

Delta-Mendota Subbasin
Coordination Committee Meeting

Wednesday, December 13, 2017, 10:00 AM
842 6th Street, Los Banos, CA

DRAFT Meeting Minutes

1. Introductions

Andrew Garcia, San Luis Delta Mendota Water Authority (Authority), called the meeting to order at approximately 10:05 AM.

2. Discussion on Establishing Communication Subcommittee

Kirsten Pringle, Stantec, outlined the proposed development of a Communications subcommittee, its purpose, and roles and responsibilities. Ms. Pringle noted this would be a subcommittee to the Coordination Committee composed of Public Information Officers, Public Relations, or staff with similar experience. The main goal would be to save costs by sharing messaging and also working collaboratively on subbasin wide messaging. Andrew Garcia and Palmer McCoy agreed to follow up with various city and county representatives to determine subcommittee membership.

3. Draft Coordination Agreement Document Walk-Through

Diane Rathmann, SLDMWA counsel, compiled comments from Delta-Mendota Subbasin GSAs and Coordination Committee legal representatives. Diane walked through the key concepts which required discussion based on various comments and concerns expressed during Draft Agreement review. Diane explained that commenters expressed the references to a budget and representative voting structure resemble a new entity or JPA. Diane continued to describe other changes were small, such as grammatical, checking for consistency, etc. Diane also described the addition of references to the completion of technical memorandums for each section of the agreement as required by SGMA. These memos will explain how coordination took place and results of the coordination efforts. Final memos are to be submitted with the GSPs in order to ensure compliance with the regulations with respect to coordinated sustainability plans.

Andrew Garcia explained to the Coordination Committee a proposed resolution to the comments that Diane noted with respect to voting and budgets within the Coordination Agreement. Diane drafted the current draft to explain that votes would be considered a "Recommendation" to each GSA or Party to the Agreement. Jim Stillwell noted that this type of structure goes against previous discussions of splitting the authority amongst GSP groups, and that Farmers Water District GSA would not agree to split the cost by one-sixth (1/6) if there was not a one-sixth (1/6) vote and delegation of authority. The Coordination Committee agreed that the structure should remain not as a recommendation but as a vote of GSP representatives who have been delegated such authority from their GSAs within their GSP Group. Each GSP Group will be responsible for ensuring such authority has been delegated.

Diane then explained that the budget and Coordinated Plan Expenses could be removed from the Coordination Agreement and contained as a separate agreement, such as a Cost Share Letter of Agreement. Andrew noted that a majority of these parties executed a similar agreement when agreeing to pay the cost for the Prop 1 Grant Application preparation. Diane explained that this would take considerable work, but could be done if it was agreeable to the Committee. Ellen Wehr requested clarification as to the reason for this comment and Diane explained again regarding the resemblance to a separate entity.

Jarrett Martin (CCID/Exchange Contractors) noted that based on the number of comments regarding this issue, he expects it would be more efficient and less costly to remove the budget and expense language and prepare a draft Cost Share Agreement rather than to discuss the issue with various entities. The Coordination Committee agreed that this is the best path to proceed, in the interest of finalizing a Coordination Agreement.

Diane Rathmann, Becca Akroyd (SLDMWA Counsel) agreed to coordinate a conference call with other legal counsel from the Exchange Contractors, Fresno County, and Merced County to discuss the proposed creation of two unique agreement documents for coordination purposes.

4. Next Steps

The Committee members were asked to talk to various participants within their GSAs regarding participation in a Communications Subcommittee.

Diane Rathmann and Rebecca Akroyd were asked to propose a date for a conference call of attorneys within the first two weeks of January to discuss the separation of budget/coordinated costs into a Cost Share Agreement and GSP work in a Coordination Agreement.

Jarrett Martin was asked to coordinate with the Exchange Contractor GSP participating cities, counties, and districts regarding appointment and delegation of authority to a GSP Representative on the Coordination Committee.

Mr. Garcia was asked to coordinate with the North and Central Region Management Committees regarding appointment and delegation of authority to a GSP Representative on the Coordination Committee.

5. Adjourn

Andrew Garcia, SLDMWA, adjourned the Coordination Committee Meeting at approximately 12:00 p.m.