Morquecho. **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
Ty Staheli, Chief Financial Officer
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 tonight's Regular Board Meeting and Public Hearing was posted on Friday, March 10, 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 4:35 p.m.
Closed Session was adjourned at 5:50 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

**PUBLIC
COMMENTS**

The Board heard public comment from April Keigwin.

2021-2022 AUDIT REPORT

**2021-2022
AUDIT REPORT**

A PowerPoint of the 2021-2022 Audit results was presented to the Board by Chris Brown of C.J. Brown & Company CPAs. Mr. Brown reported on the financial highlights of the District such as current assets, current liabilities, total net assets, total revenues, total expenses, capital contributions, and total expenses vs. total revenues.

It is the opinion of C.J. Brown & Company CPAs the financial statements referred to within the audit fairly present the financial position of the District as of June 30, 2022. The District received an unmodified "clean" report. As a result of the audit, no material weaknesses within the District's internal control structure were identified.

MOTION: was made by Director Saint-Amand and seconded by Director Rajtora to receive and file 2021-2022 Audit Report as presented. Motion was carried, unanimously by the following roll call vote:

President Boyd:	Aye
Vice President Kicinski:	Aye
Director Griffin:	Aye
Director Rajtora:	Aye
Director Saint-Amand:	Aye

The Board unanimously agreed to move agenda items No. 11.A. - 11.E. before the Public Hearing agenda item No. 10 to allow for Mark Hildebrand to join the meeting via teleconference.

CONSENT CALENDAR

**CONSENT
CALENDAR**

MOTION: was made by Vice President Kicinski and seconded by Director Saint-Amand approving the Minutes of the February 13, 2023, Regular Board Meeting, Minutes of the February 27, 2023, Special Board Meeting and Public Hearing, and Payment of Accounts Payable totaling \$1,281,520.83. Motion was carried, unanimously by the following roll call vote:

President Boyd:	Aye
Vice President Kicinski:	Aye
Director Griffin:	Aye
Director Rajtora:	Aye
Director Saint-Amand:	Aye

PLANT & EQUIPMENT COMMITTEE

**P&E
AWARD OF
CONTRACT**

The Board reviewed the quote from Pureflow to replace the underdrain system in all three filter vessels at Arsenic Plant 1. (Included in packet.)

Staff recommends the Board approve the Award of Contract to Pureflow in the amount of \$111,000.

MOTION: was made by Director Griffin and seconded by Vice President Kicinski approving the Award of Contract work to Pureflow in the amount of \$111,000.00. Motion was carried, unanimously. (Ayes: Boyd, Kicinski, Griffin, Rajtora, Saint-Amand. Nays: None. Absent: None.)

ADMINISTRATION/EXECUTIVE COMMITTEE

ADMIN/EXEC

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the CSDA for the 2024-2026 term.

CSDA
NOMINATIONS

The Board had no nominations. No action taken.

RESIDENCY REQUIREMENT POLICY

**RESIDENCY
POLICY**

The Board previously directed staff to develop a policy to address the employee residency requirements to include the ability to request a waiver. (Policy included in packet.)

Director Rajtora suggested a slight revision to change the word "necessitate" under "Exceptions:" to read "may justify".

MOTION: was made by Director Griffin and seconded by Director Rajtora approving the Residency Requirement Policy with the aforementioned revision. Motion was carried, unanimously. (Ayes: Boyd, Kicinski, Griffin, Rajtora, Saint-Amand. Nays: None. Absent: None.)

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY (IWVGA)

IWVGA

Director Griffin commented on actions taken at the February 8th and March 8th Board meetings, including:

- Legal announced out of Closed Session that a lawsuit has been filed. It is unknown at this time whom the lawsuit is against.
- Approval of Water Resources Development Act (WRDA) 2024 Amendment for Project Authorization.
- IWVGA approved replacement for the Stark Street Well at the cash value today, and a deepening cost. Estimated total of \$31,000.
- Board did not approve the Heritage Village's request to replace their well.
- Recycling Feasibility Study was approved for submittal to the U.S. Bureau of Reclamation.
- Director Griffin suggested the IWVGA Board develop an Ad-Hoc Committee to look at a well replacement policy.
- Clarification the District does support imported water; however, the District requested all avenues be researched for importing water to the valley.

Mr. Zdeba clarified on a comment that was previously made at the March IWVGA meeting during the Stark Street Well agenda item. The District is not currently in contact with the Local Agency Formation Commission (LAFCo) reviewing its service area.

The Board heard public comments from Judie Decker and Mike Sinnott.

PUBLIC HEARING

**PUBLIC
HEARING
ORDINANCE 107**

President Boyd opened the Public Hearing at 6:46 p.m.

The Board reviewed the presented Ordinance 107: Amending Ordinance No. 106. The Amendment specifically addresses changes to Construction Meter Charges, Bulk Water Station Charges, Private Fire Protection Service Charges, Rates, and Provisions.

The Board heard public comment from Rene Westa-Lusk.

Jim Worth commented on a revision on the Ordinance to correctly reflect Ordinance No. 106, in section 5 of Ordinance 107.

MOTION: was made by Vice President Kicinski and seconded by Director Saint-Amand adopting Ordinance No. 107, amending Ordinance No. 106 and providing for a reference document entitled Water Sales and Service Policy Manual effective April 1, 2023, with the aforementioned comment. Motion was carried, unanimously by the following roll call vote:

President Boyd:	Aye
Vice President Kicinski:	Aye
Director Griffin:	Aye
Director Rajtora:	Aye
Director Saint-Amand:	Aye

With no further Board or public comments, the Public Hearing was closed at 6:54 p.m.

Jim Worth reported on recent actions regarding the Comprehensive Adjudication, including:

**COMPREHENSIVE
ADJUDICATION**

- The next Case Management Conference is scheduled for Friday, March 17, 2023, at 1:30 p.m.
- Parties were ordered by the court to submit a joint Case Management Conference statement.
- Discussions at the Case Management Conference should include de-minimis pumpers and overlying non-users, determination on how they will be handled going forward. Potential trial dates to be set.

The Board heard public comment from Judie Decker.

GENERAL MANAGER AND STAFF UPDATE

**GENERAL
MANAGER AND
STAFF UPDATE
SAFETY,
PRODUCTION &
NEW SERVICES**

Don Zdeba updated the safety record to 69 consecutive days without a recordable injury.

Metered water production at the wells for the month of February was 100,143,000 gallons (307.3 acre-feet). The number the State Water Resources Control Board (SWRCB) is using for comparison is metered water through the distribution system, or consumptions, and non-revenue water which is water lost to leaks, flushing activities, blow-offs, etc. That number is 86,001,000 gallons (263.9 acre-feet). The preliminary and full report were submitted to SWRCB on March 1st. The conservation results for February show consumption down 30.8% compared to February of 2013, the baseline year established by the SWRCB. The 20% conservation target established by the District Board took effect in June 2016 for comparison. Through February the cumulative result

remains at 23.7%. In response to Governor Newsom's request for a voluntary 15% reduction to address current drought conditions, the SWRCB is also comparing current water consumption to the same month in 2020/2021.

Comparing February 2023 to February 2021, there is a 5.1% reduction in consumption. Comparing February conservation results to recent years, consumption was 24.3% lower than the baseline year, 2021 was 27.1% lower, 2020 was 18.2% lower, and 2019 was 27.9% lower.

The Residential gallons per capita per day (R-gpcd) for the month was 76.9. This includes both indoor and outdoor usage. There were no new connections during the month of February. There have been 13 new connections during this fiscal year, contributing \$62,538 in Capital Facility Fees.

Mr. Zdeba attended the Community Collaborative meeting at City Hall on March 7th. He shared information on the status of the 30-inch transmission line repairs, the February 27th Public Hearing with the new rate structure taking effect March 1st, and the availability of the bill calculator on the District's website for customers to estimate their bill with the new rates. He also thanked Commander Turner for approving the purchase of the cla-valves necessary to resume testing of the intertie connection between the Navy and the District. Testing was last accomplished in 2019. Testing should be able to resume in Spring of 2024. The District will staff a booth at the Annual Home & Leisure Show the weekend of March 25th and 26th. This is one of the two large outreach opportunities for the District, the second being the Petroglyph Festival in the fall. PUBLIC OUTREACH

Staff continues to work with Providence Strategic Consulting to promote WaterSmart. As of this morning, there are 1,571 active accounts accounting for 12.1% of customers. This is an increase of 11 accounts since last month's report. There were 505 customer alerts issued in February and there have been 13,318 in the past 12-months.

Layne was onsite February 21st; however, due to lack of water at the site and weather conditions, they pulled off and will return in April. WELL 31 REHAB

At the booster station, electrical work has been installed and inspected. The C-zone tank has been washed down, with disinfection scheduled for Wednesday. At the College tank site, oil and sand will be delivered at the end of this week. The tank subcontractor is scheduled to return to begin erecting the tank next week. BOOSTER STATIONS AND TANKS PROJECT

Ty Staheli reported that the estimated year-to-date revenues as of February 28, 2023, are \$10,355,608 and expenses are \$11,803,387. Expenditures exceeded revenues by \$1,447,779, which is more than budget by \$480,472. FINANCIAL STATUS

Mr. Staheli reviewed the report provided by ENGIE Services for July 2022 through February 2023 with the Board. For February, the actual savings was \$41,620.06 and the guaranteed savings \$36,641.80. The total saving this fiscal year is \$353,129.92. At the Well 35 site, the actual savings for February was \$1,618.50 and guaranteed was \$1,505.60. The total savings since at the Well 35 site this calendar year is \$2,601.01. SOLAR PRODUCTION

Mr. Staheli reported on the following conservation items:
State Water Resources Control Board (SWRCB) Water Waster Report - Thus far in 2023, there have been a total of 20 water waste reports received with 20 contacts made. There has been nine formal Second Notices and two penalties issued.

CONSERVATION

WEKA, Inc. began removal of the old 30" CMLC on Inyokern Road on February 28th. While they removed old pipe, they were beginning fusion of the new 30" HDPE. The new pipeline completed installation on March 10th. The pipe passed pressure testing and District staff flushed the new line and existing old line to the Well 30 pond. While staff was travelling to the Well 30 pond to flush one final time before sampling, a new leak was discovered just over a one-quarter of a mile west of the new pipeline installation site. Discussions have begun at a staff level on how to proceed to bring this line back in service. Staff will update the Board accordingly.

INYOKERN RD
TRANSM. MAIN

Plant 2 is in standby. The installation of the underdrain system at Plant 1 was approved earlier in the meeting. District staff is currently verifying which mesh size will be the best for screening support material from the filter media.

ARSENIC
TREATMENT

Mr. Lillion reported for the month of February, two services were repaired and 20 were replaced. The NO-DES truck made four runs in February. Since inception, the NO-DES truck has filtered 8,629,365 gallons. Zero valves were exercised.

OPERATIONS

BOARD COMMENTS/FUTURE AGENDA ITEMS

Vice President Kicinski encouraged the public to sign up for WaterSmart.

**BOARD
COMMENTS**

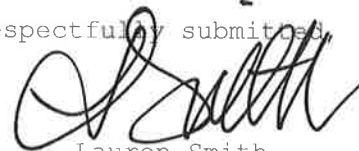
President Boyd thanked staff for their hard work, and the public for their participation.

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned at 7:23 p.m.

ADJOURNMENT

Respectfully submitted,



Lauren Smith
Recording Secretary

APPROVED: April 10, 2023