

**CONTRA COSTA WATER DISTRICT  
BOARD OF DIRECTORS  
REGULAR MEETING  
April 17, 2019**

**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 6:30 p.m., at 1331 Concord Avenue, Concord, the regular meeting place of the Board.

***ROLL CALL***

<i>Directors Present:</i>	Lisa M. Borba, President Connstance Holdaway, Vice President Ernesto A. Avila Bette Boatman John A. Burgh
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<i>Directors Absent:</i>	None
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<i>General Manager:</i>	Jerry Brown
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<i>Legal Counsel:</i>	Douglas E. Coty
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<i>District Secretary:</i>	Mary A. Neher
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***PLEDGE OF ALLEGIANCE***

Director Avila led the pledge of allegiance.

***ADOPTION OF AGENDA***

There were no changes to the agenda, and 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 2019

- b. Expenses – March 2019
  - c. Compensation – March 2019
2. Approve March 20, 2019 meeting minutes.
  3. Approve the warrant register dated April 18, 2019.
  4. Authorize a change order authority increase in the amount of \$70,000 with GSE Construction Company for the Loop Canal Liner Repairs between Mileposts 30.62 and 31.50 Project, for a revised total authorization not to exceed \$352,939.

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

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. The motion carried by a unanimous voice vote.

***ACTION***

5. Construction and Repair Services Task for the Johnson Drive Main Replacement Project
  - a. Authorize an amendment to the Construction and Repair Services FY19 contract authority with Con-Quest Contractors, Inc. in the amount of \$1,842,170 for a revised FY19 contract total not to exceed \$3,342,170; and
  - b. Authorize execution of a task order in the Construction and Repair Services agreement for the Johnson Drive Main Replacement Project in an amount of \$1,842,170.

Mr. Brown explained this was an action item because of the contract authority amount that did not have any controversy. The FY19 Construction and Repair Services (CRS) agreement process benefits to the District were reviewed. This project was included in the mid-year budget review. The contractor is providing the District with excellent work.

President Borba asked for Board comments and questions.

President Borba said the use of projected positive financial plan benefits is not common. The District's continued work related to the main replacement program was important, and she supported the work. Director Avila said the new six-inch diameter pipeline will increase the fire protection flow in the area and provide more reliability to customers.

President Borba asked for public comments. There were none.

**MOTION:** Avila/Boatman to authorize an amendment to the Construction and Repair Services FY19 contract authority with Con-Quest Contractors, Inc. in the amount of \$1,842,170 for a revised FY19 contract total not to exceed \$3,342,170; and authorize execution of a task order in the Construction and Repair Services agreement for the Johnson Drive Main Replacement Project in an amount of \$1,842,170. The motion carried by a unanimous voice vote

6. Review update on legislative issues and adopt District positions for the following: AB 217, AB 1381, AB 1432, AB 1486, SB 332, and SB 487.

Director of Public Affairs Jennifer Allen reviewed the state legislative bill processes and deadlines. The Governor's revised state budget is expected in May and legislators must pass the budget by June 15.

**AB 217 (Garcia) Safe and Affordable Drinking Water for All Act.** The various funding sources included in the bill were reviewed. The District recommends taking an *Oppose Unless Amended* position unless the language regarding the tax/fee as a funding source is removed.

**AB 1381 (Salas) Safe Drinking Water Plan.** The State Water Resources Control Board (State Water Board) would be directed to update the five-year safe drinking plan and include updated information on water systems that are consistently out of compliance. The desired information to be included was reviewed. Because this would fulfill many aspects of the required State Water Board needs assessment, the District recommends taking a *Support* position. In response to President Borba, staff explained the funding to complete the five-year plan and needs assessment was included in the State Water Board budget.

**AB 1432 (Dahle) Water Shortage Emergencies: Declaration: Wildfires.** This removes the requirement for water districts to hold a public hearing before directing customers to reduce water use in response to a wildfire emergency, which is already the case for earthquakes and other emergencies. The District recommends taking a *Favor* position.

**AB 1486 (Ting) Local Agencies: Surplus Land.** This would expand existing laws governing disposal of surplus public land in favor of affordable housing. The District has concerns regarding compatible uses of surplus land around its facilities and limiting negotiation parameters for how it sells surplus land. The District recommends taking an *Oppose Unless Amended* position. Mr. Brown reviewed how a recent surplus land sale by the District could have been impacted.

**SB 332 (Hertzberg) Wastewater Treatment: Recycled Water.** The bill would increase wastewater discharge goals over the next 20 years and would levy heavy fines for agencies that do not meet the goals by the deadline. The District is supportive of recycled water where it is cost-efficient, makes sense for the local agency, and the local agency can invest into recycling the water and/or conveying the recycled water. The District still has concerns and recommends taking an *Oppose* position. In response to Director Avila's question regarding the District's infrastructure investments made to provide water service and the need for the District to be made whole for those investments, Mr. Brown said there were other laws that offered protections. Mr.

Coty said he had not reviewed the bill and would work with staff to address such concerns, if needed. In response to President Borba, Mr. Coty said that Association of California Water Agencies (ACWA) and California Association of Sewer Agencies were opposed to the bill.

**SB 487 (Caballero) Department of Water Resources (DWR): Aerial Snow Survey.** DWR would conduct more extensive snow surveys that would include aerial photography and be conducted multiple times during the year. The data gathered would provide the District with water supply, water conditions, and climate change information. The District recommends taking a *Favor* position.

An update regarding federal legislative issues was provided.

The Water Infrastructure and Investment for the Nation Act funding, managed by U.S. Bureau of Reclamation (Reclamation), has \$2.1 million for the Los Vaqueros Reservoir Expansion Project (LVE) and \$57.0 million for the Shasta enlargement, which have not been released. The District has submitted a request for an additional \$29.0 million to Reclamation for LVE for FY20.

Regarding the canal title transfer process, the District is waiting for Reclamation to execute the memorandum of understanding (MOU). When the executed MOU is received, a letter of approval to reimburse Reclamation for the expenses incurred during the title transfer process will be brought to the Board.

President Borba asked for Board comments and questions.

In response to Director Boatman's question about providing comments addressing the lack of transparency for the budget trailer bill process, staff explained the District has written letters when legislators have tried to pass big policy decisions using a budget trailer bill instead of going through the normal legislative review process. Director Boatman expressed concerns over the budget trailer bill practice because of the lack of transparency, ability for public review and comment, and lower approval vote needed to pass the bill.

In response to Director Avila, Mr. Brown said the District would outreach to Assemblymember Grayson if additional water tax activity occurs. Staff continues to keep the District's concerns on the forefront of legislators through ACWA.

Director Boatman said Assemblymember Caballero has expressed an interest to tour the Los Vaqueros Reservoir.

President Borba asked for public comments. There were none.

**MOTION:** Holdaway/Boatman to adopt District positions for the following: AB 217, AB 1381, AB 1432, AB 1486, SB 332, and SB 487. The motion carried by a unanimous voice vote.

***REPORTS FOR DISCUSSION***

7. Future meeting dates and times.

There were no meetings added to the calendar.

***REPORTS***

8. General Manager

Mr. Brown reviewed a significant main break related to the City of Pleasant Hill's paving program. District staff have worked to repair the main, provide temporary topline water service to the 24 impacted homes, and provide community outreach. Central Contra Costa Sanitary District is concerned about impacts to its sewer lines. The District continues to coordinate with the City of Pleasant Hill regarding the paving. Assistant General Manager – Engineering Steve Welch described a study underway by East Bay Municipal Utility District (EBMUD) in response to a similar main break issue it had encountered in other cities. The District is coordinating with EBMUD and other agencies to establish standards and specifications. The completed and anticipated District outreach was provided.

An update of the South of Delta contractor water allocations was provided.

With the retirement of Desiree Castello, Accounting Manager Lizz Cook will be promoted to Director of Finance, which demonstrates the District's succession planning process.

9. Legal Counsel

Mr. Coty did not have a report.

10. Board Members

Director Burgh reported that he attended the April 15 California Special Districts Association, Contra Costa Chapter (CCSDA) meeting.

Vice President Holdaway did not have a report.

Director Boatman reported that she attended the April 4 Mayors' Conference in Oakley. On April 15 she attended the CCSDA meeting. She attended the April 16 East Bay Leadership Council (EBLC) Water Task Force meeting. She attended the Public Information and Conservation (PIC) Committee meeting on April 10. She thanked staff for cleanup work done on the Clayton Valley Canal.

Director Avila reported that he attended the April 10 PIC Committee meeting.

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President Borba reported that she attended the April 4 Mayors' Conference in Oakley. She had meetings with the General Manager on April 9 and 16. On April 12 she attended the EBLC Board meeting. She concurred with Director Boatman regarding the Clayton Valley Canal. She discussed Paradise installation of water tanks to provide water to its citizens returning to the community.

***ADJOURNMENT***

At 7:35 p.m., President Borba adjourned the meeting.

The next regular meeting of the Board of Directors will be on May 1, 2019 commencing at 6:30 p.m. in the Board Room located at 1331 Concord Avenue in Concord.



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Lisa M. Borba, President

Attest:



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Mary A. Neher, District Secretary