

**NOTICE OF MEETING AND AGENDA
NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS**

**Monday, August 25, 2014
2:00 p.m.**

Lodi Library Community Room
(This facility is handicap accessible)
201 West Locust Street, Lodi CA

The agenda and all noted documentation may be viewed and downloaded at www.nsjgroundwater.org . Requests to receive the agenda and documentation by e-mail may be submitted in writing to the Secretary of the Board. The NSJWCD printed agendas are posted at the District's location of business at: 318 E. Kettleman Lane, Lodi. The District's mailing address is: PO Box E, Victor CA 95253.

NOTICE: Members of the public may address the Board of Directors concerning any agenda item during the Board's consideration of that item. The public may address non-agenda items at the end of the regular meeting. No action will be taken on those items; however, the Board may agendaize items for future consideration.

- 1. Call Regular Meeting to Order/Roll Call**
- 2. Correspondence/Announcements**
- 3. Action Items**

Any and all of the following agenda items are subject to action being taken by the Board of Directors by motion, resolution, or ordinance.

Matters Too Late for the Agenda: Action items may be added to the agenda upon determination by a majority vote of the Board that an emergency exists, as defined by state law, or by a 2/3 vote of the Board that (1) there is a need to take immediate action; and (2) that the need for action came to the District's attention after the agenda was posted.

- A. Approval of the Minutes of the Regular Meeting of July 28, 2014**
(Documentation attached - #2)
- B. Discussion and Possible Action to Receive and File NSJWC District Monthly Financial Reports** *(Documentation attached - #3)*
- C. Discussion and Possible Action to Authorize Current Invoice/Expense Payments by the NSJWCD** *No documentation)*
- D. Tracy Lake Recharge Project**
 1. Discussion and Possible Action to Receive and File **Tracy Lake Current Financial Reports** *(Documentation attached - #4)*

2. Discussion and Possible Action Regarding Meetings of the **Tracy Lake Improvement District Coordinating Committee** or other pertinent groups. *(No documentation)*.
- E. Discussion and Possible Action on **Local Water Forum** (August 7th) **followup** and subsequent **South System Subcommittee Meeting** (August 21) *(Documentation attached - #5 and #6)*
- F. Discussion of **Proposition 218 Process for Changes to District's Water Rates** and Possible Action on **Implementing Proposition 218 Process** *(No documentation)*
- G. Discussion and Possible Action on **Potential Funding Opportunities** *(No documentation)*
- H. Discussion and Possible Action on **Existing, Pending or Proposed Legislative** that may affect the District *(No documentation)*
 1. Mokelumne River Wild and Scenic Designation bill
 2. AB 1739 and SB 1168 (groundwater sustainability bills)
 3. Water Bond
 4. Other
- I. Discussion and Possible Action regarding **review and update of the NSJWCD Permit 10477 – “Construction and Operations Plan.”** *(Documentation attached - #7 [see pdf pp. 25 – 29, Exhibit C] and #8; Additional Documentation at the Meeting)*
- J. Presentation, Discussion and Possible Action regarding **Eastern San Joaquin Water Alliance.** *(No documentation)*
- K. Discussion and Possible Action on **Biennial Review of NSJWCD Conflict of Interest Code and Filing of Notice with the FPPC.** *(Documentation at the Meeting)*
- L. Discussion and Possible Action on Board meeting planning calendar *(Documentation at the Meeting)*
- M. Discussion and Possible Action **District Staffing** *(No documentation)*
- N. Discussion and Possible Action on the **Organization of District Files** *(No documentation)*

4. Discussion Items

- A. **Environmental Law Foundation, et al. v. State Water Resource Control Board** (“Summers Decision” - at issue – does the SWRCB have the authority to regulate groundwater under the public trust doctrine?) *(Documentation #9)*
- B. **State Board Water Right Process** *(No documentation)*
- C. **Water Rights and Delivery of Water** *(No documentation)*
- D. **November Election Update** *(No documentation)*

5. Director and Staff Reports

- A. President's Report
- B. General Counsel Masuda
- C. Consultant Walt Sadler
- D. Committee Reports
- E. Other

6. Public Comment on Items Not on the Agenda

Interested persons in the audience are welcome to introduce any topic within the jurisdiction of the NSJWCD Board. The time allowed for each speaker for comments made by the public is limited to 3 minutes. Matters presented under this agenda item may be discussed, but no action can be taken by the Board at this meeting except as follows:

- Briefly respond to statements made or questions raised.
- Ask a question for clarification.
- Provide a reference to staff or other resources for factual information.
- Request staff to report back at a subsequent meeting.
- An individual Board member or the Board itself may have the matter placed on a future agenda.

7. Closed Session

Conference with Legal Counsel – Anticipated Litigation

Discussion of potential significant exposure to litigation pursuant to subdivision (b) of California Government (GC) Code section 54956.9):

Two cases: (1) Pending NSJWCD Protest of EBMUD SWRCB Petitions; and
(2) Pending Protests to NSJWCD SWRCB Petitions

Conference with Real Property Negotiators

Property: Water under Permit 10477

Agency Negotiator: Jennifer Spaletta, District Special Water Counsel

Negotiating Parties: City of Lodi

Under Negotiation: Price, terms of payment

8. Motion to Adjourn

Next Regular Meeting of the Board: Monday, September 29, 2014 at 2:00 p.m.

Potential Future Topics (no date assigned unless noted)

- NSJWCD Permit 10477 – Update of “Construction and Operations Plan” – September 2014
- Proposition 218 Water Rate Process
 - Board review – September 2014
 - Board approval of rate study and Authorize Mailing of Notices - October 2014
 - Public hearing – December 2014
- Conflict of Interest Code – August 2014
- Issues related to the 2014 drought
- NSJWCD Mission and Goals Statements
- NSJWCD Bylaws
- Review/Update NSJWCD Policy Manual
- 2014-2015 NSJWCD Work Plans
- Infrastructure repairs and improvements
- Issuance of next series of Tracy Lake Improvement District warrants
- 2015 Meeting Schedule – November 2014
- Review of Brown Act Requirements
- Counsel review of Board member responsibilities, duties and activities
- Installation of new directors and officers – December 2014
- Tracy Lake
 - Award of Pump Contract – February 2014
 - Notice of Completion on Contracts - September 2014