



KERN COUNTY WATER AGENCY

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

Notice of BOARD OF DIRECTORS MEETING

May 26, 2010

AGENDA

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

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

- IV. Continued Public Hearing and Adoption of the Proposed Fiscal Year 2010-11 Preliminary Budget
- V. Minutes of Board Meetings and Committee Meetings –
 - Special Board Meeting April 21, 2010
 - Regular Board Meeting April 21, 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. Butte Environmental Council, *et al.* v. California Department of Water Resources, *et al.*
- p. Kern County Water Agency v. California Department of Fish & Game, *et al.*
- q. JCF Bridge & Concrete, Inc. v. Don Kelly Construction, Inc., Kern County Water Agency
- r. Watershed Enforcers v. California Department of Water Resources, *et al.*; Watershed Enforcers v. California Department of Fish & Game, *et al.*

2. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to subdivision (b) of section 54956.9:

- a. Two potential suits

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
- 5. Authorization to Sell Kern County Water Agency Surplus Equipment

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

- 1. 2010 Water Operations
- 2. Termination of the Emergency Action Regarding the Repair and Rehabilitation of Existing Wells on the Pioneer Project and Berrenda Mesa Project
- 3. Update on the Pioneer Facilities Construction Projects
 - a. Authorization to Execute Change Orders for the Pioneer Well Expansion Project Equipping Wells: KCWA #28 & #29 with Pumps, Motors, Discharge Piping, and Electrical -- Contract No. KCWA 2009-08
- 4. Update on the Section 4 Recharge Facility Project
 - a. Authorization to Increase the Expenditure Limit for Construction Management Services on the Pioneer Section 4 Recharge Facility Earthwork Project.

- b. Authorization to Execute a Change Order for the Section 4 Recharge Facility Earthwork Project -- Contract No. KCWA 2009-09
 - c. Authorization to Execute an Electrical Service Agreement with Pacific Gas and Electric Company for Relocation of a Pole Line on Pioneer Well No. KCWA-R07
- 5. Authorization to Publish the Notice of Public Hearing for the Improvement District No. 3 Fiscal Year 2010-11 Assessments
 - 6. Report on Kern Water Bank Activities

C. CROSS VALLEY CANAL COMMITTEE – Director Radon, Chair

- 1. Report of the Assistant Water Resources Manager
 - a. Authorization to Approve the Financing for and the Purchase of a Gradall Excavator
 - b. Authorization to Execute Amendment No. 1 to the Utility Agreement with the City of Bakersfield for the Allen Road Box Culvert Crossing of the Cross Valley Canal
- 2. Report on Operations and Deliveries
- 3. Update on the Cross Valley Canal Expansion Project
 - a. Authorization to Increase the Expenditure Limit for the Biological Consultant to Assist with the U.S. Fish and Wildlife Service Section 7 Consultation

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 Project
- 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

5. Update on the Treated Water Capacity Expansion Project
6. Authorization to Execute Change Orders for the Henry C. Garnett Water Purification Plant Expansion Project – Contract No. KCWA 2007-09
7. Authorization to Issue the Notice of Completion for the Removal of Precipitated Solids at the Henry C. Garnett Water Purification Plant – Contract No. KCWA 2010-01

- 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 May 21, 2010.


Sarah E. Brogren, 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.