

# ***ALAMEDA COUNTY WATER DISTRICT MEMORANDUM***

DATE: November 1, 2007  
TO: Board of Directors  
FROM: Paul Piraino  
SUBJECT: STAFF REPORT, ACTION CALENDAR ITEMS FOR November 8, 2007

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6.1\* AUTHORIZATION FOR PARTICIPATION IN THE 2008 HIGH EFFICIENCY CLOTHES WASHER REBATE INITIATIVE AND OF A PURCHASE ORDER TO PACIFIC GAS AND ELECTRIC COMPANY FOR ADMINISTRATION OF THE PROGRAM

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BACKGROUND: On behalf of eleven Northern California water agencies, Solano County Water Agency (SCWA), submitted and received a Department of Water Resources (DWR) grant to continue the Bay Area High Efficiency Clothes Washers Rebate Program (Program). Pacific Gas and Electric Company (PG&E) will be partnering with the Bay Area water agencies by offering an additional rebate and acting as the Program administrator. Zone 7 Water Agency will serve as the lead agency and fiscal agent for the grant funds.

DISCUSSION: The Program is scheduled to start on January 1, 2008 and will end on December 31, 2008, or when funds are exhausted, whichever occurs first. An agreement between ACWD and PG&E will be required for program administration. A separate agreement between ACWD and Zone 7 will be required for grant administration.

During the 2008 Program, rebates will be provided for Consortium for Energy Efficiency Tier 2 and Tier 3 Clothes Washers. Tier 2 washers will be eligible for a \$125 rebate (\$35 from PG&E, \$40 from ACWD and \$50 from DWR grant). Tier 3 washers will be eligible for a \$200 rebate (\$75 from PG&E, \$75 from ACWD, and \$50 from DWR grant). Based on an estimated 1800 rebates in the ACWD service area, the total DWR grant funding for ACWD will be \$90,000. The total estimated cost for ACWD's share of the rebates is \$103,500. ACWD will also be responsible for PG&E program administration fees (i.e. a monthly program administration fee, rebate processing and mailing fees, and printing/marketing expenses). These administration fees are estimated at \$11,720 for a total ACWD program cost of \$115,220. Sufficient funds are contained in the FY 07/08 budget to cover the cost of this program.

RECOMMENDATION: By motion, 1) approve ACWD's participation in the 2008 High Efficiency Clothes Washer Rebate Program with a total one-year ACWD cost not to exceed \$115,220, 2) authorize the General Manager to enter into a Memorandum of Understanding with Zone 7 for grant administration, 3) authorize the General Manager to enter into an agreement with PG&E for program administration, and 4) authorize a Purchase Order to PG&E in an amount not to exceed \$115,220 for ACWD's portion of the rebate and related fees for the Program.

6.2\* AUTHORIZATION FOR ENGINEERING SURVEY AND REPORT ON GROUNDWATER CONDITIONS IN CONJUNCTION WITH REPLENISHMENT ASSESSMENT

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BACKGROUND: The Replenishment Assessment Act requires the Board to order an Engineering Survey and Report on Groundwater Conditions no later than the second Tuesday in February if it wishes to establish a replenishment assessment for the coming fiscal year. This report must be presented to the Board for consideration by the second Tuesday in March.

DISCUSSION: District staff typically begins collecting information and preparing data for the report during the month of November so the report can be completed by the March deadline date.

RECOMMENDATION: By motion, order an Engineering Survey and Report on Groundwater Conditions.

6.3\* AUTHORIZATION OF CHANGE ORDER NO. 2 AND RESOLUTION ACCEPTING COMPLETION OF THE CENTERVILLE 24-INCH PIPELINE RELOCATION PROJECT

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BACKGROUND: On March 8, 2007, the construction contract for the Centerville 24-Inch Pipeline project was awarded to Mountain Cascade, Inc. for \$1,234,567. The project originally included the relocation of approximately 2,017 linear feet of the Centerville 24-Inch Pipeline between Paseo Padre Parkway and Union Street. Change Order No. 1 in the amount of \$45,467 was previously authorized by the Board. The project was completed on October 15, 2007, 115 calendar days earlier than the contract completion date of February 2, 2008.

DISCUSSION: Change Order No. 2 has been prepared and includes additional work associated with unforeseen conflicts between the new pipeline and existing utilities (\$5,658.80). Staff has evaluated the request and has determined the cost to be fair and reasonable for the work performed.

The original project scope required the removal of approximately 2,017 lineal feet of existing 24-inch steel pipe from service, including filling 1,842 lineal feet of pipe with grout. Because of the uncertainty associated with coordinating with the City's contractor, it was initially planned that District field crews would perform the work. However, a large number of simultaneous customer job requests, as well as other agency-related valve and meter relocation work, resulted in insufficient available District field crews to perform the work without negatively impacting the overall grade separations project. Therefore, District staff requested Mountain Cascade to perform the work for \$77,074.21, based on a negotiated price.

The total amount of Change Order No. 2 is \$82,733.01. The total project cost, including all change orders and quantity adjustments for unit price items, is \$1,359,047.01. This project is included in the Settlement and Utility Cost Sharing Agreement between the District, the City of Fremont, and BART. The District's share of the construction cost is \$606,146.45. There is adequate funding in the current budget for this expenditure.

**RECOMMENDATION:** By motion, 1) approve Change Order No. 2 for \$82,733.01, and 2) adopt a resolution accepting the completion of the contract for the Centerville 24-Inch Pipeline project, Job 6327.

6.4\* **AUTHORIZATION OF CHANGE ORDER NO. 1 AND RESOLUTION ACCEPTING COMPLETION OF THE ROBERTS AVENUE AND WASHINGTON BOULEVARD GRADE SEPARATION MAIN REPLACEMENTS**

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**BACKGROUND:** On March 8, 2007, the construction contract for the Roberts Avenue and Washington Boulevard Grade Separation Main Replacements was awarded to MJB Pipeline, Inc. (MJB) in an amount of \$384,128. The project originally consisted of approximately 210 linear feet of 12-inch steel pipe along Washington Boulevard, approximately 327 linear feet of 8-inch PVC pipe along Roberts Avenue, miscellaneous pipe abandonment work, replacement of service lines, and installation of fire hydrants.

**DISCUSSION:** Change Order No. 1 has been prepared and includes the following additional work items requested by or agreed to by the District: 1) fabrication of steel offsets to clear underground electrical conduits on Roberts Avenue (\$5,232.04); 2) pavement repair work on Roberts Avenue resulting from a leak that occurred on a 6-inch steel main adjacent to the project site (\$2,218.98); 3) additional excavation work on Washington Boulevard to avoid conflicts with sanitary laterals (\$4,325.47); and 4) a credit for asphalt concrete pavement no longer required because it was within the limits of the City of Fremont's Grade Separation Project (-\$3,515.00). Staff has evaluated the above items and determined the costs to be fair and reasonable for the work performed.

The original project scope required the removal of approximately 700 feet of existing 12-inch pipe that was in conflict with the City of Fremont's Grade Separations Project. Because of the uncertainty associated with coordinating with the City's contractor, it was initially planned that District field crews would remove the pipe. However, a large number of simultaneous customer job requests, as well as other agency-related valve and meter relocation work, resulted in insufficient available District field crews to perform the work without negatively impacting the overall grade separations project. Therefore, District staff decided to require MJB to perform the pipe removal work on a force-account basis. The final cost of the pipe removal work was \$138,223.72, based on time, contractually-mandated costs, and expenses.

The total amount of Change Order No. 1 is \$146,485.21. The total project cost, including Change Order No.1 and quantity adjustments for unit price items, is \$534,813.21. Fourteen (14) additional calendar days were also required to complete the pipe removal work. There is adequate funding in the current budget for this expenditure.

**RECOMMENDATION:** By motion, 1) approve Change Order No. 1 in the amount of \$146,485.21; 2) grant a time extension of 14 calendar days; and 3) adopt a resolution accepting the completion of the Roberts Avenue and the Washington Boulevard Grade Separation Main Replacement Projects, Jobs 6306 and 6326.

6.5\* AUTHORIZATION OF CHANGE ORDER NO. 2 FOR ALAMEDA CREEK PIPELINE  
NO. 1 FISH SCREEN SITE CONSTRUCTION PROJECT

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BACKGROUND: On April 10, 2007, the construction contract for the Alameda Creek Pipeline No. 1 Fish Screen Project was awarded to Mitchell Engineering in the amount of \$1,694,000. Change Order No. 1 in the amount of \$18,560 was previously authorized by the Board. Construction is approximately 85% complete.

DISCUSSION: Change Order No. 2 in the amount of \$6,044.18 has been prepared to cover the cost to remove and dispose of approximately 120 cubic yards of concrete rubble that was uncovered while relocating the East Bay Regional Park District trail adjacent to the project site. There is adequate funding in the current budget for this expenditure.

RECOMMENDATION: By motion, approve Change Order No. 2 in the amount of \$6,044.18 to Mitchell Engineering for the Alameda Creek Pipeline No. 1 Fish Screen Site Construction Project, Job 6279.2.

6.6\* REJECTION OF BID FOR LINE SHAFT PUMPING EQUIPMENT FOR THE  
BELLFLOWER AND FARWELL AQUIFER RECLAMATION PROGRAM WELL SITE  
UPGRADES

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BACKGROUND: The Bellflower and Farwell aquifer reclamation program wells will be used to supply brackish water to the Newark Desalination Facility (NDF) as part of the Phase 2 Expansion Project. New pumping equipment is required to replace the existing pumps and motors that were originally designed to pump brackish groundwater to the adjacent flood control channels.

DISCUSSION: On September 21, 2007, bid documents for the procurement of two deep well turbine pumps and line shaft motors were sent to six equipment vendors. On October 16, 2007, only one bid was received from Durham Pump, in the amount of \$465,878. The engineer's estimate for the equipment was \$173,173.

Staff has contacted other pump vendors and carefully evaluated the factors that led to only one high bid being submitted. Staff's conclusion is that modifications to the specified column pipe coating and pump bowl materials, and extending the required delivery schedule from 24 weeks to 35 weeks, should result in a greater number of vendors submitting more responsive bids. These changes will not impact the pump's performance, nor will they impact the overall schedule of the NDF Phase 2 Project. Once the Board approves recommendation to reject the one bid submitted, staff will modify and rebid the bid documents.

RECOMMENDATION: By motion, reject the single bid submitted for Line Shaft Pumping Equipment for the Bellflower And Farwell Aquifer Reclamation Program Well Site Upgrades, Job 4305.

6.7 PRESENTATION OF ALAMEDA COUNTY WATER DISTRICT AUDIT FOR FY06/07

BACKGROUND: The Board of Directors, on March 10, 2005, authorized execution of a three-year agreement for financial audit services with the firm of Caporicci & Larson. This year's audit is the third year of the agreement.

DISCUSSION: Caporicci & Larson completed its audit of the District's financial records for the fiscal year ended June 30, 2007. This audit, which was conducted in accordance with generally accepted auditing standards, included a review of the accounting principles used by the District, as well as a review of various financial transactions and the District's system of internal controls. The auditors have completed their review and noted no areas of material weakness or deficiencies in internal controls or accounting procedures that needed to be reported. The following three documents have been submitted for the Board's review:

- Independent Auditor's Report

This letter states that based upon the auditors review, the District was, as of June 30, 2007, in compliance with the required financial agreements and covenants included in the 1998 and 2003 debt issues.

- Appropriations Limit Schedule and Independent Accountants' Report

This report indicates that no discrepancies were found in the process followed for calculating the annual Appropriations Limit.

- Comprehensive Annual Financial Report

This report provides information on the District's operating and financial activities for the fiscal year ended June 30, 2007. The Introductory Section provides an overview of the District and describes significant events and accomplishments for the last fiscal year. The Financial Section of the report includes an unqualified audit opinion which indicates that the financial statements fairly represent the financial position of the District and that the results of the District's operations are reported in conformity with generally accepted accounting principles. In addition, the Financial Section of the report provides an analysis of the District's financial performance during the previous two fiscal years and presents the District's audited financial statements, including a Statement of Net Assets (balance sheet), Statement of Activities and Changes in Net Assets (income statement) and a Comparative Statement of Cash Flows for the fiscal year ended June 30, 2007. Finally, the Statistical Section of the report provides key historical financial and demographic data.

The auditor reviewed the above reports with the Administrative & Finance Committee on October 23, 2007. The presentation booklet which the auditor reviewed with the Administrative & Finance Committee is also included.

RECOMMENDATION: By motion, accept the Audited Financial Statements and accompanying reports for the fiscal year ended June 30, 2007.

## 6.8 REVIEW OF PROPOSED RATES AND CHARGES FOR CALENDAR YEAR 2008 AND SETTING PUBLIC HEARING

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BACKGROUND: Annually, the District's revenue requirements are determined by updating the long range Financial Planning Model (FPM). The FPM looks at projected revenues and expenditures over the next twenty-five year period, which is based on the Integrated Resources Plan and Capital Improvement Program. Information from the FPM is primarily utilized to calculate the commodity rate and development charges necessary to operate the District. The District's various other rates and charges are also analyzed periodically and revised to recover the costs of providing the service for which the rate or charge is assessed. The District's rates and charges were last adjusted by the Board of Directors at the January 2007 Board meeting.

DISCUSSION: During the past several months, staff has completed a detailed review of projected revenues, operating expenses and capital expenditures over the next several years. That information has been incorporated into the FPM to determine necessary water rate adjustments. The proposed adjustments to the District's various water rates and charges are described below.

### COMMODITY RATE

It is proposed that the base commodity rate for customers within the District's service area be increased by 4.5 % effective February 1, 2008 to help recover the cost of increased operating expenses as well as to help fund capital projects needed to comply with state and federal drinking water regulations and to maintain the reliability of the water system. Among other factors, the District has been able to realize additional revenues via grants and outside agency reimbursements. Staff also proposes a 4.5% increase for those customers who are outside the District's boundaries as well as those few customers who use San Francisco Water exclusively.

For the ten-year period from 1999 through 2008, inclusive of the above-proposed increase, the commodity charge will have increased at an average annual rate of 5.1%. The proposed base commodity rates are summarized below.

	<u>Current</u>	<u>Proposed Eff. 2/1/08</u>
Base Commodity Charge (per HCF):		
Inside District	\$ 2.285	\$ 2.388
Outside District	2.627	\$ 2.745
San Francisco Water Service	2.292	\$ 2.395

As with last year, the reason for the proposed February 1, 2008 effective date is to allow for adequate time to comply with Proposition 218 notification requirements (discussed below).

### BIMONTHLY SERVICE CHARGE

The bimonthly service charge is set to recover certain fixed costs, including meter reading and customer service, meter and service line maintenance and replacement, and partial annual debt

service on bonds issued to finance Water Treatment Plant No. 2 capital costs. It is proposed that the bi-monthly service charges not be revised for 2008.

#### COST COMPARISON - AVERAGE WATER BILL

The net effect of the proposed increase to the base commodity rate, and leaving the service charge unchanged, would increase the total bi-monthly water bill (commodity and service charge) for an average residential customer who uses 25 units of water (approximately 308 gallons per day) by 3.8% or \$2.57 from \$67.21 to \$69.78, which would mean a \$1.29 increase per month, or a little over 4 cents a day. This would place the District's average residential water bill in the lower third of the 30 other Bay Area agencies surveyed. However, note that this is comparing the District's proposed rates for next year with the current rates of all the other surveyed agencies.

#### PROPOSITION 218 NOTIFICATION

It is proposed that a notification mailing of the proposed rate increase be mailed to all property owners in the District. The mailing mentions both the current and proposed commodity rates, the effect on an average residential customer's bill, and reasons for the increase. Staff is requesting authorization from the Board to send out the mailings to give property owners 45 days notice before the January 10, 2008 proposed public hearing, which is the amount of notice required by Proposition 218. A separate mailing is also proposed to be sent to those approximately 200 property owners who are either outside the District boundaries or exclusive users of San Francisco water. Note that recent legislation in the form of AB 1260, has made it permissible, after January 1, 2008, to include these rate change notifications in normal customer bills, and to mail out to normal water bill customer addresses, rather than only property owners. Staff will review these new developments during next year's rate proceedings.

#### DEVELOPMENT RELATED FEES AND CHARGES

The facilities acreage and connections charges are collected from developers and deposited into the Facilities Improvement Fund to pay for the growth related portion of new capital facilities. The Facilities Connection Charge (FCC), Facilities Acreage Charge (FAC), Standard Acreage Charge, and Front Foot Charges are typically set one year in advance to enable developers to budget fee changes well in advance of the effective date. Charges effective January 1, 2008 were previously adopted by the Board on January 11, 2007. This included no increase to the FAC and FCC. Again, this year staff is not proposing any change to the FCC or FAC for the calendar year beginning January 1, 2009.

However, staff is proposing a new type of FCC this year in anticipation of a number of new developments coming up next year involving dormitory type living arrangements where water usage per dwelling unit is typically less than the average residential multi-dwelling unit. This new FCC will be set at 75% of the normal residential multi-dwelling unit charge to reflect this difference.

Residential Dormitory Meter Facilities Connection Charges.

<u>Amount Per Unit</u> <u>Eff. 1-1-2008</u>	<u>Amount Per Unit</u> <u>Eff. 1-1-2009</u>
\$ 3,329	\$ 3,329

Only for those developments that meet the following criteria:

- a) Three (3) or more residential units;
- b) One bedroom or studio, single occupancy units;
- c) One bathroom maximum;
- d) Individual unit area less than or equal to 540 square-feet;
- e) Common kitchen facilities and only limited kitchen facilities in each unit;
- f) Zoning Equivalency factor of least 1.7 assigned by City or land use planning authority;
- g) Limited landscaping as determined by the District.

OTHER FEES AND CHARGES

Staff has reviewed the relevant cost data for other fees and charges for the last fiscal year, as well as various operational and process issues. Based on these items, additional revisions to the Rate and Fee Schedule are proposed. Changes shown below are proposed to become effective February 1, 2008.

Account Establishment Field Charge: It is proposed that the charge be increased from \$31 to \$32.

After-Hours Connection Charge: It is proposed that the charge be increased from \$185 to \$190.

Annexation Charge: It is proposed that the charge be increased from \$1,680 per acre of land to \$1,770 per acre.

Backflow Prevention Device Testing Fee: It is proposed that the charge be increased from \$51 to \$54 for any size device.

Customer Side Service Line Reconnection Charges: The District may, as a means of minimizing impacts and service outages to its customers, perform such work as is required to reconnect customer service lines and water service appurtenances, when such reconnections are needed as a result of water facility relocations associated with other agency improvement projects within the public right of way. When customer side service line reconnections are due to projects sponsored by a public agency or municipality, the District may apply to the agency or municipality the following flat rate unit charges for the reconnection work:

- (1) Reconnection of Residential and Non-Residential Meter through 1-1/2 Inches ..... \$400
- (2) Reconnection of Residential Fire System (charge is in addition to meter reconnection charge)..... \$100
- (3) Relocation and Reconnection of Backflow Prevention Device through 1-1/2 Inches (charge is in addition to meter reconnection charge)..... \$200

Engineering Fees Minimum: It is proposed that the minimum amount for this fee be increased from \$6,600 to \$6,800.

Fire Hydrant Meter Deposit: It is proposed that the charge be increased from \$1,400 to \$1,440.

Meter Installation Charge – 3/4”: It is proposed that the charge be increased from \$90 to \$100.

Meter Re-Installation Charge: It is proposed that the charge be increased from \$50 to \$68.

Reconnection Charge: It is proposed that the charge be increased from \$31 to \$32.

Returned Check Charge: It is proposed that the charge be increased from \$25 to \$28.

RECOMMENDATION: By motion, 1) set January 10, 2008, at 6:00 p.m. as the date and time for a public hearing for consideration and adoption of revisions to District’s rates and charges; and 2) authorize staff to mail notifications of the proposed commodity charge revisions and public hearing details to all property owners in the District.

Attachments

cc: Executive Staff