

BOARD OF DIRECTORS
North Kern Water Storage District
Minutes of the Meeting of May 21, 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 May 21, 2019.

President Andrew declared a quorum was present and called the meeting to order. The following Directors were present: Kevin Andrew, Winn Glende, Carole Fornoff and Joel Ackerknecht. Others present: Richard Diamond (General Manager), Ram Venkatesan (District Engineer), Fernando Rizo (O&M Superintendent), Heather Williams (Hydrographer), Christy Castaneda (Administrative Assistant) and Erica Celedon (Accounting Clerk) of North Kern Water Storage District, Scott Kuney (District Counsel), Ron Eid and Larry Rodriguez (GEI – Consulting Engineers). Guests included Lawrence O’Leary (Mottech Water Solutions), George Capello (Grimmway), Preston Britain (Pacific Resources) and Dave Dorrance (Sun World). Absent from today’s meeting was Director Mendes.

President Andrew called the meeting to order at 7:02 a.m. and opened the floor for public comments.

At this time, General Manager Diamond addressed the Board and asked to add agenda item 6D–Ken Schmidt & Associates Groundwater Modeling

(19-57) Upon motion of Director Ackerknecht, seconded by Director Fornoff and unanimously carried, to approve adding agenda item 6D – Ken Schmidt & Associates Groundwater Modeling.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)

At this time, Lawrence O’Leary of Mottech Water Solutions addressed the Board and gave a brief discussion of what they offer, i.e. SCADA for growers and water management.

(19-58) Upon motion of Director Ackerknecht, seconded by Director Fornoff and unanimously carried, to approve the minutes from the April 16, 2019 Regular Board meeting.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)

Watermaster – Mr. Munn reported that the Isabella remediation Phase II project construction and blasting continues.

The Bureau of Reclamation released the contract for repayment of the dam safety modifications for a 60 day public review process on January 2, 2019. It was completed in March without any comment. The USBR has partially signed contracts and resolutions.

The May B120 median forecast predicts 170% April – July runoff. Weather modification operations ended on April 30, 2019.

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

Kern Groundwater Authority – President Andrew stated that the Authority continues to work with the Kern County Water Agency to capture all white lands.

Operations Report – O&M Superintendent Rizo reported on District operations stating that the District’s share of Isabella storage is estimated at 76,000 AF. Kern River natural inflow is averaging 4,500 cfs. The outflow is averaging 3,200 cfs. The District Kern River demand is 950 cfs.

CRC produced water of 14 cfs has been diverted to the 9-2 spreading pond in anticipation of a possible spreading operation to Poso Creek. Califia Farms continues to pump into the Lerdo Canal.

Financial Matters –

(19-59) Upon motion of Director Glende, seconded by Director Fornoff and unanimously carried, to receive and file the Treasurer’s Report for the North Kern Water Storage District for the month of April as printed.

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

(RR19-60) Upon motion of Director Glende, seconded by Director Fornoff and unanimously carried, to receive and file the Treasurer’s Report for the Rosedale Ranch Improvement District for the month of April as printed.

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

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

(19-61) Upon motion of Director Fornoff, seconded by Director Glende and unanimously carried, to approve for payment the Accounts Payable for the North Kern Water Storage District for the month of April as printed.

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

(RR19-62) Upon motion of Director Fornoff, seconded by Director Glende and unanimously carried, to approve for payment the Accounts Payable for the Rosedale Ranch Improvement District for the month of April as printed.

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

Consulting District Engineer – Consulting District Engineer Ron Eid reported:

A. High-Speed Rail Authority: Mr. Eid mentioned GEI reviewed the 100% design plan specifications for the 9-26 canal conflict. GEI is working on an amendment with California Rail Builders to increase the reimbursable amount going forward.

B. Poso Creek RWMG: Mr. Eid stated there was no public meeting this month. Work on the Plan update continues.

C. Grants for Projects:

GEI has prepared two grant proposals to the Bureau of Reclamation. Both were due in March. These grants involve additional canal lining of the Calloway Canal, deep well instrumentation and drilling, and equipping three new wells and connecting those and other existing wells to the Friant-Kern Canal.

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 has been moving forward and archeological surveys are also completed to support this award. The Bureau is currently working on drafting a contract for this award.

We also previously 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. Water Delivery Improvements: Calloway Canal Lining portion and Well Instrumentation is completed. GEI continues to provide support to ProUsys to purchase and install equipment. The RFP Draft bid documents are out for bid.

Budget and Personnel Committee –

- (19-63) Upon motion of Director Glende, seconded by Director Ackerknecht and unanimously carried, to authorize Valley Republic Bank insured cash sweep program for the rate stabilization fund.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)

Engineering Committee –

- (19-64) Upon motion of Director Ackerknecht, seconded by Director Glende and unanimously carried, to approve the letter of agreement with the Bureau of Reclamation for preparation of a five year Warren Act contract and supporting the resolution.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)
- (19-65) Upon motion of Director Fornoff, seconded by Director Ackerknecht and unanimously carried, to approve amendment a Task Order with GEI Consultants for Environmental Compliance Support Services for the return capacity improvements project in an amount not-to-exceed \$29,200.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)
- (19-66) Upon motion of Director Glende, seconded by Director Ackerknecht and unanimously carried, to approve a Task Order with GEI Consultants for technical support to the Districts general counsel not-to-exceed \$50,000.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)
- (19-67) Upon motion of Director Glende, seconded by Director Ackerknecht and unanimously carried, to approve the proposal by Kenneth D. Schmidt and Associates in an amount not-to-exceed \$31,840.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)

Groundwater Ad Hoc Committee – General Manager Diamond stated the District should have a revised GSP draft by June 7, 2019. Staff will coordinate a Special Board Meeting on June 13, 2019 to discuss the GSP draft.

Produced Water Ad Hoc Committee – No Report at this Time

Negotiating Committee – No Report at this Time

Counsel of District –

(19-68) Upon motion of Director Ackerknecht, seconded by Director Glende and unanimously carried, to approve a CEQA Notice of Exemption for Contract Between the United States of America, North Kern Water Storage District, and Buena Vista Water Storage District Providing for the Repayment of Funds Expended for Federally Performed Isabella Dam Safety Modification Project, Contract No. 18-WC-20-5245.

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

Rosedale Ranch –

(19-69) Upon motion of Director Fornoff, seconded by Director Ackerknecht and unanimously carried, to Approve Landowner Water Banking Program Agreement with Affentranger Farms.

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

General Manager’s Report – At this time, General Manager Diamond mentioned he was working on an amended agreement with Daniel Waterhouse for use of land for groundwater recharge purposes.

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 8:55 a.m. The Board reconvened back into open session at 9:37 a.m. and it was noted no reportable actions were taken in closed session.

(19-70) Upon motion of Director Ackerknecht, seconded by Director Glende and unanimously carried to adjourn the meeting at 9:37 a.m.
(Ayes: Andrew, Ackerknecht, Fornoff & Glende, Noes: None, Absent: Mendes, Abstain: None)

Respectfully Submitted,

Richard Diamond, General Manager

Approved by Board
June 18, 2019

Kevin Andrew, President