



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, October 19, 2021

AGENDA

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

12:00PM

CLOSED SESSION:

- 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 Matter
- C. Conference with Legal Counsel – Significant Exposure to Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(3):
 - 1. Claim Filed by Nayeli Miranda

REGULAR SESSION:

1:00PM

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. **CONSENT CALENDAR** (The Board will consider various non-controversial routine items and issues relating to matters which are of interest to the District. Any Board Member may request that any or all items be considered and acted upon independently of the others.)
 - A. Approval of Minutes from the Regular Board Meeting of September 21, 2021.
 - B. Approval of September/October District Construction and Water Banking Disbursements.
 - C. Approval of September/October District Disbursements.
- III. **BUSINESS AND FINANCE** (The Board will consider various items and issues relating to financial matters which are of interest to the District.)
 - A. Business & Finance Committee Report – October 14, 2021.
 - i. Approval of September 2021 Financial Reports.
 - B. Review and Approval of District Investment Policy.

- IV. OPERATIONS AND PROJECTS** (The Board will consider various items and issues relating to matters which have been, or will be, considered by committees of the Board and which are of interest to the District.)
- A. Operations and Projects Committee Report – October 5, 2021.
 - i. District Facility and Maintenance Update.
 - ii. District Encroachment Permit Report.
 - iii. Pending Development Projects.
 - iv. Sunset Groundwater Banking Project – Update.
 - v. Old River Groundwater Banking Project – Update.
 - B. Redbank Road and Panama Lane Common Use Agreements.
- V. KERN RIVER REPORT** (The Board will consider various items and issues relating to the Kern River of interest to the District.)
- A. District Watermaster Report.
 - i. State Water Project.
 - ii. Kern River Runoff Forecast.
 - B. Kern River Watermaster Report.
 - i. Isabella Dam Safety Remediation Report.
 - C. District Groundwater Manager Report.
- VI. 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. Verbal.
 - B. External Agency Report.
 - C. Water Banking Projects Report.
 - D. Legislative Update.
- VII. ATTORNEY'S REPORT** (Legal Counsel will discuss, and the Board will consider items and issues of legal interest to the District.)
- A. Required Training Update.
- VIII. BOARD MEMBER COMMENTS** (This item provides Board Members with an opportunity to make announcements or provide general comments.)
- IX. 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





To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: October 19, 2021

Re: Agenda Item II – Consent Calendar

RECOMMENDATION:

Approve items A through C listed under Agenda Item II – Consent Calendar.

DISCUSSION:

Consent Calendar items are non-controversial routine matters. Board Members may request that any or all items listed under the Consent Calendar be moved to the regular agenda to be discussed and voted on separately. Otherwise, all items will be approved through one motion and vote.

II A. Approval of Minutes from the Regular Board Meeting of September 21, 2021 (attached).

II B. Approval of September/October District Construction and Water Banking Project(s) Disbursements totaling \$366,859.18* (attached) partially recommended for approval by the Operations and Projects Committee (*see October 5, 2021 Operations and Projects Committee Minutes for additional detail*).

II C. Approval of September/October District Disbursements (attached) recommended for approval by the Business and Finance Committee (*see October 14, 2021 Business and Finance Committee Minutes for additional detail*).

**The total includes disbursements approved by the Operations and Projects Committee (\$265,794.11) and an additional amount (\$101,065.07) for invoices which came in after October 5, 2021.*



MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

September 21, 2021

TUESDAY, September 21, 2021, 12:03PM– 3:22PM

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

DIRECTORS ABSENT:

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

OTHERS PRESENT: None.

CLOSED SESSION DECLARED AT 12:03PM

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:03PM 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 Matter

Closed Session was concluded at 1:17PM.

REGULAR SESSION DECLARED AT 1:21PM

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:21PM.

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

Item A: No reportable action.

Item B: No reportable action.

INTRODUCTION OF GUESTS AND PUBLIC

None were present.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Mendonca/Fanucchi) (yes-9, no-0): By unanimous vote, the Board approved and authorized items II A through II C of the Consent Calendar. Item II A was approved as amended to properly reflect that the vote to approve the Land IQ Contract during the September 7, 2021 Board Meeting was 7-1-1 with Director Kaiser voting No and Director Garone Abstaining.

- A. Approval of Minutes from the Regular Board Meeting of September 7, 2021(as amended above).
- B. Approval of the August/September District Construction and Water Banking Disbursements.
- C. Approval of the August/September District Disbursements.

III. BUSINESS AND FINANCE

A. Business & Finance Committee – September 16, 2021: District Controller Duncan provided a report from the August Business & Finance Committee Meeting.

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

M/S/C (Antongiovanni/Tillema) (yes-9, no-0): By unanimous vote, the Board approved the August 2021 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

B. Review and Approval of 2022 District Budget: Staff presented the proposed 2022 District Budget to the Board for review and approval. Staff outlined the various components of the budget and conveyed that the budget had been reviewed by the Business and Finance Committee over the course of several committee meetings. Following that process the Business and Finance Committee recommended the Board approve the budget as presented.

M/S/C (Antongiovanni/Fanucchi) (yes-9, no-0): By unanimous vote, the Board approved the 2022 District Budget as presented and recommended by the Business and Finance Committee.

C. Approval of Resolution 2021-06 Establishing District Assessments and Setting a Public Hearing Before the Kern Delta Board of Directors. Staff presented the Board with a resolution which establishes the District's assessments for 2022 and sets the Public Hearing before the Board for the November 16, 2021 Board meeting. It should be noted that the District's assessments have not changed from the previous year and have remained consistent since 1996.

M/S/C (Garone/Antongiovanni) (yes-9, no-0): By unanimous vote, the Board approved Resolution 2021-06 Establishing District Assessments and Setting a Public Hearing Before the Kern Delta Board of Directors on November 16, 2021.

IV. OPERATIONS AND PROJECTS

A. - A(i-iii). Operations and Projects Committee – September 7, 2021: Assistant General Manager Bellue briefly reported on the September Operations and Projects Committee Meeting including District maintenance activities, recent encroachment permit requests, and status updates related to both the Sunset Groundwater Recharge Facility project and the Old River Basins project.

B. - B(i-iii) Sunset Ponds Grading Project: Staff provided an update regarding the Sunset Ponds Grading Project. After the conclusion of an RFP process staff identified Wood Bros. Inc as the lowest responsive bidder and therefore is recommending awarding the Sunset Ponds Grading Project to Wood Bros. Inc in an amount not to exceed \$1,666,689.67. Staff also is recommending approving a task order with Zeiders Consulting for Construction Management Services in an amount not to exceed \$184,714. Finally, since the Sunset Grading Project is a jointly funded project between Kern Delta and Arvin-Edison WSD, staff recommends the Board authorize a transfer of \$1,000,000 to the Sunset Water Banking Project to facilitate Kern Delta's share of the above referenced construction activities. Arvin-Edison WSD will be invoiced for a like amount by the Sunset Water Banking Project.

M/S/C (Kaiser/Mendonca) (yes-9, no-0): By unanimous vote, the Board approved a contract with Wood Bros. Inc for the Sunset Ponds Grading Project (\$1,666,689.97); approved a task order with Zeiders Consulting for Construction Management Services related to the Sunset Grading Project (\$184,714); and authorized staff to transfer \$1,000,000 (\$500,000 Kern Delta/\$500,000 Water Banking Project) to the Sunset Water Banking Project.

V. KERN RIVER WATERMASTER

A. - A(i-ii). District Water Master Report: District Hydrographer Hyatt reviewed and discussed the water supplies of the District for the month of August and early September. Approximately 7,902 acre-feet of water was delivered in District during August. Mr. Hyatt also provided information related to a long-term seasonal outlook, which included current river forecast information showing a 15% April – July runoff on the Kern River and the current State Water Project allocation, which is 5%. Finally, Mr. Hyatt discussed the status/schedule of various District utilities based on the current runoff information.

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

C. District Groundwater Manager Report: Groundwater Manager Marquez provided graphical information regarding depth to groundwater at various monitoring locations throughout the District.

VI. MANAGER'S REPORT

A. Mr. Teglia provided a brief verbal report. Included was a reminder that the District does not guarantee the water quality of water delivered via District canals. Staff will develop appropriate reminder language that can be included in the annual water applications and via other avenues such as the District website.

B. 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.

C. 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.

D. Legislative Update: The most recent Valley Ag Water Coalition Legislative Report was included in the Board packet.

VII. ATTORNEY'S REPORT

A. Upcoming Training: Mr. Iger outlined required training for all Directors that will need to be completed prior to the end of the year. Staff will provide the Directors with an online training option that will meet the requirements of the required anti-harassment and ethics training. In addition, Mr. Iger will be providing the board with additional refresher training regarding the Brown Act and Conflict of Interest Codes at a future Board meeting.

VIII. BOARD MEMBER COMMENTS

None.

IX. ADJOURNMENT:

There being no further business, President Palla adjourned the meeting at approximately 3:22PM.

Respectfully Submitted,



Steven Teglia, General Manager

Approved by Board,



Richard Tillema, Board Secretary

KERN DELTA WATER BANKING PROGRAM DISBURSEMENTS
RECOMMENDED BY THE OPERATIONS & PROJECTS COMMITTEE
Tuesday, October 5, 2021

#	PAYEE	AMOUNT	CHECK
1	KERN MACHINERY Battery #401	404.79	3133
2	PGE-AE2 Well Utilities	28,609.78	3134
3	PGE-AE3 Well Utilities	24,859.10	3135
4	PGE-AE4 Well Utilities	28,894.97	3136
5	PGE-FR3 Well Utilities	16,468.92	3137
6	PGE-KD1 Well Utilities	21,227.24	3138
7	PGE-KD2 Well Utilities	21,705.94	3139
8	PGE-KI7 Well Utilities	29,605.02	3140
9	PGE-KI8 Well Utilities	30,501.79	3141
10	QUINN COMPANY Air/oil filters, teeth #402	260.86	3142
11	SCHWEBEL Oil	384.60	3143
12	SAN JOAQUIN IRRIG. End caps, concrete plug	165.62	3144
13	STEPHEN SMITH SOLU. Weed control	1,980.00	3145
14	TARGET Clearcast	60,725.48	3146
TOTAL		265,794.11	

The following were received after the October 5, 2021 Operations & Projects committee meeting and will be reviewed at the October 14th, 2021 Business and Finance Committee meeting. ☐

☐

#	PAYEE	AMOUNT	CHECK
	KCWA 2020 CVC Reconciliations Reimb.	332.01	3147
	KDWD 2021 CVC Reconciliations Reimb.	332.00	3148
	PGE-AE1 Well Utilities	123.76	3149
	PGE-BV2 Well Utilities	69.30	3150
	PGE-BV3 Well Utilities	61.66	3151
	PGE-BV5 Well Utilities	47.74	3152
	PGE-FR2 Well Utilities	6,689.98	3153
	PGE-KB1 Well Utilities	26,760.13	3154
	PGE-KB3 Well Utilities	8,830.91	3155
	PGE-KB4 Well Utilities	27,417.09	3156
	PGE-KB6 Well Utilities	27,459.47	3157
	PGE-ST1 Well Utilities	29.30	3158
	QUINN Seal #402	436.72	3159
	STEPHEN SMITH SOLU. Weed control	2,475.00	3160
TOTAL		101,065.07	



To: Kern Delta Water District Board of Directors

From: Steven Teglia

Date: October 19, 2021

Re: Invoices and Disbursements, Special Projects & Water Banking Project Operation/Construction.

RECOMMENDATION:

Staff recommends payment of the following fourteen payables divided into three overall groups of: 1) water banking program design, construction, and construction support -- \$00.00; 2) water banking variable -- \$265,794.11; 3) Kern Delta Water District construction -- \$00.00. The total expenditure in September for these areas is \$265,794.11 (plus additional PG&E well energy stand-by cost).

DISCUSSION:

The following fourteen can be divided into three overall groups: 1) water banking program design, construction, and construction support, 2) water banking variable, and 3) Kern Delta construction.

First group (Water Banking Program Design, Construction, and Construction Support):

Second group (Water Banking Variable):

- 1) Kern Machinery – \$404.79 (Battery #401)
- 2) PG&E – \$28,609.78 (AE-02, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 3) PG&E – \$24,859.10 (AE-03, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 4) PG&E – \$28,894.97 (AE-04, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 5) PG&E – \$16,468.92 (FR-03, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 6) PG&E – \$21,227.24 (KD-01, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 7) PG&E – \$21,705.94 (KD-02, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 8) PG&E – \$29,605.02 (KI-07, Power/stand-by energy cost for the wells associated with the Water Banking water production)

- 9) PG&E – \$30,501.79 (KI-08, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 10) Quinn Company – \$260.86 (Air/oil filters, teeth #402)
- 11) Schwebel – \$384.60 (Oil)
- 12) San Joaquin Irrigation – \$165.62 (End caps; concrete plug)
- 13) Stephen B. Smith – \$1,980.00 (Weed control)
- 14) Target – \$60,725.48 (Clearcast)

Third group (Kern Delta Construction):

KERN DELTA WATER DISTRICT
DISBURSEMENTS RECOMMENDED BY THE BUSINESS AND FINANCE COMMITTEE
THURSDAY, OCTOBER 14, 2021

SEPTEMBER 2021 SUB TOTAL \$ 388,438.84

# PAYEE	AMOUNT	CHECK
1 AMERICAN BUSINESS MACHINES - toner	15.00	45014
2 COUNTRY TIRE & WHEEL - tires #106, valve #402	1,666.82	45015
3 FLOYD'S - couplers	29.99	45016
4 JIM BURKE FORD - fuel pump, sensor #210, valve # 327	2,208.02	45017
5 KERN COUNTY PUBLIC WORKS - dump fees	1,708.43	45018
6 KERN MACHINERY - joint ball #403	635.48	45019
7 KRAZAN & ASSOCIATES, INC. - pave backlot	2,140.00	45020
8 MARCOM GROUP - website hosting	95.00	45021
9 O'REILLY AUTO PARTS - windshield fluid	55.93	45022
10 ORKIN - pest control	85.00	45023
11 PACIFIC GAS & ELECTRIC - office utilities	2,196.44	45024
12 PRINCIPAL LIFE INSURANCE - insurance premium	4,613.84	45025
13 PROGRESSIVE TECHNOLOGY, INC. - IT support	4,202.99	45026
14 QUINN - filters #403	667.30	45027
15 SNIDER'S - door lock	1,146.37	45028
16 STINSON STATIONERS - office supplies	263.46	45029
17 VERIZON - cell service	651.45	45030
18 ALLIED STEAM EQUIPMENT & RENTAL - degreaser	59.54	45031
19 JIM BURKE FORD - filters	1,230.39	45032
20 KERN MACHINERY - filters #T3	91.90	45033
21 MOTOR CITY - filters	310.53	45034
22 O'REILLY AUTO PARTS - fuse #325	19.46	45035
23 SPARKLE TEXTILE RENTAL SERVICE - uniform service	1,441.49	45036
24 SSD ALARM - alarm service	855.59	45037
25 STINSON STATIONERS - office supplies	251.02	45038
26 VITAL SIGNS - outdoor office sign	3,174.14	45039
27 WESTAIR GASES & EQUIPMENT, INC. - cylinder rental	82.14	45040
28 PAYROLL #19	69,757.44	Wire
29 PAYROLL PEOPLE #19	205.50	Wire
30 EDD-STATE P/R #19	4,644.59	Wire
31 EFT-IRS P/R #19	21,705.24	Wire
32 LINCOLN LIFE - retirement program	13,363.97	Wire
33 LINCOLN LIFE - deferred comp.	3,191.00	Wire
34 MASS MUTUAL - deferred comp.	1,840.00	Wire
35 PAYROLL #20A	549.94	Wire
36 PAYROLL PEOPLE #20A	119.50	Wire
37 EDD-STATE P/R #20A	10.55	Wire
38 EFT-IRS P/R #20A	128.56	Wire
39 PAYROLL #20	67,613.95	Wire
40 PAYROLL PEOPLE #20	165.25	Wire
41 EDD-STATE P/R #20	4,383.82	Wire
42 EFT-IRS P/R #20	20,677.46	Wire
43 LINCOLN LIFE - retirement program	13,019.05	Wire
44 LINCOLN LIFE - deferred comp.	3,191.00	Wire
45 MASS MUTUAL - deferred comp.	1,840.00	Wire

SEPTEMBER 2021 TOTAL**644,743.38**

# PAYEE	AMOUNT	CHECK
1 A-1 ANSWERING SERVICE - answering service	551.45	45041
2 ACWA/JOINT POWERS AUTHORITY - 2021-2022 policy	126,551.97	45042
3 AMERICAN HYDROTECH - lawn service	325.00	45043
4 AMERIFUEL - fuel	12,406.04	45044
5 KEVIN ANTONGIOVANNI - director fees	600.00	45045
6 B&B SURPLUS, INC. - beam, metal	637.07	45046
7 BC LABORATORIES - samples	478.00	45047
8 CITIZENS CARDMEMBER SERVICES - office supplies, subscriptions	4,656.99	45048
9 CITY OF BAKERSFIELD - 2021 2nd qtr Isabella	4,971.44	45049
10 DONALD COLLINS - director fees	500.00	45050
11 CORE & MAIN - pipe	8,564.99	45051
12 COUNTRY TIRE & WHEEL - tires # T-11	609.80	45052
13 ELLISON, SCHNEIDER & HARRIS L.L.P. - professional services	17,036.98	45053
14 FANUCCHI ROBERT - directors fee	300.00	45054
15 FRED GARONE - directors fee	500.00	45055
16 GREENFIELD COUNTY WATER DIST. - office utilities	174.03	45056
17 HERC RENTALS - loader rental	3,596.58	45057
18 JERRY AND KEITH'S - valve #T-11, hose #T-12	110.52	45058
19 JIM BURKE FORD - electric repairs #327	1,107.97	45059
20 DAVID KAISER - directors fee	400.00	45060
21 KERN COUNTY AUDITOR-CONTROLLER - vouchers	36.56	45061
22 KERN COUNTY RECORDER - lien redemptions	1,320.00	45062
23 LAND IQ - 10/2021 analysis	7,429.00	45063
24 LOWE'S BUSINESS ACCOUNT - grease, ratchet, bolts	110.91	45064
25 McMURTREY & HARTSOCK - September 2021 services	12,670.00	45065
26 JOEY MENDONCA - directors fee	400.00	45066
27 NORTH KERN WATER STORAGE DISTRICT - October weather mod	8,750.00	45067
28 RODNEY PALLA - directors fee	400.00	45068
29 PACIFIC GAS & ELECTRIC - office utilities	10.89	45069
30 PRICE DISPOSAL - dumping fees	14.34	45070
31 PROGRESSIVE TECHNOLOGY, INC. - IT support	1,829.15	45071
32 QUINN - beacon light #403	156.06	45072
33 SCHWEBEL PETROLEUM - def	133.63	45073
34 SIERRA SCHOOL EQUIPMENT COMPANY - Board table	953.46	45074
35 SPECTRUM - internet	360.27	45075
36 ROSS E. SPITZER - directors fee	400.00	45076
37 SSD ALARM - alarm service	921.49	45077
38 STERLING ADMINISTRATION - HRA admin	140.00	45078
39 TARGET SPECIALTY PRODUCTS - clearcast, captain, cheetah	80,380.73	45079
40 RICHARD TILLEMA - directors fee	600.00	45080
41 WESTAIR GASES & EQUIPMENT, INC. - cylinder rental	116.78	45081
42 WHITE CAP - earplugs, electrolytes	243.44	45082
43 THE LAW OFFICES OF YOUNG WOOLDRIDGE - share of 52931	95.78	45083
44 UNITED AG - medical premium	28,485.12	45084
OCTOBER 2021 SUB TOTAL	330,036.44	

KERN DELTA WATER DISTRICT**Anticipated Disbursements - Month End - October 2021**

Payee	Reason	October 2021 Estimated
ACUMEN INFORMATION SYSTEMS	IT support	50.00
ADVANCED DIST.	Truck maintenance/repair	650.00
AMERIFUEL	Gas/Diesel fuel	6,722.94
B & B SURPLUS	Canal maintenance materials	500.00
BATTERY SYSTEMS	Vehicle Maintenance	321.00
B.S.&E.	concrete, mixer rental	250.00
BUDGET BOLT	Maintenance materials	120.00
BUGNI HARDWARE	Maintenance materials	167.25
CARQUEST	Vehicle Maintenance	125.00
CASH	Various cash payments from petty cash	150.00
COUNTRY TIRE	Vehicle tires	1,666.00
JERRY & KEITH'S	Truck maintenance/repair	100.00
JIM BURKE	Truck maintenance/repair	1,000.00
K.C. WASTE (PUBLIC WORKS)	Dumping	1,100.00
KERN COUNTY RECORDER	Lien redemption fees	240.00
KERN MACHINERY	Truck maintenance/repair	500.00
KRAZAN & ASSOC	Construction Testing/Inspection	2,140.00
LINCOLN FINANCIAL	Pension/deferred comp contributions	16,300.00
MARCOM GROUP	District web site support	95.00
MASSACHUSETTS MUTUAL	Deferred comp contributions	1,840.00
MOTOR CITY	Truck maintenance/repair	310.00
NORTH KERN WSD	Watermaster wages	1,650.00
O'REILLY AUTO PARTS	Vehicle repair parts	125.00
ORKIN	Pest control - office	85.00
P.G.&E.	District office utilities	2,100.00
PRINCIPAL LIFE INS.	Dental/vision/life insurance premium	4,613.84
PROGRESSIVE TECH.	IT and computer system support	500.00
QUINN	Motorgrader maintenance/repair	540.00
RELIABLE JANITORIAL	Janitor service	1,185.00
SCHWEBEL PETROLEUM	Oil/lubricants	1,750.00
SNIDER'S	Locks, misc repair parts	200.00
SPARKLE	Uniform/laundry service	1,445.00
SPECTRUM	Internet access	365.80
SSD SYSTEMS	Office alarm monitoring	100.00
STERICYCLE, INC (Shred-it)	Office shredding and disposal	82.28
STINSON'S	Office supplies	300.00
TARGET	Weed control chemicals	13,500.00
WESTAIR	Welding supplies	85.00
		<hr/> 62,974.11 <hr/>

Tab III





BUSINESS & FINANCE COMMITTEE MEETING

**501 Taft Highway
Bakersfield, CA**

**THURSDAY, October 14, 2021
10:00AM**

A G E N D A

- 1. Call to order**
- 2. Public Comment Period**
- 3. Approve Minutes of September 16, 2021, Business & Finance Committee Meeting**
- 4. Financial Reports and Accounts Payable:**
 - a. Approve September and October District and Banking Project(s) Disbursements
 - b. Approve September 2021 Financial Reports
- 5. District Controller's Report:**
 - a. Investment Policy Review
 - b. Quarterly Investment Review
 - c. District Employees Benefits Open Enrollment
- 6. Committee Comments**
- 7. Adjourn**

A handwritten signature in black ink, appearing to read "Bryan Duncan", with a long horizontal line extending to the right.

**Bryan Duncan
District Controller**

**Posted: Monday October 11, 2021
Bakersfield, California**

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.



MINUTES OF THE BUSINESS & FINANCE COMMITTEE
Thursday, October 14, 2021

DIRECTORS PRESENT: Antongiovanni, Fanucchi, Garone, Tillema

OTHERS PRESENT: From KDWD: General Manager Teglia, Water Resources Manager Mulkay, Assistant General Manager Bellue, Controller Duncan, General Counsel Iger, Administrative Assistant Rodriguez

1. **CALL TO ORDER**

Chair Antongiovanni called the meeting to order at 10:07 A.M.

2. **PUBLIC COMMENTS**

None.

3. **APPROVAL OF PREVIOUS COMMITTEE MEETING MINUTES**

- a. **M/S/C (Tillema/Garone) (yes – 4, no – 0):** The Business & Finance Committee approved the minutes of the Business & Finance Committee meeting held on September 16, 2021.

4. **FINANCIAL REPORTS AND DISBURSEMENTS**

- a.- b. Approval of September 2021 and October 2021 Disbursements and September 2021 Financial Reports.
M/S/C (Tillema/Garone) (yes – 4, no – 0): The Business & Finance Committee recommends the Board approve the September 2021 and October 2021 District Disbursements, the updated October 2021 Water Banking Project Disbursements, the anticipated October 2021 end of month Disbursements, and the September 2021 District and Water Banking Projects Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

5. **DISTRICT CONTROLLER'S REPORT**

- a. Approval of the updated and revised District Investment Policy.
M/S/C (Garone/Tillema) (yes – 4, no – 0): The Business & Finance Committee recommends the Board approve the revised District Investment Policy as presented.
- b. Staff provided a brief report regarding the District's Quarterly Investment Review.
- c. Staff provided a brief update regarding open enrollment in October for District employee health benefits.

6. **ADJOURN**

Chair Antongiovanni adjourned the meeting at 10:53 A.M.

Respectfully submitted,

Kevin Antongiovanni – Chair

**Kern Delta Water District
Balance Sheet
As of September 30, 2021**

<u>Assets</u>	September 30, 2021	August 31, 2021	Month-to- Month Variance
Current Assets:			
Cash & Securities in Bank	\$ 22,651,027	\$ 22,608,416	\$ 42,611
Accounts Receivable	335,853	339,004	(3,151)
Due From KDWP	-	-	-
Inventories & Prepaid Expenses	280,109	201,979	78,130
Total Current Assets	<u>23,266,989</u>	<u>23,149,399</u>	<u>117,590</u>
Fixed Assets			
District Structures, Rights of Way	\$ 18,057,036	\$ 18,051,722	\$ 5,314
Construction in Progress	-	-	\$ -
CVC Expansion	8,776,668	8,776,668	-
Machinery & Equipment	2,476,189	2,471,897	4,292
	<u>29,309,893</u>	<u>29,300,287</u>	<u>9,606</u>
Accumulated Depreciation	(6,975,146)	(6,928,146)	(47,000)
Net Fixed Assets	<u>22,334,747</u>	<u>22,372,141</u>	<u>(37,394)</u>
Investment in Joint Powers Authority	\$ 15,305	\$ 15,305	\$ -
Investment in MET Program	8,890,130	8,890,130	-
Total Assets	<u><u>\$ 54,507,171</u></u>	<u><u>\$ 54,426,975</u></u>	<u><u>\$ 80,196</u></u>
<u>Liabilities & Equity</u>			
Current Liabilities:			
Trade Accounts Payable	\$ 200,268	\$ 247,456	\$ (47,189)
Due to Kern Delta Water Banking	-	-	-
Deferred Revenue	-	-	-
Accrued Liabilities	184,621	172,499	12,122
Total Current Liabilities	<u>384,888</u>	<u>419,955</u>	<u>(35,067)</u>
Long-Term Liabilities:			
Bonds & COP Borrowing	\$ 4,015,000	\$ 4,015,000	\$ -
Bonds Premium & Costs	148,858	148,858	-
Total Long-Term Liabilities	<u>4,163,858</u>	<u>4,163,858</u>	<u>-</u>
Total Liabilities	<u>4,548,746</u>	<u>4,583,813</u>	<u>(35,067)</u>
Equity:			
Equity From Past Years	\$ 50,269,300	\$ 50,269,300	\$ -
Accumulative Equity - Current Year	(310,875)	(426,138)	115,263
Total Liabilities & Equity	<u><u>\$ 54,507,171</u></u>	<u><u>\$ 54,426,975</u></u>	<u><u>\$ 80,196</u></u>

Kern Delta Water District
Cash Variance Analysis
September 30, 2021

Cash Received:

Accounts Receivable Collections	260,567
Share of Property Tax Receipts	407,369
Interest Received	717
	<hr/>
	668,653
	<hr/>

Cash Disbursed:

Cash Disbursements for Goods and Services	(301,152)
Payrolls Paid	(324,889)
	<hr/>
	(626,041)
	<hr/>

Net positive/(negative) variance	42,611
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Kern Delta Water District
Accounts Receivable Variance Analysis
September 30, 2021

Revenue Added to Accounts:

Water Sales - Utility Water	59,223
Water Sales - State Water	9,127
District Wells Revenue	1,964
NKWSD 3rd Qtr	182,750
Other Misc Revenues:	
Misc Leases and Rentals	500
Encroachment Permits	500
Penalties/Interest	2,978
Scrap metal sales	316
Other	57
	<hr/>
	257,416
	<hr/>

Cash Received on Account:

Water Payments	(147,695)
Misc Payments	(104,728)
Assessments Payments	(8,143)
	<hr/>
	(260,567)
Interest Payments	-
	<hr/>
	(260,567)
	<hr/>
Net positive/(negative) variance	<div><div></div><div>(3,151)</div></div>

**Kern Delta Water District
Inventory/Prepays Variance Analysis
September 30, 2021**

Additions to Accounts:

Weed Control Chemicals Purchased	141,106
Prepaid Additions	-
	<hr/>
	141,106
	<hr/>

Usage/Amortization:

Chemicals Consumed During Month	(48,808)
Amortization of Prepaid Accounts	(14,168)
	<hr/>
	(62,976)
	<hr/>

Net positive/(negative) variance	78,130
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Kern Delta Water District
Operating Results - Year To Date
Through the Month Ended September 30, 2021

	Actual Current Month	Actual Year to Date	Annual Budget	YTD as % of Annual Budget (Target is 75%)	Budget Remaining
REVENUES:					
State water sales	\$ 9,127	\$ 305,245	\$ 1,179,193	26%	\$ 873,948
Utility water sales	59,223	1,512,360	3,214,297	47%	1,701,937
COB/Cal Water/GCWD Revenue	-	390,417	900,000	43%	509,583
Equalization	-	4,145	9,147	45%	5,003
Assessments	-	1,011,585	1,014,767	100%	3,182
Share of county tax	407,369	2,773,483	4,316,386	64%	1,542,903
Interest income	717	123,174	441,000	28%	317,826
Other income	6,315	244,746	175,000	140%	(69,746)
Water Transfer Charges	182,750	731,000	731,000	100%	-
Water Banking Expense Reimbursement	-	-	150,000	0%	150,000
Total income	\$ 665,502	\$ 7,096,156	\$ 12,130,790	58%	\$ 5,034,635
EXPENDITURES:					
Source of supply:					
State water costs	\$ -	\$ 2,318,103	\$ 2,725,000	85%	\$ 406,897
Exchange fees	-	1,400	76,500	2%	75,100
Watermaster, City, Isabella	4,971	173,749	361,400	48%	187,651
Miscellaneous source costs	621	17,451	500,000	3%	482,549
Total Source of supply	\$ 5,592	\$ 2,510,702	\$ 3,662,900	69%	\$ 1,152,198
Transmission and Distribution:					
Labor	\$ 221,015	\$ 1,928,938	\$ 2,627,040	73%	\$ 698,102
Employee benefits	62,159	606,291	842,305	72%	236,014
Maintenance & Repairs	97,268	714,510	1,197,812	60%	483,302
Total Transmission and Distribution	\$ 380,442	\$ 3,249,738	\$ 4,667,157	70%	\$ 1,417,419
Administrative & other costs:					
Engineering consultant	\$ -	\$ 63,521	\$ 50,000	127%	\$ (13,521)
Legal consultants	-	3,710	200,000	2%	196,290
Special legal/engineering	29,803	254,290	200,000	127%	(54,290)
Kern River GSA	-	1,335	200,000	1%	198,665
Insurance	13,706	112,065	163,194	69%	51,129
Office operations	10,993	220,707	334,782	66%	114,075
Special expenses	62,704	524,795	576,500	91%	51,705
Construction Expense - Peripheral	-	29,195	-		
Bond Interest expense	-	72,972	131,290	56%	58,318
Depreciation	47,000	364,000	456,000	N/A	92,000
Total administrative & other	\$ 164,205	\$ 1,646,590	\$ 2,311,766	71%	\$ 694,371
Total expenses	\$ 550,239	\$ 7,407,030	\$ 10,641,823	70%	\$ 3,234,793
Net Fav/(Unfav) Operating Results	\$ 115,263	\$ (310,875)	\$ 1,488,967		\$ 1,799,842

KERN DELTA WATER DISTRICT
Labor and Benefits Tracker
2021

Actual Cost	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL 2021
Wages & Salaries	200,143	199,795	213,691	211,998	226,034	219,896	217,727	218,638	221,015	1,928,938
Payroll Taxes - Employer Paid	14,950	14,182	16,159	15,377	16,059	16,563	15,852	15,126	13,787	138,054
Medical/Dental/Vision - Cost	35,644	35,471	36,438	32,250	30,973	33,609	29,874	37,375	30,930	302,564
Medical/Dental/Vision - Employee Withheld	(5,157)	(4,658)	(5,140)	(4,958)	(5,035)	(4,873)	(5,124)	(5,146)	(6,836)	(46,927)
Life/LTD/AD&D	1,378	1,452	1,415	1,415	1,415	1,364	1,461	1,425	1,373	12,698
Retirement Plan	18,970	17,165	19,161	19,340	22,713	22,149	22,790	22,792	22,043	187,122
Uniforms and Other Benefits	1,115	1,168	1,316	1,741	754	1,092	1,549	3,183	861	12,779
Total Benefits	66,899	64,780	69,348	65,165	66,879	69,904	66,402	74,755	62,158	606,290
Total Labor and Benefits	267,043	264,575	283,040	277,163	292,913	289,800	284,129	293,393	283,173	2,535,228

Budgeted Cost										
Wages & Salaries	215,859	194,970	215,859	208,896	226,674	219,362	226,674	226,674	219,362	1,954,330
Payroll Taxes - Employer Paid	16,513	14,915	16,513	15,981	17,341	16,781	16,749	16,749	15,373	146,915
Medical/Dental/Vision - Cost	34,457	34,457	34,457	34,457	34,457	34,457	34,457	34,457	34,457	310,113
Medical/Dental/Vision - Employee Withheld	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(44,640)
Life/LTD/AD&D	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	13,500
Retirement Plan	19,753	18,073	20,335	19,679	22,734	22,000	22,734	22,734	22,000	190,042
Uniforms and Other Benefits	2,123	2,123	2,123	2,123	2,123	2,123	2,123	2,123	2,123	19,107
Total Benefits	69,386	66,108	69,968	68,780	73,195	71,901	72,603	72,603	70,493	635,037
Total Labor and Benefits	285,245	261,078	285,827	277,676	299,869	291,263	299,277	299,277	289,855	2,589,367

Budget vs Actual Variance - Fav/(Unfav)										
Wages & Salaries	15,716	(4,825)	2,168	(3,102)	640	(534)	8,947	8,036	(1,653)	25,392
Payroll Taxes - Employer Paid	1,563	733	354	604	1,282	218	897	1,623	1,586	8,861
Medical/Dental/Vision - Cost	(1,187)	(1,014)	(1,981)	2,207	3,484	848	4,583	(2,918)	3,527	7,549
Medical/Dental/Vision - Employee Withheld	197	(302)	180	(2)	75	(87)	164	186	1,876	2,287
Life/LTD/AD&D	122	48	85	85	85	136	39	75	127	802
Retirement Plan	784	908	1,174	339	21	(149)	(56)	(58)	(43)	2,920
Uniforms and Other Benefits	1,008	955	807	382	1,369	1,031	574	(1,060)	1,262	6,328
Total Benefits	2,487	1,328	620	3,615	6,316	1,997	6,201	(2,152)	8,335	28,747
Total Labor and Benefits	18,203	(3,497)	2,787	513	6,956	1,463	15,148	5,884	6,682	54,139

KERN DELTA WATER DISTRICT

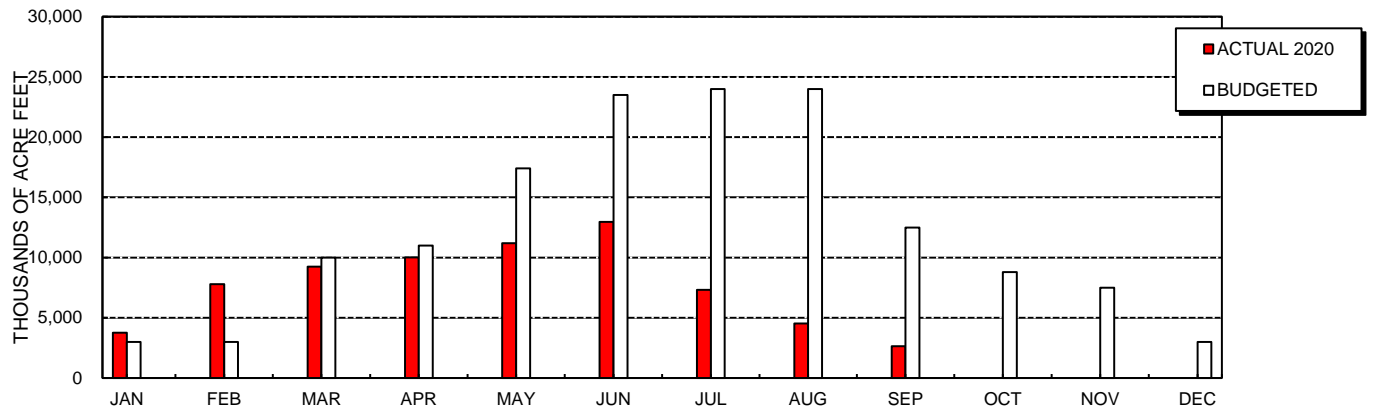
TREASURER'S REPORT

September 2021

	2021	2020	2019	2018
Cash & Securities on hand - September 1	\$ 22,608,416	\$ 22,361,608	\$ 18,113,596	\$ 16,392,230
Add: September receipts	668,653	912,320	1,293,780	1,205,537
Less: September disbursements	626,041	1,014,846	915,704	610,429
Cash & Securities on hand - September 30, 2021	\$ 22,651,027	\$ 22,259,082	\$ 18,491,672	\$ 16,987,339
Petty Cash \$ 500 Citizens Business Bank 887,138 Kern County Treasury 21,763,389 \$ 22,651,027				
Restricted Reserves:				
Restricted Reserve Fund - General Manager	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ -
Unrestricted Reserves:				
Pipeline Maintenance	(213,845)	(213,845)	(213,845)	(213,845)
Water Rights Protection & Litigation Reserve	(2,718,358)	(3,066,311)	(3,251,339)	(3,310,844)
2015-A COP Reserve Fund	(4,015,000)	(4,230,000)	(372,600)	(372,600)
Operating Reserve	(5,000,000)	(5,000,000)		
Capital Reserve	(2,000,000)	(2,000,000)		
Groundwater Program Reserve	(3,500,000)	(3,500,000)		
Total Reserves	\$ (17,747,203)	\$ (18,310,156)	\$ (4,137,784)	\$ (3,897,288)
Cash Available - September 30, 2021	\$ 4,903,824	\$ 3,948,926	\$ 14,353,889	\$ 13,090,050

**Kern Delta Water District
Monthly Water Sales Volume
in Acre Feet**

	2020	2021										
	Actual (Accum- ulated)	Budgeted		Actual								
		Monthly	(Accum- ulated)	Monthly				Accumulated				% of Budget
				Utility	State	Contracts	Total	Utility	State	Contracts	Total	
JAN	4,488	3,000	3,000	3,612	0	145	3,757	3,612	0	145	3,757	125%
FEB	12,169	3,000	6,000	7,461	0	341	7,801	11,073	0	486	11,559	193%
MAR	17,600	10,000	16,000	8,881	0	371	9,252	19,954	0	857	20,811	130%
APR	21,713	11,000	27,000	9,608	0	411	10,018	29,561	0	1,268	30,829	114%
MAY	33,840	17,400	44,400	10,727	103	371	11,202	40,289	103	1,639	42,031	95%
JUN	54,218	23,500	67,900	11,179	1,460	316	12,955	51,468	1,563	1,955	54,986	81%
JUL	74,182	24,000	91,900	5,959	1,177	186	7,322	57,427	2,740	2,141	62,308	68%
AUG	85,938	24,000	115,900	3,690	611	225	4,526	61,117	3,351	2,366	66,834	58%
SEP	92,178	12,500	128,400	2,468	112	72	2,652	63,585	3,463	2,439	69,486	54%
OCT	96,158	8,800	137,200									
NOV	99,138	7,500	144,700									
DEC	100,282	3,000	147,700									



KERN DELTA WATER DISTRICT

Aged Accounts Receivable

Past Due Accounts

October 19, 2021

Account	Name	0-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Past Due
592	Costa, Joe & Mary	451.51	-	-	-	451.51
887	Forney, Bruce	5.99	5.91	5.82	387.81	405.53
994	Giannelli Farms	11.97	11.79	558.76	227.14	809.66
1270	Jassar, Sikander & Daljeet	792.19	-	-	-	792.19
2437	Upple, Shinda	95.92	1,555.31			1,651.23
4924	Frick Inc, Dennis & Peter	901.51	59.25	-	-	960.76
5769	Khachatryan, Emma	12.74	12.55	373.09	463.81	862.19
	OTHER	562.24	40.82	0.62	41.87	645.55
		2,834.07	1,685.63	938.29	1,120.63	6,578.62

**Kern Delta Water Banking Project
Balance Sheet
September 30, 2021**

Assets

	September 30, 2021	August 31, 2021	Month-to- Month Variance
Current Assets:			
Cash & Securities in Bank	\$ 7,854,187	\$ 6,320,115	\$ 1,534,072
Interest Receivable	-	-	-
Due from Metropolitan Water District	-	2,034,390	(2,034,390)
Due from SBVMWD	-	-	-
Inventory and Prepaids	160,376	95,852	64,524
Due from KDWD	-	-	-
Total Current Assets	<u>\$ 8,014,563</u>	<u>\$ 8,450,358</u>	<u>\$ (435,794)</u>
Fixed Assets at cost less depreciation:			
All structures	\$ 63,139,776	\$ 63,139,611	\$ 166
Machinery and equipment	418,064	418,064	-
	<u>\$ 63,557,841</u>	<u>\$ 63,557,675</u>	<u>\$ 166</u>
Less: Accumulated depreciation	(11,190,531)	(11,096,031)	(94,500)
Total fixed assets	<u>\$ 52,367,310</u>	<u>\$ 52,461,644</u>	<u>\$ (94,334)</u>
Investment in Sunset Banking Project	<u>\$ 96,548</u>	<u>\$ 96,548</u>	<u>\$ -</u>
Other Assets	<u>\$ 96,548</u>	<u>\$ 96,548</u>	<u>\$ -</u>
Total Assets	<u><u>\$ 60,478,420</u></u>	<u><u>\$ 61,008,549</u></u>	<u><u>\$ (530,128)</u></u>

Liabilities & Equity

Current Liabilities:			
Trade accounts payable	\$ -	\$ -	\$ -
Due to KDWD	<u>-</u>	<u>-</u>	<u>-</u>
Total current liabilities	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Equity:			
Contributions to equity - KDWD (Land purchases)	\$ 8,890,130	\$ 8,890,130	\$ -
Equity from past years	52,202,620	52,202,620	-
Equity enhanced this year	<u>(614,330)</u>	<u>(84,202)</u>	<u>(530,128)</u>
Total Equity	<u>\$ 60,478,420</u>	<u>\$ 61,008,549</u>	<u>\$ (530,128)</u>
Total Liabilities & Equity	<u><u>\$ 60,478,420</u></u>	<u><u>\$ 61,008,549</u></u>	<u><u>\$ (530,128)</u></u>

Kern Delta Water Banking Project
Cash Variance Analysis
September 30, 2021

Cash Received:

Received from MWD	2,034,390
Received From KDWD - CVC Ops/Power	57,458
Received From ID#4 - CVC Ops/Power	57,458
Misc Credits	3,852
Interest Received	19
	<hr/>
	2,153,177

Cash Disbursed:

Disbursements - PG&E	(311,783)
KCWA - CVC Prepaid 4th Qtr 2021 CVC Ops & Power	(229,831)
Disbursements - Other	(77,491)
	<hr/>
	(619,105)

Net positive/(negative) variance

1,534,072

**Kern Delta Water Banking Project
Inventory/Prepays Variance Analysis
September 30, 2021**

Additions to Accounts:

Chemicals Purchased	64,862
	<hr/>
	64,862

Usage/Amortization:

Chemicals Consumed During Month	(338)
	<hr/>
	(338)

Net positive/(negative) variance	64,524
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**Kern Delta Water Banking Project
Statement of Operating Results
Through the Period Ended August 31, 2021**

	<u>Current Month</u>	<u>Year to Date</u>
REVENUE:		
MET Revenues	\$ -	\$ 2,697,063
Water Sales	-	-
Interest Income	19	42,281
Total of all income	<u>\$ 19</u>	<u>\$ 2,739,344</u>
Transfer and Exchange Fees:		
Exchange Fees	\$ 5,968	\$ 11,168
Wheeling Fees	-	-
Total Exchange Fees	<u>\$ 5,968</u>	<u>\$ 11,168</u>
Other Costs		
Power - KB1-8, KDW1-2	\$ 228,942	\$ 1,270,567
Power - AE1, AE2, AE3, AE4	82,497	477,174
Power - BV1, BV2, BV3, BV4, BV5	344	230,142
CVC Operating Costs	114,140	461,326
CVC Power Costs	776	3,068
O&M Spreading	2,048	21,189
Other O&M & Miscellaneous Costs	933	28,540
Legal & Accounting	-	-
Depreciation	94,500	850,500
Total Other Costs	<u>\$ 524,179</u>	<u>\$ 3,342,506</u>
Total all expenses	<u>\$ 530,147</u>	<u>\$ 3,353,674</u>
Favorable/(Unfavorable) Operating Results	<u>\$ (530,128)</u>	<u>\$ (614,330)</u>
Estimated 3rd Qtr Revenue - MWD		<u>\$ 1,100,000</u>
Estimated Fav/(Unfav) Operating Results		<u>\$ 485,670</u>

KERN DELTA WATER BANKING PROJECT

TREASURER'S REPORT

September

	2021	2020	2019	2018
Cash & Securities on hand - September 1, 2021	\$ 6,320,115	\$ 13,404,509	\$ 9,157,355	\$ 9,648,031
Add: September receipts	2,553,177	1,892,705	667,846	257,289
Less: September disbursements	1,019,105	1,599,368	428,166	428,865
Cash & Securities on hand - September 30, 2021	\$ 7,854,187	\$ 13,697,846	\$ 9,397,035	\$ 9,476,455
Citizens Business Bank \$ 267,436 Kern County Treasury <u>7,586,751</u> <u>\$ 7,854,187</u>				
Restricted Cash included in above:				
OM&R Spreading	\$ (262,193)	\$ 896,357	\$ 584,969	
OM&R Extraction	(690,438)	(107,951)	(137,772)	
OM&R CVC/Delivery Canal	-	(3,534,492)	(3,102,084)	
Take/Put Fees	<u>(2,237,601)</u>	<u>(5,160,938)</u>	<u>(1,961,126)</u>	
Total Restricted	<u>\$ (3,190,232)</u>	<u>\$ (7,907,024)</u>	<u>\$ (4,616,013)</u>	
Cash Available for Construction - September 30, 2021	<u>\$ 4,663,955</u>	<u>\$ 5,790,822</u>	<u>\$ 4,781,023</u>	

Sunset Banking Project
Balance Sheet
As of September 30, 2021

<u>Assets</u>	<u>September 30, 2021</u>
Current Assets:	
Cash & Securities in Bank	\$ 66
Total Current Assets	<u>66</u>
Fixed Assets	
Construction in Progress - Spreading Works	96,548
Net Fixed Assets	<u>96,548</u>
 Total Assets	 <u><u>\$ 96,614</u></u>
 <u>Liabilities & Equity</u>	
Current Liabilities:	
Trade Accounts Payable	\$ -
Total Current Liabilities	<u>-</u>
Equity:	
Contributions to Equity - KDWB	96,548
Equity From Past Years	\$ -
Accumulative Equity - Current Year	<u>66</u>
Total Liabilities & Equity	<u><u>\$ 96,614</u></u>

Sunset Banking Project
Statement of Operating Results
Through the Period Ended September 30, 2021

	<u>Year to Date</u>
REVENUE:	
Miscellaneous Income	<u>100</u>
Total of all revenue	<u>\$ 100</u>
 OTHER COSTS:	
Legal & Accounting	<u>34</u>
Total Other Costs	<u>\$ 34</u>
 Favorable/(Unfavorable) Operating Results	 <u><u>\$ 66</u></u>

SUNSET BANKING PROJECT

TREASURER'S REPORT

September 2021

		2021			
Cash & Securities on hand - September 1		\$ 66			
Add: September receipts		-			
Less: September disbursements		-			
Cash & Securities on hand - September 30, 2021		\$ 66	\$ -	\$ -	\$ -
Petty Cash \$ - Citizens Business Bank 66 Kern County Treasury - \$ 66					
Unrestricted Reserves:					
None					
Total Reserves		\$ -	\$ -	\$ -	\$ -
Cash Available - September 30, 2021		\$ 66	\$ -	\$ -	\$ -

KERN DELTA WATER DISTRICT

INVESTMENT POLICY

WHEREAS, the Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (Cal. Govt. Code, §§ 53600.6 and 53630.1); and

WHEREAS, the legislative body of a local agency may invest surplus monies not required for the immediate necessities of the local agency in accordance with the provisions of California Government Code sections 5921, 16429.1, and 53601, et seq.; and

WHEREAS, the treasurer or fiscal officer of the Kern Delta Water District ~~shall~~ may annually prepare and submit a statement of investment policy and such policy, and any changes thereto, shall be considered by the legislative body at a public meeting (Govt. Code, § 53646(a)).

NOW, THEREFORE, it shall be the policy of the Kern Delta Water District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all statutes governing the investment of Kern Delta Water District funds.

1.0 SCOPE

This investment policy applies to the investment of any financial assets belonging to the Kern Delta Water District except as otherwise provided.

Funds not included in the policy may include the District's deferred compensation and employee retirement benefit funds.

2.0 PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (Govt. Code, §53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

3.0 OBJECTIVES

As specified in Government Code 53600.5, when investing, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives, in priority order, of the investment activities shall be:

1. Safety: Safety of principal is the foremost objective of the investment program. Investments of the Kern Delta Water District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
2. Liquidity: The investment portfolio will remain sufficiently liquid to enable the Kern Delta Water District to meet all operating requirements which might be reasonably anticipated.
3. Return on Investment: The investment portfolio shall be designed with the objective of attaining a market rate of return after first obtaining safety and liquidity.

4.0 DELEGATION OF AUTHORITY

Authority to manage the investment program is derived from California Government Code sections 53600, et seq. The authority to make investment decisions shall remain with the Board of Directors. Management responsibility for the investment program is hereby delegated to the Treasurer, who may establish written procedures for the operation of the investment program consistent with this investment policy. Procedures may include references to: safekeeping, PSA repurchase agreements, wire transfers, agreements, collateral/depository agreements and banking service contracts, as appropriate. Such procedures may include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy. Under the provisions of California Government Code section 53600.3, the Board of Directors and the Treasurer are trustees and fiduciaries subject to the prudent investor standard.

5.0 ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

6.0 AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Treasurer may maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list may also be maintained of approved security brokers/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws, including Government Code section 53635.

For brokers/dealers of government securities and other investments, the District shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the Kern Delta Water District's account with that firm has reviewed the Kern Delta Water District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the Kern Delta Water District that are appropriate under the terms and conditions of the Investment Policy.

7.0 AUTHORIZED AND SUITABLE INVESTMENTS

The Kern Delta Water District is empowered by California Government Code section 53601, et seq., to invest in the following:

- A. Bonds issued by the Kern Delta Water District.
- B. United States Treasury Bills, Notes, and Bonds.
- C. Registered state warrants or treasury notes or bonds issued by the State of California.
- D. Bonds, notes, warrants, or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County Treasurers, other local agencies, or Joint Powers Agencies.
- E. Obligations issued by Agencies or Instrumentality of the United States Government.
- F. Bankers Acceptances with a term not to exceed 270 days. Not more than 40% of surplus funds can be invested in Bankers Acceptances and no more than 30% of surplus funds can be invested in the bankers acceptances of any single commercial bank.

- G. Prime Commercial Paper of United States corporations with assets greater than \$500 million with a term not to exceed 180 days and the highest ranking issued by Moody's Investors Service or Standard & Poor's Corp. Commercial paper cannot exceed 15% of total surplus funds, provided, that if the average maturity of all Commercial paper does not exceed 31 days, up to 30% of surplus funds can be invested Commercial paper.
- H. Negotiable Certificates of Deposit issued by federally or state chartered banks or associations. Not more than 30% of surplus funds can be invested in certificates of deposit.
- I. Repurchase/Reverse Repurchase Agreements of any securities authorized by this Section. Securities purchased under these agreements shall be no less than 102% of market value. (See special limits in Govt. Code, § 53601 (i).)
- J. Medium term notes (not to exceed 5 years) of U.S. corporations rated "A" or better by Moody's or S&P. Not more than 30% of surplus funds can be invested in medium term notes.
- K. Shares of beneficial interest issued by diversified management companies (Money Market Mutual Funds) investing in the securities and obligations authorized by this Section. Such funds must carry the highest rating of at least two of the three largest national rating agencies. Not more than 15% of surplus funds can be invested in Money Market Mutual Funds.
- L. Funds held under the terms of Trust Indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.
- M. Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.
- N. Any mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable-backed bond of a maximum maturity of five years. Securities in this category must be rated "AA" or better by a nationally recognized rating service. Not more than 30% of surplus funds may be invested in this category of securities.
- O. Any other investment security authorized under the provision of Government Code sections 5922, 16429.1, and 53601.

Also, see Government Code section 53601 for a detailed summary of the limitations and special conditions that apply to each of the above-listed investment securities. Government Code section 53601 is attached and included by reference in this investment policy.

Prohibited Investments. Under the provisions of Government Code sections 53601.6 and 53631.5, the Kern Delta Water District shall not invest any funds covered by this investment policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

8.0 COLLATERALIZATION

All certificates of deposit must be collateralized by U.S. Treasury obligations. Collateral must be held by a third-party trustee and valued on a monthly basis. The percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under Government Code section 53601 (i) (2).

9.0 SAFEKEEPING AND CUSTODY

All securities purchased or acquired shall be delivered to the Kern Delta Water District by book entry, physical delivery, or by third-party custodial agreement as required by Government Code section 53601.

10.0 DIVERSIFICATION

The Kern Delta Water District may diversify its investments by security type and institution. Assets may be diversified to eliminate the risk of loss resulting from over-concentration of assets in a specific maturity, a specific issuer, or a specific class of securities.

11.0 REPORTING

In accordance with Government Code section 53646 (b) (1), the Treasurer shall submit to the Board of Directors a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including a description of funds managed for Kern Delta Water District by third-party contracted managers. The report will also include the source of the portfolio valuation. As specified in Government Code section 53646 (e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a statement that (1) all investment actions executed since the last report have been made in full compliance with the investment policy or the manner in which the

investment portfolio is not in compliance with the policy and, (2) the Kern Delta Water District will meet its expenditure obligations for the next six months or why sufficient funds may not be available, as required by Government Code section 53646 (b) (2) and (3) respectively. The Treasurer shall maintain a complete and timely record of all investment transactions.

12.0 INVESTMENT POLICY ADOPTION

The Investment Policy shall be adopted by resolution of the Kern Delta Water District. Moreover, the policy shall be reviewed on an annual basis, and modifications must be approved by the Board of Directors.

ADOPTED this _____ day of _____, 2021.

RODNEY PALLA
President of the Board

RICH TILLEMA
Secretary of the Board

KEVIN ANTONGIOVANNI
Treasurer of the Board

Tab IV





**OPERATIONS AND PROJECTS
COMMITTEE MEETING**

**501 Taft Highway
Bakersfield, CA**

**TUESDAY OCTOBER 5, 2021
10:30 AM**

A G E N D A

- 1. Call to Order**
- 2. Public Comment Period**
- 3. Assistant General Manager's Report:**
 - a. Approve the minutes of the Operations and Projects Committee Meeting of September 7, 2021
 - b. Encroachment Permit Update
 - c. District Facility and Banking Maintenance Report
 - d. Water Banking Construction and Power Invoices
 - e. Pending Development Projects
 - f. Traveling Screens
 - g. Review of 2019-2020 Engineer's Report
 - h. Recommended Improvements for Romero Basins
 - i. Redbank Road and Panama Lane Common Use Agreements
- 4. Committee Comments**
- 5. Adjourn**

A handwritten signature in black ink that reads "Chris Bellue".

Chris Bellue
Assistant General Manager

Posted: Friday, October 1, 2021
Bakersfield, California

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.



MINUTES OF THE OPERATIONS AND PROJECTS COMMITTEE
Tuesday, October 5, 2021

DIRECTORS PRESENT: Kaiser, Mendonca, Spitzer

OTHERS PRESENT: From KDWD: General Manager Teglia, Assistant General Manager Bellue, Controller Duncan, General Counsel Iger, Staff Engineer DeLeon, Administrative Assistant Rodriguez

CALL TO ORDER

Director Kaiser called the meeting to order at 10:34 A.M.

1. PUBLIC COMMENTS

None.

2. ASSISTANT GENERAL MANAGER'S REPORT:

- a. Approve minutes of the Operations and Projects Committee Meeting of September 7, 2021: M/S/C (Spitzer/Mendonca) (yes-3, no-0): The Committee approved the minutes of the Operations and Projects Committee meeting held on September 7, 2021.
- b. Encroachment Permit Update: Mr. Bellue presented three encroachment requests, the first from PG&E to install a new overhead electrical crossing on the Central Branch at Panama Lane. A request from Summit Capital Ventures, also on the Central Branch Canal at Panama Lane, to install a fence between the canal and a housing tract. The last request was from Griffith Company for the installation of a multi-use path for the City of Bakersfield adjacent to the 23 Ditch.
- c. District Facility and Banking Maintenance: Mr. Bellue discussed several items of note including replacing a rusted crossing on the Eastside Canal at Stenderup Avenue and the removal of a diversion wall and waterman gate inside the East Branch Canal standpipe at Casa Loma Drive to improve flow. Also mentioned, was the ongoing efforts to excavate and stockpile concrete irrigation pipe at the Old River Basins property.
- d. Water Banking Construction and Power Invoices: M/S/C (Mendonca/Kaiser) (yes-3, no-0): The Committee recommended the Board approve payment of Water Banking and Power Invoices totaling \$265,794.11 (plus additional PG&E well energy costs). See the attached October 19, 2021, Invoice and Disbursements memo to the Board for a full breakdown of the invoices.
- e. Pending Development Projects: Staff provided a status update of development projects that have the potential to impact District facilities.
- f. Traveling Screens: Staff discussed the benefits associated with the installation of District owned Traveling Screens on the Central Canal just south of Panama Lane along with the potential costs and projected return on investment. Following the discussion, the Committee requested staff review/confirm potential PG&E costs and return the item back to the Committee.
- g. Review of 2019-2020 Engineer's Report: Staff provided a brief update regarding this item.
- h. Recommended Improvements for Romero Basins: Staff provided an update on the collection of quotes to skim pond bottoms to enhance recharge capabilities.

- i. Redbank Road and Panama Lane Common Use Agreements: M/S/C (Mendonca/Spitzer)
(yes-3, no-0): The Committee recommends the Board approve Common Use Agreements for projects on Redbank Road and Panama Lane.

3. **ADJOURN**

Director Kaiser adjourned the meeting at 11:26 A.M.

Respectfully submitted,

Donald Collins – Chair

Maintenance Report

September 2021

1. **Structure and Turnout Repairs.** The following jobs were completed during the month;
 - a. Replace farmer's crossing on the Eastside Canal at Stenderup Ave.
 - b. Repair washout on Rim from rodent damage
 - c. Repair wash in on BV, neighbors draining pool into canal
 - d. Repair screens on turnouts 2-0-262, -267, -268, -290 and -298
 - e. Repair Weir 2-0-301(replace rusted out I Beams w/new)
 - f. Removed diversion wall and waterman gate inside the East Branch Canal standpipe at Casa Loma (#3-2-46) to improve flow
2. **Shop.** The following jobs were completed during the month;
 - a. Normal service and repairs on District vehicles and equipment.
 - b. Repair to Trailer #T11 air relief valve
 - c. Fuel & service Grader / John Deere
 - d. Replace fuel pump in truck #210
 - e. Repair sloper on Grader (#403)
 - f. Repair wiring on dump truck (# 327)
 - g. Build chemical tote stands
 - h. Clean office air conditioners
3. **District Wells.**
 - a. Monthly service and inspection of all District wells to check dripper operation and clean well pads and add dripper oil as needed
4. **Motor Grader # 403** The following canals were sloped and roads graded;
 - a. BV
5. **Backhoe # 402** The following jobs were completed during the month;
 - a. Assist in cleanout of debris on KI and Central
 - b. Repair gopher hole breaches / wash-ins on Rim / BV
 - c. Excavate and remove concrete irrigation pipe from Old River basins property
6. **Backhoe # 404** The following jobs were completed this month;
 - a. Removed mattresses, debris, tumbleweeds, moss, brush and tires from Kern Island, Central, Branch 1, Randal and Eastside Canals
 - b. Assist with removal of concrete irrigation pipe from Old River basins property.
7. **Weed Spraying.** The following canals were sprayed during the month;
 - a. Weeds were sprayed on KI, 18 N&S, 13 Ditch, BV and Eastside
8. **Aquatic Treatments.** Treatments including surface spraying for algae mats and injection treatments for control of algae or vascular aquatic weeds; treatments were made to Central, Randal, 18 N&S, 13 Ditch and Kern Island

9. Rodent Control

- a. Bait Stations were checked, and all locations were filled throughout the district this month

10. Trash Removal.

- a. Daily cleaning of crossings, weirs, and screens on all canals running
- b. Removed debris / moss from canal and banks of the BV, Stine, Central, Kern Island and Branch 1. Used both trash trucks to haul debris to the landfill
- c. Brush Removal on Eastside at Columbus St. to permit grader to pass without damage

11. Fence Repairs. Fences and Gates were repaired at the following locations;

- a. Kern Island – 30th St., 34th St. and Columbus
- b. Eastside – Columbus, 30th, 34th and Kentucky
- c. Branch 1 – White Lane and Hughes
- d. Central – Pacheco

12. Safety Meetings. Weekly tailgate safety topics were;

- a. Ladder Safety
- b. PPE Equipment and It's Importance
- c. Pinch Points and Hand Injuries
- d. Safety Rules and Procedures

13. Water Banking Activities. The following jobs were completed during the month;

- a. Mowing cells at the Met and Romero basins
- b. Manage weed control by others at basin properties
- c. Remove and break up concrete irrigation pipe from Old River Basins property
- d. Removal of short shaft pump from stand at Old River Basin property and place in storage at Stonefield Basin

14. Future Projects. The following projects will be completed as time and scheduling permit:

- a. Trim and remove trees/brush as needed along canals for grader passage (Central)
- b. Repair dilapidated turnouts, gates, screens, piping and crossings as availability of canals are made possible on Eastside, Central and Kern Island
- c. Install meters on Stine Canal at the Bladder basin outflow
- d. 13 Ditch headgate / turnout piping repair to internal joint seams set for shutdown
- e. Repair turnout #3-7-27 (repair gate & measuring tube when farmer lowers reservoir, no check valve on system to prevent backflow)
- f. Repair turnouts and remove debris from Central Canal beginning October 18, 2021.

15. Future Water Banking Projects.

- a. Install permanent staff gauges and signage in basins for pipelines/levels
- b. Mow weeds in basins as manpower permits
- c. Continue removal of concrete irrigation lines at Old River Basins property
- d. Repair air vent at Kern Island basins when wells are turned off



To: Kern Delta Water District Board of Directors

From: Steven Teglia

Date: October 19, 2021

Re: Encroachment Permit Applications

DISCUSSION:

Following are the organizations that have applied for an encroachment permit with Kern Delta Water District and a summary of their intended locations and purposes for encroaching.

Organization: PG&E

Location: Central Branch at Panama Lane

Purpose: Install new overhead electrical crossing

Anticipated Start Date: TBD

Organization: Summit Capital Ventures

Location: Central Branch at Panama Lane

Purpose: Install fencing between tract housing and canal right-of-way

Anticipated Start Date: TBD

Organization: Griffith

Location: 23 Ditch@ Pacheco Road

Purpose: Install City of Bakersfield Bike Path

Anticipated Start Date: TBD



Item	Facility	Project	Location	Status	Board Approval Needed	Comment
1	Central Branch Canal	Fencing Between Canal and Tract	South of Panama Lane	Pending contractor signing Encroachment Permit	N	Board approved
2	Central Branch Canal	Culvert Extension	South of Panama Lane	Review process	Y	
3	Central Branch Canal	Overhead Power	South of Panama Lane	Pending EP fee and insurance.	N	
4	Buena Vista Canal	Overhead Power	South of Taft Hwy	Review process	N	
5	Section 31 Ditch	Pipeline and Realignment	North of McCutchen	Review process	Y	
6	Branch II Canal	Pipeline and Realignment	North of McCutchen	Review process	Y	
7	Kern Island Canal	Box Culvert Extension	South of Hosking Ave	Review process	Y	
8	Kern Island Canal	Water line crossing	Taft Highway	Review process	N	
9	23 Ditch	Multi-Use Path	Pacheco Road	Construction set to begin 10/4	Y	
10	Branch One Canal	Installation of gas line crossing	South of Panama Lane	EP approved, construction to begin 10/4	N	
11	Branch One Canal	Installation of block wall	South of White Lane	No plans sent to date	N	Nature of Project unclear PG&E has not confirmed start date Contractor has not confirmed start date
12	Branch One Canal	Pilot Truck Stop	South of Taft Hwy	No plans sent to date	Y	
13	Eastside Canal	Memorial Solar Project	APN 120-320-12	No plans sent to date	Y	
14	Eastside Canal	Removal of PG&E Bridge	North of Kern Ice Cold Storage	Unknown	N	
15	Eastside Canal	COB SCADA Project	Eastside Canal at four weirs	Unknown	N	
16	Eastside Canal	Culvert Extension	Redbank Road	Pending approval of 3-Party Agreement	Y	Depending on cost, Board approval may be required.
17	Banking Ponds	Install fencing	Romero,KI, and B1	Plans being finalized for quotation	N	
18	Old River Basins	Grading Plan	NE Corner of Old River and Taft Hwy	Preliminary plans being finalized.	N	
19	Eastside Canal	FFP Inertie	South of Muller	AEWSD finalizing plans for KDWD review	Y	
20	Sunset Basins	Basin Grading	North of Sunset Road	Wood Bros. to Start	N	Board approved

THREE PARTY COMMON USE AGREEMENT

Agreement No. _____

THIS AGREEMENT is made on _____, by and between **KERN DELTA WATER DISTRICT**, a California water district (“**District**”), **SUMMIT CAPITAL VENTURES**, (“**Applicant**”), and the **CITY OF BAKERSFIELD**(“**City**”). District, Applicant, and City are sometimes hereinafter individually or collectively called a “**Party**” or the “**Parties**”.

RECITALS:

WHEREAS, District is the owner and operator of an irrigation canal commonly known as the **CENTRAL BRANCH CANAL** (“**Canal**”) that currently crosses under the City-maintained road, known as Panama Lane, in a pipe culvert (“**Area of Common Use**”).

WHEREAS, the Area of Common Use is owned by Applicant and subject to an easement by District for canal purposes which predates City’s easement of right of way as shown in the map attached and incorporated into this Agreement as Exhibit A; and

WHEREAS, Applicant is constructing a project in the Area of Common Use, and because of the project, Applicant must widen and improve Panama Lane, which requires an extension of the currently existing pipe culvert as explained in detail in Approved Plans as defined below (the “**Facilities**”); and

WHEREAS, District is willing to consent to the construction of the Facilities in the Area of Common Use on the conditions identified below.

AGREEMENT:

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, IT IS AGREED AS FOLLOWS:

1. Construction of Facilities:

a. Applicant has prepared, at its expense, detailed plans and specifications (including bid and contract documents) for the construction of Facilities in the Area of Common Use which have been approved by the District and City (the “**Approved Plans**”). While not attached as an exhibit, the Approved Plans are incorporated herein and made a part hereof.

b. Applicant agrees to construct and install the Facilities in strict compliance with the Approved Plans. In no event shall Applicant install additional or different facilities without first obtaining the written approval of District and City.

c. Applicant agrees to construct and install the Facilities within the Area of Common Use easement to the depth and on the grade as set forth in the Approved Plans and in the

manner designated and approved in writing by District's engineer. In all instances, said construction and installation work shall be done at a time that will not interfere with the flow or distribution of water through the Canal as required and approved by District in writing, unless that requirement is waived by the District in writing, or interfere with the use of Panama Lane, except as approved by City in writing. Applicant acknowledges and agrees that work on said project can commence on the assigned date for commencement approved by the District and City in writing (the “**Commencement Date**”). Once the Canal is shut down, failure to complete the project by the assigned date for completion approved by the District in writing (the “**Completion Date**”) will result in liquidated damages of \$3,000.00 per day for every day the Canal is shut down or the project remains incomplete beyond the assigned Completion Date unless District grants an extension to Applicant in writing. Applicant agrees to furnish District a performance bond in the amount of \$191,390.00 payable to District should Applicant fail to complete the Facilities as approved.

d. Applicant shall pay the entire cost of laying, constructing and installing the Facilities including the costs of all labor and materials incurred or used in connection with the installation, trenching, backfilling, leveling and testing of the same, and the cost of all engineering, professional and other necessary services furnished by District, City, or others in connection therewith. In addition, District and City may hire at Applicant's expense a construction inspector to inspect the work performed by Applicant. Applicant shall provide District and City copies of all as-built drawings depicting the location of the Facilities as constructed.

e. In the event Applicant does not pay the entire cost as described in Section 1.d and complete said work as provided in this Agreement, District or City may, but shall not be required to, pay such costs and complete such work, and Applicant does hereby agree to repay District or City, as the case may be, any amount so expended together with interest thereon at ten percent (10%) per annum from the date the same is expended until the date of repayment. In the event District or City is required to complete said work as provided in this Agreement, Applicant acknowledges and agrees that Applicant shall still be subject to and liable for the liquidated damages specified herein until District or City completes said work.

f. Applicant agrees that, upon completion of construction and installation of Facilities to the satisfaction of the District and City, the Facilities shall become and remain the property of City. District shall be in sole and absolute control of the manner, method, and time of conducting and discharging water through Facilities.

2. Construction of Project

a. District and City hereby consent to the construction, operation, maintenance and use of the Facilities in the Area of Common Use subject to the terms and conditions herein contained.

b. Applicant and City acknowledge District's Easement and the priority of District's title over Applicant's rights in the Area of Common Use. Except as expressly set forth

herein, this Agreement shall not in any way alter, modify, or terminate the legal rights of District in District's Easement or the Canal or the rights of City in City's Easement or the Road.

c. District has and reserves the right to use the Area of Common Use for all of the purposes for which District's Easement was acquired, without need for any further permit or permission from Applicant. City has and reserves the right to use the Area of Common Use for all the purposes for which City's Easement was acquired not inconsistent with District's use. Applicant and City shall use the Area of Common Use in such a manner as to not unreasonably interfere with District's right to use Canal for any and all lawful purposes. Applicant and District shall use the Area of Common Use in such a manner as to not unreasonably interfere with City's right to use Road for any and all lawful purposes.

d. Any construction work in the Area of Common Use shall be done at a time that will not interfere with the flow or distribution of water through the Canal as required and approved by District and not unreasonably interfere with the Project or interfere with the use of the Road as required and approved by City.

3. Maintenance of the Area of Common Use.

a. City shall maintain Panama Lane and the Facilities in the Area of Common Use in good condition and repair and shall pay all costs of such repairs and maintenance and of any replacement of any part thereof required to provide safe access to the Area of Common Use. City shall coordinate the timing of any maintenance activities to ensure there is no interruption to the flow of the Canal.

b. In the event City fails, neglects, or refuses to repair, maintain, or promptly replace any of the Facilities that are in such a state of disrepair as to cause interruptions to District's operations, District shall have the right to remove any or all of the Facilities.

4. Miscellaneous:

a. By entering into this agreement District does not extinguish, abandon, forfeit, relinquish, waive, modify, limit, restrict, or alter in any way District's water rights, including but not limited to, any and all water rights associated with or conveyed across the Area of Common Use, and this agreement further does not and will not restrict, interrupt, limit, or diminish District's use of and access to any of this water rights and water supplies.

b. Indemnity:

i. For Benefit of District. Applicant hereby agrees and undertakes to indemnify, defend and hold harmless District, its officers, agents, and employees from any and all losses, costs, expenses (including reasonable attorneys' fees), claims, liabilities,

actions or damages of any nature whatsoever, including injuries to or the death of any person or persons or damage to any property, in any way arising out of or connected with or incident to or alleged to have arisen in any manner out of, or to have been in any way connected with or incident to any negligent, reckless, or willful act or omission of Applicant, its officers, agents, employees, contractors, subcontractors, or independent contractors in the performance of this Agreement or to have occurred as a result of any, negligent, reckless, or willful acts or omissions by Applicant, its officers, agents, and employees in the performance of this Agreement.

ii. For Benefit of City. Applicant hereby agrees and undertakes to indemnify, defend and hold harmless City, its officers, agents, and employees from any and all losses, costs, expenses (including reasonable attorneys' fees), claims, liabilities, actions or damages of any nature whatsoever, including injuries to or the death of any person or persons or damage to any property, in any way arising out of or connected with or incident to or alleged to have arisen in any manner out of, or to have been in any way connected with or incident to any negligent, reckless, or willful act or omission of Applicant, its officers, agents, employees, contractors, subcontractors, or independent contractors in the performance of this Agreement or to have occurred as a result of any negligent, reckless, or willful acts or omissions by Applicant, its officers, agents, and employees in the performance of this Agreement.

c. Any contractor working in the Area of Common Use shall procure and maintain general liability insurance, providing coverage on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence. The liability policy shall contain an additional insured endorsement which shall expressly name the District, the City, their officers, agents, servants, employees and consultants as additional insureds, without limitation. In addition, the contractor and/or subcontractors shall maintain workers' compensation insurance while working within the Area of Common Use. The workers' compensation policy shall contain an express waiver of subrogation endorsement in favor of the District, the City, their officers, agents, servants, employees and consultants. Said additional insured endorsement and workers' compensation subrogation endorsement shall be furnished in the form approved by the District's and City's legal counsel prior to any work authorized pursuant to this Agreement.

d. District, City, and Applicant shall not become or be deemed partners or joint venturers or associates by reason of the provisions of this Agreement. No Party shall for any purpose be considered an agent, officer or employee of the other Party.

e. The failure of any Party to enforce against another Party any provision of this Agreement shall not constitute a waiver of that Party's right to enforce such a provision at a later time and shall not serve to vary the terms of this Agreement.

f. This Agreement may be modified only in writing approved by District, City, and Applicant and signed by all the Parties.

g. In the event of a conflict between the terms, conditions or specifications set forth in this Agreement and those in exhibits attached hereto, the terms, conditions or specifications set forth in this Agreement shall prevail. All exhibits to which reference is made in this Agreement are deemed incorporated in this Agreement whether or not actually attached.

h. All notices relative to this Agreement shall be given in writing and shall be personally served or sent by certified or registered mail and be effective upon actual personal service or depositing in the United States mail. The Parties shall be addressed as follows, or at any other address designated by notice:

DISTRICT: Kern Delta Water District
501 Taft Highway
Bakersfield, CA 93307
Attn.: Steven Teglia, General Manager

APPLICANT: Summit Capital Ventures
Attn: Greg Balfanz
8725 Swigert Court
Bakersfield, CA 93311

CITY: City of Bakersfield
Public Works Dept.
1501 Truxtun Avenue
Bakersfield, CA 93301
Attn: Manpreet Behl

i. The laws of the State of California will govern the validity of this Agreement, its interpretation and performance. Any litigation arising in any way from this Agreement shall be brought in Kern County, California.

j. Neither this Agreement, nor any interest in it, may be assigned or transferred by any Party without the prior written consent of all the Parties. Any such assignment may be subject to additional terms and conditions not set forth herein.

k. The rights and obligations of this Agreement shall inure to the benefit of, and be binding upon, the Parties to this Agreement and their heirs, administrators, executors, personal representatives, successors and assigns.

l. Each individual signing this Agreement on behalf of the respective entities represents and warrants that he or she is, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

m. Each Party shall execute and deliver such papers, documents, and instruments, and perform such acts as are necessary or appropriate, to implement the terms of this Agreement and the intent of the Parties to this Agreement.

n. This Agreement is made for the benefit of the Parties hereto and is not intended to confer any benefit upon any third party.

o. District and Applicant agree that neither will hold District's engineer responsible for alleged engineering defects in the above-described project facilities unless such claim results from such engineer's failure as District's consultant to exercise the judgment and care, under circumstances then prevailing, which duly licensed civil engineers of prudence, skill, discretion and intelligence would exercise in (1) the review and approval of the plans and specifications for the design and construction of the subject facilities or (2) any review or supervision of construction necessary to protect the District's interests in insuring the adequacy and integrity of the new facilities.

[Signatures on following page]

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed the day and year first above written.

“DISTRICT”
KERN DELTA WATER DISTRICT

“APPLICANT”
SUMMIT CAPITAL VENTURES

Steven Teglia
General Manager

Name
Title

Approved as to Form:

Richard Iger
General Counsel

“CITY”
CITY OF BAKERSFIELD

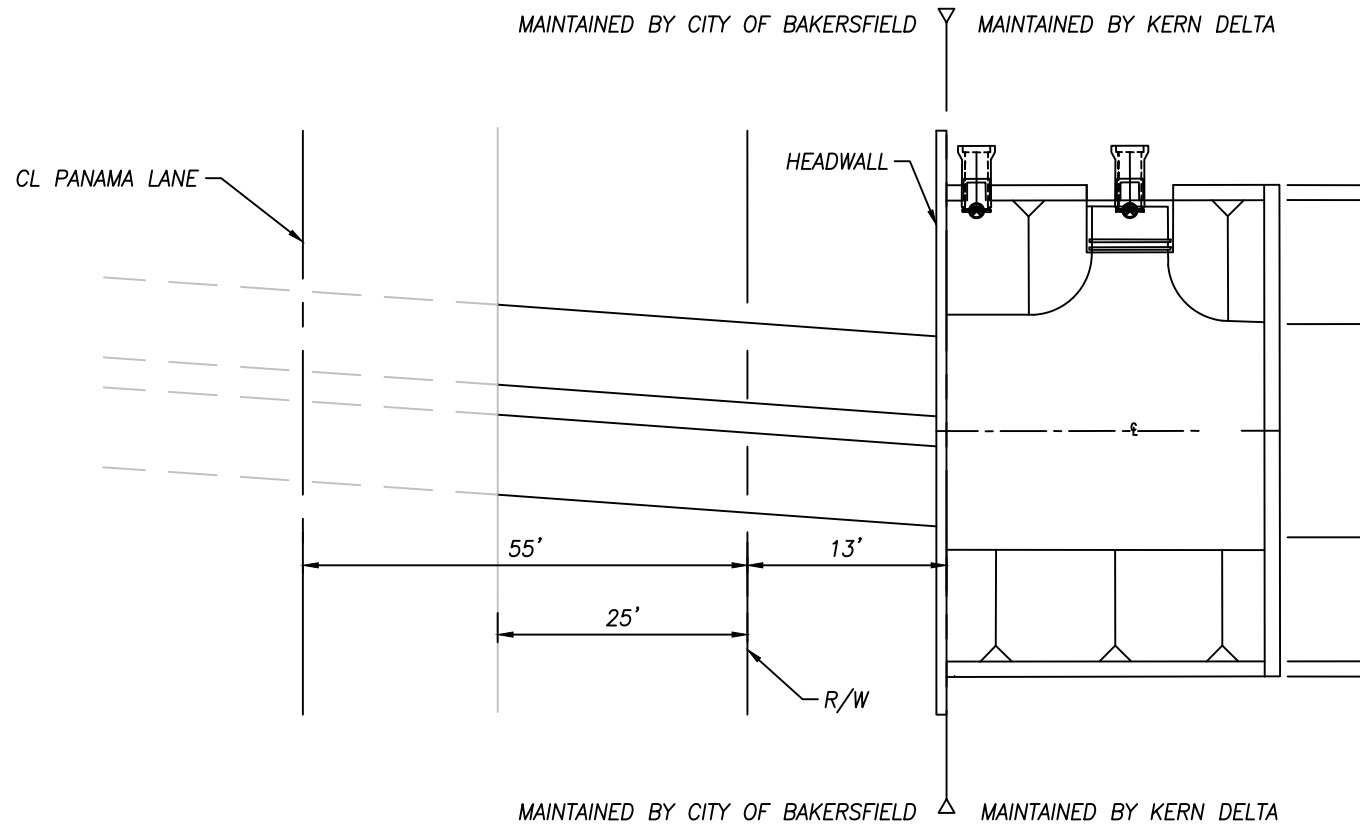
Approved as to Content:

Stuart Patteson
Acting Director of Public Works

Approved as to Form:

Viridiana Gallardo-King
Deputy City Attorney

EXHIBIT "A"



PROJECT NO.: 190400.02

DRAWN BY: KM

QA/QC BY: CP

SCALE: AS SHOWN

SHEET NO.:

1 OF 1

TRACT 6712

**EAST PANAMA LANE - CENTRAL CANAL (SOUTH HALF)
CROSSING WIDENING**



5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM
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THREE PARTY COMMON USE AGREEMENT

Agreement No. _____

THIS AGREEMENT is made on _____, by and between **KERN DELTA WATER DISTRICT**, a California water district ("**District**"), **DEERTRAIL DEVELOPMENT, LLC.**, a California limited liability company ("**Applicant**"), and the **COUNTY OF KERN**, a political subdivision of the State of California ("**County**"). District, Applicant, and County are sometimes hereinafter individually or collectively called a "Party" or the "Parties".

RECITALS:

WHEREAS, District is the owner and operator of an irrigation canal commonly known as the **Eastside Canal** ("**Canal**") that currently crosses under the County-maintained road, known as Redbank Road, in a box culvert ("**Area of Common Use**").

WHEREAS, the Area of Common Use is owned by Applicant and subject to an easement by District for canal purposes which predates County's easement of right of way as shown in the map attached and incorporated into this Agreement as Exhibit A; and

WHEREAS, Applicant is constructing a project in the Area of Common Use, and because of the project, Applicant must widen and improve Redbank Road, which requires an extension of the currently existing box culvert as explained in detail in Approved Plans as defined below (the "**Facilities**"); and

WHEREAS, District is willing to consent to the construction of the Facilities in the Area of Common Use on the conditions identified below.

AGREEMENT:

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, IT IS AGREED AS FOLLOWS:

1. Construction of Facilities:

a. Applicant has prepared, at its expense, detailed plans and specifications (including bid and contract documents) for the construction of Facilities in the Area of Common Use which have been approved by the District and County (the "**Approved Plans**"). While not attached as an exhibit, the Approved Plans are incorporated herein and made a part hereof.

b. Applicant agrees to construct and install the Facilities in strict compliance with the Approved Plans. In no event shall Applicant install additional or different facilities without first obtaining the written approval of District and County.

c. Applicant agrees to construct and install the Facilities within the Area of Common Use easement to the depth and on the grade as set forth in the Approved Plans and in the manner designated and approved in writing by District's engineer. In all instances, said construction and installation work shall be done at a time that will not interfere with the flow or distribution of water through the Canal as required and approved by District in writing, unless that requirement is waived by the District in writing, or interfere with the use of Redbank Road, except as approved by County in writing. Applicant acknowledges and agrees that work on said project can commence on the assigned date for commencement approved by the District and County in writing (the "**Commencement Date**"). Once the Canal is shut down, failure to complete the project by the assigned date for completion approved by the District in writing (the "**Completion Date**") will result in liquidated damages of \$3,000.00 per day for every day the Canal is shut down or the project remains incomplete beyond the assigned Completion Date unless District grants an extension to Applicant in writing. Applicant agrees to furnish District a performance bond in the amount of \$124,669.20 payable to District, with the County named as a Dual Obligee, should Applicant fail to complete the Facilities as approved by District.

d. Applicant shall pay the entire cost of laying, constructing and installing the Facilities including the costs of all labor and materials incurred or used in connection with the installation, trenching, backfilling, leveling and testing of the same, and the cost of all engineering, professional and other necessary services furnished by District, County, or others in connection therewith. In addition, District and County may hire at Applicant's expense a construction inspector to inspect the work performed by Applicant. Applicant shall provide District and County copies of all as-built drawings depicting the location of the Facilities as constructed.

e. In the event Applicant does not pay the entire cost as described in Section 1.d and complete said work as provided in this Agreement, District or County may, but shall not be required to, pay such costs and complete such work, and Applicant does hereby agree to repay District or County, as the case may be, any amount so expended together with interest thereon at ten percent (10%) per annum from the date the same is expended until the date of repayment. In the event District or County is required to complete said work as provided in this Agreement, Applicant acknowledges and agrees that Applicant shall still be subject to and liable for the liquidated damages specified herein until District or County completes said work.

f. Applicant agrees that, upon completion of construction and installation of Facilities to the satisfaction of the District and County, the Facilities shall become and remain the property of County. District shall be in sole and absolute control of the manner, method, and time of conducting and discharging water through Facilities.

2. Construction of Project

a. District and County hereby consent to the construction, operation, maintenance and use of the Facilities in the Area of Common Use subject to the terms and conditions herein contained.

b. Applicant and County acknowledge District's Easement and the priority of District's title over Applicant's rights in the Area of Common Use. Except as expressly set forth herein, this Agreement shall not in any way alter, modify, or terminate the legal rights of District in District's Easement or the Canal or the rights of County in County's Easement or the Road.

c. District has and reserves the right to use the Area of Common Use for all of the purposes for which District's Easement was acquired, without need for any further permit or permission from Applicant. County has and reserves the right to use the Area of Common Use for all the purposes for which County's Easement was acquired not inconsistent with District's use. Applicant and County shall use the Area of Common Use in such a manner as to not unreasonably interfere with District's right to use Canal for any and all lawful purposes. Applicant and District shall use the Area of Common Use in such a manner as to not unreasonably interfere with County's right to use Road for any and all lawful purposes.

d. Any construction work in the Area of Common Use shall be done at a time that will not interfere with the flow or distribution of water through the Canal as required and approved by District and not unreasonably interfere with the Project or interfere with the use of the Road as required and approved by County.

3. Maintenance of the Area of Common Use.

a. County shall maintain Redbank Road and the Facilities in the Area of Common Use in good condition and repair and shall pay all costs of such repairs and maintenance and of any replacement of any part thereof required to provide safe access to the Area of Common Use. County shall coordinate the timing of any maintenance activities to ensure there is no interruption to the flow of the Canal.

b. In the event County fails, neglects, or refuses to repair, maintain, or promptly replace any of the Facilities that are in such a state of disrepair as to cause interruptions to District's operations, District shall provide County with written notice of the situation with a timeframe for when repairs need to be completed. If County fails to make the necessary repairs within a time provided in the letter, District shall have the right to remove any or all of the Facilities.

4. Miscellaneous:

a. By entering into this agreement District does not extinguish, abandon, forfeit, relinquish, waive, modify, limit, restrict, or alter in any way District's water rights, including but not limited to, any and all water rights associated with or conveyed across the Area of Common Use, and this agreement further does not and will not restrict, interrupt, limit, or diminish District's use of and access to any of this water rights and water supplies.

b. Indemnity:

i. For Benefit of District. Applicant hereby agrees and undertakes to indemnify, defend and hold harmless District, its officers, agents, and employees from any and all losses, costs, expenses (including reasonable attorneys' fees), claims, liabilities, actions or damages of any nature whatsoever, including injuries to or the death of any person or persons or damage to any property, in any way arising out of or connected with or incident to or alleged to have arisen in any manner out of, or to have been in any way connected with or incident to any negligent, reckless, or willful act or omission of Applicant, its officers, agents, employees, contractors, subcontractors, or independent contractors in the performance of this Agreement or to have occurred as a result of any, negligent, reckless, or willful acts or omissions by Applicant, its officers, agents, and employees in the performance of this Agreement.

ii. For Benefit of County. Applicant hereby agrees and undertakes to indemnify, defend and hold harmless County, its officers, agents, and employees from any and all losses, costs, expenses (including reasonable attorneys' fees), claims, liabilities, actions or damages of any nature whatsoever, including injuries to or the death of any person or persons or damage to any property, in any way arising out of or connected with or incident to or alleged to have arisen in any manner out of, or to have been in any way connected with or incident to any negligent, reckless, or willful act or omission of Applicant, its officers, agents, employees, contractors, subcontractors, or independent contractors in the performance of this Agreement or to have occurred as a result of any negligent, reckless, or willful acts or omissions by Applicant, its officers, agents, and employees in the performance of this Agreement.

c. Any contractor working in the Area of Common Use shall procure and maintain general liability insurance, providing coverage on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence. The liability policy shall contain an additional insured endorsement which shall expressly name the District, the County, their officers, agents, servants, employees and consultants as additional insureds, without limitation. In addition, the contractor and/or subcontractors shall maintain workers' compensation insurance while working within the Area of Common Use. The workers' compensation policy shall contain an express waiver of subrogation endorsement in favor of the District, the County, their officers, agents, servants, employees and consultants. Said additional insured endorsement and workers' compensation subrogation endorsement shall be furnished in the form approved by the District's and County's legal counsel prior to any work authorized pursuant to this Agreement.

d. District, County, and Applicant shall not become or be deemed partners or joint venturers or associates by reason of the provisions of this Agreement. No Party shall for any purpose be considered an agent, officer or employee of the other Party.

e. The failure of any Party to enforce against another Party any provision of this Agreement shall not constitute a waiver of that Party's right to enforce such a provision at a later time and shall not serve to vary the terms of this Agreement.

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DISTRICT: Kern Delta Water District
501 Taft Highway
Bakersfield, CA 93307
Attn.: Steven Teglia, General Manager

APPLICANT: Deertrail Development LLC.
Attn: Russ Johnson
28749 Banducci Rd.
Tehachapi, CA 93561

COUNTY: County of Kern
Public Works Dept.
2700 "M" Street, Suite 40
Bakersfield, CA 93301
Attn: Joshua Champlin

i. The laws of the State of California will govern the validity of this Agreement, its interpretation and performance. Any litigation arising in any way from this Agreement shall be brought in Kern County, California.

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o. District and Applicant agree that neither will hold District's engineer responsible for alleged engineering defects in the above-described project facilities unless such claim results from such engineer's failure as District's consultant to exercise the judgment and care, under circumstances then prevailing, which duly licensed civil engineers of prudence, skill, discretion and intelligence would exercise in (1) the review and approval of the plans and specifications for the design and construction of the subject facilities or (2) any review or supervision of construction necessary to protect the District's interests in insuring the adequacy and integrity of the new facilities.

[Signatures on following page]

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed the day and year first above written.

“DISTRICT”
KERN DELTA WATER DISTRICT

“APPLICANT”
DEERTRAIL DEVELOPMENT LLC

Steven Teglia
General Manager

Russell Johnson
Manager

Approved as to Form:

Richard Iger
General Counsel

“COUNTY”
COUNTY OF KERN

Approved as to Content:

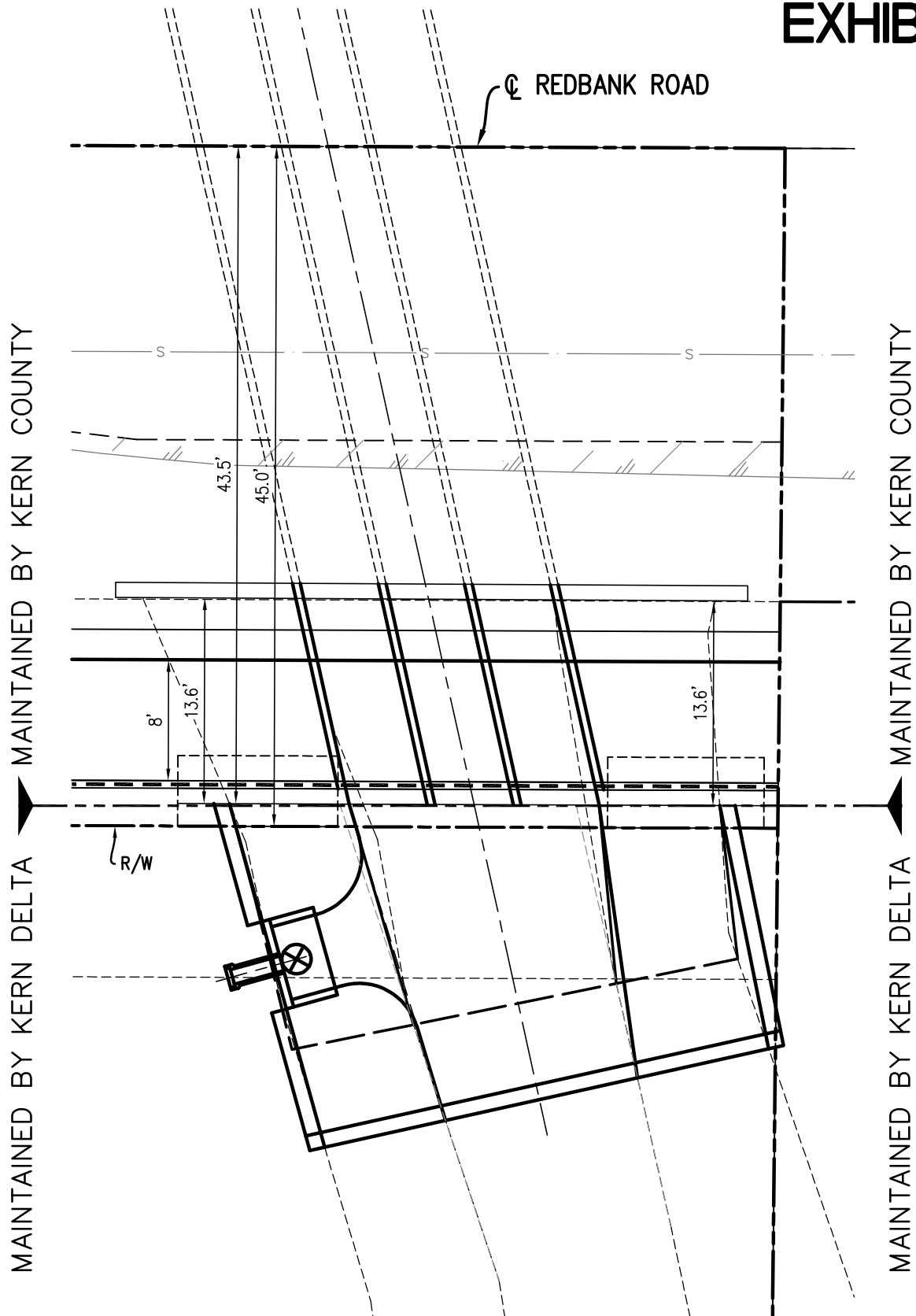
Craig Pope
Director of Public Works

Phillip Peters
Chairman, Board of Supervisors

Approved as to Form:

Brian Van Wyk
Deputy County Counsel

EXHIBIT A



N.T.S.

Tab V



KERN DELTA WATER DISTRICT

October 13, 2021

	10/13/2021	Last Year
KERN RIVER 3 DAY MEAN INFLOW	118 CFS	163 CFS
KERN RIVER MEAN OUTFLOW	122 CFS	160 CFS
ISABELLA RESERVOIR STORAGE	50,712 ACFT	99,873 ACFT
REQUESTED OUTFLOW	115 CFS	170 CFS

Estimated: (CFS)

KDWD DAILY DIVERTED: (OCTOBER 13, 2021)	@HEAD	STATE	XCHNG	BANKING
KERN ISLAND	97	0	0	0
EASTSIDE	0	0	0	0
BUENA VISTA -LEVEE	0	0	0	0
STINE	0	0	0	0
OTHER - River Channel	0	0	0	0
K.I. / A.E. Exchange Gate	0	0	0	0
STINE / A.E. Exchange Gate	0	0	0	0
Total CFS	97	0	0	0

Estimated: (Acre Feet)

DIVERTED (SEPTEMBER 2021)	UTILITY	STATE	PURCHASE	BANKING
KERN ISLAND	4,814	173	0	0
EASTSIDE	0	0	0	0
C.O.B. Misc.	0	0	0	0
BUENA VISTA	0	0	0	0
STINE	0	0	0	0
FARMERS	0	0	0	0
SOUTH FORK	0	0	0	0
West Side State Sale	0	0	0	0
MONTHLY TOTAL	4,814	173	0	0
YEAR TO SEPTEMBER 30, 2021	101,889 ACFT	4,430	0	0
Year to September 30, 2021 Utility - State - Banking	106,319 ACFT			

ACFT. STORAGE BALANCE AS OF:	9/30/2021	Estimate 10/13/2021	Max Storage
KERN ISLAND	19,143	1,874	2,500
BUENA VISTA	0	0	1,500
STINE	0	0	1,500
FARMERS	0	0	1,500
STATE (20) Carryover	173	0	N/A
STATE (21) Contract	0	0	N/A
RRBWSO STORAGE	23,805	23,805	N/A
PIONEER PROJECT STORAGE	23,285	23,285	N/A
TOTAL ACFT.	66,406	48,964	

K.D.W.D. CLIMATOLOGICAL OBSERVATION:

<u>46</u>	MINIMUM TEMPERATURE	<u>31</u>
<u>68</u>	MAXIMUM TEMPERATURE	<u>57</u>
<u>48</u>	PRESENT TEMPERATURE	<u>36</u>
<u>0.00</u>	PRECIPITATION - 24 HR. DAY	<u>0.00</u>
<u>0.00</u>	PRECIPITATION - MONTH	<u>0.00</u>
Seasonal <u>0.00</u>	YEAR TO DATE PRECIP.	<u>0.00</u> Seasonal

ISABELLA CLIMATOLOGICAL OBSERVATION:ISABELLA RESEVOIR:

LAKE ELEVATION (FT.)	2,531.93	SEPTEMBER AC. FT. INFLOW	5,818
STORAGE ACFT.	50,712	SEPTEMBER AC. FT. OUTFLOW	7,348
STORAGE CAPACITY	568,075	ACCUMULATIVE ACFT. INFLOW (20-21)	159,294
% OF CAPACITY	9%	ACCUMULATIVE ACFT. OUTFLOW	180,301
COE STORAGE CAPACITY	360,000	% OF COE CAPACITY	14%

Summary of Utility Water Diverted Year to Date: 9/30/2021

	Utility	North Kern*	Other Exchanges
January	6,805	0	0
February	13,083	0	0
March	12,456	0	0
April	14,251	0	0
May	15,598	0	0
June	16,742	0	0
July	10,879	0	0
August	7,261	0	0
September	4,814	0	0
October			
November			
December			
Total	101,889	0	0

Summary of Other Water Diverted Year to Date: 9/30/2021

	State	Purchase	Banking
January	0	0	0
February	0	0	0
March	48	0	0
April	127	0	0
May	266	0	0
June	1,781	0	0
July	1,360	0	0
August	675	0	0
September	173	0	0
October			
November			
December			
Total	4,430	0	0

Water owed to K.D.W.D as of: 9/30/2021

B.V.W.S.D. 2020 State Carryover*:	4,430
2021 State Contract: Table A**	1,275

Summary of Total State Water Used Year to Date: 9/30/2021

	(OWED)	(USED)
2020 Carryover	0	4,430
2021 Contract	0	0
Total	0	4,430

Quantities in acft. TOTAL 5,705

Net Owed to KDWD TOTAL 4,430

*Maximum State Carryover Balance: 6,000 acre feet **Owed to KDWD on a mutually agreeable year.

CALIFORNIA DEPARTMENT OF WATER RESOURCES

2022 Planning

Operations & Policy Considerations



Kern County Water Agency
October 14, 2021

John Yarbrough
Assistant Deputy Director
State Water Project

1

Presentation Topics:

- 2021 Water Year Re-Cap
 - *What happened and what we learned*
- Proactive Drought Response Framework
 - *Planning for a dry 2022*



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WATER RESOURCES

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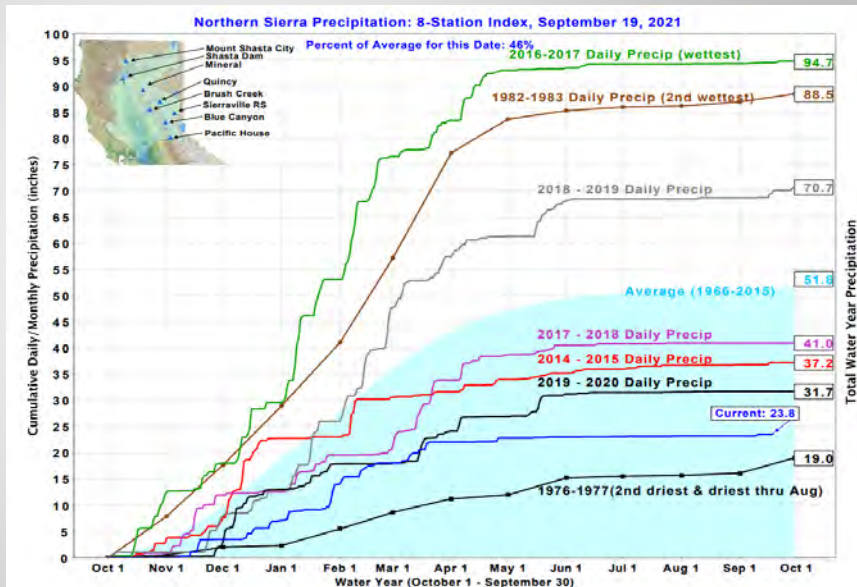
2021 Re-Cap: Precipitation

Key Takeaways:

- 2020 was in the top 10 driest years on record
- 2021 was even drier
- Two-year inflow period of 2020-21 is the second lowest on record (after 1976-77)

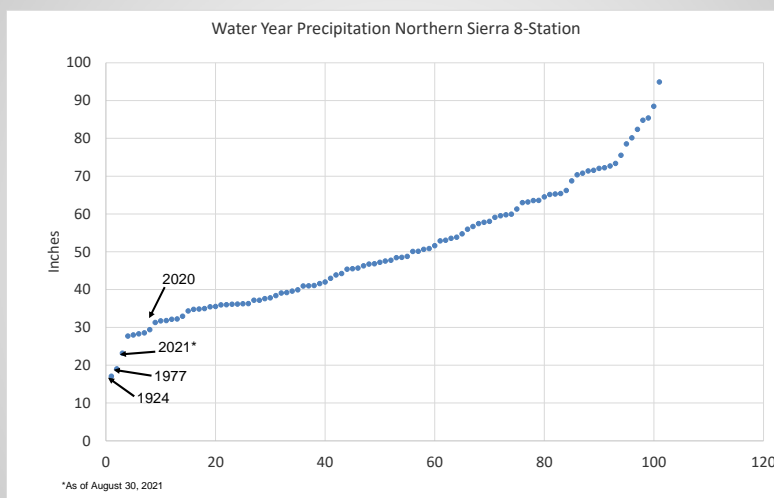


CALIFORNIA DEPARTMENT OF
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3

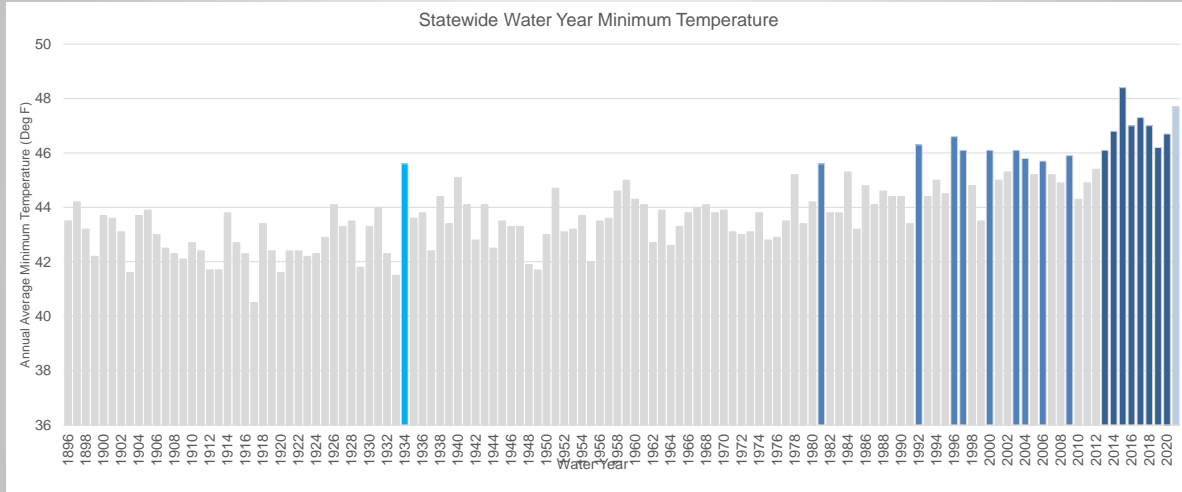
2021 Re-Cap: Precipitation



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4

Key Takeaway: Rising Average Temperatures

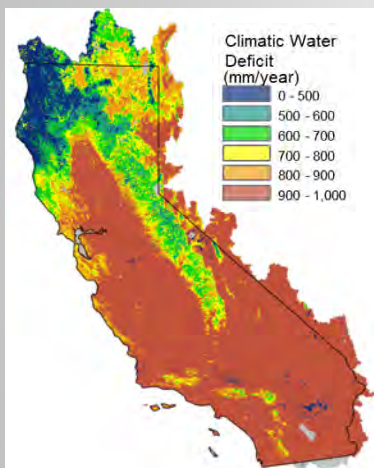


CALIFORNIA DEPARTMENT OF
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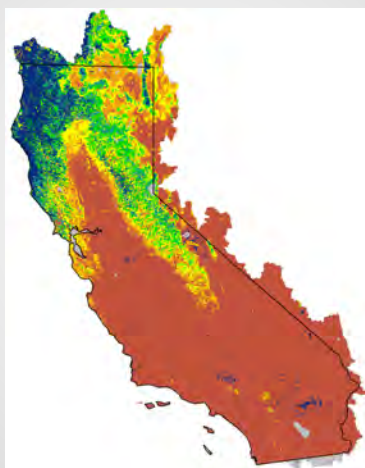
5

Key Takeaway: Extreme Temp Effects Accumulate

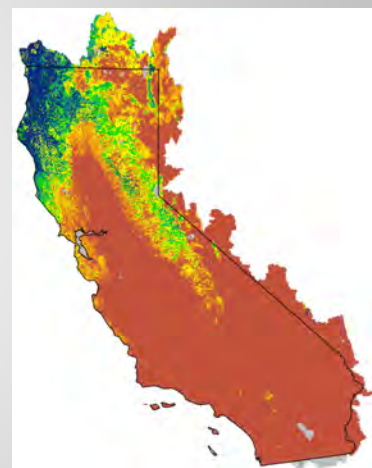
1977: Extreme drought



2014: Extreme drought and hot



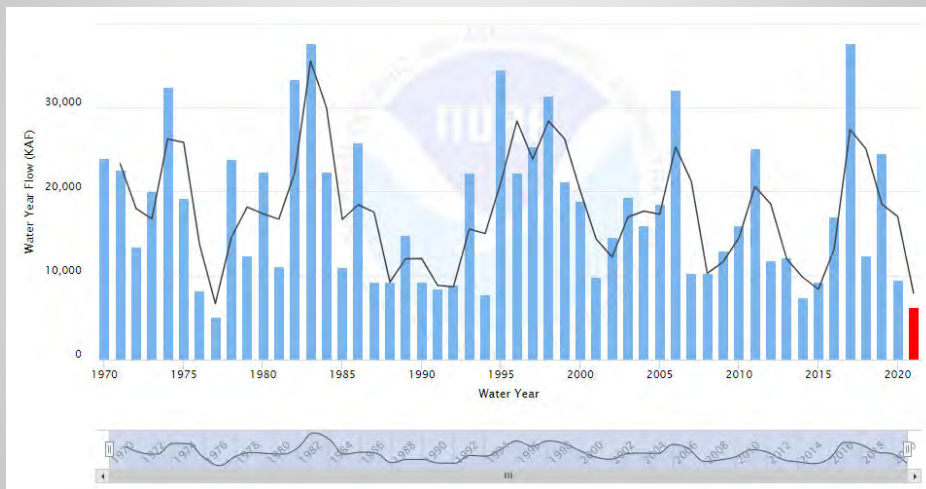
2021: Extreme drought and hotter



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6

Key Takeaway: Dry Conditions = Low Runoff



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7

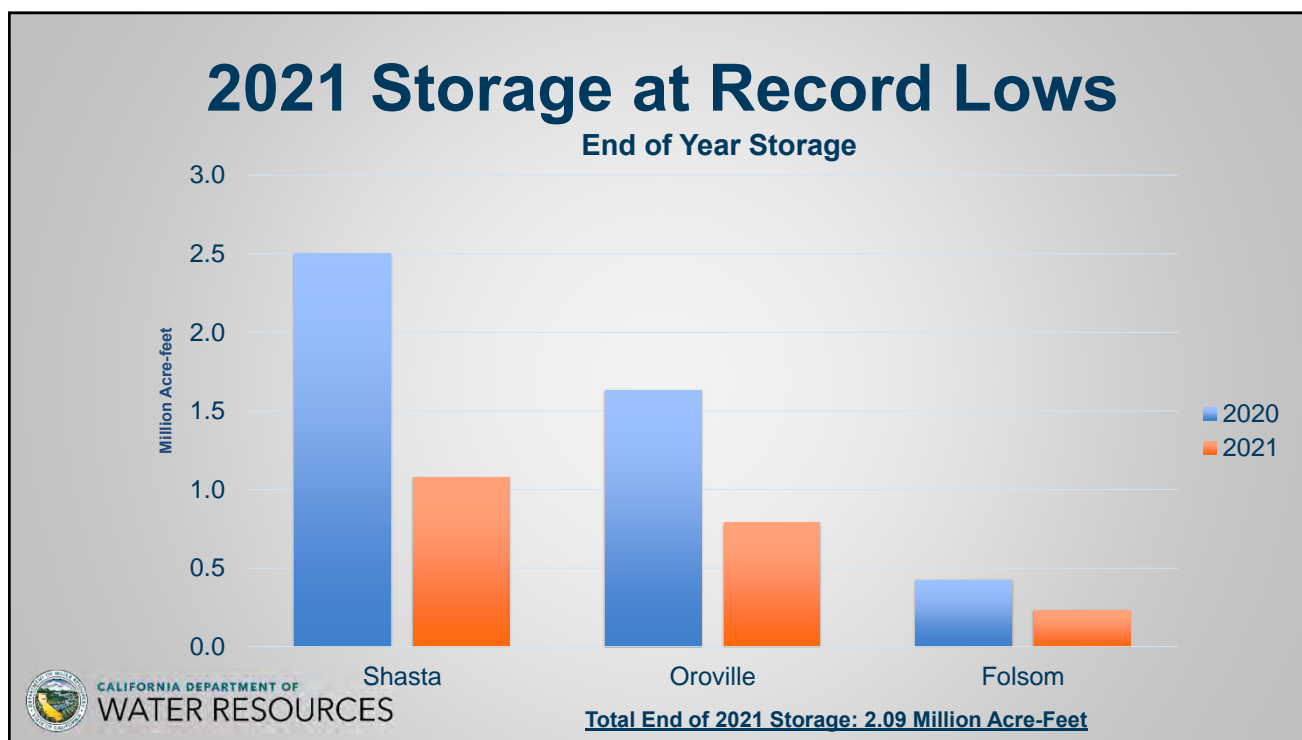
2021 Takeaways:

- Spring 2021 was the warmest and driest on record
- Extreme warm events are becoming common
- Soils are dry, runoff is low, storage is low
- New normal requires conservative planning and multiagency action starting right now



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WATER RESOURCES

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Prospects for Water Year 2022

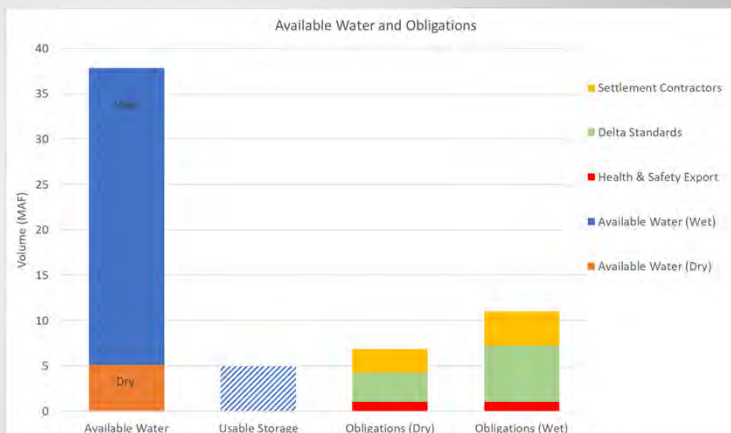
- Very dry conditions, reduced storage in reservoirs and groundwater basins
- CVP and SWP storage at near-record/record lows, very likely low project allocations
- Low runoff efficiency expected
- Above average precipitation (about 140% of average in CA) needed to achieve average runoff
- Full interstate allocation on the Colorado River

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Sacramento Valley Water Availability and Project Obligations

Key Takeaways:

- Historical Sac Valley runoff in Northern CA is extremely variable (~5 MAF to ~38 MAF)
- Water rights obligations vary between wet and dry conditions
- Runoff in wet conditions fully meet Project obligations
- Dry year obligations need to be supplemented by Project storage, and in very dry years like 2021 may not be sufficient



* Settlement Contractors include: SRSC, FRSA, and Exchange



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Dry 2022: Objectives

- Provide minimum health and safety needs
- Maintain Delta water quality
- Meet environmental needs to protect endangered species
- Conserve water storage to meet future critical needs
- Deliver water based on priority



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Dry 2022: Strategies

- Bracketed range for the combined End of 2022 Water Year storage at Folsom, Oroville, and Shasta.
- Drought actions intended to keep above 2.0 million-acre feet
 - Making adjustments to forecasting assumptions
 - Additional suite of drought strategies



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Dry 2022: Actions

- TUCPs and drought salinity barriers
- SWP allocation based on critical domestic, sanitary, and fire suppression needs
- Conjunctive use of other reservoirs
- Settlement contractor reductions
- Use of terminal reservoir emergency storage
- Transfers and exchanges south of Delta
- Continue forecast and modeling improvement efforts



CALIFORNIA DEPARTMENT OF
WATER RESOURCES

Even with these actions, it is possible that we will not meet 2.0 million-acre feet.

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Next Steps: Oct – Dec 2021

- Robust multi-agency coordination
- Preparation of TUCPs
 - To SWRCB by Dec 1 for 60-day review
- Work with stakeholders on ways to mitigate impacts of worst-case scenario drought
 - Human health and safety, agriculture, environment, disadvantaged communities



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WATER RESOURCES

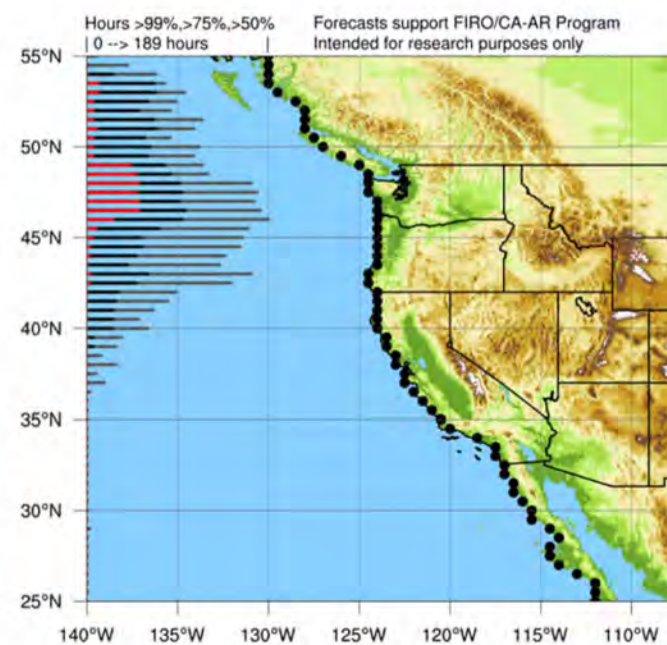
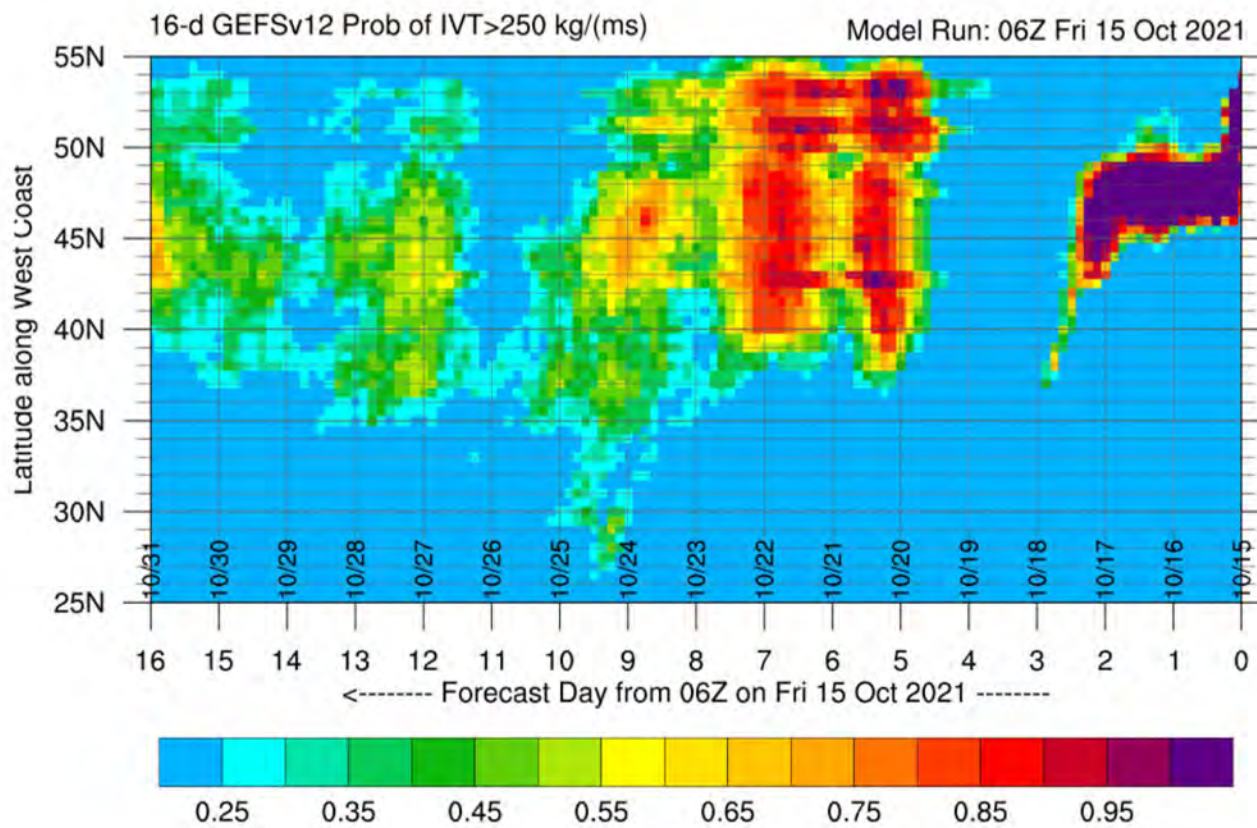
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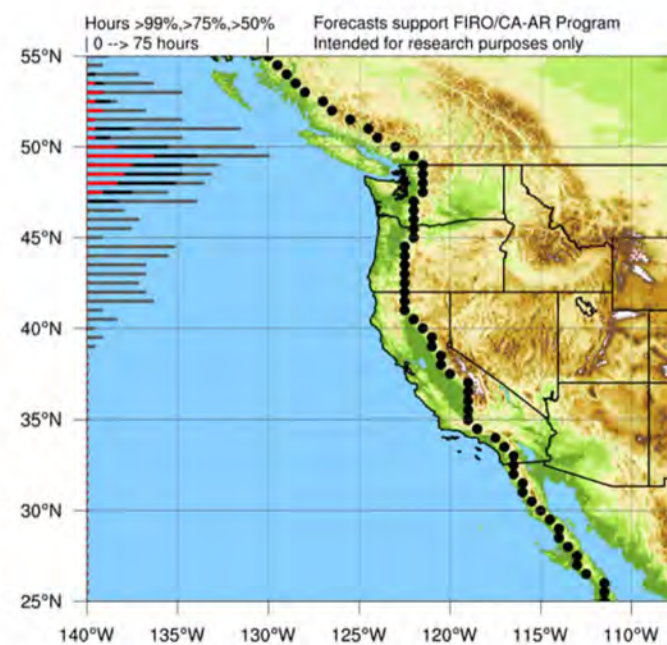
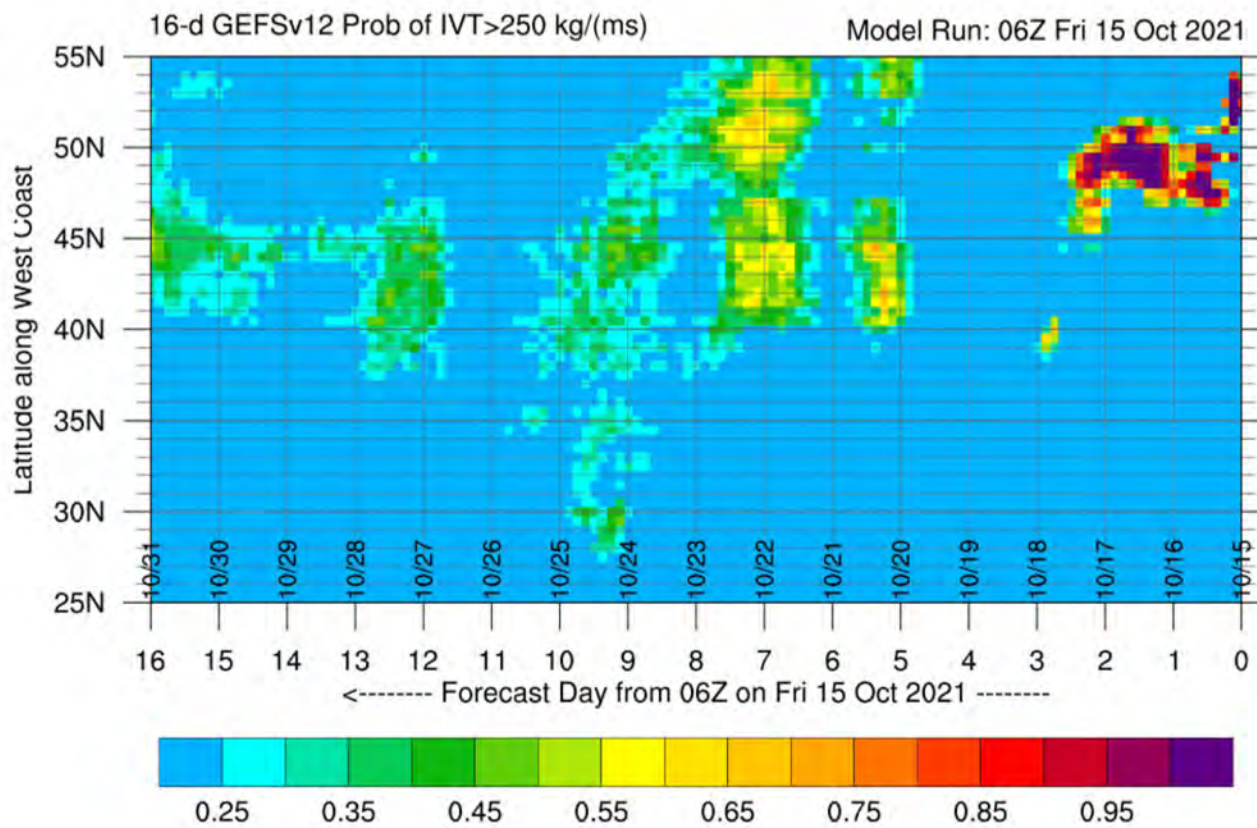
CALIFORNIA DEPARTMENT OF WATER RESOURCES



John Yarbrough
Assistant Deputy Director
State Water Project
John.Yarbrough@water.ca.gov

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ISABELLA LAKE, CA CONSTRUCTION

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

Location & Description

Isabella Lake Dam (consisting of a Main Dam, Auxiliary Dam and service spillway) is located about 40 miles northeast of Bakersfield in Kern County, California, and became fully operational in 1953. The Main Dam is located near the confluence of the north and south forks of the Kern River and the Auxiliary Dam is located about half a mile east of the Main Dam. The Main Dam is a 185-foot-high earth-fill dam, and the Auxiliary Dam is a 100-foot-high earth-fill dam. The service spillway is located between the two dams. The reservoir (Isabella Lake) has a gross storage capacity of 568,075 acre feet.

October 2021



Advisory

- USACE has established enhanced protocols to ensure the safety of our employees and our partners, and to take necessary precaution to prevent the spread of COVID-19.
- The Phase II Dams and Spillways contractor continues construction activities. As a result, the site including Engineers Point is an active construction area and is off limits to the public.
- Corps policy prohibits public operation of unmanned aircraft systems, such as drones, on or above federal lands and waters managed by USACE. The policy is intended to ensure critical infrastructure security and public safety.

Looking Ahead Next 30+ days)

- Excavation and slope stabilization continues on the Emergency Spillway at 63% complete. Steel rebar, slab and wall placement work also continues on the Labyrinth Weir at 69% complete.
- The Auxiliary Dam embankment is now at new crest elevation 2653.
- The Main Dam Emergency Action Plan is scheduled to be complete at the end of the month (Main Dam work pictured above).
- A property appraisal for the U.S. Forest Service Visitor Center proposed site is complete and next steps for real estate actions are in evaluation.
- Final design for the Permanent Operations Building is scheduled to be complete in November.
- USACE will provide updates on any changes via public outreach, the monthly SITREP, and the Isabella Task Force engagements.

Current Lake Status (as of October 5, 2021)

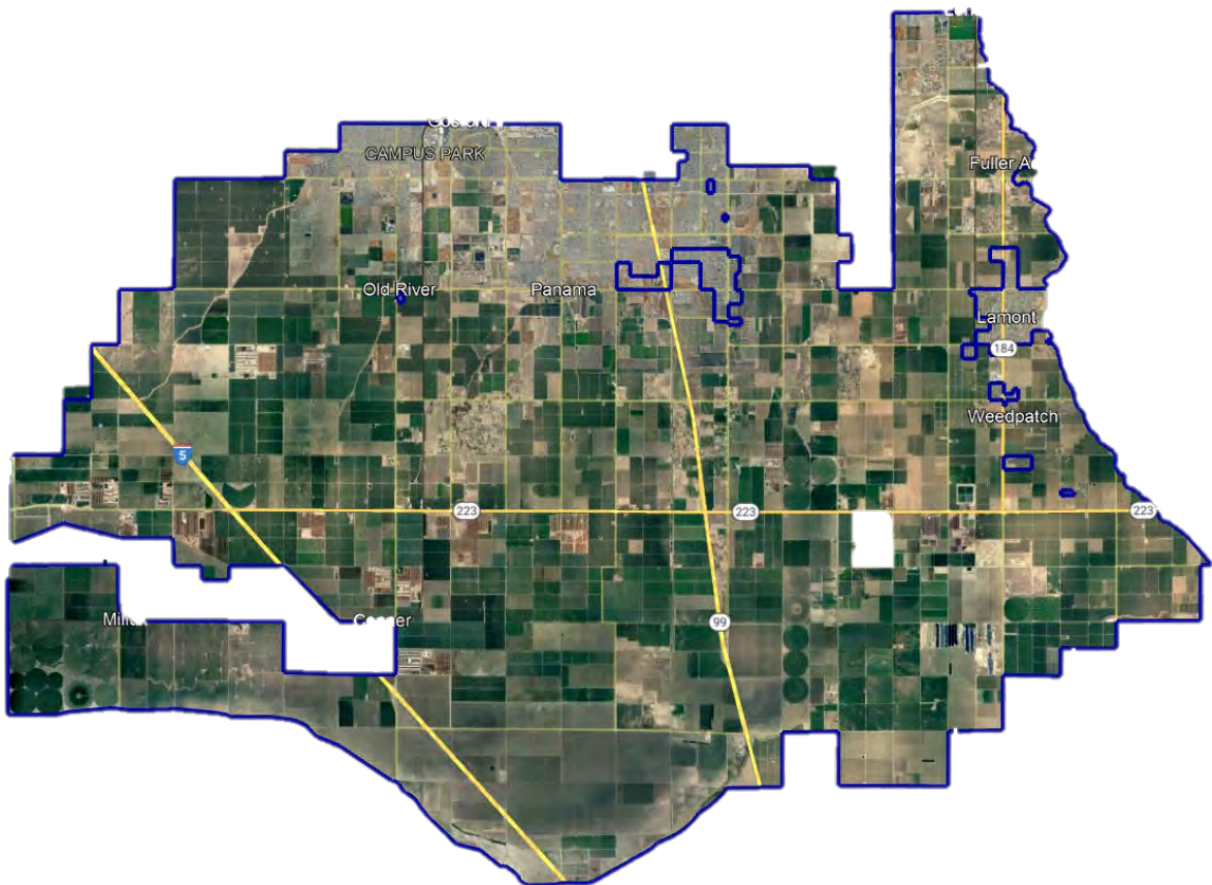
The current pool resides at 51,151 acre-feet (elevation 2,532 feet-IPD), which is 14% of restricted pool.

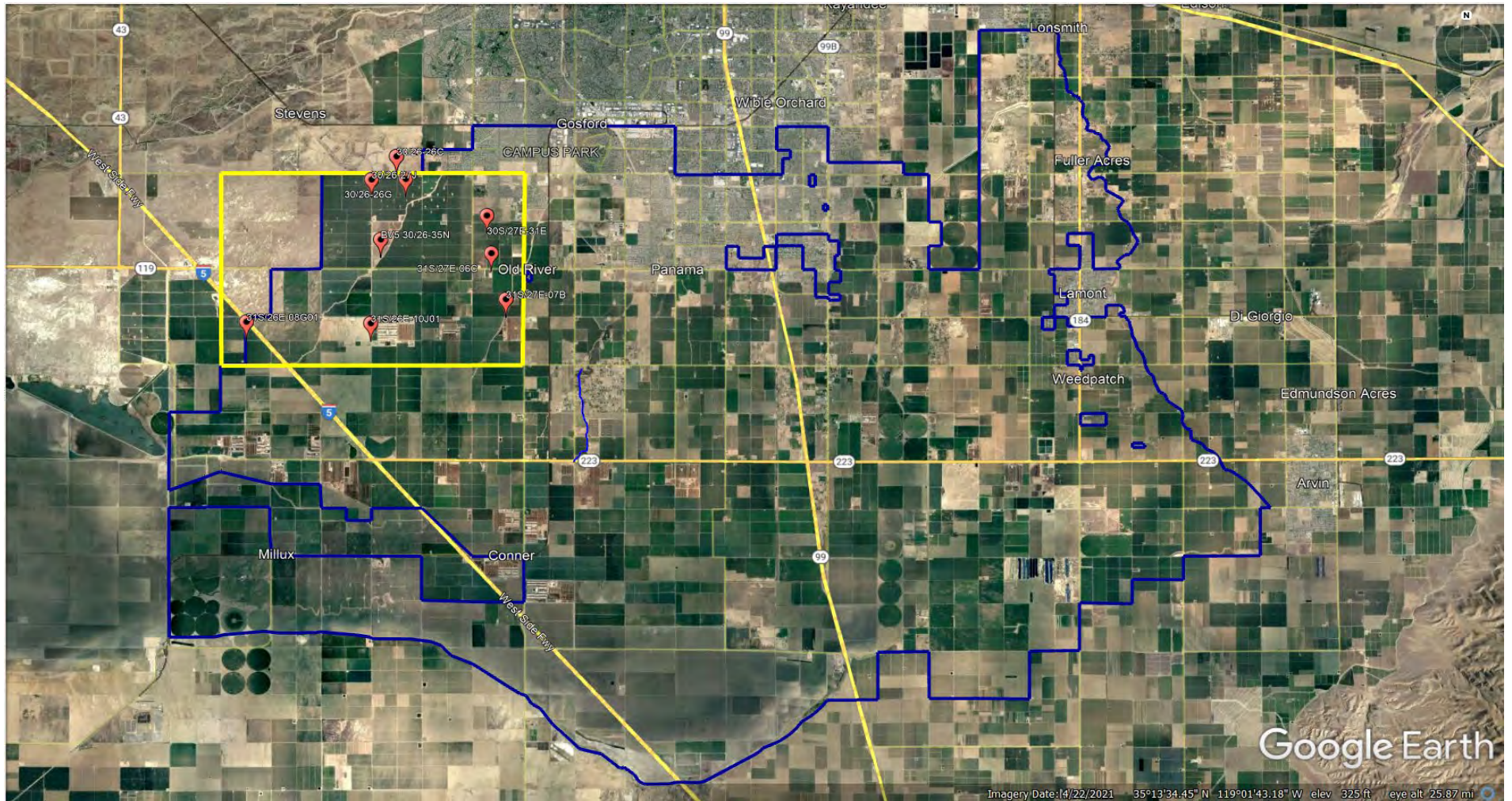
As part of our interim risk reduction measures, Isabella Lake is restricted to 361,250 acre-feet (elevation 2,585.5 feet-IPD) outside of flood season. During flood season (~November-March), flood conservation pool is restricted to 170,000 acre-feet (elevation 2,560.4 feet-IPD). Current lake status can be viewed at <https://go.usa.gov/xE2pX>

Milestones	
Pre-Construction Engineering and Design	Complete
Construction of USFS Fire Station and Admin Facilities	Complete
U.S. Forest Service Visitor's Information Center	In Planning
Permanent Operations Building	2023
Dams and Spillways Construction	2018-2022



Monthly Groundwater Report





2021



		Northwest District																				
		JAN 2015	JAN 2016	JAN 2017	JAN 2018	JAN 2019	JAN 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2020	AUG 2021	SEP 2020	OCT 2021	NOV 2021	DEC 2021	HIGH	LOW	AVERAGE
Northwest Quadrant	30/26-26C	R	196	206	190	R	204	L	L	L	L	L	L	R	R	R			0	0		
	30/26-26G	187	199	207	197	R	199	L	L	L	L	L	R	R	R	R			0	0		
	30/26-27J	177	198	206	198	R	210	L	L	L	L	L	R	R	R	R			0	0		
	30/26-35N			NR	181	184	171	169	175	175	175	180	R	R	205	R	197			205	169	182
	30/27-31E	185	202	214	181	202	219	201	208	218	213	211	219	236	238	R	R			238	201	218
	31/26-08G	152	168	NR	168	NR	204	205	202	NR	NR	NR	202	214	NR	NR	203			214	202	205
	31/26-10J	175	206	NR	170	202	NR	203	201	201	201	204	234	250	235	233	230			250	201	219
	31/27-06C	200	195	202	NR	208	215	203	209	209	205	205	214	247	246	R	224			247	203	218
	31/27-07B	189	198	NR	199	R	200	NR	223	R	R	215	222	R	R	R	233			233	215	223
	AVERAGE					199	203	196	203	201	199	203	218	237	231	233	217			237	196	214
	Northwest District Average Depth to Water																				210	
Northwest District Maximum Depth to Water																				250		
Northwest District Minimum Depth to Water																				169		

R = running/pumping

NR = temporary no reading

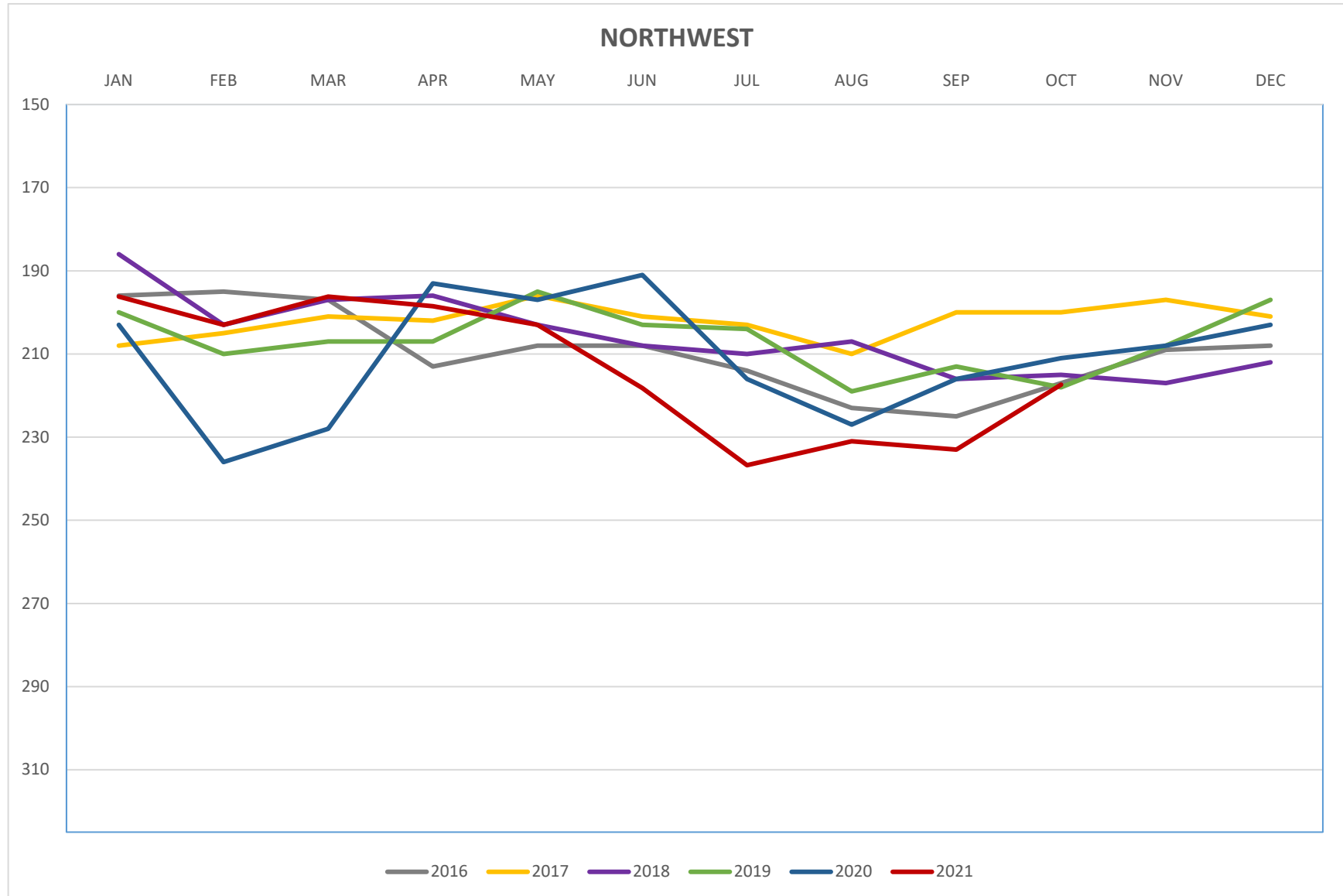
L = gated, letter has been sent requesting access

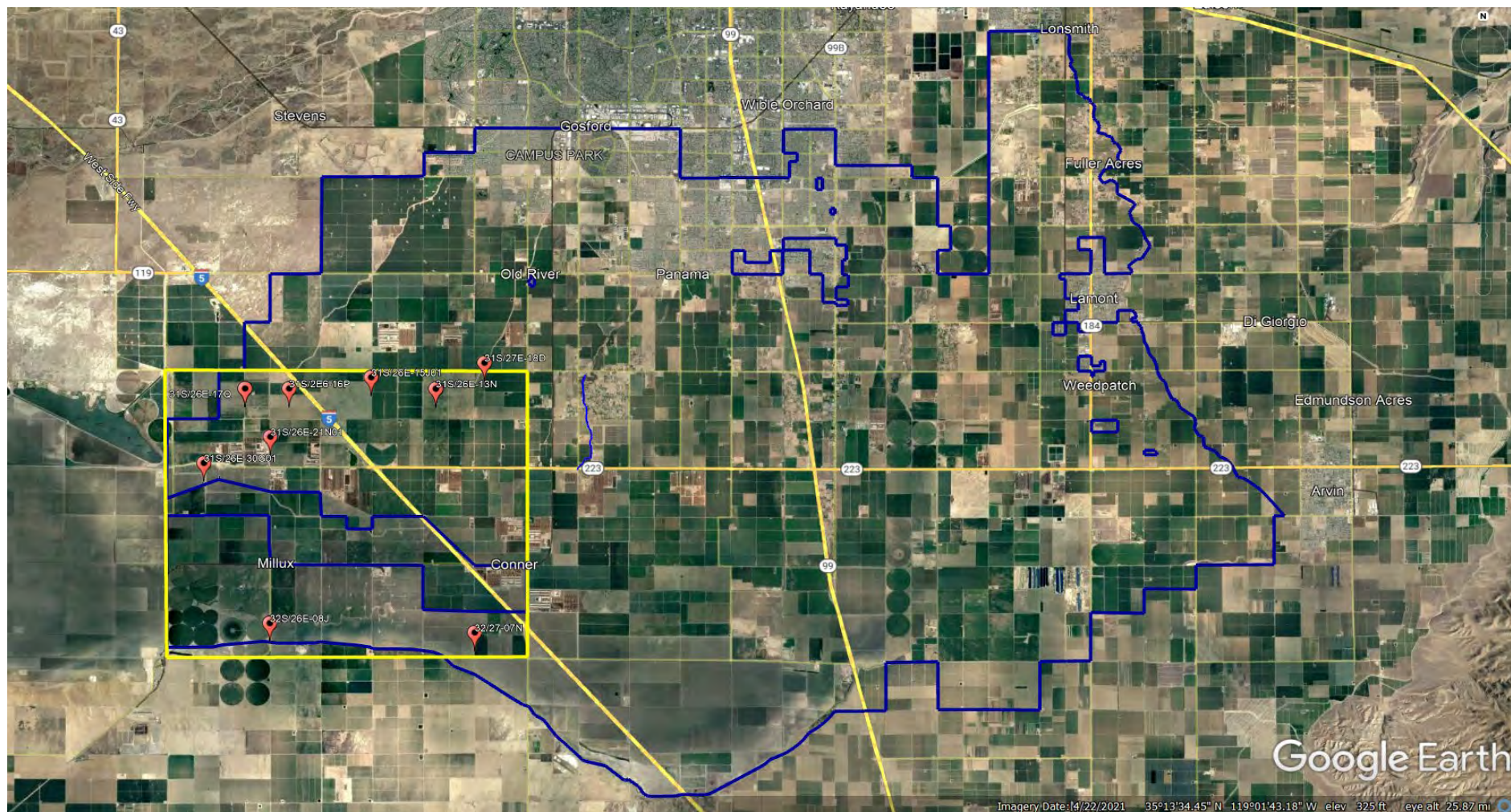
Orange shading = inactive well

unit of measurement = feet

10/14/2021

2021





2021



Southwest Quadrant		JAN 2015	JAN 2016	JAN 2017	JAN 2018	JAN 2019	JAN 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2020	AUG 2021	SEP 2020	OCT 2021	NOV 2021	DEC 2021	HIGH	LOW	AVERAGE
	31/26-13N			198	180	201	NR	NR	208	R	R	211	R	281	R	260	245			281	208	241
	31/26-15J			200	168	205	NR	201	200	200	203	201	234	R	284	258	R			284	200	223
	31/26-16P			NR	168	207	204	202	209	211	203	201	200	R	209	R	227			227	200	208
	31/26-17Q			NR	NR	210	203	219	219	201	203	209	219	R	R	219	208			219	201	212
	31/26-21N			NR	175	238	204	204	202	202	201	213	267	290	295	290	249			295	201	241
	31/26-30G			186	159	240	268	203	R	R	201	200	260	R	NR	R	245			260	200	222
	31/27-18D01			NR	NR	206	201	203	204	211	R	R	234	R	R	R	230			234	203	216
	32/26-08J			132	189	215	209	212	206	206	203	203	NR	205	210	214	214			214	203	208
	32/27-07N			160	NR	200	288	200	200	202	NR	NR	208	210	250	244	233			250	200	218
	AVERAGE					214	225	206	206	205	202	205	232	247	250	248	231			250	202	223
Southwest District Average Depth to Water																				219		
Southwest District Maximum Depth to Water																				295		
Southwest District Minimum Depth to Water																				200		

R = running/pumping

NR = temporary no reading

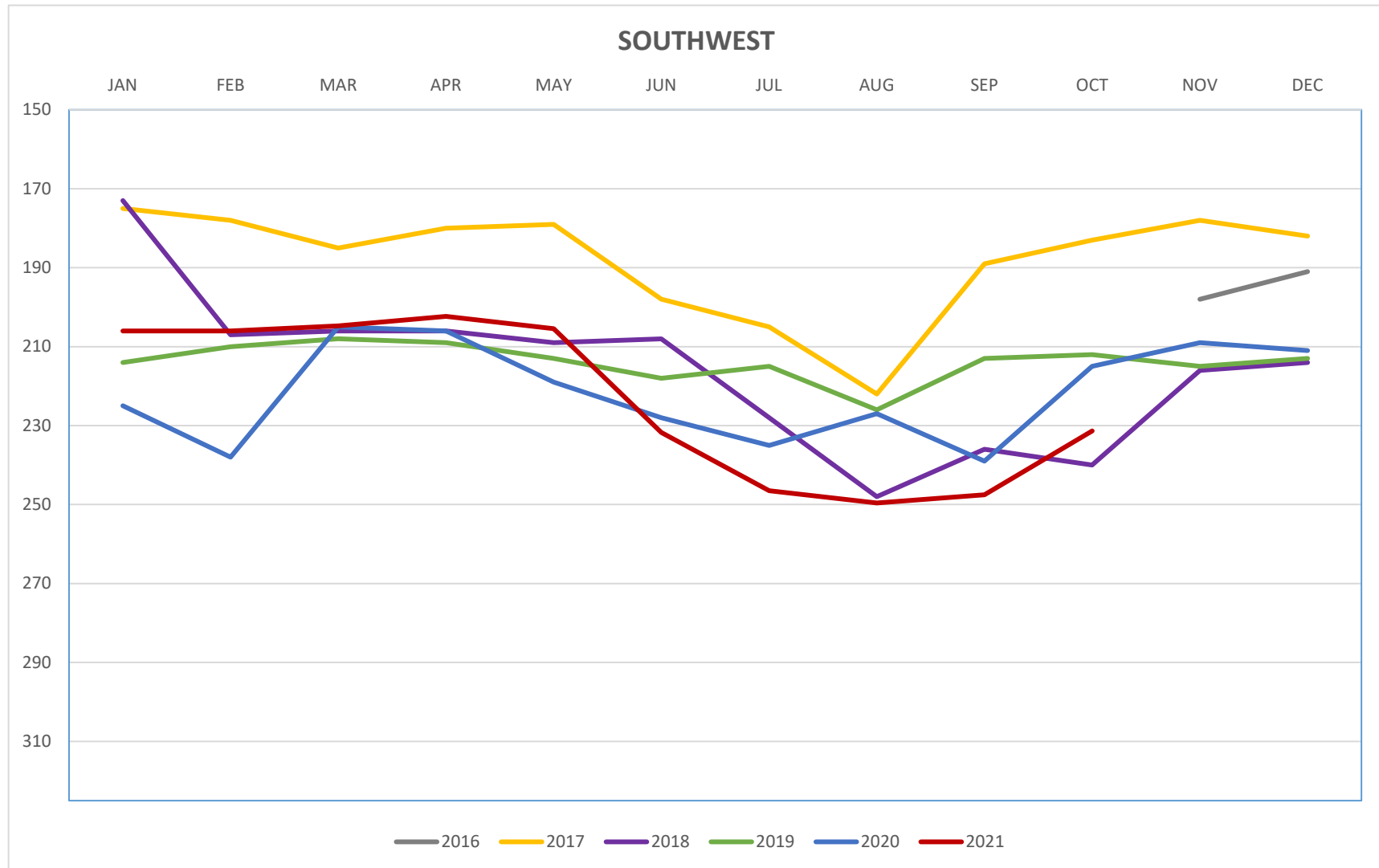
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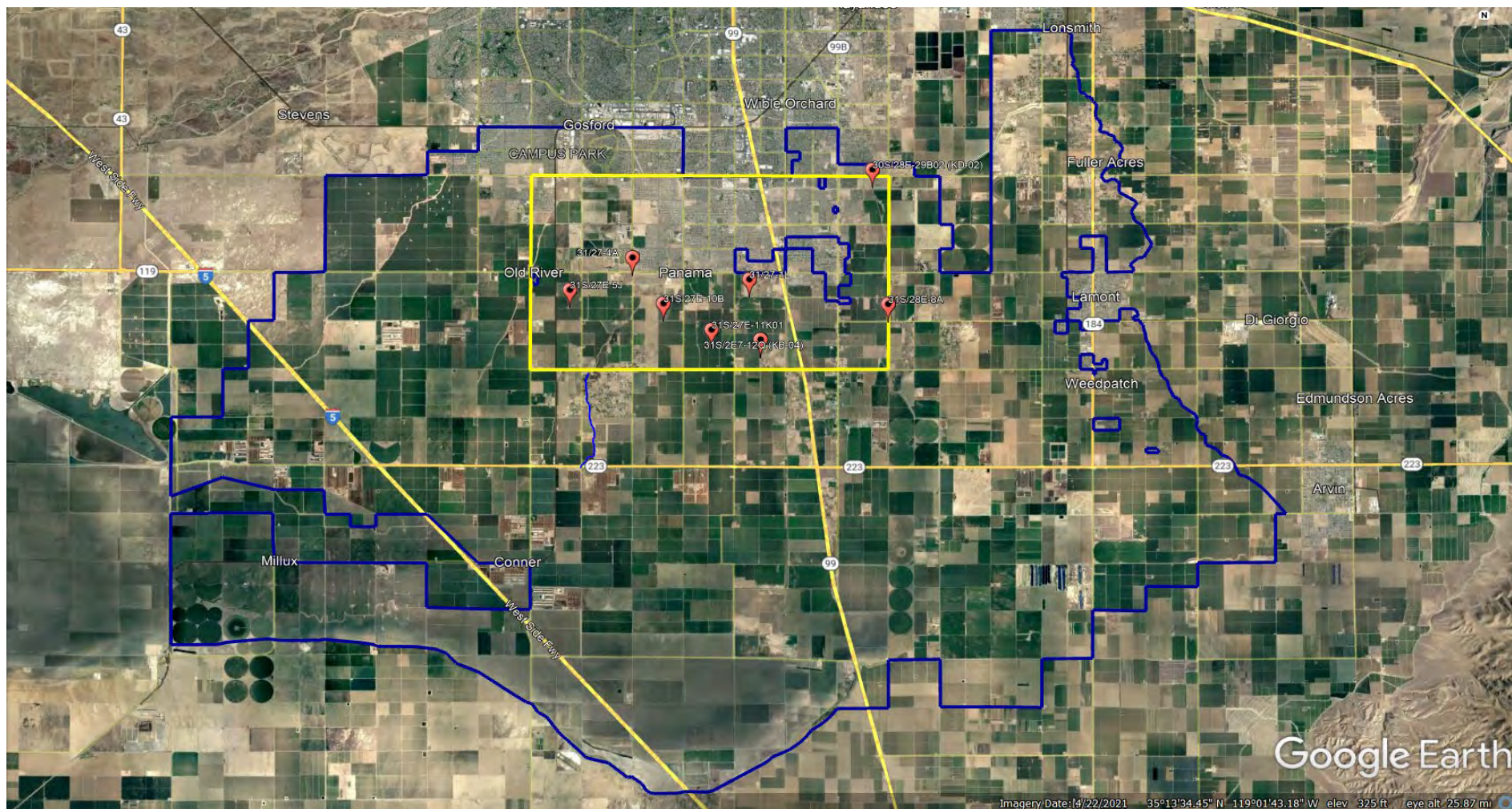
Orange shading = inactive well

unit of measurement = feet

10/14/2021

2021





2021



		JAN 2015		JAN 2016		JAN 2017		JAN 2018		JAN 2019		JAN 2020		JAN 2021		FEB 2021		MAR 2021		APR 2021		MAY 2021		JUN 2021		JUL 2020		AUG 2021		SEP 2020		OCT 2021		NOV 2021		DEC 2021		HIGH		LOW		AVERAGE	
North-Central Quadrant	30/28-29B			NR	236	243	229	225	223	R	R	R	R	R	R	R	247					247	223	232																			
	31/27-01L			190	260	220	232	219	217	206	230	228	233	R	NR	254	R					254	206	227																			
	31/27-04A			158	176	183	184	179	178	186	170	172	177	181	191	189	183					191	170	181																			
	31/27-05J			NR	200	NR	228	207	207	211	R	R	228	R	R	250	R					250	207	221																			
	31/27-10B			NR	NR	NR	208	208	207	207	204	200	222	R	R	R	227					227	200	211																			
	31/27-11K			171	170	330	227	333	328	331	NR	NR	336	R	353	260	200					353	200	306																			
	31/27-12Q			NR	140	140	139	141	140	R	R	R	R	R	R	R	R					141	140	141																			
	31/28-08A			216	220	243	244	249	248	250	255	247	R	R	290	291	270					291	247	263																			
	AVERAGE					227	211	220	219	232	215	212	239	181	278	249	225					278	181	227																			
	North-Central District Average Depth to Water																				223																						
North-Central District Maxiumu Depth to Water																				353																							
North-Central District Minimum Depth to Water																				140																							

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NR = temporary no reading

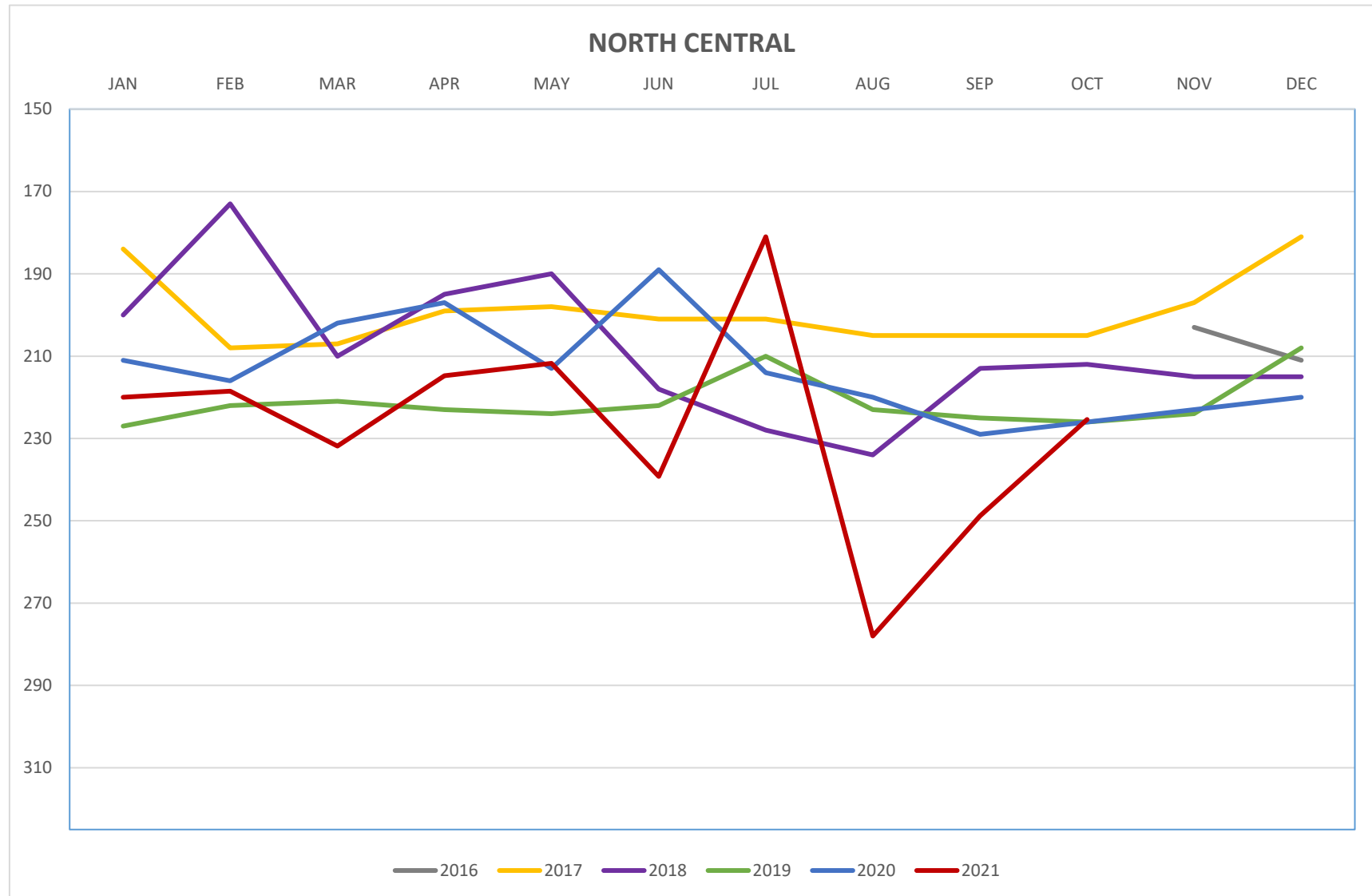
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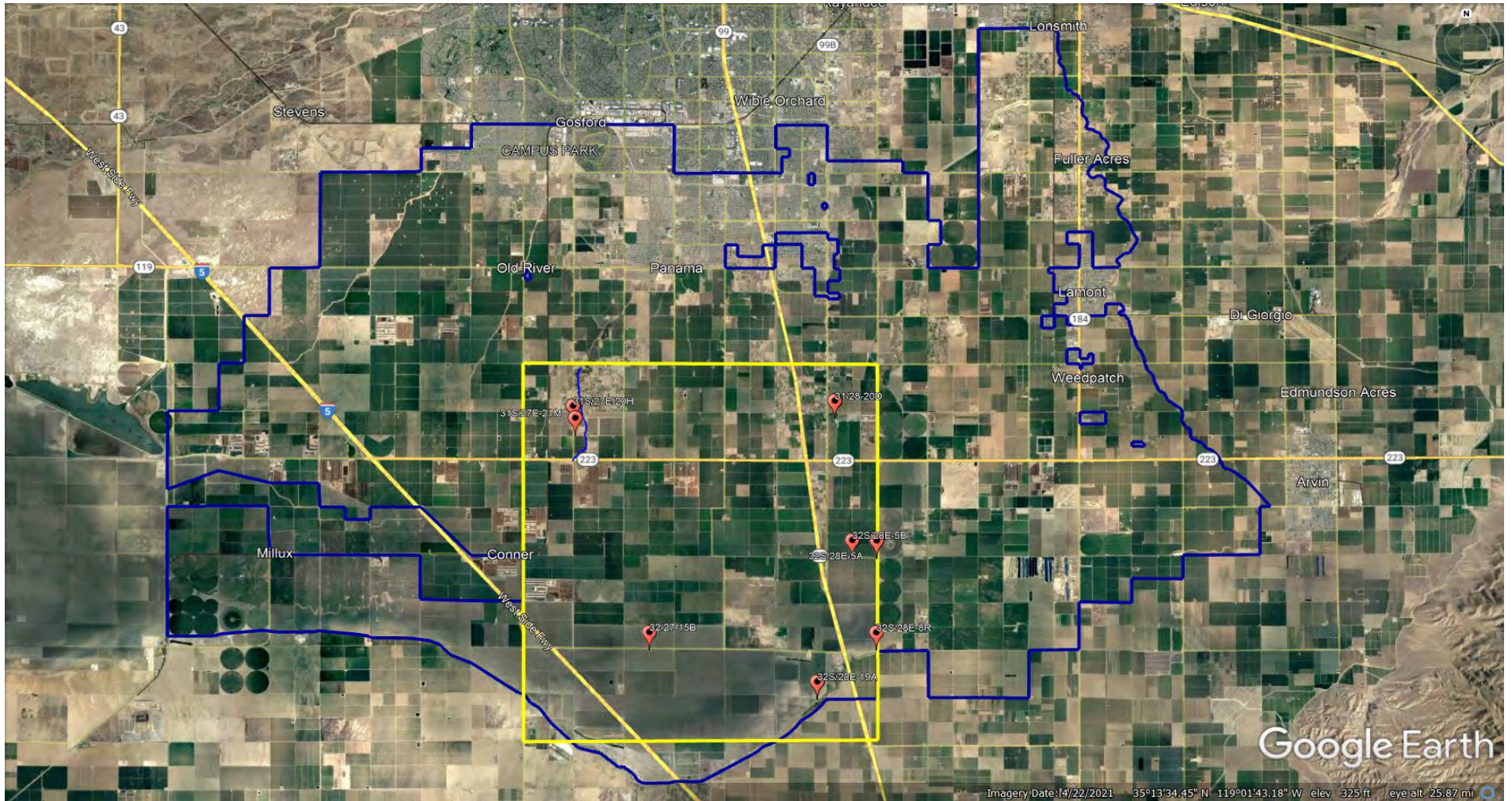
Orange shading = inactive well

unit of measurement = feet

10/14/2021

2021





2021



South-Central Quadrant		JAN 2015	JAN 2016	JAN 2017	JAN 2018	JAN 2019	JAN 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2020	AUG 2021	SEP 2020	OCT 2021	NOV 2021	DEC 2021	HIGH	LOW	AVERAGE
	31/27-20H			NR	NR	NR	211	NR	NR	208	208	205	222	206	207	232	203			232	203	211
	31/27-21M			NR	160	L	L	NR	NR	189	R	R	200	R	244	207	R			244	189	210
	31/28-20D			NR	180	190	201	R	202	R	R	R	R	R	R	200				202	200	201
	32/27-15B			192	196	231	202	200	NR	NR	NR	NR	234	R	NR	NR	NR			234	200	217
	32/28-19A			216	NR	215	222	222	220	222	233	227	238	184	213	NR	280			280	184	227
	32/28-05A			NR	NR	250	239	220	202	227	228	225	R	291	287	295	285			295	202	251
	32/28-05B			NR	NR	226	201	205	211	202	203	204	R	274	285	285	273			285	202	238
	32/28-08R			NR	NR	224	253	222	238	202	228	220	229	301	311	306	300			311	202	256
	AVERAGE					223	218	214	215	208	220	216	225	251	258	265	257			265	208	233
South-Central District Average Depth to Water																				224		
South-Central District Maximum Depth to Water																				311		
South-Central District Minimum Depth to Water																				184		

R = running/pumping

NR = temporary no reading

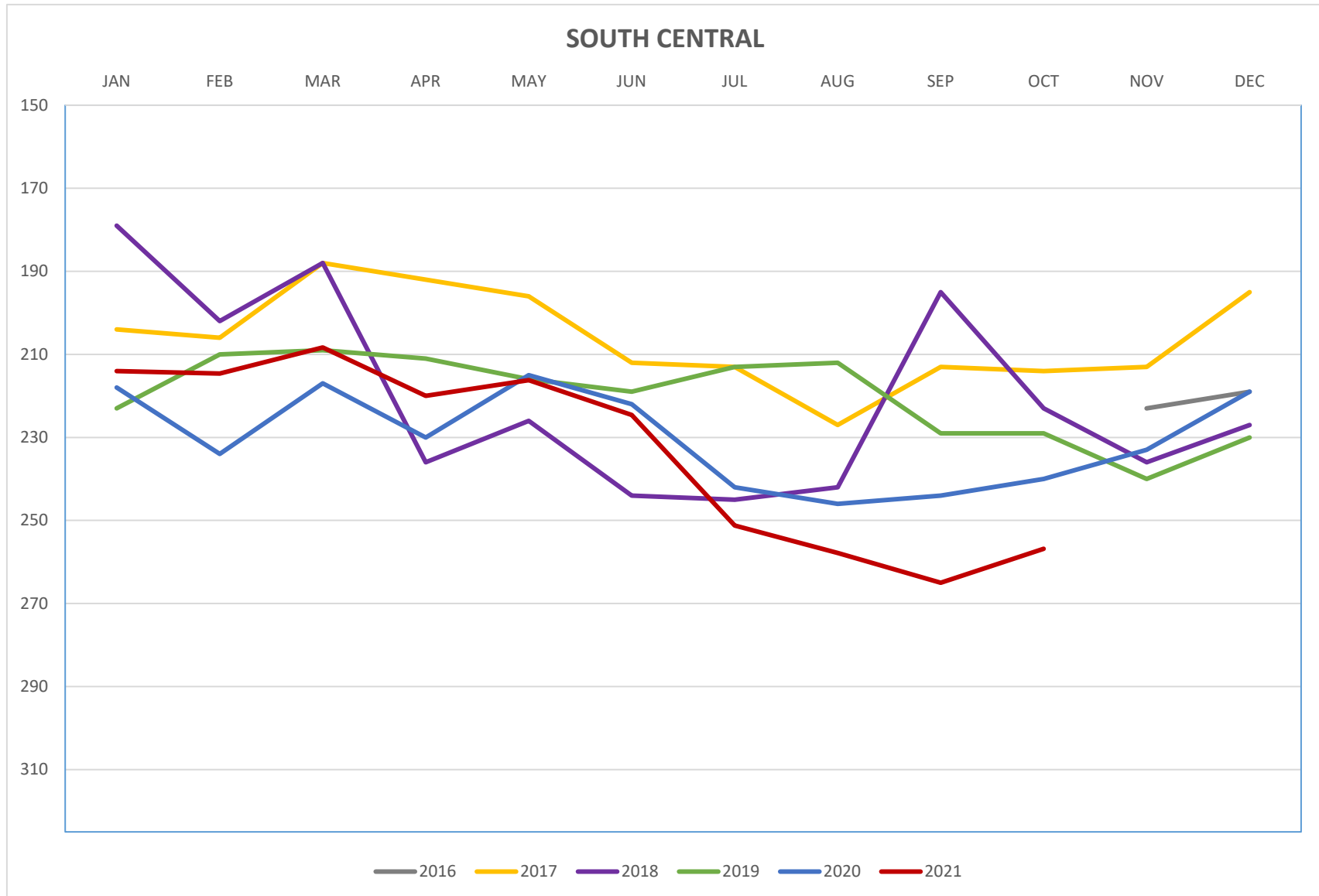
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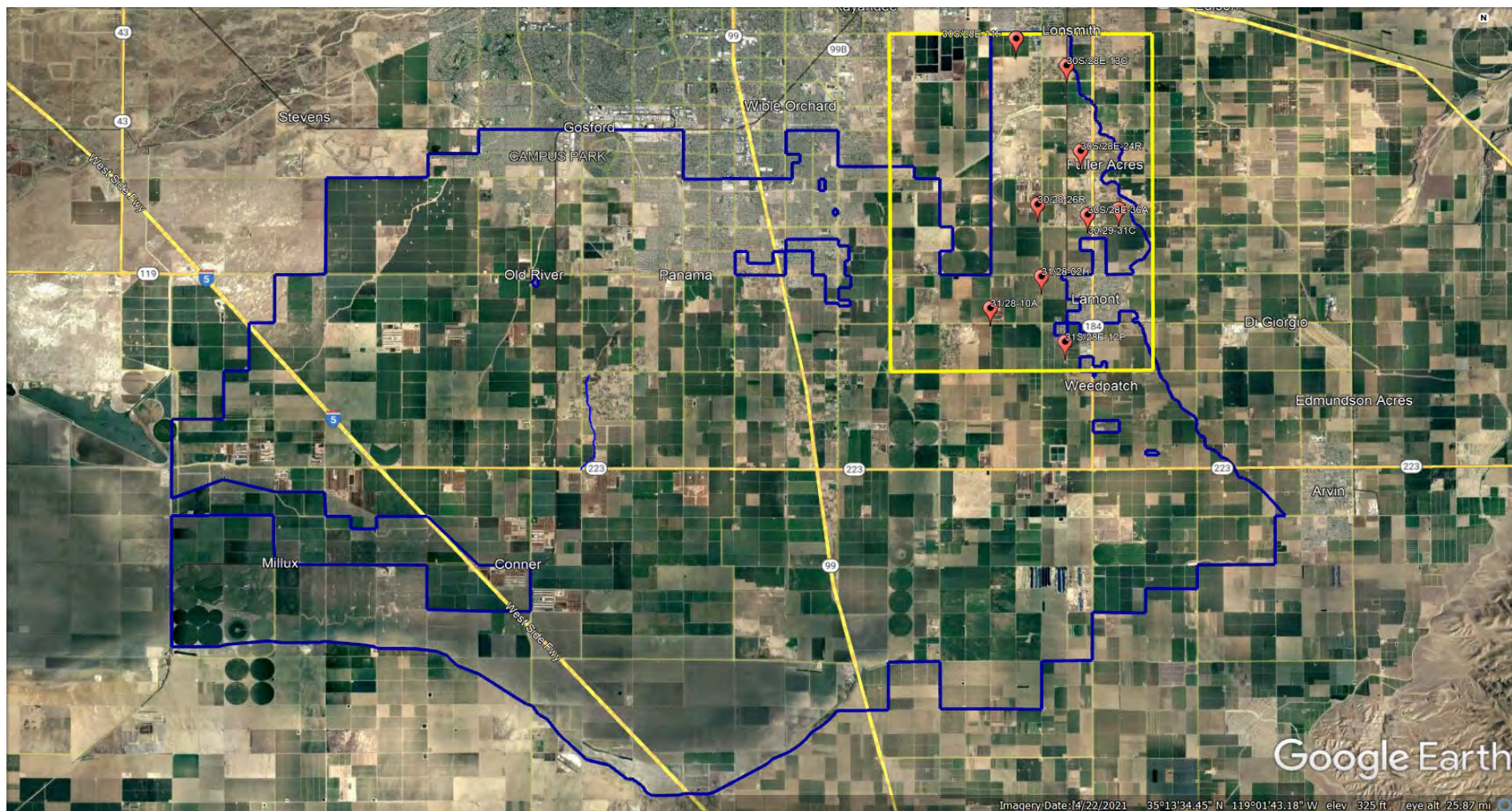
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unit of measurement = feet

10/14/2021

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2021



		JAN 2015	JAN 2016	JAN 2017	JAN 2018	JAN 2019	JAN 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2020	AUG 2021	SEP 2020	OCT 2021	NOV 2021	DEC 2021	HIGH	LOW	AVERAGE
Northeast Quadrant	30/28-11F	240	250	254	248	263	263	264	263	264	259	269	267	267	255	278	275			278	255	266
	30/28-13C			299	290	R	300	331	308	328	R	303	R	R	R	313	313			331	303	316
	30/28-24R			NR	NR	306	311	309	305	309	R	R	NR	R	R	330	325			330	305	316
	30/28-26R			NR	NR	287	NR	NR	NR	NR	R	300	R	NR	R	308	NR			308	300	304
	30/28-36A						212	NR	308	311	R	NR	318	331	NR	R	R			331	308	317
	30/29-31C			319	323	327	338	330	338	328	320	323	370	338	R	R	R			370	320	335
	31/28-02H			NR	288	291	290	295	238	241	296	290	305	331	320	321	270			331	238	291
	31/28-10A			328	249	253	253	258	266	260	261	263	274	280	284	283	263			284	258	269
	31/28-12P			NR	222	286	284	NR	260	R	288	288	R	R	230	R	R			288	230	267
	AVERAGE					288	281	298	286	292	285	291	307	309	272	306	289			309	272	293
	Northeast District Average Depth to Water																				298	
	Northeast District Maximum Depth to Water																				370	
Northeast District Minimum Depth to Water																				230		

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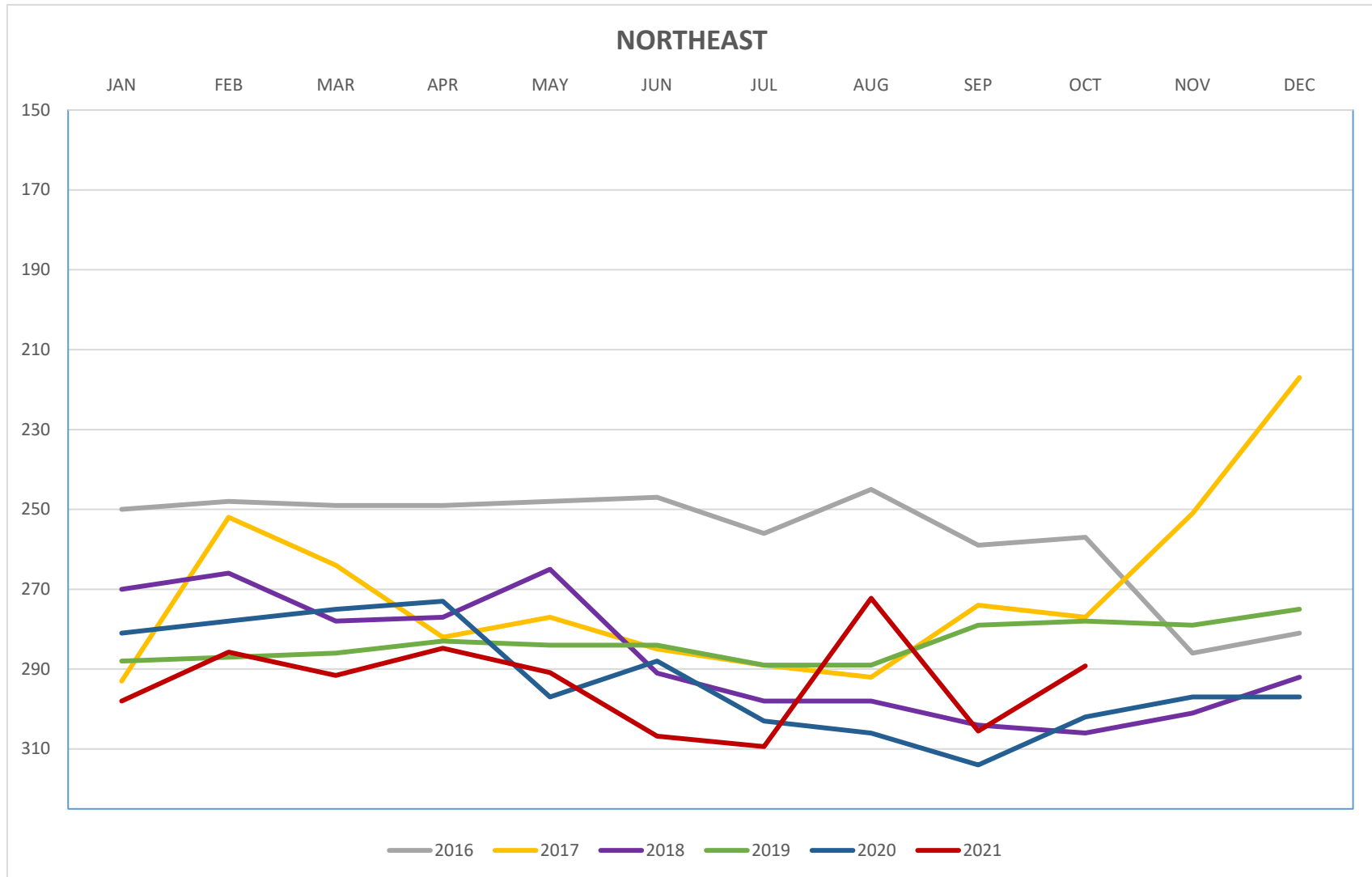
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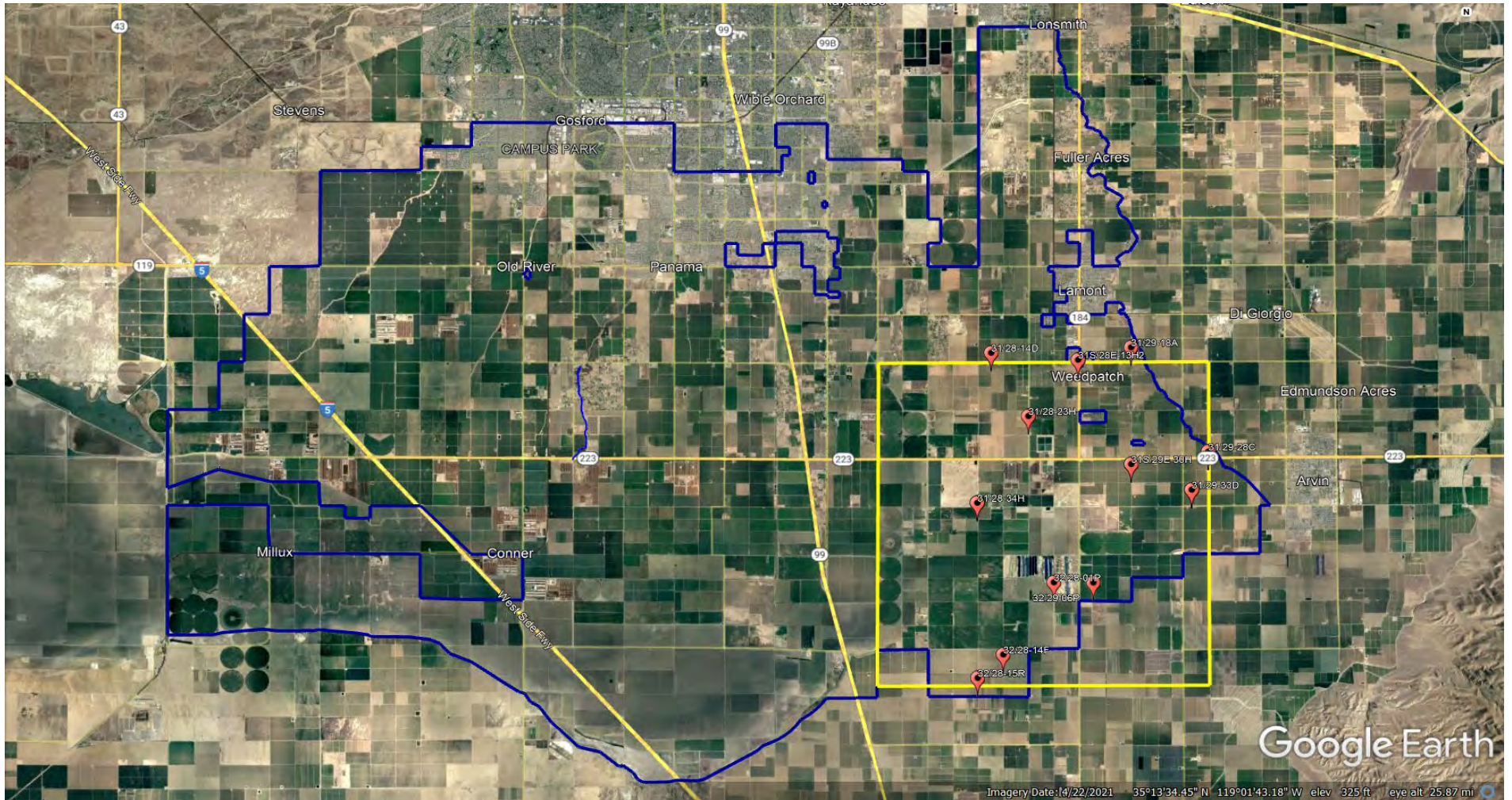
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unit of measurement = feet

10/14/2021

2021





2021



		JAN 2015	JAN 2016	JAN 2017	JAN 2018	JAN 2019	JAN 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2020	AUG 2021	SEP 2020	OCT 2021	NOV 2021	DEC 2021	HIGH	LOW	AVERAGE
Southeast Quadrant	31/28-13H2					NR	NR	NR	285	R	277	279	276	R	R	R	R			285	276	279
	31/28-14D			226	233	239	230	235	233	236	R	232	242	R	R	256	250			256	232	241
	31/28-23H			NR	278	290	286	275	293	NR	R	R	NR	R	296	330	NR			330	275	299
	31/28-34H			NR	NR	337	206	204	NR	NR	NR	NR	239	239	NR	235	224			239	204	228
	31/29-18A			NR	234	335	333	241	336	328	330	333	341	334	NR	360	355			360	241	329
	31/29-28C	326	257	NR	219	347	344	NR	348	338	NR	340	346	R	R	R	R			348	338	343
	31/29-30H			NR	NR	NR	NR	331	R	R	R	R	R	R	NR	346	R			346	331	339
	31/29-33D			NR	294	342	250	338	326	318	331	323	329	R	NR	348	354			354	318	333
	32/28-14F	287	NR	NR	NR	NR	222	241	245	246	240	241	244	253	250	323	308			323	240	259
	32/28-15R	250	305	NR	300	263	272	291	290	307	300	217	285	R	R	R	NR			307	217	282
	32/28-01P			NR	NR	NR	NR	NR	NR	NR	NR	212	218	220	NR	NR	223			223	212	218
	32/29-06P	193	198	201	NR	183	177	208	189	NR	194	NR	NR	NR	NR	NR	206			208	189	199
	AVERAGE					292	258	263	283	296	279	272	280	262	273	314	274	0	0	314	0	233
Southeast District Average Depth to Water																				278		
Southeaset District Maximum Depth to Water																				360		
Southeast District Minimum Depth to Water																				189		

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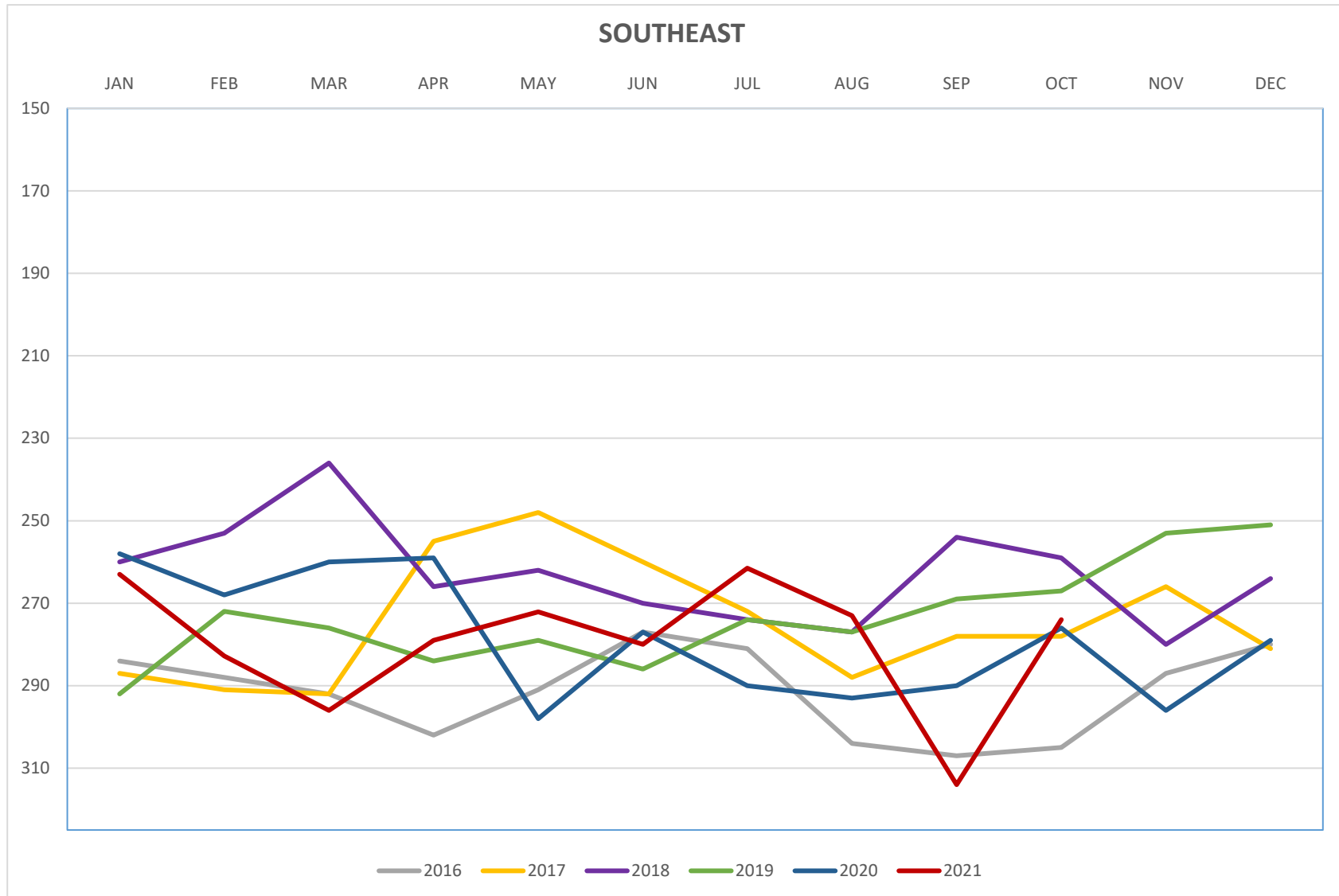
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10/14/2021

2021



Tab VI





To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: October 19, 2021

Re: Agenda Item VI B. – External Agency Report

RECOMMENDATION:

Receive report, informational item only.

DISCUSSION:

Staff participates in / monitors multiple external agency meetings monthly. Below is a summary including items of note from the various meetings:

Kern County Water Agency:

- The KCWA Board met September 23, 2021.
- Next meeting will be October 28, 2021.
- SWP allocation 5%.
- Public Hearing on FY 2022-23 Zones of Benefit Report.
- Summary of groundwater and overdraft correction accounts (attached).
- Delta Conveyance project timeline (attached).

Kern Fan Authority:

- The KFA meeting of September 22, 2021 was cancelled.

Kern River Groundwater Sustainability Agency (KRGSA):

- The KRGSA meeting of October 7, 2021 was cancelled.

Kern Groundwater Authority (KGA):

- The KGA met September 25, 2021 (agenda attached)
- Update regarding potential Native Yield Study.
- Data Management System update.

Kern River Watershed Coalition Authority (KRWCA)(ILRP):

- The KRWCA meeting of September 7, 2021 was cancelled.
- 2022 Membership Invoices to be sent out by October 1, paid by Nov. 15th (online payment recommended).
- Nitrate Control Program – Management Zone(s) development.

- On Farm Drinking Water Well reports due Dec. 31, 2021 (BC Labs removed / BSK Labs added).
- CV-SALTS discussion.

South Valley Water Resources Authority:

- The SVWRA met September 23, 2021.
- Pilot project continued discussion (potential grant funding/environmental review/potential addition of new partners).

Integrated Regional Water Management Plan:

- No Report.

Water Association of Kern County (WAKC):

- The WAKC met September 28, 2021.
- Continued Water Education Campaign.
- Annual Meeting November 9, 2021 – Senator Shannon Grove Guest Speaker (see attached flyer).

**Kern County Water Agency
Estimated Summary of Overdraft Correction Accounts
As of July 31, 2021**

Preliminary - Subject to Revision

Quantities in acre-feet

District	Estimated Balance as of December 31, 2020	Estimated Balance as of July 31, 2021				
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank ^[1] Total
Buena Vista WSD	46,115	39,246	0	39,246	0	46,115
Henry Miller WD	65,077	42,526	375	42,901	2,584	65,077
Kern County Water Agency	55,030	35,356	7,121	42,477	0	55,030
Kern Delta WD	79,947	57,032	409	57,441	1,508	79,947
Rosedale-Rio Bravo WSD	214,697	158,627	4,190	162,817	2,725	214,697
Total	460,866	332,787	12,095	344,882	6,817	460,866

^[1] Does not include purchase of 2011 4% reserve water.

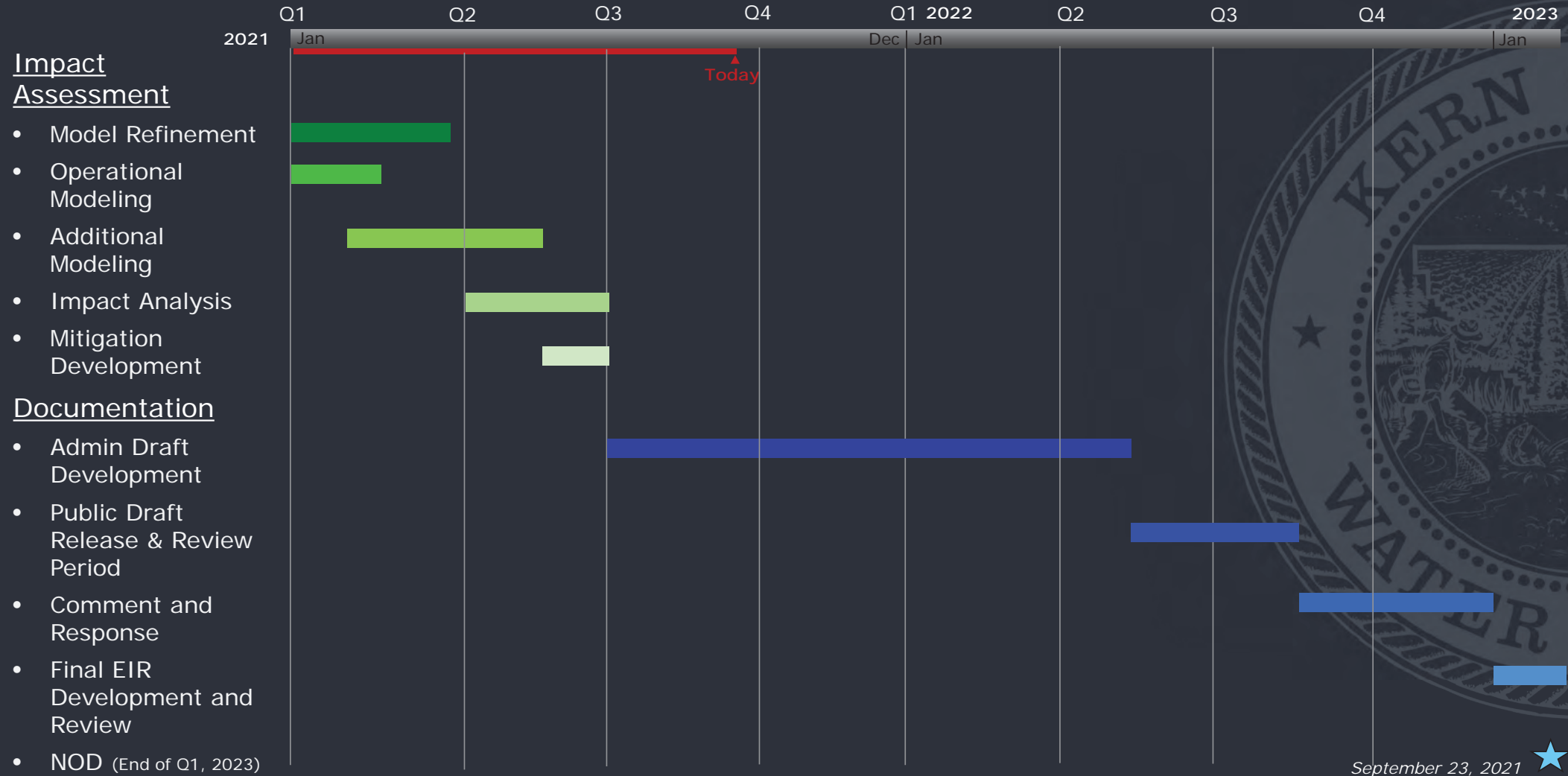
**Kern County Water Agency
Estimated Summary of Groundwater Bank Accounts
As of July 31, 2021**

Preliminary - Subject to Revision

Quantities in acre-feet

District	Estimated Balance as of December 31, 2020	Estimated Balance as of July 31, 2021					
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank	Total
Belridge WSD	94,409	70,500	9,033	79,533	7,774	0	87,307
Berrenda Mesa WD	113,460	64,642	6,249	70,891	22,873	0	93,764
Buena Vista WSD	37,934	31,295	1,939	33,234	0	4,700	37,934
Cawelo WD	0	0	0	0	0	0	0
Dudley Ridge WD	58,097	0	0	0	0	47,773	47,773
Henry Miller WD	5,365	5,365	0	5,365	0	0	5,365
Improvement District No. 4	243,810	42,628	17,855	60,483	0	164,368	224,851
Kern County Water Agency	196,607	107,994	61,572	169,566	3,499	17,958	191,023
Kern Delta WD	23,285	23,285	0	23,285	0	0	23,285
Lost Hills WD	100,054	53,702	25,445	79,147	9,509	0	88,656
Rosedale-Rio Bravo WSD	41,232	36,732	0	36,732	0	0	36,732
Semitropic WSD	249,001	31,055	42	31,097	0	205,821	236,918
Tehachapi-Cummings CWD	5,820	0	0	0	0	5,820	5,820
Tejon-Castac WD	61,108	2,193	1,247	3,440	0	54,073	57,513
Westside Mutual Water Co.	427,288	0	0	0	0	367,723	367,723
Wheeler Ridge-Maricopa WSD	215,675	12,578	16,336	28,914	9,768	138,507	177,189
Total	1,873,145	481,969	139,718	621,687	53,423	1,006,743	1,681,853

Delta Conveyance Planning and Permitting Timeline



KERN GROUNDWATER AUTHORITY

Regular Meeting of Board of Directors

September 22, 2021 8:00 a.m.

NOTICE: Pursuant to the Governor's Executive Order N-29-20 this meeting will be conducted by teleconference. All parties/public may attend the meeting via teleconferencing and offer public comments by phone, using the call-in information below:

Zoom: <https://zoom.us/j/97434288750?pwd=MEJ5WUM4V2Fvd3dNa0dGVnBwT0t0Zz09>

Meeting ID: 974 3428 8750

Passcode: 868983

Telephone Dial-in: (669)900-6833

Kern Groundwater Authority Board of Directors Agenda

This meeting is held in accordance with the Governor's Executive Order N-29-20 and portions of the Brown Act pursuant to Section 54956 of the California Government Code and the Kern Groundwater Authority Joint Powers Agreement.

1. Roll Call - Quorum Determination

In the absence of a quorum of the Board the meeting will be adjourned.

2. Flag Salute

3. Public Input

This portion of the meeting is set aside to provide the public an opportunity to bring to the attention of the Board matters of which the Board may not be aware and which are not on the current agenda. No action can be taken on any matter raised during this portion of the meeting; however, a Board member may request that the matter be placed on any future agenda for further review and possible action. Members of the public may directly address the Board of Directors on any item of interest within the Board's subject matter jurisdiction, before or during the Board's consideration of the item. The President may limit the time allowed for comment.

4. Approval of Minutes

a. July Regular Board Meeting Minutes*

5. Treasurer's Report

a. Presentation & Adoption of the 2020 Audit* - Barbich, Hooper, King

b. Financial Report & Accounts Payable (Ratify) – August*

c. Financial Report & Accounts Payable (Approve) – September*

6. Attorneys Report

a. Report on the Curtailments

7. Executive Director Report

- a.** Discussion & approval for 2021 Cash Call – Second Installment*
- b.** Discussion and direction on Native Yield Study Proposal for adoption in October*
- c.** Update on the Data Management System
- d.** Accomplishments
- e.** Forward Work Plan

8. New Business

This Portion of the Meeting is set aside to provide each Board member an opportunity to bring to the attention of other Board members and the public matters which have come to their attention and/or which may be appropriate for future consideration. No action can be taken on any matter raised during this portion of the meeting; however, a Board member may request that the matter be placed on any future agenda for further review and possible action.

9. Correspondence

- a.** Kern County Planning Department – Notice of Proposed General Plan Amendment Zone Change for APN 177-220-24 in Arvin-Edison Water Storage District jurisdiction
- b.** Wheeler Ridge-Maricopa Water Storage District – Notice of adopted 2020 Agricultural Water Management Plan
- c.** Arvin-Edison Water Storage District, Wheeler Ridge-Maricopa Water Storage District & Tejon-Castac Water District letter regarding Groundwater Sustainability Agency status

10. Closed Session

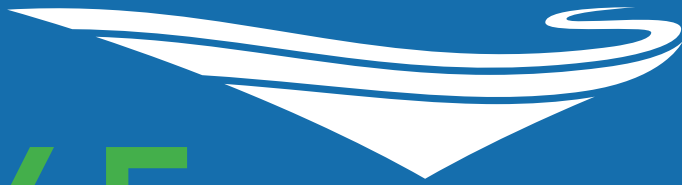
- a.** Conference with Legal Counsel – Potential Litigation: Closed Session pursuant to Government Code Section 54956.9(d)(2), (e)(2)(two matters)

11. Adjournment

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Authority provide disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets. Requests should be made in person, by telephone, facsimile and/or written correspondence to the Authority office, at least 48 hours before a public Authority meeting. Written materials related to an item on this agenda to be considered in open session that are public documents and that are distributed to board members after the posting of the agenda, will be made available for public inspection when they are so distributed at the office of the Authority located at 1800 30th Street, Ste #280, Bakersfield, California during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting.

WAKC

WATER ASSOCIATION OF KERN COUNTY



November 9, 2021

65th Annual Meeting

Presenting Sponsor

Castle & Cooke

General Sponsors

Berchtold

California Water Service

Farm Credit West

GEI

IEC, an Ardurra Company

Tech Ag Financial Group

Tejon Ranch

Valley Water Management Company

Valley Republic Bank

Young Wooldridge, LLP

Guest Speaker

Senator
Shannon Grove

6 p.m. social, 7 p.m. dinner

\$80 Members

\$100 Non-members

\$600 Table of Eight

Seven Oaks Country Club
2000 Grand Lakes, Bakersfield, CA 93311

No-host bar

Vegan meal available upon request

2021 Water Leader of the Year Award
2021 Water Legacy Award

Please register online by November 4th at

www.wakc.com

For more information call 661-746-3300

WAKC TOP MEMBERS

River Run Membership



Pipeline Membership

Aera Energy | Aqueous Vets | Barbich Hooper King Dill Hoffman | Castle & Cooke | Farm Credit West |
IEC an Ardurra Company | Kern Machinery | Pacific Resources | Quad Knopf | Stenderup AG Partners |
Sunview Vineyards | Tejon Ranch | Tri-Fanucchi Farms | Valley Republic Bank |
West Valley Construction Company | Wonderful Orchards | Young Wooldridge



To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: October 19, 2021

Re: Agenda Item VI C. – Water Banking Projects Report

RECOMMENDATION:

Receive report, informational item only.

DISCUSSION:

Below is a summary of activities of note related to various water banking projects/activities of interest to the District.

Kern Fan Recovery Activity:

- As of October 12, 2021, Kern Fan groundwater recovery was approximately 683cfs from 174 wells, as reported via KCWA weekly call.
- See attached graphs provided by KCWA for recovery information through August 31, 2021.

Pioneer Participant Meeting:

- The Pioneer Project Participant Meeting of October 14, 2021 was canceled.

Kern Fan Monitoring Committee:

- The Kern Fan Monitoring Committee met September 15, 2021.
- Chair: Dave Beard; Vice-Chair: Jon Parker.
- Updated cost % split between projects/agencies was reviewed and approved.
- Next meeting scheduled for January 19, 2022.

KDWD Water Banking Project:

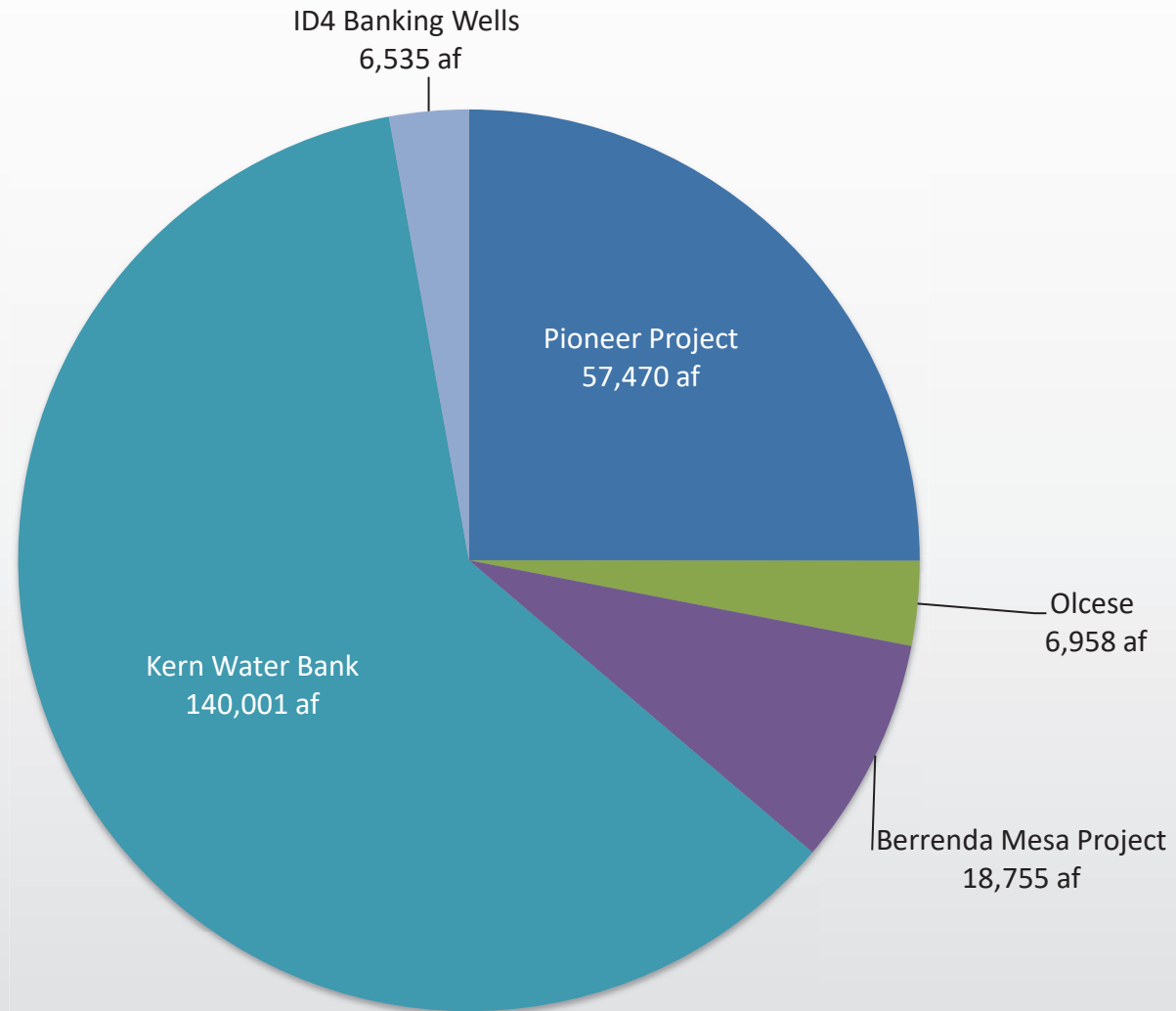
- MET has provided the District with an official request for the return of regulated water for calendar year 2021. The District has developed and implemented a plan to return just over 40,000af of return water to MET by December 31, 2021.
- Reduced Kern River flow has impacted the original plan for returned water to MET. Return water will likely be closer to 28,000+af.
- SBVMWD has withdrawn their request for return water in 2021.
- Currently all District wells are off.
- MET has provided the District with an official request for the return of regulated water for calendar year 2022. The District is currently developing a plan to facilitate recovery and return to MET.

Cross Valley Canal Advisory Committee:

- The CVC Advisory Committee met September 22, 2021.
- Approved Change Order No. 4 to Procure Spare Pumps for the CVC.
- Presentation regarding CVC allocation model scenarios.
- See attached graphs provided by KCWA regarding CVC utilization.

**Kern Fan Banking Projects
2021 Estimated Gross Recovery by Project
Through August 31, 2021**

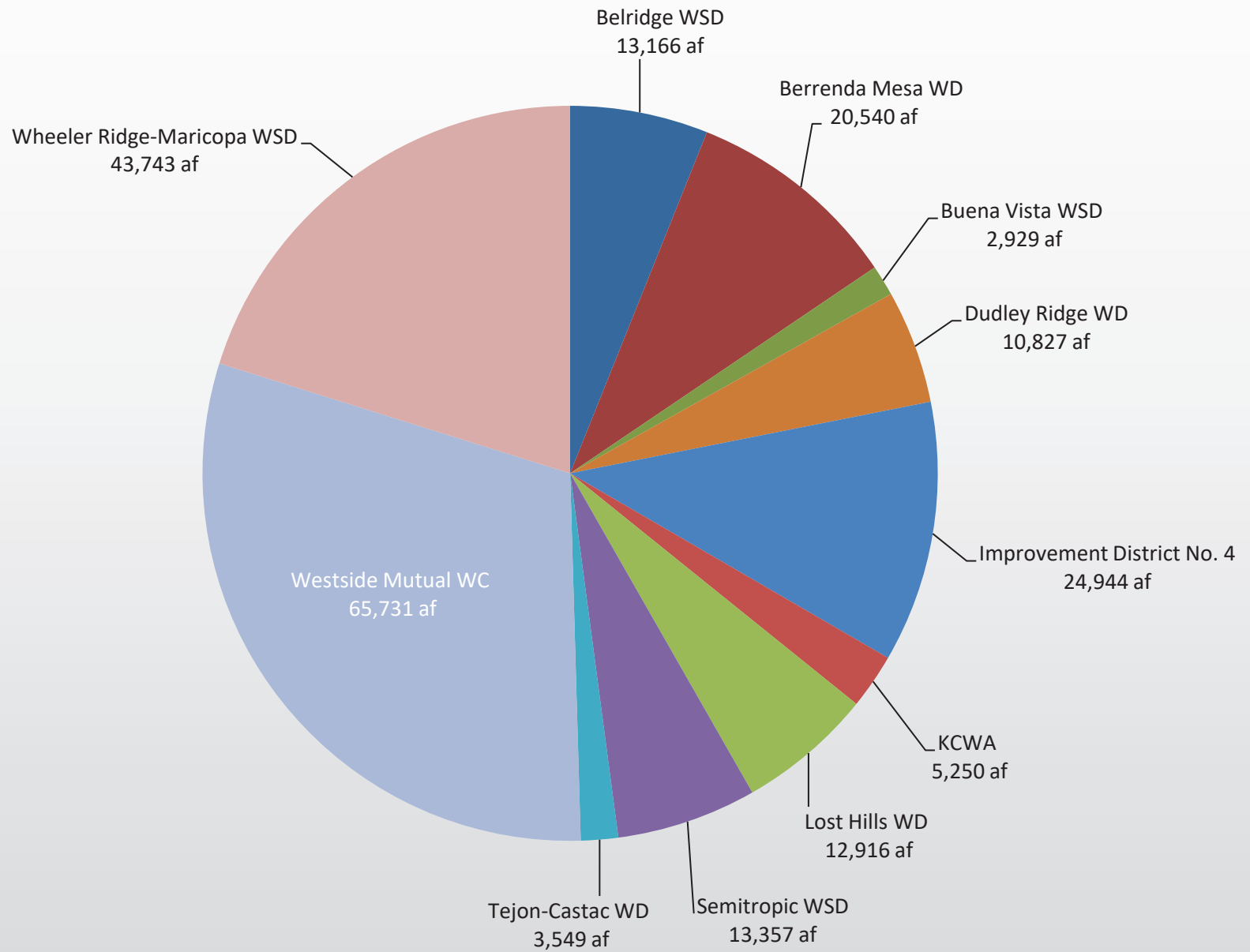
Attachment 1



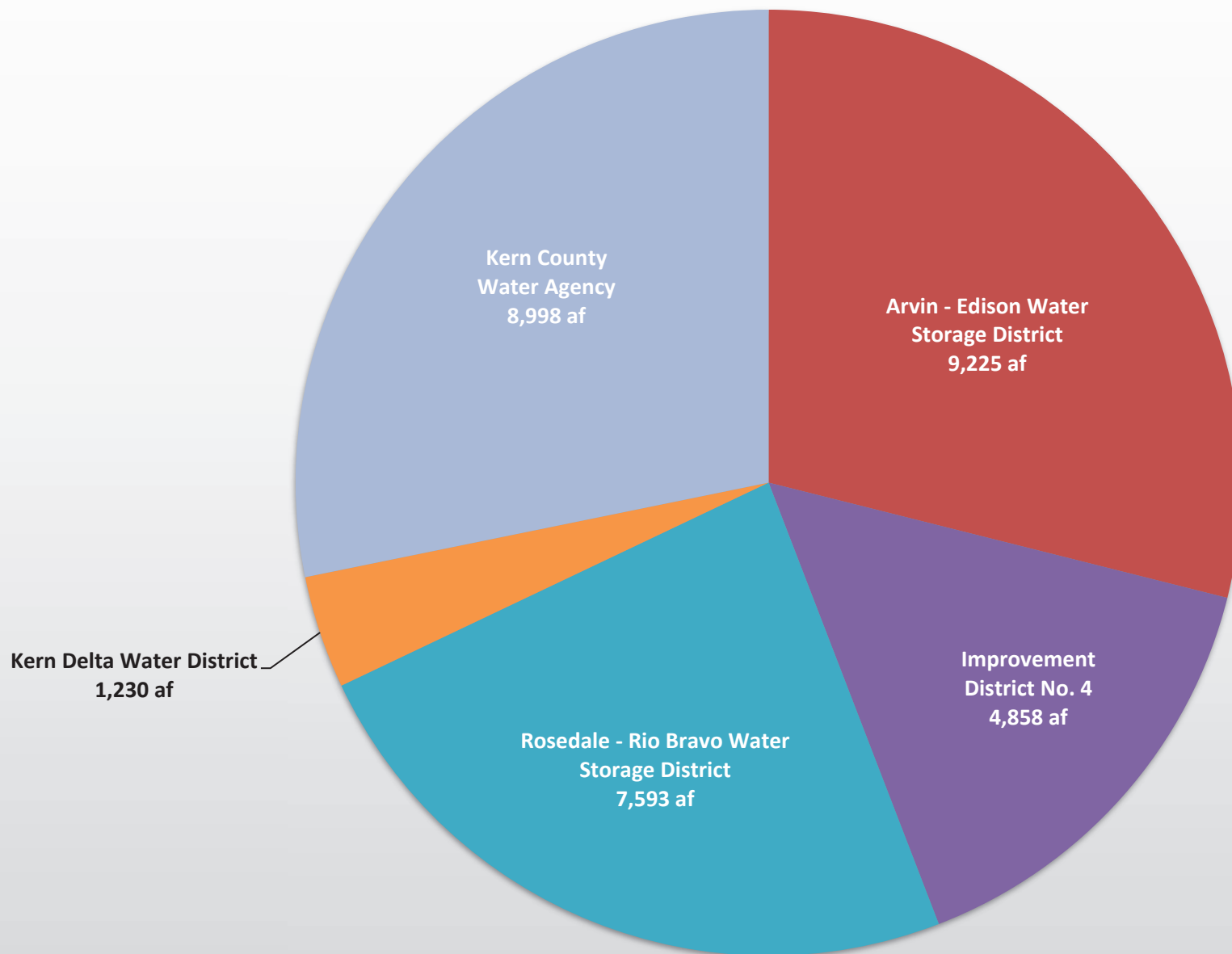
Total Gross Recovery 229,719 af

**Kern Fan Banking Projects
2021 Estimated Recovery by Participant
Through August 31, 2021**

Attachment 2



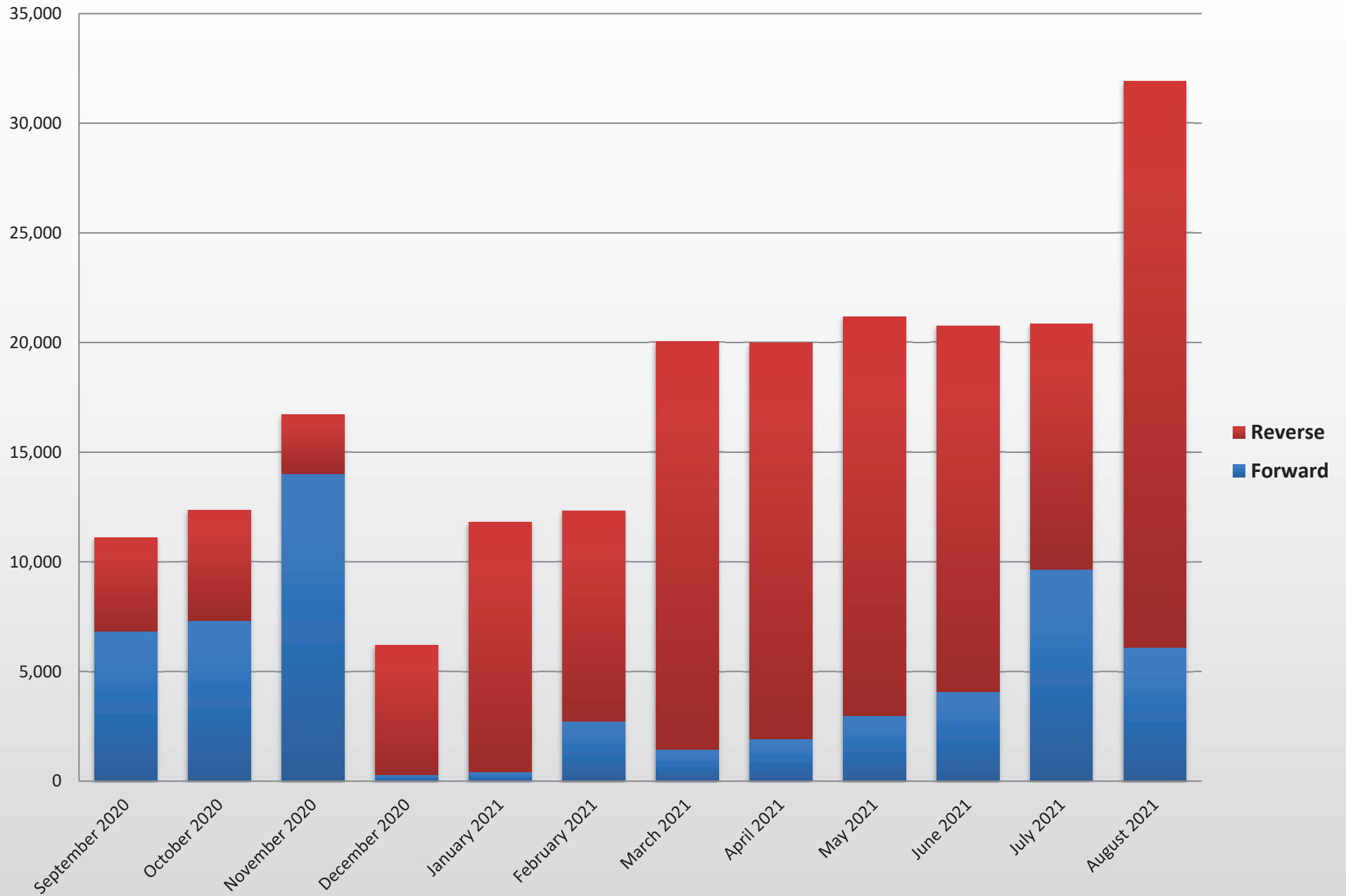
**Cross Valley Canal
August 2021 Deliveries
Total deliveries 31,904 af**



Cross Valley Canal

Twelve Month Delivery by Direction

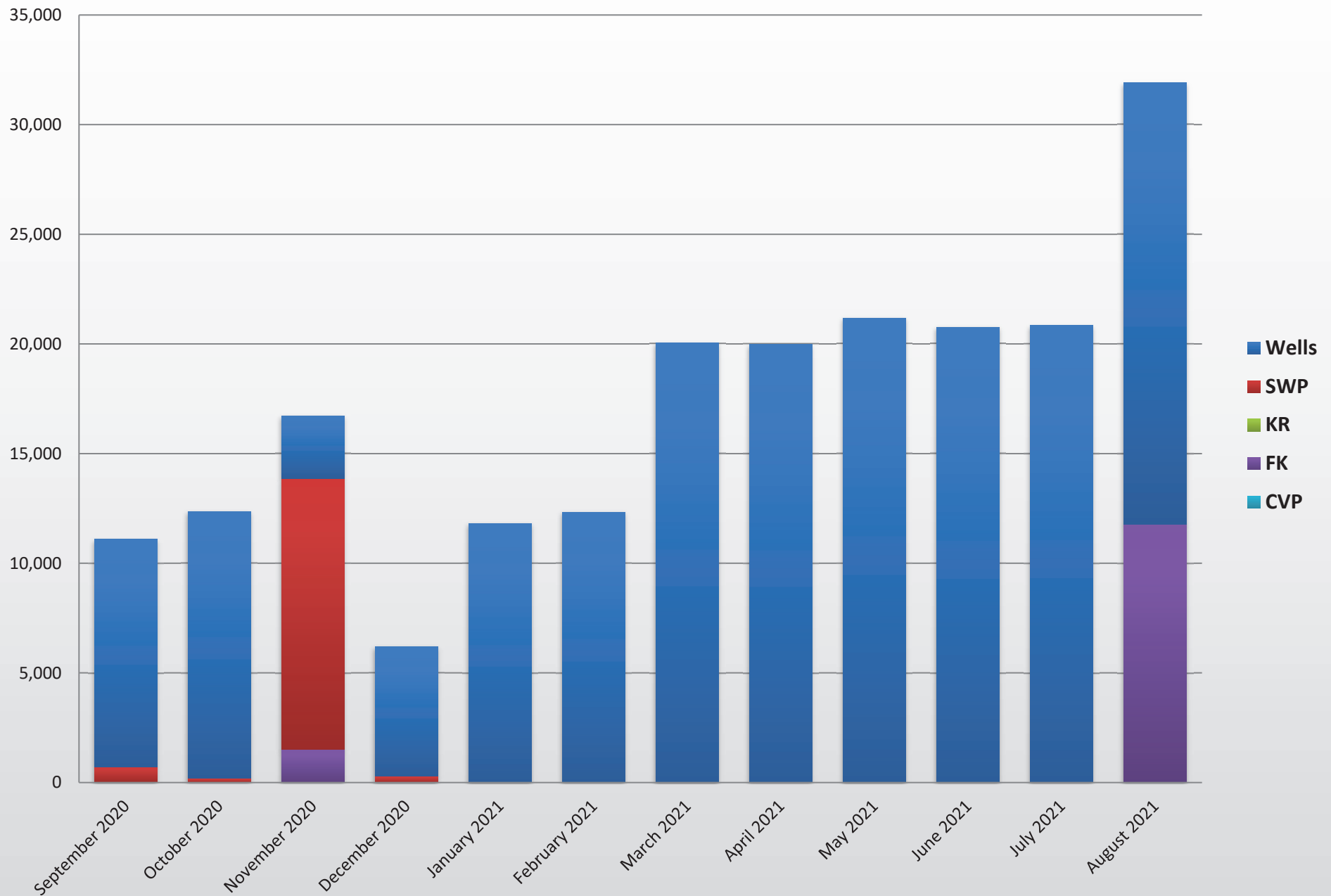
Attachment 3



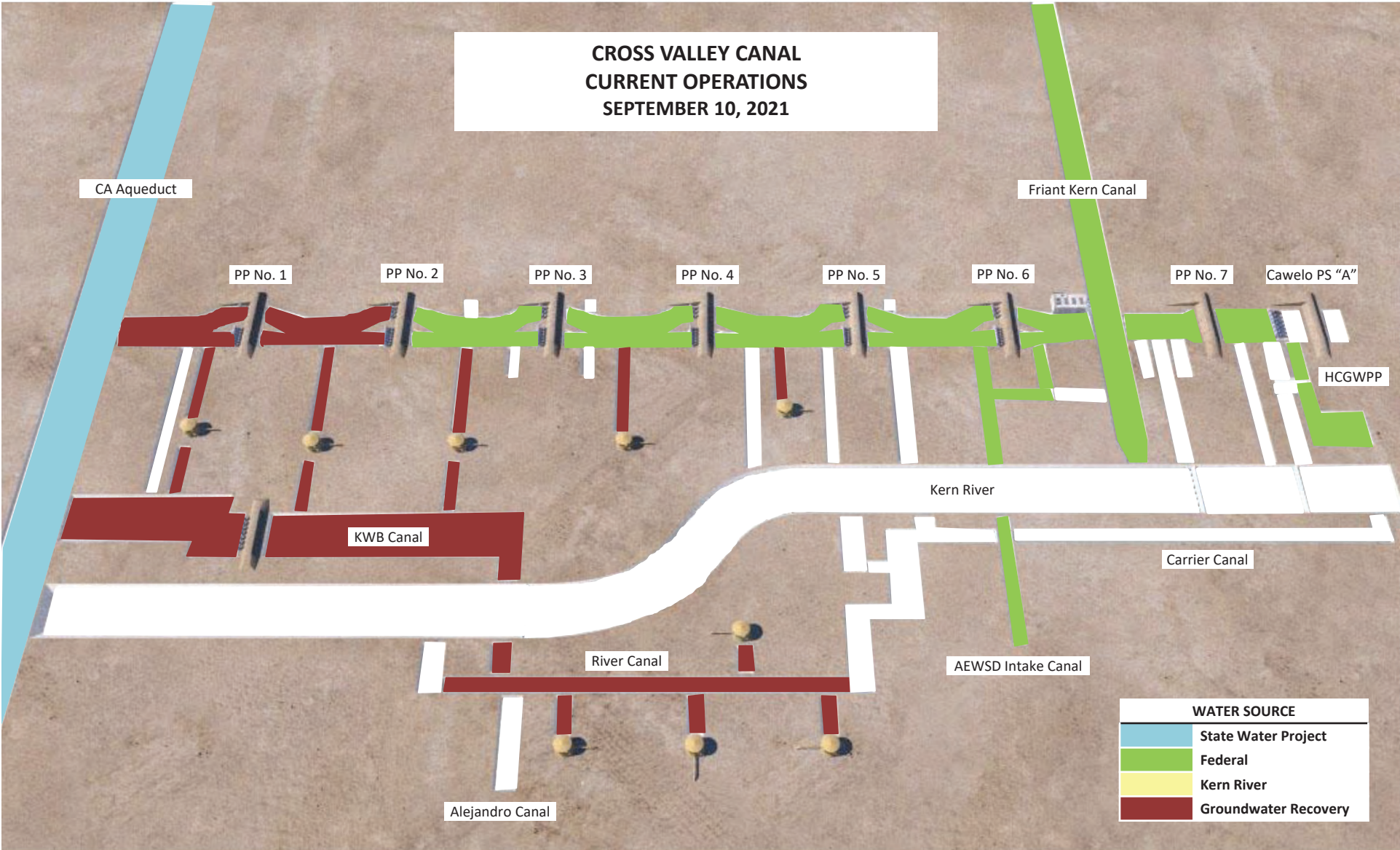
Cross Valley Canal

Twelve Month Delivery by Source

Attachment 3



**CROSS VALLEY CANAL
CURRENT OPERATIONS
SEPTEMBER 10, 2021**



Valley Ag Water Coalition
2021-22 Regular Session, First Year - Friday, October 08, 2021

AB 252

(Rivas, Robert D) Department of Conservation: Multibenefit Land Repurposing Program.

Current Text: Amended: 8/26/2021 [html](#) [pdf](#)

Introduced: 1/14/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/7/2021)(May be acted upon Jan 2022)

Is Urgency: Y

Is Fiscal: Y

Location: 9/10/2021-S. 2 YEAR

Summary: Would establish the Multibenefit Land Repurposing Program, for purposes of assisting groundwater sustainability agencies in critically overdrafted basins achieve their groundwater sustainability goal by providing grants to public and private entities for projects and programs that reduce groundwater use by converting irrigated agricultural land to new uses that both reduce groundwater demand or use and provide some other measurable benefits to the environment or broader community.

Position

Support

AB 377

(Rivas, Robert D) Water quality: impaired waters.

Current Text: Amended: 4/13/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 5/25/2021-A. 2 YEAR

Summary: Would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. The bill would require the state board and regional boards to update the report with a progress summary to the Legislature every 5 years. The bill would create the Waterway Recovery Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Recovery Account available for the state board to expend, upon appropriation by the Legislature, to bring impaired water segments into attainment in accordance with the plan.

Position

Oppose

AB 564

(Gonzalez, Lorena D) Biodiversity Protection and Restoration Act.

Current Text: Introduced: 2/11/2021 [html](#) [pdf](#)

Introduced: 2/11/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was A. & A.R. on 2/18/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 4/30/2021-A. 2 YEAR

Summary: Would establish the Biodiversity Protection and Restoration Act and would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in carrying out their statutory mandates. The bill would require strategies related to the goal of the state to conserve at least 30% of California's land and coastal waters by 2030 to be made available to the public and provided to certain legislative committees by no later than June 30, 2022.

Position

Oppose

AB 754

(Mathis R) Sustainable groundwater management: groundwater sustainability plan.

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 6/16/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 7/14/2021-S. 2 YEAR

Summary: The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin if the basin is not entirely covered by an adopted groundwater sustainability plan or plans or a department-approved alternative by the applicable deadline. The act authorizes the board to adopt an interim plan for a probationary basin, as specified. This bill would authorize the department to extend the deadline for a high- or medium-priority basin not subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated plans by up to 180 days after January 31, 2022, upon request of a local agency or groundwater sustainability agency in the basin for an extension of a specified period of time. The bill would require a request to be submitted by January 3, 2022, and to be responded to by the department by January 10, 2022.

Position

Watch

AB 1164 (Flora R) Dams and reservoirs: exclusions.

Current Text: Amended: 5/4/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was N.R. & W. on 6/3/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 7/14/2021-S. 2 YEAR

Summary: Current law requires the Department of Water Resources to adopt, by regulation, a schedule of fees to cover the department's costs in carrying out the supervision of dam safety. Current law excludes certain obstructions from being considered a dam, including a barrier that is not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use. This bill would specify that the exclusion from being considered a dam for a barrier that is not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use applies only to a barrier owned or operated by a private entity. The bill would provide that a barrier owned or operated by a public entity that is not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use shall not be considered a dam only if certain criteria are met, including, among other criteria, that the operator provides to the county office of emergency management a structural failure plan.

Position

Favor

AB 1376 (Gray D) Water quality: state certification.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.S. & T.M. on 3/4/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 4/30/2021-A. 2 YEAR

Summary: The Porter-Cologne Water Quality Control Act authorizes the State Water Resources Control Board to certify or provide a statement to a federal agency, as required pursuant to federal law, that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards. The federal act provides that if a state fails or refuses to act on a request for this certification within a reasonable period of time, which shall not exceed one year after receipt of the request, then the state certification requirements are waived with respect to the federal application. This bill would require the state board to make the certificate or statement available on its internet website for a 60-day public comment and review period, and would provide that the certificate or statement shall not be final until voted upon by a majority of the members of the state board at the conclusion of that period.

Position

Watch

AB 1399 (Flora R) Diversion or use of water: penalties.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021) (May be acted upon Jan 2021)

Is Urgency: N

Is Fiscal: N

Location: 5/7/2021-A. 2 YEAR

Summary: Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would make nonsubstantive changes to those provisions.

Position

Watch

AB 1500

(Garcia, Eduardo D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.

Current Text: Amended: 5/11/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was RLS. on 5/20/2021) (May be acted upon Jan 2022)

Is Urgency: Y

Is Fiscal: Y

Location: 9/10/2021-A. 2 YEAR

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,080,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

Position

Support/Amend

SB 45

(Portantino D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.

Current Text: Amended: 4/8/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 6/1/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 9/10/2021-S. 2 YEAR

Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,595,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

Position

Support/Amend

SB 359

(Caballero D) Climate change: Resilient Merced County Incentive Pilot Program.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Introduced: 2/9/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 5/25/2021-S. 2 YEAR

Summary: Would, until ____, require the Strategic Growth Council, in consultation with the Department of Conservation and the state board, to develop and implement the Resilient Merced County Incentive Pilot Program (pilot program) to assist the County of Merced to use scenario-planning tools to estimate and account for the countywide greenhouse gas reduction and carbon sequestration potential of different land management, restoration, and conservation activities and for the council to provide financial assistance to private landowners to voluntarily implement activities resulting from the use of the scenario-planning tools used by the county. The bill would require the council to implement the pilot program as a component of the Sustainable Agricultural Lands Conservation Program and consistent with the Affordable Housing and Sustainable Communities Program.

Position

Watch

SB 559

(Hurtado D) Department of Water Resources: water conveyance systems: Water Conveyance Restoration Fund.

Current Text: Amended: 8/30/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/8/2021)(May be acted upon Jan 2022)

Is Urgency: N

Is Fiscal: Y

Location: 9/10/2021-A. 2 YEAR

Summary: Would establish the Water Conveyance Restoration Fund in the State Treasury to be administered by the Department of Water Resources in consultation with the State Water Resources Control Board and the Department of Fish and Wildlife. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair costs, including environmental planning, permitting, design, and construction and necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the Director of Water Resources to apportion money appropriated from the fund, subject to specified requirements, for the Friant-Kern Canal, Delta-Mendota Canal, San Luis Field Division of the California Aqueduct, and San Joaquin Division of the California Aqueduct.

Position

Support

Total Measures: 11

Total Tracking Forms: 11