

Roger Masuda – General Counsel
Walter Sadler – NSJWCD Consultant
Jennifer Spaletta – Special Counsel

BOARD OF DIRECTORS
President – Joe Valente
Vice President – Mark Beck
Secretary – Tom Flinn
Treasurer – Hugh Scanlon
Marden Wilber

MINUTES
NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS

Monday, November 24, 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.

1. Call Regular Meeting to Order/Roll Call

President Valente called the meeting to order at 2:10 pm

Present: President- Joe Valente
Treasurer- Hugh Scanlon
Secretary - Tom Flinn
Roger Masuda (General Counsel), Jennifer Spaletta(Legal Counsel),
Walt Sadler (Consultant)

Absent : Vice President- Mark Beck
Member – Marden Wilber

2. Correspondence/Announcements

- A.** Brandon Nakagawa's Presentation of Groundwater Banking Authority on Water Investigation Zone #2 – 15 Year Update is now available on the district's website.

3. Action Items

- A. **Approval of the Minutes of the Regular Meeting of October 27, 2014 – The minutes were approved with one amendment to Section #2 B.** General Counsel, Roger Masuda sent a letter to the board regarding his *invoices*.

Moved: Scanlon

Second: Valente

Approved: 3:0

- B. **Discussion and Possible Action to Receive and File NSJWCD District Monthly Financial Reports** *Motion to approve Monthly Financial Report and Invoice/Expense Payments (Item 3.C).*

Moved: Valente

Second: Scanlon

Approved: 3:0

- C. Discussion and Possible Action to Authorize Current **Invoice/Expense Payments by the NSJWCD-Combined vote with 3 B, and C – see above.**

D. Tracy Lake Recharge Project

1. Discussion and Possible Action to Receive and File **Tracy Lake Current Financial Reports**

Moved: Flinn

Second: Scanlon

Approved: 3:0

2. Discussion of the **Tracy Lake Improvement District Coordinating Committee**. Special Counsel Spaletta reported that the Army Corps had determined the Tracy Lake jurisdictional. There is an opportunity to appeal. The Corps is also ready to issue the 404 permit for the project. The permit will be a nationwide permit. An appeal of the jurisdictional issue will not impact the appeal. All other permits have been obtained to proceed except Central Valley Flood Protection Board and SWRCB water right change petition.

3. Consider adoption of Resolution 2014-11 Authorizing the Issuance of an **Invitation for Bids for Construction of the Tracy Lake Recharge Project** Subject to Obtaining All Required Permits and Appointment of Contracting Officer. The schedule is to send out to bid in December so that construction contract can be awarded in January.

Moved: Flinn

Second: Scanlon

Approved: 3:0

- E. Discussion on **Presentation by Mr. Daniel Kramer, President of Petralogix Engineering, Inc. on Grant/Water Research Options** – Emailed and said he was out sick with the flu.

- B. General Counsel Masuda- no comment
- C. Consultant Walt Sadler-no comment
- D. Committee Reports- Flinn covered GBA, and Advisory Water Committee. He suggested there should be a point person for the district in charge of the Groundwater Sustainability Act meetings because there are so many pieces, and deadlines for this project.

Flinn also updated contact information for the board.

6. Public Comment on Items Not on the Agenda-no public comment

7. Closed Session

Conference with Legal Counsel – Existing Litigation

Discussion of existing litigation pursuant to California Government (GC) Code section 54956.9 (d)(1)
Name of cases: State Water Resources Control Board Proceedings Regarding SWRCB Permits 10477 and 10478.

Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
One potential case.

Reporting of Reportable Action Taken – all reportable actions taken in closed session will be announced in open session following the closed session, and will be duly noted in the official minutes of the meeting.

Reportable action: Upon Motion by Flinn , Second by Scanlon, vote of 3 Ayes (Scanlon, Flinn, Valente), 0 Noes and 2 Absent, the directors adopted Resolution 2014-14, Approving Agreement to Resolve SWRCB Water Right Protests with East Bay Municipal Utility District.

Return to Open Session

Action to **Adjourn this Regular Meeting to Monday, December 15, 2014**, from 10:00 am- 12:00pm at the Lodi Library Community Room and also meet December 29, 2014 Regular Meeting time 2:00 pm. (2 meetings). Board voted L and M together below.

Adjourned Meeting of the Board: Monday December 15, 2014 10:00 am
Next Regular Meeting of the Board: Monday, December 29, 2014 at 2:00 p.m.
(Unless cancelled)