

**CONTRA COSTA WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
April 7, 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 6:30 p.m., at 1331 Concord Avenue, Concord, the regular meeting place of the Board. Pursuant to Governor Newsom’s Executive Orders, the meeting was open to the public via teleconference, and Board member participation was in-person and via the teleconference.

SAFETY BRIEFING

The safety protocols completed by Board and staff participating in-person were provided.

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 (absent)
Acting General Manager:	Rachel Murphy
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

The handout including the CCWD Board Principles for the Los Vaqueros Reservoir was linked to posted Agenda for reference under Item No. 7 after the agenda packet was distributed and copies were provided to the Board. The docket and recommended action remain unchanged. The Board adopted the agenda by rule.

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

President Borba asked for public comment. Diablo Water District (DWD) Director Joe Kovalick announced he was attending the meeting via the teleconference.

CONSENT CALENDAR

1. Approve Directors' Services/Business and Travel Expenses
 - a. Future Services – April 2021
2. Approval of March 3, 2021 meeting minutes.
3. Approve the warrant register dated April 8, 2021.
4. Authorize execution of an assignment and assumption of permit for temporary use of a portion of the Contra Costa Canal system and Contra Costa Water District Right-of-Way allowing Recycling Zone, Inc., to operate a recycling collection and distribution center at the Martinez Reservoir.
5. Authorize the purchase of 33 Turbiwell turbidity analyzers from SWAN Analytical Instruments in the amount of \$126,000, not including taxes and freight.
6. Authorize the reestablishment of COVID-19 related leave provisions as outlined in Senate Bill 95.

President Borba asked if anyone wanted to remove an item from the consent calendar to be separately considered. No items were pulled for separate consideration. President Borba asked for public comment. There were none.

MOTION: Holdaway/Martinez 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

7. Adopt Resolution No. 21-006 authorizing execution of the Los Vaqueros Reservoir Joint Exercise of Powers Agreement.

Assistant General Manager – Policy and External Affairs (AGM) Marguerite Patil provided a recap of the Los Vaqueros Reservoir Joint Exercise of Powers Agreement (JPA) development and review process, which included an independent legal review by outside legal counsel. An overview of administration, framework, governance, and objectives of the JPA were provided. The Local Agency Partners have not changed since the last review. The key steps to complete the JPA's formation once the fully executed JPA Agreement is filed with the California Secretary of State were provided. The JPA would hold its initial Board meeting where the Directors would take the oath of office, elect a Chair and Vice Chair, determine the administration process of the JPA, and establish an initial meeting schedule for the JPA Board. CCWD staff would provide initial support services for many of the administrative functions. Funding for these support services is included in the FY21-22 budget, which includes funds from the California Water Commission Early Funding Agreement and the Multi-party Agreement (MPA) with the Local Agency Partners. The Local Agency Partners will need to complete a third amendment to the MPA or an Interim Funding Agreement to fund the necessary support services through December 2022. The

upcoming agreements for the JPA were reviewed. The schedule of upcoming key steps for the JPA from May 2021 through Spring 2022 was provided. The Board was requested to consider adoption of Resolution No. 21-006.

President Borba asked for Board comment. The Board acknowledged that staff provided the Board with detailed reviews at several public meetings and had responded to the Board's comments, concerns, and questions throughout the review process. The JPA Agreement is a milestone reflecting the commitment to the ratepayers and the hard work and dedication of the Board and staff. The Board expressed appreciation for the JPA Agreement's review by an outside attorney and for the collaborative efforts by the District with the Local Agency Partners. The District is solidifying itself as the reliable water provider for its customers and the Bay Area region.

President Borba asked for public comment. In response to DWD Director Kovalick's request for Diablo Water District to be provided with a copy of the draft JPA Agreement, staff confirmed a copy would be provided. The Board reviewed how the CCWD Board Principles were incorporated into the JPA Agreement and that CCWD will retain control over the operations of its facilities preventing impacts to the existing ratepayers while providing them with additional benefits and enhancements from the regional facilities available to CCWD because of the JPA.

MOTION: Burgh/Avila to adopt Resolution No. 21-006 authorizing execution of the Los Vaqueros Reservoir Joint Exercise of Powers Agreement. The motion was approved by roll-call vote (Ayes: Avila, Borba, Burgh, Holdaway, Martinez; Noes: None; Abstain: None; Absent: None).

REPORTS FOR DISCUSSION

8. Committee Report(s):
 - a. Operations & Engineering Committee Post-Meeting Report (03/10/2021)
9. Schedule Future Meeting Dates and Times

There were no comments on the post-meeting report. President Borba added a presentation to the Clayton-Concord Sunrise Rotary on April 8.

REPORTS

10. General Manager

Acting General Manager Murphy reported that Contra Costa County moved into the orange COVID-19 tier level, and the District can now implement its Phase 3 of the Return-to-Work Plan to allow 50 percent of staff to return to the office. The District Center and Administration buildings will be further opened to the public by the end of April.

11. Legal Counsel

Legal Counsel Coty congratulated the Board on approving the Los Vaqueros Reservoir Joint Exercise of Powers Agreement. District has been added as a defendant, along with approximately 40 other water agencies whose Central Valley Contractors' repayment contracts have been finalized.

12. Board

Vice President Avila reported that there will be a general membership meeting of the Association of California Water Agencies Region 5 on Thursday, May 6.

Director Burgh did not have a report.

Director Holdaway did not have a report.

Director Martinez did not have a report.

President Borba reported attendance at and provided comments on meetings with the General Manager on March 23, March 30, and April 2; ACWA Federal Legislative Webinars on March 24 and 31; East Bay Leadership Series (Part 2) on March 25; and the Board study session on March 26.

ADJOURNMENT

At 7:30 p.m. President Borba adjourned the meeting. The next regular meeting of the Board of Directors will be on Wednesday, April 21, 2021 commencing at 6:30 p.m. and held via teleconference.



Lisa M. Borba, President

Attest:



Mary A. Neher, District Secretary