

MINUTES OF A SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF
WESTSIDE WATER AUTHORITY
BERRENDA MESA WATER DISTRICT

Held April 13, 2022

A special meeting of the Board of Directors of Berrenda Mesa Water District was held on April 13, 2022, at 11:30 a.m. at the Belridge Water Storage District's Administrative and Operation Building, and by video and teleconference as a joint meeting with Westside Water Authority, Belridge Water Storage District, Lost Hills Water District.

CALL TO ORDER)
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President Rob Goff called the meeting to order at 11:30 a.m. and presided thereat.

ROLL CALL)
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The following directors were present: Rob Goff, Mike Nordstrom, and Alan Scroggs.

The following directors attended via video conference and/or phone: Leon Elwell and Robert E. Baker.

Also present were: Tom McCarthy; Cody Tolbert; Sohan Samran; Rob Yraceburu; Rod Stiefvater; Bernard Pugét; Don Elholm; Monte Mitchell; Brett Hampf; Doug Anderson; Kim Brown; Morgan Mitchell; Justin Rowe; Kim Constant, Assistant Secretary; Mark Gilkey, General Manger; and Joe Hughes, Legal Counsel.

Also attending by video conference and/or teleconference were: Anthony Meyers; Kellie Welch; Alan Becker; Jeff Eklund; Rick Besecker; Sharon Roden; and Mary King.

ADOPTION OF ALTERNATIVE)
TELECONFERENCING REQUIREMENTS)
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Following discussion, on motion of Mike Nordstrom, seconded by Alan Scroggs, 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 teleconferencing determinations under Assembly Bill 361, on the following roll call vote:

AYES: Rob Goff
Leon Elwell
Alan Scroggs
Mike Nordstrom

Rob Baker

NOES: None

ABSENT: None

Kenneth Peters, Andrew Edstrom, Christin Faber, and Dale Melville arrived at this point in the meeting.

APPROVAL OF AGENDA)
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Following discussion there were no requests to revise the agenda.

DELTA CONVEYANCE PROJECT (DCP))
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Brad Kroecker arrived at this point in the meeting.

The Manager reported on the following items regarding the DCP: 1) DWR approved the California Water Fix: construction of two 35 mile tunnels and a facility to move water under the Delta to SWP and Central Valley (CVP) pumping facilities on July 21, 2017; 2) Governor Newsom announced he did not support two tunnels on February 12, 2019, but would support the project if amended to one tunnel: Delta Conveyance Project (DCP); 3) in October 2020, KCWA reported that the project will take four years of funding to plan the project and construction will take 10-15 years; 4) Belridge Water Storage District, Lost Hills Water District, and the District entered into an agreement with KCWA and other Member Units to fund the first two years of the DCP planning process and to participate at 50 percent, 50 percent, and 35 percent, respectively; 5) KCWA is requesting Member Units decide to participate in the remaining two years of funding the DCP planning costs by April 28, 2022; 6) the planning of the DCP project is on time and on budget; 7) KCWA is asking for a decision by April 28, 2022 so that DWR can incorporate DCP charges into its July Statement of Charges and avoid rebilling; and 8) Risks: planning cost not recovered if DCP construction does not proceed, publicly available updates will not be released until after EIR/CEQA is released in the summer of 2022, and updated construction cost estimates will not be available until 2023.

Presentation by SWP Principal Operating Officer Tony Meyers regarding DCP Status:

Tony Meyers presented the following information regarding the DCP: 1) purpose: Modernize the SWP infrastructure in the Delta to restore and protect the reliability of SWP water deliveries; 2) objectives: address rising sea levels and climate change, minimize water supply disruption due to seismic risk, protect water supply reliability, and provide operational flexibility to improve aquatic

conditions; 3) engineering summary; 4) engineering input for impact analysis; 5) Bethany Reservoir Alignment; 6) stakeholder engagement committee update; 7) public outreach and community engagement plan for 2022; 8) estimated project cost is \$15.9 billion: includes construction, management, oversight, mitigation, planning, soft costs, and contingencies. Costs will be refined if or when an alternative is selected; 9) planning schedule; and 10) planning is on schedule and on budget.

Tony Meyers informed the Board that it is anticipated that bonds will be available to finance the DCP. Once bonds are available, planning costs will be reimbursed to those who have funded the planning process for the California Water Fix and the DCP.

Tony Meyers left at this point in the meeting.

Discussion Regarding Further DCP Participation for 2023 and 2024: Following discussion, the Board recommended moving forward.

Amendment No. 1 DCP to KCWA Planning Member Unit Funding Agreement (BWSD, BMWD, and LHWD): Following discussion, on motion of Alan Scroggs, seconded by Leon Elwell, and motion carried, the Board authorized execution of Amendment No. 1 DCP to KCWA Planning Member Unit Funding Agreement subject to confirmation by Legal Counsel of reimbursement through the issuance of bonds to those who have funded the planning and design of the DCP on the following roll call vote:

AYES: Rob Goff
Leon Elwell
Alan Scroggs
Rob Baker

NOES: Mike Nordstrom

ABSENT: None

OTHER DISTRICT ITEMS)
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Review of 2021 CVC Losses: The Manager reported that Staff received inquiries from Landowners regarding higher-than-average banking recovery losses. The Manager presented a graph of 2021 CVC flows and losses by month. Historically, losses range between 3 to 3.5 percent on average. The graph showed higher than average losses, up to 5 percent, in CVC Pool 1 between March and June 2021. Staff continues to work with KCWA regarding banking recovery losses. Leon Elwell left at this point in the meeting.

Ad Hoc Committee to Review and Make Recommendations Regarding Accounting for WWA and Member District Assets, and Payment of SWP Charges:

The Manager recommended appointment of an ad hoc committee to review and make recommendation regarding accounting for WWA and member district assets, and payment of SWP charges through the WWA. Following discussion, the WWA Chairman appointed himself and Mike Nordstrom to the ad hoc committee.

PUBLIC COMMENT)
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No public comment.

CLOSED SESSION)
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The President directed that the Board move into closed session to discuss anticipated 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, Morgan Mitchell, Justin Rowe, Rob Yraceburu, Rod Stiefvater, Brett Hampf, Bernard Pugét, Don Elholm, Doug Anderson, Monte Mitchell, Kim Brown, and Kim Constant, 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 Mike Nordstrom, seconded by Alan Scroggs, and unanimously carried, said meeting was adjourned at 2:38 p.m.



Mark Gilkey
Secretary of the Board of Directors

APPROVED:



Rob Goff
President of the Board of Directors