

MINUTES OF A SPECIAL  
MEETING OF THE  
BOARD OF DIRECTORS OF  
WESTSIDE WATER AUTHORITY

Held March 9, 2022

A special meeting of the Board of Directors of Westside Water Authority was held on March 9, 2022, at 11:30 a.m. in-person at the Belridge Water Storage District Administration Office, and by video conference and teleconference.

CALL TO ORDER )  
\_\_\_\_\_ )

Chairman Rob Yraceburu called the meeting to order at 11:30 a.m.

ROLL CALL )  
\_\_\_\_\_ )

The following directors were in attendance: Rob Yraceburu; Alan Scroggs; Rob Goff; Rod Stiefvater; and Bernard Pugét.

The following directors attended by video conference and/or teleconference: Mike Nordstrom.

The following director was not in attendance: John Vidovich.

Also present were: Jay Kroeker; Brad Kroeker; Don Elholm; Morgan Mitchell; Justin Rowe; Jamie Marquez; Gnell Sparks, Assistant Treasurer; Kim Constant, Assistant Secretary; Mark Gilkey, Executive Director; and Joe Hughes, Legal Counsel.

Also attending by video conference and/or teleconference were: Craig Wallace; Dale Melville; Doug Anderson; Ted Page; Peter Nelson; Tami Pensinger; and Mary King.

ADOPTION OF ALTERNATIVE )  
TELECONFERENCING REQUIREMENTS )  
\_\_\_\_\_ )

Following discussion, on motion of Rob Goff, seconded by Bernard Pugét, and unanimously carried, the Board made the determination that, due to continuation of the Governor's Executive

Order and imminent risk to health and safety, the Board will continue with the previous determinations under Assembly Bill 361, on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater

NOES: None

ABSENT: John Vidovich

APPROVAL OF AGENDA )  
\_\_\_\_\_ )

Following discussion, on motion of Bernard Pugét, seconded by Rod Stiefvater, and unanimously carried, the Board approved the agenda on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater

NOES: None

ABSENT: John Vidovich

MINUTES )  
\_\_\_\_\_ )

After discussion, on motion of Mike Nordstrom, seconded by Rob Goff, and unanimously carried, the regular minutes of October 6, 2021, special minutes of October 25, 2021, and joint special minutes of October 18, 2021, October 25, 2021, and October 28, 2021, were approved on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff

Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater

NOES: None

ABSENT: John Vidovich

Kim Brown arrived at this point in the meeting.

DELTA CONVEYANCE PROJECT )  
\_\_\_\_\_ )

The Executive Director and Craig Wallace presented the following update regarding the Delta Conveyance Project (DCP): 1) the DCP, a single tunnel projected to provide up to 6,000 cfs, is in a four year planning and design project that is on schedule and on budget after completing the second year; 2) the District's planning cost schedule; 3) previous Board action: agreement in Principle for SWP contract amendment, funding agreement for the first two years of planning and design, and design and construction authority governance structure to reflect updated participation; 4) 2022 proposed Board action: approve amendment no.1 to the contract between Kern County Water Agency and its Member Units for preliminary planning and design costs for 2023 and 2024 related to a potential DCP and determining the action is exempt form CEQA; 5) alternatives: the final choice of potentially feasible alternative for the Draft EIR is in process; 6) new facilities include intakes, a tunnel, a pumping plant, and other conveyance and ancillary facilities; 7) schedule and status; and 8) preliminary benefits.

Following discussion, the Board recommended the no decision be made until the Draft EIR is available for review.

FINANCIAL REPORTS )  
\_\_\_\_\_ )

**Approval of Treasurer's Report:** Gnell Sparks presented the Treasurer's Report in the form attached as Exhibit "A." Following discussion, on motion of Rod Stiefvater, seconded by Rob Goff, and unanimously carried, the report was approved by the following roll call vote and ordered filed:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom

Alan Scroggs  
Rod Stiefvater  
Kim Brown

NOES: None

ABSENT: John Vidovich

**Approval of Warrants:** Gnell Sparks presented the register of warrants for ratification and approval attached as **Exhibit “B”** and **Exhibit “C”**, respectively, stating that there were, in the described funds, sufficient unencumbered monies to pay such warrants. Following discussion, on motion of Bernard Pugét, seconded by Rod Stiefvater, payment of warrants attached as **Exhibit “B”** and **Exhibit “C”**, were approved for ratification and payment on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater  
Kim Brown

NOES: None

ABSENT: John Vidovich

**Remove and Add Individuals authorized to Sign Warrants and other Financial Transactions**

**on behalf of the District:** Following discussion, on motion of Rob Goff, seconded by Bernard Pugét, and unanimously carried, Justin Rowe was authorized to be added to, and Mary King removed from, the list of individuals authorized to sign warrants and other financial transactions on behalf of the Authority on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater  
Kim Brown

NOES: None

ABSENT: John Vidovich

WATER SUPPLY AND OPERATIONS )  
REPORTS )  
\_\_\_\_\_ )

The Executive Director updated the Board on the following topics:

**State Water Project Supply:**

On January 20, 2022, DWR increased the 2022 SWP Table A allocation from 0 to 15 percent. DWR also indicated that Table A allocation will reduce, on a 1:1 basis, due to any unmet human health and safety need volumes that were previously identified in the SWP contractors submittals to DWR.

The SWC Water Operations Committee met on February 23, 2022. DWR's latest 2022 allocation analysis reflects the following:

- 75% Exceedance, Moderate OMR Table A .966 MAF 23% Allocation
- 90% Exceedance, Moderate OMR Table A .552 MAF 13% Allocation
- 99% Exceedance, Moderate OMR Table A .321 MAF 8% Allocation

A record wet December was followed by a record dry January and February 2022. This led to conditions being dryer than the last 99 percent exceedance study allocation analysis.

DWR's 2022 Allocation Analysis includes updated storages but was based on the February 1, 2022, forecasts. DWR will make the next forecast based on the March 1, 2022, forecast, and will evaluate allocations at that time.

Staff received a letter from Director Karla Nemeth dated March 2, 2022, which indicated that DWR is assessing current water supply conditions to determine whether to decrease the 15 percent SWP Table A allocation.

The State share of San Luis Reservoir (SLR) was about 586 TAF and Oroville storage was about 311 TAF. Export pumping from the Delta for the State has averaged about 450 AF per day and the Bureau has averaged about 1,730 AF per day for the last two weeks. Oroville storage is at 1.37 MAF.

**Estimated 2022 Water Supply**

The total estimated 2022 water supply from the following sources is as follows:

<b>SUPPLY</b>	<b>BMWD</b>	<b>LHWD</b>	<b>BWSD</b>
➤ Contract Water (15%)	13,890 AF	17,867 AF	18,226 AF
➤ 2021 Carryover (est)	15,543 AF	24,789 AF	22,470 AF
➤ Pioneer/BMSG Rec Req	14,134 AF	9,030 AF	14,285 AF
➤ KWB Recovery Requests	35,000 AF	30,000 AF	28,000 AF
➤ WHWD (15%)	209 AF	270 AF	275 AF
➤ Landowner Transfers	1,904 AF	0 AF	1,000 AF
➤ Westside 5	0 AF	0 AF	0 AF
➤ <b>Total</b>	<b>80,680 AF</b>	<b>81,956 AF</b>	<b>84,256 AF</b>

District staff will continue to work with members of the Westside 5 group to identify and secure additional supplemental water supplies for 2022.

**Current Multi-Year Agreements**

The table below reflects combined total AF for BMWD, LHWD and BWSD:

<b>Seller</b>	<b>Term Length</b>	<b>Allocation</b>	<b>Low Min AF</b>	<b>High Min AF</b>	<b>Landowners</b>	<b>Min \$/AF</b>	<b>Max \$/AF</b>
Butte	2022-2031	0%-100%	72	11,368	Yes	\$ 212.00	\$ 45,800.00
WHWD	2021-2022	0%-100%	251	5,277	Yes	\$ 1,580.00	\$ 6,300.00
Palmdale	2022-2025	55%-100%	1,000	13,000	No	\$ 157.50	\$ 668.53
Mojave	2022-2025	35%-100%	15,000	25,000	No	\$ 157.50	\$ 668.53
Homer	2022-2032	0%-100%	1,000	9,100	No	\$750/\$850	\$1163/\$1319

Butte \$/AF are estimates based on dry and wet year allocations. WHWD min \$/AF is the average cost for 1,005 AF (2021 @ 5%+2022 @15%), max \$/AF reflects 2021 deliveries and no 2022 deliveries. Palmdale and Mojave min \$/AF represents the price if final SWP allocation is between 76%-100% and max \$/AF represents the price if final SWP allocation is between 31%-55%. Homer \$/AF shows two prices, the first is groundwater and the second is surface water. Min \$/AF represents costs for 2022 while mas \$/AF represents costs for 2032.

## **GENERAL ITEMS**

### **Strategic Planning Session**

The Westside Water Authority Board recently held a Strategic Planning session. Once a draft Strategic Plan is developed, it will be presented for consideration at a future Board meeting.

### **Computer System and Phones**

Currently, WWA relies on existing staff to manage computers and office phone systems. The WWA has received proposals for computer and phone services based on an assessment of current equipment and needs. The proposals include equipment and outsourcing all IT and phones system needs.

Staff will move-forward with Grapevine MSP in the coming weeks to manage our IT and phone system. The proposal is within our budget at WWA and District Budgets.

### **Field Equipment**

The WWA has received quotes for purchase of a Hydro-Crane. This item has been included in the budget for several years. Once quotes are evaluated, we are planning to move forward with the purchase of a Hydro-Crane.

### **pH levels**

WWA staff are investigating pH levels in Berrenda Mesa WD and other Westside Districts based on comments from Water Users. We are collecting data from DWR and will take samples from the delivery systems within districts to determine the root cause of any/all pH level issues. Once our investigation is complete, we will report results to the Board.

**Aqueduct Pump-back Project:** The Executive Director reported that Kim Brown and himself met with DWR management in February 2022. DWR management commented that they can meet District exchange requirements with existing flows and indicated that the Aqueduct Pump-back Project would not be needed in 2022. Staff will begin discussing a permanent structure with DWR and is scheduled to meet with DWR management monthly.

### **Multi-Year Agreements:**

**Palmdale Multi-Year Agreement Amendment:** Jaime Marquez reported that in 2021 the District entered into a multi-year agreement with Palmdale Water District to purchase surplus water in years with a SWP allocation of 55 percent or greater. DWR found a discrepancy regarding the point of deliver (POD) in the CEQA documents in comparison to the agreement. DWR is requesting an amendment to the agreement changing the POD to Banks Pumping Plants. The

variable Banks Pumping Plants charges are approximately \$25/AF. Staff recommended the Board authorize the Manager to execute the First Amendment to the Palmdale Multi-year Agreement to reflect the proper POD. Following discussion, on motion of Brett Hampf, seconded by Rod Stiefvater, and unanimously carried, the Board authorized the Manager to execute the First Amendment to the Palmdale Multi-year Agreement to reflect the proper POD on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater  
Kim Brown

NOES: None

ABSENT: None

Homer Multi-Year Agreement: Jaime Marquez reported that the Homer Multi-Year Agreement information is expected to be ready for distribution to Landowners in April 2022.

Template Landowner Multi-Year Agreement – Butte: Legal Counsel presented the draft supplemental water agreement between the District and Landowners participating in the supplemental water supply with the County of Butte. In January 2022 Staff circulated a draft supplemental water agreement to landowners that have participated in supplemental water purchases in the past and received comments and questions. The comments received were implemented into the draft supplemental water agreement and responses were given to questions received from Landowners. Following discussion, Legal Counsel will present a revised version for review.

OTHER AUTHORITY ISSUES )  
\_\_\_\_\_ )

Appoint JPIA Director and Alternate Director: The Executive Director stated that it would be appropriate to appoint a JPIA Director and an Alternate Director. Following discussion, on motion of Rod Stiefvater, seconded by Alan Scroggs, and unanimously carried, the Board appointed President Yraceburu to the position of JPIA Director and Gnell Sparks the Alternate Director on the following roll call vote:

AYES: Rob Yraceburu



Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater  
Kim Brown

NOES: None

ABSENT: None

**Extension of Consulting Agreement with Mary King:** The Executive Director recommended extending the Consulting Agreement with Mary King to the end of the 2022. Following discussion, on motion of Rod Stiefvater, seconded by Rob Goff, and unanimously carried, the Board approved the extension of the Consulting Agreement with Mary King on the following roll call vote:

AYES: Rob Yraceburu  
Bernard Pugét  
Rob Goff  
Mike Nordstrom  
Alan Scroggs  
Rod Stiefvater  
Kim Brown

NOES: None

ABSENT: None

PUBLIC PARTICIPATION )  
NON-AGENDIZED ITEMS )  
\_\_\_\_\_ )

No public participation.

EXECUTIVE (CLOSED) SESSION )  
\_\_\_\_\_ )

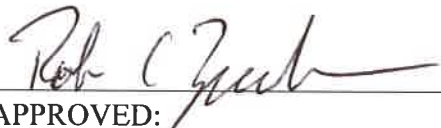
The President directed that the Board move into closed session to discuss anticipated litigation and existing litigation. Legal Counsel advised the Board that it has authority to hold a closed session under Government Code sections 54956.8, 54956.9(d)(2), and 54956.9(d)(4). All persons other than the Directors, the Executive Director, Legal Counsel, Kim Constant, Jaime Marquez, and Justin Rowe thereupon retired from the meeting.

Following the closed session, the meeting was again open to the public. Legal Counsel advised that no reportable action was taken in the closed session.

ADJOURNMENT )  
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There being no further business to come before the meeting, it was, on motion of Rod Stiefvater, seconded by Bernard Pug t, and unanimously carried, said meeting was adjourned at 1:25 p.m.

  
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Alan Scroggs  
Secretary of the Board of Directors

  
\_\_\_\_\_  
APPROVED:  
Rob Yraceburu  
Chairman