

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
OF THE CENTRAL DELTA WATER AGENCY**

September 13, 2022

A teleconference meeting of the Board of Directors of the Central Delta Water Agency was convened at 9:30 a.m. at the office of the Agency, 235 East Weber Avenue, Stockton, California.

Participating in the meeting were Directors Rudy Mussi and George Biagi Jr. Absent was Director Eddie Zuckerman. Others participating were Dante John Nomellini Sr., Dante John Nomellini Jr., George Hartmann, Tom Zuckerman, Brett Baker, Lindsay Kammeier, Lisa Crowley, Dave Forkel, Thomas Robinson, Tim Gobbler, Chris Neudeck, Bruce Blodgett, and Craig Watanabe.

The first item of business were the Minutes of the August 9, 2022 meeting. After review,

On Motion - Director Rudy Mussi

Second - Director George Biagi Jr., the following resolution was unanimously adopted:

RESOLVED that the Minutes of the August 9, 2022, meeting be and they are hereby approved as submitted.

Next, the Financial Report was given, the written portions of which are attached hereto. Along with the Financial Report, the current bills of the Agency were submitted to the Board for their review.

On Motion - Director George Biagi Jr

Second - Director Rudy Mussi, the Board unanimously adopted the following resolution:

RESOLVED that the bills of the Agency be and they are hereby approved for payment as submitted.

Next the Board considered establishing a bank account for receipt and disbursement of funds relating to the CDWA and SDWA Delta Alternative Compliance Plan for Delta diversion measurement. The Board,

On Motion - Director George Biagi Jr.

Second - Director Rudy Mussi, unanimously adopted the following resolution:

RESOLVED That an account be established with the Bank of Stockton for deposit and disbursement of funds relating to the CDWA and SDWA Delta Alternative Compliance Plan. That authorized signatures on such account shall be any two of the following: Director George Biagi Jr, Director Rudy Mussi, Director Eddie Zuckerman, Manager Dante John Nomellini and their successors.

On legislation nothing new was reported.

As previously reported water use reports for the water year October 2021 through September 2022 reports are due February 1, 2023 and it is expected that the CDWA and SDWA Delta ACP based on OpenET will be operational.

Enhanced reporting for large diversions is continuing at twice a month.

On Tunnel related Temporary Permits it was reported that DWR was proceeding mostly with in channel testing additional entries are planned but no new notices have been received. The pending appeal is being briefed and oral argument is expected to follow.

The CDWA and SDWA are jointly filing a lawsuit challenging the latest SWRCB emergency regulation including the water unavailability methodology and resulting curtailments.

The draft EIR on the DWR tunnel project called the Delta Conveyance Project (DCP) is out for comments. Comments are being prepared.

The Delta Stewardship Council is proceeding with regulations for their Delta Levee Investment Strategy including an opportunity for written comments and oral statements at a council meeting.

On levee programs it was reported that DWR was about to release a solicitation for special levee projects.

Bruce Blogett, the new executive officer for the Delta Protection Commission, reported that work was proceeding with the Delta Natural Heritage Area and getting acquainted with his new job.

The Amended GSP for the Eastern San Joaquin Groundwater Sub-basin was approved by all GSAs and submitted. DWR review is pending.

Another 10 million dollar DRIP program will be available in the Delta for the new water year. The program will seek competitive proposals to include the amount of requested compensation for the proposed changes in farming practices to reduce consumptive use.

Thereafter, there being no further business to come before the meeting the meeting was adjourned.

CENTRAL DELTA WATER AGENCY

235 East Weber Avenue • P.O. Box 1461 • Stockton, CA 95201
Phone (209) 465-5883 • Fax (209) 465-3956

DIRECTORS

George Biagi, Jr.
Rudy Mussi
Edward Zuckerman

COUNSEL

Dante John Nomellini
Dante John Nomellini, Jr.

NOTICE OF MEETING OF THE BOARD OF DIRECTORS OF THE CENTRAL DELTA WATER AGENCY

Date: TUESDAY, SEPTEMBER 13, 2022

Time: 9:30 a.m.

Place: 235 E. Weber Avenue, Stockton, CA 95202

Due to the Coronavirus, the meeting will include participation by conference call. Limited participation by attendance with adequate spacing will be attempted. If spacing cannot be maintained, masks will be required. Those who are sick or have been around sick people should participate by telephone. Meeting materials will be posted to the CDWA website before the meeting at <https://www.centraldeltawateragency.org> Conference dial in number (551) 258-5770 - no access code required.

AGENDA

(Action may be taken on any item)

1. Minutes of August 9, 2022, meeting
2. Financial Report
3. Report on legislation
4. Report on Water Rights
 - a. Water Diversion and Use reporting
 - b. Delta Area Measuring Method Program (DAMMP) Open ET
 - c. SWRCB water right curtailment
5. Approval of bank account for open ET
6. Report on litigation
7. Report on SWRCB actions
8. Report on Levee Programs
9. Report on Delta Protection Commission Plan matters
10. Report on Delta conveyance
11. Report on Eastern San Joaquin County Groundwater Banking Authority/SGMA JPA
12. Other Reports
13. Public Forum

Closed session item (Closed sessions are not open to the public.) Government Code section 54956.9(a) and (c) - possible litigation. CDWA vs. Delta Stewardship Council - DWR interference with water rights - WaterFix EIR & EIS, WaterFix Validation, Personnel matters.

Note: Individuals who require special accommodations are requested to contact Jeanne Urbani at (209) 465-5883 at their earliest convenience prior to the meeting date. TTY users may contact the California Relay service at 1-800-735-2929 or voice line at 1-800-735-2922.

Notice posted Wednesday, August 31, 2022, at 10:00 a.m.

RECLAMATION DISTRICT NO. 17

FINANCIAL REPORT
September 13, 2022

Beginning Balance: \$10,969,835.65

Income:

8/1/22 - 2021-22 current secured property tax	5,231.03
8/26/22 - Property tax refunds	1,233.24
8/31/22 - Secured property tax - SB813	1,696.61

Expenditures:

8/31/22 - 2021/22 Assessment - property tax adj.	311.93	
Less warrants issued 8/9/22:		
Transfer - Computershare	\$419,649.67	
Principal - \$400,536.68		
Interest \$19,115.34		
Funds on hand (2.35)		
Wire transfer - Computershare	578,421.88	
Principal - \$170,000.00		
Interest - \$408,421.88		
Wire transfer - Computershare - annual trustee fee	2,000.00	
No. 5016 - NGM Law Office #29282	7,852.28	
No. 5017 - NGM Law Office - advance to checking	5,000.00	
No. 5018 - Lemhi Land & Cattle #4027	10,118.32	
No. 5019 - Lemhi Land & Cattle #4028	21,840.44	
No. 5020 - CSV #15199	220.00	
No. 5021 - KSN, Inc. 33267-33269,33272,33273	8,035.90	
No. 5022 - RD 17	8,000.00	(1,061,450.42)

Balance Forward: **\$9,916,546.11**

Less warrants issued 9/13/22:

No. 5023 - NGM Law Office #29300	\$12,368.48	
No. 5024 - KSN Inc. 33470-33472,33475-33478	16,433.08	
No. 5025 - Custom Spraying Inc. 11-2358	5,000.00	
No. 5026 - RD 17	9,000.00	(42,801.56)

Less: Requisition for Transfer to Fund 50045	(2,007,272.91)
Requisition for Transfer to Fund 50045	(1,000.00)

Balance Forward: **\$7,865,471.64**

Special Project Fund 50044

Balance Forward:

\$17.00

EIP Fund 50045

\$2,383,724.84

Income: None

Expenditures:

Requisition for Payment:

MacKay & Somps #25182-010-65	603.00
Engeo #272231	12,784.17
Engeo #275418	323,605.40
Interwest Consulting Group #80478	135.00
GEI Consultants #3116095	75,519.59
KSN, Inc.	335,133.91
#33473	\$327,497.66
#33474	\$ 7,636.25
Forgen, LLC - #5	3,643,216.68

(4,390,997.75)

Balance Forward:

\$ (2,007,272.91)

9/13/22 - Advance from RD 17

2,007,272.91

9/13/22 - Advance from RD 17

1,000.00

Balance Forward:

1,000.00

Fund 50012

Balance Forward:

\$14.00

Fund 50043

Balance Forward:

(2.00)

Receivables:

2021/22 Direct Assessment

\$470,449.08

Received to Date:

SJ County Facilities Management	\$77,661.01*
SJ County Office of Education	3,158.88*
Oakwood Lake Water District	1,715.80*
SJ Regional Rail	1,283.78*
Manteca Unified School District	105,130.92*
River Islands Pacific Financing Authority	1,425.06*
Lathrop Water District	210.00*
SSJID	140.00*

City of Manteca	66,435.18*
County of San Joaquin	77,661.01*
Lathrop Manteca Fire Protection District	1,555.26*
SJ Regional Rail	1,283.78*
Received to Date:	\$337,660.68
Outstanding Balance:	\$132,788.40
Delinquent:	
City of Lathrop	\$96,580.66
State of CA - Dept. Transportation	644.02
Tumbleweed Park Owners Assn.	373.60
Stockton Cellular Telephone	212.08
U.S. Dept. Veterans Affairs	16,889.04
City of Stockton	18,089.00

2020/21 Direct Assessment **\$449,873.84** *(removed RD 17 assmt charge)*

Received to Date:	
Manteca Unified School District	105,130.92
South San Joaquin Irrigation District	140.00
Oakwood Lake Water District	3,431.60*
City of Manteca	66,242.78
City of Lathrop	210.00
Lathrop-Manteca Fire Protection District	1,555.26
County of San Joaquin Facilities Management	155,322.02
City of Lathrop	78,954.96
SJ Regional Rail	2,567.56
River Islands	1,425.06
SJ Office of Education	1,579.44
Balance Due:	\$35,030.04
Delinquent:	
Veteran Affairs	\$16,889.04
State of CA	\$ 644.02
City of Stockton	\$17,496.98

2019/20 Direct Assessment **\$458,194.70** *(removed RD 17 assmt charge)*

Received to Date:	
County of SJ - Supt. of Schools	1,579.44
Manteca Unified School District	105,130.92
Lathrop Water District	210.00
South San Joaquin Irrigation Dist.	140.00
River Island PFA	1,425.06
SJ County Facilities	78,700.94
City of Lathrop	83,739.52
SJRR	2,567.56
Lathrop-Manteca Fire Protection Dist.	1,555.26
City of Manteca	65,255.14
Manteca Redevelop. Agency	1,953.30

County of San Joaquin Facilities Management	78,700.94
City of Stockton	17,987.76
Oakwood Lake Water Dist.	1,715.80
Balance Due	\$17,533.06
State of CA	\$ 644.02
US Veterans Affairs	16,889.04
2021/22 Annual Assessment	\$2,519,796.80 (14,042 parcels)
First installment received 12/17	(1,383,152.05)
Second installment received 4/15	(1,215,710.77)
Overage	(79,066.02)
2020/21 Annual Assessment	\$2,533,666.70 (14,045 parcels)
Current secured assessment - Dec.	(1,342,789.17)
Current secured assessment - Apr	(1,190,366.31)
Balance Due	\$ 0.00
2019/20 Annual Assessment	\$2,453,115.80 (13,521 parcels)
Utility Roll	<u> 91,187.92 (174 parcels)</u>
	\$2,544,303.72
12/31/19 - Current Special Assmt.	(1,347,734.86)
Balance	\$1,196,568.86
4/17/2020 - April 2020 Assmt.	(1,195,161.10)
Balance	\$ 1,407.76
2019/20 - Share of 1% Property Tax (est.)	\$346,328.02
Actual Received plus adjustments	\$357,670.06
2020/21 - Share of 1% Property Tax (est.)	\$383,817.35
Actual Received plus adjustments	\$388,203.10
2021/22 - Share of 1% Property Tax (est.)	\$397,180.11
Actual Received plus adjustments	\$400,552.19

LEVEE AREA PUBLIC FINANCING AUTHORITY FUNDS

2016 Assessment Revenue Bonds - Interest Acct. #77167301	
Balance 7/1/2020	39.70
8/28/20 - Addition to acct.	414,682.18
Balance 8/31/20	\$414,721.88
9/1/20 - Remittance to bondholders	(414,721.88)
9/30/20 - Interest	0.68
Balance 9/30/20	\$0.68
1/31/21	(\$0.68)
Balance 1/31/21	\$0.00

Balance 2/28/21	\$0.00
Balance 3/31/21	\$0.00
Balance 4/30/21	\$0.00
Balance 8/31/21	\$411,623.69
Disbursements 8/31/21	(411,623.69)
Balance	0.00
Balance 2/28/22	\$408,422.00
Disbursements 2/28/22	(408,421.88)
Balance	\$0.12
Interest received 3/31/22	0.86
Balance	0.98

2016 Assessment Revenue Bonds - Principal Acct. #77167302

Balance 7/1/2020	\$0.11
8/28/20 - Addition to acct.	\$154,999.89
Balance 8/31/20	\$155,000.00
9/1/20 - Remittance to bondholders	(155,000.00)
9/30/20 - Interest	\$0.25
Balance 9/30/20	\$0.25
4/30/21 - Balance	\$0.25

2016 Assessment Revenue Bonds - PR-Bond Reserve Acct. #77167303

Balance 7/1/2020	\$1,467,918.57
7/31/20 - Interest	17.97
Balance 7/31/20	\$1,467,936.54
8/31/20 - Interest	18.57
Balance 8/31/20	\$1,467,955.11
9/30/20 - Interest	18.57
Balance 9/30/20	\$1,467,973.68
10/31/20 - Interest	17.97
Balance 10/31/20	\$1,467,991.65
11/30/20 - Interest	12.63
Balance 11/30/20	\$1,468,004.28
12/31/20 - Interest	14.50
Balance 12/31/20	\$1,468,018.78
1/31/21 - Interest	12.47
Balance 1/31/21	\$1,468,031.25
2/01/21 - Interest	12.47
2/28/21 - Balance	\$1,468,043.72
3/31/21 - Interest	11.26
4/30/21 - Interest	12.47
4/30/21 - Balance	\$1,468,067.45
5/31/21 - Interest	12.07
5/31/21 - Balance	\$1,468,079.52
6/30/21 - Interest	9.94
6/30/21 - Balance	\$1,468,089.46
7/31/21 - Interest	6.65

7/31/21 - Balance	\$1,468,096.11
8/31/21 - Interest	6.87
8/31/21 - Balance	\$1,468,102.98
9/30/21 - Balance	\$1,468,109.85
10/31/21 - Interest	6.65
10/31/21 - Balance	\$1,468,116.50
11/30/21 - Interest	6.87
11/30/21 - Balance	\$1,468,123.37
12/31/21 - Interest	6.65
12/31/21 - Balance	\$1,468,130.02
1/31/22 - Interest	6.87
1/31/22 - Balance	\$1,468,136.89
2/01/22 - Interest	6.87
2/28/22 - Balance	\$1,468,143.76
3/31/22 - Interest	6.21
3/31/22 - Balance	\$1,468,149.97
4/30/22 - Interest	6.87
4/30/22 - Balance	\$1,468,156.84
5/31/22 - Interest	21.57
5/31/22 - Balance	\$1,468,178.41
6/30/22 - Interest	227.13
6/30/22 - Balance	\$1,468,405.54
7/31/22 - Interest	646.81
7/31/22 - Balance	\$1,469,052.35

2016 Assessment Revenue Bonds - Revenue Fund Acct. #77167300

Balance 7/1/2020	431.23
7/31/20 - Interest	0.01
Balance 7/31/20	431.24
8/3/20 -	(0.01)
8/24/20 - Addition to acct.	\$569,251.95
8/31/20 -	(569,682.07)
Balance	\$1.12
9/30/20 - Interest	\$0.93
Balance 9/30/20	\$2.05
01/31/21	(2.05)
Balance 1/31/21	\$0.00
Balance 2/28/21	\$0.00
Balance 8/31/21	\$571,618.77
Transfer Receipts	2.06
Cash Management Sales	571,619.82
Balance 8/31/21	\$1,143,240.65
Cash Disbursements 8/31/21	(1,143,240.65)
Balance 8/31/21	0.00
Balance 9/31/21	2.47
Balance 11/30/21	1.47
Balance 12/31/21	1.47

Cash Sweep Purchases	571,620.24
Cash Sweep Sales	(571,619.82)
Balance 6/30/22	\$2.47

**REVOLVING ACCOUNT
BANK OF STOCKTON**

Balance Forward:		\$2,316.98
------------------	--	------------

Income:		
8/15/22 - Warrant No. 5022		8,000.00

Expenditures:		
No. 2283 - Don Widmer	100.00	
No. 2284 - Zachary Reece	100.00	
No. 2285 - Scott A. Solari	688.92	
No. 2286 - Scott A. Solari	184.13	
No. 2287 - Compliance First, LLC	400.00	
No. 2288 - Gerardo Melendrez	1,363.40	
No. 2289 - Norma Melendrez	1,108.37	
No. 2290 - Gerardo Melendrez	1,363.40	
No. 2291 - Norma Melendrez	1,108.37	
----- EDD	19.75	
----- Bank of Stockton	1,990.06	
----- EDD	255.16	(8,681.56)

Balance		\$2,316.98
---------	--	------------

Payables:		
Mike Robinson	100.00	
Don Widmer	100.00	
Zachary Reece	100.00	
		(300.00)

Balance:		\$2,016.98
----------	--	------------