

BOARD OF DIRECTORS
North Kern Water Storage District
Minutes of the Meeting of July 16, 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 July 16, 2019.

President Andrew declared a quorum was present and called the meeting to order. The following Directors were present: Kevin Andrew, Carole Fornoff, Joel Ackerknecht, Winn Glende and Mike Mendes. Others present: Richard Diamond (General Manager), Marinelle Duarosan (Controller), Heather Williams (Operations Superintendent), 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: Dana Munn (Watermaster), Preston Britain (Pacific Resources) and Timothy Gobler (Wonderful).

President Andrew called the meeting to order at 7:00 a.m. and opened the floor for public comments, at this time there were none.

(19-89) Upon motion of Director Glende, seconded by Director Fornoff and unanimously carried, to approve the minutes from the June 18, 2019 Regular Board meeting.
(Ayes: Andrew, Mendes, Ackerknecht & Fornoff & Glende, Noes: None, Absent: None, Abstain: None)

(19-90) Upon motion of Director Glende, seconded by Director Fornoff and unanimously carried, to approve the minutes from the July 11, 2019 Special Board meeting.
(Ayes: Andrew, Mendes, Ackerknecht & Fornoff & Glende, Noes: None, Absent: None, Abstain: None)

(19-91) Upon motion of Director Fornoff, seconded by Director Glende and unanimously carried, to approve Resolution No. 19-91 commending Fernando Rizo for his dedication and loyal service to the District .
(Ayes: Andrew, Mendes, Ackerknecht & Fornoff & Glende, Noes: None, Absent: None, Abstain: None)

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

The Corps of Engineers continues to provide 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. USBR has the signed contracts and resolutions. North Kern and Buena Vista WSD legal counsel are working on the necessary court validation action and posted a public notice in the Bakersfield Californian on June 22.

The current B120 median forecast predicts 197% April – July runoff. The inflow peaked at 6,701 CFS on June 14 and Isabella storage peaked at 349,447 acft on June 27.

Operations Report – Operations Superintendent Williams 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 2,800 cfs and 3,400 cfs, respectively.

The District Kern River demand is 785 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 –

- (19-92) 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 June as printed.

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

- (RR19-93) 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 June as printed.

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

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

- (19-94) Upon motion of Director Mendes, seconded by Director Ackerknecht and unanimously carried, to approve for payment the Accounts Payable for the North Kern Water Storage District for the month of June as printed.

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

- (RR19-95) 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 June as printed.

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

Consulting District Engineer – Consulting District Engineer Ron Eid reported:

- A. High-Speed Rail Authority: Mr. Eid stated HSR activity was limited to review of the 60% design drawings and specs for the 9-22 canal conflict. GEI will work on the preparation of the reimbursement requests to California Rail Builders.
- B. Poso Creek RWMG: Mr. Eid stated there was a public meeting this month. Work on the Plan update continues. DWR had a workshop at the end of June in preparation for submittal of grant proposals for Prop 1 late this summer. There will be a presentation of a group of six projects on behalf of regional water management group this will be discussed later on the agenda.
- 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 has been moving forward and archeological surveys are also completed to support this award. The Bureau continues 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 continues working on drafting a contract for this award.

The 2019 NKWSD Return Capacity Improvements for the WaterSMART Project for drought responses and drought resiliency grant was not awarded to the District.

- D. Water Delivery Improvements: The one bid received for the Well Instrumentation project was previously rejected and changes have been made to the specifications and the project will be rebid in late August to solicit more competition.

Budget and Personnel Committee – No Report at this time

Engineering Committee –

- (19-96) Upon motion of Director Ackerknecht, seconded by Director Mendes and unanimously carried, to approve Task Order 19-09 for bid phase and grant administration support for Phase II of the Water Delivery Improvement Project for a budget not-to-exceed \$25,000.
(Ayes: Andrew, Mendes, Ackerknecht & Fornoff & Glende, Noes: None, Absent: None, Abstain: None)

- (19-97) Upon motion of Director Mendes, seconded by Director Glende and unanimously carried, to approve Task Order 19-08 for submitting Grant Application with the Department of Water Resources to continue concrete lining the Calloway Canal and implement Phase 3 of the Water Delivery Improvements project for a budget not-to-exceed \$25,000.
(Ayes: Andrew, Mendes, Ackerknecht & Fornoff & Glende, Noes: None, Absent: None, Abstain: None)

Groundwater Ad Hoc Committee –

General Manager Diamond gave a brief status update.

Consulting Engineer Rodriguez stated that GEI is working on the water budget. Mr. Rodriguez also mentioned they are working with Todd Groundwater on the groundwater modeling. He further stated GEI is hoping to have an internal administrative draft of the Umbrella GSP to the KGA by the end of July. They are also looking into compiling the entire document which will include the Umbrella GSP and Chapters for public review by the August 28, 2019 KGA Board Meeting.

Produced Water Ad Hoc Committee – No Report at this Time

Negotiating Committee – No Report at this Time

Counsel of District – No Report at this Time.

Rosedale Ranch – General Manager Diamond stated he is working with GEI on the GSP for the RRID Management Area.

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 9:10 a.m. and it was noted no reportable actions were taken in closed session.

(19-98) Upon motion of Director Fornoff, seconded by Director Glende and unanimously carried to adjourn the meeting at 9:10 a.m.
(Ayes: Andrew, Mendes, Ackerknecht & Fornoff & Glende, Noes: None, Absent: None, Abstain: None)

Respectfully Submitted,

Richard Diamond, General Manager

Approved by Board
August 20, 2019

Kevin Andrew, President