

SITES PROJECT AUTHORITY

P.O. Box 517
122 OLD HIGHWAY 99 WEST
MAXWELL, CALIFORNIA, 95955
www.SitesProject.org

JIM WATSON, GENERAL MANAGER
530.410.8250

YOLANDA TIRADO, CLERK
530.438.2309
YTirado@SitesProject.org

Board of Directors

FRITZ DURST, RECLAMATION DISTRICT 108, CHAIR
GRAY ALLEN, PLACER COUNTY WATER AGENCY/CITY OF ROSEVILLE, VICE-CHAIR
GARY EVANS, COLUSA COUNTY SUPERVISOR
LEIGH MCDANIEL, GLENN COUNTY SUPERVISOR
DON BRANSFORD, GLENN-COLUSA IRRIGATION DISTRICT
JEFF SUTTON, TEHAMA-COLUSA CANAL AUTHORITY
DOUG PARKER, WESTSIDE WATER DISTRICT
JOE MARSH, COLUSA COUNTY WATER DISTRICT
KERRY SCHMITZ, CITY OF SACRAMENTO/SACRAMENTO COUNTY WATER AGENCY
DON BADER, U.S BUREAU OF RECLAMATION (COST-SHARE PARTNER, NON-VOTING)
ROB COOKE, CA DEPARTMENT OF WATER RESOURCES (EX-OFFICIO NON-VOTING)

Associate Member (NON-VOTING)

MARY WELLS, MAXWELL IRRIGATION DISTRICT
GREG JOHNSON, WESTERN CANAL WATER DISTRICT
TOM CHARTER, TC 4 DISTRICTS

January 28, 2019

9:00 a.m.

Sites Project Authority MINUTES

The Sites Project Authority Board of Directors met in Regular Session on January 28, 2019 at the hour of 9:00 a.m. **Directors Present:** Gary Evans, Don Bransford, Jeff Sutton, Karrie Schmitz, Rob Cooke and Zackary Dennis, Shelly Murphy. **Directors Absent:** Fritz Durst, Gray Allen, Leigh McDaniel, Doug Parker and Joe Marsh. **Alternate Directors Present:** Michael Azevedo and Dan Ruiz. (Other Alternate Directors that may be listed as Present below, did not participate in the decision-making process). **Associate Members Absent:** Mary Wells, Greg Johnson and Tom Charter.

Staff Present: Jim Watson, General Manager.
Scott Kuney, Counsel.
Jamie Traynham, Treasurer.
Kevin Spesert, Rob Thomson, Joe Trapasso, Sites Project Authority.
Yolanda Tirado, Clerk.

Others Present: Mike Forrest, AECOM.
Janet Barbieri, JB Communications, Inc.
Jeriann Alexander, Farid Motamed, Gracie Lui, Fugro.
Kim Floyd, KF Communications.
Arne Nervik, Black and Veatch.
Bill Vanderwaal, RD108/DWD.
Brian Bullock, Psomas.
Natalie Wolder, Bureau of Reclamation.
Mark Oliver, Rob Tull, CH2M Hill.
Charlene Vaughn, K-COE Isom.
Nadine Bailey, FWA.
Juleah Cordi, Assemblyman Gallagher's office.
Ed Horton, PCWA
Robert Boling, HDR.

Pledge of Allegiance.

Mr. Watson stated the Chair was absent and the Vice-Chair was sick. He further stated pursuant to Section 4.2 of the Authority Agreement, due to the temporary absence of Chair Durst and Vice-Chair

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Allan, the Board appointed Director Traynham to serve as Pro-Tem Chair of the meeting pending the arrival of Chair Durst.

INTRODUCTIONS:

Pro-Tem Chair Traynham asked those present to introduce themselves.

AGENDA APPROVAL:

It was moved by Director Sutton, seconded by Director Bransford to approve the January 28, 2019 Sites Project Authority Agenda. Motion carried: All Directors present voted yes.

MINUTES APPROVAL:

It was moved by Director Evans, seconded by Director Schmitz to approve the December 17, 2018 Sites Project Authority Minutes. Motion carried: All Directors present voted yes.

PERIOD OF PUBLIC COMMENT:

Pro-tem Chair Traynham called for public comment. Hearing none, she closed the period of public comment.

ANNOUNCEMENT OF CLOSED SESSION:

Counsel Kuney announced the following Closed Session matters would be heard after Regular Session:

Conference with legal counsel regarding evaluation of performance and staffing of general counsel services. (Govt. Code Section 54957 (1 item).

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Govt Code Section 54956.8). Parcels 0011-130-011, 011-150-017, and 001-150-018. Agency Negotiator: Kevin Spesert. Negotiating Parties: Shirley Jean Jensen. Terms and conditions for temporary rights of entry for technical surveys.

1. **BOARD MEMBER REPORTS: (No action will be taken)**

This time is set aside to give the Directors an opportunity to disclose/ discuss any meetings with external stakeholders to advance the Project.

Director Sutton stated he'd made a Podcast regarding Sites with Fishing Advocates and would send the link should anyone wish to view it. He also stated he would need to leave the meeting early.

2. **CHAIRPERSON'S REPORT:**

Pro-tem Chair Traynham informed the Board members election of officers would occur at the February 2019 meeting, review of the Committee structure would be updated for 2019, requested Director's input on ways to continue to improve the monthly meeting, i.e., changed meeting dates to ensure Reservoir Committee met before the Authority and initiated a consent agenda.

3. **CONSENT AGENDA:**

It was moved by Director Bransford, seconded by Director Sutton to approve Consent Agenda Items Numbers 3.1 – 3.3 as follows:

3.1 Approval of a modification to the Ch2M Hill contract ceiling, and to approve additional scope and budget for continued environmental planning and reservoir operations modeling activities.

3.2 Approval of a modification to the ICF contract ceiling, and to approve additional scope and budget for continued support that

includes the environmental analysis of the proposed data collection activities.

- 3.3 Approval of a modification to the Gerald (Jerry) Johns contract ceiling, and to approve additional scope and budget to continue to support activities related to the reservoir operations modeling.

Motion carried: All Directors present voted yes.

END OF CONSENT AGENDA

4. MANAGER'S REPORT:

- 4.1 Discussion and possible direction to staff regarding the General Manager's Monthly Status Report. (**Attachment 4-1A**)

Mr. Watson provided an overview of project activities performed in the month of December 2018 i.e., 2019 Reservoir Project Agreement, Sites Project Operational Principles Agreement (working draft) and various meetings. He announced Mr. Ernest Conant, Legal Counsel would no longer be providing legal services to the Reservoir Committee. He stated Mr. Conant was offered the position of Mid Pacific Regional Director and wished him the best. Brief discussion followed with no action taken.

- 4.2 Discussion and possible direction to staff regarding Proposition 1 WSIP application activities.

Mr. Watson provided a brief overview regarding the Early Funding agreement. He stated Commission staff are scheduling introductory meetings with the applicants and the Department of Fish and Wildlife, State Board and DWR regarding the development of the agreement needed to take to the Water Commission in February 2019 before the remainder of the \$816 million can be encumbered.

- 4.3 Discussion and possible direction to staff on ongoing U.S. Bureau of Reclamation activities and WIIN Act Funding.

Ms. Wolder and Mr. Watson provided an update on the ongoing activities of the Bureau of Reclamation and WIIN Act Funding. Discussion followed regarding the 2019 work plan, updated and amended cost share agreement, biological assessment and the President's October memo with no action taken.

5. 2019 FINANCE & BUDGET AD HOC COMMITTEE: Traynham

- 5.1 Accept the Treasurer's Report. (**Attachment 5-1A**)

Action: It was moved by Director Murphy, seconded by Director Bransford to Accept the Treasurer's Report, as presented. Motion carried: All Directors present voted yes.

- 5.2 Consider approval of the Payment of Claims. (**Attachment 5-2A, B, & C**)

Action: It was moved by Director Sutton, seconded by Director Schmitz to approve Payment of Claims, as present. Motion carried: All Directors present voted yes.

6. PHASE 1 RESERVOIR COMMITTEE:

- 6.1 Report on the January 18, 2019 Reservoir Committee meeting. (**Attachment 6-1A**)

Mr. Watson updated the Board members on matters discussed and approved for recommendation to the Authority Board at the January 18, 2019 Reservoir Committee meeting. Brief discussion followed with no action taken.

- 6.2 Discussion and possible direction to staff regarding the proposed work plan for the completion of Phase 1. (**Attachment 6-2A**)

Mr. Watson provided an update on how the remaining Phase 1 budget would be allocated to complete current work in progress and to align with the 2019 priorities. Discussion follow with no action taken.

- 6.3 Discussion and possible direction to staff regarding the status of current participants' consideration of the 2019 Reservoir Project Agreement. (**Attachment 6-3A**)

Mr. Watson spoke to the status of the "current estimate of the 2019 (Reservoir Participation Agreement) and asked each participant present what their percentage of participation would be for Phase 2. Discussion followed with no action taken.

- 6.4 Consider approval of a consulting agreement with Katz & Associates for Service Area C – Communications and approved an initial task order for services through March 31, 2019 and authorize the General Manager to sign. (**Attachments 6-4 A & B**)

Action: It was moved by Director Sutton, seconded by Director Dennis to approve a consulting agreement with Katz & Associates for Service Area C – Communications and approved initial task order for services through March 31, 2019 and authorize the General Manager to sign. Motion carried: All Directors present voted yes.

- 6.5 Consider approval of a consulting agreement with Bender Rosenthal for Service Area G – Real Estate and approved an initial task order for services through March 31, 2019 and authorize the General Manager to sign. (**Attachments 6-5 A & B**)

Action: It was moved by Director Sutton, seconded by Director Bransford to approve a consulting agreement with Bender Rosenthal for Service Area G – Real Estate and approved initial task order for services through March 31, 2019 and authorize the General Manager to sign. Motion carried: All Directors present voted yes.

- 6.6 Consider approval of a consulting agreement with HDR for Service Area A – Project Integration and approved an initial task order for services through March 31, 2019 and authorize the General Manager to sign. (**Attachments 6-6 A & B**)

Action: It was moved by Director Sutton, seconded by Director Schmitz to approve a consulting agreement with HDR for Service Area A – Project Integration and approved initial task order for services through March 31, 2019 and authorize the General Manager to sign. Motion carried: All Directors present voted yes.

- 6.7 Consider approval of a consulting agreement with Brown & Caldwell for Service Area B – Project Controls and approved an initial task order for services through March 31, 2019 and authorize the General Manager to sign. **(Attachments 6-7 A & B)**

Action: It was moved by Director Bransford, seconded by Director Dennis to approve a consulting agreement with Brown & Caldwell for Service Area B – Project Controls and approved initial task order for services through March 31, 2019 and authorize the General Manager to sign. Motion carried: All Directors present voted yes.

- 6.8 Consider approval of selection of ICF for Service Area E – Environmental Planning and direct staff to begin negotiating a consulting agreement and initial task order.

Action: It was moved by Director Sutton, seconded by Director Evans to approve the selection of ICF for Service Area E – Environmental Planning and direct staff to begin negotiating a consulting agreement and initial task order. Motion carried: All Directors present voted yes.

- 7. PHASE 1 MEMBERSHIP & GOVERNANCE AD HOC COMMITTEE: Durst
Discussion and possible direction to staff regarding the status of participation in the Authority and/or Reservoir Committee.

- 7.1 Discussion and possible direction to staff regarding Western Canal Water District's withdrawal from the Reservoir Committee and request to become an Authority Associate Member. **(Attachment 7-1A)**

Action: It was moved by Director Sutton, seconded by Director Dennis to accept the Western Canal Water District's withdrawal from the Reservoir Committee and approve request to become an Authority Associate Member. Motion carried: All Directors present voted yes.

- 8. PHASE 1 LEGISLATIVE & OUTREACH AD HOC COMMITTEE: Sutton
Discussion and possible direction to staff regarding the status of federal and state legislative activities and the Project's public outreach efforts.

- 8.1 Consider approval of a consulting agreement with Keith Dunn Consulting for Government Affairs support and approved an initial task order for services through March 31, 2019. **(Attachments 8-1 A & B)**

Action: It was moved by Director Sutton, seconded by Director Bransford to approve a consulting agreement with Keith Dunn Consulting for Government Affairs support and approved initial task order for services through March 31, 2019 and authorize the General Manager to sign. Motion carried: All Directors present voted yes.

- 8.2 Presentation, discussion and possible direction to staff on the Sites Project operations animation.

Ms. Barbieri stated the Communications Team working in coordination with the California Rice Commission worked on a short video regarding the Sites Project operations. Brief discussion followed the presentation of the video with no action taken.

9. PHASE 1 LAND USE AD HOC COMMITTEE:

Discussion and possible direction to staff regarding the status of engagement and outreach efforts to local agencies related to impacts or changes in land use.

Director Evans stated there was nothing to report at this time.

10. PHASE 1 COORDINATION COMMITTEES:

Discussion and possible direction to staff regarding the status of engagement and outreach efforts related to the following areas:

- o Tribal Officials

Mr. Spesert stated he'd met with the Colusa Tribal Officials in December 2018 and was working on a follow-up meeting for next month.

- o Landowner and Community Interests

Mr. Spesert stated will be meeting with landowners in the Spring.

- o Environmental Interests

Mr. Bransford stated there was nothing to report at this time.

- o Business & Labor Interests

Mr. Spesert stated he would be working with Mr. Keith Dunn the next couple weeks.

Pro-tem Chair Traynham declared a recess at 10:12 a.m. and convened into Closed Session at 10:15 a.m., for the following matters:

11. CLOSED SESSION:

10:19 a.m. Chairman Durst is now present.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Govt Code Sec. 54956.8). Parcels 0011-130-011, 011-150-017, and 001-150-018. Agency Negotiator: Kevin Spesert. Negotiating Parties; Shirley Jean Jensen. Terms and conditions for temporary rights of entry for technical surveys.

10:34 a.m. Directors Sutton and Dennis vacate their seats and leave the meeting.

Conference with legal counsel regarding evaluation of performance and staffing of general counsel services. (Govt Code Section 54957 (1 item).

Chairman Durst adjourned Closed Session at 10:55 a.m. and reconvened into Regular Session.

12. **REPORT FROM CLOSED SESSION:**

Chairman Durst stated as to the Performance Review of General Counsel, Gov't Code Section 54957, the Authority Board decided to continue with Young Wooldridge Law Office for General Counsel services.

He further stated as to the Conference with Real Property Negotiators, Gov't Code Section 54956.8, there was no reportable action taken.

Chairman Durst adjourned the meeting at 10:56 a.m., to reconvene on February 18, 2019 at the hour of 9:00 a.m.

Fritz Durst, Chairman

Yolanda Tirado, Clerk