

BOARD OF DIRECTORS
ROSEDALE-RIO BRAVO WATER STORAGE DISTRICT
MINUTES OF THE REGULAR BOARD MEETING
November 14, 2023
8:00 a.m.

DIRECTORS PRESENT

Roy Pierucci, Jason Selvidge, Gary Unruh, and Barry Watts

DIRECTORS ABSENT

Mitch Millwee

OTHERS PRESENT

District Staff / Consultants – Dan Bartel, Trent Taylor, Megan Misuraca, Markus Nygren, Dan Raytis, Zach Smith, Rachelle Echeverria, Jennifer Spaletta, Monique Roberts
Public – Jonathan Ens, Brad DeBranch, Vincent Sorena, Geordy Wise, Travis Millwee, James Dunlarey, Edward Kosareff and John Kosareff

CALL TO ORDER

President Pierucci called the meeting to order at approximately 8:00 a.m.

APPROVAL OF MINUTES

- a) Regular Board Meeting Minutes – October 10, 2023
A motion was made by Director Unruh with a second by Director Watts to approve the Board of Directors regular meeting minutes of October 10, 2023. The motion was unanimously passed.
AYES: Directors Pierucci, Selvidge, Unruh and Watts
NOES: None
ABSTAINED: None

FINANCIAL REPORT

- a) Treasurer’s Report – Ms. Misuraca reviewed the treasurer’s report as of October 31, 2023.
- b) Accounts Payable/ October 7, 2023 through November 10, 2023 — Ms. Misuraca reviewed the accounts payable report with the Board. Director Unruh requested that the financial policy be updated to reflect that a Board member is to sign all checks including those checks cut between board meetings. Ms. Misuraca promised to bring a revised financial policy back to the Board for consideration at its December meeting. A motion was made by Director Watts and seconded by Director Unruh to ratify and approve payment of the accounts payable in the total amount of \$1,058,243.23. The motion unanimously passed.
AYES: Directors Pierucci, Selvidge, Unruh and Watts
NOES: None
ABSTAINED: None
- c) Revenue and Expenditures Report – Ms. Misuraca reviewed the current Revenue and Expenditures Report through October 31, 2023, including budget vs. actual.

d) Public Hearing- Consideration of Resolution No. 536 / Ordinance No. 2- Declaring Results of Protest Preceding & Adopting Water Charge –

At the request of President Pierucci, Mr. Raytis announced that the public hearing was open at 8:37AM. Mr. Raytis announced to the Board and the public the following:

- The public hearing is the time and place for the Board to consider protests to a proposed water charge in the District to be charged against consumptive use in excess of available supply.
- The District’s staff has provided notice of the public hearing in the following manner: mailed to all affected landowners shown in the appendix to the rate study; posted on the District’s website; posted at the office; and published in a newspaper of general circulation in the District.
- The purpose of the proposed water charge is to fund projects intended to generate supply or to reduce demand in an effort to bring the District supply and use into balance and to meet the requirements of SGMA.
- The order of the presentation during the hearing will be as follows: First, Dan Bartel (Engineer-Manager) will be providing a general introduction to the subject and genesis of the Water Charge. Second, Monique Roberts (outside consulting professional engineer) will walk the Board and public through the rate study that AECOM prepared in support of the water charge. Third, Trent Taylor (Water Resources Manager) will go through the various policies that staff is recommending that relate to implementation of the proposed water charge. And after Trent is done the Board will have its own discussion and hear questions and comments from the public. Time for comments may be limited in the discretion of the President. Once all comments and protests are received, we will count them to determine whether a majority protest exists and, if not, then the Board can continue to consider whether to adopt a water charge.

Mr. Bartel, Ms. Roberts, and Mr. Taylor gave presentations to the Board and public as outlined by Mr. Raytis. The Board discussed the proposed water charge and echoed comments that they had received from various landowners. The Board opened the floor for public comments. None were received. At the request of President Pierucci, Mr. Raytis announced that a majority protest did not exist (with 8.32% protests received) and the public hearing was closed at 9:30AM. Mr. Raytis provided an overview of the proposed Ordinance No. 2 and Resolution No. 536, and provided the Board with the staff recommendation. Upon recommendation of staff, a motion was made by Director Unruh with a second by Director Selvidge to waive the first reading of Ordinance No. 2 and adopt Resolution No. 536 - Declaring the Results of a Proposition 218 Majority Protest Process. A roll call vote was taken and the motion unanimously passed.

AYES: Directors Pierucci, Selvidge, Unruh and Watts

NOES: None

ABSTAINED: None

OPERATIONS AND MAINTENANCE REPORT

- a) District Groundwater Levels – Mr. Nygren advised the Board of current groundwater levels with reference to the District’s minimum thresholds under SGMA.

- b) Operations Report – Mr. Smith reviewed water conveyance and recharge operations and estimated balances with the Board.
- c) Maintenance Report – Mr. Smith reviewed maintenance projects that have taken place over the last month.

WATER RESOURCES REPORT

- a) State Water Project Operations – Mr. Taylor gave a detailed report on current state water project operations. Mr. Taylor also reviewed the 8-station index graph and reservoir conditions with the Board.
- b) California Delta Conveyance Project – Mr. Taylor gave a brief status report on the DCP project.
- c) Update on Landowner Banking Programs – Mr. Taylor briefed the Board on the latest landowner banking program updates.

MANAGER’S REPORT

- a) Strategic Plan Update – Ms. Echeverria briefed the Board on staff’s progress for Goal #4 of the District’s adopted strategic plan to live out an intentional and focused project plan for major initiatives.
- b) Consideration of Resolution No. 531 Flood Emergency Declaration – Ms. Echeverria reported on updated water and emergency conditions. A motion was made by Director Watts with a second by Director Unruh to continue the emergency action of Resolution 531 – declaring a flood emergency and to authorize procurement of equipment, services and supplies for such emergencies without giving notice for bids to let contracts. The motion unanimously passed.

AYES: Directors Pierucci, Selvidge, Unruh and Watts

NOES: None.

ABSTAINED: None.

ENGINEERS / PROJECTS REPORT

- a) Onyx Ranch
 - i. Operations Report – Mr. Bartel briefed the Board on the status of the Onyx Ranch operations and the Smith ditch cleaning efforts.
 - ii. FEMA Disaster Relief Application – Ms. Echeverria briefed the Board on the process and current status to receive funds from FEMA for the repairs required from the flooding at Onyx Ranch.
 - iii. Consideration of Pipeline Easements for Weldon Regional Water District – Mr. Bartel reviewed the proposed easement acquisition for Weldon Regional Water District prepared by Dee Jaspar and Associates. A motion was made by Director Selvidge with a second by Director Watts to approve a pipeline easement for Weldon Regional Water District to include a total acreage of 2.73 acres across APNs 426-032-10, 426-032-12, and 426-032-13 with a total payment of \$12,465 to the District. The motion unanimously passed.

AYES: Directors Pierucci, Selvidge, Unruh and Watts

NOES: None

ABSTAINED: None

- iv. Consideration of Purchase and Installation of Metal Shop Building – Mr. Smith reported on the dilapidated shop building at the Onyx Ranch headquarters. A motion was made by Director Watts with a second by Director Selvidge to authorize the purchase and installation of a new metal shop building in an amount not to exceed \$95,000. The motion unanimously passed.

AYES: Directors Pierucci, Selvidge, Unruh and Watts

NOES: None

ABSTAINED: None

- b) Improvement Projects – Mr. Nygren reported on latest NEPA efforts to break ground on the Bowling/McCaslin recovery well project.

COMMITTEE REPORTS

- a) Groundwater Banking Joint Powers Authority – Mr. Bartel reported on the presentation of Alternative No. 5 for the CVC turnout to the Department of Water Resources.
- b) James Groundwater Banking Authority – Mr. Bartel reported the Operations Committee met and adopted the 2024 budget.
- c) Sustainable Groundwater Management Act
 - i. GSP Deficiency Resolution – Mr. Bartel briefed the Board on the latest Kern Subbasin Coordination Committee efforts.
- d) Kern Fan Monitoring Committee – No report.
- e) Cross Valley Canal Advisory Committee – Mr. Taylor reported that staff (together with Cawelo Water District and Lower-Tule River ID) signed and send a letter to the Kern County Water Agency objecting to the budget for certain costs for improvement projects presented to the Cross Valley Canal budget subcommittee. Mr. Taylor reported that the budget was approved and adopted at the CVCAC meeting.
- f) Pioneer Project Committee – Mr. Taylor reported the budget was approved for the Pioneer Project with Rosedale's share over \$900,000.
- g) Kern River Watershed Coalition Authority (KRWCA) – No report.
- h) Kern Fan Authority – No report.
- i) Joint Operating Committee (JOC) – No report.
- j) Committee for Delta Reliability – Mr. Taylor reported that there will be a meeting at the Marriott Bakersfield Convention Center on November 16, 2023.
- k) South Valley Water Resources Authority – Mr. Taylor briefed the Board on the Fish Friendly Diversion project.
- l) Valley Ag Water Coalition – No report.
- m) Kern Integrated Regional Water Management Plan – No report.
- n) Sites Reservoir Project – Mr. Taylor briefed the Board on the latest activities and reported the project has received a Governor's certification for judicial streamlining of the Sites Reservoir project.

- o) Association of California Water Agencies – Mr. Taylor reported that staff and Director Pierucci will attend the Fall ACWA conference and report back in December.

ATTORNEY’S REPORT

None.

OLD OR NEW BUSINESS

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

None.

CLOSED SESSION

During the meeting, the Board met in closed session, as follows: At 10:44 a.m. President Pierucci announced the Board would meet in closed session. At 11:36 a.m. the Board reconvened to open session. Mr. Raytis announced that the Board had authorized staff to execute a legal services agreement with Stoel Rives, upon the motion of Director Selvidge, seconded by Director Unruh, with all directors present voting in favor.

ADJOURNMENT

At 11:37 a.m., President Pierucci announced that the Board had not completed all of the business on the Agenda, and that the meeting was adjourned to November 20, 2023, at 8:00 a.m. at the District office.