



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, September 6, 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. SWRCB Kern River
 2. Rosedale Rio Bravo Water Storage District, et al. v. Kern County Water Agency, et al.

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 August 16, 2022.
- B. KCWA Update – Tom McCarthy.
- C. Authorization to Purchase a Used Dump Truck and Conversion of Existing Dump Truck to Large Capacity Spray Rig, in an amount not to exceed \$181,000:
- i. Approve Purchase of 2014 Volvo Dump Truck with 15FT Dump Box from Altavista Truck and Equipment, in an amount not to exceed \$96,461.
 - ii. Approve Purchase and Installation of Spray Equipment for Conversion of Existing Dump Truck with Spraytec Sprayer Technology, in an amount not to exceed \$83,976.75.
- III. **BOARD MEMBER COMMENTS** (This item provides Board Members with an opportunity to make announcements or provide general comments.)
- IV. **ADJOURN**

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

Tab II





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

August 16, 2022

TUESDAY, August 16, 2022, 12:05PM– 2:29PM

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: Lindsey Zimmerman – Brown Armstrong.

CLOSED SESSION DECLARED AT 12:05PM

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:05PM regarding the following agenda items:

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

1. Kern Delta Water District et.al v. Rosedale Rio Bravo Water Storage District et al. (Onyx Ranch CEQA).

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

1. One Matter.

Closed Session concluded at 12:25PM.

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

Lindsey Zimmerman with Brown Armstrong was introduced.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Mendonca/Tillema) (yes-9, no-0): By unanimous vote the Board approved and authorized items II A through II C of the Consent Calendar, including an amendment to the August 2, 2022 Regular Board Meeting Minutes as highlighted below.

- A. Approval of Minutes from the Regular Board Meeting of August 2, 2022. Director Mendonca recommended an edit to the minutes to properly capture the abstention of Director Spitzer on the vote for item IV B.
- B. Approval of the July/August District Construction and Water Banking Project(s) Disbursements.
- C. Approval of the July/August District Disbursements.

III. BUSINESS AND FINANCE

A. Business & Finance Committee – August 11, 2022: District Controller Duncan provided a report from the August Business & Finance Committee Meeting.

A(i). Review and Acceptance of 2021 Audit – Brown Armstrong: Lindsey Zimmerman, of Brown Armstrong, provided an overview of the final District financial audit report for the year ending December 31, 2021. Ms. Zimmerman conveyed no issues requiring action were identified during the course of the audit and that the District's financial statements present fairly, in all material respects, the respective financial position of the District, as of December 31, 2021.

M/S/C (Antongiovanni/Garone) (yes-9, no-0): By unanimous vote the Board accepted the 2021 Audit Report of the District's financial statements for the year ending December 31, 2021 as presented.

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

M/S/C (Antongiovanni/Tillema) (yes-9, no-0): By unanimous vote the Board approved the July 2022 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 – August 2, 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 status updates related to both the Sunset and Old River Groundwater Banking projects.

During the discussion of District maintenance activities, Director Spitzer requested staff review the potential need for some of the basins to be skimmed to improve recharge prior to potential banking periods.

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 July and early August. Approximately 14,697 acre-feet of water was delivered in District during July. 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 August 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 ACWA Fall Conference and the recently released California's Water Supply Strategy Report.

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.

VII. ATTORNEY'S REPORT

A. Review and Approval of Updated District Conflict of Interest Code: District General Counsel Iger presented the updated District Conflict of Interest Code, which is required to be updated every two years. Several minor changes were presented for approval prior to sending the updated document to the County.

M/S/C (Spitzer/Fanucchi) (yes-9, no-0): By unanimous vote the Board approved the updated District Conflict of Interest Code as presented.

B. VAWC Legislative Update: The most recent legislative update provided by the Valley Ag Water Coalition was included in the Board packet.

VIII. BOARD MEMBER COMMENTS

None.

IX. ADJOURNMENT:

There being no further business, President Palla adjourned the meeting at approximately 2:29PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven Teglia". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steven Teglia, General Manager

Approved by Board,

A handwritten signature in black ink, appearing to read "Richard Tillema". The signature is cursive and somewhat compact, with a distinct loop at the end.

Richard Tillema, Board Secretary