



December 9, 2021

TO: San Luis & Delta-Mendota Water Authority Board of Directors, Alternates, Water Resources Committee, Finance & Administration Committee and Interested Parties

RE: SLDMWA Special Telephonic Meeting of the Board of Directors and Joint Special Telephonic Workshop of the Board, Water Resources Committee, and Finance & Administration Committee - Tuesday, December 14, 2021, 12:30 p.m.

NOTICE IS HEREBY GIVEN that a Special Telephonic Meeting of the Board of Directors / Joint Special Telephonic Workshop of the San Luis & Delta-Mendota Water Authority Board of Directors, Water Resources Committee, and Finance & Administration Committee has been called for **Tuesday, December 14, 2021, 12:30 p.m., via ZOOM** on items listed on the attached agenda, which is incorporated herein by this reference and made a part hereof.

This Special Joint Meeting/Workshop is being noticed pursuant to the Ralph M. Brown Act (Gov. Code § 54950 et seq.) as a special Board meeting and an informational workshop at which quorums of the Board, the Water Resources Committee, and/or Finance & Administration Committee may be present and may discuss the items listed on the attached agenda. Action may be taken by the Board of Directors, but is not planned to be taken by either of the named committees.



**Notice of San Luis & Delta-Mendota Water Authority Special Telephonic Meeting
of the Board of Directors / Joint Special Telephonic Workshop of the Board,
Water Resources Committee, and Finance & Administration Committee**

Tuesday December 14, 2021, 12:30 p.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/84590028801?pwd=OWp6Q3ZvUVljZkFBU0grViczUmVwZz09>

Meeting ID: 845 9002 8801

Passcode: 985902

One tap mobile

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+1 929 436 2866 US (New York)

Meeting ID: 845 9002 8801

Passcode: 985902

Find your local number: <https://us02web.zoom.us/j/84590028801?pwd=OWp6Q3ZvUVljZkFBU0grViczUmVwZz09>

In accordance with Government Code section 54953(e) and Resolution 2021-492 adopted by the San Luis & Delta-Mendota Water Authority Board of Directors on November 29, 2021, members of the Board of Directors, Water Resources Committee ("WRC"), Finance & Administration Committee ("FAC"), 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: Any member of the public may address the Board/WRC/FAC concerning any item on the agenda before or during consideration of that item, as appropriate.

AGENDA

1. Call to Order/Roll Call
2. Opportunity for Public Comment – Any member of the public may address the Board/Committees concerning any matter not on the agenda, but within the Board/Committees' 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.

Action Items

3. **Board of Directors to Consider Adopting Resolution Re-Ratifying the Proclamation of a State of Emergency by Governor Gavin Newsom (Mar. 4, 2020), Proclaiming the State of Emergency Continues to Directly Impact the Ability of Members of the Legislative Bodies of the San Luis & Delta-Mendota Water Authority to Meet Safely in Person, and Re-Authorizing Remote Teleconference Meetings for Such Legislative Bodies for the Period December 14, 2021 through January 13, 2022 Pursuant to Brown Act Provisions, Akroyd**

Report Items

4. Review Proposed FY23 O&M and Activity Budgets
5. Review Preliminary Illustrative WY22 O&M Rates
6. 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; 6) COVID-19 response)

7. 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 – 2 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. Haaland, et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207-DAD-EPG, 9th Cir. Case No. 21-15163 (2005 DMC Contract Renewals)
- B. Pacific Coast Federation of Fishermen's Associations, et al. 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)
- C. Delta Stewardship Council Cases, Sacramento County Superior Court, Case No. JCCP 4758 (formerly 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)
- D. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 1:16-cv-01276-EDK (2014 Friant Breach of Contract)
- E. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Third District Court of Appeal Case No. C093513, Sacramento County Superior Court Case No. 34-2018- 80002853; Environmental Law Foundation v. State Water Resources Control Board, Third District Court of Appeal Case No. C093513, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Third District Court of Appeal Case No. C093513, Sacramento Superior Court Case No. 34-2018-80002852 (Waste Discharge Requirement Cases)
- F. 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)
- G. 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)
- H. Pacific Coast Federation of Fishermen's Associations, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431-DAD-EPG (ROC on LTO BiOps)
- I. California Natural Resources Agency, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426-DAD-EPG (ROC on LTO BiOps)
- J. CDWR Water Operation Cases, Sacramento County Superior Court, Case No. JCCP 5117 (formerly Tehama-Colusa Canal Authority et al. v. California Department of Water Resources et al., Fresno County Superior Court, Case No. 20CECG01303) (SWP EIR Challenge)
- K. AquAlliance et al. v. U.S. Bureau of Reclamation, et al., U.S. District Court, E.D. Cal., Case No. 1:20- cv-00878-DAD-EPG (Long-Term Water Transfers EIS/EIR)
- L. Winnemem Wintu Tribe et al. v. State Water Resources Control Board et al., Merced County Superior Court, Case No. 21CV-02721 (GBP Waste Discharge Requirements)
- M. SWRCB Administrative Hearing Office: County of San Joaquin Application for Permit to Appropriate Water from the South Fork American River at the Freeport Regional Water

Authority Facility on the Sacramento River, Pending Application A029657 (SJC Permit Application Protest)

N. AquAlliance et al. v. San Luis & Delta-Mendota Water Authority, Merced County Superior Court, Case No. 21-CV-03487 (Long-Term Water Transfers EIS/EIR Addendum)

8. Return to Open Session
9. Report from Closed Session, if any Required by Government Code Section 54957.1
10. Reports Pursuant to Government Code Section 54954.2(a)(3)
11. 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 or 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/>.