

# Wheeler Ridge Maricopa Water Storage District

## Regular Board Meeting

Thursday, November 12, 2020 @ 8:00 A.M.

GoToMeeting

Conference Line: +1 (872) 240-3212

Access Code: 211-452-397

<https://www.gotomeet.me/WRMWS>

NOTICE: 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 will be conducted by teleconference. The public may attend the Open Session portion of this meeting and offer public comments by phone, using the call-in number above, as well as view certain materials discussed at the meeting through the following [link](#).

## A G E N D A

8:00 1. Call to Order

2. Closed Session

**Conference with Legal Counsel Re: Existing Litigation (Govt. Code § 54956.9(a)):**

1. Central Delta Water Agency #1 et al v. DWR, et al Re: Monterey Plus EIR/Reverse Validation (DWR)
2. Central Delta Water Agency #2 et al v. KCWA et al Re: KFE Transfer Reverse Validation KCWA
3. Center for Food Safety v. California Department of Water Resources Re: Kern Water Bank Revised EIR
4. Golden Gate Salmon Association et al v. Ross (National Marine Fisheries Service) Re: California Water Fix Salmon Biological Opinion
5. Bay Institute et al v. Zinke (U.S. Fish and Wildlife Service) Re: California Water Fix Delta Smelt Biological Opinion
6. California Department of Water Resources v. All Persons Interested, etc. "Complaint for Validation" Re: SWP Contract Extension Amendment (Case 34-2018-00246183)
7. California Department of Water Resources v. All Persons Interested, etc. "Complaint for Validation" Re: Delta Program Revenue Bonds
8. Buena Vista Water Storage District v. Kern Water Bank Authority, et al. Re: KWBA Kern River EIR (Case No. BCV-19-100122)

**Conference with Real Property Negotiator (Govt. Code § 54956.8)**

9. District's Designated Representative: Engineer-Manager  
Under Negotiation: Price and Terms of Payments
  - 1) Property: Water Supplies
    - a. Negotiation With: California Department of Water Resources, Kern County Water Agency and its Member Units, And State Water Contractors
    - b. Negotiation With: Unknown
  - 2) Property: Solar Power Facilities
    - a. Negotiation with: WhitePine Renewables

**Conference with Labor Negotiator Re: Employee Compensation (Govt. Code § 54957.6):**

10. District's Designated Representative: Engineer-Manager  
Annual Review of Performance, Salaries, and Benefits for District Staff

**Conference with Legal Counsel - Anticipated Litigation: Initiation of Litigation (Govt. Code § 54956.9(d)(4)):**

11. One Potential Suit

**Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation (Govt. Code § 54956.9(d)(2)):**

12. One Potential Suit

9:00 Open Session Pledge of Allegiance

3. Attorney's Report

*Torigiani* (5 mins)

4. Minutes

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1. Approval of Regular Board Meeting of October 14, 2020

*Atkinson* (2 mins)

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2. Approval of Special Board Meeting of October 29, 2020

*Atkinson* (2 mins)

5. Financial Reports

- \* 1. Filing of Treasurer’s Report *Mettler* (5 mins)
- \* 2. Approve Payment of Accounts Payable *Mettler* (5 mins)
- \* 2.1 Director Compensation and Expense *Mettler* (2 mins)
- \* 3. Approval of Budget, Water Rates, and Cash Forecast for 2021 *Smith* (5 mins)
- \* 4. Authorization of Changes to Signatures for Disbursement from funds of the District in the Kern County Treasury – **Resolution Required** *Smith* (5 mins)
  
- 6. **Controller’s Report**
  - 1. Delinquent Accounts Report for October 2020 *Smith* (2 mins)
  - 2. Budget Expenditures Report for September 2020 *Mielke* (5 mins)
  - \* 3. 2020 Audit Engagement Letter *Smith* (2 mins)
  
- 7. **President’s Report** *Atkinson* (2 mins)
  
- 8. **Engineer-Manager’s Report**
  - 1. Filing of the Monthly Report *Nicholas* (5 mins)
  - 2. Water Supply – **2020 SWP Allocation of 20%** *McDaris* (10 mins)
    - a. 2020 Water Supply/Demand Estimate
    - b. Other Purchases/Exchanges
  - \* 3. Consider Approval of Updated Publicly Available Pay Schedule *Nicholas* (5mins)
  - \* 4. Pacific Legal Foundation – Western Water Law *Nicholas* (5 mins)
  - \* 5. Consider Bids for PVC Pressure Pipe *Suggs* (5 mins)
  - \* 6. State Water Project / Delta Conveyance Project *Kunde* (45 mins)
    - a. Consider Agreement in Principle for a SWP Contract Amendment on a Potential Delta Conveyance Project (DCP AIP) and District’s Level of Participation in the DCP AIP
    - b. Consider Approval of Member Unit Funding Agreement with KCWA for Preliminary Planning and Design Costs Related to a Potential DCP (MUFA) and District’s Level of Participation in the MUFA
    - c. Consider Approval of the Amended Delta Conveyance Design & Construction JPA
  
- 9. **Reports**
  - 1. Director’s Reports on Meetings Attended
  - 2. Kern County Water Agency *McDaris* (5 mins)
  - 3. Kern Water Bank *Nicholas* (5 mins)
  - 4. Kern Groundwater Authority *Blaine* (5 mins)
  - 5. White Wolf Groundwater Sustainability Agency *Nicholas* (2 mins)
  - 6. Kern River Watershed Coalition Authority *Blaine* (5 mins)
  - 7. Committee for Delta Reliability *Nicholas* (2 mins)
  - 8. South Valley Water Resource Authority *Nicholas* (5 mins)
  
- 10. **Unfinished and New Business**
  - 1. Ethics Training – AB1234 *Ruth* (2 mins)
  - 2. Sexual Harassment Prevention Training – January 2021 *Ruth* (2 mins)
  
- 11. **Public Comments**
  
- 12. **Adjournment**

\*These items may require Board action and may be moved to earlier in the meeting to ensure the maximum number of Directors are present.

Posted pursuant to Government Code § 54954.2(a) at least 72 hours prior to said meeting.

By: Danyel Ruth

November 9, 2020

**Notice:** 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 will be conducted by teleconference. The public may attend the meeting and offer public comments by phone, using the call-in number above.

**Per Govt. Code § 54953.2 and § 54961,** requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in this meeting should be made to the Administrative Assistant (phone 661-527-6068) in advance of the meeting to ensure availability of the requested service or accommodation.

**\*\*Per Govt. Code § 54954.3(a),** A member of the public may comment on any matter on the agenda, before or during the Board’s consideration of the matter (and in the case of a closed session matter immediately before the Board goes into closed session) upon being recognized by the President and subject to any time constraints the President may impose from time to time.