



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, December 7, 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
- B. Conference with Legal Counsel – Initiation of Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(4):
 - 1. One Matter

REGULAR SESSION:

INTRODUCTION OF GUESTS AND PUBLIC

- I. **PUBLIC COMMENT** (Members of the public may address the Board of Directors on any matter not on the agenda, but absent extraordinary circumstances, the Board may not act on such matters. Members of the public may address items of interest that are listed on the agenda prior to the Board's decision on such items.)
- II. **MANAGER'S REPORT** (The General Manager will discuss, and the Board will consider various items and issues relating to the ongoing and future operations of the District which are of interest to the Board)
 - A. Approve Minutes of the Regular Board Meeting of November 16, 2021.
 - B. Approve District Employee Service Recognition Program.
 - C. Central Canal Parcel Acceptance.
 - D. Election of District Officers.
 - E. Board Training.
- III. **BOARD MEMBER COMMENTS** (This item provides Board Members with an opportunity to make announcements or provide general comments.)
- IV. **ADJOURN**

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



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

November 16, 2021

TUESDAY, November 16, 2021, 12:02PM– 2:35PM

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, and Groundwater Manager Marquez.

OTHERS PRESENT: Erin Leeds, and Travis Millwee.

CLOSED SESSION DECLARED AT 12:02PM

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:02PM regarding the following agenda items:

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

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

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

1. One Matter

Closed Session concluded at 12:52PM.

REGULAR SESSION DECLARED AT 1:00PM

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:00PM.

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

Item A: No reportable action.

Item B: No reportable action.

INTRODUCTION OF GUESTS AND PUBLIC

Those listed under Others Present were introduced.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

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

- A. Approval of Minutes from the Regular Board Meeting of October 19, 2021.
- B. Approval of the October/November District Construction and Water Banking Disbursements.
- C. Approval of the October/November District Disbursements.
- D. Approval of District 2022 Meeting Calendar.

III. BUSINESS AND FINANCE

A. Public Hearing Regarding Approval of Resolution 2021-07 Levying Special Assessments Within Zones of Benefit: President Palla announced that this was the time and place for the Public Hearing regarding the adoption of the District's assessments for 2022. Following a brief PowerPoint presentation by staff, President Palla opened the Public Hearing. No public comments were received at which time President Palla closed the Public Hearing and returned the item to the Board for action.

M/S/C (Antongiovanni/Tillema) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board approved Resolution 2021-07 Levying Special Assessments Within Zones of Benefit as presented.

B. Business & Finance Committee – November 11, 2021: District Controller Duncan provided a report from the November Business & Finance Committee Meeting.

B(i). Approval of October 2021 Financial Reports: Mr. Duncan presented the October 2021 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and District Delinquency Report. Staff discussed an outstanding account which has resided on the delinquency report for multiple years. Staff informed the Board that additional follow-up will be initiated to facilitate action on the account.

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

IV. OPERATIONS AND PROJECTS

A. - A(i-v). Operations and Projects Committee – November 2, 2021 - Canceled: Assistant General Manager Bellue briefly reported that the November Operations and Projects Committee Meeting was canceled. However, Mr. Bellue did provide an update to the Board 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. 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: Following the recent expansion and improvement of several District recharge basins, additional fencing is required. To accomplish the

installation of fencing around these new areas (just under 5,200 linear feet), staff is recommending approval of an agreement with Lamont Fence Company in an amount not to exceed \$39,950.00.

M/S/C (Antongiovanni/Mendonca) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board approved the fencing agreement with Lamont Fence Company including a correction to section 1 of the agreement correcting the total linear feet included in the agreement.

V. KERN RIVER WATERMASTER

A. - A(i-ii). District Water Master Report: Staff reviewed and discussed the water supplies of the District for the month of October and early November. Approximately 5,347 acre-feet of water was delivered in District during October. Staff also provided information related to current precipitation totals and future forecasts.

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

B(ii). New Kern River Watermaster: General Manager Teglia reported that the Kern River Interests had identified Mark Mulkay as the new Kern River Watermaster, succeeding Dana Munn as of January 1, 2022. While the Watermaster selection is voted on by North Kern, Buena Vista, and KCWA, both the City of Bakersfield and Kern Delta participate in the deliberations and the concurrence of both agencies is typically part of the process. While Mr. Mulkay's Watermaster Agreement is held by North Kern, Mr. Teglia did request Board approval of the selection of Mr. Mulkay as the next Kern River Watermaster.

M/S/C (Garone/Fanucchi) (yes-8, no-0): By unanimous vote, with Director Collins absent, the Board concurred with the selection of Mark Mulkay as the next Kern River Watermaster.

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

VI. MANAGER'S REPORT

A. Mr. Teglia provided a brief overview of recent efforts staff has made to improve the format of the Water Application form that District customers are required to submit each year. The improvements reduce the number of pages of each application which will also reduce reproduction costs as well as provide a more streamlined mechanism for the required information to be provided. Mr. Teglia explained the importance of the annual Water Application forms and conveyed that staff will continue looking at ways to improve the process.

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.

VII. ATTORNEY'S REPORT

None.

VIII. BOARD MEMBER COMMENTS

None.

IX. ADJOURNMENT:

There being no further business, President Palla adjourned the meeting at approximately 2:35PM.

Respectfully Submitted,



Steven Teglia, General Manager

Approved by Board,



Richard Tillema, Board Secretary



To: Kern Delta Board of Directors

From: Steven Teglia – General Manager

Date: December 7, 2021

Re: Employee Service Recognition Program

RECOMMENDATION:

Approve employee service recognition program as presented.

DISCUSSION:

Kern Delta Water District has an established history of recognizing employee service achievements by providing service awards tied to reaching specific years of service milestones. However, the program has not been memorialized in a document which clearly outlines the milestones and corresponding service awards. Based on historical practice, staff developed the program below for Board approval. Any future adjustments to the program will be brought to the Board for consideration and approval.

Years of Service	Service Award
5	\$100 Jacket Value (Including embroidered District Logo and years of service)
10	\$150 Jacket Value (Including embroidered District Logo and years of service)
15	\$200 Jacket Value (Including embroidered District Logo and years of service)
20	\$2,000 Cash Award (Net to account for taxes / presented in December of year milestone attained)
25	\$250 Award – Employee Choice
30	\$3,000 Cash Award (Net to account for taxes / presented in December of year milestone attained)
35	\$350 Award – Employee Choice



NOTES:
 AERIAL OF GRANT DEED PROPOSAL FROM BELFANZ (GRANTOR) TO KERN DELTA WATER DISTRICT (GRANTEE)
 OUTLINED IN RED. FOR ILLUSTRATIVE PURPOSES ONLY



KERN DELTA WATER DISTRICT

501 TAFT HIGHWAY
 BAKERSFIELD, CA 93307
 PHONE: (661) 834-4656
 FAX: (661) 836-1705

DRAWING TITLE:
 CENTRAL BRANCH GRANT DEED

PROJECT TITLE:
 CENTRAL BRANCH GRANT DEED

DATE: 11-22-2021

SCALE: NTS

DRAWN BY: DLD

CHECKED BY:

SHEET

1

OF 01

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL THIS DEED
AND, UNLESS OTHERWISE SHOWN
BELOW, MAIL TAX STATEMENTS TO:

KERN DELTA WATER DISTRICT
501 TAFT HIGHWAY
BAKERSFIELD, CA 93307

APN: 414-190-31

Space Above This Line For Recorder's Use

The undersigned Grantor declares:

City Transfer Tax: \$ _____

Documentary Transfer Tax: \$ _____

COMPUTED ON FULL VALUE OF PROPERTY
CONVEYED

OR COMPUTED ON FULL VALUE LESS LIENS
AND ENCUMBRANCES REMAINING AT TIME
OF SALE.

THE UNDERSIGNED HEREBY DECLARES

Signature of Declarant of Agent determining tax. Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Summit Capital Ventures, Inc. a California Corporation

hereby GRANT(S) to **Kern Delta Water District**, a California water district

the following described real property in the City of Bakersfield, County of Kern, State of California:

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

Summit Capital Ventures, Inc.
a California Corporation

Greg Balfanz
Corporate Operations Officer

MAIL TAX STATEMENTS AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF _____)

On _____ before me, _____, Notary Public, personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature _____ (Seal)

-----OPTIONAL-----

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

00EXHIBIT "A"
LEGAL DESCRIPTION
PARCEL "A"

ALL THAT PORTION OF PARCEL 4 OF PARCEL MAP NO. 11250 AS PER MAP RECORDED DECEMBER 29, 2006, IN BOOK 55 OF PARCEL MAPS AT PAGE 102 IN THE OFFICE OF THE KERN COUNTY RECORDER, ALSO BEING A PORTION OF THE SOUTH HALF OF SECTION 20, TOWNSHIP 30 SOUTH, RANGE 28 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL 4;

THENCE (1) ALONG THE WEST LINE OF SAID PARCEL 4, SOUTH 04°50'38" EAST, A DISTANCE OF 470.74 FEET;

THENCE (2) CONTINUING ALONG SAID WEST LINE. SOUTH 03°41 '25" WEST, A DISTANCE OF 853.64 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4;

THENCE (3) SOUTH 89°31 '28" EAST ALONG THE SOUTH LINE OF SAID PARCEL 4, A DISTANCE OF 120.19 FEET;

THENCE (4) NORTH 03°41 '25" EAST, A DISTANCE OF 855.85 FEET;

THENCE (5) NORTH 04°50'38" WEST, A DISTANCE OF 468.50 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL 4;

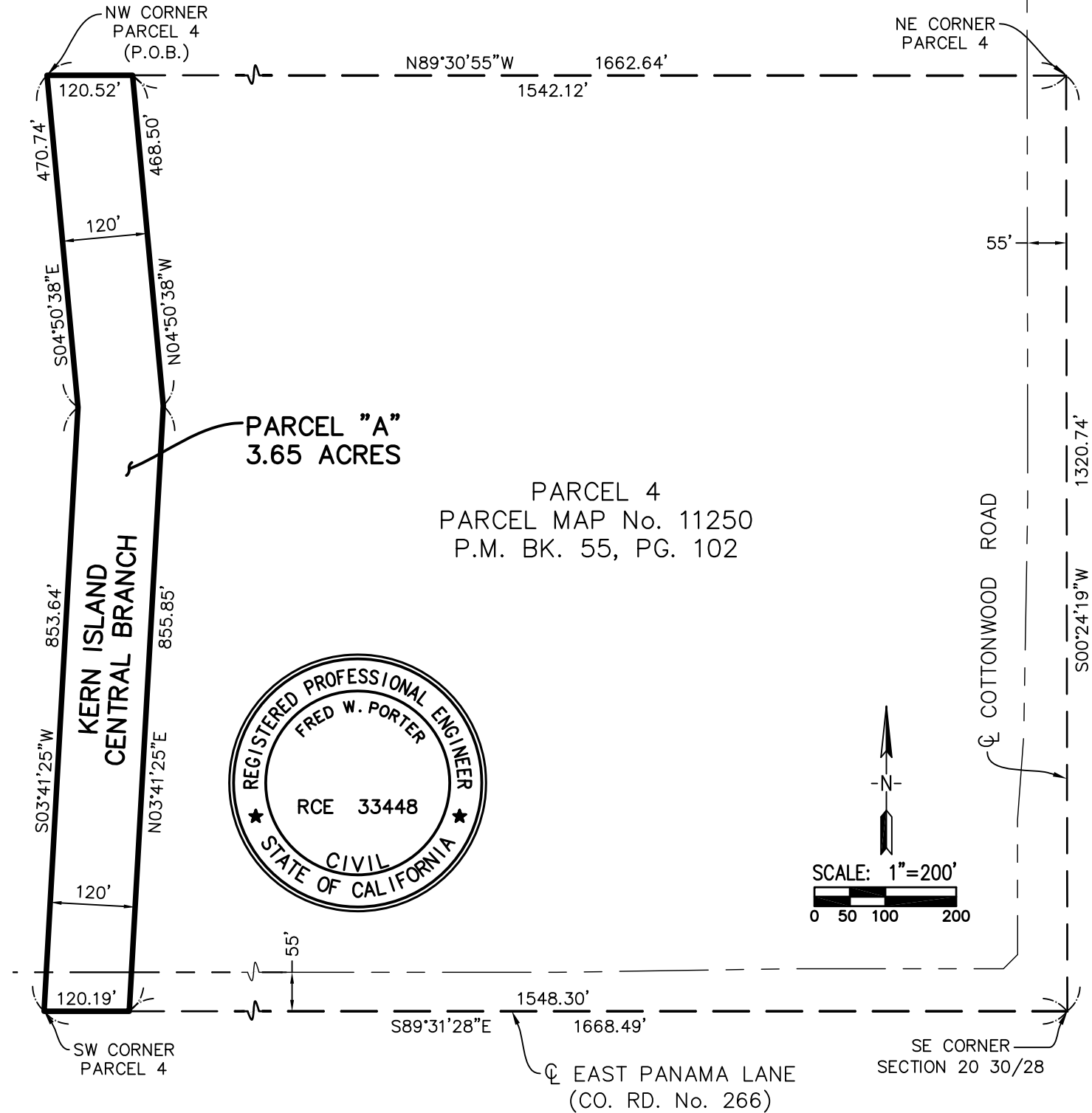
THENCE (6) ALONG SAID NORTH LINE, NORTH 89°30'55" WEST, A DISTANCE OF 120.52 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3.65 ACRES, MORE OR LESS



LEGEND

P.O.B. - POINT OF BEGINNING



J:\3225A\Grant Deed\3225A-GD_C3D.dwg 11/18/21 luishinojosa

SHEET
2
OF 2 SHEETS

DATE: 11/15/2021
JOB No. 3225A
ENGINEER: FP2
DRAFTSMEN: NMS

EXHIBIT "B"
KERN DELTA WATER DISTRICT
KERN ISLAND CENTRAL BRANCH CANAL

PORTER & ASSOCIATES, INC.
ENGINEERING & SURVEYING
1200 21st St, Bakersfield, CA 93301
661.327.0362 FAX 661.327.1065



BOARD OF DIRECTORS

Rodney Palla, *President*
David L. Kaiser, *Vice President*
Richard Tillema, *Secretary*
Kevin Antongiovanni, *Treasurer*
Donald Collins
Ross E. Spitzer
Fred Garone
Joey Mendonca
Robert Fanucchi

501 TAFT HIGHWAY
BAKERSFIELD, CALIFORNIA 93307-6247
TELEPHONE (661) 834-4656
FAX (661) 836-1705

OFFICERS & STAFF

Steven L. Teglia
General Manager
L. Mark Mulkay
Water Resources Manager
Chris Bellue
Assistant General Manager
Bryan C. Duncan
Controller
Richard Iger
General Counsel
McMurtrey, Hartsock & Worth
Special Counsel

COMMITTEE ASSIGNMENTS

2021

President: Palla

Vice-President: Kaiser

Secretary: Tillema (Assistant Secretaries: Mulkay, Teglia, & Hartsock)

Combined Officer – Treasurer, Assessor, Tax Collector: Antongiovanni (Assistant

Combined Officer: Duncan)

Business & Finance:

Antongiovanni (Chairman), Garone, Tillema, Fanucchi

Functions: Expense items, capital, equipment, operations, wage/benefits, interest, expenses, sources of income, taxes, assessments, water tolls, bonds, loans, audit.

Operations and Projects:

Collins (Chairman), Spitzer, Kaiser, Mendonca

Functions: System improvements, maintenance of facilities, engineering, design, construction, right-of-way/easements, land purchases/sales, encroachment permits.

Administration & Executive:

Palla (Chairman), Antongiovanni, Kaiser, Tillema

Functions: As needed for Special Functions, plus: Personnel matters, legislation, litigation, District organization, government regulations/compliance, negotiation, special assignments, rules/operations, groundwater management, water supply, allocations, water banking, water purchase.

Other Assignments:

Fred Garone: ACWA Joint Powers Insurance (Semi-annual)

Pete Kaiser: Irrigated Lands Regulatory Meeting (Monthly)

Don Collins: Irrigated Lands Regulatory Meeting (Monthly)

Rich Tillema: Kern Groundwater Authority Committee (Monthly)

Kevin Antongiovanni: Kern Groundwater Authority (Monthly)

Kevin Antongiovanni: KCWA Member Unit Policy Meetings (as needed)

Rodney Palla: Kern River Groundwater Sustainability Agency (Monthly)

Rodney Palla: DCP (as needed)