

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
BERRENDA MESA WATER DISTRICT  
MARCH 5, 2020**

A regular meeting of the Board of Directors of Berrenda Mesa Water District was held on March 5, 2020 at 9:30 a.m. at the District's Administration and Operations Building.

**CALL TO ORDER**

President Goff called the meeting to order at 9:30 a.m. at the District's Office, and presided thereat.

**ROLL CALL**

The following Directors were present: Rob Goff, Robert E. Baker, Steve Jackson, and Leon Elwell.

Also present were: Alan Becker; Israel Bravo, Les Diffenbaugh; Oscar Mello; Kris Lawrence; Mary King; Kim Constant; Steve Bottoms; and Phil Nixon, Manager.

**APPROVAL OF MINUTES**

On motion of Steve Jackson, seconded by Robert E. Baker, and unanimously carried, the minutes of the regular meeting of February 6, 2020, were approved.

Joe Hughes arrived at this point in the meeting.

**FINANCIAL REPORTS**

The Manager presented the following BMWD financial reports for Board approval:

**Approval of Treasurer's Report:** February 2020

Upon motion by Leon Elwell, seconded by Steve Jackson, the Board unanimously approved the Financial Reports as presented.

**Approval of Warrants:** Upon motion by Steve Jackson, seconded by Robert E. Baker, the Board unanimously ratified and approved the payables as set forth in Exhibits "B" and "C".

Alan Scroggs arrived at this point in the meeting.

**Quarterly Investment Report:** The Manager presented the fourth quarter 2019 Investment Report for informational purposes only. No actions taken.

## MANAGER'S REPORT

The Manager updated the Board on the following topics: (See Exhibit "E").

**2020 Water Supplies:** The 2020 SWP allocation remains 15 percent. DWR's February 1, 2020 90 percent exceedance studies (9 out of 10 years on average are wetter) show a potential allocation range of 13 percent to 16 percent depending on delta restrictions. Normally DWR uses the moderate 90 percent exceedance study for SWP allocation purposes and this month that study indicated 15 percent (current allocation). The 50 percent studies (average) indicate a potential range of 36 percent to 39 percent (this range will drop with next month's studies due to February's dry conditions). DWR also ran a 99 percent exceedance study assuming moderate delta restrictions which indicated a 14 percent allocation. DWR's March 1, 2020 studies should be available the third week of March.

The State share of San Luis Reservoir (SLR) was about .928 MAF and Oroville storage was about 2.25 MAF as of March 1, 2020.

**2020 Supplemental Water:** District staff continues to work with other members of the Westside 5 group and Agency staff to secure supplemental supplies.

State Water Contractors are developing a 2020 Dry Year Transfer Program. District landowners' initial requests totaled 35,185 AF. Price negotiations will continue through March with buyers' final requests due mid to late April. Water purchase payments are expected to be due mid to late April (50%) and late May (50%). DWR's February studies indicated transfer capacity is available with a SWP allocation below 50 percent.

**Estimated 2020 Water Supply:** The District's 2020 water supply is currently estimated to be approximately 47,528 AF including the following sources:

➤ Contract Water @ 15%	13,890 AF
➤ 2019 Carryover (est)	31,648 AF
➤ Landowner Transfers	1,590 AF
➤ Banked Water Recovery	400 AF
➤ <b>Total</b>	<b>47,528 AF</b>

**Operations & Maintenance:** Steve Bottoms provided a report on general maintenance and repairs made to District facilities in February 2020.

**District Water Deliveries:** A summary of the District's deliveries through February 29, 2020 was provided for review. No actions taken.

## **ATTORNEY'S REPORT**

**Form 700 Filing:** Legal Counsel reported the Form 700's are available for review by the Directors. Legal Counsel reminded the Directors that the Form 700's are due April 1, 2020.

## **OLD BUSINESS**

### **Westside District Water Authority:**

**Kern Groundwater Authority:** Kris Lawrence reported on the following matters pertaining to the KGA: 1) staff met with DWR to discuss subsidence on February 7, 2020: a) staff will continue to work with DWR to determine the cause of subsidence and improve the Aqueduct flow and b) staff tentatively scheduled a subsidence technical discussion with DWR staff on March 10, 2020; 2) the first round of well level testing is to take place on March 6, 2020; and 3) the first annual report is due April 1, 2020: a) the report will be completed as a basin and b) WDWA has submitted all the necessary information.

**Westside Water Quality Coalition:** Kris Lawrence reported on the following matters pertaining to the Westside Water Quality Coalition: 1) all required reporting was completed by the March 1, 2020 deadline; 2) CV-SALTS will include the revised BPAW in the board meeting agenda for the meeting to be held on March 20, 2020 in Sacramento, then the revised BPAW will be submitted to the Regional Board for final review; and 3) staff is preparing for a follow-up meeting with the Regional Board to discuss the BPAW's path forward and to discuss other regulatory items.

**Committee for Delta Reliability:** Kris Lawrence reported on the following matters pertaining to the Committee for Delta Reliability (CDR): 1) a meeting was held March 3, 2020; 2) a review of technical efforts focused on improving science in the Delta: 25 papers were published and biological opinions referenced the CDR papers multiple times; and 3) 2020 budget was presented and approved: budget will use current funds to support work until cash call later in the year.

**Delta Conveyance Project:** The Manager reported on the following matters pertaining to the Delta Conveyance Project (DCP): 1) DWR released the Notice of Preparation of Environmental impact report; 2) environmental and planning process is estimated to cost \$350 million over three years; 3) DWR proposed an opt-out approach; 4) State Water Contractors (SWCs) are evaluating Agricultural and urban transfers; 5) modeling has been updated; 6) SWCs have updated CWF cost to 2020 dollars; and 7) DCF cost estimates should be available late March or early April.

**Agency/Member Unit Policy Meetings:** The Manager reported on the following matters pertaining to the Agency and Member Unit Policy Meetings: 1) Jennifer Pierre provided an update on State Water Contractors activities; 2) the new General Manager is Tom McCarthy; 3) Delta Conveyance Project updates; 4) reviewed SWP operations and deliveries; and 5) reviewed and approved transfers.

**Review WWA Status:** The Manager reported that the working group tasked with the General Manager search will meet with John Rossi of Ralph Anderson and Associates to review applicants on March 9, 2020. Interviews will be held with the most qualified applicants on March 19, 2020.

**District Solar Project:** Kris Lawrence reported on the following activities pertaining to the District Solar Project: 1) the third party study is nearing completion: staff should receive a revised PG&E connection cost quote in the next two weeks. Once the connection cost quote is received the sixty day negotiation period with Tesla will begin; and 2) the easement documents have been distributed.

**Review Interest in acquiring 333 acres of District Land and Status of other District Land:** The Manager reported that Staff met with the individuals expressing interest in acquiring District land. Staff recommended that the Board should consider a public land sale for the 333 acres and include other land in the District that is not currently being used by the District.

The Manager presented a list of activities necessary for a public land sale. The Board directed Staff to move forward with setting up a District land sale.

**KCERA Update:** The Manager reported that staff and the ad-hoc committee met with the consultant to discuss details pertaining to the declining payroll policy and incorrect calculations received from KCERA. A letter has been sent to KCERA requesting they provide accurate calculations. Staff is researching the possibility of outside counsel to help resolve this issue.

## **NEW BUSINESS**

No new business.

## **PUBLIC COMMENT**

Director Elwell informed the Board of multiple thefts in the District.

**CLOSED SESSION**

The President directed that the Board move into closed session to discuss 1) conference with real property negotiator and 2) anticipated litigation. Legal Counsel advised the Board that it has authority to hold a closed session under Government Code sections 54956.8 and 54956.9(d)(2). All persons other than the Mary King, Kris Lawrence, Directors, Manager and Legal Counsel, thereupon retired from the meeting.

Following the closed session, the President reported that no action was taken in closed session and the meeting was again open to the public.

**ADJOURNMENT**

There being no further business to come before the Board, the President asked for a motion for adjournment. Upon motion of Leon Elwell, seconded by Alan Scroggs, and unanimously carried, said meeting was adjourned at 10:35 a.m.



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Phil Nixon, Secretary

ATTEST:



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Rob Goff, President