

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

Held November 16, 2023

A special meeting of the Board of Directors (Board) of Berrenda Mesa Water District (District) was held in-person on November 16, 2023, as a joint meeting with Westside Water Authority, Lost Hills Water District, Westside Water Quality Coalition, and Westside District Water Authority GSA at 9:00 a.m. at the Belridge Water Storage District's Administrative and Operation Building.

CALL TO ORDER )  
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President Rob Goff called the meeting to order at 9:00 a.m. and presided thereat.

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

The following directors were present: Rob Goff, Alan Scroggs, Leon Elwell, Trevor Warren, and Levi Barton

Also present were: Leta Spencer, Brad Kroeker, Brett Hampf, Rod Stiefvater, Bernard Pugét, Jeremy Blackwell, Monte Mitchell, Mike Nordstrom, Matt Payne, Brianda Rodriguez, Mohamed Mushtaq Mohideen, Morgan Mitchell, Jamie Marquez, Steve Bottoms, Justin Rowe, Kim Constant (Assistant Secretary), and Joseph D. Hughes (Legal Counsel).

Also attending by video conference and/or teleconference were Mary King, Abbigale Seal, Tami Pensinger, Elisabeth Cervantes, Morgan Campbell, Alex Dominguez, and Mark Gilkey (Executive Director).

CONSENT AGENDA )  
\_\_\_\_\_ )

The President asked if there were any questions concerning the Consent Agenda, which items were detailed with staff reports in the Board packet. On motion of Leon Elwell, seconded by Alan Scroggs, and unanimously carried, the Board approved the item listed on the Consent Agenda on the following roll call vote:

AYES:           Rob Goff  
                    Alan Scroggs  
                    Leon Elwell

Trevor Warren  
Levi Barton

NOES: None

ABSENT: None

BERRENDA MESA WATER DISTRICT )  
\_\_\_\_\_ )

**Berrenda Mesa Spreading Grounds Annexation into Berrenda Mesa Water District:** Alex Dominguez reported that currently the Berrenda Mesa Spreading Grounds (BMSG) are managed by the Kern River GSA (KRGSA) and are not part of any public agency. Mr. Dominguez recommended that the BMSG be annexed into Berrenda Mesa Water District to allow the Berrenda Mesa Water District Board to have more influence regarding SGMA implementation. The Berrenda Mesa Water District Board directed Legal Counsel and Staff to pursue the annexation of BMSG into Berrenda Mesa Water District and report back to the Berrenda Mesa Water District Board for approval.

FINANCIAL UPDATES )  
\_\_\_\_\_ )

**Landowner Refunds for 2023 SWP Credits/Charges (BWSD, BMWD, LHWD):** Mary King presented a spreadsheet representing staff's calculation of the credits and charges to landowners based on 2023 and prior year State Water Project and energy adjustments. Staff has prepared warrants payable to those water users entitled to a credit and invoices for charges due. Staff recommended that the warrants be held for thirty days to allow landowners to review the calculations and the information contained therein and further to hold all warrants payable to landowners with open invoices. Staff will release said warrants to landowners on December 18, 2023, if no comments are received. Following discussion, on motion of Alan Scroggs, seconded by Leon Elwell, and unanimously carried, distribution of the warrants on December 18, 2023, were approved if no changed are required on the following roll call vote:

AYES: Rob Goff  
Alan Scroggs  
Leon Elwell  
Trevor Warren  
Levi Barton

NOES: None

ABSENT: None

**2013-2018 Supplemental Water Refund Update (BWSD, BMWD, LHWD):** Justin Rowe reported that staff distributed a letter to all landowners associated with any entity involved in supplemental water on November 8, 2023. The letter requested landowners review staff's calculations and respond within thirty (30) days of the letter being distributed with comments. Warrants will be distributed following the thirty-day review period pending comments.

**2019-2020 Supplemental Water Refund Update (BWSD, BMWD, LHWD):** Justin Rowe reported that staff would like to use the same process as the 2013-2018 supplement water refund for the 2019-2020 supplemental water refund. Staff requested directions from the Board. Mr. Rowe also reported that moving forward staff will continue this process each year. The Board directed staff to move forward.

**Approve Investment Policy (WWA, BWSD, BMWD, LHWD):** Justin Rowe presented an updated Investment Policy. Staff recommended a two-week review period for the Board and recommended approval subject to comments from the Board and Legal Counsel's review. Following discussion, on motion of Alan Scroggs, seconded by Trevor Warren, and unanimously carried, the Investment Policy was approved subject to a two-week review by the Board and Legal Counsel's review on the following roll call vote:

AYES: Rob Goff  
Alan Scroggs  
Leon Elwell  
Trevor Warren  
Levi Barton

NOES: None

ABSENT: None

**Approve movement from Tri Counties Treasury Management to Chase Treasury Management (WWA, BWSD, BMWD, LHWD, WWQC, WDWA GSA):** Justin Rowe requested that the Board approve moving the District's Treasury Management from Tri Counties Bank to Chase Bank due Chase Bank offering the following: (1) a higher interest rate; (2) a relationship manager; (3) the ability to integrate with QuickBooks Enterprise; and (4) a reduced risk for financial loss. Following discussion, on motion of Alan Scroggs, seconded by Trevor Warren, and unanimously carried, the Board approved moving the District's Treasury Management from Tri Counties Bank to Chase Bank on the following roll call vote:

AYES: Rob Goff  
Alan Scroggs  
Leon Elwell  
Trevor Warren  
Levi Barton

NOES: None

ABSENT: None

WATER OPERATIONS )  
\_\_\_\_\_ )

Jamie Marquez updated the Board on current water operations.

LEGAL COUNSEL REPORTS )  
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No report.

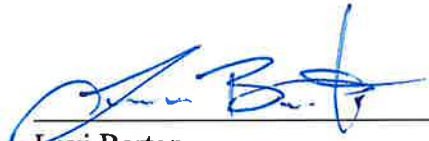
EXECUTIVE (CLOSED) SESSION )  
\_\_\_\_\_ )

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 closed session under Government Code sections 54956.9(d)(2), and 54956.9(d)(4). All persons other than the Directors, the Executive Director, Legal Counsel, Brad Kroeker, Brett Hampf, Rod Stiefvater, Bernard Pugét, Jeremy Blackwell, Monte Mitchell, Mike Nordstrom, Matt Payne, Steve Bottoms, Alex Dominguez, Morgan Mitchell, Jamie Marquez, Mary King, Abbigale Seal, Mohamed Mushtaq Mohideen, Brianda Rodriguez, Tami Pensinger, Elisabeth Cervantes, Morgan Campbell, Justin Rowe, and Kim Constant thereupon retired from the meeting.


Following 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, on motion of Alan Scroggs, seconded by Trevor Warren, and unanimously carried, said meeting was adjourned at 11:11 a.m.

  
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Levi Barton  
Secretary of the Board of Directors

APPROVED:

  
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Rob Goff  
President of the Board of Directors