

# CAWELO WATER DISTRICT

## BOARD MEETING

17207 Industrial Farm Road, Bakersfield CA 93308

Public Participation Possible via Zoom 1-(669)-900-6833

Meeting ID: 847 6030 3351 / Passcode: 352000

Or via Link: <https://us06web.zoom.us/j/89778946121?pwd=SnNBR3BIWjljRFJhWTJialpBYWlwdz09>

Thursday, April 14, 2022 - 9:00 a.m.

### MINUTES

---

**DIRECTORS PRESENT:** Keith Watkins, Mark Smith, John Gaugel, Spencer Birch, Eric Robbins  
**DIRECTORS ABSENT:** N/A  
**STAFF PRESENT:** David Ansolabehere, Dave Halopoff, LeeAnn Giles, Celynn Lyman  
**LEGAL COUNSEL:** Robert Hartsock  
**OTHER ATTENDEES:** Jessica Bertao, Skyler Bettencourt, Craig Bono, Tom McCarthy, Parker Rous, Maryse Suppiger, Cody Tolbert, Craig Wallace

---

#### A. CALL TO ORDER

The Board Meeting was called to order by President Watkins at approximately 9:07 a.m.

#### B. APPROVAL OF BOARD MINUTES

Minutes of the Board meeting for March 10, 2022 were presented for approval.

After review and discussion, **it was motioned by Director Smith, seconded by Director Birch and unanimously carried, that the minutes from March 10, 2022** be approved as presented.

#### C. TREASURER'S REPORT

The Treasurer's Report for the month of March, 2022 was presented by District Controller, Ms. Giles. Balances for March were as follows:

General Funds	5,535,997.72
Construction Funds	869,484.19
Reserved Funds	<u>3,126,757.78</u>
<b>TOTAL FUNDS</b>	<b>9,532,239.69</b>
Receipts for March 2022	0.00
Manual Cash Disbursements	3,578.77
Net Revenue through March	13,123,503.44
Total Expenses through March	<u>3,999,693.19</u>
<b>NET REVENUE / &lt;LOSS&gt;</b>	<b>9,123,810.25</b>

After review and discussion, **it was motioned by Director Birch, seconded by Director Smith, and unanimously carried, that the Treasurer's Report from March, 2022** be approved as presented.

**D. ACCOUNTS PAYABLE**

District Controller, Ms. Giles, presented the Accounts Payable report for the month of March, 2022. The report covered checks 33679 through 33740 issued April 13, 2022 in the amount of \$2,488,935.48; Manual disbursements covered ACH debits and check numbers 33676 through 33678 totaling \$3,578.77.

After review and discussion, **it was motioned by Director Gaugel, seconded by Director Birch and unanimously carried, that the Accounts Payable from March, 2022** be approved as presented.

**E. PUBLIC HEARING at 10:00 am**

President Watkins continued with the subsequent agenda items and returned to Agenda Item E just prior to 10:00 a.m.

At 10:00 a.m. President Watkins opened the Public Hearing; at which time a brief description was given on the need for and amount of the proposed 2022 Special Assessments.

No public comments were made nor received.

The Public Hearing was closed at approximately 10:04, at which time Resolution 704 - Levying Special Assessments for the Year 2022, was presented to the Board for approval and adoption.

**1) Adopt Resolution 704 – Levying 2022 Special Assessments**

After review and discussion, **it was motioned by Director Birch, seconded by Director Robbins and unanimously carried by the following roll call vote, that Resolution No. 704 – Levying 2022 Special Assessments** be approved as presented.

<b>AYES:</b>	<b>5</b>	<b>Watkins, Smith, Gaugel, Birch, Robbins</b>
<b>NOES:</b>	<b>0</b>	
<b>ABSTAIN:</b>	<b>0</b>	
<b>ABSENT:</b>	<b>0</b>	

**F. PUBLIC COMMENTS** – The floor was open for any public comments, at which time there were none.

**G. REPORTS**

**1) PROJECTS**

**a. North Kern Transportation Agreement**



After review and discussion, **it was motioned by Director Gaugel, seconded by Director Smith and unanimously carried, that Eric Robbins be appointed as the District's KGA Board Member Alternate Representative.**

**4) Financial and Personnel**

- a) **Employee Compensation** – No report at this time.

**5) SWP**

- a) **Delta Conveyance Project (DCP)** – Mr. Ansolabehere reported that the 2-year funding agreement for the continued environmental and other planning portion of the Project is scheduled for consideration in April 2022. The District's decision on future participation is due to KCWA by April 28<sup>th</sup>. Craig Wallace and Tom McCarthy of the Kern County Water Agency made a DCP presentation regarding the status of the Project and the proposed funding for the next 2 years.

- b) **KCWA and Related SWP Matters** – Nothing at this time.

**I. ATTORNEY'S REPORT** – No report at this time.

**J. ENGINEER'S REPORT** – Mr. Ansolabehere reported that District staff will contact the new permitting representative, Scott McFarlane.

- 1) **CalFed Water Use Efficiency Grant Update** – Mr. Halopoff reported that the CalFed Water Use Efficiency Grant Application was awarded for the Friant-Kern Canal Pump Station.

**K. MANAGER'S REPORT**

- 1) **Water Deliveries/Supplies** into the District for March 2022 were as follows:

	<u>Ac-Ft Delivered</u>	<u>YTD</u>
Supplies Received	3,379	9,459
Landowner Deliveries	2,319	6,079
East Poso Basin Recharge	126	962
Famoso Basin Recharge	598	1,690
System Loss/Operational Recharge	- 169	- 473
Diversions from Poso Creek		
To Famoso Basin Banking	0	0
Percolation losses Creek Channel	0	0
Poso Creek Water Passed Trenton Weir	0	0

**Produced Water Deliveries** for the month of March 2022 were as follows:

Chevron	35.2 cfs per day (2,096 ac-ft.)
CRC/Bell Aire	7.9 cfs per day (465 ac-ft.)

- 2) **System Operations & Maintenance:**

Copper sulfate applications to the distribution canal and reservoirs continue as needed. Meter repairs are still being conducted throughout the District. Proposals are being requested for starter and switchgear modernization for the Pump Station “B” motor control building. District staff anticipates Pump Station “B” modernization to be completed during the winter of 2022/2023.

**3) Ratify Solar Agreement:**

Mr. Ansolabehere reported that District staff executed the Revised agreement with Scooby Solar, LLC based on an increase in the constructed energy generation capabilities. Based on PG&E’s accepted design, White Pine was able to construct a Solar Generation Facility capable of producing more than the original design. District agreed to purchase 60% of the increased energy generation but will have access to the remaining 40% of additional generation, if needed. The additional energy production will be the same cost of \$0.76 per kWh for 25 years.

After review and discussion, **it was motioned by Director Gaugel, seconded by Director Smith and unanimously carried, that the Revised Agreement with Scooby Solar, LLC** be ratified.

**4) Accommodation to Landowner’s regarding landowner acquisition of water from independent source not related to District supply** (Because of a potential conflict of interest, Director Robbins recused himself from the meeting and left the room during discussion of this agenda item, and any action taken):

Mr. Ansolabehere reported that District Landowner, Sun Pacific, has negotiated a water purchase with West Kern Water District (WKWD) for 5,000 AF of WKWD Table “A” water. It was noted during the discussions that the negotiations occurred independent of the District, without District knowledge, and the supply was never made available to the District for District use. WKWD requires the buyer to be a SWP entity, and not a private party. If the District is willing to accommodate the landowner, Sun Pacific, Inc. will pre-pay all amounts due under the WKWD agreement, including transportation, losses, and administrative costs to Cawelo Water District, and will also indemnify the District for any other costs or expenses that may occur.

District Counsel is preparing District agreements for both WKWD and Sun Pacific, Inc. as this is a special landowner accommodation.

After review and discussion, **it was motioned by Director Birch, seconded by Director Smith and carried, that District General Manager (David Ansolabehere) be authorized to sign such agreement(s) as may be necessary to accommodate the landowner’s desired purchase of WKWD water and to keep the District whole.**

**ADJOURNED TO CLOSED SESSION** – The meeting adjourned at approximately 10:35 a.m. to Closed Session.

**L. CLOSED SESSION:**

- 1) **To confer with legal counsel regarding pending litigation under authority of Government Code Section 54956.9 (a) California Department of Water Resources v All Persons Interested, Sac. Sup. Ct. No. 34-2020-00283112; Rosedale-Rio Bravo Water Storage District v KCWA, KCSC BCV-21-100418; (d)(2)(3) (two matters) and (d)(4) (three matters):**
- 2) **Conference with real property negotiators and/or properties under authority of Government Code Section 54956.8**
  - a) **City Water Purchase**
  - b) **North Kern Canal Facility Use**
  - c) **Miscellaneous Water Supplies**
  - d) **Real Property Purposes; Storage/Well Sites**
- 3) **Wages/salary/other terms and conditions of employment under authority of Government Code Section 54957.6**

**M. RETURN TO OPEN SESSION** – The Board returned to Open Session at approximately 11:45 a.m. It was announced that no action was taken in Closed Session that would require disclosure under the Brown Act at this time.

The Board then considered agenda item G.5 (a), SWP, Delta Conveyance Project (DCP).

After review and discussion, *it was motioned by Director Smith, seconded by Director Birch and carried, that Cawelo Water District enter into an agreement with Kern County Water Agency entitled Amendment No. 1, Contract Between Kern County Water Agency And Its Member Units Preliminary Planning & Design Costs Related To A Potential Delta Conveyance Project, at a 20% participation level.*

**N. ADJOURNMENT** – The Board meeting adjourned at 11:46 a.m. The next regular CWD Board Meeting is set for Thursday, May 12, 2022 at 9:00 a.m.

  
\_\_\_\_\_  
John Gaugel, CWD Board Secretary