

Reservoir Committee Chair: Thad Bettner (Glenn-Colusa Irrigation District)
Reservoir Committee Vice-Chair: Valerie Pryor (Zone 7 Water Agency)
Treasurer: Jamie Traynham (Davis Water District)

MINUTES

CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Chair Bettner called the May 20, 2022 Reservoir Committee Meeting to order at the hour of 9:00 a.m., followed by the Pledge of Allegiance.

ROLL CALL:

Roll of the Reservoir Committee was called (Attachment A), which resulted in 21 eligible representatives. This equated to 98 % 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.

AGENDA APPROVAL:

It was moved by Pryor, seconded by Tincher to approve the May 20, 2022 Agenda of the Reservoir Committee. **Motion carried unanimously.**

ANNOUNCEMENT OF CLOSED SESSION:

Counsel Doud announced the Reservoir Committee members would consider the following Closed Session matters:

5. Closed Session:

5.1 Conference with Real Property Negotiators (Gov. Code § 54956.8)

Property: [Glenn County] APNs 014-240-004-000, 014-210-005-000, and 014-220-001-000

Agency negotiators: Jerry Brown, Kevin Spesert

Negotiating parties: TBD

Under negotiation: Price and terms of payment

5.2 Negotiations concerning Sites Project operation terms, conditions, and agreements with the Department of Interior, Bureau of Reclamation (Gov. Code 54956.6(c)).

- 5.3 Negotiations concerning Sites Project operation terms, conditions, and agreements with the State of California, State Water Resources Control Board (Gov. Code §§54956.9(c)).

PERIOD FOR PUBLIC COMMENT:

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

1. CONSENT AGENDA:

Chair Bettner made time to consider Consent Agenda Item Numbers 1.1 through 1.5 as follows:

- 1.1 Approve the April 22, 2022 Reservoir Committee Meeting Minutes.
- 1.2 Accept the Sites Project Authority Treasurer's Report.
- 1.3 Approve the Payment of Claims.
- 1.4 Accept the Authority's Q1 2022 Budget Year Quarterly Financial Report.
- 1.5 Accept Phase 2, Amendment 2 Closeout Report and authorize an increase in the Amendment 2 Carryover funds within the Amendment 3 Work Plan Budget to increase from \$6M to \$15.3M.

Executive Director Brown requested that Consent Agenda Item 1.5 be pulled to give an opportunity for committee member comments and suggestions.

Chair Bettner so directed.

Action/Consent Agenda:

It was moved by Traynham, seconded by Pryor to approve Consent Agenda Item Numbers 1.1 through 1.4 as follows:

- 1.1 Approve the April 22, 2022 Reservoir Committee Meeting Minutes.
- 1.2 Accept the Sites Project Authority Treasurer's Report.
- 1.3 Approve the Payment of Claims.
- 1.4 Accept the Authority's Q1 2022 Budget Year Quarterly Financial Report.

Motion carried unanimously.

Chair Bettner made time to consider Consent Agenda item 1.5 as follows:

- 1.5 Accept Phase 2, Amendment 2 Closeout Report and authorize an increase in the Amendment 2 Carryover funds within the Amendment 3 Work Plan Budget to increase from \$6M to \$15.3M.

Mr. Cheng inquired as to the expectation of the carryover funds.

Ms. Traynham noted the carryover funds are in an interest-earning account and re-budgeted for excess reserve.

Ms. Pryor agreed with the Joint Budget and Finance Committee's recommendation on the use of funds in the next budget.

Chair Bettner proposed the Joint Budget and Finance committee return to the board with a recommendation in the September or October time frame.

Action/Consent Agenda:

It was moved by Pryor, seconded by Tincher to accept Phase 2, Amendment 2 Closeout Report and authorize an increase in the Amendment 2 Carryover funds within the Amendment 3 Work Plan Budget to increase from \$6M to \$15.3M and direct the Joint Budget and Finance Committee to return to the board with a recommendation in the September or October time frame. **Motion carried unanimously.**

2. Action Items:

2.1 Approve an amendment to the Sites Project Authority Real Estate and Land Management Policy.

Mr. Spesert provided a presentation on the Real Estate and Land Management Policy Update and spoke to the following:

Real Estate & Land Management Policy

- Developed by the Land Management Committee with input from project participants that includes appraisal, acquisition, and land management provisions.

Option Agreements

- Existing Policy has limited flexibility in negotiating options which limits the effective use of the policy. The proposed text would provide more flexibility in establishing price and terms.
- Allows staff to negotiate agreements within the parameters established by the Authority Board/Reservoir Committee and better aligns with the current approach to negotiating agreements.

Proposed Amended Text

Current Text

The General Manager is authorized to procure options for the purchase of any real property which the Authority determines to be required for project purposes at a price not more than the lesser of \$25,000 or 5% of the appraised market value determined by a qualified appraiser.

Proposed Text

The Executive Director is authorized to procure options for the purchase of any real property which the Authority determines to be required for project purposes. The terms and conditions of options procurements shall be established by the Authority Board of Directors. Brief discussion followed.

ACTION:

It was moved by Azevedo, seconded by Traynham to approve an amendment to the Sites Project Authority Real Estate and Land Management Policy. **Motion carried unanimously.**

- 2.2 Approve a sole source contract with the University of California-Santa Cruz to perform modeling services using the Winter-Run Chinook Salmon Lifecycle Model in the amount of up to \$200,000 for the period of May 26, 2022 through March 31, 2023.

Ms. Forsythe noted the analysis would be conducted using the National Marine Fisheries Service's model (NMFS), but UC Santa Cruz is the only organization that can run the model, and the sole source contract includes only the cost for UCSC, it does not consist of any costs for NMFS. Brief discussion followed.

ACTION:

It was moved by Cheng, seconded by Pryor to approve a sole source contract with the University of California-Santa Cruz to perform modeling services using the Winter-Run Chinook Salmon Lifecycle Model in an amount up to \$200,000 for the period of May 26, 2022 through March 31, 2023. **Motion carried unanimously.**

- 2.3 Approve a new contract with Fechter and Company, CPA LLP (Fechter) to conduct Authority fiscal year (FY) 2021, 2022, and 2023 Independent Annual Financial Audits that includes a federal "Single Audit" based on a firm-fixed-price amount of \$17,800 for FY2021, \$18,500 for FY2022 and \$19,235 for FY2023 and provide optional financial services on a time and materials basis not to exceed a cost of \$5,000, for a total contract authority of \$60,535.

Executive Director Brown noted the Authority issued a request for proposals (RFP) to conduct audits of the Authority's financial information. The Authority did not receive any proposals for a replacement Audit Firm. Staff consulted with the Authority's Treasurer on additional auditing years with Fechter. Best management practice allows for flexibility when another auditing firm is unavailable to perform the work. The Authority's current firm, Fechter, has agreed to use a special auditing team for the fiscal years 2022 and 2023.

ACTION:

It was moved by Vanderwaal, seconded by Traynham to approve a new contract with Fechter and Company, CPA LLP (Fechter) to conduct Authority fiscal year (FY) 2021, 2022, and 2023 Independent Annual Financial Audits that includes a federal “Single Audit” based on a firm-fixed-price amount of \$17,800 for FY2021, \$18,500 for FY2022 and \$19,235 for FY2023 and provide optional financial services on a time and materials basis not to exceed a cost of \$5,000, for a total contract authority of \$60,535. **Motion carried unanimously.**

3. Discussion and Information Items:

- 3.1 Review and comment on proposed Assembly Bill 2639 (Quirk) San Francisco Bay/Sacramento-San Joaquin Delta Estuary: water quality control plan: water right permits.

Executive Director Brown spoke to the awareness of the potential implications of current provisions in AB2639 that could have an impact on securing the water right permit within a timeframe that avoids impacting the overall project schedule and could create unanticipated delay costs to the project. He also noted the Sites Project team will continue to monitor the activity on AB2639 and will work with the Legislative and Outreach Committee should a Sites Authority position be needed.

Mr. Dunn encouraged staff to voice concerns about AB2639 with advocates, and increase public dialogue in support of the need for Sites. Discussion followed.

4. Reports:

- 4.1 Chairpersons’ Report:

Vice-chair Pryor expressed appreciation for the way the quarterly financial report was presented.

- 4.2 Workgroup Chairpersons’ Report:

Operations & Engineering Workgroup/Contract Strategy

Mr. Vanderwaal spoke to the contracts that staff created for the June 9th contractors’ meeting in Maxwell. The goal is to receive feedback on the strategy and sizing of contracts for proposals and to plan for construction schedules.

Land Management Committee

Mr. Spesert reported the committee went over the table of contents and sections of the right of way manual for amendment 3.

Legislative and Outreach Committee

Mr. Spesert noted the next Legislative and Outreach meeting will be on June 7th where they plan to talk about the concept of a local community workgroup.

4.3 Reservoir Committee Participant Reports:

None.

4.4 Executive Director's Reports:

Executive Director Brown provided an update on the following:

- ACWA pop-up gathering and expressed his appreciation to those who attended.
- Monthly status report includes an updated schedule.
- Work Plan Progress Report.
- Meetings Action Items Summary.

Chair Bettner declared a recess at 10:18 a.m., and convened into Closed Session to consider the following matters:

5. Closed Session:

5.1 Conference with Real Property Negotiators (Gov. Code § 54956.8)

Property: [Glenn County] APNs 014-240-004-000, 014-210-005-000, and 014-220-001-000

Agency negotiators: Jerry Brown, Kevin Spesert

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5.2 Negotiations concerning Sites Project operation terms, conditions, and agreements with the Department of Interior, Bureau of Reclamation (Gov. Code 54956.6(c)).

5.3. Negotiations concerning Sites Project operation terms, conditions, and agreements with the State of California, State Water Resources Control Board (Gov. Code §§54956.9(c)).

Chair Bettner adjourned Closed Session at the hour of 12:02 p.m. and reconvened into Open Session.

6. Report from Closed Session:

Counsel Doud stated as to Closed Session, no reportable action was taken.

7. Recap:

7.1 Suggested Future Agenda Items.

None.

7.2 Upcoming Meetings:

Authority Board

Wednesday, May 25, 2022 - 1:30 to 4:00 PM

Maxwell Project Office, 122 Old Highway 99

Joint Reservoir Committee & Authority Board

Friday, June 17, 2022 - 9:00 AM to 12:00 PM

Maxwell Project Office, 122 Old Highway 99

Chairman Bettner adjourned the Reservoir Committee Meeting at the hour of 12:03 p.m.

Thad Bettner, Chairman

Sandra Yarbrough, Board Clerk

Current Voting Committee Participants (22):

	<i>Pct</i>	<i>Participant</i>	
<input checked="" type="checkbox"/>	3.47	American Canyon, City	
<input type="checkbox"/>	2.42	Antelope Valley-East Kern WA	
<input checked="" type="checkbox"/>	5.28	Coachella Valley WD	
<input checked="" type="checkbox"/>	5.28	Colusa County	
<input checked="" type="checkbox"/>	5.05	Colusa Co. WD	
<input checked="" type="checkbox"/>	2.41	Cortina WD	(1)
<input checked="" type="checkbox"/>	2.87	Davis WD	
<input checked="" type="checkbox"/>	0.00	Department of Water Resources (non-voting)	
<input checked="" type="checkbox"/>	4.22	Desert WA	
<input checked="" type="checkbox"/>	3.17	Dunnigan WD	
<input checked="" type="checkbox"/>	3.77	Glenn-Colusa ID	
<input checked="" type="checkbox"/>	2.57	Irvine Ranch WD	
<input checked="" type="checkbox"/>	2.57	LaGrande WD	(1)

	<i>Pct</i>	<i>Participant</i>
<input checked="" type="checkbox"/>	17.29	Metropolitan WD
<input checked="" type="checkbox"/>	3.47	Reclamation District 108
<input checked="" type="checkbox"/>	2.42	Rosedale-Rio Bravo WSD
<input checked="" type="checkbox"/>	8.70	San Bernardino Valley MWD
<input checked="" type="checkbox"/>	6.48	San Geronio Pass WA
<input checked="" type="checkbox"/>	2.42	Santa Clara Valley WD
<input checked="" type="checkbox"/>	3.77	Santa Clarita Valley WA
<input checked="" type="checkbox"/>	3.89	Westside WD
<input checked="" type="checkbox"/>	3.19	Wheeler Ridge-Maricopa WSD
<input checked="" type="checkbox"/>	.00	US Bureau of Reclamation (non-voting)
<input checked="" type="checkbox"/>	5.28	Zone 7 WA
	100.00	Total

21 Voting members represented at Meeting start

98% Represented participation percentage

Representation has been delegated as follows:

(1) To Jamie Traynham, Davis WD

(≠) Not present after _____

Current Voting Reservoir Committee Participants (22):

<i>Participant</i>	<input checked="" type="checkbox"/> <i>Representative</i>	<input checked="" type="checkbox"/> <i>Alternate/Delegate</i>
American Canyon	<input checked="" type="checkbox"/> Felix Hernandez	<input type="checkbox"/> Jason Holley
Antelope Valley-East Kern	<input type="checkbox"/> Dwayne Chisam	<input type="checkbox"/> Dan Flory
Coachella Valley	<input checked="" type="checkbox"/> Robert Cheng	<input checked="" type="checkbox"/> Petya Vasileva
Colusa County	<input checked="" type="checkbox"/> Mike Azevedo	<input checked="" type="checkbox"/> Gary Evans
Colusa County Water District	<input checked="" type="checkbox"/> Shelley Murphy	<input type="checkbox"/> Joe Marsh
Cortina Water District	<input type="checkbox"/> Jim Peterson	<input checked="" type="checkbox"/> Chuck Grimmer Jamie Traynham
Davis Water District	<input checked="" type="checkbox"/> Jamie Traynham	<input type="checkbox"/> Tom Charter
Desert Water Agency	<input checked="" type="checkbox"/> Mark Krause	<input type="checkbox"/> Steve Johnson
Dunnigan Water District	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/> Jake Spooner
Glenn-Colusa Irrigation District	<input checked="" type="checkbox"/> Thad Bettner	<input type="checkbox"/> Holley Dawley
Irvine Ranch	<input type="checkbox"/> Paul Weghorst	<input checked="" type="checkbox"/> Kellie Welch
LaGrande Water District	<input type="checkbox"/> Zach Dennis	<input type="checkbox"/> Ken LaGrande <input checked="" type="checkbox"/> Jamie Traynham
Metropolitan Water District	<input checked="" type="checkbox"/> Randall Neudeck	<input checked="" type="checkbox"/> Nina Hawk
RD 108	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/> Lewis Bair
Rosedale-Rio Bravo	<input checked="" type="checkbox"/> Trent Taylor	<input type="checkbox"/> Dan Bartel
San Bernardino Valley	<input checked="" type="checkbox"/> Bob Tincher	<input type="checkbox"/> Heather Dyer
San Geronio Pass	<input type="checkbox"/> Lance Eckhart	<input checked="" type="checkbox"/> Thomas Todd
Santa Clara Valley	<input checked="" type="checkbox"/> Cindy Kao	<input checked="" type="checkbox"/> Katherine Maher
Santa Clarita Valley	<input checked="" type="checkbox"/> Dirk Marks	<input type="checkbox"/> Steve Cole
Westside Water District	<input type="checkbox"/> Allan Myers	<input checked="" type="checkbox"/> Dan Ruiz
Wheeler Ridge-Maricopa	<input checked="" type="checkbox"/> Rob Kunde	<input type="checkbox"/> Sheridan Nicholas
Zone 7	<input checked="" type="checkbox"/> Valerie Pryor	<input type="checkbox"/> Amparo Flores

Non-Voting Committee Participants (2):

<i>Participant</i>	<i>Representative/</i>		<i>/Other</i>	
	<input type="checkbox"/> <i>Other</i>	<input type="checkbox"/> <i>Other</i>	<input type="checkbox"/> <i>Other</i>	<input type="checkbox"/> <i>Other</i>
Dept of Water Resources	<input checked="" type="checkbox"/>	Rob Cooke	<input type="checkbox"/>	Alex Vdovichenko
	<input checked="" type="checkbox"/>	Jagruti Maroney	<input type="checkbox"/>	David Sandino
Bureau of Reclamation	<input type="checkbox"/>	Ajay Goyal	<input type="checkbox"/>	Jim Wieking
	<input type="checkbox"/>	Richard Welsh	<input type="checkbox"/>	Don Bader
	<input checked="" type="checkbox"/>	Vanessa King	<input type="checkbox"/>	Derya Sumer
	<input checked="" type="checkbox"/>	Natalie Taylor	<input type="checkbox"/>	Kevin Jacobs
			<input type="checkbox"/>	Dave Arrate
			<input type="checkbox"/>	Chris Duke
			<input type="checkbox"/>	Jessica Boyt
			<input type="checkbox"/>	Shana Kaplan

Authority, Non-Signatory (6):

<i>Participant</i>	<i>Representative</i>		<i>Alternate</i>	
	<input type="checkbox"/> <i>Other</i>	<input type="checkbox"/> <i>Other</i>	<input type="checkbox"/> <i>Other</i>	<input type="checkbox"/> <i>Other</i>
PCWA	<input type="checkbox"/>	Ed Horton	<input type="checkbox"/>	Ben Barker
Roseville	<input checked="" type="checkbox"/>	Sean Bigley	<input type="checkbox"/>	Trevor Joseph
Sacramento County WA	<input type="checkbox"/>	Jeff Harris	<input type="checkbox"/>	Brett Ewart
			<input type="checkbox"/>	Darin Reintjes
			<input type="checkbox"/>	Jason Marks
			<input type="checkbox"/>	Ann Sanger

Staff:

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Brown, Jerry	Sites Project Authority
<input checked="" type="checkbox"/> Forsythe, Ali	Sites Project Authority
<input checked="" type="checkbox"/> Robinette, JP	Sites Project Authority
<input checked="" type="checkbox"/> Spesert, Kevin	Sites Project Authority

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Trapasso, Joe	Sites Project Authority
<input checked="" type="checkbox"/> Tirado, Yolanda	Sites Project Authority
<input checked="" type="checkbox"/> Yarbrough, Sandra	Sites Project Authority

Consultants:

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Alexander, Jeriann	Fugro
<input type="checkbox"/> Grace, Lui	
<input type="checkbox"/> Boling, Robert	HDR
<input type="checkbox"/> Briard, Monique	ICF
<input type="checkbox"/> Brown, Doug	Stradling
<input checked="" type="checkbox"/> Brown, Scott	LWA

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input type="checkbox"/> Bruner, Marc	Perkins Coie
<input type="checkbox"/> Forrest, Mike	AECOM
<input type="checkbox"/> Floyd, Kim	Floyd
<input checked="" type="checkbox"/> Harris, Cheyanne	Brown & Caldwell
<input checked="" type="checkbox"/> Herrin, Jeff	AECOM

Reservoir Committee Attendance

May 20, 2022

<input type="checkbox"/> Name	Representing
<input checked="" type="checkbox"/> Heydinger, Erin	HDR
<input type="checkbox"/> Katz, Sara	Katz & Associates
<input checked="" type="checkbox"/> Kivett, Marcia	Brown & Caldwell
<input checked="" type="checkbox"/> Doud, Alan	Young Wooldridge
<input type="checkbox"/> Leaf, Robert	Ch2m
<input checked="" type="checkbox"/> Luu, Henry	HDR
<input checked="" type="checkbox"/> McDonald C	CMD West
<input type="checkbox"/> Micko, Steve	Ch2m
<input type="checkbox"/> Maltby, Marcus	Brown & Caldwell

<input type="checkbox"/> Name	Representing
<input type="checkbox"/> Montague, Doug	Montague DeRose Assoc.
<input type="checkbox"/> Rossetto, Sarah	Katz & Associates
<input type="checkbox"/> Rude, Peter	Ch2m
<input checked="" type="checkbox"/> Spranza, John	HDR
<input type="checkbox"/> Traynham, Hailey	Brown & Caldwell
<input type="checkbox"/> Van Camp, Marc	MBK
<input checked="" type="checkbox"/> Warner Herson, Laurie	Phenix
<input checked="" type="checkbox"/> Westcot, Cathy	HDR

Other Attendees: *(Check box to have email address added to the distribution list)*

Name	Representing	Contact (Phone & E-mail)
Laura Nicholson	Senator Jim Nielsen's Office	<input type="checkbox"/>
Caitlin Nielsen	HDR	<input type="checkbox"/>
Lillian Xie	Valley Water	<input type="checkbox"/>
Brad Kuhn	Nossaman	<input type="checkbox"/>
Cindy Saks	SBVWMD	<input type="checkbox"/>
Keith Dunn	Dunn Consulting	<input type="checkbox"/>
Laynee Haywood -	HDR	<input type="checkbox"/>
Morgan Dennis –	HDR	<input type="checkbox"/>
Juleah Cordi –	Assemblyman Michael Gallagher's Office	<input type="checkbox"/>
		<input type="checkbox"/>
Israel Sotelo	Senator Jim Nielsen's Office	<input type="checkbox"/>