

IWVGA ADMINISTRATIVE OFFICE

MEMORANDUM

TO: IWVGA Board Members **DATE:** March 15, 2018
FROM: Phillip Hall, IWVGA Staff
SUBJECT: Resolution 01-18 – Technical Advisory Committee Membership

DISCUSSION

While the proposed resolution does not make any substantive changes to the Technical Advisory Committee (TAC) or its membership, the adoption of the resolution is needed at this time to address the recently discovered issues highlighted below.

As background, this Board adopted the TAC as a non-voting consensus based committee for the express purpose of giving interested parties a reasonable opportunity to review and conduct a thorough evaluation of each technical element of the GSP prior to its finalization by the Water Resources Manager. While TAC membership is a non-voting membership and the decision on membership lies with this Board, the Bylaws expressly provide that each member of the Policy Advisory Committee (PAC), including the non-voting PAC members, may nominate one member of the TAC.¹

The changes in the attached Resolution are as follows:

- 1) The Department of the Navy's membership is now listed to include the unique restrictions that are placed Navy by federal regulations and law. The Resolution also expressly recognizes that unlike other TAC members, the Navy representative is not legally required to file a Form 700. The Navy has seen these changes are in agreement with them.
- 2) The Kern County Water Agency position now listed to include the unique position that the Agency has on the TAC. The Agency's Counsel has seen these changes and they are in agreement with them.
- 3) The Resolution addresses the unique circumstances that have led to member Powell's absences from past TAC meetings and it provides an expedite process for his return.

RECOMMENDATION

Staff recommends that your Board adopt the attached Resolution 01-18.

1. This connection in membership between the voting PAC and the non-voting TAC is why the exhibit lay-outs of prior TAC and PAC resolutions are nearly identical. This was originally done to readily and easily illustrate the underlying nominating tie to the PAC and the possible open nominations. Since the TAC is now well established, for clarity and clerical purposes only this Resolution has removed the listed "open seats." This Resolution does not in any way modify the Bylaws or opportunity for PAC members to appoint a TAC member.

BEFORE THE BOARD OF DIRECTORS INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

In the matter of:

Resolution No. 01-18

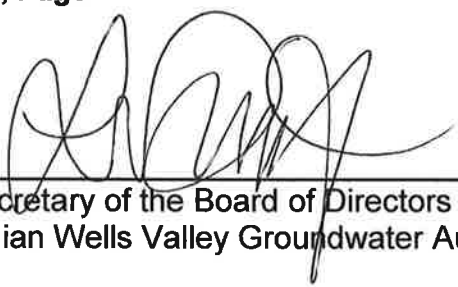
RESOLUTION APPOINTING MEMBERS TO THE TECHNICAL ADVISORY COMMITTEE.

I, Lauren Duffy, Secretary of the Board of Directors for the Indian Wells Valley Groundwater Authority, do certify that the following resolution, on motion of Director Brown, seconded by Director Gleason, was duly passed and adopted by the Board of Directors at an official meeting this 15th day of March, 2018, by the following vote:

AYES: Breeden, Brown, Gleason, Harrington, Page

NOES: 0

ABSENT: 0



Secretary of the Board of Directors
Indian Wells Valley Groundwater Authority

RESOLUTION

Section 1. **WHEREAS:**

(a) The Bylaws of the Indian Wells Valley Groundwater Authority created a Technical Advisory Committee ("TAC") for the express purpose of giving interested parties a reasonable opportunity to review and conduct a thorough evaluation of each technical element of the GSP prior to its finalization by the Water Resources Manager. In the course of evaluating each draft technical element of the GSP, the TAC shall strive for consensus in preparing written recommendations to the Water Resources Manager.

(b) The Bylaws of the Indian Wells Valley Groundwater Authority provide that individuals shall be appointed to the Technical Advisory Committee by Resolution;

Section 2. **THEREFORE IT IS RESOLVED** by the Board of Directors of the Indian

Wells Valley Groundwater Authority, as follows:

1. This Board finds that the recited facts are true and that it has the jurisdiction to consider, approve, and adopt this Resolution,
2. The Board hereby appoints the following individuals to the Technical Advisory Committee:

Members

Category

Name

Large Agriculture

Eddy Teasdale

Large Agriculture

Wade Major

Business Interests

Scott O'Neil

Residential Customers of Public Water Agency

Stayed*

Domestic Well Owners

Don Decker

Eastern Kern County Resource Conservation District

Earl Wilson

Wholesaler and Industrial User

Adam Bingham

Indian Wells Valley Water District

Tim Parker

Ex-Officio/Staff Members

Department of the Navy**

Stephan Bork

Kern County Water Agency***

Michelle Anderson

* The Board previously appointed Michael Powell to this position in November of 2017. However, for excusable reasons beyond his control, Mr. Powell has been unable to attend any TAC meetings to date. As a result, Mr. Powell's membership on the TAC is being placed into a "stayed" position. Upon his ability to return, and once he has provided the Board with 72 hours prior written notice and a then current Form 700 filing, Mr. Powell's membership will be reinstated without further formal action of the Board.

** While the Department of the Navy is in the general sense an interested party, the Authority is legally prohibited from exercising any regulatory control over the Department of the Navy. Additionally, Federal Law and related Federal Regulations place limitations on the Department of the Navy's ability to comment and fully participate on issues before the TAC. As such the Department of the Navy is listed as an Ex-Officio member and it's appointed member is not required to file a Form 700.

*** At the request of the Kern County Water Agency, the Agency is being provided a position on the TAC a kin to staff position. When appropriate, the Agency will provide technical data from its data collection network for use by the Authority. Because of the limitations placed upon this position, the Agency's appointed member is not required to file a Form 700.