



Website: SitesProject.org

Reservoir Committee & Authority Board

April 18, 2025

Authority Board Chair: Fritz Durst (Reclamation District 108)
Authority Board Vice Chair: Jeff Sutton (Tehama-Colusa Canal Authority)
Reservoir Committee Chair: Robert Kunde (Wheeler Ridge-Maricopa Water Storage District)
Reservoir Committee Vice Chair: Jordan Navarrot (RD108 & Dunnigan Water District)
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 the hour of 9:01 a.m., followed by Roll Call and the Pledge of Allegiance.

ROLL CALL/ATTENDANCE:

Authority Board: 8 members in attendance, resulting in a quorum.

Reservoir Committee: 17 representatives (82.72%) in attendance, resulting in a quorum. Ms. Kaplan arrived at 9:34 a.m.; Vice Chair Sutton arrived at 10:10 a.m.

INTRODUCTIONS:

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

AGENDA APPROVAL:

Executive Director (ED) Brown noted that Item 1.7 on the Consent Agenda should be pulled for separate consideration due to a financial adjustment; and 5.2 will be removed from the agenda as it is no longer needed.

ACTION RC: Moved by Mr. Plinski, seconded by Ms. Murphy, to approve the April 18, 2025, meeting agenda as amended. **Motion carried unanimously.**

ACTION AB: Moved by Director Vanderwaal, seconded by Director Allen, to approve the April 18, 2025, meeting agenda as amended. **Motion Carried: All Directors present voted yes.**

ANNOUNCEMENT OF CLOSED SESSION:

Authority Board & Reservoir Committee Meeting

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General Counsel (GC) Doud announced the Authority Board of Directors and the Reservoir Committee Members would consider Closed Session matters 5.1., as Item 5.2 had been removed.

PERIOD FOR PUBLIC COMMENT:

Chair Durst called for a period of public comment. Hearing no comments, Chair Durst closed the public comment period.

1. **CONSENT AGENDA:**

Vice Chair Navarrot asked for a motion to approve the consent agenda with Item 1.7 removed.

ACTION RC: It was moved by Ms. Traynham, seconded by Ms. Pryor, to approve all items except for Item 1.7 on consent agenda. **Motion carried unanimously.**

ED Brown reported on an amended recommendation for Item 1.7, "Allocation from unrestricted contingency to be paid as a Commercial Readiness Deposit to satisfy the California Independent System Operator Interconnection application requirement." He explained that the escrow account fee was not included in the financials, and recommended an allocation amount of \$212,000, rather than \$207,000, to reflect the inclusion of the account fee.

ACTION RC: It was moved by Mr. Cheng, seconded by Mr. Eckhart, to approve Item 1.7 as amended. **Motion carried unanimously.**

ACTION AB: It was moved by Director Vanderwaal, seconded (inaudible), to approve the consent agenda, including Item 1.7 as amended. **Motion carried unanimously.**

- 1.1 Reservoir Committee and Authority Board consider approval of March 21, 2025, Reservoir Committee and Authority Board Meeting Minutes. **(Attachments A & B)**
- 1.2 Reservoir Committee and Authority Board consider acceptance of the Sites Project Authority Treasurer's Report. **(Attachments A & B)**
- 1.3 Reservoir Committee and Authority Board consider approval of the Sites Project Authority Payment of Claims. **(Attachments A & B)**
- 1.4 Reservoir Committee and Authority Board consider approval of a task order amendment with CH2M (Engineering-Conveyance) for additional cost estimating services in the amount of \$309,534, increasing the total task order amount from \$11,945,980 to a revised total not exceed of \$12,025,667 for the period of January 1, 2022 through December 31, 2025. There is no impact on the 2025 approved Budget.

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- 1.5 Reservoir Committee and Authority Board consider approval of a task order amendment with AECOM (Engineering-Reservoir) for additional cost estimating services and fencing construction documents in the amount of \$207,549, increasing the total task order amount from \$13,683,795 to a revised not exceed of \$13,891,344 for the period of January 1, 2022, through December 31, 2025. There is no impact on the 2025 approved Budget.
- 1.6 Reservoir Committee and Authority Board consider approval of the newly formed Participation Ad Hoc Subcommittee Charter. **(Attachment A-F)**
- 1.7 Reservoir Committee and Authority Board consider approval of the allocation of \$207,000 from unrestricted contingency to be paid as a Commercial Readiness Deposit to satisfy the California Independent System Operator Interconnection application requirement. This deposit is refundable if application is withdrawn.

2. ACTION ITEMS:

- 2.1 Reservoir Committee and Authority Board consider approval of the Final Construction Workforce Policy that establishes the Authority's expectations for Project Labor Agreements, workforce utilization, and other factors of importance to the Local Community. **(Attachment A &B)**

Mr. Robinette's report included the policy process thus far, including updates to the policy draft and issuing a final draft. He explained the components of the current version which have gone through multiple rounds of feedback. The newest version changes include adding Yuba County to the local area definition, a provision for temporary housing, and a provision for agricultural considerations. He noted the main implementation mechanism for the policy will be the construction contracts.

Mr. Cheng asked if the Reservoir Committee will be a part of negotiations and Mr. Robinette said there will be a collaborative relationship with the Construction Management at Risk ("CMAR,") but negotiations will be between the contractors and labor.

Mr. Robinette noted there are alternative delivery projects where the policy would not apply.

Regarding a question about the temporary housing provision, ED Brown noted it was included as a response to feedback received from the local working group. Regarding potential temporary housing taxes that may be triggered, ED Brown said the County is involved and will be consulted regarding impacts to Land Use.

ACTION RC: It was moved by Mr. Azevedo, seconded by Mr. Eckhart to recommend approval of agenda item 2.1 to the Authority Board. **Motion carried unanimously.**

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ACTION AB: It was moved by Director Evans, seconded by Director Murphy to approve agenda item 21. **Motion carried unanimously.**

- 2.2 Reservoir Committee and Authority Board consider accepting the Evaluation Committee recommendation of the Reservoir Construction Manager at Risk statements of qualifications deemed best qualified to continue in the procurement process and be requested to submit proposals.

ED Brown explained that this item is related to the next step in selecting the CMAR. Mr. Robinette reviewed the recommended short listed contractors and associated key subcontractors, and said staff recommends advancing three of the firms to the next step in the process, which is the Request for Proposals. The three firms he mentioned are Barnard, Flatiron Dragados-Obayashi, and Kiewit.

Mr. Robinette reviewed the process thus far to find qualified contractors, and the basis and elements used for determining the recommended short list. He explained the anticipated procurement schedule which includes the recommended approval of the short list and the steps following the due date for the proposals.

In response to questions regarding those firms that advanced to the short list, Mr. Robinette said the contract strategy is tied to the Project's values that were determined in 2022, related to risk mitigation.

ED Brown noted the group that was assembled to make the short list selections was diverse with individuals representing agencies on the Committee and Board, and outside individuals with unique perspectives.

ACTION RC: It was moved by Mr. Plinski, seconded by Mr. Azevedo to recommend approval of agenda item 2.2 to the Authority Board. **Motion carried unanimously.**

ACTION AB: It was moved by Director Evans, seconded by Director Murphy to approve agenda item 2.2. **Motion carried: All Directors present voted yes.**

3. **DISCUSSION AND INFORMATION ITEMS:**

- 3.1 Receive and comment on the preliminary draft final project contract documents (dated April 2025) including the Benefits & Obligations Contract, updated Bylaws, and amended and restated Joint Powers Agreement. Receive a status report on payment methods from representative Board members. (Attachment A - F)

ED Brown made opening comments related to this item, noting that as agencies move toward investor commitment and determining if they will be signing on to participate, it will be important to continue to pay close attention to the contract documents.

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Mr. Robinette reviewed the four key components related to this item. These are Governance, Default Waterfall, Downstream Capacity, and Conditions Precedent of Construction. He gave a brief overview of each component.

Mr. Robinette said that in the B&O contract, it is proposed that there be a cumulative total amount of funds to include various events. Once that amount is expended, there would need to be a passage of a resolution that necessitates a super-majority vote.

In preparation for this item, ED Brown said he asked various Reservoir Committee members to speak about their payment provisions and approaches. Mr. Weghorst, Ms. Pryor, Mr. Smalls, Mr. Plinski, and Mr. Urkov all made comments about various payment methodologies and what they are discussing with their respective home boards, such as paying through funds raised via fees and rates or tax revenue collection or implementing a "pay-go" option.

ED Brown said the Project would like to know what the participation recommendations to home boards will be in July, and Mr. Robinette said Sites would like to know how home boards intend to pay by the start of investor commitment escrow, in August 2025.

In response to a question from Chair Durst regarding the State Water Project statement of charges, Mr. Robinette said there will be different statements for different areas and each participant will receive their own unique invoice. Chair Durst asked if the Water Infrastructure Finance and Innovation Act loan will be shared by everyone on the Reservoir Committee and Mr. Robinette said there will be a single plan of finance that is equitably shared with the multiple options the group is eligible for, unless the agency is in the pay-go group. He clarified that all groups are involved in the event of default.

Ms. Pryor noted there will likely be uncertainties all the way up to having to make a decision about commitment, and individual agencies will have to determine what uncertainties they can live with. Mr. Urkov said there seems to be continued uncertainty due to water rights.

Ms. Dyer asked about grant monies and how much of these monies are allocated for the total cost of the project, and ED Brown noted the funds that are being reallocated from Los Vaqueros Reservoir cannot be used to pay for the State's share of operations and maintenance.

Vice Chair Sutton said he would like to see definition of the process related to change orders.

3.2 Review and comment on the Construction Environmental Standards Program Manual.

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ED Brown said staff wanted to bring this item about the developing Construction Environmental Standards Program Manual to the attention of the group. He said the manual will go first through the Environmental Planning workgroup. He reported that standards across various contractors have been developed to verify and demonstrate compliance in permits. He noted he welcomed hearing feedback and to contact him should anyone have any questions.

3.3 Receive and comment on updated conditions precedent quarterly status report. (Attachments A & B)

ED Brown explained this item is related to Item 3.1 and goes through the last 18 months of Phase 2 (Planning) with a high-level flow of activities through project planning. He referred to a flowchart and explained it illustrates planning and budgeting, including what is expected to be received, cost amounts, how activities are paid for, and what the commitment is. The plan goes through 2025 and into 2026. ED Brown reviewed the budget check-in points. There are two Board workshops to review planning before going to the Board for a final commitment.

4. REPORTS:

4.1 Chairpersons' Reports:

None.

4.2 Committee & Workgroup Chairs' Reports:

Operations & Engineering: Mr. Robinette reported on behalf of Chair Kunde and said there were two value planning ad hoc committee meetings about how to add value and reduce costs. Upcoming meetings will deal with benefits. He also reported there was a special Operations and Engineering meeting to discuss flood control and downstream capacity topics.

4.3 Authority Board & Reservoir Committee Participant Reports:

Budget & Finance: Ms. Traynham said they will be issuing a Request for Proposals for an audit.

Outreach & Legislation: Vice Chair Sutton said that his board participated in a tour put on by Project staff and it created a lot of excitement. He said there is a meeting on April 23 and he encourages Committee members to participate.

4.4 Executive Director's Reports:

ED Brown reported:

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- The tour this month was great, and it reflected a lot of enthusiasm for the Project.
- The Cedars property has closed escrow and is the first in-Valley parcel. Next steps are clean up of the parcel and then demolition of the buildings for safety of the lot.
- There will be a pop-up gathering at the ACWA conference for Board and Committee members, and members of home boards.

5. CLOSED SESSION: 10:50 a.m.

- 5.1 Negotiations concerning water right permit terms and conditions (Govt. Code §54956.9(c) and §54956.9(d)(1)).

6. REPORT FROM CLOSED SESSION: 11:29 a.m.

Attorney Doud reported there was no action taken in Closed Session.

There was nothing further to report.

7. RECAP:

None.

7.1 Suggested Future Agenda Items.

None.

7.2 Upcoming Meetings:

Reservoir Committee & Authority Board

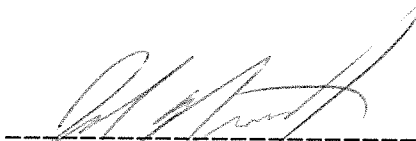
Day of Friday, May 16, 2025 (9:00 a.m. – noon)

Maxwell Project Office & Virtual

Chair Durst adjourned the Reservoir Committee and Authority Board Meeting at the hour of 11:30 a.m.



Fritz Durst, Authority Board Chair



Jordan Navarrot, Reservoir Committee Vice Chair

DocuSigned by:



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MJ Brown, Board Clerk