



## REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway  
Bakersfield, California

**TUESDAY, June 6, 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. 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 May 16, 2023.
  
  - B. Administrative Projects Update:
    - i. Information Technology Enhancements.
    - ii. Customer Portal Development.
  
- 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**

May 16, 2023

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**TUESDAY, May 16, 2023, 12:06PM– 3:00PM**

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

DIRECTORS ABSENT: Borba.

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:

**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 – 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.
6. Sierra Club v. California Department of Water Resources (Delta Conveyance Project Validation).

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 1:16PM.

**REGULAR SESSION DECLARED AT 1:18PM**

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:18PM.

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 (Spitzer/Mendonca) (yes-8, no-0): By unanimous vote, with Director Borba 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 April 18, 2023.
- B. Approval of the April/May District Construction and Water Banking Project(s) Disbursements.
- C. Approval of the April/May District Disbursements.

## **III. BUSINESS AND FINANCE**

A. – A(i). Business & Finance Committee Report(s) – May 11, 2023: District Controller Duncan provided a report from the May Business & Finance Committee Meeting. Included in the report was a brief overview of the 2022 unaudited final operating results for the District.

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

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

A(iii). District Investment Update: Staff provided a brief verbal update supplementing the information included in the Board packet regarding current District investments. It was noted that, per Board direction, the Business and Finance Committee will continue to evaluate District investments and take action as appropriate to maximize returns in accordance with the District’s Investment Policy.

## **IV. OPERATIONS AND PROJECTS**

A. - A(i-iv). Operations and Projects Committee – May 2, 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, and a status update related to the Old River and Sunset Groundwater Banking projects.

B. Approval of Contract Change Order No. 1 for the Old River Basins Grading Project, adding Sixteen (16) Calendar Days and \$19,564.74 for a revised completion date of May 13, 2023 and a revised not to exceed amount of \$1,147,628.22: Staff presented this change order for the Old River Basins Grading Project, which included additional time and compensation due to weather impacts, as well as efforts to expedite the

completion of the project to take advantage of current water supplies.

M/S/C (Mendonca/Spitzer (yes-8, no-0): By unanimous vote, with Director Borba absent, the Board approved Contract Change Order No. 1 for the Old River Basins Grading Project, adding Sixteen (16) days and \$19,564.74 for a revised completion date of May 13, 2023 and a revised not to exceed amount of \$1,147,628.22 as presented.

C. Approval of Contract 2023-05 with Sierra Hydrographics for Remote Flow Monitoring at Seven (7) Locations on the Kern Island and Eastside Canals, in an amount not to exceed \$555,315.54. Staff presented the proposal for remote flow monitoring at various sites along the Kern Island and Eastside Canals, which had been reviewed and recommended for approval by the Operations and Projects Committee. This work will allow the District to expand upon a previously completed remote flow monitoring project by the City of Bakersfield. Under that previous project, the City utilized Sierra Hydrographics to install remote flow monitoring at the head of the Kern Island, Eastside, Stine and Buena Vista Canals and provided the District with access to the real-time data. This project will provide the District with additional monitoring information at several key locations on the Kern Island and Eastside Canals which will enhance District operations.

M/S/C (Fanucchi/Antongiovanni (yes-8, no-0): By unanimous vote, with Director Borba absent, the Board approved Contract 2023-05 with Sierra Hydrographics for remote flow monitoring at seven (7) locations on the Kern Island and Eastside Canals, in an amount not to exceed \$555,315.54.

## **V. WATER RESOURCES REPORT**

A. - A(i-iii). District Watermaster Report: Staff reviewed and discussed the water supplies of the District for the month of April and early May. Approximately 31,672 acre-feet of water was diverted in District during April. Staff also provided information related to current precipitation totals and future forecasts. It was also noted that the SWP allocation increased to 100%. The April through July Kern River runoff forecast, as provided in the Department of Water Resources B120 report, was 424% (368% for the Water Year).

B. - B(i). Kern River Watermaster Report: The May Kern River Watermaster Report and Isabella construction update, provided by the Army Corps of Engineers, was included in the Board packet. In addition, Mark Mulkay, the Kern River Watermaster provided a brief verbal update.

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). General Manager Teglia provided a brief verbal report regarding local SGMA activities and other District activities, including several proposed IT related upgrades.

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 as well as District banking activities.

**VII. ATTORNEY'S REPORT**

A. VAWC Legislative Update: Mr. Iger provided the Board with a brief legislative update, including a reference to the VAWC Legislative Update which was included in the Board packet.

B. 2023 District Election Update: Mr. Iger provided the Board with a brief update regarding the 2023 District election calendar.

**VIII. BOARD MEMBER COMMENTS**

**IX. ADJOURNMENT:**

There being no further business, President Palla adjourned the meeting at approximately 3:00PM.

Respectfully Submitted,



Steven Teglia, General Manager

Approved by Board,



Richard Tillema, Board Secretary