

KERN WATER BANK AUTHORITY



**Regular Meeting of Board of Directors
Tuesday, January 10, 2023 3:00 P.M. ⁱ
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**
December 13, 2022 Board of Director's Meeting.
- 3. Treasurer's Report**
Submission of the December 2022 Treasurer's Report for approval.
- 4. Authorization to Pay Expenses of Authority**
Submission of the December 2022 accounts payable for approval to pay.
- 5. Authorize Change in Water Measurement, Operations and Data Management**
The Board will discuss and possibly take action to authorize combining operations and water measurement into a fully integrated data management system, and possibly authorize hiring of one additional staff member to administer same. Implementation includes replacement of KCWA contracted daily operational and measurement support and may include one additional KWB staff.
- 6. Energy Rate Increases**
Report on and discussion regarding recent PG&E rate increases.
- 7. KWBA Use Fees**
The Board will review and possible act on staff recommendation to revise KWBA Use Fees.
- 8. General Manager Recognition - Kern Council of Governments Ken Volpe Regional Award for Environmental Resources and Conservation recognizing collaborative effort on constructing the Kern River Bike Path Western Extension Project**
Informational item.
- 9. Reports**
 - A. Staff Report**
Review and possibly act on previously submitted Staff Report and staff recommendations regarding:
 - (1) Water Bank Operations
 - (2) 3rd Party Facilities on Kern Water Bank
 - (3) Adjacent Properties
 - (4) KWBA HCP/NCCP and Land Management

- (5) Capital Improvements and Funding Status
- (6) Power Evaluation

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

10. Old Business

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

11. 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.

12. 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.

13. Closed Session

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

- A) Conference with Legal Counsel - Pending Litigation (Gov't. 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) KWBA v. Kern LAFCo (Kern County Sup. Ct., Case No. BCV-21-101310-GP)
 - 3) KWBA v. Buena Vista Water Storage Dist. (Kern County Sup. Ct., Case No. BCV-22-101227-GP)
- B) Conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to Gov't. Code section 54956.9(d)(4). Two potential cases.

- C) Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Gov't Code section 54956.9(d)(2). One potential case.
- D) Conference with Real Property Negotiator – Gov't. Code section 54956.8.

KWBA Representative: General Manager
Under Negotiation: Price and Terms of Payment
Negotiating Parties: Kern County Water Agency (KCWA) and KWBA
Property: Basin 11 and KCWA Pioneer Project Easement and Joint Use Agreement

- E) Public Employment – Title: Asst. General Manager (Gov't. Code Section 54957).

- 14. Reconvene**
- 15. Adjourn**

ⁱ Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.