

BOARD OF DIRECTORS
North Kern Water Storage District
Minutes of the Meeting of June 18, 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 June 18, 2019.

President Andrew declared a quorum was present and called the meeting to order. The following Directors were present: Kevin Andrew, Winn Glende and Mike Mendes. Others present: Richard Diamond (General Manager), Ram Venkatesan (District Engineer), Marinelle Duarosan (Controller), Heather Williams (Hydrographer), Christy Castaneda (Administrative Assistant) and Erica Celedon (Accounting Clerk) of North Kern Water Storage District, Allan Doud (District Counsel), Ron Eid and Larry Rodriguez (GEI – Consulting Engineers). Guests included Todd Turley (Agreserves), Dana Munn (Watermaster), Preston Britain (Pacific Resources) and Josh Camarena (Full Circle Farming). Absent from today’s meeting were Carole Fornoff and Joel Ackerknecht.

President Andrew called the meeting to order at 7:04 a.m. and opened the floor for public comments, at this time there were none.

(19-72) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to approve the minutes from the May 21, 2019 Regular Board meeting.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)

(19-73) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to approve the minutes from the June 13, 2019 Special Board meeting.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)

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

The Corps of Engineers is coordinating small tours of the Isabella project. These tours are going to take place approximately once a month.

The Contract for conservation storage in Lake Isabella is with the Bureau of Reclamation (USBR) not the Corp of Engineers. The USBR has the signed contracts and resolutions. North Kern and Buena Vista WSD legal counsel are preparing the validation actions pleadings and CEQA documentation.

The current B120 median forecast predicts 197% April – July runoff. Mr. Munn stated that for this time of year this a substantial change (increase) compared to the May 1st 170% B-120 forecast.

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. Larry Rodriguez stated they were working on finishing up the Coordination Agreement.

Operations Report – O&M Superintendent Rizo reported on District operations stating that the District’s share of Isabella storage is estimated at 72,000 AF. Kern River natural inflow and outflow are averaging 6,100 cfs and 5,100 cfs, respectively. The District Kern River demand is 1,025 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 –

(19-74) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to receive and file the Treasurer’s Report for the North Kern Water Storage District for the month of May as printed.

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

(RR19-75) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to receive and file the Treasurer’s Report for the Rosedale Ranch Improvement District for the month of May as printed.

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

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

(19-76) Upon motion of Director Mendes, 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 May as printed.

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

(RR19-77) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to approve for payment the Accounts Payable for the Rosedale Ranch Improvement District for the month of May as printed.

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

Consulting District Engineer – Consulting District Engineer Ron Eid reported:

A. High-Speed Rail Authority: Mr. Eid mentioned GEI continues working on an amendment with California Rail Builders to increase the reimbursable amount going forward. Further discussion will take place later on the agenda.

B. Poso Creek RWMG: Mr. Eid stated there was no public meeting this month. Work on the Plan update continues. They are coordinating with group members on projects that can be potentially submitted for Prop 1 funding when it becomes available.

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 bids were open at the end of May. Further discussion will take place later on the agenda.

Budget and Personnel Committee – No Report at this time

Engineering Committee –

- (19-78) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to authorize execution of easement to Pacific Gas and Electric Company.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)
- (19-79) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to approve the First amendment to Utility Agreement 1.0 with California Rail Builders for the High Speed Rail CP-4 Project.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)
- (19-80) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to approve Task Order with GEI Consultants for Engineering Support for the High Speed Rail CP-4 Project not to exceed \$80,000.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)
- (19-81) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to Authorize the General Manager to reject the Bid from A-C Electric Company and direct staff to rebid the Water Delivery Improvement project.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)
- (19-82) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to approve waiving Competitive Bidding Requirements for an emergency Project at the Calloway-CVC BNSF Railroad Crossing Location.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)
- (19-83) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to approve the automated demand response program agreement with Polaris Energy Services.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)

Groundwater Ad Hoc Committee –

- (19-84) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to approve the documents with respect to Management of White Areas for the Sustainable Groundwater Management Act (SGMA).
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)

1. Adopt the SGMA Management Agreement and authorize management to and staff to identify owners of White Land in the vicinity of North Kern and work with the owners of these Lands to enter into this agreement.
2. Authorize execution of the SGMA Jurisdiction Agreement between the Kern Groundwater Management Authority and North Kern.
3. Authorize execution of the Kern Groundwater Authority for the Tulare Lake Basin Portions of Kern County Second Amended and Restated Joint Powers Agreement.

(19-85) Upon motion of Director Glende, seconded by Director Mendes and unanimously carried, to authorize the Committee to approve the Task Order with GEI Consultants for Rosedale Ranch Improvement District Management Area Plan Development and a letter of agreement from Shafter Wasco Irrigation District that confirms their understanding.

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

*The District is waiting for a memo from Bob Hartnack on the Miller-Haggin group work.

Produced Water Ad Hoc Committee – No Report at this Time

Negotiating Committee –

(19-86) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to approve an agreement with Kern County Water Agency for Lake Isabella Dam Safety Remediation project repayment subject to non-substantive changes approved by District counsel.

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

Counsel of District – No Report at this time.

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 8:37 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.

(19-87) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried to adjourn the meeting at 9:37 a.m.
(Ayes: Andrew, Mendes & Glende, Noes: None, Absent: Ackerknecht & Fornoff, Abstain: None)

Respectfully Submitted,

Richard Diamond, General Manager

Approved by Board
July 16, 2019

Kevin Andrew, President