

**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
ARVIN-EDISON WATER STORAGE DISTRICT  
June 11, 2024**

President Camp called to order the monthly meeting of the Board of Directors of the Arvin-Edison Water Storage District at the hour of 12:05 p.m. at District Headquarters, at 20401 East Bear Mountain Boulevard, Arvin, California, with a quorum being then and there present to wit:

**CALL TO ORDER**

Edwin Camp, President  
Jeffrey Giumarra, Vice President  
Dennis Johnston, Secretary-Treasurer  
Catherine Fanucchi  
Matthew Vickery  
Scott Spitzer  
Derek Yurosek (Via Remote @ 12:30 p.m.)

There was two absent Directors:

Catalino Martinez  
Brian Kirschenmann (Via Remote)\*

District staff:

Jeevan Muhar, Engineer-Manager  
David Nixon, Deputy General Manager  
Samuel Blue, Resource Manager  
Mark Dawson, Engineer\*  
David Grant, Controller\*  
Megan Cullor, Human Resource Manager (partial closed session)

District Consultants:

Joseph Hughes, Esq., Klein DeNatale Goldner, LLP  
Randy Hopkins, Provost & Pritchard Engineering\*  
Frank Colatruglio and Garrett, Wells Fargo Bank Pension Advisors\*  
Nate Kowalski Esq., Atkinson Andelson Loya Ruud & Romo, LLP (Via Remote)\*\*

Visitors and Guests:

Sonia Lemus, SJV Water (Via Remote)\*  
Craig Bono, Sunview Farms\*  
Lefty Delis, Delis Farms\*  
Vincent Soreno, Global Ag Properties (Via Remote)\*

**PLEDGE OF ALLIGIANCE**

The pledge of allegiance was recited.

**Note:** \*Departed at start of Closed Session at 1:45 p.m.  
\*\*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.

## CONSENT MATTERS

President Camp noted items listed on the Consent Agenda are considered routine and non-controversial by staff and will be approved by one motion. The following items were listed on the Consent Agenda, which items were detailed with staff reports in the Board packet:

6. Approval of Minutes of the Board of Directors meeting held on May 14, 2024, and Special Minutes of the Landowner Workshop Meeting for May 29, 2024
7. Approval of Treasurer's Report for May 31, 2024, and Delinquency List in the amount of \$2,240
8. Approval of California Water Farm Coalition contribution in the amount of \$3,000

Director Vickery motioned, seconded by Director Johnston, and unanimously carried to approve the three (3) Consent Agenda items.

## ACTION ITEMS

### Resolution No. 24-16, ORDERING PAYMENT OF ACCOUNTS AND CLAIMS (May 2024 - Warrant Numbers 48989-49132)

Mr. Grant reported on the May disbursements totaling approximately \$7.3M during the month and included loan payments of \$1.9M and six (6) checks totaling \$1.0M that were reissued due to being lost or stolen during the previous month.

Mr. Grant then presented a form of Resolution; whereupon Director Johnston motioned, seconded by Director Fanucchi, and unanimously carried to approve Resolution No. 24-16, ORDERING PAYMENT OF ACCOUNTS AND CLAIMS (May 2024). A copy of Resolution No. 24-16 is on file in the Resolution book and is hereby made a part of these minutes.

### Approval of Provost & Pritchard Engineering Group Task Order 23-03 Amendment 1 for Services on the Frick Unit Pipeline Project

Mr. Blue presented the Provost & Pritchard Task Order Amendment 1 for services on the Frick Unit Pipeline Project stating that the Board approved (March 2024) the 23-03 Task Order in the amount of \$406k, but pursuant to the funding requirements from the Community Project Funding

Program, and the increase to the project area at landowners request (2,500 acres to 2,800 acres) the Task Order needs to be amended with an increase of \$115K, making the total project design at an amount not to exceed \$521k. Director Giumarra motioned, seconded by Director Fanucchi, and unanimously carried to approve the Provost & Pritchard Engineering Task Order 23-03, Amendment 1 in the amount of \$115k.

**Appointment of Kern Non-District Land Authority Representatives from Arvin-Edison Water Storage District and Approval of Nominations for the two Non-District Representatives Seats on the Authority Board of Directors**

Mr. Muhar noted at the May Board meeting, the Arvin GSA elected to join the Kern Non-District Land (KNDL) Authority. The KNDL Authority is the successor to the former Kern Groundwater Authority. Ninety (90) percent of the Subbasin approved participation in the KNDL Authority (excluding the City of Bakersfield and Henry Miller Water District who declined to participate). Mr. Muhar further noted 90 percent threshold was a precondition to the Kern County Water Agency's (KCWA) agreeing to sign the KNDL Joint Powers Agreement (JPA) and lend its county-wide jurisdiction to the Authority. The JPA has now been fully executed and the KNDL Authority is official. The Subbasin is preparing to schedule the first KNDL meeting, and each GSA General Member has been asked to identify its representatives for the KNDL Board of Directors. Staff recommends naming Director Derek Yurosek as a primary representative and another Director as a secondary representative that would transition to the primary representative in the near future. Similar to its participation in other JPAs, staff recommends adding all Directors as alternate representatives. Director Fanucchi motioned, seconded by Director Johnston, and unanimously carried to appoint Director Yurosek as the District's primary representative and Director Spitzer as the District's alternate representative, and to list all Board members as alternate representatives.

Additionally, the Board provided directions to staff for a couple names to consider for the two non-district representatives that being Devon Yurosek and Brett Sill.

**REPORT ITEMS**

**AGENCY/AUTHORITY/COMMITTEE REPORTS**

**Friant**

Mr. Muhar provided a brief update on Friant including upcoming June 21 FKC ribbon cutting event and noted the additional Friant details are included in the Board packet.

**South of Kern River (SOKR) Groundwater Sustainability Plan (GSP)**

Mr. Muhar noted a detailed sheet enclosed in the Board packet along with updated SOKR and Arvin GSA monitoring network maps and mentioned

the Subbasin follow up letter with State Board members highlighting the recently submitted Amended Kern Subbasin GSPs.

#### **White Wolf GSA**

Mr. Muhar provided an update and noted that additional technical details from the Board meeting are enclosed in the Board packet including the various investigative action of a well that has exceeded a minimum threshold.

#### **Kern River Watershed Coalition Authority**

Director Johnston gave a verbal report on continued efforts involving the Kern Water Collaborative and potential for scope creep related to mitigation efforts.

#### **Power and Water Resources Pooling Authority**

Mr. Nixon provided a verbal update noting the recent audit, current organizational chart, interest from Buena Vista Water Storage District as a member, and further discussions regarding potential solar project to address future state required renewable energy credits.

#### **STAFF REPORTS**

##### **District Operations**

Mr. Blue provided a brief update on current water supply conditions including snowpack and recent vandalism at Sunset Groundwater Recharge Facility, which electrical fencing was not yet completed and is scheduled for June.

Mr. Muhar described water user feedback related to the Spring Workshop and the District's encouragement of surface water use. Management requested Board approval of case-by-case scenarios for temporary annual changes to Surface Water Surface Area Exhibit A properties that meet the following criteria: 1) no impacts to existing water users, 2) SGMA benefits, 3) increased surface and decreased groundwater use, 4) assist with lateral prorates, 5) not allowed during water supply prorates, and 6) landowner responsible for any costs. The Board was unanimously in favor of allowing Management discretion in such temporary changes subject to documenting the criteria is met.

##### **Summary of Grants and On-going Projects**

Mr. Blue noted the on-going grants and projects written up in the board packet, along with Provost & Prichard's project update report.

##### **AEWSD Pension Plan Update**

Mr. Nixon presented a brief update of the "All Hands" meeting held on May 10, 2024, and a chart of the Pension Plan Administration.

Financial Consultant Frank Colatruglio and his associate Garrett (Pension Plan Advisors) from Wells Fargo Bank were present to discuss and answer questions regarding the District's Pension Plan.

**CORRESPONDENCE**

Mr. Muhar noted Legislative updates from Friant Water Authority and Kern County Water Agency.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL, PUBLIC EMPLOYMENT, AND REAL PROPERTY NEGOTIATIONS**

Legal Counsel Hughes then advised the Board he would like to discuss existing litigation, anticipated litigation, public employment, and real property negotiations, namely:

- Potential litigation (Five Items);
- Arvin-Edison WSD vs. J.R. Simplot, et al (123TCP);
- 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);
- Friant Water Authority and AEWSA et. Al., v. Eastern Tule GSA;
- Public Employment Personnel Matters (Government Code §54957); 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 1:45 p.m. Upon returning to open session at 3:20 p.m., Director Johnston motioned, seconded by Director Vickery and unanimously carried to approve the Job Descriptions and Wage Schedule as presented.

**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 Fanucchi motioned, seconded by Director Vickery, and unanimously carried, to adjourn the meeting at 3:21 p.m.



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