

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
ARVIN-EDISON WATER STORAGE DISTRICT
June 14, 2022**

President Camp called to order the monthly meeting of the Board of Directors of the Arvin-Edison Water Storage District at the hour of 12:00 p.m., at District Headquarters, at 20401 East Bear Mountain Boulevard, Arvin, California, with a quorum being then and there and remotely present, to wit:

CALL TO ORDER

Edwin Camp, President
John Moore, Secretary-Treasurer
Jeffrey Giumarra, Vice President
Catalino Martinez
Dennis Johnston
Catherine Fanucchi
Matthew Vickery (Via WebEx)
Derek Yurosek (Via WebEx)
Brian Kirschenmann

District staff:

Jeevan Muhar, Engineer-Manager
David Nixon, Deputy General Manager
David Grant, Controller*
Mark Dawson, Engineer*
Micah Clark, Engineer Technician*
Megan Cullor, Human Resource Manager*
Sherry Jauch, Executive Secretary (Via WebEx)*

District consultants:

Joseph Hughes, Esq., Klein DeNatale Goldner, LLP
Randy Hopkins Provost & Pritchard Engineering Group*
Anona Dutton, EKI Consultants (Via WebEx)*
Scott Kuney, Esq. Young Wooldridge LLC (Via WebEx)**
Nate Kowalski, Esq. Atkinson, Andelson, Loya, Ruud & Romo (Via WebEx)**

Visitors and Guests:

Vincent Sorena, Global Ag Properties*
Justin Murray, Illume Ag*
Kevin Assemi, Maricopa Orchards*
Doug Jackson, Water and Land Solutions (Via WebEx)*
Jose Barba, Local Union 501 (Via WebEx)*
John Gaugel, Wonderful Orchards (Via WebEx)*
Maryse Suppinger, Manulife Investment Management (Via WebEx)*
Sheridan Nicholas, Wheeler Ridge Maricopa WSD (Via WebEx)*

PLEDGE OF ALLIGIANCE

The pledge of allegiance was recited.

Note: **Departed at the Closed Session at 1:40 p.m.*
 ***Portion of Closed Session Only*

RECOGNITION OF VISITORS AND GUESTS

All visitors were recognized and formally introduced.

CORRECTIONS OR ADDITIONS TO THE AGENDA OF ITEMS, AS AUTHORIZED BY GOVERNMENT CODE §54950 et seq.

Mr. Muhar stated no changes to the posted Agenda.

OPPORTUNITY FOR PUBLIC COMMENT (Government Code §54854.3)

There were no public comments.

Resolution No. 22-15, AUTHORIZATION OF INITIAL REMOTE TELECONFERENCE MEETING UNDER AB 361

Mr. Muhar presented a form of Resolution whereby Director Fanucchi motioned, seconded by Director Martinez, and by unanimous vote adopted Resolution No. 22-15, AUTHORIZATION OF INITIAL REMOTE TELECONFERENCE MEETING UNDER AB 361:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

A copy of Resolution No. 22-15, is on file in the Resolution book and is hereby made a part of these minutes.

CONSENT MATTERS

President Camp asked if there were any questions concerning the Consent Calendar, which items were detailed with staff reports in the Board packet. Director Fanucchi requested to remove Consent Item Number 10 from Consent Matters. The following is the list of Consent Agenda items:

7. Minutes of Board of Directors' meeting held on May 10, 2022
8. Treasurer's Report for May 31, 2022
9. Memberships, contributions, and/or call for funds:
 - a) Western Growers annual membership in the amount of \$400
 - b) Agricultural Energy Consumers Association annual membership in the amount of \$4,625
10. PULLED FROM CONSENT MATTERS

Director Martinez motioned, seconded by Director Giumarra, and unanimously voted to approve the three (3) Consent items:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

CONSIDER APPROVAL OF THE PAINTING OF FOUR (4) STANDTANKS (\$109k)

Mr. Dawson reviewed the locations, bids, schedule, and cost of painting four (4) Standtanks with lowest bidder being \$109k from Capital Industrial Coatings. There was a discussion regarding the painting options, which will be reviewed in greater detail for next year. Director Johnston motioned, seconded by Director Giumarra, and unanimously voted to approve the Painting of four (4) Standtanks to the lowest bidder in the amount of \$109k:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

ACTION ITEMS

Resolution No. 22-16, ORDERING PAYMENT OF ACCOUNTS AND CLAIMS (May 2022
- Warrant Numbers 45173-45308

Mr. Grant stated there was an additional batch totaling \$60k bringing the May disbursements to approximately \$6.1M, and noted the Semi-Annual 2022 Loan Payments to Banc of America in the amount of approximately \$2.0M.

Mr. Grant then presented a form of Resolution; whereupon, Director Martinez motioned, seconded by Director Kirschenmann, and unanimously voted to approve Resolution No. 22-16, ORDERING PAYMENT OF ACCOUNTS AND CLAIMS (May 2022).

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

A copy of Resolution No. 22-16, is on file in the Resolution book and is hereby made a part of these minutes.

CONSIDER APPROVAL OF THE FIRST AMENDMENT OF THE MEMORANDUM OF UNDERSTANDING BETWEEN ARVIN-EDISON WATER STORAGE DISTRICT AND ARVIN COMMUNITY SERVICES DISTRICT FOR IMPLEMENTATION OF THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT WITH ARVIN-EDISON WATER STORAGE DISTRICT

CONSIDER APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN ARVIN COMMUNITY SERVICES DISTRICT, ARVIN-EDISON WATER STORAGE DISTRICT, TEJON-CASTAC WATER DISTRICT, AND WHEELER-RIDGE WATER STORAGE DISTRICT FOR SOUTH OF THE KERN RIVER GROUNDWATER SUSTAINABILITY PLAN

CONSIDER APPROVAL OF DRAFT SOUTH OF KERN RIVER GROUNDWATER SUSTAINABILITY PLAN FOR PUBLIC COMMENT

Mr. Muhar presented the First Amendment of the Memorandum Of Understanding and noted the amendment was necessary to address the transition from Kern Groundwater Authority GSP into the South of Kern River GSP, and staff is recommending the Board of Directors approve the amendment.

Mr. Muhar then presented the Memorandum of Agreement (MOA) and noted the MOA provides for governance as well as the roles and responsibilities for the four (4) agencies, and the vehicle for submitting a joint South of the Kern River Groundwater Sustainability Plan (GSP) to the Department of Water Resources along with the other five (5) GSP's in the Kern Subbasin.

Mr. Muhar finally noted the Arvin GSA, which includes the Arvin Community Services District boundary, and in coordination with Wheeler Ridge-Maricopa GSA and Tejon Castac Water District GSA, has completed the process of transitioning its Kern Groundwater Authority Management Area Plans into a South of the Kern River (SOKR) GSP as well as addressing the deficiencies highlighted by DWR.

Following a long discussion, Director Yurosek motioned, seconded by Director Johnston, and unanimously voted to (1) approve the First Amendment of the Memorandum of Understanding between Arvin-Edison Water Storage District and Arvin Community Services District, (2) approve the MOA, and (3) approve the Draft South of Kern River Groundwater Sustainability Plan for Public Comment:

Ayes:	Camp; Giumarra, Moore, Johnston, Martinez, Yurosek, Fanucchi, Kirschenmann, and Vickery
Noes:	None
Abstain:	None
Absent:	None

REPORT ITEMS

FRIANT DIVISION AND FRIANT WATER AUTHORITY (FWA) **Friant-Kern Canal Subsidence (FKC)**

Mr. Muhar provided an update on the information in the Board packet regarding the FKC construction including reports on cash flow activities with substantial completion of the project anticipated in January 2024.

Friant-Kern Water Quality

Mr. Muhar provided an update on the information in the Board packet stating the Ad-Hoc Committee is working on the Water Quality Guidelines as well as the voluntary "Cooperative Agreement" which will ultimately provide the FWA authority to implement such a program on USBR owned facilities.

Miscellaneous

Mr. Muhar provided an update on the information in the Board packet noting; Class I declaration is still standing at 15%, but could increase to 30% if the San Joaquin River Exchange Contractor deliveries are switched to Delta-Mendota Canal by end of June or early July; San Luis Delta Mendota Water Authority issues are Electrical Transmission Project Agreements and cost accounting of SJR water releases address flood type only; Blueprint continues to make progress and adopted a Strategic Plan; FWA External Affairs report in the Correspondence portion of the Agenda; as well as several closed session topics to be discussed.

AGENCY/AUTHORITY/COMMITTEE REPORTS

Kern Groundwater Authority (KGA)

Director Yurosek and Mr. Muhar attended the KGA Board of Directors' meeting held on May 25, 2022 as well as various other coordination calls/meetings regarding the DWR comment letter as outlined in the Board packet.

South of Kern River Amended Groundwater Sustainability Plan (GSP) Update

Mr. Muhar highlighted the action items related to Arvin's joint development of an amended GSP for management areas of the South of Kern River with Wheeler Ridge-Maricopa Water Storage District, Tejon-Castac Water District and Arvin Community Services District (collectively, SOKR) as outlined in the Board packet and noted the clarification letter to Kern Groundwater Authority and the GSP timeline.

White Wolf Groundwater Sustainability Agency

Director Giumarra and staff attended the Board of Directors' meeting on June 7, 2022 and noted the technical presentation in their Board Packets, which provides for additional details and a summary of ongoing matters.

STAFF REPORTS

District Operations

Mr. Muhar reviewed year-to-date delivery summary, in-district demand, wellfields, groundwater and surface supplies for the year, groundwater level information and recent rainfall/snowpack info.

Water Supply and Prorate Update

Mr. Nixon provided an update on the 2022 Water Year Prorate Program schedules and noted the second landowner turnback pool would need to be communicated to Landowners prior to the next board meeting and requested approval of a \$300 per acre-foot price. Director Fanucchi motioned,

seconded by Director Kirschenmann, and unanimously voted to approve the second turnback pool of \$300 per acre-foot:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

Groundwater Model Update

Mr. Muhar provided an update on the Groundwater Model and Operational Support Tool.

CORRESPONDENCE

Mr. Muhar noted the FWA External Affairs and the KCWA Legislative update and an article "California Agriculture Regulatory Update - June 2022."

MATTERS OF DISTRICT COUNSEL

Mr. Hughes had nothing to report.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL

Legal Counsel Hughes then advised the Board he would like to discuss existing litigation, and anticipated litigation, namely: Initiation of litigation (Two Items); Arvin-Edison WSD vs. J.R. Simplot, et al (123TCP); Arvin-Edison WSD v. Porterville ID, et al (FKC issues); PG&E WDT3 Rate Case, ER20-2878; NRDC vs. Conant, et al (SJRRP); Appeal of Regional Board General Order for Third Party Groups for Tulare Lake Basin (Resolution #R5-2013-0120) to State Water Resources Control Board (Irrigated Lands Program); City of Fresno, et al v. USA, Court of Federal Claims; The California Natural Resources Agency, et al, v. Wilbur Ross (Biological Opinions Intervention); Rosedale-Rio Brave Water Storage District et al. v. Kern County Water Agency et al, (Cross Valley Canal); Closes Session (Government Code §54957.6) Conference with Labor Negotiator Employee Organization: International Union of Operating Engineers Local 501; Employment Engineering Technician; and based upon advice from Legal Counsel, discussing such matters in open session would cause prejudice to the District; therefore, the Board adjourned into closed session in accordance with Government Code Section §54956.9 at 1:40 p.m.

Upon returning to open session at 4:15 p.m., Director Johnston motioned, seconded by Director Martinez, and unanimously voted to approve the Common Interest Agreement pursuant to SGMA related activities, by and between the Arvin-Edison Water Storage District, Arvin Community Services District, Wheeler Ridge-Maricopa Water

Storage District, and Tejon-Castac Water District under the terms discussed in closed session:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

Director Martinez motioned, seconded by Director Kirschenmann, and unanimously voted to authorize the Letter of Agreement with Young Wooldridge LLP Special Counsel, by and between Arvin-Edison Water Storage District and Kern-Tulare Water District under the terms discussed in closed session:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None


Director Johnston motioned, seconded by Director Giumarra and unanimously voted to approve the hiring of an Engineer Technician at the current Non-Bargaining Wage Scale:

Ayes: Camp, Giumarra, Moore, Johnston, Martinez, Yurosek,
Fanucchi, Kirschenmann, and Vickery
Noes: None
Abstain: None
Absent: None

OTHER ITEMS TO BE DISCUSSED PURSUANT TO GOVERNMENT CODE SECTION §54954.2 (RELATING TO ITEMS NOT APPEARING ON THE POSTED AGENDA); AND ADJOURNMENT

President Camp asked if there were any further matters that needed to be brought before the Board of Directors, and there being none; Director Johnston motioned, seconded by Director Fanucchi and by unanimous vote, adjourned the meeting at 4:20 p.m.





David A. Nixon, Deputy General Manager
/Assistant Secretary-Treasurer