



MINUTES OF THE BOARD OF DIRECTORS
ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
REGULAR MEETING
May 16, 2018

The following were present:

DIRECTORS: JOHN GRECI
SANDS FIGUERS
SARAH PALMER
RICHARD QUIGLEY
ANGELA RAMIREZ HOLMES
BILL STEVENS

DIRECTORS ABSENT: NONE

ZONE 7 STAFF: VALERIE PRYOR, GENERAL MANAGER
OSBORN SOLITEI, ASSISTANT GENERAL MANAGER,
FINANCE/TREASURER
NZINGA ARRINGTON, ACTING EXECUTIVE ASSISTANT
CAROL MAHONEY, INTEGRATED WATER RESOURCES MANAGER
KERRI SMYTH, JUNIOR ENGINEER
TAMI CHURCH, ASSISTANT PLANNER
AMPARO FLORES, INTEGRATED PLANNING MANAGER
RHETT ALZONA, FACILITIES ENGINEERING MANAGER

COUNSEL: DAVID ALADJEM, DOWNEY BRAND

Item 1 - Call Meeting to Order

Director Greci called the meeting to order at 6:30 p.m. and the Board went into Closed Session immediately.

Item 2 - Closed Session

- (a) Conference with Labor Negotiators pursuant to Government Code section 54954.5:
Agency Negotiator: Osborn Solitei
Employee Organizations: Alameda County Management Employees Association; Alameda County Building and Construction Trades Council, Local 342, AFL-CIO; International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; Local 1021 of the Service Employees International Union, CTW; Unrepresented Management
- (b) Conference with Legal Counsel - Existing litigation pursuant to Government Code §54956.9(d)(1): 2 cases

- (1) Zone 7 v. Bhupinder Singh, et al., Alameda County case no. RG17862001 and related cross action
- (2) Edwin Belshe and Ginger Belshe v. Alameda County Flood Control and Water Conservation District, Zone 7, et al., Alameda County Superior Court Case No. RG17868354

(c) Conference with Legal Counsel - Significant exposure to litigation pursuant to Gov't Code section 54956.9(d) (2):

3 cases

(d) Conference with Legal Counsel - Potential litigation pursuant to Gov't Code section 54956.9(d) (4): 2 cases

Item 3 – Open Session and Pledge of Allegiance

Director Greci called the meeting back into open session at 7:00 p.m. and led the Salute to the Flag.

Item 4 - Report Out of Closed Session

Director Greci reported that the Board met in Closed Session on the items on the agenda and no reportable actions were taken.

Item 5 – Citizens Forum

Michael Murphy of Livermore, member of the public, stated that the Arroyo **Mocho** restoration simulations should be revisited as the money can be better spent on other things. Mr. Murphy also requested an extension for the public comment period as the public has not been properly informed by Zone 7. Notices should be posted in the Oak Grove section. Valerie Pryor commented that a press release was released today that the comment period was extended to June 8, 2018. William Bergen of Livermore stated that he received the mailer but it looked just like junk mail. Mr. Bergen further stated that the basin is a plethora of wildlife that would be destroyed.

Item 6 – Minutes of the Regular Board Meeting of April 18, 2018

Director Palmer moved to approve the minutes of April 18, 2018 and Director Ramirez Holmes seconded the motion. The minutes were approved by a voice vote of 6-0.

Item 7 – Moment of Silence for Director James McGrail

Director Greci led a moment of silence for Director James McGrail.

Item 8 - Consent Calendar

- a. Property Management and Maintenance Services Contract for North Canyons Office
- b. Professional Services Contract for Structural Engineering Support Services
- c. Contract Amendment with Therma LLC for HVAC Services for Office Building
- d. Personnel Action: Buyer I, Zone 7
- e. Amendment to Contract with Liebert Cassidy Whitmore for Human Resources and Labor-Related Legal Services
- f. Contract for Design Services for Chain of Lakes Well No. 1 Facility Stabilization Project
- g. Living Arroyos Program Task Order Authorization
- h. Award of Contract for Embankment Slope Mowing Services
- i. Authorizing for Miscellaneous Expenses for Board meetings and Staff meetings and Other Agency Events

Director Palmer requested clarification on item 8c.

Director Quigley moved to approve all of the items except for item 8c, and Director Figuers seconded the motion. The items passed by a voice vote of 6-0.

- Resolution No. 18-33** Property Management and Maintenance Services Contract for Zone 7 North Canyons Office (Item 8a)
- Resolution No. 18-34** Professional Services Contract with Bluestone Engineering for Structural Engineering Support Services (Item 8b)
- Resolution No. 18-36** Approving Personnel Action: Buyer I, Zone 7
- Resolution No. 18-37** Amendment to Contract with Liebert Cassidy Whitmore for Human Resources and Labor Related Legal Services
- Resolution No. 18-38** Contract for Design Services for Chain of Lakes Well No. 1 Facility Stabilization Project
- Resolution No. 18-39** Living Arroyos Program FY 18/19 – 21/22
- Resolution No. 18-40** Award of Contract for Embankment Slope Mowing Services
- Resolution No. 18-41** Approving Miscellaneous Expenses for Board Meetings and Staff Meetings and other Agency events

Director Palmer asked if the HVAC services would be taken over by GS Management. Rhett Alzona replied yes. The Server room has been having overheating issues and this issue needs to be taken care of by Therma LLC.

Director Palmer moved to approve Item 8c and Director Quigley seconded the motion. The item passed by a voice vote of 6-0.

- Resolution No. 18-35** Contract Amendment with Therma LLC for HVAC Services at 100 North Canyons Parkway

Item 9a. Employee of the Month

Ms. Pryor read a brief bio of the employee of the month, Tim Brown, Facilities Maintenance & Construction Supervisor. Mr. Brown was nominated due to his responsiveness and the helpful feedback he provided on the Hopyard 6 and Stoneridge Sodium Hypochlorite Project during design and construction.

Item 9b – Recent Employee Activities

Ms. Pryor stated that the Department recently participated in Take Our Children to Work Day that was attended by eleven children. The children learned about water, conservation and took part in fun

activities. Annual service recognition awards were given earlier today at the Service Awards Ceremony for Zone 7 employees, to recognize employees reaching 5 year increment milestone anniversaries with Alameda County. A video of the honorees was shown for viewing.

Item 10 – Presentations by Science and Engineering Fair Awardees

Science and Engineering Fair winners selected by Zone 7 judges at the Alameda County Science and Engineering Fair held on March 17, 2018 were presented with \$100 Visa gift cards. The four winners presented their winning projects. Director Greci thanked the presenters for their work and the parents for their support.

Item 11 – Filling the Vacancy on Board of Directors

Mr. Aladjem discussed the vacancy created by the passing of Director James McGrail. The term would end on June 30, 2018. Mr. Aladjem recommended that the Board of Directors leave the seat open as new Directors will be appointed in July 2018 as opposed to temporarily filling the vacancy. ~~Director Greci stated that he agreed with Mr. Aladjem's recommendation. The Directors discussed the item and agreed with Mr. Aladjem's recommendation to leave the seat open, as new Directors will be appointed in July 2018.~~

Item 12 – Investment Policy

Mr. Solitei presented the annual investment policy for renewal. It was last approved by the Board on May 17, 2017. The Finance Committee met on May 3, 2018 to review the policy and they unanimously approved.

Director Greci moved to approve Item 12 and Director Quigley seconded the motion. The item passed with a voice of vote of 6-0.

Resolution No. 18-42 Adopting Investment Policy and Delegating Authority to Deposit and Invest Funds to the Treasurer

Item 13 – Joint Tri-Valley Potable Re-use Technical Feasibility Study

Amparo Flores, Integrated Planning Manager at Zone 7, and Lydia Holmes, project manager from Carollo Engineers, presented the key findings of the feasibility study and the potential next steps for the study. The presentation provided background information on the study and Zone 7's water supply evaluation, an overview of the status of potable reuse regulations, the study's assumptions and methodology, the key findings, potential next steps, and potential rate impacts of different water supply options. If a potable reuse project is implemented, it could be in-service in eight to twelve years. Director Palmer asked if the current plan portfolio includes the California Water Fix. Dr. Flores responded yes, and that other Zone 7 water supply capital improvement projects are included as well. Director Palmer also asked about potential siting of injection wells; Dr. Flores answered that while preliminary locations were selected in the study, additional investigations, including a siting study and contaminant mobilization study, would be used to inform the best candidates. Director Ramirez Holmes asked for clarification as to what decision the Board was being asked to make. Ms. Pryor stated that staff is seeking direction on continued investigation of potable reuse, recognition that currently planned Zone 7 studies will benefit potential further development of potable reuse, and direction to staff on further work with the other agencies to develop next steps and cost sharing

arrangements to be considered by the Liaison Committee at its next meeting (in the fall). Director Greci stated that it is imperative to look at potable reuse as it is another source of water to meet public water demands. Director Ramirez Holmes asked that the Board be updated on the outcomes of the discussions with the retailers and the Liaison Committee.

Dan McIntyre of Dublin San Ramon Services District stated that keeping our water supply options open and going forward with the next steps on potable reuse is wise. Dennis Gambbs also requested that the Board support continued consideration of potable reuse.

Director Quigley moved to approve Item 13 to move forward with the study, bring information to the Board and to discuss at the Liaison Committee and Director Palmer seconded the motion. The item passed with a voice vote of 6-0.

Item 14 – Professional Services Contracts for As-Needed Environmental Vegetation Technical Services

Tami Church of the Integrated Planning Section, discussed the need for plant procurement, native plant identification, planting and care; mowing services, biotechnical erosion control, weed control; and willow harvest and installation for upcoming projects. This is on top of our routine maintenance. A RFQ was submitted in March to select a firm and to form a list of eligible firms for specialized services. Ecological Concerns, Inc. was selected to provide as-needed services and RECON Environmental, Inc. was selected to provide direct and immediate services for the ADLL Verona project and the Arroyo Mocho Stanley Reach project. Director Palmer questioned whether this would be a potential legal problem, splitting up these things. Mr. Aladjem answered no, as these are two different types of environmental services and this is permissible when you are looking for specialized services.

Director Palmer moved to approve Item 14 and Director Quigley seconded the motion. The item was passed with a voice of vote of 6-0.

Resolution No. 18-43 Environmental Vegetation Technical Services Contracts and Eligibility List

Item 15 – 2018 Rehabilitation of Flood Control Channels, Phase 1 (FEMA DR 4301)

Kerri Smyth described the additional work needed to repair damaged areas from the storms of 2017. FANFA has been determined to be the lowest responsive and responsible bidder for the construction contract for this project of \$2,772,782. A construction manager from Cal Engineering will provide construction management of the sites.

Director Ramirez Holmes questioned would the other sites that still need repair be monitored and how many sites do not reach the priority level after 2019.. Ms. Smyth replied that the sites that had deteriorating plastic have been recovered, and those that do not need to be covered have been stabilized and are monitored. There are approximately 120 sites left. Director Ramirez Holmes also inquired about the bid opening process that took place for this project in which a letter was submitted instead of a certificate and was this an administrative error. David Aladjem stated that the issue in this particular situation was due to the 5% of mobilization, if it were submittal of a letter in place of a certificate they would have been given the opportunity to correct that.

Director Stevens moved to approve Item 15 and Director Quigley seconded the motion. The item passed with a voice vote of 6-0.

Resolution No. 18-44

Award of 2018 Rehabilitation of Flood Control Channels, Phase 1 (FEMA DR 4301) Construction Contract, Project No. 267-18

Item 16 – Commendation for Carl Morrison

The Directors spoke on many accomplishments of Carl Morrison’s service such as the water education program in the local schools.

Director Stevens moved to approve Item 16 and Director Quigley seconded the motion. The item passed with a voice vote of 6-0.

Item 17 Temporary Adjournment/Continuance of Zone 7 Water Agency Meeting

Director Greci temporarily adjourned the meeting at 9:18p.m.

Items 18 – 22

[See “Minutes of the Board of Directors, Livermore Valley Water Financing Authority, Regular Meeting, May 16, 2018”]

Item 23 – Call Zone 7 Water Agency Meeting to Order

Director Greci called the meeting of the Zone 7 Water Agency back into session at 9:19p.m.

Item 24 – Committees: – notes

No verbal reports were given.

Item 25 - Reports – Directors

- a. Verbal comments by President
- b. Verbal reports

Director Ramirez Holmes commented that the groundbreaking ceremony for the Del Valle Water Treatment Plant Ozonation Project was a nice ceremony. Director Ramirez Holmes stated that she attended the funeral of James McGrail. The service was greatly attended and it was a touching celebration of his life. She also stated that she took General Manager, Valerie Pryor to the Elected Women’s Luncheon last week. The attendees were all very happy to meet Ms. Pryor and Ms. Pryor was able to meet some good contacts. She can now attend those luncheons on her own as an honored guest.

Director Palmer met informally with some of the residents in the Medeiros Parkway area. They were appreciative to have their concerns heard. She also described the meetings she attended at the ACWA Conference – Agriculture, Water Management Committee, the Water Quality Meeting, and the Groundwater Committee Meeting.

Director Quigley also attended ACWA.

Director Figuers attended ACWA and shared that in one of the committee meetings he attended he heard that alternative power sources are becoming widespread enough that several of the major dam operators are saying that they may not be cost effective in the future and what happens to the dams

Director Greci met with a resident on Anza way which is on the south side of the Medeiros project. He gave some information on the scope of the project to this resident and he shared it with some of his neighbors. It's not that the residents aren't responsive, they just don't understand the project.

Item 26 - Items for Future Agenda – Directors

Director Ramirez Holmes requested follow-up on improved signage for the building as was discussed several months ago.

Item 27 - Staff Reports (Information items. No action will be taken.)

- a. General Manager's Report
- b. Legislative Update: Director Palmer mentioned that AB
- c. April Outreach Activities
- d. Capital Projects Status Report
- e. Water Inventory and Water Budget Update
- f. Flood Protection Program 2017 Annual Report
- g. Update on Zone 7 Vehicle Fleet Report
- h. FY 2017-18 Unaudited Third Quarter Revenue and Expenditure (R&E) Report
- i. Investment Report as of March 31, 2018
- j. Verbal reports

Ms. Pryor stated that a look-ahead calendar is under development for the Board and the public. The Budget Workshop scheduled for June 6, 2018 has been requested to be televised on TV 30.

Director Palmer suggested that staff keep in mind the possible grant funding as listed in the Legislative Update under Drinking Water, AB 1989.

Item 28 – Adjournment in Memory of Director James McGrail

The meeting was adjourned at 9:32p.m.