

# KERN WATER BANK AUTHORITY

**Regular Meeting of Board of Directors  
Tuesday, July 11, 2023 3:00 P.M. <sup>i</sup>  
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**  
June 13, 2023 Regular Board of Directors Meeting.
- 3. Treasurer's Report**  
Submission of the June 2023 Treasurer's Report for approval.
- 4. Authorization to Pay Expenses of Authority**  
Submission of the June 2023 accounts payable for approval to pay.
- 5. 2023 Financial Statement Preparation & Audit**  
The Board will consider and possibly approve engaging a singular firm to prepare the 2023 Financial Statement and perform the 2023 Financial Audit.
- 6. Hold Public Hearing Re & Consider KWBA GSA Formation (Resolution Required)**  
Per SGMA, the Board will hold a public hearing and consider adoption of Resolution 2023-02 electing to form the Kern Water Bank Authority Groundwater Sustainability Agency covering the Kern Water Bank Lands portion of the basin.
- 7. SLWD-KWBA Agreement**  
The Board will review and possibly approve a Water Exchange Agreement with SLWD.
- 8. 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) Second Priority Use
    - (4) Adjacent Properties
    - (5) KWBA HCP/NCCP and Land Management
    - (6) Capital Improvements and Funding Status
    - (7) Power Study
  - 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

**9. Old Business**

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

**10. 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.

**11. 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.

**12. 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, Fifth Appellate Dist., Case No. F085669).
  - 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 litigations.
- C) Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Gov't Code section 54956.9(d)(2). Two potential litigations.
- 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

- 13. Reconvene and Report from Closed Session (Gov't. Code section 54957.1)**
- 14. Adjourn**

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<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.