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**TELEPHONIC MEETING OF THE BOARD OF DIRECTORS
SEPTEMBER 16, 2020
MINUTES**

1. CALL TO ORDER

President Gene Bays, who was present, called the meeting to order at 8:30 a.m. in accordance with Governor Newsom's Executive Order N-29-20, allowing the meeting to be held telephonically. Board Members connected via conference call were Bill Koster, Jarod Lara, Jim Jasper, Pete Lucich, Zach Maring and Kyle Perez.

2. OPPORTUNITY FOR PUBLIC COMMENT

Anthea asked if any member of the public that joined the meeting had any public comments. There was no public comment.

3. ADDITIONS/REVISIONS TO THE AGENDA

There were no additions or revisions to the agenda.

4. PUBLIC HEARING ON AN ASSESSMENT BALLOT PROCEEDING REGARDING A PROPOSED CONTRACT CONVERSION ASSESSMENT

- A. President Bays gave his introduction to the Public Hearing on the Assessment Ballot proceeding for the proposed contract conversion assessment. After the presentation, the hearing was open to the public to which President Bays indicated was being recorded and if necessary, a transcript of the proceedings would be prepared based on the recording. District staff then made a brief presentation regarding the background for the proposed Assessment and after the presentation, the public was invited to provide comments, questions and objections to the proposed Assessment. During the hearing and until its close, Landowners were able to cast new or revised assessment ballots. Anthea Hansen then described certain procedural matters, following which she briefly described the need for the proposed Assessment. After the presentation, she then asked if the Board of Directors had any questions or concerns. Vice President Koster asked if the public was aware of this meeting, to which Anthea responded that the Agenda had been posted on the District's website and advance copies of the action items were also posted on the website. Hearing no other questions from the Board, the hearing was opened to the public for comment. Having no names requesting to speak, President Bays closed the public comment period and proceeded to request that Anthea describe the voting process and open and tabulate the ballots as she was designated by the Board of Directors to do so. Staff then confirmed there were two ballots that were left in the receipt box that would be counted, but there were no Landowners waiting outside to amend or turn in a vote. Anthea reported that she would return with the tabulation of the ballots. President Bays then concluded the hearing.

5. CONSENT CALENDAR

The Minutes from the Board Meeting of 8/19/20, Telephonic Board Meeting of 8/31/2020, and the Monthly Accounting Reports as of 08/31/2020 and Field Operations Report for August were provided in advance for the Board's review. The Board approved the Consent Calendar as follows:

Ayes:	Bays, Koster, Jasper, Lucich, Maring, Perez and Lara
Nays:	None
Abstentions:	None
Absent:	None

6. ACTION ITEMS

- A. Board to Review and Accept Treasurer's Quarterly Investment Report for the Second Quarter Ending 08/31/20
Anthea provided the Treasurer's Quarterly Investment Report for the Second Quarter ending 08/31/2020. After review and discussion, the Board approved the Treasurer's Quarterly Investment Report for the Second Quarter ending 08/31/2020 as follows:

Ayes: Bays, Koster, Jasper, Lucich, Maring, Perez and Lara
 Nays: None
 Abstentions: None
 Absent: None

B. Board to Consider Approval of Form of Contract Between the United States and Del Puerto Water District Providing for Water Service for Delta Division and Facilities Repayment

Anthea provided a copy of Form of Contract between the United States and Del Puerto Water District Providing for Water Service for Delta Division and Facilities Repayment and asked District Counsel Alan Doud to give a brief overview of said contract and indicated it would be considered a "permanent" contract. Vice President Koster asked Mr. Doud what the chances of this contract being litigated and he responded with "100%" and that it would be discussed later in the meeting. After review, discussion, and no further questions the Board approved the Form of Contract between the United States and Del Puerto Water District Providing for Water Service for Delta Division and Facilities Repayment as follows:

Ayes: Bays, Koster, Jasper, Lucich, Maring, Perez and Lara
 Nays: None
 Abstentions: None
 Absent: None

7. CLOSED SESSION

Upon return from Closed Session, Anthea reported that Staff received direction and a unanimous approval of the District pursuing a water exchange to assist Pacheco Water District with a minimal amount of supply for the remainder of this water year. District Counsel Alan Doud also reported that he received a unanimous approval to file a validation complaint for the Repayment Contract that was approved in Item 6B.

8. RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE UNITED STATES AND DEL PUERTO WATER DISTRICT PROVIDING FOR WATER SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT; AND AUTHORIZING THE FILING OF A NOTICE OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR APPROVAL OF AND AUTHORIZATION TO EXECUTE CONTRACT

Anthea provided a copy of a Resolution to the Board in advance that approves and authorizes the execution of a contract between the United States and Del Puerto Water District providing for water service from delta division and facilities repayment; and authorizing the filing of a Notice of Exemption under the California Environmental Quality Act for approval of and authorization to execute contract. She reported that the Resolution discusses the background and history that has led up to this approval and reviewed Exhibits A, B, and C with the Board. After review and discussion, the Board accepted the Resolution Approving and Authorizing the Execution of a Contract Between the United States and Del Puerto Water District Providing for Water Service From Delta Division and Facilities Repayment; and Authorizing the Filing of a Notice Of Exemption Under the California Environmental Quality Act as follows:

Ayes: Bays, Koster, Jasper, Lucich, Maring, Perez and Lara
 Nays: None
 Abstentions: None
 Absent: None

At this time, Anthea gave the Board a preliminary tally of the ballots that she had opened and reviewed, subject to a second review that resulted in 18,636 votes in favor of the Contract Conversion and Assessment, 507 in opposition, and 178 disqualified, and 3,622 that might possibly be disqualified due to the ballots being incomplete.

9. BOARD TO REVIEW AND CONSIDER RANGE OF FINANCING OPTIONS FOR CONTRACT CONVERSION REPAYMENT

Anthea reported that over the past six weeks, Minnie had been communicating with several different groups of potential financial partners to receive proposals on the Contract Conversion Repayment Obligation. Minnie provided a Financing Comparison table showing several options with CoBank, Alliance, Holman Capital and Weistlaw. The

Board discussed the options presented and she indicated that all options were Federal Tax Exempt, after which they approved financing Option #1 with CoBank as follows:

Ayes:	Bays, Koster, Jasper, Lucich, Maring, Perez and Lara
Nays:	None
Abstentions:	None
Absent:	None

10. MANAGER'S REPORT

Anthea reported that the Department of Water Resources had filed their validation complaint for the proposed revenue bond financing for the environmental review, planning and if approved, construction of the Delta Conveyance Project. Reclamation has been busy in Washington continuing work on streamlining administrative procedures that will affect changes in how NEPA compliance is achieved on water projects. Anthea also referred the Board to the reading material provided in the packet pertaining to hydropower's benefits, simplification of cultural resources compliance on canals and ditches, updates on Water Policy/Resource Activities in the SLDMWA, Governor Newsom's Water Resilience Portfolio, and a Federal Financing for Sites Reservoir and CVP Modernization.

11. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Anthea reported that Federal pumping plants were operating at about 8,500 cfs and was not sure if the reservoir would fill at this time. Graphs provided showing a 50% exceedance predicted the reservoir would fill in early winter and stay full until March with an early drawdown with potential loss of carryover opportunities, therefore not a positive for the projected 14,000 AF of District's carryover, however that would indicate a good allocation for the next year. The 90% exceedance graph did not show a full reservoir scenario which was a positive for carryover supplies.

B. Monthly Supply/Use/Completed Transactions Summary Report as of 8/31/20

Adam reported in-district use for the month of August at 6,967 AF and transfers out of 1,600 AF, for a total of 8,567 AF of use in August. In-District use forecasted for the year is 80,066 AF, and a total of 16,853 AF is estimated for rescheduling into 2021-22.

C. 2020-21 Annual Additional Supplies - Update

Anthea reported there was a pool of 20,582 AF of water available over and above the current water supply to which about 20,000 AF had been subscribed. The pool was at a break-even and would likely end up in a positive position. Additional supplies requested between now and February would be used mainly to supplement those customers running out of water supplies during the current year, and therefore would not qualify for carryover.

D. Landholding/Licensing Updates

Anthea noted there are occasional early referral consultations and notices of meetings on things that would affect the permitted use of lands within the District. There is a planning commission meeting scheduled for the 17th of September on another cannabis operation located in the Howard Rd. area in Westley.

12. RESOURCE MANAGEMENT ACTIVITIES

A. Westside Integrated Regional Water Management (IRWM) Activities

Anthea reported that under the IRWM Program, DWR sent SLDMWA the draft grant agreement the week prior and shared that about \$45,000 of the \$1 million grant agreement would be able to be used on the NVRWP and were working with the Consultants to get the last edits to the grant agreement so that it could be executed.

B. SJDVA/Westside San Joaquin River Watershed Coalition Report(s)

Adam reported there was no meeting in September 22, 2020 but he continued to work on obtaining Nitrogen Management Plans from growers that were delinquent on providing them to the Coalition as required.

C. Sustainable Groundwater Management Activities

Adam shared that there had been a lot of data collection and provided the second quarter GSP Implementation Tracking Tool DM-II GSA Quarterly Report as well as a SLDMWA Northern & Central Delta-Mendota Region GSP Implementation 3 Month Look-Ahead Report showing tasks and the timeline of the

implementation schedule and when those tasks would be taking place. Director Koster questioned when charges for this would be taking place and Anthea answered that the fee was included in this year's Water Availability Charge, but that in subsequent years' the budget requirement for SGMA GSP implementation would likely be a separate charge from the GSA.

D. Remote Telemetry Project

Adam reported that all the meters were in house and were in the process of being installed and as soon as that process was complete, Sierra Controls would then install the radio equipment to collect data from those meters. He also plans to put together a presentation for the growers who would benefit from this information and get their input on how it should look.

13. FINANCIAL MATTERS

A. Monthly Accounting Reports for August 31, 2020

Minnie provided, reviewed and discussed the Monthly Accounting Reports with the Board.

B. Mid-Year Budget to Actuals Review & Fund Accountings

Minnie provided and reviewed the Administrative Budget Variance Report, Balance Sheet Analysis as of August 31, 2020 and the Estimated Total of Cash and Investments Accounts as of 8/31/2020. Anthea added that the Cash and Investments Report showed an estimate where District would be as of the end of this year in its reserve funds.

C. CVP Financial Matters

Anthea reported that the District was in receipt of its USBR fiscal year 2019 Annual Accounting Analysis, which needed a few adjustments, and which will be worked on next week. She then reviewed and discussed the water rate charges included in the report and shared that a surplus of \$243,737.04 would be refunded to the District. She indicated that the \$356,000 estimated coming in to the Rate Stabilization Funds shown on the Cash and Investments Report as pending included that amount.

14. SUPPLY DEVELOPMENT PROGRAMS

A. North Valley Regional Recycled Water Program – Update

Anthea reported that since the last meeting, a formal Finding of Financial Capability under the NVRRWP has been received and that this finding and the letters provided in the packet show the approval of this finding and some of the communication between the Sacramento and Denver offices have resulted in the District's ability to make a request for and receive the Fiscal Year 2018 Title XVI North Valley Grant. The \$4,059,192 received was then turned over to the City of Turlock and therefore reduces the amount the City of Turlock will be borrowing from the State Revolving fund. She added that there was one more Title XVI Grant the District was awaiting word on. She also preliminary reported on the first full quarter of deliveries from both cities and delivered 7,327 AF. The cost under the agreement with the cities totaled just under \$150/AF. Once both cities are consistently online after a few more quarters' analysis, a final rate will be able to be estimated.

B. Orestimba Creek Recharge & Recovery Project – Update

Adam reported that requests were sent for proposals to perform design and environmental work in order to move forward on buildout of the project. He shared that two proposals had been provided by Provost & Pritchard as well as Woodard & Curran and showed tables including the proposals from start to construction bidding. He provided a Comparison of Proposals Report and reviewed the tasks and costs related to those tasks with the Board. Based on the comparisons, Adam indicated that Provost & Pritchard's proposal was the likely awardee as it was significantly less.

C. Del Puerto Canyon Reservoir Project – Update

Anthea shared that since last month's approval from the Board to authorize the execution of a scope of work with Clean Energy Capital, she had done so and also had updated the deliverable timeframe, which she included it for the Board's review. The District is working with Clean Energy to develop a financial model to help the District, the Board of Directors and its Landowners to see how the finance side of a reservoir project will work. She shared that Woodard & Curran had been assisting with numerous calls from Reclamation regarding questions related to finalizing the Federal Feasibility Report. This is the report that will get to the B.O.R Commissioner for a finding of feasibility, which is necessary for an up to 25% cost share funding from the WIIN Act. She reminded the Board that the money that funds WIIN Act implementation and construction grants comes from the payoffs of the CVP Construction Cost Obligations by the Districts. She added that the

finding needed to be complete by December. The Financial Assistance Agreement had also been submitted, which would allow the District access to the current \$1.5 million that was awarded through the WIIN Act for Feasibility Study Funding, and another \$1.5 million was on the proposal list that will hopefully end up on some legislation in Congress before the end of the session. The Financial Assistance Agreement is a contract that allows Reclamation to transfer the money over to the District side once the Agreement is finalized. She also shared that a lot of work was in progress on modeling how the Reservoir would work. Also, on the environmental side, Staff had been assisting Reclamation in the development of tech memos to support their EIS with the help of Woodard & Curran. On the CEQA side, District's EIR was still in final screen check. Anthea also thanked publicly Congressman Harder for his support on the Reservoir Project as he has given newspaper interviews and radio ads specifically mentioning storage projects.

D. Los Vaqueros Reservoir Expansion Project - Update

Anthea reported there were a few meetings coming up but nothing new to report on this item.

E. BF Sisk Dam Raise Project - Update

Anthea had reported prior that the Environmental Draft documents had been released and a process of moving through the various steps and concurrent with that, the BF Sisk Dam was also applying for funding through the WIIN Act.

15. ADMINISTRATIVE ACTIVITIES

A. Office Building Expansion Project - Update

There was nothing formal to report on the Project, but encouraged the Board to drive by the office to see the progress being made. She hoped the expansion would be complete by November 2020.

16. SLDMWA Report

A. SLDMWA Minutes, Reports and Issues Updates

Anthea provided the SLDMWA Minutes for the month of August and added that their September meeting would be taking place on the 17th. She reported that the SLDMWA's main focus at the moment was financing for the Jones Pumping Plant Rewind Projects, the BF Sisk Dam Raise Project and several other items she provided information on in the Board packet.

13. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

News articles pertaining to the Tainted Valley Groundwater and a proposed CVP groundwater bank facing TCP contamination were provided for the Board's review.

14. CLOSED SESSION

There was nothing to report for closed session.

15. ITEMS TO DISCUSS PURSUANT TO GOVERNMENT CODE 54954.2

16. ADJOURNMENT

Being no further business, the meeting was adjourned at 10:45 a.m.

Respectfully submitted,



Anthea G. Hansen
Secretary