

December 15, 2005
Fremont, California

The regular semimonthly meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on December 15, 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, Lampert, Weed (arrived at 6:26 p.m.), and Koller

Staff members present: General Manager Paul Piraino, Engineering Manager Robert Shaver, Finance and Administration Manager Bill Zenoni, Operations Manager Karl Stinson, Senior Water Resources Planner Eric Cartwright, Senior Financial Analyst Michael Yee, Operations Office Supervisor Andrew Joseph , Attorney Ray McDevitt (arrived at 6:24 p.m.), and Deputy District Secretary Gina Markou.

President Martin L. Koller presided.

Director Huang led in the Salute to the Flag.

3 - PUBLIC COMMENTS – B.J. Bunting, 40976 Pajaro Drive, Fremont expressed to the Board that he has enjoyed attending the Board Meetings in the past years and encouraged more residents to attend.

4 - CONSENT CALENDAR

A motion was made by Director Lampert, seconded by Director Gunther, to add Items 5.6, 5.7, 5.8 and 5.9 to the Consent Calendar. The motion was passed by the following vote:

AYES: Directors Huang, Gunther, Lampert, and Koller
NOES: None
ABSENT: Director 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 November 10, 2005
- 4.2 Ratification of Payment of Audited Demands dated November 10, November 18, November 23 and December 2, 2005
- 4.3 Resolution Amending Personnel Budget – Reclassification of Accounting Manager Position to Financial Services Manager, Reclassification of Financial Systems Analyst Position to Financial Systems Analyst 1/2, Creation of Accounting Supervisor 1/2 Position and Deletion of Senior Financial Analyst Position

RESOLUTION NO. 05-051

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
AMENDING FY 05/07 PERSONNEL BUDGET

- 4.4 Authorization Amend Electric Gas Industries Association Purchase Order for the 2004-2007 Water Efficient Washer Rebate Program
- 5.6 Authorization of Purchase Order Amendment for Additional Final Design Services for Headquarters Laboratory and Operations Department Renovation Project
- 5.7 Authorization of Purchase Order for Rehabilitation Services for Cedar 1 Aquifer Reclamation Program Well
- 5.8 Authorization of Claim Settlement for Headquarters Facility Water Quality Laboratory
- 5.9 Resolution Accepting Completion of Patterson Reservoir Cleaning Project

The motion was passed by the following vote:

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

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

5.1 REORGANIZATION OF BOARD OF DIRECTORS

Mr. Piraino indicated that Section 30520 of the California Water Code provides that the Directors shall elect one of their number President and may elect one of their number Vice President.

Pursuant to Resolution 1871, adopted December 10, 1970, this election is held at the first regular Board meeting in December each year. The Directors who are elected President and Vice President assume office at the close of the meeting at which they are elected.

A motion was made by Director Lampert, seconded by Director Gunther to adopt the following resolution electing Director Huang as President of the Board:

RESOLUTION NO. 05-052

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
ELECTING DIRECTOR JUDY C. HUANG PRESIDENT OF THE BOARD OF
DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT

The motion was passed by the following vote:

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

A motion was made by Director Gunther, seconded by Director Huang, to adopt the following resolution electing Director Lampert as Vice President of the Board:

RESOLUTION NO. 05-053

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
ELECTING DIRECTOR ARTHUR LAMPERT VICE PRESIDENT OF THE
BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT

The motion was passed by the following vote:

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

5.2 RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT WITH
CINGULAR WIRELESS FOR CELLULAR ANTENNA AT SHINN POND

Mr. Stinson reported that the District was approached by Cingular Wireless to establish a mobile/wireless telecommunications services site at Shinn Pond pumping station in Fremont.

The proposed site was reviewed by District staff and there are no technical issues that would interfere with the District's operations. The proposal was recently approved by the Fremont City Council. Cingular has agreed to the proposed lease rental amount of \$1,500 per month. The proposed lease agreement is consistent with other similar cell site leases held by the District and has been reviewed by District Counsel.

Tim Pitsker, 36863 Montecito Drive, Fremont, addressed the Board and advised that he had filed a lawsuit against the City of Fremont and urged the Board not to approve the lease. Mr. Pitsker was opposed to the location of a 55' tower being installed between Shinn Pond and Rancho Arroyo Park at a major entrance of the Alameda Creek area.

Randall Schwarbacher of Parsons Corporation (agent for Cingular Wireless) in Woodside, CA., informed the Board that the case has been presented to and approved by Fremont City Council. Mr. Schwarbacher requested that the Board review the terms of the lease with Cingular Wireless, approve the terms and authorize the signature of the lease.

Discussion ensued. Directors Lampert and Gunther expressed that this was a land use issue that is determined by the City and that the Water District should not get involved in land use issues. It was determined that the lease should not be signed until District Counsel had an opportunity to review the lawsuit filed by Mr. Pitsker.

A motion was made by Director Koller and seconded by Director Gunther to defer consideration of the lease to the January 12, 2006, Board meeting.

The motion was passed by the following vote:

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

5.3 PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE OF DISTRICT RATES AND CHARGES; CONSIDERATION AND ADOPTION OF RESOLUTION AMENDING RATES AND CHARGES

Mr. Piraino reported that at the meeting of October 27, 2005, the Board received staff recommendations and called for a Public Hearing on December 15, 2005, to receive and consider comments on proposed revisions to certain District rates and charges.

Postcards were mailed to all property owners within the District on October 28, 2005 notifying them of a proposed 5 percent water rate increase. In addition to two legal notices published in The Argus, notice of the public hearing was also posted at the city hall and main library of each of the Tri-Cities and on the District’s web site.

Mr. Yee presented a brief summary of the following rates and charges for which a change is recommended:

	<u>Current</u>	<u>Proposed Eff. 1/1/06</u>
1. Bimonthly Commodity Charge* (per hcf):		
Inside District	\$1.997	\$ 2.096
Outside District	2.296	2.410
San Francisco Water Service	2.002	2.102
* Excludes Supplemental Temporary Water Rate Increase of 6.5%		

2. Bimonthly Service Charge*:

<u>Meter Size</u>	<u>Current</u>	<u>Proposed Eff. 1/1/06</u>
5/8" & 3/4"	\$9.60	\$10.08
1"	13.75	14.44
1½"	24.30	25.52
2"	34.85	36.59
3"	132.15	138.76
4"	191.40	200.97
6"	462.00	485.10
8"	676.50	710.33

10" 1,209.00 1,269.45

* For outside District customers, add +15% to the numbers shown

	<u>Current</u>	<u>Proposed Eff. 1/1/06</u>
3. Account Establishment Field Charge	\$20 (new customers)	\$31 (all customers who require a field visit)
4. After-Hours Connection Charge:	\$150	\$175
5. Annexation Charge:	\$1,540	\$1,600
6. Backflow Prevention Device Testing Fee:	\$44	\$49
7. Engineering Fees Minimum:	\$5,800	\$6,400
8. Meter Installation Charge 3/4":	\$110	\$90
9. Meter Re-Installation Charge:	\$72	\$50
10. Well Administration Fees:		
<u>Permit Class of Work</u>	<u>Current</u>	<u>Proposed Eff. 1/1/06</u>
Well (Production) Construction	\$ 480	\$ 500
Repair or Reconstruction of Existing Well	335	350
Well (Production) Destruction	480	500
Monitoring Well Destruction	480	500
Cathodic Protection Wells	480	500
Geotechnical Investigation:		
Exploratory Holes	335	350
Monitoring Well	480	500
Chemical Investigation:		
Exploratory Holes	335	350
Monitoring and Extraction Wells	480	500

In regard to all changes to the District’s rates and charges, an exemption is allowed from the applicability of the California Environmental Quality Act, Section 21080(b)(8) of the Public Resources Code if the Board finds that the rate changes are for the purpose of: (1) meeting operating expenses; (2) purchasing or leasing supplies, equipment, and materials; (3) meeting financial reserve requirements; or, (4) obtaining funds for capital projects necessary to maintain services and system reliability within existing service areas.

Upon Board adoption, the consolidated master Rate and Fee Schedule will be updated with the proposed changes. The Board resolution will authorize all rates and charges as shown in the updated consolidated schedule.

President Koller opened the public hearing at 7:01 p.m. and called for comments on the proposed revisions to the District rates and charges.

George Hollingshead, 1086 Kachina Court, Fremont, addressed the Board and inquired as to the history of prior rate increases. Mr. Piraino informed Mr. Hollingshead that in 2005 the rate increase was 7% and in 2004 the increase was 7%. Mr. Hollingshead asked how the additional revenue was spent. Mr. Yee reported that the revenue was used towards operating expenses, capital projects, purchase of supplied water, maintaining system reliability and several other areas.

Mon Shen, Union City, inquired if only Alameda County residents were affected by the deficit reduction or was it felt statewide. Mr. Piraino advised that it was a statewide deficit reduction and that all water agencies in the state who receive property taxes received a significant reduction in their tax revenue.

Alex Starr, League of Women Voters, thanked Mr. Yee for the presentation which helped her understand the reason for the rate increase. Ms. Starr asked how much of the proposed increase has been passed on to the District by SFPUC. Mr. Yee responded that in the next 2 years SFPUC water rate will increase by 11%.

Tim Pitsker, 36863 Montecito Drive, Fremont, commented that the elderly and residents depending on Social Security will be affected most by the rate increase and suggested a tiered structure rate schedule.

There being no other comments from the audience on the proposed changes, President Koller closed the public hearing at 7:20 p.m.

A motion was made by Director Lampert, seconded by Director Huang, to (1) make the finding that the rate changes are for one or more of the purposes listed above in regard to the California Environmental Quality Act, and authorize the General Manager to file a Notice of Exemption with the County Clerk; and 2) adopt the following resolution implementing the recommended revisions to the rates and charges:

RESOLUTION NO. 05-054

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
MODIFYING VARIOUS RATES AND CHARGES

The motion was passed by the following vote:

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

President Koller adjourned the meeting at 7:21 p.m. for a short recess. The meeting reconvened at 7:30 p.m.

5.4 PUBLIC HEARING TO CONSIDER THE 2006-2010 URBAN WATER MANAGEMENT PLAN; CONSIDERATION OF RESOLUTION ADOPTING 2006-2010 URBAN WATER MANAGEMENT PLAN

Mr. Cartwright stated that California's Urban Water Management Planning Act requires all urban suppliers which supply more than 3,000 acre-feet of water annually, or have more than 3,000 customers, to prepare and adopt an urban water management plan. These plans are to be updated every five years. ACWD's last urban water management plan was adopted by the Board in 2001. Staff prepared and distributed a draft 2006-2010 Urban Water Management Plan in accordance with the Urban Water Management Planning Act. At the meeting of November 10, 2005, the Board received a report on the draft Plan and called for a Public Hearing on December 15, 2005, to receive and consider comments on the Draft Plan.

The Urban Water Management Planning Act also requires that Draft Plans be made available for public review and comment. As such, staff distributed the Draft Plan to the Cities of Newark, Union City and Fremont, as well as Union Sanitary District, Alameda County, San Francisco Public Utilities Commission and the California Department of Water Resources. Copies of the draft Plan were also provided to the local libraries and District headquarters for public review. The draft Plan was also posted on the District's web-site.

President Koller opened the public hearing at 7:45 p.m. and called for comments on the proposed 2006-2010 Urban Water Management Plan.

B.J. Bunting, 40965 Pajaro Drive, Fremont, addressed the Board and expressed how sorry he is that more of the public don't attend the meetings.

There being no other comments from the audience on the proposed plan, President Koller closed the public hearing at 7:46 p.m.

A motion was made by Director Lampert, seconded by Director Huang, by resolution to adopt the 2006-2010 Urban Water Management Plan.

RESOLUTION NO. 05-055

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
ADOPTING, DIRECTING THE FILING AND AUTHORIZING THE GENERAL
MANAGER TO IMPLEMENT THE ALAMEDA COUNTY WATER DISTRICT
2006-2010 URBAN WATER MANAGEMENT PLAN AND WATER SHORTAGE
CONTINGENCY PLAN

The motion was passed by the following vote:

AYES: Directors Huang, Gunther, Lampert, Weed, and Koller

NOES: None
ABSENT: None

5.5 AUTHORIZATION OF PURCHASE ORDER AMENDMENT FOR FINAL DESIGN SERVICES AND TRANSFER OF FUNDS FOR THE LOWER ALAMEDA CREEK FISH PASSAGE IMPROVEMENTS, ALAMEDA CREEK PIPELINE NO. 1 FISH SCREEN PROJECT

Mr. Shaver reported that on September 8, 2005, the Board authorized a purchase order to CH2M Hill, Inc. (CH2M Hill) for preliminary design services for Phase 1 of the Lower Alameda Creek Fish Passage Improvement Project, which includes construction of a fish screen on the Alameda Creek Pipeline No. 1. ACWD was awarded \$500,000 from the National Fish and Wildlife Foundation (NFWF) to support the construction of this fish screen project, which will eliminate the potential for juvenile steelhead from entering the existing diversion pipeline and adjacent groundwater recharge ponds at Quarry Lakes Regional Recreation Area. The NFWF contract requires the District to complete the entire project by December 2006.

CH2M Hill was requested to submit a scope of work and cost proposal for the final design of the project. The estimated cost for the work on a time and expense basis is \$215,000. District staff has reviewed the estimate and finds it reasonable for the scope of work to be performed.

Based on the project's updated design cost estimate, the total project cost is anticipated to be approximately \$2,107,000. The FY 05/07 budget contains \$837,000 in funding for this project, based on preliminary estimates. However, \$500,000 is grant funding, which cannot be used until construction. The additional estimated cost of \$1,270,000 is a result of increased costs associated with steel materials, fish screens, CEQA compliance, design and project administration.

A budget transfer of \$490,000 is required at this time to complete the design and environmental review processes for the project. This amount can be made up from transfers from three CIP projects that are nearing completion and which are expected to have surplus funds (Niles/Newark Intertie Pipeline Final Design, P/T Groundwater Treatment Facility Final Design and the Patterson Reservoir Lining Replacement Construction Project). Because the fish screens are a long lead time item, the District will need to prepurchase the equipment to meet the project schedule. Funding for the remaining costs required to complete the overall project will be assessed at the time of award of the fish screens and during next mid-cycle CIP budget review as applicable.

A motion was made by Director Gunther, seconded by Director Lampert to 1) authorize a budget transfer in the amounts of \$310,000, \$130,000 and \$50,000, respectively, from the PT Groundwater Treatment Facility (CIP Project PH0104), the Patterson Reservoir Lining Replacement (CIP Project SR0651) and the Niles-Newark Intertie Pipeline, Fremont Phase (CIP Project MM1703); and 2) authorize a purchase order amendment to CH2M Hill Inc. in the amount of \$215,000 for final design services for the Alameda Creek Pipeline No. 1 Fish Screen Project, Job No. 6278.

The motion was passed by the following vote:

AYES: Directors Huang, Gunther, Lampert, and Koller

NOES: None
ABSTAIN: Director Weed
ABSENT: None

5.6* AUTHORIZATION OF PURCHASE ORDER AMENDMENT FOR ADDITIONAL FINAL DESIGN SERVICES FOR HEADQUARTERS LABORATORY AND OPERATIONS DEPARTMENT RENOVATION PROJECT

On November 14, 2002, the Board authorized a purchase order to Noll & Tam Architects (Noll & Tam) for final design services for the Headquarters Building Expansion and Renovation Project, Phase 2, in an amount not to exceed \$362,818. The scope of the Phase 2 work originally included renovation of the existing laboratory area, compliance with Americans with Disabilities Act (ADA) requirements, and construction of a new administration wing. Noll & Tam stopped design of the new wing when the Capital Improvement Program (CIP) budget was adjusted and construction of the new wing was deferred to FY 09/10.

Staff has revised the original scope to include the renovation of the existing Emergency Operations Center (EOC), replacement of the old crew room with a new multi-purpose conference/training room, and to provide more handicap parking and trees in the employee parking lot. Noll & Tam Architects submitted a cost proposal in the amount of \$116,300. This cost figure is based on an estimated level of effort; the design services costs will be based on actual time and expense. There is adequate funding in the project budget for this expenditure.

A motion was made by Director Lampert, seconded by Director Huang to authorize a purchase order amendment to Noll & Tam Architects in the amount of \$116,300 for additional final design services for Headquarters Laboratory and Operations Department Renovation Project, Job 6113.

The motion was passed by the following vote:

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

5.7* AUTHORIZATION OF PURCHASE ORDER FOR REHABILITATION SERVICES FOR CEDAR 1 AQUIFER RECLAMATION PROGRAM WELL

The Cedar 1 Aquifer Reclamation Program (ARP) well was constructed during 1974 and is one of four existing ARP wells that may supply the Newark Desalination Facility. The well has not been used as a source of water for the facility due to elevated levels of manganese. Because the well is screened in two different intervals and the upper interval is suspected to be the source of manganese, the upper screened interval was recently blocked by placing a liner inside the casing to minimize water flow from this zone. The well now needs to be rehabilitated prior to returning to service. An evaluation of the Cedar 1 well as a potential source of water for the Desalination Facility expansion project is required as soon as possible to meet the Desalination Facility project schedule.

Staff requested a proposal for conducting the rehabilitation work from Layne Christensen Company.

Layne Christensen Company has previously provided satisfactory services for the rehabilitation of eight production wells and five ARP wells. ACWD awarded contracts for the previous well rehabilitation services to Layne Christensen Company due to their specialized experience in the field of well rehabilitation and their familiarity with ACWD's production and ARP wells. To ensure the cost effectiveness of these services, staff recently obtained quotes for similar tasks from two other companies (for another planned well rehabilitation project), and Layne Christensen's rates were lower for the majority of the tasks, and the overall cost was significantly lower.

Layne Christensen Company's estimated cost for performing the rehabilitation work on the Cedar 1 well is \$36,830 based on a time-and-expense basis. The proposal and estimate have been evaluated by staff as appropriate for the work required. The recommended authorization includes a ten percent contingency, and there is sufficient funding in the budget for this work.

A motion was made by Director Lampert, seconded by Director Huang, to authorize a purchase order to Layne Christensen Company for rehabilitation services for the Cedar 1 Aquifer Reclamation Program Well in an amount not to exceed \$40,513.

The motion was passed by the following vote:

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

5.8* APPROVAL OF CLAIM SETTLEMENT FOR HEADQUARTERS FACILITY WATER QUALITY LABORATORY

The Headquarters Facility Water Quality Laboratory project was awarded to N.V. Heathorn (NVH) in the amount of \$3,366,390 on February 26, 2004, and the Board accepted completion of the contract on October 27, 2005. Nine change orders, totaling \$332,264, were previously authorized by the Board.

As previously reported to the Board, there were two outstanding claim items at the time of Board acceptance. Since that time, staff has continued to negotiate with NVH to resolve a time impact claim and a claim for District-requested import trench backfill material. Based on staff's review of additional documentation provided by NVH for import trench backfill material, the claim has been resolved for a total settlement of \$22,000. Because \$7,000 of the total settlement amount was previously issued unilaterally by the District under Change Order No. 9, a cost adjustment in the amount of \$14,827.40 for final settlement of the claim is required. Regarding NVH's time impact claim of 59 days beyond the contract-stipulated completion date, an analysis of the construction schedule by both the District and NVH resulted in agreement that there was concurrency of District and NVH-caused delays, thus resulting in no cost to the District.

A motion was made by Director Lampert, seconded by Director Huang to approve the settlement for time delay and District-requested import trench backfill material claims in the amount of \$14,827.40 for the Headquarters Facility Water Quality Laboratory, Job 6200.

The motion was passed by the following vote:

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

5.9* RESOLUTION ACCEPTING COMPLETION OF CONTRACT FOR PATTERSON
RESERVOIR CLEANING

On September 8, 2005, the contract for the Patterson Reservoir Cleaning project was awarded to Liquivision Technology, Inc. in the amount of \$48,700. The primary purpose of the cleaning was to remove the sediment in the reservoir in preparation for the lining installation project, scheduled for January 2006.

The contract was substantially completed on November 17, 2005, and no change orders were issued by the District.

A motion was made by Director Lampert, seconded by Director Huang to adopt a resolution accepting completion of the contract for Patterson Reservoir Cleaning, Job 6254.1, in the amount of \$48,700.

RESOLUTION NO. 05-056

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
ACCEPTING COMPLETION OF CONTRACT NO. 3454, LIQUIVISION
TECHNOLOGY, INC., JOB 6254.1

The motion was passed by the following vote:

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

6 - REPORTS

6.1 BOARD COMMITTEE REPORTS

- Operations & Water Quality Meeting of November 2, 2005: (1) Regulatory Update
- Engineering & Capital Projects Meeting of November 8, 2005: (1) Review of South Bay Salt Ponds Restoration Project
- Water Resources Planning Meeting of November 16, 2005: (1) Semitropic Program

Update; (2) Proposition 50 Grant Proposal Update; (3) Alameda Creek Fisheries Update

- Legal & Legislative Meeting of November 23, 2005: (1) Review of State and Federal Legislation; (2) Comments by BAWSCA on SFPUC WSIP PEIR; (3) ACWD/Zone7 Water Agency Sphere of Influence/Boundary Overlap Issue
- Administrative & Finance Meeting of November 29, 2005: (1) Review of Proposed Amendments to Procurement Policy; (2) Review of Finance Department Staffing; (3) Discussion of Treatment Facility Operator Classification

6.2 OPERATIONAL REPORTS

- Quarterly Personnel Report
- Quarterly Budget & Expense Report
- Investment Report
- Rainfall Report

6.3 STAFF REPORTS

Mr. Stinson briefed the Board on a presentation recently made by DWR Director Lester Snow on the potential impacts of a magnitude 6.7 earthquake in the San Francisco-San Joaquin Delta region on levee breaks and the resulting effect on water supplies to 22 million Californians in both northern and southern California. A strategy was proposed to publicize the vulnerability of the Delta levees in conjunction with the other South Bay Aqueduct contractors (Zone 7 Water Agency and Santa Clara Valley Water District) that would focus on the problem and the need for a solution. Discussion ensued on the various potential options available to better secure water supplies from such an earthquake event. Director Koller suggested that the Water Resources Planning Committee should review this matter further and report back to the Board on a recommended approach. Mr. McDevitt also made the Board aware of an upcoming meeting of the Water Committee of the Bay Area Council, which will specifically be focused on the Delta levee vulnerability issue.

6.4 GENERAL MANAGER'S REPORTS

Mr. Piraino introduced Operations Office Supervisor Andy Joseph and advised the Board that the Assistant District Secretary position will need to be filled in the near future as a result of Barbara Kee's recent retirement.

7 - DIRECTORS' COMMENTS AND/OR AGENDA ITEM REQUESTS

Director Lampert asked for information on issues of interest from the Board members who attended the recent Association of California Water Agencies (ACWA) conference. Mr. Piraino advised that he was elected Chair of the California Urban Water Agencies organization at the conference.

Director Lampert mentioned that ACWA had recently published policy guidelines on protection of property taxes and on reserve funds. Mr. Piraino advised that staff had provided input on the reserve fund policy booklet and that staff has copies of both publications.

President Koller adjourned the meeting to a Closed Session at 8:50 p.m. for a conference on the following items:

- 8.1 Conference with Legal Counsel – Anticipated Litigation (Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)(1)): Two Cases
- 8.2 Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(a))
 - City of Fremont vs. West Coast Venture Capital, et. al., Alameda County Superior Court No. RG04141644

The meeting reconvened at 10:08 p.m. President Koller reported that the Board had met in Closed Session and had provided direction to District Counsel on both items 8.1 and 8.2.

There being no further business to come before the Board, the meeting was adjourned at 10:10 p.m.

Gina Markou, Deputy District Secretary

Attest:

Martin L. Koller, President