

BOARD OF DIRECTORS MEETING

MINUTES

SPECIAL MEETING

Friday, July 15, 2022
9:00 a.m.

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The special 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, Code:1480595145#, <https://meetings.ringcentral.com/j/1480595145> at 9:01 a.m.

2. ROLL CALL

Board members in attendance were Richard Atwater, Martin Milobar, Tony Estremera, Sarah Palmer, Gary Martin, Adnan Anabtawi, and Alternate Director Bob Tincher sitting in for Robert Cheng, constituting a quorum of the Board.

DCA staff members in attendance were Graham Bradner and Joshua Nelson.

3. PUBLIC COMMENT

President Richard Atwater opened Public Comment, there was one (1) public comment request received, however the requestor was not present. President Atwater proceeded to close the comment period, declaring that the item would be revisited once the requestor was present.

4. CLOSED SESSION

- a) **Public Employee Performance Evaluation**
Title: Executive Director

5. OPEN SESSION AND PLEDGE OF ALLEGIANCE

President Richard Atwater convened the open session at approximately 9:52 a.m. and led all present in reciting the Pledge of Allegiance.

6. REPORT OUT OF CLOSED SESSION

Mr. Nelson informed the Board and members of the public that there were no reportable actions.

7. CONSENT CALENDAR

- a) **Extend Resolution No. 2021-08 Authorizing Virtual Board and Committee Meetings Pursuant to AB 361**

Approve by Motion

Recommendation: Extend Resolution No. 2021-08 Authorizing Virtual Board and Committee Meetings Pursuant to AB 361

Motion to Extend Resolution No. 2021-08 Authorizing Virtual Board and Committee Meetings Pursuant to AB 361, as

Noted: Estremera
 Second: Palmer
 Yeas: Atwater, Milobar, Estremera, Palmer, Martin, Anabtawi, Tincher
 Nays: None
 Abstains: None
 Recusals: None
 Absent: None
 Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as Resolution 21-08-10).

8. DISCUSSION ITEMS:

a) DCA Board Appointments for Office of President, Vice President, and Secretary

Appoint Board Officers by Motion

Mr. Nelson provided an overview for this item. He stated that this is the bi-annual officer elections. He reminded the Board that when the JPA and bylaws were amended at the beginning of 2021, with one of the changes being how officers were selected. Previous to the amendment, the JPA included an exhibit which had a set rotation among the members. The revised JPA now gives the Board discretion to determine who the Officers are with the exception of the Treasurer. The DCA Treasurer is required to be a Treasurer of one (1) of the member agencies or other eligible person, and the DCA contracts with MWD for that service. The Officers will serve a two (2) year term on a fiscal year basis. As a result of this, the terms end in June but will continue until a successor is appointed. The bylaws anticipate that new Officers will be elected at the first regular meeting in July. Although the DCA does not have a regular meeting scheduled in July, staff decided to present this item on the agenda at this Special Board meeting for the Board to consider whether to appoint officers. Mr. Nelson informed the Board that this is optional, and the Board can decide if they rather discuss the potential process for appointment during this meeting and then continue the actual appointments in August. Appointments can happen either through a nomination process or an individual motion. Currently the Officers are President Richard Atwater, Vice President Sarah Palmer, and Secretary Martin Milobar. In addition, Katano Kasaine from Metropolitan Water District (MWD), serves as the Treasurer.

Alternate Director Weed inquired about the process for appointment of the Alternate Directors.

Mr. Nelson informed the Board that the JPA and bylaws do not outline a process for the appointment or switch between Alternate Directors and the Directors. On an annual basis, each appointing agency makes the determination as to who will be their Director and their Alternate Director. The DCA has received confirmation from all of the member agencies that the current Board, both Directors and Alternate Directors, will remain the same until the next fiscal year.

Director Estremera nominated and motioned to appoint Vice President Palmer as President and Director Martin Milobar as Vice President. Director Palmer nominated and motioned to appoint Director Gary Martin as Secretary.

President Palmer expressed her appreciation towards Director Atwater for his role as President.

Public comment requestor for Agenda Item three (3) and eight (8), Gia Moreno, joined the meeting during Agenda Item 8a. Once the Item was complete, the Board Clerk informed the newly appointed President, Sarah Palmer, of Ms. Moreno's presence so President Palmer proceeded to open public comment.

In regard to Agenda Item three (3), Ms. Moreno expressed her concerns regarding the release of the draft Environmental Impact Report (EIR) and the limitations for access that it has for the residents of the Delta. She stated that she understands that it is potentially a 15,000-page document, however there are a lot of people who do not have access to internet, computers, or a place other than the public libraries to review the document. She mentioned that the former Stakeholder Engagement Committee (SEC) and the general public are asking to be provided access to or copies of the draft EIR, outside of the limited amount that is projected to go out currently. She is concerned that residents of the Delta and business owners are not able to understand what is in the draft EIR and of language limitations/barriers as there are a lot of Spanish speaking and Chinese speaking people in the Delta. She inquired about what is going to be done to provide access to the average Delta resident stakeholder with regard to the draft EIR and if there is going to be any workshops held by the DCA to answer questions or explain what is in the draft EIR and when it is going to be released.

President Palmer informed the public that typically the Board does not respond to comments provided on non-agendized items, however this answer is important information. She asked Mr. Bradner to respond.

Mr. Nelson confirmed that a brief response is permitted under the Brown Act.

Mr. Bradner clarified that the draft EIR is being released by the Department of Water Resources (DWR), not the DCA. DWR will be leading the public engagement associated with the CEQA process. The DCA's role is to support that process by being the source of the engineering and technical information that is included in the draft EIR. He informed that there is an abundant amount of materials available, including workshop information, on the deltaconveyanceproject.com website. This information, along with contact information, is given at almost every presentation presented by the DCA.

Gia Moreno provided public comment for Agenda Item eight (8)a, stating that she is concerned that there is not a Director on the Board representing the interests of the Delta, whether it be the people, the environment, the Delta as a place and a living thing, or just a community. She mentioned that everyone seems to be from the water groups in Southern California but there doesn't seem to be anyone representing the actual Delta and the people and communities that are going to be dealing with the most impacts from this project. She feels that it is very unfair that they do not have voice on the Board of Directors that can state their concerns. From her experience in the SEC, it is apparent that there is a large disconnect between DCA/DWR and the organizations, people and businesses of the Delta. She pointed out that there is a lot of confusion and some of the DCA/DWR staff have not been to the places and locations where the project will be taking place, nor do they know the lay of the land. She knows that there are access issues to some of the properties where the proposed locations of project. As a resident, stakeholder, and

lifelong person connected to the Delta, she would like one of the seats to be a voice for the Delta instead of it being an echo chamber of people who is interested in pushing this project through.

Mr. Nelson informed the Board that the Joint Power Agreement specifies that all Officers, with the exception of the Treasurer, need to be Board members and Board members are appointed by the participating water agencies. He also noted that Katano Kasaine will remain as Treasurer.

Recommendation: DCA Board Appointments for Office of President, Vice President, and Secretary

Motion to Appoint President to Sarah Palmer, as

Noted: Estremera
Second: Palmer
Yeas: Atwater, Milobar, Estremera, Palmer, Martin, Anabtawi, Tincher
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 22-07-01).

Director Martin and Director Estremera thanked Director Atwater for his time and leadership as President.

Motion to Appoint Vice President to Martin Milobar, as

Noted: Estremera
Second: Martin
Yeas: Atwater, Milobar, Estremera, Palmer, Martin, Anabtawi, Tincher
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 22-07-02).

Motion to Appoint Secretary to Gary Martin, as

Noted: Palmer
Second: Estremera
Yeas: Atwater, Milobar, Estremera, Palmer, Martin, Anabtawi, Tincher
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 22-07-03).

9. ADJOURNMENT:

President Palmer adjourned the meeting at 10:14 a.m., remotely - Conference Access Information: Phone Number: (916)262-7278, Code:1480595145#, <https://meetings.ringcentral.com/j/1480595145>