

KERN WATER BANK AUTHORITY



**Regular Meeting of Board of Directors
Tuesday, September 3, 2019 3:00 P.M.
Kern Water Bank Authority Conference Room
1620 Mill Rock Way, Suite 500, Bakersfield, California**

This meeting is held in accordance with the Brown Act pursuant to Section 54950, et seq. of the California Government Code and the Kern Water Bank Authority Joint Powers Agreement.

- 1. Roll Call**
- 2. Approval of Minutes**
August 6, 2019 Regular Board of Directors Meeting.
- 3. Treasurer's Report**
Submission of the August 2019 Treasurer's Report for approval.
- 4. Authorization to Pay Expenses of Authority**
Submission of accounts payable for approval to pay.
- 5. 2018 Reconciliation**
The Board will consider and possibly approve the reconciliation of 2018 recovery fees and the proposed distribution of capital use fees and unexpended fees collected for operations.
- 6. Reports**
 - A. Staff Report**
Review and possibly act on previously submitted Staff Report and staff recommendations:
 - (1) Water Bank Operations
 - (2) 3rd Party Facilities on Kern Water Bank
 - (3) Adjacent Properties
 - (4) IRWMP Activities
 - (5) Capitalized Maintenance Program
 - (6) KWBA HCP/NCCP and Land Management
 - (7) Kern River Parkway Bike Trail
 - B. Directors, Counsel, and Committee Reports**
The Board of Directors will hear and possibly act on reports and recommendations:
 - (1) Kern Fan Monitoring Committee
 - (2) Kern Groundwater Authority
 - (3) Engineering Committee
- 7. Old Business**

This portion of the meeting is set aside for the discussion of matters which have been addressed at previous Board meetings.

8. New Business

This portion of the meeting is set aside to provide the Board an opportunity to bring to the attention of the other Board members and the public, matters which have come to their attention, subject to certain exceptions. No action can be taken on any matter discussed during this portion of the meeting; however, a Board member may request that a subject be placed on any future agenda.

9. Public Input

This portion of the meeting is set aside to provide the public an opportunity to bring to the attention of the Board members, matters of which the Board may not be aware, subject to certain exceptions. No action can be taken on any matter discussed during this portion of the meeting; however, a Board member may request that a subject be placed on any future agenda.

10. Closed Session

The Board will meet in a closed session and possibly act on the following:

- A.** Conference with Legal Counsel - Pending Litigation (Govt. Code Section 54956.9(d)(1))
 - (1) Various Applications to appropriate Kern River water, complaint, and related proceedings before the State Water Resources Control Board
 - (2) Central Delta I: Central Delta Water Agency v. California Department of Water Resources (Sacramento County Superior Court, Case No. 34-2010-80000561; Third Appellate District, Case No. C078249)
 - (3) Center for Food Safety v. California Department of Water Resources (Sacramento County Superior Court, Case No. 34-2016-80002469; Third Appellate District, Case No. C086215)
 - (4) Buena Vista Water Storage District, v. Kern Water Bank Authority, et al. (Ventura County Sup. Ct., Case No. 56-2019-00528316-CU-WM-VTA)
- B.** Conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to Gov't. Code section 54956.9(d)(4). One potential case.
- C.** Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Gov't Code section 54956.9(d)(2). One potential case.

11. Reconvene

12. Adjourn