

April 5, 2024

MEETING NOTICE

**SANTA CLARA VALLEY WATER DISTRICT
BOARD AUDIT COMMITTEE**

Members of the Board Audit Committee:

District 2 Director Barbara F. Keegan, Committee Chairperson
District 4 Director Jim Beall, Committee Vice Chairperson
District 1 Director John L. Varela, Committee Member

Staff Support of the Board Audit Committee:

Rick Callender, Esq., Chief Executive Officer
Carlos Orellana, District Counsel
Michele King, Clerk of the Board
Aaron Baker, Acting Assistant Chief Executive Officer
Tina Yoke, Chief Operating Officer
Darin Taylor, Chief Financial Officer
Rachael Gibson, Chief of External Affairs
Chris Hakes, Chief Operating Officer
Sam Bogale, Acting Chief Operating Officer
Brian Hopper, Sr. Assistant District Counsel
Leslie Orta, Sr. Assistant District Counsel
Joseph Aranda, Assistant District Counsel
Rita Chan, Sr. Assistant District Counsel
Andrew Gschwind, Assistant District Counsel
Cecil Lawson, Deputy Administrative Officer
Marta Lugo, Deputy Administrative Officer
Patrice McElroy, Deputy Administrative Officer
Tony Ndah, Deputy Administrative Officer
Emmanuel Aryee, Deputy Operating Officer
Bhavani Yerrapotu, Deputy Operating Officer
Alexander Gordon, Assistant Officer
Anthony Mendiola, Program Administrator
Manpreet Sra, Management Analyst
George Skiles, Partner, Sjoberg Evashenk Consulting

A Santa Clara Valley Water District special Board Audit Committee Meeting has been scheduled to occur at 11:00 a.m. on Friday, April 12, 2024 in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose.

Members of the public may join the meeting via Zoom Teleconference at:
<https://valleywater.zoom.us/j/91608079873>.

The meeting agenda and corresponding materials are located on our website:
<https://www.valleywater.org/how-we-operate/committees/board-committees>.



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Santa Clara Valley Water District Board Audit Committee Meeting

Headquarters Building Boardroom
5700 Almaden Expressway, San Jose, CA 95118

Join Zoom Meeting:
<https://valleywater.zoom.us/j/91608079873>

SPECIAL MEETING AGENDA

**Friday, April 12, 2024
11:00 AM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

BOARD AUDIT COMMITTEE

Barbara F. Keegan, Chairperson - District 2
Jim Beall, Vice Chairperson - District 4
John L. Varela, Director - District 1

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

DARIN TAYLOR
Committee Liaison

Nicole Merritt
Assistant Deputy Clerk II
Office/Clerk of the Board
(408) 630-3262
nmerritt@valleywater.org
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

**Santa Clara Valley Water
District Board Audit Committee
SPECIAL MEETING AGENDA**

Friday, April 12, 2024

11:00 AM

**Headquarters Building Boardroom
5700 Almaden Expressway,
San Jose, CA 95118
Join Zoom Meeting:
<https://valleywater.zoom.us/j/91608079873>**

*****IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS*****

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with **Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS** located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the “Raise Hand” tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=TojJpYCxXm0>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of

California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:

<https://valleywater.zoom.us/j/91608079873>

Meeting ID: 916 0807 9873

Join by Phone:

1 (669) 900-9128, 91608079873#

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Notice to the public: Members of the public who wish to address the Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board/Committee may take action on any item of business appearing on the posted agenda.

2.1. Election of 2024 Board Audit Committee (BAC) Chairperson and Vice Chairperson. [24-0271](#)

Recommendation: Nominate and elect the 2024 BAC Chairperson and Vice Chairperson.

Manager: Candice Kwok-Smith, 408-630-3193

3. APPROVAL OF MINUTES:

3.1. Approval of March 20, 2024 Board Audit Committee Minutes. [24-0364](#)

Recommendation: Approve the minutes.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 032024 BAC Minutes](#)

4. REGULAR AGENDA:

4.1. Discuss Joint Power Authority (JPA) Audits and Provide Feedback. [24-0348](#)

Recommendation: Discuss JPA audits and provide feedback.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Delta Conv. Design Constr. Auth. Fin. Audit, FY23](#)

[Attachment 2: Delta Conv. Fin. Auth. Fin. Audit, FY23](#)

4.2. Discuss 2024 Annual Audit Plan and Provide Further Guidance as Needed. [24-0263](#)

Recommendation: A. Discuss 2024 Annual Audit Plan; and
B. Provide further guidance as needed.

Manager: Darin Taylor, 408-630-3068

4.3. Review and Discuss the 2024 Board Audit Committee (BAC) Work Plan. [24-0322](#)

Recommendation: Review and discuss topics of interest raised at prior BAC meetings and approve any necessary adjustments to the 2024 BAC Work Plan.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 2024 BAC Work Plan](#)

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

6. ADJOURN:

6.1. Adjourn to Regular Meeting at 1:00 p.m., on May 15, 2024.



Santa Clara Valley Water District

File No.: 24-0271

Agenda Date: 4/12/2024

Item No.: 2.1.

COMMITTEE AGENDA MEMORANDUM Board Audit Committee

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Election of 2024 Board Audit Committee (BAC) Chairperson and Vice Chairperson.

RECOMMENDATION:

Nominate and elect the 2024 BAC Chairperson and Vice Chairperson.

SUMMARY:

The Board Audit Committee (BAC) was established to assist the Board of Directors (Board), consistent with direction from the full Board, to identify potential areas for audit and audit priorities, and to review, update, plan, and coordinate execution of Board audits.

Through its oversight of the audit process, the BAC provides the Board with independent advice and guidance regarding the adequacy and effectiveness of Valley Water's management practices and potential improvements to those practices.

As stated in Article 2 of the BAC Audit Charter, Officers of the Committee include the Committee Chair and Vice Chair, who serve as the Committee's primary and secondary facilitators and representatives. The Committee Chair and Vice Chair are elected by the Committee to serve a 1-year term. Nomination and election of the Chair and Vice Chair typically occurs annually at the start of the calendar year.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The election of BAC Chairperson and Vice Chairperson is not subject to environmental justice analysis.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

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Santa Clara Valley Water District

File No.: 24-0364

Agenda Date: 4/12/2024

Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM Board Audit Committee

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Approval of March 20, 2024 Board Audit Committee Minutes.

RECOMMENDATION:

Approve the minutes.

SUMMARY:

In accordance with the Ralph M. Brown Act, a summary of Committee discussions, and details of all actions taken by the Board Audit Committee, during all open and public Committee meetings, is transcribed and submitted to the Committee for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the Committee's historical records archives and serve as historical records of the Committee's meetings.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The approval of minutes is not subject to environmental justice analysis.

ATTACHMENTS:

Attachment 1: 032024 BAC Minutes

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

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BOARD AUDIT COMMITTEE MEETING

DRAFT MINUTES

**REGULAR MEETING SESSION
WEDNESDAY, MARCH 20, 2024
2:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A regular meeting of the Santa Clara Valley Water District (Valley Water) Board Audit Committee (Committee) was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, and by Zoom teleconference, at 2:00 p.m.

1.1. Roll Call.

Committee members in attendance were District 3 Director Richard P. Santos and District 2 Director Barbara F. Keegan, Chairperson presiding, constituting a quorum of the Committee.

Vice Chairperson Jim Beall, (District 4) arrived as noted below.

Staff members in attendance were: Emmanuel Aryee, Sarah Berning, Todd Bridgen, Kevin Brown, Isela Chaparro, Theresa Chinte, Jessica Collins, Enrique De Anda, Meenakshi Ganjoo, Candice Kwok-Smith, Cecil Lawson, Jennifer Martin, Patrice McElroy, Anthony Mendiola, Nicole Merritt, Carmen Narayanan, Tony Ndah, Carlos Orellana, Luz Penilla, Mario Rivas, Don Rocha, Diahann Soleno, Manpreet Sra, Charlene Sun, Darin Taylor, Kristen Yasukawa, and Tina Yoke.

Public in attendance were: Valley Water Director Rebecca Eisenberg (District 7), Tammy Lohr and Colleen Rozillis (Moss Adams), and George Skiles (Sjoberg Evashen Consulting).

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA:

Chairperson Keegan declared time open for public comment on any item not on the agenda. There was no one who wished to speak.

Vice Chairperson Beall arrived.

3. APPROVAL OF MINUTES:

3.1. Approval of February 23, 2024 Board Audit Committee Meeting Minutes.

Recommendation: Approve the minutes.

The Committee considered the attached minutes of the February 23, 2024 Committee meeting.

Public Comments:

None.

It was moved by Director Santos and seconded by Vice Chairperson Beall and unanimously carried that the minutes be approved.

4. REGULAR AGENDA:

4.1. Receive and Discuss the Management Response to the 2012 Safe, Clean Water and Natural Flood Protection Program's Close-out Performance Audit Recommendations and Provide Feedback to Staff.

Recommendation: A. Receive and discuss the Management Response to the 2012 Safe, Clean Water and Natural Flood Protection Program's (2012 Program) Close-out Performance Audit Recommendations; and
B. Provide feedback to staff as needed.

Luz Penilla reviewed the information on this item, per the attached Committee Agenda Memo, and per the information contained in Attachment 2.

Luz Penilla, Colleen Rozillis, Carmen Narayanan, Jessica Collins were available to answer questions.

Public Comments:

None.

The Committee received the information, took no formal action, and noted the following:

- The Committee confirmed staff were highly engaged in identifying process improvements with Moss Adams.
- The Committee confirmed that 5,000 are enrolled in receiving property tax exemptions and outreach is done through the library, newspapers, county senior programs, online ads, and phone calls.
- Vice Chairperson Beall expressed interest in confirming how many people could be enrolled in receiving tax exemptions who are 65 years or older, own a home, and meet the low-income threshold; and what other systems are available for increased enrollment; and the Committee noted support for the potential of a statistical analysis.
- The Committee confirmed that Key Performance Indicators (KPIs) are a great way to communicate progress to the community, but most noted were activity/workload based or money spent instead of outcome based which is a best practice.

- The Committee confirmed that staff is continuing to work on incorporating lessons learned, and have put processes in place to capture and implement these lessons for Capital project delivery.
- The Committee confirmed a report back from staff confirming the successes, trends, and follow up actions to lessons learned.
- The Committee expressed interest in examples of conflict of interest, confirmed no identified conflict of interest issues during audit period; and the potential for an extension of the conflict-of-interest policy to the Independent Monitoring Committee.

4.2. Discuss the Results of the Board Audit Committee's (BAC) Annual Self-Evaluation for Calendar Year (CY) 2023.

Recommendation: Discuss the results of the BAC's 2023 Annual Self-Evaluation for CY 2023.

George Skiles reviewed the information on this item, per the attached Committee Agenda Memo.

George Skiles, Carlos Orellana, and Darin Taylor were available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- Vice Chairperson Beall expressed interest in increasing follow up discussions on audits; and the Committee noted the importance of the benefits of report outs on audits for measurements; risk reduction, and to address financial or staffing impediments.
- The Committee noted that the CAE follow up has changed with Board directed audits; and the CAE is currently engaged in following up and analyzing the outcomes on 4 Board directed audits.
- The Committee noted that the BAC has a less active role with Management directed audits and the potential of possible changes to the BAC Charter.

4.3. Receive and Discuss Report from the Independent Chief Audit Executive (CAE), Sjoberg Evashenk Consulting Regarding Their Performance in Calendar Year (CY) 2023, and Evaluate Performance of CAE.

Recommendation: A. Receive and discuss report from the independent CAE, Sjoberg Evashenk Consulting, regarding their performance in CY 2023; and
B. Evaluate the performance of the CAE.

George Skiles reviewed the information on this item, per the attached Committee Agenda Memo, and per the information contained in Attachment 1.

George Skiles and Darin Taylor were available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee confirmed the BAC and Valley Water improve at their roles every year per the net benefits of the CAE's audit work and follow up practices, and staff's implementation of the audit recommendations.

4.4. Discuss Process and Scope of 2024 Annual Audit Training from Chief Audit Executive.

Recommendation: Discuss process and scope of 2024 Annual Audit Training from Chief Audit Executive.

George Skiles reviewed the information on this item, per the attached Committee Agenda Memo.

George Skiles was available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee noted support for the CAE's recommendation for audit standards as a training topic.
- Vice Chairperson Beall expressed interest in audit best practices from the state/country and potential of inclusion of AI with audits for comparing and analyzing data.
- The Committee expressed support of inviting the other Board members to the audit training to increase audit education.

4.5. Discuss Proposed Updates to the Board Audit Committee Audit Charter and Provide Further Direction as Needed.

Recommendation: A. Discuss proposed updates to the Board Audit Committee Audit Charter; and
B. Provide further direction as needed.

George Skiles for Brian Hopper reviewed the information on this item, per the attached Committee Agenda Memo, and per the information contained in Attachment 2.

George Skiles was available to answer questions.

Public Comments:
None.

The Committee received the information and noted the following:

- The Committee noted that changes can be made to the Board Audit Charter as needed at any time.
- Vice Chairperson Beall requested a statement on Valley Water's financial obligations with JPAs for the current and future annual operating and capital budgets and noted this was not included in the BAC Charter.

Chairperson Keegan moved the agenda to Item 4.6.

4.6. Discuss Joint Power Authority (JPA) Audits to Review at the April 2024 Board Audit Committee (BAC) meeting.

Recommendation: Discuss JPA audits to review at the April 2024 BAC meeting.

Darin Taylor reviewed the information on this item, per the attached Committee Agenda Memo.

Director Santos left the meeting and did not return.

Darin Taylor was available to answer questions.

Public Comments:
None.

The Committee received the information, took no formal action, and noted the following:

- The Committee noted interest in risk and financial exposure, the importance of a meaningful financial analysis of the JPAs and adequate auditors.
- Vice Chairperson Beall noted interest in reviewing financial audit reports related to contracts with outside agencies.
- The Committee confirmed support of reviewing all 7 of the JPAs' audit details at the April 2024 meeting.

Chairperson Keegan returned the agenda to Item 4.5.

4.5. Discuss Proposed Updates to the Board Audit Committee Audit Charter and Provide Further Direction as Needed.

Recommendation: A. Discuss proposed updates to the Board Audit Committee Audit Charter; and
B. Provide further direction as needed.

The Committee noted support of the proposed BAC Charter Amendments and

by consensus directed for this item without official action to be considered by the full Board at the May 14, 2024 meeting.

Chairperson Keegan moved the agenda to Item 4.7.

4.7. Review and Discuss the 2024 Board Audit Committee (BAC) Work Plan.

Recommendation: Review and discuss topics of interest raised at prior BAC meetings and approve any necessary adjustments to the 2024 BAC Work Plan.

Darin Taylor reviewed the information on this item, per the attached Committee Agenda Memo, and per the information contained in Attachment 1.

Darin Taylor was available to answer questions.

Public Comments:
None.

The Committee noted the information and took no formal action and confirmed the April 17, 2024 meeting would be rescheduled.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS:

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

None.

6. ADJOURN:

6.1. Adjourn to Regular Meeting at 1:00 p.m. on April 17, 2024.

Chairperson Keegan adjourned the meeting at 3:40 p.m., to the subsequently rescheduled special meeting at 11:00 a.m. on April 12, 2024.

Date approved:

Nicole Merritt
Assistant Deputy Clerk II



Santa Clara Valley Water District

File No.: 24-0348

Agenda Date: 4/12/2024

Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM Board Audit Committee

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Discuss Joint Power Authority (JPA) Audits and Provide Feedback.

RECOMMENDATION:

Discuss JPA audits and provide feedback.

SUMMARY:

At its regular March 20, 2023, meeting, the Board Audit Committee (BAC) reviewed the information noted below regarding JPAs for which Valley Water is a member, including the associated level of Valley Water investment in each:

1. Delta Conveyance Design and Construction JPA;
 - a. Valley Water portion of capital investment estimated at \$627M plus \$2.5M per year in operations and maintenance costs (both figures in 2023 \$'s)
2. Delta Conveyance Finance Authority;
 - a. Provides financing for Delta Conveyance Design and Construction JPA
3. Los Vaqueros Reservoir JPA:
 - a. Valley Water portion of capital investment estimated at \$202M plus \$3.2M per year in operations and maintenance costs (both figures in 2023 \$'s)
4. Pajaro River Watershed Flood Prevention Authority;
 - a. Valley Water pays a \$10K annual membership fee
5. San Francisquito Creek JPA;
 - a. Valley Water portion of capital investment estimated at \$80M per FY 2024 -28 Board adopted CIP plus \$250K per year operations and maintenance cost beginning in FY 2027
6. Santa Clara Valley HCP JPA;
 - a. Valley Water pays land cover impact fees to the JPA averaging \$700K per year since 2013. The fees are essentially regulatory permit fees, which provide budget for conservation actions (eg, land acquisition, habitat restoration) as well as general administration of the JPA. Fees in FY 2025 are anticipated to be above average due to

the Anderson Dam Seismic Retrofit Project.

7. San Luis & Delta Mendota Water Authority Board;

- a. Valley Water pays \$3M to \$4M per year in operations and maintenance fees and membership dues to SLDMWA for imported water, and another \$1M to \$2M per year for water transfers. The B.F. Sisk Dam Raise participation would be facilitated by SLDMWA.

The committee then requested to review the Fiscal Year 2023 financial audits of each of the seven JPAs as per its authority under Article IX of the BAC Charter.

As of the writing of this memo, only two (2) JPA financial audit reports were available, which have been attached to this memo. Attachment 1 contains the financial audit for the Delta Conveyance Design and Construction Authority as of the year ended June 30, 2023, beginning on page 31 of the attachment. Attachment 2 contains the financial audit for the Delta Conveyance Finance Authority as of the year ended June 30, 2023, beginning on page 9 of the attachment.

Staff will monitor the other JPAs for their respective audit reports and will provide them at future BAC meetings as they become available.

The purpose of this item is to review the attached JPA financial audit reports, and provide any additional guidance as needed.

BAC Charter Background regarding JPA Audits

A summary of the JPA audit review activities authorized under Article IX of the charter is provided below:

- Through its review of JPA audits, the Committee may evaluate:
 - Whether the JPAs are complying with applicable legal requirements;
 - The financial condition of the JPAs;
 - Whether the JPAs are complying with the terms of their respective JPA Agreements;
 - Whether Valley Water's interests are being met;
 - Whether there are any trends of concern in the activities of the JPA;
 - Whether there are any recommended areas for future audits for the JPA; and
 - Any specific questions of Valley Water's Board.
- The Board may refer specific JPA audits to the Committee for review and/or recommendation as to questions or subjects identified by the Board.
- In conducting its review, the Committee may seek input from the Independent Auditor, Valley Water staff, and others as needed.
- The Committee may report out to the Board regarding any JPA audit review results and any related recommendations of the Committee.
- The Committee's authority to review JPA audits set forth herein does not include any corresponding right to directly communicate with JPAs on behalf of Valley Water or assume any direct responsibilities of Valley Water's formal representatives on the JPAs. This shall not limit the activities or functions of any Valley Water JPA representative who is also member of the Committee.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

Review of JPA audits is not subject to environmental justice analysis.

ATTACHMENTS:

Attachment 1: Delta Conv. Design, Constr. Auth. Fin. Audit, FY23

Attachment 2: Delta Conv. Fin. Auth. Fin. Audit, FY23

UNCLASSIFIED MANAGER:

Darin Taylor, 408-630-3068

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December 11, 2023

Delta Conveyance Design and Construction Authority
Board of Directors

Subject: ***Materials for the December 14th, 2023 Regular Board Meeting***

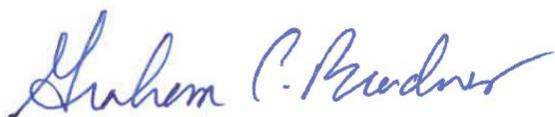
Members of the Board:

The Delta Conveyance Design and Construction Authority (DCA) Board of Directors will have a Regular Board Meeting, scheduled for **Thursday, December 14th, 2023 at 1:30 p.m.** and will be a **hybrid** meeting. The Board will meet in closed session and anticipate opening the Regular Session at approximately 2:00 p.m. Members of the public may attend the meeting in person or virtually. The call-in and video information, as well as meeting location is provided in the attached agenda. Meeting information will also be posted on the dcdca.org website.

Please note that the DCA continues to follow current State and Local COVID-19 guidelines and will comply with public health recommendations regarding public meetings and social distancing efforts. Any meeting changes or cancellation will be communicated.

Enclosed are the materials for the Board meeting in a PDF file, which has been bookmarked for your convenience.

Regards,



Graham Bradner
DCA Executive Director

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
BOARD OF DIRECTORS MEETING

REGULAR MEETING

Thursday, December 14, 2023

1:30 p.m.

Hybrid (Teleconference) Meeting

DCDCA Boardroom
980 9th Street, Suite 100
Sacramento, CA 95814

TELECONFERENCE LOCATIONS:

- 1) Valley Water Headquarters Boardroom, 5700 Almaden Expressway, San Jose, CA 95123
- 2) Mojave Water Agency Conference Room 151, 13846 Conference Center Drive, Apple Valley, CA 92307
- 3) Paris Las Vegas Hotel Main Lobby, 3655 S Las Vegas Blvd, Las Vegas, NV 89109

CONFERENCE ACCESS INFORMATION:

Phone Number: (669) 444-9171 Access Code: 85037999167#

Virtual Meeting Link: <https://dcdca-org.zoom.us/j/85037999167?from=addon>

Please join the meeting from your computer, tablet, or smartphone

Additional information about participating by telephone or via the remote meeting solution is available here: <https://www.dcdca.org>

AGENDA

Except as permitted by Government Code section 54953(f), Directors will attend the meeting from the DCDCA Boardroom or any of the teleconference locations. Members of the public may attend in person at these locations or remotely through the virtual meeting link above. Assistance to those wishing to participate in the meeting in person or remotely will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation as soon as possible in advance of the meeting by contacting the DCA support staff at (888) 853-8486 or info@dcdca.org. Members of the public may speak regarding items on the agenda during those items and when recognized by the Chair. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. Persons wishing to provide public comment remotely on Agenda Items are encouraged to complete a public comment request form at: <https://tinyurl.com/dcapubliccomment> by 2:15 pm or through the QR code below. In addition, members of the public may use the "raise hand" function (*9 if participating by telephone only) during the meeting to request the opportunity to speak. Additional information will be provided at the commencement of the meeting.

1. **CALL TO ORDER**
2. **ROLL CALL** – Any private remote meeting attendance will be noticed or approved at this time.
3. **CLOSED SESSION**
 - (a) CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
Agency designated representative: Chair Sarah Palmer
Contractor: Executive Director
 - (b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION
(Government Code Section 54957)
Title: Executive Director
 - (c) CONFERENCE WITH LEGAL COUNSEL
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case
 - i. *Sierra Club et al. v. California Department of Water Resources*,
Sacramento County Superior Court Case No. 34-2020-80003517
4. **OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE** – At approximately 2:00p.m.
5. **APPROVAL OF MINUTES:**
 - (a) October 19,2023 Regular Meeting Minutes
6. **DISCUSSION ITEMS**
 - (a) December DCA Monthly Report
Recommended Action: Information Only
 - (b) DCA Financial Audit Report
Recommended Action: Information Only
 - (c) Sr. Leadership Spotlight, Adam Murdock, DCA Engineering Design Manager
Recommended Action: Information Only
 - (d) Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Recommended Action: Adopt Resolution

7. STAFF REPORTS AND ANNOUNCEMENTS

- (a) General Counsel's Report
- (b) Treasurer's Report
- (c) DCP Communications Report
- (d) Verbal Reports, if any

8. FUTURE AGENDA ITEMS

9. PUBLIC COMMENT

Members of the public may address the Authority on matters that are within the Authority's jurisdiction but not on the agenda at this time. Speakers are generally limited to three minutes each; however, the Chair may further limit this time when reasonable based on the circumstances. Persons wishing to speak may do so remotely through the electronic meeting link, by scanning the QR Code above, or teleconference number when recognized by the Chair. The DCA encourages public comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the DCA or are within its jurisdiction.



10. ADJOURNMENT

* * * * *

The Board of Directors meet bi-monthly, proposed next scheduled meetings:

January 18, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

February 15, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

April 18, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, October 19, 2023
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, by teleconference, and remotely - Conference Access Information: Phone Number: (669) 444-9171, Code: 83319267911#, <https://dcdfa.org.zoom.us/j/83319267911?from=addon> at 2:03 pm.

2. ROLL CALL

Board members in attendance from the DCA Boardroom were Sarah Palmer, Martin Milobar, Robert Cheng, Miguel Luna, and Adnan Anabtawi. Tony Estremera participated from Valley Water Headquarters Boardroom and Gary Martin participated from the Santa Clarita Boardroom.

Alternate Directors in attendance remotely were John Weed, Bob Tincher, Barbara Keegan, and Dan Flory.

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

Department of Water Resources (DWR) staff members in attendance were Carrie Buckman, Anecita Agustinez, and Janet Barbieri.

The State Water Contractors were represented by consultant, Rebecca Nicholas.

3. CLOSED SESSION

a) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representative: Chair Sarah Palmer

Contractor: Executive Director

b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION

(Government Code Section 54957)

Title: Executive Director

c) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case

i. *Sierra Club et al. v. California Department of Water Resources*, Sacramento County

Superior Court Case No. 34-2020-80003517

4. OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE

President Sarah Palmer convened the open session at approximately 2:03 p.m. and led all present in reciting the Pledge of Allegiance.

President Palmer dedicated this meeting to the residents of the island of Maui, Hawaii.

5. APPROVAL OF MINUTES: August 17, 2023, Regular Board Meeting

Recommendation: Approve the August 17, 2023, Regular Board Meeting Minutes

Motion to Approve Minutes from August 17, 2023, as

Noted:	Luna
Second:	Estremera
Yea:	Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi
Nays:	None
Abstains:	None
Recusals:	None
Absent:	None
Summary:	7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 23-10-01).

6. DISCUSSION ITEMS:

a) August DCA Monthly Report

Information Item

DCA Executive Director, Graham Bradner, presented an overview of the monthly board report. He started with Section 1: Work Performed in September 2023. The Program Controls team continues program-wide support activities and implementation of the Program Management Information System. The team continues the implementation and training of Standard Operating Procedures (SOP) and Management Plans. The draft annual report was submitted to the Delta Conveyance Office (DCO) in September 2023 for their review. The DCA decided to no longer extend task orders past the end of the fiscal year, which allows for the final annual report to be completed and submitted in October 2023. Currently the report is in the process of being finalized and we have included the financials from last year in the monthly report for reference.

Mr. Bradner moved on to the administrative functions, stating that the Administrative team continues to support functions including Information Technology (IT), in-person and virtual meetings and social media content and updates. The alignment tours have been going very well, and the outreach team will be discussing this later in the agenda.

Regarding engineering, the Engineering team continues to focus on supporting DWR and DCO permitting efforts while also continuing to develop and progress engineering studies. This includes providing support to DCO in reviewing and responding to comments received on the Draft Environmental Impact Report (DEIR) and preparing the updates to the engineering project reports (EPRs). This report is a document that supplements the draft issued as an accompaniment to the DEIR allowing engineers to capture any revision or updates to the engineering project report

facilities associated with the concept designs as they evolve through the public comment period of the DEIR.

Mr. Bradner went on to update the Board on fieldwork activities. This department has completed the summer program and is finishing up the laboratory testing and reporting activities. This allows the fieldwork team to gear up for the fall program, which will be the last program of the year conducted under the initial study mitigated negative declaration (ISMND).

Mr. Bradner continued to Section 3: Budget and stated that the fiscal year (FY) 23/24 DCA budget was approved for \$40.44M. DCA has issued through task orders and contracts with a total amount of \$32.5M. Currently there is a reserve of about \$8M. DCA will reassess scope and budgets in the second half of the fiscal year of task orders currently executed. At this moment DCA is forecasting an Estimate at Complete (EAC) that would fully expend the budget. In reassessing, the DCA will look at the costs to date and whether the project has underruns and see where we can redirect any resources. From that point DCA usually resets the scope and realigns task orders.

Mr. Bradner continued to the Cash Flow, DCA shows projections at the beginning of the fiscal year as it is based on the need to utilize the entire budget. Currently the budget is on track and anticipate staying on track assuming full expenditures of the budget.

Mr. Bradner continued to the FY 22/23 Financial Reports. To show transparency of the budget, there is a possibility of the numbers changing as the final invoices come through. The FY22/23 DCA approved budget was \$31.16M. DCA committed \$25.34M. This includes the transfer of \$488K that was used for last spring's investigative laboratory testing and reporting work. There is currently an underrun of \$5.8M. Once DCA finalizes the FY22/23 annual report, this report will no longer be included in the monthly report.

Mr. Bradner continued to Section 5: The Program Schedule. The Program Management team continues to work on the support activities, including the Systems of Procedures (SOP) and trainings. The Engineering team continues to prioritize permit support to Delta Conveyance Office (DCO) as well as progressing any supplemental concept validation studies. There is also support to the fieldwork activities schedule and outreach. The Summer Program is completing the lab analysis and documentation, while the Fall Program is preparing for the Environmental Clearances.

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

b) **DCA Programmatic Governance Update**

Information Only

Mr. Bradner presented to the Board the Programmatic Governance Analysis. The objective of this work is to ensure program management policies and procedures align with DCA requirements as the team continues to progress through the Program Initiation phase and considers transition to the Program Delivery Phase. DCA reviewed the policies, procedures and plans with a focus on quality management, health and safety risk management and the overall structure optimization.

Mr. Bradner stated that the Joint Powers Agreement (JPA) approved in December of 2020 with 16 participating public water agencies formed the DCA. The Joint Exercise of Powers Agreement (JEPA)

executed in May of 2018 between DCA and DWR and is currently on the 7th amendment of the document as of December of 2022. This JEPAs states the roles and responsibilities of DWR and DCA. The By-Laws were amended in 2021 to align with the updated JPA and current DCA governance. Mr. Bradner stated that all documents presented are available on the DCA public website.

Mr. Bradner presented to the Board that DCA started the Programmatic Governance Analysis with a Gap Analysis to see what is currently in place, what is working and how to build upon things that are working well. The Gap Analysis identified 35 Programmatic Governance categories with Program Governance at the top of the list and continuing down in more detail other elements of the program. DCA has developed a timeline which identifies quarters as to when to update plans throughout the years ahead while also identifying trainings and implementations. The graph outlines a perceived level of effort in terms of where DCA is and how it will align with growth plans. DCA has identified 26 priority plans and procedures that are planned to be developed or updated during this year.

Director Luna asked for clarification on the term what LOE stands for and what are the 3 dots on the graph.

Mr. Bradner stated that it is a relative level of Effort (LEO) per category, more dots mean a larger lift in the process.

Director Anabtawi asked what is DCA's process on how items are revised or reviewed in the current planning phase.

Mr. Bradner stated that the DCA has a continuous improvement element process and plan at a minimum to revisit all plans annually.

Mr. Bradner continued to inform the Board of the updated and developed plans during FY 22/23. The team considered 16 out of the 26 identified plans to be top priority. Several plans already existed and required significant or insignificant updates, while others were entirely new plans. The new plans are as followed: Budget Management, Change Management, Contract Management, Cost Management, Document Management, Funding Management, Health, Safety, and security Management, Information Technology Management, Knowledge Technology Management, Knowledge Management and Continuous Improvement, Onboarding, Offboarding and Certification, Project Management Information System (PMIS) Management, Procurement Management, Program Management, Quality Management, Sustainability Management and Training Management. At this time, these plans have been shared with the DCO and approved.

Mr. Bradner continued to the Training and Implementation of Program Management Plans (PMP). This process is to identify all the training needs required to implement plans, policies and related SOPs. To date there have been trainings for 9 out 16 phase 1 plans and will complete remaining trainings in November. This will allow for further development and refinement of webinars, job aids training materials and other training collateral. As part of the continuous improvement, DCA will continuously be evaluating the training effectiveness and adopt any recommendation that is collected internally.

Director Luna asked if these plans apply to all DCA consultants even though they are their own entities.

Mr. Bradner stated that yes, they do apply to all participants in the program. DCA does have specific requirements and the current plans are specific to the program needs.

President Palmer stated that the plans are basically to fit in.

Mr. Bradner confirmed that President Palmer's statement was correct.

Mr. Bradner continued to the next steps of the PMPs. DCA has identified 19 more PMPs for phase 2, 10 of which will be new plans, while the remaining 9 will be updates. DCA has added a new management system to assist in improving how staff access the plans, policies and trainings.

Director Martin asked if the PMP plans were prepared by the DCA team or consultants.

Mr. Bradner stated that all members working with DCA are considered consultants, the plans were created by members working on the DCA and tailored to fit the needs of the program.

Director Martin asked who is currently providing the trainings.

Mr. Bradner stated that there are different plan leads who are responsible to provide the trainings. Mr. Bradner himself is a responsible trainer, the Quality Lead, Health and Safety Lead and the administrative team also support the trainings as they are conducted. The training sessions are recorded, there are webinars and a learning management system to obtain other resources available.

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

c) **Sr. Leadership Spotlight, Valerie Martinez, DCA Communication Manager**

Information Only

DCA, Communications Manager, Valerie Martinez stated to the Board that in terms of talking to the community and developing public-facing materials allows for an understanding of what her story is and where she comes from. Ms. Martinez is a Latina who grew up in Montebello, Ca, in a bilingual household as her grandparents were from Zacatecas, Mexico and Ciudad Juarez, Mexico. Her father was a forklift driver for over 45 years in the City of Commerce, while her mother worked in schools as a classified employee. Ms. Martinez grew up respecting Labor Unions at the time that Cesar Chavez was in the Central Valley, with her grandfather in the meat cutter's union and her father a Teamster. From an Environmental Justice standpoint, her grandparents lived downwind from a landfill in Monterey Park and on warm days could smell the landfill. While her parents lived down the hill from the Puente Hills landfill nestled between two freeways. Ms. Martinez started college as an engineering major and during her freshman year in Material Science, Ms. Martinez discovered writing was a better fit. She eventually graduated with a Journalism degree and a Political Science degree from the University of Southern California all while working full-time as a draft person and technical writer, then newspaper reporter. She became the first in her family to graduate from college. Ms. Martinez has had many great opportunities and experience. As a start in her career, she became a news reporter. She had the opportunity to complete an internship as a producer and writer with Fernando de Rio who back then was delivering editorials at KHJTV and now KCAL9. She had multiple reporter experiences within

different organizations including Herald Examiner and Long Beach Press-Telegram. Ms. Martinez then moved on and became the Chief Consultant for the California Latino Legislative Caucus where she focused on issues of importance to socioeconomically disadvantaged communities including education, immigration, health care, jobs and public safety. After a few years in that role, Ms. Martinez decided to start her very own firm.

VMA Communications was started and has now successfully been running for almost 30 years with 35 staff members. VMA does Infrastructure Development focusing on Environmental Justice/Equity-focused Outreach initiatives, CEQA/NEPA Outreach, Community Relations/Construction Communications, Small Business Outreach/Development and Local Hiring Initiatives. They also do Public Affairs assisting roughly 40 School Districts & Cities across California. In addition, VMA does Marketing Communications for clean tech and biotech firms.

Ms. Martinez came to the project with community outreach components, public affairs components and marketing that seemed to serve the project well. Ms. Martinez takes on large projects including the High-Speed Rail, Water Agencies, Los Angeles County Public Works, San Francisco PUC Biosolids Digester Facility, Metrolink, Kern Council of Governments and many other great projects within the State of California.

Ms. Martinez stated to the Board as the DCA Communications Manager, she provides oversight of the DCA communications program and works closely with DWR and the Public Water Agency (PWA's). Within DCA, Ms. Martinez provides strategic communication and oversees a team of comms experts providing public engagement and education, social media, digital geotargeting, informational videos, printed materials, website content, meeting facilitation and outreach support.

Ms. Martinez stated that from a DCA standpoint being directed by the Board, Mr. Graham Bradner and the Governor's Office, the core values are authentic/ respectful engagement with transparency and an integration of community experience into the project development.

Ms. Martinez is very proud of the work that DCA and DWR have done, especially with trying to integrate comments from the community into the design aspects of the project. VMA tries to meet communities where they are and work closely with communities within the Delta and other areas within California. This allows DCA to have open communication exchanges with communities. VMA creates communication plans that align with partner agencies, create systems and processes designed to execute plans and publish simple, impactful materials to support public understanding and solicit feedback about the proposed project.

Director Cheng stated that Ms. Martinez had a very impressive resume. As an Engineer himself, many people believe that the hardest part is the designing and constructing of projects, but also the ability to educate the benefits of projects to communities can be challenging but important. Director Cheng stated that DCA is very fortunate to have Ms. Martinez and the talented team on board.

Director Anabtawi stated that DCA is very lucky to have Ms. Martinez on the team and understand the importance of educating the community. With a project like the Delta Conveyance Project (DCP), it cannot be overstated on how important it is.

Director Anabtawi asked Ms. Martinez if there was anything unique about the project that she did not expect.

Ms. Martinez stated to the Board that she has worked on many projects, but those who are on this project are very focused on trying to develop a project that truly contemplates community through design and construction logistics.

Director Luna stated that VMA has provided a place where the Board and the DCA team feel supported with the documentation that has been provided to the public with an organized message. As complicated as the project may be, easy messaging will allow others to understand, follow and provide the right input that is needed to make a successful project.

Director Milobar asked Ms. Martinez how DCA found VMA.

Ms. Martinez stated that she received information about the Communications Services opportunity with the DCA and was encouraged to submit an SOQ in response to the RFP. Ms. Martinez works side by side with Communications Lead, Janet Barberi, creating a dynamic team.

Director Milobar stated that he appreciated Ms. Martinez's valuable positive response to the constant changing program.

Director Martin stated that he appreciated DCA for having the Senior Spotlight section in the agenda as it is one of his favorite items. Also stated that Ms. Martinez has a very impressive background and that relates to her background as Southern California is home to Mr. Martin as well. Ms. Martinez's skills far exceed the expectation and DCA is fortunate to have her on the team.

President Palmer stated that she enjoyed working with Ms. Martinez at the Stakeholder Engagement Committee and everyone involved appreciated her ability to make difficult things clear.

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

d) **DCP Communication and Outreach Update**

Information Only

Mr. Bradner presented Janet Barbieri to the Board, she leads Communications for DWR. Rebecca Nicholas from State Water Contractors (SWC) is also part of the Communications team and is present online. Valerie Martinez, who leads Communications for DCA and just presented to the Board is also part of this dynamic team.

Ms. Barbieri stated to the Board that she will build on Ms. Martinez foundation from her presentation and the Communication Program.

Ms. Barbieri continued to speak about the objectives of the program, to build awareness and understanding of the proposed project, including the environmental review, permitting and design process and the project's purpose and need. Then to ensure transparency by providing information and materials that are accessible and responsive to audience needs, interests and

concerns. DCA understands that individuals have concerns about the project and the goal is to continuously provide the public with access to information. The team works diligently to address public concerns about environmental and community effects of the proposed project.

Ms. Barbieri stated that the Communications program is a team and all work together seamlessly including DWR, DCA, PWA and SWC. The Communications team has several focus areas, including Tribes, Public Information, Public Participation, Public and Outreach Education, Media, Community Benefits, Disadvantaged Communities. In terms of the audiences, it includes various town councils, community organizations and Non-Government Organizations (NGO's). There is a lot of information that the Communications team makes accessible and readable. This includes facts sheets, videos, animations, eblast updates, websites, toolkits, and social media posts. Outreach efforts include briefings, presentations, conferences and tours. The public is invited to participate in public meetings, public workshops and informational webinars.

Ms. Barbieri stated that there is a toolkit available on the DWR's website and it includes links to all the material that are available to the public. There are also facts sheets that describe the Public Outreach and Engagement Overview and more of the type of work that has been completed for the last three (3) years. This includes Intakes, North Delta Traffic Management, Launch Shafts, Pile Driving, Seismic Resiliency, Soil Testing, Bethany Complex. There are closer look videos that have been produced with more information about the project and available to the public through the DCA website.

Ms. Barbieri went on to mention that the team works with an Environmental Justice consulting firm, Ag Innovations. They have been assisting DWR with reaching communities in the Delta and Statewide. They did a statewide survey to collect information and successfully collected over 2,000 responses. Ag Innovations participates in various community events and speaks to community members to inform and educate the community of the project.

Ms. Barbieri informed the Board that DCA has been coordinating with the PWA's to tailor information for each agency and provide information that is relevant to their programs and service areas.

Ms. Martinez went on to mention that the Communications team has created these fact sheets for the different PWA's to provide to the community. The sheets highlight each PWA's region and the important role the State Water Project (SWP) plays in providing water to their service area. Also, a monthly eblast goes out to DCP partners about the process and where the project currently stands.

Ms. Martinez continued to discuss the Geotargeting and Digital Outreach efforts. People that live in Northern California do not want to know what is happening in Southern California. People want to know what is impacting them locally more so than in other parts of the State. The Communications team started to refine their messaging to speak more directly to people about what is currently happening within their community. Currently through social media, the media campaign continued to be successful with reaching over 50,000 Californians. The DCA Facebook page had 76,724 impressions in September and 15,424 played videos.

Ms. Martinez notes the role that the Stakeholder Engagement Committee (SEC) played in outreach. During the SEC meetings there was discussion around how information is provided and received, and if the project gets approved and minimizing impacts. The 20 Committee Members

represented everything from geography, recreation and sports fishing to public safety. All presentations from the meetings are online and available for the public to view.

Ms. Martinez mentioned the Delta Tours and how they continue to be a success, reaching close to 200 attendees in total. Participants include PWA's, Regulatory Agencies, DCP Partners and Staff. The Delta Tours provide great information and give a better perspective of being out in the Delta to see what the proposed alignment and the proposed components look like.

Ms. Nicholas went on to present to the Board, that the SWC did a Statewide poll in California in early February of 2023 that ran for 1 week. This included reaching out by phone and online and was available in English and Spanish. From June 2019 through February 2023, DCP maintained a 76% in favor of the State Project. This shows that there is an acknowledgement of the work that DCA does and gives the opportunity to reach out to individuals that do not know or oppose the project and educate the communities. The SWC continues to host legislative briefings, legislative tours and continues to cascade all the information that Ms. Barbieri and Ms. Martinez do through their communication and social media channels. The SWC assists PWA's communication to their rate payers about the value of this project, especially in the context of the broader SWP. One last item that Ms. Nicholas found interesting was that voter concerns over infrastructure water investment and the condition of existing infrastructure increased from forty-nine percent (49%) in 2019 to sixty-eight percent (68%) in 2023. This created a large opportunity to see the importance of maintaining and upgrading the water infrastructure.

Ms. Barbieri stated to the Board that the Communications program works very hard to provide and make information about the project easily accessible to the community. The final Environmental Impact Report (EIR) is expected to be finalized by the end of the year and the goal is to provide information when the document is released. The DWR will consider project approval as soon as the EIR has been released.

Ms. Barbieri stated that there is a Community Benefits Program that will roll out next year. There will be public input related to the program. In addition, there will also be ongoing permitting processes that are coming along in the project.

Director Luna asked regarding the most recent earthquake that took place in California on October 18th and how this can be an opportunity to address the importance of this project to communities.

Ms. Barbieri stated that the Communications team produced a digital article with information regarding seismic resiliency and the nature of the project in July 2023 and will continue to push that information through social media. The article was also pushed through local PWA's service areas and Statewide channels.

Director Luna stated that Seismic has always been an interest of his and how it relates to this project and the ability to have ambassadors or external information that not only comes from the project but also experts.

Ms. Barbieri stated that that there was a local CBS affiliate report the day before that had a lot of quotes from the United States Geological Survey (USGS) with helpful information that reinforces that groundwork we are doing.

President Palmer stated that she has had previous conversations with people who erroneously stated that there is no real seismic risk. And obviously there is.

Director Cheng asked since the Communications team is supporting the PWA's, do they aggregate the amount of public outreach that each agency does.

Ms. Barbieri stated that the Communications team is working closely with the individual PWA Communications departments and asking them to put information out through their channels since they have great ways of reaching out to their rate payers and constituents.

President Palmer appreciates the Communications team giving information that has been very useful.

Ms. Martinez stated that if there is ever a need for information to please advise the Communications team.

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

e) **DCP Tribal Consultation Update**

Information Only

DWR, Tribal Policy Advisor, Anecita Agustinez updated the Board about the Tribal Consultation and Engagement. Ms. Agustinez stated to the Board that the engagement process has been helpful and how much time and effort has been put into it.

The DWR has been engaged with thirteen (13) Tribes that are considered active consulting Tribes and are culturally affiliated Tribes in the Delta region. Many of these Tribes are considered Culturally Affiliated Tribes to the Delta Region. There have been over one-hundred and fifty (150) Government-to-Government consultation meetings. During the Coronavirus Virus shutdown, the Tribes requested to not only the Governor but the also the Secretary of State to pause consultation, which would have caused a pause in the California Environmental Quality Act (CEQA) process, but it was determined it did not apply to the Delta Conveyance Project (DCP). Many of the Tribes were upset by the continuation of the Government-to-Government consultation as many felt they did not have the capacity to continue. DWR was able to connect with the Tribes through Zoom and continue the discussions and develop opportunities for site visits and obtain Tribal feedback that was needed to develop the documents and the information to draft the EIR. Many of the EIR comments include Tribal comments including actively consulting Tribes and Tribes throughout the State.

Ms. Agustinez stated that DWR committed to sending formal letters and emails to consulting Tribes that inform them on a regular basis of milestones that the project reaches. Currently, DWR is in the process of the closing AB-52 consultation under CEQA. AB-52 resulted in a new amended description and classification of a Tribal Cultural Resource. It has been a challenging process to be able to cover the number of affiliated Tribes, but we are fortunate that the consultation process has continued and are now at the step of completing the EIR with Tribal participation.

Ms. Agustinez described to the Board that the Tribal outreach would continue and DWR is committed to Tribal engagement that DWR has a Tribal engagement website on the DWR webpage. When DWR knew it would move forward with the DCP and that it would fall under the AB-52 Consultation, DWR elected to do a series of Pre-AB-52 meetings. This was a new process that DWR engaged in and it's now considered a best practice that has been institutionalized not only through DWR but other State agencies and they too are engaging in the Pre-AB-52 informational meetings to let Tribes know that if they are not on the AB-52 Consultation list that there is an opportunity to do so. This allows for early engagement of what is meaningful consultation. The Tribal Engagement website includes the early meetings, early agendas and all of the presentations. In addition to the Government-to-Government consultations that DWR conducted, this website includes annual informational meetings that are conducted on behalf of the Tribes for information. Those informational meetings were open to a Statewide audience and Tribal non-government organizations (NGOs) that were assisting other Tribes in understanding the nature of this project. DWR participated in the Tribal Coalition meetings that also included Graham Bradner and Carrie Buckman. Mr. Bradner and Ms. Buckman provided subject matter expertise and a lot of it was aligned with what was happening during the DCA process of the Stake Holder Engagement Committee (SEC) meetings and there were Tribal Governmental Representatives participating in the SEC process. The Tribal Representatives coordinated with DWR to revisit several SEC agenda items and review the items for the larger Tribal community. This created an opportunity to reinforce the information and was welcomed by the Tribes. DWR appreciates the work that DCA does to schedule Delta Tours with the Tribes.

Ms. Agustinez stated to the Board that the DWR message to the Tribal Governments and Tribal communities is that consultation does not end, and that consultation is an ongoing process and will continue. DWR is under the California Natural Resources Agency's Consultation Policy as well as DWR's own Engagement Policy, which allows Tribes to continue to consult with DWR as the engagement process continues.

Ms. Agustinez continued to note that DWR wishes to continue coordination with culturally affiliated Tribes regarding any potential post-approval implementation of mitigation measures proposed in the EIR to avoid, minimize and mitigate potentially significant impacts. Once thing that has been front and foremost from all the Tribes is the Tribal Cultural Resources protection. DWR has learned through the engagement process the importance of the Delta to the Tribes. This is their ancestral lands, if you look at a map of the Delta, it is difficult to find Tribal lands that were not under Tribal jurisdiction. Their access has been removed due to the State and Federal practices of removal of the Tribes to lands outside of the Delta. The Delta remains a sacred area and when the Tribes look at the levees, they look at ancestral lands that have been built upon their ancestral homes. This is something that is important to the tribes and DWR is listening. DWR is incorporating in their mitigation measures to inform how to avoid and minimize cultural resource impacts. This is continued through site tours, various types of investigations and Tribes that have been assisting DWR. DWR would like to state that tribes have also noted that based on the alternatives that DCA has made to the project, these changes are based on what has been brought through consultations. Above all, Tribes have expressed to DWR that this is an unwelcomed project. Tribes do not want to see any further destruction to their ancestral lands. But the Tribes have chosen to stay engaged, and to be a part of the CEQA process for the consultation and for the Cultural Resources Protection. If this project continues in the future, DWR looks forward to continued dialogue with Tribes on mitigation, community benefits, and otherwise ensuring we can incorporate Tribal knowledge into what is done with the mitigation and what can be done with the community benefits and incorporate their perspectives and their desires.

President Palmer stated that Ms. Agustinez's role is very impactful, important and appreciated. The role of the Ms. Agustinez and the Tribes is crucial.

Director Luna thanked Ms. Agustinez for her role and what she does for DCA. Director Luna asked if there were any Tribal monitoring programs.

Ms. Agustinez stated that DWR is monitoring and working closely with Tribes. There is a commitment on behalf of DWR to have Tribal monitoring and during site visits they be compensated due to DWR working with Tribes as subject matter experts. Tribes bring in Tribal ecological knowledge that is important to develop an appropriate mitigation measure. There are increasing new State policies through Legislation and Governors Executive orders to incorporate Tribal knowledge through nature-based solutions as a policy planning tool for water management adaptation. DWR has developed a Public Entity Agreement Contracting Process that allows DWR to develop direct contracting with Federally recognized Tribes. Non-Federally recognized Tribes are not able to utilize the Public Entity Agreement Contracting Process, however DWR is working on other contracting mechanisms. DWR is Consulting with thirteen (13) Tribes total while several of those Tribes are non-federally recognized Tribes.

Director Adnan stated that he appreciates the work that Ms. Agustinez does and would like to know if there are any Tribes that are interested from outside of the Delta that have been engaged in the project.

Ms. Agustinez stated to the Board that there are several Tribes from the Northern State areas to the Southern State areas that are interested in the project. There have been Tribes from the San Diego County area that have asked to be updated. The Tribes stated that it is a State Water Project and would like to know the potential impacts. The Northern California Tribes are interested and are concerned about the impacts.

President Palmer appreciates Ms. Agustinez's efforts.

Ms. Agustinez stated that an ongoing commitment by the Board as DCA goes through these various changes. Especially now that DWR looks at mitigation, the community benefits are going to be important to make sure that the Tribal perspectives are included.

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

7. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

DCA General Counsel, Josh Nelson, informed the Board the General Counsel continues to provide legal assistance as requested. This has included reviewing the management plans discussed during the meeting. Our office has also assisted staff with implementing the procurement and travel policy updates approved in August. In addition, Mr. Nelson highlighted the end of the Legislative cycle. The Governor of California had until the end of last week to decide whether to sign the bills and review all bills that were signed that will become law on January 1, 2024. He will bring back any information to the Board for discussion as appropriate.

In addition, he provided an update on SB 537. As discussed previously, this bill would have allowed “multijurisdictional,” cross-county bodies to utilize more flexible remote meeting rules. Unfortunately, this bill was not passed by the legislative deadline and may be considered by the Legislature next year.

President Palmer stated that Mr. Nelson will keep the Board updated as to how to function properly.

Mr. Nelson stated to the Board that the rules that the DCA has operate under will remain in effect. He thanked Chief of Staff, Claudia Rodriguez and her team for keeping the remote meetings running smoothly.

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

b. Treasurer's Report

Bernadette Robertson presented on behalf of DCA Treasurer, Katano Kasaine. Ms. Robertson informed the Board that the report is for the first quarter of FY 24. The beginning cash balance for the Delta Conveyance Design and Construction Joint Powers Authority (Authority) on July 1, 2023, was \$1,412,837. Receipts for July through September 2023 totaled \$8,638,822 representing contributions from the DCO for payment of the Authority's obligations and total disbursements for the same period were \$8,223,031 resulting in an ending cash balance of \$1,828,628 on September 30, 2023. As of September 30, 2023, the Authority's receivables totaled \$2,506,967 consisting of 10 invoices to the DCO.

Ms. Robertson continued informing the Board of the balances for prepaid expenses and accounts payable, as of September 30, 2023, were \$84,008 and \$3,538,164, respectively. For the same period, advances totaled \$800,000 and total net position was \$81,439.

President Palmer stated that the presentation was nice and clean.

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

c. DWR Environmental Manager's Report

DWR's Environmental Manager, Carrie Buckman informed the Board that Staff is continuing to work to finalize the EIR, which is expected to release the report by the end of the year. Many people are following the Geotechnical investigation, and if the public is interested in the status, there is a rolling map of two weeks look ahead on the DWR website with all the current information.

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

d. Verbal Reports

No Comments or verbal reports were received.

8. FUTURE AGENDA ITEMS:

No future agenda items requested.

9. PUBLIC COMMENT:

President Palmer opened the Public Comment item for all items not on the agenda, there were no public comment requests received and she proceeded to close the comment period.

10. ADJOURNMENT:

President Palmer adjourned the meeting at 3:32 p.m., remotely-Conference Access Information:

Phone Number: (669) 444-9171, Code: 83319267911#, [https://dcda-](https://dcda-org.zoom.us/j/83319267911?from=addon)
[org.zoom.us/j/83319267911?from=addon](https://dcda-org.zoom.us/j/83319267911?from=addon)



Monthly Board Report

This document is fully interactive; use menus to navigate on-screen.

1

SUMMARY OF
WORK



2

COMMUNITY
ENGAGEMENT



3

BUDGET

4

CONTRACTS

5

SCHEDULE

Agenda Item 6a



Section 1 | Work Performed (November 2023 Activities)

Program Management. The team continued program-wide support activities and implementation of the Program Management Information System.

- Continued processing invoices for FY23/24
- Development of Funding Management in e-Builder
- Support vendors with invoice submission and contract amendment requests
- Support contract managers with financial forecasting and cashflow projections
- Continue development of master programmatic schedule
- Continue implementation and training of SOPs/Management Plans
- Finalized DCA Internal Controls audit

Administration. The Administrative team continued to support functions including IT support, in-person and virtual meetings and social media content/updates

- Supported DCA Board of Directors and coordination of DCA events including preparation for remote Director participation for Board meetings per Brown Act requirements
- DCA Website review and updates, pushed DCA updates via social media outlets, created reminders about resource materials
- Coordination of DCA Change Board meetings/actions
- Activities supporting the development, coordination and live support for Program Management Plans training sessions

- Continue FY23/24 contract management activities
- Logistical support for DCA alignment tours
- Execution and support of upcoming meetings and conferences

Engineering. The engineering team primarily focused on supporting the Department of Water Resources (DWR) Delta Conveyance Office (DCO) permitting efforts while also continuing to develop and progress engineering studies.

- Responded to requests for information (RFIs) from DCO environmental team regarding conceptual designs, geographic information systems (GIS) features, and/or quantities
- Continued providing support to DCO in reviewing and responding to comments received on the Draft Environmental Impact Report (DEIR) during the public comment period
- Prepared and addressed DCO comments on standalone report documenting updates made to the Central and Eastern (C-E) and Bethany Engineering Project Reports (EPRs) since they were published in 2021
- Continued providing support for a potential community benefits program, including engineering, cost estimating, and participating in meeting with community representatives
- Continued to support communications and outreach efforts, including developing new and updated graphics, planning and leading project alignment tours, and updating tour visualizations

- Continued review of existing Delta-wide subsurface information
- Continued to support DCA programmatic planning activities



Field Work. The field work team continued efforts to collect data to support evaluation of Delta-wide subsurface conditions and validation of parameters assumed during development of conceptual designs.

- Coordinated with field teams to plan and schedule borings and cone penetration tests (CPTs), conduct environmental clearances, and review permitting requirements for the Fall 2023 Investigation Program
- Continued coordination of Temporary Entrance Permits (TEPs) and Court Ordered Entry (COE) documentation and required for the Fall 2023 Investigation Program
- Initiated the Fall 2023 Investigation Program
- Continued planning for potential future geotechnical investigation
- Continued laboratory analysis of data gathered during the Spring and Summer 2023 Investigation Program

Section 1 | One Month Look-Ahead (December 2023 Activities)

Program Management

- Continue processing invoices for FY23/24
- Continue development and processing of Task Orders, Task Order Amendments and Purchase Orders for FY23/24
- Continue development of Funding Management in e-Builder
- Support vendors with invoice submission and contract amendment requests
- Continue implementation and training of SOPs/Management Plans
- Support contract managers with financial forecasting and cashflow projections
- Continue development of master programmatic schedule
- Continue implementation of FY23/24 budget approval and associated contract documents
- Completion of Rate Review process in e-Builder and roll out of new process.

Administration

- Continue support to DCA office including all Administrative, Facility and IT functions
- Continue support for DCA Board of Directors meetings and monthly report generation
- Continue coordination of DCA Change Control Board meetings/actions
- Continue support for stakeholder engagement and outreach efforts
- Continue to manage and coordinate content for Social Media outlets
- Continued development of training for Organization Growth Implementation Plan
- Planning for Learning Management System implementation
- Ongoing FY23/24 contract management activities
- Continue support for DCA Tours

Engineering

- Continue to respond to requests for clarification on conceptual designs, GIS features and/or quantities from DWR environmental team
- Complete review of comments received on the Draft Environmental Impact Report (DEIR) during the public comment period
- Post the EPR update documents to the DCA SharePoint
- Continue supporting DCA programmatic activities
- Continue supporting DCO's potential community benefits projects
- Continue review of existing Delta-wide subsurface information
- Provide engineering support to the Fall 2023 Geotechnical Investigation Program

Field Work

- Continue coordination with field teams to plan and schedule borings and CPTs, and review permitting requirements for the Fall 2023 Investigation Program
- Continue coordination of COEs and TEPs required for the Fall 2023 Investigation Programs
- Complete the Fall 2023 Investigation Program, adjusting schedule, as needed, based on communications with landowners, entry agreements, harvesting schedules, and biological constraints
- Continue developing list of priority future geotechnical investigation locations
- Complete laboratory analysis of data gathered during the Spring 2023 Investigation Program and continue analysis of data gathered during the Summer 2023 Investigation Program



Section 2 | Community Engagement: We're Connecting Everywhere

Community Engagement Highlights

- Completed fact sheets for Alameda County Water District and Santa Clara Valley Water District
- Attended the Association of California Water Agency's Fall Conference to engage with agency staff and leadership
- Worked with DWR to create social media content highlighting the importance of the DCP
- Continued development of localized "Closer Look" Fact Sheets regarding various engineering and construction aspects of DCP
- Assisted DWR in creating advertising and social media content regarding the importance of DCP with the goal to increase awareness in local communities



SOCIAL MEDIA:

Total impressions: 182,469
Video Plays: 96, 570

WEBSITE VIEWS:

Overview page: 398
Document Library page: 417

Section 3 | Budget

Budget. The FY23/24 DCA revised approved budget is \$40.44M (Table 1). Our projection is currently forecasting an Estimate at Completion budget of \$40.44M (Table 1). The DCA has committed \$32.99M (details in Table 3) and has incurred \$10.85M in expenditures through the end of November (details in Table 2). Actual and planned cash flow curves are shown in Figure 2.

Table 1 | Monthly Budget Summary (FY 23/24)

	Original Budget	Current Budget	Current Commitments	Incurred to Date	EAC	Variance (Surplus)/Deficit
Program Management Office						
Executive Office	\$ 5,382,983	\$ 5,232,983	\$ 3,185,637	\$ 729,650	\$ 5,276,267	\$ 43,284
Community Engagement	1,263,072	1,263,072	1,013,721	263,051	1,268,721	5,649
Program Controls	4,230,306	4,230,306	4,172,811	1,380,190	4,172,811	(57,495)
Administration	3,229,589	3,229,589	3,172,862	1,430,287	3,235,060	5,471
Procurement and Contract Administration	555,508	555,508	558,448	118,150	558,448	2,940
Property	570,364	570,364	569,013	175,356	570,934	570
Permitting Management	489,208	489,208	490,874	158,658	490,874	1,666
Health and Safety	488,585	488,585	480,980	117,438	480,980	(7,605)
Quality Management	391,560	391,560	393,640	97,338	393,640	2,080
Sustainability	84,344	84,344	84,240	75,971	84,240	(104)
Program Initiation Office						
Engineering	\$ 15,656,019	\$ 15,656,019	\$ 11,820,755	\$ 3,575,609	\$ 15,656,019	\$ -
Fieldwork	7,613,466	8,101,016	6,895,230	2,727,156	8,104,559	3,543
Initiation Fieldwork Support	-	150,000	150,000	-	150,000	-
	\$ 39,955,004	\$ 40,442,554	\$ 32,988,211	\$ 10,848,854	\$ 40,442,554	\$ -

Section 3 | Budget *continued*

Table 2 | FY 23/24 Budget Detail

Work Breakdown Structure	Original Budget	Current Budget	Commitments	Pending Commitments	Actuals Received	Remaining Budget	% of Budget Incurred	Estimate at Completion	Variance (Surplus)/Deficit
Delta Conveyance	\$ 39,955,004	\$ 40,442,554	\$ 32,988,211	\$ -	\$ 10,848,854	\$ 29,593,700	27%	\$ 40,442,554	\$ (0)
Executive Office	5,382,983	5,232,983	3,185,637	-	729,650	4,503,333	14%	5,276,267	43,284
Management	2,555,988	2,555,988	2,385,833	-	549,093	2,006,895	21%	2,441,578	(114,410)
Legal	525,000	525,000	496,109	-	81,116	443,884	15%	525,000	-
Audit	18,000	18,000	18,000	-	-	18,000	0%	18,000	-
Treasury	37,315	37,315	45,855	-	45,855	(8,540)	123%	46,127	8,812
Human Resources	246,680	246,680	239,840	-	53,585	193,095	22%	239,840	(6,840)
Undefined Allowance	2,000,000	1,850,000	-	-	-	1,850,000	0%	2,005,722	155,722
Community Engagement	1,263,072	1,263,072	1,013,721	-	263,051	1,000,021	21%	1,268,721	5,649
Management	406,072	406,072	406,197	-	132,511	273,561	33%	406,197	125
Community Coordination	250,000	250,000	-	-	-	250,000	0%	250,000	-
Outreach	607,000	607,000	607,523	-	130,540	476,460	22%	612,523	5,523
Program Controls	4,230,306	4,230,306	4,172,811	-	1,380,190	2,850,116	33%	4,172,811	(57,495)
Management	682,311	682,311	665,181	-	189,411	492,900	28%	665,181	(17,130)
Cost Management	823,085	823,085	819,180	-	243,361	579,724	30%	819,180	(3,905)
Schedule Management	1,367,850	1,367,850	1,311,980	-	337,257	1,030,593	25%	1,311,980	(55,870)
Document Management	436,560	436,560	443,120	-	128,915	307,645	30%	443,120	6,560
Governance	920,500	920,500	933,350	-	481,246	439,255	52%	933,350	12,850
Administration	3,229,589	3,229,589	3,172,862	-	1,430,287	1,799,302	44%	3,235,060	5,471
Management	917,760	917,760	919,680	-	303,110	614,650	33%	919,680	1,920
Facilities	1,420,461	1,420,461	1,432,767	-	696,119	724,342	49%	1,420,461	-
Information Technology	891,368	891,368	820,415	-	431,058	460,310	48%	894,919	3,551
Procurement and Contract Administration	555,508	555,508	558,448	-	118,150	437,358	21%	558,448	2,940
Procurement Management	555,508	555,508	558,448	-	118,150	437,358	21%	558,448	2,940

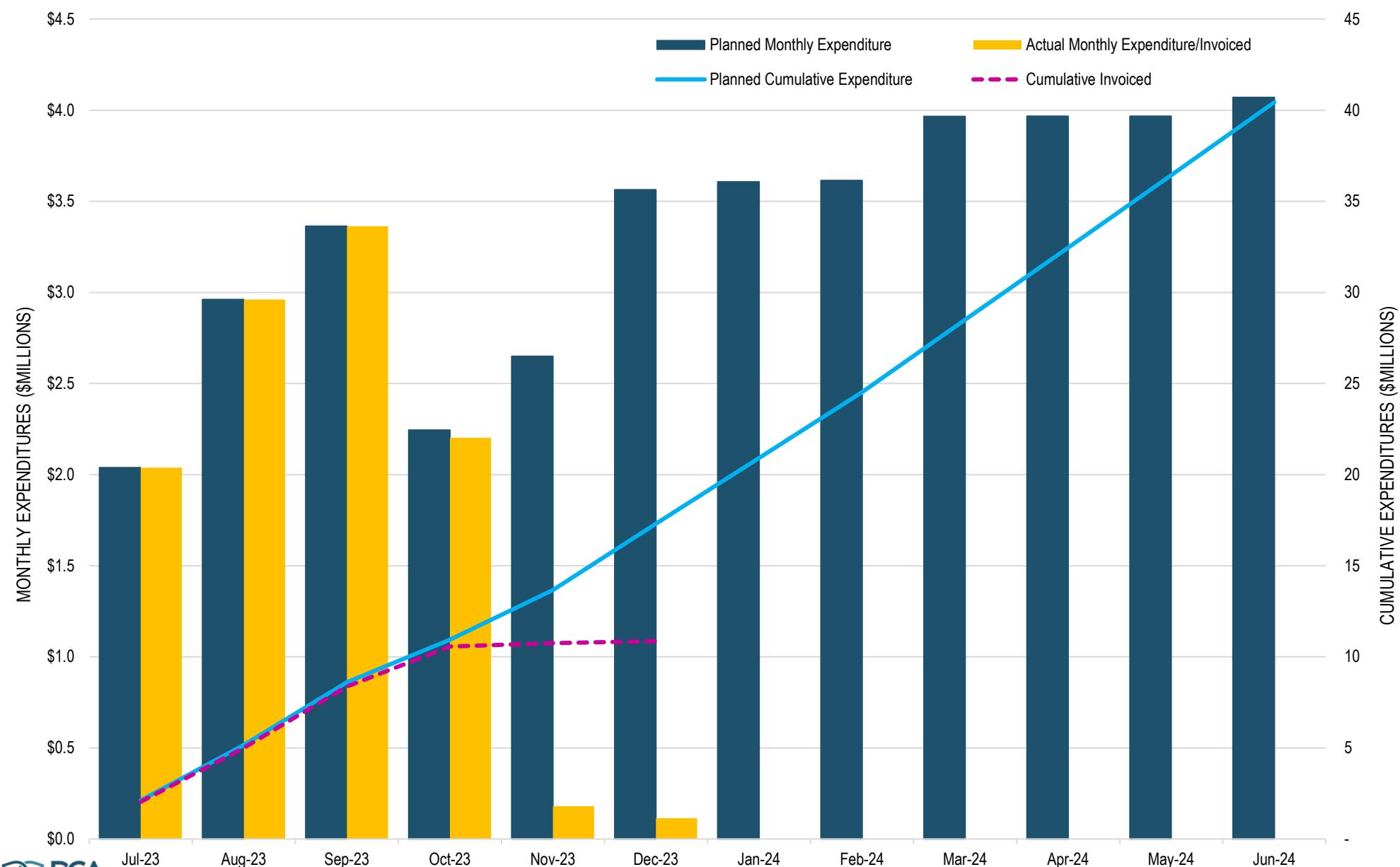
Section 3 | Budget *continued*

Table 2 | FY 23/24 Budget Detail

Work Breakdown Structure	Original Budget	Current Budget	Commitments	Pending Commitments	Actuals Received	Remaining Budget	% of Budget Incurred	Estimate at Completion	Variance (Surplus)/Deficit
Property	570,364	570,364	569,013	-	175,356	395,008	31%	570,934	570
Management	115,364	115,364	115,934	-	5,920	109,445	5%	115,934	570
Property Agents	355,000	355,000	353,079	-	121,436	233,564	34%	355,000	-
Temporary Entrance Permits	100,000	100,000	100,000	-	48,000	52,000	48%	100,000	-
Permitting Management	489,208	489,208	490,874	-	158,658	330,550	32%	490,874	1,666
Management	489,208	489,208	490,874	-	158,658	330,550	32%	490,874	1,666
Health and Safety	488,585	488,585	480,980	-	117,438	371,147	24%	480,980	(7,605)
Management	488,585	488,585	480,980	-	117,438	371,147	24%	480,980	(7,605)
Quality Management	391,560	391,560	393,640	-	97,338	294,222	25%	393,640	2,080
Management & Auditing	391,560	391,560	393,640	-	97,338	294,222	25%	393,640	2,080
Sustainability	84,344	84,344	84,240	-	75,971	8,373	90%	84,240	(104)
Management	84,344	84,344	84,240	-	75,971	8,373	90%	84,240	(104)
Engineering	15,656,019	15,656,019	11,820,755	-	3,575,609	12,080,410	23%	15,656,019	-
Management & Administration	1,019,495	1,019,495	1,003,896	-	413,269	606,226	41%	1,019,495	-
CEQA Engineering Support	941,432	941,432	931,831	-	213,358	728,074	23%	941,432	-
Facility Studies	8,831,836	8,831,836	7,425,544	-	2,948,981	5,882,855	33%	8,831,836	-
Project Definition Reports	4,863,256	4,863,256	2,459,484	-	-	4,863,256	0%	4,863,256	-
Fieldwork	7,613,466	8,101,016	6,895,230	-	2,727,156	5,373,860	34%	8,104,559	3,543
Management	1,379,135	1,379,135	1,369,023	-	304,666	1,074,469	22%	1,380,542	1,407
Geotechnical Work	5,800,000	6,287,550	5,089,740	-	2,275,842	4,011,708	36%	6,287,550	-
Environmental Monitoring	434,331	434,331	436,467	-	146,648	287,683	34%	436,467	2,136
Initiation	-	150,000	150,000	-	-	150,000	0%	150,000	-
Initiation Fieldwork Support	-	150,000	150,000	-	-	150,000	0%	150,000	-

Section 3 | Budget *continued*

Figure 1 | FY 23/24 Cash Flow



Section 4 | Contracts *continued*

Table 3 | Contract Summary

Contracts. Table 3 summarizes the status of all active commitments within the DCA for the current fiscal year. Any pending or approved commitment changes are

summarized in **Table 4**. SBE/DVBE participation in major contracts is summarized in **Table 5**. Currently, there are no active procurements, see **Table 6**.

Contract Description	Commitment Amount	Pending Commitments	Invoiced to Date	Percent Invoiced
180005 - e-Builder, Inc.	\$ 153,861	\$ -	\$ 153,861	100%
180006 - Jacobs Engineering Group	\$ 13,152,370	\$ -	\$ 4,005,540	30%
180008 - Hamner, Jewell & Associates	\$ 29,798	\$ -	\$ 10,682	36%
180009 - Bender Rosenthal, Inc.	\$ 303,385	\$ -	\$ 106,017	35%
180010 - Associated Right of Way Services, Inc.	\$ 19,896	\$ -	\$ 4,737	24%
190005 - Baker Tilly US LLP	\$ 591,720	\$ -	\$ 200,413	34%
190009 - Parsons	\$ 8,427,221	\$ -	\$ 2,585,474	31%
190011 - GV/HI Park Tower Owner, LLC	\$ 1,249,719	\$ -	\$ 616,023	49%
190014 - 110 Holdings dba Launch Consulting, LLC	\$ 360,284	\$ -	\$ 93,586	26%
190019 - VMA Communications, Inc.	\$ 788,400	\$ -	\$ 185,225	23%
200003 - Best Best & Krieger	\$ 496,109	\$ -	\$ 81,116	16%
200013 - Metropolitan Water District of S. California	\$ 507,816	\$ -	\$ 54,780	11%
200014 - Dept of Water Resources	\$ 100,000	\$ -	\$ 48,000	48%
210018 - AECOM Technical Services	\$ 5,952,452	\$ -	\$ 2,461,003	41%

Section 4 | Contracts *continued*

Table 3 | Contract Summary

Contract Description	Commitment Amount	Pending Commitments	Invoiced to Date	Percent Invoiced
210019 - Santa Clara Valley Water	\$ 220,769	\$ -	\$ 20,837	9%
220002 - Gwendolyn Buchholz, Permit Engineer Inc	\$ 150,000	\$ -	\$ 41,250	28%
220009 - Alliant Insurance	\$ 37,043	\$ -	\$ 37,043	100%
220015 - Consolidated Communications, Inc.	\$ 36,000	\$ -	\$ 14,234	40%
220016 - AT&T	\$ 58,165	\$ -	\$ 9,882	17%
230001 - Keogh Multimedia	\$ 15,600	\$ -	\$ 1,121	7%
230007 - onPar Advisors LLC	\$ 48,622	\$ -	\$ 48,622	100%
230009 - Caltronics Government Services	\$ 37,650	\$ -	\$ 15,187	40%
230014 - Interagency Agreement	\$ 150,000	\$ -	\$ -	0%
230015 - AVI-SPL LLC	\$ 23,051	\$ -	\$ 13,051	57%
230016 - LuxBus America	\$ 35,000	\$ -	\$ 13,309	38%
Agreements <\$15k	\$ 43,280	\$ -	\$ 27,862	64%

Section 4 | Contracts *continued*

Table 4 | Commitment Changes

WBS Description	Current Budget	Amount	% Change	Revised Budget	Description		Budget Source	Status (Pending, Approved)
Field Work					Interagency contract to perform			
Geotechnical	\$ -	\$ 150,000	100%	\$ 150,000	geotechnical investigations		Undefined Allowance	Approved

Table 5 | S/DVBE Status (FY 23/24)

	Commitment Amount	Invoiced to Date	Percent Committed	Percent Invoiced
Delta Conveyance	\$ 32,988,211	\$ 10,848,854		
SBE Participation	\$ 2,999,209	914,557	9.1%	8.4%
DVBE Participation	\$ 50,000	\$ 5,920	0.2%	0.1%

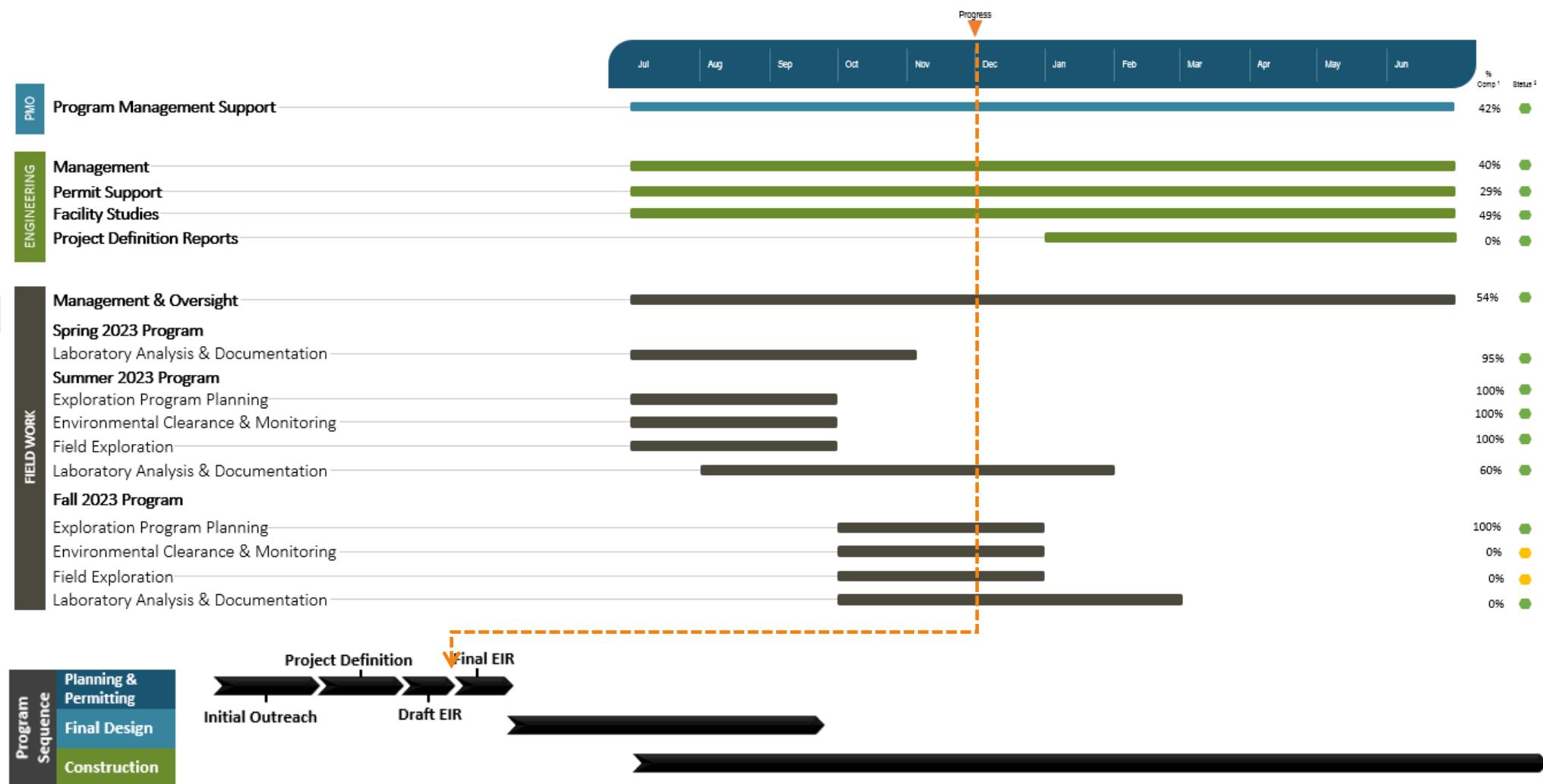
Consultant	Current Commitment	Percent of Total Commitment	Invoiced to Date	Percent Invoiced SBE/DVBE	SBE/DVBE Status
Jacobs Engineering Group	13,152,370	1.0%	4,005,540	1.1%	
Anchor	50,000	0.4%	5,920	0.1%	SBE/DVBE
JMA	25,000	0.2%	12,633	0.3%	SBE
JASpezia	50,000	0.4%	26,182	0.7%	SBE
Parsons	8,427,221	20.1%	2,585,474	21.2%	
Chaves	1,695,080	20.1%	547,975	21.2%	SBE
Associated Right of Way Services	19,896	100%	4,737	100%	SBE
Bender Rosenthal, Inc.	303,385	100%	106,017	100%	SBE
Caltronics Government Services	37,650	100%	15,187	100%	SBE
Hamner, Jewell & Associates	29,798	100%	10,682	100%	SBE
VMA Communications	788,400	100%	185,225	100%	SBE

Table 6 | Contract Procurement Summary

There are no active procurements in this period

Section 5 | Program Schedule

Schedule. The Program Management Office (PMO) continues to work on program support activities as planned. The Engineering team continues providing permitting support to the DCO and progressing supplemental concept validation studies. The team also continued to support DCA programmatic activities including fieldwork, scheduling and outreach. The Fieldwork team continued planning for the Fall 2023 Investigation Program and began planning for potential future investigation programs.



Disclaimer: This Program Sequence is for discussion purposes only and does not represent a decision by the DCA or DWR. Final decisions about the project will be made by DWR and will NOT be made until the concluding stages of the CEQA process.

**DELTA CONVEYANCE DESIGN
AND CONSTRUCTION AUTHORITY**

Statements of Cash Receipts and Disbursements
(Cash Basis of Accounting)

Years Ended June 30, 2023 and 2022

(With Independent Auditor's Report Thereon)

Agenda Item 6b

**DELTA CONVEYANCE DESIGN
AND CONSTRUCTION AUTHORITY**
Years Ended June 30, 2023 and 2022

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Independent Auditor's Report

To the Members of the
Delta Conveyance Design and
Construction Authority

Opinion

We have audited the statement of cash receipts and disbursements of the Delta Conveyance Design and Construction Authority (the Authority) for the year ended June 30, 2023, and the related notes to the statements of cash receipt and disbursements (the financial statement).

In our opinion, the accompanying financial statement presents fairly, in all material respects, the cash receipts and disbursements of the Authority for the year ended June 30, 2023, in accordance with the cash basis of accounting described in Note 1.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Authority and to meet our ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 to the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Other Matter

Prior Period Financial Statement

The financial statement of the Authority for the year ended June 30, 2022, was audited by another auditor, who expressed an unmodified opinion on that financial statement on December 16, 2022.

Responsibilities of Management for the Financial Statements

The Authority's management is responsible for the preparation and fair presentation of the financial statements in accordance with the cash basis of accounting described in Note 1; and for determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statement

Our objectives are to obtain reasonable assurance about whether the financial statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of the material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Authority's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Other Information

Management is responsible for the other information included in this report. The other information comprises the DWR charges on behalf of the Authority, but does not include the financial statement and our auditor's report thereon. Our opinion on the financial statement does not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the financial statement, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statement, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Macias Gini & O'Connell LLP

Los Angeles, California

November 17, 2023

**DELTA CONVEYANCE DESIGN
AND CONSTRUCTION AUTHORITY**
Statements of Cash Receipts and Disbursements
(Cash Basis of Accounting)
Years ended June 30, 2023 and 2022

	2023	2022
Receipts:		
Contributions	\$ 23,466,933	\$ 17,761,426
Disbursements:		
Program management office:		
Program management	1,839,933	1,778,882
Community engagement	452,584	470,072
Program controls	2,153,057	1,375,931
Administration	2,474,226	2,301,619
Procurement	203,814	100,933
Property	427,408	408,798
Permitting management	463,489	609,927
Health and safety	27,573	675
Quality management	125,034	2,340
Program initiation office:		
Engineering	8,151,075	8,294,074
Fieldwork	6,134,888	1,913,917
 Total disbursements	 22,453,081	 17,257,168
 Other disbursements:		
Reimbursement of stand-up costs	—	800,000
 Net change in cash	 1,013,852	 (295,742)
 Cash at beginning of year	 398,985	 694,727
 Cash at end of year	 \$ 1,412,837	 \$ 398,985

See accompanying notes to statements of cash receipts and disbursements.

**DELTA CONVEYANCE DESIGN
AND CONSTRUCTION AUTHORITY**
Notes to Statements of Cash Receipts and Disbursements
Years Ended June 30, 2023 and 2022

(1) Reporting Entity and Summary of Significant Accounting Policies

The Delta Conveyance Design and Construction Authority (the Authority) is a separate governmental entity composed of participating State Water Project Contractors (SWC) formed on May 14, 2018. The Authority's original purpose under the Amended and Restated Joint Exercise of Powers Agreement (JEPA) was to assist the California Department of Water Resources (DWR) in the design and construction of new Delta water conveyance facilities, also known as California WaterFix (CWF), to be owned and operated by DWR. The CWF would convey water from the Sacramento River north of the Delta directly to the existing State Water Project (SWP) and Central Valley Project (CVP) pumping plants located in the south Delta. The purposes of the CWF were to make physical and operational improvement to the SWP and the CVP necessary to protect and maintain the Sacramento- San Joaquin Delta (Delta) ecosystem health, maintain water quality, and restore and protect water supplies for the more than 25 million people and 2 million acres of highly productive farmland that currently depend upon the water conveyed through the Delta. With the State's new water policy for California and the withdrawal of CWF, the Authority's purpose was changed to provide services to DWR in support of the new planning and environmental work during the Planning Phase as stated on Amendment No. 1 of the JEPA for a potential Delta Conveyance Project.

By means of the Amended and Restated Joint Powers Agreement (the Agreement) effective December 31, 2020 , the participating SWC, which include the Alameda County Flood Control Zone 7 Water District (Zone 7), Alameda County Water District, Antelope Valley-East Kern Water Agency, Coachella Valley Water District, Crestline-Lake Arrowhead Water Agency, Desert Water Agency, Dudley Ridge Water District, Kern County Water Agency, Mojave Water Agency, Palmdale Water District, Santa Clara Valley Water District (SCVWD), Santa Clarita Valley Water Agency, San Bernardino Valley Municipal Water District, San Gabriel Valley Municipal Water District, San Gorgonio Pass Water Agency, and the Metropolitan Water District of Southern California (Metropolitan), agreed to bear some of the financial obligations for the Planning Phase of the proposed Delta Conveyance Project. Each participating SWC has approved initial funding for the Planning Phase. The Authority is governed by a seven-member Board of Directors (the Board), including one member from Metropolitan, SCVWD, and Kern County and four members from other participating SWC agencies selected by classes of SWC as set forth in the Agreement.

Pursuant to the Agreement and its predecessor, the Board contracted Metropolitan to perform treasury services through an Inter-Agency Agreement between Metropolitan and the Authority dated June 5, 2018. The Inter-Agency Agreement designates Metropolitan as trustee over all funds of the Authority and requires that such monies be placed in a special fund designated the "DCA Fund" (the Fund). Disbursements from the Fund are made by Metropolitan at the direction of the Authority.

The Authority's policy is to prepare its statements of cash receipts and disbursements on the cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America (U.S. GAAP). Consequently, receipts are recognized when received rather than when earned, and disbursements are recognized when paid rather than when the obligation is incurred.

Accordingly, the accompanying statements of cash receipts and disbursements are not intended to present the Authority's financial position and results of operations, in conformity with U.S. GAAP.

Certain amounts reported in fiscal year 2022 have been reclassified to conform to the fiscal year 2023 presentation. Such reclassification had no effect on the previously reported cash balance.

**DELTA CONVEYANCE DESIGN
AND CONSTRUCTION AUTHORITY**

Notes to Statements of Cash Receipts and Disbursements (continued)
Years Ended June 30, 2023 and 2022

(2) Delta Conveyance Project

On April 29, 2019, Governor Newsom issued an executive order calling for the development of a water resilience portfolio that meets the needs of California's communities, economy, and environment through the 21st century. This includes the governor's vision for a modern water supply infrastructure, a more climate resilient water supply for people and the environment, and the SWP must be updated to respond to climate change.

Accordingly, DWR launched the Planning Phase as defined above and released a Notice of Preparation on January 15, 2020, which initiated the California Environmental Quality Act (CEQA) scoping period that later concluded on April 17, 2020. On June 15, 2020, DWR submitted a revised permit application to request authorization for the proposed Delta Conveyance project activities in the waters of the United States. The Section 404 permit application was submitted in order to formally engage the United States Army Corps of Engineers (USACE) in early coordination with DWR's CEQA process regarding environmental review under USACE's process for compliance with the National Environmental Policy Act and the Clean Water Act and Rivers and Harbors Act.

Eighteen State Water Project contractors took action in November and December 2020 and approved their participation in the planning and pre-construction costs for the Delta Conveyance Project and authorized the execution of a funding agreement with the DWR for such purpose. Funding for completing the environmental process, including the Environmental Impact Report (EIR) and Environmental Impact Statement and the endangered species permits, is estimated at \$340.7 million for calendar years 2021 through 2024. Future funding for the project will be approved by the SWC at the start of each phase.

On July 27, 2022, the DWR released a public Draft Environmental Impact Report (Draft EIR) under the California Environmental Quality Act for the Delta Conveyance Project for review and comments. A range of reasonable alternatives are identified and their potential impacts on environmental resources are analyzed in the Draft EIR. The Draft EIR also discusses Community Benefits Program framework as part of the Delta Conveyance Project to help protect and enhance the cultural, recreational, natural resource and agricultural values of the Delta. DWR's ongoing tribal consultation process as part of its environmental planning, consistent with State statutes and policies, are also documented in the Draft EIR. The public comment period for the Draft EIR closed on December 16, 2022. DWR is in the process of reviewing and responding to substantive comments received on the Draft EIR and plans to issue a Final EIR in late 2023. At that time, DWR will determine whether to approve the proposed project, an alternative or no project.

In addition, the USACE has released a draft environmental impact statement for public review and comment. This comment period closed on March 16, 2023. The USACE will now consider the comments and prepare responses.

(3) Reimbursement of Stand Up Costs

In December 2020, the Authority's Joint Powers Agreement was amended allowing for new members to participate in the Authority's power to design and construct the Delta Conveyance Project. Section 12.2 of the amended agreement stipulates the reimbursement to the original members who contributed to the Authority's Stand Up Costs when it was first formed. As a result, in November 2021, \$400,000, \$200,000, and \$200,000 were returned to Metropolitan, SCVWD, and Zone 7, respectively.

**DELTA CONVEYANCE DESIGN
AND CONSTRUCTION AUTHORITY**

Other Information – Summary of DWR Charges on Behalf of the Authority (Unaudited)

For the years ended June 30,

	<u>2023</u>	<u>2022</u>
Disbursements:		
Program management office:		

Property	<u>\$ 53,880</u>	<u>\$ 127,790</u>
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Note to Other Information

DWR incurred certain costs in support of the planning and environmental phase of the Delta Conveyance Project as well as the previous CWF project that were not billed to the Authority. These costs were excluded from the disbursements in the statements of cash receipts and disbursements because they were not paid with Authority monies.

Board Memo

Contacts: Josh Nelson, General Counsel

Date: December 14, 2023 Board Meeting **Item No.** 6d

Subject:

Consider Passing Resolution Approving the Sixth Amendment to the Baker Tilly US, LLP Agreement for Executive Director Services

General:

The Board of Directors contracts with Baker Tilly US, LLP for Executive Director services. This agreement was initially executed in March 2019 and will expire on June 30, 2029. Graham Bradner is the named Executive Director under this agreement.

Recently, Baker Tilly requested that the DCA consider an alternative contracting method for Executive Director services. Baker Tilly is very supportive of the DCA and its efforts. However, the Executive Director agreement is relatively unique and not the type of services it generally provides to clients.

Based on this, staff recommends that the Board consider approving the attached Sixth Amendment to the agreement to assign the agreement to Bradner Consulting, LLC. This change will not result in any material changes to the services. Mr. Bradner will continue to act as the named Executive Director.

The proposed amendment makes one additional change. It recognizes that worker's compensation insurance will not be required unless Bradner Consulting, LLC has employees. Currently, Mr. Bradner, the agency's principal, is its only staff member. If approved, the amendment will be effective January 1st.

This amendment is authorized as a direct contract under the DCA's Purchasing & Procurement Policy for the following reasons: (1) an amendment, (2) competitive procurement would not provide an advantage as Mr. Bradner is the named Executive Director, and (3) professional services which are not required to be competitively procured by law.

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Recommended Action:

Adopt the attached Resolution authorizing the President to execute the enclosed Sixth Amendment to the Agreement for Executive Director Services.

Attachments:

Attachment 1 - Resolution 23-XX

Exhibit A - Sixth Amendment to the Agreement for Executive Director Services

BOARD OF DIRECTORS OF THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
RESOLUTION NO. 23-XX

Introduced by Director XXXX

Seconded by Director XXXX

SIXTH AMENDMENT TO AGREEMENT FOR EXECUTIVE DIRECTOR SERVICES

Whereas, the Delta Conveyance Design and Construction Authority (DCA) and Baker Tilly US, LLP through its predecessor in interest (Consultant) entered into an Agreement for Executive Director Services (Agreement), as subsequently amended; and

Whereas, the DCA wishes to approve an assignment to transfer the agreement to Bradner Consulting, LLC; and

Whereas, the parties wish to amend the agreement to reflect this and other agreed upon changes.

Now, therefore, be it resolved that the findings stated above are true and correct and are hereby adopted by the DCA Board.

Be it further resolved that the DCA Board authorizes the President to execute the attached Sixth Amendment to the Agreement for Executive Director Services as Exhibit A and incorporated by this reference.

* * * * *

This Resolution was passed and adopted this ____th day of December, 2023, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Sarah Palmer, Board President

Attest:

Gary Martin, Board Secretary

EXHIBIT A

Sixth Amendment to
Agreement for Executive Director Services

[attached behind this page]



THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

SIXTH AMENDMENT TO AGREEMENT NO. 190005

(NEW AGREEMENT NO. _____)

FOR CONSULTING SERVICES

This amendment to Agreement No. 190005 (New Agreement No. _____), hereinafter referred to as Sixth Amendment, is between THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY, a public agency organized pursuant to the Joint Exercise of Powers Act (California Government Code Sections 6500, et seq.), hereinafter referred to as the Delta Conveyance Design and Construction Authority or DCA, BAKER TILLY US, LLP, hereinafter referred to as Baker Tilly, and BRADNER CONSULTING, LLC, hereinafter referred to as Consultant.

Explanatory Recitals

1. There is now in effect between DCA and Consultant, an agreement for services dated March 8, 2019 and amended as set forth in that First, Second, Third, Fourth, and Fifth Amendments, and hereinafter referred to as Agreement.
2. Baker Tilly wishes to assign its interest in the Agreement to Consultant. Doing so ensures that Graham Bradner remains as the named Executive Director under the Agreement.
3. The parties desire to amend the Agreement to approve the transfer of this Agreement from Baker Tilly to Consultant and make other modifications to the terms and conditions as noted below.

NOW, THEREFORE, in consideration of the mutual covenants contained in the Agreement, including this Sixth Amendment, the parties agree as follows:

Terms of Agreement

1. Effective Date. This Sixth Amendment is effective as of January 1, 2024.
2. Assignment. Pursuant to Section 11 of the Agreement, any assignment of this Agreement by Baker Tilly requires the DCA's approval and an amendment to the Agreement. The DCA hereby approves the transfer of this Agreement to the Consultant, and Consultant hereby assumes and

agrees to perform all obligations, duties, liabilities, and commitments of Baker Tilly under this Agreement on a move forward basis as of the effective date of this Sixth Amendment.

3. Amendment. Section 19.e of the Agreement is hereby deleted and no further force or effect.

4. Amendment. Section 20.b.iv of the Agreement is amended to read in full as set forth below:

iv. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance. Employer's liability limits shall be no less than \$1 million each accident, each employee for bodily injury, and policy limit for bodily injury. If there is a known exposure, the workers' compensation policy shall also include U.S. Longshore and Harbor Workers Act, Jones Act, and Federal Employer's Liabilities Act coverage. If there is only a remote exposure, these coverages shall be provided on an "if any" basis. The policy shall be endorsed to waive the insurer's right of subrogation against the DCA, its Board of Directors, officers, and employees. Insurance set forth in subsection shall not be required during any time in which Consultant does not have any employees.

5. Continuing Effect of Agreement. This Sixth Amendment modifies the Agreement only as expressly set forth above. This Sixth Amendment does not modify, alter, or amend the Agreement in any other way whatsoever. All other Agreement terms and conditions not expressly set forth above remain unchanged.

6. Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Sixth Amendment.

7. Severability. If any portion of this Sixth Amendment is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

8. Electronically Transmitted Signatures; Electronic Signatures. A manually signed copy of this Sixth Amendment which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Sixth Amendment for all purposes. This Sixth Amendment may be signed using an electronic signature.

9. Venue. This Sixth Amendment shall be governed by the laws of the State of California. Venue shall be in Sacramento County.

10. Counterparts. This Sixth Amendment may be signed in counterparts, each of which shall constitute an original.

SIGNATURES ON FOLLOWING PAGE

SIGNATURE PAGE TO SIXTH AMENDMENT TO AGREEMENT NO. 190005

IN WITNESS WHEREOF, the parties have executed and entered into this Sixth Amendment as of the date last written below.

THE DCA

By: _____

Printed Name: _____

Date: _____

BAKER TILLY US, LLP

By: _____

Printed Name: _____

Date: _____

BRADNER CONSULTING, LLC

By: _____

Printed Name: _____

Date: _____

General Counsel's Report

Contact: Josh Nelson, General Counsel

Agenda Date: December 14, 2023, Board Meeting

Item No. 7a

Subject: Status Update

Summary:

The General Counsel continues to assist the DCA on legal matters as requested.

Detailed Report:

The General Counsel continues to provide legal assistance as requested. This has included assisting with the contract amendment on the agenda this month.

The big announcement is the public release of the final EIR for the Delta Conveyance Project by the Department of Water Resources on December 8th. Please note that this does not mean that there is approved project, and more information will be provided at the meeting.

Action:

Information, only.

Treasurer's Report

Contact: Katano Kasaine, Treasurer

Date: December 14, 2023 **Item No. 7b**

Subject: Treasurer's Monthly Report, October/November 2023

Summary:

The beginning cash balance for the Delta Conveyance Design and Construction Joint Powers Authority (Authority) at October 1, 2023 was \$1,828,628. Receipts for October through November 2023 totaled \$5,794,259 representing contributions from the Department of Water Resources, Delta Conveyance Office (DCO) for payment of the Authority's obligations and total disbursements for the same period were \$6,119,062 resulting in an ending cash balance of \$1,503,825 at November 30, 2023.

As of November 30, 2023, the Authority's receivables totaled \$3,139,552 consisting of 14 invoices to the DCO.

Balances for prepaid expenses and accounts payable, as of November 30, 2023, were \$195,949 and \$3,788,188, respectively. For the same period, advances totaled \$800,000 and total net position was \$251,138.

Attachment 1 consists of financial statements for the month ended November 2023, a schedule of Invoices Paid through November 2023, and Aging Schedules for Accounts Payable and Accounts Receivable as of November 30, 2023.

Detailed Report:

See attached statements.

Recommended Action:

Information only.

Attachments:

Attachment 1 – October/November 2023 Authority Financial Statements

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

Statement of Net Position

As of November 30, 2023

Assets:

Cash	\$ 1,503,825
Accounts receivable	3,139,552
Prepays	<u>195,949</u>
Total assets	<u><u>\$ 4,839,326</u></u>

Liabilities:

Accounts payable	\$ 3,788,188
Advance for prepayments	<u>800,000</u>
Total liabilities	<u>4,588,188</u>
Net position:	<u>251,138</u>
Total liabilities and net position	<u><u>\$ 4,839,326</u></u>

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY
 Statements of Cash Receipts and Disbursements

	Oct. 1, 2023	Year to Date
	Nov. 30, 2023	Nov. 30, 2023
Receipts:		
Contributions ⁽¹⁾	<u>\$ 5,794,259</u>	<u>\$ 14,433,081</u>
Disbursements:		
Program management office		
Executive office	504,799	1,156,592
Community engagement	52,053	294,976
Program controls	1,064,576	2,004,528
Administration	797,379	1,418,167
Procurement	84,793	219,837
Property	45,047	214,041
Permitting management	121,682	234,198
Health and safety	87,038	93,314
Quality management	72,374	145,231
Program initiation		
Engineering	2,740,503	5,416,027
Fieldwork	<u>548,818</u>	<u>3,145,182</u>
Total disbursements	<u>6,119,062</u>	<u>14,342,093</u>
Net changes in cash	(324,803)	90,988
Cash at July 1, 2023	—	1,412,837
Cash at October 1, 2023	<u>1,828,628</u>	<u>—</u>
Cash at November 30, 2023	<u>\$ 1,503,825</u>	<u>\$ 1,503,825</u>

⁽¹⁾ DWR contributions invoiced through the DCO.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY
 Statements of Revenues, Expenses and Changes in Net Position

	Oct. 1, 2023	Year to Date
	<u>Nov. 30, 2023</u>	<u>Nov. 30, 2023</u>
Revenues:		
Contributions ⁽¹⁾	<u>\$ 6,426,842</u>	<u>\$ 14,602,609</u>
Expenses:		
Program management office		
Executive office	355,543	976,153
Community engagement	166,478	317,005
Program controls	768,888	1,752,445
Administration	609,771	1,331,002
Procurement	59,901	177,577
Property	43,389	177,832
Permitting management	83,664	202,138
Health and safety	68,800	119,262
Quality management	54,962	122,020
Program initiation		
Engineering	1,977,742	4,695,625
Fieldwork	<u>2,068,005</u>	<u>4,562,069</u>
Total expenses	<u>6,257,143</u>	<u>14,433,128</u>
Changes in net position	169,699	169,481
Net position at June 30, 2023	—	81,657
Net position at September 30, 2023	<u>81,439</u>	<u>—</u>
Net position at November 30, 2023	<u>\$ 251,138</u>	<u>\$ 251,138</u>

* Amounts may include prior month accruals that were not previously captured due to timing.

⁽¹⁾ DWR contributions invoiced through the DCO.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

Schedule of Invoices Paid
for the Five Months Ended November 30, 2023

Vendor	Invoice #	Invoice Date	Payment Date	Period of Expense	Invoice Amount	Amount Paid
1 Consolidated Communications	20230615	06/15/23	07/05/23	06/15/23-07/14/23	\$ 2,847	\$ 2,847
2 AT&T	1434120802	06/19/23	07/05/23	06/20/23-07/18/23	1,976	1,976
3 Caltronics Business Systems	3807031	06/22/23	07/05/23	05/21/23-06/20/23	1,997	1,997
4 DirectApps Inc. (Launch Consulting)	20920	05/11/23	07/10/23	04/01/23-04/30/23	15,319	15,319
5 AECOM Technical Services	2000756711	05/18/23	07/10/23	04/01/23-04/30/23	152,172	152,172
6 Best, Best, & Krieger	965664	05/18/23	07/10/23	04/01/23-04/30/23	17,067	17,067
7 Parsons	2305C141	05/25/23	07/10/23	04/01/23-04/28/23	509,618	509,618
8 AECOM Technical Services	2000755321	05/23/23	07/10/23	04/01/23-04/30/23	18,182	18,182
9 AirTouch Cellular (Verizon)	9937499359	06/17/23	07/10/23	05/18/23-06/17/23	216	216
10 Prime US-Park Tower LLC	20230701	07/01/23	07/10/23	07/01/23-07/31/23	102,670	102,670
11 Carahsoft Technology Corp	IN1408073	06/01/23	07/14/23	06/05/23-06/04/26	4,651	4,651
12 Jacobs	W8X97005-10	05/23/23	07/14/23	04/01/23-04/28/23	807,335	807,335
13 Metropolitan Water District of So. Ca	501873	05/11/23	07/14/23	04/01/23-04/30/23	31,174	31,174
14 Hammer, Jewell & Associates	202612	05/10/23	07/14/23	04/01/23-04/30/23	1,464	1,464
15 Bank of America	N/A**	07/21/23	07/21/23	07/21/23	482	482
16 Alliant Insurance Services, Inc.	2351909	06/30/23	08/02/23	07/01/23-07/01/24	7,928	7,928
17 Alliant Insurance Services, Inc.	2351910	06/30/23	08/02/23	07/01/23-07/01/24	1,566	1,566
18 Bank of America	N/A**	08/02/23	08/02/23	08/02/23	8,330	8,330
19 Hammer, Jewell & Associates	202658	06/02/23	08/07/23	05/01/23-05/31/23	1,379	1,379
20 Bender Rosenthal, Inc.	23042-5	06/08/23	08/07/23	05/01/23-05/26/23	43,793	43,793
21 Associated Right of Way Services, Inc.	21394	06/06/23	08/07/23	05/01/23-05/31/23	1,860	1,860
22 Gwen Buchholz, Permit Engineer, Inc.	2223-11	06/09/23	08/07/23	05/01/23-05/31/23	15,125	15,125
23 AECOM Technical Services	2000765092	06/08/23	08/07/23	05/01/23-05/31/23	538	538
24 AECOM Technical Services	2000765346	06/08/23	08/07/23	05/01/23-05/31/23	38,305	38,305
25 AECOM Technical Services	2000765343	06/09/23	08/07/23	04/17/23-05/31/23	168,621	168,621
26 Baker Tilly US, LLP	BT2460631	06/09/23	08/07/23	05/01/23-05/31/23	45,426	45,426
27 VMA Communications	DCA23April	04/30/23	08/07/23	04/01/23-04/30/23	38,163	38,163
28 VMA Communications	DCA23May	05/31/23	08/07/23	05/01/23-05/31/23	49,425	49,425
29 Best, Best, & Krieger	967355	06/09/23	08/07/23	05/01/23-05/31/23	23,820	23,820
30 Santa Clara Valley Water District	16	05/08/23	08/07/23	04/01/23-04/28/23	15,470	15,470
31 Jacobs	W8X97005-11	06/09/23	08/07/23	04/29/23-05/26/23	998,858	998,858
32 Parsons	2306B601	06/12/23	08/07/23	04/29/23-05/26/23	515,079	515,079
33 Santa Clara Valley Water District	17	06/08/23	08/07/23	04/29/23-05/26/23	14,419	14,419
34 AirTouch Cellular (Verizon)	9939870561	07/17/23	08/07/23	06/18/23-07/17/23	216	216
35 Caltronics Business Systems	3833168	07/25/23	08/07/23	06/21/23-07/20/23	1,908	1,908
36 Prime US-Park Tower LLC	20230801	07/25/23	08/07/23	08/01/23-08/31/23	102,670	102,670
37 Alliant Insurance Services, Inc.	2351908	06/30/23	08/09/23	07/01/23-07/01/24	27,549	27,549
38 Consolidated Communications	20230715	07/15/23	08/09/23	07/15/23-08/14/23	2,847	2,847
39 AT&T	0935511809	07/19/23	08/09/23	07/19/23-08/18/23	1,976	1,976
40 Gwen Buchholz, Permit Engineer, Inc.	2223-12	07/05/23	08/16/23	06/01/23-06/30/23	16,000	16,000
41 AECOM Technical Services	2000776183	07/07/23	08/25/23	06/01/23-06/30/23	60,943	60,943
42 Associated Right of Way Services, Inc.	21522	07/05/23	08/25/23	06/01/23-06/30/23	1,961	1,961
43 Santa Clara Valley Water District	18	07/10/23	08/25/23	05/27/23-06/30/23	19,696	19,696
44 Bender Rosenthal, Inc.	23042-6	07/12/23	08/25/23	05/27/23-06/30/23	47,248	47,248
45 Baker Tilly US, LLP	BT2478918	07/07/23	08/25/23	06/01/23-06/30/23	44,500	44,500
46 IRIS Intelligence, LLC	WYDCCA01-001r5	06/30/23	08/25/23	06/01/23-05/31/24	44,800	44,800
47 Keogh Multimedia	MK-2023-03	07/06/23	08/25/23	04/01/23-06/30/23	634	634
48 VMA Communications	DCA23June	06/30/23	08/25/23	06/01/23-06/30/23	46,661	46,661
49 Best, Best, & Krieger	970507	07/17/23	08/25/23	06/01/23-06/30/23	17,626	17,626
50 Lux Bus America Co.	85377	08/22/23	08/30/23	08/21/23	1,395	1,395
51 Metropolitan Water District of So. Ca	501887	06/29/23	09/06/23	05/01/23-05/31/23	19,034	19,034
52 Consolidated Communications	20230815	08/15/23	09/06/23	08/15/23-09/14/23	2,847	2,847
53 AirTouch Cellular (Verizon)	9942261773	08/17/23	09/06/23	07/18/23-08/17/23	216	216
54 AT&T	8467081803	08/19/23	09/06/23	08/19/23-09/18/23	1,976	1,976
55 Prime US-Park Tower LLC	20230901	08/22/23	09/06/23	09/01/23-09/30/23	102,670	102,670
56 Jacobs	W8X97005-12	07/20/23	09/18/23	04/29/23-06/30/23	1,351,892	1,351,892
57 Hammer, Jewell & Associates	202760	07/11/23	09/18/23	06/01/23-06/30/23	3,139	3,139
58 Parsons	2307B106	07/24/23	09/18/23	05/27/23-06/30/23	707,641	707,641
59 Metropolitan Water District of So. Ca	501890	07/27/23	09/18/23	06/01/23-06/30/23	22,474	22,474
60 Metropolitan Water District of So. Ca	501891	07/27/23	09/18/23	06/01/23-06/30/23	3,752	3,752
61 AECOM Technical Services	2000781214	07/20/23	09/22/23	05/01/23-06/30/23	1,790,548	1,790,548
62 Bender Rosenthal, Inc.	23042-7	08/04/23	09/22/23	07/01/23-07/28/23	25,763	25,763
63 Associated Right of Way Services, Inc.	21584	08/03/23	09/22/23	07/01/23-07/31/23	378	378

**Auto-withdrawal for Bank of America Line of Credit fee.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

 Schedule of Invoices Paid
 for the Five Months Ended November 30, 2023
 (Continued)

Vendor	Invoice #	Invoice Date	Payment Date	Period of Expense	Invoice Amount	Amount Paid
64 Baker Tilly US, LLP	BT2501233	08/04/23	09/22/23	07/01/23-07/31/23	48,060	48,060
65 Lux Bus America Co.	86344	09/08/23	09/22/23	09/06/23	1,579	1,579
66 AECOM Technical Services	2000789980	08/14/23	09/27/23	07/01/23-07/31/23	47,157	47,157
				Subtotal July - September*	\$ 8,223,031	\$ 8,223,031
67 Lux Bus America Co.	87184	09/20/23	10/02/23	09/19/23-09/19/23	1,823	1,823
68 Caltronics Business Systems	3881970	09/21/23	10/02/23	07/21/23-07/31/23	675	675
69 Caltronics Business Systems	3882017	09/21/23	10/02/23	08/01/23-08/31/23	2,325	2,325
70 Caltronics Business Systems	3882037	09/21/23	10/02/23	09/01/23-09/30/23	3,472	3,472
71 Santa Clara Valley Water District	19	08/07/23	10/04/23	07/01/23-07/28/23	3,693	3,693
72 Gwen Buchholz, Permit Engineer, Inc.	2324-01	08/15/23	10/04/23	07/01/23-07/31/23	7,375	7,375
73 AECOM Technical Services	2000790522	08/14/23	10/04/23	07/01/23-07/31/23	242,126	242,126
74 AECOM Technical Services	2000790526	08/14/23	10/04/23	07/01/23-07/31/23	36,272	36,272
75 Jacobs	W8X97006-01	08/15/23	10/04/23	07/01/23-07/28/23	785,844	785,844
76 110 Holdings, LLC (Launch Consulting)	21272	07/13/23	10/06/23	06/01/23-06/30/23	17,604	17,604
77 110 Holdings, LLC (Launch Consulting)	21098	06/09/23	10/06/23	05/01/23-05/31/23	47,774	47,774
78 Consolidated Communications	20230915	09/15/23	10/06/23	09/15/23-10/14/23	2,847	2,847
79 AirTouch Cellular (Verizon)	9944665501	09/17/23	10/06/23	08/18/23-09/17/23	216	216
80 Neumann Ltd	9348	08/31/23	10/06/23	08/30/23-08/30/23	1,523	1,523
81 Prime US-Park Tower LLC	20231001	09/27/23	10/06/23	10/01/23-10/31/23	102,670	102,670
82 Caltronics Business Systems	3886416	09/27/23	10/06/23	09/01/23-09/30/23	2,475	2,475
83 Convergent Systems	43432	07/05/23	10/11/23	07/01/23-09/30/23	587	587
84 Lux Bus America Co.	87777	09/28/23	10/11/23	09/27/23-09/27/23	1,825	1,825
85 Parsons	2308B056	08/31/23	10/23/23	07/01/23-07/28/23	550,555	550,555
86 Metropolitan Water District of So. Ca	501894	08/17/23	10/23/23	07/01/23-07/31/23	13,852	13,852
87 Caltronics Business Systems	3893609	10/04/23	10/23/23	10/01/23-10/31/23	2,712	2,712
88 Lux Bus America Co.	88935	10/12/23	10/23/23	10/11/23-10/11/23	1,710	1,710
89 110 Holdings, LLC (Launch Consulting)	21446	08/16/23	10/25/23	07/01/23-07/31/23	23,568	23,568
90 Hamner, Jewell & Associates	202885	08/18/23	10/25/23	07/01/23-07/31/23	3,697	3,697
91 Bender Rosenthal, Inc.	23042-8	09/05/23	10/25/23	07/01/23-07/28/23	30,209	30,209
92 Associated Right of Way Services, Inc.	21710	09/07/23	10/25/23	08/01/23-08/31/23	1,069	1,069
93 Best, Best, & Krieger	974965	09/11/23	10/25/23	08/01/23-08/31/23	20,700	20,700
94 Gwen Buchholz, Permit Engineer, Inc.	2324-02	09/15/23	10/25/23	08/01/23-08/31/23	14,875	14,875
95 Jacobs	W8X97006-02	09/20/23	10/25/23	07/01/23-08/25/23	1,059,614	1,059,614
96 Santa Clara Valley Water District	20	09/07/23	10/25/23	07/29/23-08/25/23	3,871	3,871
97 Convergent Systems	43655	09/18/23	11/03/23	07/01/23-09/30/23	22	22
98 Parsons	2309B380	09/14/23	11/03/23	07/29/23-08/25/23	641,688	641,688
99 ACWA	20231004	10/04/23	11/03/23	01/01/24-12/31/24	820	820
100 ACWA	INV012311	08/23/23	11/03/23	11/29/23-11/29/23	1,600	1,600
101 ACWA	FC23-INV-781	08/23/23	11/03/23	11/29/23-11/29/23	475	475
102 ACWA	FC23-INV-782	08/23/23	11/03/23	11/29/23-11/29/23	475	475
103 Consolidated Communications	20231015	10/15/23	11/08/23	10/15/23-11/14/23	2,847	2,847
104 AT&T	0730672806	09/19/23	11/08/23	09/19/23-10/18/23	1,976	1,976
105 AT&T	8449633804	10/19/23	11/08/23	10/19/23-11/18/23	1,976	1,976
106 Prime US-Park Tower LLC	20231101	10/23/23	11/08/23	11/01/23-11/30/23	102,670	102,670
107 AECOM Technical Services	2000801515	09/15/23	11/15/23	08/01/23-08/31/23	47,615	47,615
108 Metropolitan Water District of So. Ca	501900	09/21/23	11/15/23	08/01/23-08/31/23	20,280	20,280
109 Commuter Industries, Inc.	230117	09/29/23	11/15/23	09/01/23-09/01/23	169	169
110 Commuter Industries, Inc.	230118	09/29/23	11/15/23	06/13/23-06/13/23	94	94
111 Commuter Industries, Inc.	230119	09/29/23	11/15/23	05/19/23-05/19/23	168	168
112 Keogh Multimedia	MK-2023-04	10/03/23	11/15/23	07/01/23-09/30/23	1,121	1,121
113 AirTouch Cellular (Verizon)	9947095099**	10/17/23	11/15/23	09/18/23-10/17/23	2,240	248
114 Convergent Systems	43917	10/05/23	11/17/23	10/01/23-12/31/23	609	609
115 Associated Right of Way Services, Inc.	21786	10/04/23	11/17/23	09/01/23-09/30/23	2,142	2,142
116 Gwen Buchholz, Permit Engineer, Inc.	2324-03	10/13/23	11/17/23	09/01/23-09/30/23	11,500	11,500
117 Hamner, Jewell & Associates	202935	09/13/23	11/17/23	08/01/23-08/31/23	2,010	2,010
118 Commuter Industries, Inc.	230128	10/15/23	11/17/23	10/12/23-10/12/23	94	94
119 Baker Tilly US, LLP	BT2531429	09/16/23	11/17/23	08/01/23-08/31/23	48,184	48,184
120 Baker Tilly US, LLP	BT2562445	10/16/23	11/17/23	09/01/23-09/30/23	48,060	48,060
121 e-Builder	14846	10/31/23	11/17/23	10/26/23-10/25/24	153,861	153,861
122 Caltronics Business Systems	3918517	11/02/23	11/17/23	11/01/23-11/30/23	2,569	2,569
123 ACWA	FC23-INV-995	11/10/23	11/17/23	11/29/23-11/29/23	265	265
124 Best, Best, & Krieger	973617	08/31/23	11/29/23	07/01/23-07/31/23	21,717	21,717

* Totals may not foot due to rounding.

** In November 2023, DCO disallowed \$1,992 of phone charges.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

Schedule of Invoices Paid
 for the Five Months Ended November 30, 2023
 (Continued)

Vendor	Invoice #	Invoice Date	Payment Date	Period of Expense	Invoice Amount	Amount Paid
125 Jacobs	W8X97006-03	10/13/23	11/29/23	08/26/23-09/29/23	1,248,149	1,248,149
126 Parsons	2310A643	10/19/23	11/29/23	08/21/23-09/29/23	768,100	768,100
Subtotal October - November*						\$ 6,121,054
Total July - November*						\$ 14,344,085

* Totals may not foot due to rounding.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

 Accounts Payable Aging Schedule
 As of November 30, 2023

<u>Payable To:</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>Total</u>
110 Holdings, LLC (Launch Consulting)					
Invoice #214440	\$ 23,925	\$ —	\$ —	\$ —	\$ 23,925
Invoice #21760	22,875	—	—	—	22,875
Invoice #21951	23,219	—	—	—	23,219
AECOM Technical Services					
Invoice #2000802870	749,820	—	—	—	749,820
Invoice #2000803493	139,349	—	—	—	139,349
Invoice #2000814727	42,578	—	—	—	42,578
Invoice #2000814915	53,285	—	—	—	53,285
Invoice #2000814778	935,034	—	—	—	935,034
AirTouch Cellular (Verizon)					
Invoice #9949534528	216	—	—	—	216
AT&T					
Invoice #9050194805	988	—	—	—	988
AVI-SPL LLC					
Invoice #2087546	4,350	—	—	—	4,350
Bender Rosenthal, Inc.					
Invoice #23042-9	21,670	—	—	—	21,670
Invoice #23042-10	13,638	—	—	—	13,638
Best, Best, & Krieger					
Invoice #978429	17,172	—	—	—	17,172
Invoice #979076	21,528	—	—	—	21,528
Consolidated Communications					
Invoice #20231115	1,423	—	—	—	1,423
Gwen Buchholz, Permit Engineer, Inc.					
Invoice #2324-04	7,500	—	—	—	7,500
Hamner, Jewell & Associates					
Invoice #202983	3,928	—	—	—	3,928
Jacobs					
Invoice #W8X97006-04	911,934	—	—	—	911,934
Metropolitan Water District of So. Ca.					
Invoice #501910	20,648	—	—	—	20,648
onPar Advisors LLC					
Invoice #OPIN0178	4,052	—	—	—	4,052
Parsons					
Invoice #2311B148	625,132	—	—	—	625,132
Santa Clara Valley Water District					
Invoice #21	10,235	—	—	—	10,235
Invoice #22	1,013	—	—	—	1,013
VMA Communications					
Invoice #DCA23July	66,088	—	—	—	66,088
Invoice #DCA23Aug	28,375	—	—	—	28,375
Invoice #DCA23Sept	38,213	—	—	—	38,213
	\$ 3,788,188	\$ —	\$ —	\$ —	\$ 3,788,188

*Totals may not foot due to rounding.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

 Accounts Receivable Aging Schedule ⁽¹⁾

As of November 30, 2023

<u>Receivable From:</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>Total</u>
Department of Water Resources					
Invoice #DCA-530	\$ 2,225	\$ —	\$ —	\$ —	\$ 2,225
Invoice #DCA-532	43,523	—	—	—	43,523
Invoice #DCA-535	53,285	—	—	—	53,285
Invoice #DCA-536	193,715	—	—	—	193,715
Invoice #DCA-537	28,025	—	—	—	28,025
Invoice #DCA-538	935,034	—	—	—	935,034
Invoice #DCA-539	72,106	—	—	—	72,106
Invoice #DCA-540	625,132	—	—	—	625,132
Invoice #DCA-541	911,934	—	—	—	911,934
Invoice #DCA-542	15,898	—	—	—	15,898
Invoice #DCA-543	94,462	—	—	—	94,462
Invoice #DCA-544	102,670	—	—	—	102,670
Invoice #DCA-545	59,351	—	—	—	59,351
Invoice #DCA-546	2,192	—	—	—	2,192
	<u>\$ 3,139,552</u>	<u>\$ —</u>	<u>\$ —</u>	<u>\$ —</u>	<u>\$ 3,139,552</u>

*Totals may not foot due to rounding.

⁽¹⁾ Approval date by the DCO determines aging classification.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY
Statements of Cash Receipts and Disbursements

	Oct. 1, 2023	Year to Date
	<u>Nov. 30, 2023</u>	<u>Nov. 30, 2023</u>
Receipts:		
Contributions ⁽¹⁾	<u>\$ 5,794,259</u>	<u>\$ 14,433,081</u>
Disbursements:		
Program management office		
Executive office	504,799	1,156,592
Community engagement	52,053	294,976
Program controls	1,064,576	2,004,528
Administration	797,379	1,418,167
Procurement	84,793	219,837
Property	45,047	214,041
Permitting management	121,682	234,198
Health and safety	87,038	93,314
Quality management	72,374	145,231
Program initiation		
Engineering	2,740,503	5,416,027
Fieldwork	<u>548,818</u>	<u>3,145,182</u>
Total disbursements	<u>6,119,062</u>	<u>14,342,093</u>
Net changes in cash	(324,803)	90,988
Cash at July 1, 2023	—	1,412,837
Cash at October 1, 2023	<u>1,828,628</u>	<u>—</u>
Cash at November 30, 2023	<u>\$ 1,503,825</u>	<u>\$ 1,503,825</u>

Statements of Revenues, Expenses and Changes in Net Position

	Oct. 1, 2023	Year to Date
	<u>Nov. 30, 2023</u>	<u>Nov. 30, 2023</u>
Revenues:		
Contributions ⁽¹⁾	<u>\$ 6,426,842</u>	<u>\$ 14,602,609</u>
Expenses:		
Program management office		
Executive office	355,543	976,153
Community engagement	166,478	317,005
Program controls	768,888	1,752,445
Administration	609,771	1,331,002
Procurement	59,901	177,577
Property	43,389	177,832
Permitting management	83,664	202,138
Health and safety	68,800	119,262
Quality management	54,962	122,020
Program initiation		
Engineering	1,977,742	4,695,625
Fieldwork	<u>2,068,005</u>	<u>4,562,069</u>
Total expenses	<u>6,257,143</u>	<u>14,433,128</u>
Changes in net position	169,699	169,481
Net position at June 30, 2023	—	81,657
Net position at September 30, 2023	<u>81,439</u>	<u>—</u>
Net position at November 30, 2023	<u>\$ 251,138</u>	<u>\$ 251,138</u>

* Amounts may include prior month accruals that were not previously captured due to timing.

⁽¹⁾ DWR contributions invoiced through the DCO.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY

	Statements of Cash Receipts and Disbursements		Statements of Revenues, Expenses and Changes in Net Position	
	Oct. 1, 2023	Year to Date	Oct. 1, 2023	Year to Date
	Nov. 30, 2023	Nov. 30, 2023	Nov. 30, 2023	Nov. 30, 2023
Receipts/Revenues:				
Contributions ⁽¹⁾	\$ 5,794,259	\$ 14,433,081	\$ 6,426,842	\$ 14,602,609
Disbursements/Expenses*:				
Program management office				
Executive office	504,799	1,156,592	355,543	976,153
Community engagement	52,053	294,976	166,478	317,005
Program controls	1,064,576	2,004,528	768,888	1,752,445
Administration	797,379	1,418,167	609,771	1,331,002
Procurement	84,793	219,837	59,901	177,577
Property	45,047	214,041	43,389	177,832
Permitting management	121,682	234,198	83,664	202,138
Health and safety	87,038	93,314	68,800	119,262
Quality management	72,574	145,231	54,962	122,020
Program initiation				
Engineering	2,740,503	5,416,027	1,977,742	4,695,625
Fieldwork	548,818	3,145,182	2,068,005	4,562,069
Total disbursements/expenses	6,119,062	14,342,093	6,257,143	14,433,128
Net changes in cash	(324,803)	90,988		
Cash at July 1, 2023	—	1,412,837		
Cash at October 1, 2023	1,828,628	—		
Cash at November 30, 2023	\$ 1,503,825	\$ 1,503,825		
Changes in net position			169,699	169,481
Net position at June 30, 2023			—	81,657
Net position at September 30, 2023			81,439	—
Net position at November 30, 2023			\$ 251,138	\$ 251,138

* Amounts may include prior month accruals that were not previously captured due to timing.

⁽¹⁾ DWR contributions invoiced through the DCO.

DCP Communications Report

Contact: Valerie Martinez, DCA Communications Manager

Agenda Date: December 14, 2023, Board Meeting **Item No.** 7c

Subject: Status Update

Summary:

The Communications Manager will update the board on DCP Communication efforts.

Detailed Report:

More details on Communications efforts will be discussed.

Action:

Information, only.

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**DELTA CONVEYANCE FINANCE AUTHORITY
BOARD OF DIRECTORS MEETING**

REGULAR MEETING

Thursday, November 16, 2023

11:00 a.m.

DCDCA Boardroom
980 9th Street, Suite 100
Sacramento, CA 95814

Teleconference Locations

1210 Beaumont Ave., Beaumont, CA 92223
26501 Summit Circle, Santa Clarita, CA 91350
1200 South Gene Autry Trail, Palm Springs, CA 92264
13846 Conference Center Dr, Apple Valley, CA 92307

Join Zoom Meeting

<https://zoom.us/j/96999640330?pwd=TEpQV0VQbFYZWR3NEhsQWI5YWZldz09>

Meeting ID: 969 9964 0330

Passcode: 042006

Via Teleconference: +1 669 444 9171

Meeting ID: 969 9964 0330

Passcode: 042006

One Tap Mobile: +16694449171,,96999640330#,,,*042006#

AGENDA

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting Linda Standlee by telephone at 916-812-6400 or via email to lindastandlee@dcfinanceauthority.org no later than 5:00 p.m. on November 15, 2023.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PUBLIC COMMENT**
- 5. OTHER MATTERS**
- 6. CONSENT CALENDAR**

Items on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a

director so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- a. Approval of the minutes from the meeting of September 21, 2023.

7. SCHEDULED ACTION ITEMS

- a. Approval of change to the bylaws to enable discussion of closed session items with member agencies boards and legislative bodies in compliance with the Brown Act.
- b. Receive and file the fiscal year 2024 Audited Financial Statements
- c. Approve a one-year contract extension with Brian G. Thomas Consulting LLC for Executive Director Services.

8. REPORTS AND ANNOUNCEMENTS

- a. Treasurer's Report
- b. General Counsel's Report
- c. Executive Director's Report

9. FUTURE AGENDA ITEMS

- a. Future agenda items to be considered.

10. CLOSED SESSION

- a. Conference with legal counsel: Government Code §54956.9: potential litigation: one case.

11. ADJOURNMENT

BOARD OF DIRECTORS MEETING

MINUTES

Thursday, September 21, 2023
11:30 am

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The special meeting of the Delta Conveyance Finance Authority (Finance Authority) Board of Directors was called to order by President Sethy at 11:31 a.m. Mr. Sethy noted some directors were participating remotely and requested DCFA's Executive Director to provide guidance on how the meeting would be conducted.

2. ROLL CALL

Board members in attendance were Paul Sethy, Valerie Pryor, Russell Lefevre, Thomas Todd, Barbara Keegan, Robert Tincher, Matthew Stone, Mark Krause, Robert Cheng and Peter Thompson.

Director Adnan Anabtawi was absent.

Staff members in attendance were Brian Thomas and Martin Koczanowicz (partner to Steve O'Neill and participating in Mr. O'Neill's place for this meeting).

3. PLEDGE OF ALLEGIANCE

The Board recited the pledge of allegiance.

4. PUBLIC COMMENT

President Sethy declared public comment open, limiting speaking time to three minutes.

No members of the public requested time to speak and President Sethy closed public comment.

5. OTHER MATTERS

No Other Matters were discussed by the Board.

6. CONSENT CALENDAR:

Director Sethy queried the Board if there were any comments or questions; none were provided. Director Sethy queried the public for any comments; none were provided. Director Sethy called for a motion to approve the minutes.

6.a. Approval of the minutes from the meeting of May 18, 2023.

Motion: Approve the minutes from the meeting of May 18, 2023
Move to Approve: Matt Stone

Agenda Item 6.a

Second:	Russell Lefevre
Yea:	Paul Sethy, Valerie Pryor, Russell Lefevre, Thomas Todd, Barbara Keegan, Bob Tincher, Matthew Stone, Mark Krause, Robert Cheng, Peter Thompson
Nays:	None
Abstains:	None
Recusals:	None
Absent:	Adnan Anabtawi
Summary:	10 Yeas; 0 Nays; 0 Abstains; 1 Absent. (Motion passed as MO 23-09-01)

7. SCHEDULED ACTION ITEMS

- a. None.

8. REPORTS AND ANNOUNCEMENTS

Director Sethy requested public comment; none was provided.

- a. Treasurer's Report

Ms. Bernadette Robertson provided the Treasurer's report to the Board. Ms. Robertson noted the beginning cash balance in the DCFA Trust at April 1, 2023 was \$343,975. For the three months ended June 30, 2023, total receipts were \$3,296, consisting of interest income, and total disbursements were \$11,137, resulting in an ending cash balance of \$336,134. Receipts through August 31, 2023 totaled \$2,314, consisting of interest receipts. Disbursements totaled \$11,115 through the same period and the ending cash balance on August 31, 2023 was \$327,333.

- b. General Counsel's Report

Martin Koczanowicz (partner to Steve O'Neill participated in Mr. O'Neill's place for this meeting), reported on recent activities, noting work focused on administrative matters.

- c. Executive Director's Report

Mr. Thomas reported that the primary activity continued to be administrative, as well as developing financing alternatives and monitoring activities regarding the Delta Conveyance Project.

Director Sethy requested public comment; none was provided.

9. FUTURE AGENDA ITEMS

- a. None.

10. CLOSED SESSION

- a. Conference with legal counsel: Government Code §54956.9: potential litigation: one case.

Agenda Item 6.a

Martin Koczanowicz, General Counsel, reported that the Board met pursuant to Government Code §54956.9 to discuss one item of potential litigation; a report was given to the Board and no reportable action was taken.

11. ADJOURNMENT

President Sethy adjourned the meeting at 12:40 p.m.

Board Memo

Contact: Brian Thomas, Executive Director

AGENDA DATE: November 16, 2023

Item No. 7.a

Subject

Resolution amending the Delta Conveyance Finance Authority (DCFA) bylaws to facilitate communication of closed session materials to home boards.

Detailed Report

The Brown Act designates information received by a legislative body in closed session as confidential and generally prohibits its disclosure. In the context of a joint powers authority ("JPA") like the DCFA, this means that, in general, information obtained by a DCFA Board member during a DCFA closed session may not be shared with a Board member's legislative body or legal counsel. However, Government Code section 54956.96 allows a JPA to adopt a policy whereby information obtained in closed session may be shared with a member agency's legal counsel and with the legislative body in closed session if the information has financial or liability implications for that member agency.

This proposed amendment to the Bylaws authorizes the DCFA Board to adopt a policy that authorizes the disclosure of information disclosed in a DCFA closed session consistent with the requirements in Government Code section 54956.96. Amending the DCA Bylaws to include this policy will allow for the sharing of information with members' legislative bodies and their legal counsel, and allow those agencies to take action accordingly.

Funding

N/A

Recommended Action

Approve the attached resolution amending the DCFA bylaws to enable communication of closed session items to board members' home boards.

Attachment: Resolution 23-04

RESOLUTION NO. 23-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DELTA CONVEYANCE FINANCE AUTHORITY APPROVING AMENDMENT TO SECTION 6.5 OF ITS BYLAWS

WHEREAS, on November 15, 2018, the Board of Directors (the “Board”) for the Delta Conveyance Finance Authority (the “Authority”) adopted Resolution 18-6 establishing the Authority’s Bylaws pursuant to Article XV of the Joint Powers Agreement; and

WHEREAS, the Board wishes to enable efficient flow of confidential information from the Authority to its member agencies boards and legislative bodies in compliance with the Brown Act; and

WHEREAS, to enable such information flow, the Board wishes to amend Section 6.5 of the Authority’s Bylaws by adding Section 6.5.1, to ensure compliance with Government Code section 54956.96.

NOW, THEREFORE, the Board does hereby resolve, find, determine, and order as follows:

1. Section 6.5.1 shall be added to the Authority Bylaws as follows:

6.5.1 Confidential Information from Closed Sessions. Section 54963 of the Government Code prohibits the distribution of any confidential information acquired by a person in attendance at a closed session of the Authority. However, in accordance with Government Code section 54956.96, a Director or Alternate Director may disclose such confidential information to select individuals if the information has financial or liability implications for the Member whose Director obtains the information. The individuals to whom the confidential information may be disclosed are: (1) legal counsel for the Member for the purpose of obtaining advice on the financial or liability implications of the confidential information; and (2) members of the governing board of the Member who are present in a closed session meeting of that legislative body.

2. All other sections of the Authority’s bylaws remain unchanged by this Resolution.
3. This resolution is effective immediately.

[SECTION INTENTIONALLY LEFT BLANK]

PASSED, APPROVED AND ADOPTED on _____, 2023.

Paul Sethy, President

I hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by the Board of Directors of the Delta Conveyance Finance Authority at its meeting held on _____ 2023.

ATTEST:

Robert Cheng, Secretary

Board Memo

Contact: Brian Thomas, Executive Director

AGENDA DATE: November 16, 2023

Item No. 7.b

Subject

Audited Financial Statements for Fiscal Year 2022/23

Executive Summary

The Board retained the services of Richardson & Company to perform an audit of the Delta Conveyance Finance Authority's (Authority) financial activities for the past fiscal year. The attached audit report and accompanying documents are provided for the Board's review.

Detailed Report

Annually, the Authority is required to conduct an external financial audit. Since the operating activity of the Authority is limited, the financial statements continue to be presented on a cash basis, showing actual receipts and disbursements. Given the Authority has no assets other than the cash and investments in the trust fund, the cash basis of accounting is the easiest and most transparent way to present the financial activities of the Authority. It is also consistent with the Authority's budgeting process and presentation. If, and when, the Authority issues debt, the basis of accounting would be modified to the accrual basis.

In addition to the audit and accompanying cash basis financial statements, the auditor has issued a Governance Letter and a Management Letter. The Governance Letter includes certain required disclosures to the board. These disclosures are required under external audit standards. The Management Letter addresses the external auditor's review of internal controls as it pertains to their audit of the Authority's financial statements. There were no material weaknesses or recommendations reported by the external auditor.

Funding

NA

Recommended Action

Receive and file the audited financial statements and attached reports for fiscal year 2022/23.

ATTACHMENTS:

Audited Financial Statements for Fiscal Year 2022/23
Governance Letter
Management Letter
Presentation Outline

**DELTA CONVEYANCE
FINANCE AUTHORITY**

Audited Statements of Cash Receipts and Disbursements

June 30, 2023 and 2022

DELTA CONVEYANCE FINANCE AUTHORITY
AUDITED STATEMENTS OF CASH RECEIPTS AND DISBURSEMENTS
June 30, 2023 and 2022

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INDEPENDENT AUDITOR'S REPORT

Board of Directors
Delta Conveyance Finance Authority
Sacramento, California

Opinions

We have audited the accompanying financial statements of the Delta Conveyance Finance Authority (the Authority), which comprise the statements of cash receipts and disbursements for the years ended June 30, 2023 and 2022, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the cash receipts and cash disbursements of the Authority for the years ended June 30, 2023 and 2022, in accordance with the cash basis of accounting described in Note A.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Authority, and to meet our ethical responsibilities, in accordance with the relevant ethical requirements relating to our Audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Basis of Accounting

We draw attention to Note A of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the cash basis of accounting described in Note A; this includes determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing

standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether in our judgment, there are conditions or events, considered in the aggregate, that raises substantial doubt about the Authority's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Richardson & Company, LLP

November 9, 2023

DELTA CONVEYANCE FINANCE AUTHORITY

STATEMENTS OF CASH RECEIPTS AND CASH DISBURSEMENTS

Years Ended June 30, 2023 and 2022

	2023	2022
CASH RECEIPTS		
Interest income	\$ 9,401	\$ 2,695
TOTAL CASH RECEIPTS	<u>9,401</u>	<u>2,695</u>
CASH DISBURSEMENTS		
Executive director	19,176	23,056
Insurance premiums	11,237	11,237
Treasury and accounting	30,000	30,000
Professional services	91,931	18,570
TOTAL CASH DISBURSEMENTS	<u>152,344</u>	<u>82,863</u>
EXCESS OF DISBURSEMENTS OVER RECEIPTS	(142,943)	(80,168)
Cash and investments at beginning of year	<u>479,077</u>	<u>559,245</u>
CASH AND INVESTMENTS AT END OF YEAR	<u>\$ 336,134</u>	<u>\$ 479,077</u>

The accompanying notes are an integral part of the financial statements.

DELTA CONVEYANCE FINANCE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS

June 30, 2023 and 2022

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity: The Authority is a Joint Powers Authority organized under California Government Code Section 6505. The Authority was created on July 3, 2018, to assist the Department of Water Resources (DWR) and public agency participants to finance all or a portion of the California WaterFix. The California WaterFix was conceived as a major infrastructure project to deliver water from the Sacramento River near the northern end of the Sacramento-San Joaquin Delta to the existing State Water Project and Central Valley Project pumping plants in the southern end of the Delta. On May 2, 2019, as a result of the Governor's determination that a smaller facility was appropriate, DWR withdrew its proposed permits for the California WaterFix and initiated a renewed environmental process for a smaller project. The final decision regarding whether to approve a reconfigured Delta Conveyance Project or another alternative, including no project alternative, will not occur until after completion of the environmental review under the California Environmental Quality Act and National Environmental Policy Act, and other permitting activities have been completed. DWR has indicated such activities will not be completed until mid-2024. The Authority may still assist in the financing of any resulting project.

The Authority's members consist of water agencies that contract with DWR for the delivery of water from the State Water Project. Its operations are supported by the collection of contributions from its members. The governing board is made up of eleven representatives from member agencies.

Basis of Presentation and Accounting: The accompanying statements of cash receipts and disbursements have been prepared on the cash receipts and disbursements basis of accounting. Under that basis, the only asset recognized is cash and investments and no liabilities are recognized. All transactions are recognized as either cash receipts or cash disbursements, and noncash transactions are not recognized. The cash basis differs from generally accepted accounting principles primarily because revenues are recognized when received rather than when earned, and expenses are recognized when paid rather than when the obligation is incurred.

NOTE B – CASH AND INVESTMENTS

At June 30, 2023 and 2022, all of the Authority's cash and investments were maintained in Metropolitan Water District of Southern California's (MWD's) Treasury.

Investment policy: California statutes authorize agencies to invest idle or surplus funds in a variety of credit instruments as provided for in the California Government Code, Section 53600, Chapter 4 – Financial Affairs. The following table identifies the investment types that are authorized for the Authority by the California Government Code (or the Authority's investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk.

DELTA CONVEYANCE FINANCE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

June 30, 2023 and 2022

NOTE B – CASH AND INVESTMENTS (Continued)

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
Bank Deposit	5 years	30%	No limit
U.S. Treasury Obligations	5 years	No limit	No limit
Federal Agency Obligations	5 years	No limit	No limit
Bankers' Acceptances	180 days	40%	25%
Commercial Paper	270 days	25%	10%
Negotiable Certificates of Deposit	5 years	30%	5%
Certificates of Time Deposit	5 years	30%	No limit
Repurchase Agreements	270 days	20%	No limit
Medium-Term Corporate Notes	5 years	30%	5%
Money Market Mutual Funds	N/A	20%	No limit
Municipal Bond and Notes	5 years	30%	5%
Metropolitan Water District Pooled Investment Fund	N/A	No limit	No limit
Local Agency Investment Fund (LAIF)	N/A	N/A	No limit
California Asset Management Program (CAMP)	N/A	10%	No limit
Asset- Backed Securities	5 years	20%	5%
Supranationals	5 years	30%	No limit

The Authority complied with the provisions of the California Government Code pertaining to the types of investments held, the institutions in which deposits were made and the security requirements. The Authority will continue to monitor compliance with applicable statutes pertaining to public deposits and investments.

Investment in the MWD Investment Pool: The Authority's cash is held in the MWD's cash and investment pool which is managed by the MWD Treasurer. The Authority's cash balances invested in the MWD Treasurer's cash and investment pool are stated at amortized cost, which approximated fair value. The amount invested by all public agencies in MWD's cash and investment pool is \$1,611,184,000 and fair value of \$1,594,738,000 at June 30, 2023 and \$1,559,575,000 and fair value of \$1,542,831,000 at June 30, 2022. MWD does not invest in any derivative financial products. MWD's Board delegates to the treasurer the oversight responsibility for MWD's cash and investment pool. The value of pool shares in MWD that may be withdrawn is determined on an amortized cost basis, which is different than the fair value of the Authority's position in the pool. Cash held in the MWD's investment pool will be disbursed within 5 days. Close-out of the cash held in the pool requires 30-day notice.

Interest rate risk: Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The Authority's investment in MWD's pool has an average maturity of 78 days as of June 30, 2023 and 152 days as of June 30, 2022.

Credit Risk: Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The external investment pool is not rated.

Concentration of Credit Risk: The investment policy of the Authority limits the amount that can be invested by any one issuer to the California Government Code. There are no investments in any one issuer (other than external investment pools) that represent 5% or more of total Authority investments.

DELTA CONVEYANCE FINANCE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

June 30, 2023 and 2022

NOTE B – CASH AND INVESTMENTS (Continued)

Custodial Credit Risk: Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counter-party (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investments or collateral securities that are in the possession of another party. Custodial credit risk does not apply to a local government's indirect deposits or investments in securities with governmental investment pools (such as MWD's investment pool).

NOTE C – RELATED PARTY TRANSACTIONS

The Authority contracts for treasury and accounting services with MWD, who is also a member agency. The expenses for treasury and accounting services totaled \$30,000 for both the years ending June 30, 2023 and 2022.

NOTE D – CONDUIT DEBT

The Authority has the power to issue, sell and deliver, in accordance with the Joint Powers Act, bonds, notes, or other obligations to provide funds for the acquisition, construction and/or financing of the Delta Conveyance Project. The Authority Finance Program acts as a conduit of debt and as a result, the financing obligations are not recorded in the Authority's financial statement. The Authority has not issued any conduit debt as of June 30, 2023 and 2022.



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GOVERNANCE LETTER

Board of Directors
 Delta Conveyance Finance Authority
 Sacramento, California

We have audited the financial statement of the Delta Conveyance Finance Authority (the Authority) for the year ended June 30, 2023, and have issued our report thereon dated November 9, 2023. Professional standards require that we provide you with the following information about our responsibility under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated July 18, 2023, our responsibility, as described by professional standards, is to express an opinion about whether the financial statement prepared by management with your oversight is fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statement does not relieve you or management of your responsibilities.

In planning and performing our audit, we considered the Authority's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement; therefore, our audit involved judgment about the number of transactions to be examined and the areas to be tested.

Our audit included obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statement and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We noted no material weaknesses in internal control as a result of our audit.

We are required by the audit standards to identify potential risks of material misstatement during the audit process. We have identified the following significant risk of material misstatement as part of our audit planning: Management override of controls and revenue recognition. These are the areas that the audit standards require at a minimum to be identified as significant risks.

We performed the audit according to the planned scope and timing previously communicated to you in our engagement letter dated July 18, 2023.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Authority are described in Note A to the financial statement. We noted no transactions entered into by the Authority during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statement in a different period than when the transaction occurred.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. No misstatements were noted during our audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statement or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 9, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Authority's financial statement or a determination of the type of auditor's opinion that may be expressed on that statement, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Authority's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Board of Directors and management of the Authority and is not intended to be and should not be used by anyone other than these specified parties.

Richardson & Company, LLP

November 9, 2023



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MANAGEMENT LETTER

Board of Directors
Delta Conveyance Finance Authority
Sacramento, California

In planning and performing our audit of the financial statement of the Delta Conveyance Finance Authority (the Authority) for the year ended June 30, 2023, in accordance with auditing standards generally accepted in the United States of America, we considered the Authority's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

No recommendations for improvement were noted during our audit.

* * * * *

This communication is intended solely for the information and use of management, the Board of Directors and others within the organization and is not intended to be and should not be used by anyone other than these specified parties.

Richardson & Company, LLP

November 9, 2023

DELTA CONVEYANCE FINANCE AUTHORITY
BOARD MEETING AUDIT PRESENTATION AGENDA

November 16, 2023

Presentation by Richardson & Company, LLP of the Audited Financial Statements, including the following communications required by Generally Accepted Auditing Standards:

Reports issued

- Auditor's opinion on the financial statement
- Governance (required communications) letter
- Management letter

Independent Auditor's Report (page 1)

Fairly presented on cash basis of accounting

Discussion of financial statements

- No contributions from members—expenditures paid out of existing cash balance
- Disbursements consist of mostly payments to consulting firm for executive director, payments to MWD for treasury and accounting functions, insurance and legal services
- Remaining cash balance of \$336,134 maintained in MWD's cash and investment pool
- Note A discusses current status of WaterFix

Governance letter

- Discusses scope and limitations of an audit
- No misstatements noted
- No difficulties in performing the audit and no unusual accounting practices

Management letter

- No material weaknesses in internal controls--good internal controls

Board Memo

Contact: Brian Thomas, Executive Director

AGENDA DATE: November 16, 2023

Item No. 7.c

Subject

Contract for Executive Director Services

Executive Summary

Last year, the Board of Directors approved a one-year contract with Brian G. Thomas Consulting, LLC, through which Brian Thomas has provided ongoing Executive Director services. The total contract value for Brian G. Thomas Consulting, LLC was \$60,000 with a billing rate of \$325/hour. The contract may be renewed annually for up to five years. Given that the activities of the Delta Conveyance Finance Authority (DCFA) remain primarily administrative, it is proposed the contract be extended for one year without any change to the total amount of compensation.

Detailed Report

Brian Thomas has been serving as the Executive Director for the DCFA since 2018. The Board approved a new contract with Brian G. Thomas Consulting, LLC at its November 17, 2022, meeting for the period January 1, 2023 through December 31, 2023. The total contract amount was \$60,000, with an hourly rate of \$325/hour (the hourly rate has not changed since 2018.) As discussed over the past year, the DCFA activities have been limited and the Executive Director role has been primarily administrative in nature. Total expenditures through November were just under \$16,000. Estimated costs through the end of 2023 are expected to total just over \$20,000. As such, there should be sufficient funding in the existing contract for an additional year.

It is proposed that the contract be renewed for one year for the period January 1, 2024 through December 31, 2024. All other terms, including total compensation, will remain the same.

Funding

Funds are available in the 2023/24 budget and will be included in the 2024/25 fiscal year operating budget.

Recommended Action

Approve a one-year contract extension with Brian G. Thomas Consulting, LLC for Executive Director Services effective January 1, 2024 thru December 31, 2024, with total compensation (including expenditures in 2023) not to exceed \$60,000, with annual renewals up to an additional four years.

Attachment: Amendment No. 1 to Contract Between Delta Conveyance Finance Authority and Brian G. Thomas Consulting, LLC

AMENDMENT NO. 1 TO AGREEMENT BETWEEN

DELTA CONVEYANCE FINANCE AUTHORITY

AND

BRIAN G. THOMAS CONSULTING, LLC

AGREEMENT NUMBER FA 18003

THE DELTA CONVEYANCE FINANCE AUTHORITY

AGREEMENT NO. FA 18003

Amendment No. 1

This amendment to the Agreement between THE DELTA CONVEYANCE FINANCE AUTHORITY, a public agency organized pursuant to the Joint Exercise of Powers Act (California Government Code Sections 6500, et seq.), hereinafter referred to as "Finance Authority", and Brian G. Thomas Consulting, LLC, hereinafter referred to as "Consultant" serves to extend the agreement term for one year.

Section 2. Time and Term is replaced in its entirety as follows:

"Time is of the essence in the performance of services under this Agreement. This Agreement is in effect from January 1, 2024 through December 31, 2024, subject to earlier termination pursuant to paragraph 21 below. This Agreement may be renewed for up to five years by mutual agreement of the parties."

All other provisions of the Agreement remain in effect.

IN WITNESS, WHEREOF, the parties have executed and entered into this Agreement as of the date last written below.

Brian G. Thomas Consulting, LLC

Delta Conveyance Finance Authority

By: _____

Print Name: Brian Thomas

Title: Manager/Member

Date: _____

By: _____

Print Name: Paul Sethy

Title: Director and President of the Board

Date: _____

APPROVED AS TO FORM:

By: _____

Title: General Counsel

Date: _____

Board Memo

Contact: Brian Thomas, Executive Director

AGENDA DATE: November 16, 2023

Item No. 8.c

Subject: Executive Director's Report

Executive Summary

The DCFA's primary activity continues to be administrative and monitoring activities regarding the Delta Conveyance Project. We continue to coordinate with the State Water Contractors, the Department of Water Resources and the Delta Conveyance Design and Construction Authority (DCA) regarding the project.

Detailed Report

Activities

Administration. Activities included preparing agenda packets for the meetings and reviewing and approving the various invoices to be paid by the DCFA. In addition, work on the annual audit was initiated and I have responded to audit requests.

Meetings/calls. DWR and the DCA continue to make progress on the environmental documents. DWR's validation case regarding DWR's authority to finance and construct the Delta Conveyance Project began May 15, 2023. The judge's tentative decision was released to the parties and objections are expected to be submitted by September 14, 2023, after which the court will review and ultimately deliver its final opinion.

I also had discussions with board members, DWR staff and SWP contractors regarding the DCFA's activities.

Future Activities

I will continue working with the members, the DCA, DWR and the State Water Project contractors to identify opportunities to support funding, conduct financial analysis as needed and help to identify additional funding sources, including federal and state grants or contributions.

Recommended Action

Informational.

Attachment: Board Actions thru August 31, 2023

DELTA CONVEYANCE FINANCE AUTHORITY

Completed Actions as of:

October 31, 2023

Action	Date
Adopted the CEQA determination for actions related to California Water Fix – that the Board has reviewed and considered the BDCP/California WaterFix environmental documentation and adopts the lead agency's Findings of Fact, Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program	7/19/2018
Approved agreement with Metropolitan to provide treasury and accounting services	7/19/2018
Approved submittal of WIFIA Letter of Interest	7/19/2018
Approved execution of agreement with Michael Bell Consulting to retain the services of Brian Thomas as Interim Executive Director	7/19/2018
Approved Fiscal Year 2018/19 Operating Budget	8/16/2018
Approved Debt Management Policy	8/16/2018
Approved Investment Policy	8/16/2018
Approved Bylaws	11/15/2018
Approved extension of contract with Michael Bell Management Consulting for the services of Brian Thomas as Executive Director through December 31, 2019	12/14/2018
Adopted Conflict of Interest Code	12/28/2018
Approved Reimbursement Policy	1/17/2019
Approved execution of agreement with Oliverez Madruga Lemieux O'Neill to serve as general counsel	1/17/2019
Approved execution of agreement with Norton Rose Fulbright to serve as bond counsel	2/21/2019
Approved execution of agreement with Stradling Yocca Carlson & Rauth to serve as disclosure counsel	2/21/2019
Approved Fiscal Year 2019/20 Operating Budget and annual membership fees	5/16/2019
Approved execution of agreement with Richardson & Co. to provide external audit services	5/16/2019
Approved updated and amended Investment Policy	7/18/2019
Approved amendments to the DCFA bylaws	7/18/2019

DELTA CONVEYANCE FINANCE AUTHORITY

Completed Actions as of:

October 31, 2023

Action	Date
Approved no-cost extension to agreement with Michael Bell Management Consulting Services to provide Executive Director Services through December 2020	10/17/2019
Received and filed audited financial statements for fiscal year 2018/19	10/17/2019
Appointed Board Officers and Executive Committee	1/16/2020
Appointed MWD CFO as the Treasurer for the Authority	1/16/2020
Approved Fiscal Year 2020/21 Budget	5/21/2020
Approved Updated Investment Policy and Delegated authority to the Treasurer to invest funds	7/16/2020
Approved no-cost extension to agreement with Michael Bell Management Consulting Services to provide Executive Director Services through December 2021	10/15/2020
Received and filed audited financial statements for fiscal year 2019/20	10/15/2020
Appointed Board Officers and Executive Committee	1/21/2021
Approved Fiscal Year 2021/22 Budget	4/15/2021
Approved Investment Policy for 2021/22 and delegated investment authority to MWD Treasurer	8/19/2021
Approved agreement with Bell, Burnett & Associates to provide Executive Director services through December 31, 2022	11/18/2021
Appointed board Officers, including Treasurer	1/20/2022
Approved Fiscal Year 2022/23 Budget	5/19/2022
Approved agreement with Aleshire & Wynder to provide general counsel services	5/19/2022
Approved Investment Policy for 2022/23 and delegated investment authority to MWD Treasurer	9/15/2022
Received and filed fiscal year 2021/22 audited financial statements	10/20/2022
Approved agreement with Brian G. Thomas Consulting, LLC to provide Executive Director services through December 31, 2023	11/17/2022
Appointed board Officers, including Treasurer	1/19/2023
Approved Fiscal Year 2023/24 Budget	5/18/2023



Santa Clara Valley Water District

File No.: 24-0263

Agenda Date: 4/12/2024

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM Board Audit Committee

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Discuss 2024 Annual Audit Plan and Provide Further Guidance as Needed.

RECOMMENDATION:

- A. Discuss 2024 Annual Audit Plan; and
- B. Provide further guidance as needed.

SUMMARY:

The purpose of this agenda item is to discuss the 2024 Annual Audit Plan, discuss any new related information as appropriate, and provide any guidance the BAC deems appropriate.

2024 Annual Audit Plan Background

On November 15, 2023, the Chief Audit Executive (CAE) presented the 2023 Risk Assessment Final Report to the Board Audit Committee (BAC) assessing operational risks to the Santa Clara Valley Water District ("Valley Water"). The Risk Assessment analysis helped to develop heat maps of Valley Water operational areas based on risk impact (low, moderate, and high risk). The results of the risk assessment included input from Valley Water's Board of Directors (the Board), executives, and management and was used to help develop the proposed 2024 Annual Audit Plan. The CAE identified and discussed with the BAC the 12 audit topics identified as the highest priority in the Risk Assessment. The BAC then instructed the CAE to present the same information to the full Board for discussion and feedback.

On December 12, 2023, the 2023 Risk Assessment Final Report was presented to the Board for discussion. The CAE received feedback from the Board and discussed that feedback at the December 20, 2023, BAC meeting. The BAC members agreed on four (4) audit topics as the proposed 2024 Annual Audit Plan. The proposal was recommended to the full Board for approval at their January 23, 2024, meeting.

During the December 20, 2023, BAC meeting, the CAE recommended staggering the start dates for

the audits and assigning a portion of the audit engagements to the pool of firms available to the BAC. Furthermore, the CAE proposed that Sjoberg Evashenk Consulting conduct two of the audits (Capital Project Delivery and Board Policies), and the other two firms available to the BAC perform the remaining two audits (Human Resources and Information Technology). The BAC received the information but gave no guidance at that time.

At the January 23rd, 2024, Board meeting the Board approved three (3) of the proposed topics to proceed as the 2024 Annual Audit Plan, and instructed staff to delay one of the topics to Calendar Year 2025 (CY 25). The three (3) audit topics identified to proceed in CY 24 are as follows:

- 1) Compliance with and Progress Toward Meeting Board Policies
- 2) Human Resources
- 3) Information Technology

The Capital Project Delivery audit topic was delayed to CY 25 to allow staff time to fully implement recommendations from prior audits.

At its February 23rd, 2024, BAC Meeting the CAE proposed the following schedule intended to achieve the completion of each performance audit by December 2024, with the potential that one audit, the performance audit of Valley Water's compliance with and progress toward meeting board policies, may extend into early 2025.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Information Technology												
Human Resources												
Board Policies												

The CAE also proposed that each of three audit firms in the Board's auditor pool be assigned one of the audits. Specifically, the CAE recommends assigning Information Technology to Plante Moran, Human Resources to Moss Adams, and Board Policies to Sjoberg Evashenk Consulting. The BAC voted to present the information to the full Board during one of its regular public meetings in March.

At its March 26th, 2024, Board meeting, the Board agreed with the BAC's recommendations and approved the 2024 Annual Audit Plan.

Further Audit Plan Related Discussion

At the March 20, 2024, Board Audit Committee Meeting, the committee expressed interest in learning more about whether financial audits are prepared by agencies with which Valley Water has contracts (the discussion seemed to revolve around imported water contracts). Accordingly, staff will look into providing an informational update at a future Board Audit Committee on Valley Water's key imported water contracts, including any information regarding financial audits associated with those contracts.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The Annual Audit Plan is not subject to environmental justice analysis. The Annual Audit Plan serves as a tool for communicating audit priorities as determined by the BAC and the Board of Directors.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Darin Taylor, 408-630-3068

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Santa Clara Valley Water District

File No.: 24-0322

Agenda Date: 4/12/2024

Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM Board Audit Committee

Government Code § 84308 Applies: Yes No
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Review and Discuss the 2024 Board Audit Committee (BAC) Work Plan.

RECOMMENDATION:

Review and discuss topics of interest raised at prior BAC meetings and approve any necessary adjustments to the 2024 BAC Work Plan.

SUMMARY:

Per the BAC's Charter, Article III, Paragraph 6.2, "The Committee shall, in coordination with Valley Water's Clerk of the Board, develop a proposed Annual Work Plan. Items shall be included in the Annual Work Plan based upon a majority vote of the Committee."

Under direction of the Clerk, Work Plans are used by all Board Committees to increase Committee efficiency, provide increased public notice of intended Committee discussions, and enable improved follow-up by staff. Work Plans are dynamic documents managed by Committee Chairs and are subject to change.

Recent changes to the BAC Work Plan include: changing the name of "Annual Audit Work Plan" to "Annual Audit Plan" to remain consistent with the BAC Charter

Looking forward, the topics of discussion identified for the May 15, 2024, BAC Meeting can be summarized as follows:

1. 2024 BAC Work Plan
2. Annual Audit Plan for CY 2024
3. 2021 Permitting Best Practices
4. Financial Status Update for FY 23-24 Q3

Upon review, the BAC may make changes to be incorporated into the work plan.

ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:

The BAC Work Plan is not subject to environmental justice analysis. The BAC Work Plan serves as a tool utilized by the BAC to identify topics to be discussed during the public meeting and when that topic may be presented.

ATTACHMENTS:

Attachment 1: 2024 BAC Work Plan

UNCLASSIFIED MANAGER:

Candice Kwok-Smith, 408-630-3193

BOARD AUDIT COMMITTEE 2024 WORKPLAN

January 1, 2024 to December 31, 2024

No. of Topics:	DATE:											
	Jan-17	Feb-23	Mar-20	Apr-12	May-15	Jun-19	Jul-17	Aug-21	Sep-18	Oct-16	Nov-20	Dec-18
# Board Audit Committee Management												
1 Conduct Annual Self-Evaluation	•		•									
2 Receive and Discuss CAE Activity Report to Evaluate Performance	•		•									
3 Election of BAC Chair and Vice Chair		•		•								
4 Discuss Board Audit Committee Audit Charter			•									
5 Discuss Scope of Annual Audit Training			•									
6 Receive Annual Audit Training						•						
7 Review and Update BAC Work Plan	•	•	•	•	•	•	•	•	•	•	•	•
Board Audit Committee Special Requests												
8 Review of Joint Powers Authority (JPA) audits			•	•								
9 Discuss Board's CAE Contract (expires 11/22/24)					•							
Board-directed Audits												
10 2020 SCW Program Grants Management	•							•				
11 2021 Permitting Best Practices					•							
12 2023 CIP Performance							•					
13 2024 Audit - TBD												
14 2024 Audit - TBD												
15 2024 Audit - TBD												
16 2024 Audit - TBD												
CAE Standing Topics												
17 Review and Update Annual Audit Plan	•	•		•	•	•	•	•	•	•	•	•
18 Discuss next Annual Audit Plan								•				
19 Discuss the draft Annual Audit Plan, and Recommend Proposed Audit Topics for Board Approval										•		
Management-directed, Program-required, & 3rd-Party Audits												
20 2022 QEMS Improvements Implementation								•				
21 2012 SCW Program Performance Close-out Audit			•									
22 2023 IT Surplus Equipment Audit		•										
Miscellaneous 3rd-Party Financial Audits												
23 Financial Status - Periodic Updates		•			•			•				
24 Audit Report of the Water Utility Enterprise Funds							•					
25 Audited Financial Statements						•				•		
Staff Standing Topics												
26 Audit Recommendations Implementation Status		•						•				
27 Receive QEMS Annual Internal Audit Report								•				
Committee Clerk Action Items (not included in count shown in Row 3 above)												
28 Provide BAC Summary Report to full Board	•	•	•	•	•	•	•	•	•	•	•	•

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