

Board of Directors Meeting Minutes  
DELTA DIABLO  
July 13, 2022

The meeting was called to order by Chair Wilson at 4:34 p.m., on Wednesday, July 13, 2022, via Zoom. Present were Vice Chair Juan Banales, and Director Federal Glover, who arrived at 5:18 p.m. Also present were Mary Ann Mason, District Counsel; Vince De Lange, General Manager; Cecelia Nichols-Fritzler, Office Manager/Secretary to the Board; Brian Thomas, Acting Business Services Director; Dean Eckerson, Resource Recovery Services Director; Thanh Vo, Acting Engineering Services Director; Samuel Gonzalez, WWTP Operator I; and Jason Piper, Information Technology Manager.

Chair Wilson read the following statement: “In lieu of a public gathering, the Board of Directors meeting will be accessible via ZOOM to all members of the public as permitted by the Government Code Section 54953(e).”

Ms. Nichols-Fritzler read a statement regarding the process for receiving public comments and the availability of presentations on the District’s website and at the District’s Administration Building.

RECOGNITION

Introduction of Samuel Gonzalez, WWTP Operator I, to the District

Mr. Eckerson introduced Mr. Gonzalez, who began his employment with the District on July 11, 2022 as a WWTP Operator I. Prior to joining the District, Mr. Gonzalez was employed as an Operations Maintenance Assistant for the Sonoma County Water Agency. In addition, he has obtained Wastewater Operator Grade I certification and completed vocational training in Water & Wastewater Technology at Solano Community College. He will support the District’s core mission of protecting public health and the environment, and the Environmental Stewardship goal in the District’s Strategic Plan. The Board welcomed Mr. Gonzalez.

Introduction of Jason Piper, Information Technology Manager, to the District

Mr. Thomas introduced Mr. Piper, who began his employment with the District on July 11, 2022 as the Information Technology Manager. Prior to joining the District, Mr. Piper served as the Information Technology Manager for the Contra Costa County Superior Court. He earned a Bachelor of Science degree in Technical Management from DeVry University in Fresno and two Associate in Applied Science degrees in Computer Information Technology and Networking Technology from Heald College. Mr. Piper will support the Organizational Change goal as part of the District’s Strategic Plan. The Board welcomed Mr. Piper to the District.

CONSENT CALENDAR

Vice Chair Banales moved approval of Consent Calendar, seconded by Chair Wilson, and by roll call vote (Ayes: *Banales and Wilson*, Noes: *None*; Absent: *Glover*, Abstain: *None*), the following Consent items were approved: Approve Minutes of the Special Meeting of the Board of Directors, June 22, 2022; Receive District Monthly Check Register, May 2022; Make Findings and Approve Continuing Teleconference Meetings (AB 361), Government Code Section 54953(e); Authorize General Manager to Execute Amendment No. 3 to General Services Contract in the Amount of \$23,625, for a New Total Contract Amount Not to Exceed \$123,300, Boucher Law, Recruitment Services; Authorize General Manager to Execute Amendment No. 2 to Consulting Services Contract in the Amount of \$232,107, for a New Total Contract Amount Not to Exceed \$466,315, Kennedy Jenks Consultants, Engineering Services, Manhole, Gravity Interceptor, and Easement Roadway Improvements, Project No. 21114; Authorize General Manager to Execute Amendment No. 2 to Consulting Services Contract in the Amount of

\$90,000, For a New Total Contract Amount Not to Exceed \$291,798, Kennedy Jenks Consultants, Engineering Services, Asset Management Program Development, Project No. 19109; Approve Updated Strategic Communications Plan; and Authorize Amendment to Purchase Order in the Amount of \$18,000, for a New Total Amount Not to Exceed \$731,560, Synagro West, LLC, Biosolids Handling Services, for Fiscal Year 2021/2022.

## DELIBERATION

### Adopt Resolution Approving Salary Schedules Incorporating 2022 Annual Cost-of-Living Adjustments and Adopt Resolution Approving Tier II Applicable Percentage as Provided for in District Bargaining Unit Memoranda of Understanding, Bargaining Unit Side Letter Agreements and Unrepresented Employees' Employment Agreements

Mr. Thomas provided a presentation on the FY22/23 Cost-of-Living Adjustment (COLA) and Tier II Applicable Percentage Increase. He noted that the three MOUs and unrepresented management Employee Agreements provide for an annual COLA with a floor of 2.0% and a ceiling of 5.0% and that it is based on the Bay Area's April to April Consumer Price Index, which was 6.5%. The COLA of 5% represents an annual labor cost of \$525,000, which was included and adopted in the FY22/23 Budget. He also reviewed the FY22/23 CalPERS contributions and noted the number of employees in each Tier of CalPERS. In addition, he reviewed the FY22/23 Applicable Percentage as designated by the Side Letter Agreements with the Bargaining Units, noting that FY22/23 Applicable Percentage is 1.400%, which is an increase of 0.03% from last year and represents a \$708 increase in annual labor costs. In closing, Mr. Thomas reviewed the recommend actions for Board consideration.

The Board thanked Mr. Thomas for the presentation. Vice Chair Banales moved approval, seconded by Chair Wilson and by roll call vote Ayes: *Banales and Wilson*, Noes: *None*; Absent: *Glover*, Abstain: *None*), the Board adopted the Resolution Approving Tier II Applicable Percentage as Provided for in District Bargaining Unit Memoranda of Understanding, Bargaining Unit Side Letter Agreements and Unrepresented Employees' Employment Agreements.

Chair Wilson moved agenda Item G (Presentations and Reports) to take place after Item F/1 (Deliberation).

## PRESENTATIONS AND REPORTS

### Receive Update on Fiscal Year 2021/2022 Strategic Initiatives to Support District Strategic Plan Implementation and District Annual Performance Report

Mr. Eckerson provided an update on the Fiscal Year 2021/2022 Strategic Initiatives, noting that staff has made good progress 7 of the 10 initiatives presented to the Board in September 2021. Mr. Eckerson reviewed each initiative under the six Goal Areas identified in the Strategic plan, highlighting progress made to date and the associated organizational benefit/impact. In addition, Mr. Eckerson reviewed the new FY21/22 Annual District Performance Report, which highlights key resource recovery attributes, regulatory compliance outcomes, infrastructure investments, workforce development activities, fiscal responsibility achievements, strategic planning considerations, activities supporting organizational excellence, and industry recognition awards received. Mr. Eckerson closed by reviewing next steps, noting staff will present proposed FY22/23 Strategic Initiatives at the September 2022 Board meeting.

The Board thanked Mr. Eckerson for the thorough presentation. Vice Chair Banales thanked staff for the regular cadence of strategic plan references, stating that it is great to see the organization's progress, planning, and execution of the Strategic Initiatives.

Upon completion of Mr. Eckerson's presentation, District Counsel recommended the Board hear Item F/2, Adopt Resolution Declaring That, as of June 27, 2022, Public Interest and Necessity Demanded Immediate Expenditure of Public Money to Safeguard Life, Health, and Property

Without Submitting the Expenditure to Bid, Pursuant to Public Contract Code Section 20783; Ratify General Manager's Negotiation and Execution of Materials Procurement, Construction, and Other Related Services Contracts in a Total Combined Amount Not to Exceed \$150,000; Ratify General Manager's Establishment of a New Fiscal Year 2022/2023 Project in the Wastewater Capital Asset Replacement Fund, and the Transfer of Monies to this Project from Wastewater Capital Asset Replacement Fund Reserves in the Amount of \$300,000, for a Total Project Budget of \$300,000; and Take Related Actions Under the California Environmental Quality Act, Willow Pass Interceptor Repair, Project No. 23118.

DELIBERATION (continued)

Adopt Resolution Declaring That, as of June 27, 2022, Public Interest and Necessity Demanded Immediate Expenditure of Public Money to Safeguard Life, Health, and Property Without Submitting the Expenditure to Bid, Pursuant to Public Contract Code Section 20783; Ratify General Manager's Negotiation and Execution of Materials Procurement, Construction, and Other Related Services Contracts in a Total Combined Amount Not to Exceed \$150,000; Ratify General Manager's Establishment of a New Fiscal Year 2022/2023 Project in the Wastewater Capital Asset Replacement Fund, and the Transfer of Monies to this Project from Wastewater Capital Asset Replacement Fund Reserves in the Amount of \$300,000, for a Total Project Budget of \$300,000; and Take Related Actions Under the California Environmental Quality Act, Willow Pass Interceptor Repair, Project No. 23118

Mr. Vo provided a presentation on the Willow Pass Interceptor Emergency Repair Project. He reviewed the site location, noting that following the emergency repair events in January and March 2022, staff conducted rigorous review of available pipe inspection and condition assessment information, which identified an additional location in June 2022 requiring emergency repair to address a major pipe defect (i.e., one hole, ~1 foot in diameter) in the 30-inch Willow Pass Interceptor. In addition, he noted that the defect has not resulted in a sanitary sewer overflow (SSO) but poses significant risk of expanding and potentially creating a sinkhole in the roadway (Port Chicago Highway) and/or causing pipeline collapse. Following the assessment, immediate actions by staff to address pipe defect included conducting closed-circuit television (CCTV) re-inspection to confirm current internal condition; directing a contractor to begin procuring materials, repairs; contractor to commence field repair work by mid-July 2022 (under GM authorization, subject to Board ratification and emergency declaration); and monitoring the site location until completion of point repair. Mr. Vo reviewed additional non-emergency repair work, which includes rehabilitation of an extended length of the Willow Pass Interceptor (~1,000 to 4,000 feet), which will be completed as part of a separate, non-emergency repair project. Mr. Vo noted staff is requesting that the Board authorize creation of a new project (Willow Pass Interceptor Repair) to facilitate initiation of design work and development of a prioritized repair plan and authorization to transfer \$300,000 from WW Capital Asset Replacement Fund reserves to fund \$150,000 in emergency repair costs and \$150,000 for initiating design work for non-emergency repair of additional segments along the Willow Pass Interceptor. He stated that staff will return to the Board in the future for additional budget authorization for detailed design (fall 2022) and the construction services contract (spring 2023) award. Mr. Vo concluded his presentation with recommended actions for the Board to consider.

Director Glover asked Mr. Vo to restate the site location, failure conditions, and use of available funding in the WW CAR fund. The Board thanked Mr. Vo for the presentation.

Director Glover moved adoption of the Resolution Declaring That, as of June 27, 2022, Public Interest and Necessity Demanded Immediate Expenditure of Public Money to Safeguard Life, Health, and Property Without Submitting the Expenditure to Bid, Pursuant to Public Contract

Code Section 20783, seconded by Vice Chair Banales and by a roll call vote (Ayes: *Banales, Glover, and Wilson*, Noes: *None*; Abstain: *None*), the Resolution was approved.

MANAGER'S COMMENTS

None.

DIRECTORS' COMMENTS

Chair Wilson asked Mr. De Lange to include an agenda item regarding Project Labor Agreements for consideration by the Board.

CORRESPONDENCE

Receive Monthly Lobbyist Report Dated June 2022, Key Advocates, Inc., Western Recycled Water Coalition

The Board received and filed the report.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS (GOV. CODE, SECTION 54957.6)

Agency Negotiators: Vince De Lange, Michael Jarvis

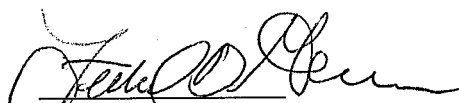
Employee Organizations: Operations and Maintenance Unit, Public Employees Union, Local One; Professional & Technical Unit, Public Employees Union, Local One; Management Association

Unrepresented Employees: All unrepresented employees

Before adjourning to Closed Session, the Secretary to the Board asked if there were any public comments on the Closed Session item. At 5:32 p.m., Chair Wilson convened to Board of Directors meeting to Closed Session. Chair Wilson reconvened the Board of Directors Meeting at 6:16 p.m. and stated there was nothing to report from Closed Session.

ADJOURNMENT

Chair Wilson adjourned the meeting at 6:17 p.m. and noted the next Board of Directors meeting is scheduled for September 14, 2022 at 4:30 p.m.

  
Federal Glover  
Board Secretary

(Recording Secretary:  
Cecelia Nichols-Fritzler)

cc: District File No. BRD.01-MINS