



**Notice of San Luis & Delta-Mendota Water Authority  
Board of Directors Telephonic Regular Meeting  
Thursday, September 17, 2020, 9:30 a.m.**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/87066751958?pwd=WmxqSDIxWHVvL0F4eIRnaVRVV1FjQT09>

**Meeting ID: 870 6675 1958**

**Passcode: 249482**

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NOTE: In accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, members of the Board of Directors, and Water Authority staff will be participating in this meeting remotely from multiple locations. This meeting will occur exclusively through Zoom. If members of the public have any problems using the call-in number during the meeting, please contact the Authority office at 209-826-9696.

NOTE FURTHER: Any member of the public may address the Board concerning any item on the agenda before or during consideration of that item, as appropriate.

## **Agenda**

1. Call to Order/Roll Call
2. Board to Consider Additions or Corrections to the Agenda of Items, as authorized by Government Code Section 54950 et seq.
3. 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.

4. **Board of Directors to Consider Approval of August 6, 2020 Meeting Minutes**
5. **Board of Directors to Consider Acceptance of Financial & Expenditures Reports**
6. **Board of Directors to Consider Acceptance of Staff Reports:**
  - a. **O&M Budget to Actual**

- b. **Operations & Maintenance**
- c. **Science Program**
- d. **Activity Agreements**
- e. **Procurement Activity**

### **Action Items**

- 7. **Board of Directors to Consider Finance & Administration Committee Recommendation Regarding Resolution Providing for the Issuance of Revenue Bonds to Finance a Portion of the Cost of Extraordinary Maintenance to the Jones Pumping Plant, Authorizing the Execution of Certain Documents, and Authorizing Certain Other Actions in Connection Therewith, Arroyave**
- 8. **Board of Directors to Consider Water Resources Committee Recommendation to Authorize Withdrawal from the San Joaquin Valley Water Infrastructure Authority (SJVWIA), Barajas**
- 9. **Board of Directors to Consider Water Resources Committee Recommendation to Adopt Staff Recommendation for Positions on Legislation, Petersen**
  - a. **H.R. 8166 (Cox), the Western Water Storage Infrastructure Act**
  - b. **S. 4530 (Feinstein)/H.R. 8041 (Harder), Snow Water Supply Forecasting Program Authorization Act**
  - c. **H.R. \_\_\_ (Garamendi), WIFIA Improvement Act**
- 10. **Board of Directors to Consider Resolution Authorizing Execution of Amendment 6 to the Agreement for the Supply and Conveyance of Water by the Department of Water Resources of the State of California to the San Luis & Delta-Mendota Water Authority under the Dry Year Water Purchase Program SWPAO No. 20-803, Making Determinations Related to the California Environmental Quality Act, and Authorizing Actions Related Thereto, Mizuno**
- 11. **Board of Directors to Consider Authorizing Los Vaqueros Reservoir Expansion Project Activity Agreement Expenditure of up to \$675,774 in FY21 to Fund Amendment No. 2 to the Cost Share Agreement for Los Vaqueros Reservoir Expansion Project Planning, Mizuno**

### **Report Items**

- 12. Executive Director's Report, Barajas
  - a. B.F. Sisk Dam Raise Project
  - b. San Luis Transmission Project
  - c. May also 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; and 6) COVID-19 response
- 13. Report on State and Federal Affairs, Petersen/Dennis Cardoza
- 14. 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)
- 15. Update on Water Operations and Forecasts, Boardman
- 16. Committee Reports:
  - a. Water Resources Committee Activities, Birmingham
  - b. Finance & Administration Committee Activities, Gilmore
  - c. O & M Technical Committee Activities, White
- 17. 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
- 18. Board Member Reports
- 19. **CLOSED SESSION**

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 5 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 ("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. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 16-1276L (Friant Takings Suit)
  - G. 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 County Superior Court Case No. 34-2018-80002852 ("Waste Discharge Requirement Cases")
  - H. 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")
  - I. 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)
  - J. Pacific Coast Federation of Fishermen's Associations, et al. v. Wilbur Ross, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431-DAD-EPG (ROC on LTO BiOps)
  - K. California Natural Resources Agency, et al. v. Wilbur Ross, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426-DAD-EPG (ROC on LTO BiOps)
  - L. California Sportfishing Protection Alliance v. All Persons Interested in the Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al., Stanislaus County Superior Court, Case No. CV-20-001748 (Delta-Mendota Subbasin SGMA Challenge)
  - M. Tehama-Colusa Canal Authority et al. v. California Department of Water Resources et al., Fresno County Superior Court, Case No. 20CECG01303 (SWP EIR Challenge)
  - N. AquAlliance et al. v. U.S. Bureau of Reclamation, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00878 (Long-Term Water Transfers EIS/EIR)
  - O. Guillermo Garcia v. Travis James Conrad and San Luis & Delta-Mendota Water Authority, Merced County Superior Court, Case No. 19CV-04982 (traffic collision)
  - P. Winnemem Wintu Tribe et al. v. State Water Resources Control Board et al., San Francisco County Superior Court, Case No. CPF20517115 (GBP Waste Discharge Requirements)
20. Return to Open Session
  21. Report from Closed Session, if any Required by Government Code Section 54957.1
  22. Reports Pursuant to Government Code Section 54954.2(a)(3)

## 23. 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 via telephone (209) 826-9696 or email [[cheri.worthy@sldmwa.org](mailto:cheri.worthy@sldmwa.org) or [felicia.luna@sldmwa.org](mailto:felicia.luna@sldmwa.org)] at least 3 days before a regular meeting or 1 day before a special meeting/workshop.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq. and has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.