



Reservoir Committee & Authority Board

May 17, 2024

Authority Board Chair: Fritz Durst (Reclamation District 108)
 Authority Board Vice-Chair: Jeff Sutton (Glenn-Colusa Irrigation District)
 Reservoir Committee Chair: Mike Azevedo (Colusa County)
 Reservoir Committee Vice-Chair: Robert Kunde (Wheeler Ridge-Maricopa Water SD)
 Treasurer: Jamie Traynham (Davis Water District)

MINUTES

CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Chair Durst called the Authority Board (AB) and Reservoir Committee (RC) Meeting to order at 9:02 a.m., followed by a Roll Call and the Pledge of Allegiance.

ROLL CALL/ATTENDANCE:

Authority Board: 7 members in attendance, resulting in a quorum.

Reservoir Committee: 19 representatives (91.12%) in attendance, resulting in a quorum.

INTRODUCTIONS:

The Sites staff, consultants and public members in the building introduced themselves.

AGENDA APPROVAL:

ACTION RC: Moved by Mr. Vanderwall, second by Vice-Chair Kunde to approve May 17, 2024, meeting agenda. **Motion carried unanimously.**

ACTION AB: Moved by Director Evans, seconded by Director Sutton, to approve May 17, 2024, meeting agenda. **Motion Carried: All Directors present voted yes.**

Director Sutton joined at 9:10.

ANNOUNCEMENT OF CLOSED SESSION:

General Counsel (GC) Doud announced that the Authority Board of Directors and the Reservoir Committee Members would consider matters 5.1 through 5.3 in closed session.

PERIOD FOR PUBLIC COMMENT:

Chair Durst called for a period of public comment.

Mr. Cruz, North California’s Carpenters Union, commented on Item 3.3, emphasizing the importance of using local contractors who provide benefits. He also mentioned the apprenticeship program and shared a personal story about its value.

1. CONSENT AGENDA:

- 1.1 Reservoir Committee and Authority Board consider approval of April 19, 2024, Reservoir Committee and Authority Board Meeting Minutes.
- 1.2 Reservoir Committee and Authority Board consider acceptance of the Sites Project Authority Treasurer’s Report.
- 1.3 Reservoir Committee and Authority Board consider approval of the Sites Project Authority Payment of Claims.
- 1.4 Reservoir Committee and Authority Board consider acceptance of the Sites Project Authority’s First Quarter 2024 Budget Year Quarterly Financial Report. **(Attachment A)**

ACTION RC: Mr. Cheng moved, seconded by Mr. Vanderwall, to approve Consent Agenda Items 1.1 through 1.4 for the Authority Board’s consideration. The **motion carried unanimously.**

ACTION AB: Director Evans moved, seconded by Director Sutton, to approve Consent Agenda items 1.1 through 1.4 **Motion carried: All Directors present voted yes.**

Chair Durst thanked Staff on the Quarterly Report.

2. ACTION ITEMS:

- 2.1 Authority Board consider approval the Tax Related Reimbursement Resolution. **(Attachment A)**

ED Brown introduced the item regarding this standard approach for public agencies that are receiving tax-exempt debt.

Mr. Thomas stated that it is a common practice among public agencies to provide the option to reimburse the Authority for construction expenditures. Land purchase is a construction expenditure. This resolution will allow us to purchase land and then reimburse for the expense and repay, with interest,

over time. It is clear in the resolution that we do not have to use this option. The decision can be made in the future.

Vice-Chair Kunde discussed the exhibit to the resolution is not specific to the reimbursement. Mr. Thomas said the staff was as general as possible for the most flexibility. Any construction expense up to \$100 million could be reimbursed. By stating “the project” is all-inclusive, typical for large projects.

Mr. Vanderwaal asked how this would impact the discussions with the counties where the work occurs. ED Brown clarified that it does not impact those discussions. This is regarding the project's debt financing.

The resolution was modified by adding the requested clarification of the Authority's option but not the requirement to reimburse for past expenses.

Mr. Tincher joined at 9:19.

ACTION RC: Mr. Vanderwaal moved, seconded by Vice-Chair Kunde, to approve amended item 2.1. **Motion carried unanimously.**

ACTION AB: Director Jones moved, seconded by Director Sutton to approve amended item 2.1. **Motion carried: All Directors present voted yes.**

3. DISCUSSION AND INFORMATION ITEMS:

3.1 Review and comment on the status of the Operations Plan, Version 2.0 preparation.

Ms. Bezzone identified that, as part of the water right hearing process, Staff committed to providing a draft version 2.0 of the Operations Plan to the hearing parties on May 24, 2024. This draft version 2.0 will focus on Project diversions, storage and releases.

On July 1, 2024, a revised draft (version 2.1) will be submitted to the Operations & Engineering (O&E) Workgroup. The draft will focus on more details on member activities and will be circulated with revised Section 4 and Section 8 of the Benefits and Obligations Contract. O&E Workgroup Members will be asked to review and comment by July 19, 2024, with a target date for the RC/AB approval on August 16, 2024.

Vice-Chair Kunde stated the O&E is actively engaged with Staff.

Ms. Bezzone confirmed to Chair Durst that the document is a living document in response to his question.

Chair Durst suggested to the participants that they should keep themselves updated on the document and keep their agencies informed.

Ms. Traynham joined at 9:37.

3.2 Review and comment on the draft contracting strategy for terrestrial biological mitigation.

Ms. Forsythe reviewed the contracting strategy process, including an overview of the planning principles, workshop and one-on-one feedback meetings with industry representatives. In addition, Staff completed a review of other mitigation projects and contracts. The terrestrial biological mitigation strategy will align with the July 2022 Construction Contracting Strategy.

Staff identified that through this effort, it appears to be in the best interest of the Authority to engage a single prime contractor. This approach will foster a long-term partnership, facilitate centralized communication and outreach with landowners and agencies, ensure continuity, and deliver other inherent benefits.

Ms. Forsythe discussed the solicitation of qualifications with an overall contract with multiple subcontracts. The first task would focus on the implementation plan to establish goals, conduct a regional assessment, and develop an approach to implementation.

Other considerations include the mitigation contractor's responsibility for success criteria, the Authority as the long-term landowner for new fee title purchases on a case-by-case basis, and the mitigation contractor's responsibility for preparing necessary follow-on CEQA/NEPA and permits for mitigation actions.

Chair Azevedo stated that he is pleased with the qualification approach. The Project has already seen entities approach property owners. Director Evans suggested that a potential incentive could be that if a company has already approached a landowner, they are not allowed to participate.

Vice-Chair Kunde asked if the mitigation was local, regional or national. Ms. Forsythe clarified that the geographical area has not been defined at this stage. We will work through this with the agencies.

Chair Durst asked if the fee title would be for the purpose of stacking easements. In response, Ms. Forsythe indicated that the intended purpose is to stack multiple requirements into the same mitigation lands, facilitating access

in the future, providing various local community benefits, and potentially serving other mitigation needs.

Ms. Forsythe concluded by reviewing the next steps for seeking more feedback on the draft strategy and refining and preparing the final strategy.

Mr. Cheng asked about the consequences if the contractor fails to comply with permitting agencies. Ms. Forsythe stated that the Authority is ultimately responsible. Staff will be closely involved to ensure the contractor's progress.

- 3.3 Review and comment on the approach being discussed with Colusa, Glenn and Yolo counties to 1) address County road repairs, improvements, and building of new roads within the project footprint and 2) identify the various permits and approvals needed from the three counties prior to initiating construction.

ED Brown discussed the roads and permitting approvals necessary for the counties. The roads affected are listed in the attachments to the staff report. The Project will create new roads or repair or improve existing roads. We will ensure the roads are maintained during the seven-year construction period. Two roads will enter and exit the primary reservoir and pump station project work areas. Staff have relocated the traffic off of Maxwell's Oak Street at the request of the Local Community Working Group.

Regarding the Dunnigan pipeline, the Project will affect very few existing roads and not result in many new roads, primarily repairing roads and improving crossings is the work scope for this work area.

For permits, while water districts maintain exemption from county and land use permitting requirements, and many project activities are conditioned on receiving permits from the county. In the development agreement, we are trying to identify that the permits will conform to the counties' codes, ordinances and conditions and be issued by the counties in a manner to support efficient project delivery.

Mr. Vanderwaal asked if we had any discussion with any landowners in Dunnigan on the road use. The project team has not but the impacts of the project on the roads in the area should be minimal. There have been several discussions with Yolo County staff and public works staff.

ED Brown concluded that the new roads will be identified in the Development Agreement but a separate agreement with the appropriate County will need to occur later to cover ownership transition to the County. Also, the new bridge over the reservoir is envisioned to be turned over to Colusa County.

Director Evans commented that it goes smoother if the staff proactively engages with landowners on road use.

Chair Azevedo commented that from his public works perspective it is a better approach to not to try and identify who is damaging the roads. Instead, the Project should acknowledge it will seriously damage the roads and will have to make repairs.

3.4 Receive an update on the activities related to implementing the Reservoir Construction Management At Risk (CMAR) contracting strategy and process.

Mr. Kivett introduced the item and mentioned Staff held a robust discussion at the O&E Workgroup. He overviewed the meaning of CMAR and its difference from other contracting methods. The Authority will select based on quality and qualifications rather than solely on price. The Project will hire a contractor that meets the Authority's values. There are two phases: preconstruction, when the contractor will work with the designers hand in hand, and the second phase is going into construction. For construction, the Authority will amend the Phase 1 contract with a guaranteed maximum price (GMP), which sets the maximum cost for the defined scope of construction.

Mr. Kivett reviewed the organizational chart under construction with adding positions for an Environmental Compliance Manager and Community Liaison. Then introduced Ms. Stanley, Golden Gate Dam Project Manager and continued with the positions of the chart. Mr. Kivett explained more about the GMP, self-perform vs. subcontracted work. He mentioned that goals will be established for local hiring in the CMAR agreement and that the Authority is engaging with BBK on how to approach incorporating these goals into labor agreements.

Mr. Robinette reviewed the budget, schedule and contract authority. Based on this scenario all of the contract authority could be in place by early in year three of construction. This would mean the Project could have all of the work contracted out, and the total construction cost would be known. You could have the GMP in place by the year 2028.

Mr. Cheng reflected on the needs to match show the construction cash flow relative to the timing of Participants debt repayments using the Statement of Charges approach. ED Brown stated that the Board has not yet determined whether to capitalize interest and how this could affect debt repayment. It may be that nothing is needed on the statement of charges until the operations phase, which is more about 2032 and beyond.

4. REPORTS:

4.1 Chairpersons' Reports:

Chair Durst attended the Association of California Water Agencies (ACWA) conference and extended congratulations to the team for their exemplary work. Mentioned the need to have our Reservoir Committee and Authority Board bring back information to their agencies abreast of the project. Vice Chair Sutton agreed.

4.2 Committee & Workgroup Chairpersons' Reports:

Vice Chair Kunde reported on the two Operations & Engineering Workgroup meetings. The first one was for details of operations that Ms. Bezzone presented earlier in this meeting. Requested another special operations meeting for June. The second meeting had low attendance. This discussion contained an excellent presentation of the 30% design. Presentations on the Reservoir and conveyance packages, detailed presentation on CMAR and an independent review of the cost estimate.

Director Evans mentioned we will have a Local Community Work Group and Land Management Committee meeting in June.

Vice-Chair Sutton announced the upcoming DC trip for May 20, 2024, and invited interested individuals to participate. Furthermore, a Legislative & Outreach Committee meeting is planned for June.

Ms. Traynham announced the 2023 Audit has started.

4.2 Authority Board & Reservoir Committee Participant Reports:

Mr. Tincher announced his retirement and that this was his last meeting.

4.3 Additional Participant Reports:

None.

4.4 Executive Director's Reports:

Executive Director Brown spoke to the following:

- Will send a link to Governor Newsom's remarks at ACWA General Session – very positive to getting built Sites built.
- Revised state budget: Sites is participating with other Prop 1 projects in the discussions around a Climate Bond.
- The Environmental Defense Fund received the grant to look at the Environmental Water Manager as the way for the state to manage their Prop. 1 fund.
- Staff is going on a quarterly schedule report.

Chair Durst declared a recess at 10:46 a.m. and convened into Closed Session.

. CLOSED SESSION:

5.1 Conference with legal counsel regarding existing litigation (Gov. Code §§54956.9(d)).

Friends of the River, et al. v. Sites Project Authority, et al., Yolo County Superior Court, Case No. CV2023-2626

5.2 Negotiations concerning water right permit terms and conditions (Govt. Code §54956.9(c) and §54956.9(d)(4) 2 items).

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

Property: Various parcels comprising the Sites Reservoir and related facilities.

Agency Negotiators: Jerry Brown

Negotiating Parties: Colusa County, Glenn County, Yolo County

Under Negotiation: Price and terms of payment

Chair Durst adjourned Closed Session at 11:55 a.m. and reconvened into Open Session.

6. REPORT FROM CLOSED SESSION:

GC Doud stated that no reportable action was taken on Closed Session matters.

7. RECAP:

7.1 Suggested Future Agenda Items.

7.2 Upcoming Meetings:

Reservoir Committee & Authority Board

Friday, June 21, 2024 (9:00 am to noon)

Chair Durst adjourned the Joint Reservoir Committee and Authority Board Meeting at 12:00 p.m.

Fritz Durst, Authority Board Chair

Mike Azevedo, Reservoir Committee Chair

Marcia Kivett, Board Clerk

Current Voting Committee Participants (22):

	%	Participant		%	Participant
<input checked="" type="checkbox"/>	3.47	American Canyon, City	<input type="checkbox"/>	2.57	LaGrande WD
<input type="checkbox"/>	2.42	Antelope Valley-East Kern WA	<input checked="" type="checkbox"/>	17.29	Metropolitan WD
<input checked="" type="checkbox"/>	5.28	Coachella Valley WD	<input checked="" type="checkbox"/>	3.47	Reclamation District 108
<input checked="" type="checkbox"/>	5.28	Colusa County	<input checked="" type="checkbox"/>	2.42	Rosedale-Rio Bravo WSD
<input checked="" type="checkbox"/>	5.05	Colusa County WD	<input checked="" type="checkbox"/>	8.70	San Bernardino Valley MWD
<input checked="" type="checkbox"/>	2.41	Cortina WD (1)	<input checked="" type="checkbox"/>	6.48	San Geronio Pass WA
<input checked="" type="checkbox"/>	2.87	Davis WD	<input checked="" type="checkbox"/>	2.42	Santa Clara Valley WD
<input checked="" type="checkbox"/>	4.22	Desert WA	<input checked="" type="checkbox"/>	3.77	Santa Clarita Valley WA
<input checked="" type="checkbox"/>	3.17	Dunnigan WD	<input type="checkbox"/>	3.89	Westside WD
<input checked="" type="checkbox"/>	3.77	Glenn-Colusa ID	<input checked="" type="checkbox"/>	3.19	Wheeler Ridge-Maricopa WSD
<input checked="" type="checkbox"/>	2.57	Irvine Ranch WD	<input checked="" type="checkbox"/>	5.28	Zone 7 WA
				100.00	Total

16 Voting members represented at the start of the meeting-

73.64% Represented participation percentage.

Representation has been delegated as follows:

(1) Proxy to Jamie Traynham, Davis WD

(‡) Not present after _____

Current Voting Authority Board (9)		Primary		Alternate
Colusa County	<input checked="" type="checkbox"/>	Gary Evans	<input type="checkbox"/>	Mike Azevedo
Colusa County Water District	<input type="checkbox"/>	Joe Marsh	<input type="checkbox"/> <input checked="" type="checkbox"/>	Hal Charter Shelly Murphy
Glenn County	<input type="checkbox"/>	Thomas Arnold	<input type="checkbox"/>	Jim Yoder
Glenn-Colusa Irrigation District	<input checked="" type="checkbox"/>	Jeff Sutton	<input checked="" type="checkbox"/>	Logan Dennis
Reclamation District 108	<input checked="" type="checkbox"/>	Fritz Durst	<input type="checkbox"/> <input type="checkbox"/>	Sean Doherty Hilary Reinhard
Placer County Water Agency	<input type="checkbox"/>	Gray Allen	<input type="checkbox"/>	Scott Alvord
Tehama-Colusa Canal Authority	<input checked="" type="checkbox"/>	Jim Jones	<input type="checkbox"/>	Halbert Charter
City of Sacramento	<input checked="" type="checkbox"/>	Lisa Kaplan	<input checked="" type="checkbox"/> <input type="checkbox"/>	Anne Sangar Brett Ewart
Westside Water District	<input checked="" type="checkbox"/>	Doug Parker	<input type="checkbox"/>	Zach Dennis

Associate Members (non-voting)		Primary		Alternate
Western Canal Water District	<input checked="" type="checkbox"/>	Greg Johnson	<input checked="" type="checkbox"/>	Ted Trimble
Zone 3	<input checked="" type="checkbox"/>	Mike Urkov	<input checked="" type="checkbox"/>	Wendy Tyler

Non-Voting Committee Participants (2)		Primary		Alternate/Other
Department of Water Resources	<input checked="" type="checkbox"/>	Rob Cooke	<input checked="" type="checkbox"/>	Jagruti Maroney
Bureau of Reclamation	<input type="checkbox"/> <input checked="" type="checkbox"/>	Adam Nickels Allison Jacobson	<input type="checkbox"/> <input checked="" type="checkbox"/>	Don Bader Natalie Taylor

Current Voting Reservoir Committee (22)		Primary		Alternate
American Canyon, City	<input checked="" type="checkbox"/>	Jason Holley	<input type="checkbox"/>	
Antelope Valley-East Kern WA	<input type="checkbox"/>	Matt Knudson	<input type="checkbox"/>	
Coachella Valley Water District	<input checked="" type="checkbox"/>	Robert Cheng	<input checked="" type="checkbox"/>	Petya Vasileva
Colusa County	<input checked="" type="checkbox"/>	Mike Azevedo	<input type="checkbox"/>	Gary Evans
Colusa County Water District	<input type="checkbox"/>	Halbert Charter	<input checked="" type="checkbox"/>	Shelly Murphy
Cortina Water District	<input type="checkbox"/>	Jim Peterson	<input type="checkbox"/> <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 type="checkbox"/>	Steve Johnson	<input checked="" type="checkbox"/>	David Tate Esther Saenz
Dunnigan Water District	<input checked="" type="checkbox"/>	Bill Vanderwaal	<input type="checkbox"/>	
RD 108	<input checked="" type="checkbox"/>	Bill Vanderwaal	<input type="checkbox"/>	Lewis Bair
Glenn-Colusa Irrigation District	<input checked="" type="checkbox"/>	Greg Krzys	<input type="checkbox"/>	
Irvine Ranch Water District	<input checked="" type="checkbox"/>	Paul Weghorst	<input checked="" type="checkbox"/>	Kellie Welch
LaGrande Water District	<input type="checkbox"/>	Zach Dennis	<input type="checkbox"/>	
Metropolitan Water District	<input checked="" type="checkbox"/>	Randall Neudeck	<input type="checkbox"/> <input checked="" type="checkbox"/>	Nina Hawk Sam Smalls
Rosedale-Rio Bravo Water District	<input checked="" type="checkbox"/>	Trent Taylor	<input type="checkbox"/>	Dan Bartel
San Bernardino Valley Water District	<input checked="" type="checkbox"/>	Bob Tincher	<input type="checkbox"/>	Heather Dyer
San Geronio Pass Water Agency	<input type="checkbox"/>	Lance Eckhart	<input type="checkbox"/> <input type="checkbox"/>	Thomas Todd Emmett Campbell
Santa Clara Valley Water District	<input type="checkbox"/>	Cindy Kao	<input checked="" type="checkbox"/>	Katherine Maher
Santa Clarita Valley Water Agency	<input type="checkbox"/>	Steve Cole	<input type="checkbox"/>	Ali Elhassan
Westside Water District	<input type="checkbox"/>	Allen Myers	<input type="checkbox"/>	
Wheeler Ridge-Maricopa Water Storage District	<input checked="" type="checkbox"/>	Rob Kunde	<input type="checkbox"/>	Sheridan Nicholas
Zone 7 Water Agency	<input type="checkbox"/>	Valerie Pryor	<input checked="" type="checkbox"/>	Lillian Xie

Authority, Non-Signatory (6)		Primary		Alternate
PCWA	<input type="checkbox"/>	Ed Horton	<input type="checkbox"/>	Ben Barker
Roseville	<input checked="" type="checkbox"/> <input type="checkbox"/>	George Hanson Joshua Alpine	<input type="checkbox"/> <input type="checkbox"/>	Sean Bigley Darin Reintjes
Sacramento County	<input type="checkbox"/>	Kerry Schmitz	<input type="checkbox"/>	Mike Peterson

Sites Project Authority:

<input checked="" type="checkbox"/>	Jerry Brown	<input checked="" type="checkbox"/>	Ali Forsythe	<input checked="" type="checkbox"/>	Kevin Spesert
<input checked="" type="checkbox"/>	JP Robinette	<input checked="" type="checkbox"/>	Joe Trapasso	<input checked="" type="checkbox"/>	Marcia Kivett
<input checked="" type="checkbox"/>	Alan Doud				

Members of the Public

<i>Name</i>	<i>Representing</i>	<i>Name</i>	<i>Representing</i>
Melissa Vignau	USBR	Matthew Carpenter	Stantec
Brian Thomas	Sites Project	Ashley Stanley	HDR
Jeff Kivett	Brown & Caldwell	Kyle Hughes	Public
Juleah Cordi	Office of Assembly Member James Gallagher	Richard Cruz	Nor Cal Carpenters Union
Sarah Katz	Katz & Associates	Scott Brown	LWA
Cheyenne Harris	Brown & Caldwell	Grace Lui	Gfnet
Henry Luu	HDR	Conner McDonald	CMD West
John Spranza	HDR	Darrel Lowe	Res
Laurie Warner Herson	Phenix	Andrea Rocha	Geo Engineers
Jessica Sikora	Bureau	Haze Rodgers	Blackburn Consulting
Josh Dowell	Westside WA	Charlene Sun	Valley Water
Angela Bezzone	Sites/MBK	Steve Geiger	Colusa County
Chuck Adamson	Operating Engineers Local 3	Elizabeth Foss	Zone 7
Marcus Maltby	Brown & Caldwell	916-825-0727	
Christy Scofield	Local Resident	916-701-3226	
Steve Grasha	DWA	Brian Herrera	Forgen
Keith Johnson	Delve Underground	Jim Bowley	MWH Constructors
Josepha Miller	Montague DeRose	Richard Welsh	Public
Jeriann Alexander	Fugro	Jordan Gobel	Dewberry
Alex Shafer	Materra	Donald Blackburn	Black Burn Consulting
Ryan Shaw	WMWD	Doug Brown	Stradling Law
Itzia Rivera	CWC	Daniel Marino	One Atlas
Douglas Montague	Montague DeRose	Monique Briard	ICF

Members of the Public

<i>Name</i>	<i>Representing</i>	<i>Name</i>	<i>Representing</i>
Desi Dikova	Brierley Associates	Brian Kirwan	AMESCO
June Hayes	SBMWD	Richard Turkson	Obayashi
Ping Liu	Flatiron Corp	Tony Orozco	
Louis Jarvis	GCID	Sam Savercool	Sun Belt Rentals
Jordon Navarrot	RD108	Jillian Smith	Teicher
Eric Patterson	Kiewit	Douglas McDonald	Unknown
Llanos Brasa Fuentes	Acciona	Shane McCarthy	Aecon
Michael Smith	AECOM	Jose Gutierrez	WWD
Travis Kraupa	Dragados	Andres Trauttmansdorff-Weinsberg	Delve Underground
Pamela Katleba-Jenkins	Unknown	David Morgan	Rep. LaMalfa's Office
Peter Nelson	Wonderful	Claudia Bolanos	Palmdale Water
Brian Haber	RMA Companies	Pete Rude	Jacobs
Andrew Holmquist	Tutor Perini	Rob Shackelford	Dewberry