

**CONTRA COSTA WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
January 20, 2021**

MINUTES

CALL TO ORDER

President Borba called to order a regular meeting of the Board of Directors of the Contra Costa Water District (District or CCWD) at 6:31 p.m., at 1331 Concord Avenue, Concord, the regular meeting place of the Board. President Borba announced that the teleconference was being held pursuant to Governor Newsom's Executive Orders. The meeting facilitation procedure was provided.

SAFETY BRIEFING

No safety briefing was provided because the few staff members attending the meeting in-person had already completed their self-assessments before reporting to work.

ROLL CALL

| | |
|------------------------------|--|
| Directors Present: | Lisa M. Borba, President Ernesto A. Avila, Vice President John A. Burgh Connstance Holdaway Antonio Martinez |
| Directors Absent: | None |
| General Manager: | Stephen J. Welch |
| Legal Counsel: | Douglas E. Coty |
| District Secretary | Mary A. Neher |
| Executive Management Analyst | Shelly Wise |

PLEDGE OF ALLEGIANCE

President Borba led the pledge of allegiance.

ADOPTION OF AGENDA

A couple of additional meetings were added to the Board Future Services Calendar, Agenda Item No. 1.a. The Board adopted the agenda by rule.

PUBLIC COMMENT (Please observe a three-minute time limit)

President Borba asked for public comment. Director Joe Kovalick of the Diablo Water District (DWD) introduced himself to the Board and explained that he was the DWD Board liaison to CCWD. The Board welcomed him to the meeting.

CONSENT CALENDAR

1. Approve Directors' Services/Business and Travel Expenses
 - a. Future Services – January/February 2021
 - b. Expenses – December 2020
 - c. Compensation – December 2020 (amended)
2. Approval of meeting minutes:
 - a. December 9, 2020
 - b. December 16, 2020
3. Approve the warrant register dated January 21, 2021.
4. Authorize Agreement with Patrol Solutions, LLC., for \$145,000 for Fiscal Year 2021 and \$290,000 for Fiscal Year 2022.

President Borba asked if anyone wanted to remove an item from the consent calendar to be separately considered. No items were removed for separate consideration.

President Borba asked for Board comments. There were none. President Borba asked for public comment. There were none.

MOTION: Holdaway/Burgh to approve the consent calendar. The motion was approved by roll-call vote (Ayes: Avila, Borba, Burgh, Holdaway, Martinez; Noes: None; Abstain: None; Absent: None).

ACTION

5. Authorize a contract amendment with Wiley, Price & Radulovich for FY21 employment and labor law services in the amount of \$100,000, for a revised total not to exceed amount of \$249,000.

Mr. Welch reviewed the need for additional labor legal counsel services in FY21 to address litigation matters, which were already known by the Board. An amendment in the amount of \$100,000 was requested for the additional services. The Board acknowledged that it was aware of the additional services needed.

President Borba asked for Board comment. There were none. President Borba asked for public comment. There were none.

MOTION: Burgh/Martinez to authorize a contract amendment with Wiley, Price & Radulovich for FY21 employment and labor law services in the amount of \$100,000, for a revised total not to exceed amount of \$249,000. The motion was approved by roll-call vote (Ayes: Avila, Borba, Burgh, Holdaway, Martinez; Noes: None; Abstain: None; Absent: None).

6. Authorize execution of the Memorandum of Understanding (MOU) between the California Department of Water Resources (DWR) and the Contra Costa Water District for the Phase 2 Los Vaqueros Reservoir Expansion (LVE) Project.

Mr. Welch explained that the MOU outlines the understanding of the services the District will provide to DWR and the agreements that will be executed with DWR going forward pertaining to the Phase 2 LVE Project. The

MOU with DWR is needed before the LVE Joint Powers Authority agreement may be brought to the Board for consideration.

President Borba asked if the Board had any comments. Mr. Welch confirmed that terms and information included in the MOU were consistent with the Board's policies and information previously provided to the Board. President Borba asked for public comment. There were none.

MOTION: Avila/Holdaway to authorize execution of the Memorandum of Understanding between the California Department of Water Resources and the Contra Costa Water District for the Phase 2 Los Vaqueros Reservoir Expansion Project. The motion was approved by roll-call vote (Ayes: Avila, Borba, Burgh, Holdaway, Martinez; Noes: None; Abstain: None; Absent: None).

DISCUSSION AND INFORMATION

7. Review and comment on the first quarter report of the Diversity & Inclusion Department activities.

Diversity and Inclusion Director Sonja Stanchina thanked the Board for its support of the District's Diversity & Inclusion (D&I) Program and provided an overview of the progress during the first 90 days, which included hiring Diamond Strategies Consultant Services (Diamond Strategies), creating the D&I Department structure, FY21 budget, goals, and milestones, and Ms. Stanchina becoming a Certified Diversity Executive through the Institute of Diversity Certification. A review of the trainings, activities, and interviews provided to District employees, managers, and the D&I Advisory Council, as well as the upcoming scheduled trainings, were provided. The data will be used by Diamond Strategies to tailor the services provided to the District. The framework for the D&I Advisory Council and three D&I Site Committees (East County, Central County Field Operations, and Central County Administrative Staff) was included in the new Administrative Procedure XII-5. A base-line D&I survey was completed by over 70% of employees, and the results will be incorporated into future trainings and the five-year master plan. Managers will be provided with increased opportunities for D&I leadership and more diversified hiring panels have been encouraged. The D&I community outreach completed to date and the next steps were reviewed.

President Borba asked for Board comment. The Board expressed appreciation for the work already completed and supported the District's commitment to the D&I Program. Additional outreach to organizations such as The Society of Hispanic Engineers, Black Engineers Associations, and other related groups, was suggested to help reduce barriers for people of color and minorities seeking employment. The D&I Program is anticipated to increase job opportunities and employee growth at the District, which will help to retain employees. Staff confirmed that additional data was being gathered to be incorporated into the master plan, and the D&I Program will be incorporated throughout the District in its policies and practices. The job classification study was reviewed as an example of how the District could reduce barriers because some job descriptions would be updated to allow position requirements to be fulfilled through work experience or college degree, which opens those positions to a more diverse group of people. Staff confirmed that the Board will be provided with the D&I base-line survey questions.

President Borba asked for public comment. DWD Director Kovalick commended the Board and District on its commitment to diversity, equity, and inclusion.

8. Receive report on legislative affairs.

Director of Public Affairs Jennifer Allen explained that the State legislators have until February 19 to introduce their bills. The key topics anticipated for the District include wildfire prevention and recovery, public safety

power shutoffs, generator regulations, COVID-19 relief, housing and development fees, and low-income water bill assistance. The draft State budget, which was released on January 8, was reviewed. The Board's annual State legislative briefing visits will be scheduled after the bill introduction deadline and held virtually.

President Trump signed the Consolidated Appropriations Act in December, which includes funding for water storage projects with \$11.95 million for the Phase 2 Los Vaqueros Reservoir Expansion Project. President-elect Biden and Vice President-elect Harris were sworn into office earlier today. Staff will provide future reports on the new administration and legislative activities to the Board.

President Borba asked for Board comment. In response to a question about the State's COVID-19 relief legislation, staff explained that the legislation did include some funding to be rolled to utilities throughout the State but nothing specifically addressed impacts to water utilities from unpaid water bills since the water shutoff moratorium was instituted. The Board expressed concerns that the climate change legislation and greenhouse gas reductions could impact utility entities' ability to respond to emergencies, specifically the use of generators and trucks. Staff will provide updates on the issues when available.

President Borba asked for public comment. DWD Director Kovalick thanked the District for the information and planned to research possible impacts to DWD from the legislative issues reviewed. The Board thanked Director Kovalick for attending and participating in the meeting and expressed appreciation for the good working relationship between DWD and the District. Mr. Welch explained that staff has begun to develop relationships with the new administration's appointees to continue forward its efforts in several key areas of interest to the District, such as the Phase 2 Los Vaqueros Reservoir Expansion and Contra Costa Canal Title Transfer.

REPORTS FOR DISCUSSION

9. Schedule Future Meeting Dates and Times

Director Holdaway announced that the East County Water Management Association would have a meeting in February, and the date was not yet set.

REPORTS

10. General Manager

Mr. Welch reported that the warmer weather and lack of rain resulted in increased treated water demands. Although the District was meeting the demand through the multi-purpose pipeline, the Bollman Water Treatment Plant was available if needed. An update regarding the additional positive COVID-19 cases among staff and contractors was provided, and the cases have not spread within the District. The State Water Board agreed to move another \$11 million for an inflation adjustment to the Phase 2 Los Vaqueros Reservoir Expansion Project.

11. Legal Counsel

Mr. Coty did not have a report.

12. Board

Director Martinez reported that he had attended the East County Water Management Association (ECWMA) meeting, as an alternate, on January 7. He attended the Mayors' Conference on January 7. On January 11 he

met with the General Manager and Mr. Coty to review current legal issues of the District. He attended the East Bay Leadership Council (EBLC) Water and Environment Task Force (WETF) meeting on January 19.

Director Holdaway reported that she had attended the ECWMA meeting on January 7.

Vice President Avila reported that he had attended the Mayors' Conference on January 7. He attended the Operations and Engineering (O&E) Committee on January 13. On January 19 he attended the EBLC WETF meeting.

Director Burgh did not have a report. He was pleased to see that the endowment settlement regarding the Holland Tract mitigation was moving toward conclusion.

President Borba reported that she had provided a presentation to the Concord Rotary Club on January 8. She had meetings with the General Manager on January 12 and 19. On January 13 she had attended the O&E Committee meeting.

CLOSED SESSION

13. Conference with Legal Counsel: Consideration of Initiation of Litigation pursuant to Paragraph (4) of Subdivision (D) of Section 54956.9: (one case).

At 7:44 p.m. President Borba announced that the Board would move into closed session. The matter before the Board regards consideration of initiation of litigation and no announcement of additional attendees was required. While the Board is in closed session, the teleconference meeting would be placed on hold. Any reportable action by the Board will be reported out following the closed session.

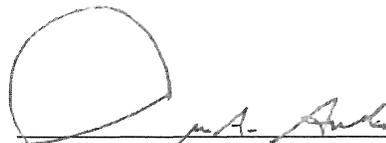
RECONVENE FROM CLOSED SESSION

14. Report on closed session.

At 8:51 p.m. President Borba announced that the Board had returned from closed session and did not take any reportable action.

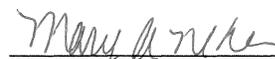
ADJOURNMENT

At 8:52 p.m. President Borba adjourned the meeting. The next regular meeting of the Board of Directors will be on February 3, 2021 commencing at 6:30 p.m. and will be held by teleconference.



Ernesto A. Avila, Vice President for
Lisa M. Borba, President

Attest:



Mary A. Neher, District Secretary