



SUISUN-SOLANO WATER AUTHORITY

BOARD OF DIRECTORS

Alma Hernandez, Vice President
Jane Day
Wanda Williams
Mike Hudson

BOARD OF DIRECTORS

John D. Kluge, President
Michael J. Barrett
Derrick Lum
Pete Sanchez
Charles A. Herich

EXECUTIVE COMMITTEE MEETING

Tuesday, September 6, 2022

9:00 a.m.

TELECONFERENCE

This meeting is being held via teleconference only pursuant to Government Code section 54953(e)(1)(B) and in compliance with the Brown Act. Section 54953(e)(1)(B) permits a Brown Act legislative body to hold a meeting during a proclaimed state of emergency via teleconference in order to determine whether as a result of the emergency meeting in person would present an imminent risk to attendees' health or safety. To do so, the body is required (1) to post notice and agendas as otherwise provided by the Brown Act and applicable law, (2) allow members of the public to access the meeting via call-in line or internet-based service line, (3) provide details on the agenda on how to access the meeting and give public comment, (4) provide an opportunity to comment pursuant to Government Code section 54954.3 and allow a reasonable amount of time during public comment for a person to register, login, and comment, and (5) monitor the call-in line and/or internet-based service line to ensure no disruption hinders access or ability to comment, if there is, take no action until public access is restored. The Executive Committee is not required to provide a location to attend or comment in-person.

The Governor proclaimed a state of emergency due to the COVID-19 virus pandemic on March 4, 2020. The proclamation remains active and applies statewide. The Executive Committee is meeting pursuant to Section 54953(e)(1)(B) to determine if the emergency conditions pose a threat to attendees' health and safety, warranting teleconference meetings. The Committee is complying with other public access and participation obligations, as required and to ensure that any member of the public may attend, participate, and watch the Committee conduct their business.

Any person may access and comment during the meeting by doing the following:

- **Public Access** – The meeting will be hosted on Zoom, attendees can access via computer or phone.
 - Meeting ID: 834 5093 5739
 - Passcode: 952685
 - *Via computer* – go to Zoom.com and enter Meeting ID and Passcode OR click:
<https://us02web.zoom.us/j/83450935739?pwd=cHJyY2JvVjluR3FwOFIvVFpzeDBlQT09>
 - *Via phone* – call 1-669-900-9128 and enter meeting ID and passcode
- **Public Comment** – opportunity for public comment is offered written and live during the meeting.
 - **Written** – written comments can be submitted via email to SSWAcomments@sidwater.org or via U.S. mail to Suisun—Solano Water Authority, Attn: Gerardo Santana, 810 Vaca Valley Parkway, Ste 201 – Vacaville, CA 95688. Please put the agenda item number, if applicable, in the subject line. Comments received prior to the introduction of the agenda item will be distributed to the Committee, made available for public review, and made part of the record.
 - **Oral** – comments may be given in real time during the designated time for public comment by unmuting or using the "Raise Hand" function. Please email SSWAcomments@sidwater.org prior to the introduction of the agenda item, preferably before the start of the meeting, if you need additional assistance with providing a public comment at the meeting.

AGENDA

1. Preliminary

- 1.1. Call Meeting to Order
- 1.2. Introductions
- 1.3. Continuation of Teleconference Meetings Pursuant to the Brown Act, Government Code section 54953(e), as Amended By Assembly Bill (AB) 361: Consider Adoption of Resolution No. 22-13 Re-Ratifying The Proclamation Of A State Of Emergency By Governor's Order Dated March 4, 2020 And Re-Authorizing Remote Teleconference Meetings Of The Legislative Bodies Executive Committee Of Suisun/Solano Water Authority Pursuant To The Ralph M. Brown Act Provisions. **(Page 3)**
- 1.4. Approval of Agenda

2. Presentations

None

3. Public Comment (Non-Agenda Items)

4. Informational Items

- 4.1. Capital Improvement Project Status Report. **(Page 16)**

5. Consent Calendar

- 5.1. Approval of the Minutes of the August 1, 2022, Executive Committee Meeting. **(Page 19)**

6. Scheduled Items

- 6.1. Crystal Middle School Project Construction Agreement: *on Friday morning staff received updated cost information to include in the Construction Agreement for the Crystal Middle School offsite water line replacement. Updated information will be provided and staff recommends adding this item to the upcoming Board Meeting for consideration. (Verbal Update)*
- 6.2. Review and confirm the Agenda for the SSWA Board Meeting scheduled for September 12, 2022, at 6 p.m., based on Executive Committee Recommendations.

7. Committee Member & Staff Comments

8. Adjourn

**SUISUN/SOLANO WATER AUTHORITY
BOARD MEETING**

MEETING DATE: September 6, 2022

Agenda Item No. 1.3

Title: Continuation of Teleconference Meetings Pursuant to the Brown Act, Government Code section 54953(e), as Amended By Assembly Bill (AB) 361

Consider Adoption of Resolution No. 22-13 Re-Ratifying The Proclamation Of A State Of Emergency By Governor's Order Dated March 4, 2020 And Re-Authorizing Remote Teleconference Meetings Of The Executive Committee Of Suisun/Solano Water Authority Pursuant To The Ralph M. Brown Act

EXECUTIVE SUMMARY:

On March 4, 2020, the Governor proclaimed a state of emergency to exist because of the threat of the COVID-19 virus pandemic. That proclamation remains in effect to this day and applies statewide. From March 2020 until September 2021, the Suisun/Solano Water Authority legislative bodies met via teleconference pursuant to the Governor's Executive Order N-29-20. That order, and SSWA's option to meet pursuant to its provisions, expired September 30, 2021.

Government Code section 54953(e), as enacted by Assembly Bill 361, allows for teleconference public meetings without complying with traditional Brown Act teleconference requirements if there is a state of emergency proclaimed by the Governor and meeting in person would be a threat to attendee health or safety. Section 54953(e) allows teleconference meetings and, most notably:

- Agendas are not required to be posted at all teleconference locations.
- Agendas are not required to identify each teleconference location.
- Each teleconference location need not be publicly accessible.

On July 11, 2022, the Board adopted Resolution 22-07 pursuant to Section 54953(e). The Board found that a state of emergency existed and conditions of that emergency made meeting in person a threat to attendee health and safety such that all SSWA legislative bodies were directed to meet via teleconference pursuant to Section 54953(e).

A resolution to meet pursuant to Section 54953(e) must be reevaluated at least every 30 days. Resolution 22-07 expired on August 10, 2022, unless the Executive Committee takes further action. If Resolution 22-07 expires, all SSWA legislative body meetings will be required to comply with traditional Brown Act teleconference meeting requirements.

To renew its resolution to meet pursuant to Section 54953(e), the Executive Committee must make certain findings including (1) the Executive Committee has reconsidered the circumstances of the state of emergency and (2) either the state of emergency continues to directly impact the ability of the members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing.

Should the Executive Committee, by majority vote, pass Resolution No. 22-13, then SSWA Executive Committee meetings may continue to be held pursuant to Section 54953(e). If passed today, Resolution No. 22-13 will expire on October 6, 2022. On or before that date, the Executive Committee may take action to rescind the Resolution or again extend it.

RECOMMENDATION:

Staff recommends the Suisun/Solano Water Authority Executive Committee find a state of emergency continues to exist and poses a threat to the Executive Committee meeting attendees' health and safety and resolve all SSWA Executive Committee public meetings be held pursuant to Government Code section 54953(e).

FINANCIAL IMPACT: None

ATTACHMENT:

- 1) SSWA proposed Executive Committee Resolution No. 22-13
- 2) SSWA Board Resolution No. 22-07
- 3) March 4, 2020, Governor's Proclamation of a State of Emergency

STAFF RESPONSIBLE FOR REPORT:



Gerardo Santana, SID Assistant Engineer

9/2/2022

Date

SUISUN-SOLANO WATER AUTHORITY
RESOLUTION NO. 22-13

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE SUISUN/SOLANO WATER AUTHORITY RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR'S ORDER DATED MARCH 4, 2020 AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE EXECUTIVE COMMITTEE OF SUISUN/SOLANO WATER AUTHORITY PURSUANT TO THE RALPH M. BROWN ACT.

WHEREAS, the Suisun/Solano Water Authority ("SSWA") is committed to preserving and nurturing public access and participation in meetings of the Executive Committee; and

WHEREAS, all meetings of SSWA legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 et seq., so that any member of the public may attend, participate, and watch SSWA's legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, Government Code section 54953(e)(1) provides a legislative body may meet via teleconference if the Governor has proclaimed a state of emergency pursuant to Government Code section 8625 proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558 and either (i) state or local officials have imposed or recommended measures to promote social distancing, (ii) the legislative body meets to determine by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (iii) the legislative body has voted as such and is meeting pursuant to that vote; and

WHEREAS, a legislative body's decision to meet pursuant to Section 54953(e) must be reevaluated and renewed at least every thirty (30) days and, in that time, the body must reconsider the circumstances of the state of emergency and find either (i) a state of emergency remains active and continues to directly impact the ability of the members to meet safely in person or (ii) state or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency pertaining to the threat to human health and safety posed by the COVID-19 virus pandemic and that proclamation remains in effect to this day statewide; and

WHEREAS, the virus has short- and long-term effects – fever and chills, cough, shortness of breath and difficulty breathing, fatigue, headache, nausea, vomiting, gastrointestinal issues, loss of taste and smell, death – and its prolific spread is severely impacting the health care system, inhibiting access to care for COVID-19 symptoms and other ailments; and

WHEREAS, while being vaccinated significantly decreases the likelihood of contracting or dying from the virus, vaccinated and unvaccinated people alike can carry, transmit, and be affected by the virus; and

WHEREAS, the COVID-19 virus, and its variants, is spread through the air when a person who is carrying the virus, whether he or she is showing symptoms or not, is in close proximity to another person; and

WHEREAS, while the COVID-19 virus remains present in the community, allowing members of the SSWA's legislative bodies and members of the public to meet in person continues to present an imminent

risk to attendee health and safety beyond the control of SSWA services, personnel, equipment, and facilities; and

WHEREAS, pursuant to Government Code section 8635 et seq., the Executive Committee has the authority during a state of emergency to take all actions necessary to perform its functions in the preservation of law and order, preservation of the furnishing of local services, and protection of life and property, which includes the authority to direct meetings of the SSWA Executive Committee to be held via teleconference pursuant to this Resolution; and

WHEREAS, the Board adopted Resolution No. 22-07 on July 11, 2022, finding that the requisite conditions exist for SSWA legislative bodies to hold meetings via teleconference pursuant to Government Code section 54953(e) and without compliance with Section 54953(b)(3); and

WHEREAS, the Executive Committee has reconsidered the circumstances of the state of emergency issued by the Governor, does hereby find emergency conditions persist in SSWA's service area that directly impact the ability of meeting attendees members to meet safely in person, and desires for the SSWA Executive Committee to continue to meet pursuant to Government Code section 54953(e); and

WHEREAS, the Executive Committee does hereby find that the SSWA Executive Committee shall conduct their meetings pursuant to Government Code section 54953(e) by offering all meeting attendees access and an opportunity to comment via a teleconference and/or video conference option; and

WHEREAS, SSWA has taken and is taking measures to ensure public access and opportunity to offer public comment, including by providing teleconference and/or video conferencing access to members of the public for all meetings of the SSWA Executive Committee.

NOW, THEREFORE, THE EXECUTIVE COMMITTEE OF SUISUN/SOLANO WATER AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Emergency. The Executive Committee hereby proclaims that a state of emergency continues to exist throughout the SSWA operating area.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Executive Committee hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020, and applicable statewide.

Section 4. Remote Teleconference Meetings. The staff and Executive Committee of Suisun/Solano Water Authority are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from its effective date, (ii) such time the Executive Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Executive Committee of Suisun/Solano Water Authority may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953, or (iii) the Executive Committee acts to rescind this Resolution.

SUISUN-SOLANO WATER AUTHORITY
RESOLUTION NO. 22-13

PASSED AND ADOPTED by the Executive Committee of Suisun/Solano Water Authority this 6th day of September, 2022, by the following vote:

AYES:

NOES:

ABSENT:

DATED: September 6, 2022

John D. Kluge, President of the
Board of Directors of the
Suisun/Solano Water Authority

ATTEST: I hereby certify that the foregoing was duly made, seconded and adopted by the Executive Committee of the Suisun-Solano Water Authority on September 6, 2022.

Cary Keaten, Manager of the
Suisun/Solano Water Authority

SUISUN-SOLANO WATER AUTHORITY
RESOLUTION NO. 22-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUISUN/SOLANO WATER
AUTHORITY RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY
GOVERNOR'S ORDER DATED MARCH 4, 2020 AND RE-AUTHORIZING TELECONFERENCE
MEETINGS OF LEGISLATIVE BODIES OF SUISUN/SOLANO WATER AUTHORITY PURSUANT
TO THE RALPH M. BROWN ACT

WHEREAS, the Suisun/Solano Water Authority ("SSWA") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors and other SSWA legislative bodies; and

WHEREAS, all meetings of SSWA legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 et seq. ("Brown Act"), so that any member of the public may attend, participate, and watch SSWA's legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e)(1) provides a legislative body may meet via teleconference if the Governor has proclaimed a state of emergency pursuant to Government Code section 8625 and either (i) state or local officials have imposed or recommended measures to promote social distancing, (ii) the legislative body meets to determine by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (iii) the legislative body has voted as such and is meeting pursuant to that vote; and

WHEREAS, a legislative body's decision to meet pursuant to Section 54953(e) must be reevaluated and renewed at least every thirty (30) days, or else the body will be required to adopt new initial findings; and

WHEREAS, while a legislative body meets via teleconference pursuant to Section 54953(e), it must take actions to preserve public access and public participation and give notice of the meeting and post agendas as otherwise required, allow members of the public to access the meeting via call-in line or internet-based service line, provide details on the agenda on how to access the meeting and give public comment, give an opportunity to comment pursuant to Government Code section 54954.3 and allow a reasonable amount of time during public comment for a person to register, login, and comment, and monitor the call-in line and internet-based service line to ensure no disruption hinders access or ability to comment, if there is, take no action until public access is restored; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency pursuant to Government Code section 8625 pertaining to the threat to human health and safety posed by the COVID-19 virus pandemic and that proclamation remains in effect to this day statewide; and

WHEREAS, the virus has short- and long-term effects – fever and chills, cough, shortness of breath and difficulty breathing, fatigue, headache, nausea, vomiting, gastrointestinal issues, loss of taste and smell, death – and its prolific spread is severely impacting the health care system, inhibiting access to care for COVID-19 symptoms and other ailments; and

WHEREAS, while being vaccinated significantly decreases the likelihood of contracting or dying from the virus, vaccinated and unvaccinated people alike can carry, transmit, and be affected by the virus; and

WHEREAS, the COVID-19 virus, and its variants, is spread through the air when a person who is carrying the virus, whether he or she is showing symptoms or not, is in close proximity to another person; and

WHEREAS, while the COVID-19 virus and its variants remain present in the community, meeting in person presents an imminent risk to SSWA legislative body meeting attendees' health and safety beyond the control of SSWA services, personnel, equipment, and facilities due to its transferability through the air; and

WHEREAS, pursuant to Government Code section 8635 et seq., the Board has the authority during a state of emergency to take all actions necessary to perform its functions in the preservation of law and order, preservation of the furnishing of local services, and protection of life and property, which includes the authority to direct meetings of all SSWA legislative bodies to be held via teleconference pursuant to this Resolution; and

WHEREAS, the Board adopted Resolution No. 22-05 on June 13, 2022, finding that the requisite conditions exist for SSWA legislative bodies to hold meetings via teleconference pursuant to Government Code section 54953(e), which will expire July 13, 2022 unless the Board takes further action; and

WHEREAS, the Board has reconsidered the circumstances of the state of emergency issued by the Governor, desires to re-ratify the Governor's March 4, 2020, proclamation of state of emergency related to the COVID-19 virus pandemic as it applies to the jurisdiction of the SSWA, and desires to authorize hybrid teleconference meetings of SSWA legislative bodies pursuant to Section 54953(e) so long as all provisions of that section are followed to provide public access and opportunity for public comment; and

WHEREAS, SSWA has taken and will continue to take measures to ensure access for the public, including by providing the public a call-in option and/or internet-based service option for all meetings of SSWA legislative bodies.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF SUISUN/SOLANO WATER AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference as if set forth in full.

Section 2. The Governor's March 4, 2020 proclamation of state of emergency related to the COVID-19 virus pandemic applies within the jurisdiction of SSWA, remains effective, and is ratified by the Board.

Section 3. A state of emergency exists within the jurisdiction of SSWA related to the COVID-19 virus pandemic and the conditions of that emergency present an imminent risk to the health and safety of attendees at SSWA legislative body meetings.

Section 4. In order to decrease the risk to the health and safety of attendees to SSWA legislative body meetings, all meetings of SSWA legislative bodies shall be conducted in a hybrid format with an option for attendees to appear in person, social distancing permitting, and an option for attendees to appear via teleconference in accordance with Government Code section 54953(e) and staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. This Resolution shall take effect immediately upon its adoption and be effective for thirty (30) days, unless the Board takes action to rescind the Resolution. On or before the 30th day since adoption, the Board may take action to extend the Resolution's permissions pursuant to Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Board of Directors of Suisun/Solano Water Authority this 11th day of July, 2022, by the following vote:

AYES:

NOES

ABSENT:

DATED: _____

John D. Kluge, President of the
Board of Directors of the
Suisun/Solano Water Authority

ATTEST: I hereby certify that the foregoing was duly made, seconded and adopted by the Board of Directors of the Suisun-Solano Water Authority on _____.

Cary Keaten, Manager of the
Suisun/Solano Water Authority

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

WHEREAS the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

WHEREAS on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

WHEREAS on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

WHEREAS the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

WHEREAS as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

WHEREAS as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

WHEREAS for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

WHEREAS California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

WHEREAS experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

WHEREAS it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

WHEREAS state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

WHEREAS I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

WHEREAS I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.

IT IS HEREBY ORDERED THAT:

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.
2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.
3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.
4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.
5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.
6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.

7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.
8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.
9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.
11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.
12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The

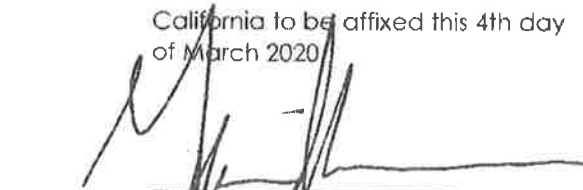
notification requirement of Civil Code section 1798.24, subdivision (i), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.

14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

**SUISUN-SOLANO WATER AUTHORITY
EXECUTIVE COMMITTEE MEETING**

MEETING DATE: September 6, 2022

AGENDA ITEM 4.1

Capital Improvement Project Status Report

EXECUTIVE SUMMARY:

The current status of the capital projects approved by the Board for FY 2022-23 are listed below. Other projects and issues affecting the Capital Improvement Program are also listed.

STAFF REPORT:

Updates to the project list and status of projects are shown in **bold text**.

A. Replacement Projects

These projects are funded from the Replacement Reserve Fund.

Cement Hill Water Treatment Plant (CHWTP) Projects

1. CHWTP New Entrance Project: Plans have been finalized and coordination with Fairfield is taking place. Civil and Electrical plans for the project are with Fairfield's contractor for preliminary costing. A Joint Agreement for construction of this project by the City of Fairfield's selected contractor for the Manuel Campos Parkway with repayment by SSWA is anticipated to be brought to the Board in 2022 when information has been brought forward from the City and its developer. **We expect to receive construction costs by middle of September 2022.**
2. Physical Security System Integration: The previously approved budget of \$80,000 was prepared to include work by outside consultants, installation of a new AT&T fiber optic communication line, purchase of a router, and staff time. The AT&T fiber optic line has been installed.
3. Filter Meter Replacement: Staff has been authorized to move forward with purchasing the 10 meters for the WTP's pressure filters. Plant operations staff have received the 5 meters serving one of the two plants and will install and program them prior to ordering the remaining meters, so that one plant remains in service with functioning meters at all times.
4. Raw Water Check Valve Replacement: **Under authorized direction, staff is replacing the existing, leaky check valves in the six (6) raw water pumps. Three (3) of the six (6) existing check valves have already been replaced with new check valves by staff. Staff is coordinating the installation of the three (3) remaining check valves which have been purchased and received.**

5. **Sump Pump Electrical Panel:** An old and failing electrical panel for a sump pump at the CHWTP was approved for replacement. The work is now complete.
6. **VFD Controller Replacement:** Staff received direction to replace the three (3) variable frequency drive (VFD) controllers for the treated water pumps at the CHWTP. In addition, the approved work includes adding surge protection devices between the utility power source and sensitive control equipment, such as the treated water pumps, to protect these devices from faulting. The three (3) VFD controllers have been purchased and installed. Staff is gathering more information from its electrical consultant to proceed with the surge protection work.

Combined Distribution Facility Projects

Distribution System Projects

4. **Sectionalizing Valve Replacement Project:** Some valves needing replacement have been identified and scheduling their replacement is in progress.
5. **Crystal Middle School Offsite Pipeline Replacement Project:** Design Agreement should be executed soon. Staff requested an exemption for water/sewer separation requirements in one street where it is impossible to meet the minimum requirements. However, the new alignment has more separation than the existing water main. The Division of Drinking Water granted SSWA an exemption from the State water main separation requirements. **Through the design process, there is another water line that requires an exemption. Staff is processing that request.** Staff is reviewing improvement plans and will provide comments on said plans. Upon finalizing plans and executing agreements, construction can proceed.
6. **Geographic Information System (GIS):** We have received the GIS linework from the consultant.

B. 2019 Bond Fund Projects

These projects are funded from the 2019 Bond Fund.

Cement Hill Facility Projects

7. **Chemical System Replacement:** This project is in progress. Submittals for material and shop drawing approvals are being submitted by the contractor for review. Work on the new polymer facility is largely complete. The polymer tanks, eight (8) polymer pumps, skids and tubing to the pumps has been installed. Demolition of the old polymer tank facility is complete. The concrete for the new sodium hypochlorite containment structure has been poured, waterproofed, and backfilled. Utility trench piping was labeled, poured, and backfilled. Installation of the sodium hypochlorite tanks and metal building structure, including painting of the columns and beams in the structure, is complete. Construction of the new block building to house the new sodium hypochlorite pumps is complete. Sidewalk around new building is currently being installed. **The new chemical feed pumps have been set and start-up for the sodium hypochlorite pumping plant is scheduled for the week of**

October 11th. This project is anticipated to be substantially complete by late Octoberber with final completion in mid November.

8. Control System Reprogramming: This project will start soon once the new equipment at the Cement Hill Tanks and New Cement Hill Pipeline has been integrated into the plant control system. A site visit has been completed by Telstar to initiate this work.

C. New Capacity Fund Projects

These projects are funded from the Capacity Fund.

9. Walters Road Pipeline: The portion to construct under Highway 12 is on hold.
10. Water Master Plan Update: Staff is combining the Water Master Plan update with the Asset Management Plan. A draft RFP is currently in progress and will be brought to the Board for approval in **October**.

D. Other Projects

The following items include potential and pending capital projects, and Authority non-capital work (administrative, financial, operations and maintenance) affecting capital projects and planning.

11. Corp Yard Tank Replacement/Railroad Avenue Facility: This facility is planned to be decommissioned. The pumps have failed and staff is proposing not to replace them. In addition, the tank's lining has deteriorated and needs to be replaced. The tank has only been used in the recent past when emergency storage was necessary (tank filled, then immediately emptied after the short term need was gone).

RECOMMENDATION/REQUEST:

None; this is provided for the Board's information.

ATTACHMENTS:

None.

STAFF RESPONSIBLE FOR REPORT:



Paul Fuchslin, SID Director of Engineering

Date: 9/2/2022

**SUISUN SOLANO WATER AUTHORITY
EXECUTIVE COMMITTEE MEETING**

**Monday, August 1, 2022
9:00 a.m.**

**Suisun City Hall Conference Room
701 Civic Center Boulevard
Suisun City, CA**

MINUTES

(UNADOPTED – SUBJECT TO REVISION)

TELECONFERENCE

This meeting is being held via teleconference only pursuant to Government Code section 54953(e)(1)(B) and in compliance with the Brown Act. Section 54953(e)(1)(B) permits a Brown Act legislative body to hold a meeting during a proclaimed state of emergency via teleconference in order to determine whether as a result of the emergency meeting in person would present an imminent risk to attendees' health or safety. To do so, the body is required (1) to post notice and agendas as otherwise provided by the Brown Act and applicable law, (2) allow members of the public to access the meeting via call-in line or internet-based service line, (3) provide details on the agenda on how to access the meeting and give public comment, (4) provide an opportunity to comment pursuant to Government Code section 54954.3 and allow a reasonable amount of time during public comment for a person to register, login, and comment, and (5) monitor the call-in line and/or internet-based service line to ensure no disruption hinders access or ability to comment, if there is, take no action until public access is restored. The Executive Committee is not required to provide a location to attend or comment in-person.

The Governor proclaimed a state of emergency due to the COVID-19 virus pandemic on March 4, 2020. The proclamation remains active and applies statewide. The Executive Committee is meeting pursuant to Section 54953(e)(1)(B) to determine if the emergency conditions pose a threat to attendees' health and safety, warranting teleconference meetings. The Committee is complying with other public access and participation obligations, as required and to ensure that any member of the public may attend, participate, and watch the Committee conduct their business.

Any person may access and comment during the meeting by doing the following:

- **Public Access** – The meeting will be hosted on Zoom, attendees can access via computer or phone.
 - Meeting ID: 834 5093 5739
 - Passcode: 952685
 - *Via computer* – go to Zoom.com and enter Meeting ID and Passcode OR click:
<https://us02web.zoom.us/j/83450935739?pwd=cHJyY2JvVjluR3FwOFIvVFpzcDBlQT09>
 - *Via phone* – call 1-669-900-9128 and enter meeting ID and passcode
- **Public Comment** – opportunity for public comment is offered written and live during the meeting.
 - **Written** – written comments can be submitted via email to SSWAcomments@sidwater.org or via U.S. mail to Suisun—Solano Water Authority, Attn: Gerardo Santana, 810 Vaca Valley Parkway, Ste 201 – Vacaville, CA 95688. Please put the agenda item number, if applicable, in the subject line. Comments received prior to the introduction of the agenda item will be distributed to the Committee, made available for public review, and made part of the record.
 - **Oral** – comments may be given in real time during the designated time for public comment by unmuting or using the "Raise Hand" function. Please email SSWAcomments@sidwater.org prior to the introduction of the agenda item, preferably before the start of the meeting, if you need additional assistance with providing a public comment at the meeting.

AGENDA

Members Present via teleconference:

City of Suisun City: Alma Hernandez, SSWA Board Vice President, City of Suisun City Mayor Pro-Tem; Greg Folsom, SSWA Assistant Manager, City of Suisun City Manager

Solano Irrigation District via teleconference: J.D. Kluge, SSWA Board President, SID Board President; Matt Hobbs, SID Water & Power Operations Manager, Acting General Manager

Staff Present via teleconference: Paul Fuchslin, SID Director of Engineering; Lakhwinder Deol, Suisun City Finance Director; Nouae Vue, City of Suisun Public Works Director/City Engineer; Amber Rupp, SID Executive Assistant; Elena Pacheco, SSWA Legal Counsel;

Absent: Cary Keaten, SSWA Manager, SID General Manager; Gerardo Santana, SID Assistant Engineer

1. Preliminary

1.1. Call to Order

As a quorum was present, Mr. Kluge called the meeting to order at 9:02 a.m.

1.2. Introductions

Attendees introduced themselves.

1.3. Approval of Agenda

Upon a motion by Hobbs, seconded by Hernandez, the agenda was approved as presented without objection.

Ayes: Hernandez, Kluge, Folsom, Hobbs

Noes: None

Abstain: None

Absent: Keaten

2. Presentations

None.

3. Public Comment (Non-Agenda Items)

There was no public participation in this meeting.

4. Informational Items

4.1. Capital Improvement Project Status Report.

4.2. SSWA Board Implementing Assembly Bill (AB) 361 Open Meetings: Continuation of Remote Meetings and Adoption of Findings.

4.3. Chlorine Costs, Gaseous vs. Liquid – Informational

4.4. Acceptance of Commendation Award for the 2017-2021 SSWA Program Management and Capital Implementation Project

Staff answered questions from the Executive Committee on item 4.3.

5. Consent Calendar

5.1. Approval of the Minutes of the July 5, 2022, Executive Committee Meeting.

Upon a motion by Hernandez, seconded by Folsom, the consent calendar was approved as presented without objection.

Ayes: Hernandez, Kluge, Folsom, Hobbs

Noes: None

Abstain: None

Absent: Keaten

6. Scheduled Items

6.1. Discuss Future Board Meeting Type; in-person, hybrid, or teleconferencing – Verbal Update

The Executive Committee discussed options for future meetings. Nothing was decided at this time.

6.2. Review and confirm the Agenda for the SSWA Board Meeting scheduled for Monday, August 8, 2022, at 6 p.m., based on Executive Committee Recommendations.

The Executive Committee discussed the upcoming meeting and Agenda items for the SSWA Board Meeting scheduled for Monday, August 8, 2022, at 6 p.m.

7. Committee Member & Staff Comments

None.

8. Adjourn

The meeting was adjourned at 9:28 a.m.