



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, May 4, 2021

AGENDA

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

12:00PM

CLOSED SESSION:

- A. Conference with Legal Counsel – Potential Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):
 - 1. One Matter

- B. Conference with Legal Counsel – Initiation of Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(4):
 - 1. One Matter

REGULAR SESSION:

INTRODUCTION OF GUESTS AND PUBLIC

- I. **PUBLIC COMMENT** (Members of the public may address the Board of Directors on any matter not on the agenda, but absent extraordinary circumstances, the Board may not act on such matters. Members of the public may address items of interest that are listed on the agenda prior to the Board's decision on such items.)

- II. **MANAGER'S REPORT** (The General Manager will discuss, and the Board will consider various items and issues relating to the ongoing and future operations of the District which are of interest to the Board)
 - A. Approve Minutes of the Regular Board Meeting of April 20, 2021.

 - B. Sunset Groundwater Recharge Facility Design Update.

 - C. WAKC May 25, 2021 Virtual Water Summit.

- III. **BOARD MEMBER COMMENTS** (This item provides Board Members with an opportunity to make announcements or provide general comments.)

- IV. **ADJOURN**

Requests for disability related modifications or accommodations, including auxiliary aids or services may be made by telephoning or contacting Madelyne Rodriguez at the District Office (661-834-4656). Please attempt to make such requests known at least 24 hours before the scheduled meeting. Pursuant to Government Code section 54957.5, any materials relating to an open session item on this agenda, distributed to the Board of Directors after the distribution of the agenda packet, will be made available for public inspection at the time of distribution at the District, 501 Taft Highway, Bakersfield, CA.

Tab II





**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS**

April 20, 2021

TUESDAY, April 20, 2021, 12:11PM– 3:49PM

DIRECTORS PRESENT: Palla, Kaiser, Antongiovanni, Garone, Collins, Mendonca, and Spitzer.

DIRECTORS ABSENT: Bidart and Tillema.

STAFF PRESENT: General Manager Teglia, Water Resources Manager Mulkay, Assistant General Manager Bellue, General Counsel Iger, Controller Duncan, and Hydrographer Hyatt.

OTHERS PRESENT: George Cappello.

CLOSED SESSION DECLARED AT 12:11PM

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:11PM regarding the following agenda items:

A. Conference with Legal Counsel – Existing Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(1):

1. SWRCB Kern River
2. Rosedale Rio Bravo Water Storage District, et al. v. Kern County Water Agency, et al.

B. Conference with Legal Counsel – Initiation of Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(4):

1. One Potential Matter

C. Wages and Salaries – Annual Review Pursuant to Government Code § 54957.6

Closed Session was concluded at 2:00PM.

REGULAR SESSION DECLARED AT 2:03PM

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 2:03PM.

Closed Session Report: District General Counsel Iger reported the following:

Item A: No reportable action.

Item B: Staff was given direction.

Item C: Staff was given direction.

INTRODUCTION OF GUESTS AND PUBLIC

Those listed as others present were announced as guests.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Mendonca/Spitzer) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved and authorized items II A through II C of the Consent Calendar.

- A. Approval of Minutes from the Regular Board Meeting of March 16, 2021.
- B. Approval of the March/April District Construction and Water Banking Disbursements.
- C. Approval of the March/April District Disbursements.

III. BUSINESS AND FINANCE

A. Business & Finance Committee – April 15, 2021: District Controller Duncan provided a report from the April Business & Finance Committee Meeting.

A(i). Approval of March 2021 Financial Reports: Mr. Duncan presented the March 2021 District and Water Banking Project Financial Statements, Treasurer's Reports, and District Delinquency Report.

M/S/C (Antongiovanni/Garone) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved the March 2021 District and Water Banking Project Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

A(ii). District Healthcare Benefits Review and Recommendation: Staff provided information regarding the status of the District's healthcare funding program. Following the presentation of information, staff relayed that the Business and Finance Committee recommended changing how the District funds annual healthcare costs to better link it to the budget process. In addition, staff will include a report regarding healthcare and other benefit costs to be included in the monthly financial statement information. Following discussion of the item, the Board concurred with the Committee recommendation.

M/S/C (Antongiovanni/Garone) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved funding the District Healthcare benefit annually as approved with the District Budget.

A(iii). 2021 COLA Review and Recommendation: Staff reviewed a memorandum included in the Board packet which outlined several different consumer price indexes comparing February 2020 to February 2021. The average of the indexes provided showed a CPI increase of 1.65% year over year. Based on the information provided, staff and the Business and Finance Committee recommended a 1.5% COLA applied to the Board approved Salary Schedule effective May 1, 2021. The Board concurred with this recommendation.

M/S/C (Antongiovanni/Garone) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved the revised District Salary Schedule reflecting a 1.5% COLA effective May 1, 2021.

IV. OPERATIONS AND PROJECTS

A. - A(i-ii,iv). Operations and Projects Committee – April 6, 2021: Assistant General Manager Bellue briefly

reported on the April Operations and Projects Committee Meeting including District maintenance activities, recent encroachment permit requests, and the effort by PG&E to remove an inactive utility bridge on the Eastside Canal.

A(iii). Wrought Iron Gate Discussion. Mr. Bellue provided updated cost information to construct a new wrought iron gate on the east side of the District Office. The existing chain-link fence requires improvement due to the recent office expansion project. As such, the Operations and Projects Committee evaluated the option to improve the gate by constructing a wrought iron fence/gate and recommended the Board approve the project.

M/S/C (Collins/Mendonca) (yes-6, no-1): With Directors Bidart and Tillema absent, the Board approved moving forward with upgrading the east fence/gate of the District Office to wrought iron.

B. - B(i). City of Bakersfield Multi-Use Path Project / 23 Ditch: Staff presented a revised design of a proposed multi-use path project on the 23 Ditch along Pacheco Road between Wible and Stine. This project is being developed by the City of Bakersfield and has been reviewed by staff. Staff explained the revised design is reflective of prior Board input and is acceptable to staff. A Common Use Agreement was developed to memorialize the conditions of approval related to this project. Staff and the Operations and Projects Committee recommended the Board approve the project and the Common Use Agreement as presented.

M/S/C (Antongiovanni/Spitzer) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved the 23 Ditch Multi-Use Path Project and the Common Use Agreement as presented.

C. - C(i). District Office Expansion Update: Staff explained that the District Office Expansion Project was substantially completed on March 17, 2021. Some minor punch list items remained to be completed but staff has fully occupied the office. Staff also presented information regarding Change Order No. 4 (the final change order for the project). Change Order No. 4 includes an adjustment to the contract compensation of \$17,564.14 (revised contract total of \$2,140,310.62) and added 12 days to the contract duration. The items included in this change order represented various changes either requested by the owner or necessary plan revisions.

M/S/C (Collins/Mendonca) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved Change Order No. 4 for the District Office Expansion Project as presented.

V. KERN RIVER WATERMASTER

A. - A(iii). District Water Master Report: District Hydrographer Hyatt reviewed and discussed the water supplies of the District for the month of March and early April. Approximately 12,456 acre-feet of water was delivered in District during March. In addition, Mr. Hyatt provided graphical information regarding depth to groundwater at various monitoring locations throughout the District. Mr. Hyatt also provided information related to a long-term seasonal outlook, which included current river forecast information showing a 21% April – July runoff on the Kern River. Mr. Hyatt also highlighted the current State Water Project allocation which is 5%. Finally, Mr. Hyatt discussed the District water supply proration letter which was provided in the Board packet for reference and is based on the most current information available.

B. - B(i). Kern River Watermaster Report: The April Isabella construction update, provided by the Army Corps of Engineers, was included in the Board packet.

VI. MANAGER'S REPORT

A. – A(ii). Sunset Groundwater Recharge Facility: Staff provided an update regarding the status of the Sunset Groundwater Recharge Facility Project, which is a joint water banking project between Kern Delta

(KD) and Arvin Edison Water Storage District (AE). The project is nearing the end of the design phase and a presentation regarding the design will be provided to the Board during their May 4, 2021 Board meeting. Staff provided an overview of two documents relating to the project including an Operation and Maintenance Agreement between KD and AE and an amendment to an MOU for the Joint Use of AE Intake Canal between AE and KD, which staff requested approval of.

M/S/C (Antongiovanni/Collins) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved the Sunset Groundwater Recharge Facility Operation and Maintenance Agreement and the Amendment to the MOU for Joint Use of AE Intake Canal Between AE and KD as presented.

B. Kern Delta/Wheeler Ridge Intertie Feasibility Study Cost Share: Staff stated that recent discussions between Kern Delta and Wheeler Ridge have resulted in a desire by both districts to explore the potential of developing an intertie connection between the districts. To further this concept, Wheeler Ridge had requested their consultant GEI provide a scope of work to evaluate the feasibility and conceptual design of potential intertie facilities. Staff recommends the cost of the scope of work (\$52,155) be split evenly between the two districts.

M/S/C (Garone/Kaiser) (yes-7, no-0): With Directors Bidart and Tillema absent, the Board approved equally sharing the cost of the proposed Kern Delta/Wheeler Ridge Intertie Feasibility Study as presented.

C. External Agency Report: Mr. Teglia provided verbal comments supplementing a memorandum included in the Board package which provided information on the meetings and activities of various external agencies. These agencies include, but are not limited to, the Kern County Water Agency (including the status of the Delta Conveyance Project and Contract Extension), Kern Fan Authority, Kern River Watershed Coalition Authority, Kern Groundwater Authority, Kern River Groundwater Sustainability Agency, the South Valley Water Resources Authority, the Water Association of Kern County, and the Integrated Regional Water Management Plan.

D. Water Banking Projects Report: Mr. Teglia provided verbal comments supplementing a memorandum included in the Board package which provided information on water banking project activity on the Kern Fan.

E. VAWC April 2021 Sacramento Report: A copy of the April 2021 VAWC Sacramento Report was provided in the Board packet.

IX. ATTORNEY'S REPORT

None.


X. BOARD MEMBER COMMENTS

None.

XI. ADJOURNMENT:

There being no further business, President Palla adjourned the meeting at approximately 3:49PM.

Respectfully Submitted,



Steven Teglia, General Manager

Approved by Board,



Richard Tillema, Board Secretary



May 25th, 2021
8am- 1pm

KEYNOTE SPEAKER

Mark Arax, Author of 'The Dreamt Land; Chasing Water and Dust Across California'

Tickets available online at www.wakc.com/upcoming-events/

Welcome & Importance of Water Conservation

Biden Administration update on Federal Water Bureau of Reclamation

SGMA review: Where are we?
Steven Springhorn, Department of Water Resources
Acting Deputy Director Groundwater Management

Water Rights: views regarding the recent report "Effective Water Rights Response to Climate Change"

Joaquin Esquivel, Chair State Water Resources Control Board
Valerie Kincaid, Water Law Attorney

History of Water in the West: overview of his most recent book regarding water rights and it's role in the Central Valley
Mark Arax, Award Winning Journalist & Author

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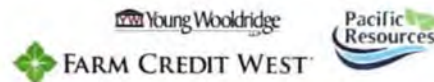
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For more information contact Jenny Holtermann at 661-746-3300 or jenny@wakc.com