

SITES PROJECT AUTHORITY
P.O. Box 517
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MAXWELL, CALIFORNIA 95955
www.SitesProject.org

JERRY BROWN, EXECUTIVE DIRECTOR
925.260.7417

YOLANDA TIRADO, CLERK
530.438.2309
Boardclerk@SitesProject.org

Board of Directors

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

Associate Members (NON-VOTING)

GREG JOHNSON, WESTERN CANAL WATER DISTRICT
JAMIE TRAYNHAM, TC 4 DISTRICTS

October 21, 2020 1:30 p.m. Sites Project Authority MINUTES

CALL TO ORDER & ROLL CALL:

Chairman Durst called the meeting of the Sites Project Authority Board of Directors to order at the hour of 1:30 p.m., followed by the Pledge of Allegiance.

INTRODUCTIONS:

Chairman Durst asked those present to introduce themselves. **(Attachment A)**

AGENDA APPROVAL:

Chairman Durst made time to consider approval of the October 21, 2020 Sites Project Authority Agenda.

Ms. Traynham stated Agenda Item 6.2 Proposed Upcoming Meetings, the meeting day for the Authority Board should be Monday, November 23, 2020 not Wednesday, November 23, 2020.

Action: It was moved by Director Dennis, seconded by Director Evans to approve the October 21, 2020 Sites Project Authority Agenda, as corrected. Motion carried: All Directors present voted yes.

ANNOUCEMENT OF CLOSED SESSION:

Counsel Kuney announced the Authority Board of Directors would consider a Closed Session matter as follows:

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 §§54956.9(c), 54956.9(d)(4)).

PERIOD FOR PUBLIC COMMENT:

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

1. Consent Agenda:

Chairman Durst made time to consider Consent Agenda Item Numbers 1.1 through 1.5. and pulled from the Consent Agenda Item 1.1 the September 17, 2020 Joint Authority Board and Reservoir Committee Meeting Minutes to be considered separately.

Action: It was moved by Sutton, seconded by Evans to approve Consent Agenda Item Numbers 1.2 through 1.5, except for 1.1 as follows:

- 1.1 Consider approval of the September 17, 2020 Joint Authority Board and Reservoir Committee Meeting Minutes. **(Attachments A & B)**
- 1.2 Consider acceptance of the Sites Project Authority Treasurer's Report. **(Attachment A)**
- 1.3 Consider approval of the Payment of Claims. **(Attachments A & B)**
- 1.4 Consider acceptance of the 2021 Authority Board and Reservoir Committee Meeting Calendar. **(Attachment A)**
- 1.5 Consider authorization of the 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: All Directors present voted yes.

Chairman Durst made time to consider Consent Agenda Item Number 1.1, Joint Authority Board and Reservoir Committee Meeting Minutes. **(Attachments A & B)**

Chairman Durst requested clarification regarding Director Sutton's motion on page 3 of the September 17, 2020 Joint Authority Board and Reservoir Committee Meeting Minutes. Consent Number 1.5, revision to the Advance Check Approval Policy and whether the following language should have been part of the motion: "provided it was within the Budget."

Director Sutton stated that his motion did include the language "provided it was within the Budget"

Action: It was moved by Sutton, seconded by Evans to approve Consent Agenda Item Number 1.1, September 17, 2020 Joint Authority Board and Reservoir Committee Meeting Minutes, as amended. Motion carried: All Directors present voted yes.

2. Action Items:

- 2.1 Consider approval of the updated Consulting Contracts with Agents including Forsythe Group, Trapasso Consulting Services and Spesert Consulting. **(Attachment A)**

Mr. Brown provided a brief update of the Consulting contracts with Agents.

Chairman Durst inquired about Article 3, Status & Work Location within the contract and that no specific location was noted. Brief discussion followed.

Action: It was moved by Harris, seconded by Evans to approve the updated Consulting Contracts with Agents including Forsythe Group, Trapasso Consulting Services and Spesert Consulting, with terms and conditions as set forth in the contracts and authorize the Executive Director to sign. Motion carried: All Directors present voted yes.

- 2.2 Consider authorization for 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).

Action: It was moved by Director Evans, seconded by Director Dennis to authorize the Executive Director to approve the Sites Reservoir 2020/2021 Geotechnical Investigation and file a Notice of Exemption under the CEQA. Motion carried: All Directors present voted yes.

- 2.3 Consider authorization for 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 CDFW and spoke to the following:

- Key Takeaways.
- Statement of Work.
- Cost and Staff.
- Benefits to Sites Members.
- Recommended Action:
 - 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, who would be keeping track of same, cash-calls and bank financing.

Action: It was moved by Sutton, seconded Evans 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 \$1,500,00 through December 31, 2021 and authorize the Executive Director to sign.

- 2.4 Consider acceptance of 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)**

Mr. Brown stated 2.4 through 2.8 are related items and could be combined into one motion.

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.
- Local Cost Share Process Flow.
- Local Cost Share Schedule.
- Where Things are Covered?
- Cost Share Commitment Resources.
 - What do we get?
 - What does it cost us?
 - Storage and Supply Services contract term sheet.
 - 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.

Mr. Brown provided a brief update on the Updated Organizational Chart and two changes to same. Discussion followed.

Following discussion, Director Evans expressed concern regarding Environmental Permitting and will be contacting the principals involved.

Action: It was by Director Sutton, seconded by Director Dennis to approve Agenda Items 2.4 through 2.8 as follows:

- 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)**

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- 2.5 Approve the 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 and authorize the Executive Director to sign.
- 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 and authorize the Executive Director to sign.
- 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 and authorize the Executive Director to sign.
- 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 and authorize the Executive Director to sign.

Motion carried: All Directors present voted yes.

- 2.9 Consider authorization to execute 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)**

Mr. Brown informed the Authority Board of Directors that all participating members have received approval for their continued participation, with the exception of Santa Clara Valley. He spoke to new participant interests and available unsubscribed capacity shares.

Director Sutton questioned whether the 75% approval was of the whole Board or 75% of those Directors in attendance. Discussion followed, with the conclusion being that the 75% would need to be of the whole Board.

Counsel Kuney stated the Board has the option of holding a Special Board Meeting or continuing this matter until later in the day to allow time for more Board Members to arrive. Brief discussion followed, with this matter being continued to later this day.

- 2.10 Consider authorization to execute a 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.

Action: It was moved by Director Evans, seconded by Director Sutton to approve a 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 and authorize the Executive Director to sign. Motion carried: All Directors present voted yes.

- 2.11 Consider authorization 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.

Action: It was moved by Director Harris, seconded by Director Zach Dennis to approve 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: All Directors present voted yes.

- 2.12 Consider confirmation of 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.

Action: It was moved by Director Harris, seconded by Director Evans to confirm the level of service standards being used for the engineering feasibility analysis, which establishes criteria for operations related to diversion and conveyance into and out of the Sites Reservoir. Motion carried: All Directors present voted yes.

- 2.13 Consider approval of the 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. He also provided a brief overview of potential conflict areas for members. Brief discussion followed.

Action: It was moved by Director Zach Dennis, seconded by Director Evans to approve and submit the Revised Conflict of Interest Code to the FPPC. Motion carried: All Directors present voted yes.

2:55 p.m. Director Shelly Murphy, representing Colusa County Water District is now present.

- 2.9 Consider authorization to execute 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)**

Chairman Durst stated Director Murphy, representing, Colusa County Water District is now present and declares time to consider authorization to execute the project agreement and amendments with new participants including Irvine Ranch Water District and Rosedale-Rio Bravo Water Storage District, and, further authorizing the invoicing of these agencies upon completion.

Action: It was moved by Director Sutton, seconded by Director Harris to authorize execution of the project agreement and amendments with new participants Irvine Ranch Water District and Rosedale-Rio Bravo Water Storage District. Further, authorize invoicing these agencies upon completion, approximately December 1, 2020. Motion carried as follows:

AYES: Colusa County, Colusa County Water District, Glenn-Colusa Irrigation District, RD 108, Tehama-Colusa Canal Authority, City of Sacramento/Sacramento County Water Agency, Westside Water District.

NOES: None.

ABSTAIN: None.

ABSENT: Glen County Supervisor and Placer County Water Agency/City of Roseville.

3. Discussion and Information Items:

Mr. Brown provided a brief overview of the following matters:

- 3.1 Review and comment on flow-related regulatory decisions affecting the Sites Project permitting efforts and environmental legal requirements (**Attachments A & B**)
- 3.2 Review and Comment on the final report of Amendment 1B Work Plan Progress and expenditures. (**Attachment A**)
- 3.3 Receive a status update on Strategic Planning next steps.
- 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.

Brief discussion followed, with no action taken on any of the above-mentioned items.

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.

Chairman Durst provided a brief update on the various weekly meetings held with the Reservoir Committee and future scheduled meetings.

4.1.2 Committee Chairpersons' Report:

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

Budget and Finance Committee

Ms. Traynham stated invoices have gone out to those participants who signed their agreements and will start work on the Plan of Finance next.

Land Management Committee

Director Evans provided a brief update on meetings held regarding the following:

- TRR.
- Geological work approved (Holthouse).

Legislative & Outreach Committee

Director Sutton provided a brief update on the following:

- Sites visit by Lt. Governor Kounalakis.
- Working on setting up a meeting with OMB regarding the feasibility study.
- Continued efforts with Federal representation.

Mr. Spesert provided a brief update on the Sites video Blogs and also stated have plans for another townhall.

4.1.3 Authority Board 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 Report:

Mr. Brown provided an update on the following matters:

- Sites Project's monthly status report. **(Attachment A)**
- Work Progress Plan Reporting. **(Attachment B)**
- Action Items from Reservoir Committee and Board Meetings. **(Attachment C)**
- Lt. Governor Kounalakis visit of the Sites Project and discussions held.
- California Water Commission has two new Commissioners (Samantha Arthur and Alexander Makler).
- Report by Temperance Flats that they are shutting down their project. Brief discussion followed, with no action taken.
- As relates to Reclamation regarding the feasibility report are on track with OMB.

Chairman Durst declared a recess at 3:21 p.m. to convene into Closed Session to consider the following:

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 §§54956.9(c), 54956.9(d)(4)).

Chairman Durst adjourned Closed Session at 4:22 p.m. and reconvened into Open Session.

Report from Closed Session:

Counsel Kuney stated the Authority Board considered 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)), and no reportable action was taken.

6. **Future Meetings and Schedules:**

- 6.1 Suggested Future Agenda Items.

None.

- 6.2 **Proposed Upcoming meeting:**

RESERVOIR COMMITTEE

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

AUTHORITY BOARD

Monday, November 23, 2020 at 1:30 p.m.
(Virtual Information will be provided prior to the meeting.)

Chairman Durst adjourned the meeting at 4:24 p.m.



Fritz Durst, Chairman



Yolanda Tirado, Board Clerk

Topic: **Sites Reservoir Project**

2020 October 21

Subject: **Authority Board Meeting**

1:30 – 4:00 PM

Location: 122 West Old Highway 99, Maxwell, CA 95955

Attendance

Current Voting Authority Board Participants:

<i>Participant</i>	✓ <i>Representative</i>	✓ <i>Alternate</i>	<i>Others</i>
Colusa County	<input checked="" type="checkbox"/> Gary Evans	<input checked="" type="checkbox"/> Mike Azevedo	
Colusa County Water District	<input type="checkbox"/> Joe Marsh	<input type="checkbox"/> Doug Griffen	<input checked="" type="checkbox"/> Shelly Murphy
Glenn County	<input type="checkbox"/> Leigh McDaniel	<input type="checkbox"/> John Viegas	
Glenn-Colusa Irrigation District	<input checked="" type="checkbox"/> Logan Dennis	<input type="checkbox"/> Don Bransford	<input checked="" type="checkbox"/> Thad Bettner
Reclamation District 108	<input checked="" type="checkbox"/> Fritz Durst	<input type="checkbox"/> Sean Doherty	<input type="checkbox"/> Hilary Reinhard
City of Roseville / Placer County Water Agency	<input type="checkbox"/> Bruce Houdesheldt	<input type="checkbox"/> Joshua Alpine	
Tehama-Colusa Canal Authority	<input checked="" type="checkbox"/> Jeff Sutton	<input type="checkbox"/> Halbert Charter	
City of Sacramento / Sacramento County Water Agency	<input checked="" type="checkbox"/> Jeff Harris	<input type="checkbox"/> Brett Ewart <input type="checkbox"/> Ann Sanger	
Westside Water District	<input type="checkbox"/> Doug Parker	<input checked="" type="checkbox"/> Zach Dennis	

Associate Members (2 non-voting):

<i>Participant</i>	✓ <i>Representative</i>	✓ <i>Alternate</i>	<i>Others</i>
TC-4	<input checked="" type="checkbox"/> Jamie Traynham	<input type="checkbox"/> Tom Charter <input type="checkbox"/> Jason Holley	
Western Canal Water District	<input type="checkbox"/> Dwayne Chisam <input checked="" type="checkbox"/> Ted Trimble	<input type="checkbox"/> Greg Johnson <input type="checkbox"/> Dan Ruiz	

Non-Voting Committee Participants (2):

<i>Participant</i>	✓ <i>Representative/Other</i>	✓ <i>Alternate/Other</i>	
Dept of Water Resources	<input checked="" type="checkbox"/> Rob Cooke	<input type="checkbox"/> David Sandino	
	<input type="checkbox"/> Ajay Goyal	<input type="checkbox"/> Jim Wieking	<input type="checkbox"/> Dave Arrate
Bureau of Reclamation	<input type="checkbox"/> Richard Welsh	<input checked="" type="checkbox"/> Don Bader	<input type="checkbox"/> Chris Duke
	<input checked="" type="checkbox"/> Ryan Davis	<input type="checkbox"/> Derya Sumer	
	<input checked="" type="checkbox"/> Natalie Wolder	<input type="checkbox"/> Mike Mosley	<input type="checkbox"/> Shana Kaplan

Authority Board

2020 October 21

Authority, Non-Signatory (6):

<i>Participant</i>	<input checked="" type="checkbox"/> <i>Representative</i>	<input checked="" type="checkbox"/> <i>Alternate</i>
PCWA	<input checked="" type="checkbox"/> Ed Horton	<input type="checkbox"/> Ben Barker Darin Reintjes
Roseville	<input type="checkbox"/> Sean Bigley	<input type="checkbox"/> Trevor Joseph <input type="checkbox"/> Jason Marks
Sacramento County WA	<input type="checkbox"/> Kerry Schmitz	<input type="checkbox"/> Michael Peterson <input type="checkbox"/> William Busath

Staff:

<input checked="" 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"/> Spesert, Kevin	Sites Project Authority

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

Consultants:

<input checked="" type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Alexander, Jeriann Fugro	
<input checked="" type="checkbox"/> Boling, Robert	HDR
<input type="checkbox"/> Briard, Monique	ICF
<input type="checkbox"/> Floyd, Kim	Floyd
<input type="checkbox"/> Herrin, Jeff	AECOM
<input checked="" type="checkbox"/> Heydinger, Erin	HDR
<input checked="" type="checkbox"/> Katz, Sara	Katz & Associates

<input checked="" type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Kuney, Scott	Young Wooldridge
<input checked="" type="checkbox"/> McDonald, Conner	CMD West
<input checked="" type="checkbox"/> Luu, Henry	HDR
<input checked="" type="checkbox"/> Robinette, JP	Brown & Caldwell
<input type="checkbox"/> Spranza, John	HDR
<input checked="" type="checkbox"/> Warner Herson, Laurie	Phenix
<input checked="" type="checkbox"/> Westcot	Cathy

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

<i>Name</i>	<i>Representing</i>	<i>Contact (Phone & E-mail)</i>
Laura Nicolson	Office of Senator Jim Nielsen	
Juleah Cordi		
Charles Gardnier		
Garce Lui	Fugro	
Jonathan Williams		