

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, August 18, 2022

2:00 p.m.

(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 in person and remotely - Conference Access Information: Phone Number: (916) 262-7278, Code: 1460868787#, <https://meetings.ringcentral.com/j/1460868787> at 2:00 pm.

2. ROLL CALL

Board members in attendance remotely were Sarah Palmer, Gary Martin, Richard Atwater, Tony Estremera, Robert Cheng, and Adnan Anabtawi. Martin Milobar participated from the DCA Board Room, constituting a quorum of the Board.

Alternate Directors in attendance remotely were John Weed, Royce Fast, and Dennis LaMoreaux; the Board Clerk captured their attendance for the record.

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

3. PLEDGE OF ALLEGIANCE

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

4. PUBLIC COMMENT

President Palmer opened public comment, there were no public comment requests received and she proceeded to close the comment period.

5. APPROVAL OF MINUTES:

a) **June 16, 2022 Regular Board Meeting**

Recommendation: Approve the June 16, 2022 Regular Board Meeting

Motion to Approve Minutes from June 16, 2022, as

Noted: Martin

Second: Palmer

Yeas: Palmer, Milobar, Martin, Atwater, Estremera, Cheng, Anabtawi
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 22-08-01).

b) July 15, 2022 Special Board Meeting

Recommendation: Approve the July 15, 2022 Special Board Meeting

Motion to Approve Minutes from July 15, 2022, as

Noted: Milobar
Second: Anabtawi
Yeas: Palmer, Milobar, Martin, Atwater, Estremera, Cheng, Anabtawi
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 22-08-02).

c) August 12, 2022 Special Board Meeting

Recommendation: Approve the August 12, 2022 Special Board Meeting

Motion to Approve Minutes from August 12, 2022, as

Noted: Estremera
Second: Atwater
Yeas: Milobar, Atwater, Estremera, Cheng
Nays: None
Abstains: Palmer, Martin, Anabtawi
Recusals: None
Absent: None
Summary: 4 Yeas; 0 Nays; 3 Abstain; 0 Absent. (Motion passed as MO 22-08-03).

6. CONSENT CALENDAR

Recommendation: Approve Resolution Authorizing Virtual Board and Committee Meetings Pursuant to AB 361

Motion to Approve Resolution Authorizing Virtual Board and Committee Meetings Pursuant to AB 361, as

Noted: Atwater

Second: Cheng
 Yeas: Palmer, Milobar, Martin, Atwater, Estremera, Cheng, Anabtawi
 Nays: None
 Abstains: None
 Recusals: None
 Absent: None
 Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as Resolution 21-08-12).

7. DISCUSSION ITEMS:

a) August DCA Monthly Report

Informational Item

Executive Director, Graham Bradner, presented an overview of the monthly board report, starting with Section 1: Worked Performed. He highlighted that the Program Management team continues to support all of the administrative functions including the close out from Fiscal Year (FY) 2021/2022 and complete processes associated with the beginning of FY 22/23. In July, both the Program Management team and the Engineering team worked diligently to release the Final Draft Engineering Project Reports (EPRs) which include the narratives, technical memoranda, and technical documentation that is the basis for the impact analyses being evaluated in the Department of Water Resources’ (DWR) draft Environmental Impact Report (EIR). Those documents were posted on DCA’s website and are available to support review of the draft California Environmental Quality Act (CEQA) document. Additionally, the Engineering team is still working on several studies evaluating concepts for future consideration during later design phases, continuing to support DWR with responding to any DWR requests for information, providing support to coordination activities with utilities evaluation of subsurface conditions Delta-wide and lastly, providing support to the Field Work team on several field work studies. In spring of this year, the Field Work team completed an investigation program that is now in the phase of laboratory testing documentation. There is also the Summer 2022 Program, that is currently active. The Field Work team is planning activities for a Fall 2022 Program and starting to plan activities for Spring 2023. For August 2022, many of the same activities will be ongoing and staff will be available to assist DWR with responding to any public comments at their request on the draft EIR.

Mr. Bradner continued to Section 2: Community Engagement stating that the Community Engagement team focused on posting the EPRs to the DCA website. There are two separate reports, one for the Central and Eastern Corridor and one for the Bethany Reservoir Alternative. He further broke down the content of the sections of the EPRs. The Narrative Report and the Technical Memoranda provide the detailed design assumptions sighting analysis. The Engineering Concept Drawings include final site plans, construction phase site plans where locations of features would be substantially different than final site plans, site ingress and egress layouts, and major cross sections through the structures of key facilities. Mapbooks are also included to display the proposed facilities in the context of an aerial imagery background. The DCA’s Community Engagement team is monitoring the website to ensure this information is available to those that want to review and providing support to folks who may be having difficulty downloading the files.

In regards to Section 3: Budget, Mr. Bradner provided an overview of the budget summary table for FY 22/23. He highlighted that the DCA has a total budget of \$31.16M and of that only \$26.15M is actually committed through contracts. The balance of that is likely to be committed over the course of the year but at this point there is a lot of activity underway with executed contracts in place. He then informed the Board of the new projection of cash flow for FY 22/23. In terms of planned monthly expenditure, the chart shows blue bars which are relatively flat for the beginning of the fiscal year and shows a bit of an uptick starting in the new year. Regarding actual expenses for July, the DCA is in the process of working through invoices so there's not much showing on the chart yet.

Lastly, Mr. Bradner went over new program schedule for the current fiscal year. The DCA is currently in the draft EIR phase, being that the public draft is out for review. Major activities for the current fiscal year are separated into three (3) categories, Program Management Office (PMO) which consists of the Program Support Management; Engineering which includes Management, Permitting Support, Supplemental Informational Studies and Project Definition Reports; and Field Work which includes the Summer, Fall, and Spring Exploration Planning, Environmental Clearances and Programs. The Program Support Management and the Field Work laboratory analysis and documentation will be a continuous activity throughout the fiscal year.

Director Robret Cheng inquired about the substantial difference in the Field Work budget between the current budget versus the commitments and if there are expectations or plans to be a little bit more closely to the budget.

Mr. Bradner informed the Board that the DCA is issuing individual Field Work task orders by program effort. Currently there's three (3) separate field programs that will be issued task orders as the details are developed, including the budget and the scope. The current commitments are what have been contracted out for current work and more task orders will be issued closer to the implementation phase.

Director Cheng clarified the information he was given, stating that the \$4M is what is currently committed and then the budget will get revised at some point during the year when the work progress is more on track with the current budget amount.

Mr. Brander confirmed Director Cheng's statement and reminded the Board that with having the three (3) programs, the farthest out would be the Spring 23 Program which still has yet to be issued a task order.

President Palmer asked if the streamlining permitting processes included in the governor's water supply strategy will this affect the DCA in anyway.

Mr. Brader stated that we would have to refer to DWR and could follow up later.

No further questions or comments were presented from the Board.

b) DCA Internship Update

Informational Item

Marcie Scott, DCA Human Resources Manager, provided a presentation on DCA's second internship program. She started with a quote that she believes represents the objective of the program. Ms. Scott then highlighted a few purposes of the internship program: mentor outstanding college students, prepare future workers, build understanding around statewide water issues, and assess future potential staffing strategies. Should DWR decide to move forward with this project in the future, the DCA will have to make adjustments and changes, and the internship program is part of building the foundation of future staffing strategies.

During the outreach effort for this program, she contacted faculty members and professors at UC Davis, Sac State, some of the junior colleges in Stockton and in the Delta. Many of those that she reached out to were familiar with the project and very helpful with contacting students directly and pointing them in her direction. During the application process, the students were asked to write about their knowledge of the Delta which helps inform them as they work on the project.

The DCA initially started planning this program at the beginning of calendar year 2020 and when COVID-19 struck in March, staff had to reassess and in the final analysis decided to move ahead with the program. Staff found that in Summer of 2020 there were very few opportunities for students as paid or unpaid interns in the service industries or as volunteers. As a result, the DCA was fortunate to be able to work remotely with five (5) interns that year. Although it was completely remote, the interns were able to work with their mentors and attend meetings. In 2021 there was a lot of uncertainty around COVID-19, so the DCA took a pause that year and came back this year, 2022, with the second internship program. There were four (4) interns, and it was a hybrid format, so they worked remotely, in the office, and were able to perform several different field experiences. The students this year were studying Environmental Sciences, Engineering, Communications and Political Science. To give a sense of the curriculum of the internships, firstly each intern is paired with a mentor in their area of study and they are given specific assignments, perform work, and attend team meetings in those areas. This year the interns were tasked with a group project, they had to work together and create a concept display of a timeline of the history of water in California and this project. This required them to review significant amounts of material that could be found on the DWR website, DCA website and within the Stakeholder Engagement Committee meetings. The interns worked on professional skills, for example, learning what efficient meeting are, being prepared for meetings, and practiced with resumes and cover letters. In terms of specific technical assignments, the interns worked with the DCA Environmental Liaisons on coordinating with DWR staff to assist with the Engineering Project Reports. They also helped with reviewing and processing data using a variety of different software programs, as well as researching federal and state highway standards. They assisted in preparing content for outreach and posting materials in support of the recent draft EIR released this summer. On their final day, the interns each gave a presentation about their experience, what they learned, and how that might inform their next steps. To aid in their research for their project, staff took them on a few site visits. The first was to see a new exhibit called the "Water Challenge" at the Sacramento Municipal Utility District Museum of Science and Curiosity in Sacramento. It allowed the interns see how to visualize technical and complex issues about water in the state. The interns were able to go on a tour of the Delta which included Big Break Regional Shoreline and a site tour of the Freeport Regional Water Facility. Finally, the Engineering interns visited a geotechnical field exploration site with John Hinton, one of the mentors, and Damaris Villalobos-Galindo, DCA's Exploration Manager. They had to learn about the safety protocols that are the highest priority. The students were able to see the first analysis that occurs with that soil, they saw the different color variations of the soil and had a great experience out there.

Ms. Scott finished the presentation stating that the experience is really positive for all involved; the DCA receives valuable word products from the students, and they learn technical and professional skills. The program also provides a great opportunity to make connections for both the DCA and for the students. She expressed that folks should feel confident in the future after spending time with these students as they're committed, motivated, and they understand that California faces very large and long-term challenges regarding water. The DCA will continue to assess the future of this program, learn as time goes on and plans to offer it again in the future.

Director Cheng inquired about the intern's educational background and if the DCA has thought about offering the program during the school year.

Ms. Scott informed the Board that the interns were a Civil Engineer, Mechanical Engineer, Environmental Science, and Communications major. In regard to the second question, DCA staff is interested in considering additional work from students given their experience.

Director Martin thanked Ms. Scott for the encouraging presentation. He stated that he is in much support of the program as it had helped him get started in his career. He hopes that the DCA continues the program in the future.

Director Anabtawi thanked the mentors for their support to the interns and expressed his support of the internship program. He asked if any of the interns have been hired full time on the project.

Ms. Scott informed the Board that the students have yet to graduate but some are interested, and the mentors talked about how to look at websites for jobs in their preferred area.

Director Cheng sought confirmation about whether the program recruited students from local colleges and if so, whether staff is open to recruiting from non-local colleges. He also inquired about if the students get credit hours as a part of their studies for the internship.

Ms. Scott confirmed that staff contacted local colleges for ease of access and because of the limited public health environment. She stated that staff can talk about expanding to non-local colleges in the future. The students do not receive credit for this.

President Palmer informed the Board and staff that some professors are open to students writing their own study plan and get credit for it. This might be a really nice incentive to also have students who may be working during the school year. Ms. Palmer provided mentioned that if a student is an environmental study or study area where they really had deliverables, oftentimes a professor can sponsor them and have them get credit.

Treasurer Katano thanked Mrs. Scott and expressed her appreciation for internship programs.

President Palmer reiterated that this is a great program and opportunity for students if they are able to receive credits for it and may allow the DCA to have the program year-round.

No further questions or comments were presented from the Board.

8. STAFF REPORTS AND ANNOUNCEMENTS:**a. General Counsel's Report**

A written report was provided in the Board package. Mr. Nelson informed the Board that he is continuing to monitor the bills that are moving through the legislature that may make changes to the Brown Act related to remote meeting attendance. AB 2449 is the one bill that's still being considered by the legislature and was before the floor of the Senate today. Mr. Nelson checked before the meeting and wasn't able to see it move forward however, there should be updates very soon. He reminded the Board that AB 2449 unfortunately doesn't provide the same flexibility for private remote meeting attendance that the other bill AB 1944 did. Specifically, AB 2449 only permits remote attendance from private location at a public meeting if the Director can meet a just cause or an emergency standard. The deadline for bills to pass through legislatures is the end of this month, so hopefully by the October meeting folks will know if this bill is going to move forward and if it does, a detailed summary will be presented to the Board for discussion. Mr. Nelson noted that whether or not AB 2449 moves forward, AB 361, which is the law that the Board is currently meeting under for the hybrid format, will remain in effect through at least the end of the next calendar year. This stands true as long as the declaration emergency for the COVID-19 emergency isn't rescinded by the Governor.

Director Cheng inquired about the ending time of AB 361.

Mr. Nelson informed the Board that when the bill was adopted, it had a sunset of the end of the next calendar year, but it could go away sooner if the statewide of declaration of emergency is rescinded by the Governor.

Director Cheng asked for clarification on when the bill ends, if the Board will act under the current bill at that time.

Mr. Nelson confirmed Directors Cheng's question, adding that it could be private attendance under AB 2449, if it's approved by the legislature or default to the traditional teleconference rules which would permit anyone to participate from a remote meeting location, however, it would make that location publicly accessible and would need to be listed on the agenda. If this is the case, staff would work with the member agencies to facilitate the Directors' attendance.

b. Treasurer's Report

Two reports were provided in the Board package. Mrs. Kasaine informed the Board that she is reporting for both May and June 2022. As of May 1, 2022, there was approximately \$1.6M in the bank. After contributions and bills the ending cash balance as of June 30, 2022 was \$398, 985. At the end of FY 21/22, June 2022, the year-to-date actual expenses were lower than the budget by \$8M. This is due to the timing of two (2) contracts that were extended into the new FY 22/23, so they were not paid during FY 21/22.

c. Verbal Reports

Director Anabtawi informed the Board that he was able to attend the 2022 Southern Water Conference hosted by the Building Industry Association. He stated that Graham Bradner presented an overview of the project. He also mentioned that there were several other great presentations

and panel discussions. He said that it was great to hear that the Delta Conveyance Project was a part of the strategy to adapt to climate change.

President Palmer provided a verbal report stating that she was able to provide a presentation to the local Rotary Club of Livermore Valley and that it was well received by folks. She encouraged the other Board members to also reach out to their community and provide information.

Director Cheng stated that while the DCA is inwardly focused on the Delta Conveyance Project (DCP), he thinks it's important to remind folks that with the announcement of the 24th month study by the Department of Interior, there was the first ever level 2 shortage on the Colorado River. He believes the other states are required to give up almost three-quarters (3/4) of a million-acre feet of water. The benefits from the DCP and other projects that Californians are contemplating are even more critical in these situations because it offers not only a state-wide but a US region-wide solution. He stated that the DCP has wider region implications than the borders of California.

President Palmer reminded folks of the resources available to review and comment on the draft EIR. This includes the draft EIR being available at various libraries and on the deltaconveyanceproject.com website.

9. FUTURE AGENDA ITEMS:

None.

10. ADJOURNMENT:

President Palmer adjourned the meeting at 2:52 p.m., in person and remotely-Conference Access Information: Phone Number:(916) 262-7278, Code: 1460868787#, <https://meetings.ringcentral.com/j/1460868787>