

WEST KERN WATER DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING

Minutes – Board of Directors
Tuesday, October 24, 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*

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

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL/DETERMINATION OF A QUORUM

President Barry M. Jameson called the meeting to order at 5:30 p.m. Administrative Assistant, Deann Crabtree called roll and noted that President Jameson, Vice President Scott 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 Bravo, Seconded
By Director Niblett and Carried Unanimously
With 5 Ayes, 0 Noes
To approve the October 24, 2023
Regular Board Meeting Agenda.

VII. DISCUSSION AND APPROPRIATE ACTION REGARDING:

APPROVAL OF MINUTES

A. September 26, 2023 Regular Board Meeting

*Upon Motion by Director Wells, Seconded
By Director Morris Carried Unanimously
With 5 Ayes, 0 Noes
To approve the Minutes of the
September 26, 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 September 2023

RECOMMENDATION: Information Only.

- 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.

X. DISCUSSION & APPROVAL OF ITEMS PULLED FROM CONSENT AGENDA

President Barry M. Jameson noted no items were pulled for further discussion.

*Upon Motion by Director Niblett, Seconded
By Director Wells Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Consent Items i-v of the
October 24, 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.

**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 and SWP Operations.

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

**1. Discussion and Appropriate Action Regarding:
Resolution No. 23-05 West Kern Water District Authorizing the General
Manager, Or Designee, To Apply For, Receive, And Enter into A Cooperative
Agreement, And Administer A Grant For The U.S. Bureau Of Reclamation
Watersmart Drought Response Program: Drought Resiliency Projects For
Fiscal Year 2024**

General Manager, Greg A. Hammett reported District Staff in conjunction with West Yost Associates, Richard Slade & Associates and Dee Jaspar & Associates has prepared and is in the process of submitting a grant application with the U.S. Bureau of Reclamation, WaterSMART Drought Response Program: Drought Resiliency Projects for fiscal year 2024 for one or more production well(s) in the North Wellfield. The application guidelines require a commitment from applicants in the form of a Resolution by the applicants governing body or Board of Directors, for funding and / or in-kind contributions specified by the funding plan, as well as compliance with all statutory and regulatory requirements related to the grant funding.

*Upon Motion by Director Wells, Seconded
By Director Niblett and Carried Unanimously
By Roll Call Vote
With 5 Ayes, 0 Noes
To Adopt Resolution 23-05 authorizing the Filing of an
Application with the U.S. Bureau of Reclamation, WaterSMART
Drought Response Program: Drought Resiliency Projects
for fiscal year 2024.*

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

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

Production Administrator, John Stuntebeck reported on October 2nd, the contractor provided all required liquid chlorine and assisted District Staff with the disinfection of Tank #24, in accordance with AWWA C652-02 Method 3. As of this report, District Staff is filling the tank. Once filled, representative samples will be pulled for bacteriological and Volatile Organic Compound laboratory analysis. On Tuesday October 4th, J. Colon Coatings completed all remaining work including all punch list items, proper disposal of all spent abrasive material, complete site restoration and demobilization. Pending successful water quality test results, J. Colon Coatings has successfully completed all work in accordance with the project plans and specifications and is ready for Board acceptance and filing of a Notice of Completion with the County of Kern. On September 30th, District Staff received Final Pay Request from J. Colon Coating in the total amount of \$136,100.00 completing this project.

District Staff is also requesting approval of Change Order #2, a deductive change order in the total amount of -\$21,600.00 for nonuse of Item No. 4.1 Dehumidification (optional), adjusting the total contract price from \$440,700 to \$419,100.00. On October 4th, District Staff received Final Pay Request from MCS Inspection in the total amount of \$12,520.00 for inspection services from September 11th through September 29, 2023. The budgeted bid amount was \$55,025.00 for MCS Inspection Group, but total billings were \$49,650 which is a project savings of \$5,375.00.

*Upon Motion by Director Bravo, Seconded
By Director Niblett and Carried Unanimously
With 5 Ayes, 0 Noes*

*To A. Approve Change Oder #2, J. Colon Coatings deducting - \$21,600.00 for Dehumidification, adjusting the Total Contract Price from \$440,700 to \$419,100.00 and contract time reduction of 2 days.
B. Approve J. Colon Coatings Final Pay Request in the total amount of \$129,295.00 minus 5% retention of \$6,464.75, for a total of \$122,830.25 and file Notice of Completion pending successful water quality test results. C. Approve MCS Inspection's Final Pay Request in the total amount of \$12,520.00 for inspection services from September 11, 2023, through September 29, 2023.*

2. **Discussion and Appropriate Action Regarding:
Asset Information Management System (AIMS)**

Assistant to the Director of Operations, Taylor Miller and Technical Analyst, Andrea Crabb gave a slide show presentation on the AIMS software, which is a central database where asset information (pipelines, appurtenances), equipment details, and maintenance of equipment are recorded and stored.

3. **Discussion and Appropriate Action Regarding:
Solar Site Module Replacement at NW2, NW4 & NW5, Job #24-4200**

Production Administrator, John Stuntebeck, reported on September 18th, contractor Photovoltaics California (PVCA) mobilized crewmen, equipment, and materials to NW4 solar to begin work. Following a Safety Orientation meeting, PVCA's, electrician began de energizing the solar array by removing fuses and performing a lock out tag out procedure for all solar equipment. The following work consisted of site staging, disconnection and removal of existing modules which were then palletized for transportation off site. Installation of new

modules began in accordance with the approved engineered plans. PVCA is currently re-wiring all new solar modules. On October 10th, District Staff received Pay Request #1, covering all work performed in September in the total amount of \$73,487.70.

*Upon Motion by Director Bravo, Seconded
By Director Morris and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve PVCA Progress Pay Request #1 for September, in the total amount of \$73,487.70 less 5% retention of \$3,674.39 for a total progress payment of \$69,813.32.*

4. **Discussion and Appropriate Action Regarding:
Aera Energy LLC Termination of Water Entitlement,
District Agreement #1**

Assistant to the Director of Operations, Taylor Miller on October 11, 2023, Aera provided a letter requesting reduction of 5 bpd of entitlement located in Cymric (Section 27, T29S/R21E) under DA#1. The relinquished entitlement will revert to the District and be reallocated. In addition, this entitlement is subject to a 3-Way Agreement between TRC/Holmes and Aera. The agreement was terminated effective October 11, 2023. The termination causes language added to Paragraph 3 of District Agreement No. 1 via a June 26, 2007, Amendment to District Agreement No. 1 to be unnecessary and Paragraph 3 therefore shall revert to its original language.

*Upon Motion by Director Niblett, Seconded
By Director Morris and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Amendment No. 3 to DA1 for Aera Energy to terminate, in whole, 5 bpd entitlement in Section 27, T29S/R21E, under the 1966 Industrial Water Project District Agreement 1, effective October 11, 2023.*

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

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

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

*Upon Motion by Director Niblett, Seconded.
By Director Wells and Carried Unanimously
With 5 Ayes, 0 Noes
To Approve Expenditure for the October 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. November 2023 Meeting Calendar

Directors approved the November 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 discussed the Water Use efficiency programs.

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.;
- B. 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. Government Code, § 54957
Public Employment - Discipline/Dismissal/Release - 2 items

Directors moved into Closed Session at 6:35 p.m. The meeting was reconvened at 6:53 p.m.

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

XV. ADJOURNMENT

The meeting adjourned at 6:53 p.m.

November 14, 2023

Date Approved



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

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