

**CONTRA COSTA WATER DISTRICT  
BOARD OF DIRECTORS  
REGULAR MEETING  
April 15, 2020**

**MINUTES**

**CALL TO ORDER**

President Borba called to order a regular meeting of the Board of Directors of the Contra Costa Water District (District) at 6:31 p.m., at 1331 Concord Avenue, Concord, the regular meeting place of the Board. Pursuant to Governor Newsom's Executive Orders N-25-20, N-29-20, and N-33-20, one or more Directors participated in this meeting remotely. The meeting facilitation procedure was provided.

**ROLL CALL**

|                    |   |
|--------------------|---|
| Directors Present: | Lisa M. Borba, President<br>Connstance Holdaway, Vice President<br>Ernesto A. Avila<br>Bette Boatmun<br>John A. Burgh |
| Directors Absent:  | None  |
| General Manager:   | Stephen J. Welch  |
| Legal Counsel:     | Douglas E. Coty   |
| District Secretary | Mary A. Neher   |

**PLEDGE OF ALLEGIANCE**

President Borba led the pledge of allegiance.

**ADOPTION OF AGENDA**

The Board adopted the agenda by rule.

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

President Borba asked for public comments. There were none.

**CONSENT CALENDAR**

1. Approve Directors' Service/Business and Travel Expenses
  - a. Future Services – April/May 2020
  - b. Expenses – March 2020
  - c. Compensation – March 2020
2. Approval of March 18, 2020 meeting minutes.

3. Approve the warrant register dated April 16, 2020.
4. Award a contract for on-site concrete and concrete finishing services to Wayne E. Swisher Cement Contractor, Inc. in the amount of \$203,000 for FY20, with options to renew in the same amount for FY21 and FY22.
5. Authorize execution of an agreement with Stantec Consulting Services Inc. for consulting services for the Shortcut Pipeline Reliability Improvements Project - Phase 3 in an amount not to exceed \$969,000.
6. Authorize execution of an agreement with Brown & Caldwell for consulting services in the amount of \$400,000 for the Pumping Plant No. 1 Replacement Project.
7. Authorize a change order authority increase in the amount of \$100,000 with Anderson Pacific Engineering Construction for the Midhill and Country Club Rehabilitation Project, for a revised total authorization not to exceed \$2,928,520.

President Borba asked if anyone wanted to remove an item from the consent calendar to be separately considered. Due to a personal business conflict, Director Avila removed Agenda Item No. 5 regarding the Stantec Consulting agreement for a separate motion, as he would abstain from comment and vote on the matter.

President Borba asked for Board questions and comments. There were none.

President Borba asked for public comments. There were none.

**MOTION:** Boatmun/Holdaway to approve the consent calendar, except Agenda Item No. 5. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

**MOTION:** Boatmun/Holdaway to authorize execution of an agreement with Stantec Consulting Services Inc. for consulting services for the Shortcut Pipeline Reliability Improvements Project - Phase 3 in an amount not to exceed \$969,000. The motion was approved by roll-call vote (Ayes: Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: Avila; Absent: None).

**ACTION**

8. Authorize individual procurements for the first six months of FY21 (July 1 through December 31, 2020) for routine goods and services for a total amount not to exceed \$7,591,700.

Mr. Welch reviewed the annual routine goods and services contract award process. To allow staff and vendors to address business needs and mitigate staffing impacts from the COVID-19 pandemic, Mr. Welch requested a six-month extension of the two-year contracts included in the staff report. The competitive procurement process would be completed for the contracts at the end of this calendar year. A discussion ensued about policies and procedures that may be implemented by the District should a vendor or service provider be unable to perform per the existing contract.

President Borba asked for Board questions and comments. There were none.

President Borba asked for public comments. There were none.

**MOTION:** Boatmun/Avila to authorize individual procurements for the first six months of FY21 (July 1 through December 31, 2020) for routine goods and services for a total amount not to exceed \$7,591,700. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

9. Receive update and authorize Amendment No. 1 of the Multi-party Agreement for the Los Vaqueros Reservoir Expansion (LVE) Project to extend the term through December 31, 2020.

Assistant General Manager – Policy and External Affairs Marguerite Patil provided an overview of the Multi-party Agreement set to expire on June 30, 2020. Because of the impacts to the Local Agency Partners (LAPs) from the COVID-19 pandemic, the amendment previously being developed needs to be divided into two parts. Amendment No. 1 only extends the agreement term for six months. A review of the cash flow management was provided. Amendment No. 2 is needed to address critical updates for the scope of work, additional funding and in-kind services, modified invoicing schedule, and further extension of agreement term through December 2021 that would be brought separately to the Board as early as August. The Pumping Plant No. 1 Project continues to move forward. The upcoming Board actions scheduled on May 13 regarding the Final Supplement to the Final Environmental Impact Study/Environmental Impact Report and California Water Commission (CWC) Early Funding Agreement amendment were reviewed. The CWC Early Funding matching cost share criteria fund use limitations were provided. A discussion about federal funding for shovel-ready projects from the economic stimulus package and qualifying District projects ensued. Staff will meet with smaller agricultural partners that are participating in the agreement through the San Luis & Delta-Mendota Water Authority and provide an update to the Board. A discussion regarding impacts to the LVE Project from loss of revenues from the COVID-19 pandemic and cost structure for the LAPs ensued. The LAPs understand that the LVE Project can remain on schedule as long as there are funds to support the process, and the General Managers and staff continue to discuss issues as they arise. The schedule through August was reviewed.

President Borba asked for additional Board comments and questions. Staff confirmed the Board would be updated when the additional CWC funds are authorized. Although a state budget revise is expected in May, the Proposition 1 legislative language states the funding would be continuously appropriated and cannot be reallocated to another purpose.

President Borba asked for public comments. There were none.

**MOTION:** Avila/Holdaway to authorize Amendment No. 1 of the Multi-party Agreement for the Los Vaqueros Reservoir Expansion Project to extend the term through December 31, 2020. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

10. Receive update and approve continuation of the local emergency, as declared in Contra Costa Water District Resolution 20-003, resulting from the COVID-19 pandemic.

Mr. Welch reported there were no COVID-19 cases among staff. Approximately 60% of staff are teleworking, and the new requirements being followed were reviewed. The revenue impacts continue to be evaluated and will include billing cycle data next month. COVID-19 testing services for critical staff are being sought. The negative leave is capped at 96 hours, and the payback process was reviewed. The security at District facilities has been increased in response to increased break-ins in the community. A new work plan for field staff is being developed to allow more staff to safely return to work.

President Borba asked for Board comments and questions. The renting of trailers to provide needed social distancing of staff members was discussed. A discussion regarding increased homeless locations within the

District's service area ensued. Staff has not outreached to retired water operators. Some new business processes may be developed during the pandemic that could benefit the District in the future. The Board thanked staff for the thorough report. Although there will be anxiety and concerns about coming back to work, it is important to stay positive and continue to be educated.

President Borba asked for public comments. There were none.

**MOTION:** Holdaway/Boatmun. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

### **REPORTS FOR DISCUSSION**

11. Committee Report(s):
  - a. Other Post-Employment Benefits (OPEB) Committee Post-Meeting Report (02/21/2020)
  - b. Retirement Committee Post-Meeting Report (02/21/2020)

12. Schedule Future Meeting Dates and Times

Although the OPEB and Retirement plans return on investments had exceeded benchmarks at the end of 2019, the next quarter results were expected to be challenging.

Director Avila will continue to have weekly meetings for the ACWA Federal Affairs Infrastructure Funding Workgroup. Director Boatmun has an ACWA Business Development Committee meeting on April 17 and will attend the April 21 East Bay Leadership Council Water Task Force meeting.

### **REPORTS**

13. General Manager

Mr. Welch reported a vehicle entered the Canal near Railroad Avenue in Pittsburg, and the person had passed away at the hospital.

14. Legal Counsel

Mr. Coty did not have a report.

15. Board

Director Avila reported that he had attended ACWA Federal Affairs Infrastructure Workgroup meetings on April 8 and 15. He attended the Public Information and Conservation (PIC) Committee meeting on April 8. He requested for the Board to be provided updates regarding impacts from the City of Antioch desalination project and refinery operational changes.

Director Boatmun reported that she had attended the April 8 PIC Committee meeting. She explained the Kennedy-King Scholarship event scheduled on May 15 was cancelled and the organization continued to accept donations.

Director Burgh reviewed that the service agreements with the Castle Rock Community allowed it to no longer put potable water into the canal. Customers continue to provide staff with high marks on the District's water conservation surveys, which is a very good program that customers appreciate.

Vice President Holdaway did not have a report.

President Borba reported that she had met with the General Manager on April 7 and 14.

**CLOSED SESSION**

16. Conference with Legal Counsel – Consideration of Initiation of Litigation, pursuant to Paragraph 4 of Subdivision (d) of Government Code section 54956.9: (one case).

At 7:45 p.m. President Borba announced the Board would move into a closed session on a matter regarding the consideration of initiation of litigation and did not require the announcement of additional attendees.

**RECONVENE FROM CLOSED SESSION**

16. Report on closed session.

At 8:09 p.m. President Borba announced that the Board returned from closed session and had not taken a reportable action.

**ADJOURNMENT**

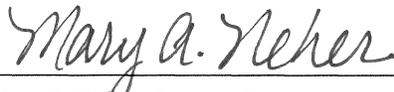
At 8:10 p.m. President Borba adjourned the meeting. The next regular meeting of the Board of Directors will be on May 13, 2020 commencing at 6:30 p.m., which will be held completely via teleconference.



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Lisa M. Borba, President

Attest:



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Mary A. Neher, District Secretary