



## REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway  
Bakersfield, California

**TUESDAY, November 1, 2022**

### AGENDA

**CALL TO ORDER AND ANNOUNCEMENT OF QUORUM**

**12:00PM**

### **CLOSED SESSION:**

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

### **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 October 18, 2022.
  - B. Discussion Regarding Remote Monitoring of District Canal Flows.
  - C. District Investment Update.
- 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**

October 18, 2022

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**TUESDAY, October 18, 2022, 12:05PM– 2:37PM**

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: Madonna Lang.

**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 – Potential Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):
1. Two Matters.

Closed Session concluded at 12:58PM.

**REGULAR SESSION DECLARED AT 1:02PM**

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:02PM.

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

Item A: No reportable action.

**INTRODUCTION OF GUESTS AND PUBLIC**

Those listed as others present above were introduced.

**I. PUBLIC COMMENT**

None.

## **II. CONSENT CALENDAR**

M/S/C (Mendonca/Spitzer) (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 October 4, 2022.
- B. Approval of the September/October District Construction and Water Banking Project(s) Disbursements.
- C. Approval of the September/October District Disbursements.

## **III. BUSINESS AND FINANCE**

A. Business & Finance Committee – October 6, 2022 (Special) & October 13, 2022: District Controller Duncan provided a report from the October Business & Finance Committee Meetings.

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

B. Quarterly Investment Review: Staff provided a brief overview of the District's current investments, including recent Board authorized action to adjust the investment portfolio by shifting funds from the County Treasury to purchase Federal T-Bills/T-Notes. During the discussion, the Board expressed a desire to have the Business & Finance Committee develop and implement an ongoing strategy to maximize the return on the District's portfolio, while maintaining appropriate security and liquidity of the funds, consistent with the District's investment policy.

M/S/C (Fanucchi/Tillema (yes-9, no-0): By unanimous vote the Board directed the Business & Finance Committee to develop and implement an investment plan for the District's available funds.

C. Review and Approval of 2023 District Healthcare Benefit Renewal Proposal: Staff provided an overview of the renewal proposal for the District's healthcare benefit through United Ag for 2023. This presentation included a renewal proposal for the current plan structure as well as an alternative proposal which included a higher deductible, enhanced plan benefits, lower monthly premium costs, and lower total potential funding liability when combined with the District's secondary benefit plan. Staff explained that the Business & Finance Committee reviewed the proposals and recommended the Board approve the alternative plan proposal along with a 90/10 percentage split between the District and employees on the deductible coverage.

M/S/C (Antongiovanni/Garone (yes-9, no-0): By unanimous vote the Board approved the recommendation from the Business & Finance Committee to approve the alternative plan renewal proposal along with the 90/10 percentage split between the District and employees on the deductible coverage.

D. Recommendation from the Business & Finance Committee to Authorize a 2% COLA to the District Salary Schedule (Non-Management Employees Only): Earlier in the year, the Business & Finance Committee had requested staff come back in October with updated CPI information to see if inflationary trends continued or eased off. Based on the most current CPI information presented, the Committee recommended the Board approve a 2% supplementary COLA for all non-management employees.

M/S/C (Antongiovanni/Tillema (yes-9, no-0): By unanimous vote the Board approved the recommendation from the Business & Finance Committee to approve a 2% supplementary COLA for all non-management employees, as reflected in the Board approved Salary Schedule effective October 24, 2022.

E. Review and Approval of the 2023 District Budget: Staff provided a brief overview of the proposed 2023 District Budget. Following a brief discussion, the Board approved the budget as presented.

M/S/C (Antongiovanni/Kaiser (yes-9, no-0): By unanimous vote the Board approved the 2023 District Budget as presented.

#### **IV. OPERATIONS AND PROJECTS**

A. - A(i-iv). Operations and Projects Committee – October 4, 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 and Sunset Groundwater Banking projects.

B. Review and Approval of Three-Party Common Use Agreement Between Kern Delta Water District, Love's Country Stores of California, and the City of Bakersfield (Kern Island Canal – South H Street at Taft Highway): Staff presented an overview of a District required Three-Party Common Use Agreement related to the development of a Love's Country Store adjacent to the Kern Island Canal at South H Street and Taft Highway. The project will require the extension of an existing crossing of the Kern Island Canal to accommodate City roadway improvements related to the development of the project. Staff recommended approval of the agreement.

M/S/C (Spitzer/Borba) (yes-9, no-0): By unanimous vote the Board approved the Three-Party Common Use Agreement and additionally authorized the General Manager to approve any minor changes, which were deemed to be non-substantive to the District.

C. Authorization to Outfit Existing Ford F-550 Flat-Bed Truck with Spray Equipment Through Spraytec Sprayer Technology, in an amount not to exceed \$81,381.30: Staff provided a brief overview of this recommended action which will provide the District with an additional resource to combat weed growth in and along District facilities. This is in furtherance of Board direction to bolster the District's efforts toward weed eradication.

M/S/C (Mendonca/Fanucchi) (yes-9, no-0): By unanimous vote the Board authorized the outfitting of the Ford F-550 flat-bed truck with spray equipment through Spraytec Sprayer Technology, in an amount not to exceed \$81,381.30.

#### **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 September and early October. Approximately 9,499 acre-feet of water was delivered in District during September. Staff also provided information related to current precipitation totals and future forecasts.

B. - B(i). Kern River Watermaster Report: The October 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). Mr. Teglia provided a brief verbal report regarding the upcoming WAKC November 9<sup>th</sup> Annual Meeting. In addition, Mr. Teglia highlighted the completion of the 2021 District Crop Report, which was included in the Board packet.

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**

None.

## **VIII. BOARD MEMBER COMMENTS**

None.

## **IX. ADJOURNMENT:**

There being no further business, President Palla adjourned the meeting at approximately 2:37PM.

Respectfully Submitted,



Steven Teglia, General Manager

Approved by Board,



Richard Tillema, Board Secretary