

WEST KERN WATER DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING

Minutes – Board of Directors
Tuesday, July 25, 2023

800 Kern Street
Taft, California

*Directors Present: David A. Wells
Gary J. Morris
Bo Bravo*

*Directors Absent: Barry M. Jameson
Scott Niblett*

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

District Counsel: Alex Dominguez

Recording Secretary: Deann Crabtree

*Staff in Attendance: Sunny Kapoor, Tami Sivils, Wendy Adams-Rosenberger,
Wayne White, John Stuntebeck, Zak Crabb, Troy Turley,
Mike Law*

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL/DETERMINATION OF A QUORUM

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

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 Morris, Seconded
By Director Bravo and Carried Unanimously
With 3 Ayes, 0 Noes
To approve the July 25, 2023
Regular Board Meeting Agenda.*

**VII. DISCUSSION AND APPROPRIATE ACTION REGARDING:
APPROVAL OF MINUTES**

A. June 27, 2023 Regular Board Meeting

*Upon Motion by Director Bravo, Seconded
By Director Morris Carried Unanimously
With 3 Ayes, 0 Noes
To approve the Minutes of the
June 27, 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:
Operations Department Review**

RECOMMENDATION: Information Only.

**iii. Discussion and Appropriate Action Regarding:
Cash Flow June, 2023**

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

RECOMMENDATION: Information Only.

**v. Discussion and Appropriate Action Regarding:
Safety Meeting and Projects Report**

RECOMMENDATION: Information Only.

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

RECOMMENDATION: Information Only.

X. DISCUSSION & APPROVAL OF ITEMS PULLED FROM CONSENT AGENDA

Director Wells noted no items were pulled for further discussion.

*Upon Motion by Director Morris, Seconded
By Director Bravo Carried Unanimously
With 3 Ayes, 0 Noes
To approve Consent Items i-vi of the
July 25, 2023 Board Agenda.*

XI. COMMITTEE REPORTS

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

1. **Discussion and Appropriate Action Regarding:
Water Supply Report**

Regulatory Administrator, Wendy Adams-Rosenberger reviewed the current Water Supply Report with Directors and staff and gave a slide show presentation on the North Well ponds.

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, availability of Article 21 water and the 2023 State Water allocation is 100%.

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

1. **Discussion and Appropriate Action Regarding:
Policy Review - Directors Manuel**

HR Administrator, Tami Sivils reported that review and update to Section 8 - Liability and Claims and Appendix J and Resolution No. 08-02, of the Board of Directors Manual has been completed. The recommended revisions are attached for Board review.

*Upon Motion by Director Bravo, Seconded
By Director Morris and Carried Unanimously
With 3 Ayes, 0 Noes
To Approve Section 8 - Liability and Claims and
Appendix J and Resolution No. 08-02.*

2. **Discussion and Appropriate Action Regarding:
Retaining Woodward & Curran To Provide Continued
Basin-Wide Coordination and Technical Support During
The State Board Probationary Process: And Prepare 2023
Annual Report for the West Kern- GSA**

General Manager, Greg A. Hammett reported on March 2, 2023, the Department of Water Resources (DWR) issues an Inadequate determination of the Revised 2020 Groundwater Sustainability Plans submitted for the Kern Subbasin. As a result, primary jurisdiction over

the Kern Subbasin shifts to the State Water Resources Control Board (State Board) which may designate the basin probationary under SGMA. The State Board scheduled a probationary hearing for the Kern Subbasin on April 2024. Regardless of plan status, GSAs remain obligated to collect data and submit annual reports all while working, in a coordinated fashion, to address plan deficiencies identified by DWR. Woodard & Curran has provided Groundwater Sustainability Plan (GSP) and other Sustainable Groundwater Management Act (SGMA) related support to the West Kern-GSA since 2018 and provided the attached proposal to provide GSP support through 2024.

***Upon Motion by Director Morris, Seconded
By Director Bravo and Carried Unanimously
With 3 Ayes, 0 Noes
To Authorize retaining Woodard & Curran to
provide continued Basin-wide coordination
and technical support during the State Board
Probationary process; and prepare 2023 Annual
Report for the West Kern GSA for a cost not to
exceed \$98,420.00.***

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

**1. Discussion and Appropriate Action Regarding:
Maricopa Heights Tank #24 Interior/Exterior Recoat,
Repairs and Retrofit, Job #23-3101**

Operations and Engineering Administrator, Troy Turley reported District Staff received Progress Payment #1 in the amount of \$164,823.00 covering cost through July 1, 2023. Two (2) inches of oil sand compacted to 90% has been installed under the entire tank floor consisting of new ¼" A36 steel floor plates, which includes the annular space (24" from tank shell and 2" from exterior tank shell), primary floor plates, and new ½" base plate at center column were installed in accordance with AWWA and API guidelines for welded steel tanks. A Dye penetrant testing was performed on the annular ring to shell welds for 100% of the tank's circumference on July 7, 2023, with all weld tests passing. New gussets have been installed at the center column baseplate interface weld. All primary floor plate weld testing was successfully vacuum tested and witnessed by District Staff and Curtis Skaggs of Dee Jasper and Associates (DJA) on July 13, 2023. All work on floor replacement was completed on July 14, 2023, and was performed under the inspection of DJA. District Staff and Curtis Skaggs of DJA, are recommending acceptance of the work as complete. The final invoice in the amount of \$92,946.00 has been received for processing.

***Upon Motion by Director Morris, Seconded
By Director Bravo and Carried Unanimously
With 3 Ayes, 0 Noes
To A. Approve Pay Request #1 in the amount of \$164,823.00 less 5%
retention of \$8,241.15 for a total progress payment of \$156,581.85.
B. Approve final invoice in the amount of \$92,946.00, minus 5%
retention of \$4,647.30, for a total of \$88,298.70 and issuing a Notice of
Completion with the County Recorder's Office.***

2. **Discussion and Appropriate Action Regarding:
Retaining West Yost to prepare and application for
funding from the United States Bureau of Reclamation
Drought Resiliency Grant Program.**

General Manager, Greg A. Hammett reported the United States Bureau of Reclamation (USBR) Drought Resiliency Grant Program (DRGP) will provide funding for projects that build long-term resiliency to drought by increasing reliability of water supplies and improved water management. Given the on-going issues with wells 1 & 3 in the north project, this may be an opportunity to leverage grants funds to replace the damaged and/or poor performing wells with wells completed in the deeper aquifer. Historically, the DRGP has required 50% matching funds from the successful applicant, however, similar programs have reduced that match requirement for disadvantage communities. Specifics about the 2023 DRGP should be available before August 1, 2023. It is presumed that applications will be due in late September 2023. Staff requested a proposal (attached) from West Yost to prepare a grant application for funding to drill two new production wells.

*Upon Motion by Director Bravo, Seconded
By Director Morris and Carried Unanimously
With 3 Ayes, 0 Noes
To Authorize retaining West Yost, for an amount not-to-exceed
\$38,302.00, to prepare a grant application for funding from the United
States Bureau of Reclamation Drought Resiliency Grant Program.*

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

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

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

*Upon Motion by Director Morris, Seconded.
By Director Bravo and Carried Unanimously
With 3 Ayes, 0 Noes
To Approve Expenditure for the July 2023
Bills When Funds are Available.*

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

No items to discuss.

XII. **INFORMATION ITEMS**

No items to discuss.

XII. **ISSUES OF CONCERN**

A. **August 2023 Meeting Calendar**

Directors approved the August 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

General Manger, Greg Hammett reported Sunny Kapoor, Wendy Adam-Rosenberger and himself attended a WAKC Event featuring the Kern River Water Master and noted it was very informative. T & D Supervisor, Zak Crabb reported District Staff are finishing up on the South Taft Project and will be resuming the AMR project.

E. Management Staff Report

No items to report.

F. Kern Ground Water Authority Issues

General Manager, Greg A. Hammett and Legal Counsel gave a brief report on Kern Ground Water Authority issues and basin collaboration.

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: 1 Case

Directors moved into Closed Session at 6:10 p.m. The meeting was reconvened at 6:35 p.m.

Director Wells reported no reportable action was taken in Closed Session.

XV. ADJOURNMENT

The meeting adjourned at 6:35 p.m.

August 22, 2023

Date Approved



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

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