Friant Water Authority
Executive Committee Meeting Agenda

9:00 a.m., Monday, March 12, 2018
Conference Room
Kaweah Delta Water Conservation District
2975 Farmersville Rd., Farmersville, CA 93223

At the discretion of the Executive Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action by the Committee. Order of agenda items is subject to change.

1. **Call to Order.**

2. **Additions to and approval of the agenda.** Items identified after posting of the agenda, for which there is a need to take immediate action, may be added to the agenda. Addition of an item requires a two-thirds vote of the Committee members (or if less than two-thirds of the members are present, a unanimous vote of the members present). [Government Code section 54954.2(b)]

3. **Approval of the February 12, 2018 meeting minutes.**

4. **Public Comment.** (Government Code section 54954.3) – This is the time set aside on the agenda where members of the public may comment on any matter within the jurisdiction of the Committee that is not on the agenda. Comments will be limited to 3 minutes per speaker, 15 minutes per subject and 30 minutes overall for the entire public comment period, unless otherwise approved by the chair of the meeting, to ensure that all interested parties have an opportunity to speak. The Committee cannot take action on items not on the agenda; and therefore, comments on such items may be taken under advisement, referred to the appropriate staff for response or directed to be placed on a future agenda. Public comment on items on the agenda will be allowed at the time the Board considers the item.

5. **Director of Water Policy Report.**
   A. Temperance Flat Reservoir Project – Update, including further discussion regarding formation of a project implementation entity.
   B. Review and Approval of Proposed Amendments to the TFR Project Cost Sharing Memorandum of Understanding.

6. **Government Affairs Manager’s Report.**
   A. 2018 Water Bond – Update.
   B. Review of pending state and federal legislation.
7. General Counsel’s Report.

8. Chief Operating Officer’s Report.
   A. Title Transfer of Friant-Kern Canal - Update
   B. Pump-back Project – Update.
   C. Capacity Correction - Update

9. Chief Executive Officer’s Report.

CLOSED SESSION

10. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code section 54956.9(d)(1)] – Name of matter: NRDC v. Murillo, U.S. District Court, Eastern District of California (Sacramento Division), Case No. 88-cv-1658-JAM-GGH.

11. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): 2 potential matters.

12. CONFERENCE WITH LEGAL COUNSEL—INITIATION OF LITIGATION [Government Code section 54956.9(d)(4)]—Initiation of Litigation: 2 potential cases.


Public Participation Notice

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Authority to provide a disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the Authority. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to Toni Marie, at the office of Friant Water Authority, at least 48 hours before a public Authority meeting.
Friant Water Authority
Executive Committee Meeting Agenda

9:00 a.m., Monday, February 12, 2018
Conference Room
Kaweah Delta Water Conservation District
2975 Farmersville Rd., Farmersville, CA 93223

1. Call to Order. Call to Order. Chair Kent Stephens called the meeting to order at 9:00 a.m. Committee members present: Stephens, Borba, Camp, Loeffler, Tantau, Erickson (Alt.); Staff present: Phillips, DeFlitch, Marie, Davis, Ottemoeller, Hickernell, Luce, Payne, Biering, Villines, Kearny, Bezdek. Others: Muhar, Collup, Edwards, Wallace, Morrissey, Dalke; Committee members absent: Borges (Alt.)

2. Additions to and approval of the agenda. The agenda was approved. (Borba/Loeffler); approved unanimously - Ayes – Stephens, Erickson, Camp, Borba, Loeffler, Tantau; Nays – none; Absent – none

3. Approval of the January 15, 2017 meeting minutes. The minutes were approved. (Loeffler/Tantau); approved unanimously - Ayes – Stephens, Borba, Camp, Loeffler, Tantau; Nays – none; Absent – none

4. Public Comment. (GOVERNMENT CODE SECTION 54954.3) – Director Borba shared with the group that a 92-year-old farmer called to donate to the Friant PAC.

OPEN SESSION

5. Executive Committee Meeting Location Review - The EC determined that the Kaweah Delta WCD conference room is satisfactory for holding the EC meetings. The EC briefly discussed the Board of Director’s venue at the International Agri-Center; continued usage of the microphones though a slightly different configuration; alternatives to video/PowderPoint projection; and the outcome of the Board Evaluation Sheet.


7. Temperance Flat Reservoir Project – Update on membership in MOU, activities of the Steering Committee, progress on scope of work. – CEO Phillips discussed coordination with water agencies in the formation of a Joint Power Authority to implement the Temperance Flat Reservoir Project as outlined in the memo included in the packet. After some discussion the EC took action to: (1) Recommend to the Board of Directors that they direct the CEO proceed with development and formation of an implementing agency for the Temperance Flat project consistent with the principles set out in the agenda report and to report back periodically to the Board on the progress; (2) That a meeting be held with Eric Quinley and Dennis Keller to discuss and outline the implementing agency principles prior to the March 1 FWA Board of Directors’ meeting; and (3) That an FWA ad hoc group be identified to meet with SJREC and SLMWA representatives as the agency governing documents are developed. (Borba/Camp); approved unanimously - Ayes – Stephens, Borba, Camp, Loeffler, Tantau; Nays – none; Absent – none


A. 2018 Water Bond – CEO Phillips gave a brief update on the 2018 Water Bond noting that the Bond had gained 600,000 signatures.

B. Review of pending state and federal legislation – Mr. Mike Villines gave a brief update on upcoming state legislation which will be better known on February 16, 2018.
CEO Phillips noted that staff is currently going through the President’s budget and in particular the infrastructure budget.


A. Review proposed amendments to Bylaws regarding Standing Committees (Finance and Human Resources) – The EC reviewed the roles and responsibilities of standing Committees i.e., Finance, Human Resources and O&M as outlined in the memo included in the packet and accepted Staff’s recommendation that the applicable roles and responsibilities of the Board’s current Standing Committees (Finance, HR and O&M) be clearly defined and memorialized in the form of a written policy. The EC also recommended that each of the Standing Committees, with the assistance from staff, prepare draft policies for consideration by the EC and then forward the policies to the Board for final review and approval.

10. Approval of Extension of Temporary Agreement for Conveyance of Water (San Joaquin River Restoration Flows) with Banta-Carbona Irrigation District and Patterson Irrigation District - The EC reviewed and approved the Extension of the Temporary Agreement for Conveyance of Water with Banta-Carbona ID and Patterson ID and authorized the CEO/COO to execute the extension of the Agreements in the event such action was necessary prior to the Board meeting. (Loeffler/Camp); approved unanimously - Ayes – Stephens, Borba, Camp, Loeffler, Tantau; Nays – none; Absent – none

11. Chief Operating Officer’s Report.

A. Title Transfer of Friant-Kern Canal
   a. Update on liability insurance needs – COO DeFlitch said he is currently working with ACWA JPIA to review options for liability insurance coverage.

12. Next Steps on Title Transfer – COO DeFlitch discussed next steps. The EC approved a recommendation that the Board of Directors send a letter to all Friant Division contractors that take water off of the Friant-Kern Canal that outlines FWA’s intent to initiate pursuit of title transfer; and direct the CEO to begin working with Reclamation to define the scope, schedule and estimated cost of title transfer. (Erickson/Loeffler); approved unanimously - Ayes – Stephens, Borba, Camp, Loeffler, Tantau; Nays – none; Absent – none

B. Pump-back Project – COO DeFlitch gave a brief update on the Pump-back project noting that water quality issues will be the next topic the Ad Hoc group will discuss.

C. Capacity Correction Update
   a. Current Status; b. Financing; and c. Project Management - COO DeFlitch gave an update on capacity correction and possible solutions including the possible hiring of a contractor (Alan Stroppini) to develop and oversee the correction project. The contractor will make a presentation at the February Board of Directors meeting to discuss options.

13. Chief Executive Officer’s Report.

A. Update on CFO recruitment and review/selection panel – CEO Phillips gave a brief update on the CFO recruitment. A selection panel was assigned and included CEO Phillips, COO DeFlitch, Chairman Stephens and Director Loeffler.
14. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code section 54956.9(d)(1)] –
Name of matter:  *NRDC v. Murillo, U.S. District Court, Eastern District of California (Sacramento Division),
Case No. 88-cv-1658-JAM-GGH.*

15. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation
pursuant to Government Code section 54956.9(d)(2): 2 potential matters.

16. CONFERENCE WITH LEGAL COUNSEL—INITIATION OF LITIGATION [Government Code section
54956.9(d)(4)]—Initiation of Litigation: 2 potential cases.

17. CONFERENCE WITH LABOR NEGOTIATORS [Government Code section 54957.6]
Agency designated representatives:  Executive Committee, General Counsel
Unrepresented employee:  Chief Executive Officer

18. Announce reportable action taken during closed session as required by Government Code Section
54957.1. There was no reportable action.

19. Adjournment.