

BOARD OF DIRECTORS
North Kern Water Storage District
Minutes of the Meeting of January 15, 2019

A Meeting of the Board of Directors of North Kern Water Storage District was held at the District Office, 33380 Cawelo Avenue starting at 7:00 a.m., on January 15, 2019.

President Andrew declared a quorum was present and called the meeting to order. The following Directors were present: Kevin Andrew, Winn Glende, Mike Mendes, Joel Ackerknecht and Carole Fornoff. Others present: Richard Diamond (General Manager), Ram Venkatesan (District Engineer), Fernando Rizo (O&M Superintendent), Marinelle Duarosan (Controller), Christy Castaneda (Administrative Assistant) and Erica Celedon (Accounting Clerk) of North Kern Water Storage District, Scott Kuney (District Counsel) Ron Eid (GEI – Consulting Engineer). Guests included Preston Britain (Pacific Ag), Todd Turley (Agreserves), Megan Chicoine (John Hancock), Tim Gobler (Wonderful) and Dave Dorance (Sun World).

President Andrew called the meeting to order at 7:03 a.m. and opened the floor for public comments. At this time, there was none.

(19-1) Upon motion of Director Fornoff , seconded by Director Glende and unanimously carried, to approve the minutes from the December 18, 2018 Regular Board meeting with changes.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

Watermaster – Watermaster Dana Munn reported that the Isabella remediation Phase II project mobilization has started. The Corp has reported no change in construction due to the partial federal shutdown.

Work has also started on the Borel Conduit abandonment upstream of the Auxiliary Dam with a three foot reinforced concrete plug poured in the conduit. Depending on weather conditions, the Corp indicates that absent poor weather or other unexpected events that they are close to allowing the Kern River Interest to store water in accordance with the previous restricted pool guidelines (360,000 Acft maximum).

Weather modification operations commenced in November in accordance with the three-year term contract with several storm events seeded.

Kern River Watershed Coalition Authority – General Manager Diamond stated there is no new update at this time.

Kern Groundwater Authority – President Andrew indicated that the Authority is dealing with the County’s decision to withdraw and associated SGMA coverage for undistricted white land areas.

Operations Report – O&M Superintendent Rizo reported on District operations stating that the District’s share of Isabella storage is estimated at 12,935 AF. Kern River natural inflow is averaging 110 cfs. The outflow is averaging 235 cfs. The District is averaging 275 cfs of daily ground water recharge. All District wells remain off.

CRC produced water of 14 cfs and has been moved to the 9-2 spreading due to

our Beardsley Canal maintenance shut down. Califia Farms is also pumping into the Lerdo Canal.

Financial Matters –

(19-2) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to receive and file the Treasurer’s Report for the North Kern Water Storage District for the month of December as printed.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

(RR19-3) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to receive and file the Treasurer’s Report for the Rosedale Ranch Improvement District for the month of December as printed.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

The Financial Statement, Summary of Water Sales, Deposits and the Accounts Receivable report for the month of December were reviewed and accepted as printed.

(19-4) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to approve for payment the Accounts Payable for the North Kern Water Storage District for the month of December as printed.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

(RR19-5) Upon motion of Director Glende, seconded by Director Mike and unanimously carried, to approve for payment the Accounts Payable for the Rosedale Ranch Improvement District for the month of December as printed.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

Consulting District Engineer – Consulting District Engineer Ron Eid reported:

A. High-Speed Rail Authority: Mr. Eid stated GEI is reviewing the 90% design drawings for one of the conflicts.

B. Poso Creek RWMG: There was no public meeting this month. Work continues on the Plan update. There has been an extension granted for the completion of the Plan update to June 2019.

C. Grants for Projects: The District was awarded an amount of \$750,000 for construction of replacement wells and additional well connections to the Friant –Kern Canal. Environmental work and archeological surveys are proceeding to support this award. The Bureau is currently working on drafting a contract for this award.

We have received notice that the District was awarded an amount of \$75,000 to fund the SCADA software and Land IQ ET improvements. The Bureau is currently working on drafting a contract for this award.

D. Calloway Lining: Mr. Eid stated all work was completed and a release of retention to Floyd-Johnston has been submitted to close the contract.

E. Water Delivery Improvements: Work related to well site improvements for flow meters and telemetry. GEI is providing support to ProUsys to purchase and install equipment.

Budget and Personnel Committee – No Report at this time

Engineering Committee –

(19-6) Upon motion of Director Mendes, seconded by Director Ackerknecht and unanimously carried, to approve Issuance of a standard form District License Agreement to the North Four Farms.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

(19-7) Upon motion of Director Fornoff, seconded by Director Mendes and unanimously carried, to approve Task order 19-02 with GEI Consultants for technical support of the District's expanded water banking program.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

(19-8) Upon motion of Director Fornoff, seconded by Director Mendes and unanimously carried, to approve Task order 19-01 with GEI Consultants for providing technical support to the District's general counsel.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

Groundwater Ad Hoc Committee – General Manager Diamond stated Todd Groundwater provided each District with a historical water budget for the sub basin. He also stated we should start receiving chapters of the GSP for review.

Produced Water Ad Hoc Committee – General Manager Diamond stated the District has been sending produced water to Rosedale spreading during our system shutdown, but expects to resume discharges to the Lerdo Canal after the shutdown.

Negotiating Committee –

*Due to a potential conflict of interest Director Mendes left the meeting room for the discussion of the following matter and motion;

(19-9) Upon motion of Director Ackerknecht, seconded by Director Glende and unanimously carried, to approve a letter of agreement with Wonderful Nut Orchards for District access to Sub Surface Recharge System.

(Ayes: Andrew, Fornoff, Ackerknecht & Glende, Noes: None, Absent: None, Abstain: Mendes)

Counsel of District –

(19-10) Upon motion of Director Fornoff, seconded by Director Mendes and unanimously carried, to approve resolution regarding District Director Elections.

(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

Rosedale Ranch – No Report at this Time.

General Manager's Report – No Report at This Time.

The President publicly stated that the legal authorities for holding Closed Session at today's Board Meeting are the following sections of the California Government Code:

- A. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION
(Govt. Code Section 54956.9(a))
 - (i) North Kern Water Storage District v. City of Bakersfield
(VCSC #56-2011-00408712-CU-CO-VTA)
 - (ii) Appeal of Regional Board General Order (R5-2013-0120) for Tulare Lake Basin to State Water Resources Control Board (re. Irrigated Lands Regulatory Program)
- B. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION
(Govt. Code Section 54956.9(b))
- C. PERSONNEL MATTERS
(Govt. Code Section 54957)
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Govt. Code Section 54956.8)—use of District facilities for various potential water management programs; negotiator, Richard Diamond

The above legal grounds were determined to exist based on advice of counsel, and discussion of such matters in an Open Session would cause prejudice to the District. The Board went into Closed Session at 8:05 a.m. The Board reconvened back into open session at 9:30 a.m. and it was noted no reportable actions were taken in closed session.

- (19-11) Upon motion of Director Fornoff, seconded by Director Glende and unanimously carried to adjourn the meeting at 9:30 a.m.
(Ayes: Andrew, Fornoff, Ackerknecht, Mendes & Glende, Noes: None, Absent: None, Abstain: None)

Respectfully Submitted,

Richard Diamond, General Manager

Approved by Board
February 19, 2019

Kevin Andrew, President