

WEST KERN WATER DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING

Minutes - Board of Directors
Tuesday, April 25, 2023

800 Kern Street
Taft, California

Directors Present: *Barry M. Jameson*
 Scott Niblett
 David A. Wells
 Gary J. Morris
 Bo Bravo

Ex-Officio Officer: *Greg A. Hammett, General Manager/Secretary*

District Counsel: *Alex Dominguez*

Recording Secretary: *Deann Crabtree*

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL/DETERMINATION OF A QUORUM

President, Barry M. Jameson called the meeting to order at 5:30p.m. Administrative Assistant, Deann Crabtree called roll and noted that President Jameson, Vice President Niblett, Director Wells, Director Morris and Director Bravo were present.

IV. CONFLICT OF INTEREST STATEMENTS

No conflicts to report.

V. PUBLIC COMMENT

No comments to report.

VI. APPROVAL OF THE AGENDA

*Upon Motion by Director Wells, Seconded
By Director Niblett and Carried Unanimously
With 5 Ayes, 0 Noes
To approve the April 25, 2023
Regular Board Meeting Agenda.*

VII. DISCUSSION AND APPROPRIATE ACTION REGARDING:
APPROVAL OF MINUTES

A. March 28, 2023 Regular Board Meeting

*Upon Motion by Director Bravo, Seconded
By Director Niblett Carried Unanimously
With 5 Ayes, 0 Noes
To approve the Minutes of the
March 28, 2023 Regular Board Meeting.*

VIII. APPROVAL OF CONSENT AGENDA

IX. CONSENT AGENDA ITEMS

- i. Discussion and Appropriate Action Regarding:
Training Report**

RECOMMENDATION: Information Only.

- ii. Discussion and Appropriate Action Regarding:
South Taft Water System Improvements, Phase 3 & 4
Pre-Application with the County of Kern, Community
& Economic Development Department for a Community
Development Block Grant**

RECOMMENDATION: Information Only.

- iii. Discussion and Appropriate Action Regarding:
Operations Department Review**

RECOMMENDATION: Information Only.

- iv. Discussion and Appropriate Action Regarding:
Cash Flow March, 2022**

- v. Discussion and Appropriate Action Regarding:
Capital Improvement Budget Comparison and Equipment
Procurement**

RECOMMENDATION: Information Only.

- vi. Discussion and Appropriate Action Regarding:
Safety Meeting and Project Report**

RECOMMENDATION: Information Only.

- vii. Discussion and Appropriate Action Regarding:
Position Vacancies - Status Report**

RECOMMENDATION: Information Only.

X. DISCUSSION & APPROVAL OF ITEMS PULLED FROM CONSENT AGENDA

President Jameson noted no items were pulled for further discussion.

*Upon Motion by Director Morris, Seconded
By Director Bravo Carried Unanimously
With 5 Ayes, 0 Noes
To approve Consent Items i-vii of the
April 28, 2023 Board Agenda.*

XI. COMMITTEE REPORTS

**A. WATER RESOURCES COMMITTEE
(Wells, Bravo)**

1. Water Supply Report

Regulatory Administrator, Wendy Adams-Rosenberger reviewed the current Water Supply Report with Directors and staff.

**2. Discussion and Appropriate Action Regarding:
General Manager Water Report**

General Manager, Greg A. Hammett reviewed the Northern Sierra Precipitation report, state reservoir conditions, snowpack and various hydrology reports with the board, The General Manager also reported the Delta Conveyance Project; the proposed River Recharge Project and availability of Article 21 water. Finally, the General Manager reported that the District will receive 100% of the State Water Project allocation with the Board of Directors.

**B. ADMINISTRATION COMMITTEE
(Jameson, Bravo)**

- 1. Discussion and Appropriate Action Regarding:
Revision to Rules and Regulations Rule No. 13 –
Temporary and Short-Term Industrial Service:**
- A. Establishment of Temporary Service –
Section 1. Installation Fee – Non-Refundable**
 - B. Addition of Establishment of a Short-Term Industrial Agreement –
Sections 1 – 5**
 - C. Change to Permanent Status – Water Supply**

HR Administrator, Tami Sivils reported at last month's Regular Board Meeting, the Board approved a Short-Term Agreement #17 with Guinn Construction and revisions to the District's Standard Short-Term Industrial Agreement form, pending Legal approval. Staff and Legal Counsel discussed the provisions and appropriate rates and fees for short term industrial projects and determined that revisions to Rule No. 13 would be required to verify the appropriate rates and fees applicable to short-term industrial projects requiring a larger water supply of 1 Acre Foot (AF) or greater for a period not to exceed 3 years.

Given that the District's water supplies are no longer fully subscribed to existing customers and long term (permanent) water supplies, the water will be purchased directly from the District at the appropriate rate (based on market value of water) and delivered to the customer within its Service Area at the rate established – Schedule No. WD (Water Purchases).

*Upon Motion by Director Niblett, Seconded
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve proposed revisions of the Rules &
Regulations – Rule No. 13. Temporary and
Short-Term Industrial Service, Sections A, B, & C.*

2. **Discussion and Appropriate Action Regarding:
Resolution 23-03 Initiating Stage 1 of the
West Kern Water District Water Shortage Response
Plan and Rescinding Resolution 22-02**

General Manager, Greg A. Hammett reported on March 24, 2023, the Governor rescinded his March 2022 Executive order N-7-22 requiring Urban Water Suppliers to activate, at minimum Level 2 of their Water Shortage Response plan. On March 24, 2023, the Governor issued Executive Order N-5-23 terminating the provision in Executive Order N-7-22 requiring Urban Water Suppliers to activate Level 2, or higher, of their Water Shortage Response Plan. Resolution No. 23-03 will end Water Shortage Response Plan Level 2 and portions of Level 3 in the District and initiate Level 1 Water Shortage Conservation measures.

*Upon Motion by Director Morris, Seconded
By Director Wells and Carried Unanimously
By a Roll Call Vote
With 5 Ayes, 0 Noes
To Adopt Resolution No. 23-03 Resolution of The Board of
Directors of West Kern Water District Initiating Level 1 of
The West Kern Water District Water Shortage Response Plan
Rescinding Resolution 22-02.*

C. **FACILITIES COMMITTEE
(Jameson, Niblett)**

1. **Discussion and Appropriate Action Regarding:
Well NW3 Rehabilitation, Job #22-6202**

Production Administrator, John Stuntebeck reported Bakersfield Well & Pump (BWP) completed treatment, installation of the 12” stainless steel (SS) liner and well development on Well NW3 in March 2023. Additionally, BWP provided the District with an estimate for a new water lube pump, SS couplings, retainers, and labor to clean and straighten existing SS shafts. BWP will be able to reuse NW3’s discharge head, SS shafts, and motor.

*Upon Motion by Director Niblett, Seconded
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve A. Approve Progress Payment #4 & #5 the total
amount of \$308,544.00 less 5% retention of \$15,427.20 for a
total payment of \$293,116.80. B. Approve Change Order #4 for a
new water lube pump and stainless-steel shafts, couplings, and
retainers, in the amount of \$78,824.00 increasing the contract
amount from \$410,594.00 to \$489,418.00.*

2. **Discussion and Appropriate Action Regarding:
Flood Control Works**

General Manager, Greg A. Hammett reported the District was notified in early April that flooding could occur in and/or around our lowest South Well Field facilities nearest to the Kern River. Due to this notification a need for emergency action was required to raise the levee road adjacent to said facilities by approximately three feet. Staff obtained a proposal from Guinn Construction to perform the emergency work.

*Upon Motion by Director Niblett, Seconded
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Execute a Time & Materials Public Work
Contract with Guinn Construction effective date,
April 24, 2023, for emergency construction of levee
road to protect District facilities in South Well
Field from potential flooding, in a not to exceed
amount of \$129,220.00.*

D. **FINANCE COMMITTEE
(Morris, Niblett)**

1. **Discussion and Appropriate Action Regarding:
Accounts Payable for April 2023**

Director of Finance, Sunny Kapoor presented the accounts payable report for April, 2023.

*Upon Motion by Director Bravo, Seconded.
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Expenditure for the April 2023
Bills When Funds are Available.*

2. **Discussion and Appropriate Action Regarding:
Cash Flow for February**

Director of Finance, Sunny Kapoor discussed the cash flow reports for February, 2023 noting the District was in good financial standing.

E. **PERSONNEL COMMITTEE
(Wells, Morris)**

No items to discuss.

XII. **INFORMATION ITEMS**

No items to report.

XII. **ISSUES OF CONCERN**

A. May 2023 Meeting Calendar

Directors approved the May 2023 Calendar.

B. Potential Issues to be Addressed at Next Board Meeting

No items to report.

C. Board of Director Announcements or Reports

No items to report.

D. General Manager's Report

No items to report.

E. Management Staff Report

Production Administrator, John Stuntebeck complimented District staff on how everyone is doing a great in working together as a team on various water related issues.

F. Kern Ground Water Authority Issues

General Manager, Greg A. Hammett gave a brief report on Kern Ground Water Authority issues.

G. Attorney Report

No items to report.

XIV. CLOSED SESSION

1. Discussion and Appropriate Action Regarding:
Government Code, § 54956.9(d)(1)
Conference with Legal Counsel
Existing Litigation: 3 Cases
 - A. Rosedale-Rio Bravo WSD et al. v. KCWA et. al.;
Kern county Superior Court Case No. BCV-21-10418
 - B. Kern Water Bank Authority vs. Kern Local Agency Formation Commission
Kern County Superior Court Case No. BCV-21-101310
 - C. Kern Water Bank Authority, et al. v. Buena Vista Water Storage District, et al.; Kern County Superior Court, Case No. BCV-22-101227-KCT
2. Discussion and Appropriate Action Regarding:
Government Code, § 54956.9(d)(2)
Conference with Legal Counsel
Potential Litigation: 3 Cases

3. Discussion and Appropriate Action Regarding:
Government Code, § 54957.6
Conference with Labor Negotiator
Agency Negotiator: Greg A. Hammett, General Manager
Employee Organizations: UFCW 8 - Golden State

Directors moved into Closed Session at 6:45 p.m. The meeting reconvened at 6:59 p.m.

President Jameson reported that no reportable action was taken in Closed Session.

XV. ADJOURNMENT

The meeting adjourned at 6:59 p.m.

May 23, 2023

Date Approved



Greg A. Hammett,
Secretary of the Board of Directors of
WEST KERN WATER DISTRICT

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