

March 13, 2008  
Fremont, California

The regular monthly meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on March 13, 2008 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, Lampert and Weed

Staff members present: General Manager Paul Piraino, Engineering Manager Bob Shaver, Finance and Administration Manager Will Ligh, Operations Manager Walt Wadlow, Water Resources Planning Manager Eric Cartwright, Human Resources Manager Altarine Vernon, Groundwater Resources Engineer Mike Halliwell, Attorney Ray McDevitt and District Secretary Gina Markou.

President John Weed presided.

Director Gunther led in the Salute to the Flag.

### 3 – PUBLIC COMMENTS

- Ms. Wynn Grcich, a resident of Union City addressed the Board concerning the recent Associated Press report on pharmaceuticals in water supplies and wanted to know if the District was setting up a pharmaceutical drop off. Director Weed informed Ms. Grcich that the District does not use recycled water as a water supply. Mr. Piraino agreed that a pharmaceutical drop off could be an appropriate action and that the Federal Government should take the lead in developing a national program to provide consumers an easy way to dispose of unused prescriptions and to revise federal guidelines that currently encourage, in some cases, consumers to flush unused prescriptions down the sewer system. He advised that consumers in the ACWD service area can in fact avail themselves of household hazardous waste programs for disposal of non-narcotic drugs. Mr. Piraino also advised that EXP Pharmaceuticals in Union City accepts disposal of narcotic prescriptions. Ms. Grcich asked several other questions and Director Weed requested that Ms. Grcich submit her questions in writing to ensure staff fully responds to her concerns.
- Jim Firth, Worksite Organizer with Service Employees International Union, Local 1021, addressed the Board. Mr. Firth gave a brief statement reiterating concerns previously expressed by the Union. He then asked Dave Albrecht, the District's Union President to address the Board. Mr. Albrecht emphasized the need for cooperation from both sides of the negotiating team. Utility Worker Gary Erb, Electrician Tim Gruchow, Customer Account Representative Andrea Mills, Retiree Dave Bergerson, Utility Workers Mark Simonetti, Jason Warren and David Ybarra addressed the Board regarding their concerns with the District's initial proposals. Gary Jimenez, a resident and Chapter President of Fremont Unified School District also addressed the Board. Mr. Piraino responded to the concerns expressed.

4 – CONSENT CALENDAR

A motion was made by Director Lampert to add Items 5.1 and 5.2 to the Consent Calendar, seconded by Director Koller.

The motion was passed by the following vote:

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

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

- 4.1 Approval of Minutes – Regular meeting of February 14, 2008 and Special Meeting of February 21, 2008
- 4.2 Ratification of Payment of Audited Demands dated February 15, February 22, February 29, and March 7, 2008
- 4.3 Authorization for Additional Funds for the Water Efficient Clothes Washer Rebate Program
- 5.1 Authorization of Purchase Order for Purchase of a Dump Truck
- 5.2 Authorization of Purchase Order for Bellflower and Farwell ARP Well Outdoor Motor Control and Utility Metering Switchgear

The motion was passed by the following vote:

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

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

5.1\* AUTHORIZATION OF PURCHASE ORDER FOR PURCHASE OF A DUMP TRUCK

The Board of Directors approved funding in the current budget for the purchase of a ten-wheel dump truck.

Requests for quotations were sent to four (4) Freightliner dealers. Two dealers responded. The successful bidder was Golden Gate Truck Center of Oakland in an amount of \$131,185.23. There is sufficient funding in the budget for this purchase.

A motion was made by Director Lampert, seconded by Director Gunther, authorizing a purchase order to Golden Gate Truck Center in an amount of \$131,185.23 for the purchase of a dump truck.

The motion was passed by the following vote:

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

5.2\* AUTHORIZATION OF PURCHASE ORDER FOR BELLFLOWER AND FARWELL  
ARP WELL OUTDOOR MOTOR CONTROL AND UTILITY METERING  
SWITCHGEAR

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The Bellflower and Farwell Aquifer Reclamation Program (ARP) wells will be used to supply brackish water to the Newark Desalination Facility (NDF) as part of the NDF Expansion Project. Because of the long lead time associated with switchgear equipment procurement, the District will be furnishing the electrical switchgear to the construction contractor to minimize the length of the construction schedule.

Two bids were received and opened on February 6, 2008. Both bids were checked arithmetically and for compliance with the bidding requirements. The low bidder proposed an alternate to the protective coating specified and made errors in totaling its bid, which did not change the ranking of the bidders. Staff reviewed the proposed alternative coating and determined that it met the intent of the specifications. The corrected totals for comparisons of proposals were \$354,927 and \$493,712. The engineer's estimate for the electrical switchgear equipment was \$420,000.

RSE-Sierra Switchgear and Transformer Service, Inc., of Anaheim, CA submitted the lowest bid, with a bid total of \$354,927. This firm has provided similar switchgear equipment to the District in the past and the equipment has performed well. References were checked and RSE-Sierra's recent performance for others had also been satisfactory. Adequate funding is available in the project budget for this expenditure.

A motion was made by Director Lampert, seconded by Director Gunther, authorizing a purchase order to RSE-Sierra Switchgear and Transformer Service, Inc. in an amount not to exceed \$354,927 for the Bellflower and Farwell ARP Well Outdoor Motor Control and Utility Metering Switchgear, Job 4305.1.

The motion was passed by the following vote:

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

5.3 RESOLUTION ADOPTING THE MARCH 2008 WATER SUPPLY ASSESSMENT  
FOR THE PATTERSON RANCH DEVELOPMENT PROJECT

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Upon recommendation from staff, in response to a request for a 30-day extension of time by the project proponent and by the City of Fremont, a motion was made by Director Lampert, seconded by Director Koller, to continue this item to the next Board Meeting being held on April 8, 2008.

The motion was passed by the following vote:

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

**5.4 RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE NEWARK DESALINATION FACILITY EXPANSION PROJECT**

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Mr. Shaver reported that on March 9, 2006, the Board authorized a purchase order to Camp, Dresser and McKee, Inc. (CDM) to perform preliminary design services for the Newark Desalination Facility Expansion Project, in an amount not to exceed \$739,132.

CDM, through its environmental sub consultant, Environmental Science Associates (ESA), prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Newark Desalination Facility Expansion Project which, in addition to the actual facility expansion, also includes the related Aquifer Reclamation Program well upgrades, site improvements, and pipeline projects that are required.

In accordance with CEQA, a legal notice was published in The Argus newspaper and copies of the Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) and the IS/MND documents were forwarded to the State Clearinghouse. Copies of the NOI were also mailed to owners and residents of properties adjacent to the project site and along the pipeline routes and the IS/MND was posted on the District's website. The required 30-day public comment period was from January 9, 2008, through February 8, 2008.

Written comments were received from only the City of Fremont and the California Department of Transportation. Staff has concluded that no new significant environmental impacts have been identified as a result of the public review process and that the project will not have a significant effect on the environment. Mitigation measures to be implemented include dust abatement, water quality control, erosion control, noise abatement, traffic mitigation measures, and site restoration. The IS/MND, which includes a Mitigation and Monitoring Plan, is incorporated as an attachment to the resolution proposed for adoption.

A motion was made by Director Lampert, seconded by Director Huang, to adopt a resolution which: 1) adopts the Mitigated Negative Declaration for the Newark Desalination Facility Expansion Project which includes the related Aquifer Reclamation Program well upgrades, site improvements, and pipeline projects that are required to serve the expanded facility, 2) adopts the Mitigation and Monitoring Plan, and 3) approves the Newark Desalination Facility Expansion Project (Jobs 6283, 6284, and 4305).

RESOLUTION NO. 08-011

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION FOR AND APPROVING THE NEWARK DESALINATION FACILITY EXPANSION PROJECT (REFERENCED PROJECTS 06D15/P-H02.03, 06D40/M-M16.02, 06G03/G-A50.01 WITHIN THE DISTRICT'S CAPITAL IMPROVEMENT PROGRAM) AND DIRECTING THE FILING OF A NOTICE OF DETERMINATION

The motion was passed by the following vote:

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

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6 – REPORTS

6.1 BOARD COMMITTEE REPORTS

- Operations & Water Quality Meeting of February 6, 2008: (1) ACWD Main Flushing and Blowoff Flushing Program
- Engineering & Capital Projects Meeting of February 12, 2008: (1) Review Proposed Masonic Homes Development; (2) Alameda Creek Fisheries Projects Update; (3) Fremont Merged Redevelopment Project Area Plan Amendment
- Legal & Legislative Meeting of February 13, 2008: (1) 2008 Aggregate Mining General Permit Update; (2) Proposed Water Conservation Legislation
- Water Resources Planning Meeting of February 20, 2008: (1) Review of Draft State Water Project Reliability Report 2007; (2) Review of the Water Supply Assessment for the Patterson Ranch Development Project
- Administrative & Finance Meeting of February 26: (1) Customer Service Collection Procedures

6.2 OPERATIONAL REPORTS

- Rainfall Report
- Water Production Report
- Investment Report
- Quarterly Budget & Expense Report

6.3 STAFF REPORTS

6.3.1. Review of 2008 Survey Report on Groundwater Conditions

- Groundwater Resources Engineer Mike Halliwell reviewed the findings for the Survey Report on Groundwater Conditions, which recommends an

assessment on the production of groundwater from the groundwater supplies within the District during the FY 08/09. A public hearing will be held on April 8, 2008, regarding the Replenishment Assessment. Discussion ensued and staff responded to questions from the Board.

6.4 GENERAL MANAGER'S REPORTS

- Mr. Piraino reminded the Board of the Special Meeting to be held on March 20, 2008, at 4:00 P.M. where the Board will be updated on the District's Distribution System Seismic Improvement Program.
- Mr. Piraino provided the Board with a brief report on recent articles on trace amounts of pharmaceuticals that have been detected in some drinking water sources.
- Director Lampert suggested that the disposal of pharmaceuticals should be set up on a local level with the cooperation of Union Sanitary District and the cities of Fremont, Newark and Union City.

7 – DIRECTOR'S COMMENTS AND/OR AGENDA ITEM REQUESTS

- Director Weed gave a brief report on the Association of California Water Agencies (ACWA) Washington D.C. Legislative conference he attended on February 26, 2008.
- Director Weed reminded the Board of the upcoming ACWA Region 5 Meeting in San Francisco on April 6 – 7, 2008. He also advised the Board that at the ACWA Conference in May there will be a session concerning groundwater issues.

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There being no further business to come before the Board, President Weed adjourned the meeting at 8:10 P.M.

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Gina Markou, District Secretary

Attest:

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John H. Weed, President