

DUDLEY RIDGE WATER DISTRICT

District Office: 455 W. Fir Ave., Clovis, CA 93611-0242
Phone: 559-449-2700 Fax: 559-449-2715 www.dudleyridgewd.org

SPECIAL MEETING OF THE BOARD OF DIRECTORS August 23, 2021; 1:00 PM

1. CALL TO ORDER –PRESIDENT KIMBERLY BROWN

2. PUBLIC PARTICIPATION – NON AGENDIZED ITEMS

Members of the public are permitted to address the Board on items of interest that are within the jurisdiction of the Board, whether or not such items are on the agenda. If any such item is on the agenda, a member of the public may address such item before or during the Board's consideration of that item. To not unduly delay the meeting, individuals requesting the opportunity to address the Board are requested to keep their comments to a maximum of five minutes.

3. MINUTES

The Board will be asked to review and approve the Minutes of the June 14, 2021 Regular Board meeting.

4. OATH OF OFFICE

Patrick O'Dowd will be sworn in as a District director.

5. RESOLUTION FOR ACWA VICE PRESIDENT

The Board will be asked to consider adopting Resolution 2021-07 nominating and supporting Patrick O'Dowd as a candidate for vice president of the Association of California Water Agencies ("ACWA").

6. SWP AUDIT AGREEMENT

The Board will hear a report and be asked to approve the District's participation in the audit services of Ernst & Young on the State Water Project ("SWP").

7. DATE, TIME AND LOCATION OF NEXT BOARD MEETINGS

The date of the next Board meeting is to be determined.

8. ADJOURNMENT

Notes:

- 1) **During the term of the Governor's State of Emergency declarations, District Board meetings may be accessed by Board members, staff, and the public via teleconference by calling 559-512-2821, access code 820 350 401# or video-conferencing by connecting to the Board meeting link on the website www.dudleyridgewd.org.**
- 2) *Written materials related to an item on this agenda to be considered in open session that are public documents and that are distributed to Board members after the posting of the agenda will be made available for public inspection when they are so distributed at the offices of the Dudley Ridge Water District located at the above address during normal business hours and on the District's website at www.dudleyridgewd.org. Documents that are public documents provided by others during a meeting will be available at the District office and on the District's website after the meeting.*
- 3) *A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District to provide disability related modifications of accommodations in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets. Requests for disability related modification or accommodation, in order to attend or participate in a District meeting, should be made to Dudley Ridge Water District at the above address or by telephone to 559-449-2700, at least 48 hours before a public meeting of the District.*
- 4) *Meeting notification requests: If you would like to be notified of future Dudley Ridge Water District meetings and events, please contact Dale Melville at 559-449-2700 or email at dmelville@ppeng.com.*

POSTED 8/18/2021 BY LS (District office) & JB (in District)

MINUTES of the Regular Meeting of the Board of Directors of Dudley Ridge Water District held on July 14, 2021 at 1:00 p.m. at the office of the District, 455 W. Fir Ave., Clovis, California. Due to safety concerns related to Covid-19, all attendees participated via teleconference.

DIRECTORS PRESENT: Kimberly Brown, President
Bernard Puget
Larry Ritchie
John Vidovich

DIRECTORS ABSENT: None.

OTHERS PRESENT: Mark Gilkey, General Manager
Dale Melville, Assistant Manager-Engineer
Rick Besecker, Assessor-Collector-Treasurer
Joe Hughes, Legal Counsel
Kris Lawrence, Kim Constant, Gnelle Sparks, Westside WA
Paul Weghorst, Patrick O'Dowd, Irvine Ranch WD

President Brown called the Board meeting to order at 1:00 p.m.

MINUTES

Director Puget made a motion to approve the minutes of the May 12, 2021 Regular Board Meeting. The motion was seconded by Director Jackson; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

VACANCY ON BOARD

The Assistant Manager-Engineer noted that Mr. Patrick O'Dowd was elected to serve a four-year term beginning December 2021, and that he was the only person to respond to the notice of vacancy. Director Puget made a motion to appoint Mr. O'Dowd to serve the remainder of Mr. Jackson's term. The motion died for lack of a second.

Next, Mr. Melville reported that with the resignation of Mr. Jackson, the District would need to name a new Secretary. Director Ritchie made a motion to appoint Director Vidovich as Secretary. The motion was seconded by Director Puget; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

Finally, by consensus, the Board unanimously approved Resolution No. 2021-06, attached and made a part of the minutes, recognizing Steve Jackson for his 20 years on the Board and service to the District.

FINANCIAL REPORTS AND ACTIONS

Mr. Besecker presented to the Board financial reports prepared for the current period ending July 14, 2021. The reports showed the following cash balances in each of the respective accounts after bills proposed for payment on July 14, 2021.

BANK ACCOUNTS	
General (Checking) Fund (Bank of America)	\$ 2,080.58
Operating (Checking) Fund (Bank of America)	9,062.20
Investment Fund (LAIF Account)	464,380.77
Investment Fund (CalTrust Short Term Account)	749,085.97
Investment Fund (CalTrust Medium Term Account)	<u>155,754.57</u>
TOTAL BANK ACCOUNTS	\$ 1,380,364.09

The reports also included the cash receipts journal, the aged receivables report, the 2021 budget comparison report for the period from May 13, 2021 to July 14, 2021. Director Puget made a motion to accept the Treasurer's Report. The motion was seconded by Director Vidovich; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

Next, Mr. Besecker reviewed with the Board the schedule of warrants to be ratified as paid by the District for the period from May 13, 2021 to July 13, 2021 as shown below.

Payee	Amount
State Water Contractors	\$ 80,000.00
Butte County Treasurer	173,745.76
Department of Water Resources	315,925.00
Kern Water Bank Authority	341,856.53
Pacific Gas & Electric	219.31
Provost & Pritchard Consulting Group	25,658.91
Rosedale-Rio Bravo WSD	608,600.00
Water Education Foundation	750.00
Total	<u>\$ 1,546,755.51</u>

Director Vidovich made a motion to ratify the schedule of warrants as paid. The motion was seconded by Director Puget; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

Next, Mr. Besecker reviewed with the Board the schedule of warrants to be approved for payment by the District for July 14, 2021 as shown below.

Payee	Amount
Cuttone & Mastro CPA	\$ 7,950.00
County of Kings	2,480.25
Department of Water Resources	1,305,734.00
Corcoran Publishing Co Inc	90.00
Environmental Science Associates	2,966.40
County of Kern	2,267.50
Kern Water Bank Authority	452,890.00
Provost & Pritchard Consulting Group	31,377.53
Pacific Gas & Electric	263.17
State Water Contractors	114,599.00
Corcoran Publishing Co Inc	80.00
Klein Denatale Goldner LLP	3,208.75
Total	<u>\$ 1,923,906.60</u>

Director Vidovich made a motion to approve the schedule of warrants for payment. The motion was seconded by Director Puget; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

WATER SUPPLY REPORTS

Mr. Besecker reviewed the current water report with the Board, noting the SWP allocation remained at 5% of Table A amounts.

Regarding the District-approved banking and exchange programs, Mr. Melville reported:

- A request was sent to Cawelo WD to recover up to 2,000 AF;
- The environmental review under CEQA is being prepared for the new San Gabriel Valley MWD banking program with the District; and
- The Irvine Ranch WD is offering a transfer of 5,000 AF of banked Table A water to District water users at \$650/AF for use in-District; tied to the transfer is an obligation for those same water users to take 10,000 AF of previously banked water in Kern County with a 1:1 payback in five years (with the potential to extend another five years).

Regarding water supply programs in collaboration with the other members of the Westside Water Authority, the General Manager reported that although the aqueduct pumpback program would not be needed this year, he recommended funding the completion of construction-ready plans to have for future years. Director Vidovich made a motion to fund the completion of the plans. The

motion was seconded by Director Puget; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

REPORTS FROM OTHER MEETINGS

Regarding the Southwest Kings GSA, the Westside Water Authority, the Committee for Delta Reliability, and the Westside Water Quality Coalition, there was nothing to report.

Regarding the Kern Water Bank Authority, President Brown reported that the bank would be in recovery mode through the end of the summer, and they were expecting oral arguments on the Monterrey+ EIR.

STATE WATER PROJECT ISSUES

Mr. Melville noted that with deferral of a portion of the payment for funding the Delta Conveyance Project, landowner charges would also be deferred, and that future landowners would be subject to paying the deferred costs. President Brown directed Mr. Hughes to draft recordable documents to reflect such encumbrances.

Next, related to DWR executing the Contract Extension Amendment, in addition to DWR waiting for the trial court decision on the validation issue, the General Manager reported that SWC legal team was working on options to present to DWR regarding the Article 13(b) liability. Delays in implementing the Contract Extension Amendment could create a one-billion-dollar impact to SWP contractors over the next 14 years.

Finally, the General Manager reported that negotiations on the Voluntary Agreement are progressing, with a goal of getting the plan to SWRCB with large water user support. Critical elements include coordinating the required actions of the BiOps and the Incidental Take Permit, habitat restoration, and water relinquishments and purchases.

OTHER DISTRICT ISSUES

Mr. Melville reported the initial study and proposed negative declaration for the District's 2020 Agricultural Water Management Plan had been circulated, and that he had received one letter from the Delta Stewardship Council requesting coordination with them on any future multi-year transfers across the Delta. Director Vidovich then made a motion to adopt the negative declaration and file a notice of determination. The motion was seconded by Director Puget; after discussion the Board voted to approve the motion. Following the vote, President Brown announced that the Directors voted as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

REPORT OF COUNSEL

Mr. Hughes had nothing to report.

EXECUTIVE (CLOSED) SESSION

At 1:54 p.m. President Brown announced that the Board would convene in the scheduled closed session to confer with its Counsel regarding pending litigation (Govt. Code, § 54956.9(d)(4)).

RETURN TO OPEN SESSION

At 2:00 p.m., President Brown closed the Executive Session. Upon returning to the open session, President Brown reported that no reportable actions were taken during closed session.

DATE, TIME, AND LOCATION OF NEXT BOARD MEETING

The General Manager noted that the next meeting is to be determined, based on the need for Board policy actions.

ADJOURNMENT

Finally, Director Vidovich made a motion to adjourn the meeting. The motion was seconded by Director Puget; after discussion, the Board voted to adjourn the meeting. Following the vote, President Brown announced that the Directors voted unanimously as follows:

Brown	Ritchie	Vacant	Vidovich	Puget
Aye	Aye	Absent	Aye	Aye

There being no further business to come before the Board, at 2:01 p.m. President Brown adjourned the meeting.

John Vidovich, Secretary

APPROVED:

Kimberly M. Brown, President

DRAFT

RESOLUTION No. 2021-06

**BOARD OF DIRECTORS OF THE DUDLEY RIDGE WATER DISTRICT
IN RECOGNITION OF STEVEN D. JACKSON'S SERVICE TO THE DISTRICT**

WHEREAS, Steven ("Steve") D. Jackson has served Dudley Ridge Water District on the Board of Directors from March 2001 to June 2021; and

WHEREAS, Steve has presided as Secretary of the District since March 2001 and consistently acted in a professional manner to keep the Board and the staff focused on the best interests of the District; and

WHEREAS, Steve has represented the District on the board of the Kern Water Bank Authority since January 2003, and as a founding director for both the Westside Water Authority and the Southwest Kings Groundwater Sustainability Agency; and

WHEREAS, Steve has regularly provided valuable leadership to both the District and the Board, particularly on issues related to politics and policy in the San Joaquin Valley; and

WHEREAS, during Steve's service on the Board, the District has adopted and updated its Agricultural Water Management Plan, entered into a joint powers agreement as a participant in the Southwest Kings Groundwater Sustainability Agency, retained new legal counsel, guided various supplemental water transfers and exchanges as a participant with the five Westside districts, executed amendments with the California Department of Water Resources both to extend the State Water Project contact through 2085 and implement more flexible water management practices for water transfers; and

WHEREAS, Steve has exemplified the ideal qualities of a Director, maintaining fairness in all decisions, regardless of the impacts on the lands he was farming or managing; and

WHEREAS, in addition to his leadership roles with the District, Steve has concurrently served on the boards of the Tulare Lake Basin Water Storage District, Kern Water Bank Authority, Berrenda Mesa Water District, Westside Water Authority, Tri-County Water Authority, Green Valley Water District, Tulare Lake Reclamation District No. 761, W.H. Wilbur Reclamation District No. 825.; and

WHEREAS, in serving each of the aforementioned entities, Steve has developed and maintained the highest level of respect from his peers and subordinates; and

WHEREAS, Steve has been one of the most dependable board members and the only Director during the past 20 years that never once required ground transportation to attend a Board meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Dudley Ridge Water District commends and expresses its sincere appreciation to Steven D. Jackson for his outstanding devotion and dedication to the District; and

FURTHER RESOLVED, the Board of Directors wishes Steve the best in his current and future life endeavors.

PASSED AND ADOPTED at the Regular meeting of the Board of Directors of the Dudley Ridge Water District on July 14, 2021.

IN WITNESS WHEREOF, we have hereunto set our hands and seal of said District this 14th Day of July, 2021.

Kimberly Brown, President

Joh Vidovich, Secretary

Larry Ritchie, Vice President

Bernard Puget, Director

RESOLUTION NO. 2021-07

**DUDLEY RIDGE WATER DISTRICT
NOMINATING AND SUPPORTING
G. PATRICK O'DOWD AS A CANDIDATE FOR
THE POSITION OF ACWA VICE PRESIDENT**

WHEREAS, the Association of California Water Agencies ("ACWA") has announced that a Nominating Committee has been formed to develop a slate for the ACWA's statewide positions of President and Vice President; and

WHEREAS, the individual who fills an officer position will need to have a working knowledge of water industry issues and concerns, possess strength of character and leadership capabilities, and be experienced in matters related to the performance of the duties of the office; and

WHEREAS, this person must be able to provide the dedication of time and energy to effectively serve in this capacity; and

WHEREAS, G. Patrick O'Dowd ("O'Dowd") serves in a leadership role as a duly authorized Director of Dudley Ridge Water District and has held numerous other leadership roles in water, including but not limited to:

- Executive Director/General Manager – Salton Sea Authority, a joint powers authority and ACWA member comprised of the Coachella Valley Water District, the Imperial Irrigation District (both ACWA members), and other regional lead agencies.
- Board Member – National Water Resources Association
- Board Member – International Boundary and Water Commission United States Colorado River Citizens Forum
- Past Director – Coachella Valley Water District (ACWA Member)
- Past Director – Salton Sea Authority (ACWA Member)
- Past Commissioner – Indio Water Authority and Indio Planning Commission, part of the City of Indio, CA (ACWA Member)

and

WHEREAS, O'Dowd has served ACWA in a wide variety of leadership and supporting capacities, including:

- ACWA Board Member (current – elected by membership, continuously for the past six years)
- Executive Committee (current – elected by membership)
- Chairman, Federal Affairs (current - Appointed)
- Region 9 Committee Member (current – elected by membership, past Chair/Vice Chair)
- Disadvantaged Communities Task Force (current – appointed)
- Business Development Committee
- Finance Committee

and

WHEREAS, O'Dowd has had a long, diverse professional career which has afforded him leadership experience in a wide variety of industries and settings; and

WHEREAS, O'Dowd has lived a life of dedicated public service, as demonstrated by his years of tireless service to community, non-profit, and faith-based organizations; and

WHEREAS, it is the opinion of the Dudley Ridge Water District Board of Directors that G. Patrick O'Dowd possesses all of the qualities needed to fulfill the duties of the office of ACWA Vice President.

NOW, THEREFORE, BE IT RESOLVED, that the Dudley Ridge Water District Board of Directors does hereby nominate and support G. Patrick O'Dowd as a candidate for the office of ACWA Vice President, pledging the District's support of his endeavors in fulfilling the duties of this office, if elected.

ADOPTED this 23rd day of August 2021.

CERTIFICATE OF SECRETARY

The undersigned hereby certifies that I am the Assistant Secretary of Dudley Ridge Water District and that the foregoing Resolution was authorized by the Board of Directors of said District at a meeting thereof, duly and regularly held on August 23, 2021, at which meeting a quorum of the Board of Directors was at all times present and acting.

IN WITNESS THEREOF, I have set my hand this 23rd day of August 2021.

(DISTRICT
SEAL)

Dale K. Melville, Assistant Secretary
Dudley Ridge Water District