

October 13, 2005
Fremont, California

The regular semimonthly meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on October 13, 2005 at the hour of 6:00 P.M. in the Directors' Room of the District Office Building, 43885 South Grimmer Boulevard, Fremont, California.

Present: Directors Huang, Gunther (arrived at 6:04 PM), Lampert, Weed (arrived at 6:04 PM), and Koller

Staff members present: General Manager Paul Piraino, Engineering Manager Robert Shaver, Finance and Administration Manager Bill Zenoni, Operations Manager Karl Stinson, Attorney Ray McDevitt, and Deputy District Secretary Gina Markou.

President Martin L. Koller presided.

Director Huang led in the Salute to the Flag.

3 - PUBLIC COMMENTS – None

4 - CONSENT CALENDAR

A motion was made by Director Lampert, seconded by Director Huang, to add Items 5.1 and 5.2 to the Consent Calendar. The motion was passed by the following vote:

AYES: Directors Huang, Lampert, and Koller
NOES: None
ABSENT: Directors Gunther and Weed

A motion was made by Director Lampert, seconded by Director Huang, to approve the following items on the Consent Calendar, as amended.

- 4.1 Approval of Minutes – Regular Meeting of September 22, 2005
- 4.2 Ratification of Payment of Audited Demands dated September 23, September 30, and October 7, 2005
- 5.1 Resolution Awarding Contract for the Northwest and Southwest Niles Cone Monitoring Wells Projects
- 5.2 Authorization of Purchase Order for District Vehicle

The motion was passed by the following vote:

AYES: Directors Huang, Lampert, and Koller
NOES: None
ABSENT: Directors Gunther and Weed

5 - ACTION CALENDAR (Consent Calendar Items are indicated with an asterisk)

5.1 RESOLUTION AWARDING CONTRACT FOR THE NORTHWEST AND SOUTHWEST NILES CONE MONITORING WELLS PROJECT

On November 9, 2004, the Board authorized the General Manager to file an application and enter into an agreement for a FY 04/05 Local Groundwater Management Assistance Program grant from the California Department of Water Resources (DWR) to install eight (8) groundwater monitoring wells within the Don Edwards Wildlife Refuge (Southwest Niles Cone Monitoring Wells Project). The purpose of these monitoring wells is to gain a better understanding of the Niles Cone alluvial fan and allow long-term monitoring of the major aquifers in the southwest edge of ACWD's boundary. On June 30, 2005, DWR notified the District that the project was selected for \$249,943 in grant funding, and an agreement with DWR was executed on August 18, 2005.

Previously, the District was awarded a similar (FY 03/04) grant of \$249,900 to install eight (8) monitoring wells in four locations south of Highway 92 (Northwest Niles Cone Monitoring Wells Project). Six of the monitoring wells were completed during fall 2004. Although the remaining two monitoring wells were not completed due to wet weather conditions and time limitations, there is remaining grant money to install the remaining two wells.

To maximize overall project efficiency, a single bid specification has been prepared that combines the two remaining Northwest Niles Cone monitoring wells with the eight Southwest Niles Cone wells. Bid specifications and drawings were mailed to nine drilling contractors and three (3) bids ranging from a low of \$404,850 to a high of \$707,554 were opened on September 30, 2005. The engineer's estimate for the work was \$376,850. A bid summary is attached.

All bids were checked arithmetically and for compliance with bidding requirements. Maggiora Brothers Drilling, Inc. of Watsonville, California was the low bidder. The firm has been in the drilling business for more than 40 years and successfully completed the first six wells of the Northwest Niles Cone Monitoring Wells Project. References were checked and are satisfactory. There is adequate funding in the budget to cover costs above the DWR grants.

A motion was made by Director Lampert, seconded by Director Huang, to adopt a resolution accepting the proposal and awarding the contract for the Northwest and Southwest Niles Cone Monitoring Wells Construction Projects, Jobs 6241 and 6269, to Maggiora Brothers Drilling, Inc., in the amount of \$404,850, which is the total of the unit price and lump sum payment items.

RESOLUTION NO. 05-043

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
ACCEPTING PROPOSAL OF, AND AWARDING CONTRACT TO MAGGIORA
BROTHERS DRILLING, INC., FOR JOBS 6241 AND 6269

The motion was passed by the following vote:

AYES: Directors Huang, Lampert, and Koller
NOES: None

ABSENT: Directors Gunther and Weed

5.2 AUTHORIZATION OF PURCHASE ORDER FOR DISTRICT VEHICLE

The Board of Directors approved funding in the current budget for the purchase of vehicles.

Requests for quotations were sent to fifteen Ford dealers for a service truck with a valve turner installed. Two dealers responded. The low bidder was Melrose Ford of Oakland in an amount of \$65,198.83. There is sufficient funding in the budget for this purchase.

A motion was made by Director Lampert, seconded by Director Huang, to authorize a purchase order to Melrose Ford in an amount of \$65,198.83 for the purchase of a valve turner service truck. The motion was passed by the following vote:

AYES: Directors Huang, Lampert, and Koller

NOES: None

ABSENT: Directors Gunther and Weed

6 - REPORTS

6.1 BOARD COMMITTEE REPORTS

6.1.1 Water Resources Planning Meeting of September 21, 2005: (1) Expanded Los Vaqueros Reservoir Update; (2) Urban Water Management Plan Update; (3) Alameda Creek Fisheries Update and (4) Delta Levees

6.1.2 Administrative & Finance Meeting of September 23, 2005: (1) Review of Retiree Healthcare Cost Projections

6.1.3 Legal & Legislative Meeting of September 28, 2005: (1) Review of Alameda County LAFCO Utility Municipal Services Review (MSR) and (2) Customer Notification of Proposed Commodity Rate Increases

Director Lampert expressed his concerns over the cost of mailing out postcards with respect to Proposition 218 and water commodity rates. Discussion ensued. A complete presentation will be given at the October 27, 2005, Board Meeting.

6.1.4 Operations & Water Quality Meeting of October 5, 2005: (1) Review of Proposed Cingular Cell Phone Site

6.2 OPERATIONAL REPORTS

6.3 STAFF REPORTS - None

6.4 GENERAL MANAGER'S REPORTS

- Mr. Piraino reported that the second crew had arrived back from Bayou Liberty with a 100% successful effort in repairing their water system. A midday informal function will be held no later than November to recognize the crews that

volunteered and Mr. Piraino suggested that plaques be awarded to the crew members by the Board. Mr. Piraino will keep the Board advised.

- Mr. Piraino advised the Board that on November 2, 2005, the Union Sanitary District will be hosting an Alameda County Special District Association Meeting on the topic of Emergency Preparedness in Alameda County. Mr. Piraino will send out the Agenda to the Board. Registration is not required.

7 - DIRECTORS' COMMENTS AND/OR AGENDA ITEM REQUESTS

- 7.1 After discussion, President Koller suggested that Director Lampert's concerns regarding emergency response coordination among Tri-City local government agencies, utilities and health care providers could be discussed and direction provided to staff at the time that a presentation is made on emergency operations and planning on November 10, 2005.
- Director Weed raised the issue of the recent consultant's report to the SFPUC regarding recommended changes to the Water Supply Improvement Program to ensure that costs remain within the estimated \$4.3 billion. Director Lampert questioned whether or not some guarantees in writing from the SFPUC regarding costs and financing might be appropriate and asked what the appropriate timing might be for BAWSCA to possibly consider potential litigation or legislation to allow wholesale customers more decision-making authority. Mr. McDevitt advised that there would be a better sense on further action when the outcome of the revised Capital Improvement Program and updated cost estimates are reviewed by the PUC in November, 2005. At that time, there would be a more complete factual picture upon which to consider possible alternatives.

President Koller adjourned the meeting to a Closed Session at 7:26 p.m. for a conference on the following items:

- 8.1 Conference with Negotiator Pursuant to Government Code Section 54957.6(a)
Agency Representative: Paul Piraino
Employee Organization: Local 790 and Management/Confidential/Professional Unrepresented Employees
- 8.2 Public Employee Performance Evaluation Pursuant to Government Code Section 54957
- Title: General Manager

The meeting reconvened at 8:00 p.m. Mr. Piraino advised that direction was provided to staff with respect to Item 8.1 and that the Board received a requested report and update with respect to Item 8.2.

There being no further business to come before the Board, the meeting was adjourned at 8:02 p.m.

Gina Markou, Deputy District Secretary

Attest:

Martin L. Koller, President