

March 12, 2020
Fremont, California

The regular monthly meeting of the Board of Directors of ALAMEDA COUNTY WATER DISTRICT was held on March 12, 2020, at the hour of 6:03 P.M. in the Board Room of the District Office Building, 43885 South Grimmer Boulevard, Fremont, California.

Present: Directors Akbari, Gunther, Sethy, and Huang
Absent: Director Weed

Staff members present: General Manager Robert Shaver, Manager of Operations & Maintenance Kurt Arends, Manager of Finance Jonathan Wunderlich, Acting Manager of Water Resources Thomas Niesar, Manager of Engineering & Technology Services Ed Stevenson, Water Production Manager, Mike Wickham, Water Supply Supervisor Leonard Ash, Groundwater Resources Manager Michelle Myers, Public Affairs Supervisor Sharene Gonzales, Water Resources Engineer Mike Halliwell, General Counsel Patrick Miyaki, and District Secretary Gina Markou.

President Judy Huang presided.

Director Sethy led in the Salute to the Flag.

3 – PUBLIC COMMENTS – None

4 – CONSENT CALENDAR

A motion was made by Director Akbari to add Items 5.1 through 5.2 to the Consent Calendar, seconded by Director Gunther.

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

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

- 4.1 Approval of Minutes of Regular Board Meeting of February 13, 2020
- 4.2 Ratification of Payment of Audited Demands dated February 7, February 14, February 21, and February 28, 2020
- 4.3 Authorization for Directors to Attend the WaterNow Alliance Annual Summit: Tap into Resilience in Philadelphia, Pennsylvania
- 5.1 Authorization to Enter into a Professional Services Agreement for the JD Edwards Version 9.2 Upgrade
- 5.2 Authorization of Purchase Order for Valve Insertion Equipment and Training

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

5 – ACTION CALENDAR

5.1* PROFESSIONAL SERVICES AGREEMENT FOR THE JD EDWARDS VERSION 9.2 UPGRADE

The District's financial software JD Edwards (JDE), an Oracle product, was updated to version 9.1 in 2014. Currently, the District has a support and maintenance agreement with Oracle for JDE 9.1 which the District plans to renew in May 2020. However, Oracle has announced it will stop publishing tax and regulatory updates as of March 2020 for clients that are on versions 9.1 and lower. As a result, the District has a need to upgrade to JDE 9.2, which is the latest version.

Consultant services from an Oracle business partner are required to ensure a smooth upgrade process and staff recommends a single source contract with the consultant that assisted with the JDE 9.1 upgrade, Grant Thornton LLP, due to their expertise with JDE and the District. Because Grant Thornton LLP has extensive knowledge of the District's system and business processes, this meets the requirements for a single source contract the Board can approve in accordance with Section I of the District's Procurement Policy. There is adequate funding in the approved Capital Improvement Program for this expenditure. The proposed professional services agreement was reviewed by the Finance Committee on February 18, 2020. Authorization of this agreement will assist the District in achieving Strategic Plan Goal 1 – Maintain and Improve the Cost Effectiveness and Value of District Services.

The District's financial software JD Edwards (JDE), an Oracle product, was last updated to version 9.1 in 2014. That upgrade, the first in a decade, changed the server and database architecture from AS400 to Microsoft Windows and all major modules, including Fixed Assets, Accounts Payable, Payroll, Job Cost, Purchasing and Accounting, went through major reconfiguration. In addition, the Human Resources module and several self-service features were added. The extended support for JDE 9.1 will end in March 2020 and Oracle will stop publishing tax and regulatory updates for clients that are on versions 9.1 and lower. Oracle will continue to provide sustaining support at a cost of approximately \$100,000 per year, but this support will not include tax and regulatory updates. The District needs these updates to prepare and file the required Internal Revenue Service (IRS) annual wage statements (W2) and miscellaneous income (1099) forms. The cost of receiving these updates from Oracle would be about an additional \$100,000 per year, and this level of support would still not guarantee full-level general system support for JDE versions 9.1 or earlier.

Upgrading to JDE 9.2 will enable the District to receive tax and regulatory updates and general system support as part of the standard support for version 9.2 within the annual approximately \$100,000 maintenance fee. There is no supplemental charge from Oracle to upgrade to JDE 9.2; however, the District's base maintenance agreement does need to be extended and that will be brought to the Board for consideration at a subsequent meeting.

Consultant services are required to support District staff and ensure a smooth upgrade to version 9.2. Oracle has stated they will continue to provide standard support for JDE 9.2 at least through December 2030. Staff anticipates beginning a comprehensive review of District systems within the next three to five years to ensure any necessary upgrades or transitions can be successfully implemented well in advance of the potential 2030 end date of Oracle support for JDE 9.2.

Staff recommends upgrading to JDE 9.2 because it will provide enhanced functionality with limited impact to the end user and ensure ongoing full-level Oracle support at a total cost (inclusive of consulting services for the upgrade) that is less than remaining on JDE 9.1 and purchasing available support from Oracle. The upgrade will require significant time for designated staff to test all major modules and processes.

The upgrade will require the District to engage an Oracle partner to assist with this project and staff has identified Grant Thornton LLP as the Oracle partner for this project. Grant Thornton LLP is the consulting firm that helped the District with the JDE software implementation in 2014. They have extensive knowledge of JDE and the District's processes and procedures. In addition, they were previously engaged to train end users to ensure the use of the software as designed and also assisted in writing standard operating procedures for business processes in Finance, Human Resources, and Operations. Because of their knowledge of JDE and familiarity with the District's processes and procedures, staff recommends a single source contract to Grant Thornton LLP at a cost not to exceed \$300,000.

The District will also require the services of a JDE technical consultant to assist with the implementation of JDE 9.2 software on new servers; technical configuration of the test, production, and development environments; data migrations; and JDE Tools upgrades that may be required. The District has an existing agreement for these types of services with ERP Suites, which can be amended for this project under the General Manager's authority. Grant Thornton LLP worked with ERP Suites as the technical consultant for the District's 2014 JDE upgrade.

A motion was made by Director Gunther, seconded by Director Akbari to authorize the General Manager to execute a professional services agreement with Grant Thornton LLP to help with the JD Edwards version 9.2 upgrade for an amount not to exceed \$300,000.

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

5.2* AUTHORIZATION OF PURCHASE ORDER FOR VALVE INSERTION EQUIPMENT AND TRAINING

Distribution system valves are used to isolate flows to allow crews to work on the distribution system and make repairs. The spacing of these valves determines how many customers will be taken out of service, but, if a valve does not work properly, additional customers can be impacted extending the outage to a functioning valve. In order to reduce the number of customers impacted and to shorten the length of time without water service, it is possible to insert a line stop or an entirely new valve into the distribution system while the pipeline is still in operation.

Hydra-Stop LLC (Hydra-Stop) is the sole designer and manufacturer of the Hydra-Stop System which has the capability of inserting line stops and new valves into a pipeline, limiting customer disruptions while distribution system repairs are being performed. This meets the requirements for a sole source contract that the Board can approve in accordance with Section I of the District’s Procurement Policy.

The proposed purchase of the Hydra-Stop System was discussed with the Operations and Water Quality Committee on March 4, 2020 and there are adequate funds in the Fiscal Year 2019/20 budget for this purchase. Board authorization of this purchase will assist the District in achieving its Strategic Plan Goal 1.1 – Efficiently Manage and Maintain Our Infrastructure to Ensure Reliability and Goal 1.3 – Continuously Improve Emergency Preparedness and Response Capabilities.

In certain situations, the District could reduce the number of customers taken out of service to make a pipeline repair and shorten the length of the outage if it had the ability to insert a line stop or valve into the distribution system while still in operation. Different companies that provide the equipment, materials and training to allow District crews to be able to perform in-house valve insertions on our distribution system water mains have been researched. Hydra-Stop has the capabilities to provide the equipment, materials and training of staff and the only one with patented valve insertion capabilities that range from four through twenty-four inch valves.

As of March 1, 2020, the District has over 25,000 valves located throughout the distribution system and approximately 87% are within the range of the Hydra-Stop system. The District’s most common valve sizes are six and eight inch which account for over three quarters of the total number of valves. During emergency and non-emergency distribution system repairs, if a valve fails to fully function, crews are forced to extend the outage to the next functioning valve increasing the number of customers experiencing a disruption in their water service. Hydra-Stop provides a safe, efficient and cost effective solution to insert a new valve. Similarly, if shutting a valve would impact service to a critical customer or result in an extended outage, the ability to insert a line stop in a different location would allow repairs to be made without interrupting service.

The Board’s Procurement Policy requires a formal competitive bidding process for purchases greater than \$25,000 unless there exists a single or proprietary sole source of supply. Hydra-Stop is the only supplier identified who can provide the necessary equipment, materials and training to meet the District’s needs.

A motion was made by Director Gunther, seconded by Director Akbari to authorize the General Manager to execute a purchase order to Hydra-Stop LLC for an amount of \$163,261.50.

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

5.3 RESOLUTION APPROVING UPDATED WEATHER-BASED IRRIGATION CONTROLLER REBATES AND INCENTIVES AND AMENDING THE DISTRICT'S RATE AND FEE SCHEDULE

The District's Weather-Based Irrigation Controller (WBIC) Rebate Program currently offers \$30/active station to commercial and large landscape customers who replace their conventional irrigation controller with a WaterSense labeled "smart" irrigation controller. Single family residential (SFR) customers are not currently included in this program. However, the Bay Area Water Supply and Conservation Agency (BAWSCA) is offering BAWSCA member agencies (Participating Agencies) the opportunity to participate in a Regional Smart Controller Program for residential customers. Staff plans to enter into a Participation Agreement with BAWSCA for the remainder of FY 2019/20 to offer 100 incentives to SFR customers at \$75 per controller so that all District customers have an incentive to install a "smart" weather-based irrigation controller. There is sufficient funding in the FY 2019/20 budget to support this program. The BAWSCA Regional Smart Controller Program was reviewed with the Water Resources and Conservation Committee on February 26, 2020. Board authorization to approve this update to the District's Rate and Fee Schedule will help meet the District's Strategic Plan Goal 2.1 – Maintain and Enhance Sustainability and Reliability of Local and Regional Water Supplies.

The District subscribes to several programs that BAWSCA offers at the start of each fiscal year. BAWSCA performs many of the administrative tasks associated with the programs, which reduces District staff time and allows the District to redirect its staff resources to other projects. BAWSCA's Regional Smart Controller Program (Program) was launched in February 2020, outside of the typical fiscal year start window, and offers residential water customers of Participating Agencies an instant rebate (or incentive) on the purchase of Rachio smart irrigation controllers, which are designed to help customers better manage their outdoor water use.

The Rachio device is a smart watering solution that provides residents guided schedule creation, automatic weather adjustments, and smartphone control for their irrigation systems. The Rachio controller is labeled WaterSense by the Environmental Protection Agency (EPA). The Program also allows each Participating Agency to view program information, such as the number of active Rachio controllers in each region, irrigation schedules, and weather data via a web-based online platform.

The Program is implemented by Rachio Inc., and is offered in partnership with the Regional Water Authority (RWA). RWA is a joint powers authority representing two dozen water providers and affiliates in the greater Sacramento region. Rachio Inc. was selected for this Program through a competitive bid process. BAWSCA has entered into a Memorandum of Understanding (MOU) with RWA to enable BAWSCA agencies to offer the program to their customers. The MOU was finalized in February 2020 with the goal of offering participation immediately. The District plans to enter into a Participation Agreement with BAWSCA for an abbreviated term ending June 30, 2020, or the end of FY 2019/20. A new Participation Agreement would be offered as part of the BAWSCA program suite for FY 2020/21.

District customers will benefit from a reduced controller cost share structure in which both the District and the customer each partially pay for the controller. The Rachio controller will be offered at a total cost of \$175 plus applicable sales tax. Of this cost, the District will pay BAWSCA \$75 per controller purchased, and BAWSCA will reimburse Rachio Inc., and the

customer will pay the remaining \$100 plus sales tax. The total estimated program cost is \$8,250 which includes the Program Initialization (\$750), 100 smart controller incentives, and access to the agency portal.

The cost per acre-foot (AF) for this program ranges from \$110-295/AF, depending on the number of stations utilized and based on a 10-year life. There is sufficient funding in the FY 2019/20 budget to support the Program.

Director Sethy inquired if the District was budgeting an allotment of controllers for next year and Mr. Niesar stated that it is the District's intent to budget for next year and that number will depend on the response the program receives. Director Sethy also asked as to how the program will be promoted and Mr. Niesar stated that the program is subscription-based and will be marketed by BAWSCA as well as Rachio Inc. Director Sethy suggested that a label be placed on the controllers making customers aware of the ACWD-funded rebate.

A motion was made by Director Gunther, seconded by Director Sethy to adopt a resolution amending the Rate and Fee schedule to include a Single Family Residential Smart Controller Incentive set at \$75 per controller.

RESOLUTION NO. 20-016

OF BOARD OF DIRECTORS OF ALAMEDA COUNTY WATER DISTRICT
AMENDING THE RATE AND FEE SCHEDULE REGARDING THE WATER
CONSERVATION REBATES AND INCENTIVES

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

5.4 RESOLUTION APPROVING AN UPDATED DELTA CONVEYANCE FINANCE
AUTHORITY JOINT POWERS AUTHORITY AGREEMENT

Mr. Wunderlich reported that the Board adopted a resolution May 11, 2018 authorizing the General Manager to execute agreements related to California WaterFix, including the Joint Powers Authority Agreement (JPAA) for the Delta Conveyance Finance Authority (Finance Authority). On July 3, 2018 the District became one of the Finance Authority's three founding members. Due to an updated project definition and changes in Finance Authority membership, each Finance Authority member has been asked to adopt a revised JPAA. This item was reviewed with the Water Resources and Conservation Committee on February 26, 2020. Approval of this item will help achieve Strategic Plan Goal 2.2 – Protect Existing Imported Water Supplies.

The District relies on the State Water Project (SWP) for 40% of its annual water supply. The SWP is also a vital component of the District's dry year supply because it: 1) provides access to the District's water that is banked in Semitropic Water Storage District, and 2) provides water

transfer opportunities. To address decreasing water exports and mitigate the impacts of catastrophic levee failure from a major seismic event, sea level rise, and other hazards, the specific project alternative known as California WaterFix was proposed to upgrade aging SWP infrastructure. The original JPAA defined the conveyance project to be financed as the California WaterFix.

On February 12, 2019, Governor Newsom laid out a new vision for Delta conveyance. The new direction calls for a revised conveyance project that constitutes a material change from California WaterFix. Consequently, revisions are proposed to the JPAA to change the description of the conveyance project that will be financed by the Finance Authority in a manner consistent with the new direction. The following additional changes are also proposed in the amended JPAA:

- Clarifying that the Finance Authority will operate under the laws applicable to the Metropolitan Water District of Southern California (MWDSC). The initial JPAA stated that the Finance Authority would operate under the laws applicable to the MWDSC if they become a member of the Finance Authority. The MWDSC along with seven other additional agencies have joined the Finance Authority since the initial formation.
- Specifying that Finance Authority directors will serve without compensation by the Finance Authority, but may be entitled to expense reimbursement.
- Removing the requirement that the Finance Authority’s Executive Committee meet at least quarterly and instead authorizing the committee to meet as it deems necessary.
- Revising voting requirements for the Executive Committee to require an affirmative vote of a majority of the committee instead of an affirmative vote of three members.
- Removing the option for streamlined Finance Authority membership for agencies joining within five months of initial formation.

Mr. Kelly Abreu, with Mission Peak Conservancy, addressed the Board and asked about the dollar per acre price each participating agency will be paying for the Delta conveyance and whether the agencies will all be paying the same price. Staff responded to Mr. Abreu’s inquiry.

A motion was made by Director Sethy, seconded by Director Gunther to: 1) adopt a resolution approving an updated Delta Conveyance Finance Authority Joint Powers Authority Agreement, and 2) authorize the General Manager to execute the amended Delta Conveyance Finance Authority Joint Powers Authority Agreement as set forth in the resolution.

RESOLUTION NO. 20-017

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
ALAMEDA COUNTY WATER DISTRICT APPROVING THE
AMENDED DELTA CONVEYANCE FINANCE AUTHORITY JOINT
POWERS AGREEMENT

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

5.5 AUTHORIZATION OF PROFESSIONAL SERVICES AGREEMENT FOR MANAGED AND PROFESSIONAL SUPPORT SERVICES FOR THE DISTRICT'S CUSTOMER INFORMATION SYSTEM

Mr. Wunderlich reported that in 2012, the District implemented a new Customer Information System (CIS) purchased from Cayenta, a Division of N. Harris Computer Corporation (Cayenta). With a staff retirement and the addition of the new electronic billing and payment system, District staff evaluated multiple options to continue and enhance support for Cayenta and recommended piloting direct Cayenta support services for a one-year term starting May 2019. During the evaluation period, staff concluded Cayenta managed and professional services are a cost-effective way to provide uninterrupted and expert-level support for the CIS. Since Cayenta is the sole provider of these services, this meets the requirements for a sole source contract the Board can approve in accordance with Section I of the District's Procurement Policy. There is adequate funding in the FY 2019/20 budget for these services and sufficient funding for these services will be included in future budget proposals. This item was reviewed with the Finance Committee on February 18, 2020. Board authorization of this professional services agreement will assist the District in achieving Strategic Goal 1 – Maintain and Improve the Cost Effectiveness and Value of District Services.

The District converted from a custom legacy billing system to the new Cayenta CIS in March 2012. In November 2016, the District began testing Cayenta for a version upgrade in preparation for electronic billing presentment and payment processing (EBPP) improvements and in April 2017 the District successfully upgraded Cayenta. In the summer of 2018, EBPP went live and it currently processes about 70% of customer payments. The new EBPP platform provides District customers the ability to manage their water account and make payments twenty-four hours a day, seven days a week (24X7). Since the initial Cayenta implementation in 2012, District staff has supported Cayenta primarily during business hours except for certain after-hours system maintenance activities. In October of 2018, with a pending District staff retirement and increasing support and monitoring needs, the Board approved piloting direct Cayenta support services for a one-year term. This allowed staff to evaluate the benefits of such services and provided a cost-effective alternative to recruiting a new staff person to the District with Cayenta expertise.

Beginning May 2019, "Cayenta Managed Services" (CMS) provided standard system support and installation of monthly patches, extended 24X7 monitoring, support, and maintenance of the CIS and supporting modules, such as the customer portal, to ensure 24X7 up time and system optimization. Additionally, Cayenta provided professional services at a fixed hourly rate for items not covered within CMS, such as configuration changes, complex report development, and functionality additions.

Since having direct support with Cayenta, the District has been able to perform system health audits, apply configuration changes due to SB 998 requirements, and upgrade to the latest version of Cayenta. As part of the CMS agreement, this Cayenta version upgrade was included at no additional cost. District staff began testing the new version in November 2019, and successfully went live on February 5, 2020. Additionally, CMS support includes addressing intermittent system slowness, investigating and resolving processing glitches and errors, and applying critical patches to ensure efficient system performance. CMS has also actively

monitored database capacity, application availability and automatic jobs are completed after regular working hours to enhance system performance during office hours.

The quality of CIS support has satisfied staff expectations at a cost of less than half of a dedicated District employee. To ensure uninterrupted and continued expert-level support, District staff recommends direct Cayenta support services continue for up to a five-year term.

The total estimated cost for these services is \$453,000, of which \$403,000 is for CMS and \$50,000 is for as-needed professional services.

A motion was made by Director Gunther, seconded by Director Akbari to authorize the General Manager to enter into a professional services agreement with Cayenta, a Division of N. Harris Computer Corporation, to provide managed and professional services for the Customer Information System for a three-year base term in an amount not-to-exceed \$265,000 and to execute up to two one-year extensions totaling \$93,000 and \$95,000, respectively, for a total not-to-exceed amount of \$453,000 over five years.

The motion was passed by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

6 – REPORTS

6.1 BOARD COMMITTEE REPORTS

- Operations & Water Quality Committee Meeting of February 5, 2020: 1) Water Quality Monitoring Plan Update
- Legal, Intergovernmental & Community Affairs Meeting of February 11, 2020: 1) Update on State Legislation; 2) Public Outreach Update
- Finance Committee Meeting of February 18, 2020: 1) Statewide Property Tax Initiative; 2) JD Edwards Version Update Support Contract; 3) Income & Budget Statements; 4) Customer Information System Update and Support Contract
- Engineering & Information Technology Committee Meeting of February 19, 2020: 1) Cathodic Protection Program; 2) Update on Caltrans Acquisition of District Properties in Niles Canyon; 3) Review of Surplus District Properties
- Water Resources & Conservation Meeting of February 26, 2020: 1) Water Supply Outlook; 2) Bay Area Regional Reliability (BARR) Update; 3) Conservation Programs Update; 4) Amendments to the Delta Conveyance Finance Authority Agreement

6.2 OPERATIONAL REPORTS

- Rainfall Report

- Water Production Report – Director Sethy commented that for the month of February the water production levels exceeded the forecast and met the curve of the pre-drought levels for the first time since the drought.
- Investment Report
- Distribution System Monthly Hardness Map – Director Gunther commented that the District was doing a great job with the water hardness level in Union City.

6.3 STAFF PRESENTATIONS

- Water Supply Update – Mr. Ash provided the Board with a presentation which included the rainfall accumulation for this water year, the current precipitation forecasts, and the District’s plan to meet 2020 water production demands. Discussion ensued and staff responded to inquiries from the Board.

Mr. Kelly Abreu, with Mission Peak Conservancy, addressed the Board and commented on the District’s planning horizon.

- Niles Cone Groundwater Conditions and Survey Report Review – Mr. Halliwell updated the Board on the Niles Cone groundwater conditions and presented the annual survey report. A recommended increase to the replenishment assessment fee was provided for consideration. Staff’s recommendation is to increase the replenishment fee from \$460 to \$485 per acre-foot effective July 1, 2020. Discussion ensued and Mr. Halliwell responded to inquiries from the Board. A public hearing on the proposed increase will occur on April 14, 2020.

Mr. Abreu, addressed the Board and commented on the presentation.

President Huang called for a recess at 7:28 P.M. and reconvened the meeting at 7:37 P.M.

6.4 GENERAL MANAGER’S REPORTS

- Update on Water Quality Sampling for PFAS – Mr. Wickham provided an update on PFAS (per- and polyfluoroalkyl substances) and explained that PFAS are a group of man-made chemicals. These chemicals are used in the manufacturing of certain products, for example, non-stick cookware, fast-food packaging, stain resistant carpets and fabrics, fire-fighting foam and personal care products. There is evidence that exposure of PFAS can lead to adverse health effects. Mr. Wickham discussed the current regulatory framework and reported that staff is planning to perform supplemental testing for PFAS in ACWD’s water supplies that go above and beyond the current regulatory requirements. Discussion ensued and staff responded to inquiries from the Board. Mr. Abreu addressed the Board and commented on the presentation.
- Preview of Draft Water Supply Video – Ms. Gonzales previewed a 5-½ minute video to the Board that showcases the District’s water supplies and investments in water supply reliability. Ms. Gonzales explained that the video will be used to communicate the District’s mission and strategic goals to members of the public. Discussion ensued and the Board and Mr. Abreu, a member of the public, provided input.

- American Public Works Association Award for Rubber Dam No. 3 Fishway Construction and Fabric Replacement Project – Mr. Stevenson announced to the Board that the District recently received an award from the American Public Works Association for the District’s Rubber Dam No. 3 Fishway Construction and Fabric Replacement Project which was completed last year.
- AB 401 Final Report on Recommendations for a Statewide Low-Income Water Rate Assistance Program – Mr. Wunderlich updated the Board with a summary on the State Water Resources Control Board’s final report that recommends a statewide program with the following three components: 1) credits should be applied directly to water bills with the cost of the credits reimbursed by the State; 2) renters should be eligible for a tax rebate through the Franchise Tax Board and 3) the creation of a water crisis assistance program to provide funding once per year to low-income households who are at risk of having their water service disconnected for non-payment.
- Mr. Shaver updated the Board on the steps the District is taking to ensure that the main goals of protecting District employees and continuing to provide the essential service to the community are accomplished during the current COVID-19 pandemic.

7 – DIRECTOR’S COMMENTS, REPORTS ON MEETINGS ATTENDED, AND AGENDA ITEM REQUESTS

- Director Sethy reported on the February 19, 2020, California Water Commission Meeting in Sacramento, CA
- Director Sethy reported on the February 20, 2020, Delta Conveyance Finance Authority Meeting in Sacramento, CA
- Director Sethy reported on the March 3, 2020, Water Education Foundation/Groundwater Resources Association: Groundwater Monitoring in Monterey, CA
- Director Akbari reported on the February 12, 2020, Association of California Water Agencies Business Development Committee, that he attended via teleconference.

8 – OPEN SESSION

- 8.1 Designation of ACWD Real Property Negotiators for a Proposed Caltrans Acquisition of ACWD Property and Property Interests Related to the Caltrans Alameda Creek Bridge No. 33-36 Replacement Project (Niles Road Safety Improvements Project) on State Route 84, APN Nos. 85A-5500-4-1 and 507-761-1 (portion).

Mr. Stevenson reported that Item 8.1 relates to Caltrans’ proposed acquisition of one district property of approximately 04.4 acres and an approximate 0.11 acre portion of another district property together with one permanent and one temporary easement for these properties within Niles Canyon. Staff recommends the Board designate Juniet Rotter, Development Services Manager and Ed Stevenson, Engineering and Information Technology Manager, as agency negotiators.

A motion was made by Director Akbari and seconded by Director Gunther to designate Juniet Rotter and Ed Stevenson as agency negotiators in this matter.

The motion was approved by the following vote:

AYES: Directors Akbari, Gunther, Sethy, and Huang
NOES: None
ABSENT: Director Weed

9 – CLOSED SESSION

Mr. Miyaki announced that the Board will convene in closed session to discuss the following items:

9.1 Pursuant to California Government Code Section 54956.8

- Conference with Real Property Negotiators

Property: Property on State Route 84 between Fremont and Sunol, APN 85A-5500-4-1, Castro Valley, CA and APN 507-761-1 (portion), Fremont, CA

Agency Negotiator(s): Juniet Rotter and Ed Stevenson

Negotiating parties: State of California, Department of Transportation

Under Negotiation: Price and Terms of Payment

9.2 Pursuant to California Government Code Section 54956.8

- Conference with Real Property Negotiators

Property: N3 Cattle Company, consisting of 131 parcels and approximately 50,535 acres in Alameda County, Santa Clara County, San Joaquin County, and Stanislaus County – Assessor's Parcel Nos. were furnished by Owners' Representative and are attached to this agenda

Agency Negotiators: Robert Shaver and Ed Stevenson

Negotiating Parties: N3 Cattle Company, LLC; REN, Jr.; and REN, Jr., TR

Under Negotiation: Price and Terms of Payment

President Huang adjourned the meeting to closed session at 8:57 P.M. and reconvened the meeting at 11:06 P.M.

Mr. Miyaki reported that although Director Weed was unable to attend the meeting in person, he did participate in both closed sessions via teleconference, which was previously authorized by the Executive Order No. N-25-20, issued by Governor Newsom on March 12, 2020.

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Mr. Miyaki reported that in closed session, regarding Item 9.1, the Board by a 5-0 vote took action however, that action does need to be reported pursuant to California Government Code Section 54957.1

Mr. Miyaki reported that in closed session, regarding Item 9.2, the Board provided direction to its agency negotiators.

There being no further business to come before the Board, the meeting adjourned at 11:09 P.M.

/s/ GINA MARKOU
Gina Markou, District Secretary

Attest:

/s/ JUDY C. HUANG
Judy C. Huang, President