

Shoemaker, Brianna@DWR

From: Leland Frayseth <leland.frayseth@gmail.com>
Sent: Monday, July 4, 2022 7:05 PM
To: Arthur, Samantha@CWC; Makler, Alexandre(Alex)@CWC; Curtin, Daniel@CWC; Swanson, Matthew@CWC; Gallagher, Kimberly@CWC; Steiner, Fern@CWC; Solorio, Jose@CWC; California Water Commission; Shoemaker, Brianna@DWR; Young, Amy@DWR; Cambra, Paul@CWC; Yun, Joseph@DWR; Klopfenstein, Rachael@DeltaCouncil; Erreca, Erik@DeltaCouncil; John Cunningham; spalmer@zone7water.com; john@goldenstatesalmon.org; Bob Wright; Obegi, Doug; Kennedy, Kellye J; jciampa@lagerlof.com; rperea@lagerlof.com; Scott Anderson; vsepulveda@ccwater.com; Jennifer Allen; Rachel Murphy
Subject: Los Vaqueros Reservoir - Leadership failure and accountability

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Dear CWC Commissioners, Los Vaqueros Reservoir JPA Directors, CCWD Directors, Staff and the Public,

This is my 48th letter to the California Water Commission (CWC). Please embed this public comment into the 6 July 2022 CCWD Board, 13 July 2022 Los Vaqueros Reservoir Joint Powers Authority (JPA) Board and 20 July 2022 CWC meeting agendas under public comment.

I am a 38 year customer of CCWD. I enjoy rowing, swimming and fishing in the Sacramento San Joaquin river Delta. Los Vaqueros Reservoir has failed me due to leadership failure and it is time to hold the leaders responsible accountable by asking for their resignations so please consider this my request for CCWD Board and Los Vaqueros JPA Directors resignations.

I and other CCWD rate payers paid \$5M in 2017 for electricity to pump 40,000 acre-feet (AF) of Delta water up into Los Vaqueros 160,000 AF Reservoir for improved water quality and reliability. Now I have poor water quality and no different reliability than any other Californian.




Contra Costa Water District
Expansion of Los Vaqueros Reservoir Dam
Dedicated July 13, 2012

This enlargement of the Los Vaqueros Reservoir improves water supply reliability and water quality while enhancing the Delta aquatic environment.

Board of Directors
Joseph L. Campbell, President
Karl L. Wandry, Vice President
Bette Brossman
Lisa M. Borba
John A. Burgh

Former Directors During Project
Elizabeth R. Aiello
James Pretti
Noble O. Elcenko, D.C.

Former General Manager
Walter J. Bishop

General Manager
Jerry D. Brown

Construction Contractor
Barnard Construction Company, Inc.

Design Engineer
URS Corporation

 **CONTRA COSTA WATER DISTRICT**

Acknowledgments
The Board of Directors wishes to acknowledge the dedication and efforts of staff, consultants and contractors who worked on the project, as well as Labor's contribution.



LOS VAQUEROS RESERVOIR (LVQ)

Date from 07/19/2011 00:00 through 07/01/2022 00:00 Duration : 133 Months
 Max of period : (05/01/2018 00:00, 155296.0) Min of period : (10/01/2011 00:00, 47348.0)



→ RESERVOIR STORAGE - AF (9052)

- The remaining \$0.9 million in outside services cost savings are from lower than budgeted Board election fees, other agency fees, equipment rental, maintenance expenses, and retiree medical plan expense reimbursements.
- Other Expenses: This expense category netted to \$0.2 million in cost savings.
 - Water purchases for normal operations were \$0.3 million lower than budget due to lower demands from untreated water customers and a 15% reduction in CVP water rates in 2017.
 - Energy expenses for normal operations exceeded budget by \$0.4 million. Untreated water energy expense was higher mainly due to increased use of the Mallard pump station. The higher energy cost is more than offset by lower water costs as the use of Mallard pump station is billed at lower, non-CVP water rates. Treated water energy expense was higher due to increased consumption in the summer. The budget was developed based on a 5% rebound. Actual treated water consumption was 12% higher than the prior year.
 - Other expenses that contributed to \$0.3 million in savings include lower fuel expenses, bad debt expense, and training expenses.
- LV Reservoir Filling: The District was able to add approximately 40,000 acre-feet of water into storage at the LV Reservoir in FY17. In addition, 3,837 acre-feet of water has been stored for WWD. Per agreement, WWD will reimburse the District for the actual cost of conveyance and storage. With the additional filling, LV Reservoir reached 96% capacity in FY17.

The total filling expense was \$5.0 million including water purchases and energy expenses, of which \$0.4 million is to be reimbursed by WWD. The District took the opportunity of favorable water quality conditions to use the lower cost LV water rights for a portion of the filling, which resulted in approximately \$0.5 million in cost savings as compared to the rate for CVP water.

CONTRA COSTA WATER DISTRICT 2022 DROUGHT PROGRAM FOR SINGLE FAMILY RESIDENTIAL CUSTOMERS

California is in a serious drought. For residential customers served by Contra Costa Water District, 15% conservation is mandatory, and a new drought surcharge is effective July 1, 2022.

California is in the third year of drought and we must take steps to conserve more water now to protect our community should this drought continue into next year or longer. We recognize that many of you have taken steps to conserve and we thank you! Please take another look at where you use water most, especially outdoors, and find ways to save even more – even a little will add up to a lot when we all pitch in.

The temporary drought surcharge (\$0.79 added to each unit, or 748 gallons, of water used) will apply to water used after July 1 and will cover the impacts of the drought on our water system. Please note that if you achieve the 15% conservation goal, the total due on your water bill should remain about the same. The surcharge will only remain in place while we are in this drought emergency. There will be a non-rate funded credit of the surcharge automatically applied to households that use less than 200 gallons per day.

We are here to help: ccwater.com/drought

- Conservation tools and services that are available at no cost.
- Rebates.
- Frequently Asked Questions.

Thank you! #ConserveInContraCosta

Action item 7 on the 6 July 2022 CCWD Board meeting agenda is to balloon to \$2,095,000 the 30 Jan 2017 \$80,000 Stantec sole source contract for Los Vaqueros Reservoir approved by then General Manager Jerry Brown. The public deserves competitively bid contracts and it is written into the Los Vaqueros Reservoir Early Funding Agreement CCWD signed with the CWC. I request CWC Staff mark "Non reimbursable" on Los Vaqueros Reservoir 275,000 AF invoices that contain Stantec fees and request a refund from the JPA.

CONSENT CALENDAR

The following items have been reviewed by the General Manager. To his knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.

1. Approve Directors' Services/Business and Travel Expenses
 - a. Future Services – July 2022
 - b. ACWA DC Conference Travel Authorization – Avila
2. Approve the Warrant Register dated July 7, 2022
3. Authorize execution of a contract with Con-Quest Contractors, Inc. for construction of the Phase 2 Los Vaqueros Expansion Transfer Pipeline Inspection Project in the amount of \$1,599,000, with a change order authority of \$159,900, for a total amount not to exceed \$1,758,900.
4. Authorize execution of an amendment to the consulting services agreement with Olberding Environmental, Inc. in the amount of \$350,000 to cover ongoing Capital Improvement Project environmental review and permitting services. The term of the amended agreement will cover July 1, 2022 to June 30, 2024.
5. Authorize an increase in authority to the contractual services agreement with Paymentus in the amount of \$15,000 for a new total of \$415,000.

ACTION

6. Authorize execution of Amendment No. 4 to the consulting services agreement with Environmental Science Associates for Phase 2 Los Vaqueros Reservoir Expansion Project environmental planning services in an amount not to exceed \$1,325,342 for a revised total agreement amount not to exceed \$3,602,020.
7. Authorize execution of an amendment to the professional services agreement with Stantec Consulting Services, Inc. for the Phase 2 Los Vaqueros Reservoir Expansion Project in the amount of \$942,000, for a revised total not to exceed \$2,095,000.
8. Authorize Agreements for Fiscal Year 2023 and 2024 Construction and Repair Services
 - a. Authorize execution of an agreement with Aztec Consultants, Inc. in the amount of \$1,000,000 for FY23 construction and repair services, with an option to continue services in the amount of \$1,000,000 for FY24, for a total authorization not to exceed \$2,000,000; and

Service Contracts

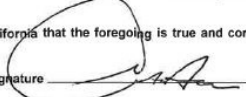
Service contracts executed by the General Manager in the current fiscal year within the range of \$50,000 to \$100,000 are included in the table below.

**Service Contracts of \$50,000 - \$100,000
Approved with Board Delegated Authority**

Date	Contract Amount	Department	Contract Description
07/26/2016	\$75,000	Water Resources	The District entered into an agreement with MBK Engineers to provide support services on the District operations model and analysis, and state-wide planning projects. This amendment adds \$75,000 in consulting services for the Los Vaqueros Expansion Project.
12/13/2016	\$100,000	Finance	The District entered into an agreement with Raftelis Financial Consultants to perform a comprehensive water rate study.
01/04/2017	\$99,000	Operations & Maintenance	The District entered into an agreement with Karl Needham Enterprises, Inc. for Old River Wet Well cleaning services, not to exceed \$99,000.
01/09/2017	\$85,000	Operations & Maintenance	The District entered into an agreement with Alpha Restoration to provide reservoir caulking services at various locations throughout the District, not to exceed \$85,000 in FY17.
01/27/2017	\$100,000	Public Affairs	The District entered into an agreement with CV Strategies to provide government relations services, customer surveys, and focus groups.
01/30/2017	\$80,000	Water Resources	The District entered into an agreement with Stantec Consulting Services Incorporation (formerly MWH Global) to provide consulting services for the Los Vaqueros Reservoir Expansion Project as part of the grant application preparation which is primarily funded by partner agencies
04/21/2017	\$100,000	Engineering	The District entered into an agreement with Trident Environmental and Engineering to provide technical services for chemical tank inspections, not to exceed \$100,000.

SCHEDULE A-2
Investments, Income, and Assets
of Business Entities/Trusts
 (Ownership Interest is 10% or Greater)

CALIFORNIA FORM 700
 FAIR POLITICAL PRACTICES COMMISSION
AMENDMENT

<p>1. BUSINESS ENTITY OR TRUST</p> <p>Name Avila and Associates Consulting Engineers, Inc.</p> <p>Address (Business Address Acceptable) 1300 Galaxy Way, Suite 12, Concord, CA 94520</p> <p>Check one <input type="checkbox"/> Trust, go to 2 <input checked="" type="checkbox"/> Business Entity, complete the box, then go to 2</p> <p>GENERAL DESCRIPTION OF THIS BUSINESS Engineering and Environmental Services</p> <p>FAIR MARKET VALUE IF APPLICABLE, LIST DATE:</p> <p><input type="checkbox"/> \$0 - \$1,999 / / / 20 / / / 20 <input type="checkbox"/> \$2,000 - \$10,000 ACQUIRED DISPOSED <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$1,000,000 <input checked="" type="checkbox"/> Over \$1,000,000</p> <p>NATURE OF INVESTMENT <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> Other</p> <p>YOUR BUSINESS POSITION Principal</p>	<p>4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST</p> <p>Check one box: <input type="checkbox"/> INVESTMENT <input checked="" type="checkbox"/> REAL PROPERTY</p> <p>Address 1300 Galaxy Way, Suite 12, Concord, CA 94520</p> <p>Name of Business Entity, if Investment, or Assessor's Parcel Number or Street Address of Real Property 490 Post Street, Suite 1415, San Francisco, CA 94102</p> <p>Description of Business Activity or City or Other Precise Location of Real Property</p> <p>FAIR MARKET VALUE IF APPLICABLE, LIST DATE:</p> <p><input type="checkbox"/> \$2,000 - \$10,000 / / / 20 / / / 20 <input type="checkbox"/> \$10,001 - \$100,000 ACQUIRED DISPOSED <input type="checkbox"/> \$100,001 - \$1,000,000 <input checked="" type="checkbox"/> Over \$1,000,000</p> <p>NATURE OF INTEREST <input type="checkbox"/> Property Ownership/Deed of Trust <input type="checkbox"/> Stock <input type="checkbox"/> Partnership</p> <p><input checked="" type="checkbox"/> Leasehold 15 <input type="checkbox"/> Other <small>Yes, remaining</small></p> <p><input type="checkbox"/> Check box if additional schedules reporting investments or real property are attached</p> <p>Comments:</p>
<p>2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)</p> <p><input type="checkbox"/> \$0 - \$499 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> \$500 - \$1,000 <input checked="" type="checkbox"/> OVER \$100,000 <input type="checkbox"/> \$1,001 - \$10,000</p>	<p>3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (attach a separate sheet if necessary).</p> <p><input type="checkbox"/> None or <input checked="" type="checkbox"/> Names listed below</p> <p>AECOM, Hazen and Sawyer, City of San Francisco, ATS TRC, Biggs Cardoza, Cornerstone, MGE, NCM, Dewberry, Moffat and Nichol Stantec</p>
<p>Filer's Verification</p> <p>Print Name Ernesto Avila</p> <p>Office, Agency or Court Los Vaqueros Joint Powers Authority</p> <p>Statement Type <input checked="" type="checkbox"/> 2020/2021 Annual <input type="checkbox"/> (or) Annual <input type="checkbox"/> Assuming <input type="checkbox"/> Leaving <input type="checkbox"/> Candidate</p> <p>I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete.</p> <p>I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <p>Date Signed 11/30/2021 Filer's Signature </p> <p><small>(month, day, year)</small></p>	

I will continue to track the CWC Water Storage Investment (WSIP) Program projects and provide public comment. I believe the West's Colorado and Sacramento San Joaquin rivers do not have enough water to fill existing reservoirs now and in the foreseeable future and building new off-stream reservoirs is wasteful and unnecessary.

Thank you for reading my comment and studying the embedded images.

Leland Frayseth