

“Celebrating 102 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

3310 El Camino Avenue, Room 151

Sacramento, California 95821

Phone (916) 574-0609 – Fax (916) 574-0682

<http://www.cvfpb.ca.gov>

BOARD MEMBERS

Bill Edgar, President
Emma Suarez, Vice President
Jane Dolan, Secretary
Mike Villines, Member
Tim Ramirez, Member
Joe Countryman, Member
Clyde Macdonald, Member
Anthony Rendon, Ex Officio Member
Fran Pavley, Ex Officio Member

BOARD STAFF

Jay Punia, Executive Officer
Len Marino, Chief Engineer
Eric Butler, Supervising Engineer
Amber Woertink, Staff Assistant

BOARD COUNSEL

Nicole Rinke, Legal Counsel
Deborah Smith, Legal Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

September 13, 2013 – 9:00 AM

**Sacramento City Hall, 1st Floor Council Chamber
915 I Street, Sacramento, CA 95814**

To view the webcast portion of this meeting, please join us here:

http://centralvalleyflood.granicus.com/ViewPublisher.php?view_id=2

NOTE: THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER.

- 1. ROLL CALL**
- 2.* APPROVAL OF AGENDA**
- 3. PUBLIC COMMENTS (non-agendized items only)**
- 4. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES**
(Keith Swanson)
- 5. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER** *(Jay Punia)*
 - Briefing by Kim Floyd about the status of regional flood management planning activities
 - New Board Meeting schedule for the remainder of 2013 and thru 2014

***action item**

Anyone may upon request obtain a copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

6.* REQUESTED ACTIONS

A. 2013-14 Delta Levees Maintenance Subventions Program (*Sandra Maxwell*) - **9:45 AM**

Consider approval of the staff recommended funding allocation plan under the Delta Levee Maintenance Subventions Program for FY 2013-14.

B. Application No. 18313-3, The Southport Project, West Sacramento Area Flood Control Agency (WSAFC) (*Nancy Moricz*) – **10:30 AM**

Consider approval of a letter to the U.S. Army Corps of Engineers requesting 33 U.S. Code Section 408 approval to alter approximately six (6) miles of State Plan of Flood Control project levee along the Sacramento River right (west) bank. (Yolo County)

C. Senate Bill 753, An Act to Amend the Water Code Relating to Flood Protection (*Board member Clyde Macdonald and Board Counsel Nicole Rinke*)

Consider the status of, modifications to, and other actions related to legislation approved by the Board for the legislature's consideration to broaden the Board's authority, primarily related to encroachment permitting and enforcement including the authority to issue administrative fines for uncorrected code violations.

D. Implementation of the Board's Strategic Plan (*Board staff and Eric Douglas, LRI*)

Consider proposal by LRI Senior Partner Eric Douglas for helping the Central Valley Flood Protection Board translate its new Strategic Plan into an implementation plan.

7. CLOSED SESSION

- To discuss the evaluation, selection, employment, and other personnel matters related to the Board's interviewing of candidates and hiring for the position of Board Counsel pursuant to Govt. Code section 11126(a)(1). (*Nicole Rinke, Deputy Attorney General*)
- To discuss litigation (*Hardesty et. al. v. Sacramento Metropolitan Air Quality Management District et. al*; United States District Court, Eastern District of California - Sacramento Division Case No. 2:10-cv-02414-GEB-JFM) pursuant to Govt. Code section 11126(e)(1). (*Nicole Rinke, Deputy Attorney General*).
- To discuss litigation (*Central Valley Flood Protection Board v. Lino Catabran*, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Govt. Code section 11126(e)(1). (*Nicole Rinke, Deputy Attorney General*)
- To discuss litigation (*Fay Island Reclamation District v. California Department Fish and Game, et. al*; California Superior Court, County of San Joaquin, Case No. 39-2009-00228660-CU-BC-STK) pursuant to Govt. Code section 11126(e)(1). (*Nicole Rinke, Deputy Attorney General*)
- Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board. (*Nicole Rinke, Deputy Attorney General*)

- Items on the Consent Calendar may be removed at the request of any Board member or person.

LUNCH BREAK

8.* HEARINGS AND DECISIONS

A. Cease and Desist Order 2009-33 – Mr. Jesse Castellon (*Angeles Caliso*) – **1:00 PM**

Conduct public hearing to consider adoption of a Cease and Desist Order that would authorize the abatement of existing code violations located on the Bear Creek Project Levee in Stockton, California for which the Respondent has waived his right to a hearing and has failed to remove code violations. (San Joaquin County)

9. FUTURE AGENDAS

10. ADJOURN

- Items on the Consent Calendar may be removed at the request of any Board member or person.