



Consisting of 240,000 acres on the Westside of the San Joaquin Valley

AGENDA

SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY

Friday, September 3, 2021

NOTICE IS HEREBY GIVEN that on *Friday, September 3, 2021*, at **9:00 a.m.**, the Board of Directors of the *San Joaquin River Exchange Contractors Water Authority*, otherwise known as the *Exchange Contractors*, located at 541 H Street, Los Banos, California, will meet via **telephonic**.

Notice: 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 Exchange Contractors staff will be participating in this meeting remotely from multiple locations. Members of the public are encouraged to use the call-in number, which will allow them to fully participate in the meeting without having to be present in person. If members of the public have any problems using the call-in number during the meeting, please contact the Exchange Contractors' office at 209-827-8616. During the conference call, all votes will be conducted by roll call.

**PLEASE JOIN THE MEETING FROM YOUR COMPUTER,
TABLET OR SMARTPHONE**

<https://global.gotomeeting.com/join/876618765>

We *WILL NOT* stream audio through the computer, you will need to still dial into the conference line provided as follows:

TELECONFERENCE NUMBER: 1-877-355-9639

Passcode: 2098278616#

The agenda for the meeting will be:

- 1. Pledge of Allegiance**
- 2. Agenda:**

The Board will consider corrections or additions to the agenda of items requiring immediate action that have come to the attention of the Exchange Contractors following the posting of the agenda.

JAMES E. O'BANION
Chairman

CHRIS CARDELLA
Vice Chairman

CHRIS WHITE
Executive Director

STEVE CHEDESTER
Director of Policy & Programs

**MINASIAN, MEITH,
SOARES, SEXTON
& COOPER LLP**
Legal Counsel

CENTRAL CALIFORNIA IRRIGATION DISTRICT

James E. O'Banion
President

Jarrett Martin
General Manager

SAN LUIS CANAL COMPANY

James L. Nickel
President

John Wiersma
General Manager

FIREBAUGH CANAL WATER DISTRICT

Mike Stearns
President

Jeff Bryant
General Manager

COLUMBIA CANAL COMPANY

Chris Cardella
President

Randy Houk
General Manager

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- 3. Approval of Minutes**
August 6, 2021 Board Meeting
- 4. Public Participation**
At this time, members of the public may address the representatives on matters which may affect the operations of the Exchange Contractors. The Chairman may limit the time allowed for comment.
- 5. Board to approve August, 2021 Expenditures**
- 6. Finance Committee Report**
 - A) Review Financial Report Memo for August, 2021 – Board Action Required.
 - i. August, 2021 General Budget Comparison
 - ii. August, 2021 Water Transfer Budget Comparison
 - iii. August, 2021 Water Resources Plan Budget Comparison
 - iv. August, 2021 San Joaquin Valley Drainage Authority
 - v. Cash Activity Report
 - B) Finance Committee Minutes of August 2, 2021
- 7. Water Report**
- 8. Executive Director’s Report**
- 9. Director of Policy & Program Report**
- 10. Adopt Conflict of Interest Code**
In accordance with California’s Fair Political Practices Act, the Exchange Contractors must adopt the Amendment to the Conflict of Interest Code of the San Joaquin River Exchange Contractors Water Authority. The Amendment to the Conflict of Interest Code has been posted for a period of at least 45 days for public review prior to adoption. Board action is requested to adopt the proposed Amended Code and consider adoption of Resolution No. 2021-02 – Resolution to Adopt Amendment to San Joaquin River Exchange Contractors Water Authority’s Conflict of Interest Code.
- 11. Water Resources Plan – Update**
 - A) Del Puerto Canyon Reservoir Project
- 12. Bay-Delta Water Quality and Regional Water Quality Control Board Report**
 - A) Water Quality Issues Update - David Cory
- 13. Legislative Report**
 - A) State
 - B) Federal
- 14. Attorney’s Report**
- 15. Four Entities’ Manager’s Reports**
- 16. Informational**

17. Closed Session:

- A)** Conference with Legal Counsel regarding existing litigation. Firebaugh vs. United States – U.S. District Court Eastern District of California. Government Code Section 54956.9
- B)** Conference with Legal Counsel regarding existing litigation and administrative proceedings.
NRDC vs. Rodgers (Friant Litigation) - U.S. District Court, Eastern District of California. Government Code Section 54956.9
- C)** Conference with Legal Counsel regarding Friant Water Authority vs. Bureau of Reclamation, Re: 2014 Operations. Government Code Section 54956.
- D)** Conference with Legal Counsel. SWRCB Administrative Proceedings Regarding Water Rights Exercise, San Joaquin River and Tributaries. Government Code Section 54956.9
- E)** Conference with Legal Counsel regarding anticipated litigation. One potential case. Government Code Section 54956.9(d)(4)
- F)** Threatened Litigation: NRDC 60-Day Notice regarding failure of SWRCB to comply with Clean Water Act, Re: water quality plans; failure of Bureau of Reclamation to consult under ESA regarding Contract Renegotiation. Government Code Section 54956.9
- G)** Conference with Real Property Negotiators. Subject to discussion: Water available for transfer by the Exchange Contractors and its members.
Negotiators: Chris White and Water Transfer Committee members.
Government Code Section 54956.8
Subject of Closed Session: price, duration of transfer and other terms
- H)** Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9(d)(1)). Stanislaus County Superior Court Case No. CV – 20-005193, *Sierra Club, et. al., v. Del Puerto Water District*.
- I)** Conference with Legal Counsel – Anticipated Litigation (Government Code section 54956.9(b)). Significant exposure to litigation. One case.
- J)** Personnel. Government Code Section 54957.6(b). Strategic Plan and Adaptive Staffing Strategy Plan Updates.