

<p>TNBC</p>	<p>Regular Meeting of the Board of Directors</p>	<p>Upcoming Regular Meetings</p>	<p><i>t h e</i> NATOMAS BASIN <i>c o n s e r v a n c y</i></p>
<p>The Natomas Basin Conservancy Web site: www.natomasbasin.org</p>	<p>4:00 p.m. 2150 River Plaza Drive, #460 Sacramento, CA <i>(meeting in Suite 400)</i></p>	<ul style="list-style-type: none"> • November 4 • December 2 • February 3 (2010) 	<p>October 7, 2009</p>

Agenda

Agenda format and readings tips

• *Agenda packet sections*

Agenda packet #	Section name	What's included
①	Agenda	This is the main agenda. Reading this section will provide the reader with an understanding of the plan for the meeting.
②	Supplemental materials	On some agenda items, there are handouts that are more extensive than can be covered in the "Discussion" section of the main agenda. These materials are included in agenda packet #2.
③	Executive Director's packet	The Executive Director includes items of general interest to the Board of Directors in agenda packet #3. The items in this packet are for general information, not action.
④	Executive Session	Material in this packet is for Board members' information in closed, executive session. It is confidential and not made public.

• *Item organization*

This agenda is prepared in order to facilitate understanding of the Conservancy Board of Director's agenda packet. Each agenda item is numbered in the far left-hand column. Then, as the reader moves from left to right, more information is provided. Ultimately, the far right-hand column presents a discussion of the agenda item.

1	Call to Order	Call to Order of the Regular Meeting of the Board of Directors	Admin.	∅	○ The Board President will call the meeting to order if a quorum is present. Announcements by the Board President or Executive Director may be made at this time.
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• *Exhibit symbols attendant with agenda item*

Agenda exhibit symbol in the "Pg." column	Definition
∅	There is no supplemental information that accompanies an agenda item.
①	There is more information in supplemental handouts.
2.21	Means that in agenda packet number 2, there will be supporting information on page 21.

• *Staff agenda item recommendations symbols*

In the "Discussion" column, there are a series of symbols used, also in order to facilitate quick understanding. These indicate the status of staff recommendations.

Agenda exhibit symbol in the "Pg." column	Definition
○	There is no staff recommendation on the matter.
⊕	Staff recommends approval.
●	Staff does not recommend approval.

<h1>TNBC</h1> <p>The Natomas Basin Conservancy Web site: www.natomasbasin.org</p>	<p>Regular Meeting of the Board of Directors</p>	<p>Upcoming Regular Meetings</p>	 <p>October 7, 2009</p>
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#	Section	Item	Type	Pg.	Discussion
1	Call to Order	Call to Order of the Regular Meeting of the Board of Directors	Admin.	Ø	○ The Board President will call the meeting to order if a quorum is present. Announcements by the Board President or Executive Director may be made at this time.
2	Action	Approval of the Minutes	Consent	2.1	⊕ The Board President will request approval of the minutes of the Board of Directors meeting of August 5, 2009.
3	Action	Cancellation of January 6, 2010 Board meeting	Consent	Ø	⊕ The January 2010 regularly scheduled Board meeting is on Wednesday, January 6. This is the first week in January after New Year's Day. The Conservancy has typically had a difficult time getting a quorum on this date. Staff recommends the meeting be cancelled.
4	Action	Amend Audit Committee charter	Consent	2.10	⊕ The Board's Audit Committee Charter calls for three members of the Board to serve on the Committee. The proposed change would authorize "at least" three Board members serve on the Committee.
5	Action	Auditor engagement	Consent	2.12 Ø	⊕ To continue the five-year agreement (authorized by Board action Res. 05.09.06) with Gilbert & Associates, authorization is sought to re-engage Gilbert & Associates to audit the Conservancy's financial statement for year-end December 31, 2009 in an amount not to exceed \$15,000.00. This action requests Board approval of the engagement with the approval of the Audit Committee.
6	Action	NBHCP Finance Model update; selection of contractor	Consent	2.18	⊕ The NBHCP requires that the NBHCP Finance Model be recalculated each year by February. Given lead times needed for the City's adoption of fee adjustments, the Conservancy needs to initiate work on the Finance Model recalculation early. This year as last, the Conservancy will integrate the 2010 budget with the Finance Model recalculation. Staff recommends the Executive Director be authorized to execute and deliver an agreement between the Conservancy and Economic and Planning Systems for the

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					completion of this work. The proposed amount is \$20,000.00.
7	Action	Land leveling agreement with Sopwith Farms, Stone tract	Consent	2.25	⊕ The Board's prior action to enter into an agreement with SAFCA regarding its Natomas Levee Improvement Project included an obligation for the Conservancy to level the Stone tract (also called the Dunmore tract). The agreement called for the Conservancy to contract with Sopwith Farms for the leveling work. This item authorizes the Conservancy's Executive Director to execute and deliver an agreement with Sopwith Farms to conduct the leveling as specified in the Conservancy's agreement with SAFCA. This is a contract with a not-to-exceed amount of \$32,000.00, with all costs to the Conservancy to be reimbursed by SAFCA.
8	Action	Approve amendment to the Biological Effectiveness Monitoring Program document	Action	2.35 ①	<p>⊕ Over the course of the past couple of years, Conservancy staff and the Conservancy's biological effectiveness monitoring contractor, ICF Jones and Stokes, have reviewed the need for changes and refinements to the Biological Effectiveness Monitoring Program document ("BEM Program document"). This is the document that serves as the foundation to the Conservancy's biological monitoring function. The outcome of the review is that some changes are proposed, and such changes need the approval of the NBHCP TAC, which approval was unanimously received September 9, 2009.</p> <p>Recommendations for changes to the BEM Program document are proposed to the Board for ratification. These have been discussed and worked on since December 2007. The review consisted of review and discussions by Conservancy staff, ICF Jones & Stokes and two independent biostatisticians. The discussions and reviews were designed to evaluate ways to refine the BEM Program document.</p> <p>As a result of this review, and in an effort to more generally periodically review monitoring compliance and needs, conclusions have been reached. All parties agree that refinements can be made to provide a tighter, clearer linkage between the BEM Program document and the NBHCP. Accordingly, we have proposed minor changes to the BEM Program document based on the following:</p> <ul style="list-style-type: none"> •The BEMP document would benefit from further definition of the term <i>effectiveness</i>. •Distinguishing more clearly the differences between the terms "population trends" and "relative abundance" is warranted. •More detail on the specific methods of analysis is indicated. •Additional detail regarding the link between the data collected and the evaluation of effectiveness would be helpful.

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					<ul style="list-style-type: none"> •We need to establish thresholds for “other covered species.” •There are some shortfalls with respect to evaluating the effectiveness of the Operating Conservation Program with respect to western pond turtles that need attention. <p>The proposed update to the BEM Program document attempts to address these issues by adding language to the document to clarify and expand on the general procedures already defined. Importantly, no changes to actual sampling methodology are proposed, with the exception of additional sampling for western pond turtle to be conducted once every 5 years. Language was added to better define <i>effectiveness</i>, to more explicitly state the linkages between the data collected and the evaluation of effectiveness, and to more accurately describe the methods of analysis used. In addition, a threshold for “other covered species” was added to the BEM Program document, which, when triggered, would require consideration of a review of the Operating Conservation Program.</p> <p>Staff recommends the Board accept the NBHCP Technical Advisory Committee approval and recommendation, and staff’s recommendations to amend the BEM Program document.</p>
9	Action	Contract extension, 2010 biological effectiveness monitoring program	Action	2.37	<p>⊕ The Board advised Conservancy staff several months ago that it was time to initiate a new biological monitoring contractor selection process as a part of market testing (cost, service and competency) and to generally demonstrate openness to Conservancy contracting. As a result, Conservancy staff intended that a process be embarked upon for biological monitoring contracting for 2010 and beyond. This would consist of a three-year contract with two one-year options to renew beyond the initial three years.</p> <p>Staff reviewed the process for this plan, and determined that it was essential to have completed both an independent biological assessment of the NBHCP Biological Effectiveness Program document (“BEM Program document”), approved by the Board in 2005, and an update of the BEM Program document itself. Updating the BEM Program document took more time than expected, but was recently approved by the NBHCP Technical Advisory Committee.</p> <p>An RFP to use in soliciting Biological Effectiveness Monitoring contractor proposals must rely on the BEMP Program document. With the NBHCP TAC’s approval of the BEM Program document, the Conservancy’s staff is now prepared to conduct the RFP process. However, Conservancy staff could not complete this process in time to allow for a smooth assumption of biological monitoring functions in 2010.</p>

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					<p>Therefore, Conservancy staff has negotiated a one-year extension with the current biological monitoring contractor (ICF Jones & Stokes) for biological monitoring for 2010.</p> <p>This item request Board ratification of a one-year contract extension for 2010 for ICF Jones & Stokes in the amount of \$323,402.00. This is the same amount as the previous several years. However, the actual amount billed has been substantially less each year, and is expected to be well under budget for 2009.</p>
10	Discussion	City of Sacramento report	No action	∅	○ Report from the City of Sacramento regarding HCP-related activity and other topics.
11	Discussion	Periodic review of endowment funds by investment advisor	No action	①	○ A performance review of the Conservancy's endowments funds will be conducted by a representative from the Conservancy's endowment funds investment advisor, Arnerich Massena & Associates, Inc. The review will cover the six-month period ended June 30, 2009.
12	Discussion	Financial statement review	No action	①	○ A financial statement update will be provided for the period ended August 31, 2009 (unaudited).
13	Discussion	Sacramento County has inquired with the Conservancy about the possibility of soil mining certain properties.	No action	∅	○ Staff will brief the Board on this project, providing an update.
14	Discussion	Draft 2010 budget presentation	No action	2.41	○ The first draft of the 2010 budget will be introduced to the Board. Staff is prepared to review the draft budget with the Board in preparation for a more formal presentation at the November Board meeting.
15	Discussion	SAFCA's Natomas Levee Improvement Project (NLIP) is requiring supplemental water to be introduced into the Natomas Basin	No action	2.47	○ Staff will brief the Board on SAFCA's plan to introduce approximately 700 acre-feet of groundwater into the Natomas Basin in October in conjunction with its NLIP project. The water will impact operations for RD1000, the Natomas Water Company and the Conservancy.
16	Public Comments	Public Comments	No action	∅	○ Opportunity for members of the public to address the Conservancy's Board of Directors.
17	Executive Session	Executive Session – Real Estate	Action	∅	○ Executive Session for real estate is planned.
18	Executive Director's Report	Executive Director's Report	No action	①	○ Various matters for Board members' general information.
19	Adjournment	Adjournment	Admin.	∅	○ Official adjournment of the meeting.

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Proposed agenda items

1b	Action	Authorization to pay for native grass seed for soil stabilization on BKS South Course project	Action	Ø	<p>⊕ The SWPPPs compliance action on the BKS South Course entails a soil stabilization effort. Conservancy staff ordered a native grass seed mix planted in the indicated areas. The seed and related costs exceed the Executive Director's spending limit. This action authorizes the Executive Director to pay Hedgerow Farms \$14,808.60 and an additional \$5,010.00 to Westervelt or its subcontractor for application (drill seeding).</p>
2b	Action	Receipt of funds from Sacramento Area Flood Control Agency for the Natomas Levee Improvement Project (NLIP)	Action	①	<p>⊕ Pursuant to the agreement approved by the Board of Directors with the Sacramento Area Flood Control Agency (SAFCA), funds have been received in the amount of \$744,000.00 for the endowment and \$70,594.00 for operations. Staff will discuss this with the Board. Authorization is sought to:</p> <ol style="list-style-type: none"> 1.) open an account with Wells Fargo Investments for the endowment portion of the receipts, and 2.) the invested funds would be managed according to the Conservancy's existing "Investment Policy for Corporate Funds," and 3.) an account be opened with Wells Fargo Bank for the operating portion of the received funds.