

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

October 17, 2023

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 George Biagi Jr, Rudy Mussi and Eddie Zuckerman. Others participating were Dante John Nomellini Sr., Dante John Nomellini Jr., George Hartmann, Brett Baker, Lilly Udang, and Bruce Blodgett.

The first item of business was approval of the Minutes of the September 12, 2023 meeting. After review,

On Motion - Director George Biagi Jr

Second -Director Eddie Zuckerman, the following resolution was unanimously adopted:

RESOLVED that the Minutes of the September 12, 2023 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 Rudy Mussi

Second - Director Eddie Zuckerman, the Board unanimously adopted the following resolution:

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

No new items of legislation were reported.

On litigation it was reported that DWR is still joining additional entry permits for soil testing apparently for design of the tunnel which is not yet authorized or funded. Although a taking of property rights to avoid trespass and the taking of soil the Superior Court has allowed numerous entries extending over many years without compliance with the standard process for eminent domain.

On the 2015 coordinated curtailment cases the CDWA and other plaintiffs received an award of attorney fees and the Court has ordered a return on the writ retracting the curtailment.

The more current water right curtailment litigation is moving forward with preliminary motions.

The Alternative Compliance Plan was proceeding satisfactorily.

On Delta levee program funding, \$37 million of existing bond funding was apparently located for special projects. Funding for the Levee Subvention Program after June 30, 2024 remains in doubt.

EPA is continuing to investigate the propriety of the SWRCB actions on water quality standards and the alleged disproportionate impact on disadvantaged communities

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.

AMENDED

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

Date: TUESDAY, OCTOBER 17, 2023

Time: 9:30 a.m.

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

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 September 12, 2023, 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. Report on litigation
 6. Report on SWRCB actions
 7. Report on Levee Programs
 8. Report on Delta Protection Commission Plan matters
 9. Report on Delta conveyance
 10. Report on Eastern San Joaquin County Groundwater Banking Authority/SGMA JPA
 11. Other Reports
 12. 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 - CDWA vs. DWR Validation, CDWA vs. SWRCB (Curtailment, etc.), CDWA vs. DWR (DCP), 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 Monday, October 10, 2023, at 11:45 a.m.

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FINANCIAL REPORT

October 17, 2023

Balance Forward: \$ 2,095,062.26

Income: None

Expenditures:

Requisition No. 607 (84,190.01)

Balance Forward: \$2,010,872.25

Less Requisition No. 608:

Nomellini, Grilli & McDaniel #29521	\$59,440.89	
Thomas M. Zuckerman	0.00	
Mohan Harris Ruiz #11325	14,735.00	
KSN, Inc. - #36141	2,008.75	
Freeman Firm - August 2023	1,182.09	
WaterFix/EIR/EIS		
Spaletta Law - WSID Appeal	618.75	
River Delta Consulting - #0302-10-23	500.00	
George Biagi, Jr.	180.00	
Rudy Mussi	180.00	
Edward Zuckerman	180.00	(79,025.48)

Balance Forward: \$1,931,846.77

2023-2024 Assessment \$1,297,238.68 (3,951)

2023-2024 Assessment (billed directly) \$48,203.58

2022-2023 Assessment \$1,298,088.12 (3,595)

Received 12/12/22 (687,906.19)

Received 4/14/23 (610,157.31)

Total Received \$1,298,063.50

2021/2022 Assessment \$1,287,090.00 (3,198)

12/17/21 - 2021-2022 current secured (688,426.81)

4/15/22 - 2021-2022 current secured (614,551.56)

Total Received: \$1,302,978.37

2022/2023 (billed directly)

\$40,743.22

Received to Date:

(34,933.22)

Balance Due:

\$ 5,810.00

Outstanding:

County of San Joaquin	\$ 37.44
Kinder Morgan	\$ 57.72
State of CA - CalTrans	\$ 54.80
State of CA - F&W	\$3,021.88
State Lands Commission	\$1,290.12
Dept Parks & Recreation	\$ 124.22
State of CA	\$1,171.16
Stkn Westlake Invest. LLC	\$ 52.66

2021/2022 (billed directly)

\$40,627.82

Received to Date:

(35,212.99) including past due assmt.

Balance Due:

\$5,414.83

Outstanding:

Kinder Morgan	\$ 57.72
Dept. Transportation	\$ 54.80
Fish & Wildlife	\$3,021.88
State Lands Commission	\$1,290.12
Dept. Parks & Rec	\$ 124.22
State of CA	\$1,215.22

SPECIAL FUND 12

Balance Forward:

\$4.00