

**CAWELO WATER DISTRICT
SPECIAL BOARD MEETING**

17207 Industrial Farm Road, Bakersfield CA 93308
Public Participation Possible via Zoom 1-(669)-900-6833
Meeting ID: 894 2509 4317 / Passcode: 685866

Or via Link: <https://us06web.zoom.us/j/89425094317?pwd=N09jdys4QjNIaFdQRzIzREFuOFhmQT09>
Thursday, March 16, 2023 - 9:00 a.m.

MINUTES

DIRECTORS PRESENT: Keith Watkins, Mark Smith, John Gaugel, Spencer Birch
STAFF PRESENT: David Ansolabehere, Dave Halopoff, Celynn Lyman
STAFF ABSENT: LeeAnn Giles
LEGAL COUNSEL: Isaac St. Lawrence
OTHER ATTENDEES: Jessica Bertao, Jeremy Blackwell, Bruce Kelsey, Kevin Padway, Maddie Reyes, Cody Tolbert

A. CALL TO ORDER

The Special Board Meeting was called to order by President Watkins at 9:04 a.m.

B. APPROVAL OF BOARD MINUTES

Minutes of the Board meeting for February 9, 2023 were presented for approval.

After review and discussion, **it was motioned by Director Birch, seconded by Director Gaugel and unanimously carried, that the minutes from February 9, 2023 be approved as presented.**

C. APPOINTMENT TO FILL BOARD DIRECTOR VACANCY

After review and discussion, **it was motioned by Director Smith seconded by Director Birch and unanimously carried by the following Roll Call Vote, that Jeremy Blackwell be appointed as CWD Board Director serving the remainder of Director Robbin's term ending on or about December 1, 2023.**

AYES: 4 Watkins, Smith, Gaugel, Birch
NOES: 0
ABSTAIN: 0
ABSENT: 0

D. RESOLUTION NO. 712 – DECLARING NECESSITY FOR LEVYING 2023 SPECIAL ASSESSMENTS

After review and discussion, **it was motioned by Director Gaugel seconded by Director Smith and unanimously carried, that Resolution No. 712 – Declaring Necessity for Levying 2023 Special Assessments**, be approved as presented. Resolution No. 712 was approved by the following roll call vote:

AYES:	4	Watkins, Smith, Gaugel, Birch
NOES:	0	
ABSTAIN:	0	
ABSENT:	0	

E. TREASURER’S REPORT

The Treasurer’s Report for the month of February, 2023 was presented by Office Manager, Celynn Lyman. Balances for February were as follows:

General Funds	5,368,713.54
Construction Funds	347,576.52
Reserved Funds	<u>1,733,391.27</u>
TOTAL FUNDS	7,449,681.33
Receipts for February 2023	841,444.37
Manual Cash Disbursements	51,510.84
Net Revenue through February	7,459,187.16
Total Expenses through February	<u>5,842,990.15</u>
NET REVENUE / <LOSS>	1,616,197.01

After review and discussion, **it was motioned by Director Birch, seconded by Director Smith and unanimously carried, that the Treasurer’s Report for the month of February, 2023** be approved as presented.

F. ACCOUNTS PAYABLE

Office Manager, Celynn Lyman, presented the Accounts Payable report for the month of February 2023. The report covered checks 34372 through 34428 issued March 15, 2023 in the amount of \$2,012,670.45; Manual disbursements covered checks 34356, 34357 and ACH debits totaling \$51,510.84.

After review and discussion, **it was motioned by Director Smith, seconded by Director Gaugel and unanimously carried, that the Accounts Payable from February, 2023**, be approved as presented.

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

H. REPORTS

1) PROJECTS

a. North Kern Transportation Agreement

- i. **Status of Project:** Mr. Ansolabehere reported that City of Bakersfield comments on the revisions to the agreement are under review by North Kern Water Storage District.

b. Equipping of Well #16 and Well #17

- i. **Status of Project:** Mr. Ansolabehere reported that Well #16 is still waiting for power which is dependent on the solar interconnection with PG&E. Well #17 electrical conduit and transformer pad has been installed. PG&E needs to construct the pole line and no timeline has been provided.

c. Friant-Kern Canal Pump Station

- i. **Status of Project:** Mr. Ansolabehere reported that turnout construction is complete, with the flowmeter vault, flowmeter, and meter pool remaining. Easement and access/egress agreements are being finalized with the landowner.
- ii. **Pump Station Construction:** Mr. Ansolabehere advised that District staff has been in discussions with W.M. Lyles regarding the future pump station construction. W.M. Lyles is willing to agree to a T&M + 10% contract that is allowed by the District's Purchasing Policy. District Staff is to provide a proposal from W.M. Lyles for the Board to review at a later date.

2) ILRP

- a. **Coalition Update** – In addition to providing a written report, Mr. Halopoff provided updates on the Annual Member Reporting (due March 1st), Groundwater Protection Formulas, Values, and Targets (GWP), CV-SALTS, and the South San Joaquin Valley Management Practices Evaluation Program (SSJV MPEP).

3) Sustainable Groundwater Management Act Update

- a. **Local SGMA Activities** – No report at this time.
- b. **Appoint Board Alternate for KGA / SGMA Representation** – The Board elected to postpone this item to next month. Director Birch was appointed to fill in as the District's alternate representative until an alternate is appointed.
- c. **Kern County Planning Department Document Response**
Mr. Halopoff reported that he has been in conversation with 3S2 Valley Investment, their engineering consultants, and Kern County regarding an application for a conditional use permit and zone variance and provided a "DRAFT" letter for Board review. The conditional use permit and zone variance is requesting to allow a convenience store/restaurant with an upstairs quadraplex, gas canopies, diesel canopy, tuck scale & wash, truck repair and Hotel, located approximately 660 feet east of the northeast corner of Merced Avenue and Zachary Avenue in Shafter (APN: 073-290-26). Kern County

Planning is requesting information as to the water supply available to the property under SGMA. After a brief discussion, it was determined that the “Draft” response, as presented, be approved to send to the applicant.

4) Financial and Personnel

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

5) SWP

- a. **Delta Conveyance Project (DCP)** – No report at this time.
- b. **KCWA and Related SWP Matters** – Mr. Ansolabehere reported that DWR has provided an updated allocation of 35% (reservoir based) for the SWP with probable increase, to be announced.

G. ATTORNEY’S REPORT – District Legal Counsel provided an update on the easement infringement issue for Northern Height Subdivision.

H. ENGINEER’S REPORT – No report at this time.

I. MANAGER’S REPORT

- 1) **Water Deliveries/Supplies into the District** for February 2023 were as follows:

	<u>Ac-Ft Delivered</u>	<u>YTD</u>
Supplies Received	2,112	4,617
Landowner Deliveries	1,448	1,742
East Poso Basin Recharge	365	1,119
Famoso Basin Recharge	189	1,410
System Loss/Operational Recharge	- 106	- 231
Diversion from Poso Creek		
To Famoso Basin Banking	0	0
Percolation losses Creek Channel	0	0
Poso Creek Water Passed Trenton Weir	0	0

Mr. Ansolabehere reported that the City of Bakersfield has offered the District 27,000 AF in accordance with the City of Bakersfield Agreement’s Extension Term. In accordance with the Agreement, the cost of the Extension Term water is \$135/AF.

- Produced Water Deliveries** for the month of February 2023 were as follows:

Chevron	28.7 cfs per day (1,706 ac-ft.)
CRC/Bell Aire	6.8 cfs per day (406 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. The SCADA HMI modernization continues to Geo-SCADA.

3) Ratify Truck Purchase:

Mr. Ansolabehere reported that the adopted 2023 budget included \$35k for a new fleet truck. District Staff was able to locate an available truck, with no lead time, and the vehicle was purchased for \$38,470. With the sale of the replaced truck and credited salvage value, cash outlay will be below \$35k.

After review and discussion, **it was motioned by Director Gaugel, seconded by Director Birch and unanimously carried, that the purchase of the 2023 Chevrolet 1500 fleet truck and salvage of the replaced truck, be ratified.**

4) Trio Pipeline Project Land Purchase:

Mr. Ansolabehere reported that District Staff is finalizing the Trio Agreement and needs to purchase the land required to construct the receiving basins. Purchase is 20 acres of land in the northwest corner of Section 10, T28S, R27E. District Staff anticipates a fair market value between \$1,200-\$1,500 / acre for an approximate purchase price of \$30,000.

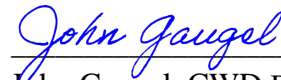
After review and discussion, **it was motioned by Director Gaugel, seconded by Director Smith and unanimously carried, that Director Birch is authorized to negotiate the purchase of 20 acres of land in the northwest corner of Section 10, T28S, R27E, for approximately \$30,000, contingent upon execution of the agreement with Trio.**

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

J. 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**

- K. RETURN TO OPEN SESSION** – The Board returned to Open Session at approximately 11:13 a.m. It was announced that no action was taken in Closed Session that would require disclosure under the Brown Act at this time.
- L. ADJOURNMENT** – The Board meeting adjourned at 11:14 a.m. The next regular CWD Board Meeting is set for Thursday, April 13, 2023 at 9:00 a.m.



John Gaugel, CWD Board Secretary