

**CONTRA COSTA WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
July 1, 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.

SAFETY BRIEFING

Mr. Welch provided a safety briefing related to COVID-19.

President Borba announced that the teleconference was being held pursuant to Governor Newsom's Executive Orders, some Directors participated remotely. The meeting facilitation procedure was provided.

ROLL CALL

Directors Present:	Lisa M. Borba, President Connstance Holdaway, Vice President Ernesto A. Avila Bette Boatmun John A. Burgh
Directors Absent:	None
General Manager:	Stephen J. Welch
Legal Counsel:	Douglas E. Coty
District Secretary	Mary A. Neher
Executive Management Analyst	Jamie Elsberry

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.

President Borba welcomed the District's Human Resources and Risk Manager Sonja Stanchina to the podium and acknowledged that the full Board had been provided with and had read her 13-page discrimination

complaint. Ms. Stanchina provided the Board with a summary of her complaint and the process she followed to personally review the matter with the Board.

Remote public attendee, Shelia Robe, asked two questions: 1) Are there any people of color on the Board, and if so, for how long have they sat on the Board and 2) Who is Jerry Brown, his qualifications, and length of time he worked at the District? President Borba requested Mr. Welch respond. Mr. Welch explained that the Board includes a person of Hispanic background, Director Avila, who has been on the Board for four years. Mr. Brown is the District's former General Manager who retired in December 2019, and Mr. Welch became General Manager in December 2019.

Remote public attendee, Martha Sandino, said she had known Ms. Stanchina for over a decade. She reviewed Ms. Stanchina's excitement upon accepting her position. Based upon the experiences Ms. Stanchina had shared with Ms. Sandino, Ms. Sandino had encouraged Ms. Stanchina to find another job. Mr. Sandino's opined that the complaint was not hostile but based on a desire for the District to be a fair and just organization. She supported Ms. Stanchina's motivation and commitment in this matter.

Remote public attendee, Victoria Adams, President of the East County Branch of the National Association for the Advancement of Colored People (NAACP), said she had spoken to the Board on June 17 about the agency's failure to allow the only Black manager to address this Board to review the discrimination, equality and pay issues, unfair labor practices, and systemic racial barriers. She expressed her concerns that there were systemic racial barriers within the agency prohibiting African American employees from being hired and promoted and plans to follow the progress of this matter and hopes the issues will be addressed and corrected satisfactorily. She said the NAACP will willing to work with the District and looked forward to hearing from it soon.

President Borba said that the Contra Costa Water District is committed to fair and equal treatment of its employees and takes these claims of discrimination very seriously and the allegations will be investigated thoroughly.

ADOURN TO CCWA BOARD MEETING

At 7:07 p.m. adjourned to the Contra Costa Water Authority Board of Directors meeting.

RECONVENE FROM CCWA BOARD MEETING

At 7:14 p.m. President Borba reconvened the Contra Costa Water District Board of Directors meeting.

CONSENT CALENDAR

1. Approve Directors' Service/Business and Travel Expenses
 - a. Future Services – July 2020
2. Approval of June 3, 2020 meeting minutes.
3. Approve the warrant register dated July 2, 2020.
4. Authorize execution of an agreement with DCSE Inc. to complete the GIS Master Plan Priority Projects for a total amount not to exceed \$220,000.

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

President Borba requested for the Board to provide comments and questions. There were none.

President Borba asked for public comments. There were none.

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

ACTION

5. Award of Construction Contract and Professional Services Agreement Amendment – Rock Slough Fish Screen (RSFS) Improvements Project
 - a. Authorize execution of a contract with TCB Industrial Inc. for construction of the Rock Slough Fish Screen Improvements Project in the amount of \$1,597,221, with a change order authority of \$127,778, for a total amount not to exceed \$1,724,999; and
 - b. Authorize an amendment to the professional services agreement with Schnabel Engineering, Inc. in the amount of \$80,000, for a total amount not to exceed \$470,000.

Mr. Welch explained that a competitive bid process was used for this construction contract for the RSFS Improvements Project. The Bureau of Reclamation's (Reclamation) portion is 75% and the District's portion is 25%. There are approximately \$500,000 of additional improvements identified that will be brought to the Board separately when funds become available from Reclamation. The improvements before the Board tonight will bring the facility into a state that the District can accept.

President Borba asked for Board comments. The Board requested to be provided with a total cost for the project that included things such as the time by the District's federal lobbyist. Mr. Welch said it will be included in a future Board letter. It was noted that the project's inception was approximately 35 years ago.

President Borba asked for Public Comment. There were none.

MOTION. Avila/Boatmun to authorize execution of a contract with TCB Industrial Inc. for construction of the Rock Slough Fish Screen Improvements Project in the amount of \$1,597,221, with a change order authority of \$127,778, for a total amount not to exceed \$1,724,999; and authorize an amendment to the professional services agreement with Schnabel Engineering, Inc. in the amount of \$80,000, for a total amount not to exceed \$470,000. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

6. Approval of Construction and Repair Services Agreements
 - a. Authorize execution of an agreement with Con-Quest Contractors, Inc., in the amount of \$1,000,000 for FY21 construction and repair services, with an option to continue services in the amount of \$1,000,000 for FY22, for a total authorization not to exceed \$2,000,000; and
 - b. Authorize execution of an agreement with GSE Construction Company, Inc., in the amount of \$1,000,000 for FY21 construction and repair services, with an option to continue services in the amount of \$1,000,000 for FY22, for a total authorization not to exceed \$2,000,000.

Mr. Welch explained that the Operations and Engineering Committee have reviewed the construction and repair services agreements and reviewed the associated benefits that allows response to emergencies and completion of smaller projects. The agreements are for two years and were competitively procured.

President Borba asked for Board comments. The Board noted the success of using these agreements and that customers have benefited from faster responses and lower costs during emergencies.

President Borba asked for Public Comment. There were none.

MOTION: Boatmun/Burgh to authorize execution of an agreement with Con-Quest Contractors, Inc., in the amount of \$1,000,000 for FY21 construction and repair services, with an option to continue services in the amount of \$1,000,000 for FY22, for a total authorization not to exceed \$2,000,000; and authorize execution of an agreement with GSE Construction Company, Inc., in the amount of \$1,000,000 for FY21 construction and repair services, with an option to continue services in the amount of \$1,000,000 for FY22, for a total authorization not to exceed \$2,000,000. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

7. Receive update and approve continuation of the local emergency, as declared in Contra Costa Water District Resolution No. 20-003, resulting from the COVID-19 pandemic.

Mr. Welch reported that Governor Newsom changed some of the reopening guidelines for California. The District's Safe Return to Work Phase 3 (Work Plan) would have included opening the lobby to the public. The District has been using restaurant re-openings for internal dining as a reference for when to implement the Work Plan, and California delayed these re-openings for at least three weeks. Mr. Welch met with Local 21 and Local 39 representatives to review the Work Plan, which will continue to be adjusted to meet the changing daily events. Mr. Welch plans to relinquish his request for emergency authority under the local emergency declaration at the July 15 Board meeting unless something unforeseen happens.

President Borba asked for Board comments. A discussion ensued regarding the ongoing communications between water agencies regarding the efforts to safely bring staff back to work. Mr. Welch confirmed that the District did not have any employees who had tested positive and that testing is accessible within 48 hours and multiple testing can be done as needed.

President Borba asked for Public Comment. There were none.

MOTION: Burgh/Holdaway to receive update and approve continuation of the local emergency, as declared in Contra Costa Water District Resolution No. 20-003, resulting from the COVID-19 pandemic. The motion was approved by roll-call vote (Ayes: Avila, Boatmun, Borba, Burgh, Holdaway; Noes: None; Abstain: None; Absent: None).

REPORTS FOR DISCUSSION

8. Schedule Future Meeting Dates and Times

President Borba said she will not be able to attend the July 8 Operations and Engineering Committee.

REPORTS

9. General Manager

Mr. Welch reported that the District's Central Valley Project contract, which is being converted from a long-term renewal contract into a repayment contract, will be released by the Bureau of Reclamation for public comment this week.

10. Legal Counsel

Mr. Coty did not have a report.

11. Board

Director Avila reported that he had attended a meeting of the Association of California Water Agencies (ACWA) Federal Affairs Committee Water Infrastructure Workgroup on June 24. He met with the General Manager on June 29.

Director Boatman did not have a report.

Director Burgh did not have a report.

Vice President Holdaway reported that she had met with the General Manager on June 26.

President Borba reported that the full Board had attended a study session on June 19. On June 19 she had attended the East Bay Leadership Council Board meeting. She met with the General Manager on June 23 and 30.

CLOSED SESSION

12. Conference with Legal Counsel – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (one case).

At 7:36 p.m. President Borba announced that the Board would move into a closed session on a litigation matter, which did not require the announcement of additional attendees.

RECONVENE FROM CLOSED SESSION

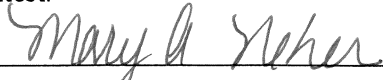
13. Report out on closed session.

At 8:49 p.m. President Borba announced the Board did not take a reportable action during the closed session.


ADJOURNMENT

At 8:50 p.m. President Borba adjourned the meeting. The regular meeting of the Board of Directors will be on July 15, 2020 commencing at 6:30 p.m. and will be held by teleconference.

Attest:



Mary A. Neher, District Secretary



Lisa M. Borba, President