Meeting: Sites Reservoir Project 2020 October 16

Subject: Reservoir Committee Meeting 9:00 AM - 12:00 PM

Location: By Teleconference Call in: **1-408-418-9388**Code: **146 570 7958**

WebEx Link

Chair: Thad Bettner (Glenn-Colusa Irrigation District)
Vice Chair: Jeff Davis (San Gorgonio Pass Water Agency)

Treasurer: Jamie Traynham (Davis Water District)

MINUTES

CALL TO ORDER:

Chairman Bettner called the Reservoir Committee Meeting of October 16, 2020 to order at 9:00 a.m., followed by the Pledge of Allegiance.

ROLL CALL:

Roll of the Reservoir Committee was called (Attachment A), which resulted in 19 eligible representatives. This equated to 95.3% of the current participation percentage being in attendance, which is greater than the 50% needed to have a quorum of the Reservoir Committee.

INTRODUCTIONS:

The Sites Staff, Consultants and members of the public introduced themselves (Attachment B).

AGENDA APPROVAL:

Chairman Bettner made time to consider approval of the October 16, 2020 Reservoir Committee Agenda.

Counsel Kuney stated the Closed Session matter under Agenda Item 5.1 has a typo in the noted Government Code Session 5456.9(c) and should be corrected to Government Code Section 54956.9(c).

<u>Action</u>: It was moved by Davis, seconded by Tincher to approve the October 16, 2020 Agenda, as corrected. Motion carried unanimously.

ANNOUNCEMENT OF CLOSED SESSION:

Counsel Kuney announced the Reservoir Committee would consider Closed Session as follows:

5.1 Negotiations concerning Sites Project operation terms, conditions and agreements with the State of California, Department of Water Resources and United States, Bureau of Reclamation. (Govt. Code §§54956.9(c), 54956.9(d)(4)).

PERIOD FOR PUBLIC COMMENT:

Chairman Bettner called for a period of public comment. Hearing none, he closed the period of public comment.

- 1. <u>Consent Agenda</u>: It was moved by Davis, seconded by Tincher to approve Consent Agenda Item Numbers 1.1 through 1.5 as follows:
- 1.1 Approve the September 17, 2020 Joint Authority Board and Reservoir Committee Meeting Minutes, as submitted. (Attachments A & B)
- 1.2 Accept the Sites Project Authority Treasurer's Report as presented in Attachment 1.2A. (Attachment A)
- 1.3 Approve the Payment of Claims as presented in Attachment 1.3A with supporting details provided in Attachment 1.3B. (Attachments A & B)
- 1.4 Accept the 2021 Authority Board and Reservoir Committee Meeting Calendar.
- 1.5 Approve a recommendation to the Authority Board to authorize Amendment 2 Work Plan consultant amendments to set contract dollar limits at budgeted amounts and period of performance end dates to December 31, 2021 for the following professional services needed to support accomplishing Project goals; Dunn Consulting (\$128,000), Jerry Johns (\$14,000), The Ferguson Group (\$240,000) and Young Wooldridge (\$240,000).

Motion carried unanimously.

2. <u>Action Items</u>:

2.1 Approve Updated Consulting Contracts with Agents including Forsythe Group, Trapasso Consulting Services and Spesert Consulting. (Attachment A)

<u>Action</u>: It was moved by Traynham, seconded by Vanderwaal to approve a recommendation to the Authority Board to approve Updated Consulting Contracts with Agents including Forsythe Group, Trapasso Consulting Services and Spesert Consulting, effective through December 31, 2021. Motion carried unanimously.

2.2 Authorize the Executive Director to approve the Sites Reservoir 2020/2021 Geotechnical Investigations and file a Notice of Exemption under the California Environmental Quality Act (CEQA).

<u>Action</u>: It was moved by Evans, seconded by Kao to approve a recommendation to the Authority Board to authorize the Executive Director to approve the Sites Reservoir 2020/2021 Geotechnical Investigations and to file a Notice of Exemption under the CEQA in Colusa and Yolo Counties. Motion carried unanimously.

2.3 Authorize the Executive Director to enter into a reimbursable agreement with the California Department of Fish and Wildlife (CDFW) for staff support to the Sites Project for a total of \$2,850,000 thru June 2023 with not to exceed \$1,500,000 thru December 31, 2021. (Attachment A)

Ms. Forsythe provided an overview of the reimbursable agreement with the CDFW and spoke to the following:

- Key Takeaways.
- Statement of Work.
- Cost and Staff.
- Benefits to Sites Members.
- Recommended Action.
 - o It was reviewed by the Environmental & Permitting Workgroup and they recommended approval.

Discussion followed as to whether new staff would be hired or whether existing staff would be utilized.

Action: It was moved by Tincher, seconded by Davis to approve a recommendation to the Authority Board to authorize the Executive Director to enter into a reimbursable agreement with the CDFW for staff support to the Sites Project for a total of \$2,850,000 through June 2023, with an amount not to exceed \$1,500,000 through December 31, 2021. Motion carried unanimously.

2.4 Accept the Project Financing Action Plan defining approach, schedule, resources and budget, and next steps to meet 75% local cost share requirement for Prop 1 by January 1, 2022. (Attachments A, B & C)

Executive Director Brown stated should the Project Financing Action Plan be approved, Items 2.5 through 2.8 would come under the umbrella of the Action Plan.

Mr. Robinette provided an overview of the Project Financing Action Plan and spoke to the following:

- Strategic Plan Goals (goals 2 and 3).
- What constitutes 75% Local Cost Share Commitment.
- September Poll Results, which represented things individual agencies are seeking from the project and other information needs and/or assurance agency needs to make a local cost share commitment.
- Project Assurances
 - o What do we get?
 - o What does it cost us?
 - Storage and Supply Services contract term sheet.
 - o How do we pay for it?
 - Plan of Finance.
- Local Cost Share Process Flow.
- Local Cost Share Schedule.
- Where Things are Covered?
- Cost Share Commitment Resources.

Executive Director Brown provided a brief update on the Updated Organizational Chart. Discussion followed.

Following discussion Mr. Evans, on behalf of Colusa County, expressed concerned regarding the Environmental Org Chart Personnel and stated he and Mr. Azevedo would be speaking to Ms. Forsythe offline.

<u>Action</u>: It was moved by Davis, seconded by Tincher to approve a recommendation to the Authority Board to accept the Project Financing Action Plan defining approach, schedule, resources and budget, and next steps to meet 75% local cost share requirement for Prop 1 by January 1, 2022, and further, approve Agenda Item Numbers 2.5 through 2.8 as follows:

- 2.5 Approve Brown and Caldwell (Project Controls) Amendment 2 Task Order No. 3 in an amount not to exceed \$614,282 which increases the total contract ceiling to \$3,120,018 which supports accomplishing the development of plan of finance supporting documents.
- 2.6 Authorize a contract amendment with Montague DeRose and Associates, LLC to incorporate Task Order No. 1.0 scope of work and budget in the amount of \$148,400 for a new total contract authority of \$828,800 with a period performance end date of December 31, 2021.
- 2.7 Authorize a contract amendment with Stradling Yocca Carlson & Rauth's (SYCR) to incorporate Task Order No. 1.0 scope of work and budget in the amount of \$50,000, and additional services of \$50,000 for a total contract authority increase of \$100,000, and a period of performance end date of December 31, 2021.
- 2.8 Authorize a contract amendment with The Catalyst Group's for additional follow-on work related to the strategic plan in the amount of \$45,000, for a new total contract authority of \$95,000 and extend the term of the contract through June 30, 2021.

Motion carried unanimously.

2.9 Authorize execution of the project agreement and amendments with new participants including Irvine Ranch Water District and Rosedale-Rio Bravo Water Storage District. Authorize invoicing these agencies upon completion, approximately December 1, 2020. This action requires a 75% weighted approval. (Attachment A)

Executive Director Brown stated all participating members have received approval for their continued participation, with the exception of Santa Clara Valley. He briefly spoke to new participant interest and available unsubscribed capacity shares. Brief discussion followed.

<u>Action</u>: It was moved by Tincher, seconded by Traynham to approve a recommendation to the Authority Board to authorize execution of the project agreement and amendments with new participants including Irvine Ranch Water District and Rosedale-Rio Bravo Water Storage District, and, further to

Yes

authorize invoicing these agencies upon completion, approximately December 1, 2020. Roll was called as follows:

City of American Canyon - Yes

Antelope Valley-East Kern Water Agency - Absent

Carter Mutual Water Company - Absent

Coachella Valley Water District - Yes

Colusa County - Yes

Colusa County Water District - Yes

Davis Water District - Yes

Desert Water Agency - Yes

Dunnigan Water District - Yes

Glen-Colusa Irrigation District - Yes

LaGrande Water District - Yes

Metropolitan Water District - Yes

Reclamation District 108 - Yes

San Bernardino Valley MWD - Yes

San Gorgonio Pass Water Agency - No

Santa Clara Valley Water District - Abstain

Santa Clarita Valley Water Agency - Yes

Westside Water District - Yes

Wheeler Ridge-Maricopa WSD - Yes

Zone 7 Water Agency - Yes

The motion carried as follows:

Cortina Water District

AYES: 17 NOES: 1

ABSTAIN: 1 ABSENT: 2

Which equated to an 82.49% of the current participation.

2.10 Authorize execution of contract amendment with Perkins Coie's to incorporate Task Order No. 1.0 scope of work and budget in the amount of \$1,250,000 and a period of performance end date of December 31, 2021.

<u>Action</u>: It was moved by Traynham, seconded by Vanderwaal to approve a recommendation to the Authority Board to execute a contract amendment with Perkins Coie to incorporate Task Order No. 1.0 scope of work and budget in the amount of \$1,250,000 and a period of performance end date of December 31, 2021 and authorize the Executive Director to sign. Motion carried unanimously.

2.11 Authorize execution of a contract amendment to incorporate Task Order No. 1 which describes the water rights legal service support and consolidating with modeling efforts related to water rights acquisition to the Somach Simmons & Dunn (Somach) contract in an amount not to exceed \$845,000 which brings the total contract authority up to \$845,000.

<u>Action</u>: It was moved by Vanderwaal, seconded by Kunde to approve a recommendation to the Authority Board to execute a contract amendment to incorporate Task Order No. 1 which describes the water rights legal service support and consolidating with modeling efforts related to water rights acquisition to the Somach, Simmons & Dunn (Somach) contract in an amount not to exceed \$845,000 which brings the total contract authority up to \$845,000 and authorize the Executive Director to sign. Motion carried unanimously.

2.12 Confirm the level of service standards being used for the engineering feasibility analysis, which establish criteria for operations related to diversion and conveyance into and out of the Sites Reservoir.

Mr. Luu provided a brief update of the level of services standards being used for the engineering feasibility analysis which establish criteria for operations related to diversion and conveyance into and out of the Sites Reservoir and spoke to the following:

- Conveyance Level of Service Standards.
- Conveyance Level of Service Standards for Diversions.
 - o Fill Cycle (November).
- Conveyance Level of Service Standard for Releases
 - Drain Cycle (March).
- Conveyance Level of Service Standards.
 - o Project Conveyance Features.
 - Red Bluff Pumping Plant capacity.
 - TC Canal Diversion to Sites Reservoir.
 - GCID Main Pump Station Capacity (northwest of Hamilton City).
 - GCID Main Canal Diversion to Sites Reservoir.
 - Sites Reservoir Releases to GCID Main Canal.
 - Sites Reservoir Releases to CBD/Sacramento River. Brief discussion followed.

<u>Action</u>: It was moved by Kunde, seconded by Kao to approve a recommendation to the Authority Board to confirm the level of service standards being used for the engineering feasibility analysis, which establish criteria for operations related to diversion and conveyance into and out of the Sites Reservoir. Motion carried unanimously.

2.13 Approve Revised Conflict of Interest Code per FPPC and receive legal counsel advise related to evaluating potential conflict areas for members. (Attachment A)

Counsel Kuney provided an overview of the Conflict of Interest Code process in order to comply with FPPC requirements and potential conflict areas for members. Brief discussion followed.

<u>Action</u>: It was moved by Tincher, seconded by Vanderwaal to approve a recommendation to the Authority Board to approve and submit the Revised Conflict of Interest Code to the FPPC. Motion carried unanimously.

3. Discussion and Information Items:

3.1 Review and comment on flow-related regulatory decisions affecting the Sites Project permitting efforts and environmental legal requirements (Attachments A & B)

Executive Director Brown provided a brief update on flow-related regulatory decisions affecting the Sites Project Organization Assessment, with no action taken.

3.2 Review and Comment on the final report of Amendment 1B Work Plan Progress and expenditures. (Attachment A)

Executive Director Brown provided a brief update on the final report of Amendment 1B Work Plan progress and expenditures.

Mr. Kunde stated this report was reviewed by the Budget & Finance Committee.

3.3 Receive a status update on Strategic Planning next steps.

Executive Director Brown provided a brief update on the Strategic Planning next steps and spoke to:

- Achieving by end of 2020 a final strategic plan that reflects the direction and priorities of the Boards for the project, focused on the near-term activities.
 - Utilizing the consulting services previously assigned for this purpose to assist in accomplishing the high priority near term actions, with no action taken.
- 3.4 Receive a final status update on Organizational Assessment Progress and comment on the proposed consolidation of future reporting with strategic planning monitoring and reporting.

Executive Director Brown briefly spoke to the Organization Assessment Progress i.e., current status for each action, target board item date, items completed and noted the next quarterly report update would be in December would be of future reporting with strategic planning monitoring and reporting, with no action taken.

4. Reports:

4.1 Member's Reports:

4.1.1 Chairpersons' Report:

This time is set aside to allow the Chair/Co-Chair an opportunity to disclose/discuss items related to the Sites Project.

Vice-chair Davis stated the project is moving into a phase in the project where everything will be moving in a much faster pace and should anyone need anything, they should let them know.

Chairman Bettner re-iterated Vice-chairman Davis' comment.

4.1.2 Workgroup Chairpersons' Report:

This time is set aside to allow the Workgroup Chairpersons' an opportunity to disclose/discuss items related to the Sites Project.

Reservoir Operations and Engineering Workgroup:

Mr. Kunde provided a brief update on the October 12, 2020 meeting focused on the engineering elements and spoke to the following:

- Hydraulic modeling.
- TRR.
- Level of Service Standards.

Ms. Forsythe provide a brief update on matters being undertaken by the Engineering Workgroup.

4.1.3 Reservoir Committee Participant Reports:

This time is set aside to allow Representatives or their Alternates an opportunity to disclose/discuss items related to the Sites Project.

None.

4.2 Executive Director's Reports:

Executive Director Brown provided brief updates on the following:

- Monthly status report. (Attachment A)
- Work Progress Plan Reporting. (Attachment B)
- Action Items from Reservoir Committee and Board Meetings.
 (Attachment C)
- Status of the Feasibility Report.
- Comment by Reclamation regarding a 1.8 m ac. ft. reservoir.
- Visit to Sites Project by Lt. Governor Kounalakis.
- California Water Commission has two new Commissioners (Samantha Arthur and Alexander Makler).

- Report by Temperance Flats shutting down their project.
- Met with Department of Water Resources, Regional Director Chuck Bonham and have a meeting scheduled in two weeks and another meeting Karla Nemeth.

Chairman Bettner declared a recess at 10:57 a.m., to convene into Closed Session to consider the following matter:

5. Closed Session:

5.1 Negotiations concerning Sites Project operation terms, conditions and agreements with the State of California, Department of Water Resources and United States, Bureau of Reclamation. (Govt. Code §§5456.9(c), 54956.9(d)(4)).

Chairman Bettner adjourned Closed Session at 12:11 p.m., to reconvene into Open Session.

Report from Closed Session:

Counsel Kuney stated as to Closed Session regarding the following matter:

5.1 Negotiations concerning Sites Project operation terms, conditions and agreements with the State of California, Department of Water Resources and United States, Bureau of Reclamation. (Govt. Code §§54956.9(c), 54956.9(d)(4)), no reportable action was taken.

6. <u>Future Meetings and Schedules</u>:

6.1 Suggested Future Agenda Items.

None.

6.2 <u>Proposed Upcoming meeting</u>:

Authority Board

Wednesday, October 21, 2020 1:30 PM (Virtual Information will be provided prior to the meeting.)

Reservoir Committee

Thursday, November 19, 2020 1:00 PM (Virtual Information will be provided prior to the meeting.)

The meeting adjourned at 12:12 p.m.

Thad Bettner, Chairman

Reservoir Committee

Jerry Brown, Executive Director

Topic: Sites Reservoir Project, Phase 2 2020 October 16

Subject: Reservoir Committee 9:00 AM - 12:00 PM

Roll Call

Current Voting Committee Participants (21):

	Pct	Participant		
\boxtimes	3.42	American Canyon, City		
	2.51	Antelope Valley-East Kern WA		
	2.46	Carter MWC		
\boxtimes	4.97	Coachella Valley WD		
\boxtimes	4.97	Colusa County		
\boxtimes	5.49	Colusa Co. WD (1)		
\boxtimes	2.50	Cortina WD		
\boxtimes	2.90	Davis WD		
\boxtimes	0.00	Department of Water		
\boxtimes	4.06	Resources (non-voting) Desert WA		
	3.09	Dunnigan WD		
	3.68	_		

	Pct	Participant			
	2.64	LaGrande WD (1)			
	15.34	Metropolitan WD			
\boxtimes	3.42	Reclamation District 108			
	7.93	San Bernardino Valley MWD			
	6.01	San Gorgonio Pass WA			
	6.53	Santa Clara Valley WD			
\boxtimes	3.67	Santa Clarita Valley WA			
\boxtimes	6.27	Westside WD			
\boxtimes	3.17	Wheeler Ridge-Maricopa WSD			
\boxtimes	0.00	US Bureau of Reclamation (non-voting)			
	4.97	Zone 7 WA			
	100.00	Total			

19 Voting members represented at Meeting start \boxtimes

95.03% Represented participation percentage

Representation has been delegated as follows:

- (1) To Jamie Traynham, Davis WD
- (‡) Not present after _____

Topic: Sites Reservoir Project, Phase 2 (2019)

2020 October 16

Subject: Reservoir Committee Meeting

9:00 AM - 12:00 PM

Current Voting Reservoir Committee Participants (21):

Participant	✓	Representative	✓	Alternate	Others
American Canyon, City		Rick Kaufman		Felix Hernandez III Jason Holley	
AVEK WA		Dwayne Chisam		Dan Flory	
Carter MWC		Ben Carter		Ann Carter	
Coachella Valley WD		Robert Cheng		Ivory Reyburn	
Colusa County.		Mike Azevedo		Gary Evans	
Colusa Co. WD		Shelley Murphy		Joe Marsh	
Cortina WD		Jim Peterson		Chuck Grimmer	
Davis WD		Jamie Traynham		Tom Charter	
Desert WA		Mark Krause		Steve Johnson	
Dunnigan WD		Bill Vanderwaal		Jamie Traynham	
Glenn-Colusa ID		Thad Bettner		Don Bransford	
LaGrande WD		Zach Dennis		Ken LaGrande	
Metropolitan WD		Randall Neudeck	\boxtimes	Nina Hawk	
RD 108		Bill Vanderwaal		Blair Lewis	
San Bernardino V MWD		Bob Tincher		Heather Dyer	
San Gorgonio Pass WA		Jeff Davis		Lance Eckhart	
Santa Clara Valley WD		Cindy Kao		Eric Leitterman	
Santa Clarita Valley WA		Dirk Marks		Steve Cole	⊠ Zone 7
Westside WD		Allan Myers	\boxtimes	Dan Ruiz	
Wheeler Ridge-Maricopa WSD		Rob Kunde			
Zone 7 WA		Amparo Flores		Carol Mahoney Jarnail Chahal Valerie Pryor	

Non-Voting Committee Participants (2):

Participant	✓	Representative/Other	✓	Alternate/Other		
Dept of Water Resource	s 🛛	Rob Cooke		David Sandino		Alex Vdovichenko
		Ajay Goyal		Jim Wieking		Dave Arrate
Bureau of Reclamation		Richard Welsh		Don Bader		Chris Duke
		Ryan Davis		Derya Sumer		Dan Deeds
		Natalie Wolder	Ш	Mike Mosley	Ш	Shana Kaplan
Authority, Non-Sig	nato	ory (6):				
Participant	✓	Representative	✓	Alternate		
Glenn County		John Viegas				
PCWA		Ed Horton		Ben Barker Darin Reintjes		
Roseville		Sean Bigley		Trevor Joseph Jason Marks		
Sacramento, City of		Jeff Harris		Anne Sanger		
Sacramento County WA		Kerry Schmitz		Michael Peterson		
Tehama-Colusa Canal Authority		Jeff Sutton				
Staff:						
✓ Name	Repr	esenting	✓	Name	Repre	esenting
Jerry Brown	Execu	utive Director	\geq	Trapasso, Joe	Sites	Project Authority
Forsythe, Ali	Sites	Project Authority	\geq	Tirado, Yolanda	Board	l Clerk
Spesert, Kevin	Sites	Project Authority	\geq	Kivett, Marcia	Admii	า
Consultants:						
√ Name	Repre	esenting	✓	Name	Repre	senting
Alexander, Jeriann	Fugro			Kuney, Scott	Young	y Wooldridge
Boling, Robert	HDR			Luu, Henry	HDR	
☐ Briard, Monique	ICF		\boxtimes	McDonald, Connor	CMD \	West
☐ Floyd, Kim	Floyd		\boxtimes	Robinette, JP	Brown	n & Caldwell
Herrin, Jeff	AECO	М		Rude, Peter	Ch2m	
Heydinger, Erin	HDR			Spranza, John	HDR	
⊠ Katz, Sara	Katz 8	& Associates		Warner Herson, Laurie	Phenix	× ·

Other Attendees:

Name	Representing	Contact (Phone & E-mail)
Laura Nicholson	Office of Senator Nielson	
Juleah Cordi	Office of Assemblyman James Gallagher	
Charles Gardiner	Catalyst Group	
Bill Laverne	Yocha Dehe Wintun Nation	
Scott Brown	Larsen Wurzel	