



## REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway  
Bakersfield, California

**TUESDAY, March 7, 2023**

### 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. (CVC)
  - 3. Kern Delta Water District et al. v. Rosedale Rio Bravo Water Storage District et al. (Onyx Ranch CEQA).
  - 4. Rosedale Rio Bravo Water Storage District v. Buena Vista Water Storage District, et al. (Onyx Ranch Water Rights).
  - 5. Bring Back the Kern, et al. v. City of Bakersfield, et al.
  
- B. Conference with Legal Counsel – Potential Litigation – Closed Session Pursuant to Gov. Code § 54956.9(d)(2),(e)(1):
  - 1. Two 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 February 21, 2023.
  
  - B. Verbal:
    - i. WAKC Water Summit – March 24, 2023.
    - ii. Authorization for Emergency Repair/Replacement of the 13 Ditch Return to the Kern Island Canal (Amount to be Determined).
    - iii. County Road Crossing - Eastside Canal at Buena Vista Blvd.
  
- 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**

February 21, 2023

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**TUESDAY, February 21, 2023, 12:05PM– 3:07PM**

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

DIRECTORS ABSENT: Mendonca.

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

OTHERS PRESENT: None.

**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. SWRCB Kern River.
2. Rosedale Rio Bravo Water Storage District, et al. v. Kern County Water Agency, et al. (CVC).
3. Kern Delta Water District et al. v. Rosedale Rio Bravo Water Storage District et al. (Onyx Ranch CEQA).
4. Rosedale Rio Bravo Water Storage District v. Buena Vista Water Storage District, et al. (Onyx Ranch Water Rights).
5. Bring Back the Kern, et al. v. City of Bakersfield, et al.

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

1. Two Matters.

C. Conference with Real Property Negotiators Pursuant to Gov. Code Section 54956.8:

1. Potential Recharge Property
  - a. District Negotiator: Steven Teglia

Closed Session concluded at 1:21PM.

**REGULAR SESSION DECLARED AT 1:23PM**

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:23PM.

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

Item A: No reportable action.

Item B: No reportable action.

Item C: No reportable action.

## **INTRODUCTION OF GUESTS AND PUBLIC**

None.

### **I. PUBLIC COMMENT**

None.

### **II. CONSENT CALENDAR**

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

- A. Approval of Minutes from the Regular Board Meeting of February 7, 2023.
- B. Approval of the January/February District Construction and Water Banking Project(s) Disbursements.
- C. Approval of the January/February District Disbursements.

### **III. BUSINESS AND FINANCE**

A. Business & Finance Committee Report(s) – February 16, 2023: District Controller Duncan provided a report from the February Business & Finance Committee Meeting.

A(i). Approval of January 2023 Financial Reports: Mr. Duncan presented the January 2023 District and Water Banking Project(s) Financial Statements, Treasurer’s Reports, and District Delinquency Report.

M/S/C (Antongiovanni/Garone (yes-8, no-0): By unanimous vote, with Director Mendonca absent, the Board approved the January 2023 District and Water Banking Project(s) Financial Statements, Treasurer’s Reports, and Delinquency Report as presented.

B. Review and Approval of District Prepayment Policy (Recommended by the Business and Finance Committee): Based on previous direction of the Board, staff provided a brief overview of a newly drafted policy that provides the parameters for the District to accept prepayments on District accounts.

M/S/C (Antongiovanni/Fanucchi (yes-8, no-0): By unanimous vote, with Director Mendonca absent, the Board approved the District Prepayment Policy as presented.

C. Review and Approval of Amended 2023 Budget – Labor & Benefits (Recommended by the Business and Finance Committee): Due to a recent adjustment associated with the Water Resources Manager position, staff brought forward a minor budget adjustment to account for the changes.

M/S/C (Kaiser/Antongiovanni (yes-8, no-0): By unanimous vote, with Director Mendonca absent, the Board approved the Amended 2023 Budget – Labor & Benefits as presented.

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

A. - A(i-vi). Operations and Projects Committee – February 7, 2023: 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, a new temporary service for a property adjacent to the Rim Ditch, and a status update related to the Old River and Sunset Groundwater Banking projects.

#### **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 January and early February. Approximately 15,340 acre-feet of water was diverted in District during January. Staff also provided information related to current precipitation totals and future forecasts. It was also noted that the SWP allocation increased to 30%. The April through July Kern River runoff forecast, as provided in the Department of Water Resources B120 report, is currently 176% (158% for the Water Year).

B. - B(i). Kern River Watermaster Report: The February 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. Mr. Teglia provided a brief verbal report regarding the upcoming WAKC Water Summit, which will be held March 24, 2023.

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 is currently returning previously banked MWD water via exchange. The District expects this to continue pending increases to the SWP allocations.

#### **VII. ATTORNEY’S REPORT**

A. - A(i-ii). Legislative Update: General Counsel Iger provided the Board with a brief update regarding a recent Executive Order (N-3-23) issued by the Governor which amended previous drought response related orders. In addition, the VAWC Sacramento Report 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 3:07PM.

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

2023 Kern County

# WATER SUMMIT

# March 24, 2023 Mechanics Bank Theatre

Bakersfield, CA 7:30 a.m. - 2 p.m.

REGISTRATION DEADLINE  
MARCH 10, 2023  
NO TICKET SALES ON DAY OF EVENT

Presented by the Water Association of Kern County  
*A full day of discussion about California's most critical water issues*

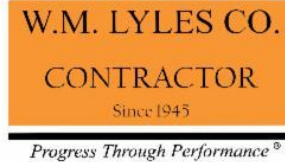
Register online at [www.wakc.com](http://www.wakc.com)

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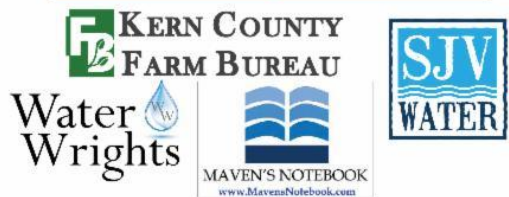
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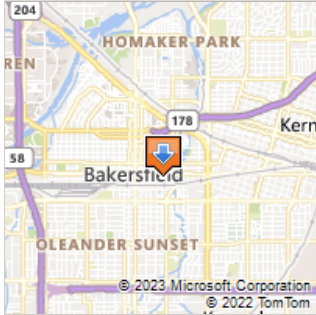
**When**

Friday, March 24, 2023 from 6:30 AM to 2:00 PM PDT

[Add to Calendar](#)

**Where**

**Mechanics Bank Theatre**  
1001 Truxtun Ave.  
Bakersfield, CA 93301



[Driving Directions](#)

**Contact**

**Jenny Holtermann**  
Water Association of Kern County  
661-746-3300  
[jenny@wakc.com](mailto:jenny@wakc.com)

# Tickets

## 2023 KERN COUNTY WATER SUMMIT TICKET REGISTRATION

**WAKC Members: \$115/ person**  
\_\_\_\_\_ of tickets x \$115= \$\_\_\_\_\_

**Non-members: \$130/ person**  
\_\_\_\_\_ of tickets x \$130= \$\_\_\_\_\_

Attendees who purchase member tickets, but are not members, will be invoiced the balance.

**Reserved Table of Eight\*: \$1,000**  
\$\_\_\_\_\_ is included  
\*logo must be emailed to be included on table

No. of Vegan Meals \_\_\_\_\_  
Company Name \_\_\_\_\_  
Contact Person \_\_\_\_\_  
Contact Phone \_\_\_\_\_  
Email \_\_\_\_\_

If purchasing more than one ticket, please add names of additional attendees

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please mail this form to Water Association of Kern County, P.O. Box 2165, Bakersfield, CA 93303. Or email to [jenny@wakc.com](mailto:jenny@wakc.com)

**Online registration preferred**  
For tickets visit  
[www.wakc.com](http://www.wakc.com)

**REGISTRATION DEADLINE**  
**MARCH 10, 2023**  
NO TICKET SALES ON DAY OF EVENT

# Agenda

**Friday March 24, 2023 6:30 a.m. - 2p.m.**

- 6:30 a.m.** Check-in/Breakfast/Vendor Showcase
- 7:30 a.m.** Opening Remarks  
Scott Thayer, President, Water Association of Kern County
- 7:45 a.m.** Federal Water & Infrastructure  
Ernest Conant, Bureau of Reclamation
- 8:00 a.m.** Kern County Outlook, how storage & availability will impact the future of Kern County  
Melissa Hurtado, State Senator  
Mike Ming, Alliance Ag Services  
Lorelei Oviatt, Kern County Planning Director  
Christine Zimmerman, WSPA
- 9:00 a.m.** Colorado River, what's coming & who will it impact  
Bill Hasencamp, Metropolitan Water District  
Peter Nelson, Colorado River Board of California
- 9:50 a.m.** Break/Vendor Showcase
- 10:20 a.m.** 100 mile circle fighting to preserve Food Security  
Jeff Aiello, American Grown Producer  
Bill Harrison, Harrison Partners  
Justin Parnagian, Fowler Packing
- 11:20 a.m.** California Water Supply Strategy  
Nancy Vogel, California Natural Resources Deputy Secretary of Water
- 12:00 p.m.** Lunch/Vendor Showcase
- 12:45 p.m.** To Build or Not to Build cost & benefit infrastructure comparison  
Ted Craddock, Deputy Director SWP  
Ellen Hanak, Public Policy Institute  
Scott Hamilton, Hamilton Resource Economics  
Rob Kunde, Member, Sites Reservoir Project Committee
- 2:00 p.m.** Opportunity Drawing/Adjournment

Speakers and topics subject to change.



Register Now!