



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, November 16, 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

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 October 19, 2021.
 - B. Approval of October/November District Construction and Water Banking Disbursements.
 - C. Approval of October/November District Disbursements.
 - D. Approval of District 2022 Meeting Calendar.
- III. **BUSINESS AND FINANCE** (The Board will consider various items and issues relating to financial matters which are of interest to the District.)
 - A. Public Hearing.
 - i. Approval of Resolution 2021-07 Levying Special Assessments Within Zones of Benefit.
 - B. Business & Finance Committee Report – November 11, 2021.
 - i. Approval of October 2021 Financial Reports.

- 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 – November 2, 2021 – Canceled.
 - 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. Approval of Fencing Proposal with Lamont Fence Company for miscellaneous fencing at the Branch 1, Kern Island, and Romero Basins in an amount not to exceed \$39,950.00.
 - C. Approval of Street Right of Way Deed providing a public right of way easement to the City of Bakersfield at East Panama Lane and the Kern Island Central Canal.
- 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.
 - ii. New Kern River Watermaster.
 - 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.
 - i. Revised District Water Applications.
 - B. External Agency Report.
 - C. Water Banking Projects Report.
- VII. ATTORNEY'S REPORT** (Legal Counsel will discuss, and the Board will consider items and issues of legal interest to the District.)
- 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: November 16, 2021

Re: Agenda Item II – Consent Calendar

RECOMMENDATION:

Approve items A through D 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 October 19, 2021 (attached).

II B. Approval of October/November District Construction and Water Banking Project(s) Disbursements totaling \$569,074.07 (attached) recommended for approval by the Business and Finance Committee (*see November 11, 2021 Business and Finance Committee Minutes for additional detail*).

II C. Approval of October/November District Disbursements (attached) recommended for approval by the Business and Finance Committee (*see November 11, 2021 Business and Finance Committee Minutes for additional detail*).

II D. Approval of the District Meeting Calendar for 2022 (attached).



MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

October 19, 2021

TUESDAY, October 19, 2021, 12:03PM– 2:28PM

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

DIRECTORS ABSENT: Collins

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

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

Closed Session was concluded at 1:05PM.

REGULAR SESSION DECLARED AT 1:12PM

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:12PM.

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

Item A: No reportable action.

Item B: No reportable action.

Item C: By unanimous vote, with Director Collins absent, the Board rejected the claim filed by Nayeli Miranda.

INTRODUCTION OF GUESTS AND PUBLIC

None were present.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Garone/Tillema) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board approved and authorized items II A through II C of the Consent Calendar as presented.

- A. Approval of Minutes from the Regular Board Meeting of September 21, 2021.
- B. Approval of the September/October District Construction and Water Banking Disbursements.
- C. Approval of the September/October District Disbursements.

III. BUSINESS AND FINANCE

A. Business & Finance Committee – October 14, 2021: District Controller Duncan provided a report from the October Business & Finance Committee Meeting.

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

M/S/C (Antongiovanni/Tillema) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board approved the September 2021 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

B. Review and Approval of District Investment Policy: Staff presented the District Investment Policy to the Board for approval. The policy was developed in 2011 and has remained largely unchanged. Staff reviewed the policy with the Business and Finance Committee over the course of several meetings. Only one minor edit was recommended by staff and the committee, and it is reflected in the policy presented to the Board for approval.

M/S/C (Antongiovanni/Spitzer) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board approved the District Investment Policy as presented and recommended by the Business and Finance Committee.

IV. OPERATIONS AND PROJECTS

A. - A(i-v). Operations and Projects Committee – October 5, 2021: Assistant General Manager Bellue briefly reported on the October Operations and Projects Committee Meeting including District maintenance activities, recent encroachment permit requests, pending development projects impacting District facilities, and status updates related to both the Sunset Groundwater Recharge Facility project and the Old River Basins project.

B. Redbank Road and Panama Lane Common Use Agreements: Two development projects that require

expansion of the existing public right-of-way crossings associated with two Kern Delta facilities (Eastside Canal at Redbank Road and the Central Branch Canal at Panama Lane) have been reviewed and approved by staff. These projects require Three-Party Common Use Agreements between the District (operator of the canal), the City or County (who maintain the public road right-of-way), and the developer who is responsible for the construction of the improvements. These Three-Party Common Use Agreements memorialize that the developer is responsible for the construction and the City/County is ultimately the recipient of the improvements once completed and have the responsibility to maintain those improvements in the future.

M/S/C (Spitzer/Mendonca) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board approved the Redbank Road and Panama Lane Common Use Agreements as presented.

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 September and early October. Approximately 4,987 acre-feet of water was delivered in District during September. Mr. Hyatt also provided information related to a long-term seasonal outlook, which included excerpts from a DWR 2022 outlook presentation that was included in the Board packet.

B. - B(i). Kern River Watermaster Report: The October 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. General Manager Teglia provided a brief verbal report. Mr. Teglia highlighted the Water Association of Kern County Annual Dinner scheduled for November 9th, and the ACWA Conference scheduled for November 30th – December 2nd. Mr. Teglia also updated the Board regarding the recently approved Land IQ project and requested assistance from Board members in identifying specific parcels for locating remote sensing stations.

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. Mr. Teglia also conveyed that the District received a request from Metropolitan Water District of Southern California (MET) for the return of regulated water in 2022. Staff is working with MET to develop a return schedule.

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

VII. ATTORNEY'S REPORT

A. Required Training Update: Mr. Iger provided a brief update regarding annual required training for Board members and staff, including walking through two online options for compliance.

VIII. BOARD MEMBER COMMENTS

None.

IX. ADJOURNMENT:

There being no further business, President Palla adjourned the meeting at approximately 2:28PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven Teglia", written in a cursive style.

Steven Teglia, General Manager

Approved by Board,

A handwritten signature in black ink, appearing to read "Richard Tillema", written in a cursive style.

Richard Tillema, Board Secretary



To: Kern Delta Water District Board of Directors

From: Steven Teglia

Date: November 16, 2021

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

RECOMMENDATION:

Staff recommends payment of the following nine payables divided into three overall groups of: 1) water banking program design, construction, and construction support -- \$00.00; 2) water banking variable -- \$536,070.43; 3) Kern Delta Water District construction -- \$00.00. The total expenditure in October for these areas is \$536,070.43 (plus additional PG&E well energy stand-by cost).

DISCUSSION:

The following nine payables 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) PG&E – \$58.71 (AE-02, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 2) PG&E – \$59.47 (AE-03, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 3) PG&E – \$99.34 (AE-04, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 4) PG&E – \$54.25 (FR-03, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 5) PG&E – \$895.42 (KD-01, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 6) PG&E – \$40.14 (KD-02, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 7) PG&E – \$8,601.06 (KI-07, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 8) PG&E – \$26,262.04 (KI-07, Power/stand-by energy cost for the wells associated with the Water Banking water production)
- 9) Sunset W.B.P – \$500,000.00 (Shared continued construction costs)

Third group (Kern Delta Construction):

**KERN DELTA WATER BANKING PROGRAM DISBURSEMENTS
RECOMMENDED BY THE OPERATIONS & PROJECTS COMMITTEE**

Tuesday, November 2, 2021

#	PAYEE	AMOUNT	CHECK
1	PGE-AE2 Well Utilities	58.71	3161
2	PGE-AE3 Well Utilities	59.47	3162
3	PGE-AE4 Well Utilities	99.34	3163
4	PGE-FR3 Well Utilities	54.25	3164
5	PGE-KD1 Well Utilities	895.42	3165
6	PGE-KD2 Well Utilities	40.14	3166
7	PGE-KI7 Well Utilities	8,601.06	3167
8	PGE-KI8 Well Utilities	26,262.04	3168
9	SUNSET W.B.P. Shared continued contruction costs	500,000.00	3169
1	BUY'S PIPE Pvc, primer, valve	63.12	3170
2	COASTLINE Loader rental, repairs #402	7,997.25	3171
3	PGE-AE1 Well Utilities	103.09	3172
4	PGE-BV2 Well Utilities	55.67	3173
5	PGE-BV3 Well Utilities	47.15	3174
6	PGE-BV5 Well Utilities	42.59	3175
7	PGE-FR2 Well Utilities	48.53	3176
8	PGE-KB1 Well Utilities	6,992.49	3177
9	PGE-KB3 Well Utilities	65.80	3178
10	PGE-KB4 Well Utilities	7,118.06	3179
11	PGE-KB6 Well Utilities	7,199.72	3180
12	PGE-ST1 Well Utilities	26.55	3181
13	QUINN COMPANY Stabilizer, pins #402	3,243.62	3182
TOTAL		569,074.07	

*The November 2nd 2021 Operations and Projects Committee was canceled, the above will be reviewed at the November 11th 2021 Business and Finance Committee meeting.

KERN DELTA WATER DISTRICT
DISBURSEMENTS RECOMMENDED BY THE BUSINESS AND FINANCE COMMITTEE
THURSDAY, NOVEMBER 11, 2021

OCTOBER 2021 SUB TOTAL \$ 330,036.44

# PAYEE	AMOUNT	CHECK
1 AMERIFUEL - fuel	7,122.27	45085
2 KERN COUNTY PUBLIC WORKS - dump fees	1,030.50	45086
3 MOSSMAN'S - catering	300.09	45087
4 PRINCIPAL LIFE INSURANCE - insurance premium	4,558.99	45088
5 SAN JOAQUIN VALLEY AIR - burn permit	640.00	45093
6 STERICYCLE, INC. - recycling service	80.70	45089
7 SUNSET WATER BANKING PROJECT - initial investment	500,000.00	45090
8 UNITED AG BENEFIT TRUST - insurance premium M.Mulkay	1,533.48	45091
9 VERIZON - cell service	654.31	45092
10 ADVANCED DISTRIBUTION - fitting, valves #324, flashlights	141.99	45094
11 AG SPRAY EQUIPMENT - spray nozzle #T-3	34.75	45095
12 AMERICAN BUSINESS MACHINES - annual service agreement	481.63	45096
13 B&B SURPLUS, INC. - pipe	664.41	45097
14 BATTERY SYSTEMS, INC. - battery #405	194.08	45098
15 BUDGET BOLT, INC. - bolts & nuts #403	109.93	45099
16 CASH - pc replenish	70.00	45100
17 CHESTER AVENUE BRAKE, LLC - fitting #324	91.31	45101
18 FLOYD'S - sharpen blades	173.58	45102
19 HALL LETTER SHOP - public hearing mailing	1,294.45	45103
20 IGER STUDIO - board member photo	198.71	45104
21 JERRY AND KEITH'S - hose #T11	55.89	45105
22 JIM BURKE FORD - lights #325, repairs #216	1,138.38	45106
23 KCTTC - annual property tax	6,692.19	45107
24 MARCOM GROUP - website hosting	95.00	45108
25 NORTH KERN WATER STORAGE DISTRICT - 2021 3rd qtr W/M	1,650.00	45109
26 O'REILLY AUTO PARTS - belt #326, foam	166.66	45110
27 PACIFIC GAS & ELECTRIC - office utilities	27.69	45111
28 PROGRESSIVE TECHNOLOGY, INC. - IT support	432.18	45112
29 RELIABLE JANITORIAL - office maintenance	1,185.00	45113
30 SPARKLE TEXTILE RENTAL SERVICE - uniforms	1,482.84	45114
31 SPECTRUM - internet	365.80	45115
32 STINSON STATIONERS - office supplies	240.72	45116
33 TARGET SPECIALTY PRODUCTS - torpedo, finale	9,542.24	45117
34 TRAFFIC MANAGEMENT PRODUCTS, INC. - signs	389.70	45118
35 VALLEY DECAL - signs	1,313.07	45119
36 WESTAIR GASES & EQUIPMENT, INC. - gas	48.30	45120
37 PAYROLL #21	67,931.39	Wire
38 PAYROLL PEOPLE #21	152.25	Wire
39 EDD-STATE P/R #21	4,372.98	Wire
40 EFT-IRS P/R #21	20,376.91	Wire
41 LINCOLN LIFE - retirement program	12,898.93	Wire
42 LINCOLN LIFE - deferred comp.	3,156.00	Wire
43 MASS MUTUAL - deferred comp.	1,840.00	Wire
44 PAYROLL #22	70,332.52	Wire
45 PAYROLL PEOPLE #22	155.50	Wire

46 EDD-STATE P/R #22	4,462.96	Wire
47 EFT-IRS P/R #22	19,929.23	Wire
48 LINCOLN LIFE - retirement program	13,156.72	Wire
49 LINCOLN LIFE - deferred comp.	3,156.00	Wire
50 MASS MUTUAL - deferred comp.	1,840.00	Wire
OCTOBER 2021 TOTAL		1,097,998.67

# PAYEE	AMOUNT	CHECK
1 A-1 ANSWERING SERVICE - answering service	573.51	45121
2 AMERICAN HYDROTECH - lawn service	325.00	45122
3 AMERIFUEL - fuel	5,893.16	45123
4 B&G MACHINE & WELDING - connector repair #403	110.00	45124
5 BUDGET BOLT, INC. - bolts, nuts #403	508.48	45125
6 BUYS PIPE AND SUPPLY - pvc caps	388.19	45126
7 THE BAKERSFIELD CALIFORNIAN - Resolution ad	3,090.22	45127
8 CITIZENS CARDMEMBER SERVICES - subscriptions, office supplies, training	4,805.09	45128
9 COUNTRY TIRE & WHEEL - repairs #216, tires	2,395.45	45129
10 ELLISON, SCHNEIDER & HARRIS L.L.P. - professional services	10,269.02	45130
11 GRAINGER - signs	258.08	45131
12 GREENFIELD COUNTY WATER DIST. - office utilities	150.28	45132
13 HERC RENTALS - water trailer rental	957.78	45133
14 HERNANDEZ FARMING - water credit reimbursement	2,321.53	45134
15 HYDRAULIC CONTROLS, INC - hose, valve	1,474.66	45135
16 KERN COUNTY RECORDER - lien redemptions	180.00	45136
17 LAND IQ - November analysis	7,429.00	45137
18 McMURTREY & HARTSOCK - professional services	12,880.00	45138
19 O'REILLY AUTO PARTS - def	140.62	45139
20 PACIFIC GAS & ELECTRIC - office utilities	1,402.47	45140
21 POELKE FAMILY TRUST - assessment reimbursement	6.20	45141
22 PRICE DISPOSAL - dumping fee	14.34	45142
23 PROGRESSIVE TECHNOLOGY, INC. - IT support	1,930.90	45143
24 STERICYCLE, INC. - recycling service	80.70	45144
25 SULLY AND SON - hose #403	140.51	45145
26 VACUSWEEP - office maintenance	200.00	45146
27 WESTAIR GASES & EQUIPMENT, INC. - gases	50.01	45147
28 ZEIDERS CONSULTING - Jan-Sept consulting	7,522.00	45148
29 WELLS FARGO - debt service	292,974.50	Wire
30 CENTRALIZE HR - administration fee November	1,895.00	Wire
31 PAYROLL #23	70,735.39	Wire
32 PAYROLL PEOPLE #23	155.50	Wire
33 EDD-STATE P/R #23	4,441.62	Wire
34 EFT-IRS P/R #23	19,529.45	Wire
35 LINCOLN LIFE - retirement program	13,194.84	Wire
36 LINCOLN LIFE - deferred comp.	3,431.00	Wire
37 MASS MUTUAL - deferred comp.	1,840.00	Wire
NOVEMBER 2021 SUB TOTAL		473,694.50

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

Payee	Reason	November 2021 Anticipated
ACUMEN INFORMATION SYSTEMS	IT support	50.00
ADVANCED DIST.	Truck maintenance/repair	142.00
AG SPRAY EQUIPMENT	Spray parts	35.00
AMERIFUEL	Gas/Diesel fuel	7,100.00
B & B SURPLUS	Canal maintenance materials	665.00
BATTERY SYSTEMS	Vehicle Maintenance	195.00
BUDGET BOLT	Maintenance materials	110.00
CHESTER AVENUE BRAKE, LLC	Vehicle parts	100.00
COUNTRY TIRE	Vehicle tires	1,500.00
FLOYD'S	Maintenance materials	175.00
HALL LETTER SHOP	Mass mailing service	600.00
JERRY & KEITH'S	Truck maintenance/repair	500.00
JIM BURKE	Truck maintenance/repair	1,200.00
K.C. WASTE (PUBLIC WORKS)	Dumping	1,030.50
LINCOLN FINANCIAL	Pension/deferred comp contributions	26,872.50
MARCOM GROUP	District web site support	95.00
MASSACHUSETTS MUTUAL	Deferred comp contributions	3,680.00
MOSSMAN'S	Catering	300.00
NORTH KERN WSD	Watermaster wages	1,650.00
O'REILLY AUTO PARTS	Vehicle repair parts	200.00
P.G.&E.	District office utilities	2,100.00
PRINCIPAL LIFE INS.	Dental/vision/life insurance premium	4,558.99
PROGRESSIVE TECH.	IT and computer system support	500.00
QUINN	Motorgrader maintenance/repair	500.00
RELIABLE JANITORIAL	Janitor service	1,185.00
SCHWEBEL PETROLEUM	Oil/lubricants	500.00
SNIDER'S	Locks, misc repair parts	100.00
SPARKLE	Uniform/laundry service	1,500.00
SPECTRUM	Internet access	365.80
STERICYCLE, INC (Shred-it)	Office shredding and disposal	80.70
STINSON'S	Office supplies	250.00
TARGET	Weed control chemicals	10,000.00
UNITED AG BENEFIT TRUST	Medical employee benefits	28,485.00
VERIZON	Cell phones and service	655.00
WESTAIR	Welding supplies	150.00
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2022 Meeting Calendar

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Kern Delta Board Meeting (1st Tues. @ 12PM and 3rd Tues. @ 12PM Closed Session; 1:00PM Regular Session)

Operations and Projects Committee (1st Tues. of the Month @ 10:30AM)

Business and Finance Committee (Thurs. prior to the 3rd Tues. @ 10:00AM)

District Observed Holidays - Office Closed

Note: Meetings Subject to Change or Cancellation with Appropriate Notice.

Tab III





BUSINESS & FINANCE COMMITTEE MEETING

**501 Taft Highway
Bakersfield, CA**

**THURSDAY, November 11, 2021
10:00AM**

A G E N D A

- 1. Call to order**
- 2. Public Comment Period**
- 3. Approve Minutes of October 14, 2021, Business & Finance Committee Meeting**
- 4. Financial Reports and Accounts Payable:**
 - a. Approve October and November District and Banking Project(s) Disbursements
 - b. Approve October 2021 Financial Reports
- 5. District Controller's Report:**
 - a. Public Hearing Review
 - b. Assessments Roll Review
- 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 November 8, 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, November 11, 2021

DIRECTORS PRESENT: Antongiovanni, Fanucchi, Tillema

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

1. CALL TO ORDER

Chair Antongiovanni called the meeting to order at 10:02 A.M.

2. PUBLIC COMMENTS

None.

3. APPROVAL OF PREVIOUS COMMITTEE MEETING MINUTES

- a. **M/S/C (Tillema/Fanucchi) (yes – 3, no – 0):** The Business & Finance Committee approved the minutes of the Business & Finance Committee meeting held on October 14, 2021.

4. FINANCIAL REPORTS AND DISBURSEMENTS

- a.- b. Approval of October 2021 and November 2021 Disbursements and October 2021 Financial Reports.
M/S/C (Fanucchi/Tillema) (yes – 3, no – 0): The Business & Finance Committee recommends the Board approve the October 2021 and November 2021 District Disbursements, the updated November 2021 Water Banking Project Disbursements, the anticipated November 2021 end of month Disbursements, and the October 2021 District and Water Banking Projects Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

5. DISTRICT CONTROLLER'S REPORT

- a. Staff provided a brief update on the Public Hearing set for November 16, 2021, for the Approval of Resolution 2021-07 Levying Special Assessments Within Zones of Benefit.
- b. Staff provided a brief report regarding the District's Annual Assessment Roll Review.

6. ADJOURN

Chair Antongiovanni adjourned the meeting at 10:46 A.M.

Respectfully submitted,

Kevin Antongiovanni – Chair

**Kern Delta Water District
Balance Sheet
As of October 31, 2021**

<u>Assets</u>	<u>October 30, 2021</u>	<u>September 30, 2021</u>	<u>Month-to- Month Variance</u>
Current Assets:			
Cash & Securities in Bank	\$ 21,991,044	\$ 22,651,027	\$ (659,983)
Accounts Receivable	172,291	335,853	(163,561)
Due From KDWP	-	-	-
Inventories & Prepaid Expenses	372,497	280,109	92,388
Total Current Assets	<u>22,535,833</u>	<u>23,266,989</u>	<u>(731,156)</u>
Fixed Assets			
District Structures, Rights of Way	\$ 18,057,036	\$ 18,057,036	\$ -
Construction in Progress	-	-	-
CVC Expansion	8,776,668	8,776,668	-
Machinery & Equipment	2,477,143	2,476,189	953
	<u>29,310,846</u>	<u>29,309,893</u>	<u>953</u>
Accumulated Depreciation	<u>(7,022,146)</u>	<u>(6,975,146)</u>	<u>(47,000)</u>
Net Fixed Assets	<u>22,288,700</u>	<u>22,334,747</u>	<u>(46,047)</u>
Investment in Joint Powers Authority	\$ 15,305	\$ 15,305	\$ -
Investment in Sunset Program	500,000	-	500,000
Investment in MET Program	8,890,130	8,890,130	-
Total Assets	<u>\$ 54,229,968</u>	<u>\$ 54,507,171</u>	<u>\$ (277,203)</u>
<u>Liabilities & Equity</u>			
Current Liabilities:			
Trade Accounts Payable	\$ 107,715	\$ 200,268	\$ (92,553)
Due to Kern Delta Water Banking	-	-	-
Deferred Revenue	-	-	-
Accrued Liabilities	182,495	184,621	(2,126)
Total Current Liabilities	<u>290,209</u>	<u>384,888</u>	<u>(94,679)</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>4,454,067</u>	<u>4,548,746</u>	<u>(94,679)</u>
Equity:			
Equity From Past Years	\$ 50,269,300	\$ 50,269,300	\$ -
Accumulative Equity - Current Year	(493,398)	(310,875)	(182,523)
Total Liabilities & Equity	<u>\$ 54,229,968</u>	<u>\$ 54,507,171</u>	<u>\$ (277,203)</u>

Kern Delta Water District
Cash Variance Analysis
October 31, 2021

Cash Received:

Accounts Receivable Collections	274,980
Share of Property Tax Receipts	98,379
Interest Received	66,958
	<hr/>
	440,317
	<hr/>

Cash Disbursed:

Investment in Sunset Banking Project	(500,000)
Cash Disbursements for Goods and Services	(376,641)
Payrolls Paid	(223,659)
	<hr/>
	(1,100,300)
	<hr/>

Net positive/(negative) variance	(659,983)
---	------------------

Kern Delta Water District
Accounts Receivable Variance Analysis
October 31, 2021

Revenue Added to Accounts:

Water Sales - Utility Water	46,593
District Wells Revenue	135
Seepage Revenue	58,198
Other Misc Revenues:	
Encroachment Permits	500
Penalties/Interest	468
Scrap metal sales	160
Other	5,365
	<hr/>
	111,418
	<hr/>

Cash Received on Account:

Water Payments	(61,607)
Misc Payments	(210,656)
Assessments Payments	(2,717)
	<hr/>
	(274,980)
	<hr/>
Interest Payments	-
	<hr/>
	(274,980)
	<hr/>

Net positive/(negative) variance	(163,561)
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**Kern Delta Water District
Inventory/Prepays Variance Analysis
October 31, 2021**

Additions to Accounts:

Weed Control Chemicals Purchased	9,543
Prepaid Additions	126,552
	<hr/>
	136,095
	<hr/>

Usage/Amortization:

Chemicals Consumed During Month	(26,081)
Amortization of Prepaid Accounts	(17,626)
	<hr/>
	(43,707)
	<hr/>

Net positive/(negative) variance	92,388
---	---------------

Kern Delta Water District
Operating Results - Year To Date
Through the Month Ended October 31, 2021

	Actual Current Month	Actual Year to Date	Annual Budget	YTD as % of Annual Budget (Target is 83%)	Budget Remaining
REVENUES:					
State water sales	\$ -	\$ 305,245	\$ 1,179,193	26%	\$ 873,948
Utility water sales	46,593	1,558,953	3,214,297	49%	1,655,344
COB/Cal Water/GCWD Revenue	58,198	448,615	900,000	50%	451,385
Equalization	-	4,145	9,147	45%	5,003
Assessments	-	1,011,585	1,014,767	100%	3,182
Share of county tax	98,379	2,871,862	4,316,386	67%	1,444,524
Interest income	66,958	190,132	441,000	43%	250,868
Other income	6,296	251,042	175,000	143%	(76,042)
Water Transfer Charges	-	731,000	731,000	100%	-
Water Banking Expense Reimbursement	-	-	150,000	0%	150,000
Total income	\$ 276,424	\$ 7,372,580	\$ 12,130,790	61%	\$ 4,758,211
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	10,400	184,149	361,400	51%	177,251
Miscellaneous source costs	-	17,451	500,000	3%	482,549
Total Source of supply	\$ 10,400	\$ 2,521,102	\$ 3,662,900	69%	\$ 1,141,798
Transmission and Distribution:					
Labor	\$ 206,260	\$ 2,135,198	\$ 2,627,040	81%	\$ 491,842
Employee benefits	65,740	672,031	842,305	80%	170,274
Maintenance & Repairs	57,874	772,383	1,197,812	64%	425,429
Total Transmission and Distribution	\$ 329,874	\$ 3,579,612	\$ 4,667,157	77%	\$ 1,087,545
Administrative & other costs:					
Engineering consultant	\$ -	\$ 63,521	\$ 50,000	127%	\$ (13,521)
Legal consultants	350	4,060	200,000	2%	195,940
Special legal/engineering	22,874	277,164	200,000	139%	(77,164)
Kern River GSA	-	1,335	200,000	1%	198,665
Insurance	17,164	129,228	163,194	79%	33,966
Office operations	31,618	252,325	334,782	75%	82,457
Special expenses	(332)	524,463	576,500	91%	52,037
Construction Expense - Peripheral	-	29,195	-		
Bond Interest expense	-	72,972	131,290	56%	58,318
Depreciation	47,000	411,000	456,000	N/A	45,000
Total administrative & other	\$ 118,673	\$ 1,765,263	\$ 2,311,766	76%	\$ 575,697
Total expenses	\$ 458,947	\$ 7,865,978	\$ 10,641,823	74%	\$ 2,775,845
Net Fav/(Unfav) Operating Results	\$ (182,523)	\$ (493,398)	\$ 1,488,967		\$ 1,982,366

KERN DELTA WATER DISTRICT
Labor and Benefits Tracker
2021

Actual Cost	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	TOTAL 2021
Wages & Salaries	200,143	199,795	213,691	211,998	226,034	219,896	217,727	218,638	221,015	206,260	2,135,198
Payroll Taxes - Employer Paid	14,950	14,182	16,159	15,377	16,059	16,563	15,852	15,126	13,787	12,048	150,102
Medical/Dental/Vision - Cost	35,644	35,471	36,438	32,250	30,973	33,609	29,874	37,375	30,930	33,415	335,979
Medical/Dental/Vision - Employee Withheld	(5,157)	(4,658)	(5,140)	(4,958)	(5,035)	(4,873)	(5,124)	(5,146)	(6,836)	(4,468)	(51,395)
Life/LTD/AD&D	1,378	1,452	1,415	1,415	1,415	1,364	1,461	1,425	1,373	1,373	14,071
Retirement Plan	18,970	17,165	19,161	19,340	22,713	22,149	22,790	22,792	22,043	22,599	209,721
Uniforms and Other Benefits	1,115	1,168	1,316	1,741	754	1,092	1,549	3,183	861	774	13,553
Total Benefits	66,899	64,780	69,348	65,165	66,879	69,904	66,402	74,755	62,158	65,741	672,031
Total Labor and Benefits	267,043	264,575	283,040	277,163	292,913	289,800	284,129	293,393	283,173	272,001	2,807,229
Budgeted Cost	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
Wages & Salaries	215,859	194,970	215,859	208,896	226,674	219,362	226,674	226,674	219,362	226,674	2,181,004
Payroll Taxes - Employer Paid	16,513	14,915	16,513	15,981	17,341	16,781	16,749	16,749	15,373	13,594	160,509
Medical/Dental/Vision - Cost	34,457	34,457	34,457	34,457	34,457	34,457	34,457	34,457	34,457	34,457	344,570
Medical/Dental/Vision - Employee Withheld	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(4,960)	(49,600)
Life/LTD/AD&D	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	15,000
Retirement Plan	19,753	18,073	20,335	19,679	22,734	22,000	22,734	22,734	22,000	22,734	212,776
Uniforms and Other Benefits	2,123	2,123	2,123	2,123	2,123	2,123	2,123	2,123	2,123	2,123	21,230
Total Benefits	69,386	66,108	69,968	68,780	73,195	71,901	72,603	72,603	70,493	69,448	704,485
Total Labor and Benefits	285,245	261,078	285,827	277,676	299,869	291,263	299,277	299,277	289,855	296,122	2,885,489
Budget vs Actual Variance - Fav/(Unfav)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
Wages & Salaries	15,716	(4,825)	2,168	(3,102)	640	(534)	8,947	8,036	(1,653)	20,414	45,806
Payroll Taxes - Employer Paid	1,563	733	354	604	1,282	218	897	1,623	1,586	1,546	10,407
Medical/Dental/Vision - Cost	(1,187)	(1,014)	(1,981)	2,207	3,484	848	4,583	(2,918)	3,527	1,042	8,591
Medical/Dental/Vision - Employee Withheld	197	(302)	180	(2)	75	(87)	164	186	1,876	(492)	1,795
Life/LTD/AD&D	122	48	85	85	85	136	39	75	127	127	929
Retirement Plan	784	908	1,174	339	21	(149)	(56)	(58)	(43)	135	3,055
Uniforms and Other Benefits	1,008	955	807	382	1,369	1,031	574	(1,060)	1,262	1,349	7,677
Total Benefits	2,487	1,328	620	3,615	6,316	1,997	6,201	(2,152)	8,335	3,707	32,454
Total Labor and Benefits	18,203	(3,497)	2,787	513	6,956	1,463	15,148	5,884	6,682	24,121	78,260

KERN DELTA WATER DISTRICT

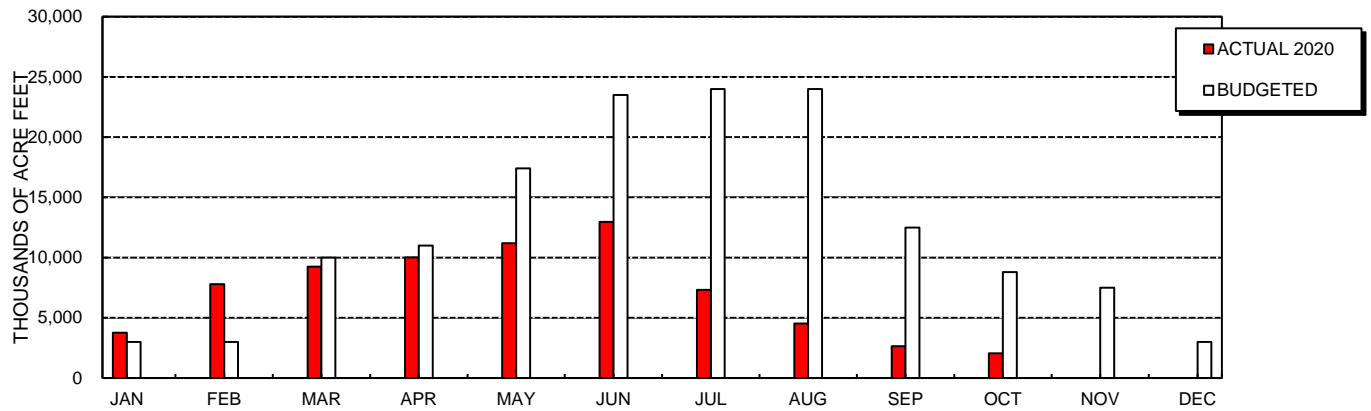
TREASURER'S REPORT

October 2021

	2021	2020	2019	2018
Cash & Securities on hand - October 1	\$ 22,651,027	\$ 22,259,082	\$ 18,491,672	\$ 16,987,339
Add: October receipts	440,317	656,939	2,107,153	452,966
Less: October disbursements	1,100,300	1,089,906	845,423	424,957
Cash & Securities on hand - October 31, 2021	\$ 21,991,044	\$ 21,826,115	\$ 19,753,402	\$ 17,015,347
Petty Cash \$ 500				
Citizens Business Bank 761,866				
Kern County Treasury 21,228,679				
\$ 21,991,044				
Restricted Reserves:				
Restricted Reserve Fund - Water Resources 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)	(3,049,034)	(3,245,934)	(3,303,755)
2015-A COP Reserve Fund	(4,015,000)	(4,015,000)	(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)	\$ (18,077,879)	\$ (4,132,379)	\$ (3,890,200)
Cash Available - October 31, 2021	\$ 4,243,842	\$ 3,748,236	\$ 15,621,023	\$ 13,125,148

**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	1,941	0	118	2,059	65,526	3,463	2,556	71,544	52%
NOV	99,138	7,500	144,700									
DEC	100,282	3,000	147,700									



KERN DELTA WATER DISTRICT

Aged Accounts Receivable

Past Due Accounts

November 16, 2021

Account	Name	0-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Past Due
592	Costa, Joe & Mary	446.06	451.51	-	-	897.57
887	Forney, Bruce	6.09	5.99	5.91	393.63	411.62
2437	Upple, Shinda	24.77	95.92	1,555.31		1,676.00
3529	Sanchez, Alfredo Hernandez	257.18	-	-	-	257.18
5769	Khachatryan, Emma	12.93	12.74	12.55	836.90	875.12
	OTHER	263.77	332.47	0.63	42.19	639.06
		1,010.80	898.63	1,574.40	1,272.72	4,756.55

**Kern Delta Water Banking Project
Balance Sheet
October 31, 2021**

Assets

	October 31, 2021	September 30, 2021	Month-to- Month Variance
Current Assets:			
Cash & Securities in Bank	\$ 7,238,571	\$ 7,854,187	\$ (615,617)
Interest Receivable	-	-	-
Due from Metropolitan Water District	-	-	-
Due from SBVMWD	-	-	-
Inventory and Prepaids	160,192	160,376	(184)
Due from KDWD	-	-	-
Total Current Assets	<u>\$ 7,398,763</u>	<u>\$ 8,014,563</u>	<u>\$ (615,801)</u>
Fixed Assets at cost less depreciation:			
All structures	\$ 63,139,776	\$ 63,139,776	\$ -
Machinery and equipment	418,064	418,064	-
	<u>\$ 63,557,841</u>	<u>\$ 63,557,841</u>	<u>\$ -</u>
Less: Accumulated depreciation	(11,285,031)	(11,190,531)	(94,500)
Total fixed assets	<u>\$ 52,272,810</u>	<u>\$ 52,367,310</u>	<u>\$ (94,500)</u>
Investment in Sunset Banking Project	<u>\$ 596,548</u>	<u>\$ 96,548</u>	<u>\$ 500,000</u>
Other Assets	<u>\$ 596,548</u>	<u>\$ 96,548</u>	<u>\$ 500,000</u>
Total Assets	<u><u>\$ 60,268,120</u></u>	<u><u>\$ 60,478,420</u></u>	<u><u>\$ (210,301)</u></u>

Liabilities & Equity

Current Liabilities:			
Trade accounts payable	\$ -	\$ -	\$ -
Due to KDWD	-	-	-
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	(824,631)	(614,330)	(210,301)
Total Equity	<u>\$ 60,268,120</u>	<u>\$ 60,478,420</u>	<u>\$ (210,301)</u>
Total Liabilities & Equity	<u><u>\$ 60,268,120</u></u>	<u><u>\$ 60,478,420</u></u>	<u><u>\$ (210,301)</u></u>

Kern Delta Water Banking Project
Cash Variance Analysis
October 31, 2021

Cash Received:

Misc Credits	1,328
Interest Received	20,191
	<hr/>
	21,519

Cash Disbursed:

Investment in Sunset Banking Project	(500,000)
Payments to PG&E	(133,560)
Disbursements - Other	(3,576)
	<hr/>
	(637,136)

Net positive/(negative) variance	(615,617)
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**Kern Delta Water Banking Project
Inventory/Prepays Variance Analysis
October 31, 2021**

Additions to Accounts:

Chemicals Purchased	-
	<hr/>
	-

Usage/Amortization:

Chemicals Consumed During Month	(184)
	<hr/>
	(184)

Net positive/(negative) variance	(184)
---	--------------

Kern Delta Water Banking Project
Statement of Operating Results
Through the Period Ended October 31, 2021

	<u>Current Month</u>	<u>Year to Date</u>
REVENUE:		
MET Revenues	\$ -	\$ 2,697,063
Water Sales	-	-
Interest Income	20,191	62,472
Total of all income	<u>\$ 20,191</u>	<u>\$ 2,759,535</u>
Transfer and Exchange Fees:		
Exchange Fees	\$ -	\$ 11,168
Wheeling Fees	-	-
Total Exchange Fees	<u>\$ -</u>	<u>\$ 11,168</u>
Other Costs		
Power - KB1-8, KDW1-2	\$ 133,010	\$ 1,403,577
Power - AE1, AE2, AE3, AE4	341	477,515
Power - BV1, BV2, BV3, BV4, BV5	208	230,350
CVC Operating Costs	664	461,990
CVC Power Costs	-	3,068
O&M Spreading	2,475	23,664
Other O&M & Miscellaneous Costs	(707)	27,833
Legal & Accounting	-	-
Depreciation	94,500	945,000
Total Other Costs	<u>\$ 230,491</u>	<u>\$ 3,572,997</u>
Total all expenses	<u>\$ 230,491</u>	<u>\$ 3,584,166</u>
Favorable/(Unfavorable) Operating Results	<u>\$ (210,301)</u>	<u>\$ (824,631)</u>
Estimated 3rd Qtr Revenue - MWD		<u>\$ 1,100,000</u>
Estimated Fav/(Unfav) Operating Results		<u>\$ 275,369</u>

KERN DELTA WATER BANKING PROJECT

TREASURER'S REPORT

October

	2021	2020	2019	2018
Cash & Securities on hand - October 1, 2021	\$ 7,854,187	\$ 13,697,846	\$ 9,397,035	\$ 9,476,455
Add: October receipts	821,519	502,456	1,794,151	162,455
Less: October disbursements	1,437,136	662,828	1,039,771	61,006
Cash & Securities on hand - October 31, 2021	\$ 7,238,571	\$ 13,537,474	\$ 10,151,414	\$ 9,577,904
Citizens Business Bank	\$ 431,650			
Kern County Treasury	6,806,921			
	<u>\$ 7,238,571</u>			
Restricted Cash included in above:				
OM&R Spreading	\$ (259,281)	\$ 901,305	\$ 518,813	
OM&R Extraction	(690,438)	(107,951)	(137,772)	
OM&R CVC/Delivery Canal	-	(3,534,492)	(3,225,816)	
Take/Put Fees	(2,237,601)	(4,852,365)	(4,382,706)	
Total Restricted	<u>\$ (3,187,320)</u>	<u>\$ (7,593,503)</u>	<u>\$ (7,227,481)</u>	
Cash Available for Construction - October 31, 2021	<u>\$ 4,051,250</u>	<u>\$ 5,943,971</u>	<u>\$ 2,923,934</u>	

**Sunset Banking Project
Balance Sheet
As of October 31, 2021**

	October 31, 2021	September 30, 2021	Month-to- Month Variance
<u>Assets</u>			
Current Assets:			
Cash & Securities in Bank	\$ 1,000,066	\$ 66	\$ 1,000,000
Total Current Assets	<u>1,000,066</u>	<u>66</u>	<u>1,000,000</u>
Fixed Assets			
Construction in Progress - Spreading Works	96,548	96,548	\$ -
	<u>96,548</u>	<u>96,548</u>	<u>-</u>
Accumulated Depreciation	-	-	-
Net Fixed Assets	<u>96,548</u>	<u>96,548</u>	<u>-</u>
	<u>96,548</u>	<u>96,548</u>	<u>-</u>
Total Assets	<u><u>\$ 1,096,614</u></u>	<u><u>\$ 96,614</u></u>	<u><u>\$ 1,000,000</u></u>
<u>Liabilities & Equity</u>			
Current Liabilities:			
Trade Accounts Payable	\$ -		\$ -
Total Current Liabilities	<u>-</u>	<u>-</u>	<u>-</u>
Equity:			
Contributions to Equity - KDWBP	\$ 596,548	\$ 96,548	\$ 500,000
Contributions to Equity - KDWD	500,000		500,000
Equity From Past Years	-	-	-
Accumulative Equity - Current Year	66	66	-
Total Liabilities & Equity	<u><u>\$ 1,096,614</u></u>	<u><u>\$ 96,614</u></u>	<u><u>\$ 1,000,000</u></u>

Sunset Banking Project
Statement of Operating Results
Through the Period Ended October 31, 2021

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

SUNSET BANKING PROJECT

TREASURER'S REPORT

October 2021

		2021			
Cash & Securities on hand - October 1		\$ 66			
Add: October receipts		1,000,000			
Less: October disbursements		-			
Cash & Securities on hand - October 31, 2021		\$ 1,000,066	\$ -	\$ -	\$ -
Citizens Business Bank 500,066					
Kern County Treasury 500,000					
<u>\$ 1,000,066</u>					
Unrestricted Reserves:					
None					
Total Reserves		\$ -	\$ -	\$ -	\$ -
Cash Available - October 31, 2021		\$ 1,000,066	\$ -	\$ -	\$ -

BEFORE THE BOARD OF DIRECTORS OF
THE KERN DELTA WATER DISTRICT

IN THE MATTER OF:

RESOLUTION NO. 2021-07

LEVYING SPECIAL ASSESSMENTS
WITHIN ZONES OF BENEFIT

WHEREAS, Article 2 (commencing with Section 35532) of Chapter 2.5 of Part 5 of Division 13 of the Water Code of the State of California establishes a procedure whereby the District may adopt or amend zones of benefit for the purpose of fixing special acreage assessments pursuant to Article 3 (commencing with Section 35539) of Chapter 2.5 of Part 5 of Division 13 of the Water Code varied in accordance with the extent of benefits to each zone derived or to be derived from services to the land in each zone in order to cause just and equitable sharing among the District's landowners of all or any portion of the District's obligations for the next year; and

WHEREAS, Article 3 (commencing with Section 35539) of Chapter 2.5 of Part 5 of Division 13 of the Water Code of the State of California establishes a procedure whereby this District may levy a special assessment of an equal amount upon each acre of developed land, upon each acre of undeveloped land, or both, within the District or within zones established pursuant to Sections 35534 and 35535, in order to cause just and equitable sharing among the District's landowners of all or any portion of District obligations for the next year in excess of receipts from water charges as reflected in the annual estimate of obligations; and

WHEREAS, this Board of Directors noticed and held a public hearing as to whether or not it is necessary to raise by special assessment the sum of \$502,576.00 in order to meet a portion of the estimated obligations of the District during 2022 attributable to general administration of the District; and

WHEREAS, this Board of Directors noticed and held a public hearing as to whether or not it is also necessary to raise by special assessment the sum of \$98,431.00 in order to meet a portion of the estimated obligations of the District during 2022 attributable to general benefits of District participation in the California State Water Project.

WHEREAS, this Board of Directors noticed and held a public hearing as to whether or not it is also necessary to raise by special assessment the approximate sum of \$410,417.00 in order to meet a portion of the estimated obligations of the District during 2022 attributable to specific benefits of District's participation in the California State Water Project.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by this Board of Directors as follows:

1. That all the foregoing is true and correct.

2. That the respective share of benefits received by Zones of Benefit Numbers 1 through 11, inclusive, the criteria for establishing each such zone, and the percentage of benefit applicable thereto are described in Exhibit "A" attached hereto and incorporated herein by this reference.

3. That there is levied a special assessment in the amount of \$4.34 upon each acre of developed and undeveloped land within the District in order to cause just and equitable sharing among the District's landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to general administration of the District.

4. That there is levied a special assessment in the amount of \$.85 upon each acre of developed and undeveloped land within the District in order to cause just and equitable sharing among the District's landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to general benefits of District participation in the California State Water Project.

5. That there is levied a special assessment in the amounts described below upon each acre of land within the Kern Delta Water District Zone Numbers 1 through 11, as described below, in order to cause just and equitable sharing among the District landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to specific benefits of District's participation in the California State Water Project, to wit:

(a) Zone No. 1 - \$2.12 per acre;

(b) Zone No. 2 - \$1.36 per acre;

(c) Zone No. 3 - \$3.82 per acre;

(d) Zone No. 4 - \$4.63 per acre;

(e) Zone No. 5 - \$4.36 per acre;

(f) Zone No. 6 - \$0.00 per acre;

(g) Zone No. 7 - \$0.00 per acre;

(h) Zone No. 8 - \$0.00 per acre;

(i) Zone No. 9 - \$5.46 per acre;

(j) Zone No. 10 - \$0.00 per acre;

(k) Zone No. 11 - \$5.46 per acre;

6. That the levy of the special assessments described in paragraphs 3, 4 and 5 above, shall be and become effective on the first working day after the 32nd day following the adoption of this Resolution, to wit; December 20, 2021; provided however, that, if the Board receives a petition containing the signatures of persons holding title to 5% of the land area within the District before said date, the Board shall call an election of the qualified voters in the District and submit the

Resolution to levy the special assessments to such voters, and no levy of assessment shall be made unless and until the election is held and the assessments are approved, in whole or in part, by a majority vote of the qualified voters of the District.

7. That the special assessments levied pursuant hereto shall be due December 31, 2021, shall be payable in one installment, and shall be delinquent if not paid on or before June 30, 2022.

8. That the District's staff be, and it hereby is, authorized and directed to collect said special assessments pursuant to the provision of Chapters 3,4, 5 and 6 of Part 7 of Division 13 of the California Water Code, all as prescribed in Section 35539.4 of said Code.

All the foregoing being on the motion of Director _____, seconded by Director _____ and authorized by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing Resolution is the resolution of said District as duly passed and adopted by said Board of Directors the 16th day of November 2021.

WITNESS my hand and the Seal of said Board of Directors this 16th day of November 2021.

Rodney Palla
President of the Board of Directors

Richard Tillema
Secretary of the Board of Directors

EXHIBIT "A"

CRITERIA FOR ESTABLISHING KERN DELTA WATER DISTRICT ZONES OF BENEFIT NUMBERS 1 THROUGH 11

Through a contract with the Kern County Water Agency, Kern Delta Water District has been importing water from the California State Water Project since the early 1970's. Approximately eighty percent (80%) of the water imported to the District has been delivered to landowners within the District for crop irrigation. Canal seepage losses have accounted for about twenty percent (20%) of the imported water. Surface water deliveries to landowners have allowed an equal reduction in pumping from the groundwater basin underlying the District. Canal seepage directly recharges the groundwater basin underlying the District.

The combination of reduced groundwater pumping and recharge has resulted in an improvement in groundwater levels as opposed to levels which would now exist if no imported water had been brought into the District. The general benefits due to improved water level have been estimated at \$98,431.00 for 2022. The specific benefits due to improved water levels have been estimated at \$410,417.00 for 2022.

The zones of benefit herein established have been identified as areas of common groundwater pumping. The specific benefits realized by each such zone are proportional to the total amount of water pumped from the groundwater basin. The general benefits are realized equally by all lands within the District. The general and special benefits have been distributed to several zones as follows:

<u>ZONE</u>	<u>PERCENTAGE OF TOTAL BENEFIT</u>	
	<u>General</u>	<u>Special</u>
1	3.72%	2.22%
2	31.16%	11.96%
3	4.89%	5.27%
4	9.28%	12.12%
5	10.04%	12.36%
6	0.02%	0.00%
7	2.07%	0.00%
8	0.54%	0.00%
9	30.80%	47.45%
10	1.89%	0.00%
11	<u>5.59%</u>	<u>8.62%</u>
	100.00%	100.00%

KERN DELTA WATER DISTRICT
ANNUAL ESTIMATE OF OBLIGATIONS

TO THE HONORABLE BOARD OF SUPERVISORS OF THE COUNTY OF KERN:

The Board of Directors of Kern Delta Water District, a California water district organized under Division 13 of the Water Code of the State of California, hereby files its Annual Estimate of Obligations pursuant to Section 36552 of the California Water Code, the estimate of the sum required by the District to discharge all of its obligations being \$11,248,333 and derived as follows:

(A)	Those that are unpaid and matured at date hereof:	\$	0
(B)	Those that will mature during the next year:	\$	11,248,333
(C)	Those that it is probable will be incurred and will mature during the next year:	\$	11,248,333

The portion of said annual estimate which will be required for the Payment of principal and interest on long-term debt is:	\$	353,541
--	----	---------

The revenues which will be derived from water charges are estimated to total:	\$	5,687,735
---	----	-----------

Dated: _____

By order of the Board of Directors of
Kern Delta Water District

Bryan Duncan, District Controller

Receipt of the foregoing Annual Estimate of Obligations is acknowledged this _____ day of _____, 20_____.

Clerk of the Board of Supervisors
of the County of Kern

By: _____

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA

Affidavit of Mailing

COUNTY OF KERN

I, Madelyne Rodriguez, declare the following:

1. I am the Administrative Assistant for Kern Delta Water District
2. On or about September 20, 2021, I caused notice of a public hearing regarding the levying of special assessments to be mailed, by regular first-class mail. A copy of this notice, which is entitled, "Notice of Hearing Re Declaration of Necessity of Levying Special Assessments Within Zones of Benefit," is attached and incorporated herein by reference.
3. The above-referenced "Notice of Hearing Re Declaration of Necessity of Levying Special Assessments Within Zones of Benefit," was mailed to:
 - a. All landowners within the boundaries of the District, as listed on the District's Assessor's roll.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of September 2021, at Bakersfield, California.



Madelyne Rodriguez

BEFORE THE BOARD OF DIRECTORS OF THE KERN DELTA WATER DISTRICT

IN THE MATTER OF RESOLUTION 2021-06

NOTICE OF HEARING RE DECLARATION OF NECESSITY OF LEVYING SPECIAL ASSESSMENTS WITHIN ZONES OF BENEFIT, AND DECLARATION THAT A PUBLIC HEARING SHALL BE HELD THEREON

WHEREAS, this Board of Directors duly adopted its Resolution No. 82-08 establishing Kern Delta Water District Zones of Benefit Number 1 through 11 on September 22, 1982, for the purpose of fixing special acreage assessments in accordance with the extent of benefits derived or to be derived from services to the land in each such zone arising from the District's plan of irrigation works and the plan of allocation of imported water in the District; and

WHEREAS, Article 2 (commencing with Section 35532) of Chapter 2.5 of Part 5 of Division 13 of the Water Code of the State of California establishes a procedure whereby the District may establish zones of benefit for the purpose of fixing special acreage assessments pursuant to Article 3 (commencing with Section 35539) of Chapter 2.5 of Part 5 of Division 13 of the Water Code varied in accordance with the extent of benefits to each zone derived or to be derived from services to the land in each zone in order to cause just and equitable sharing among the District's landowners of all or any portion of the District's obligations for the next year; and

WHEREAS, Article 3 (commencing with Section 35539) of Chapter 2.5 of Part 5 of Division 13 of the Water Code of the State of California establishes a procedure whereby this District may levy a special assessment of an equal amount upon each acre of developed land, upon each acre of undeveloped land, or both, within the District or within zones established pursuant to Sections 35534 and 35535, in order to cause just and equitable sharing among the District's landowners of all or any portion of District obligations for the next year in excess of receipts from water charges as reflected in the annual estimate of obligations; and

WHEREAS, this Board of Directors finds and determines that it is necessary to collect by special assessment the approximate sum of \$502,576 in order to meet a portion of the estimated obligations of the District during 2022 attributable to general administration of the District; and

WHEREAS, this Board of Directors finds and determines that it is also necessary to collect by special assessment the approximate sum of \$98,431 in order to meet a portion of the estimated obligations of the District during 2022 attributable to general benefits of District's participation in the California State Water Project.

WHEREAS, this Board of Directors finds and determines that it is also necessary to collect by special assessments the approximate sum of \$410,417 in order to meet a portion of the estimated obligations of the District during 2022 attributable to specific benefits of District's participation on the California State Water Project; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by this Board of Directors as follows:

1. That all the foregoing is true and correct.
2. That the respective share of benefits received by Zones of Benefit Numbers 1 through 11, inclusive, the criteria for establishing each such zone, and the percentage of benefit applicable thereto are described in Exhibit "A" attached hereto and incorporated herein by this reference.
3. That it is necessary to levy a special assessment in the amount of \$4.34 upon each acre of developed and undeveloped land within the District in order to cause just and equitable sharing among the District's landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to general administration of the District.
4. That it is necessary to levy a special assessment in the amount of \$0.85 upon each acre of developed and undeveloped land within the District in order to cause just and equitable sharing among the District's landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to general benefits of District participation in the California State Water Project.
5. That it is necessary to levy a special assessment in the amounts described below upon each acre of land within the Kern Delta Water District Zone Numbers 1 through 11, as described below, in order to cause just and equitable sharing among the District landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to specific benefits of District's participation in the California State Water Project, to wit (unchanged from calendar year 2021):

(a)	Zone No. 1	\$2.12 per acre
(b)	Zone No. 2	\$1.36 per acre
(c)	Zone No. 3	\$3.82 per acre
(d)	Zone No. 4	\$4.63 per acre
(e)	Zone No. 5	\$4.36 per acre
(f)	Zone No. 6	\$0.00 per acre
(g)	Zone No. 7	\$00.0 per acre
(h)	Zone No. 8	\$0.00 per acre
(i)	Zone No. 9	\$5.46 per acre
(j)	Zone No. 10	\$0.00 per acre
(k)	Zone No. 11	\$5.46 per acre

6. That to determine total special assessment for each acre of land, add individual amounts from paragraphs 3, 4 and 5 above.
7. That a public hearing on the necessity of levying the above-referenced special assessments shall be held at 1:00 p.m., on Tuesday, November 16, 2021, or as soon thereafter as may be called, at Kern Delta Water District, 501 Taft Highway, Bakersfield, California 93307-6247.

8. That the District's staff be, and they hereby are, authorized and directed to cause a copy of this resolution to be published pursuant to Section 6066 of the Government Code in the *Bakersfield Californian*, a newspaper of general circulation published in the county in which District lands are located, and to mail, postage prepaid, a copy of this resolution to each holder of title to land within the District as shown upon the last equalized assessment roll of the County of Kern.

All of the foregoing being on the motion of Director Garone, seconded by Director Antongiovanni, and authorized by the following vote, to wit:

AYES: Palla, Kaiser, Tillema, Antongiovanni, Spitzer, Fanucchi, Garone, Mendonca, and Collins

NOES: ABSTAIN: ABSENT:

I HEREBY CERTIFY that the foregoing Resolution is the resolution of said District as duly passed and adopted by said Board of Directors the 21st day of September 2021.

WITNESS my hand and the Seal of said Board of Directors this 21st day of September 2021.



Secretary of the Board

EXHIBIT "A"

CRITERIA FOR ESTABLISHING KERN DELTA WATER DISTRICT ZONES OF BENEFIT NUMBERS 1 THROUGH 11

Through a contract with the Kern County Water Agency, Kern Delta Water District has been importing water from the California State Water Project since the early 1970's. Approximately eighty percent (80%) of the water imported to the District has been delivered to landowners within the District for crop irrigation. Canal seepage losses have accounted for about twenty percent (20%) of the imported water. Surface water deliveries to landowners have allowed an equal reduction in pumping from the groundwater basin underlying the District. Canal seepage directly recharges the groundwater basin underlying the District.

The combination of reduced groundwater pumping, and recharge has resulted in an improvement in groundwater levels as opposed to levels which would now exist if no imported water had been brought into the District. The general benefits due to improved water level have been estimated at \$98,431 for 2022. The specific benefits due to improved water levels have been estimated at \$410,417 for 2022.

The zones of benefit herein established have been identified as areas of common groundwater pumping. The specific benefits realized by each such zone are proportional to the total amount of water pumped from the groundwater basin. The general benefits are realized equally by all lands within the District. The general and special benefits have been distributed to several zones as follows:

<u>ZONE</u>	<u>PERCENTAGE OF TOTAL BENEFIT</u>	
	General	Specific
1	3.72%	2.22%
2	31.16%	11.96%
3	4.89%	5.27%
4	9.28%	12.12%
5	10.04%	12.36%
6	0.02%	0.00%
7	2.07%	0.00%
8	0.54%	0.00%
9	30.80%	47.45%
10	1.89%	0.00%
11	5.59%	8.62%
	100%	100%

Postage Statement—USPS Marketing Mail

Post Office: Note Mail Arrival
Date & Time (Do Not Round-Stamp)

Mailer	Permit Holder Name, Address, Email, Telephone Hall Letter Shop 5200 Rosedale Hwy Bakersfield, CA 93308 661-327-3228 CAPS Cust. Ref. No. CRID 2444885 N/A		Mailing Agent (if other than permit holder) Name, Address, Telephone CRID N/A		Mail Owner (if other than permit holder) Name, Address Kern Delta Water District 501 Taft Hwy Bakersfield CA 93307 CRID N/A	
	Post Office of Mailing BAKERSFIELD CA 93380		Mailer's Mailing Date 09/20/2021		Federal Agency Cost Code N/A	
Mailing	Type of Postage <input checked="" type="checkbox"/> Permit Imprint <input type="checkbox"/> Precanceled Stamps <input type="checkbox"/> Metered		Processing Category <input checked="" type="checkbox"/> Letters <input type="checkbox"/> CMM <input type="checkbox"/> Flats <input type="checkbox"/> Catalogs <input type="checkbox"/> Marketing Parcels		Total # of Pieces in Mailing 1,727	
	For Mail Enclosed within Another Class <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Periodicals <input type="checkbox"/> Media Mail		Move Update Method <input type="checkbox"/> Ancillary Service Endorsement <input type="checkbox"/> NCOA Link <input type="checkbox"/> ACS		Total Weight 23.1418	
	For Mail Enclosed within Another Class <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Periodicals <input type="checkbox"/> Media Mail		Alternative Method <input type="checkbox"/> Multiple <input type="checkbox"/> OneCode ACS <input checked="" type="checkbox"/> n/a Alternative Address Format		Weight of a Single Piece 0.0134 pounds	
	Combined Mailing <input type="checkbox"/> Mixed Class <input type="checkbox"/> Single Class		Mailpiece is a product sample <input type="checkbox"/> % Samples		Permit # 110	
		This is a Political Campaign Mailing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		For Automation Pieces, Enter Date of Address Matching and Coding 09/20/2021		
		This is Official Election Mail <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		For Carrier Route Pieces, Enter Date of Address Matching and Coding N/A		
				For Carrier Route Price Pieces, Enter Date of Carrier Route Sequencing N/A		
				For Pieces Bearing a Simplified Address, Enter Date of Delivery Statistics File or Alternative Method N/A		
Parts Completed (Select all that apply): <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> L <input type="checkbox"/> S <input type="checkbox"/> NSA						
Postage	1 Subtotal Postage (Add parts totals)					\$459.54
	2 Price at Which Postage Affixed (Check one): <input type="checkbox"/> Correct <input type="checkbox"/> Lowest <input type="checkbox"/> Neither Complete if mailing includes pieces bearing metered/PC Postage or precanceled stamps.					0 pcs. x \$ = Postage Affixed -
	3 Incentive/Discount Flat Dollar Amount					-
	4 Fee Flat Dollar Amount					+
	5 Permit # Net Postage Due (Line 1 +/- Lines 2, 3, 4)					\$459.54
USPS Use Only	Additional Postage Payment (State reason)					
	For postage affixed, add additional payment to net postage due; for permit imprint, add additional payment to total postage.					Total Adjusted Postage Affixed
	Postmaster: Report Total Postage in AIC 130 (Permit Imprint Only, Excluding Simplified Addressing ("0"))					Total Adjusted Postage Permit Imprint
	Postmaster: Report Total Postage in AIC 208 (Simplified Addressing (EDDM), Permit Imprint Only)					Total Adjusted Postage Simplified Addressing (EDDM)
Certification	Incentive/Discount Claimed: Type of Fee:					
	The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and that the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment. Privacy Notice: For information regarding our Privacy Policy visit www.usps.com .					
USPS Use Only	Signature of Mailer or Agent		Printed Name of Mailer or Agent Signing Form Hall Letter Shop		Telephone 661-327-3228	
	Weight of a Single Piece _____ pounds		Total Weight		Are postage figures at left adjusted from mailer's entries? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, reason:	
	Total Pieces		Total Postage		Round Stamp (Required) Payment Date	
	Presort Verification Performed? (If required) <input type="checkbox"/> Yes <input type="checkbox"/> No					
	I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed; (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required)		Date Mailer Notified		Contact	
	USPS Employee's Signature		By (Initials)		Time AM PM	
Print USPS Employee's Name						

RECEIVED

OCT 08 2021

KDWD

Proof of Publication

THE BAKERSFIELD CALIFORNIAN
3700 PEGASUS DR
BAKERSFIELD, CA 93308

Ad Number: 47600 PO #:
Edition: CALC Run Times 2
Class Code LEGAL NOTICES

Start Date 09/27/2021 Stop Date 10/04/2021

KERN DELTA WATER DIST
501 TAFT HWY
BAKERSFIELD CA 93307
US

Billing Lines 118.00 Inches 11.940694
Total Cost \$ 3090.22 Account 90496
Billing KERN DELTA WATER DIST
Address 501 TAFT HWY
BAKERSFIELD CA 93307
US

STATE OF CALIFORNIA
COUNTY OF KERN

Solicitor I.D.: 0

I AM A CITIZEN OF THE UNITED STATES AND A RESIDENT
OF THE COUNTY AFORESAID: I AM OVER THE AGE OF
EIGHTEEN YEARS, AND NOT A PARTY OR INTERESTED
IN THE ABOVE ENTITLED MATTER. I AM THE ASSISTANT
PRINCIPAL CLERK OF THE PRINTER OF THE
BAKERSFIELD CALIFORNIAN, A NEWSPAPER OF
GENERAL CIRCULATION, PRINTED AND PUBLISHED
DAILY IN THE CITY OF BAKERSFIELD COUNTY OF KERN,

First Text
BEFORE THE BOARD OF DIREC

Ad Number 47600

AND WHICH NEWSPAPER HAS BEEN ADJUDGED A
NEWSPAPER OF GENERAL CIRCULATION BY THE SUPERIOR
COURT OF THE COUNTY OF KERN, STATE OF CALIFORNIA,
UNDER DATE OF FEBRUARY 5, 1952, CASE NUMBER 57610;
THAT THE NOTICE, OF WHICH THE ANNEXED IS A PRINTED
COPY, HAS BEEN PUBLISHED IN EACH REGULAR AND
ENTIRE ISSUE OF SAID NEWSPAPER
AND NOT IN ANY SUPPLEMENT THEREOF ON THE
FOLLOWING DATES, TO WIT:

09/27/2021 10/04/2021

ALL IN YEAR 2021

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY
THAT THE FOREGOING IS TRUE AND CORRECT.



DATED AT BAKERSFIELD CALIFORNIA

10-6-2021

BEFORE THE BOARD OF DIRECTORS OF
THE KERN DELTA WATER DISTRICT

IN THE MATTER OF RESOLUTION 2021-06

NOTICE OF HEARING RE DECLARATION OF
NECESSITY OF LEVYING SPECIAL ASSESSMENTS
WITHIN ZONES OF BENEFIT, AND DECLARATION
THAT A PUBLIC HEARING SHALL BE HELD THEREON

WHEREAS, this Board of Directors duly adopted its Resolution No. 82-08 establishing Kern Delta Water District Zones of Benefit Number 1 through 11 on September 22, 1982, for the purpose of fixing special acreage assessments in accordance with the extent of benefits derived or to be derived from services to the land in each such zone arising from the District's plan of irrigation works and the plan of allocation of imported water in the District; and

WHEREAS, Article 2 (commencing with Section 35532) of Chapter 2.5 of Part 5 of Division 13 of the Water Code of the State of California establishes a procedure whereby the District may establish zones of benefit for the purpose of fixing special acreage assessments pursuant to Article 3 (commencing with Section 35539) of Chapter 2.5 of Part 5 of Division 13 of the Water Code varied in accordance with the extent of benefits to each zone derived or to be derived from services to the land in each zone in order to cause just and equitable sharing among the District's landowners of all or any portion of the District's obligations for the next year; and

WHEREAS, Article 3 (commencing with Section 35539) of Chapter 2.5 of Part 5 of Division 13 of the Water Code of the State of California establishes a procedure whereby this District may levy a special assessment of an equal amount upon each acre of developed land, upon each acre of undeveloped land, or both, within the District or within zones established pursuant to Sections 35534 and 35535, in order to cause just and equitable sharing among the District's landowners of all or any portion of District obligations for the next year in excess of receipts from water charges as reflected in the annual estimate of obligations; and

WHEREAS, this Board of Directors finds and determines that it is necessary to collect by special assessment the approximate sum of \$502,576 in order to meet a portion of the estimated obligations of the District during 2022 attributable to general administration of the District; and

WHEREAS, this Board of Directors finds and determines that it is also necessary to collect by special assessment the approximate sum of \$98,431 in order to meet a portion of the estimated obligations of the District during 2022 attributable to general benefits of Districts participation in the California State Water Project.

WHEREAS, this Board of Directors finds and determines that it is also necessary to collect by special assessments the approximate sum of \$410,417 in order to meet a portion of the estimated obligations of the District during 2022 attributable to specific benefits of District's participation on the California State Water Project; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by this Board of Directors as follows:

1. That all the foregoing is true and correct.
2. That the respective share of benefits received by Zones of Benefit Numbers 1 through 11, inclusive, the criteria for establishing each such zone, and the percentage of benefit applicable thereto are described in Exhibit "A" attached hereto and incorporated herein by this reference.
3. That it is necessary to levy a special assessment in the amount of \$4.34 upon each acre of developed and undeveloped land within the District in order to cause just and equitable sharing among the District's landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to general administration of the District.
4. That it is necessary to levy a special assessment in the amount of \$0.85 upon each acre of developed and undeveloped land within the District in order to cause just and equitable sharing among the District's landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to general benefits of District participation in the California State Water Project.
5. That it is necessary to levy a special assessment in the amounts described below upon each acre of land within the Kern Delta Water District Zone Numbers 1 through 11, as described below, in order to cause just and equitable sharing among the District landowners of the portion of the District's obligations for 2022 in excess of receipts from water charges attributable to specific benefits of District's participation in the California State Water Project, to wit (unchanged from calendar year 2021):
 - (a) Zone No. 1 - \$2.12 per acre
 - (b) Zone No. 2 - \$1.36 per acre
 - (c) Zone No. 3 - \$3.82 per acre
 - (d) Zone No. 4 - \$4.63 per acre
 - (e) Zone No. 5 - \$4.36 per acre
 - (f) Zone No. 6 - \$0.00 per acre
 - (g) Zone No. 7 - \$0.00 per acre
 - (h) Zone No. 8 - \$0.00 per acre
 - (i) Zone No. 9 - \$5.46 per acre
 - (j) Zone No. 10 - \$0.00 per acre
 - (k) Zone No. 11 - \$5.46 per acre
6. That to determine total special assessment for each acre of land, add individual amounts from paragraphs 3, 4 and 5 above.
7. That a public hearing on the necessity of levying the above-referenced special assessments shall be held at 1:00 p.m., on Tuesday, November 16, 2021, or as soon thereafter as may be called, at Kern Delta Water District, 501 Taft Highway, Bakersfield, California 93307-6247.
8. That the District's staff be, and they hereby are, authorized and directed to cause a copy of this resolution to be published pursuant to Section 6066 of the Government Code in the *Bakersfield Californian*, a newspaper of general circulation published in the county in which District lands are located, and to mail, postage prepaid, a copy of this resolution to each holder of title to land within the District as shown upon the last equalized assessment roll of the County of Kern.

All of the foregoing being on the motion of Director Garone, seconded by Director Antongiovanni, and authorized by the following vote, to wit:

AYES: Palla, Kaiser, Tillemma, Antongiovanni, Spitzer, Fanucchi, Garone, Mendonca, and Collins
NOES:
ABSTAIN:
ABSENT:

I HEREBY CERTIFY that the foregoing Resolution is the resolution of said District as duly passed and adopted by said Board of Directors the 21st day of September 2021.

/s/ Richard Tillemma
Secretary of the Board

EXHIBIT "A"
CRITERIA FOR ESTABLISHING
KERN DELTA WATER DISTRICT
ZONES OF BENEFIT NUMBERS 1 THROUGH 11

Through a contract with the Kern County Water Agency, Kern Delta Water District has been importing water from the California State Water Project since the early 1970's. Approximately eighty percent (80%) of the water imported to the District has been delivered to landowners within the District for crop irrigation. Canal seepage losses have accounted for about twenty percent (20%) of the imported water. Surface water deliveries to landowners have allowed an equal reduction in pumping from the groundwater basin underlying the District. Canal seepage directly recharges the groundwater basin underlying the District. The combination of reduced groundwater pumping and recharge has resulted in an improvement in groundwater levels as opposed to levels which would now exist if no imported water had been brought into the District. The general benefits due to improved water level have been estimated at \$98,431 for 2022. The specific benefits due to improved water levels have been estimated at \$410,417 for 2022.

The zones of benefit herein established have been identified as areas of common groundwater pumping. The specific benefits realized by each such zone are proportional to the total amount of water pumped from the groundwater basin. The general benefits are realized equally by all lands within the District. The general and special benefits have been distributed to several zones as follows:

ZONE	PERCENTAGE OF TOTAL BENEFIT	
	General	Specific
1	3.72%	2.22%
2	31.16%	11.96%
3	4.89%	5.27%
4	9.28%	12.12%
5	10.04%	12.36%
6	0.02%	0.00%
7	2.07%	0.00%
8	0.54%	0.00%
9	30.80%	47.45%
10	1.89%	0.00%
11	5.59%	8.62%
	100%	100%

September 27, October 4, 2021
47600

Tab IV





**OPERATIONS AND PROJECTS
COMMITTEE MEETING**

501 Taft Highway
Bakersfield, California

TUESDAY, November 2, 2021

CANCELED

The November 2, 2021 Operations and Projects Committee Meeting has been canceled.

Maintenance Report

October 2021

1. **Structure and Turnout Repairs.** The following jobs were completed during the month;
 - a. Repair concrete panel and cable on the Central Canal near Hosking Road
 - b. Repair rails, stem, and screen on turnout # 3-0-146
 - c. Repair catwalk on 3-2-296
 - d. Repair screens on turnouts 3-2-190 and 226
 - e. Repair/replace rusted I-beams on Weirs 3-2-534, 535 and 536
2. **Shop.** The following jobs were completed during the month;
 - a. Normal service and repairs on District vehicles and equipment.
 - b. Repair sloper extension pull bar on motor grader
 - c. Repair stabilizers on backhoe #402 (line bore frame pins by Coastline Equip.)
 - d. 6,000-hour service on motor grader
 - e. Convert turntable pump to PTO drive to comply with CARB rules
 - f. Tire repair and service to trucks 226, 223, and 224
3. **District Wells.**
 - a. Monthly service and inspection of all District wells to check dripper operation and clean well pads
 - b. Add dripper oil as needed
4. **Motor Grader # 403** The following canals were sloped and roads graded;
 - a. Sloping BV East and Eastside Canals
5. **Backhoe # 402** The following jobs were completed during the month;
 - a. Assist in debris removal on Eastside, Stine and Central
 - b. Repair wash-ins on Kern Island
 - c. Excavate concrete pipeline from Old River Basins property
 - d. Load and remove brush on Central at Ming Avenue
 - e. Repair wash in erosion on the Central Canal caused by broken sprinkler at Wayside Park
6. **Backhoe # 404** The following jobs were completed this month;
 - a. Removed mattresses, debris, tumbleweeds, moss, brush and tires from Kern Island, Central, Stine and Eastside Canals.
 - b. Assist with removal of concrete pipe and hauling of riprap at Old River Basins property.
7. **Weed Spraying.** The following canals were sprayed during the month;
 - a. Both truck and trailer spray units were used to spray weeds on the KI, Branch 1, BV and Eastside Canals
 - b. Weed spray crew attend CAPCA training for weed control

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 Randal, 18 N&S, 13 Ditch, and Kern Island
9. **Rodent Control**
 - a. Bait Stations were frequently 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. Remove debris from the Stine, Central, Kern Island, Branch 1 and Eastside. Both trash trucks were used to haul to the landfill.
 - c. Brush Removal on Central Canal at Ming and South Gate to permit grader passage.
 - d. Work with County Code Enforcement to remove debris at Wilson on the Central
11. **Fence Repairs.** Fences and Gates were repaired at the following locations;
 - a. Kern Island – 30th St
 - b. Stine – Ash
 - c. Branch 1 – White Lane and Hughes
 - d. Central – Pacheco, Wilson and Union at Planz
12. **Safety Meetings.** Weekly tailgate safety topics were;
 - a. Used Tire Disposal Program
 - b. Maintenance Department Adjustments
 - c. Safety Labeling
 - d. Be Safe (everyone's job)
 - e. CPR Classes
13. **Water Banking Activities.** The following jobs were completed during the month;
 - a. Mowing cells at the Kern Island Basins
 - b. Manage weed control sub-contractors at basin properties
 - c. Removal of old concrete pipeline and debris from Old River Basins property
 - d. Break concrete pipe into riprap at Old River Basins and haul to Bladder Basin.
 - e. Coordinate installation of ET station by Land IQ at Buena Vista Basins property
14. **Future Projects.** The following projects will be completed as time and scheduling permit:
 - a. Repair dilapidated turnouts, gates, screens, piping and crossings as availability of canals are made possible on 18 N&S, 13 Ditch and Kern Island
 - b. Upgrade East Branch turnout 3-2-71 to 36" board control overflow w/36" pipe
 - c. 13 Ditch headgate / turnout piping repair to internal joint seams set for shutdown
 - d. Repair turnout #3-7-27 (repair gate and measuring tube when farmer lowers reservoir, no check valve on system to prevent backflow)
15. **Future Water Banking Projects.**
 - a. Repair air vent at KI Basins for well 3-0-KB4
 - b. Lower feeder ditch at KI Basins and dredge out sediment deposits
 - c. Install new turnout from feeder ditch to the north



To: Kern Delta Water District Board of Directors

From: Steven Teglia

Date: November 16, 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: Summit Energy, Inc.

Location: Buena Vista Canal, ~1 mile south of Taft Highway

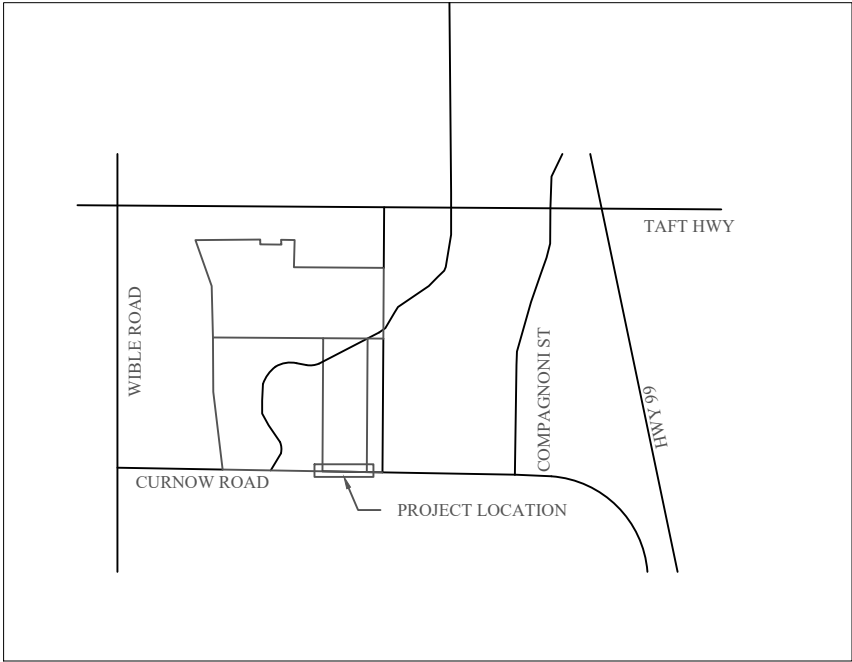
Purpose: Install new overhead electrical crossing

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 Agreement and plans need to be signed Non budgeted Item
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	
17	Banking Ponds	Install fencing	Romero,KI, and B1	Received two quotes	Y	
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
21	Kern Island Canal	Culvert Extension	North of Taft Highway	Pending plan review, agreement(s), etc.	Y	
22	Central Branch Canal	Traveling Screens	South of Panama Lane	Pending finalizing location, plans etc.	Y	
23	Kern Island Canal	Storm drain Crossing	South of Hosking Ave	Pending EP fee and insurance.	N	
24	Kern Island Canal	Storm drain Inlet	South "H" and Taft Hwy	Pending staff review, City agreement	Y	
25	Old River Basins	Wells	Old River Basins	Pending finalizing location, plans etc.	Y	
26	Stine Canal	Pipeline and Realignment	West of Gosford	Pending agreements, review of plans	Y	
27	Sunset Basins	Pumps and Pipeline(s)	North of Sunset Road	Zeiders preparing plans	Y	
28						
29						
30						
31						
32						Tract Plans approved in 2009

KERN DELTA WATER DISTRICT
FENCING PLANS FOR BRANCH ONE, KERN ISLAND, AND ROMERO BASINS

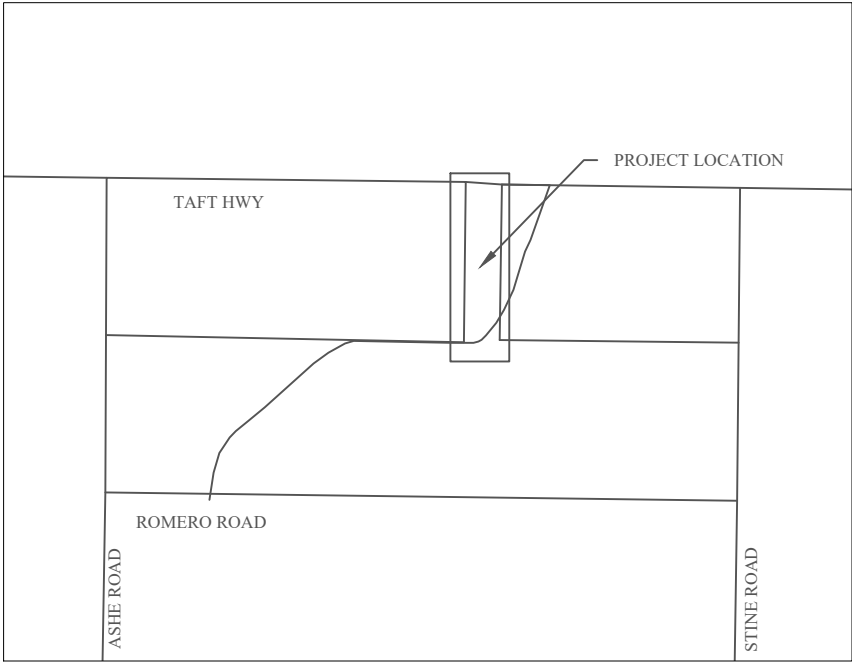


BRANCH ONE BASINS



KERN ISLAND BASINS

CALL BEFORE YOU DIG
CALL UNDERGROUND SERVICE ALERT (USA)
1-800-277-260
AT LEAST 2 WORKING DAYS BEFORE YOU DIG



ROMERO BASINS

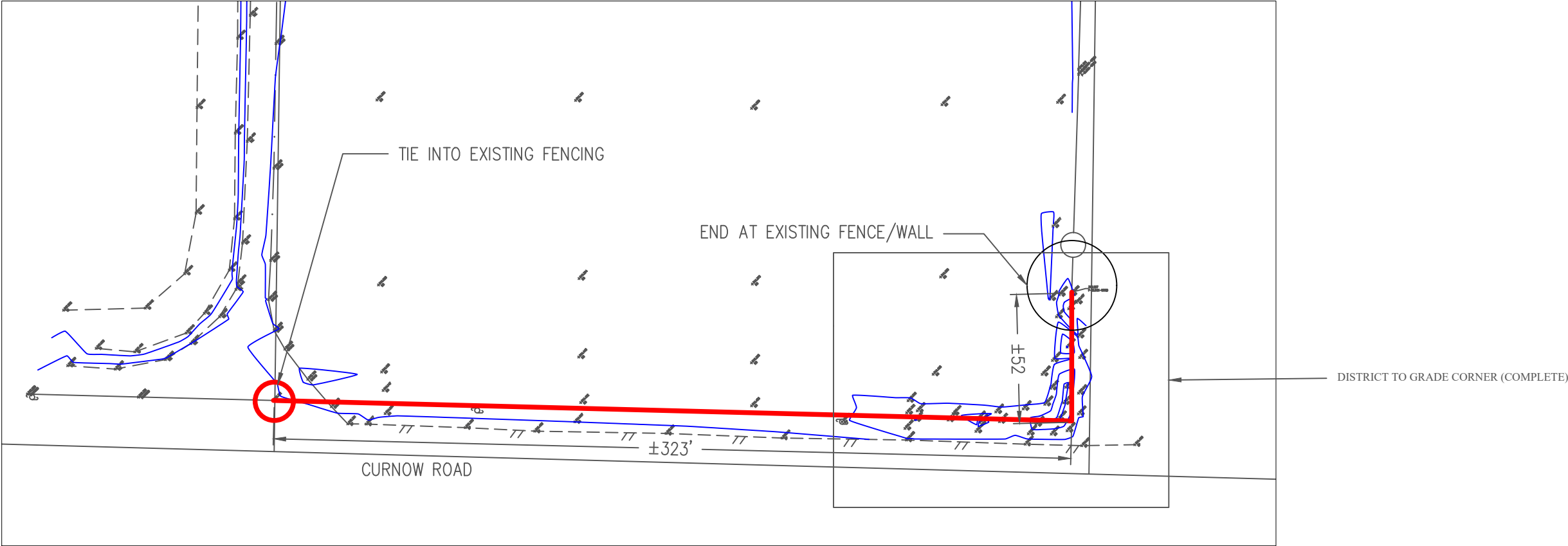
GENERAL NOTES:

- 1. THIS IS A PREVAILING WAGE JOB
- 2. THREE SEPARATE LOCATIONS
- 3. STAKING: CONTRACTOR MUST PROVIDE KERN DELTA WATER DISTRICT WITH 72 HOUR NOTICE PRIOR TO CONSTRUCTION. KERN DELTA MAY BE REACHED AT (661) 834-4656. ASK FOR DANIEL DELEON.
- 4. FENCE SHALL BE OFFSET BY ONE (1) FOOT FROM THE STAKED PROPERTY LINE

QUANTITIES:

- | | |
|------------------------|---|
| 1. BRANCH ONE BASINS: | 375 L.F OF 4 PT 4 STRAND BARBED WIRE FENCE |
| 2. KERN ISLAND BASINS: | 3,238 L.F. OF 4 PT 4 STRAND BARBED WIRE FENCE |
| 3. ROMERO BASINS: | 1,562 L.F. OF 4 PT 4 STRAND BARBED WIRE FENCE |
| 4. TOTAL: | 5,5175 L.F OF 4 PT 4 STRAND BARBED WIRE FENCE |

KERN DELTA WATER DISTRICT 501 TAFT HIGHWAY BAKERSFIELD, CA 93307				
BASINS FENCING PLAN TITLE SHEET VICINITY MAP				
DESCRIPTION				
REV. NO				
DATE:09-21-2021				
DRAWN BY: dld				
SCALE: NTS				
SHEET 1 OF 4 SHEETS				

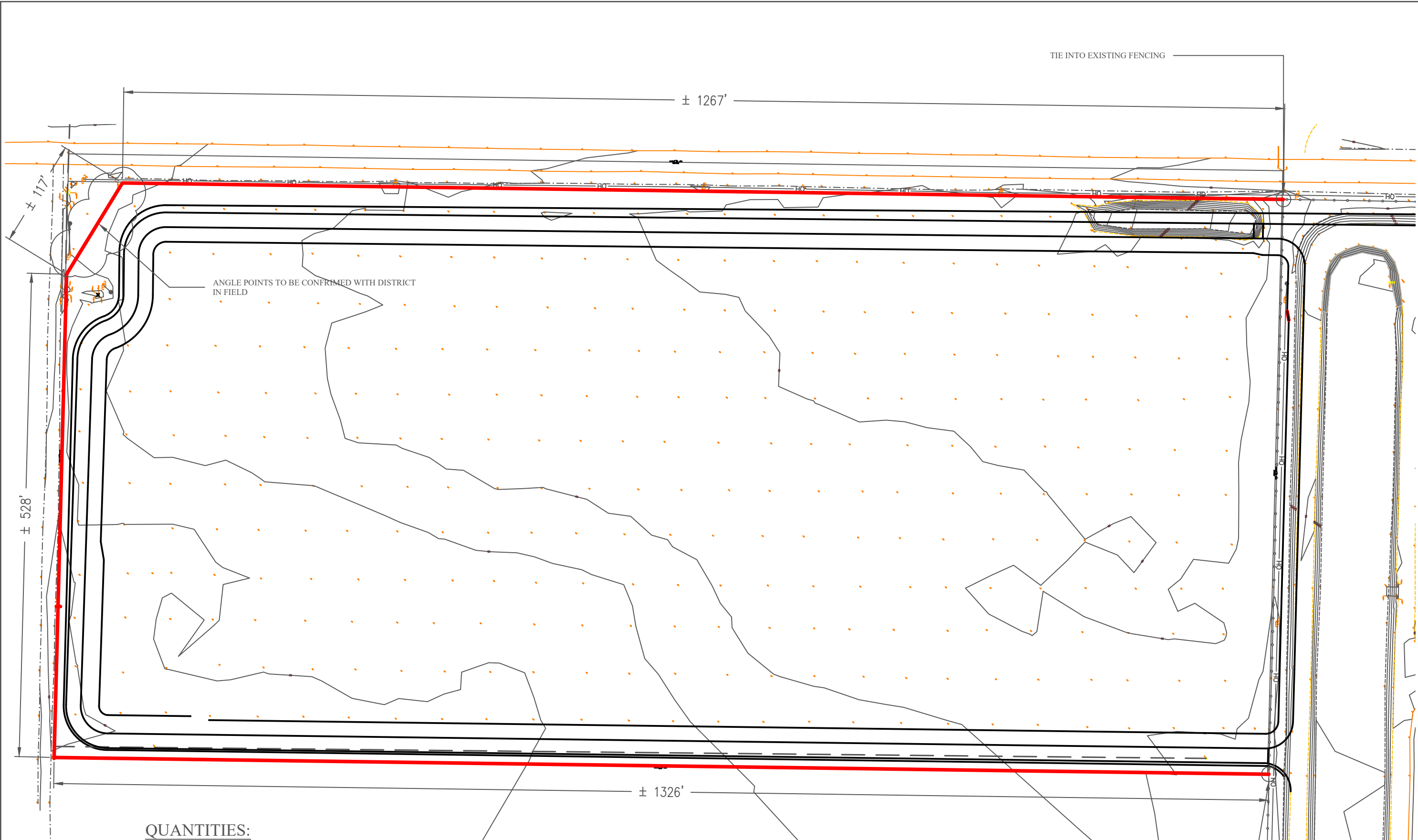


QUANTITIES:
4' HIGH 4 PT 4 STRAND BARBED WIRE FENCE: 375 L.F

LEGEND:
 4 PT 4 STRAND BARBED WIRE FENCE

CALL BEFORE YOU DIG
CALL UNDERGROUND SERVICE ALERT (USA)
1-800-277-260
AT LEAST 2 WORKING DAYS BEFORE YOU DIG

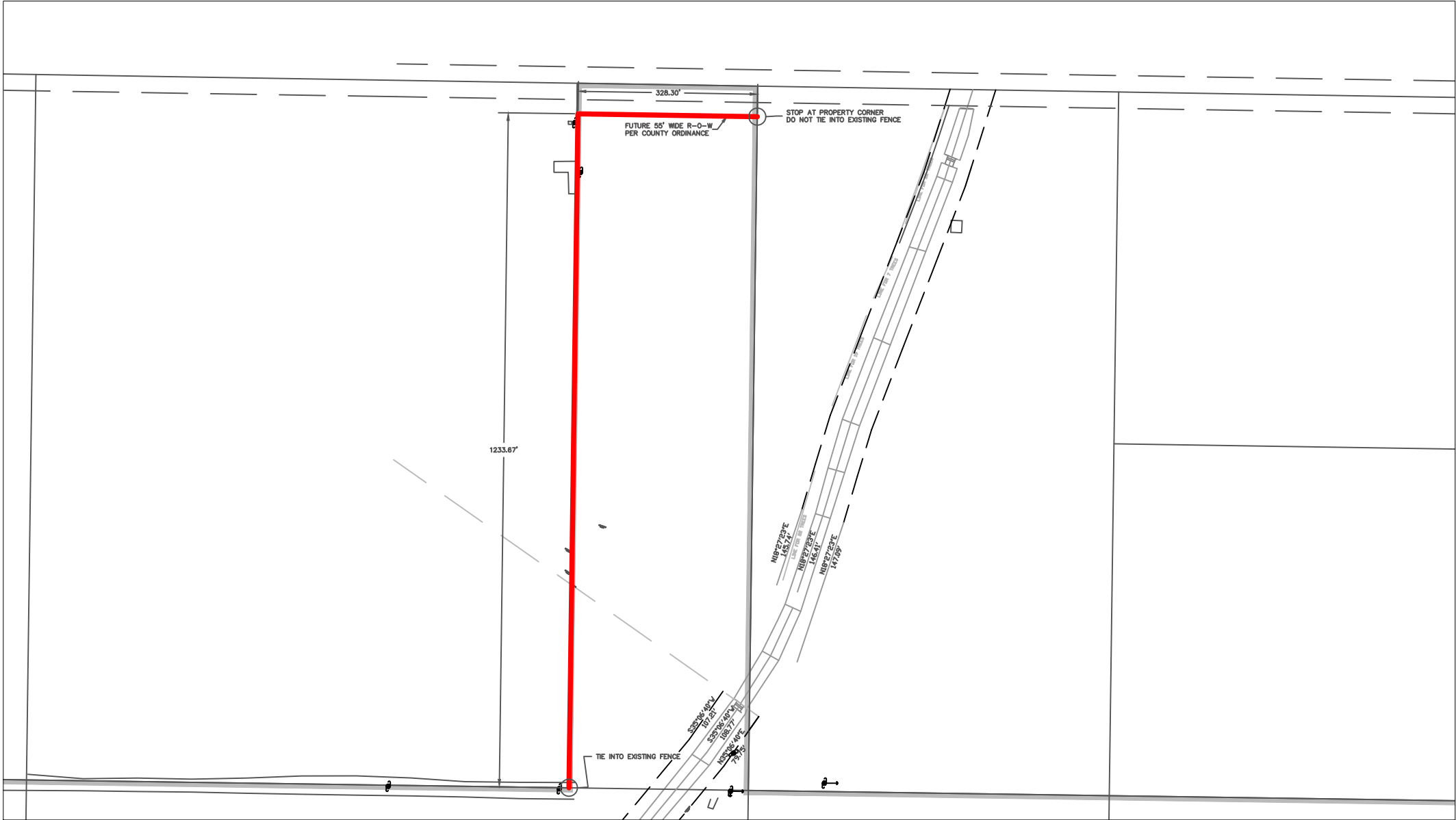
KERN DELTA WATER DISTRICT 501 TAFT HIGHWAY BAKERSFIELD, CA 93307				
BRANCH ONE BASINS EXPANSION FENCING PLAN PONCETTA				
DESCRIPTION				
REV. NO				
DATE:09-21-2021				
DRAWN BY: dld				
SCALE: NTS				
SHEET				
2				
OF 4 SHEETS				



QUANTITIES:
4' HIGH 4 PT 4 STRAND BARBED WIRE FENCE: 3,238 L.F

LEGEND:
4 PT 4 STRAND BARBED WIRE FENCE

KERN DELTA WATER DISTRICT 501 TAFT HIGHWAY BAKERSFIELD, CA 93307		KERN ISLAND BASINS EXPANSION FENCING PLAN MARLETTE	
REV. NO.	DESCRIPTION		
DATE: 09-21-2021			
DRAWN BY: dld			
SCALE:		NTS	
SHEET			
3			
OF 4 SHEETS			



QUANTITIES:
4' HIGH 4 PT 4 STRAND BARBED WIRE FENCE: 1,562 L.F

 LEGEND:
4 PT 4 STRAND BARBED WIRE FENCE

KERN DELTA WATER DISTRICT
501 TAFT HIGHWAY
BAKERSFIELD, CA 93307

ROMERO BASINS EXPANSION
FENCING PLAN
VET POND

REV.	DESCRIPTION

DATE: 09-21-2021

DRAWN BY: dld

SCALE:NTS

SHEET
4
OF 4 SHEETS

**Proposal
&
Acceptance**

Lamont Fence Company

3611 Alken Street
Bakersfield, CA 93308

Date

10/21/2021

Phone #	Fax #	E-mail	Cont. State Lic.
661-589-5509	661-589-5535	kweaver@lamontfence.com	#530334

Name / Address			
Kern Delta Water District 501 Taft Hwy Bakersfield, CA. 93307			
Description	Qty	Rate	Total
Attention: Daniel Deleon Project: Barbed wire fencing for 3 basins			
Site: Branch One Basins			
Install 2-3/8" x 7' (LG40) end/brace posts	3		
Install 1-5/8" x 8' (LG40) angle braces	4		
Install 4-pt 4-strand barbed wire fencing with #133 weight 7' long t-posts & 48" stays	375		
Site: Kern Island Basins			
Install 2-3/8" x 7' (LG40) end/brace posts	11		
Install 1-5/8" x 8' (LG40) angle braces	20		
Install 4-pt 4-strand barbed wire fencing with #133 weight 7' long t-posts & 48" stays	3,238		
Site: Romero Basins			
Install 2-3/8" x 7' (LG40) end/brace posts	6		
Install 1-5/8" x 8' (LG40) angle braces	10		
Install 4-pt 4-strand barbed wire fencing with #133 weight 7' long t-posts & 48" stays	1,562		
*Prevailing Wage Rates Apply *LFC DIR # 1000405072			
Signature		Total	\$39,950.00

SAN JOAQUIN FENCE
1933 E. California Ave.
Bakersfield, CA 93307
(661) 322-9700 FAX (661) 322-9600
Contractors License #1012604 / DIR #1000037265

DATE: 10/25//2021

TO: KERN DELTA WATER DISTRICT
ATTN: DANIEL DELEON
RE: FENCE QUOTE/ BRANCH/KERN ISLAND/ROMERO BASINS

SAN JOAQUIN FENCE INTENDS TO BID THE FOLLOWING ITEMS.

SCOPE OF WORK

PROVIDE AND INSTALL APPROX 5175' OF 4 POINT 4-STRAND BARBWIRE FENCING WITH , NO GATES.

NOTE: QUOTE BASED SITE UNSEEN/MEASURED.

BASE BID : \$ 40,925.00

EXCLUSIONS:

- ♦ UNDETECTED UNDERGROUND UTILITIES, SPRINKLERS
- ♦ STAKING & GRADING,GATES

SUBMITTED BY: DEAN CASTRO

ACCEPTED BY BUYER: _____

DUE UPON COMPLETION

*IF PAYING BY CREDIT CARD, A 3% SURCHARGE WILL BE ADDED TO THE TOTAL INVOICE

PREVAILING WAGE
Y X NO

**KERN DELTA WATER DISTRICT
SERVICES CONTRACT 2021-08**

This Contract, made and entered into by and between the Kern Delta Water District, hereinafter referred to as “District” and Lamont Fence Company, hereinafter referred to as “Contractor.”

District and Contractor agree as follows:

- 1) SCOPE OF WORK: Contractor will install 4pt 4 strand barbed wire fencing as follow: 375 LF at the Branch One Basins, 3,238 LF at the Kern Island Basins, and 1,562 LF at the Romero Basins for a total of 5,5175 LF of fencing per attached plans.
- 2) ASSIGNMENT TO CONTRACTOR: In the performance of the services requested under this Agreement, Contractor shall report to and receive written assignments from the General Manager or such other person or officer who the General Manager may designate. Contractor shall not perform any services without a written assignment from the District.
- 3) TERM: This Contract shall become effective upon execution by District and shall terminate upon completion of the Scope of Work. District and/or Contractor may terminate this Contract for any reason with thirty (30) days written notice. In the event of termination, District shall pay Contractor for all authorized services performed and all authorized expenses incurred to date of termination of the Contract.
- 4) COMPENSATION: Compensation under this Contract shall not exceed \$39,950.00 in total without written authorization from District.
- 5) PAYMENTS: Charges shall be billed monthly to the District and payment by the District shall be made within 45 days of receipt of each undisputed invoice. Detailed invoices shall be submitted to the Kern Delta Water District, 501 Taft Highway, Bakersfield, CA 93307. Contractor shall keep adequate records of all services and charges to the District and make them available if requested by the District.
- 6) PREVAILING WAGE: Pursuant to Labor Code sections 1720 *et seq.* and 1770 *et seq.*, Contractor shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations (DIR). Prevailing wage schedules for Kern County are available from the Department of Industrial Relations - Division of Labor Statistics and Research via the Internet at www.dir.ca.gov. A prevailing wage scale is also on file in the office of the District and copies may be obtained upon request. Should Contractor intend to use a craft or classification not shown on the prevailing rate determinations, Contractor may be required to pay the rate of the craft or classification most closely related to it.
- 7) DIR REGISTRATION: Contractor shall be registered pursuant to Labor Code section 1725.5.
- 8) CONTRACT DOCUMENTS: The complete agreement of the parties includes this Contract and the attached proposal.
- 9) INDEMNITY: To the fullest extent permitted by law, Contractor shall hold harmless, defend at its own expense, and indemnify District, its directors, officers, and employees against any and all liability, claims, losses, damages, or expenses, including reasonable attorney’s fees and costs,

arising from all acts or omissions of Contractor or its officers, agents, or employees in rendering services under this contract; excluding, however, such liability, claims, losses, damages, or expenses arising from District's sole negligence or willful acts.

- 10) **INSURANCE REQUIREMENTS:** Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractors, his agents, representatives, employees, or subcontractors. Coverage shall be at least as broad as the following:
- a. Commercial General Liability Insurance, including products and completed operations, property damage, bodily injury, personal and advertising injury with limit of at least two million dollars (\$2,000,000) per occurrence or the full per occurrence limits of policies available, whichever is greater. District shall be named as Additional Insured with respect to liability arising out of work or operations performed by or on behalf of the Contractors including materials, parts, or equipment furnished in connection with such work or operations. Contractor's insurance shall be primary and not contribute with any insurance maintained by District.
 - b. Auto Liability covering all owned, non-owned and hired automobiles in the amount of one million dollars (\$1,000,000) per each accident.
 - c. Workers' Compensation – as required by the State of California with Statutory Limits, and Employer's Liability insurance with a limit no less than one million dollars (\$1,000,000) per accident for bodily injury or disease.

If the Contractor maintains broader coverage and/or higher limits than the minimums shown above, the District requires and shall be entitled to the broader coverage and/or higher limits maintained by the Contractor. Any available insurance proceeds more than the specified minimum limits of insurance and coverage shall be available to the District.

The general liability policy must contain, or be endorsed to contain, the following provisions:

1. **Additional Insured Status:** District, its directors, officers, employees, and authorized volunteers are to be given insured status (at least as broad as ISO Form CG 20 10 10 01), with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations.
2. **Primary Coverage:** For any claims related to this project, the Contractor's insurance coverage shall be primary at least as broad as ISO CG 20 01 04 13 as respects to the District, its directors, officers, employees, and authorized volunteers. Any insurance or self-insurance maintained by the District its directors, officers, employees, and authorized volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

Notice of Cancellation: Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the District.

Self-Insured Retentions - Self-insured retentions must be declared to and approved by the District. The District may require the Contractor to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed

to provide, that the self-insured retention may be satisfied by either the named insured or District.

Acceptability of Insurers - Insurance is to be placed with insurers having a current A.M. Best rating of no less than A: VII or as otherwise approved by District.

Verification of Coverage – Contractor shall furnish the District with certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the District before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The District reserves the right to require complete, certified copies of all required insurance policies, including policy Declaration pages and Endorsement pages.

Subcontractors - Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that District its directors, officers, employees, and authorized volunteers are an additional insured on Commercial General Liability Coverage.

- 11) COMPLIANCE WITH LAW; PERMITTING: Contractor will comply with all local, state, and federal regulations and statutes including Cal/OSHA requirements and its applicable guidelines to COVID-19 relating to essential work permitted by the State of California. Any permits required by governmental authorities will be obtained at Contractor's expense.
- 12) INDEPENDENT CONTRACTOR: This Agreement calls for Contractor's performance of the Scope of Work as an independent contractor. Contractor is not an agent or employee of District for any purpose and is not entitled to any of the benefits provided by District to its employees. This Agreement shall not be construed as forming a partnership or any other association with Contractor other than that of an independent contractor.
- 13) DIRECTION: Contractor retains the right to control or direct the manner in which the services described herein are performed.
- 14) EQUIPMENT: Contractor will supply all equipment, tools, materials and supplies necessary to perform the services under this Agreement.
- 15) NOTICE: Any notice or instrument required to be given or delivered by this Contract may be given or delivered by personal delivery or by depositing the same in a United States Post Office, registered or certified, postage prepaid, addressed to:

DISTRICT: Kern Delta Water District
501 Taft Highway
Bakersfield, CA 93307
ATTN: Chris Bellue

CONTRACTOR: Lamont Fence Company
3611 Alken Street
Bakersfield, CA 93308

This Contract is executed by the District pursuant to (an action of its Governing Body or its Purchasing Policy) authorizing the same, and Contractor has caused this Contract to be duly executed.

DISTRICT

CONTRACTOR

Steven L. Teglia
General Manager

Owner

Dated: November 11, 2021

Approved as to Form:

Richard Iger
General Counsel

RECORDING REQUESTED BY, FOR THE
BENEFIT OF, AND WHEN RECORDED MAIL TO:

CITY OF BAKERSFIELD
ATTN: CITY CLERK
1600 TRUXTUN AVENUE
BAKERSFIELD, CA 93301

APN: 518-030-26

No recording fee required: exempt pursuant to
Government Code Section 27383.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Government agency acquiring title – exempt from
Documentary Transfer Tax per R&T Code 11922

GC 27388.1(a)(1): Recorded document is expressly
exempted from payment of recording fees (FBO Govt. agency)

Street Right of Way Deed

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Kern Delta Water District, a California water district**, hereinafter called "Grantor", hereby acknowledges the benefits to accrue to it by reason of the location and establishment by the CITY OF BAKERSFIELD of a public street upon, over and across said land, does hereby signify its approval of and consent to the location, establishment and construction of such street thereon, does hereby grant, convey and dedicate to the **CITY OF BAKERSFIELD**, a charter city and California Municipal Corporation, hereinafter called "Grantee", the right of way and incidents thereto for such public street upon, over and across the said land hereinafter described, that certain parcel of land located in the City of Bakersfield, County of Kern, State of California more particularly described as follows:

**SEE EXHIBITS "A" & "B"
ATTACHED HERETO AND MADE A PART HEREOF.**

Said Grantor does hereby waive all claims for any and all damages or compensation for and on account of the location, establishment and construction of said street; and does hereby grant to the City of Bakersfield, all trees, growths (growing or that may hereafter grow), together with all improvements, except for the Grantor's Canal, and does hereby sell, assign and transfer all road-building materials within said right of way, together with the right to use the same in such manner and at such location as said Grantee may deem proper, needful or necessary in the construction and maintenance of said street.

IN WITNESS WHEREOF, said Grantor has hereunto subscribed its name this _____ day of _____,
20____.

Grantor:

Kern Delta Water District

By: _____

Name: _____

Title: _____

****ALL SIGNATURES MUST BE NOTARIZED****

EXHIBIT "A"
EAST PANAMA LANE
LEGAL DESCRIPTION
STREET RIGHT OF WAY DEED

Being a portion of Parcel B of Lot Line Adjustment No. 16-06 as evidenced by that certain Certificate of Compliance recorded July 7, 2006 as Document No. 0206165433, O.R., also being a portion of that parcel of land granted to Kern Delta Water District per Grant Deed recorded October 21, 2008 as Document No. 0208166972, O.R, said land being situated in the Northeast quarter of Section 29, Township 30 South, Range 28 East, M.D.M., City of Bakersfield, County of Kern, State of California, more particularly described as follows:

Being the South 25.00 feet of the North 55.00 feet of said parcel described above.

Containing 2,633.31 square feet, more or less



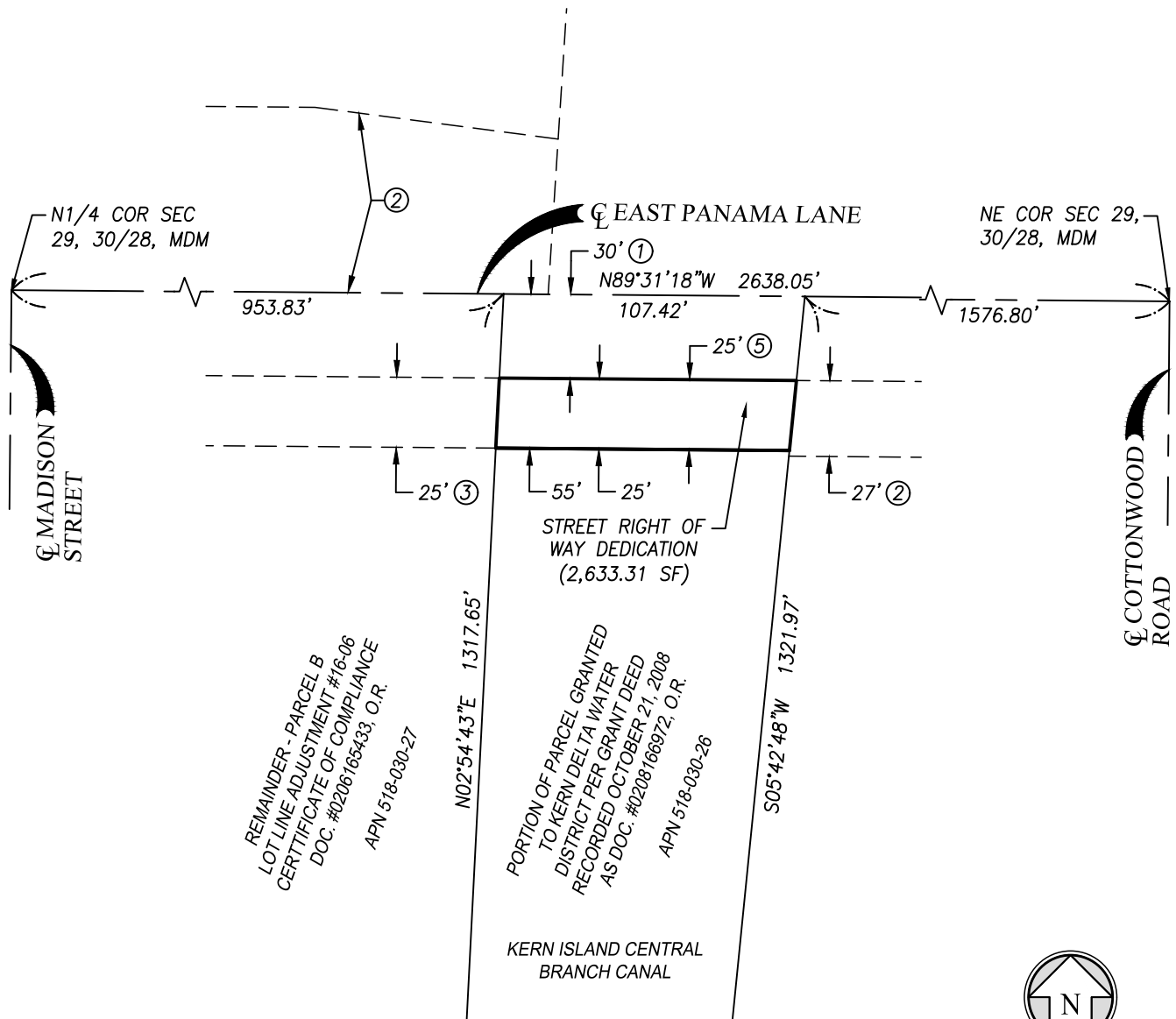
04/26/2021

R. Brandon Walker, PLS 8832

Date

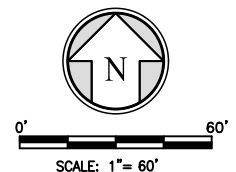


L:\PROJECTS\2019\190400\03\ACAD\LEGALS\190400-PANAMA ROW_KERN DELTA.DWG 4/26/2021 8:01 AM



EASEMENTS

- ① PUBLIC HIGHWAY EASEMENT PER VOLUME 13, PAGE 35, MINUTE BOOKS
- ② 30' PUBLIC ACCESS EASEMENT & 55' IRREVOCABLE OFFER TO COUNTY OF KERN PER DOCUMENT #0206320906, O.R. & ADDITIONAL RIGHT OF WAY DEDICATION PER PM 12190, PMB 61, PAGES 113 & 114
- ③ STREET RIGHT OF WAY DEDICATION IN FAVOR OF CITY OF BAKERSFIELD PER DOCUMENT #221002768, O.R.
- ④ STREET RIGHT OF WAY DEDICATION IN FAVOR OF CITY OF BAKERSFIELD PER DOCUMENT #221014573, O.R.
- ⑤ SEWER EASEMENT IN FAVOR OF CITY OF BAKERSFIELD PER DOCUMENT #221031036, O.R. & RE-RECORDED PER DOCUMENT #221048092, O.R.



R. Walker 04/26/2021

PROJECT NO.: 190400.03

DRAWN BY: PLH

QA/QC BY: BW

SCALE: AS SHOWN

SHEET NO.:

1 OF 1

EXHIBIT "B"

EAST PANAMA LANE STREET RIGHT OF WAY DEDICATION



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

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Tab V



KERN DELTA WATER DISTRICT

November 10, 2021

	<i>11/10/2021</i>	<i>Last Year</i>
KERN RIVER 3 DAY MEAN INFLOW	157 CFS	199 CFS
KERN RIVER MEAN OUTFLOW	148 CFS	124 CFS
ISABELLA RESERVOIR STORAGE	50,276 ACFT	97,957 ACFT
REQUESTED OUTFLOW	165 CFS	135 CFS

Estimated: (CFS)

<i>KDWD DAILY DIVERTED: (NOVEMBER 10, 2021)</i>	<i>@HEAD</i>	<i>STATE</i>	<i>XCHNG</i>	<i>BANKING</i>
KERN ISLAND	62	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	62	0	0	0

Estimated: (Acre Feet)

<i>DIVERTED (OCTOBER 2021)</i>	<i>UTILITY</i>	<i>STATE</i>	<i>PURCHASE</i>	<i>BANKING</i>
KERN ISLAND	5,133	0	0	0
EASTSIDE	77	0	0	0
C.O.B. Misc.	0	0	0	0
BUENA VISTA	137	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	5,347	0	0	0
YEAR TO OCTOBER 31, 2021	107,236 ACFT	4,430	0	0
Year to October 31, 2021 Utility - State - Banking	111,666 ACFT			

<i>ACFT. STORAGE BALANCE AS OF:</i>	<i>10/31/2021</i>	<i>Estimate 11/10/2021</i>	<i>Max Storage</i>
KERN ISLAND	2,403	2,270	2,500
BUENA VISTA	0	0	1,500
STINE	0	0	1,500
FARMERS	0	0	1,500
STATE (20) Carryover	0	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.	49,493	49,360	

K.D.W.D. CLIMATOLOGICAL OBSERVATION:

<u>53</u>	MINIMUM TEMPERATURE	<u>42</u>
<u>70</u>	MAXIMUM TEMPERATURE	<u>59</u>
<u>54</u>	PRESENT TEMPERATURE	<u>48</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>1.18</u>	YEAR TO DATE PRECIP.	<u>0.54</u> Seasonal

ISABELLA CLIMATOLOGICAL OBSERVATION:ISABELLA RESEVOIR:

LAKE ELEVATION (FT.)	2,531.76	OCTOBER AC. FT. INFLOW	8,335
STORAGE ACFT.	50,276	OCTOBER AC. FT. OUTFLOW	7,906
STORAGE CAPACITY	568,075	ACCUMULATIVE ACFT. INFLOW (20-21)	8,335
% OF CAPACITY	9%	ACCUMULATIVE ACFT. OUTFLOW	7,906
COE STORAGE CAPACITY	360,000	% OF COE CAPACITY	14%

Summary of Utility Water Diverted Year to Date: 10/31/2021

	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	5,347	0	0
November			
December			
Total	107,236	0	0

Summary of Other Water Diverted Year to Date: 10/31/2021

	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	0	0	0
November			
December			
Total	4,430	0	0

Water owed to K.D.W.D as of: 10/31/2021

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: 10/31/2021

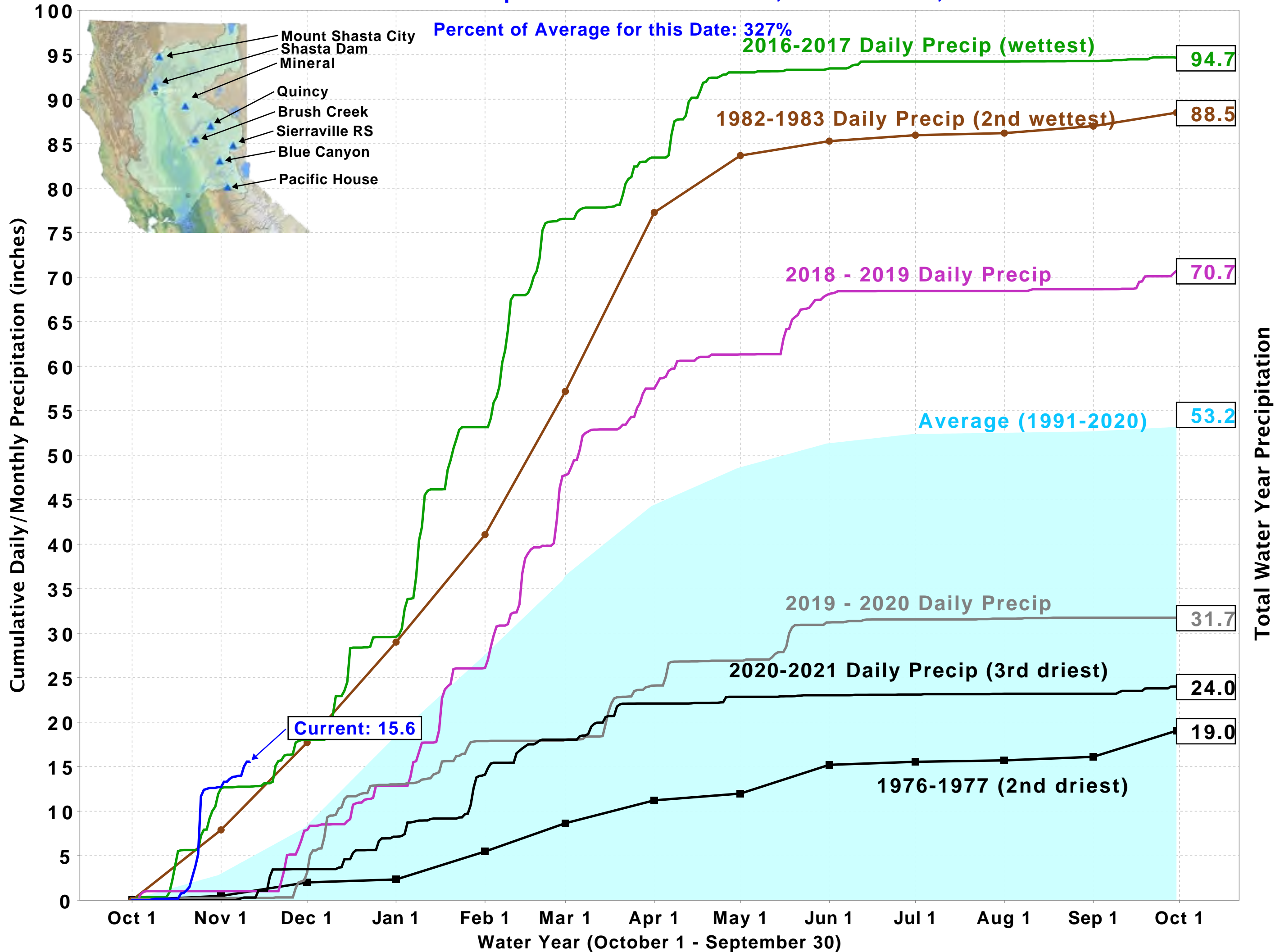
	(OWED)	(USED)
2020 Carryover	0	4,430
2021 Contract	0	0
Total	0	4,430

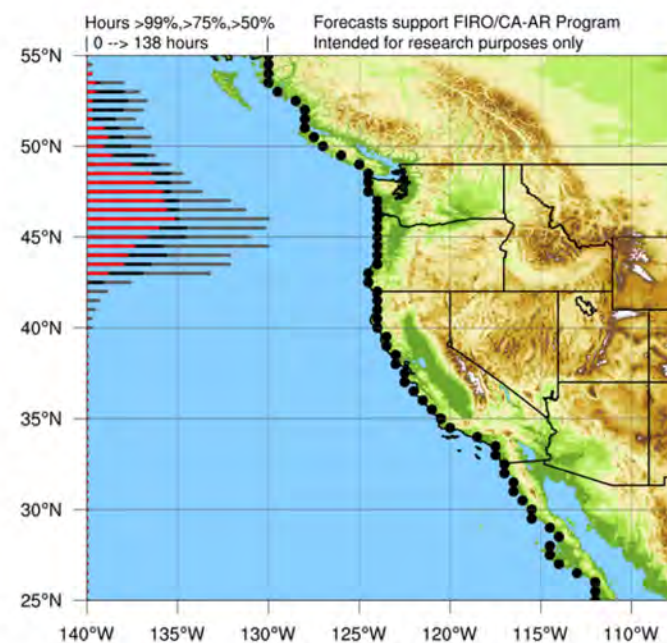
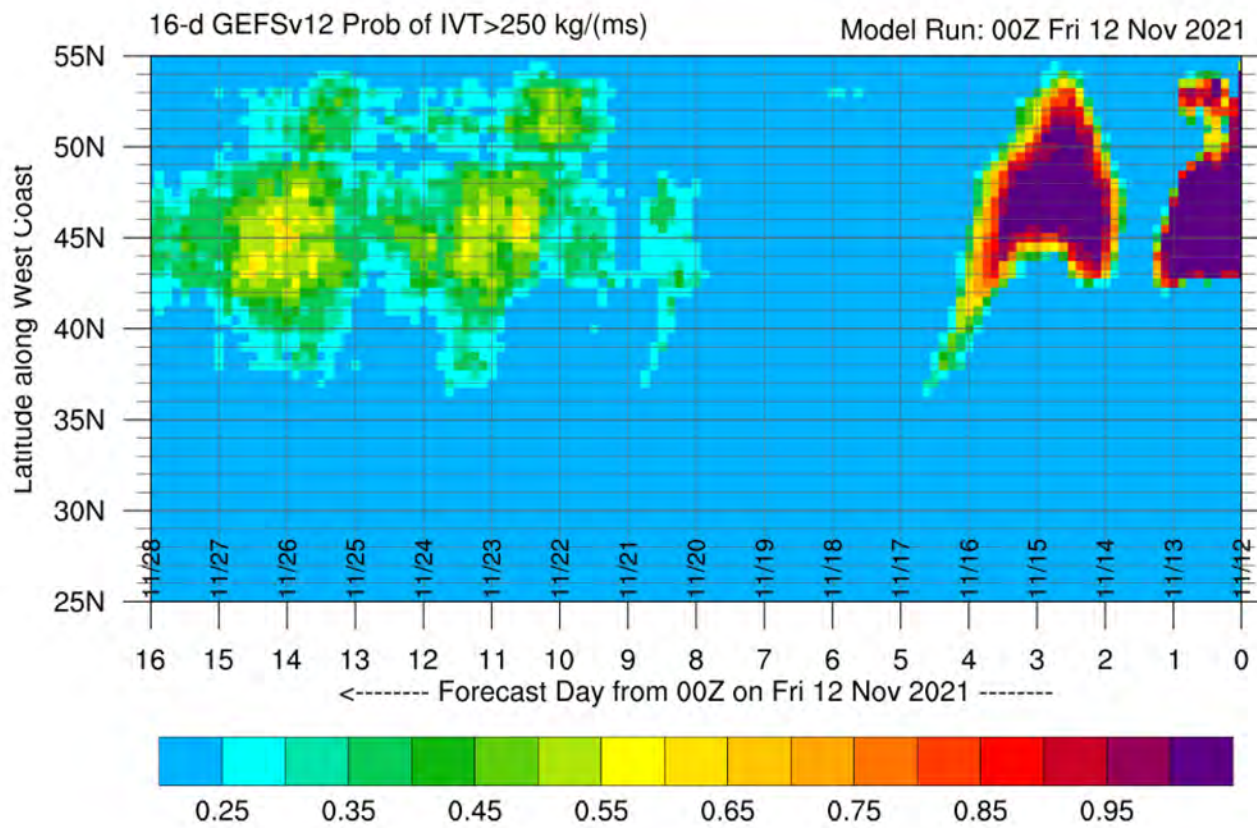
Quantities in acft. TOTAL 5,705

Net Owed to KDWD TOTAL 4,430

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

Northern Sierra Precipitation: 8-Station Index, November 11, 2021





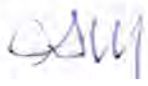
Kern River Watermaster

dmunn@krwm.org

Cell (661) 201-5527

November 7, 2021

TO: Kern River Interests

FROM: Dana S. Munn 

RE: Report of Recent Activities

Isabella Dam Safety Modification Project - The Corps November 2021 Situation Report is attached. The Phase II (dam) construction and blasting continues (blasting not mentioned in Situation Report but Corp daily notices.

Runoff and Operations – Attached are graphs for: 1. Kern River Inflow, Outflow, and Isabella Storage, 2. Kern River Inflows and Chagoopa Plateau Sensor and 3. Kern North Fork Inflow for 2015 and 2021. All graphs are the period from March 1 to October 31 (the period of the old irrigation season). The showing Chagoopa Plateau Sensor shows minimum temperature below freezing (potential snow to not melt). The graph comparison between 2015 and 2021 graphically shows that 2021, although very dry, is not as dry, so far, as the minimum of record 2015 due to runoff before May 24.

The storm at the end of October was helpful but the watershed is still far away from the necessary April average.

Please recall I had discussions with DWR staff on getting the costs and what commitments are needed for the Kern River to participate in the Aerial Snow Observatory ("ASO") program. ASO aerially measures snow depth and uses algorithms from manual density measurements and remote sensors to estimate the volume of water in the basin. I received a \$200,000 estimate for a "snow-off" survey with the concept of only flying "snow-on" surveys when the extremely wet years occur and the best runoff estimates are needed for water management and flood control operations. I, as previously reported, as assisted by Art Chianello (Central Records), requested the Corp Water Management, to consider funding ASO for flood control purposes. Corp staff indicated they don't fund ASO on other basins but:

1. The DWR funds ASO on other basin already doing ASO with outside funds potentially available next year for the Kern.
2. The Corp Dam Safety program (separate from our meeting) might have funds.

A Kern River Interests meeting to discuss this further and it was continue to pursue outside funding.

ASO was reported at length for the other watersheds at the 67th Annual California Cooperative Snow Surveys Meeting with favorable results but most of those watersheds don't have the ample storage capacity as Isabella to median precipitation (after construction). This factor of ample storage capacity in Isabella as compared to median precipitation is the why the Kern River only possibly needs ASO is in very wet years.

Public Outreach – I continue to respond to press and public inquiries during the month with emails.

I attending the virtual 67th Annual California Cooperative Snow conference. The predicted report for Water Year 2022 Outlook from the State Climatologist had the previous assumption off ramps as past conferences but there was an interesting statement that moving the hot water spot in the Pacific only 100 miles would change the water year.

Watermaster Records – I continue to review records and forecasted reservoir operations with City staff.

Attachments: November 2021 Situation Report

Kern River Inflow, Outflow, and Isabella Storage
Storage Graph

Kern River Inflows and Chagoopa Plateau Sensor Graph

Kern North Fork Inflow for 2015 and 2021
Graph



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.

November 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 continue on the Emergency Spillway at 63% complete. Steel rebar, slab, and wall placement work also continue on the Labyrinth Weir at 76% complete (see photo above).
- Main Dam and Service Spillway work continues with 37% and 65% completion respectively.
- Main Dam Right abutment wall is at 87% completion and anticipated to be completed by the end of the year.
- Auxiliary Dam embankment is now at new crest elevation 2653.
- Property Appraisal for the U.S. Forest Service Visitor Center is complete and real estate negotiations are in evaluation.
- Final design for the Permanent Operations Building is scheduled to be complete at the end of this month.
- USACE will provide updates on any changes via public outreach, the monthly SITREP, and the Isabella Task Force engagements.

Current Lake Status (as of November 1, 2021)

The current pool resides at 50,712 acre-feet (elevation 2,532 feet-IPD), which is 14% of restricted pool and 30% of flood conservation 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

U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT, 1325 J ST., SACRAMENTO, CA 95814

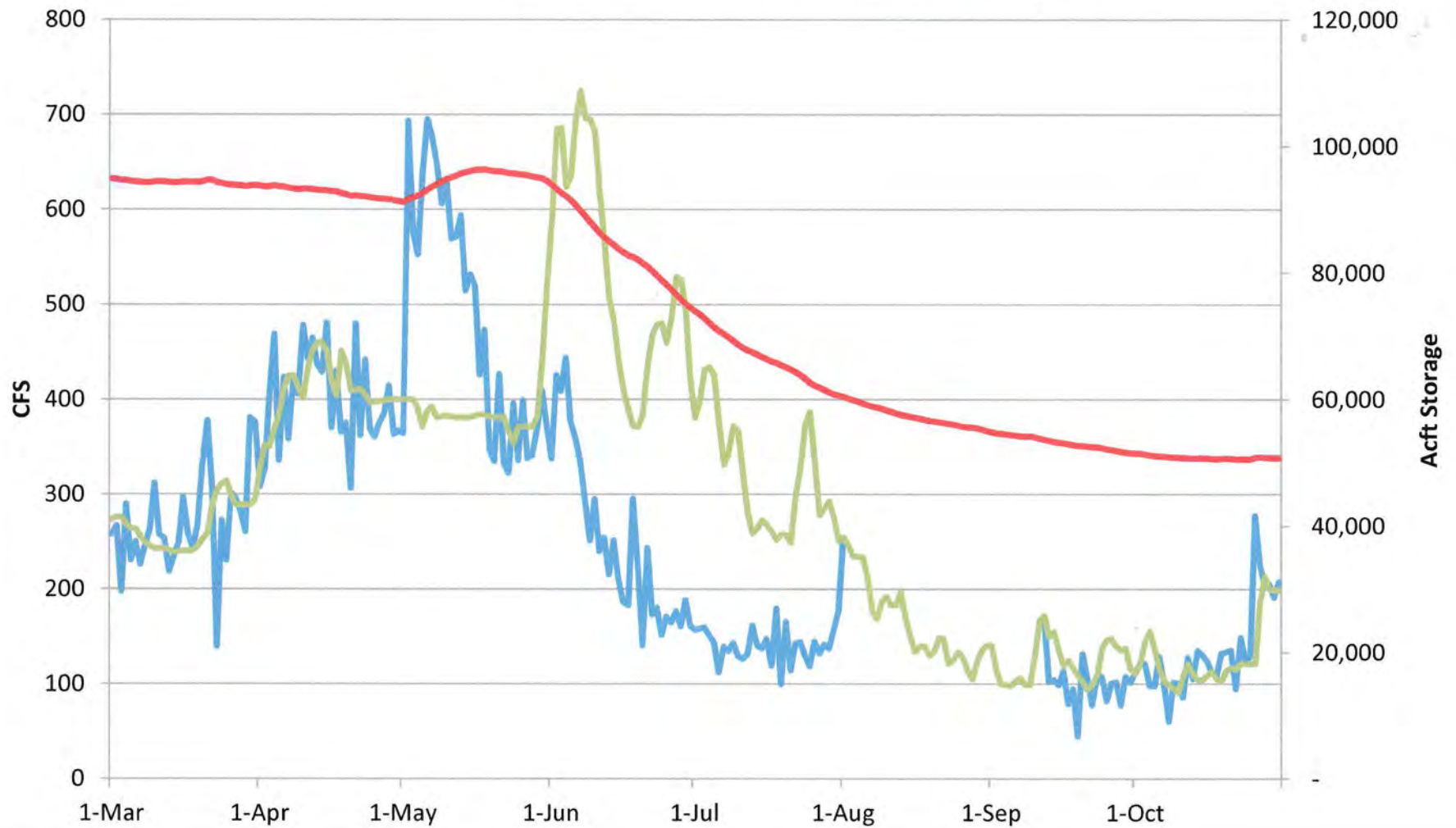
www.spk.usace.army.mil/Missions/CivilWorks/IsabellaDam.aspx

916-557-5100

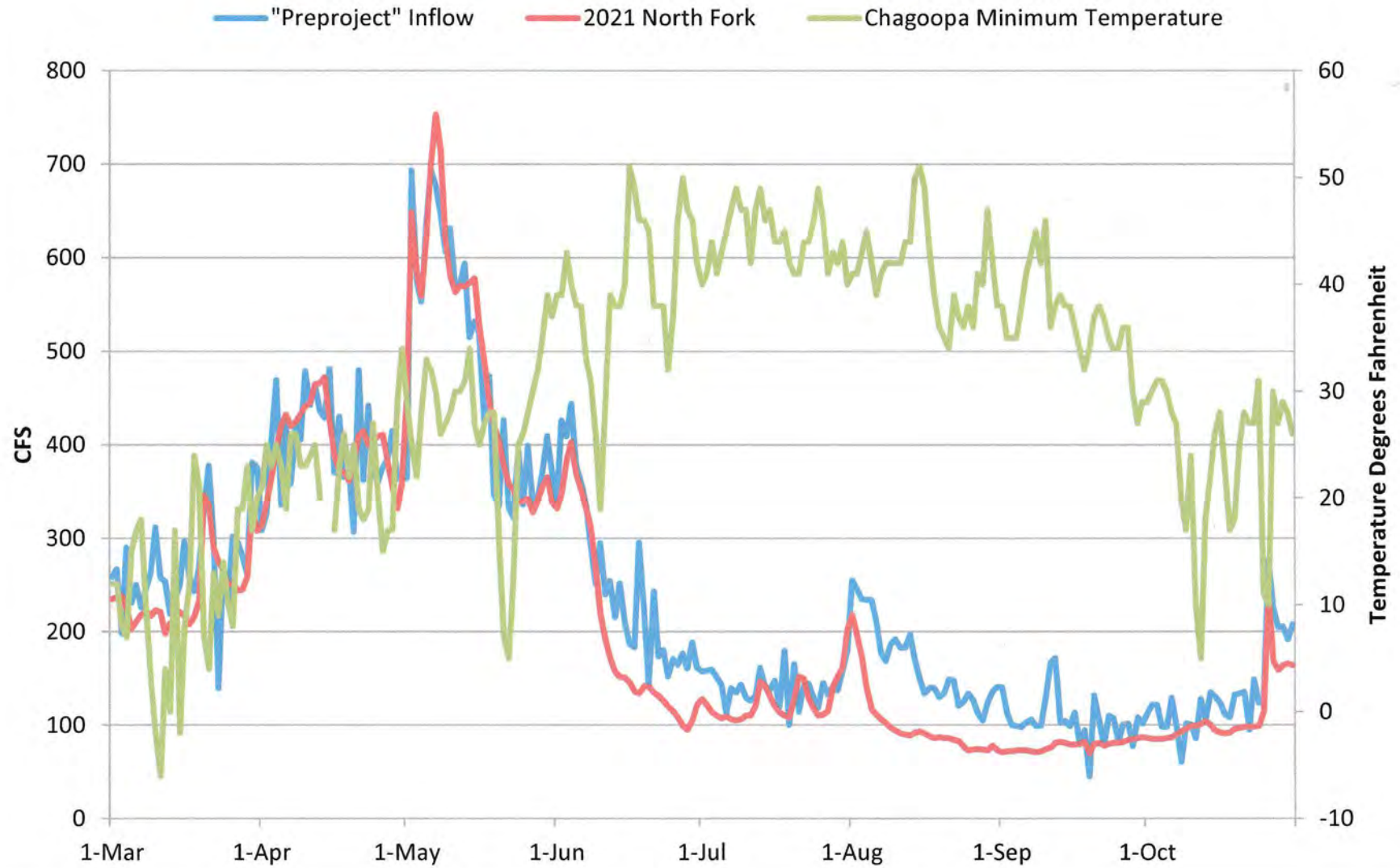
Isabella@usace.army.mil

March 1, 2021 to October 31, 2021
Kern River Inflow, Outflow and Isabella Storage

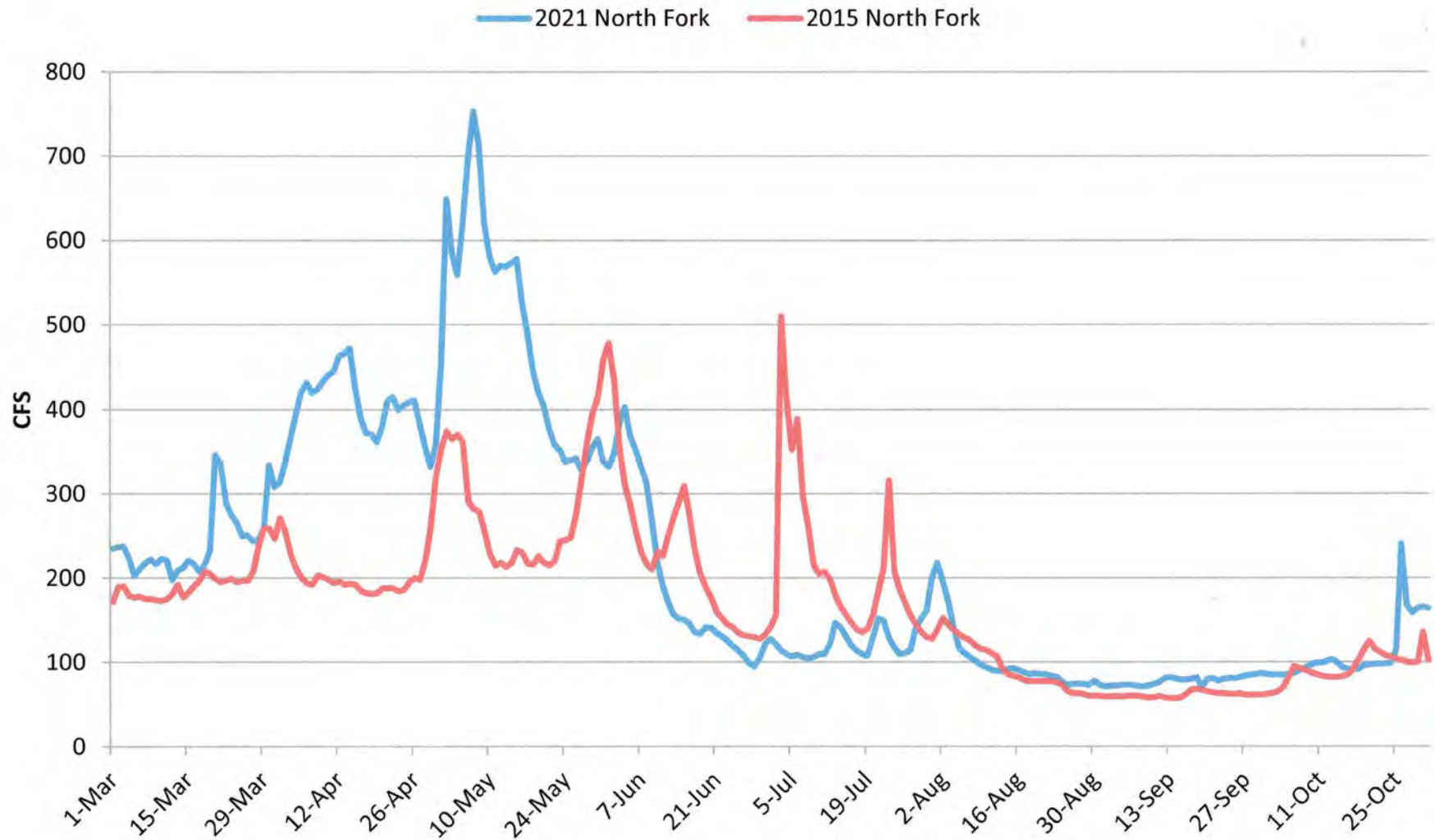
— "Preproject" Inflow — Mean Outflow — Isabella Storage



Kern River Inflows and Chagoopa Plateau Sensor, Elevation: 10,300', Minimum Temperature



March 1 to October 31
Kern River North Fork Inflow
2015 & 2021



MEMORANDUM
KERN RIVER WATERMASTER

December 15, 2021

We the undersigned Kern River Interests do hereby agree to and approve the appointment of L. Mark Mulkay as the Kern River Watermaster pursuant to the Agreements as designated below.

The undersigned Kern River Interests further agree to and approve the duties and compensation of Mr. Mulkay, as set forth in the November 16, 2021 Consulting Agreement between Mr. Mulkay and the North Kern Water Storage District.

Pursuant to the December 31, 1962 Kern River Water Rights and Storage Agreement:

North Kern Water Storage District
(signed pursuant to recital B of above said agreement)

By:_____

Buena Vista Water Storage District

By:_____

Kern County Water Agency

By:_____

Pursuant to the March 3, 1964 Storage Agreement Among First Point Water Entities:

City of Bakersfield

By:_____

Kern Delta Water District

By:_____

North Kern Water Storage District

By:_____

CONSULTING AGREEMENT
KERN RIVER WATERMASTER

This Consulting Agreement (“Agreement”) dated November 16, 2021, is between **North Kern Water Storage District** (“District”) a government entity formed under the California Water Storage District Law (commencing with Water Code Section 39000), and **L. Mark Mulkay** (“Consultant”), an individual, at times collectively referred to hereafter as “the Parties”. The District and Consultant agree to the following:

1. Term. This Agreement shall become effective on January 1, 2022 (“Effective Date”), unless an earlier date is mutually agreed upon in writing between the District and the Consultant, and continues until December 31, 2024, or until earlier terminated by either party in accordance with Section 4, 5, or 6 hereunder. The term of this Agreement can be extended upon written notice by the District within a thirty (30) day period of the termination date if mutual interest exists between both the District and Consultant.
2. Scope of Services.
 - (a) Services. Consultant shall perform services as directed by the General Manager of the District (“General Manager”), with regard to those services listed in **Exhibit “A”** attached hereto and incorporated herein.
 - (b) Independent Contractor. Consultant will act as an independent contractor of the District in the performance of his duties under this Agreement. The Consultant will be responsible for the payment of all applicable federal, state, and local taxes arising out of or related to Consultant's services for the District. Consultant further agrees to defend, indemnify, and hold the District harmless as to any claims or causes of action related to the payment of any federal, state, and local taxes. Nothing contained in this Agreement shall constitute or be deemed to create between the District and Consultant the relationship of employer/employee, it being expressly understood and agreed that the only relationship between Consultant and District created herein shall be that of an independent contractor.
 - (c) Non-exclusivity. Nothing contained in this Agreement shall limit the ability of Consultant to perform the same or similar duties listed hereunder for any other district, entity, or organization so long as such duties do not create a conflict of interest for the Consultant. Specifically, it is acknowledged and agreed that Consultants duties as a special consultant to the Kern Delta Water District are acknowledged and permitted under this Agreement.

3. Compensation.

- (a) Monthly Retainer. The District shall pay Consultant the monthly retainer amount of \$2,750.00 per month for routine services rendered under this Agreement up to 20 hours per month. In addition, this retainer shall also cover Consultant's expenses for local travel, office expenses, and Consultant provided liability insurance, and all time actually taken to render services to the District. It is agreed by the Parties that this retainer amount shall be the total amount of direct compensation paid to the Consultant for his time and for all services rendered to the District under this Agreement. Consultant shall be responsible for all costs associated with the services he provides through this Agreement including, but not limited to all transportation related costs.
- (b) Additional Services. Should monthly services rendered by Consultant exceed 20 hours in any month, Consultant shall receive compensation additional to that provided in 1(a) at the rate of \$137.50 for each hour rendered in excess of 20 hours.
- (c) Additional Expenses. Upon submittal of appropriate receipts and documentation, District will reimburse Consultant for all reasonable expenses incurred by Consultant related to required travel outside San Joaquin Valley and portion of Kern County, including long distance telephone calls, messenger and delivery fees, postage, meals, parking and mileage associated with out of town travel at the specified "Internal Revenue Service" standard mileage rate for business miles driven.
- (d) Benefits. The Consultant shall receive no employee benefits or other compensation from the District under this Agreement other than as specifically described in 3 (a), (b) and 3(c) above.

- 4. Indemnification. The District shall indemnify, defend and hold harmless Consultant from and against any and all liability, claims, demands, damages, losses, including, but not limited to reasonable attorneys' fees, to the extent resulting from Consultant's performance of services required by this Agreement, excepting those caused by the sole negligence, intentional acts or gross misconduct of Consultant. Liability, claims, demands, damages, losses or expenses resulting from the negligent acts, errors, or omissions, of District, its directors, managers, agents, employees, or by others are excluded from Consultant's obligations pursuant to this provision.
- 5. Termination For Cause. The District may terminate this Agreement at any time prior to December 31, 2024, without notice if the Consultant commits any material act of dishonesty, discloses confidential information, is guilty of gross carelessness or misconduct, or unjustifiably neglects his duties under this Agreement, or acts in any way that has a direct, substantial, and adverse effect on District's reputation.
- 6. Termination Without Cause. Either party may terminate this Agreement prior to December 31, 20__, without cause by giving the other party thirty (30) days prior written notice of termination.

7. Termination on Disability. If, at the end of any calendar month during the term of this Agreement, the Consultant is and has been, for the one full calendar month then ending, unable due to mental or physical illness or injury to perform his duties under this Agreement in his normal and regular manner, this Agreement shall be then terminated.
8. Notices. Any notice or other communication under this Agreement must be in writing and shall be effective upon delivery by hand or three (3) business days after deposit in the United States mail, postage prepaid, certified or registered, and addressed to District or Consultant, at the addresses stated below. Notice of change of address shall be effective only when done in accordance with this Section.

District's Notice Address:

David Hampton, General Manager
North Kern Water Storage District
33380 Cawelo Avenue
Bakersfield, CA 93380-9575

Consultant's Notice Address:

L. Mark Mulkay
c/o Kern Delta Water District
501 Taft Highway
Bakersfield, CA 93307

9. Integration. This Agreement and Attachments is intended to be the final, complete, and exclusive statement of the terms of Consultant's terms of service to the District. This Agreement supersedes all other prior or contemporaneous agreements and statements, whether written or oral, express or implied, pertaining in any manner to the services of Consultant to District, and it may not be contradicted by evidence or any prior or contemporaneous statements or agreements. To the extent the practices, policies, or procedures of District, now or in the future, apply to Consultant and are inconsistent with the terms of this Agreement, the provisions of this Agreement shall control.
10. Interpretation. This Agreement shall be construed as a whole, according to its fair meaning, and not in favor or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit nor against the party responsible for any particular language in this Agreement. Captions used for reference purposes only and should not be ignored in the interpretation of the Agreement.
11. Miscellaneous
 - a. Governing Law. This Agreement, and the rights of the parties hereto, shall be governed by and construed in accordance with the laws of the State of California.

- b. Amendment. No provision of this Agreement shall be modified nor shall this Agreement be amended except by an instrument duly signed and acknowledged by each of the parties hereto.
- c. Severability. If any provision of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, then such clause or provision shall be severed herefrom, and such invalidity or unenforceability shall not affect any other provisions of this Agreement, the balance of which shall remain in full force and effect; provided, however, that if any such clause or provision may be modified so as to be valid or enforceable as a matter of law, then such clause or provision shall be deemed to have been modified so as to be enforceable to the maximum extent permitted by law.
- d. Successors and Assigns. This Agreement will inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. This Agreement may not be assigned by Consultant without the prior written consent of the District.
- e. Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed an original but all of which together shall constitute one and the same Agreement.
- f. Entire Agreement. This Agreement constitutes the entire agreement among the Parties with respect to the subject matter of this Agreement and supersedes all prior agreements and understandings, both written and oral, among the Parties with respect to the subject matter of this Agreement.

12. Acknowledgment. Each party acknowledges that he or it has had the opportunity to consult legal counsel in regard to this Agreement, that he or it has read and understands this Agreement, that he or it is fully aware of its legal effect, and that he or it has entered into it freely and voluntarily and based on his or its own judgment and not upon any representations or promises other than those contained in this Agreement

The Parties have duly executed this Agreement as of the date first written above.

L. MARK MULKAY

By: _____
L. Mark Mulkay

NORTH KERN WATER STORAGE DISTRICT

By: _____
David Hampton, General Manager

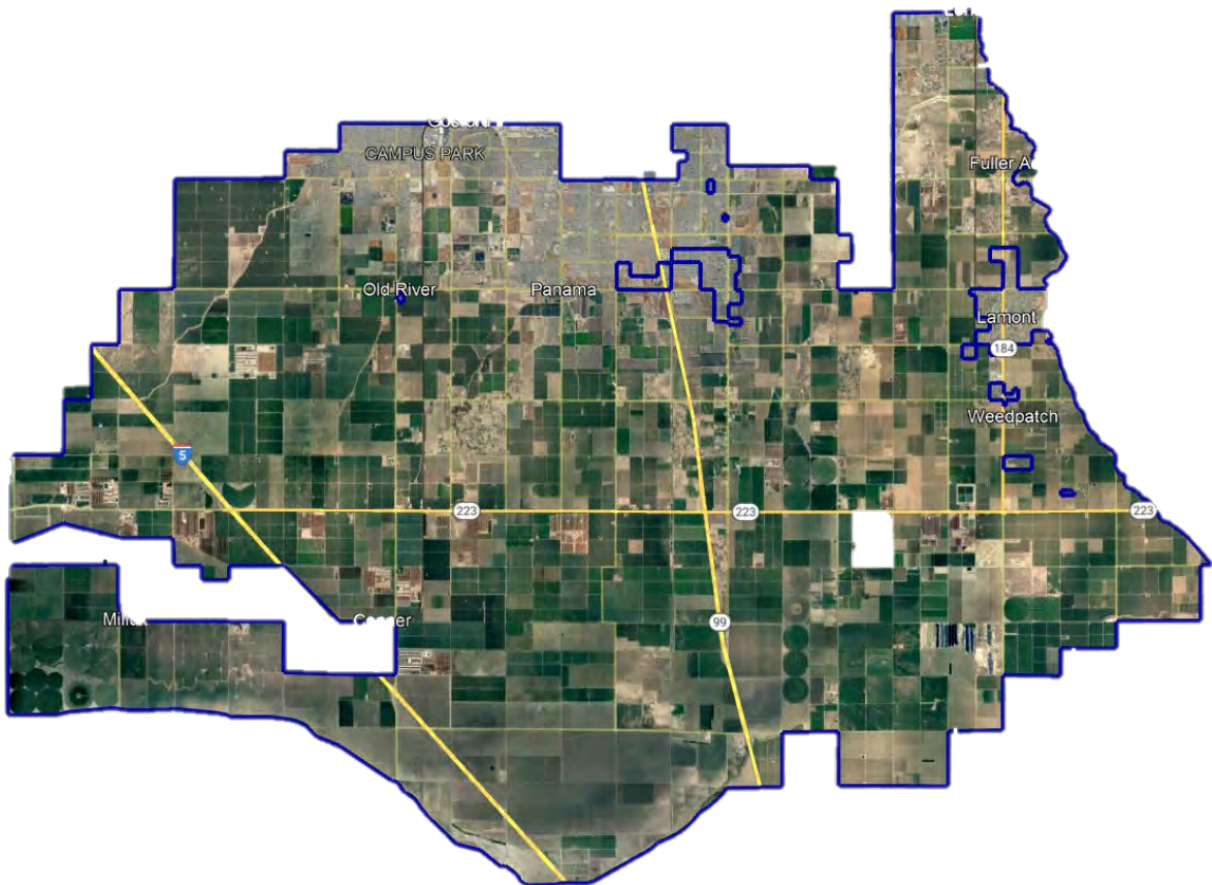
Exhibit “A”
Scope of Work

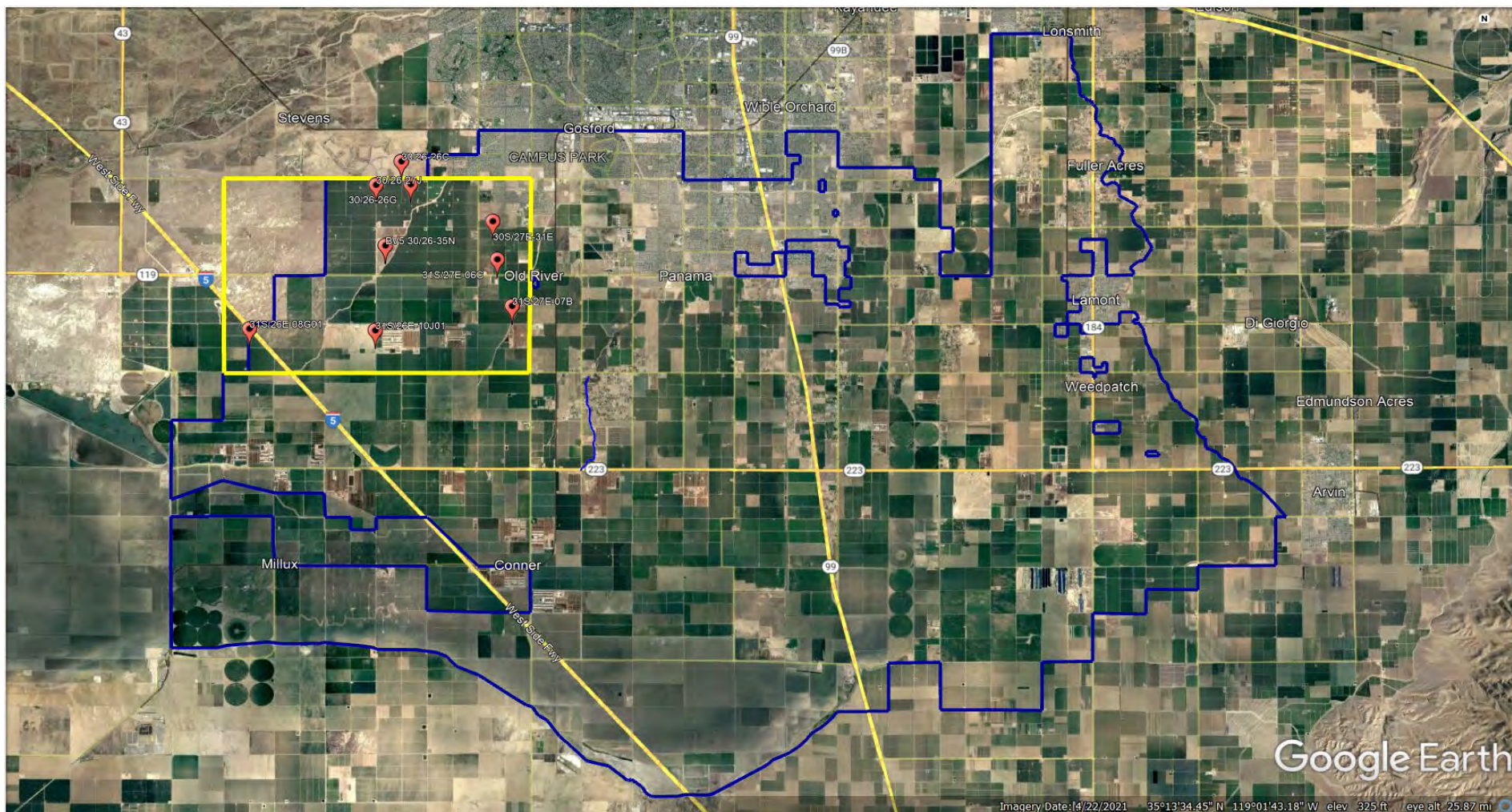
1. Watermaster Duties

- a. Review and approve procedures, currently performed by the City of Bakersfield, for the collection of data and tabulation of the daily watermaster calculation of natural flow at first point of measurement.
- b. Review and approve procedures, currently performed by the City of Bakersfield, for the placement of water orders to the Corp of Engineers for Lake Isabella outflow.
- c. Review documentation and confer with the Corp of Engineers on all issues effecting conservation storage interests.
- d. Arrange meetings of Kern River Interests to overview, update, discuss and gather information regarding issues of interest.
- e. Respond to Press requests regarding Isabella conservation storage.
- f. Coordinate with legal counsel and consultants employed by the Kern River Interests working on Isabella conservation storage and other assigned projects.
 - i. Isabella Storage Restoration.
 - ii. Flycatcher and other species impacting storage.
 - iii. Upstream diverters.



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			
Northwest Quadrant	30/26-26C	R	196	206	190	R	204	L	L	L	L	L	L	L	R	R	R	L		0	0		
	30/26-26G	187	199	207	197	R	199	L	L	L	L	L	L	R	R	R	R	L		0	0		
	30/26-27J	177	198	206	198	R	210	L	L	L	L	L	L	R	R	R	R	L		0	0		
	30/26-35N			NR	181	184	171	169	175	175	175	180	R	R	205	R	197	189		205	169	183	
	30/27-31E	185	202	214	181	202	219	201	208	218	213	211	219	236	238	R	R	226		238	201	219	
	31/26-08G	152	168	NR	168	NR	204	205	202	NR	NR	NR	202	214	NR	NR	203	200		214	200	204	
	31/26-10J	175	206	NR	170	202	NR	203	201	201	201	204	234	250	235	233	230	219		250	201	219	
	31/27-06C	200	195	202	NR	208	215	203	209	209	205	205	214	247	246	R	224	224		247	203	219	
	31/27-07B	189	198	NR	199	R	200	NR	223	R	R	215	222	R	R	R	233	234		234	215	225	
	AVERAGE					199	203	196	203	201	199	203	218	237	231	233	217	215		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

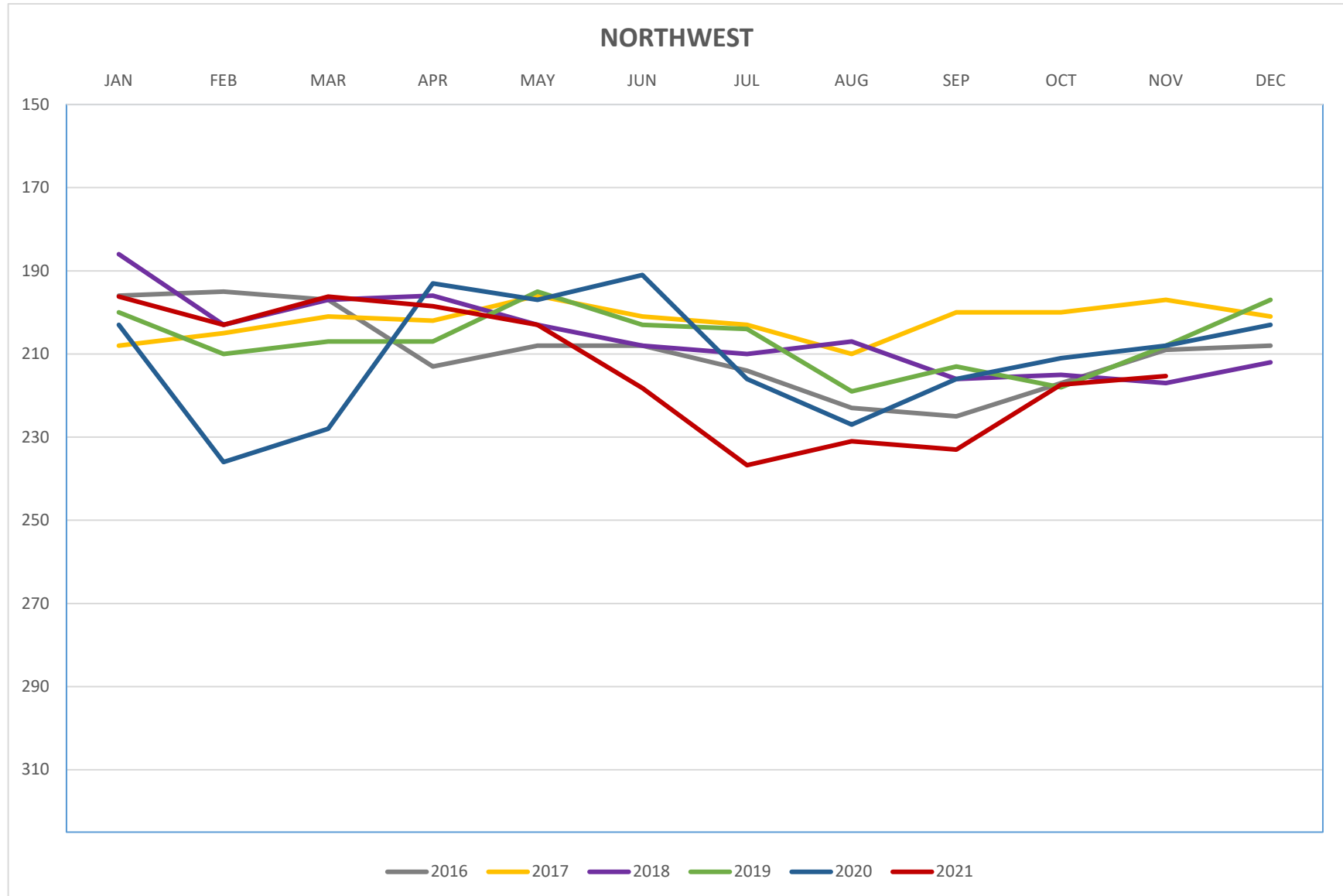
L = gated, letter has been sent requesting access

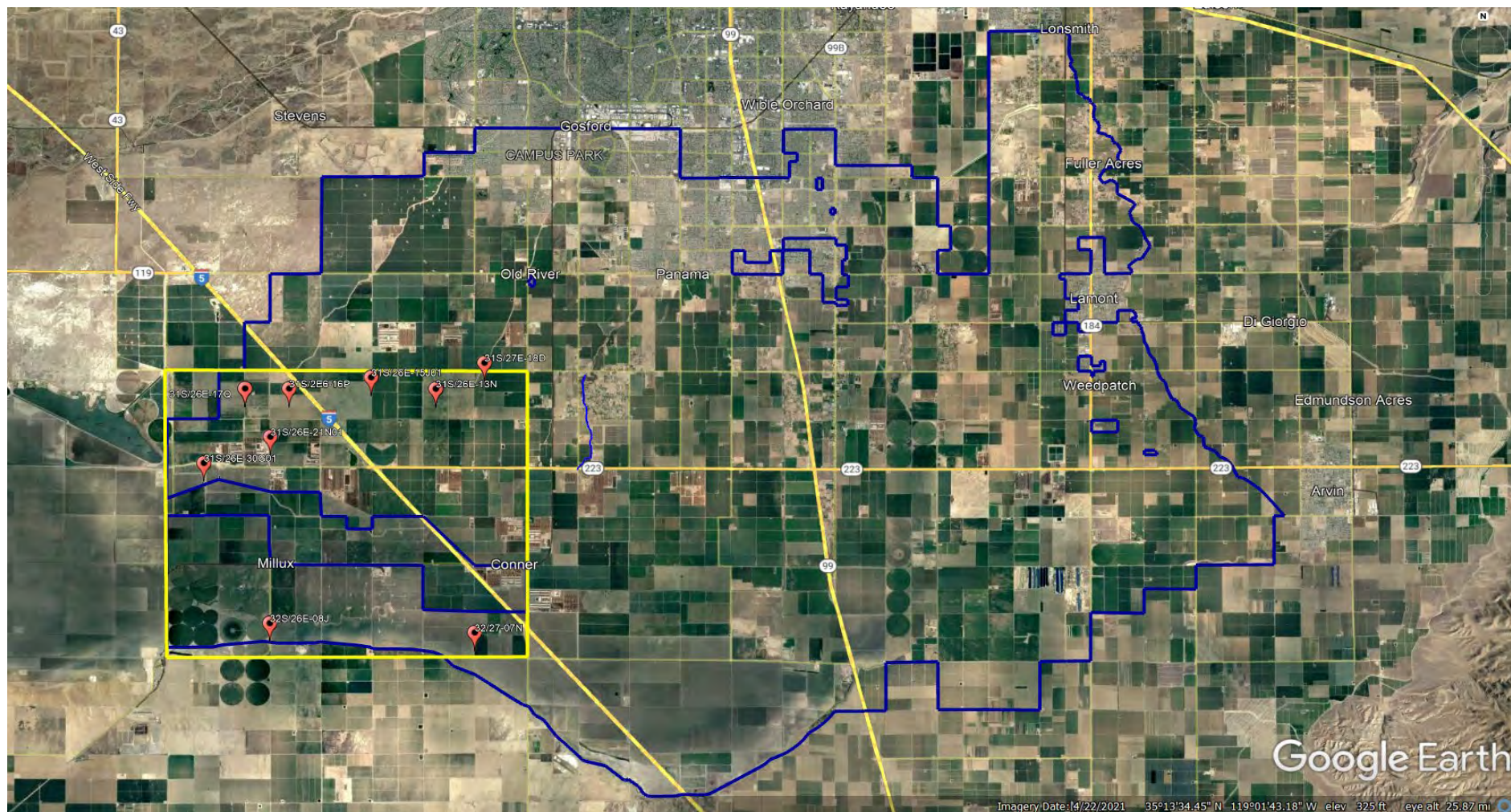
Orange shading = inactive well

unit of measurement = feet

11/8/2021

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	
Southwest Quadrant	31/26-13N			198	180	201	NR	NR	208	R	R	211	R	281	R	260	245	224		281	208	238																					
	31/26-15J			200	168	205	NR	201	200	200	203	201	234	R	284	258	R	218		284	200	222																					
	31/26-16P			NR	168	207	204	202	209	211	203	201	200	R	209	R	227	214		227	200	208																					
	31/26-17Q			NR	NR	210	203	219	219	201	203	209	219	R	R	219	208	214		219	201	212																					
	31/26-21N			NR	175	238	204	204	202	202	201	213	267	290	295	290	249	234		295	201	241																					
	31/26-30G			186	159	240	268	203	R	R	201	200	260	R	NR	R	245	238		260	200	225																					
	31/27-18D01			NR	NR	206	201	203	204	211	R	R	234	R	R	R	230	231		234	203	219																					
	32/26-08J			132	189	215	209	212	206	206	203	203	NR	205	210	214	214	203		214	203	208																					
	32/27-07N			160	NR	200	288	200	200	202	NR	NR	208	210	250	244	233	207		250	200	217																					
	AVERAGE					214	225	206	206	205	202	205	232	247	250	248	231	220		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

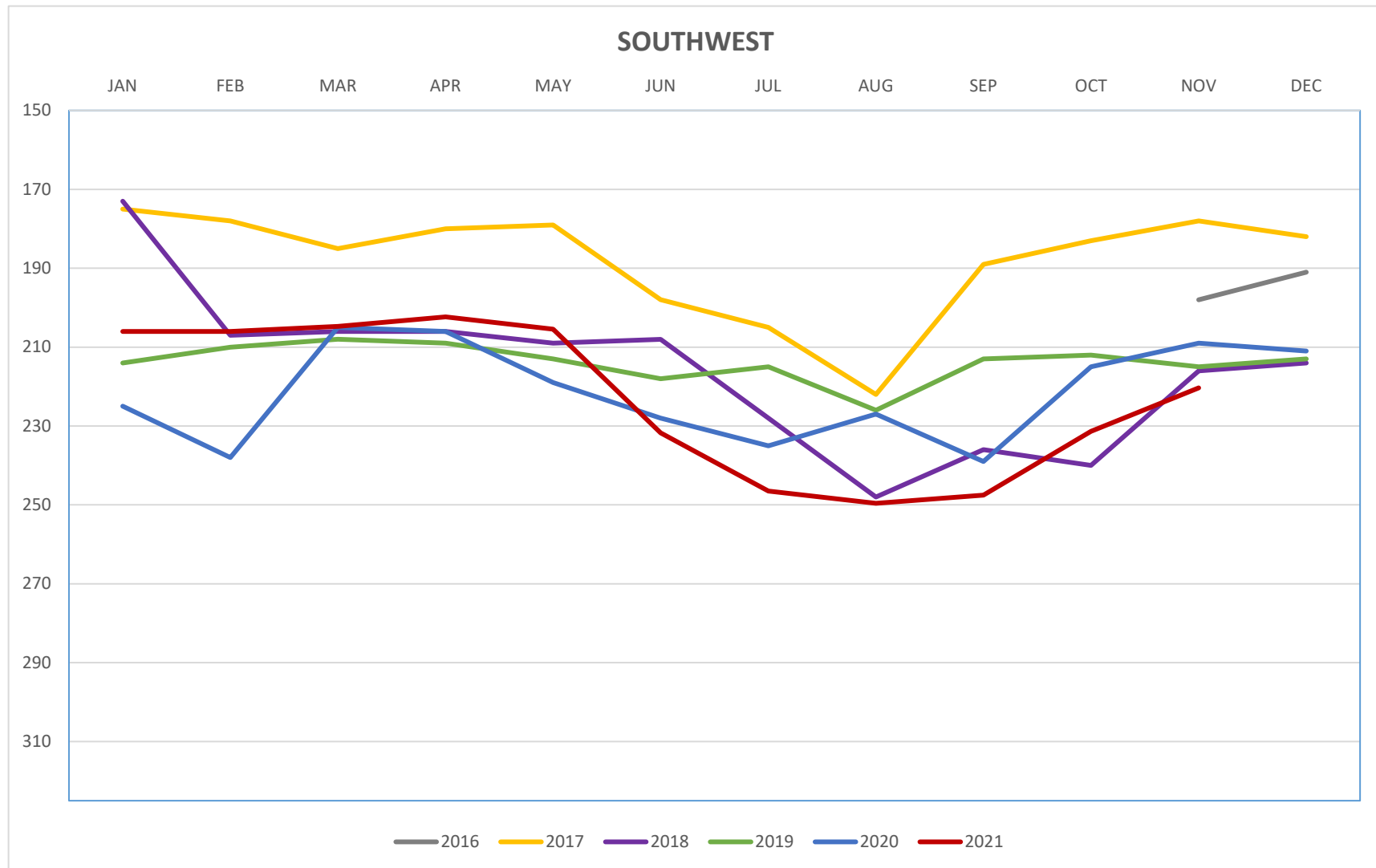
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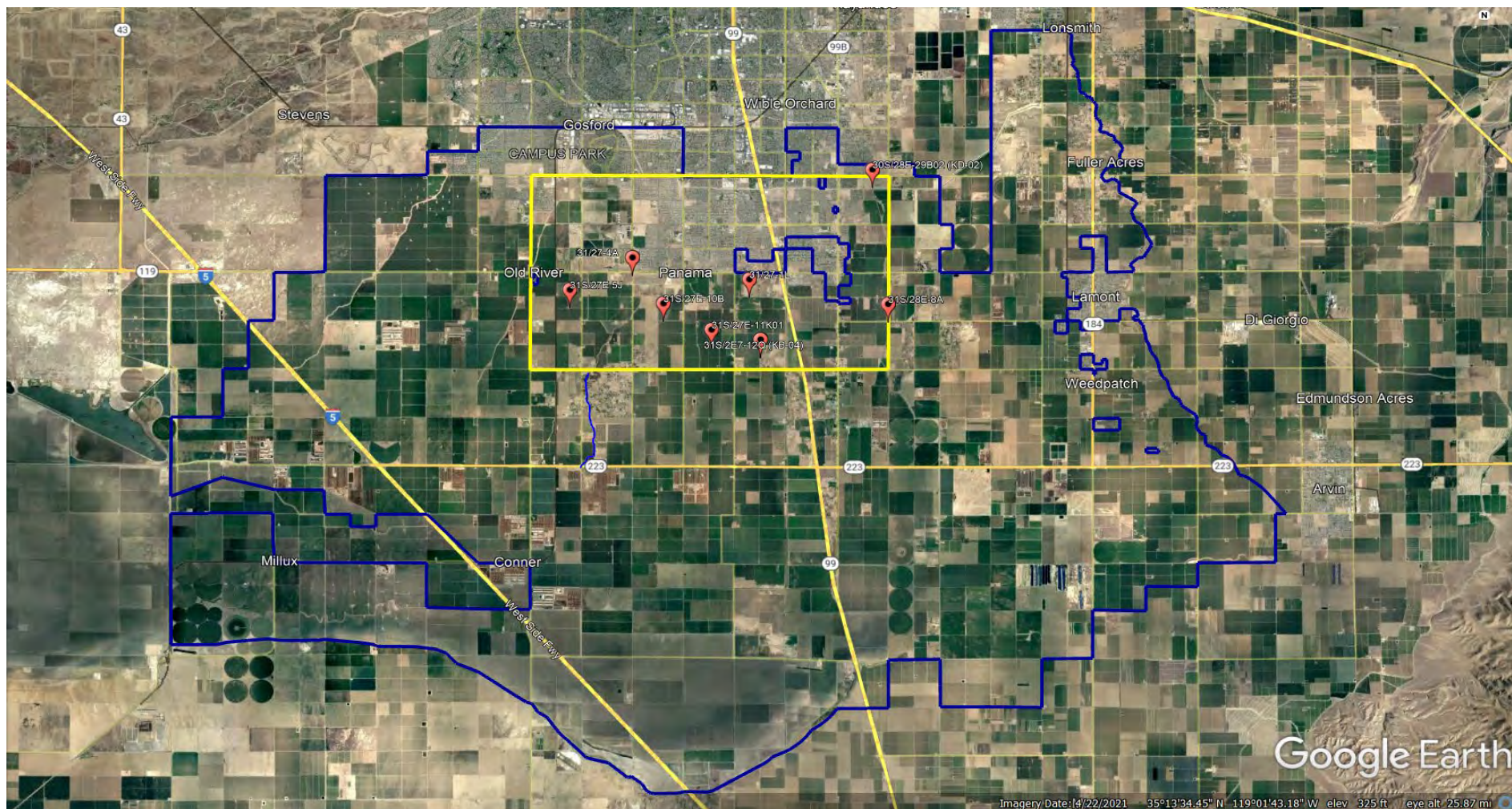
Orange shading = inactive well

unit of measurement = feet

11/8/2021

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	R	247	244		247	223	235																				
	31/27-01L			190	260	220	232	219	217	206	230	228	233	R	NR	254	R	NR		254	206	227																					
	31/27-04A			158	176	183	184	179	178	186	170	172	177	181	191	189	183	187		191	170	181																					
	31/27-05J			NR	200	NR	228	207	207	211	R	R	228	R	R	250	R	234		250	207	223																					
	31/27-10B			NR	NR	NR	208	208	207	207	204	200	222	R	R	R	227	R		227	200	211																					
	31/27-11K			171	170	330	227	333	328	331	NR	NR	336	R	353	260	200	NR		353	200	306																					
	31/27-12Q			NR	140	140	139	141	140	R	R	R	R	R	R	R	R	170		170	140	150																					
	31/28-08A			216	220	243	244	249	248	250	255	247	R	R	290	291	270	270		291	247	263																					
	AVERAGE					227	211	220	219	232	215	212	239	181	278	249	225	221		278	181	226																					
	North-Central District Average Depth to Water																				223																						
North-Central District Maxiumu Depth to Water																				353																							
North-Central District Minimum Depth to Water																				140																							

R = running/pumping

NR = temporary no reading

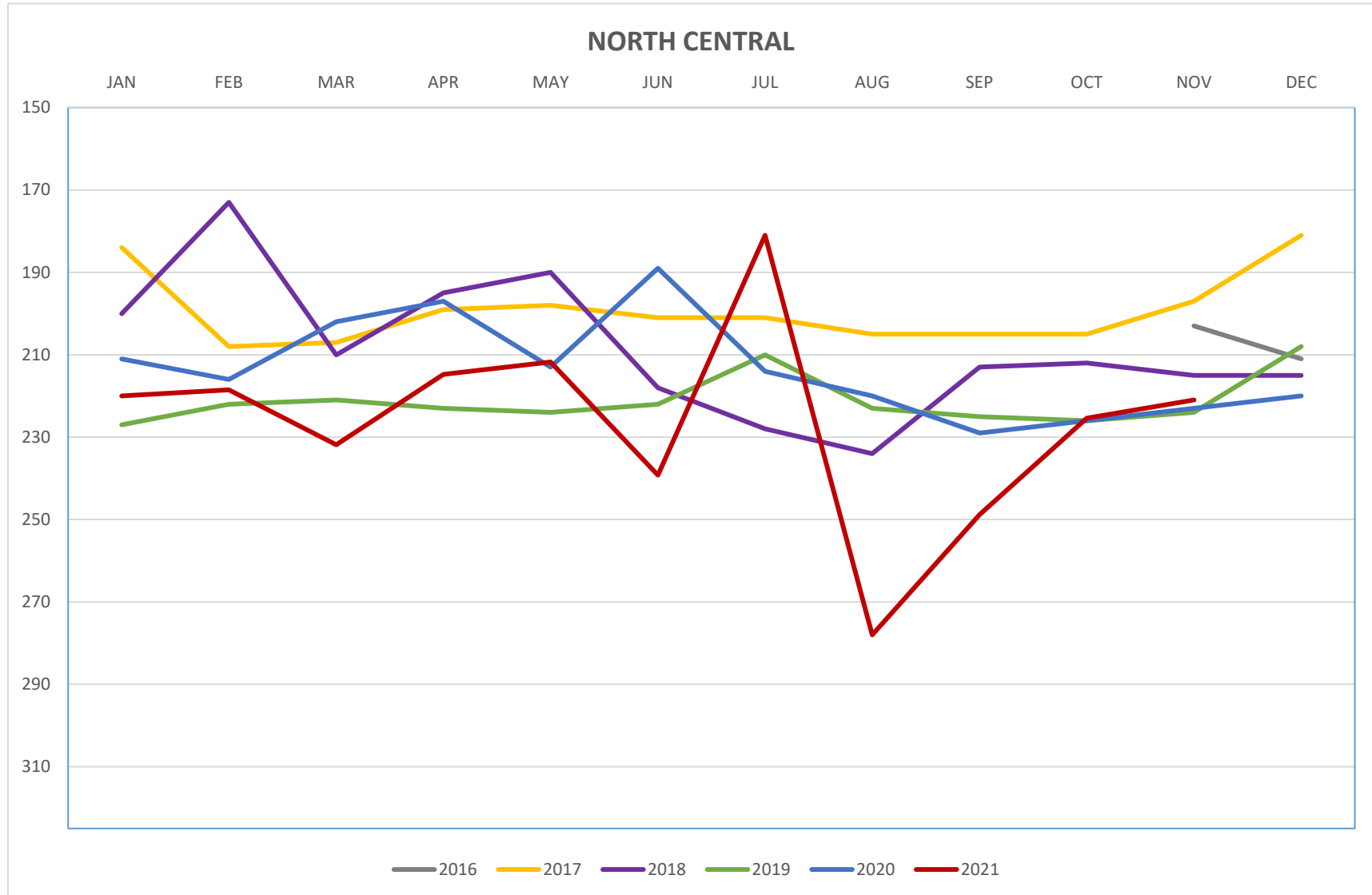
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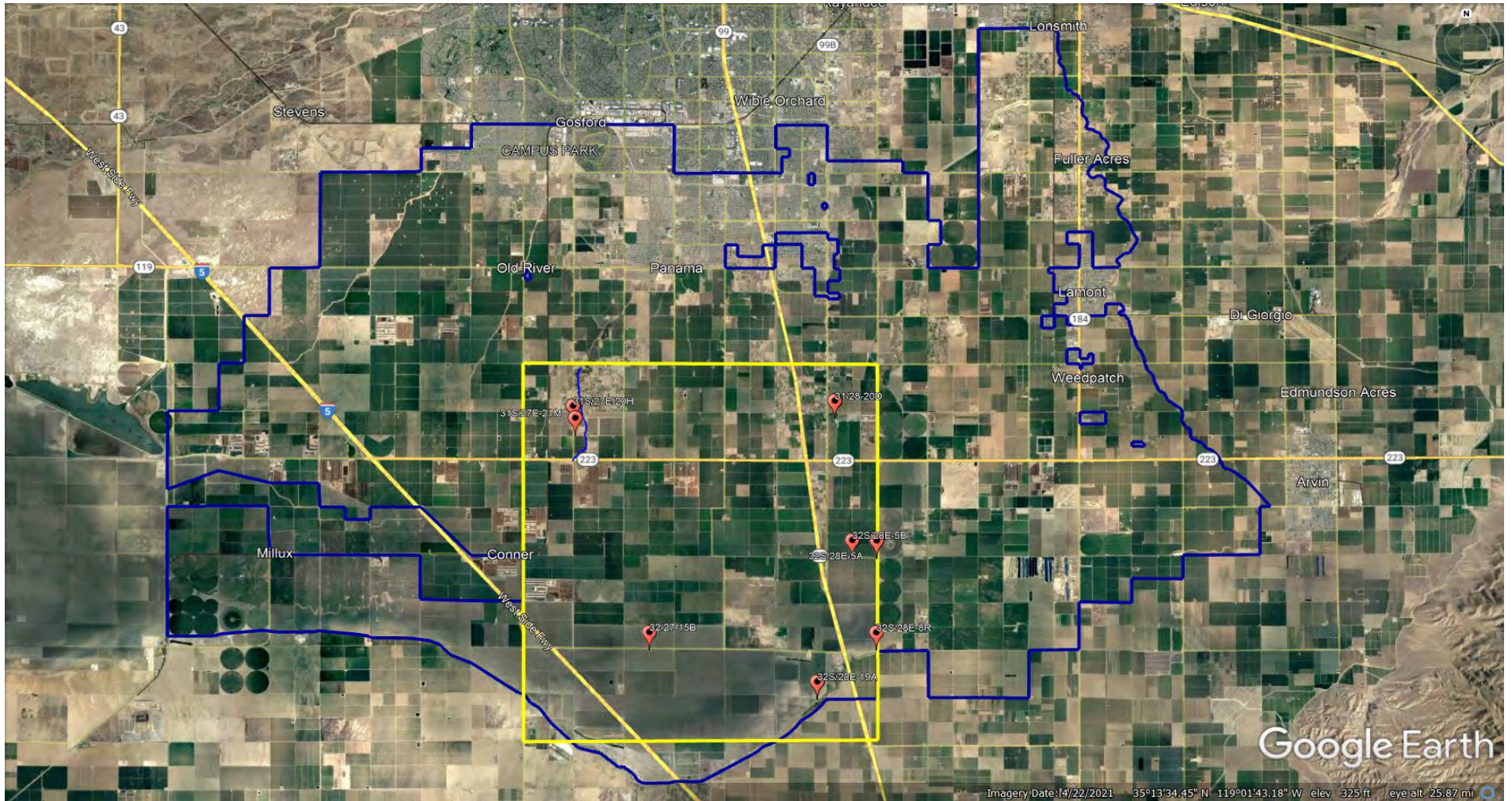
Orange shading = inactive well

unit of measurement = feet

11/8/2021

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	202		232	202	210
	31/27-21M			NR	160	L	L	NR	NR	189	R	R	200	R	244	207	R	203		244	189	209
	31/28-20D			NR	180	190	201	R	202	R	R	R	R	R	R	200	203			203	200	202
	32/27-15B			192	196	231	202	200	NR	NR	NR	NR	234	R	NR	NR	NR	231		234	200	222
	32/28-19A			216	NR	215	222	222	220	222	233	227	238	184	213	NR	280	240		280	184	228
	32/28-05A			NR	NR	250	239	220	202	227	228	225	R	291	287	295	285	260		295	202	252
	32/28-05B			NR	NR	226	201	205	211	202	203	204	R	274	285	285	273	257		285	202	240
	32/28-08R			NR	NR	224	253	222	238	202	228	220	229	301	311	306	300	280		311	202	258
	AVERAGE					223	218	214	215	208	220	216	225	251	258	265	257	235		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

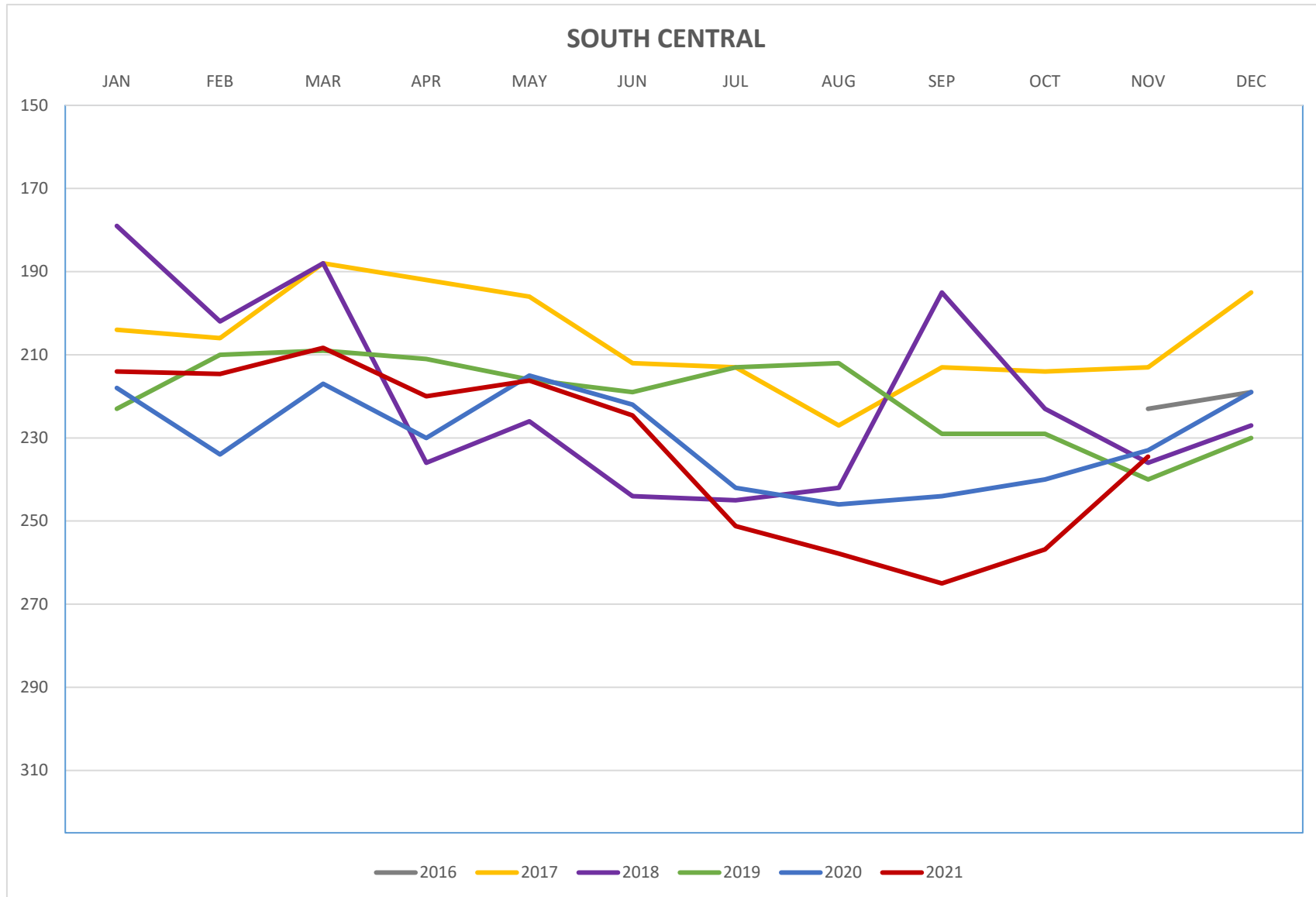
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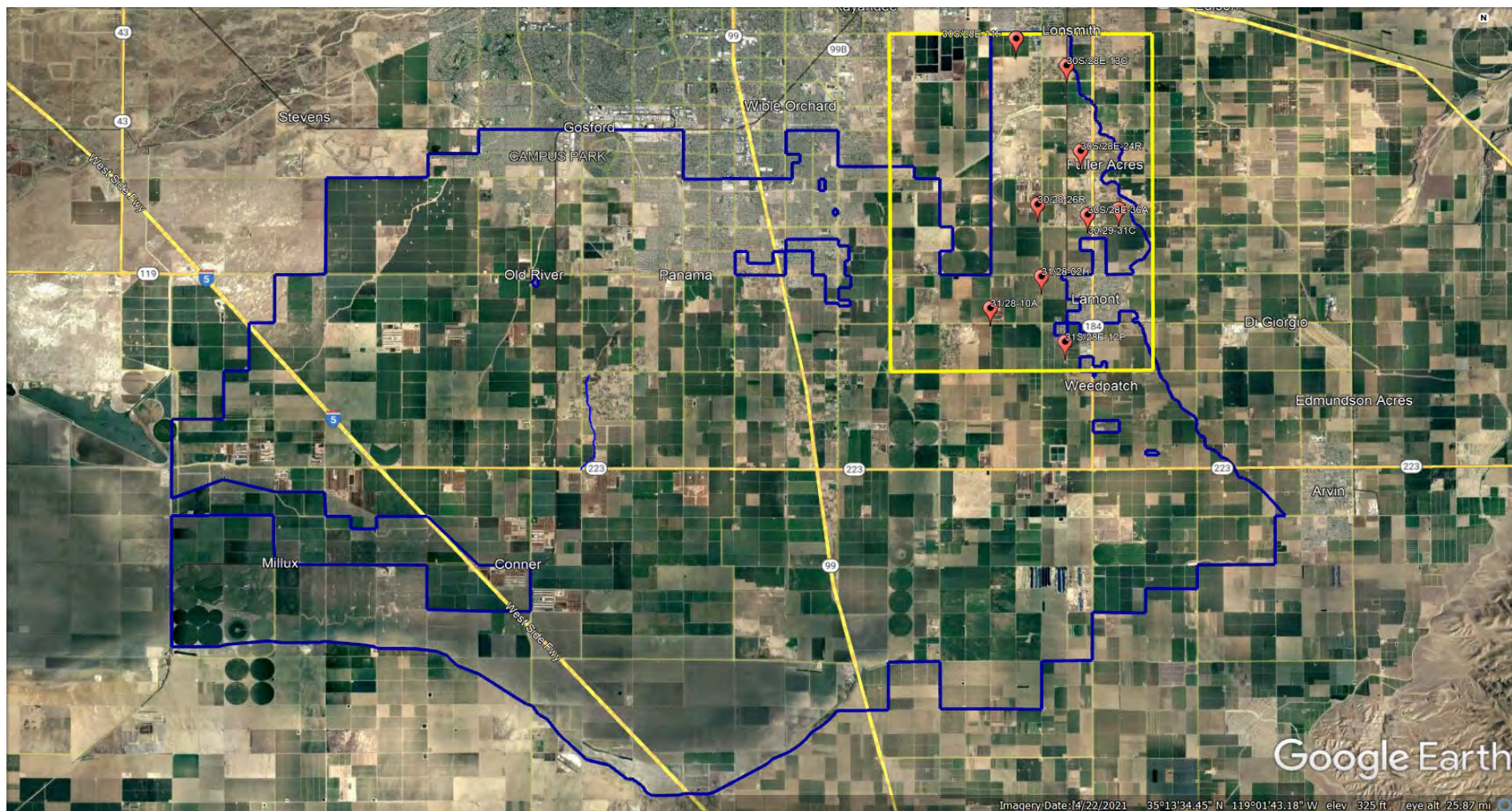
Orange shading = inactive well

unit of measurement = feet

11/8/2021

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
Northeast Quadrant	30/28-11F	240	250	254	248	263	263	264	263	264	259	269	267	267	255	278	275	271		278	255	267
	30/28-13C			299	290	R	300	331	308	328	R	303	R	R	R	313	313	330		331	303	318
	30/28-24R			NR	NR	306	311	309	305	309	R	R	NR	R	R	330	325	NR		330	305	316
	30/28-26R			NR	NR	287	NR	NR	NR	NR	R	300	R	NR	R	308	NR	300		308	300	303
	30/28-36A						212	NR	308	311	R	NR	318	331	NR	R	R	334		334	308	320
	30/29-31C			319	323	327	338	330	338	328	320	323	370	338	R	R	R	R		370	320	335
	31/28-02H			NR	288	291	290	295	238	241	296	290	305	331	320	321	270	304		331	238	292
	31/28-10A			328	249	253	253	258	266	260	261	263	274	280	284	283	263	274		284	258	270
	31/28-12P			NR	222	286	284	NR	260	R	288	288	R	R	230	R	R	307		307	230	275
	AVERAGE					288	281	298	286	292	285	291	307	309	272	306	289	303		309	272	294
	Northeast District Average Depth to Water																				298	
	Northeast District Maximum Depth to Water																				370	
Northeast District Minimum Depth to Water																				230		

R = running/pumping

NR = temporary no reading

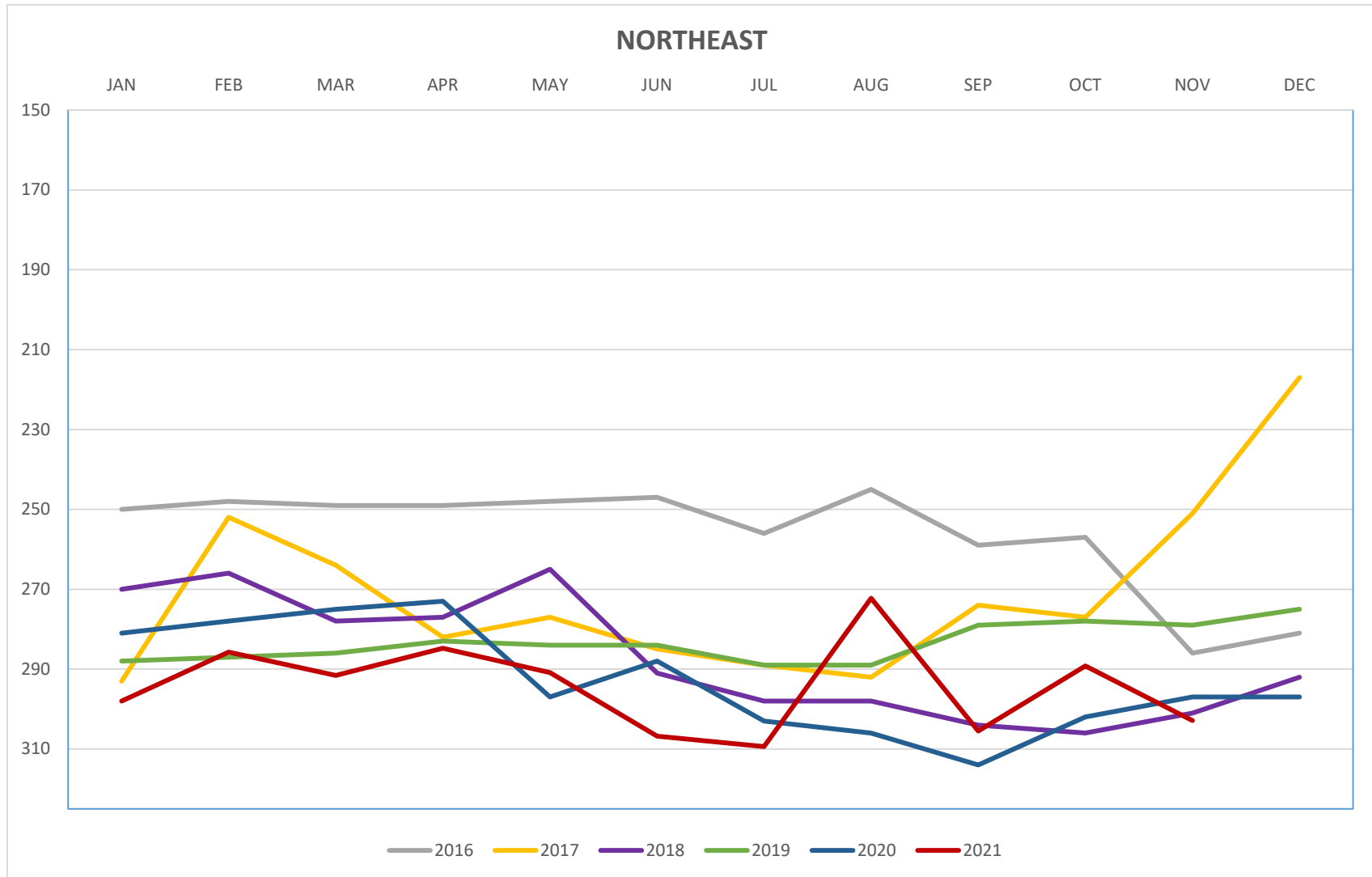
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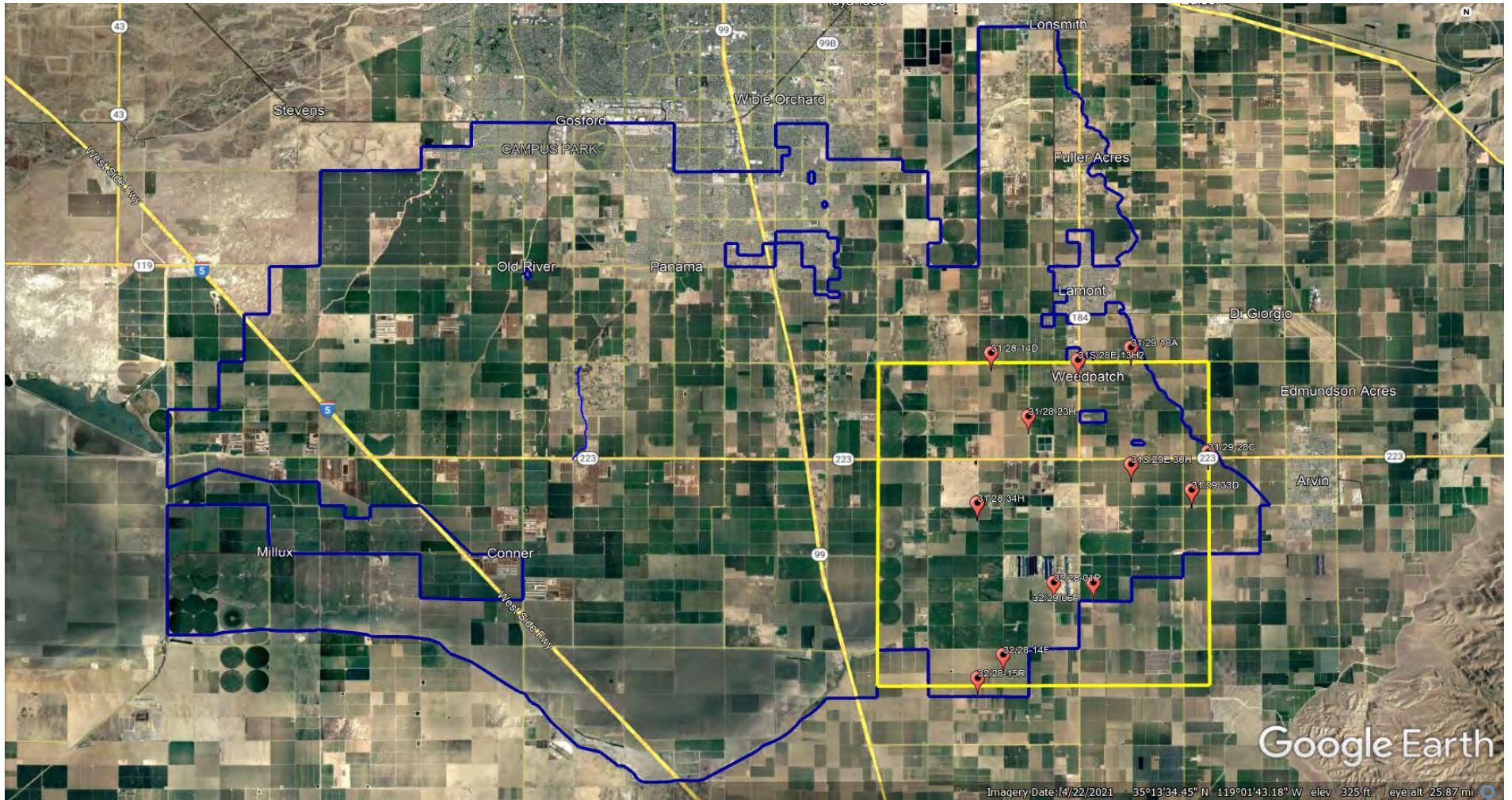
Orange shading = inactive well

unit of measurement = feet

11/8/2021

2021





2021



		Southeast Quadrant																			AVERAGE		
		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		
Southeast Quadrant	31/28-13H2					NR	NR	NR	285	R	277	279	276	R	R	R	R	298		298	276	283	
	31/28-14D			226	233	239	230	235	233	236	R	232	242	R	R	256	250	NR		256	232	241	
	31/28-23H			NR	278	290	286	275	293	NR	R	R	NR	R	296	330	NR	320		330	275	303	
	31/28-34H			NR	NR	337	206	204	NR	NR	NR	NR	239	239	NR	235	224	224		239	204	228	
	31/29-18A			NR	234	335	333	241	336	328	330	333	341	334	NR	360	355	350		360	241	331	
	31/29-28C	326	257	NR	219	347	344	NR	348	338	NR	340	346	R	R	R	R	R		348	338	343	
	31/29-30H			NR	NR	NR	NR	331	R	R	R	R	R	R	NR	346	R	R		346	331	339	
	31/29-33D			NR	294	342	250	338	326	318	331	323	329	R	NR	348	354	350		354	318	335	
	32/28-14F	287	NR	NR	NR	NR	222	241	245	246	240	241	244	253	250	323	308	NR		323	240	259	
	32/28-15R	250	305	NR	300	263	272	291	290	307	300	217	285	R	R	R	NR	325		325	217	288	
	32/28-01P			NR	NR	NR	NR	NR	NR	NR	NR	212	218	220	NR	NR	223	217		223	212	218	
	32/29-06P	193	198	201	NR	183	177	208	189	NR	194	NR	NR	NR	NR	NR	206	219		219	189	203	
	AVERAGE					292	258	263	283	296	279	272	280	262	273	314	274	288	0	314	0	257	
Southeast District Average Depth to Water																				278			
Southeast District Maximum Depth to Water																				360			
Southeast District Minimum Depth to Water																				189			

R = running/pumping

NR = temporary no reading

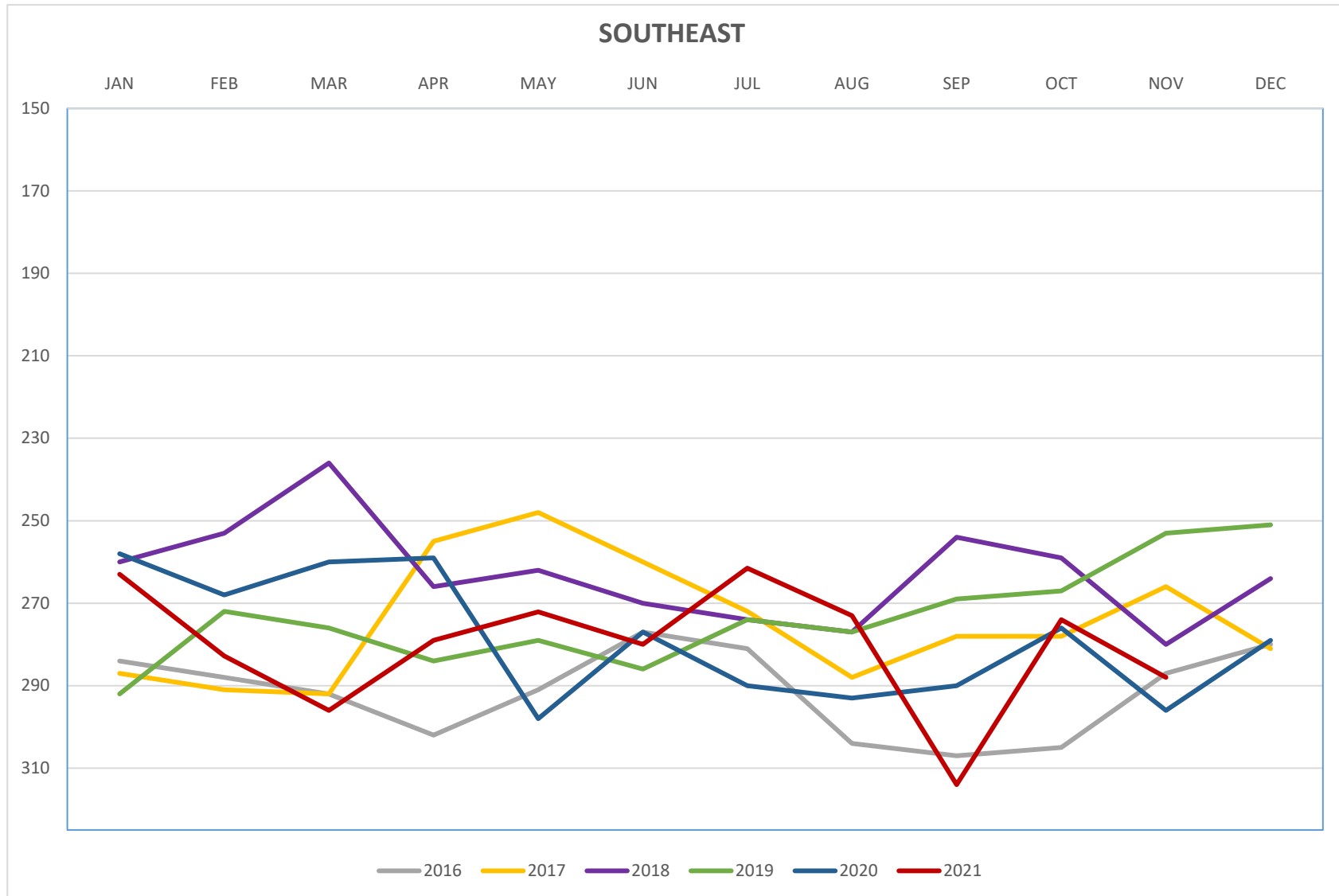
L = gated, letter has been sent requesting access

Orange shading = inactive well

unit of measurement = feet

11/8/2021

2021



Tab VI





To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: November 16, 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 October 28, 2021.
- Next meeting will be November 17, 2021.
- Authorization to use teleconferencing for meetings.
- Ordinance for proposed redistricting of KCWA Board divisions (see map attached).
- Summary of groundwater and overdraft correction accounts (attached).
- Delta Conveyance project timeline (attached).

[Kern Fan Authority:](#)

- The KFA meeting of October 27, 2021 was canceled.

[Kern River Groundwater Sustainability Agency \(KRGSA\):](#)

- The KRGSA met November 4, 2021 (agenda attached).
- Per acre billing for 2020/2021 for landowners outside of KD/City/ID-4.
- Basin Study/Basin SGMA Implementation Grant Update.
- DMS Update & Demonstration.
- 2022 KRGSA meeting calendar.

[Kern Groundwater Authority \(KGA\):](#)

- The KGA met October 27, 2021 (agenda attached).
- Authorization to use teleconferencing for meetings.
- Approval of 2022 Budget.
- Approval of 2022 meeting calendar.

- Bains Study update.
- Data Management System update.

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

- The KRWCA met November 4, 2021 (agenda attached).
- 2022 Membership Invoices sent out by October 1, paid by Nov. 15th (online payment recommended).
- 2021/2022 Winter Outreach & Education Meetings – face to face and online option in January.
- 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 October 28, 2021.
- Pilot project continued discussion (potential grant funding/environmental review/potential addition of new partners).

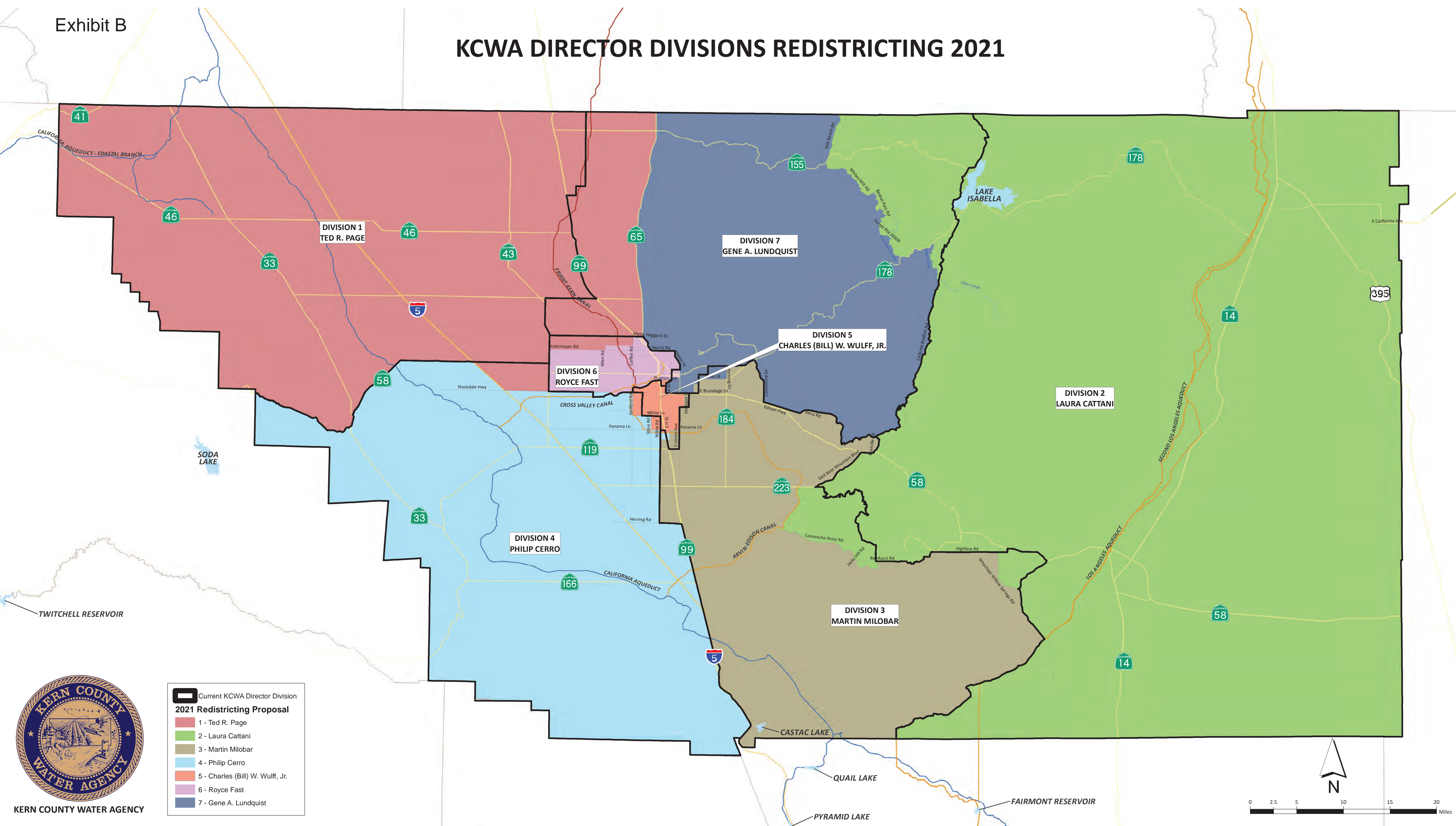
Integrated Regional Water Management Plan:

- No Report.

Water Association of Kern County (WAKC):

- The WAKC met October 26, 2021.
- Continued Water Education Campaign.
- Annual Meeting November 9, 2021 – Water Legacy and Water Leader of the Year Awards.
- Water Summit – March 2022.

KCWA DIRECTOR DIVISIONS REDISTRICTING 2021



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

Preliminary - Subject to Revision

Quantities in acre-feet

District	Estimated Balance as of December 31, 2020	Estimated Balance as of August 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.

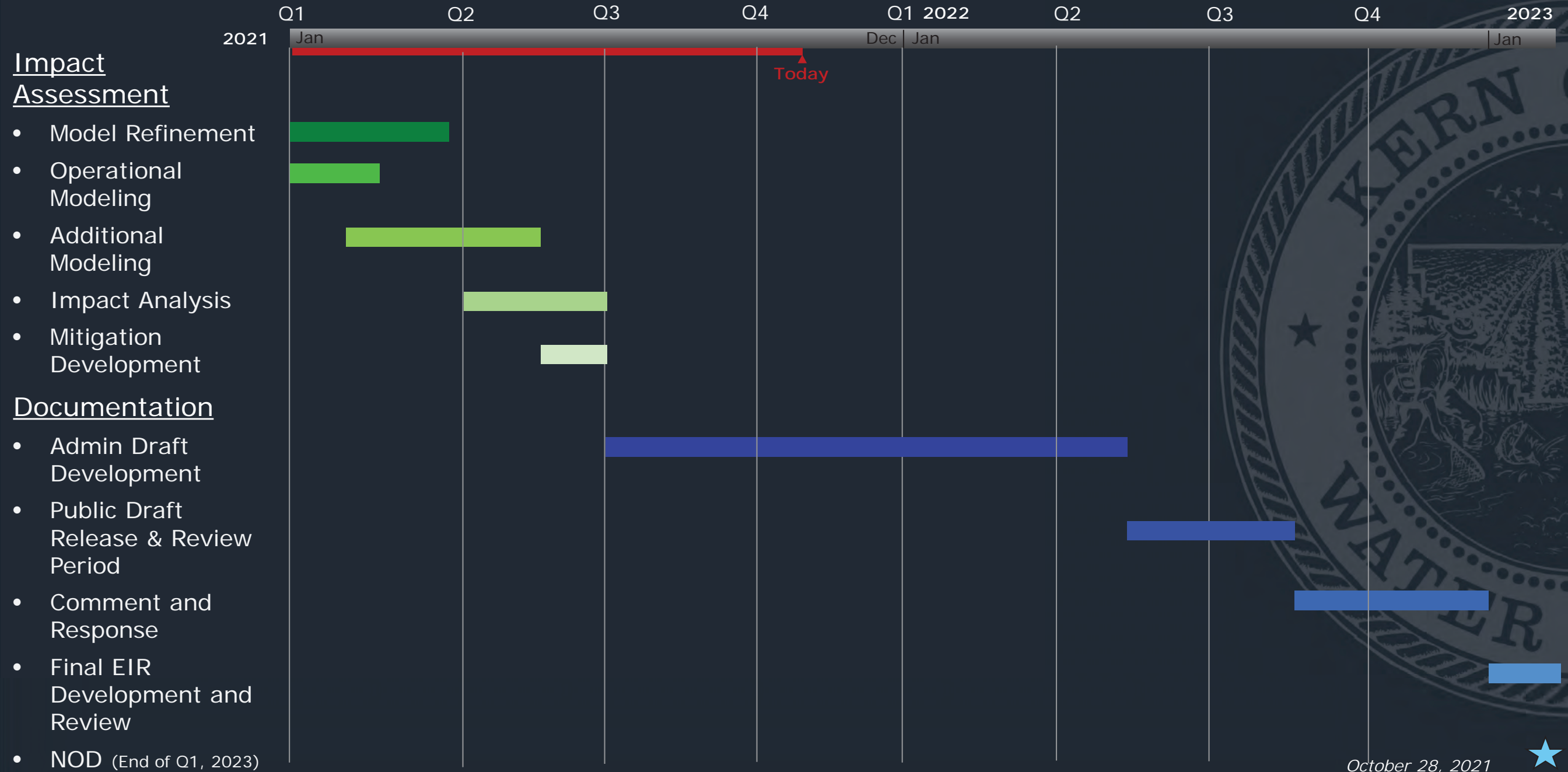
**Kern County Water Agency
Estimated Summary of Groundwater Bank Accounts
As of August 31, 2021**

Preliminary - Subject to Revision

Quantities in acre-feet

District	Estimated Balance as of December 31, 2020	Estimated Balance as of August 31, 2021					
		Pioneer Property	2800 Acres	Pioneer Project Subtotal	Berrenda Mesa	Kern Water Bank	Total
Belridge WSD	94,409	69,422	8,638	78,060	7,088	0	85,148
Berrenda Mesa WD	113,460	63,732	5,854	69,586	22,396	0	91,982
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	45,493	45,493
Henry Miller WD	5,365	5,365	0	5,365	0	0	5,365
Improvement District No. 4	243,810	42,093	16,472	58,565	0	162,466	221,031
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	52,578	25,096	77,674	8,922	0	86,596
Rosedale-Rio Bravo WSD	41,232	36,732	0	36,732	0	0	36,732
Semitropic WSD	249,001	30,306	42	30,348	0	204,501	234,849
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	53,678	57,118
Westside Mutual Water Co.	427,288	0	0	0	0	358,598	358,598
Wheeler Ridge-Maricopa WSD	215,675	11,262	15,732	26,994	8,661	133,755	169,410
Total	1,873,145	476,257	136,592	612,849	50,566	986,969	1,650,384

Delta Conveyance Planning and Permitting Timeline





Board Members:
Rodney Palla, Chair
Gene Lundquist
Bruce Freeman

KERN RIVER GSA SPECIAL MEETING

Thursday, November 4, 2021
10:00 a.m.

City of Bakersfield Water Resources Department
1000 Buena Vista Drive, Bakersfield CA 93311
Large Conference Room

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC STATEMENTS**
4. **APPROVAL OF MINUTES** of the September 2, 2021, Special Meeting
5. **NEW BUSINESS**
 - A. Correspondence Received (City Clerk, Chianello)
 - B. Finance Updates (McKeegan)
 - i. Receive and File Financial Report
 - ii. Approval of Per Acre Charge to Landowner Participants, and other Entities Covered by KRGSA's GSP
 - C. Management Group Updates (Beard, Chianello, Teglia)
 - i. Basin Coordination Committee Updates
 - a. Basin Study/Basin Grant Update
 - b. DMS Update & Demonstration
 - ii. Amendment to KRGSA Bylaws relating to location of regular meetings
 - iii. Adopt 2022 KRGSA Board Meeting Calendar
6. **COMMITTEE COMMENTS**
7. **ADJOURNMENT**

KERN GROUNDWATER AUTHORITY

Regular Meeting of Board of Directors

October 27, 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/92030984875?pwd=V1NyT3BMWVhoVGxGd0xpeWFxSkJDZz09>

Meeting ID: 920 3098 4875

Passcode: 017341

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. Consider adoption of Resolution No. 2021-004 – Authorizing AB 361 Teleconference Meeting

3. Flag Salute

4. 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.

5. Approval of Minutes

a. September Regular Board Meeting Minutes*

6. Treasurer's Report

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

7. Attorneys Report

a. Updated Drought Proclamation

b. Update on Water Curtailments

8. Executive Director Report

- a.** Discussion & approval for 2022 Budget*
- b.** Approval of 2022 Meeting Dates*
- c.** Update on Basin/Native Study
- d.** Update on the Data Management System
- e.** Accomplishments
- f.** Forward Work Plan

9. 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.

10. Correspondence

- a.** McFarland City's Urban Management Plan Notice

11. Closed Session

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

12. 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.



BOARD OF DIRECTORS MEETING

Date: Thursday, November 4, 2021
Time: 1:00 P.M.
Location: Rosedale-Rio Bravo WSD, 849 Allen Road, Bakersfield, CA 93314

AGENDA

1. CALL TO ORDER
2. ANNOUNCEMENT OF QUORUM
3. INTRODUCTIONS
4. PUBLIC COMMENT
5. APPROVAL of 9/2/2021 Board Meeting Minutes*
6. TREASURER/FINANCIAL REPORT
 - a. September, October and November 2021 Accounts Payable/Receivable Ratification and Approval*:
7. KRWCA MANAGER REPORT/ILRP PROGRAM UPDATE
 - a. Administrative:
 - i. 2022 Membership Update
 - ii. 2021/2022 Winter Outreach & Education Meetings
 - b. Regional Water Board:
 - i. REMINDER: 2021 On-Farm Drinking Water Wells: Wells are required to be tested by December 31, of each year. Be sure to provide lab with Drinking Water Well Program Required Forms. Note: BC Labs is no longer an approved lab for the program.
 - ii. Compliance Letters to Revoked Members who "Failed to Pay Fees"
8. NITRATE CONTROL PROGRAM MANAGEMENT ZONE/S DEVELOPMENT
 - a. Kern Water Collaborative (KWC) Update
 - b. KRWCA Appointment/s to the KWC Board at January Meeting
9. REPORT OF PROVOST & PRITCHARD CONSULTING GROUP
 - a. Surface Water Monitoring: Mary Beth Bourne
 - i. SW MPIR Grower Feedback Memo*
 - b. Ground Water Trend Monitoring Program Update: Morgan Campbell

Posted pursuant to Government Code § 54954.2(a) at least 72 hours prior to said meeting.

By: Nicole M. Bell Date: November 1, 2021
Per Govt. Code § 54953.2 and § 54961, requests for a disability-related modification or accommodation, including auxiliary aids or services, to attend or participate in this meeting should be made to Nicole Bell (phone 661-616-6500) in advance of the meeting to ensure availability of the requested service or accommodation.



- c. CVGMC/5-Year GAR Report Update*: Morgan Campbell
 - d. MPEP Update: Ryan Dodd
10. CV-SALTS <http://www.cvsalinity.org>
Manager Bell and Land IQ represent KRWCA at the Monthly CV-SALTS Meetings. Links to the monthly Meeting Package and Summary Report as well as general information related to CVSALTS is provided below and on our website.
- a. [CV-SALTS Meeting Package, September 16, 2021 Meeting](#)
 - b. [Land IQ Summary Report for September 16, 2021 Meeting](#)
 - c. [CV-SALTS Meeting Package, October 21, 2021 Meeting](#)
 - d. [Land IQ Summary Report for October 21, 2021 Meeting](#)
 - e. [CV-SALTS Brochure](#)
 - f. [CV-SALTS Brochure: New Water Quality Regulations Provide Options for Flexibility](#)
 - g. [Prioritization and Optimization Study \(P&O\) Overview](#)
11. OLD OR NEW BUSINESS
12. ATTORNEYS REPORT
13. CLOSED SESSION
- a. Conference with Legal Counsel - Pending Litigation - Government Code Section 54956.9(d)(1)
 - i. Petitions filed by the Kern River Watershed Coalition Authority, et al. with the State Water Resources Control Board (SWRCB) regarding the Tulare Lake Basin General Order.
 - ii. Environmental Law Foundation v. SWRCB, et al., Sac. County Sup. Ct., Case No. Case No. 34-2018-80002851
 - iii. Protectores Del Aqua Subterranea v. SWRCB, et al., Sac. County Sup. Ct., Case No. 34-2018-80002852
 - iv. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sac. County Sup. Ct., Case No. 34-2018-80002853
 - v. Petition for Review by Protectores Del Aqua Subterranea with the SWRCB in Re CVRWQCB Order R5-2019-001 Amending General Orders for Grower Members of a Third-Party Group: Tulare Lake Basin Area R5-2013-0120-06, etc.
 - b. Conference with Legal Counsel – Anticipated Litigation/Significant exposure to litigation – Government Code Section 54956.9(d)(2). Two potential cases.
14. KRWCA MEETING ATTENDANCE HIGHLIGHTS – INFORMATION ITEM
- a. 9/10, Kern MZ Development Meeting
 - b. 9/14, MZ Leaders Call
 - c. 9/14, Management Zone Support Call
 - d. 9/14, PEOC Meeting
 - e. 9/15, CVGMC Meeting
 - f. 9/16, CVSALTS and CVSC Meetings
 - g. 10/6, SSJVWQC/MPEP Committee Meeting
 - h. 10/8, Kern Water Collaborative Meeting
 - i. 10/8, CVGMC Technical Meeting
 - j. 10/18, CVGMC Meeting
 - k. 10/19, MZ Leaders Call
 - l. 10/19, Management Zone Support Call
 - m. 10/19, PEOC Meeting



- n. 10/21, CVSALTS and CVSC Meetings
- o. 11/3, SSJVWQC/MPEP Committee Meeting

15. NEXT MEETING

The next regular KRWCA Board Meeting is scheduled for 1:00 PM on January 4, 2021. There will be no meeting in December.

16. ADJOURN

“*” Notates and action item (Approval/Ratification)



To: Kern Delta Water District Board of Directors

From: Steven Teglia – General Manager

Date: November 16, 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 November 9, 2021, Kern Fan groundwater recovery was approximately 700cfs from 180 wells, as reported via KCWA weekly call.
- See attached graphs provided by KCWA for recovery information through September 30, 2021.

Pioneer Participant Meeting:

- The Pioneer Project Participant Meeting of November 11, 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.

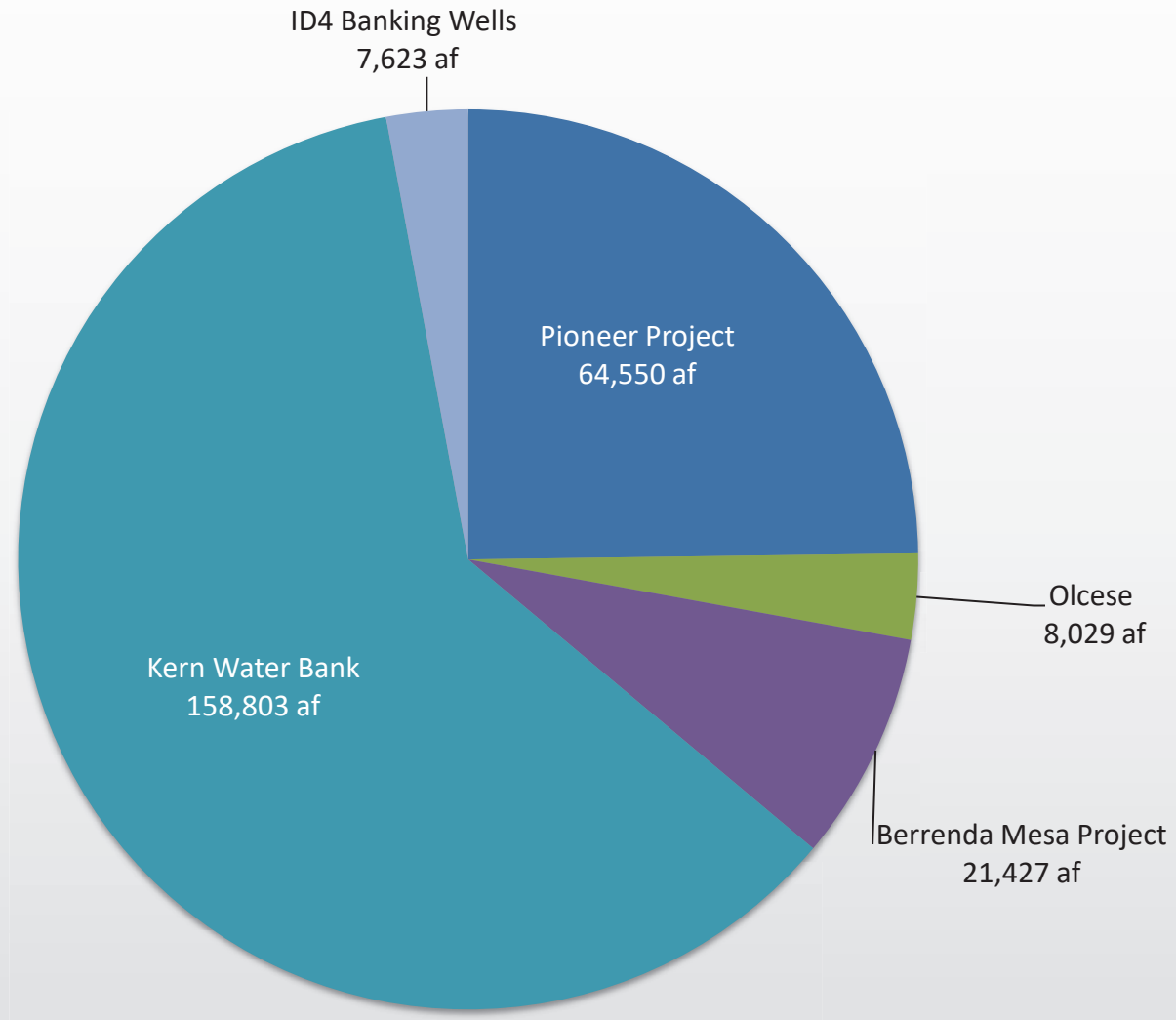
KDWD Water Banking Project:

- 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 27,910af.
- 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 meeting of October 27, 2021 was canceled.
- See attached graphs provided by KCWA regarding CVC utilization.

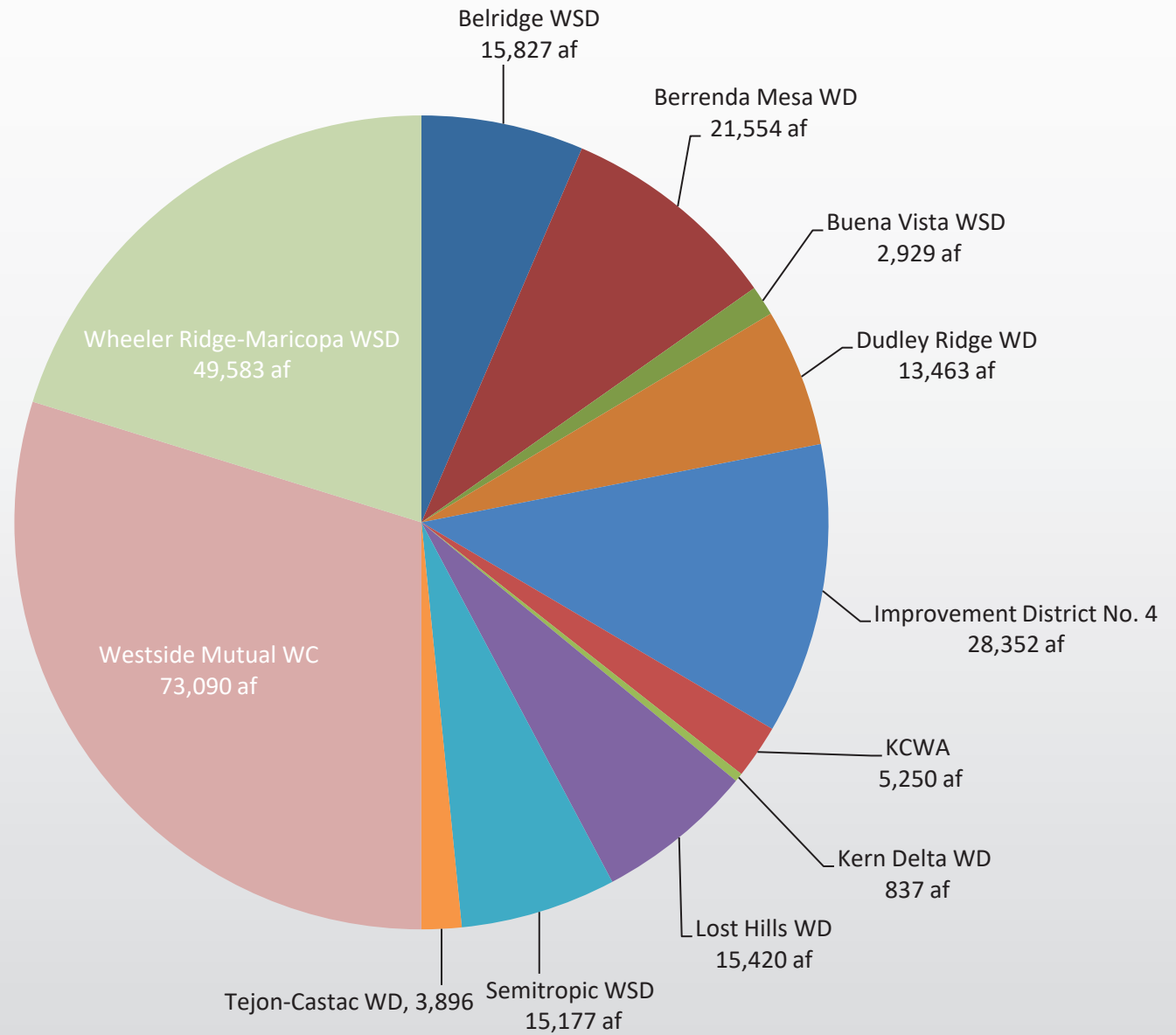
**Kern Fan Banking Projects
2021 Estimated Gross Recovery by Project
Through September 30, 2021**



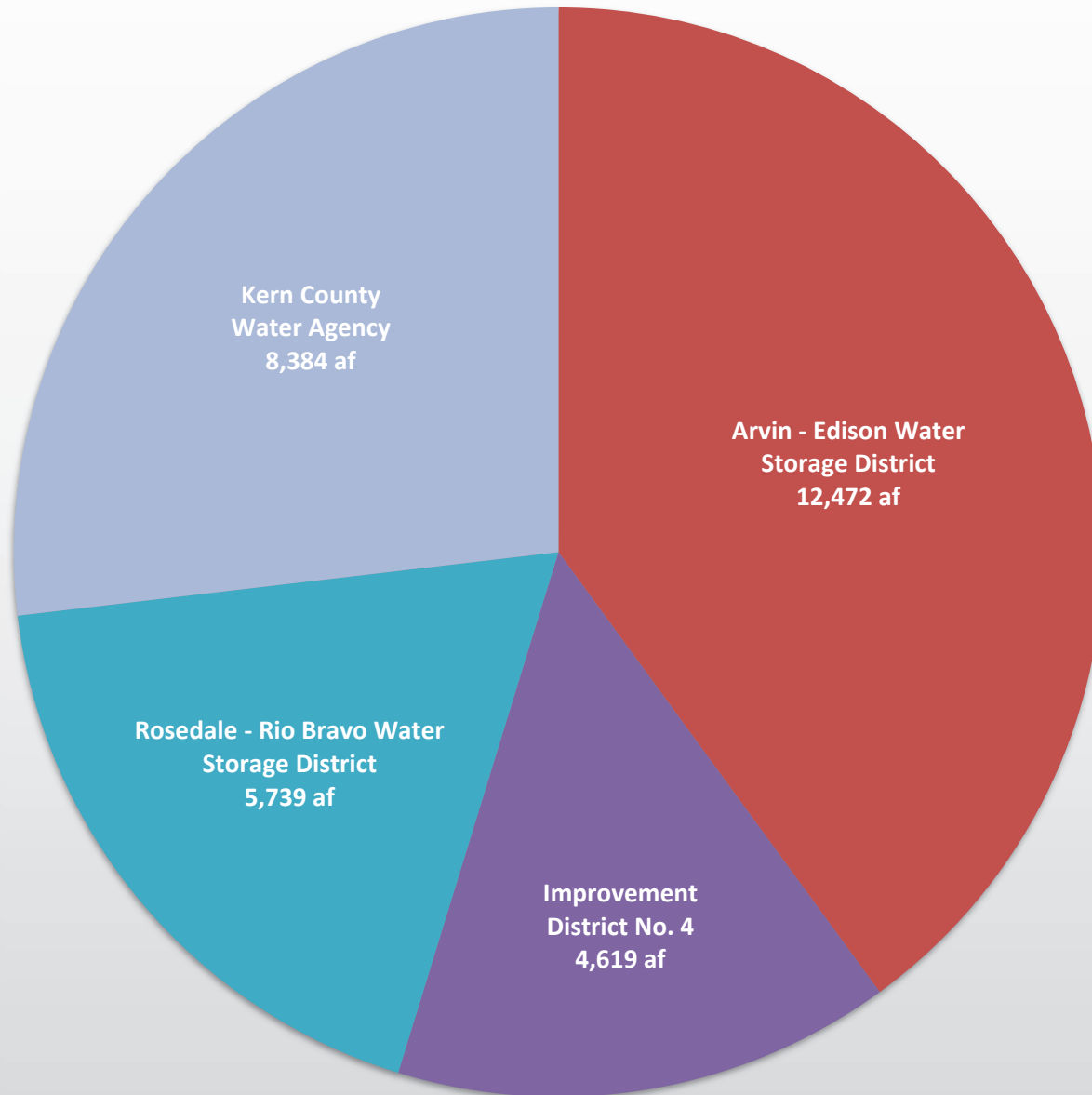
Total Gross Recovery 260,432 af

**Kern Fan Banking Projects
2021 Estimated Recovery by Participant
Through September 30, 2021**

Attachment 2



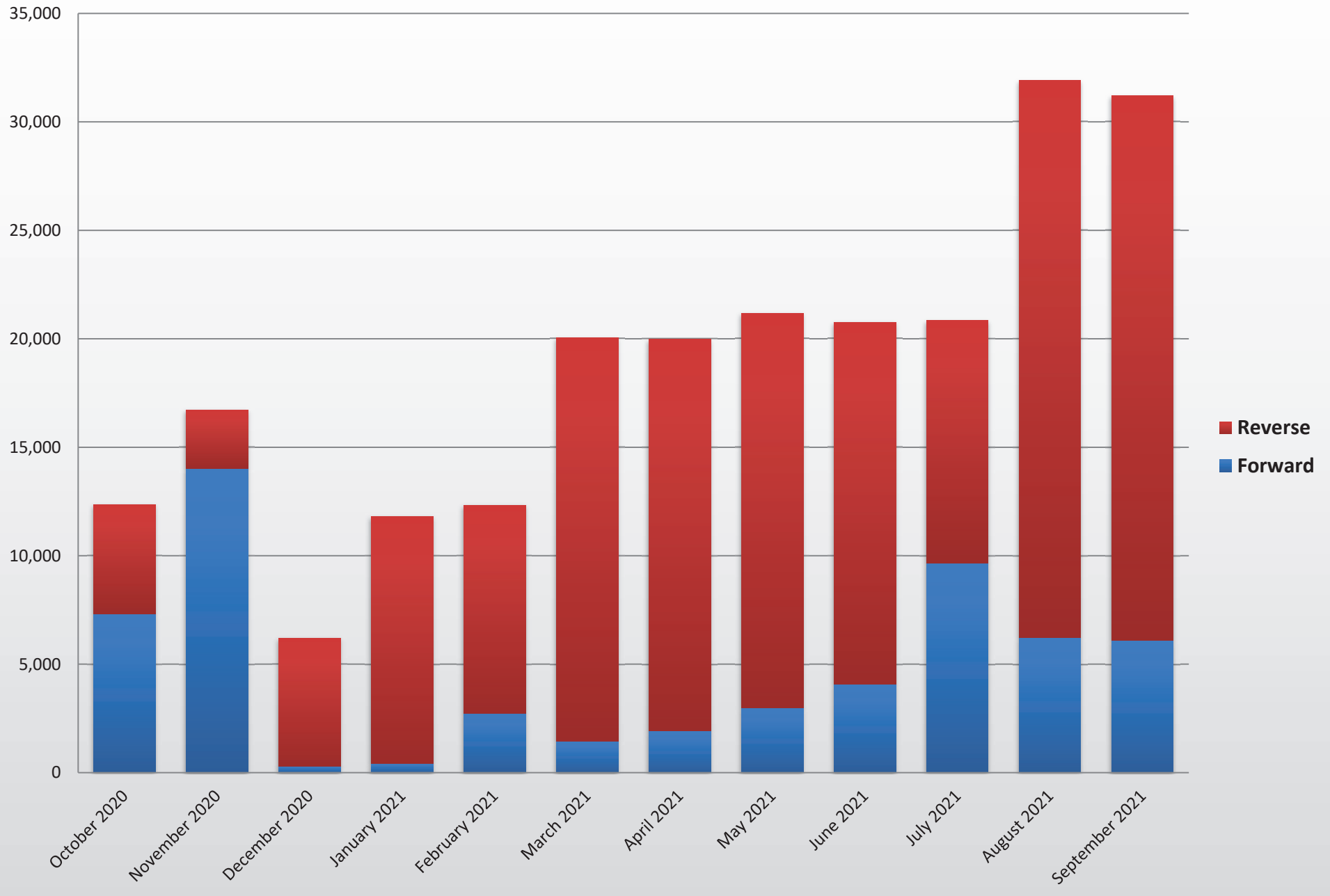
**Cross Valley Canal
September 2021 Deliveries
Total deliveries 31,214 af**



Cross Valley Canal

Twelve Month Delivery by Direction

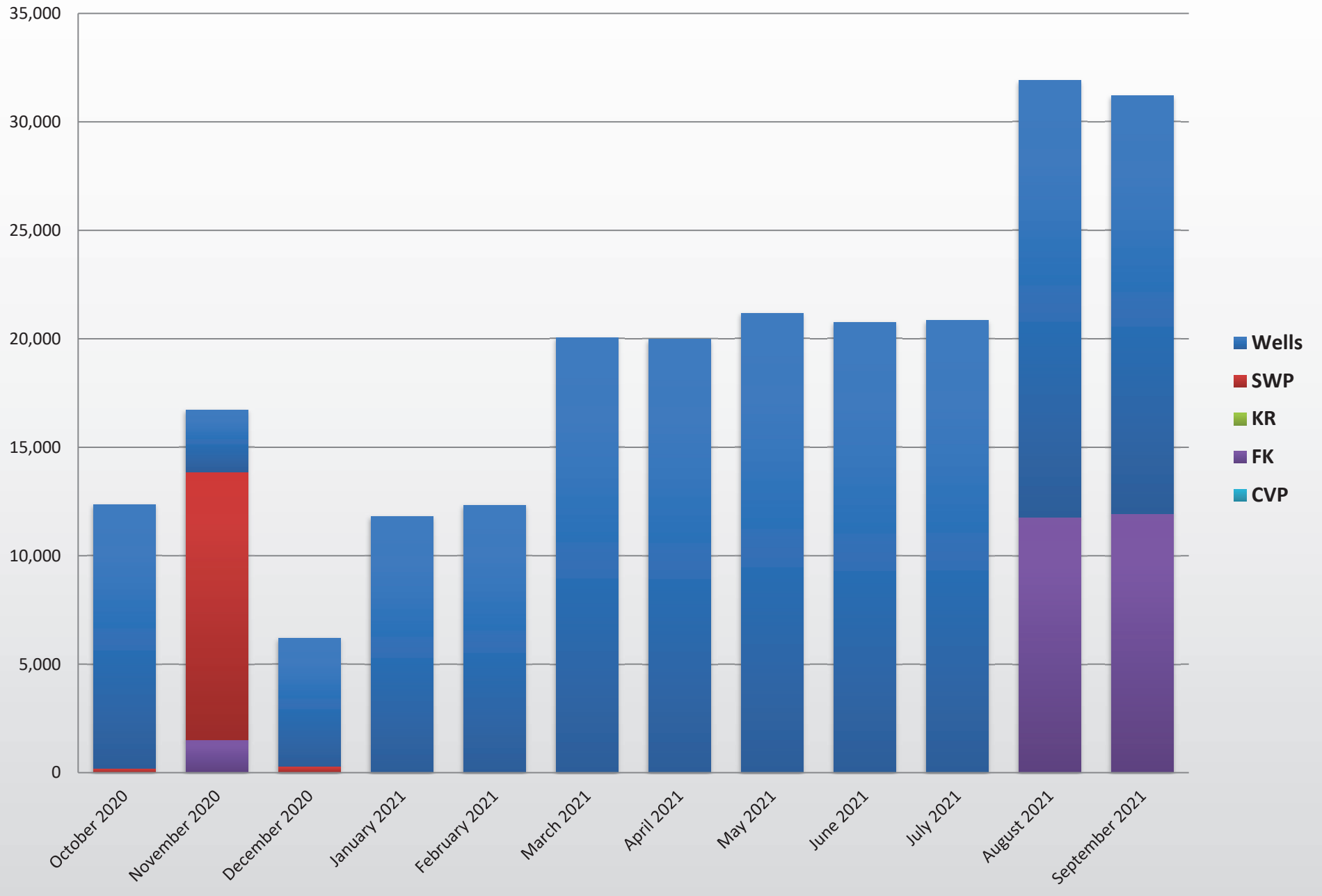
Attachment 3



Cross Valley Canal

Twelve Month Delivery by Source

Attachment 3



**CROSS VALLEY CANAL
CURRENT OPERATIONS
OCTOBER 15, 2021**

