



**CONTRA COSTA WATER DISTRICT
BOARD OF DIRECTORS – REGULAR BOARD MEETING
SEPTEMBER 18, 2024**

ACTION MINUTES

Full details are available via audio recording on the [CCWD website](#).

CALL TO ORDER (00:03 in audio)

President Avila called the Regular meeting of the Board of Directors of the Contra Costa Water District (CCWD) to order at 6:30 p.m. at 1331 Concord Ave. Concord, the regular meeting place of the Board.

ROLL CALL (00:14 in audio)

Directors: Ernesto A. Avila, President; John Burgh; Constance Holdaway; Antonio Martinez, Vice President; and Patt Young

Directors Absent: None

General Manager: Rachel Murphy

Legal Counsel: Douglas E. Coty

District Secretary: Veronica Sepulveda

PLEDGE OF ALLEGIANCE (00:32 in audio)

Director Burgh led the pledge of allegiance.

ADOPTION OF AGENDA (01:05 in audio)

The Board adopted the agenda by rule.

PUBLIC COMMENT (01:15 in audio)

None

CONSENT CALENDAR (01:57 in audio)

1. Approve Directors' Business Activities and Expenses:
 - a. Compensation and Expenses – August 2024
[Compensation and Expenses - August 2024](#)
2. Approve Board Meeting Action Minutes for September 4, 2024.
[09.04.24 Board Meeting Action Minutes](#)
3. Approve the Warrant Register dated September 19, 2024.
[09.19.24 Warrant Register Packet](#)

Board Comments: None

Public Comments: None

MOTION: Martinez/Holdaway to approve the Consent Calendar. Motion carries unanimously.

DISCUSSION AND INFORMATION (02:50 in audio)

4. Receive and comment on the Los Vaqueros Reservoir Expansion Project Update. (02:54 in audio)
[Docket - LVE Project Update](#)
[Presentation - LVE Project Update](#)

Speaker: General Manager Murphy provided an overview of the item. Presentation by Assistant General Manager (AGM), Kyle Ochendusko.

Public Comments:

- Taryn Ravazzini, Los Vaqueros (LV) Reservoir Joint Powers Authority (LV JPA) Executive Director, read a statement on behalf of LV JPA Chair, Anthea Hansen, which stated the LV JPA is willing to continue working with CCWD on the efforts to bring the project to completion.

Board Comments:

- Vice President Martinez stated he has been a proponent of the Los Vaqueros Phase 2 Expansion (LVE) project since his election to the CCWD Board and has since seen the price tag double; stated it is most important to protect the rate payers original investment in LV; and stated although the LV JPA Board has criticized CCWD for moving slowly, there is too much risk for CCWD rate payers to move the project forward.
- Director Holdaway stated CCWD rate payers are top priority and there is no business case which allows LV to be out of service, for up to 5-years, without a guaranteed backup water supply; stated the project has changed from a regional storage project with a small conveyance intertie to a project largely focused on conveyance; stated the project has become too expensive; and noted she previously withdrew her support for this project when she no longer saw a business case with solutions to bring the project to fruition.
- Director Young stated she was proud to be part of this effort but expressed reservations for continuing to support the project due to the risk to CCWD rate payers. She stated the money spent on the project is justifiable even though it has led to learning the project is not viable and it would be unconscionable for the Board to continue to barrel through while ignoring the significant issues that have come into play.
- Director Burgh spoke of his 20 years of service on the CCWD Board, noting he was part of the creation of the principles; stated the principles are non-negotiable and highlighted the beneficiary pays and funding for use of existing facilities principles are key to honoring CCWD's customers investment in the original project; and stated the project has become an unbuildable and, more importantly, unwise endeavor that cannot be built while protecting the interest of the rate payers.
- Director Burgh stated that although the project was started with the best intentions, the honorable thing to do is to thank the partners and direct staff to develop an approach to terminate CCWD's role in the project.
- Vice President Martinez stated there will be continued discussions on the progress of this project and stated he can already see how successful CCWD has been with regional collaboration.
- President Avila highlighted the importance of LV, the commitment to the ratepayers to upholding the principles, and the good faith efforts placed on this project. He commended staff and the joint partners for their work on the project; stating the regional relationships are pivotal; however, the project is not viable without adoption of the principles and a reliable back up water source.
- President Avila reiterated the consensus of the Board to direct staff to report back with an approach to withdraw from the project.
- General Manager Murphy confirmed she will work with staff and connect with external partners to develop an approach to end CCWD's participation in the LVE project.
- Vice President Martinez emphasized when moving forward to stick to the facts and not let personality conflicts effect decisions.

Public Comments:

- *(not captured on audio)* Bette Boatmun, Former CCWD President and Board Member, stated to be careful how the information about the Board’s decision be provided to the community.
 - John Negrete, CCWD Customer, thanked staff and the Board for their vision and commitment to make these fundamental commitments to the ratepayers. Mr. Negrete stated he is saddened about the challenges, but appreciates the Board sticking to their commitments and encouraged the Board find a way LV can be used regionally.
5. Receive and comment on the Drinking Water Regulations Update. *(44:05 in audio)*
[Docket - Drinking Water Regulations Update](#)

Speaker: General Manager Murphy provided an overview of the item. Presentation by Water Operations Manager, John Ramirez.

Board Comments: President Avila commented although CCWD is evaluating future mandates, there will be budgetary impacts.

Public Comments: None

REPORTS FOR DISCUSSION *(51:01 in audio)*

6. Los Vaqueros Reservoir Joint Powers Authority Board Meeting Summary (September 11, 2024)
[09.11.24 LV JPA Board Meeting Summary](#)

Board Comments: None

Public Comments: None

7. Upcoming Meeting Requests and Schedule Changes *(51:15 in audio)*

Board Comments: None

Public Comments: None

REPORTS *(51:25 in audio)*

- General Manager
 - Reported the California Department of Water Resources proposed a relaxation of a Delta salinity requirement known as the Fall X-2 Standard. CCWD is expected to see effects of this change through increased salinity at Rock Slough Intake around mid to late October; the Middle River Intake is expected to stay fresh for the remainder of the Fall season; and the Los Vaqueros Reservoir will continue to serve as a resource for impacts to water quality.
 - Reported she will be out of the office starting Friday, September 20 through Tuesday, September 24; AGM Ochendusko will be Acting General Manager during her absence.
- Legal Counsel
 - Reported on recent setbacks to the Sites Reservoir Project related to the State’s Administrative withdrawal of a request for 401 certifications under the States Clean Water Act.
 - Reported on an injunction that was granted by a Superior Court Judge in King’s County related to the State Board’s placing of the Tulare Basin on probation under the Sustainable Groundwater Management Act.

- Board Members
 - Director Holdaway reported attendance to and provided an overview of the following meeting:
 - September 17 – Meeting with the General Manager
 - Director Young reported attendance to and provided an overview of the following meetings:
 - September 5 – Mayor’s Conference Walnut Creek
 - September 6 – California African American Water Education
 - September 10 – Los Vaqueros Reservoir Joints Powers Authority (LV JPA) Preflight
 - September 11 – LV JPA Board Meeting
 - September 12 – Meeting with the General Manager
 - September 16 – LV JPA Communications and Outreach Committee Meeting
 - September 17 – Operations & Engineering Committee Meeting
 - September 18 – East Bay Leadership Council (EBLC) Water, Energy, & Environment Task Force Meeting
 - Director Burgh had no report.
 - Vice President Martinez reported attendance to and provided an overview of the following meetings:
 - September 5 – Mayor’s Conference Walnut Creek
 - September 6 – Finance Committee Meeting
 - September 9-11 – California Special Districts Association (CSDA) Annual Conference – Indian Wells
 - September 13 – Association of California Water Agencies (ACWA) Region 5 Event – Watsonville
 - September 17 - Shortcut Pipeline Site Tour
 - Vice President Martinez announced he was appointed Secretary to the CSDA Executive Committee; term begins January 2025.
 - President Avila announced General Manager Rachel Murphy was selected as a Board Member for the Association of Metropolitan Water Agencies.
 - President Avila reported attendance to and provided an overview of the following meetings:
 - September 5 – Mayor’s Conference Walnut Creek
 - September 9 – Meeting with the General Manager; ACWA Communications Committee; ACWA Joint Powers Insurance Authority (JPIA) Executive Committee Pooling Academy Discussion; and ACWA Board Officers Call
 - September 10 - 11 – California Joint Powers Authority (CAJPA) Annual Conference – Tahoe
 - September 16 – Meeting with the General Manager; ACWA City County Nexus Subcommittee; ACWA Board Officers Call
 - September 17 - Shortcut Pipeline Site Tour and Operations & Engineering Committee Meeting
 - September 18 – ACWA Federal Affairs Committee; Dry run for ACWA Board meeting; and General Manager Performance Review.

CLOSED SESSION (01:14:52 in audio)

At 7:46 p.m. President Avila announced the Board would move into a closed session.

8. Conference with Legal Counsel - Existing litigation pursuant to paragraph 1 of subdivision (d) of Government Code section 54956.9: Henry Newton v. County of Contra Costa, et al; Contra Costa Superior Court, Case No. C22-00845.

The additional attendees are Assistant General Manager Jeff Quimby and Attorney Sharon Nagel from Bold, Polsiner, Maddow, Nelson & Judson.

9. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8; Property: Randall Bold Water Treatment Plant; District Negotiator: General Manager; Negotiating Party: City of Antioch; Under Negotiation: Price and Terms of Payment for Water Treatment Capacity.

The additional attendee was Assistant General Manager Jeff Quimby.

RECONVENE FROM CLOSED SESSION (01:16:00 in audio)

10. Report on Closed Session

The Board returned from Closed Session at 8:19 p.m.; there were no reportable actions.

ADJOURNMENT (01:16:06 in audio)

President Avila adjourned the meeting at 8:20 p.m. The next meeting of the Board of Directors will be a Special Meeting for the Board Study Session on Friday, September 27, 2024 at 8:30am in the Emergency Operations Center located at 1331 Concord Ave. Concord and the next Regular meeting of the Board of Directors will be held on Wednesday, October 2, 2024 at 6:30 p.m. in the Board Room located at 1331 Concord Avenue in Concord.



Antonio Martinez, Vice President

Attest:


Veronica Sepulveda, District Secretary