

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

Convened at 12:30 p.m. on Wednesday,
November 11, 2020

The regular meeting of the Board of Directors was called to order by President Waterhouse on Wednesday, November 11, 2020, at 12:30 p.m., via Conference Call. Pursuant to Executive Order N-29-20, Issued by Governor Newsom on March 17, 2020, and guidance by the California Department of Public Health dated March 16, 2020, the meeting was conducted by teleconference due to the COVID-19 Virus Pandemic. The District offices are located at 1101 Central Avenue, Wasco, California. Those joining the meeting included:

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

Directors Absent: None

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 Consultant, Will Boschman;
District's Legal Counsel, Steve Torigiani;
District's Consulting Engineers, GEI Consultants,
Inc., Represented by Larry Rodriguez;
W.M. Lyles Representative, Rick Amigh;
Balance Public Relations Representative, Dean Florez;
Aviva Representative, Greg Allen;
Shafter-Wasco ID Representative, Dana Munn;
KCWA Representatives, Tom McCarthy, Brent
Walthall, & Ted Page; Jon Reiter, Kevin Assemi,
Lindsay Cedarquist, John Wedel, Don Wright,
Stacie Ann Silva, Doug Gosling, Garrett Bush,
Geoff Vanden Heuvel, Carole Fornoff, Leta Spencer,
Alonso Gutierrez and Kristie Robinson.

President Waterhouse opened the meeting and welcomed all guests. Roll call was taken for Board Members, District Staff and Consultants.

ACTION ITEMS

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

Approval of Agenda

There being no new items to consider, the Agenda for the November 11, 2020 Board of Director’s meeting was unanimously approved as posted.

Minutes

The Minutes of the Regular Semitropic Water Storage District Board Meeting on October 14, 2020 were presented for approval.

On motion by Director Toretta, seconded by Director Portwood, the Minutes of the Regular Semitropic Board Meeting on October 14, 2020 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.

The Minutes of the GSA Board Meeting on September 9, 2020 were presented for approval.

On motion by Director Toretta, seconded by Director Portwood, the Minutes of the GSA Board Meeting on October 14, 2020 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 Report

The Treasurer’s Reports for September and October 2020 were presented for review and approval.

On motion by Director Toretta, seconded by Director Portwood, the Treasurer’s Reports for September and October 2020 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 along with the Actual and Project Cash Flow Report for October 2020. At this time, the year-end balance is projected to be approximately \$3.6M.

Accounts Payable

The Cash Disbursement List for November 11, 2020 was presented for review and payment. One item was discussed which was replacement of stolen copper wire at the Reverse Flow Facility.

On motion by Director Wegis, seconded by Director Tracy, the Board authorized payment of the Accounts Payable as listed on the November 11, 2020 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 Participation Percentage for Agreement in Principle for a Potential SWP Water Supply Contract Amendment on a Delta Conveyance Project, dated April 30, 2020 (AIP)

President Waterhouse reported that an Ad Hoc Committee met to discuss the question of what should be the District's level of participation relative to the District's Table 1 amount for purposes of the proposed Delta Conveyance Project AIP and for funding of 2 years' (2021 and 2022) planning and design costs of the proposed DCP, considering what the District could afford and what makes sense for the District and its landowners based on what is known about the proposed DCP at this time. The Committee by consensus recommended a 20% participation level, considering among other things the potential benefits to District landowners such as improved Article 21 supply allocation from the SWP. Director Waterhouse stated that the cost of Table A Water doesn't pencil out without the Article 21 Water. The Manager reviewed the statistics with the Board, stating that getting Article 21 water for recharge is a much-needed boost for addressing the District's SGMA deficit and getting it direct from the District's Aqueduct turnouts is an advantage for the District.

Manager Gianquinto discussed and reviewed the details of the final draft Agreement in Principle for the State Water Project (SWP) Contract Amendment on a Delta Conveyance Project (DCP), dated April 30, 2020 (AIP). The Manager noted that the cost of the proposed DCP can only be estimated at this time and has not yet been finalized, and that the ultimate benefit of the proposed DCP is not known at this time. Steve Torigiani stated that the final AIP will include participation levels of the SWP Contractors or Public Water Agencies (PWA), including the Kern County Water Agency (KCWA), in the proposed DCP for purposes of the AIP. Mr. Torigiani noted that the AIP will be used as the project description for the CEQA document (EIR) for the proposed DCP, and KCWA entering to the AIP does not bind or commit Semitropic (District) or the KCWA to participate in or fund the capital or other costs of any DCP that may ultimately be approved by DWR upon completion of environmental review. KCWA has requested a response from the Member Units for a “good faith estimate” as to each Member Unit’s participating percentage in the proposed DCP for KCWA’s use to determining its participation level in the AIP as a PWA. The participating percentage is the percentage of each Member Unit’s Table 1 amount. For the District, 100% participation would be equivalent to 155,000 AF which is its full SWP Table 1 or SWP Table A amount.

Manager Gianquinto introduced the General Manager of KCWA, Tom McCarthy, the Assistant Manager, Brent Walthall, and Board Director Ted Page who spoke about participation in the proposed DCP and funding agreement (discussed under the next heading below). Considerable discussion followed concerning the cost and benefits of participation in the proposed DCP AIP and funding agreement.

On motion by Director Tracy, seconded by Director Portwood, the Board approved of the KCWA’s entry into the AIP and inclusion as part of KCWA’s participation percentage in the appropriate table in the AIP Semitropic’s intent to participate at a level of 20% of its Table 1 or 31,000 AF of 155,000 AF. 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 Percentage for and Approval of Contract between KCWA and its Member Units for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project (Funding Agreement)

General Manager Gianquinto reviewed an initial draft of the above-referenced Funding Agreement with the Board, noting that the final language of the agreement was still be worked out among KCWA and Member Unit counsel. Exhibit A to the Funding Agreement is the underlying “Agreement for the Advance or Contribution of Money to the Department of Water Resources by the Kern County Water Agency for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project” (DWR-KCWA Funding Agreement). The Manager stated that if Semitropic agrees to participate in payment of planning and design costs, the District will actually pay for its participation percentage share of the planning and design costs billed to KCWA by DWR pursuant to the DWR-KCWA Funding Agreement, for years 2021 and 2022, as part of the

District's SWP bill from KCWA which is paid twice a year. It was also noted that, while DCP planning and design costs are currently estimated to be expended over a 4-year period, said funding agreements will only commit KCWA and its Member Units to fund such costs for 2021 and 2022 up to specified amounts for each year. In it is expected that, in 2022, KCWA and the participating Member Units will review the status of proposed DCP planning, including environmental review, and other matters and will determine whether and to what extent to make additional contributions to proposed DCP planning and design costs after 2022, with no Member Unit having any obligation to contribute an additional funds. There are provisions in the funding agreements to the effect that if the DCP is approved by DWR and goes forward and one or more Member Units elect to not participate, then such Member Units' investment in planning and design costs can be reimbursed or credited to the extent KCWA is reimbursed or credited for such costs pursuant to the DWR-KCWA Funding Agreement. Further discussion followed.

On motion by Director Portwood, seconded by Director Toretta, the Board authorized participation of 20% of the District's Table 1 or 31,000 AF for Calendar years 2021 and 2022 and authorized the expenditure of up to \$483,141.00 in Calendar year 2021 and up to \$471,357.00 in Calendar Year 2022 and approval for execution by the General Manager of the Member Unit Funding Agreement for preliminary planning and design costs related to a potential Delta Conveyance Project, subject to final review and approval as to form by General Manager and legal counsel. 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 KCWA's Participation in the Delta Conveyance Design and Construction Joint Powers Authority (JPA)

Manager Gianquinto reported that the last matter for consideration regarding the proposed Delta Conveyance Project is consideration for providing support and approval of the KCWA's participation in Amended Joint Powers Agreement forming the Delta Conveyance Design and Construction Joint Powers Authority. The KCWA would have a specific Board seat on the JPA's Board of Directors. The JPA document was reviewed and discussed.

On motion by Director Tracy, seconded by Director Portwood, the Board approved KCWA's participation in the Delta Conveyance Design and Construction Joint Powers Authority and execution of the Agreement, subject to final review by General Manager and legal counsel. 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 to Order Filing of List of Delinquent Tolls and Charges

Manager Gianquinto stated that this is the time to adopt the Resolutions to start the process to Order Filing of Delinquent Tolls and Charges for Water Year 2020.

District Controller, Bobby Salinas, reported that there are currently four delinquent accounts totaling about \$250,000 including Noncontract Water Charges, 2018 and 2019 Basin Sustainability Charges with penalties and interest charges on both. All certified mail to the last known addresses has been returned and there has been no attempt by the landowners to bring the accounts current.

On motion by Director Wegis, seconded by Director Toretta, the Board adopted Resolutions BW 20-06 and PP 20-06:

**ORDERING THE FILING OF LIST OF DELINQUENT
TOLLS AND CHARGES (WATER YEAR 2020)**

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. The resolutions, among other things, authorize staff to file a notice of delinquency establishing a lien on the subject lands.

Consider Amending Wheeling Rates for 2021

The Manager stated that at the October Board meeting, there was discussion on tiered pricing of the wheeling rates. A meeting will be scheduled for a Board Committee to meet and further discuss options to present to the Board. No action was taken.

Consider Landowner Request for Canal Water

Manager Gianquinto reported that the District received a request from a landowner, Alonso Gutierrez, who would like to receive canal water from District facilities. Mr. Gutierrez joined the meeting via conference call and after a short discussion, agreed to discuss further with the Manager, who will report to the Board on this matter next month.

Consider GEI Task Order 12-2020 to Provide Engineering Support to Update the District's Ag Water Management Plan

The District Engineer, Isela Medina presented GEI Task Order 12-2020 to prepare a five-year update to the District's 2015 Agricultural Water Management Plan in compliance with the requirements of the Water Conservation Act of 2009. Per the Task Order, GEI will do all work

necessary to prepare a 2020 Ag Water Management Plan Update to be completed by February 26, 2021 on a not-to-exceed budget amount of \$35,000.

On motion by Director Toretta, seconded by Director Thomson, the Board authorized Staff to retain GEI to prepare a 2020 Ag Water Management Plan Update per Task Order 12-2020.

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 Authorizing Early Procurement of Material for the Lateral CE Replacement Project

Isela Medina reported that District staff recently learned that the California High Speed Rail (HSR) is planning to build a bridge over the area near Lateral CE. The pipeline was installed in the 1970's and has met its service life. The District plans to replace all PCCP pipe, including this reach as part of our PCCP Pipe replacement project. This PCCP pipe has developed leaks throughout the District and will need to be replaced in phases. The District will lose access to the area and therefore should consider replacing the pipeline now. Staff needs to procure material (2 isolation valves) which will take some time for manufacturing. Staff requested authorization from the Board to have WM Lyles procure the necessary equipment to replace the Lateral CE Pipeline.

On motion by Director Fabbri, seconded by Director Wegis, the Board Authorized Staff to work with WM Lyles for procurement of the necessary equipment to replace the Lateral CE Pipeline. 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 WATER STORAGE DISTRICT
PUBLIC HEARING NOVEMBER 11, 2020
TO FIX THE SERVICE CHARGE AND
ADDITIONAL WATER USE CHARGE
FOR SURFACE WATER SERVICE FOR 2021

President Waterhouse called the hearing to order at 2:00 p.m. He noted that a quorum was present, and that the attendance had been noted in the usual fashion.

NOTE: Pursuant to Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, and guidance by the California Department of Public Health dated March 16, 2020, this meeting is conducted by teleconference due to the COVID-19 Virus Pandemic.

There were no guests who joined the meeting specifically for the hearing.

Steve Torigiani, District's legal counsel, reported that this is the time and place set by the Board for fixing the Service Charge and Additional Water Use Charge for Surface Water Service for 2021. Mr. Torigiani reviewed the procedures followed by the Board and Staff for determining the rates and the appropriate action for the hearing.

Manager Gianquinto further reported on Staff's efforts to determine rates for 2021 Contract Water Charges.

The following documents were presented as attachments to the Minutes:

“AFFIDAVIT OF MAILING TO WATER USERS AND PERSONS AUTHORIZED TO RECEIVE WATER BILLINGS FOR WATER SERVICE IN BUTTONWILLOW AND POND-POSO IMPROVEMENT DISTRICTS of November 1, 2020”, attaching a letter to Water Users and persons authorized to receive water billings for water service, which is enclosed, a “NOTICE OF FIXING SURFACE WATER SERVICE AREA SERVICE CHARGE AND ADDITIONAL WATER USE CHARGE FOR 2021, AND THE TIME AND PLACE OF HEARING THEREON”.

The aforementioned affidavit is attached hereto as “Exhibit B”.

A “PROOF OF PUBLICATION” from *The Bakersfield Californian* for Buttonwillow Improvement District and Pond-Poso Improvement District of “NOTICE OF FIXING SURFACE WATER SERVICE AREA SERVICE CHARGE AND ADDITIONAL WATER USE CHARGE FOR 2021 AND THE TIME AND PLACE OF HEARING THEREON”.

The aforementioned proof of publication is attached hereto as “Exhibit C”.

The Board reviewed “Statement of Jason Gianquinto, General Manager, at the November 11, 2020 Public Hearing Fixing 2021 Contract Water Charges”, which is attached hereto as “Exhibit D”.

President Waterhouse opened the public hearing and asked if there were any comments, questions or objections to the fixing of the Surface Water Area Service Charge or Additional Water Use Charge for 2021. There were none presented at the hearing. Legal counsel reported that no written comments, questions or objections had been received by the District or any of its Improvement Districts.

The Public Hearing was closed at 2:15 p.m.

There being no comments or objections to fixing said charges, Legal Counsel presented Resolutions No. BW 20-05 and PP 20-05 for the Board's consideration.

On motions by Director Thomson, seconded by Director Fabbri, Resolution Nos. BW 20-05 and PP 20-05 were adopted by the following roll call vote:

AYES: Directors Fabbri, Portwood, Thomson, Toretta, Tracy,
Waterhouse and Wegis
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION FIXING SURFACE WATER SERVICE AREA SERVICE
CHARGE AND ADDITIONAL WATER USE CHARGE FOR 2021.

The President announced that the motion carried.

Consider Resolution Providing for the Issuance and Sale of Semitropic Improvement Districts, Series 2020

The Manager reported that Staff has pursued short-term funding to help cover end-of-year expenses, including end-of-year water payment, debt service, capital projects and water purchases.

Bobby Salinas presented two options for the Board to consider. Wells Fargo Bank and Valley Republic Bank has presented offers for a Warrant of \$10 million for a one (1) year term from November 2020 to 2021. Discussion followed regarding interest rates, both variable and fixed.

On motion by Director Toretta, seconded by Director Fabbri, the Board authorized Staff to pursue a Warrant for \$10 million with Valley Republic Bank with a fixed rate of 2.65% and report back to the Board for final approval.

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 Landowner Request Re: General Project Service Charge

The Manager reported that a landowner, Loretta Franceschi represented by John Ruby,

submitted a letter asking for consideration to remove the General Project Service Charges (GPSC) on the property. The land is no longer being farmed and does not use any District water nor does it benefit from any improvements. The land is being leased as a solar field and the only water available is native water.

On motion by Director Toretta, seconded by District Portwood, the Board authorized Staff to remove the Franceschi property from the tax roll (GPSC) except for the nominal General Administrative Service Charge (GASC) of \$1.50 per acre. 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 GSA UPDATE

At 2:29 p.m., the Board President, Dan Waterhouse, declared a meeting of the Semitropic Groundwater Sustainability Agency.

Larry Rodriguez of GEI Consultants reported that GEI is currently writing a report on management actions and projects identified in the District's GSP.

The GSA meeting concluded at 2:35 p.m. See the separate Minutes of the Semitropic GSA Meeting for discussion topics and any action taken.

CONSULTANT REPORTS

Build/Design Team Construction Update

W.M. Lyle's Representative, Rich Amigh, reported that the Raw Water Processing Plant operated in October, peaking at 80 cfs flow rate. The plant was shut down but will start up again for additional pump-back operations.

On the Pond Road Solar Interconnection Facilities, PG&E performed their field work in October. The solar team will program the substation relay and pre-test the equipment in early November and the final PG&E testing will follow shortly thereafter.

The District engaged Dee Jaspar & Associates to design the pipe replacement at the HSR Peterson Road overpass. WM Lyles will work with Dee Jaspar & Associates during design and procure any long lead time materials to avoid adverse schedule impacts.

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 October 2020, which was accepted for filing.

Construction management services on the Cox Canal Intertie continued with review and addressing submittals and RFI's.

GEI worked on a Proposal for Funding Application through the NRCS-RCPP Classic Program which is due by November 30, 2020. The goal of the Proposal is to align over ten million dollars of capital improvements that are planned for Semitropic and Shafter-Wasco to leverage for obtaining national funding through the NRCS programs over the next 5 years.

Development continued on the Groundwater Model and development of the Integrated Water Flow Demand Calculator (IDC) component.

On the Leonard System Extension, project survey work is underway. The preliminary layout of drawings has started. The geotechnical exploration task order and work schedule is being finalized with Krazean. The utilities investigation task order was finalized and GEI is coordinating the work plan and schedule for Semitropic's review.

Groundwater Storage Services, Inc.

Will Boschman reported that Agua Via has continued to look for locations within Kern County to locate wells that are operating that have the least desirable water quality. Issues with COVID-19 have slowed activity.

On the Aqua Planet Project, its President, Michael S. Young, reports that their water treatment experts completed the lab tests that proved very positive and have offered to do a field demonstration within Semitropic.

Mr. Boschman also reported that the Southern California Water Bank Authority held its quarterly meeting on October 21, 2020. The Authority is still seeking a new Member to replace Semitropic.

Balance Public Relations

Dean Florez of Balance Public Relations reported the State Legislature is coming back in session during December. The election is over but the final vote count is not yet finalized. Discussion continued on the election and open positions due to leadership changes.

Mr. Florez also reported on a coordination conference call with Joe Rosso, Jason Gianquinto and himself to discuss State and Federal issues that might affect the District.

REDTRAC

Greg Allen, representing REDTrac, reported on Phase II Well Telemetry Project which is on schedule to conclude in December 2020. The equipment is now collecting data.

INFORMATIONAL AND UP-DATE ITEMS

Manager Gianquinto's written report on "District Activity During October" dated November 11, 2020 was accepted for filing. In addition, the following items were presented:

The Manager reported that the District continues to operate in accordance with the Governor's Executive Order N-33-20. The District office and field office remain closed to the public and District staff are adhering to the social distancing guidelines. District staff are participating in meetings by conference call or video conferencing. On June 26th, in adherence to the updated guidance from the CDPH, the District updated its COVID 19 Policy to include the requirement to wear face coverings per the CDPH guidance.

Regarding the proposed Delta Conveyance Project (DCP) (the successor to California Water Fix), the Design Construction Authority is working on an additional alternative/variance to the DCP referred to as the Bethany Alternative. This alternative would direct water from the DCP to the Bethany Reservoir which would bypass Clifton Court and the Banks Pumping Plant and deliver the water directly to Bethany Reservoir which is at the head of the California Aqueduct and the forebay of the South Bay Aqueduct.

On October 29th, the State Water Contractors hosted a webinar to review the 2020 water year and discuss the upcoming 2021 water year. The current forecast highlighted the La Nina conditions for 2021 with the expectation of a dry year. DWR noted that the forecast indicates that the 2021 water year will likely be similar to 2004. In the discussion it was noted that a late onset of precipitation would lead to dry soils for snowpack initiation which would result in lower runoff projections.

Discussion continued on outreach activities and District projects.

At 3:07 p.m. President Waterhouse adjourned the Regular Board meeting.

Closed Session

At 3:19 p.m. the meeting continued with Closed Session.

Participants included:

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

Directors Absent: None;

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

The District's legal counsel, Steve Torigiani, stated that a closed session was needed pursuant to the following:

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 Bd.*
- 2) *California Department of Water Resources v. All Persons Interested, etc. Case No. 34-2018-00246183 (Sacramento Superior Court) Re: SWP Contract Extension Amendment*
- 3) *State of CA Dept. of Trans. v. Semitropic WSD, Case No. BCV-19-100326*
- 4) *State v. Pond Poso Improvement District of Semitropic Water Storage District, Kern County Superior Court, Case No. BCV-19-1007686*
- 5) *Buena Vista Water Storage District v. Kern Water Bank Authority, et al. Re: KWBA Kern River EIR (Case No. BCV-19-100122)*
- 6) *California Department of Water Resources v. All Persons Interested, etc. "Complaint for Validation" Re: Delta Program Revenue Bonds*

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 4:21 p.m. the Board reconvened to open session.

President Waterhouse stated that several items were discussed. No reportable action was taken.

Adjournment

The meeting was adjourned at 4:21 p.m. by President Waterhouse. The next Adjourned Meeting was scheduled for Wednesday, November 25, 2020 at 12:30 p.m. to continue the business of the District.

APPROVED:

/s/ Todd Tracy, Secretary

/s/ Daniel Waterhouse, President