

**CONTRA COSTA WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
March 6, 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 a couple of meeting changes to the Board Future Services Calendar, Agenda Item No. 1.a., 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 – March 2019
2. Approve February 6, 2019 meeting minutes.
3. Approve the warrant register dated March 7, 2019.
4. ~~Adopt Resolution No. 19-004 authorizing the execution of non-exclusive perpetual treated water pipeline easement to the City of Brentwood over the Los Vaqueros Pipeline near Milepost 1.93.~~
5. ~~Request for Modified Pressure Service at 4500 Blum Road, Martinez~~
 - a. ~~Adopt Resolution 19-005 designating a Modified Pressure Service Area for the proposed nine lot subdivision at 4500 Blum Road in Martinez; and~~
 - b. ~~Authorize conditional modified pressure service agreements for the nine new lots to be created by the proposed subdivision at 4500 Blum Road in Martinez.~~

President Borba asked if anyone wanted to remove an item from the consent calendar to be separately considered. Agenda Item Nos. 4 and 5 were removed for separate consideration.

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 Nos. 4. and 5. The motion carried by a unanimous voice vote.

ACTION

4. Adopt Resolution No. 19-004 authorizing the execution of non-exclusive perpetual treated water pipeline easement to the City of Brentwood over the Los Vaqueros Pipeline near Milepost 1.93.

Director Avila asked if the nonexclusive perpetual easement allowed the City of Brentwood (City) to use the land for purposes other than the water treatment pipeline. Mr. Brown said the City was restricted to the one 12-inch treated water pipeline and the District retained its rights to use the shared area.

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

President Borba asked for public comments. There were none.

MOTION: Avila/Boatmun to adopt Resolution No. 19-004 authorizing the execution of non-exclusive perpetual treated water pipeline easement to the City of Brentwood over the Los Vaqueros Pipeline near Milepost 1.93. The motion carried by a unanimous voice vote.

5. Request for Modified Pressure Service at 4500 Blum Road, Martinez
 - a. Adopt Resolution 19-005 designating a Modified Pressure Service Area for the proposed nine-lot subdivision at 4500 Blum Road in Martinez; and
 - b. Authorize conditional modified pressure service agreements for the nine new lots to be created by the proposed subdivision at 4500 Blum Road in Martinez.

Director Boatmun said she could not support the modified pressure service, as the lower service pressure standards may not be enough for fire suppression systems during a power outage. The more homes built to the lower service pressure standards increased fire disaster risks. The District should provide comments when the state fire code is reviewed and modified. With no monitoring program to ensure that homeowners complete the proper pressure booster pump system maintenance and notify future homeowners about the pump systems, it is not in the best interest of the community or the District to approve these modified pressure service areas.

Mr. Brown said the report specified that the minimum service pressure standard could be met at the property without power, which provides sufficient flows for fire suppression on the property. Because home standards require fire suppression systems to be included in homes, backflow prevention devices are needed to prevent cross contamination with the drinking water system. The District did not have the opportunity to provide comments when the state fire code was changed.

A discussion ensued regarding the District's requirements and the unintended impacts to the District, its customers, and potential increased fire risk resulting from the lower service pressures, which are a result of the state fire code changes. The Board thought it would be beneficial for the Operations and Engineering Committee to further review the matter, as it will come up again in the future, and suggested to include related data from other water agencies.

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

President Borba asked for public comments. There were none.

MOTION: Burgh/Holdaway to adopt Resolution 19-005 designating a Modified Pressure Service Area for the proposed nine-lot subdivision at 4500 Blum Road in Martinez; and authorize conditional modified pressure service agreements for the nine new lots to be created by the proposed subdivision at 4500 Blum Road in Martinez. The motion carried by a voice vote (Ayes: Burgh, Holdaway, Avila, Borba; Noes: Boatmun).

6. Authorize the purchase of four light vehicles and four heavy service trucks from Towne Ford, for a total not to exceed amount of \$570,637; five light vehicles from Concord Toyota, for a total not to exceed amount of \$162,906; a backhoe from Peterson Tractor Company, for a total not to exceed amount of \$122,998; and two heavy service trucks and one dump truck from Sourcewell, for a total not to exceed amount of \$353,547; for a total combined purchase price of \$1,210,088 plus sales tax.

President Borba said the specialized equipment vehicles were available through a limited number of vendors. Staff continues to review the process and the business case for the purchases. In response to Director Boatman, staff explained that the vehicle maintenance is done locally.

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

President Borba asked for public comments. There were none.

MOTION: Boatman/Avila to authorize the purchase of four light vehicles and four heavy service trucks from Towne Ford, for a total not to exceed amount of \$570,637; five light vehicles from Concord Toyota, for a total not to exceed amount of \$162,906; a backhoe from Peterson Tractor Company, for a total not to exceed amount of \$122,998; and two heavy service trucks and one dump truck from Sourcewell, for a total not to exceed amount of \$353,547; for a total combined purchase price of \$1,210,088 plus sales tax. The motion carried by a unanimous voice vote.

7. Approve Budget Increase and Agreement Amendment for the Rock Slough Fish Screen Project
 - a. Authorize a budget acceleration in the amount of \$215,000 from FY20 to the FY19 Rock Slough Fish Screen Improvement Project budget; and
 - b. Authorize an amendment to the agreement with Deere and Ault Consultants, Inc. in the amount of \$140,000, for a total revised amount not to exceed \$390,000.

Engineering Manager Chris Hentz reviewed the background of the federal Rock Slough Fish Screen (RSFS) Project. The District entered into an assistance agreement with the U.S. Bureau of Reclamation (Reclamation) in 2013 to address issues identified following the startup of the RSFS. A prototype rake was installed, and the testing was interrupted due to additional environmental requirements. Heavy vegetation continued to cause rake failures. Because of the ongoing environmental reviews and increased costs, the Project's development was delayed. In August 2018 Reclamation provided additional funding, and the design work began in Fall 2018. The revised vegetation management approach and rake system were reviewed. The updated scope of work was provided.

In response to Director Boatman, staff said the total Project cost is estimated to be \$35.0-36.0 million. The Project has received \$30.0 million through the American Reinvestment and Recovery Act and \$3.5 million from the assistance agreement. The amendment to the assistance agreement is expected to provide \$2.0 million. In response to Director Burgh, staff said the RSFS title will be transferred separately from the Contra Costa Canal (Canal) title to allow for resolution of the remaining Project issues. Existing legislation allows for the future transfer of facilities such as RSFS without the need for a separate Act of Congress.

Status of the environmental reviews currently underway were provided. The fiscal impact and schedule were reviewed. The Project construction completion is estimated for October 2021.

President Borba asked for additional Board questions and comments.

President Borba said the Project has taken a long time and has used a lot of public funds. Staff explained that Reclamation has paid approximately \$33.0-34.0 million and the District's ratepayers have paid approximately \$2.0 million for the Project.

Director Avila acknowledged Clayton City Councilmember Jim Dias in the audience and expressed he thought this type of project could have been more efficiently completed by a local agency.

President Borba asked for public comments. There were none.

MOTION: Boatmun/Holdaway to authorize a budget acceleration in the amount of \$215,000 from FY20 to the FY19 Rock Slough Fish Screen Improvement Project budget; and authorize an amendment to the agreement with Deere and Ault Consultants, Inc. in the amount of \$140,000, for a total revised amount not to exceed \$390,000. The motion carried by a unanimous voice vote.

DISCUSSION AND INFORMATION

8. Water supply update.

Water Resources Manager Dr. Leah Orloff reviewed the precipitation average to date and the precipitation accumulation across the eight-river index. Shasta's storage is at 4.0 million acre-feet, and it is making flood releases.

The District received an initial Central Valley Project contract allocation of 95% of its historical use, which is enough to meet customer demands and fill Los Vaqueros Reservoir. The District's annual 30-day, no diversion period will end on April 1. The District continues to promote water conservation as a way of life in California and provide customers with water conservation programs. Continued investment in water supply reliability is needed to prepare for future dry years.

The Bay Delta Water Quality Control Plan (Plan) is being amended by the State Water Resources Control Board (State Water Board), which will impact the District's long-term outlook. A review of the Plan's goals was provided. The Plan may affect District water quality and water supply. An open and transparent voluntary settlement agreement (VSA) process is underway to create a mutual agreement to protect the environment and stakeholders. The stakeholders and participants, which includes the District, efforts were reviewed. The District would like to participate in the VSA process to have input into the new flow requirements, as they could affect the District's water quality, water supply, and finances. The schedule for the VSA was reviewed.

In response to Director Boatmun, staff does not know if the State Water Board's leadership change will impact the Plan's amendment. The District anticipates the changes to the Plan will

be significant, which is why the District is trying to minimize the impacts as much as possible. Even though the VSA process is trying to identify something all stakeholders and participants can support, it may not be possible. Vice President Holdaway said it was still a good effort by the District. The low initial water allocation for south of Delta agriculture is based upon environmental restrictions that will be applied throughout the year and not the amount of water currently available.

President Borba asked if there were any reasons the District should not participate in the VSA process? Mr. Brown said the Board could decide not to participate. Staff is seeking the Board's feedback to identify any areas of concern if the District were to participate in the VSA process. If the District does not participate in the VSA process, it would need to review the outcome from the process to determine any negative impacts to the District from the VSA, which it may then need to oppose. Because the District is seen as a constructive participating agency, staff would like to continue participation in the VSA process. The matter has not been previously reviewed with the Board and staff wanted its feedback. In response to Director Boatman, staff reviewed some of the entities who were not participating in the VSA process.

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

President Borba asked for public comments. There were none.

President Borba acknowledged receipt of the water supply update and thought it would be good for the District to continue to participate in the VSA process.

REPORTS FOR DISCUSSION

9. Committee Report(s):
 - a. Board of Supervisors – Transportation, Water, and Infrastructure Committee Post-Meeting Report (02/11/19)
10. Future meeting dates and times.

There were no comments.

REPORTS

11. General Manager

The storm damaged areas previously reported to the Board remain stable. Director Boatman asked about a slide along Marsh Creek Road. Mr. Brown said it was located outside the Clayton City limits within an area prone to slides. Contra Costa County is working diligently to get the road reopened.

During the annual cleaning and maintenance of the Loop Canal, additional repairs were identified, which would be more cost-effective to complete at this time. The additional work

will cause the Loop Canal to remain out of service until mid-April. The customers impacted by the increased outage duration will be notified about the extension. Staff will bring the increased authority request to the Board for approval on March 20, 2019.

12. Legal Counsel

Mr. Coty did not have a report.

13. Board Members

Director Burgh did not have a report.

Vice President Holdaway did not have a report.

Director Avila reported that he had attended the special joint meeting of the District and Alameda County Flood Control and Water Conservation, Zone 7 (Zone 7) on March 5, which included a Los Vaqueros Reservoir Expansion Project presentation and facility tour. He attended the Multi-state Salinity Coalition conference that was held February 27 through March 1.

Director Boatmun reported that she and Director Avila had attended the February 21 Industrial Association meeting. On March 1 she attended the Pittsburg Chamber of Commerce Officer Installation.

President Borba reported that she and Director Boatmun had attended the Retirement Committee and Other Post-Employment Benefits Committee meetings on February 22. She met with the General Manager on February 26 and March 4. On March 1 she gave a presentation to the Concord Rotary Club. She attended the March 5 special joint meeting with Zone 7.

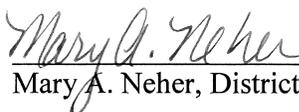
ADJOURNMENT

At 7:40 p.m., President Borba adjourned the meeting. The next regular meeting of the Board of Directors will be on March 20, 2019 commencing at 6:30 p.m. in the Board Room located at 1331 Concord Avenue in Concord.



Lisa M. Borba, President

Attest:



Mary A. Neher, District Secretary