



# KERN COUNTY WATER AGENCY

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

## Notice of BOARD OF DIRECTORS MEETING

June 23, 2010

### AGENDA

- I. Call to order – 12:00 p.m.
- II. Directors' Forum
- III. Public Comment

Anyone may comment on any subject within the Agency's jurisdiction whether or not it is on the agenda. Time for such comment may be limited to five minutes.

- IV. Public Hearing to Set the Fiscal Year 2010-11 Improvement District No. 3, Kelso Creek, Assessments
- V. Minutes of Board Meetings and Committee Meetings –
  - Special Board Meeting May 4, 2010
  - Regular Board Meeting May 26, 2010
- VI. Report of the General Manager
- VII. 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. Alameda County Flood Control & Water Conservation District Zone 7, *et al.* v. State of California Department of Water Resources; Alameda County Flood Control & Water Conservation District Zone 7, *et al.* v. Metropolitan Water District of Southern California, *et al.*
  - b. Don Laub, *et al.* v. Joseph Graham (Gray) Davis, *et al.*; Regional Council of Rural Counties, *et al.* v. State of California, *et al.*, Department of Water Resources, *et al.* (KCWA *et al.*), San Joaquin River Group Authority, *et al.*
  - c. City of Los Angeles, *et al.* v. County of Kern, *et al.*

- d. Fully Appropriated Stream Status of the Kern River
- e. Contra Costa Water District, *et al.* v. Sacramento Regional County Sanitation District, *et al.*
- f. Planning and Conservation League, *et al.* v. California Department of Water Resources
- g. California Sportfishing Protection Alliance v. Central Valley Regional Water Quality Control Board
- h. State Water Resources Control Board Protest to Application No. 29657 on the Sacramento River
- i. County of Butte v. Department of Water Resources, *et al.*; Plumas County v. California Department of Water Resources, *et al.*
- j. Solano County Water Agency, *et al.* v. State of California Department of Water Resources
- k. Coalition for a Sustainable Delta & Kern County Water Agency v. United States Fish & Wildlife Service, *et al.*
- l. Coalition for a Sustainable Delta & Kern County Water Agency v. Federal Emergency Management Agency, *et al.*
- m. Coalition for a Sustainable Delta & Kern County Water Agency v. United States Environmental Protection Agency, *et al.*
- n. Coalition for a Sustainable Delta & Kern County Water Agency v. United States Department of Transportation, *et al.*
- o. Coalition for a Sustainable Delta & Kern County Water Agency v. United States Maritime Administration, *et al.*
- p. Butte Environmental Council, *et al.* v. California Department of Water Resources, *et al.*
- q. Kern County Water Agency v. California Department of Fish & Game, *et al.*
- r. JCF Bridge & Concrete, Inc. v. Don Kelly Construction, Inc., Kern County Water Agency
- s. Watershed Enforcers v. California Department of Water Resources, *et al.*; Watershed Enforcers v. California Department of Fish & Game, *et al.*
- t. Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, *et al.*

- u. Central Delta Water Agency, *et al.* v. California Department of Water Resources, *et al.*
  - v. Rosedale-Rio Bravo Water Storage District & Buena Vista Water Storage District v. California Department of Water Resources, *et al.*
  - w. North Kern Water Storage District, *et al.* v. State Water Resources Control Board, *et al.*
2. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to subdivision (b) of section 54956.9:
    - a. One potential suit
  3. Conference with Real Property Negotiator (Government Code section 54956.8):
    - a. Negotiator: Jim Beck  
Property: Nadine Lane and Airport Drive, Bakersfield, CA 93308;  
APN 116-110-01  
Parties: Richard S. Burton; Burton Revocable Living Trust  
Under Negotiation: Terms & Conditions

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 Parker, Chair**

1. Payment of the Bills
2. Financial Report
3. Treasury Report
4. Stuart T. Pyle Water Resources Center Facility Improvement Project
  - a. Update on the Stuart T. Pyle Water Resources Center Facility Improvement Project

- b. Authorization to Terminate a Contract and Execute Amendment No. 1 to the Construction Management Contract for the Stuart T. Pyle Water Resources Center Facility Improvement Project
  - c. Authorization to Execute Amendment No. 5 to the Contract and Increase the Contract Amount for Architectural Services for the Stuart T. Pyle Water Resources Facility Improvement project
  - d. Authorization to Award the Contract for the Phase III Cabling Project at the Stuart T. Pyle Water Resources Center – Contract No. KCWA 2008-01 (AC)
- 5. California Special Districts Association
    - a. Authorization to Cast a Vote in Favor of a Proposed Amendment to the California Special Districts Association's Bylaws
    - b. Authorization to Cast a Ballot for a California Special Districts Association Board of Directors Region 4 Representative
  - 6. Authorization to Reallocate Budgeted Funds for Software Development Consultant Services
  - 7. Ratification of the Amended and Restated Association of California Water Agencies Health Benefits Authority (ACWA HBA) Bylaws and Joint Powers Authority Agreement and Designation of the Kern County Water Agency's ACWA HBA Membership Representatives
  - 8. Authorization to Nominate a Representative on the Association of California Water Agencies Health Benefits Authority Board of Directors
  - 9. Authorization to Retain a Certified Public Accounting Firm for the Kern County Water Agency Fiscal Year 2009-10 Audit
  - 10. Authorization to Retain a Public Information Consultant
  - 11. Authorization to Retain a Water Education Consultant
  - 12. Consideration of Compensation for Senior Executive Managers

**B. WATER MANAGEMENT COMMITTEE – Director Rogers, Chair**

- 1. 2010 Water Operations
- 2. Update on the Pioneer Facilities Construction Projects
- 3. Report on Kern Water Bank Activities

**C. CROSS VALLEY CANAL COMMITTEE – Director Radon, Chair**

1. Report of the Assistant Water Resources Manager
2. Report on Cross Valley Canal Operations and Deliveries
3. Update on the Cross Valley Canal Expansion Project

**D. URBAN BAKERSFIELD COMMITTEE – Director Mathews, Chair**

1. Improvement District No. 4 Accounting & Finance
  - a. Payment of Bills
  - b. Financial Report
2. Report of the Improvement District No. 4 Manager
  - a. Update on the Improvement District No. 4 Solar Photovoltaic Project
  - b. Authorization to Execute an Agreement with North Kern Water Storage District for a Water Exchange
  - c. Authorization to Execute an Agreement with Dudley Ridge Water District for a Water Exchange
  - d. Appointment of Urban Bakersfield Advisory Committee Representatives to the Cross Valley Canal Advisory Committee
3. Water Supply Report
  - a. Improvement District No. 4 2010 Year-to-Date Water Supply Report and Management Plan
4. Henry C. Garnett Water Purification Plant Report
  - a. Authorization to Execute Annual Purchase Agreements for Water Treatment Process Chemical Supplies
5. Update on the Treated Water Capacity Expansion Project

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 June 18, 2010.

*Lucinda J. Infante*

Lucinda J. Infante, Acting 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.