



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, October 4, 2022

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. California Department of Water Resources v. All Persons Interested in the Matter of the Authorization of Delta Program Revenue Bonds (Delta Conveyance Project Validation Action).

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 September 20, 2022.
 - B. Old River Water Banking Project:
 - i. Review and Approval of Final Design.
 - ii. Authorization for Staff to Solicit Bids for Construction of the Old River Water Banking Project.
 - C. District Investment Review and Discussion.
- 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**

September 20, 2022

TUESDAY, September 20, 2022, 12:06PM– 3:24PM

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

DIRECTORS ABSENT:

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

OTHERS PRESENT: Bill Zeiders.

CLOSED SESSION DECLARED AT 12:06PM

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:06PM regarding the following agenda items:

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

Closed Session concluded at 12:58PM.

REGULAR SESSION DECLARED AT 1:03PM

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:03PM.

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

Item A: By a 9-0 vote the Board gave staff direction to take the necessary steps to complete the State's acquisition of parcel 88242 for \$7,100 and parcel 88237 for \$16,193.75, once all of the outstanding issues have been resolved to the satisfaction of the General Manager and General Counsel.

INTRODUCTION OF GUESTS AND PUBLIC

Those listed as others present above were introduced.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Borba/Fanucchi) (yes-9, no-0): By unanimous vote the Board approved and authorized items II A through II D of the Consent Calendar.

- A. Approval of Minutes from the Regular Board Meeting of September 6, 2022.
- B. Approval of the August/September District Construction and Water Banking Project(s) Disbursements.
- C. Approval of the August/September District Disbursements.
- D. Approval of Updated District Employee Handbook.

III. BUSINESS AND FINANCE

A. Business & Finance Committee – September 15, 2022: District Controller Duncan provided a report from the September Business & Finance Committee Meeting.

A(i). Approval of August 2022 Financial Reports: Mr. Duncan presented the August 2022 District and Water Banking Project(s) Financial Statements, Treasurer’s Reports, and District Delinquency Report.

M/S/C (Antongiovanni/Garone (yes-9, no-0): By unanimous vote the Board approved the August 2022 District and Water Banking Project(s) Financial Statements, Treasurer’s Reports, and Delinquency Report as presented.

B. Review and Approval of 2023 District Budget: Staff provided a brief overview of the proposed 2023 District Budget. The item will come back to the Board for approval as part of the Board’s October 18, 2022 agenda.

C. Approval of Resolution 22-03 Establishing District Assessments and Setting a Public Hearing Before the Kern Delta Board of Directors. Staff provided a brief overview of Resolution 22-03 which establishes the 2023 land assessments for the District and sets a Public Hearing on the matter before the Board of Directors on November 15, 2022.

M/S/C (Garone/Kaiser (yes-9, no-0): By unanimous vote the Board approved Resolution 22-03 Establishing District Assessments and setting a Public Hearing Before the Board on November 15, 2022 as presented.

IV. OPERATIONS AND PROJECTS

A. - A(i-iv). Operations and Projects Committee – September 6, 2022: Assistant General Manager Bellue briefly reported on several items. Mr. Bellue’s update included District maintenance activities, recent encroachment permit requests, pending development projects impacting District facilities, and a status update related to the Old River Groundwater Banking project.

B. - B(i-iv). Sunset Groundwater Banking Project – Phase II: Staff presented several action items all related to moving forward with construction of Phase II of the Sunset Groundwater Banking Project. This project is a joint groundwater banking project between Kern Delta and Arvin Edison WSD. Items presented included:

- i. Awarding a contract to Specialty Construction Inc. in an amount not to exceed \$3,760,908 for the construction of the Sunset Ponds and Pipeline Project.

- ii. Approval of a construction management scope of work with Zeiders Consulting in an amount not to exceed \$400,804.97
- iii. Authorization PG&E connection, reclosure, electrical distribution/transformer work, administered by Arvin Edison WSD, in an amount not to exceed \$350,000.
- iv. Authorization for staff to transfer \$2,255,856.50 to the Sunset Water Banking Project to pay for Kern Delta's 50% share of the total project cost for Phase II of the Sunset Groundwater Banking Project.

M/S/C (Antongiovanni/Fanucchi) (yes-9, no-0): By unanimous vote the Board approved items B(i) through B(iv) above as presented.

V. WATER RESOURCES REPORT

A. - A(i-ii). District Watermaster Report: Staff reviewed and discussed the water supplies of the District for the month of August and early September. Approximately 11,445 acre-feet of water was delivered in District during August. Staff also provided information related to current precipitation totals and future forecasts. The current State Water Project allocation is 5% and the current B-120 forecast for Kern River runoff is estimated at 23%-25% of average for April through July.

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

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

VI. MANAGER'S REPORT

A – A(i-ii). Mr. Teglia provided a brief verbal report regarding the upcoming ACWA Fall Conference, the WAKC September 27th Water Rights Luncheon, and the WAKC November 9th Annual Meeting.

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 will be recovering previously banked MET and SBVMWD water and returning regulated water back to both agencies via exchange throughout 2022. Mr. Teglia also conveyed that based on recent discussions, the District anticipates recovering previously banked MET water and returning regulated water back to MET in 2023 as well. Mr. Teglia also provided a brief update regarding recent efforts by the Pioneer Recharge Participants to work together to update the Pioneer Recharge Plan.

VII. ATTORNEY'S REPORT

A. VAWC Legislative Update: The most recent legislative update provided by the Valley Ag Water Coalition was included in the Board packet. General Counsel Iger highlighted the status of several bills of interest, including AB 2201, which failed passage.

VIII. BOARD MEMBER COMMENTS

None.

IX. ADJOURNMENT:

There being no further business, President Palla adjourned the meeting at approximately 3:24PM.

Respectfully Submitted,

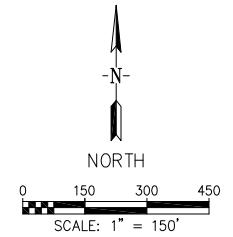
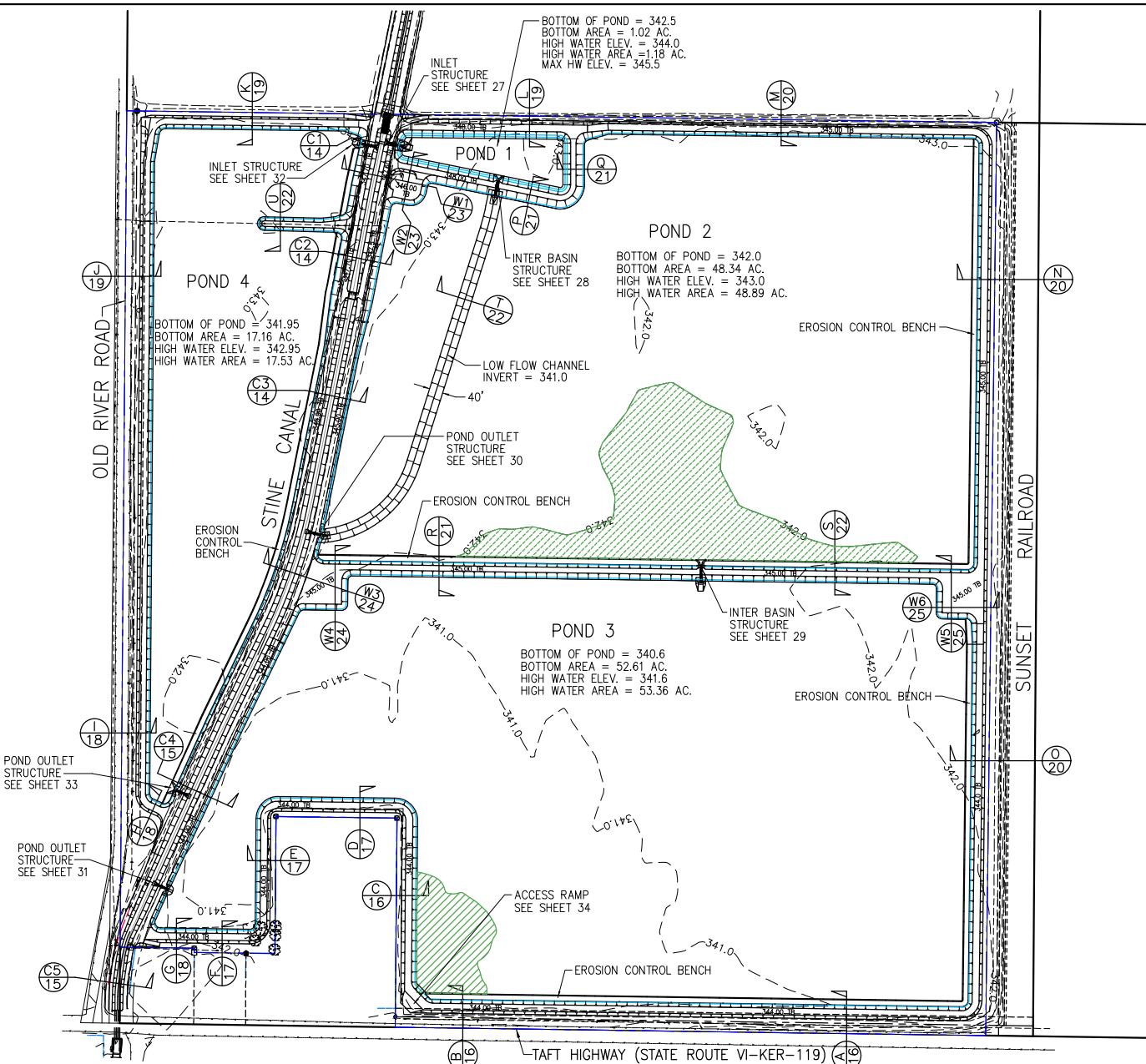


Steven Teglia, General Manager

Approved by Board,



Richard Tillema, Board Secretary



DRAWING NO. **13** of 37

ZEIDERS CONSULTING
 1655 CREELEY ROAD
 BAKERSFIELD, CA. 93314
 (661) 589-8366

KERN DELTA WATER DISTRICT
 501 TAFT HIGHWAY, BAKERSFIELD, CALIFORNIA, 93307

**KERN DELTA WATER DISTRICT
 OLD RIVER GROUNDWATER
 RECHARGE FACILITY
 INDEX TO SECTIONS**

NO.	DATE	DESCRIPTION

DATE: AUGUST 29, 2022
 SCALE: AS NOTED
 DRAWN BY: J. STONMONT
 CHECKED BY: W. ZEIDERS
 FILE NAME: OLD RIVER - BASE

100% DRAFT