



# KERN COUNTY WATER AGENCY

Stuart T. Pyle Water Resources Center  
3200 Rio Mirada Drive  
Bakersfield, California

## Notice of Special Board Meeting

May 23, 2024

Conference Line: [+1 \(571\) 317-3122](tel:+15713173122)  
Access Code: 863-465-805#  
<https://global.gotomeeting.com/join/863465805>

## AGENDA

- I. Call to Order –10:30 a.m.
- II. Directors’ Forum
- III. Public Comment  
Anyone may comment on any subject within Agency jurisdiction whether or not it is on the agenda. Time for such comment may be limited.
- IV. Report of the General Manager
- V. Review of the Kern County Water Agency General Fund and State Contract Payment Fund Budgets and Cash Flow Projections, and Review of the Fiscal Year 2024-25 Preliminary Budget for All Funds
- VI. Report of the General Counsel
  - A. Authorization for Closed Session regarding:
    1. Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)):
      - a. Applications Filed for Kern River Water
      - b. California Department of Water Resources v. All Persons Interested in the Matter of the Contract Extension Amendments
      - c. North Coast Rivers Alliance, et al. v. California Department of Water Resources (COA CEQA)
      - d. California Department of Water Resources v. All Persons Interested in the Matter of the Authorization of Delta Program Revenue Bonds

- e. Rosedale-Rio Bravo Water Storage District, *et al.* v. Kern County Water Agency, *et al.* (CVC Issues)
  - f. Kern Delta Water District, *et al.* v. Rosedale-Rio Bravo Water Storage District (Onyx CEQA)
  - g. Rosedale-Rio Bravo Water Storage District v. Buena Vista Water Storage District, *et al.* (Onyx Water Rights)
  - h. California Sportfishing Protection Alliance, *et al.* v. California State Water Resources Control Board, *et al.*, Sacramento County Superior Court, Case No. 34-2021-80003761 (2021 Order Re Temporary Urgency Change Petition)
  - i. California Sportfishing Protection Alliance, *et al.* v. State Water Resources Control Board, *et al.*, Sacramento County Superior Court, Case No. 34-2021-80003763 (2021 Order Re Shasta Temporary Management Plan)
  - j. California Water Impact Network v. Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003492; North Coast Rivers Alliance v. Department of Water Resources, Sacramento County Superior Court Case No. 34-2020-80003491 (Water Management Tools)
  - k. Pacific Coast Federation of Fishermen’s Associations, *et al.* v. Ross,, E.D. Cal., Case No. 1:20-cv-00431 & California Natural Resources Agency, *et al.* v. Ross, *et al.*, E.D. Cal., Case No. 1:20-cv-00426 (Long-term Operations)
  - l. State Water Board Cases, Sacramento County Superior Court Case No. JCCP 5013 (Water Quality Control Plan Phase 1 Litigation)
  - m. Oroville Dam Cases, Sacramento County Superior Court Case No. JCCP 4974
  - n. Long-term State Water Project Operations Cases, Sacramento County Superior Court Case No. JCCP 5117
  - o. Temporary Applications Filed for Kern River Water
  - p. Bring Back the Kern, *et al.* v. City of Bakersfield, *et al.*, Kern County Superior Court Case No. BCV-22-103220
2. Conference with Legal Counsel – Initiation of Litigation (Government Code section 54956.9, subdivision (d)(2)):
    - a. Two potential suits
  3. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation: (Government Code section 54956.9, subdivision (d)(2)):
    - a. Three potential suits

4. Conference with Real Property Negotiator (Government Code section 54956.8):
  - a. Negotiator: Water Resources Manager  
Property: State Water Project Water  
Parties: California Department of Water Resources and State Water Project Contractors  
Under Negotiation: Price & Terms
5. Conference with Legal Counsel – Personnel:  
(Government Code section 54957):  
Titles: Engineering and Groundwater Services Manager and Improvement District No. 4 Manager

VII. Adjournment

DECLARATION OF POSTING: I declare under penalty of perjury that I am employed by the Kern County Water Agency and that I posted the foregoing Agenda at the Agency Office on May 17, 2024.

  
Stephanie N. Prince, Board Secretary

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.



# KERN COUNTY WATER AGENCY

Stuart T. Pyle Water Resources Center

3200 Rio Mirada Drive

Bakersfield, California 93308

## Notice of BOARD OF DIRECTORS MEETING

May 23, 2024

**Conference Line:** [+1 \(571\) 317-3122](tel:+15713173122)

**Access Code:** 863-465-805#

<https://global.gotomeeting.com/join/863465805>

### AGENDA

- I. Call to order – 12:00 p.m.
- II. Report of the General Counsel
  - A. Authorization for Closed Session regarding:
    1. Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)):
      - a. Applications Filed for Kern River Water
      - b. California Department of Water Resources v. All Persons Interested in the Matter of the Contract Extension Amendments
      - c. North Coast Rivers Alliance, et al. v. California Department of Water Resources (COA CEQA)
      - d. California Department of Water Resources v. All Persons Interested in the Matter of the Authorization of Delta Program Revenue Bonds
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  - k. Pacific Coast Federation of Fishermen’s Associations, *et al.* v. Ross,, E.D. Cal., Case No. 1:20-cv-00431 & California Natural Resources Agency, *et al.* v. Ross, *et al.*, E.D. Cal., Case No. 1:20-cv-00426 (Long-term Operations)
  - l. State Water Board Cases, Sacramento County Superior Court Case No. JCCP 5013 (Water Quality Control Plan Phase 1 Litigation)
  - m. Oroville Dam Cases, Sacramento County Superior Court Case No. JCCP 4974
  - n. Long-term State Water Project Operations Cases, Sacramento County Superior Court Case No. JCCP 5117
  - o. Temporary Applications Filed for Kern River Water
  - p. Bring Back the Kern, *et al.* v. City of Bakersfield, *et al.*, Kern County Superior Court Case No. BCV-22-103220
2. Conference with Legal Counsel – Initiation of Litigation (Government Code section 54956.9, subdivision (d)(2)):
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  3. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation: (Government Code section 54956.9, subdivision (d)(2)):
    - a. Three potential suits
  4. Conference with Real Property Negotiator (Government Code section 54956.8):
    - a. Negotiator: Water Resources Manager  
Property: State Water Project Water  
Parties: California Department of Water Resources and State Water Project Contractors  
Under Negotiation: Price & Terms
  5. Conference with Legal Counsel – Personnel: (Government Code section 54957):  
Titles: Engineering and Groundwater Services Manager and Improvement District No. 4 Manager
- III. Public Hearing – Proposed Fiscal Year 2024-25 Preliminary Budget
- IV. Directors’ Forum
- A. Presentation on Delta Conveyance Project Update

V. Public Comment  
Anyone may comment on any subject within Agency jurisdiction whether or not it is on the agenda.  
Time for such comment may be limited.

VI. Minutes of Board Meetings and Committee Meetings –  
Regular Board Meeting April 25, 2024

VII. Report of the General Manager

VIII. Advisory Committee Reports

- A. Cross Valley Canal Advisory Committee
- B. Improvement District No. 3 Advisory Committee
- C. Urban Bakersfield Advisory Committee

IX. Board Committee Reports

The following items will be discussed in detail at the meeting and may result in appropriate action being taken relating to the subject matter (such action may or may not conform to any staff recommended action):

**A. ADMINISTRATIVE COMMITTEE – Director Cattani, Chair**

- 1. Report of the Administrative Operations Manager
- 2. Payment of the Bills
- 3. Financial Report
- 4. Authorization to Retain an Information Technology Service Provider
- 5. Authorization to Retain a Database Program Consultant
- 6. Authorization to Execute the Kern County Water Agency Contract for Heating, Ventilating and Air Conditioning Service for the Stuart T. Pyle Water Resources Center
- 7. Consideration of the Kern County Water Agency Investment Policy
- 8. Authorization to Execute the Kern County Water Agency Contract for Landscaping Services
- 9. Authorization to Amend the Kern County Water Agency Rules and Regulations for the Government of the Affairs and Proceedings of the Board of Directors

**B. POLICY COMMITTEE – Director Milobar, Chair**

- 1. Update on Delta Conveyance Activities
- 2. Update on Legislative Activities

**C. WATER RESOURCES COMMITTEE – Director Fast, Chair**

1. Report of the Water Resources Manager
2. Report on the State Water Contractors Board Meeting
3. Report on 2024 State Water Project and Central Valley Project Allocations and Operations
4. Water Delivery Operations
  - a. Report on Kern County Water Agency California Aqueduct Deliveries
  - b. Update on Water Transfers, Exchanges and Purchases
  - c. Authorization to Execute an Agreement Among the Department of Water Resources of the State of California, Oak Flat Water District and Kern County Water Agency for the Transfer of Oak Flat Water District's State Water Project Article 56 Carryover Water to Kern County Water Agency, SWP #24008
5. Report on the Kern Groundwater Authority Meeting
  - a. Authorization to Execute the Third Amended and Restated Joint Powers Agreement for Kern Non-Districted Land Authority (formerly Kern Groundwater Authority), on behalf of Improvement District No. 4 as a General Member and the Kern County Water Agency as a Jurisdictional Member

**D. WATER MANAGEMENT COMMITTEE – Director Averett, Chair**

1. Report of the Engineering and Groundwater Services Manager
  - a. Update on Groundwater Banking Construction/Maintenance Projects
2. Report on 2024 Water Operations
3. Report on Kern Water Bank Activities
4. Pioneer Groundwater Sustainability Agency Groundwater Sustainability Plan
  - a. Authorization to Execute the Third Amended and Restated Joint Powers Agreement for Kern Non-Districted Land Authority (formerly Kern Groundwater Authority), on behalf of the Pioneer Groundwater Sustainability Agency
  - b. Authorization to Execute the Amended and Restated Kern County Subbasin Coordination Agreement Among Subbasin Groundwater Sustainability Agencies, on behalf of the Pioneer Groundwater Sustainability Agency

- c. Authorization to (a) Approve the Final Draft Amendments to the Amended Kern County Subbasin Groundwater Sustainability Plan(s) and Supporting Appendix of Project and management Actions, on behalf of the Pioneer Groundwater Sustainability Agency; to (b) Authorize their submission by the Kern County Subbasin Point of Contact to the State Water Resources Control Board before June 1, 2024 for review by the State Water Resources Control Board Staff; and to (c) Authorize their release for public review and comment
- d. Authorization to Send an Updated Notice of Intent to Amend a Groundwater Sustainability Plan for the Pioneer Groundwater Sustainability Agency

**E. CROSS VALLEY CANAL COMMITTEE – Director Lundquist, Chair**

- 1. Report of the Water Resources Manager
  - a. Update on Cross Valley Canal Construction/Maintenance Projects
- 2. Report on Cross Valley Canal Operations and Deliveries
- 3. Authorization to Execute Amendment No. 1 to the Kern Agency Contract for the Cross Valley Canal Pools 1 through 6 Sediment Removal

**F. URBAN BAKERSFIELD COMMITTEE – Director Wulff, Chair**

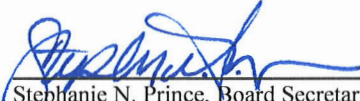
- 1. Report of the Improvement District No. 4 Manager
  - a. Update on Improvement District No. 4 Construction/Maintenance Projects
  - b. Report on the Kern River Groundwater Sustainability Agency Meeting
- 2. Report on the Improvement District No. 4 2024 Water Supply and Management Plan
- 3. Report on the Henry C. Garnett Water Purification Plant
- 4. Authorization to Execute Change Order No. 3 to the Oswell Regulating Facility Recoating Project – Contract No. KCWA 2023-05

X. Correspondence

XI. Brief Report on Potential New Business

XII. Adjournment

DECLARATION OF POSTING: I declare under penalty of perjury, that I am employed by the Kern County Water Agency and that I posted the foregoing Agenda at the Agency Office on May 17, 2024.

  
Stephanie N. Prince, Board Secretary

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