

July 12, 2007
Fremont, California

The regular monthly meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on July 12, 2007 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 Gunther, Huang, Koller and Lampert

Absent: Director Weed

Staff members present: General Manager Paul Piraino, Engineering Manager Bob Shaver, Finance and Administration Manager Will Ligh, Operations Manager Karl Stinson, Water Resources Planning Manager Eric Cartwright, Project Engineer Greg Watson, Water Quality Manager Douglas Chun, Attorney Ray McDevitt and Assistant District Secretary Andrew Joseph.

President Arthur Lampert 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 Gunther to add items 5.1 through 5.9 to the Consent Calendar.

The motion was passed by the following vote:

AYES: Directors Gunther, Huang, Koller and Lampert

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 – Special Budget Meeting of May 23, 2007; Special Meeting of June 1, 2007; and Regular Meeting of June 7, 2007
- 4.2 Ratification of Payment of Audited Demands dated June 8, June 15, June 22, June 29 and July 6, 2007
- 5.1 Resolution Honoring Alexis J. Capucion upon His Retirement from District Service
- 5.2 Authorization of Purchase Order for Disposal of Materials to Landfill
- 5.3 Authorization of Purchase Order for Replacement Computers

- 5.4 Authorization of Purchase Order for Fuel
- 5.5 Authorization of Purchase Order for WTP2 Solids Handling Filterpress Plate-wash Pump
- 5.6 Authorization of Purchase Order for Spare Submersible Well Pump Unit for Mowry Wellfield
- 5.7 Authorization for Continued Participation in the Bay Area Water Agency Water-Efficient Clothes Washer Program
- 5.8 Resolution Amending Procurement Policy No. 1
- 5.9 Authorization of a Reserve Appropriation for Purchase of Additional SFPUC Water in FY 06/07

The motion was passed by the following vote:

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

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

5.1* RESOLUTION HONORING ALEXIS J. CAPUCION UPON HIS RETIREMENT FROM DISTRICT SERVICE

Alexis (Alex) J. Capucion will retire effective June 29, 2007, with close to 27 years of service with the District.

Alex started with the District as a Vehicle Service Worker on July 14, 1980. In 1995, Alex was promoted to Storekeeper. Alex has the admiration of all employees, vendors and service personnel he comes in contact with. His work ethic has made him a valuable asset to ACWD. He will be missed by his many friends at the District.

A motion was made by Director Lampert, seconded by Director Huang to adopt a resolution honoring Alexis J. Capucion and expressing appreciation for nearly 27 years of service.

RESOLUTION NO. 07-032

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
HONORING ALEXIS J. CAPUCION UPON HIS RETIREMENT FROM
DISTRICT SERVICE

The motion was passed by the following vote:

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

5.2* AUTHORIZATION OF PURCHASE ORDER FOR DISPOSAL OF MATERIALS TO LANDFILL

ACWD crews perform a variety of construction and maintenance work throughout the District's service area. Landscaping, site demolition, system repairs and installations can occur during normal working hours, off-hours weekdays, weekends, and holidays. Excavations for leaks, replacements, and new installations are required for the majority of this work. Subsequently, a variety of refuse materials is generated that needs to be disposed of in a proper manner. Other common materials generated by District operations and in need of disposal include rubbish, concrete, asphalt, soil, tires, wood, and vegetation.

There are a limited number of disposal sites throughout the general area and travel time is an important factor to consider when deciding where to dispose of spoils. In the past, many different sites were utilized, but as more and more site close or restrict their operations the District has increased its usage of the Tri-Cities Waste Management facility located at 7010 Auto Mall Parkway in Fremont. This location is no longer in business. The new location is 41149 Boyce Rd in Fremont. This site is operated by BLT Enterprises of Fremont dba: Fremont Recycling & Transfer Station. Currently, expenditures for FY 06/07 will approach \$70,000. It is anticipated that the District will continue utilizing this site on a slightly increasing basis. FY 07/08 expenses are estimated to be around \$70,000. Maintaining the ability to select suppliers who can fill the immediate needs allow for more efficient crew utilization by minimizing delays due to the excess travel time. Sufficient funds have been budgeted for these expenditures.

A motion was made by Director Lampert, seconded by Director Huang to authorize an annual purchase order to BLT Enterprises of Fremont dba: Fremont Recycling & Transfer Station for disposal of a variety of materials at prices quoted for FY08.

The motion was passed by the following vote:

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

5.3* AUTHORIZATION OF PURCHASE ORDER FOR REPLACEMENT COMPUTERS

The District has established a program for the orderly replacement of personal computers as they reach the end of their useful life. Based upon the amount of time that personal computers are used on a daily basis at the District, the average useful life of a personal computer is four to five years after which time they become inadequate to run the District's software applications and also begin to experience operating problems.

Over the past eight years, the District has standardized on Dell Computers for its personal computing needs. Dell was selected over other computer manufacturers due to its high product quality and performance, excellent service support, and low price. The computers are purchased directly from the government sales representative of the manufacturer, Dell Computer Corporation. The District also has the ability to purchase Dell Computers through the State of California utilizing a California Multiple Annual Schedule (CMAS) or a Western State Contracting Alliance (WSCA) contract. The prices offered direct from Dell Computer Corporation are lower than either of the state contracts prices. The FY 07/08 budget includes funding for the purchase of fifty replacement computers which will replace computers that are between five and six years old. Of the fifty computers to be purchased, forty-five will be desktop computers and five will be laptop computers.

<u>Quantity</u>	<u>Brand/Model</u>	<u>Unit Price</u>	<u>Total</u>
45	Dell OptiPlex Desktop PCs	\$1,546.20	\$69,579.00
5	Dell Latitude Notebooks	\$2,985.05	\$14,925.25
	Total		\$84,504.25

Sufficient funds are budgeted for this expenditure.

A motion was made by Director Lampert, seconded by Director Huang to authorize a purchase order to Dell Computer Corporation in an amount not to exceed \$84,504.25, plus applicable taxes, environmental fees and shipping costs, for the purchase of replacement personal computers for the 07/08 fiscal year.

The motion was passed by the following vote:

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

5.4* AUTHORIZATION OF PURCHASE ORDER FOR FUEL

Funds are authorized each year for the purchase of unleaded regular gasoline and No. 2 clear diesel fuel to operate the District's fleet of vehicles and No. 2 red dye diesel fuel to operate stationary generators. During FY 06/07, the fuel purchases were approximately \$215,169.

The bid for unleaded regular gasoline and No. 2 diesel fuel was awarded to Valley Oil Company on June 22, 2006 for the period July 2006 through June 30, 2007, with the provision for up to two annual extensions. Valley Oil Company has agreed to the first extension of the current contract until June 30, 2008, with no change to the adjustment factor used last year. The adjustment factor is applied to the daily average rack price for fuel posted in Oil Price Information Service (OPIS) PAD 5. The adjustment quoted will be firm for the term of the contract. The products and service provided by Valley Oil Company have been satisfactory; therefore, staff recommends extending the contract for another year. The following shows the constant margin over or under the posted OPIS average rack price in effect on the day of delivery.

	<u>Unleaded Regular Gasoline</u>	<u>No. 2 Diesel Clear</u>	<u>No. 2 Diesel Red Dye</u>
Estimated Annual Usage	32,000 Gallons	53,000 Gallons	1,000 Gallons
Adjustment to Daily Average Rack Price per Gallon in OPIS PAD 5	-\$.0050	+\$.0140	+\$.0700

Based on current prices, the estimated annual fuel cost for FY 06/07 is \$213,500. There is sufficient funding in the FY 07/08 Budget for this expenditure.

A motion was made by Director Lampert, seconded by Director Huang to authorize a purchase order to Valley Oil Company for unleaded regular gasoline and No. 2 diesel fuel for FY 07/08.

The motion was passed by the following vote:

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

5.5* AUTHORIZATION OF PURCHASE ORDER FOR WTP2 SOLIDS HANDLING FILTER
PRESS PLATE-WASH PUMP

The solids handling system at Water Treatment Plant No. 2 (WTP2) processes the solids from both the Mission San Jose Water Treatment Plant and WTP2. The plate-wash pump is part of the solids handling system and is used to clean the Netzsch filter press filter cloths. The existing plate-wash pump has been in continuous service for 14 years since WTP2 first came on-line in 1993 and is reaching the end its useful service life. Pump performance has dropped off considerably and as a result, it is taking longer to clean the filter cloths. Additionally, the repair frequency has increased resulting in the pump becoming unreliable.

The standard plate-wash pump specified and used by Netzsch with its filter cloth cleaning system is an Abel Tri-Plex positive displacement pump. Abel Pump Technology, Inc., has submitted a price in the amount of \$53,106.04 for a Tri-Plex plate-wash pump and includes taxes and freight. There is sufficient funding in the FY07/08 budget for this expenditure.

A motion was made by Director Lampert, seconded by Director Huang to authorize a purchase order to Abel Pump Technology, Inc., for one Abel Tri-Plex plate-wash pump in the amount of \$53,106.04.

The motion was passed by the following vote:

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

5.6* AUTHORIZATION OF PURCHASE ORDER FOR SPARE SUBMERSIBLE WELL PUMP UNIT FOR MOWRY WELLFIELD

The Board of Directors approved funds in the current biannual budget for the purchase of wellfield replacement equipment for the Peralta-Tyson and Mowry Wellfields. The amounts approved are \$68,000 for FY07/08 (Year 1) and \$68,000 for FY08/09 (Year 2) of the biannual budget.

The District utilizes 2300-volt pumping equipment at both Peralta-Tyson and Mowry Wellfields. The lead time for fabrication and delivery of new pumping equipment in this voltage class is typically 16 to 20 weeks. Because of the long lead time, it is desirable to have spare pumping equipment available when a pumping unit fails. Spare pumping equipment is stored at the District's Palm Avenue warehouse.

The District has standardized on submersible pumping equipment manufactured by Byron Jackson for motors in the 2300-volt class. The District's distributor for Byron Jackson is Pump Repair Service Co. This firm has submitted a price proposal to furnish a 2300-volt submersible pumping unit for \$82,086.15. The submersible pumping unit includes a pump and motor assembly and an electrical cable. Staff has reviewed this cost and found it to be appropriate for the cost for a new submersible pumping unit in the 2300-volt class.

Because the price submitted by Pump Repair exceeds the amount of funds available for Year 1 of the biannual budget for wellfield replacement equipment, Board approval is needed to authorize the transfer of \$15,000 from Year 2 to Year 1 to cover the cost for this capital budget item.

A motion was made by Director Lampert, seconded by Director Huang to: 1) authorized the transfer of \$15,000 from Year 2 to Year 1 of the 07/09 biannual budget for capital project item 01D04, Mowry and PT Wellfield Replacement Well Equipment; and 2) authorize a purchase order to Pump Repair Service, Co., for one 2300-volt submersible pumping unit in the amount of \$82,086.15.

The motion was passed by the following vote:

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

5.7* AUTHORIZATION FOR CONTINUED PARTICIPATION IN THE BAY AREA WATER AGENCY WATER-EFFICIENT CLOTHES WASHER PROGRAM

ACWD is currently participating in the Bay Area Water Agency Water-efficient Clothes Washer Rebate Program ("Program") that is supported, in part, by a grant through the state Department of Water Resources (DWR). The intent of the Program is to encourage customers to purchase high efficiency clothes washers, as well as encourage manufacturers to develop and market these washers, by providing rebates for water-efficient clothes washers purchased throughout the Bay Area.

DWR grant funds for this Program will be depleted some time in late July or early August. Another regional water agency grant application, a collaborative effort of several Bay Area water agencies, including ACWD, was submitted to DWR for continuation of the program but those funds, if awarded, will not be available until January 2008. Staff proposes to continue the current Program

until those additional DWR grant funds become available.

Electric Gas Industries Association (EGIA) has served as the administrator of this Program. An agreement between ACWD and EGIA is already in place for the current Program and can be extended through December 31, 2007.

Under the proposed extension of the Program, ACWD will continue to provide rebates for only the most water efficient clothes washers as defined in the Consortium for Energy Efficiency's tier 3, which save approximately 7,250 gallons per year, as compared with traditional washers. Tier 3 washers will be eligible for a \$100 rebate. The cost to continue this Program through December 31, 2007 is estimated at \$78,500. This includes \$70,000 for rebates and \$8,500 for EGIA program administration fees. Sufficient funds are contained in the FY 07/08 budget to cover the cost of this program.

A motion was made by Director Lampert, seconded by Director Huang to: 1) approve ACWD's continued participation in the Bay Area Water Agency Water Efficient Clothes Washer Rebate Program through December 31, 2007, with a total six-month ACWD cost not to exceed \$78,500; 2) authorize an extension of the agreement with EGIA for program administration; and 3) authorize a Purchase Order to Electric & Gas Industries Association in an amount not to exceed \$78,500 for rebates and related fees for the Program.

The motion was passed by the following vote:

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

5.8* RESOLUTION AMENDING PROCUREMENT POLICY NO. 1

The Board of Directors has previously adopted Procurement Policy No.1 -Procurement of Materials, Supplies, Equipment, Routine Services, Professional Services and Construction Projects. This policy governs the District's procurement activities.

Procurement Policy No. 1 was last reviewed and amended by the Board on February 9, 2006. As a result of discussion during the April 10, 2007, Board Meeting, staff is recommending modifications to the procurement policy which would require Board action to reject all bids for Materials, Supplies, Equipment, Routine Services, and Construction Projects if such procurements would have required Board approval after bids or proposals were received by the District.

The proposed amendments to the procurement policy were reviewed with legal counsel and the Engineering and Capital Projects Committee, who concurred that the proposed revisions are reasonable. The updated Procurement Policy incorporating the proposed revisions is attached to the Board resolution as Exhibit A.

A motion was made by Director Lampert, seconded by Director Huang to adopt a resolution amending Procurement Policy No. 1 as proposed.

RESOLUTION NO. 07-033

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
AMENDING PROCUREMENT POLICY NO. 1

The motion was passed by the following vote:

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

5.9* AUTHORIZATION OF A RESERVE APPROPRIATION FOR PURCHASE OF
ADDITIONAL SFPUC WATER IN FY 06/07

In response to the threatened and actual shutdown of the State Water Project Harvey O. Banks Pumping Plant (Banks), during May and June of 2007, the District increased water deliveries from the San Francisco Public Utilities Commission (SFPUC) to maximize the use of the SFPUC supply. This action was taken to: 1) meet demands during the Banks shutdown; and 2) minimize use of groundwater prior to the threatened shutdown to reserve it for later in the year in the event of prolonged dry conditions. Additional SFPUC water was available since the FY 06/07 budget included plans for use of less than the District's annual contractual amount available.

The FY 06/07 budget included \$7,571,824 for SFPUC water purchases. As a result of using additional SFPUC water for the purposes described above, the District purchased nearly all of the contractual amount available (15,400 AF), at an additional cost of approximately \$940,000. A reserve appropriation is needed to cover these costs. Because this is a one-time adjustment, and as a result of savings realized in other areas of the FY 06/07 budget, this appropriation will not have a significant net impact on 2008 rates.

A motion was made by Director Lampert, seconded by Director Huang to authorize a reserve appropriation of up to \$940,000 for additional FY 06/07 SFPUC water costs that were incurred in preparation for and during the Banks shutdown.

The motion was passed by the following vote:

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

5.10 AUTHORIZATION OF FINAL DESIGN SERVICES FOR NEWARK DESALINATION
FACILITY PHASE 2 EXPANSION PROJECT

Project Engineer Greg Watson gave a presentation to the Board regarding the Newark Desalination Facility Phase 2 Expansion Project. The Board previously authorized a purchase order to Camp, Dresser and McKee, Inc. (CDM) to perform preliminary design services for the Newark Desalination Facility Phase 2 Expansion Project, in an amount not to exceed \$739,132. CDM satisfactorily completed the preliminary design work in June 2007.

Final design services are now needed to prepare construction bid documents for the project. CDM's

proposal for Phase 2 final design includes: 1) preparation of construction bid documents and a detailed construction cost estimate; 2) regulatory permit assistance; and 3) bidding and award support services. Work will be performed on a time and expense basis and is estimated to cost \$946,251, which includes 5% for contingencies.

Construction will include the installation of two additional reverse osmosis (RO) skids, one cartridge filter, one decarbonator, two RO feed water pumps, four blended product water pumps, miscellaneous electrical and mechanical work, and programmable logic control modifications.

The preliminary construction estimate is \$9,800,000 and construction is scheduled to begin in spring/summer 2008.

Staff has reviewed the proposal and cost estimate and has found them to be appropriate for the level of effort required. There is adequate funding in the budget for this expenditure.

Discussion ensued and staff responded to questions from the Board.

A motion was made by Director Huang, seconded by Director Koller to: 1) authorize a purchase order to Camp, Dresser and McKee, Inc. for final design services in an amount not to exceed \$946,251 for the Newark Desalination Facility Phase 2 Expansion Project; and 2) authorize the General Manager to execute a professional services agreement for the work, Job 6283.

The motion was passed by the following vote:

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

Mr. Watson gave a second presentation to the Board titled “Current Photovoltaic (Solar Power) Economic and Regulatory Landscape”. He outlined the current incentives available which could lead to a more favorable economic return on a Photovoltaic (PV) installation; how a PV system could offset Green House Gas emissions that would have otherwise been generated by a typical fossil fuel plant; the feasibility of a PV installation at the Newark Desalination Facility (NDF) to be constructed either during the plant expansion or later; and identified the recommended next steps.

Mr. Watson advised that potentially 2% of the NDF energy use could be offset with a PV project at the facility. However, due to the rapidly evolving regulatory and economic landscape, as well as the significant installation expense and extended pay-back period, staff recommended that a PV project not be pursued at this time. However, staff plans to report back in approximately one year to update the Board. If substantial new developments arise in the interim, staff will review the information with a Board committee.

Director Huang requested that staff keep the Board informed about legislation regarding photovoltaic power and its impact to the District. Further discussion ensued and staff responded to questions by the Board.

5.11 RECEIVE TRI-ANNUAL REPORT ON PUBLIC HEALTH GOALS AND PROVIDE OPPORTUNITY FOR PUBLIC COMMENT

Water Quality Manager Douglas Chun presented to the Board a report entitled “Alameda County Water District Report on Water Quality Relative to Public Health Goals 2004-2007” which has been prepared by staff to inform consumers of constituents in their drinking water that exceeded a Public Health Goal (PHG) or a Maximum Contaminant Level Goal (MCLG) during the calendar years of 2004, 2005, 2006. The report is intended to provide the public with water quality information beyond the annual water quality report and help consumers understand the cost of achieving higher water quality over and above regulatory requirements.

PHGs are established by Cal-EPA’s Office of Environmental Health Hazard Assessment (OEHHA) and are based solely on public health risk considerations. OEHHA establishes PHGs at levels that pose little or no threat to human health. In determining PHGs, OEHHA does not consider any of the practical risk-management factors that are considered by the USEPA or the California Department of Health Services (CDHS) in setting drinking water Maximum Contaminant Levels (MCLs), such as analytical detection capability, treatment technology availability, benefits and costs. The PHGs are not enforceable and public water systems are not required to comply with them. MCLGs are the federal equivalent of PHGs.

A report has been prepared for this reporting period, because lead and copper at-the-tap exceeded an established PHG during the 2006 monitoring event.

In 2003 ACWD was permitted by CDHS to reduce the frequency of lead and copper tap water monitoring from annually to once every 3 years after the 90th percentile levels from 3 consecutive years were below the Action Levels of 15 micrograms per liter ($\mu\text{g/L}$) for lead and 1.3 milligrams per liter (mg/L) for copper. Furthermore, 3 consecutive, 6-month monitoring periods were within the set optimal water quality parameters for the specified periods. Therefore, lead and copper tap water monitoring was not required for 2004 and 2005.

In 2004, 2005, and 2006, lead and copper levels measured after treatment and at dedicated sampling stations in the distribution system were non-detectable. However, compliance monitoring for lead and copper is “at-the-tap” of customer homes and businesses. The 90th percentile values for lead and copper samples collected “at-the-tap” in 2006 were above the PHGs of $2\mu\text{g/L}$ for lead and 0.17 mg/L for copper, but were below the Action Levels of $15\mu\text{g/L}$ for lead and 1.3 mg/L for copper. The 90th percentile value for lead during the reporting period was $9.8\mu\text{g/L}$. The 90th percentile value for copper during the reporting period was 1.03 mg/L .

Lead and copper are introduced to drinking water primarily through internal corrosion of household plumbing. ACWD maintains an effective corrosion control program to reduce the introduction of lead and copper at-the-tap. ACWD will continue monitoring lead and copper at-the-tap, and continue daily monitoring of the Corrosion Control Program to ensure that optimal levels of treatment are maintained.

The Board received the report and provided an opportunity for public comments on the draft “Alameda County Water District Report on Water Quality Relative to Public Health Goals 2004-2006.”

Director Lampert requested comment from the public and Board. Discussion ensued and staff responded to questions from the Board.

6 – REPORTS

6.1 BOARD COMMITTEE REPORTS

- Engineering & Capital Projects Meeting of June 12, 2007: (1) South Bay Salt Ponds Restoration Project Update; (2) City of Newark Areas 3 & 4 Specific Plan
- Legal & Legislative Meeting of June 18, 2007: (1) Review of State and Federal Legislation
- Operations & Water Quality Meeting of June 19, 2007: (1) Public Health Goals Report
- Water Resources Planning Meeting of June 20, 2007: (1) Water Conservation BMP 11 Update; (2) Delta Water Supply Update; (3) Alameda Creek Fisheries Update; (4) Patterson Ranch Development Update
- Administrative & Finance Meeting of June 26, 2007: (1) Deferred Compensation Program - RFP Update

6.2 OPERATIONAL REPORTS

- Quarterly Groundwater Recharge Report
- Rainfall Report
- Water Production Report
- Quarterly Directors' Expense Report
- Investment Report

6.3 STAFF REPORTS - None

6.4 GENERAL MANAGER'S REPORTS

- Mr. Piraino reported to the Board that the District was invited, through the State Water Contractors, to potentially participate in two events sponsored by Governor Schwarzenegger's office, one at San Luis Reservoir, the second at a location in the Delta. Their purpose is to emphasize the Governor's call for a comprehensive solution for Delta water supply and environmental issues. Director Weed has been designated to attend one of the events, should it be requested.

7 - DIRECTORS' COMMENTS AND/OR AGENDA ITEM REQUESTS

None

8 – CLOSED SESSION

President Lampert adjourned the meeting to a Closed Session at 8:03 P.M. for a conference on the following items:

8.1 Conference with Real Property Negotiator (Pursuant to government Code Section 54956.8)

- APN 507-676-4: Deer Road, Fremont
Agency Negotiator: Robert Shaver
Negotiating Parties: ACWD and Greenbriar Homes, Inc.
Under Negotiation: Price and terms of sale

8.2 Public Employee Performance Evaluation pursuant to Government Code Section 54957

- Position: General Manager

8.3 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

- Agency Designated Representative: Directors Lampert and Weed
Employee Group: General Manager

President Lampert reconvened the meeting at 9:47 P.M. President Lampert reported that, with respect to item 8.1, the Board had received a report from and gave direction to the Agency Negotiator.

Director Lampert stated that the Board had conducted the General Manager's performance review under Item 8.2, and subsequently discussed terms and conditions of employment under Item 8.3.

9 – POSSIBLE ACTION TO AMEND THE GENERAL MANAGER'S EMPLOYMENT AGREEMENT

A motion was made by Director Lampert, seconded by Director Koller to authorize an amendment to Section 5(a) of the General Manager's Employment Agreement to provide for a salary range adjustment to Step 5 of Range 328 effective July 16, 2007.

The motion was passed by the following vote:

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

Minutes – July 12, 2007

There being no further business to come before the Board, President Lampert adjourned the meeting at 9:49 P.M.

Andrew Joseph, Assistant District Secretary

Attest:

Arthur Lampert, President