



## Board of Directors Meeting

14120 Grand Ave, Walnut Grove

**Wednesday, October 3, 2018**

9:30 a.m.

**\*\*\* Note: Action may be taken on any item listed on this agenda \*\*\***

**1. Call to Order and Introductions**

*Steve Mello, Chairman*

**2. CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL: EXISTING AND ANTICIPATED LITIGATION (four items)**

Pursuant to Government Code section 54956.9, the Board will meet in Closed Session with legal counsel to discuss the following four items:

- i. State Water Resources Control Board adjudicatory proceeding regarding Petition for Changes in Water Rights of the Department of Water Resources and U.S. Bureau of Reclamation for the California WaterFix Project (Gov. Code 54956.9(d)(1)).
- ii. Anticipated Litigation regarding recovery of delinquent assessments, penalties, and interest against California Department of Fish and Wildlife and the California Wildlife Conservation Board (Government Code section 54956.9(d)(4)). (Two potential cases.)
- iii. Litigation regarding WaterFix 2081 ESA permit. (Gov. Code 54956.9(d)(1)).
- iv. Litigation regarding WaterFix Environmental Impact Report under CEQA. (Gov. Code 54956.9(d)(1)).

**3. Closed Session Report**

*Steve Mello, Chairman*

A. Reconvene Open Session and provide summary of any action taken by the Board on items discussed with legal counsel in Closed Session.

**4. Approval of Minutes**

*Steve Mello, Chairman*

- A. ACTION: Approve August 1, 2018 Board Meeting Minutes
- B. ACTION: Approve August 22, 2018 Special Board Meeting Minutes

**5. Financial Report***Cindy Tiffany, Assistant Manager*

- A. Receive Fiscal Reports
- B. ACTION: Approve Dept. of Parks and Recreation Request to Waive Penalty and Interest Due for Delinquent Assessment Payment
- C. ACTION: Approve Resolution Authorizing Manager to Sign All Necessary Financial Documents for the Agency

**6. Engineer Report***Gary Kienlen, Engineer*

- A. Water Quality Update

**7. Legal Report***Kevin O'Brien, Attorney*

- A. Update on WaterFix Legal Proceedings –Change of diversion petition hearing and CEQA and 2081 Permit Lawsuits
- B. Update on State Claim filed against CDFW and Wildlife Conservation Board

**8. Manager Report***Melinda Terry, Manager*

- A. Report on meetings, presentations, and correspondence – Distribute and summarize items in August and September 2018 Manager's Reports
- B. Assessment Reclassification Request – CA Dept. of Fish and Wildlife Parcels

**9. Delta Activities Report***Melinda Terry, Manager*

- A. SWRCB/Delta Watermaster – Updates on water measurement and diversion report requirements and enforcement, consumptive use study, and other ongoing activities
- B. WaterFix Project Updates – SWP Contract Amendments
- C. Delta Habitat Projects – ACTION: Letters on Lookout Slough and Little Egbert habitat projects
- D. Delta Stewardship Council – Hearing on WaterFix Consistency Appeal
- E. Delta Conservancy and Delta Protection Commission (DPC) Activities

**10. Public Comment****11. Announcements**

- A. Oct 23 – DSC Mtg, 980-9<sup>th</sup> St, 2<sup>nd</sup> Floor, Sacramento, 9:00 am
- B. Oct 24 – DSC Hearing on WaterFix Consistency Appeal, W. Sacramento, 9:00 am
- C. Nov 14 - DSC Mtg, 980-9<sup>th</sup> St, 2<sup>nd</sup> Floor, Sacramento, 9:00 am
- D. Nov 15 – DPC Mtg, West Sacramento, 5:30 pm
- E. Dec 5 - NDWA Board Mtg, 14120 Grand Ave, Walnut Grove, 9:30 am

**12. Adjournment**