

SITES JOINT POWERS

AUTHORITY

JIM WATSON, GENERAL MANAGER

530.410.8250

ANN NORDYKE, CLERK

530.458.0509

boardclerk@countyofcolusa.ogr

www.SITESJPA.NET

Board of Directors

LEIGH MCDANIEL, GLENN COUNTY SUPERVISOR, CHAIR

Fritz DURST, RECLAMATION DISTRICT 108, VICE-CHAIR

KIM DOLBOW VANN, COLUSA COUNTY SUPERVISOR,

SECRETARY/TREASURER

DON BRANSFORD, GLENN-COLUSA IRRIGATION DISTRICT

KEN LAGRANDE, TEHAMA-COLUSA CANAL AUTHORITY

GREG MENSİK, MAXWELL IRRIGATION DISTRICT

MARY KIMBALL, YOLO COUNTY FLOOD CONTROL & WCD

JOE MARSH, COLUSA COUNTY WATER DISTRICT

JIM JONES, ORLAND ARTOIS WATER DISTRICT

JAMIE TRAYNHAM, WESTSIDE WATER DISTRICT

DAN JONES, TC 5 DISTRICTS

GLENN-COLUSA IRRIGATION DISTRICT

344 EAST LAUREL STREET

WILLOWS, CA 95988

Sites Joint Powers Authority October 19, 2015 Minutes

The Sites Joint Powers Authority Board meets in Regular Session this 19th day of October 2015 at the hour of 9:00 a.m. **Directors Present:** Fritz Durst, Vice-Chair, Mary Kimball, Joe Marsh, Jamie Traynham and Dan Jones. **Directors Absent:** Ken LaGrande, (Tehama-Colusa Canal Authority), Don Bransford (Glenn-Colusa Irrigation Dist.) Kim Vann (Colusa County) Leigh McDaniel (Glenn County) and Jim Jones (Orland Artois Water Dist.). **Alternate Directors Present:** Sandy Denn (Glenn-Colusa Irrigation Dist.) John Viegas (Glenn County). *(Other Alternate Directors that may be listed as Present below, did not participate in the decision making process/voting)*

Vice-Chairman Durst calls to order the October 19, 2015 Regular Session at 9:07 a.m., with all Directors present, except McDaniel, LaGrande, Bransford, Vann, and Jim Jones. Alternate Directors Denn, and Viegas are seated.

Staff Present: Jim Watson, General Manager.
John Kenny, Counsel.
Jim Bond, Bond Tax.
Ann Nordyke, Clerk.

Others present: Juleah Cordi, Assemblyman James Gallagher.
Scott Brown, LWA.
Khaled Chowdhury, Jeff Herrin, Richard Millet, Sujau Punyamoithula, AECOM.
Bill Vanderwaal, USBR.
Jeff Nelson, Bill Worrall, Parsons.
Emil Cavagnolo, OAWD.
Daniel Ruiz, MID/WS.
Mary Fahey, Colusa County Ag Dept.
Lisa Hunter, Glenn County.
Ron Ganzfried, Bureau of Reclamation.

Donita Hendrix, Dunnigan Water District.
Mary C. Wells, Sites landowner.
Shelly Murphy, Colusa County Water District.
Thad Bettner, GCID.
Sarah Reynolds, T & P Farms.
Oscar Serrano, CCIC.

Pledge of Allegiance.

APPROVAL OF AGENDA

It is moved by Director Dan Jones, seconded by Director Traynham to approve the Agenda as presented. Motion carried: All yes. Absent: Vann, Evans (Colusa County), LaGrande, Sutton (Tehama-Colusa Canal Authority) Jim Jones, and Vereschagin (Orland Artois Water District)

APPROVAL OF MINUTES

It is moved by Director Kimball, seconded by Director Dan Jones to approve the September 21, 2015 Meeting Minutes. Motion carried: All yes. Absent: Vann, Evans (Colusa County), LaGrande, Sutton (Tehama-Colusa Canal Authority) Jim Jones, and Vereschagin (Orland Artois Water District).

PERIOD OF PUBLIC COMMENT

Ms. Cordi states there will be a California Water Commission meeting in Yuba City on Wednesday, October 21, 2015 at the City Hall in the morning and at the Veterans Memorial Community Building in the afternoon and encourages everyone to attend.

1. STAFF REPORTS- Note: 3 minutes allowed per Staff Report.

None.

2. ADMINISTRATION

a. Vice-Chairman Durst makes time for discussion and or direction to Clerk regarding 2016 meeting schedule.

Mr. Watson states we had adjusted the meetings to Monday, do we want to go back to a Wednesday meeting date? Discussion is held.

Following discussion it is the consensus of those Directors present to direct the Clerk to draft a Meeting Schedule for Fiscal Year 2016 for the 3rd Monday of each month.

b. It is moved by Director Traynham, seconded by Director Dan Jones to authorize the Clerk to submit the First Amendment of the Sites Project Authority Joint Powers Agreement to the State of California, Secretary of State, State Controller's Office, per Government Code Section 6503.5 and authorize the General Manager to sign on behalf of the Sites Project Authority. Motion carried: All yes. Absent: Vann, Evans (Colusa County), LaGrande, Sutton (Tehama-Colusa Canal Authority) Jim Jones, and Vereschagin (Orland Artois Water District)

9:13 a.m. Alternate Director Jeff Sutton (Tehama-Colusa Canal Authority) is now present, and is seated to represent the Tehama-Colusa Canal Authority.

c. It is moved by Director Traynham, seconded by Director Kimball to approve Treasurer's Report. Motion carried: All yes. Absent: Vann, Evans (Colusa County), Jim Jones, and Vereschagin (Orland Artois Water District).

d. It is moved by Director Traynham, seconded by Director Kimball to approve payment of Claims. Motion carried: All yes. Absent: Vann, Evans (Colusa County), Jim Jones, and Vereschagin (Orland Artois Water District).

3. MEMBER AGENCY PARTICIPATION AND FUNDING COMMITMENTS

Vice-chairman Durst makes time to discuss status and obtain Board input regarding action items that need to be substantially completed for Phase 1 to formally start without causing a further schedule delay associated with executing consultant contracts.

- a. **Sites Project Authority Agreement, Amendment #2:** Need 75% member approval before contracts can be executed with no commitment of cost.
- b. **Member Agency Specific Election to Participate Form:** Need 100% response with no substantive change in participation to allow Funding Commitment Agreements to be executed.

9:25 a.m. Alternate Director Gary Evans (Colusa County) is now present and is seated to represent the County of Colusa.

- c. **Member Agency Specific Funding Commitment Agreements:** Need 100% response with no substantive change to terms and conditions to allow the Authority to invoice those Member Agencies that have not already paid their pro-rata cost share of the 2015 fiscal year budget.

Lengthy discussion is held regarding the 2nd Amendment to the Sites Project Authority Agreement and the Member Agency Specific Election to Participate form with no action taken.

4. ACCOUNTING

a. Vice-chairman Durst states the consideration/discussion of payment schedule and due dates, was discussed under item 3 earlier today. (Linkage to Agenda Item 3)

b. Vice-chairman Durst states direction to staff regarding the proposed process to invoice Member Agencies while minimizing delay in receiving payment from each Member Agency for their pro-rata funding commitment, was discussed under Item 3 earlier today.

5. SITES PROJECT AUTHORITY CONTRACTS

Vice-chairman Durst makes time to provide policy direction to staff regarding interim cash flow management requirements to allow previously-approved consultant contract task orders to be executed (assuming greater than 75% approval of Amendment #2 has occurred) prior to having received funds that exceed the committed cost for the consultant's work, whose contracts have 30-day termination provisions.

Mr. Watson states the Authority needs to determine how best to use cash flow, noting as soon as the Authority gets 75% approval from the Authority Member Agency's the Authority can start work. Lengthy discussion is held regarding cash flow balance, minimum balance in the bank and reserves.

It is moved by Director Sutton, seconded by Director Traynham to maintain a six (6) month reserve for costs associated with the Authority combined with quarterly projections of each consultant's incurred costs. Motion carried: All yes. Absent: Jim Jones, and Vereschagin (Orland Artois Water District).

10:15 a.m. Alternate Director Mike Vereschagin (Orland Artois Water District) is now present and is seated to represent Orland Artois Water District.

6. GOVERNANCE

a. Vice-chairman Durst makes time for a status report of actions taken to develop draft Bylaws and draft Amendment #3 and Restated Agreement and actions needed to complete this effort.

Vice-chairman Durst states Mr. Watson has been working hard on the 3rd Amendment. He states there are some Governance issues that need to be addressed. He states further the Managers team met with Mr. Watson and came up with the document that is before you today.

Mr. Watson states the draft Bylaws were distributed to the Managers team. He states he did receive some comments. Discussion is held, with no action taken.

b. Vice-Chairman Durst states discussion of approval sequence was discussed under Agenda Item 3 and 4. (Linkage to Agenda Items 3 and 4)

c. Vice-chairman Durst makes time to discuss Draft Amendment #3 and Restated Agreement and provide direction to staff regarding policy-related items.

Mr. Watson speaks to the changes within the draft Amendment #3 and Restated Agreement, lengthy discussion is held with no action taken.

d. Vice-chairman Durst makes time to consider requesting each Member Agency review and approve Amendment #3 and Restated Agreement on the following condition:

- (1) Authority's Board approval of only the essential Bylaw provisions (e.g. cost management) prior to each Member Agency's board can consider approving Amendment #3 is sufficient (i.e. a complete and approved set of Bylaws is not required before a Member Agency can approve Amendment #3). An alternative approach is to consider temporarily suspending the 75% Member Agency approval for this specific amendment.

To prevent delay in the execution of Member-specific Funding Commitment Agreements.

Discussion is held, with no action taken.

e. Vice-chairman Durst makes time to consider/discuss proposed Draft Bylaws and provide direction to staff regarding policy-related items.

Mr. Watson speaks at length to the changes/additions to various section of the Bylaws. Lengthy discussion is held, with no action taken.

f. Vice-chairman Durst makes time to consider Authority Board approval of Bylaws based on the condition that:

- (a) Non-essential Bylaw provisions (e.g. Values) do not need to be finalized before the Bylaws can be approved by the Board and
- (b) Authority's Board approval of essential Bylaw provisions (e.g. cost management that is linked to Funding Commitment Agreements) sufficiently addresses Member Agency concerns for them to execute their respective Funding Commitment Agreement.

To prevent delay in the execution of Member-specific Funding Commitment Agreements.

Discussion is held, with no action taken.

7. BUDGET COMMITTEE REPORT

Vice-chairman Durst makes time to consider release of Draft Fiscal Year 2016 Budget to Member Agency Board's for review, per Sites Joint Powers Agreement Section 4.3.

Mr. Watson distributes draft Fiscal Year 2016 Budget and speaks to same. Discussion is held, with no action taken.

8. MANAGERS REPORT

Mr. Watson updates the Directors on outreach/Engagement efforts, with no action taken.

Vice-chairman Durst adjourned the meeting at 12:33 p.m. to reconvene in Regular Session on November 16, 2015 at Yolo County Flood Control and Water Conservation District, located at 34274 State Highway 16, Woodland, CA 95695.

Respectfully submitted:

Fritz Durst, Vice-Chairman

Kim Dolbw Vann, Secretary to the Board