

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, April 20, 2023

1:30 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, by teleconference, and remotely - Conference Access Information: Phone Number: (669) 444-9171, Code: 87014233864, <https://dcdca-org.zoom.us/j/87014233864?from=addon> at 1:30 pm.

2. ROLL CALL

Board members in attendance from the DCA Boardroom were Sarah Palmer, Miguel Luna and Gary Martin. Martin Milobar and Adnan Anabtawi participated from Kern County Water Authority's Boardroom. Robert Cheng participated from Long Beach Utilities' Conference room. Alternate Director Barbara Keegan sat in for Tony Estremera and participated from Valley Water Headquarters' Boardroom, constituting a quorum of the Board.

Alternate Directors in attendance remotely were John Weed, Bob Tincher and Dennis LaMoreaux. Royce Fast attended from Kern County Water's Boardroom; the Board Clerk captured their attendance for the record.

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

DWR staff member in attendance was Carrie Buckman.

3. PLEDGE OF ALLEGIANCE

President Sarah Palmer convened the open session at approximately 1:30 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. CLOSED SESSION

- a) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION
(Government Code Section 54957) Title: Executive Director**

- b) **CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
Agency designated representatives: President Palmer
Unrepresented employee: Executive Director**

President Palmer reconvened the open session at approximately 2:05 p.m. and informed the Board and members of the public that there were no reportable actions.

6. IN MEMORIAM FOR SHANMUGAM ‘PRABA’ PIRABAROOBAN

Executive Director, Graham Bradner, informed the Board that the Delta Conveyance Office’s (DCO) Lead Engineer, Praba, passed away in a shocking and tragic accident. His passing is something that has been difficult for the DCA as well as the DCO. Mr. Bradner took this opportunity to acknowledge all that Praba contributed to the program, stating that he was a very good engineer and person; staff will miss him sorely on the program. He noted that his heart goes out to his family as well as to the DCO work family that he has. Mr. Bradner does intend to issue a letter to his family just acknowledging his contributions and appreciation for that.

DWR Environmental Manager, Carrie Buckman, reiterated that this has been a really big struggle the last few weeks. Praba was a fantastic engineer, innovative, creative and very good at his job. In addition to being a great engineer, he was an even better person. He was kind, caring and always looked out for the best for his team. She stated that staff will miss him tremendously, both personally and professionally. She expressed her appreciation of the Board taking a minute to acknowledge him.

President Palmer added that she met him a few years ago and was very impressed as he was a delightful person. This is a huge loss.

Director Martin requested that the Board adjourn the meeting in Praba’s memory.

President Palmer led a moment of silence in memory of Praba.

No further comments or questions were received from the Board, nor were any public comment requests received.

7. APPROVAL OF MINUTES:

- a) **February 16, 2023 Regular Board Meeting**

Recommendation: Approve the February 16, 2023 Regular Board Meeting Minutes

Motion to Approve Minutes from February 16, 2023, as

Noted:	Martin
Second:	Luna
Yeas:	Palmer, Milobar, Martin, Luna, Cheng, Anabtawi, Keegan
Nays:	None
Abstains:	None
Recusals:	None
Absent:	None

Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 23-04-01).

8. DISCUSSION ITEMS:

a) **April DCA Monthly Report**

Informational Item

Executive Director, Graham Bradner, presented an overview of the monthly board report. He started with Section 1: Worked Performed, highlighting that staff are continuing to process task orders, invoices, amendments, and purchase orders for the current Fiscal Year (FY). Staff have also started the budget development preparation for FY 2023/24 and intend to bring a draft of that budget to the board meeting in May. He reminded the Directors that the Board will be meeting monthly, opposed to bi-monthly, as the end of the fiscal year nears, to allow the Board to review the draft budget. In regard to Administration, staff continue efforts to support the Board meetings with remote Board participation.

On the Engineering front, the team continues to support DWR through the permitting processes by responding to any requests for clarification on the conceptual designs or any of the information that has been provided and evaluated through the impact analysis of the draft Environmental Impact Report (EIR). Additionally, the Engineering team is working closely with the Field Work team to assign the investigation programs locations, testing types, etcetera and that work will be ongoing through the rest of this calendar year. The investigations are completed under the Initial Study/Mitigated Negative Declaration (IS/MND) to support DWR's consideration of alternatives and to better develop Delta wide understanding of subsurface conditions.

Mr. Bradner continued to Section 2: Community Engagement, noting that there is a link within the monthly report to what is called "A Closer Look" series. These are a series of one (1) or two (2) page documents that focus on various features and concepts critical within the Delta Conveyance Project. The documents are now available for anyone to review and use.

Mr. Bradner moved on to Section 3: Budget, stating that the DCA has an approved FY 2022/23 budget of \$31.16M and just over \$30M is currently committed. Incurred to date is still tracking a bit under the projections for the year at just over \$15M. There is a positive variance, otherwise known as an underrun, for the year of approximately \$2M which is expected to fluctuate as the Spring investigation program begins.

Lastly, Mr. Bradner went over the program schedule which lays out the previously identified activities on a timeline. All the activities planned are on track with the exception of the Spring investigation program, which has been slightly delayed due to wet weather conditions, and the project definition reports. Staff will begin working on the reports if and when DWR recommends a final project within the EIR.

Director Martin inquired if the schedule for the project definition reports reflects the amount of funds spent on them.

Mr. Bradner informed the Board that the expenditures on that task do match the progress. An extensive effort was completed at the beginning of this calendar year to reassess all the various work items and staff ended up pulling back a fair amount of funding that was allocated to those

reports and put it back into the unallocated reserve to see if it was needed elsewhere within the program. As the end of the fiscal year approaches, work items become increasingly more definitive.

Director Anabtawi asked if there are any concerns with additional delays to the Spring investigation program given the extreme weather.

Mr. Bradner stated that he does not have any concerns regarding additional delays.

Director Cheng requested clarity on if there will be any overall impacts to the Spring investigation programs due to the delay, and whether the incurred cost resulting from the delay will be pushed to next year's budget.

Mr. Bradner confirmed that not all of the work will be completed this fiscal year so the uncompleted work will be de-scoped from this fiscal year's task order and budget, to be added next fiscal year.

Director Martin asked if the actual work is tracking well with the budget amounts that were estimated to perform the work.

Mr. Bradner informed the Board that the budget is currently on track for the work being completed under the IS/MND, however, this may change at a later date if there is a project alternative that moves forward, and more investigations are needed.

No further comments or questions were received from the Board, nor were any public comment requests received.

9. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

DCA General Counsel, Josh Nelson, provided the written report in the Board package. Mr. Nelson noted one thing that wasn't in the report, stating that there are a number of bills pending the legislature that would make some modifications to the Brown Act and potentially provide some additional flexibility, especially to large multi-agency Boards similar to the DCA's Board. It is a little early in the process to provide a full update on those as it is not certain which bills will move forward, however once an update is available, it will be brought to the Board.

No comments or questions were received from the Board, nor were any public comment requests received.

b. Treasurer's Report

A written report was provided in the Board package. Ms. Bernadette Robertson provided an update on DCA's Treasurer, Ms. Katano Kasaine's behalf.

Ms. Robertson informed the Board that the reports cover February 2023 and March 2023. The beginning cash balance on February 1, 2023 was \$951,675. Approximately \$4.5M was received as

contributions from DWR of which approximately \$4.9M was disbursed. As of March 31, 2023, the ending cash balance was \$562,514.

No comments or questions were received from the Board, nor were any public comment requests received.

c. DWR Environmental Manager's Report

A written report was provided in the Board package. DWR's Environmental Manager, Carrie Buckman, informed the Board that staff are continuing to work on the final EIR. Staff is responding to comments through a set of common responses that respond to recurring comments, as well as responding to each individual comment received. The objective is to have the final EIR complete at the end of this year. The Corps of Engineers is working on a similar process as their comment period closed in March, so they are still working to organize and collect all of their comment letters.

No comments or questions were received from the Board, nor were any public comment requests received.

d. Verbal Reports

Director Luna expressed his public appreciation for DCA and DWR staff coordinating a tour of the proposed project sites three weeks ago in preparation for his state water tour. He stated that it was a really great opportunity to put his feet on the ground of the proposed Delta Conveyance Project sites. It was very informative and educational and makes him a better ambassador for the work that the DCA is performing.

Director Martin thanked the Board Clerk and IT Staff for coordinating the hybrid Board meeting with remote Boardroom participation.

President Palmer echoed Director Martin's comment.

Director Cheng shared the tremendous news that DWR released that this is the first time that we have received 100 percent State Water Project allocation. It reemphasizes the importance of the Delta Conveyance Project as a way to convey and store water.

President Palmer added that she has hesitated to state that California is out of the drought ad California faces climate change, extremes, and uncertainties that can easily change the state of drought. This project is a part of planning for the future.

No further comments or questions were received from the Board, nor were any public comment requests received.

10. FUTURE AGENDA ITEMS:

None.

11. ADJOURNMENT:

President Palmer adjourned the meeting at 2:53 p.m., remotely-Conference Access Information: Phone Number: (669) 444-9171, Code: 87014233864, <https://dcdca-org.zoom.us/j/87014233864?from=addon>