



REGULAR BOARD OF DIRECTORS MEETING

501 Taft Highway
Bakersfield, California

TUESDAY, April 2, 2024

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. Bring Back the Kern, et al. v. City of Bakersfield, 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 March 19, 2024.
- 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

March 19, 2024

TUESDAY, March 19, 2024, 12:07PM– 3:05PM

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

DIRECTORS ABSENT: Garone, and Spitzer.

STAFF PRESENT: General Manager Teglia, General Counsel Iger, Controller Duncan, Hydrographer Hyatt, and Groundwater Manager Marquez.

OTHERS PRESENT: None.

CLOSED SESSION DECLARED AT 12:07PM

President Palla called to order the Closed Session of the Kern Delta Board of Directors at 12:07PM 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. Two Matters.

Closed Session concluded at 1:08PM.

REGULAR SESSION DECLARED AT 1:13PM

President Palla called to order the Regular Session of the Kern Delta Board of Directors at 1:13PM.

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

None.

I. PUBLIC COMMENT

None.

II. CONSENT CALENDAR

M/S/C (Mendonca/Fanucchi) (yes-7, no-0): By unanimous vote, with Directors Garone and Spitzer 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 March 5, 2024.
- B. Approval of the February/March District Construction and Water Banking Project(s) Disbursements.
- C. Approval of the February/March District Disbursements.

III. BUSINESS AND FINANCE

A. Business & Finance Committee Report – March 14, 2024: District Controller Duncan provided a report from the March Business & Finance Committee Meeting.

A(i). Approval of February 2024 Financial Reports: Mr. Duncan presented the February 2024 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and District Delinquency Report.

M/S/C (Antongiovanni/Kaiser) (yes-7, no-0): By unanimous vote, with Directors Garone and Spitzer absent, the Board approved the February 2024 District and Water Banking Project(s) Financial Statements, Treasurer's Reports, and Delinquency Report as presented.

B. Approval of Resolution 2024-02 – Setting District State Water Tolls (Recommended by the Business and Finance Committee): Staff presented information regarding the results of the annual calculations associated with the setting of the District State Water Tolls for 2024. Staff reminded the Board that due to the unique nature of the 2023 water year the Board held 2023 District State Water Tolls at 2022 levels. Furthermore, State Water Tolls were not charged in 2023 due to the availability of transfer water throughout the irrigation season. Staff provided information regarding the calculation of the 2023 90% State Water Tolls for comparison purposes to the 2024 calculations. It was noted that the Business and Finance Committee recommended the Board maintain the 2024 District State Water Tolls at 2022 levels. Following a Board discussion on the information presented, the Board agreed with the committee recommendation to keep the 2024 State Water Tolls at the 2022 level, resulting in no increase to the rates over the 2022 approved rates.

M/S/C (Antongiovanni/Kaiser) (yes-7, no-0): By unanimous vote, with Directors Garone and Spitzer absent, the Board approved the 2024 District State Water Tolls, maintaining the 2022 rates.

IV. OPERATIONS AND PROJECTS

A. - A(i-iv). Operations and Projects Committee – March 5, 2024: Assistant General Manager Bellue reported on several items, including District maintenance activities, recent encroachment permit requests, pending development projects impacting District facilities, and a status update related to the Sunset

Groundwater Banking project.

B. Approval of Service Agreement with Mr. Backhoe, Inc. for Sand Removal Along a Portion of the Stine Canal, in and amount not to exceed \$93,000: Staff presented information supplementing a memo included in the Board package which highlighted the necessity to remove sand and sediment buildup from a portion of the Stine Canal (between New Stine Road and Grissom Street). Staff presented information regarding several quotes provided for the work to be completed and recommended approving a service agreement with Mr. Backhoe, Inc. for an amount not to exceed \$93,000.

M/S/C (Borba/Fanucchi) (yes-7, no-0): By unanimous vote, with Directors Garone and Spitzer absent, the Board approved the Service Agreement with Mr. Backhoe, Inc. for sand removal along a portion of the Stine Canal (between New Stine Road and Grissom Street) in an amount not to exceed \$93,000.

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 February and early March. Approximately 10,722 acre-feet of water was diverted in District during February. Staff also provided information related to current precipitation totals and future forecasts. It was noted that the State Water Project allocation for 2024 sits at 15% and the current Kern River April – July runoff forecast is 94% of average.

B. Kern River Watermaster Report: The March Kern River Watermaster Report was included in the Board packet.

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

VI. MANAGER'S REPORT

A(i-iii). Verbal & SGMA Update: Mr. Teglia provided a brief verbal report regarding several items including an update on 2024 water management activities. Mr. Teglia stated that the update to the 2024 District Employee Handbook, required due to changes in law, would be moved to the April 16, 2024 Board meeting. Mr. Teglia also provided an update regarding current SGMA activities. This included a discussion regarding basin wide coordination efforts.

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, 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 water banking project activities.

VII. ATTORNEY'S REPORT

A. Verbal: No comments.

A(i). Legislative Update: No update.

VIII. BOARD MEMBER COMMENTS

IX. ADJOURNMENT

There being no further business, President Palla adjourned the meeting at approximately 3:05PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven Teglia", written in a cursive style.

Steven Teglia, General Manager

Approved by Board,

A handwritten signature in black ink, appearing to read "Richard Tillema", written in a cursive style.

Richard Tillema, Board Secretary