



**Notice of San Luis & Delta-Mendota Water Authority
Board of Directors Regular Meeting
Thursday, March 5, 2020, 9:30 a.m.**

SLDMWA Boardroom
842 6th Street, Los Banos

AGENDA

Note: Any member of the public may address the Board concerning any item on the agenda before or during its consideration of that matter. For each item, public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.

Note Further: The order of agenda items is subject to change.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Board to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.
4. Opportunity for Public Comment – Any member of the public may address the Board concerning any matter not on the agenda, but within the Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.

Consent Calendar

Note: All matters listed on the Consent Calendar are considered to be routine and non-controversial and will be acted upon by a single action of the Board of Directors, unless a Board Member requests separate consideration of the item. If such a request is made, the item may be heard as an action item at this meeting.

5. **Board of Directors to Consider Approval of February 6, 2020 Meeting Minutes**
6. **Board of Directors to Consider Acceptance of Financial & Expenditures Reports**
7. **Board of Directors to Consider Acceptance of Staff Reports:**
 - a. **Self-Funding**
 - b. **Operations & Maintenance**
 - c. **Science Program**
 - d. **Activity Agreements**

Action Items

8. **Board of Directors to Consider Resolution Recognizing the Service and Contributions of Frances Mizuno, Assistant Executive Director for San Luis & Delta-Mendota Water Authority, Barajas**
9. **Board of Directors to Consider Water Resources Committee Recommendation to Adopt Staff Recommendation for Positions on H.R. 5752 (Costa), Conveyance Capacity Correction Act, and Draft S. ____ (Feinstein), Restoration of Essential Conveyance Act, Petersen**
10. **Board of Directors to Consider Water Resources Committee Recommendation Regarding Execution of Agreement with State Water Contractors and Expenditure of up to \$25,000 from the FY21 Technical Budget to Jointly Fund Technical Science Support for CSAMP Delta Smelt Structured Decision Making, Petersen**
11. **Board of Directors to Consider Resolution Adopting Justification for Single Source Procurement for**

Technical Services to Provide IRWM, SGMA, and Miscellaneous Engineering Support and Authorizing Execution of Consultant Services Agreement and Task Order with Provost & Pritchard Consulting Group, Inc., Petersen

12. **Board of Directors to Consider Resolution and Finance & Administration Committee Recommendation to Adopt a Consolidated Procurement Policy and Rescind Resolution No. 2009-317**, Arroyave/Akroyd
13. **Board of Directors to Consider Water Resources Committee Recommendation Regarding Communications Plan**, Petersen
14. **Board of Directors to Consider Selection/Appointment of FY21 San Luis & Delta-Mendota Water Authority Board Officers**, Akroyd

Report Items

15. Update on Strategic Plan Implementation Progress, Barajas
16. Discussion regarding Draft Bylaws, Barajas
17. Proposed Changes to National Environmental Policy Act Regulations, Petersen/Akroyd
18. Report on State and Federal Affairs, Petersen/Dennis Cardoza
19. Executive Director's Report, Barajas
(May include reports on activities related to 1) CVP/SWP water operations; 2) California Storage Projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities)
20. Chief Operating Officer's Report, Arroyave
(May include reports on activities related to 1) OM&R; 2) Infrastructure Projects; 3) Water Transfers, Exchanges, and Release Program)
21. Update on Water Operations and Forecasts, Boardman
22. Committee Reports:
 - a. Water Resources Committee Activities, Birmingham
 - b. Finance & Administration Committee Activities, Gilmore
 - c. O & M Technical Committee Activities, White
23. Outside Agency/Organization Reports:
 - a. State and Federal Contractors Water Agency
 - b. Family Farm Alliance
 - c. Farm Water Coalition
 - d. Association of California Water Agencies
 - e. San Joaquin Valley Water Blueprint Effort
24. Board Member Reports
25. **CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 4 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 – 3 potential cases

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation Pursuant to paragraph (1) of Subdivision (d) of Section 54956.9

- A. Natural Resources Defense Council et al. v. Bernhardt et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207, LJO-BAM (Old FWS – OCAP BO/Contracts)
- B. Modesto Irrigation District, et al. v. State Water Resources Control Board & Woods Irrigation Company, Sacramento County

- Superior Court Case No. 34-2011-80000803 (Complaint for Declaratory Relief re Woods Irrigation Company)
- C. SWRCB Water Rights Complaints: Modesto Irrigation District, State Water Contractors, San Luis & Delta- Mendota Water Authority, Interested Persons in SWRCB CDO Enforcement Proceedings and/or Petitions for Reconsideration: Pak & Young; Mussi et al; George Speckman Testamentary Trust (Water Rights Complaints)
 - D. Pacific Coast Federation of Fishermen's Associations, California Sportfishing Protection Alliance, Friends of the River, San Francisco Crab Boat Owners Association, Inc., The Institute for Fisheries Resources, and Felix Smith v. Donald R. Glaser and San Luis & Delta-Mendota Water Authority, U.S. District Court, E.D. Cal., Case No. 2:11-CV-02980-KJM-CKD, Appeal No. 17-17130 ("PCFFA v Glaser" or "GBP Citizens Suit")
 - E. San Luis & Delta-Mendota Water Authority and Westlands Water District v. Delta Stewardship Council, et al., Sacramento County Superior Court Case No. 34-2013-80001500 (Delta Plan Litigation). Appeals in Delta Plan Litigation: State Water Contractors, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082944); California Water Impact Network, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); Central Delta Water Agency, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); North Coast Rivers Alliance, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); San Luis & Delta-Mendota Water Agency, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); Save the California Delta Alliance v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994)
 - F. California Sportfishing Protection Alliance, et al. vs. California State Water Resources Control Board, et al., Alameda County Superior Court Case No. RG15780498 (State WQCP/TUCP)
 - G. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 16-1276L (Friant Takings Suit)
 - H. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sacramento County Superior Court Case No. 34-2018-80002853; Environmental Law Foundation v. State Water Resources Control Board, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Sacramento Superior Court Case No. 34-2018-80002852 ("Waste Discharge Requirement Cases")
 - I. North Coast Rivers Alliance v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002898; Central Delta Water Agency v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002900; Friends of the River v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002901; California Water Impact Network v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002904 ("Delta Plan Amendment Cases")
 - J. North Coast Rivers Alliance, et al. v. San Luis & Delta-Mendota Water Authority, et al., Merced County Superior Court, Case No. 19CV-04989 (GBP Long-Term Storm Water Management Plan)
 - K. Pacific Coast Federation of Fishermen's Associations, et al. v. Wilbur Ross, et al., U.S. District Court, N.D. Cal., Case No. 3:19-cv-07897 (ROC on LTO BiOps)

26. Return to Open Session

27. Report from Closed Session, if any Required by Government Code Section 54957.1

28. Reports Pursuant to Government Code Section 54954.2(a)(3)

29. ADJOURNMENT

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Felicia Luna at the San Luis & Delta-Mendota Water Authority Office, 842 6th Street, P O Box 2157, Los Banos, California, telephone: 209/826- 9696 at least 3 for regular or 1 for special day(s) before the meeting date.