



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

DATE: Wednesday, February 20, 2013

TIME: 7:00 p.m.

LOCATION: Zone 7 Administration Building

100 North Canyons Parkway, Livermore, California

Any member of the public desiring to address the Board on an item under discussion may do so upon receiving recognition from the President. After receiving recognition, please step to the podium and state your name and address.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available at the Zone 7 Administrative Building lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the Zone 7 Board Secretary, Judy Rector, at (925) 454-5053 or fax (925) 454-5724. Notification 48 hours prior to the meeting will enable Zone 7 to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}

A G E N D A

1. Call Meeting to Order
2. Pledge of Allegiance
3. Citizens Forum

This is an opportunity for members of the public to speak on an item not listed on the agenda. The Board cannot deliberate or take action on a non-agenda item unless it is an emergency as defined under Government Code Section 54954.2.

4. Minutes of the Regular Meeting of January 16, 2013
5. Consent Calendar
 - a. Acceptance of Outfall Structure Easements (Line B-2-1) from City of Pleasanton, and Quitclaim of Storm Drain Easement (Line B-2-5) to City of Pleasanton
 - b. Amend Contract No. A13-53-ABC with ABC Security Services, Inc.
6. Staffing Update:
 - a. Employee of the Month Recognition
7. Award of Contract for DVWTP and PPWTP Filter Media Replacement/Replenishment Project

Recommended Action: Adopt resolution.

8. Committees – Liaison Committee - January 14, 2013 - minutes
Water Resources Committee - February 5, 2013 - minutes
9. Reports – Directors
 - a. Verbal comments by President
 - b. Written report by Director Quigley
 - c. Other Directors' Verbal reports

10. Items for Future Agenda – Directors
11. Staff Reports (Information items. No action will be taken.)
 - a. General Manager’s Report
 - b. Outreach Activities
 - c. Legislative Update
 - d. Report on Water Sales and Connection Fee Revenue
 - e. Toxic Sites Surveillance Program Annual Report for 2012
 - f. Update Related to the Bay Delta Conservation Plan
 - g. Verbal Reports
12. CLOSED SESSION
 - (a) Conference with Labor Negotiators:
Agency Negotiator: G.F. Duerig
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 -- Significant exposure to litigation pursuant to Gov't Code Section 54956.9(d)(2): 1 case.
 - (c) Conference with Legal Counsel -- Potential litigation pursuant to Gov't Code section 54956.9(d)(3): 1 case.
 - (d) Conference with Legal Counsel -- Existing litigation (Gov't Code section 54956.9(d)(1). 2 cases.

Central Delta Water Agency et al. v. California Department of Water Resources et al.
(Sacramento County Superior Court No. 34-2010-80000561)

City of Union City v. Matosantos et al. (Sacramento County Superior Court No. 34-2013-80001377).
 - (e) Conference with Real Property Negotiator:
Property: APNs 99-525-2, 99-550-2-3, 99-550-3-2, 99A-2700-2-5, 99A-2700-6-6, 99A-2700-9-8, 99A-2700-10, 99A-2700-11-3, 99A-2700-12-6, 99A-2700-12-7, 99A-2420-4-13, 96-420-2, 96-420-3, 96-429-6, 99A-2701-1, 99A-2701-2, 99A-2701-3.
Agency negotiator: G.F. Duerig
Negotiating parties: Patliv; PTLM, Inc.; Henry H. Patterson Trust, and Charles Edwards Engs
Under negotiation: Price and terms of payment.
13. Open Session and Report Out of Closed Session
14. Adjournment
15. Upcoming Board Schedule: (All meeting locations are in the Boardroom at 100 North Canyons Parkway, Livermore, California, unless otherwise noted)
 - a) Finance Committee Meeting, February 27, 2013, 4:00 p.m.
 - b) Special Board Meeting: March 6, 2013 (if needed)
 - c) Regular Board Meeting: March 20, 2013, 7:00 p.m.

Materials related to an item on this agenda that have been provided to the Board less than 72 hours prior to the meeting are available for public inspection at the Zone 7 office at the time of, and prior to, the meeting and at www.zone7water.com. All other material otherwise provided to the Board will be available at the public meeting.

MINUTES OF THE BOARD OF DIRECTORS
ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

REGULAR MEETING
January 16, 2013

President Palmer called the regular meeting to order at 7:00 p.m. with a salute to the flag. The following were present:

DIRECTORS: JOHN GRECI
A J MACHAEVICH
SARAH PALMER
RICHARD QUIGLEY
BILL STEVENS

DIRECTORS ABSENT: DIRECTORS FIGUERS AND RAMIREZ HOLMES

ZONE 7 STAFF: JILL DUERIG, GENERAL MANAGER
KURT ARENDS, ASSISTANT GENERAL MANAGER, ENGINEERING
TOM HUGHES, ASSISTANT GENERAL MANAGER, ADMINISTRATION
JUDY RECTOR, BOARD SECRETARY

COUNSEL: DAVID ALADJEM, DOWNEY BRAND

Item 3 - Citizens Forum - None.

Item 4 - Minutes of the Regular Meeting of December 19, 2012

Director Quigley moved and Director Greci seconded approval of the minutes. The minutes were approved by a voice vote of 5-0 with Directors Figuers and Ramirez Holmes absent.

Item 5 - Consent Calendar

Director Quigley moved and Director Greci seconded approval of the following resolutions:

Resolution 13-4248 Approved commercial use of a septic system for the Grasso Horse Boarding Facility at 11398 Tesla Road, Livermore. (Item 5a)

Resolution 13-4249 Approved support of an application for grant funding under Proposition 84 Integrated Regional Water Management Program Proposal Solicitation for Round 2. (Item 5b)

Both resolutions were approved by a voice vote of 5 to 0 with Directors Figuers and Ramirez Holmes absent.

Item 6 - Staffing Updates

Item 6a - Congratulations to Retiree

General Manager Jill Duerig extended congratulations to Rick Andersen, Water Facilities Supervisor, who retired from Zone 7 after almost 38 years of service. The Board recognized Mr. Andersen in absentia. President Palmer asked that the minutes reflect her appreciation for Mr. Andersen's help with her students. She noted that prior to her being on the Zone 7 Board, Mr. Andersen had gone out of his way when her AP Environmental Science class had visited the treatment plants.

Item 6b - Employee of the Month Recognition

Ms. Duerig congratulated Jack Fong, Associate Civil Engineer, on becoming the November Employee of the Month. Ms. Duerig recognized Mr. Fong's abilities to, among other things, take on multiple challenging assignments. Since Mr. Fong was present, the Board was able to applaud and congratulate Mr. Fong in person.

Item 7 - Committees - Liaison Committee - January 14, 2013 - minutes pending

President Palmer said the Liaison Committee meeting with the Cities of Livermore and Pleasanton, California Water Service, and Dublin San Ramon Services District showed good collaboration among the retailers and good intentions. These meetings will be scheduled more often to keep the spirit of cooperation going.

Director Quigley, also present at the Liaison Committee meeting, expressed excitement as the group considers mutual cost savings potential.

Item 8 - Reports - Directors

a. Verbal comments by President

President Palmer reported that she collaborated with staff and wrote a letter to Supervisors Haggerty and Miley requesting assistance in implementing improvements to make Zone 7 more effective in meeting the needs and desires of its constituency, specifically so 1) Zone 7 Human Resources staff can negotiate and execute Memoranda of Understandings with the four bargaining units that represent Zone 7 staff and 2) help establish separate purchasing directly through Zone 7 instead of utilizing the County's purchasing services.

President Palmer formed an Ad Hoc Communications Committee as part of the Strategic Plan. Directors Quigley and Ramirez Holmes will be the Board members on this new Ad Hoc Committee and will be making a report to the Board soon.

b. Written report by Director Quigley - none

Director Quigley reported verbally that he attended a legislative reception at California State University, East Bay, which was well attended by legislators (Corbett, Swalwell, etc.)

He also thanked staff for information on funding in response to his questions.

c. Other Directors' Verbal reports

Item 9 - Items for Future Agenda - Directors

Item 10 - Staff Reports (Information items.)

- a. General Manager's Report
- b. December Outreach Activities
- c. Legislative Update
- d. Quarterly Update of Expansion Fund
- e. Report on Water Sales and Connection Fee Revenue
- f. Status of the City of Pleasanton's Recycled Water Feasibility Study
- g. Status of Del Valle Water Treatment Plant Solar Energy Production
- h. Verbal Reports

Ms. Duerig gave a verbal report that the City of Livermore announced that they are having a Livermore to Pleasanton Arroyo Trail opening celebration on January 31. Director Quigley was supportive of this endeavor and Zone7 staff participated in this project, too, resulting in good collaboration and showing how the Stream Management Master Plan is supposed to work. A video on the Stream Management Master Plan from five years ago which highlights integrated uses of the arroyos was played for the Board and audience.

The Board went into Closed Session at 7:25 p.m.

Item 11 - Closed Session

- a) Conference with Labor Negotiators:
Agency Negotiator: G.F. Duerig
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 – Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9: 1 case
- c) Conference with Legal Counsel -- Potential litigation pursuant to paragraph 3 of subdivision (d) of Government Code Section 54956.9: 1 case.
- d) Conference with Legal Counsel -- Existing litigation pursuant to paragraph 1 of subdivision (d) of Government Code Section 54956.9: 1 case (*Central Delta Water Agency, et al. v. California Department of Water Resources, et al.* (Sacramento County Superior Court No. 34-2010-80000561).

Item 12 - Open Session and Report Out of Closed Session

The Board came out of Closed Session at 8:32 p.m. and President Palmer said there was nothing to report.

Director Stevens moved and Director Machaevich seconded a motion to approve Resolution 13-4251, a Footnote to Salary Schedules Sections 4.12 - Multiple Divisions (Assistant General Manager, Engineering). The motion was approved by a vote of 5-0 with Directors Figuers and Ramirez Holmes absent.

Director Stevens moved and Director Greci seconded a motion to approve Resolution 13-4252, a Footnote to Salary Schedules Sections 4.13 - Multiple Divisions (Assistant General Manager, Finance or Personnel). The motion was approved by a vote of 5-0 with Directors Figuers and Ramirez Holmes absent.

The meeting was adjourned at 8:36 p.m.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: Engineering
CONTACT: Dennis Gambs/Jarnail Chahal

AGENDA DATE: February 20, 2013

ITEM NO. 5a

SUBJECT: Acceptance of Outfall Structure Easements (Line B-2-1) from City of Pleasanton, and Quitclaim of Storm Drain Easement (Line B-2-5) to City of Pleasanton

SUMMARY:

- Zone 7 quitclaimed ownership of several of its flood control channels in and around the Bernal Property, including an outfall structure within the Arroyo de la Laguna, to the City of Pleasanton as part of a “creek restoration” project in 2006.
- The City was anxious to move forward with the construction of the creek restoration project and willing to proceed with the acceptance of the channel areas from Zone 7 and to convey easements for the outfall structure with the connecting access to Zone 7 at a later time.
- The City has completed the creek restoration project and prepared the grant documents for Zone 7 to own and maintain the outfall structure and is now ready to grant the easements to Zone 7.
- In addition, Zone 7 owns a 54-inch storm drain that is upstream of the restored creeks that are now owned by the City. City and Zone 7 staffs recommend Zone 7 quitclaiming the storm drain easement to the City so that the City would own and maintain the facility.

FUNDING:

All the easements are being granted at no costs. Funding for the maintenance of the outfall structure would continue to be from Fund 50 - Flood Control/General Fund.

RECOMMENDED ACTION:

Adopt attached resolutions:

- 1) Authorizing the General Manager to negotiate, execute, accept and record the grant of easement from the City of Pleasanton; and
- 2) Recommending and requesting that the Board of Supervisors of the Alameda County Flood Control and Water Conservation District approve and execute the Quitclaim of the Storm Drain Easement to City of Pleasanton.

ATTACHMENTS:

1. Memo providing additional background and discussion
2. Resolutions
3. Location Maps
4. Grant of Easement and Quitclaim of Easement

INTEROFFICE MEMO

Date: February 20, 2013
To: Jill Duerig, General Manager
From: Dennis Gambs, Principal Engineer
Subject: Acceptance of Outfall Structure Easements (Line B-2-1) from City of Pleasanton, and Quitclaim of Storm Drain Easement (Line B-2-5) to City of Pleasanton

The following provides additional background and discussion on the above-referenced agenda item.

BACKGROUND:

At the request of the City of Pleasanton in 2006, Zone 7 quitclaimed ownership of several flood control channels in and around the Bernal Property to the City. The City subsequently replaced the trapezoidal channels with more natural looking creek in a park/open space setting. The creek now meanders within widened sections and include adjacent wetland areas. The area also includes a series of multi-use trails for public access.

DISCUSSION:

LINE B-2-1 OUTFALL STRUCTURE: Included in the quitclaimed channels was the outfall structure at the confluence of Line B-2-1 and the Arroyo de la Laguna. This large concrete structure extends into the Arroyo de la Laguna channel. Zone 7 and City staff concurred at the time of transfer that the structure should continue to be maintained by Zone 7. The City was anxious to move forward with the construction of the creek restoration project and accepted all of the channel areas from Zone 7, which included the outfall structure. In the May 2006 Zone 7 Board Agenda Item quitclaiming the channels to the City, Zone 7 staff agreed to work with the City to prepare the grant documents necessary for the conveyance of property rights for accessing and maintaining the outfall structure. The acceptance of these rights would be for a future action by the Zone 7 Board. The creek restoration project has been completed and the City is now ready to grant the easements for the outfall structure and access.

Staff recommends authorizing the General Manager to negotiate, execute, accept and record the easements for the outfall structure and connecting access from the City of Pleasanton.

LINE B-2-5 STORM DRAIN: There is a storm drain owned by Zone 7 located upstream of the channels quitclaimed to the City in 2006 known as Line B-2-5. Zone 7 became aware of the Line B-2-5 storm drain easement when it obtained its right of way files from the Alameda County Public Works Agency in 2008. The storm drain is a 54-inch diameter pipe and drains into one of the creeks now owned and maintained by the City of Pleasanton. City of Pleasanton staff concur with Zone 7 staff that the City should own and maintain the Line B-2-5 Storm Drain. City staff is recommending acceptance of Line B-2-5 storm drain easement from Zone 7 to the City Council.

Quitclaiming the storm drain easement to the City would be at no cost to Zone 7. The City would become the owner of the storm drain and be responsible for its maintenance. Future Zone 7 Flood Control maintenance costs will therefore be reduced.

The legal title to the storm drain easement vests with the Alameda County Flood Control and Water Conservation District. As the legal owner of the easement that is being quitclaimed, the Board of Supervisors of the Alameda County Flood Control and Water Conservation District is required to approve quitclaiming the easement. To that end, the Zone 7 Board of Directors would request and authorize the District Board to approve quitclaiming the easement.

Staff recommends that the Board request the Board of Supervisors of the District to approve quitclaiming the storm drain easement to the City of Pleasanton.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO

INTRODUCED BY
SECONDED BY

**Accept Easements from the City of Pleasanton for the
Line B-2-1 Outfall Structure**

WHEREAS, the City of Pleasanton has approved granting an easement to Alameda County Flood Control and Water Conservation District, Zone 7 for an Outfall Structure and the access easements thereto on the lands designated and described in the Exhibit A-1 (No. 70115A) and Exhibit B-1 (No 70115B).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to negotiate, execute, except and record said easements from City of Pleasanton.

ADOPTED BY THE FOLLOWING VOTE:

AYES

NOES

ABSENT

ABSTAIN

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 20, 2013.

By _____
President, Board of Directors

Line B-2-1
Nos. 70115A & 70115B
Map: RF-10079 & 10081

ZONE NO. 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

**Request and Recommend Approval for
Quitclaim of a Storm Drain Easement to City of Pleasanton**

WHEREAS, Alameda County Flood Control and Water Conservation District is the easement owner of the real property known as Line B-2-5, in Zone 7 and the flood control facilities therein consisting of a 54-inch diameter pipe storm drain; and

WHEREAS, in connection with Bernal Property Creek Restoration Project, Alameda County Flood Control and Water Conservation District quitclaimed to the City of Pleasanton ownership of the channels downstream of Line B-2-5; and

WHEREAS, conveyance documents have been prepared quitclaiming to the City of Pleasanton all right, title and interest in said Line B-2-5 and the lands designated and described in the Exhibit A (No. 6309).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby request and recommend that the Board of Supervisors of Alameda County Flood Control and Water Conservation District approve said Quitclaim of Easement and authorize the President of the Board of Supervisors to execute same.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

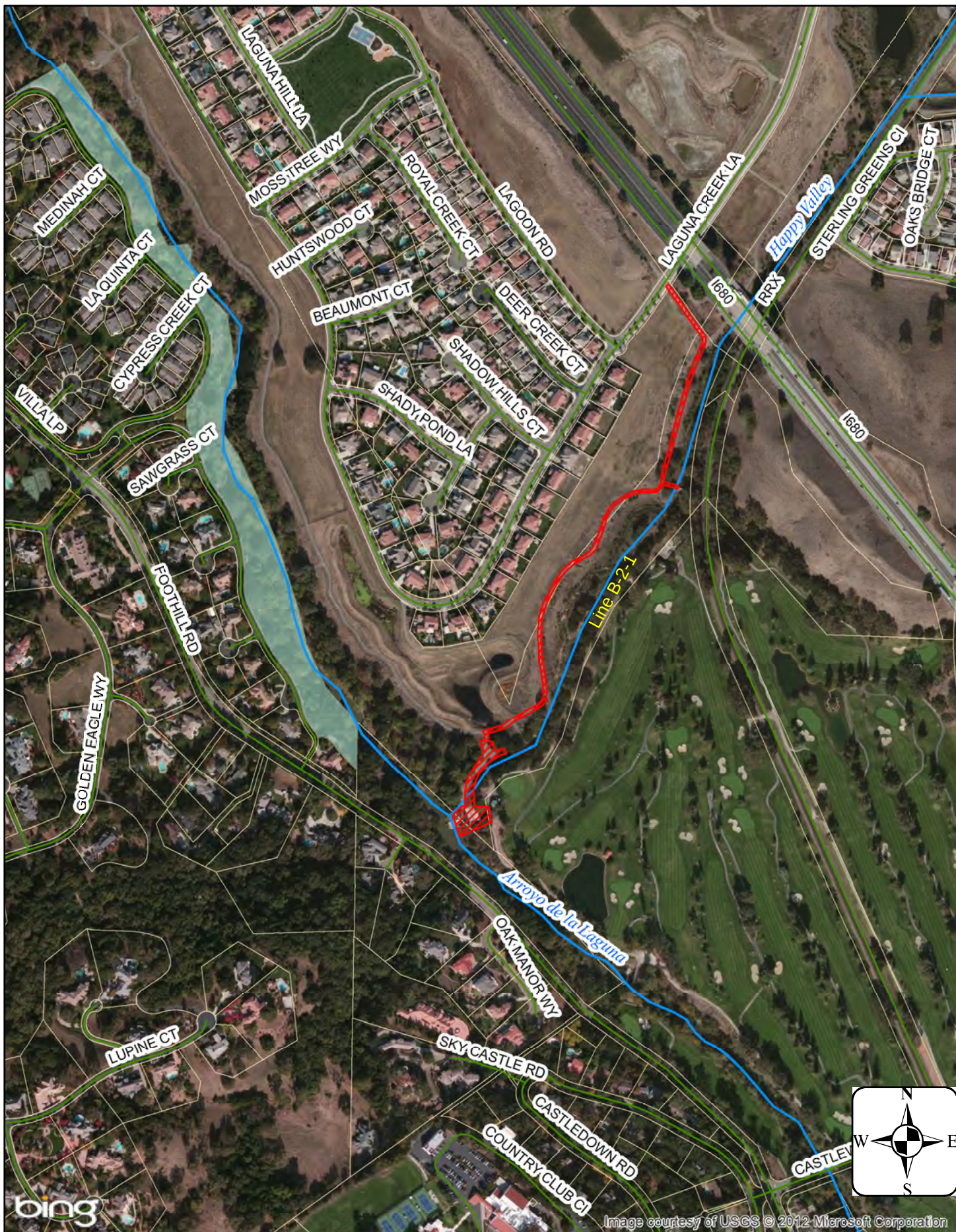
ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 20, 2013.

By _____
President, Board of Directors

Lines B-2-5
No. 6309
RE-438



ZONE 7 WATER AGENCY
100 North Canyons Parkway, Livermore, CA

DRAWN: BW/SJE/BK

REVIEWED: DG

Location Map
Accept Outfall Easements
from City of Pleasanton

Scale: 1" = 517'

Date: 11-30-2012

Recording requested by
and after recording return to:

Zone 7 Water Agency
100 N. Canyons Parkway
Livermore, CA 94551
Attention: Real Property Services

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The Grantee hereby declares this instrument to be exempt from Recording Fees (Govt. Code §27383) and Documentary Transfer Tax (Revenue and Taxation Code §11922).

APN's: 946-4590-007, 946-4052-013 (Portion)

GRANT OF EASEMENT FOR OUTFALL STRUCTURE

For valuable consideration, the receipt of which is hereby acknowledged, the City of Pleasanton, a municipal corporation ("Grantor"), hereby grants to the Alameda County Flood Control and Water Conservation District - Zone 7 ("Grantee") an easement for the maintenance, repair and modification of an existing outfall structure on Bernal Creek (Line B-2-1) at its confluence with the Arroyo de la Laguna over and across the real property described in Exhibit B-1 and shown in Exhibit B-2, attached hereto and incorporated herein by reference ("Property"), subject to the following limitations:

- A. Grantee may repair and maintain the existing outfall structure on the Property, subject to federal and/or state regulatory water quality requirements; and
- B. Prior to the repair of such outfall structure on the Property, Grantee shall submit improvement plans and the construction schedule to the City of Pleasanton's Community Development Department for review and comment; and
- C. Routine and emergency maintenance by Grantee of the outfall structure is not subject to Grantor review and approval.

Reservation of Rights. Except as provided herein, Grantor hereby reserves for itself and its successors and assigns the right to use the Property for any purpose not inconsistent with this grant of Easement as approved in writing by the Grantee.

Acceptance by Grantee. Grantee hereby accepts the easement herein granted, consents to the limitations hereof, and agrees to the recordation of this Grant.

Termination. This easement will terminate automatically without the requirement of any further action on the part of Grantor or Grantee if the Grantee removes or abandons the outfall structure on the Property.

Executed this _____ day of _____ 2013.

GRANTOR

City of Pleasanton

By: _____
Nelson Fialho, City Manager

{attach notary acknowledgement}

GRANTEE

Alameda County Flood Control and Water
Conservation District - Zone 7

By: _____
G.F. Duerig, General Manager

{attach notary acknowledgement}

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Jonathon Lowell, City Attorney

Line B-2-1
No. 70115B
RF - 10081

EXHIBIT "A-1"
NO. 70115A
LINE B-2-1
OUTFALL STRUCTURE
ACCESS ROADWAY EASEMENT

MAP: RF-10079

APN's: 946-4590-002, 946-4590-004, 946-4590-007 (Portion)

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL "A", AS SAID PARCEL IS SHOWN ON THE MAP OF TRACT 7255, FILED FOR RECORD ON AUGUST 10, 2001, IN BOOK 259 OF MAPS, AT PAGES 64 THROUGH 90, OFFICIAL RECORDS ALAMEDA COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STRIP ONE

A STRIP OF LAND HAVING A UNIFORM WIDTH OF 15.00 FEET LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A POINT ON THE SOUTHEASTERLY LINE OF LAGUNA CREEK LANE, AT THE INTERSECTION WITH THE GENERAL NORTHEASTERLY LINE OF SAID PARCEL "A", SAID GENERAL NORTHEASTERLY LINE ALSO BEING THE SOUTHWESTERLY LINE OF INTERSTATE 680, ALL AS SHOWN ON SAID MAP, SAID POINT ALSO BEING THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE DESIGNATED AS " N 36° 41' 05" W, 301.72' ", ON SAID MAP;

THENCE ALONG SAID GENERAL NORTHEASTERLY LINE OF LAGUNA CREEK LANE, SOUTH 32° 52' 11" WEST, 15.58 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE LEAVING SAID GENERAL NORTHEASTERLY LINE, SOUTH 37° 56' 14" EAST, 197.37 FEET;

THENCE SOUTH 33° 26' 37" EAST, 91.11 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF A 522.00 FOOT RADIUS NON TANGENT CURVE TO THE LEFT, WHOSE CENTER POINT BEARS, SOUTH 61° 01' 39" EAST, THROUGH A CENTRAL ANGLE OF 10° 46' 11", AN ARC DISTANCE OF 98.12 FEET;

THENCE SOUTH 18° 12' 10" WEST, 91.44 FEET;

THENCE ALONG THE ARC OF A 1582.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 9° 25' 35", AN ARC DISTANCE OF 260.27 FEET;

THENCE SOUTH 8° 46' 35" WEST, 68.50 FEET;

THENCE SOUTH 14° 00' 39" WEST, 87.49 FEET;

THENCE ALONG THE ARC OF A 58.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 5° 18' 53", AN ARC DISTANCE OF 5.38 FEET, TO A POINT HEREINAFTER REFERRED TO AS POINT "A";

THENCE CONTINUING ALONG THE ARC OF SAID 58.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 67° 34' 46", AN ARC DISTANCE OF 68.41 FEET;

THENCE SOUTH 86° 54' 18" WEST, 27.02 FEET;

THENCE ALONG THE ARC OF A 185.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 66° 31' 30", AN ARC DISTANCE OF 214.80 FEET;

THENCE SOUTH 20° 22' 48" WEST, 111.12 FEET;

THENCE ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 49° 18' 38", AN ARC DISTANCE OF 86.06 FEET, TO A POINT OF REVERSE CURVATURE;

THENCE ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 27° 41' 40", AN ARC DISTANCE OF 82.17 FEET, TO A POINT OF COMPOUND CURVATURE;

THENCE ALONG THE ARC OF A 417.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 49° 46' 45", AN ARC DISTANCE OF 362.29 FEET;

THENCE SOUTH 7° 46' 59" EAST, 160.56 FEET;

THENCE ALONG THE ARC OF A 75.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 65° 50' 01", AN ARC DISTANCE OF 86.18 FEET;

THENCE SOUTH 58° 03' 02" WEST, 162.57 FEET;

THENCE SOUTH 73° 19' 14" WEST, 76.83 FEET;

THENCE SOUTH 3° 44' 16" EAST, 26.94 FEET, TO A POINT HEREINAFTER REFERRED TO AS POINT "B", SAID POINT ALSO BEING THE SOUTHERLY TERMINUS OF STRIP ONE.

STRIP TWO

A STRIP OF LAND HAVING A UNIFORM WIDTH OF 15.00 FEET LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "A", THENCE SOUTH 70° 40' 28" EAST, 32.34 FEET;

THENCE SOUTH 72° 30' 50" EAST 61.25 FEET, TO THE EASTERLY TERMINUS OF STRIP TWO.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE ABOVE DESCRIBED STRIP ONE.

STRIP THREE

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "B", THENCE NORTH 86° 15' 44" EAST, 20.00 FEET;

THENCE SOUTH 3° 44' 16" EAST, 20.58 FEET;

THENCE SOUTH 21° 10' 14" EAST, 27.79 FEET;

THENCE SOUTH 62° 47' 16" EAST, 14.14 FEET;

THENCE NORTH 71° 40' 22" EAST, 24.92 FEET;

THENCE SOUTH 14° 40' 25" EAST, 26.16 FEET;

THENCE ALONG THE ARC OF A 213.00 FOOT RADIUS NON TANGENT CURVE TO THE LEFT, WHOSE CENTER POINT BEARS, SOUTH 14° 40' 25" EAST, THROUGH A CENTRAL ANGLE OF 75° 56' 38", AN ARC DISTANCE OF 282.33 FEET;

THENCE SOUTH 83° 53' 16" WEST, 29.12 FEET;

THENCE ALONG THE ARC OF A 242.00 FOOT RADIUS NON TANGENT CURVE TO THE RIGHT, WHOSE CENTER POINT BEARS, NORTH 88° 43' 20" EAST, THROUGH A CENTRAL ANGLE OF 48° 16' 34", AN ARC DISTANCE OF 203.90 FEET;

THENCE NORTH 16° 08' 07" EAST, 37.61 FEET;

THENCE NORTH 40° 31' 33" EAST, 14.95 FEET;

THENCE NORTH 3° 44' 16" WEST, 49.46 FEET;

THENCE NORTH 86° 15' 44" EAST, 20.00 FEET TO THE POINT OF BEGINNING.

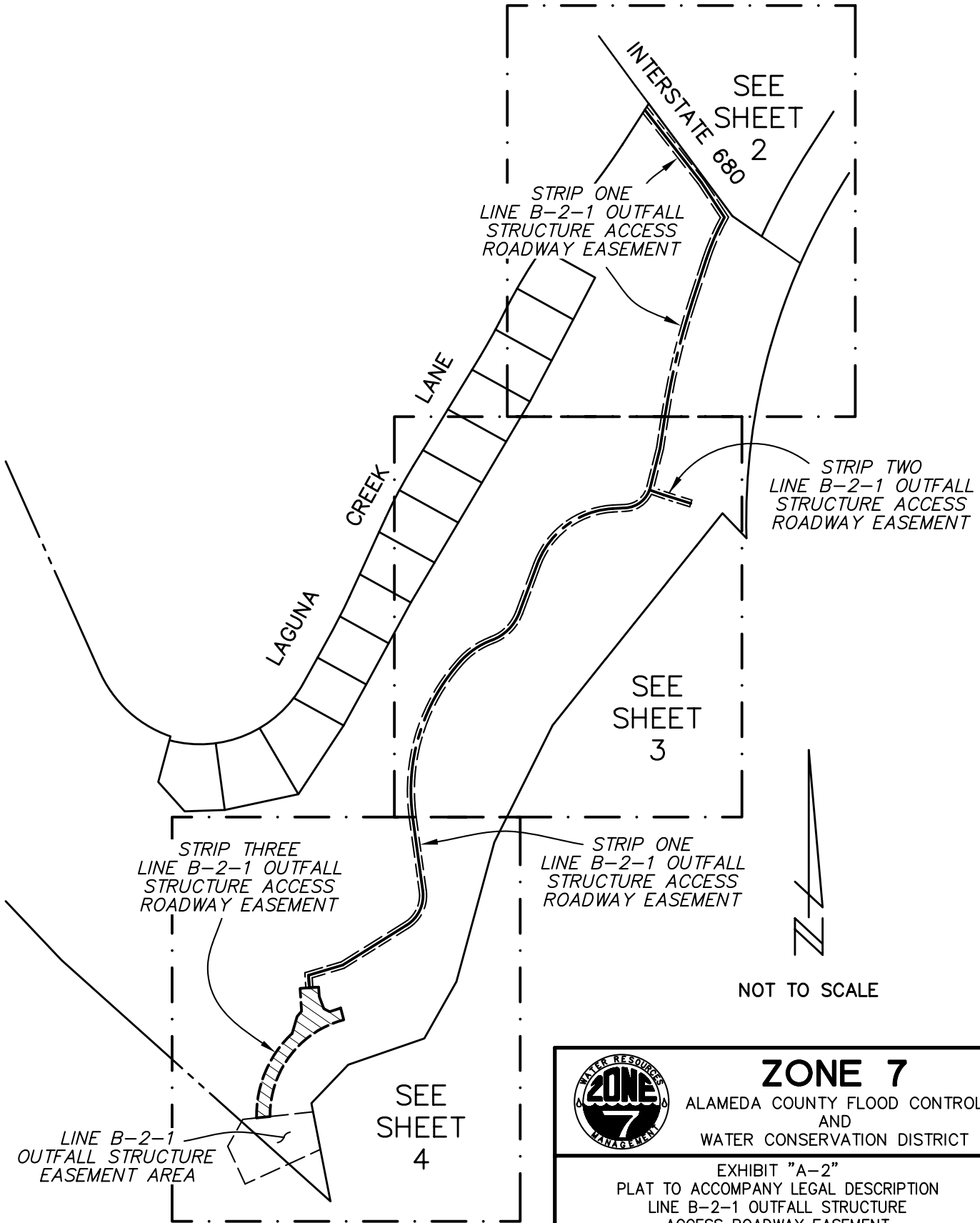
CONTAINING 12,080± SQUARE FEET OR 0.2773± ACRES, MORE OR LESS.

KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS

ANTHONY C. McCANTS, L.S. 5944
LICENSE EXPIRES: 12-31-08

DATE

Z:\2007\A07626-8\survey\A07626-8-PD-AE.dwg 6/24/2008 9:42:15 AM PDT



KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
1233 Quarry Lane, Suite 145 (925) 249-6555
Pleasanton, California 94566 Fax (925) 249-6563



ZONE 7

ALAMEDA COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

EXHIBIT "A-2"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
LINE B-2-1 OUTFALL STRUCTURE
ACCESS ROADWAY EASEMENT

PLEASANTON ALAMEDA COUNTY CALIFORNIA

DRAWN:	TRACED:	DATE: MARCH 2008		
CHECKED:		SCALE: N.T.S.		
APVL. REC:		FILE NO.	SHEET NO.	OF
APPROVED:		RF-10079	1	4

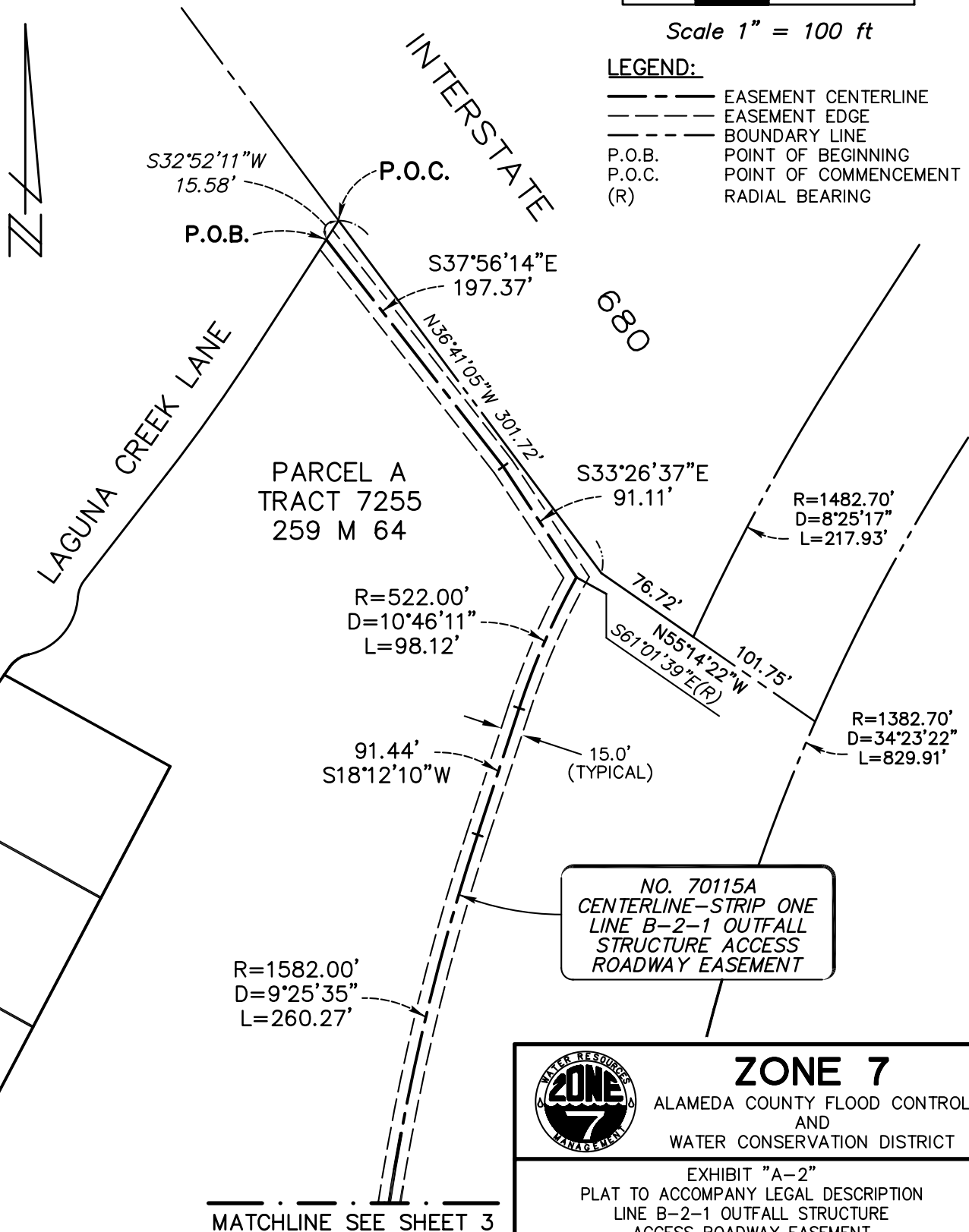
0 100 200



Scale 1" = 100 ft

LEGEND:

- EASEMENT CENTERLINE
- EASEMENT EDGE
- BOUNDARY LINE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- (R) RADIAL BEARING



ZONE 7

ALAMEDA COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

EXHIBIT "A-2"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
LINE B-2-1 OUTFALL STRUCTURE
ACCESS ROADWAY EASEMENT

PLEASANTON ALAMEDA COUNTY CALIFORNIA

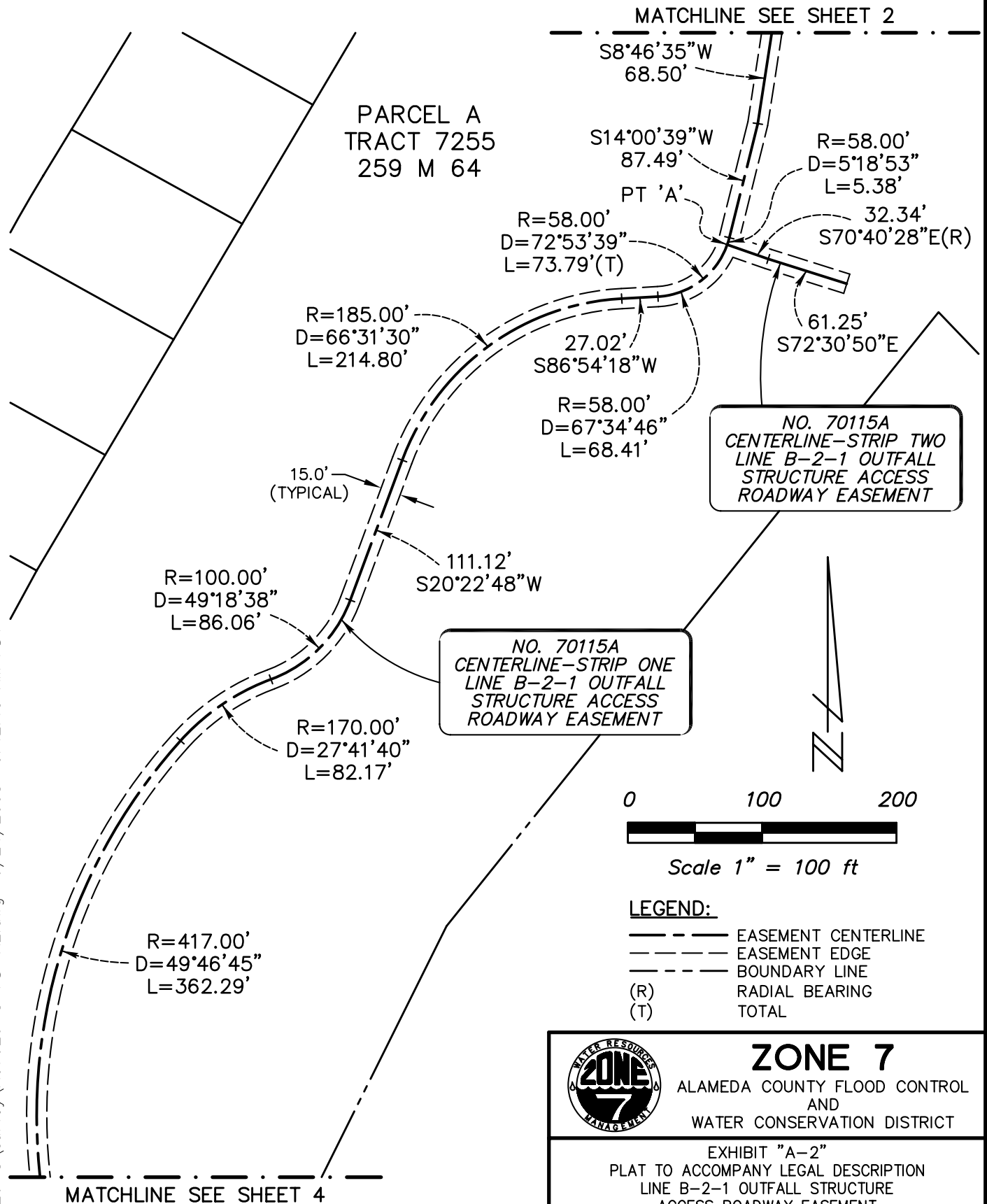
DRAWN:	TRACED:	DATE: MARCH 2008		
CHECKED:		SCALE: 1" = 100'		
APVL. REC:		FILE NO.	SHEET NO.	OF
APPROVED:		RF-10079	2	4



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
1233 Quarry Lane, Suite 145 (925) 249-6555
Pleasanton, California 94566 Fax (925) 249-6563

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KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
1233 Quarry Lane, Suite 145 (925) 249-6555
Pleasanton, California 94566 Fax (925) 249-6563



ZONE 7

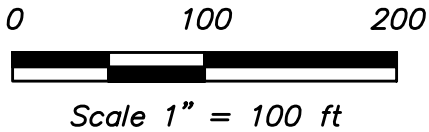
ALAMEDA COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

EXHIBIT "A-2"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
LINE B-2-1 OUTFALL STRUCTURE
ACCESS ROADWAY EASEMENT

PLEASANTON ALAMEDA COUNTY CALIFORNIA

DRAWN:	TRACED:	DATE:	MARCH 2008
CHECKED:		SCALE:	1" = 100'
APVL. REC:		FILE NO.	RF-10079
APPROVED:		SHEET NO.	3
		OF	4

MATCHLINE SEE SHEET 3



NO. 70115A
CENTERLINE-STRIP ONE
LINE B-2-1 OUTFALL
STRUCTURE ACCESS
ROADWAY EASEMENT

PARCEL A
TRACT 7255
259 M 64

R=75.00'
D=65°50'01"
L=86.18'

S7°46'59"E
160.56'

15.0'
(TYPICAL)

162.57'
S58°03'02"W

S73°19'14"W
76.83'

26.94'
S3°44'16"E

SEE DETAIL

PT 'B'

L11

L10

40.0'(T)

L1

NO. 70115A
STRIP THREE
LINE B-2-1 OUTFALL
STRUCTURE ACCESS
ROADWAY EASEMENT

R=242.00'
D=48°16'34"
L=203.90'

R=213.00'
D=75°56'38"
L=282.33'

N88°43'20"E(R)

LINE B-2-1
OUTFALL
STRUCTURE
EASEMENT AREA

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	N86°15'44"E	20.00'
L2	S03°44'16"E	20.58'
L3	S21°10'14"E	27.79'
L4	S62°47'16"E	14.14'
L5	N71°40'22"E	24.92'
L6	S14°40'25"E	26.16'
L7	S83°53'16"W	29.12'
L8	N16°08'07"E	37.61'
L9	N40°31'33"E	14.95'
L10	N03°44'16"W	49.46'
L11	N86°15'44"E	20.00'

LEGEND:

- EASEMENT CENTERLINE
- EASEMENT EDGE
- BOUNDARY LINE
- (R) RADIAL BEARING



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ZONE 7

ALAMEDA COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

EXHIBIT "A-2"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
LINE B-2-1 OUTFALL STRUCTURE
ACCESS ROADWAY EASEMENT

PLEASANTON ALAMEDA COUNTY CALIFORNIA

DRAWN:	TRACED:	DATE: MARCH 2008		
CHECKED:		SCALE: 1" = 100'		
APVL. REC:		FILE NO.	SHEET NO.	OF
APPROVED:		RF-10079	4	4

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ZONE 7 WATER AGENCY
100 North Canyons Parkway, Livermore, CA

DRAWN: BW/SJE/BK

REVIEWED: DG

Location Map
Quitclaim SD Easement
to City of Pleasanton

Scale: 1" = 696'

Date: 2-13-2013

Recording Requested By:

City of Pleasanton

And When Recorded Mail to:

City Clerk
City of Pleasanton
P. O. Box 520
Pleasanton, CA 94566-0802

Recording Fee \$0.00 Govt. Code 27383

Space Above This Line for Recorder's Use

APN's: 94-157-5-17 (Por.) and 947-8-5 (Por.)

QUITCLAIM OF EASEMENT

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic (DISTRICT), does hereby QUITCLAIM, RELEASE AND RELINQUISH unto CITY OF PLEASANTON, a municipal corporation, its successors and assigns, all right, title and interest DISTRICT has in certain real property which is situated in the City of Pleasanton, County of Alameda, State of California, described as follows:

That certain permanent easement for flood control purposes as described in the Final Order in Condemnation recorded August 3, 1979 as Recorder Series Number 79-153292, Official Records of Alameda County, Alameda County Flood Control and Water Conservation District (Plaintiff), City and County of San Francisco (Defendant).

IN WITNESS WHEREOF, this instrument is duly executed pursuant to Alameda County Flood Control and Water Conservation District Resolution No. _____ adopted _____, 2013, a certified copy of which is attached hereto and made a part hereof.

ALAMEDA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By: _____
Nate Miley, President
The Board of Supervisors

Line B-2-5
No. 6309
Map: RE-438

EXHIBIT "B-1"
NO. 70115B
LINE B-2-1
OUTFALL STRUCTURE EASEMENT

MAP: RF-10081

APN's: 946-4590-007, 946-4052-013 (Portion)

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL "A" AND PARCEL "H", AS SAID PARCELS ARE SHOWN ON THE MAP OF TRACT 7255, FILED FOR RECORD ON AUGUST 10, 2001, IN BOOK 259 OF MAPS, AT PAGES 64 THROUGH 90, OFFICIAL RECORDS OF ALAMEDA COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL "A", THENCE ALONG THE GENERAL SOUTHEASTERLY LINE OF SAID PARCEL "A", NORTH 11° 01' 57" WEST, 113.80 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE LEAVING SAID GENERAL SOUTHEASTERLY LINE, SOUTH 65° 20' 27" WEST, 178.44 FEET;

THENCE NORTH 24° 39' 33" WEST, 89.34 FEET;

THENCE NORTH 29° 15' 17" EAST, 66.48 FEET;

THENCE NORTH 83° 53' 16" EAST, 152.04 FEET TO A POINT ON SAID GENERAL SOUTHEASTERLY LINE OF SAID PARCEL "A";

THENCE ALONG SAID GENERAL SOUTHEASTERLY LINE, SOUTH 11° 01' 57" EAST, 82.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 20,110± SQUARE FEET OR 0.4617± ACRES, MORE OR LESS.

KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS

ANTHONY C. McCANTS, L.S. 5944
LICENSE EXPIRES: 12-31-08

DATE

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PARCEL A
TRACT 7255
259 M 64

0 60 120

Scale 1" = 60 ft

LINE B-2-1
OUTFALL STRUCTURE
EASEMENT
AREA=20,110± S.F.

70115B

P.O.B.

GENERAL
SOUTHEASTERLY
LINE PARCEL A

P.O.C.
SOUTHERLY
CORNER
PARCEL A

PARCEL H
TRACT 7255
259 M 64

FOOTHILL ROAD

33.00'
N61°46'58"W



ZONE 7

ALAMEDA COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT

EXHIBIT "B-2"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
LINE B-2-1 OUTFALL STRUCTURE EASEMENT

PLEASANTON ALAMEDA COUNTY CALIFORNIA

DRAWN:	TRACED:	DATE: MARCH 2008		
CHECKED:		SCALE: 1" = 60'		
APVL. REC:		FILE NO.	SHEET NO.	OF
APPROVED:		RF-10081	1	1



KIER & WRIGHT

CIVIL ENGINEERS & SURVEYORS, INC.
1233 Quarry Lane, Suite 145 (925) 249-6555
Pleasanton, California 94566 Fax (925) 249-6563



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: Integrated Planning
CONTACT: Carol Mahoney/Diana Gaines

AGENDA DATE: February 20, 2013

ITEM NO. 5b

SUBJECT: Amend Contract No. A13-53-ABC with ABC Security Services, Inc.

SUMMARY:

- Alameda County GSA Purchasing performed a competitive bidding process for security services for other County functions and Zone 7 in 2012, and a contract was awarded to BMT International Security (BMT) for the Zone 7 portion of the bid.
- December 4, 2012, Alameda County's BMT services contract was terminated by Alameda County Board of Supervisors due to a breach of contract. Zone 7 was notified of this action only five days prior to the effective date of termination.
- Zone 7 requires continuous security guard services for the treatment plants and distribution system; therefore, ABC Security, Inc. was awarded a Services Agreement as a stopgap measure for a not-to-exceed amount of \$50,000 for the term of December 5, 2012 through June 30, 2013.
- Estimated cost for security guards services through June 30, 2013 is \$96,500.
- The current ABC Security contract needs to be increased by \$46,500 to cover anticipated costs through June 30, 2013 and until a new security contract is bid.
- Due to BMT Security's contract termination, approximately \$76,000 remains in the encumbered security guard services funding to cover a portion of the cost increase.
- Staff intends to perform the future bidding process internally rather than using County services to have greater control over the bidding process, award, and contract administration.

FUNDING:

Funding for this contract is currently budgeted in Fund 52 – Water Enterprise.

RECOMMENDED ACTION:

Adopt the attached resolution authorizing the General Manager to execute an amendment to Contract No. A13-53-ABC with ABC Security Services, Inc., for \$46,500 for security guard services for a not-to-exceed amount of \$96,500.

ATTACHMENTS:

- Memo providing additional background information on subject agenda item.
- Resolution

Interoffice Memo

Date: February 11, 2013
To: Jill Duerig, General Manager
From: Diana Gaines, Senior Engineer
Subject: Contract extension for ABC Security Services, Inc.

BACKGROUND:

In 2012, Alameda County GSA Purchasing initiated a competitive bid process to acquire 3-year security services for various County departments and Zone 7. This effort was completed January 10, 2012, with the selection of ABC Security Services (ABC) for other Alameda County facilities. For the Zone 7 portion of the bid process, BMT International was awarded the contract for Elite Stationary and Patrol services in early March with a start date of April 16, 2012. Subsequently, Zone 7 entered into a three-year contract for security services through this master contract with Alameda County for guard services with BMT. However, Zone 7 was notified late on Thursday, November 29, 2012 of the pending action by the County to terminate the contract with BMT due to insurance issues. The contract was terminated by the County Board of Supervisors on the following Tuesday, December 4, 2012. This left Zone 7 staff inadequate time to re-bid for security services and the best course of action was deemed to create a short-term contract to bridge the gap while another security contract could be developed and bid using Zone 7 staff rather than County services.

The County did give Zone 7 staff the option to request informal bids from three security firms to cover the interim guard services offering that they would re-bid a larger contract. Staff felt that executing another long-term contract through Alameda County could result in similar contract issues in the future and that it would be better to explore performing our own bidding for security services. Additionally Zone 7 requires a special type of guard, the motor patrol, which differs from other departments in Alameda County and caused issues during the previous bidding process. The motor patrol guards have more training to be able to handle situations that might come up in the field. The previous contract was executed in two steps, one for Alameda County and one for Zone 7, and two separate security businesses won the bid. Our contract was the only one that was terminated. For these reasons, staff wishes to streamline the process and have the focus be on the services specifically required by Zone 7.

Staff approached ABC Security Services, Inc., to satisfy the short-term contract because they were familiar with our facilities and we had been satisfied with their service through the end of our last contract with them ending April 2012. They were amenable to an immediate start date and staffed both treatment plants and the motor patrol starting December 5, 2012. There was no lapse in coverage for the treatment and distribution facilities. Zone 7 executed a \$50,000 contract with ABC to provide short-term security services, with the understanding that a full scope and budget would need to be developed to cover the time between December 2012 and June 30, 2013. ABC's rate schedule indicated that anticipated costs through June 30, 2013 are \$96,500. Zone 7 staff intends to review current needs then prepare a competitive bid package specific to Zone 7's needs and initiate the bid process during the spring. Staff anticipates that a

new contract can be awarded and executed by June 1, 2013, but has allowed time in the existing contract to deal with any unexpected developments or delays.

DISCUSSION:

During the days between the County's action to terminate the contract with BMT and initiating a new contract, Staff worked with ABC to determine if a short-term contract would be appropriate to maintain adequate security at our facilities. Staff was aware that the cost for the remainder of the fiscal year could exceed the \$50,000 but felt the immediacy of lack of security support warranted taking measures that would allow staff to properly bid a new contract independently of the County. The contract was set to end on June 30, 2013 to provide some flexibility to re-bid a Zone 7 contract. This decision was made because Zone 7 would have more control over the details of contract and the timeliness.

The original contract with BMT that was for \$158,700 had been initiated on March 1, 2012 with a start date of April 16, 2012. Of that amount, \$76,000 was left in the fiscal year budget. ABC's estimate of \$96,500 exceeds this amount by \$20,500, which will be taken out of the Fund 52 budget. This increase in costs is due to the cost difference between hourly billing rates of BMT and ABC plus the changes in Plant Shutdown coverage. The BMT bid assumed a savings when shutting down Patterson Pass in that there would not be a need for stationary guards, however with the shutdown of Del Valle guard costs actually increased due to full coverage while Operators are not on-site.

FUNDING:

Funding for \$76,000 is available from the previous contract; other monies would be from Fund 52 – Water Enterprise.

RECOMMENDED ACTION:

Staff recommends Contract No. A13-53-ABC be amended to cover the additional cost of \$46,500 through June 30, 2013 for a new not-to-exceed contract amount of \$96,500.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Contract Amendment for ABC Security Services Inc. (A13-53-ABC)

WHEREAS, Zone 7 requires security services through the end of fiscal year 2012-13 at a cost of \$96,500; and

WHEREAS, ABC Security has been providing satisfactory security services; and

WHEREAS, the existing ABC agreement is limited to \$50,000;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to execute a contract amendment for security services in an amount \$46,500 for a new contract total not-to-exceed \$96,500.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 20, 2013.

By _____
President, Board of Directors



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: Administrative Services
CONTACT: Tom Hughes

AGENDA DATE: February 20, 2013

ITEM NO. **6a**

SUBJECT: Employee of the Month Recognition

SUMMARY:

The Employee Recognition Program Nomination Committee met in January and selected the Employee of the Month for December 2012 according to the established Program Guidelines. The individual chosen out of the submitted nominations is then recommended to Management for approval and there is a subsequent announcement of the selection to all Agency employees.

Karen Newton, Assistant Engineer in the Water Quality Engineering Section has been chosen from among those nominated as the December 2012 Employee of the Month. She is based at the Del Valle Water Treatment Plant and reports to Water Quality Manager Gurpal Deol.

The recommendation the committee received states that Karen is a valuable asset to other engineering staff. Due to the recent departure of an employee, responsibilities were reassigned amongst several employees. During this time urgent responses to the Regional Water Quality Control Board questions required quick action on the part of Zone 7. Though the transition of knowledge concerning the workload had not been completed, Karen took on responsibility for those responses concerning NPDES permits and site-specific BMPs and did a nice job in the process. Thanks to her efforts other employees were able to concentrate on some equally important priorities, all to the benefit of Zone 7. Karen's willingness to take the lead on this part of the workload was very much appreciated by our engineering staff members.

The committee seconded the recommendation and recognized Karen Newton as a valuable employee and asset to Zone 7, with management approving the selection.

RECOMMENDED ACTION:

It is recommended that the Zone 7 Board of Directors recognize and congratulate Karen Newton as December 2012 Employee of the Month.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: FACILITIES ENGINEERING

CONTACT: JACK FONG/RHETT ALZONA

AGENDA DATE: February 20, 2013

ITEM NO. 7

SUBJECT: Award of Contract for the 2012 DVWTP and PPWTP Filter Media Replacement/Replenishment Project

SUMMARY:

- The project scope includes filter media replacement at the Del Valle Water Treatment Plant (DVWTP) for Filter No. 2 and replenishment of anthracite and sand media for Filter Nos. 1, 3, 4, 5, 6, 7 and 8. In addition, the project includes replenishment of anthracite at Patterson Pass Water Treatment Plant for Filter Nos. 1, 2, and 3. Work for DVWTP Filter No. 2 also includes inspection, repair, and cleaning of the original filter underdrain blocks, re-habilitation of all interior concrete surfaces, and miscellaneous work such as the replacement of two ladder assemblies and two filter surface wash supply manifolds.
- Per CEQA guidelines, Zone 7 staff prepared a Notice of Exemption for the project and filed with the Alameda County Clerk and Recorder's Office on December 14, 2012.
- Zone 7 advertised the project on December 26, 2012 and January 2, 2013. The Engineer's estimate for the project scope is \$420,000.
- On January 30, 2013, one bid for \$435,732.58 was received.
- The bid was reviewed by Zone 7 staff and it was determined that the lowest responsive and responsible bidder is ERS Industrial Services, Inc., with a bid of \$435,732.58.
- The lowest bidder, ERS Industrial Services, Inc., has complied with the bid requirements.

FUNDING:

Funding for the project is available in Fund 72.

RECOMMENDED ACTION:

Consider bids for the construction of the 2012 DVWTP and PPWTP Filter Media Replacement/Replenishment Project and adopt the attached resolution to: 1) Approve plans, specifications, appendices and addenda; 2) Accept the bid and award a contract to ERS Industrial Services, Inc., as the lowest responsive and responsible bidder for the bid amount of \$435,732.58; 3) Authorize the General Manager to negotiate and execute the contract with ERS Industrial Services, Inc.; and 4) Authorize the General Manager to issue change orders if and when required in an amount not-to-exceed \$43,573 (10% of contract amount).

ATTACHMENTS:

1. Memo providing additional background and discussion of agenda item
2. Zone 7 Board Resolution

Interoffice Memo

Date: February 20, 2013
To: Jill Duerig, General Manager
From: Jack Fong, Associate Civil Engineer
Subject: Award of Contract for the 2012 DVWTP and PPWTP Filter Media Replacement/Replenishment Project

The following provides additional background and discussion on the above-referenced agenda item:

BACKGROUND:

Filter media needs to be replenished periodically as media is lost over time. The last replenishment took place over six years ago. Moreover, due to changes from typical source water quality in 2012, which contributed to filter air binding issues, both plants experienced shorter filter runs during the summer of 2012 than in past years. The shortened filter run times increased the frequency of filter backwashes, which exacerbated losses of anthracite and sand over a short period of time. In the most recent filter surveillance report conducted in the fall of 2012, shortages of approximately six to seven inches of anthracite were found per filter for both DVWTP and PPWTP. Similarly, the sand depths for DVWTP filters need to be replenished an average of approximately one and half inches, whereas the sand layers at the PPWTP filters have not significantly changed and do not need to be replenished. Some filters are also showing substantive gravel support mounding issues that can only be corrected by re-laying the gravel layers or by replacement.

DISCUSSION:

While filter media replacement would be beneficial, it is also more costly than filter media replenishment. A better plan is to replace the filter media in one bed now and conduct a more detailed condition assessment of the gravel layers and underdrain system in that bed to determine the approach to future media replacements for the remaining filters. DVWTP Filter No. 2 was determined by Zone 7 Operations and Engineering staff as the filter most needing full media replacement. The media and support gravel for DVWTP Filter No. 2 has never been replaced since its installation in 1974. This filter has been identified as one of the poorer performing filters in terms of filter run times and other metrics such as the unit filter run volume (UFRV) calculations.

The project scope includes filter media replacement for DVWTP Filter No. 2, including gravel support, and replenishment of anthracite and sand media for DVWTP Filter Nos. 1, 3, 4, 5, 6, 7, and 8 and for PPWTP Filter Nos. 1, 2, and 3. Other major work for DVWTP Filter No. 2 includes the inspection, cleaning, and minor repair of the filter underdrain blocks. In addition, the removal of the media makes it convenient to rehabilitate all the interior concrete walls and replace other ancillary filter materials that are beyond their useful life. Over time, the concrete develops cracks, loses cement and aggregate material due to exposure to aggressive low pH water.

Concrete rehabilitation includes sealing cracks, removing and re-grouting bad concrete areas, and applying a protective polyurethane coating surface. Miscellaneous work includes replacement of two corroded ladder assemblies and two 4-inch supply manifolds for the filter surface wash spray system.

Zone 7 staff filed a Notice of Exemption for the project with the Alameda County Clerk-Recorder's Office on December 14, 2012.

The project was advertised on December 26, 2012 and January 2, 2013 in a local newspaper and on Zone 7's website. In addition, copies of the plans and specifications were posted with twenty three Northern California builder exchanges. Subsequent to advertising, five general contractors attended the required pre-bid site visit on January 22 for both plants. On January 30, in accordance with established procedures, the following bid was received:

<u>Name of Firm and Location</u>	<u>Total Bid Amount</u>
ERS Industrial Services, Inc., Fremont, CA.	\$435,732.58

The Engineer's estimate was \$420,000 for the project scope under this contract.

The bid was reviewed by Zone 7 staff. The bidder has complied with the bid requirements and was determined to be responsive to the contract requirements. Although only one bid was received, the bid is reasonable and the contractor is highly experienced with water treatment plant filter media projects. Therefore, staff recommends the award of contract to the lowest responsive and responsible bidder, ERS Industrial Services, Inc., in an amount not-to-exceed \$435,732.58. Additionally, staff recommends that the General Manager be authorized to negotiate and issue change orders if and when needed in an amount not-to-exceed \$43,573 (10% of contract amount).

SCHEDULE:

Construction is scheduled to commence in early March 2013. Substantial completion of the filter media replenishment is anticipated by the end of April 2013 and DVWTP Filter No. 2 rehab is anticipated by the end of May 2013.

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

**Award of Contract for the 2012 DVWTP and PPWTP Filter Media
Replacement/Replenishment Project**

WHEREAS, Zone 7 of the Alameda County Flood Control and Water Conservation District has a project for the construction of the 2012 DVWTP and PPWTP Filter Media Replacement/Replenishment Project; and

WHEREAS, a Notice of Exemption per the California Environmental Quality Act (CEQA) guidelines was prepared and filed for the project; and

WHEREAS, bids were received and publicly read by the Zone 7 General Manager's authorized representatives at the Zone 7 Administration Office, 100 North Canyons Parkway, Livermore, California on January 30, 2013 at 2:00 p.m.; and

WHEREAS, the lowest responsive and responsible bid received for this project is the bid by ERS Industrial Services, Inc., with a bid amount of \$435,732.58.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby approve the plans, specifications, appendices, and addenda for the 2012 DVWTP and PPWTP Filter Media Replacement/Replenishment Project; and

BE IT FURTHER RESOLVED that the bid of the lowest responsive and responsible bidder, ERS Industrial Services, Inc., be accepted, and that the contract for the work be awarded to ERS Industrial Services, Inc., in an amount not to exceed \$435,732.58; and

BE IT FURTHER RESOLVED that the General Manager be authorized to negotiate and execute the contract on behalf of Zone 7 of the Alameda Flood Control and Water Conservation District with ERS Industrial Services, Inc., in an amount not-to-exceed \$435,732.58; and

BE IT FURTHER RESOLVED that the General Manager be authorized to negotiate and issue change orders as and when needed in an amount not to exceed \$43,573.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on February 20, 2013.

By _____
President, Board of Directors

SUMMARY MINUTES

JOINT MEETING ZONE 7/DSRSD LIAISON COMMITTEE WITH CITY LIAISON COMMITTEES

January 14, 2013
4:00 p.m.

Zone 7

Sarah Palmer, Board President
John Greci, Director
Dick Quigley, Director
Jill Duerig, General Manager
Kurt Arends, Assistant Gen. Mgr., Eng. & Ops.
Tom Hughes, Assistant Gen. Mgr., Admin
Judy Rector, Board Secretary

Dublin San Ramon Services District

Georgian Vonheeder-Leopold, Board Vice President
Rich Halket, Director
Bert Michalczyk, General Manager
Dave Requa, Assistant General Manager

City of Pleasanton

Karla Brown, Councilmember
Jerry Pentin, Councilmember
Nelson Fialho, City Manager
Daniel Smith, Director of Operations
Dan Martin, Manager of Utilities

City of Livermore

John Marchand, Mayor
Doug Horner, Vice Mayor
Dan McIntyre, Director of Public Works

California Water Service Co.

John Freeman, District Manager

Item 1. Zone 7 Board President, Dr. Sarah Palmer, called the meeting to order at 4 p.m. Participants introduced themselves by name and agency.

Item 2. Public Comment – None.

Item 3. Updating Zone 7's Financial Policies

Tom Hughes reported that Zone 7 is conducting discussions with the retailers' staff about changing the Zone 7 reserve policy, the total cost of water and water conservation; how recycling water is going to impact the cost of water if retailers are taking less water; pay-as-you go debt financing; future Delta fix and long-term sustainability.

Director Rich Halket, Dublin San Ramon Services District (DSRSD) said DSRSD is looking at retrofitting areas irrigation customers for recycling and not just using recycled water for new developments; DSRSD would like to investigate ways of making retrofits more equitable.

Livermore Mayor John Marchand said that pay-as-you-go financing has kept Zone 7's water rates low; he suggested considering ozone when discussing financial policies. Mayor Marchand also advised that 85% of the cost of water is fixed so the first gallon is the most expensive and he strongly suggested increasing the use of recycled water. Director of Operations Daniel Smith, City of Pleasanton, suggested recycled water incentives for places such as Hacienda Business Park. City Manager Nelson Fialho, City of Pleasanton, said he wants more information on the fixed costs of water. Zone 7 President Palmer said that desalination will also increase water costs. Zone 7 Director Quigley reminded everyone that

DWR's water rates are likely to rise. Zone 7 President Palmer said that this could be driven by water availability. Livermore Mayor Marchand added that the cost of the Delta fix, such as constructing and operating tunnels, could also affect DWR's water rates. Daniel Smith added that the cost of any new facilities should be factored into an alternatives analysis.

Item 4. Updating Zone 7's Water Quality Policy

Item 5. Possibility of Sun-Setting the Three-Way Joint Water Quality Policy (between DSRSD, Pleasanton and Zone 7)

Kurt Arends, Zone 7's Assistant General Manager, Engineering, gave a brief summary of these two items, as they are closely related. Every two years there is an update to the Water Quality Implementation Plan as part of the Water Quality Policy established by the Zone 7 Board in 2003. Zone 7 staff also prepare an annual Water Quality Report Card that discusses status of meeting target water quality levels. In 2005, discussions on taste and odor were held between Zone 7 and its western retailers, the City of Pleasanton and DSRSD regarding the retailers' concerns about differences in water quality. As a result, the Three-Way Joint Water Quality Policy was adopted.

Pleasanton Councilmember Karla Brown expressed her concern about Pleasanton having superior water in one area and substandard water in another. If groundwater is used, the resident could get spots from dish and car washing but if other water is used, there could be taste issues.

Zone 7 President Palmer reassured her that all delivered water is safe and that its water quality has to meet minimum drinking water standards. Zone 7 Director Quigley reminded the committee that because Pleasanton pumps its own wells, Zone 7 doesn't have total control over water quality at the tap. Livermore Mayor Marchand discussed how Pleasanton historically ran wells with chlorine versus chloramine, which used to add to the tastes and odors; Pleasanton well water is the hardest but the cheapest. Bert Michalczyk, General Manager of DSRSD, said their groundwater is pumped 100% by Zone 7 because they do not have individual wells. Mayor Marchand suggested that Pleasanton may want to add a demineralization plant for the city wells into their CIP.

Dave Requa, Assistant General Manager, DSRSD, said there should be additional staff-level discussions on the Water Quality policy. District Manager John Freeman, California Water Service, suggested revamping all the policies into a single one and meeting with all four retailers to develop a draft.

Item 6. Possibility of Revamping Committee of Valley Water Retailers (and associated need for annual reporting)

Mr. Michalczyk described the history of CoVWR (Committee of Valley Water Retailers), explaining that it arose as an outcome of past litigation and opining that there might be a better way to do this today. Mr. Arends discussed that it is awkward for Zone 7 to be on the outside because the committee is made up of only retailers. Livermore Mayor Marchand feels that greater collaboration will serve the people better by spending less money for reports for individual agencies. In the meantime, a more open and efficient format could be developed with the same message for annual reporting. This might be an expanded Annual Water Quality Report Card, to minimize staff efforts.

As part of this discussion, Daniel Smith suggested that the Liaison Committee meet every three to six months. The group decided to meet again in May of 2013 (five months). Zone 7 Director Quigley said it was good to meet like this and minimize adversarial contacts. Dave Requa added that it would be a better use of resources if the retailers didn't have to waste time regurgitating Zone 7 material.

Item 7. BDCP Update

Mr. Arends said the second public draft of the BDCP report may be available in February, environmental impact documents this summer, final versions in October, and a Notice of Determination perhaps as early as the end of the year. Zone 7 Director Quigley distributed copies of Timothy Quinn's article on the "California Water System Upgrade Overdue" (copy attached).

DSRSD Board Member Rich Halket observed that a great deal of policy, legal and implementation uncertainty still exists regarding a comprehensive Delta fix and as a result he strongly believes that the Valley water agencies should develop a "Plan B" that would mitigate any impacts related to delays in the Delta. Any "Plan B" would also mean less Tri-Valley reliance on the Delta once the Delta solution is in place. Director Halket mentioned things like expanded and more aggressive uses of recycled water, grey water systems, rainwater capture programs, etc. Director Halket challenged the elected leaders to begin thinking about such alternatives.

Item 8. Verbal Comments

Zone 7 Board President Palmer reminded the group about fracking (hydraulic fracturing), a controversial process of injecting a mixture of water, sand and other chemicals into a well in order to stimulate the flow of oil or natural gas. It has the potential to do irreparable harm to the environment.

Item 9. Adjournment

The meeting was adjourned at 5:05 p.m.

California water system upgrade overdue

Timothy Quinn

Published 5:46 pm, Monday, January 7, 2013

If you are a typical Californian, chances are you have a smartphone in your pocket and a fuel-efficient car in your driveway. You probably do your banking online, stream movies in your home and enjoy a bewildering selection of produce year-round at the supermarket.

Technology has changed our lives in a relatively short time. In sector after sector, industries have made advancements to keep pace with a constantly changing world. It's hard to imagine consumers accepting anything less.

Yet there is one major area where modernization is long overdue: our statewide water system. Despite its essential role in our economy, California's backbone water-delivery system no longer performs to today's standards. We shouldn't be satisfied with that.

It's time to retool. Major advances in air quality, for example, have been made through dramatic changes in technology used by power plants, factories and cars. Huge reductions in water pollution likewise have been made through state-of-the-art treatment plants.

Our statewide water system needs a similar assist from technology. Decades-old conveyance facilities in the Sacramento-San Joaquin River Delta are being asked to meet new environmental standards they were not designed to meet. Failure to meet that bar has negatively affected fish and water deliveries to millions of Californians.

Science has greatly improved our understanding of the problem. We know that smarter infrastructure can help by reducing impacts on species and making pumping levels more predictable for water suppliers.

Though local water managers are investing in the next generation of wise-water-use technology and solutions in their regions, we've postponed the job at the statewide level. That's a problem.

Wineries in the Livermore Valley, for example, will have a hard time producing award-winning varietals if water delivered through the delta grows increasingly unreliable.

Avocado farmers in San Diego County and cut-flower growers in Ventura will be hard-pressed to produce their crops if water from the statewide system is not reliable enough. In the Central Valley, fields of melons, pistachios and pomegranates will give way to fallowed land if water deliveries become too uncertain to grow these specialty items.

In Silicon Valley, manufacturers of computer chips and circuits know production will fizzle without reliable water from the statewide system.

All of this is at risk because our water system is outmoded and underperforming. Physical improvements are being identified now through a collaborative process known as the Bay Delta Conservation Plan that could put us on a path to retool the system for the 21st century.

Specifics are being refined, but the process merits support as state and federal agencies review alternatives and assess how the project would improve conditions for species.

When something isn't working, you fix it. If your statewide water system no longer performs, take steps to improve it. Sticking with the status quo and expecting different results makes as little sense as trying to combat air pollution without investing in clean-air technology.

It is time to step up and invest in a water system that works. Californians expect nothing less.

Timothy Quinn is the executive director of the Association of California Water Agencies.

Water Resources Committee
February 5, 2013
Meeting Summary

Directors Present: J. Greci, S. Palmer, B. Stevens

Staff Present: K. Arends, J. Chahal, J. Duerig, A. Flores, C. Mahoney, E. Rank, C. Winey

President Palmer called the meeting to order at 4:00 p.m.

1. Public Comment on Items Not on Agenda

There were no public comments.

2. East Pleasanton Specific Plan

Ms. Winey presented an update on the activities of the East Pleasanton Specific Plan (EPSP) Task Force, of which Zone 7 is a member. The EPSP includes Lakes H, I, and Cope in addition to 393 acres in the surrounding area. The update focused on the EPSP Draft Vision Statement, which includes the potential land use/development types being considered. Staff informed the Committee that there is a strong interest in making the lakes a focus of the area. Analysis of land use options by the Task Force will begin in February 2013. The Draft Specific Plan and Draft EIR are scheduled for completion in December 2013.

President Palmer and Director Stevens asked for clarification regarding the “triangle” property in the northwest corner of Cope Lake and the use of the existing Hanson Haul Road as the main through road and the potential associated traffic circulation and geotechnical issues. Ms. Winey explained that those factors are part of the analysis.

3. Chain of Lakes Planning Update

Ms. Winey and Dr. Flores provided an update on coordination with the quarry operators and Alameda County for Surface Mining Permit (SMP) modifications related to Lakes A-G. They also presented a compilation of the suggested/requested uses for the Chain of Lakes (COLs) and an update on the proposed planning schedule for the Chain of Lakes Mini-Master Plan.

The discussion included the timing of transfer of Lake H, which affects Zone 7’s ability to divert water from the Arroyo Mocho, and the transfer of the remaining lakes currently not owned by Zone 7. The Committee noted the importance of the COLs to Zone 7 and the need to explore a variety of uses for the COLs, which will need to be discussed at a full Board meeting even before detailed analysis begins. Dave Requa (DSRSD) commented that Zone 7 has an agreement with DSRSD to explore recycled water storage at the COLs; the staff and the Committee noted that recycled water storage is one of the potential uses to be included in the analysis.

The Committee requested that staff present a more comprehensive overview of the potential uses of the COLs at another committee meeting, possibly as soon as April 2013, followed by a discussion at a full Board meeting. It was also noted that the plan needs to be prepared soon so that it can inform Zone 7 comments on the EPSP.

4. Arroyo Mocho Stanley Reach – Project Update

Ms. Rank presented an update on this channel enhancement project. Staff noted that the project is currently under public CEQA review and anticipates bringing the CEQA for approval in March 2013. Construction is scheduled for this summer, to include removal of the upstream Dragon's Tooth structure and removal/modification of the four grade control structures. Staff anticipates bringing a construction contract to the Board for approval in April 2013. County Surplus Property is still engaged as a mitigating partner. Staff continues to seek other partners and grants to cover project costs; however, Zone 7 will be getting mitigation credit for the project that will be used for our other future construction projects.

Discussion included minor comments / questions on design and process.

5. Verbal Comments

There were no verbal comments.

President Palmer adjourned the meeting at 5:05 p.m.

January 24 - attended ACWA Strategic Planning Workshop and board meeting.

“Governor Brown’s continued focus on water is welcome and indeed essential. This is the year to make progress on addressing our daunting water supply challenges.”

“As the governor noted, the problems are big and big-picture thinking is needed to invest in solutions that protect the environment, improve water supplies and work for all regions of the state.”

“The Bay Delta Conservation Plan process mentioned by the governor may be our best opportunity to put California on a path to retool our water system for the 21st century. The process merits support as state and federal agencies move through an exhaustive review this year.”

“We agree it’s time to step up and invest in a water system that works.”

January 31 - attended and spoke at a celebration that marked the opening of an important Livermore-to-Pleasanton Arroyo Trail Project. Covered well by media and well attended. My comments are as follows:

Talking Points:

For this great project, there are many to thank! Special thanks to the original members of the Trails Council of Livermore Amador Valley: Deloris Bengston, Dave Lunn, Joe Jones, the Tri-Valley Business Council, and the Agriculture and Open Space Committee under Tom Omalley’s leadership, who kept inviting our vision back to the table. Superstar Joe Jones who built the Trail Council website enabling us to outreach our trail gap closure mission.

This gap closure process started in the mid 90’s, and when trail users filled the Pleasanton City Council Chambers to make a statement for opening trails, momentum began! Thanks to Pleasanton City Council and the Park and Recreation Commission for support and forming a trail committee, led by Kurt Kummer, that still meets regularly. Jerry Thorne, Jerry Pentin, Jennifer Hosterman and others have been involved for many years. On the Livermore side, David Furst, Scott Kamena and Lauren Turner have been supporters.

The Pleasanton Trail along the Mocho Flood Control Channel stopped at El Charro. Some of us advocated continuing the trail to Livermore as the Master Trail Plans listed. Zone 7 was very helpful with a board policy friendly to recreation and trails, and the Stream Management Master Plan of Zone 7 flood control program is also trail friendly (absent funding).

We found a potential funding grant source in 2005-2006 and, through LARPD and City of Livermore’s interest, and a staff PE, Joel Waxdeck, **a WINNING grant of 762K was awarded** by the State. **Thanks, Joel! Zone 7 helped again by creating a trail Video that is still viewable on the Zone 7 web site.** I am happy to report that one of the gaps that this new trail goes to is the 580/680 undercrossing trail between Pleasanton and Dublin that had an opening

celebration last October. This new trail will tie into the Iron Horse trail to the west and then to Concord. To the east, trail users can get to the Isabella trail and to Robertson Park, Sycamore Grove, Del Valle or Shadow Cliffs. Quite an accomplishment - THANKS TO ALL.

February 6 - attended a CSDA-sponsored webinar at Zone 7 on communication and appropriate protocols with Director Angela Ramirez Holmes and Tom Pico.

February 14 - Will be attending the following Regional 5 ACWA meeting at the SFPUC new LEED'S energy-efficient San Francisco campus. I will give a verbal report at the February board meeting.

Let me know if you have any questions or suggestions.

Thanks
DQ



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: ADMINISTRATION

CONTACT: Jill Duerig

AGENDA DATE: February 20, 2013

ITEM NO. 11a

SUBJECT: GENERAL MANAGER'S REPORT

SUMMARY: The following highlights a few of the key activities which occurred during January. Also attached is a list of the General Manager contracts executed during the month.

Operations and Maintenance:

- The Del Valle Water Treatment Plant (DVWTP) remained offline for the month. Demands were met by production from the Patterson Pass Plants (conventional and Ultra-Filtration/UF) and the wellfields (primarily through the Mocho Groundwater Demineralization Plant)
- Installation of a new fiber optic cable along the access road to the Del Valle Water Treatment Plant is now complete. Termination of the fiber and hardware installation remains to be done.
- Staff, with the help of maintenance workers from the City of Pleasanton, excavated a domestic water supply line to investigate a failed 24-inch valve on the backside of the Mocho Groundwater Demineralization Plant (MGDP). A broken valve actuator was identified as the culprit. The valve is locked in the open position. A new actuator will be installed as soon as parts are received.
- January was a relatively dry month, both locally and in the Sierras. By the end of the month, a snow survey showed that water content in California's mountain snowpack had been reduced to slightly below average for the date. Manual and electronic readings recorded the snowpack's statewide water content at 93% of average for this time of year or 55% of the average April 1 measurement, when the snowpack is normally at its peak before the spring melt. Snowpack normally provides about a third of the water for California's homes, farms and industries as it slowly melts into streams, reservoirs and aquifers in the spring and early summer.
- Engineering and Flood Control:
- The Department of Water Resources (DWR) informed staff that the Del Valle Lake spillway is awaiting materials for repair, currently planned for March. Next week, DWR will inspect the outlet tower and tunnel. If repairs are needed, they will be performed in April. Planned work should not impact flood releases.

- By the end of January, Lake Del Valle had risen to an elevation of 697.16 feet (water storage 35,910-acre feet/AF) and continued to increase about 15 AF per day despite the dry weather.

Environmental & External Affairs:

- The Valley-wide conservation group (retailers and Zone 7) have been evaluating water filling stations for schools in the valley. Given the program's cost-benefit ratio (this program focuses on reducing plastic waste without reducing water usage), the group generally decided to submit an application to the Education Advisory Board in the amount of \$40,000 to pay for the cost of filling stations, water bottles, marketing, training and education, as part of Zone 7's schools program. Note that at least one of the retailers will not participate in this program. Most likely, the first stations will be installed in two Livermore schools (Altamont Creek and Arroyo Seco).
- The army's developer of Camp Parks provided staff an update on the status of their Dublin Crossing project. The developer seemed receptive to including a detention pond on the southernmost portion of the army's property that would provide 100-year regional detention of approximately 60-acre feet, consistent with Zone 7's Stream Management planning. Once the developer completes analysis, they will meet with Zone 7 again.

Finance & Administration:

- At the request of the State Coastal Conservancy (SCC), Zone 7 submitted a significantly updated Work Plan to satisfy grant requirements. While the proposed tasks generally did not change, additional detail, context and graphics were incorporated.
- Employee training has begun for implementation of the new financial software. This is still on schedule for a July 1 launching.
- Staff met with staff from Alameda County Water District (ACWD) and Bay Friendly to confirm the class syllabus for the Bay-Friendly Training series. Zone 7 and ACWD are co-sponsoring this training for professional landscapers, which will be held at Parkside. Currently, there are 43 enrolled in the classes. Zone 7 staff will present a Water Management and Conservation component on March 19 and ACWD will document the training by photographing the class and assisting with the public announcements.
- Staff is coordinating with other representatives from the Bay Area Water/Wastewater Workforce Development (BAYWORK) consortium to collect profiles, photographs and/or videos of various employees in skilled trades positions to feature on the BAYWORK website, including those from Zone 7. Onsite photos and videos of the volunteers will be taken and posted soon. (See <http://baywork.org/resources/>, in particular Operators and Instrument Technicians.)

Monthly List of GM Contracts

January 2013

Contracts:

Liebert Cassidy Whitmore	\$ 2,074	Nor Cal Employment Relations Consortium
Macaulay Water Resources	\$10,000	Assistance with Water Transfer Approvals
Urban Creeks Council	\$50,000	Assistance with Stanley Reach Project
Total January 2013	\$62,074	



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ORIGINATING SECTION: Administrative Services

CONTACT: Boni Brewer/Mike Wallace

AGENDA DATE: February 20, 2013

ITEM NO. 11b

SUBJECT: Communications Outreach Activities

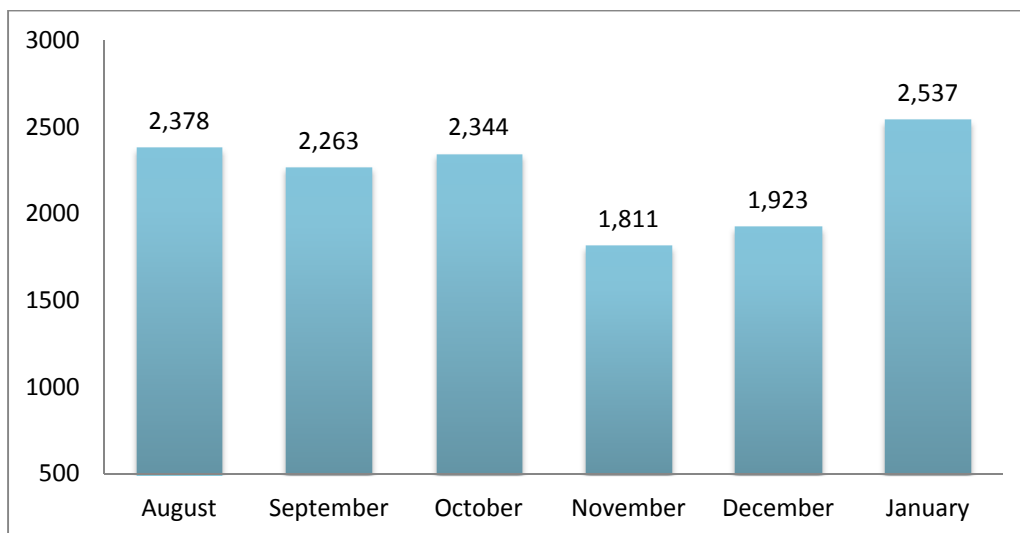
E-newsletter, January 15

This e-newsletter included articles covering; how the Valley's well-managed flood protection system withstood major December storms, and improvements being made to Cope Lake, a key facility in Zone 7's future Chain of Lakes, so it can be used for both Valleywide flood protection and water supply.

Pleasanton-to-Livermore Arroyo Trail Celebration, January 31

Zone 7 joined a community celebration that marked the opening of an important Livermore-to-Pleasanton arroyo trail project. Zone 7 owns this section of Arroyo las Positas for flood protection purposes. It provided the City of Livermore with a recreational use license and helped Livermore secure a \$762,000 state grant for trail development.

Website activity (total visits over six months/month)





ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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ORIGINATING SECTION: Administration
CONTACT: Tom Pico/Tim Hunt

AGENDA DATE: February 20, 2013

ITEM NO. 11c

SUBJECT: Legislative Update

SUMMARY:

- Zone 7 staff, with the support of the Agency's lobbying firm, The Gualco Group, Inc., and the Agency's legislative support consultant, Tim Hunt, monitors legislation that is being considered in Sacramento, as well as other political activities of interest to the Agency.
- Governor Jerry Brown presented his proposed 2013-14 fiscal year budget to the Legislature on January 10th. The governor declared that it was in balance for the first time in many years. The additional revenues from voter-approved tax increases in Propositions 30 and 39 were critical to alleviating the structural deficit that has plagued state government for years. The serious discussions on the budget will start after the governor releases his revised budget in May.
- Two bills, AB 145 by state Assemblyman Henry Perea, and SB 117 by state Senator Mike Rubio, have been introduced that would transfer the duties and responsibilities for the Safe Drinking Water Act from the state Department of Public Health to the State Water Resources Control Board. Staff strongly recommends opposing this bill given that drinking water is central to public health and that having the program in the Department of Public Health makes more sense; conversely, the State Board's authorizing legislation (the Porter Cologne Act) is focused on protecting environmental rather than human health. ACWA has also taken an "oppose unless amended" position to these bills.
- Reducing the amount of the currently proposed \$11.14 billion water bond remains very much on the agenda in the Legislature. Three bills have been introduced in the Senate to date dealing with the bond measure scheduled for the November 2014 ballot. The Senate Daily File lists a February 26th joint hearing between the Natural Resources and Water Committee and the Governance and Finance Committee entitled, "Overview of California's Debt Condition: Priming the Pump for a Water Bond." Two of the three Senate bills to reduce or eliminate the bond have been assigned to Natural Resources and Water; the third is awaiting assignment in the Rules Committee. Another bill has been introduced in the Assembly to review the amount of the bond.

RECOMMENDED ACTION: Information only

ATTACHMENT: Executive Summary



EXECUTIVE SUMMARY State Legislation



**Prepared for the Zone 7 Water Agency, Eastern Alameda County
by The Gualco Group, Inc.**

February 13, 2013

Bill	Topic	Synopsis	Staff Recommendation	Status of the Bill / Comments
Subcontracting				
AB 44 (Wolk)	Subletting and Subcontracting Fair Practices Act: bidding practices.	This bill would remove the requirement that the location of each subcontractor's business be included in the bid or offer and instead require that the California contractor license number of each subcontractor be provided	Watch	Assembly Committee on Business, Professions and Consumer Protection
Water Bond				
AB 142 (Perea)	Safe, Clean, and Reliable Drinking Water Supply Act of 2012	This bill would state the intent of the Legislature to enact legislation to amend the Safe, Clean, and Reliable Drinking Water Act of 2012.	Watch	Introduced
SB 36 (Rubio)	Safe, Clean, and Reliable Drinking Water Supply Act of 2012	This bill would declare the intent of the Legislature to amend the Safe, Clean and Reliable Drinking Water Supply Act of 2012 for the purpose of reducing the amount of the \$11,140,000,000 bond.	Watch	Senate Committee on Rules
SB 40 (Pavley)	Safe, Clean, and Reliable Drinking Water Supply Act of 2012	This bill would declare the intent of the Legislature to amend the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 for the purpose of reducing and potentially refocusing the \$11,140,000,000 bond.	Watch	Senate Committee on Natural Resources and Water

SB 42 (Wolk)	The California Clean, Secure Water Supply and Delta Recovery Act of 2014	This bill would repeal the provisions creating the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 as well as the provision to submit the bond act to the voters at the November 4, 2014, statewide general election. This bill would enact the California Clean, Secure Water Supply and Delta Recovery Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance a clean, secure water supply and Sacramento-San Joaquin Delta recovery program and would provide for the submission of the bond act to the voters at the November 4, 2014, statewide general election.	Watch	Senate Committee on Natural Resources and Water
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Special Taxes: Voter Approval

SCA 9 (Corbett)	Local government: economic development: special taxes: voter approval	This measure would provide that the imposition, extension or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of 55% of its voters voting on the proposition.	Watch	Read 1 st time
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Delta Protection Commission

AB 183 (Dickinson)	Delta Protection Commission: executive director: comprehensive long-term resource management plan: determination of consistency	This bill would require the executive director of the Delta Protection Commission to determine a discretionary project located in the primary zone to be consistent with the resource management plan provided that the project satisfies at least 4 of the 5 criteria.	Watch	Introduced
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State Water Resources Control Board

AB 145 (Perea)	State Water Resources Control Board: Drinking Water	This bill would transfer to the State Water Resources Control Board the various duties and responsibilities imposed on the Department of Public Health by the California Safe Drinking Water Act.	Oppose	Assembly Committee on Water, Parks and Wildlife
SB 117 (Rubio)	Drinking Water: State Water Resources Control Board	This bill would transfer the various duties and responsibilities imposed on the Department of Public Health by the California Safe Drinking Water Act to the State Water Resources Control Board.	Oppose	Senate Committee on Health



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ORIGINATING SECTION: ADMINISTRATIVE SERVICES

CONTACT: JAVIA GREEN

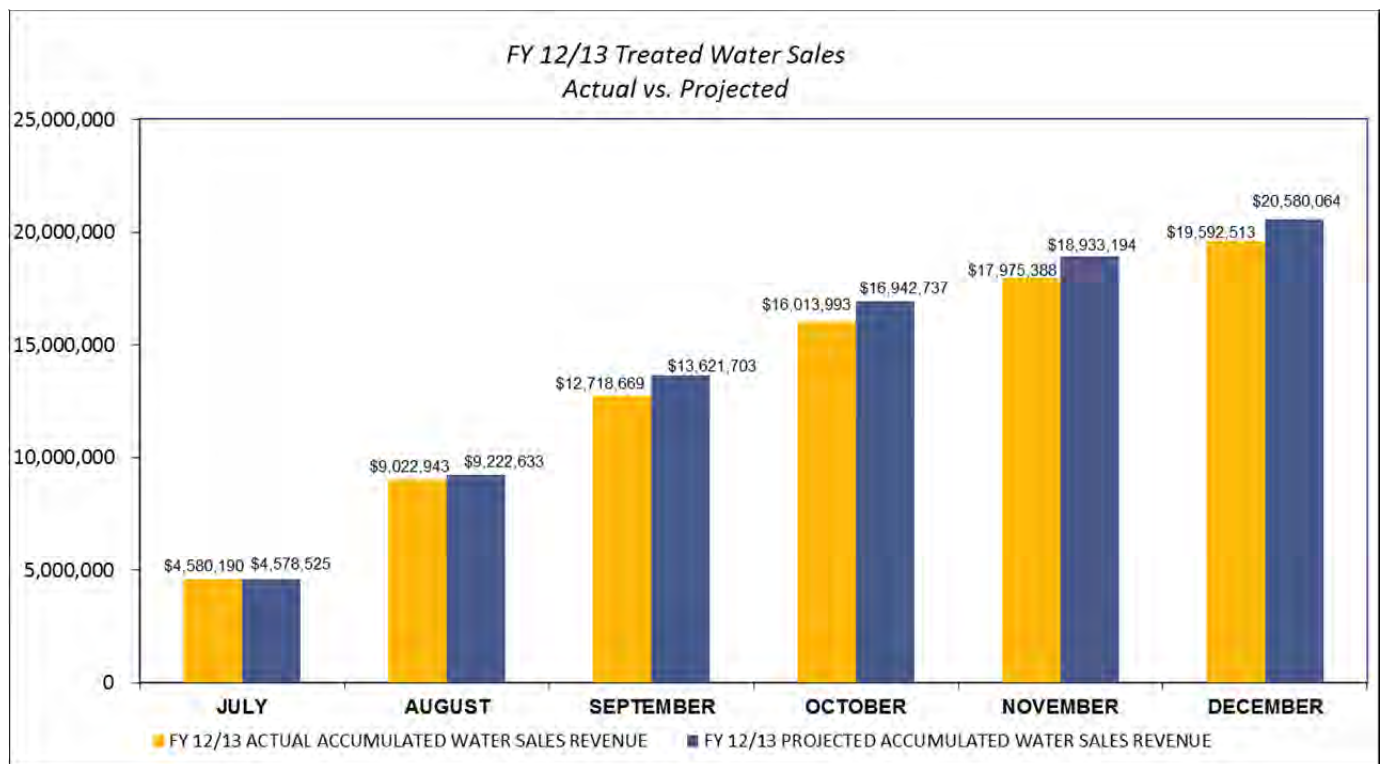
AGENDA DATE: February 20, 2013

ITEM NO. 11d

SUBJECT: Report on Water Sales and Connection Fee Revenue

Treated Water Sales

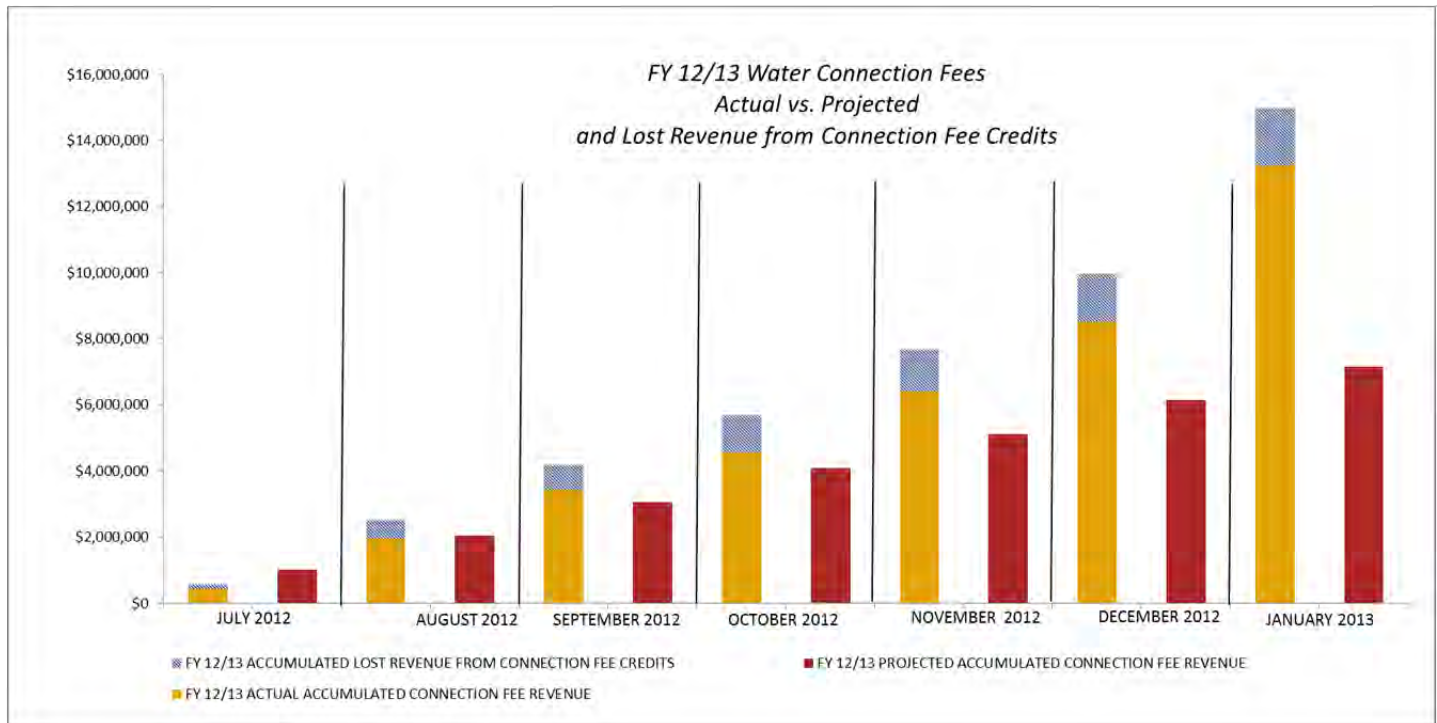
Treated water sales revenue funds water system operations (Fund 52) and capital projects (Fund 72). Through the end of December 2012, 20,925 acre-feet of water was sold, resulting in actual sales of \$19.6M. This is 5% less than the projection of \$20.6M (from 22,635 acre-feet). Actual water sales compared to projected sales through December 2012 is shown in the graph below:



Connection Fees

Non-discretionary expenditures (fixed costs) for Fund 73 are close to \$20M annually. The expenditures include debt payments for the South Bay Aqueduct (SBA) Enlargement Project, Fourth Contractor's Share of the SBA and the Cawelo Groundwater Banking Program. While development activity is picking up, Staff continues to closely monitor cash flow and prepares quarterly updates of this fund to assure cash availability.

For 12/13, year-to-date (July 1, 2012 – January 31, 2013) connection fee revenue totals \$13.3M, which is \$0.9M more than the projection for the entire fiscal year of \$12.4M. A total of seventy-five connection fee credits were used totaling \$1.7M, while 833 credits remain outstanding (\$19.6M at the 2013 connection fee level). Actual connection fee revenue plus lost revenue from credits used for FY 12/13 compared to projected revenue is shown in the graph below:



RECOMMENDED ACTION:

Information only.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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ORIGINATING SECTION: GROUNDWATER SECTION

CONTACT: COLLEEN WINEY/MATT KATEN

AGENDA DATE: February 20, 2013

ITEM NO. 11e

SUBJECT: Toxic Sites Surveillance Program Annual Report for 2012

SUMMARY:

- Zone 7 documents and tracks toxic sites across the groundwater basin that pose a potential threat to drinking water. Information is gathered from state, county, and local agencies, as well as from Zone 7's well permitting program and the State Water Resources Control Board's (WRCB) GeoTracker website. Zone 7's tracking program is designated the "Toxic Sites Surveillance (TSS) Program".
- Specific site information and known hydrologic conditions are used along with the TSS Program information to ensure that each case is given the appropriate priority and attention by the local oversight agency and that adequate action is being taken by the responsible parties (RPs) to clean up the reported contamination.
- A report is generated annually to provide updated information on the progress of the investigations and clean-ups. The latest report includes updates for activities that occurred through the end of 2012.
- An Executive Summary is attached which summarizes the status and activities of the High Priority Sites since those reported in the 2011 Annual Report.
- The complete report, which contains further information on these and other sites in our program can be obtained by contacting Colleen Winey at (925) 454-5063 or cwiney@zone7water.com, or downloaded from the Zone 7 Water Agency website www.zone7water.com.

FUNDING:

This program is funded from Fund 52 - Water Enterprise.

RECOMMENDED ACTION:

For information only.

ATTACHMENTS:

Executive Summary Toxic Site Surveillance Annual Report for 2012
Toxic Site Surveillance Figures

**ZONE 7 WATER AGENCY
TOXIC SITES SURVEILLANCE
ANNUAL REPORT 2012**

EXECUTIVE SUMMARY

Zone 7 Water Agency is currently tracking the progress of 65 active toxic sites where contamination has been detected in groundwater or is threatening groundwater. Information is collected for each site and used to evaluate whether the sites have been given the appropriate priority and attention by the local oversight agency, and that adequate action is being taken by the responsible parties (RPs) to clean up the reported contamination and assure adequate protection of the basin groundwater.

There are 16 active sites where the contaminant plume is within 2,000 feet of a municipal water supply well and are classified as “High Priority” cases due to their impact or threat of impact on potable groundwater supplies. Zone 7’s database contains 245 other contamination cases that have been either “Closed” or deemed “No Action Required” because they have been cleaned up or they pose minimal threat to drinking water supplies. No new cases have been opened since the publication of the 2011 Toxic Site Surveillance (TSS) Annual Report in April 2012. During this same period, seven cases were closed, and eight more have requested review for closure.

The attached Figures 1 through 3 show the locations of the toxic sites within the Livermore Valley, as well as their relative proximity to municipal water supply wells.

Since the last TSS report in April 2012, seven cases were closed by the Alameda County Environmental Health (ACEH) and/or the Regional Water Quality Control Board (RWQCB) with no objection from Zone 7 staff. Generally, the contamination at these sites was characterized, remediated and monitored sufficiently to demonstrate that they no longer pose a risk to groundwater, human health or the environment.

There are eight sites that have requested closure and the case reviews are pending. One of these case closure requests is for a site classified by Zone 7 as High Priority. Remediation does appear to have been successful at this site. The residual contamination at the site is limited to a localized area near the original source. The most recent groundwater sampling results were all below the MCL for drinking water and meet the clean-up goals set for the site. Zone 7 staff will sample our monitoring well that is directly downgradient of the site and screened in intervals pumped for municipal supply to confirm that no vertical or off-site contaminant migration has taken place prior to case closure. Zone 7 has been working with ACEH to determine if the other sites pose a threat to groundwater and whether they should be closed at this time.

Below are summaries of the progress and activities conducted for the 16 “High Priority” sites tracked in the 2012 Calendar Year, which are shown as red stars on the respective maps. Additional information on these and other active sites are available in the full 2012 Toxic Site Surveillance Report, which can be obtained by contacting Colleen Winey at (925) 454-5063 or cwiney@zone7water.com, or downloaded from the Zone 7 Water Agency website www.zone7water.com.

HIGH PRIORITY SITE UPDATES

- Site 62: B&C Mini-Mart, Livermore: ACEH approved a work plan proposing the addition of soil vapor extraction (SVE) to the existing ozone sparge remediation. A report on the well installations and destructions is due January 30, 2013. Groundwater monitoring is continuing on a semi-annual basis.
- Site 84: Arrow Rentals, Livermore: The dual-phase extraction (DPE) and air sparging systems were restarted on March 21, 2011 and continue to operate. As of the most recent Semi-Annual Monitoring Report (July 2012), 5,426 pounds (lbs.) of total petroleum hydrocarbons from gasoline (TPHg) have been removed through soil vapor extraction and 14.8 lbs. of TPHg have been removed by groundwater extraction.
- Site 111: Arco #00771, Livermore: After meeting with ACEH, the RP retracted the request for case closure. Semi-annual groundwater monitoring is continuing. In the most recent Quarterly Monitoring Report (October 2012), the RP's consultant recommends installing an absorbent sock in well MW-7 if it continues to have detectable free product.
- Site 115: Livermore Arcade/Miller's Outpost Shopping Centers, Livermore: The RP selected a new consultant who submitted a new Remedial Action Plan (RAP) for the site. The RWQCB caseworker had concerns about the new RAP (as did Zone 7 and CWS), most notably: the cleanup goals for the Shallow Zone groundwater should be based on drinking water standards, not vapor intrusion, and a pilot test is recommended to evaluate the effectiveness of the proposed remedial approach prior to a full-scale implementation. The RWQCB plans to issue a new Site Cleanup Requirements Order. Groundwater sampling was conducted in the second quarter of 2012 and groundwater sampling is scheduled to be conducted semi-annually.
- Site 128: Laidlaw Transport, Livermore: ACEH denied the RP's request for low-risk closure due to the potential future pumping of a nearby CWS well. ACEH also requested that the RP continue with a dual-phase extraction (DPE) pilot test and submit a report by December 21, 2012, which has not been received as of the writing of this report.
- Site 191: Former Beacon, #3604, Livermore: An In-Situ Chemical Oxidation (ISCO) pilot test was performed as described in the March 2012 report. The Third Quarter 2012 Status Report reports that quarterly monitoring has shown decreases in contaminant concentrations and the RP recommends continued monitoring of the groundwater and evaluation of future ISCO events in additional wells. The RP is continuing the operation of the SVE and oxygen injection remediation systems.
- Site 226: Livermore Gas & Mini Mart, Livermore: The RP's request for Low-Threat Case Closure was denied based on lack of plume stability and the presence of TBA beneath and downgradient of the site. Quarterly sampling has continued at the site and the RP is developing a work plan addendum pursuant to technical comments from ACEH (August 2012) to further address residual petroleum concentrations in soil and groundwater at the site.

- Site 231: Unocal Station #4186, Livermore: A Compound Specific Isotope Analysis was performed on samples collected during the first semi-annual monitoring event of 2011 to help determine the biodegradability of TBA and MTBE at the site. The results were presented in a report submitted in December 2012. The report concludes that MTBE is degrading in the groundwater at the site based on the stable to decreasing MTBE concentrations, the relatively high TBA/MTBE ratios, and the stable carbon and hydrogen isotopes. Semi-annual groundwater monitoring continues.
- Site 238: All Rents, Livermore: Now that Potential Responsible Parties (PRP) have been identified, Zone 7 staff is urging the RWQCB to open this site as a formal case and direct corrective action. The RWQCB attributes its inactivity on this case to resource constraints. Zone 7 may share the burden of locating the potential PRP(s) for this site to expedite the process of opening this case.
- Site 259: Mills Square Park, Livermore: Three additional monitoring wells were installed to monitor the effectiveness of the sulfate applications conducted in 2012. A Human Health Risk Assessment (HHRA) prepared by the RP concluded that the levels of lead present in shallow soils would be acceptable for a child visiting the site as well as for an adult worker at the site. ACEH did not agree and feels that the shallow soil should be removed. A work plan for soil removal is due February 1, 2013. Quarterly groundwater monitoring is continuing at the site.
- Site 23: South Hop Shell, Pleasanton: ACEH agreed to reduce groundwater monitoring requirements from semi-annual to annual for all monitoring wells except for S-6, which will be sampled quarterly. S-6 has shown an increasing trend of TBA. Quarterly sampling will help establish the trend. The annual sampling will be conducted in the first quarter of each year and all sample results will be presented in the annual First Quarter Groundwater Monitoring Report.
- Site 54: Shell #13-5783, Pleasanton: The RP submitted an Updated Site Conceptual Model and Closure Request in April 2012. ACEH review is still pending. ACEH has agreed to suspend groundwater sampling while they review the case closure request. In the interim, Zone 7 staff will be sampling our nested sentinel monitoring wells located downgradient from the site to confirm that no contamination is migrating towards the municipal supply wells located further downgradient.
- Site 60: Former Steve's Exxon #7-3399, Pleasanton: The RP has recommended continuing the operation of the pump and treat system and evaluating whether additional extraction wells should be added to the system. Over the summer, the groundwater elevations in the zone being extracted for treatment lowered to the point where extraction wasn't possible. Temporary SVE was being considered while the soil is unsaturated.
- Site 242: Alameda County Fairgrounds, Pleasanton: Zone 7 is continuing its effort convincing the RWQCB that this site should be opened as an official SLIC case. Towards this outcome, Staff has applied for a Department of Water Resources' (DWR) Local Groundwater Assistance (LGA) grant to identify potential sources of the PCE contamination detected in the Fairgrounds supply well. If funded, the project will

include researching locations of former dry cleaners and other potential PCE users, conducting a soil gas survey, and collecting groundwater samples to explore the extent of contamination. DWR is scheduled to notify Zone 7 of its grant intentions by February 2013.

- Site 245: Hopyard Cleaners, Pleasanton: A full-scale enhanced in-situ bioremediation (EISB) implementation was conducted July 2012. The follow up report was due in September 2012, following the first carbon substrate injection; however, it has not yet been uploaded to GeoTracker. Groundwater monitoring continues on a semi-annual basis at this site.
- Site 250: Sunol Tree and Gas, Sunol: ACEH transferred the case to the RWQCB in May 2012. The RP is continuing to submit quarterly reports. Results of an ongoing ozone sparging pilot test are scheduled to be presented in the next Quarterly Report due in January 2013.

OTHER PROGRAM ACTIVITIES

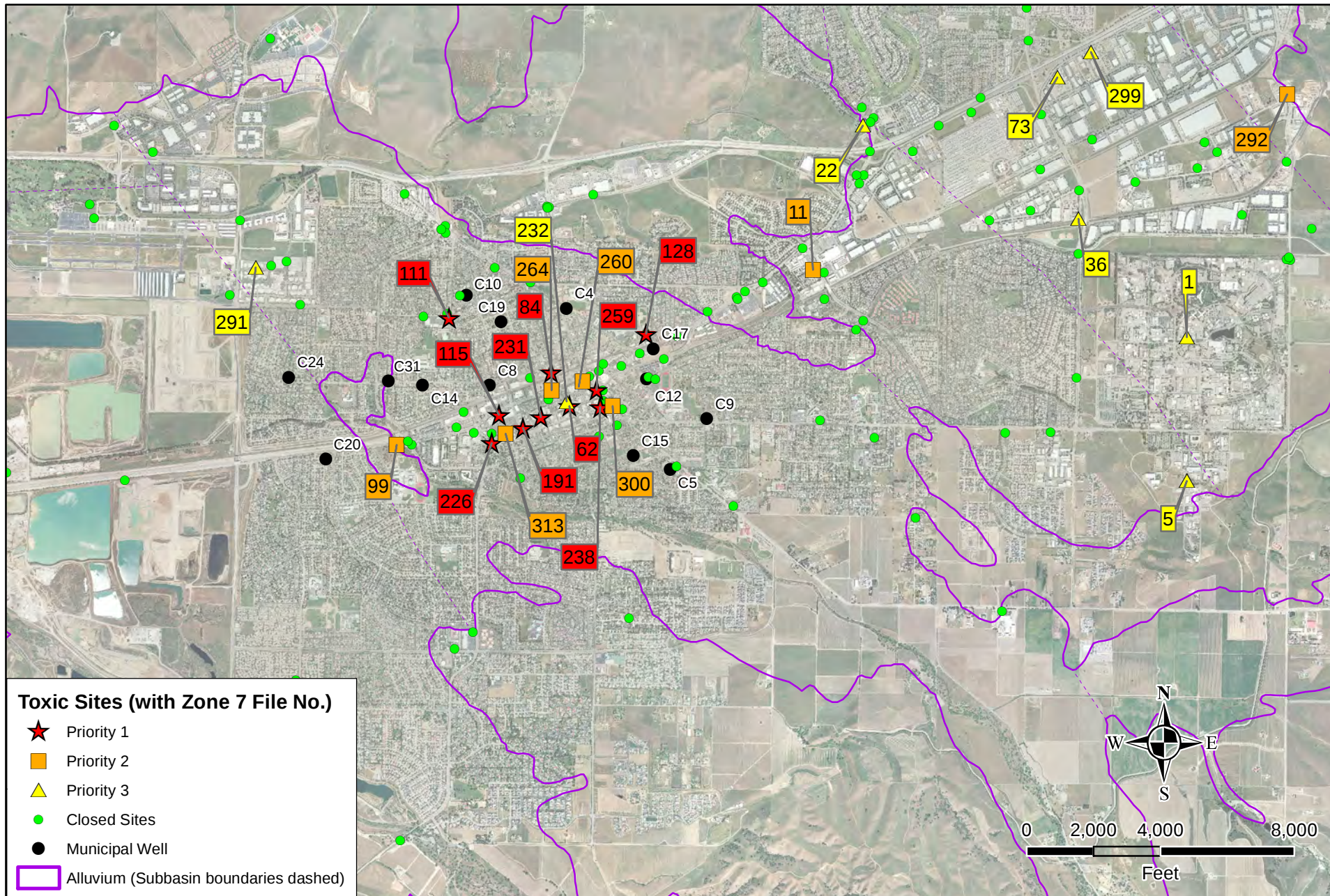
On May 1, 2012, the State Water Board adopted a Low-Threat Underground Storage Tank Case Closure Policy intended to be used to allow for closure of some of the low-threat cases in order to concentrate limited program funds on cases that are more pressing. The Policy includes criteria that, if met, would allow higher residual petroleum contamination to remain in soil and groundwater at certain UST or former UST sites than previously allowed while closing their cases. The criteria take into account existing supply wells and surface water bodies, but in Zone 7's opinion are not protective enough of future water beneficial uses. During the draft and hearing phases of the policy development, Zone 7 and others submitted written comments and oral testimony voicing our strong concerns for the policy. However, in August 2012, the Notice of Decision was filed with the California Secretary for Natural Resources, and the Policy became effective without incorporating any of the suggested changes.

In November 2012, the State Water Board approved the Plan for Implementation of Low-Threat Underground Storage Tank Case Closure Policy and Additional Program Improvements. As part of this Plan, the SWRCB has been reviewing all UST cases for possible closure. None of the Zone 7 designated high priority sites have been closed under this review process. One of the Zone 7 designated high priority sites was recommended for closure based on a SWRCB review in 2010; however, ACEH and Zone 7 opposed the closure. As a result the case is still open. Monitoring for most petroleum cases has now been reduced to a semi-annual schedule.

LIST OF ACRONYMS

ACEH	Alameda County Environmental Health
BTEX	Benzene, toluene, ethylbenzene, and xylenes
CAP	Corrective Action Plan
CWS	California Water Service
EISB	Enhanced In-Situ Bioremediation
ESL	Environmental Screening Levels
GWE	Groundwater Extraction
HHRA	Human Health Risk Assessment

IRAP	Interim Remedial Action Plan
ISCO	In-Situ Chemical Oxidation
MCL	Maximum Contaminant Level
MNA	Monitored Natural Attenuation
MIP	Membrane Interface Probe
MTBE	Methyl Tertiary-Butyl Ether
PCE	Tetrachloroethene
RAP	Remedial Action Plan
RP	Responsible Party
RWQCB	Regional Water Quality Control Board
SLIC	Spills, Leaks, Investigations, and Clean-ups
SVE	Soil Vapor Extraction
SWRCB	State Water Resources Control Board
TBA	Tertiary-Butyl Alcohol
TCE	Trichloroethene
TPHg	Total Petroleum Hydrocarbons from gasoline
TSS	Toxic Site Surveillance
ug/L	Micrograms per liter
UST	Underground Storage Tank
VOC	Volatile Organic Carbon



ZONE 7 WATER AGENCY
100 North Canyons Parkway,
Livermore, CA

DRAWN: CD/CW

REVIEWED: MK

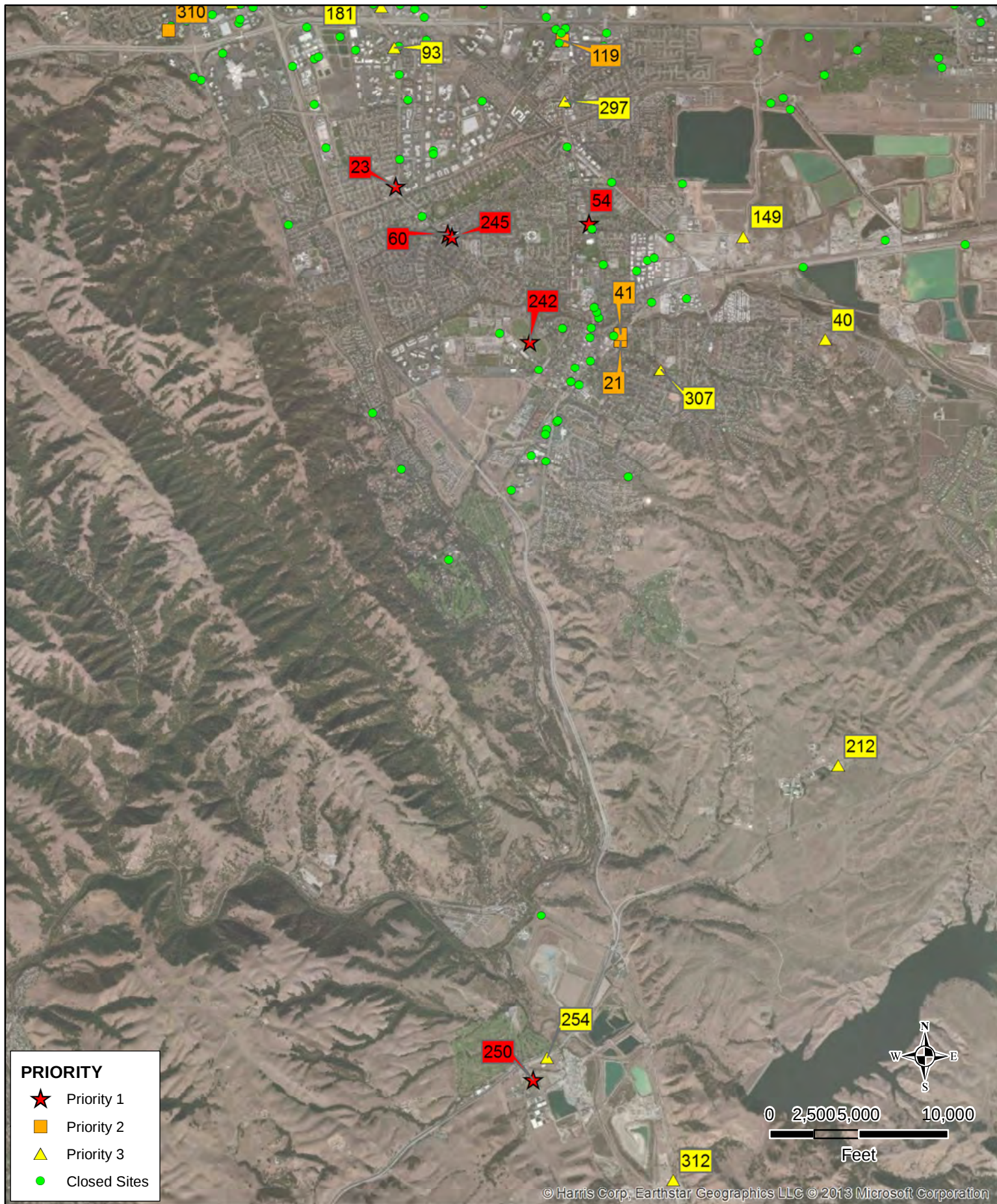
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**Toxic Site Surveillance
Livermore Area Sites
with Zone 7 Case ID**

Scale: 1" = 4,000'

Date: 1/24/2013

FIGURE 1



ZONE 7 WATER AGENCY
100 North Canyons Parkway,
Livermore, CA

DRAWN: CD/CW

REVIEWED: MK

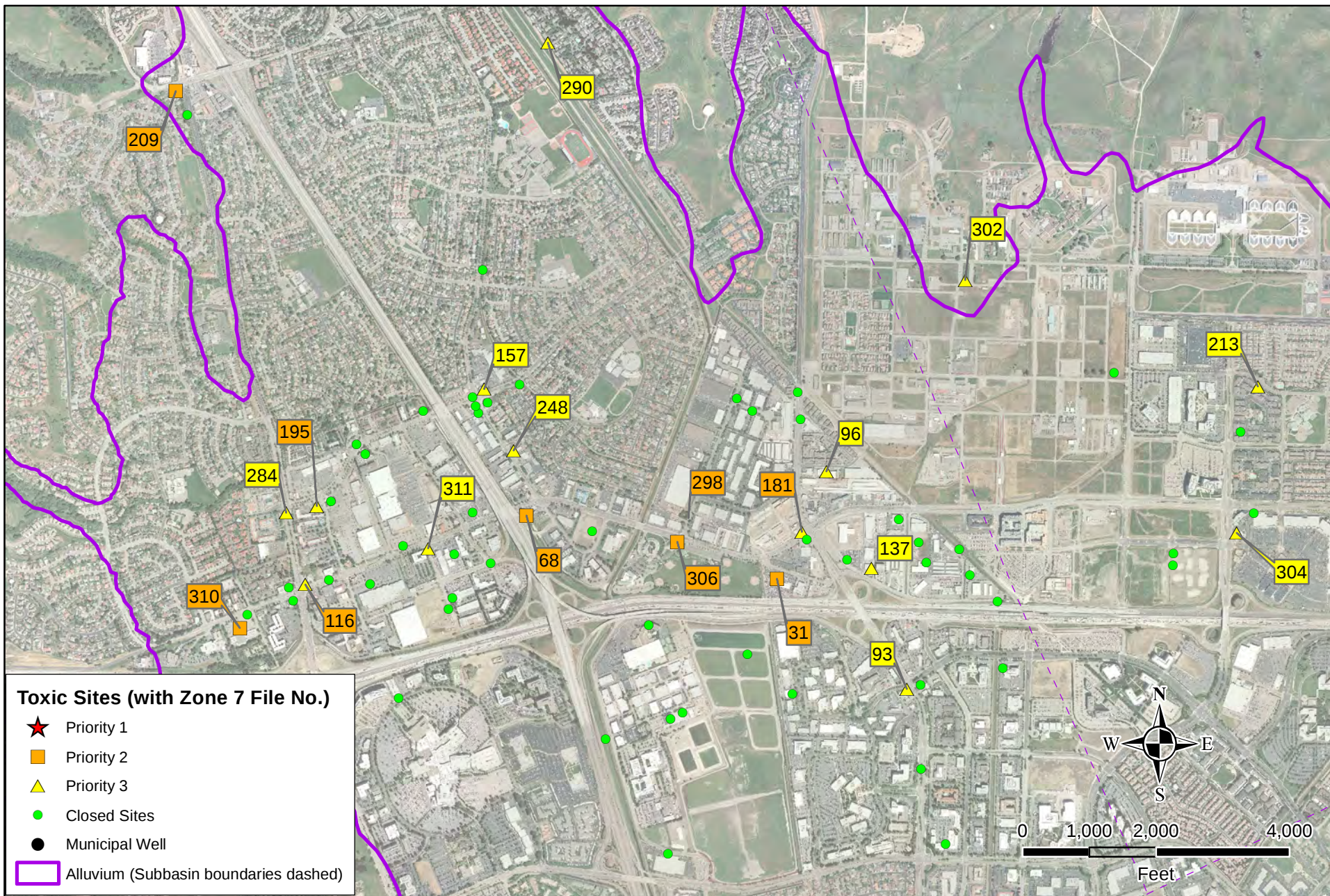
E:\Toxics\Toxics - Pleasanton-Sunol.mxd

**Toxic Site Surveillance
Pleasanton and Sunol
Area Sites
with Zone 7 Case ID**

Scale: 1" = 7,000'

Date: 2/14/2013

FIGURE 2



ZONE 7 WATER AGENCY
100 North Canyons Parkway,
Livermore, CA

DRAWN: CD/CW

REVIEWED: MK

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**Toxic Site Surveillance
Dublin Area Sites
with Zone 7 Case ID
(North of Main Basin)**

Scale: 1" = 2,000'

Date: 1/24/2013

FIGURE 3



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

ORIGINATING SECTION: Engineering

CONTACT: Kurt Arends

AGENDA DATE: February 20, 2013

ITEM NO. 11f

SUBJECT: Update Related to the Bay Delta Conservation Plan

BACKGROUND:

The Bay Delta Conservation Plan (BDCP), which has the co-equal goals of achieving water supply reliability while improving the ecosystem, is a voluntary effort to obtain long-term, incidental take permits for the operations of the State Water Project (SWP) and the Central Valley Project (CVP) through development of a comprehensive Habitat Conservation Plan (HCP) under the federal Endangered Species Act, and a Natural Community Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act. The BDCP is a mechanism for improving the ecological conditions to provide multi-species regulatory protection in the Delta. Zone 7's interest is securing the regulatory protection for SWP operations and restoring water supply lost to recent regulation and court action through a long-term multi-species habitat conservation agreement.

The Delta Habitat Conservation and Conveyance Program (DHCCP) is the associated effort to do enough preliminary engineering to analyze the proposed actions in the BDCP under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) and to prepare the related environmental impact documents (a federal Environmental Impact Statement or a state Environmental Impact Report, known as an EIR/EIS, collectively). This effort also includes development of preliminary engineering designs, geotechnical field studies and analysis, and other necessary feasibility information for Delta water conveyance improvement projects and related habitat conservation measures under the BDCP.

DISCUSSION:

The first partial administrative draft of the BDCP was released in January 2012. While providing a general overview of the plan, it was missing several key elements that had not yet been worked out including key biological issues, funding and governance. Over the past year much progress has been made on these and other elements of the BDCP and a revised draft BDCP document is scheduled to be released around the end of February.

Governor Jerry Brown delivered the State of the State address on January 24th. Moving forward on the Bay Delta Conservation Plan was one of his key priorities. The governor mentioned the Livermore Valley as one of the areas that utilizes water conveyed through the Delta to the State Water Project. He promised that he would do everything in his power to ensure a permanent Delta improvement to ensure that conveyance would not fail in an earthquake or a super storm. He said that a major Delta failure could result in \$100 billion in costs and the loss of 40,000 jobs.

He continued to push the twin tunnels conveyance plan in the BDCP that also includes nearly 100 square miles of habitat restoration. He said that the BDCP is expensive at \$14 billion and then compared it to the London Olympic Games that cost the same amount of money.

In mid- January, in anticipation of the release of the next draft document, a coalition of business and environmental organizations sent a letter to Secretary Salazar, Secretary Laird, Commissioner Connor of the Bureau of Reclamation and Deputy Secretary Jerry Meral of the California Natural Resources Agency. While agreeing that the status quo in the Delta is not acceptable, the letter requested that a conceptual alternative be considered in the BDCP process. The alternative, referred to as a “portfolio-based alternative” features a smaller conveyance facility of 3,000 cfs along with investments in local water supply sources, regional coordination, south of Delta storage, levee improvements and habitat restoration. The coalition believes that this portfolio could provide superior environmental results, increased water supply and greater reliability at a reduced cost. A companion letter was sent on the same day by a group of water agencies including several from the Bay Area.

Many of the BDCP partners responded separately and together to the “portfolio” letters. DWR Director Mark Cowin stated that “Over the last six years, we have evaluated a gamut of alternatives that might achieve our dual objectives: Stabilizing water deliveries from the Sacramento-San Joaquin Delta while reversing the trend of declining Delta fisheries. We have considered intake sizes ranging from 3,000 cubic feet per second (cfs) to 15,000 cfs. We have studied intake locations in the northern, western, and southern Delta. We have weighed conveyance through canals, pipelines, and tunnels.”

As Director Cowin notes, many of the portfolio elements presented in the “portfolio” letters are already part of the BDCP analysis, including the evaluation of a smaller conveyance facility. Although the proposed size of the facility has been reduced from 15,000 cfs to 9,000 cfs, the alternatives analysis for the BDCP will also be evaluating facilities sized at 3,000 and 6,000 cfs. Meanwhile, the State Water Contractors have prepared a comparison between a twin tunnel 9,000 cfs project and the suggested single tunnel 3,000 cfs project (see attached). Again, a revised administrative draft of the BDCP is due out in February. Later this year, after a federal review process, a public draft of the EIR/EIS will be available for public comment.

While there are still many opinions about what the final BDCP should look like, there is general consensus that the status quo is not acceptable. This is becoming very evident this year as the pumping of the state and federal projects has been significantly reduced since the end of last year. Due to endangered species issues, these pumping restrictions have already resulted in over 700,000 acre-feet of reduced water supply so far this year which will impact water allocation in the coming year as well as the economy (see attached).

U.S. Senators Dianne Feinstein and Barbara Boxer introduced a bill in Congress that would designate the Sacramento-San Joaquin Delta as a “National Heritage Area.” It would recognize the West Coast’s largest estuary as unique and provide some resources to help develop a sustainable future for the Delta. They had introduced a similar bill in 2011. The state’s Delta Reform Act of 2009 included support for the designation. If approved, the National Park Service would oversee the area in an advisory role and provide planning and technical support. It gives the park service no rulemaking authority over the area. If approved, it would be the first so-designated area in California (others are the Mississippi Delta, Niagara Falls and the Hudson River Valley).



STATE WATER CONTRACTORS

Delta Water Tunnels: Build It Once, Build it Right

State and federal agencies are crafting a plan to restore the environmental health of the troubled Sacramento-San Joaquin Delta and modernize its two primary water supply systems that help to sustain 25 million Californians, 3 million acres of agriculture and California's statewide economy. The effort is known as the Bay Delta Conservation Plan (BDCP) and is being developed to meet the state's toughest environmental standards and in compliance with the federal Endangered Species Act. A consensus is emerging that in order to restore the Delta environment and secure reliable water supplies, new diversions must be constructed in the northern Delta and the supply transported via new water tunnels to the existing aqueducts in the southern Delta. The tunnels would protect water supplies from the destruction and saltwater invasion that an earthquake could cause, and they would separate the delicate ecosystem from the state's water operations.

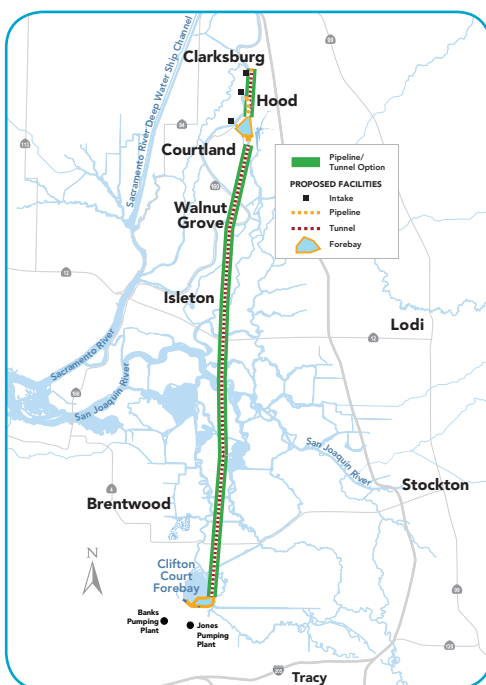
There are questions about key details: One tunnel or two? How big? State and federal agencies have been studying various sizes and locations for the tunnels to determine the best approach. Recently, some organizations have come forward with an alternative plan that would significantly limit the flexibility and benefits of having a new tunnel system. The State Water Contractors, who provide water to 25 million Californians and 750,000 acres of farmland, believe that proposals to constrict the future statewide water system are not solutions.

BDCP: Meeting Long-Term Needs of Environment, Economy

BDCP is a long-term solution. The habitat conservation efforts will span 50 years and the tunnels will improve California's water supply reliability for at least that long. Conditions are expected to change based on sea level rise, seismic events and climate predictions of more rain and less snow. California needs infrastructure that can provide water supply reliability throughout these events. Building the tunnels too small would have costly consequences. The State Water Contractors are seeking a cost-effective tunnel design that ensures reliability and protects the state's water supply. It is fiscally responsible to build it once and build it right.

Bay Delta Conservation Plan Preliminary Proposal

- ✓ Two twin tunnels
- ✓ 4,500 cubic feet per second capacity per tunnel
- ✓ 40 feet in diameter*
- ✓ Delivers between 4.8 to 5.8 million acre-feet in an average year**
- ✓ 113,000 acres of habitat restoration
- ✓ Estimated \$14 billion*
- * Preliminary BDCP estimate
- ** Future scientific studies will identify project yield



Proposed Alternative Plan

- ✓ Single tunnel
- ✓ 3,000 cubic feet per second capacity
- ✓ 32 feet in diameter*
- ✓ Requires a 30 percent reduction in traditional water supply levels: 4 million acre-feet of water in an average year
- ✓ 40,000 acres of habitat restoration
- ✓ Estimated \$8.9 billion*
- * Preliminary BDCP estimate



STATE WATER CONTRACTORS

Proposed BDCP: Dual Tunnel System

Proposed Alternative Plan Single Tunnel

Does the water tunnel capture enough supplies in wet years?

YES. The twin tunnels can capture almost 4 billion gallons more than the alternate proposal every day that the Sacramento River is carrying high flows during wet periods, so that diversions can be reduced in dry periods, and providing more natural flow patterns for fish. This approach to water management is known as the "Big Gulp, Little Sip."

NO. The smaller, single tunnel captures as little as 3 percent of flood flows on the Sacramento River. Water agencies will lose the opportunity to capture supplies in wet years, increasing pressure on the Delta in dry years, and allowing for less improvement to flow patterns for fish. This approach to water management is akin to a "Little Gulp, Littler Sip."

Does it solve the reliability problem?

YES. In addition to separating water supplies from the current, unreliable system, building two tunnels creates another layer of reliability and protects against outages. If one tunnel experiences an outage or is closed for routine maintenance, the system can keep running.

NO. Building only one tunnel eliminates an important aspect of the project – a back-up plan. Repairs could take months, causing lost supplies and continued conflict over pumping operations at the existing facilities in the southern Delta. Routine maintenance would shut down this system.

Does it provide for adequate, reliable Delta supplies?

YES. The BDCP seeks to restore water supplies to traditional levels (levels prior to federal regulatory water cutbacks). The \$14 billion tunnel investment would assist in restoring the Delta environment, while allowing public water agencies to continue getting the water they need.

NO. The proposal is asking public water agencies to fund an approximate \$8.9 billion project that would ultimately reduce water supplies by about a third from traditional levels, to 4 million acre-feet in an average year. There is no business case for spending billions of ratepayer dollars for reduced water reliability.

Does it preserve San Joaquin Valley agriculture?

YES. BDCP can maintain the farming communities that grow half of the nation's fruits and vegetables. The solution works for the environment, urban communities and agriculture.

NO. Farming communities throughout the San Joaquin Valley could face a reduction of supplies by as much as 75 percent in an average year due to additional restrictions in Delta supplies, putting more than 700,000 acres of farmland at risk.

Does it have realistic expectations for local water supply expansion?

YES. Local water supply expansion is already under way and will continue. The BDCP recognizes, however, that these efforts cannot substitute for reliable and sufficient imported water, especially for San Joaquin Valley farms which have limited local options.

NO. While urban areas are substantially expanding local water supplies, the farms in the San Joaquin Valley cannot do the same. Ultimately, neither urban nor agricultural areas have enough cost-effective local water supply options to make up for the imported supply reductions called for by this alternative.

Is the Habitat Restoration Plan based on sound science?

YES. The BDCP environmental process and documents include a comprehensive and systematic review. The plan calls for restoration of tidal wetlands, seasonal floodplains and channel margin habitat to help recover the Delta ecosystem.

NO. The alternative claims to provide for greater habitat benefit with a fraction of the restoration acreage, but provides no scientific basis for this claim.

WATER SUPPLY CUTS HURT US ALL

Federal Biological Opinions
Dec. 7, 2012 – Feb. 7, 2013 (62 days)

Farmers throughout the San Joaquin Valley are anxious for the start of another growing season. Hard work, long days, fertile soils and plentiful water come together to produce half of the nation's fruits and vegetables. But today a significant portion of that water has been lost due to poor regulatory decisions intended to help fish. Water that might have grown a peach or cantaloupe...broccoli, peppers or walnuts...as well as feed for hungry livestock...won't be used to grow our food. Water supply cuts in just two months sent 727,863 acre-feet – **237 billion gallons** – of water to the ocean.

Sadly, these regulations aren't working to protect the fish they were intended to help. It's time we take a sensible look at how we provide for the ecosystem while supporting our farms and jobs and people - and our nation's food supply.

25 million
Number of Californians
that rely on the Delta for
a portion of their water
supply



12,386
Farm jobs

726,000

Number of people who could
have eaten for a year on food
grown with this water

4.2 million

People whose household
water needs could have
been met for a full year
with this water



260,000

Acres of farmland - 8X the size of San
Francisco - could have been irrigated
for a full year with this water

237 billion gallons

727,863 acre-feet lost to
mandated water
supply cuts

\$2.2 billion

Economic
impact
from farm
production

\$873 million

Value of
crops that
could have
been grown

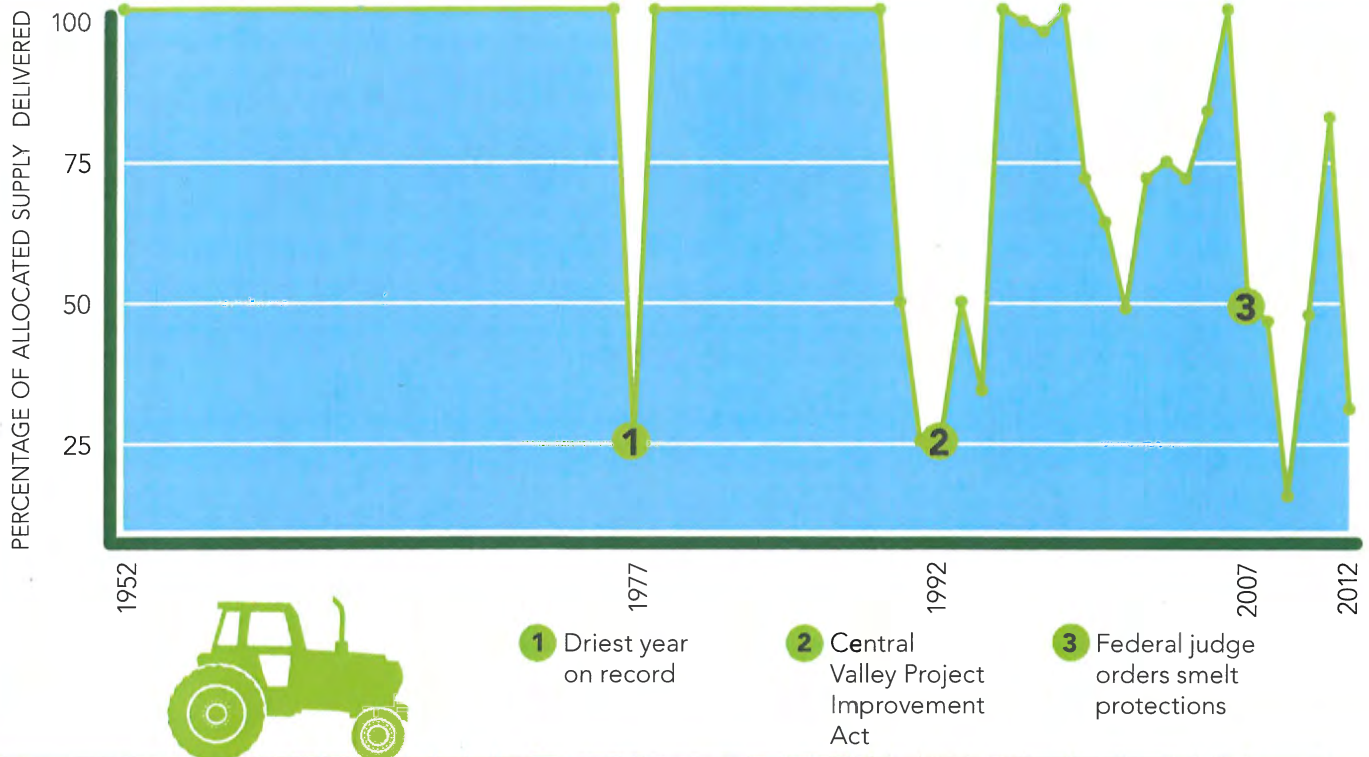
\$109 million

Cost to
replace lost
water

228 Number of Delta
smelt that caused
water supply cuts



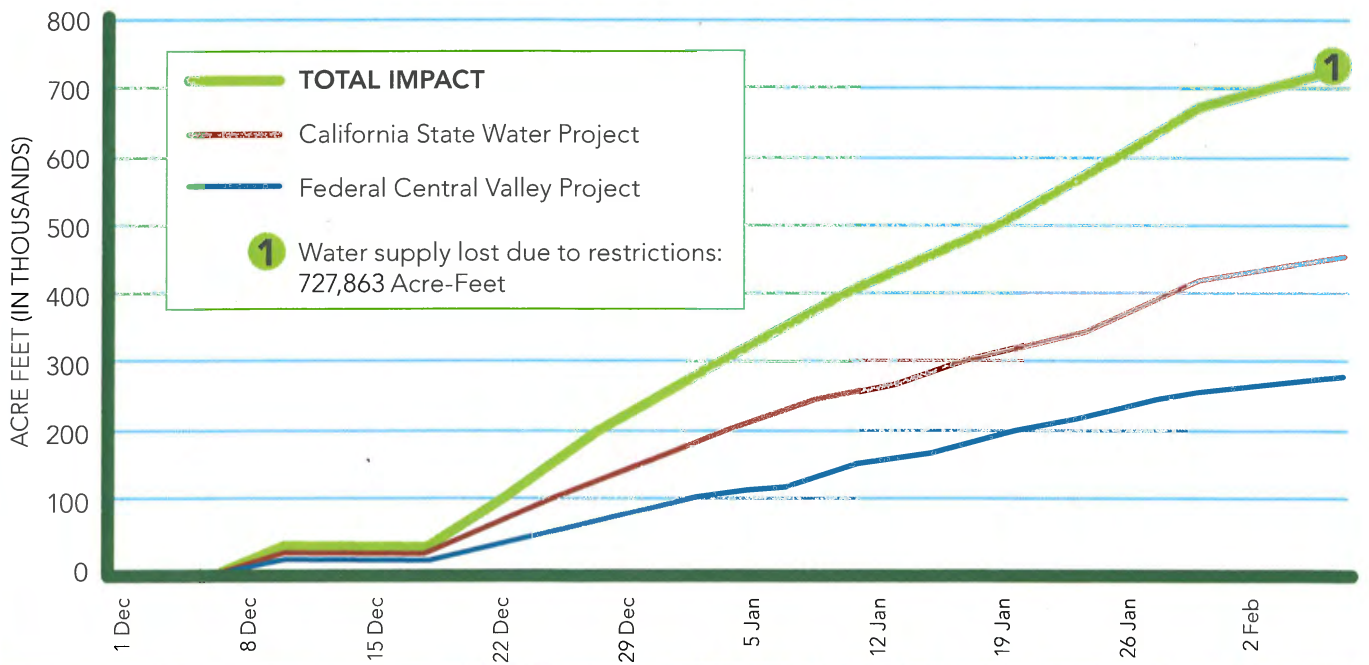
WATER SUPPLY RELIABILITY



CVP SOUTH OF DELTA DELIVERIES

SOURCE: San Luis & Delta-Mendota Water Authority

62 DAYS OF WATER SUPPLY CUTS



SOURCE: San Luis & Delta-Mendota Water Authority

More information available at farmwater.org.

Produced by California Farm Water Coalition. © 2013