

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE SEMITROPIC WATER  
STORAGE DISTRICT AND ITS  
SEMITROPIC, BUTTONWILLOW, POND-POSO,  
AND WILDLIFE IMPROVEMENT DISTRICTS

Convened at 12:30 p.m. on Wednesday,  
October 13, 2021

The regular meeting of the Board of Directors was called to order by President Waterhouse on Wednesday, October 13, 2021, at 12:30 p.m. Pursuant to Government Code section 54953(e) (AB361), and due to the State of Emergency declared by Governor Newsom on March 4, 2020, the meeting was conducted by teleconference. The District offices are located at 1101 Central Avenue, Wasco, California. Those joining the meeting included:

Directors Present: Jeff Fabbri, Phil Portwood, Tim Thomson, Todd Tracy,  
Dan Waterhouse and Rick Wegis;

Via Teleconference: Tom Toretta;

Other Participants: General Manager, Jason Gianquinto;  
District O & M Superintendent, John Lynch;  
District Controller, Bobby Salinas;  
District Engineer, Isela Medina;  
District Contract Administrator, Becky Ortiz;  
District Accounting Supervisor, Mariela Garza;  
District Executive Secretary, Marsha Payne;  
District's Legal Counsel, Steve Torigiani;

Via Teleconference: District's Consulting Engineers, GEI Consultants,  
Inc., Represented by Larry Rodriguez;  
WM Lyles Representative, Rick Amigh;  
Balance Public Relations Representative, Dean Florez;  
REDTrac Representative, Greg Allen;  
Lindsay Cedarquist, Floyd Wicks, Don Wright,  
Stacie Ann Silva, Maurice Suppiger, Mike Gallow,  
Jake Cauzza, Chad Carroll, Leta Spenser, Jeff  
Eckland, Alan Becker, Clay Beck, Tim Gobler,  
Jeremy Darnerm Ted Page, Brant Hankins, John  
Gaugel, Jeremy Blackwell, Andrew Garcia, Geoff  
Vanden Heuvel and Liz Gonzales.

President Waterhouse opened the meeting and welcomed all guests. Attendance was taken and recorded.

**ACTION ITEMS**

Note: The President announced all Action Items will be conducted by a Roll Call vote.

**Consider Adoption of Resolution No. ST 21-10 Authorizing AB361 Teleconference Meeting**

District’s legal counsel, Steve Torigiani, stated that as a general proposition the Board is required to hold meetings open to the public under the Ralph M. Brown Act (Cal. Gov. Code 54950-54963), so that members of the public may attend, participate and watch the legislative body conduct their business in person with certain exceptions including the exemption provided in recently enacted AB 361. On September 16, 2021 California Governor Newsom signed Assembly Bill 361 (AB 361). AB 361 permits the District to conduct Board meetings by remote teleconference under certain emergency conditions using relaxed or abbreviated teleconference procedures as provided in Government Code section 54953(e) (similar to those procedures provided for in recent, but now-expired, emergency executive orders regarding teleconference meetings).

This Resolution includes the findings required to conduct the Board meeting by remote teleconference pursuant to Government Code section 54953(e), and if adopted will take effect immediately.

On motion by Director Portwood, seconded by Director Tracy, the Board adopted Resolution No. ST 21-10:

**RESOLUTION INITIALLY AUTHORIZING REMOTE  
TELECONFERENCE MEETINGS UNDER AB361**

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Approval of Agenda**

There being no new items to consider, the Agenda for the October 13, 2021 Board of Director’s meeting was unanimously approved as posted.

**Minutes**

The Minutes of the Regular Semitropic Water Storage District Board Meeting and Semitropic Water Storage District GSA Board Meeting on September 8, 2021 were presented for approval.

On motion by Director Tracy, seconded by Director Fabbri, the Minutes of the Regular Semitropic Water Storage District Board Meeting and Semitropic Water Storage District GSA Meeting on September 8, 2021 were approved as presented. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

### **Treasurer's Reports**

The Treasurer's Reports for September 2021 were presented for review and approval.

On motion by Director Toretta, seconded by Director Portwood, the Treasurer's Reports for September 2021 for Semitropic Water Storage District and Semitropic Improvement District were approved for filing. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

### **Financial Reports**

District Controller, Bobby Salinas, reviewed the Financial Reports, including the Income Statement along with the Actual and Projected Cash Flow Report for September 2021. At this time, the year-end balance is projected to be about \$22.8 M.

### **Accounts Payable**

The Cash Disbursement List for October 13, 2021 was presented for review and payment.

On motion by Director Portwood, seconded by Director Tracy, the Board authorized payment of the Accounts Payable as listed on the October 13, 2021 Disbursement List for Semitropic Water Storage District and Semitropic Improvement District. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

A copy of the Disbursement List presenting the payments that were approved is attached hereto as "Exhibit A."

**Consider 2022 Budget, Set Preliminary Water Rates and Adopt Related Resolutions**

President Waterhouse reported that the Finance Committee met with staff to review the 2022 Budget. Controller Bobby Salinas reviewed the highlights of the 2022 Budget to the Board. The budget is usually based on a 60% water allocation from the State; however, with the prospect of another severely dry year ahead, the budget was based on 5% allocation and no banking activity, as well as projected income, expenses, capital and debt service. GASC and GPSC rates would remain the same as 2021.

Staff proposed Contract Water Rates be set at \$127.00/AF (SWP Charge \$67.00 and Additional Use Charge \$60.00) as consistent with the methodology adopted for setting the Contract Water Rate per the Semitropic Water Storage District Resolution No. ST 15-10 adopted on December 2015, and the subsequent Proposition 218 hearing held on February 10, 2016.

President Waterhouse stated that the Finance Committee had reviewed the 2022 Budget and Water Rates with staff and recommended adoption of the Budget and Water Rates as presented.

On motion by Director Portwood, seconded by Director Wegis, the Board approved the 2022 Budget and adopted Resolution No. ST 21-07 and Resolution No. SID 21-02 in accordance with staff recommendations:

RESOLUTION ADOPTING 2022 BUDGET

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

On motion by Director Wegis, seconded by Director Tracy, the Board approved Resolution No. BW 21-05 and Resolution No. PP 21-05:

RESOLUTION FIXING PRELIMINARY SWP WATER CHARGE AND  
PRELIMINARY ADDITIONAL WATER USE CHARGE FOR 2022 AND  
SETTING NOTICED PUBLIC HEARING THEREON

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

### **Consider Resolutions to Adopt Annual Investment and Reserve Policies**

Controller Bobby Salinas reported that the District's Annual Investment and Reserve Policies have been reviewed and updated accordingly for 2022. There were no significant changes on either the Annual Investment or the Reserve Policies.

On motion by Director Portwood, seconded by Director Tracy, the Board adopted Resolution ST 21-08:

#### ADOPTING AN ANNUAL INVESTMENT POLICY FOR THE SEMITROPIC WATER STORAGE DISTRICT

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

On motion by Director Portwood, seconded by Director Tracy, the Board adopted Resolution ST 21-09:

#### ADOPTING AN ANNUAL RESERVE POLICY FOR THE SEMITROPIC WATER STORAGE DISTRICT

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

**Consider Approval of 2022 Non-Contract Water Rates**

District Engineer, Isela Medina, presented the staff proposal for setting Noncontract Water Rates, and gave a detailed explanation on how rates were determined. The Noncontract Water Rates were proposed for \$131/AF Winter, \$133/AF Summer, and \$135/AF Allocated (based on 3.5AF/AC).

On motion by Director Wegis, seconded by Director Tracy, the Board adopted the Non-Contract Water Rates as proposed at \$131/AF Winter, \$133/AF Summer, and \$135/AF Allocated (based on 3.5AF/AC).

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Consider Amending Wheeling Rates for 2022**

District Engineer, Isela Medina, submitted a Memorandum to the Board proposing to amend the Semitropic wheeling charges for calendar year 2022. Mrs. Medina reviewed a summary of how the charges are determined. Due to the increase in PG&E tariff rates and increases in District operations and maintenance costs, staff recommends that the new wheeling rate be increased as follows to water users: Administrative Charge to remain unchanged at \$0.50/AF and increase the Conveyance Charge from \$18.00/AF in 2021 to \$21.00/AF for 2022. Discussion followed.

On motion by Director Tracy, seconded by Director Fabbri, the Board approved amending wheeling rates for 2022 at \$0.50/AF for Administrative Charge and \$21.00/AF for Conveyance Charge. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Consider Approval of GEI Task Order 06-2021 Peer Review of Future HSR Conflicts**

District Engineer, Isela Medina, reported that in the near future, there will be three (3) High Speed Rail conflicts for which the District will require GEI’s services. This Task Order will include project management, site inspection and review, and peer review of conflicts, as previously performed by GEI. The project budget is estimated at \$50,171 and the costs are reimbursable by HSR. Discussion followed.

On motion by Director Tracy, seconded by Director Portwood, the Board authorized GEI Task Order 06-2021 to provide Peer Review of Future HSR Conflicts. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Consider Participation in California Aqueduct Reversal Project**

Manager Gianquinto reported that there is a need to put a facility for recovery of water for “pump-back” into the California Aqueduct. The reverse flow project is designed to start at Check 22 and includes 23, 25 and 27. The Manager gave a presentation showing how water from the Kern Fan Groundwater Projects in the southern part of the valley will be “pumped-back” to Westside Water Authority (WWA) in the north via the California Aqueduct.

The participating Districts include Dudley Ridge WD, Berrenda Mesa WD, Lost Hills WD and Belridge WSD. Semitropic has been asked to also participate and discussion followed on whether or not it would be beneficial for the District’s use.

On motion by Director Tracy, seconded by Director Wegis, the Board authorized a \$250,000 capital contribution for participation with an understanding that the District would pay its fair share, if the District needed to use the facility. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Consider Amendment to Poso Creek LLC Banking Agreement**

Manager Gianquinto reported that Poso Creek LLC has requested an amendment to their Banking Agreement, which would amend paragraph 6.4 of the Agreement of first priority usage fees. The amendment proposed would be for less cost to put water into the bank and allow for a higher cost to take the water out. Discussion followed.

On motion by Director Wegis, second by Director Fabbri, the Board authorized an amendment to the Poso Creek LLC Banking Agreement to allow a lower usage fee for water being delivered to storage at \$10/AF and higher fee of \$70/AF for recovery such that there is no financial impact to the District. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Consider Request to Transfer Banking Agreement: Shows Family Farms to Mid Valley Ranch**

The Manager reported that the District received a letter from Alan Shows of Shows Family Farms indicating that Semitropic’s Banking Program no longer fits his needs and requested that his Banking Agreement be transferred to Mid Valley Ranch, LLC.

On motion by Director Wegis, seconded by Director Portwood, the Board authorized the Banking Agreement with Shows Family Farms be transferred to Mid Valley Ranch, LLC. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

- Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis
- Noes: None
- Abstain: None
- Absent: None

The President announced that the motion carried.

**Consider Lease of District Property: Maricopa Orchards (solar)**

Manager Gianquinto reported that Maricopa Orchards submitted a request to lease a certain portion of APN No. 069-350-07, which is District-owned land, for the purpose of constructing, operating and managing a solar facility on 4.41 assessed acres. Maricopa Orchards has also requested a corresponding amendment to the terms of the Banking Agreement on the connecting property known as the Wegis Ranch. Discussion followed.

On motion by Director Toretta, seconded by Director Thomson, the Board authorized the General Manager to negotiate the terms of a lease with Maricopa Orchards for 4.41 acres of land on parcel APN No. 069-350-07, and an amendment of the Banking Agreement on the connecting property. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

**Consider GEI Task Order 07-2021 for Support to Prepare a Grant Proposal Under the USBR CALFED Grant Program for the District's PCCP Pipe Replacement Project**

Isela Medina reported that GEI submitted Task Order 07-2021, for USBR CALFED Grant Application Support. The proposed project is to replace pipe to larger diameter pressurized material enabling higher conveyance capacity to enhance recharge at locations where landowners have installed sub-surface recharge systems. The budget estimate is set at \$15,000 for preparation of the application.

On motion by Director Portwood, seconded by Director Fabbri, the Board authorized execution of GEI Task Order 07-2021 for Support to Prepare a Grant Proposal Under the USBR CALFED Grant Program for the District's PCCP Pipe Replacement Project. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

**Consider Approval of MKN Task Order to Provide Engineering Support During Construction of HSRA Resolution of Facility Relocations (HSR UA 2.0)**

Isela Medina presented for approval Michael K. Nunley & Associates (MKN) Task Order #2021-001 to provide engineering support during construction of High-Speed Rail Authority (HSRA) facility relocations. MKN would provide services for resolving utility conflicts for the design and construction related to the HSR Utility Agreement Nos. 1 and 2 under a budget of \$250,000.

On motion by Director Fabbri, seconded by Director Tracy the Board authorized execution of MKN Task Order 2021-001 to provide engineering support during construction of HSRA

facility relocations. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

**Consider Approval of J Calton Engineering Proposal to Provide Engineering Support During Construction of HSRA Resolution of Facility Relocations (HSR UA 2.0)**

Isela Medina also reported on a proposal from J Calton Engineering to provide engineering support during construction of HSRA facility relocations. J Calton would provide peer review on electrical facilities by way of reviewing drawings, submittal and schedule review, RFI responses and assistance with change orders. The budget for support services is estimated at \$21,460.

On motion by Director Fabbri, seconded by Director Tracy the Board authorized an agreement with J Calton Engineering to provide engineering support during construction of HSRA facility relocations. The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

**Consider Resolution in Support of Filing an Application with USBR WaterSMART Grant Program for the District's Groundwater Well Extraction Improvements for Return of Stored Water**

Isela Medina presented Resolution SID 21-03 in support of filing an application with USBR WaterSMART Drought Response Grant Program for the District's groundwater well extraction improvements for return of stored water. The Resolution will be submitted with the grant application.

On motion by Director Tracy, seconded by Director Fabbri, the Board authorized Resolution SID 21-03 in support of filing an application with USBR WaterSMART Grant Program for the District's groundwater well extraction improvements for the return of stored water.

The President called for a roll call vote on the motion. The following is a record of the roll call vote:

Ayes: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,  
Waterhouse and Wegis  
Noes: None  
Abstain: None  
Absent: None

The President announced that the motion carried.

### **SEMITROPIC WSD GSA UPDATE**

At 2:08 p.m., the Board President, Dan Waterhouse, declared a meeting of the Semitropic Water Storage District Groundwater Sustainability Agency.

Manager Gianquinto reported that two Landowner Workshops via teleconference are planned to discuss landowner water budgets issued under the GSA's Landowner Water Budget Program, the first on October 21<sup>st</sup> at 1:30 p.m. and the second on October 27<sup>th</sup> at 10:30 a.m. Information to join the teleconference will be emailed and posted on the website.

Other topics discussed included an update on the Landowner Water Budget Program (native/fallowed land declaration); basin yield study and data management systems through the Kern Groundwater Authority (KGA).

The GSA meeting concluded at 2:30 p.m. See the separate Minutes of the Semitropic Water Storage District GSA Meeting for discussion topics and any action taken.

### **CONSULTANT REPORTS**

#### **Build/Design Team Construction Update**

W.M. Lyle's Representative, Rick Amigh, reported that the Raw Water Processing Plant resumed operations on August 24<sup>th</sup> at 40 cfs and increased to a maximum of 240 cfs in September. A recently installed mixing system within the canal appears to improve the efficiency of the treatment process during high flows. Chemical supplies are currently good and supply orders are being placed in advance to ensure timely deliveries.

The Pond Road Solar Interconnection Facilities were scheduled for final testing in August by PG&E; however, a problem with the RTAC programming was discovered and the test was aborted. The next test date will be established once the issue is corrected.

Engineering continued on the XYZ System Extension and the Peterson Road crossing permit application was submitted to Kern County and is being processed. Preconstruction tasks continued in September and construction is expected commence sometime in October. A meeting with landowners will be scheduled to coordinate the turnout locations and review the pipeline alignment.

## **Consulting Engineer's Report**

Larry Rodriguez from GEI Consultants, Inc. presented the "Consulting Engineers Report on Projects for Semitropic Water Storage District" for work during September 2021, which was accepted for filing.

Construction management services on the Cox Canal Intertie continued during September with observation of construction activities and contract administration. GEI reviewed and responded to Submittal 49 providing pump factory test results, and Submittal 50 providing the O & M Manual for the 480 V Main Switchboard.

GEI continued to assist in the preparation and review of SGMA landowner water budgets. Development of the MoD Flow groundwater model has been completed and GEI is currently going through the calibration process to ensure performance relative to historic conditions.

GEI continued to work on the final proposal for design and preparation of a construction bid package on the Leonard System Extension. There have been meetings and discussions regarding hydraulic analysis, preliminary pump selection, surge analysis, existing utilities, and engineering calculations.

In collaboration with District staff, GEI prepared a grant application for Reclamation's Drought Response Program for a new drinking water well.

## **Balance Public Relations**

Dean Florez of Balance Public Relations reported that the current State legislative session has ended. There were a number of farm and agricultural bills that were tracked on the District's behalf, some of which gained the Legislature's approval, and either were approved or rejected by the Governor, and some were held over and will be watched during the next legislative session in 2022.

## **REDTrac**

Greg Allen reported that REDTrac has collected almost all PG&E Authorizations from landowners which is necessary for PG&E to release landowner information to the District enabling the Well Telemetry Project to work at maximum efficiency. REDTrac has been working on repairs and replacements of equipment and batteries.

## **INFORMATIONAL AND UP-DATE ITEMS**

Manager Gianquinto discussed his written report on "District Activity During September" dated October 8, 2021, which was included as part of the Board packet. In addition, the following items were presented:

The Manager reported that the District continues to operate in accordance with the Governor's Executive Orders regarding COVID-19.

It is currently projected that the initial SWP allocation for 2022 will be 0% and will remain at 0% until early 2022. The State Water Resources Control Board will hold a workshop regarding potential modifications of the methodology for addressing water unavailability during the wet season.

The Manager updated the Board on the banking activities and recovery operations. The District has been working with the Banking Partners regarding planning for the 2022 Banking Program.

Isela Medina reported on engineering activities related to Cox Canal Intertie and Leonard System Projects. Work on resolution of conflicts with the High Speed Rail continued and design packages were transmitted for the District's review. WM Lyles and California Rail Builders (CRB) will be working together on the next phase of the project.

Mrs. Medina stated that over the years the District has applied for, and has been successful in securing, grant funding to implement its capital improvements projects, Recently, the District was awarded a \$500K grant through the USBR WaterSMART program for Phase 2 of the Leonard Intertie Project, and a \$1.5M grant from the USBR Drought Resiliency Grant Program, for a planned subsurface recharge project.

At 3:05 p.m. President Waterhouse adjourned the Regular Board meeting.

### **Closed Session**

At 3:15 p.m. the meeting continued with Closed Session.

Participants included:

Directors: Jeff Fabbri, Phil Portwood, Tim Thomson, Todd Tracy,  
Dan Waterhouse and Rick Wegis;

Via Teleconference: Tom Toretta;

Others: General Manager, Jason Gianquinto;  
District O & M Superintendent, John Lynch;  
District Controller, Bobby Salinas;  
District Engineer, Isela Medina;  
District Contract Administrator, Becky Ortiz;  
District Accounting Supervisor, Mariela Garza;  
District Executive Secretary, Marsha Payne; and  
District's Legal Counsel, Steve Torigiani.

President Waterhouse stated that Board will now go into closed session to discuss the matters listed on the agenda below for closed session, including item 8.b, which will be a discussion of potential litigation. Based on the advice of its legal counsel and existing facts and circumstances, there is a significant exposure to litigation against the District.

**a. Conference with legal counsel Re: Pending Litigation (Gov't. Code § 54956.9(d))**

- 1) *Various applications filed for Kings River Water by Semitropic WSD, et al.; Petition for Change of Points of Diversion, etc. (License 11521) filed by Kings River Water Assn.; and related matters and proceedings, before the State Water Resources Control Board*
- 2) *California Department of Water Resources v. All Persons Interested, "Complaint for Validation" Re: SWP Contract Extension Amendment, Sacramento Superior Court, Case No. 34-2018-00246183*
- 3) *Buena Vista Water Storage District v. Kern Water Bank Authority, et al. Re: KWBA Kern River EIR, Ventura County Superior Court, Case No. BCV-19-100122; Second Appellate District, Division 6, Case No. B309764*
- 4) *Sierra Club v. California Department of Water Resources, etc. Re: Consolidated CEQA Case and "Complaint for Validation" Re: Delta Program Revenue Bonds, Sacramento County Superior Court, Case No. 34-2020-80003517*
- 5) *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
- 6) *Central Delta WA v. DWR, et al., 3<sup>rd</sup> Appellate Dist., Case No. C078249; Center for Food Safety v DWR, 3<sup>rd</sup> Appellate Dist., Case No. C086215 (consolidated for oral argument)*
- 7) *KWBA, et al. v. Kern LAFCO, et al., Kern County Sup. Ct., Case No. BCV-21-101310-GP*

**b. Conference with legal counsel Re: Anticipated Litigation: Possible exposure to litigation pursuant to Gov't. Code § 54956.9 (d) (2).**

- 1) *Two Potential Cases*

**c. Conference with legal counsel Re: Anticipated Litigation: Possible initiation of litigation pursuant to Gov't. Code § 54956.9 (d) (4).**

- 1) *Two Potential Cases*

**d. Conference with Real Property Negotiator (Gov't. Code § 54956.8)**

District's Designated Representative: General Manager

Under Negotiation: Price and Terms of Payment

- 1) *Property: State Water Project Supplies*
  - a. *Negotiation With: California Department of Water Resources, Kern County Water Agency and its Member Units, And State Water Contractors*
- 2) *Acquisition of Water Supplies*
  - a. *Negotiation with: Multiple sellers*

At 5:20 p.m. the Board reconvened to open session.

President Waterhouse stated that several items were discussed.

The President reported that, on motion by Director Wegis, seconded by Director Fabbri, unanimously carried, the Board authorized legal counsel to initiate litigation, with the details to be disclosed upon inquiry once the litigation has been commenced.

Other than the above item, no reportable action was taken in closed session.

**Adjournment**

The meeting was adjourned at 5:20 p.m. by President Waterhouse.

APPROVED:

/s/ Todd Tracy, Secretary

/s/ Daniel Waterhouse, President