

# KERN WATER BANK AUTHORITY



## Regular Meeting of Board of Directors Tuesday, February 8, 2022 3:00 P.M. <sup>i</sup>

Join Zoom Meeting

<https://zoom.us/j/7684900653?pwd=emZrb0ZrR2FRaXBpczI0ekM3aTgzZz09>

Meeting ID: 768 490 0653

Passcode: 715848

+16699009128	7684900653#	*715848# US (San Jose)
+13462487799	7684900653#	*715848# US (Houston)

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.

**NOTICE: Pursuant to Government Code section 54953(e) (AB 361), and due to the State of Emergency declared by Governor Newsom on March 4, 2020, this meeting will be conducted by teleconference. The public may attend the meeting and offer public comments by phone and/or video, using the call-in number or link above.**

- 1. Roll Call**
- 2. Resolution #2022-02**  
Consider Adoption of Resolution #2022-02 Renewing Use of Remote Teleconference Meetings per AB 361.
- 3. Resolution #2022-03**  
Consider Adoption of Resolution #2022-03 to consent to signing a Contract for Temporary Water Service between the United States and Kern Water Bank Authority (2022 Water Year).
- 4. Approval of Minutes**  
January 11, 2022 Board of Directors Meeting.
- 5. Treasurer's Report**  
Submission of the January 2022 Treasurer's Report for approval.
- 6. Authorization to Pay Expenses of Authority**  
Submission of the January 2022 accounts payable for approval to pay.
- 7. Credit Card Agreement**  
Consider approval of CAL-Card Credit Card Application and Agreement.
- 8. Union Bank Line of Credit Draw**  
Consider approval of Union Bank Line of Credit Final Draw.

**9. Reports**

**A. Staff Report**

Review and possibly act on previously submitted Staff Report and staff recommendations regarding:

- (1) Water Bank Operations
- (2) 3<sup>rd</sup> Party Facilities on Kern Water Bank
- (3) Adjacent Properties
- (4) IRWMP Activities and KWB Expansion Project
- (5) Capitalized Maintenance Program
- (6) KWBA HCP/NCCP and Land Management
- (7) Data Management Systems & Network Infrastructure Project

**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 (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 II: Central Delta Water Agency v. Kern County Water Agency (Sacramento County Superior Court, Case No. 34-2010-80000719)
  - 3) Buena Vista Water Storage District v. Kern Water Bank Authority (Ventura County Sup. Ct., Case No. 56-2019-00528316-CU-WM-VTA; 2<sup>nd</sup> Appellate Dist., Div. 6, Case No. B309764)
  - 4) KWBA v. Kern LAFCo (Kern County Sup. Ct., Case No. BCV-21-101310-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) Consider recommendations and meet with designated representative regarding staff positions, evaluation of employee performance, compensation, and benefits (Govt. Code §§ 54957, 54957.6(a)).

**14. Reconvene**

**15. Adjourn**

---

<sup>i</sup> 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.