

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, December 17th, 2020

2:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order remotely - Conference Access Information: Phone Number: (916)262-7278 Access Code: 1481527907 <https://meetings.ringcentral.com/j/1481527907>.

2. ROLL CALL

Board members in attendance were Richard Atwater, Tony Estremera, Sarah Palmer, and Steve Blois constituting a quorum of the Board.

DCA staff members in attendance were Kathryn Mallon, Joshua Nelson, Nazli Parvizi, Andrew Finney, and Katano Kasaine.

DWR staff member in attendance was Carrie Buckman.

3. PLEDGE OF ALLEGIANCE

President Richard Atwater convened the open session at approximately 2:00 p.m. and led all present in reciting the Pledge of Allegiance.

4. PUBLIC COMMENT

No public comment request were received for non-agendized items, President Atwater closed Public Comment.

5. APPROVAL OF MINUTES: November 19, 2020 Regular Board Meeting

Recommendation: Approve the November 19, 2020 Regular Board Meeting

Ms. Palmer provided edits to the November Board meeting minutes on Pg. 4, under verbal comments: The General Manager will execute the Joint Powers Agreement (JPA) and Zone 7 Water Agency will remain a member of the DCA.

Move to Approve Minutes as amended from November 19, 2020 as

Noted: Palmer
Second: Estremera
Yeas: Estremera, Palmer, Blois, Atwater
Nays: None
Abstains: None

Recusals: None
 Absent: None
 Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 20-12-01).

6. CONSENT CALENDAR

None.

7. DISCUSSION ITEMS:

a. DCA FY 2019/2020 Audit Report

Ms. Brianne Wiese, independent auditor, presented the results of the DCA audit for FY 2019/2020. An ‘unmodified (unqualified) opinion’ was issued, which is considered a clean opinion. An ‘emphasis of matter’ paragraph was included regarding funding for the DCA from the participating State Water Contractors (SWC). Also, included was an ‘other matters’ paragraph regarding the presentation of the financial statements on a cash basis of accounting. Aside from that, there were no matters to report.

Ms. Kasaine noted that since this audit was completed, all funding from the SWC has been approved.

Ms. Palmer asked if the ‘emphasis of matter’ paragraph included would affect the purchase of bonds. Ms. Wiese responded that she does not anticipate this. This area is resolved now due to the funding approval from the SWC member agencies. Ms. Kasaine clarified that at this time we will not be issuing any bonds for planning.

b. December DCA Monthly Report

Ms. Mallon referenced comments received from DWR on the draft Engineering Project Report (EPR) for the East and Central Alignments. A second draft of the EPR is expected to be completed by the end of January. Data tables and templates have been completed for the Bethany Alternative and comments from DWR are being implemented. A second draft of these documents expected to be completed by mid-January. Ms. Mallon mentioned that the project controls team is working with the contract managers and have completed processing nearly all of the budget and commitment changes to reflect the amended fiscal year 20/21 budget of \$27M.

c. DCA Leadership Spotlight – Andrew Finney, Geotech Lead

Mr. Finney has a Master of Science in Geotechnical Engineering, with 26 years of professional experience. He was the Global Technical leader for Trenchless design for CH2M/Jacobs. Most of his career has been focused on the water market. Mr. Finney began working on Delta Conveyance in 2010, participating on different iterations of the project. Mr. Finney has worked on other major projects including Freeport Regional Water Project (Intakes Facility), Los Angeles Metro (Westside Subway Extension Project Sec.1), City of Winnipeg (Cockburn/Calrossie Combined Sewer Relief Works), Eastern New Mexico Water Utility Authority (Ute Reservoir

Intake), Tarrant Regional Water District IPL (Lake Intakes and Pump Stations), & Colorado Springs Utilities (Southern Delivery System).

Mr. Finney is the Geotechnical Lead for the DCA, giving guidance on ground improvement, ground water cut off, settlement mitigation, and more. He addresses the beneficial use of recycled tunnel material (RTM) and engages with each facility team to find solutions. Mr. Finney is also the Field Work Lead where he offers technical leadership to the exploration team and right of way team to negotiate access to perform subsurface explorations. This provides the DCA with the data they need to evaluate the potential effects of the project. Key accomplishments for the DCA include leading outreach efforts to gather existing deep subsurface data and completing a geophysical test program to evaluate potential to reduce reliance on more invasive exploration methods. Additionally, the DCA has developed an alternative approach to the intake cofferdam construction and groundwater cutoff systems to reduce the need for in-river pile driving. The team has also developed rigorous seismic design guidelines.

Mr. Blois commented on the fascinating and accomplished career Mr. Finney has had.

Ms. Palmer commended Mr. Finney for being the face in the field.

d. Stakeholder Engagement Committee Update

Ms. Parvizi briefly discussed topics presented at the last SEC meeting including a deep dive into the Bethany alternative and traffic considerations. The DCA is coordinating efforts to meeting with folks from Mountain House who are located near the Bethany Reservoir. Ms. Parvizi referenced the community benefits presentation done by Ms. Janet Barbieri from DWR. There was significant discussion surrounding this topic. Ms. Parvizi emphasized the need for learning from other community benefits case study mistakes. The next SEC meeting will be on January 27th where this discussion will continue.

e. Stakeholder Engagement Report Out

Mr. Jim Wallace, SEC member representing Delta history and heritage, commented on the excellent presentations at the last SEC meeting regarding traffic and the Bethany Reservoir. Mr. Wallace expressed his concern about the community benefit program which avoids talking about the community benefit agreement document. He supports the agreement approach and recognizes this is preliminary but believes what was presented is not a robust conversation about community benefits. Mr. Wallace felt we need to find a way for grassroots organizations to participate, not solely stakeholders.

Ms. Palmer clarified that DWR plans to have the SEC be just one part of the outreach done for the community benefits program. Mr. Palmer noted we must understand and recognize that members are participating in this discussion despite their opposition to the project.

Mr. Estremera expressed his appreciation for Mr. Wallace's comments on the need for participation from community members versus only stakeholders. Ms. Parvizi agreed that there needs to be balance of getting all voices heard and needs to be a grass roots effort.

8. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

A written report was provided in the Board package. Mr. Nelson highlighted AB 992, a new law signed by the Governor taking into effect on January 1st. This clarifies that under the Brown Act it is omissible for public officials to use social media to discuss agency business. The law adds special rules for when public officials use social media, specifically if one Director posts something about the DCA, a second Director cannot respond to or like the posting. Mr. Nelson noted there will be a reconstituted Board, including a bylaw update that will be presented at the January Board meeting.

b. Treasurer's Report

A written report was provided in the Board package. Ms. Kasaine clarified there will be fluctuation in the cash balance due to DCA spending with anticipation of receiving payments. As of December 9th, there is a cash balance of \$671K.

c. DWR Environmental Manager's Report

A written report was provided in the Board package. Ms. Buckman mentioned the continuation of work on the Environmental Impact Report (EIR) for California Environmental Quality Act (CEQA). The U.S. Army Corps of Engineers (USACE) is continuing work on an Environmental Impact Statement (EIS) under National Environmental Policy Act (NEPA). These are in early phases with much work to be done. Ms. Buckman noted that the cone penetration tests, soil borings and geophysical surveys done by DWR is completed for the year. The remaining work will begin in spring 2021. Additionally, the results of the environmental justice (EJ) survey will hopefully be presented at the January Board meeting.

d. Verbal Reports

None.

9. FUTURE AGENDA ITEMS:

Ms. Palmer mentioned the possibility of discussion on the future of the organization as it is developing and the necessary readjustments.

10. ADJOURNMENT:

President Atwater adjourned the meeting at 2:53p.m., remotely - Conference Access Information:
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