

Board of Directors Meeting Minutes  
DELTA DIABLO  
September 14, 2022

The meeting was called to order by Chair Wilson at 4:30 p.m., on Wednesday, September 14, 2022, via Zoom. Present were Vice Chair Juan Banales and Director Federal Glover. 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/District Engineer; Dean Eckerson, Resource Recovery Services Director; Thanh Vo, Acting Engineering Services Director; Joaquin Gonzalez, Operations Manager; Ryan Cambra, Maintenance Mechanic II; Jason Booe, Maintenance Mechanic I; David Schmidt, Deputy County Counsel, Contra Costa County; and Doug Pryor, Senior Consulting Actuary, Foster & Foster.

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.

#### DELIBERATION

##### Consider Adopting Resolution Authorizing the Board of Directors, in All Its Capacities, and Its Subcommittees to Continue Teleconference Meetings under Government Code Section 54953(e), Make Related Findings, and Take Related Actions

Ms. Nichols-Fritzler presented an overview of Government Code Section 54953(e) and the key provisions of Assembly Bill 361 (AB 361), which amended the teleconferencing provision of the Brown Act effective October 1, 2021. She stated the requirements that the District must follow regarding agenda posting, instructions on how to access the meeting and provide public comment, options for attending a meeting via a call in or internet-based service option, and Board conduct of meetings in a manner that protects the constitutional and statutory rights of the public. In addition, Ms. Nichols-Fritzler noted if there is a disruption in the meeting, the Board must stop the meeting until public access and the ability to comment is restored.

The Board thanked Ms. Nichols-Fritzler for the presentation. Director Glover moved approval; seconded by Vice Chair Banales and by roll call vote Ayes: *Banales, Glover, and Wilson*, Noes: *None*; Absent: *None*, Abstain: *None*), the Board adopted the Resolution to Continue Teleconference Meetings under Government Code Section 54953(e).

Prior to hearing the Recognition Items, Mr. De Lange informed Chair Wilson that Item E/1, Adopt Resolution Commending and Congratulating Matt Gotshall, Computer Analyst, on His Retirement from the District, should be moved to the Consent Calendar.

Director Glover moved approval; seconded by Vice Chair Banales and by roll call vote Ayes: *Banales, Glover, and Wilson*, Noes: *None*; Absent: *None*, Abstain: *None*), the Board moved Item E/1 to the Consent Calendar.

#### RECOGNITION

##### Introduction of Ryan Cambra, Maintenance Mechanic II, to the District

Mr. Eckerson introduced Mr. Cambra, who began employment as a Maintenance Mechanic II on August 15, 2022. Prior to joining the District, he worked at USS-POSCO for seven years, which included four years as a Maintenance Mechanic and three years as a Mechanical Planner. In addition, he possesses multiple welding certifications. Mr. Cambra will support the District’s core mission of protecting public health and the environment, and the Environmental Stewardship and

Infrastructure Investment goals in the District's Strategic Plan. Mr. Cambra thanked the Board for the opportunity. The Board welcomed Mr. Cambra to the District.

Congratulate Jason Booe, Maintenance Mechanic I, on His Recent Promotion

Mr. Eckerson introduced Jason Booe, who was promoted Maintenance Mechanic I on September 5, 2022. He noted Mr. Booe earned a job promotion because of his commitment to professional development through training, certification, and experience. Mr. Eckerson commented that this achievement directly supports the Workforce Development goal in the District's Strategic Plan. Mr. Booe thanked the Board and his colleagues for the opportunity. The Board congratulated Mr. Booe on his promotion.

Receive Presentation of Silver Peak Performance Award from National Association of Clean Water Agencies

Mr. Gonzalez presented the NACWA Silver Peak Performance Award. The Silver Award recognizes agencies that achieve NPDES permit effluent discharge compliance with no more than five violations in a calendar year. This is the eighteenth consecutive year in which NACWA has recognized the District with a Peak Performance Award, which acknowledges the high degree of regulatory compliance focus and industry leadership demonstrated by staff. The Board congratulated staff on receiving this achievement.

CONSENT CALENDAR

Director Glover moved approval of the Consent Calendar, seconded by Vice Chair Banales, and by roll call vote (*Ayes: Banales, Glover, and Wilson, Noes: None; Absent: None, Abstain: None*), the following Consent items were approved: Approve Minutes of the Board of Directors Meeting, July 13, 2022; Receive District Monthly Check Register, June 2022 and July 2022; Adopt Resolution Approving Amendments to the Delta Diablo Conflict of Interest Code and Direct Staff to Transmit the Code to the Contra Costa County Clerk of the Board of Supervisors; Adopt Resolution Approving Updates to the District's Records Retention Schedule; Authorize General Manager to Execute Amendment No. 1 to General Services Contract in the Amount of \$24,817, for a New Total Contract Amount Not to Exceed \$178,357, McCampbell Analytical, Inc., COVID-19 Testing Services; Authorize General Manager to Execute Amendment No. 3 to General Services Contract in the Amount of \$30,000 for a New Total Contract Amount Not to Exceed \$216,399, Liebert Cassidy Whitmore, Labor Negotiation Services; Authorize General Manager to Execute an Improvement Agreement with Saikap Investments, LLC in Connection with Sewer Service Improvements Saikap Investments, LLC is Constructing for Its Delta Food Truck Commissary-T.I. Project in Bay Point, and Authorize General Manager to Accept the Offer of Dedication of Sewer Service Improvements after Verifying Compliance with District Code and Improvement Agreement Requirements Following the One-Year Maintenance Period; Authorize General Manager to Execute an Improvement Agreement with Alves Lane, L.P. in Connection with Sewer Service Improvements Alves Lane, L.P. is Constructing for Its Alves Lane Apartments Project in Bay Point, and Authorize General Manager to Accept the Offer of Dedication of Sewer Service Improvements after Verifying Compliance with District Code and Improvement Agreement Requirements Following the One-Year Maintenance Period; Receive Fourth Quarter Fiscal Year 2021/2022 District Investment Report; and Adopt Resolution Commending and Congratulating Matt Gotshall, Computer Analyst, on His Retirement from the District.

DELIBERATION

Accept Reports on Actuarial Valuation as of June 30, 2022, Other Post-Employment Benefits Fund and Actuarial Report Regarding Financial Impact of Proposed Retiree Medical Benefit Changes Pursuant to Government Code Section 7507

Mr. Thomas provided an overview of the OPEB Trust Funding Policy adopted by the Board in February 2010, including required employee contributions and District match. He noted that the District's unfunded actuarial accrued liability (UAAL) is approximately \$777,000, which is lower than projected two years ago, and that the OPEB Trust Fund is 96% funded and is estimated to be 100% funded in 15 years. Mr. Thomas explained key factors impacting the actuarially determined contribution (ADC) calculation, which is estimated at approximately \$426,000 and \$457,000 for FY23/24 and FY24/25, respectively.

In addition, Mr. Thomas highlighted proposed changes to the retiree medical benefit associated with current labor contract negotiations and the associated need to comply with Government Code Section 7507, which requires an actuarial opinion regarding the financial impact of proposed changes to retiree healthcare benefits. Mr. Thomas noted that the District's actuarial costs would decrease due to the proposed benefits changes—the UAAL would decrease by approximately \$156,000, while the ADC would be reduced by approximately \$50,000. He stated the District has tentatively reached agreements with the Management Association and Professional & Technical, Local One AFSCME Council 57 bargaining units on proposed changes to retiree medical benefits, which are under consideration by the Operations & Maintenance, Local One AFSCME Council 57 bargaining unit. In closing, Mr. Thomas noted that the required actuarial statement for GC Section 7507 compliance has been received from the District's consultant and presented recommended actions and next steps. Mr. Thomas noted that Doug Pryor, Senior Consulting Actuary, Foster & Foster was in attendance and available to answer any questions.

The Board received a public comment from Mr. Michael McKinney, Maintenance Mechanic II, who asked the Board to consider the potential impact the changes may have on recruitment efforts.

The Board thanked Mr. Thomas for the presentation. Director Glover moved to accept the report, seconded by Vice Chair Banales and by roll call vote *Ayes: Banales, Glover and Wilson, Noes: None; Absent: None, Abstain: None*), the Board accepted the Reports on Actuarial Valuation as of June 30, 2022, Other Post-Employment Benefits Fund and Actuarial Report Regarding Financial Impact of Proposed Retiree Medical Benefit Changes Pursuant to Government Code Section 7507.

## PRESENTATIONS AND REPORTS

### Receive Update on Fiscal Year 2022/2023 Strategic Initiatives to Support District Strategic Plan Implementation

Mr. Eckerson reviewed the eight proposed FY22/23 Strategic Initiatives and described how each supports the six Strategic Goals (Infrastructure Investment, Environmental Stewardship, Fiscal Responsibility, Organizational Change, Workforce Development, and Customer Services and Engagement) included in the District's Strategic Plan. He highlighted that these initiatives will support continuing development of an Asset Management program; application of risk-based criteria to capital project prioritization; consideration of alternative capital project delivery methods to reduce costs; integrated financial planning; information technology enhancements; engagement with peer agencies and industry associations to support workforce development, continuous improvement, and information sharing; effective cost recovery via Capital Facilities Capacity Charges; and a streamlined, effective approach to the performance planning and appraisal process.

He noted that staff will provide a report on the District's progress in completing these initiatives, as well as the FY22/23 Annual Performance Report, in July 2023. In response to a question from Director Glover regarding integration of a two-year rates, budget, and CIP development process, Mr. De Lange highlighted that staff would return to the Board in the future to discuss proposed process changes. The Board thanked Mr. Eckerson for the presentation.

### Receive Report and Provide Direction to Staff regarding Potential Utilization of Project Labor Agreements



As a follow up to the request from Chair Wilson at the July 13, 2022 Board Meeting, Mr. Thomas provided an overview of project labor agreements (PLAs), including background information, benefits, general terms and conditions, and local use of PLAs in the Bay Area. He noted the City of Antioch (December 2021), City of Pittsburg (October 2018), and Contra Costa County (early 2000s) each have executed PLAs. Mr. Thomas discussed key terms and conditions for consideration if a PLA were to be implemented at the District. In closing, Mr. Thomas reviewed next steps for the Board to consider, which included engagement with construction contractors to identify potential impacts, initiating discussions with Contra Costa Building and Construction Trades Council representative(s), and developing preliminary recommendations for key terms and conditions for discussion at a future Board meeting.

The Board received five public comments from Mr. Eric Haynes, Sheet Metal Workers Union Local 104; Mr. Chuck Leonard, Business Representative, Plumbers & Steamfitters Local Union 342; Ms. Rachel Shoemake, IBEW; Mr. Treston Shull, Vice President/Business Representative, Laborers Local 324; and Mr. Anthony Viscusso, Business Agent, Heat & Frost Insulators, Local 16.

Mr. Haynes spoke in support of PLAs and stated that benefits include training a highly-skilled workforce, on time project delivery, and apprenticeship programs that lead to well-rounded workers.

Mr. Leonard spoke in support of PLAs and noted the many benefits that can be realized through PLAs, such as hiring a local workforce, economic support to disadvantaged communities, and providing jobs in communities where people live.

Ms. Shoemake thanked the Board for supporting PLAs; citing it provides training and job opportunities for women and minorities.

Mr. Schull spoke in support of PLAs stating that it will promote local hiring in East Contra Costa County, which will improve the quality of life for workers and their families by providing local jobs and reducing lengthy commutes to job sites outside of the area.

Mr. Viscusso spoke in support of PLAs and noted how local residents will benefit from this new opportunity. He cited the pride in work performed by union workers.

The Board thanked Mr. Thomas for the presentation. Director Glover noted that the three governing agencies represented by the Board have a PLA in place and requested that staff review the PLA at the County. Vice Chair Banales noted his support for working through the process and stated he is looking forward to the partnership outcome and benefits of a PLA. Chair Wilson commented that this is a step in the right direction and noted that the opportunity to hire local and keep the workforce and jobs in Contra Costa County is a benefit. The Board provided direction to staff to proceed with the recommended next steps and to provide an associated update at a future Board meeting.

#### MANAGER'S COMMENTS

None.

#### DIRECTORS' COMMENTS

Chair Wilson provided an informational update on the Antioch Brackish Desalination Facility tour and event scheduled for Monday, September 19, 2022 from 9:30 am to noon at the Antioch Community Center, noting that Mr. De Lange was participating as a speaker.

#### CORRESPONDENCE

Receive Monthly Lobbyist Report Dated July 2022 and August 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

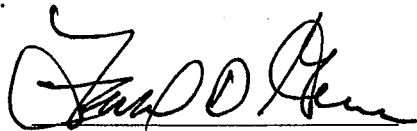
Employee Organizations: Operations and Maintenance Unit, Public Employees Union, Local One; Professional & Technical Unit, Public Employees Union, Local One; Management Association

Unrepresented Employees: All unrepresented employees

Before adjourning to Closed Session, Mary Ann Mason, District Counsel, noted there was nothing to announce. The Secretary to the Board asked if there were any public comments on the Closed Session item. At 6:01 p.m., Chair Wilson convened to Board of Directors meeting to Closed Session. Chair Wilson reconvened the Board of Directors Meeting at 7:03 p.m. and stated there was nothing to report from Closed Session.

ADJOURNMENT

Chair Wilson adjourned the meeting at 7:03 p.m. and noted the next Board of Directors meeting is scheduled for October 12, 2022 at 4:30 p.m.



Federal Glover  
Board Secretary

(Recording Secretary:  
Cecelia Nichols-Fritzler)

cc: District File No. BRD.01-MINS

