

AGENDA

SEMITROPIC WATER STORAGE DISTRICT
ACTING FOR AND ON BEHALF OF ITSELF, THE SEMITROPIC WATER STORAGE
DISTRICT GSA, AND THE SEMITROPIC, BUTTONWILLOW, POND-POSO AND
WILDLIFE IMPROVEMENT DISTRICTS
REGULAR MEETING OF BOARD OF DIRECTORS

1101 Central Avenue, Wasco, California 93280
April 12, 2023 at 12:30 pm

1. Call to Order: President Waterhouse
2. Flag Salute
3. Acknowledgment of guests:
4. Public Comment Period:

Administer Oath of Office to Reappointed Board Members: Jeff Fabbri (Div. 1), Dan Waterhouse (Div. 3), Tim Thomson (Div. 4), Todd Tracy (Div. 6), and Jon Reiter (Div. 7)

5. **Potential Action Items:**

- (a) Approval of Agenda – Asterisk (*) Indicates a Change from the Posted Agenda
- (b) Approve Minutes: Regular Meeting of March 8, 2023 and the GSA Meeting of March 8 2023
- (c) Approve Treasurer’s Reports for Semitropic Water Storage Dist. & Semitropic Improvement District: March 2023
- (d) Review Financial Reports/Present Financial Statements
- (e) Approve Payment of Bills as Listed on the Current Disbursement List, April 12, 2023
- (f) Consider Resolution ST 23-02, Emergency Contracting Without Bids (Poso Creek Flooding)
- (g) * Consider Water Order Surcharge ~~Change to Non-Contract Water Pricing~~ re: 24-hr order vs less than 24-hour order
- (h) Consider Approval of WM Lyles Stored Water Recovery Unit Amendment No. 21-A Phase 1 Design-Build Contract for Construction of TCP Treatment Facilities
- (i) Consider Approval of WM Lyles Stored Water Recovery Unit Amendment 22 Phase 5 Design-Build Contract for Construction of the JPP Valve Improvements
- (j) Consider approval of WM Lyles Stored Water Recovery Unit Amendment 23 Phase 5 Design-Build Contract for Construction of the RWPF Supply Pipeline Replacement and New Pump and Motor Unit
- (k) Consider Authorization to Execute Option Lease Agreement (OLA) – Aventus
- (l) Consider Resolution(s) to Delay Fixing the GASC and GPSC to May 2023

Semitropic Water Storage District GSA:

- 1) SGMA Updates and Discussion
- 2) Potential Action Items:
 - a. Consider 90-day Notice to Amend GSP (California Water Code § 10728.4)
 - b. Consider Resolution ST GSA 23-04: Preliminary Fixing of Penalties to be Administratively Imposed on Landowners Exceeding their Landowner Water Budgets for Calendar Year 2022, and Setting Noticed Public Hearing Thereon

6. **Consultant Reports:**

- (a) SWRU – Construction Update by W.M. Lyles
- (b) Consulting Engineers – GEI Consultants (B-E) Progress Report
- (c) BPR – Dean Florez

(d) REDTrac – Greg Allen

7. **Informational and Up-Date Items:**

- (a) Water Supply Update and Delta Issues
- (b) Delinquencies
- (c) Banking Project(s) Update
- (d) Southern California Water Bank Authority- JPA Activities
- (e) Delta Conveyance Facility
- (f) Energy Activities
- (g) Poso Creek Integrated Regional Water Management Plan
- (h) Irrigated Lands Regulatory Program
- (i) Groundwater Model Update
- (j) South Valley Water Resources Authority
- (k) Well Telemetry
- (l) Winter Work

8. **CLOSED SESSION**

a. **Conference with legal counsel Re: Litigation (Govt. 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) *Cal. Dep't of Water Res. v. All Persons Interested, "Complaint for Validation" Re: SWP Contract Extension Amendment, Sacramento Superior Court, Case No. 34-2018-00246183, Third Appellate District, Case No. C096316*
- 3) *State of CA Dept. of Trans. v. Semitropic WSD, Kern County Superior Court, Case No. BCV-19-100326*
- 4) *State v. Pond Poso Improvement District of Semitropic Water Storage District, Kern County Superior Court, Case No. BCV-19-100786*
- 5) *Sierra Club v. California Department of Water Resources (DWR), etc. Re: Consolidated CEQA Case and "Complaint for Validation" Re: Delta Program Revenue Bonds, Sacramento County Superior Court, Case No. 34-2020-80003517*
- 6) *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
- 7) *KWBA, et al. v. Kern LAFCo, et al., Kern County Sup. Ct., Case No. BCV-21-101310*
- 8) *KWBA, et al. v. Buena Vista Water Storage Dist., et al., Kern County Sup. Ct., Case No. BCV-22-101227*
- 9) *Semitropic Water Storage Dist. v. The Dow Chemical Co., et al., Kern County Sup. Ct., Case No. BCV-21-102528*

b. **Conference with Legal Counsel Re: Anticipated Litigation: Possible exposure to litigation pursuant Gov't Code § 54956.9(d)(2) and § 54956.9(e) (Gov't Claims Act claim).**

- 1) *Two Claims.*
- 2) *One Other Potential Case.*

c. **Conference with Legal Counsel Re: Anticipated Litigation: Possible initiation of litigation pursuant to Govt. Code § 54956.9(d)(4)**

- 1) *Two Potential Cases*
- 2) *One Potential Claim*

d. **Conference with Real Property Negotiator (Govt. 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

9. Old Business/Correspondence

ADJOURNMENT – To 12:30 p.m. April 26, 2023

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.