

BOARD OF DIRECTORS MEETING

# MINUTES

**REGULAR MEETING**  
**Thursday, May 17, 2018**  
**2:00 PM**

(Paragraph numbers coincide with agenda item numbers)

**1. CALL TO ORDER**

The first regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order in the Sacramento Public Library, Tsakopoulos Library Galleria, 828 I Street, Sacramento, CA 95814, at 2:00 p.m.

**2. PLEDGE OF ALLEGIANCE/NATIONAL ANTHEM**

Chairperson Estremera led all present in reciting the Pledge of Allegiance.

**3. ROLL CALL**

Board members in attendance were Tony Estremera, Richard Atwater, Sarah Palmer and Steve Blois, constituting a quorum of the Board. Board Alternates present were Barbara Keegan, Stephen Arakawa, Shane Chapman, and Doug Headrick.

Staff members in attendance were Jill Duerig, Interim Executive Director; Stefanie Morris, Interim General Counsel.

**4. PUBLIC COMMENT**

Chairperson Estremera declared public comment open, limiting speaking time to three minutes, each.

Mr. Tim Stroshane, Policy Analyst, Restore the Delta, expressed opposition to the California WaterFix Project.

The Honorable Diane Burgis, County Supervisor, Contra Costa County, and a member of the Delta Counties Coalition, expressed opposition to the California WaterFix Project.

The Honorable Don Nottoli, County Supervisor, Sacramento County, and a member of the Delta Counties Coalition, expressed opposition to the California WaterFix Project.

The Honorable Oscar Villegas, Supervisor, Yolo County, and a member of the Delta Counties Coalition, expressed opposition to the California WaterFix Project

The Honorable Chuck Winn, Supervisor, San Joaquin County, and a member of the Delta Counties Coalition, expressed opposition to the California WaterFix Project.

The Honorable Skip Thomson, Supervisor, Solano County, member of the Delta Counties Coalition, Chair of the Delta Protection Commission, and member of the Delta Stewardship Council expressed opposition to the California WaterFix Project.

Ms. Barbara Barrigan Parrilla, Restore the Delta, expressed opposition to the California WaterFix Project.

Chairperson Estremera closed the Public Comment.

**5. OTHER MATTERS**

5.a. Acknowledge receipt of documentation for the appointment of new Directors and Alternative Directors

Chairperson Estremera acknowledged receipt of appropriate documentation appointing the new Directors and Alternate Directors.

5.b. Appointment of Secretary

Chairperson Estremera requested nominations for Board Secretary.

Motion:	Nomination of Sarah Palmer for Board Secretary
Move to Approve:	Steve Blois
Second:	Richard Atwater
Yeas:	Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois
Nays:	None
Abstains:	None
Recusals:	None
Absent:	None
Summary:	4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-01)

5.c. Designate regular meeting time and place.

Recommendation:	Every third Thursday of each month at 2:00 pm Sacramento Public Library, Tsakopoulos Library Galleria 828 I Street, Sacramento, CA 95814
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Chairperson Estremera suggested that initially, consideration should be given to meeting every two weeks, due to the amount of work needed to address policy issues and formation of the DCA. Ms. Duerig noted logistically it would be difficult to find a single location for two standing meetings a month in Sacramento. Chairperson Estremera asked for input from the directors on this matter. Director Atwater asked that staff poll the Board and bring a recommendation to the June Board meeting. Director Palmer asked for alternatives. Director Blois ceded to staff recommendation, noting the importance of letting the public know for transparency and suggesting that any discussions on future meeting dates be moved. Chairperson Estremera noted the importance of drafting bylaws and other administrative tasks, emphasizing the need to move quickly. Director Atwater suggested working with the Interim ED to lay out alternative meeting dates to be discussed at June Board meeting.

Motion: Board meet the third Thursday of each month at 2 p.m. at the Sacramento Public Library, Tsakopoulos Library Galleria 828 I Street, Sacramento, CA 95814

Move to Approve: Richard Atwater

Second: Sarah Palmer

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-02)

**6. CONSENT CALENDAR:**

No Consent Calendar Items

**7. SCHEDULED ITEMS**

Chairperson Estremera requested that any persons from the public that wished to address the Board under scheduled items to please fill out the card and hand it to the clerk. Chairperson Estremera noted there were no requests to speak.

7.a. Adopt the CEQA determination for actions pursuant to Joint Exercise of Powers Agreement with the Department of Water Resources – that the Board has reviewed and considered the BDCP/California WaterFix Environmental Impact Report and related documents and adopts the lead agency’s findings, SOC, and MMRP

Recommendation: Adopt the CEQA determination for actions pursuant to Joint Exercise of Powers Agreement with the Department of Water Resources

Mr. Adam Kear, Assistant General Counsel, Metropolitan Water District of Southern California, provided the staff report on this item. Mr. Kear reviewed the information on this item for the Board, noting that the Board had received a copy of the resolution in their packet and that it had also been made available to the public on the website.

Motion: Adopt the CEQA determination for actions pursuant to Joint Exercise of Powers Agreement with the Department of Water Resources – that the Board has reviewed and considered the BDCP/California WaterFix Environmental Impact Report and related documents and adopts the lead agency’s findings, SOC, and MMRP

Move to Approve: Richard Atwater

Second: Sarah Palmer

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as R 18-1)

- 7.b. Authorize Alternate Director Shane Chapman to execute a professional services agreement for Interim Executive Director services with Management Partners and to act as agreement administrator

Recommendation: Authorize Alternate Director Shane Chapman to execute a professional service agreement for Interim Executive Director services with Management Partners and to act as agreement administrator

Ms. Stefanie Morris, Interim General Counsel, provided the staff report on this item. Ms. Morris reviewed the information on this item for the Board.

Motion: Authorize Alternate Director Shane Chapman to execute a professional services agreement for Interim Executive Director services with Management Partners and to act as agreement administrator

Move to Approve: Richard Atwater

Second: Steve Blois

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-03)

- 7.c. Authorize Alternate Director Shane Chapman to execute a professional services agreement for Interim General Counsel services with Best Best & Krieger LLP and to act as agreement administrator

Recommendation: Authorize Alternate Director Shane Chapman to execute a professional services agreement for Interim General Counsel services with Best Best & Krieger LLP and to act as agreement administrator

Ms. Jill Duerig, Executive Director, provided the staff report on this item. Ms. Duerig reviewed the information on this item for the Board.

Motion: Authorize Alternate Director Shane Chapman to execute a professional services agreement for Interim General Counsel services with Best Best & Krieger LLP and to act as agreement administrator (May 16, 2019)

Move to Approve: Steve Blois

Second: Sarah Palmer

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None  
Absent: None  
Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-04)

7.d. Authorize the Board President to execute the Joint Exercise of Powers Agreement Between the Department of Water Resources and the Delta Conveyance Design and Construction Joint Powers Authority

Recommendation: Authorize the Board President to execute the Joint Exercise of Powers Agreement Between the Department of Water Resources and the Delta Conveyance Design and Construction Joint Powers Authority

Ms. Stefanie Morris, Interim General Counsel, provided the staff report on this item. Ms. Morris reviewed the information on this item for the Board. Ms. Morris noted the effective date of the agreement would occur at a later time as it would need to be approved by the Department of General Services.

Motion: Authorize the Board President to execute the Joint Exercise of Powers Agreement Between the Department of Water Resources and the Delta Conveyance Design and Construction Joint Powers Authority

Move to Approve: Steve Blois  
Second: Sarah Palmer  
Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois  
Nays: None  
Abstains: None  
Recusals: None  
Absent: None  
Summary: 5 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-05)

7.e. Authorize the Executive Director to solicit Auditor services for Board consideration

Recommendation: Authorize the Executive Director to solicit Auditor services for Board consideration

Ms. Stefanie Morris, Interim General Counsel, provided the staff report on this item. Ms. Morris reviewed the information on this item for the Board.

Motion: Authorize the Executive Director to bring back a recommendation for Auditor services for Board consideration  
Move to Approve: Richard Atwater  
Second: Steve Blois  
Yeas: Tony Estremera, Barbara Keegan, Richard Atwater, Sarah Palmer, Steve Blois  
Nays: None  
Abstains: None  
Recusals: None

Absent: None  
Summary: 5 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-06)

- 7.f. Authorize the Interim Executive Director to negotiate and execute an inter-agency agreement with the Metropolitan Water District of Southern California to provide treasury and accounting services

Recommendation: Authorize the Interim Executive Director to negotiate and execute an inter-agency agreement with the Metropolitan Water District of Southern California to provide treasury and accounting services

Ms. Stefanie Morris, Interim General Counsel, provided the staff report on this item. Ms. Morris reviewed the information on this item for the Board.

Motion: Authorize the Interim Executive Director to negotiate and execute an inter-agency agreement with the Metropolitan Water District of Southern California to provide treasury and accounting services

Move to Approve: Steve Blois

Second: Sarah Palmer

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-07)

- 7.g. Authorize the Interim Executive Director to negotiate and execute inter-agency agreements to provide other services such as information technology, real estate, contracting, human resources, environmental planning, and project management related services.

Recommendation: Authorize the Interim Executive Director to negotiate and execute inter-agency agreements to provide other services

Ms. Stefanie Morris, Interim General Counsel, provided the staff report on this item. Ms. Morris reviewed the information on this item for the Board. Director Blois requested a report on results at the next meeting.

Motion: Authorize the Interim Executive Director to negotiate and execute inter-agency agreements to provide other services.

Move to Approve: Richard Atwater

Second: Steve Blois

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None  
Absent: None  
Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-08)

7.h. Authorize Authority staff to prepare and file all necessary documents related to the formation of a joint powers authority and to take other steps necessary and convenient for the creation of a public agency

Recommendation: Authorize Authority staff to prepare and file all necessary documents related to the formation of a joint powers authority and to take other steps necessary and convenient for the creation of a public agency

Ms. Stefanie Morris, Interim General Counsel, provided the staff report on this item. Ms. Morris reviewed the information on this item for the Board.

Motion: Authorize Authority staff to prepare and file all necessary documents related to the formation of a joint powers authority and to take other steps necessary and convenient for the creation of a public agency

Move to Approve: Sarah Palmer

Second: Richard Atwater

Yeas: Tony Estremera, Richard Atwater, Sarah Palmer, Steve Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 18-5-09)

## 8. REPORTS AND ANNOUNCEMENTS

### 8.a. Executive Director Report

Ms. Duerig provided a presentation to the Board that covered the DCA program background, formation of the DCA, the anticipated initial work activities, and the next steps. The Board requested an allocation of time for discussion at the next board meeting to allow the Board and members of the public to better understand what the upcoming activities will be for the next six months, as well as a discussion related to the hiring of a more permanent Executive Director.

### 8.b. General Counsel Report

Ms. Morris noted that the presentation provided by Ms. Duerig will be made available on the website. She went on to report that for the next meeting, she will be bringing recommendations for adoption of bylaws, filings for Secretary of State, conflict of interest codes, and other required legal matters that must be fulfilled under the requirements of the DCA formation agreement. Ms. Morris introduced Mr. Gary Lippner, Deputy Director of Delta Conveyance Office at the Department of Water Resources, to the Board.

**9. FUTURE AGENDA ITEMS:**

Chairperson Estremera requested future agenda items be raised at this time. Director Palmer noted the request to consider the need for special board meetings and an allocation of time for discussion at the next board meeting to allow the Board and members of the public to better understand what the upcoming activities will be for the next six months, as well as a discussion related to the hiring of an Executive Director.

**10. ADJOURNMENT:**

Chairperson Estremera adjourned the meeting at 3:22 p.m.

Approved:

Move to Approve:  
Second:  
Yeas:  
Nays:  
Abstains:  
Recusals:  
Absent:  
Summary: .

Date: