



Board of Directors Meeting
Wednesday, October 6, 2021
9:30 a.m.

Remote Teleconference Meeting Only

Members of the North Delta Water Agency (NDWA) Board of Directors (Board) and members of the public will participate remotely in this meeting electronically by teleconference, as described below. The Board may utilize different call-in information for any Closed Session items.

The remote Teleconference information for the Board and members of the public for this board meeting is as follows:

Join Zoom Meeting

<https://us06web.zoom.us/j/88294395145?pwd=a0tobGtkSll3OTFmTE1BcjlVzJTdz09>

Meeting ID: 882 9439 5145

Passcode: 116304

Dial In:

888 475 4499 US Toll-free

833 548 0276 US Toll-free

833 548 0282 US Toll-free

877 853 5257 US Toll-free

Meeting ID: 882 9439 5145

Passcode: 116304

Any member of the public on the telephone may speak during the Public Comment Period, Agenda Item #10, or may email public comments to cindy@northdeltawater.net and all comments will be read aloud during the meeting. During this period of modified Brown Act compliance, NDWA will use its best efforts to swiftly resolve requests for reasonable modifications or accommodations for individuals with disabilities, consistent with the Americans with Disabilities Act, and will resolve any doubt whatsoever in favor of accessibility.

AGENDA

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

1. Call to Order

Steve Mello, Chair

2. DWR Presentation

John Leahigh, Water Operations Executive Manager

- A. Drought Conditions Update and Outlook in 2022

3. Approval of Minutes

Steve Mello, Chair

- A. August 25, 2021 Special Drought Information Board Meeting.
- B. September 8, 2021 Board Meeting.

4. Financial Report

Cindy Tiffany, Assistant Manager

- A. Review Financial Statements.

5. Manager Report

Melinda Terry, Manager

- A. Report on Meetings, Presentations, and Correspondence
 - i. Meetings – ACTION: Approve Resolution Extending Modified Brown Act Requirements to Allow Continuance of Remote Meetings Pursuant AB 361
 - ii. Correspondence - Update on Letters Regarding Contract Payment, Barriers, Claims Process, and Water Quality.

6. Engineer Report

Gary Kienlen, MBK Engineers

- A. Water Quality - Review Quality at Contract Monitoring Stations.
- B. SWP Operations - Update on Weekly Coordination with DWR Staff.

7. Legal Report

Kevin O'Brien, Legal Counsel

- A. Drought Claims Procedure - Update on Discussions Regarding Potential Agreement with DWR to Compensate NDWA Water Users Pursuant to Art. 4(b)(iv).

8. Drought Activities Report

Melinda Terry, Manager

- A. Curtailment Order – Update on Any Changes and Current Delta Compliance.

- B. Drought Barriers – Update on Discussions with DWR on Location of Barriers, Water Quality Impacts, and Potential Agreement to Mitigate Impacts.
- C. Delta Dry-Year Response Plan – Update on Joint Effort with CDWA/SDWA to Identify Voluntary Conservation Measures with Financial Incentives: Proposed Conceptual Framework.

9. Delta Activities Report

Melinda Terry, Manager

- A. SWRCB/Delta Watermaster – Update on Drought Activities and Water Conservation Efforts, Water Quality, Water Rights, Water Use Reporting and Other Activities.
- B. Delta Habitat Projects – Update on Activities.
- C. Delta Conservancy Activities – Update on Activities.
- D. Delta Protection Commission (DPC) Activities – Update on Activities.
- E. Delta Stewardship Council (DSC) Activities – Update on Activities.

10. Public Comments

11. Closed Session

A. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9, the Board will Meet in Closed Session with Legal Counsel to Discuss the Following Items:

- i. Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) – three potential cases.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: water entitlements under 1981 NDWA-DWR Contract

Agency negotiator: Melinda Terry

Negotiating parties: Woodland-Davis Clean Water Agency

Under negotiation: terms of transaction

12. Closed Session Report

- A. Reconvene Open Session and Provide Summary of Any Action Taken by the Board on Items Discussed with Legal Counsel in Closed Session.

13. Adjournment