

Minutes of Wednesday, August 22, 2016
North Delta Water Agency Special Board of Directors Meeting
7758 Hastings Island Rd. (Hasting Island Hunting Preserve), Rio Vista

Call to Order

Chairman Mello called the Special Board of Directors meeting to order at 9:15 a.m. on Wednesday, August 22, 2016. A quorum was determined at that time. Those present:

Directors

Steve Mello, Division 1
Justin van Loben Sels, Division 2
Jack Kuechler, Division 3
Tom Slater, Division 5

Staff

Melinda Terry, Manager
Cindy Tiffany, Assistant Manager
Rebecca Smith, Downey Brand

Absent

Ryan Mahoney, Division 4

Approval of Minutes

No action was taken.

Appoint Division 2 Director

Chairman Mello announced the NDWA received one candidate application from Justin van Loben Sels to fill the Division 2 vacancy created by the resignation of Topper van Loben Sels. Melinda reported Cindy reviewed the application and determined it is complete and the candidate meets the qualifications specified in the Agency's governing statutes.

MOTION by Director Kuechler to approve Resolution Number 2018-05 appointing Justin van Loben Sels to fill the Division 2 Director vacancy. Seconded by Director Slater and unanimously approved via a roll-call vote. (AYES: Mello, Kuechler, Slater.)

Cindy Tiffany administered the Oath of Office to newly appointed Director Justin van Loben Sels.

Closed Session

The board adjourned into closed session at 9:19 a.m. to confer with legal counsel in Closed Session to discuss the following two 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. Government Claims Act recovery of delinquent assessments, penalties, and interest against California Department of Fish and Wildlife and Wildlife Conservation Board (Gov. Code 54956.9(d)(1),(4))

Upon reconvening in open session at 9:28 a.m., Chairman Mello announced that there was no reportable action from the Closed Session.

Managers Report

Banking

Melinda informed the board that due to Topper's resignation we need to fill out another authorized signature form which must also be accompanied with minutes showing the board vote to add and remove individuals authorized to sign checks.

MOTION by Director Kuechler to authorize Melinda Terry, Steve Mello, and Tom Slater to sign bank documents for the NDWA bank accounts and to remove Henry Kuechler IV and Carel van Loben Sels as authorized signers. Seconded by Director Slater and unanimously approved via roll-call vote. (AYES: Mello, Kuechler, Slater, van Loben Sels.)

Jack recommended the board also consider adopting a resolution providing broader authorization for Manager Melinda Terry to sign additional bank documents if necessary. He will send Melinda a copy of the one his Reclamation District has adopted.

Employee Benefits Ad-hoc Committee

Melinda and Jack talked about creating an ad-hoc committee to review employee compensation and benefits (retirement, health, vacation, sick time). Directors Kuechler and van Loben Sels volunteered for the committee.

MOTION by Director Slater to appoint Directors Kuechler and van Loben Sels to serve on an ad-hoc committee established to review employee compensation and benefits provided by Agency and recommend any changes to the board. Seconded by Director Mello and unanimously approved via roll-call vote. (AYES: Mello, Kuechler, Slater, van Loben Sels.)

Rebecca Smith informed the board of the need to add an item on the agenda to address an issue that requires immediate action by the board. Adding an item to the agenda requires a finding of urgency by the board.

Cindy reported she received notice from Sacramento County that it rejected the entire roll that was submitted because it does not accept odd-numbered assessment rates. To resolve this issue, the board must modify the minimum rate by one penny so it is rounded to an even number and then Cindy will immediately resubmit the amended rolls to all four counties before the end of the month.

MOTION by Director Kuechler to make a finding of urgency for purposes of adding an item to the agenda that requires immediate action by the board to amend the FY 2018-19 assessment roll. Seconded by Director Slater and unanimously approved via roll-call vote. (AYES: Mello, Kuechler, Slater, van Loben Sels.)

MOTION by Director Kuechler to reduce the odd-numbered assessment rates by one penny and resubmit the amended assessment roll to all four counties. Seconded by Director van Loben Sels and unanimously approved via roll-call vote. (AYES: Mello, Kuechler, Slater, van Loben Sels.)

Public Agency FPPC Compliance

Rebecca Smith of Downey Brand conducted the Ethics Training workshop.

Lunch Break 12:06 – 1:24pm

Elizabeth Stallard of Downey Brand conducted the Sexual Harassment Training workshop.

Adjournment

Chairman Mello adjourned the meeting at 3:24 p.m.

Respectfully submitted by Cindy Tiffany, Assistant Manager.