

WEST KERN WATER DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING

Minutes – Board of Directors
Tuesday, March 28, 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 March 28, 2023
Regular Board Meeting Agenda.*

VII. DISCUSSION AND APPROPRIATE ACTION REGARDING:
APPROVAL OF MINUTES

A. February 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
February 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:
Operations Department Review**

RECOMMENDATION: Information Only.

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

RECOMMENDATION: Information Only.

- iv. Discussion and Appropriate Action Regarding:
Update on Implementation of Infectious Disease
Control Policy and Business Continuity during
COVID-19 Pandemic**

RECOMMENDATION: Information Only.

- v. Discussion and Appropriate Action Regarding:
Safety Meeting and Project 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

President Jameson noted no items were pulled for further discussion.

*Upon Motion by Director Niblett, Seconded
By Director Bravo Carried Unanimously
With 5 Ayes, 0 Noes
To approve Consent Items i-vi of the
March 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 and showed pictures of a sand plug repair.

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, Delta Conveyance Project's EIR and proposed River Recharge Project and discussed Article 21 water with the Board of Directors.

B. ADMINISTRATION COMMITTEE (Jameson, Bravo)

1. Discussion and Appropriate Action Regarding: Directors Manual

HR Administrator, Tami Sivils reported that Directors requested the Board of Directors Manual and Appendices be provided to the Directors in an electronic format.

While reviewing the BOD Manual, it was determined that it had not been reviewed or updated for some time and that it would be more efficient to review and update the Manual while converting it to electronic format.

A review and update of the Board of Directors Manual was last conducted during 2008 and approval of all the changes was made in July of 2009.

The Administration Committee reviewed Section 5 - Finance and it's Appendices E, F & G of the Board of Directors Manual.

*Upon Motion by Director Wells, Seconded
By Director Morris and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Section 5 - Finance and Appendices
E, F & G of the Board of Directors Manual.*

2. Discussion and Appropriate Action Regarding: Revisions to the District's Coronavirus Protection Program as an Appendix to the Injury Illness Protection Program

HR Administrator, Tami Sivils reported at last month's Board meeting, language referencing the District's CPP as procedures to control employee's exposures to COVID-19 in the workplace was added to the District's IIPP, as required by the Non-Emergency

COVID-19 regulation. Staff and Legal Counsel have completed all updates to the CPP based on the revised regulation and updated COVID-19 Guidance from the State Public Health Officer orders. A copy of the revision will be provided to the Board upon completion of legal counsel review.

*Upon Motion by Director Niblett, Seconded
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve the Revised CPP as an appendix
to the District's IIPP.*

C. FACILITIES COMMITTEE
(Jameson, Niblett)

1. **Discussion and Appropriate Action Regarding:
Reroof and New AC Install Eastside Office Building
Birks Air Conditioning - Notice of Completion
and Final Payment, Job #22-9000**

Assistant to the Director of Operations, Taylor Miller reported Birks Air Conditioning (BAC) began work on February 1, 2022. The scope of work included: demo and dispose of existing AC Units, purchase, and install new AC Units for east and west office building, complete ducting and returns. Completion of work and final inspection was performed on February 11, 2023.

*Upon Motion by Director Morris, Seconded
By Director Bravo and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve payment of final invoice in the total amount of
\$10,224.07 and issuing a Notice of Completion with the County
Recorder's Office.*

2. **Discussion and Appropriate Action Regarding:
Proposal from Bakersfield Well and Pump for WKWD
Monitoring Well Work Under the Round 1 SGM
Implementation Grant for the Kern County Subbasin**

General Manager, Greg A. Hammett reported the Kern Subbasin, under the Kern Groundwater Authority (KGA), as the applicant, was awarded \$7.6 million in Proposition 68 (SGM Implementation) grant funds from the Department of Water Resources (DWR). A portion of those funds are available for monitoring well network improvements. WKWD was approved to receive funding to remove existing equipment and the video log of three (3) existing wells (i.e., Two Ag wells on North Project and Well 7-01 in the South Well Field) with the intent to convert the wells to groundwater monitoring wells. Bakersfield Well and Pump has provided a proposal to remove and transport the existing equipment for a cost not to exceed \$41,100.00. These costs will be submitted for reimbursement under the grant by West Kern.

*Upon Motion by Director Bravo, Seconded
By Director Niblett and Carried Unanimously
With 5 Ayes, 0 Noes
To Retain Bakersfield Well and Pump for the WKWD Monitoring
Well Work Under the Round 1 SGM Implementation Grant for the
Kern County Subbasin for a cost not to exceed \$41,100.00.*

3. **Discussion and Appropriate Action Regarding:
Proposal from Provost & Pritchard for WKWD
Monitoring Well Work Under the Round 1 SGM
Implementation Grant for the Kern County Subbasin**

General Manager, Greg A. Hammett reported the Kern Subbasin, under the Kern Groundwater Authority (KGA), as the applicant, was awarded \$7.6 million in Proposition 68 (SGM Implementation) grant funds from the Department of Water Resources (DWR). A portion of those funds are available for monitoring well network improvements. WKWD was approved to receive funding to remove existing equipment and the video log of three (3) existing wells (i.e., Two Ag wells on North Project and Well 7-01 in the South Well Field) with the intent to convert the wells to groundwater monitoring wells. Provost & Pritchard has provided a proposal (attached) for assistance with this work for a cost not to exceed \$14,000.00. P&P's scope generally consists of the following tasks: video logging wells, report preparation, and project management. Work will be authorized by Task Order under the Master Services agreement with Provost & Pritchard. Equipment removal will be performed under a separate contract between West Kern and a well contractor. Those costs will be submitted for reimbursement under the grant by West Kern.

*Upon Motion by Director Morris, Seconded
By Director Niblett and Carried Unanimously
With 5 Ayes, 0 Noes
To Retain Provost & Pritchard for WKWD Monitoring Well Work
Under the Round 1 SGM Implementation Grant for the Kern
County Subbasin for a cost not to exceed \$14,000.00.*

4. **Discussion and Appropriate Action Regarding:
Revision to Standard Short Term Industrial District Agreement Form
Guinn Construction – Request to Enter into
Short Term Industrial District Agreement #17**

General Manager, Greg A. Hammett reported Guinn Construction requested a 3" temporary service connection and 13-acre feet of water to supply water to their upcoming Taft Landfill Project. Guinn will be submitting payment for the water purchase and service connections fees. Guinn is prepared to enter into Short Term Agreement #17 for 13-acre feet with a six (6) month term. Additionally, the Standard Short Term Industrial Agreement will need to be revised and updated prior to execution. Legal Counsel is currently reviewing the agreement.

*Upon Motion by Director Bravo, Seconded
By Director Niblett and Carried Unanimously
With 5 Ayes, 0 Noes
To A. Approve revisions to District's Standard Short Term
Industrial District Agreement form, pending Legal approval.*

B. Approve Short Term Industrial District Agreement #17 with Guinn Construction for a purchased water supply of 13-acre feet, and a term of six (6) months at a maximum delivery rate of 83 gpm in Section 36, T31S/R23E. Meter is located .60 miles south of Taft Landfill near Elk Hills Road.

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

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

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

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

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

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. April 2023 Meeting Calendar

Directors approved the April 2023 Calendar.

B. Potential Issues to be Addressed at Next Board Meeting

No items to report.

C. Board of Director Announcements or Reports

Director Scott Niblett reported he enjoyed the Water Association Water Summit presentation the District attended.

D. General Manager's Report

General Manager, Greg A. Hammett informed the Board of the passing of Tom Ryan a former District employee and friend noting his condolences to the family.

E. Management Staff Report

Operations and Engineering Administrator, Troy Turley complimented the T&D Department on the great job they did with the road work for the Maricopa Heights Tank project.

F. Kern Ground Water Authority Issues

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

G. Attorney Report

Legal Counsel Alex Dominguez, discussed proposed legislation including AB460, AB 1337 and SB 389.

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: 2 Cases
3. Discussion and Appropriate Action Regarding:
Government Code, § 54957.6
Conference with Labor Negotiator
Agency Negotiator: Greg A. Hammett, General Manager
Employee Organizations: A. 1 Represented Position
B. UFCW 8 - Golden State

Directors moved into Closed Session at 6:30 p.m. The meeting reconvened at 6:57 p.m.

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

XV. ADJOURNMENT

The meeting adjourned at 6:57 p.m.

April 25, 2023

Date Approved



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

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