



## 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, August 17, 2011

**TIME:** 7:00 p.m.

**LOCATION:** Zone 7 Administration Building

100 North Canyons Parkway, Livermore, California

***Any member of the audience 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 audience 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 July 20, 2011
5. Consent Calendar
  - a) Request by Director Quigley for Reimbursement Authorization for Attending ACWA Board Meeting
  - b) ACWA Region Elections
  - c) Personnel – Senior Engineer/Geologist
  - d) Personnel – Associate Water Resources Planner
  - e) Conveyance of Easements and Quitclaim Deed to DSRSD; Approval of License Agreement with DSRSD (Line G-1-1, Alamo Canal), Pleasanton
  - f) Consultant Selection for Design Services to Facilitate Improvements and Seek Grant Funding for Arroyo Mocho - Stanley Reach
  - g) Extending Contract to Provide As-Needed Part-Time General Counsel Legal Support Services
  - h) Accept Quitclaim of Easement from Legacy Partners Commercial, LLC for a Portion of Lake I
6. Staffing Update:
  - a. Congratulations to Retirees
    - 1) Jeanne France
    - 2) Suzanne Alaksa
  - b. Employee of the Month Recognition

7. Award of Contract for the Santa Rita Pipeline Relocation Project – Project No. 212-11

Recommended action: Adopt resolution.

8. Committees - None

9. Items for Future Agenda – Directors

10. Reports – Directors

- a. Written report by Director Quigley
- b. Verbal reports

11. Staff Reports (Information items. No action will be taken.)

- a. Update Related to the Bay Delta Conservation Plan
- b. General Manager's Report
- c. Recent & Upcoming Public Outreach Activities
- d. Legislative Update
- e. Status Report on Separation Efforts
- f. 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.

13. Open Session and Report Out of Closed Session

14. Adjournment

15. Upcoming Board Schedule: (All meeting locations are in the Board Room at 100 North Canyons Parkway, Livermore, California, unless otherwise noted)

- a) Finance Committee Meeting, August 29, 2011, 4:00 p.m.
- b) Board & Management Advisory Team Workshop: August 31, 2011, 8:30 a.m. to 4:00 p.m.  
Location: Hilton Garden Inn-Livermore, 2801 Constitution Drive, Livermore
- c) Regular Board Meeting: September 21, 2011, 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](http://www.zone7water.com). All other material otherwise provided to the Board will be available at the public meeting.**



## 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: August 17, 2011

ITEM NO. **5a**

**SUBJECT: REQUEST BY DIRECTOR QUIGLEY FOR REIMBURSEMENT  
AUTHORIZATION FOR ATTENDING ACWA BOARD MEETING**

### **SUMMARY:**

- Director Dick Quigley was asked to substitute at the last minute at the off-site ACWA Board Meeting held in San Jacinto, California, for his fellow Region 5 board member, Vice-Chair Katy Foulkes, when she had to cancel for personal reasons.
- The offsite ACWA Board of Directors' meeting and tour was hosted by ACWA Vice President Randy Record and Eastern Municipal Water District.
- Zone 7's current board policy is to allow directors to attend one ACWA conference per year without seeking approval from the Board for reimbursement of travel and registration expenses. If directors wish to attend additional seminars or conferences, Board authorization must be obtained. However the Zone 7 Board has already approved Director Quigley's participation on the Region 5 Board, along with attending any meetings which such participation entails. This meeting does not strictly fall within any of the previous approvals; however attendance is in keeping with Director Quigley's role on the Region 5 Board.
- Given Ms. Foulkes' last-minute cancellation and the timing of the meeting, which was held before Board approval could be sought, Director Quigley attended the off-site ACWA Board Meeting and now seeks retroactive authorization and reimbursement of expenses.

### **FINANCIAL:**

Although there were no registration costs, there were miscellaneous expenses associated with attendance, i.e., airfare, hotels, mileage and meals. Total miscellaneous expenditures are estimated at under \$600. Funds are available from Fund 52-Water Enterprise.

### **RECOMMEND ACTION:**

Approve Director Quigley's request by adopting attached resolution.

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

RESOLUTION NO

INTRODUCED BY  
SECONDED BY

WHEREAS, Director Dick Quigley was asked to substitute at the last minute at the off-site ACWA Board Meeting held in San Jacinto, California, for his fellow Region 5 board member, Vice-Chair Katy Foulkes, when she had to cancel for personal reasons; and

WHEREAS, Director Quigley did attend the meeting before board authorization could be obtained;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of Alameda County Flood Control & Water Conservation District does hereby retroactively authorize Director Dick Quigley's attendance at said meeting;

BE IT FURTHER RESOLVED that Director Quigley be reimbursed for actual and necessary expenses associated with his attendance at this event.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

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: ADMINISTRATION**  
**CONTACT: JILL DUERIG**

AGENDA DATE: August 17, 2011

ITEM NO. 5b

SUBJECT: ACWA REGION ELECTIONS

**SUMMARY:**

The Association of California Water Agencies (ACWA) is holding its Region Elections for 2012-2013 offices. A copy of the ballot is attached. Dick Quigley, as a past Region 5 Board Member, has been nominated for the position of Region Vice Chair. The rest of the slate proposed by the nominating committee includes David Hodgins as Chair, with Katy Foulkes (EBMUD), Patrick Kwok (SCVWD), Anson Moran (SFPUC), Bob Ptacek (Montara) and John Weed (ACWD) as the remaining board members.

ACWA has asked each member agency to cast a vote in concurrence with the nominating committee's recommendation or, alternatively, for write-ins. Either the Board President or the General Manager can cast the agency's vote.

Staff recommends discussing this and providing direction for casting Zone 7's vote. A draft resolution has been prepared assuming the board decides to concur with the nominating committee's recommended slate and decides to authorize the board president to cast such a vote.

**FINANCIAL:**

There are no costs associated with this item.

**RECOMMENDED ACTION:**

Adopt attached Resolution.

Attachments: ACWA's August 1, 2011 Electronic Memorandum and Ballot Resolution

Duerig, Jill

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**From:** ACWA <acwabox@acwa.com>  
**Sent:** Monday, August 01, 2011 3:01 PM  
**To:** Duerig, Jill  
**Subject:** ACWA Region Elections: Ballots Are Out!



## ACWA REGION ELECTIONS

### *Ballots Are Out*

The Region election ballots have been e-mailed to ACWA member agency general managers and presidents who will have until **Sept. 30, 2011** to return the completed ballots.

Each ballot contains the slate recommended by the Region nominating committee, qualified write-in candidates and voting instructions. Each agency is entitled to cast only one vote for their Region. Each agency must have an authorized person sign the ballot.

**Your vote is important.** The Region chair and vice chair will serve on ACWA's board of directors for the next two-year term of office, January 1, 2012 to December 31, 2013. The newly elected chair and vice chair will make the Region's committee appointment recommendations to the ACWA president for the 2012-2013 term. They will also serve on the ACWA Finance Committee. The Region board members are elected to represent the issues, concerns and needs of your region.

For more information about the region election process please log onto [www.acwa.com](http://www.acwa.com) and click on the ACWA Region Elections button or contact your regional affairs representative.

**Contact:** If you have questions, please contact Tiffany Giammona at [tiffanyg@acwa.com](mailto:tiffanyg@acwa.com) , Ravi Kahlon at [ravik@acwa.com](mailto:ravik@acwa.com) or Marcia Wulff at [marciaw@acwa.com](mailto:marciaw@acwa.com) or call 916-441-4545.

# Region 5 Board Ballot

2012-2013 TERM



Association  
of California  
Water Agencies  
Since 1912  
Leadership  
Advocacy  
Information

**Please return completed ballot  
by September 30, 2011**

E-mail: [katied@acwa.com](mailto:katied@acwa.com)  
Fax: 916-561-7124  
Mail: ACWA  
910 K Street, Suite 100  
Sacramento, CA 95814

## General Voting Instructions:

1. Please complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.
2. You may either vote for the slate recommended by the Region 5 Nominating Committee or vote for individual region board members. Please mark the appropriate box to indicate your decision.

## Region 5 Nominating Committee's Recommended Slate

- ☐ I concur with the Region 5 Nominating Committee's recommended slate below.

### Chair:

David T. Hodgins, Scotts Valley Water District

### Vice Chair:

Dick Quigley, Zone 7 Water Agency

### Board Members:

Katy Foulkes, East Bay Municipal Utility District

Patrick Kwok, Santa Clara Valley Water District

Anson B. Moran, San Francisco Public Utilities Commission

Bob Ptacek, Montara Water & Sanitary District

John H. Weed, Alameda County Water District

## Region 5 Individual Board Candidate Nominations

- ☐ I do not concur with the Region 5 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

### Candidates for Chair: (Choose one)

- ☐ Katy Foulkes, East Bay Municipal Utility District  
☐ Dick Quigley, Zone 7 Water Agency  
☐ David T. Hodgins, Scotts Valley Water District  
☐ John H. Weed, Alameda County Water District

### Candidates for Vice Chair: (Choose one)

- ☐ Katy Foulkes, East Bay Municipal Utility District  
☐ Dick Quigley, Zone 7 Water Agency  
☐ David T. Hodgins, Scotts Valley Water District  
☐ John H. Weed, Alameda County Water District

### Candidates for Board Members: (Max of 5 choices)

- ☐ Katy Foulkes, East Bay Municipal Utilities District  
☐ David T. Hodgins, Scotts Valley Water District  
☐ Patrick Kwok, Santa Clara Valley Water District  
☐ Anson B. Moran, San Francisco Public Utilities Commission  
☐ Bob Ptacek, Montara Water & Sanitary District  
☐ Dick Quigley, Zone 7 Water Agency  
☐ John H. Weed, Alameda County Water District

AGENCY NAME \_\_\_\_\_

AUTHORIZED REPRESENTATIVE \_\_\_\_\_

DATE \_\_\_\_\_

**SUBMIT FORM**

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

RESOLUTION NO

INTRODUCED BY  
SECONDED BY

WHEREAS, the Association of California Water Agencies (ACWA) has requested that each member agency's Board President or General Manager cast a ballot in its Region Elections; and

WHEREAS, Director Dick Quigley has been selected by the Nominating Committee to be placed on the recommended slate as the Region 5 Vice Chair.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District authorizes President Sands Figuers to cast the Zone 7 Water Agency vote in the ACWA Region Elections; and

BE IT FURTHER RESOLVED, that the Board directs President Figuers to cast such vote to concur with the Region 5 Nominating Committee's recommended slate; and

BE IT FURTHER RESOLVED, that the Board authorizes Director Quigley to attend all meetings associated with this nomination, assuming he is elected; and

BE IT FURTHER RESOLVED, that the Board authorizes that Director Quigley be reimbursed for actual and necessary expenses associated with attending all such meetings.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

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: EMPLOYEE SERVICES**

**CONTACT PERSON: TOM HUGHES**

AGENDA DATE: August 17, 2011

ITEM NO: 5c

**SUBJECT: Personnel Action: Senior Engineer/Geologist**

SUMMARY:

- Zone 7 continues to assess the staffing needs of the Agency as we work towards a leaner organizational model aligned with our goals.
- The agency recently filled the position of Engineering Manager and, under this new organizational structure, would benefit by adding one Senior Engineer/Geologist position to supervise existing engineering projects and staff.
- This position will allow the General Manager flexibility in optimizing efficient management of the Engineering Section.
- This position will have management authority and responsibility over professional and technical staff, including system operation responsibilities.
- There is no change to the existing salary schedule.

FUNDING:

We are requesting the authorization for one unfunded position. There is no additional cost.

RECOMMENDED ACTION:

Staff recommends that the Board adopt the attached Resolution to (1) approve the addition of one unfunded classification at the existing salary schedule; (2) authorize the General Manager to approve and sign the salary schedule for this position; and (3) authorize the Auditor-Controller of Alameda County to draw the necessary payroll warrants from Zone 7 funds in accordance with the adopted schedule.

Attachment:

Zone 7 Board Resolution

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

RESOLUTION NO

INTRODUCED BY  
SECONDED BY

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 following personnel action:

*Approve one unfunded position of Senior Engineer/  
Geologist, Zone 7*

BE IT FURTHER RESOLVED that the General Manager of Zone 7 is hereby authorized and directed to approve and sign the salary schedule for this position; and

BE IT FURTHER RESOLVED that the Auditor-Controller of Alameda County is authorized and directed to draw the necessary payroll warrants from Zone 7 funds in accordance with the adopted schedule.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

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: EMPLOYEE SERVICES**

**CONTACT PERSON: TOM HUGHES**

AGENDA DATE: August 17, 2011

ITEM NO: 5d

**SUBJECT: Personnel Action: Associate Water Resources Planner**

SUMMARY:

- Zone 7 continues to assess the staffing needs of the Agency as we work towards a leaner organizational model aligned with our goals.
- The agency would benefit by adding one Associate Water Resources Planner position to existing staff.
- This position will allow the General Manager flexibility in cross-training, optimizing efficiency and succession planning within the Planner series.
- There is no change to the existing salary schedule.

FUNDING:

We are requesting the authorization for one unfunded position. There is no additional cost.

RECOMMENDED ACTION:

Staff recommends that the Board adopt the attached Resolution to (1) approve the addition of one unfunded classification at the existing salary schedule; (2) authorize the General Manager to approve and sign the salary schedule for this position; and (3) authorize the Auditor-Controller of Alameda County to draw the necessary payroll warrants from Zone 7 funds in accordance with the adopted schedule.

Attachments:

Zone 7 Board Resolution

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

RESOLUTION NO

INTRODUCED BY  
SECONDED BY

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 following personnel action:

*Approve one unfunded position of Associate Water  
Resources Planner, Zone 7*

BE IT FURTHER RESOLVED that the General Manager of Zone 7 is hereby authorized and directed to approve and sign the salary schedule for this position; and

BE IT FURTHER RESOLVED that the Auditor-Controller of Alameda County is authorized and directed to draw the necessary payroll warrants from Zone 7 funds in accordance with the adopted schedule.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

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 DIVISION: FINANCE & BUSINESS SERVICES**  
**CONTACT: DENNIS GAMBS/JOHN YUE**

AGENDA DATE: August 17, 2011

ITEM NO. 5e

**SUBJECT: CONVEYANCE OF EASEMENTS AND QUITCLAIM DEED TO DSRSD;  
APPROVAL OF LICENSE AGREEMENT WITH DSRSD  
(LINE G-1-1, ALAMO CANAL), PLEASANTON**

**SUMMARY:**

- DSRSD has requested a number of easements from Zone 7 crossing the Line G-1-1 Channel in connection with its underground project at the Wastewater Treatment Plant (WWTP) in Pleasanton.
- DSRSD's project requires installing three electrical lines and one phone line beneath Zone 7's channel. All service lines cross the channel bottom with a minimum of 10 feet of clearance and all the easements would be 10 feet in width.
- DSRSD has also requested from Zone 7 a small parcel of Line G-1-1 that is located outside the channel area. This triangular parcel is approximately 1,290 square feet and is located within DSRSD's WWTP fence line.
- To facilitate maintenance access to Line G-1-1 and Alamo Canal, Zone 7 requested a License Agreement, for ingress and egress, with DSRSD. The License Agreement permits Zone 7 to enter the WWTP property in coordination with DSRSD staff to make repairs to Zone 7 channels.

**FUNDING:**

There is no funding impact as a result of these no-cost transactions.

**RECOMMENDED ACTION:**

Adopt attached resolutions to:

- a) Request and authorize the Board of Supervisors of Alameda County Flood Control and Water Conservation District to Grant Easements and convey Quitclaim Deed to DSRSD; and
- b) Authorize the General Manager to negotiate and approve the License Agreement with DSRSD.

**ATTACHMENTS**

Resolutions  
Location Map  
Grant of Easements  
Quitclaim Deed  
License Agreement

## INTEROFFICE MEMO

**Date:** August 17, 2011  
**To:** Jill Duerig, General Manager  
**From:** Dennis Gambs, Principal Engineer  
**Via:** John Yue, AGM Finance & Business Services  
**Subject:** CONVEYANCE OF EASEMENTS AND QUITCLAIM DEED TO DSRSD;  
APPROVAL OF LICENSE AGREEMENT WITH DSRSD  
(LINE G-1-1, ALAMO CANAL), PLEASANTON

### BACKGROUND/ DISCUSSION:

DSRSD has a project which includes removing the existing overhead power lines that serve their Wastewater Treatment Plant (WWTP) in Pleasanton. During the WWTP Project environmental review process, DSRSD made a commitment to add landscaping along the easterly plant boundary which is adjacent to Zone 7's Line G-1-1, a trapezoidal earthen channel. The City of Pleasanton's Val Vista Park is located on the opposite side of the channel. The overhead power lines along the boundary and within the WWTP are being removed to improve aesthetics and allow the planting of trees that would otherwise grow into the power lines. Neighbors have been vocal in voicing concerns that the look of the WWTP should be improved.

The removal of the overhead power lines requires undergrounding electric power and phone lines. The lines are basically being relocated underground in Val Vista Park and include service lines crossing beneath the Zone 7's Line G-1-1 Channel connecting back to the WWTP. The service lines include three electrical and one phone, all of which need underground utility easements. All service lines cross the channel bottom with a minimum of 10 feet in clearance and all the easements would be 10 feet in width. DSRSD will quitclaim three electrical easements to PG&E and the phone easement to AT&T respectively.

Along with the easements being granted as part of the project, Zone 7 and DSRSD would at the same time like to resolve an outstanding property issue at the plant site. A small parcel of Zone 7's Line G-1-1 is situated within the WWTP fence line and outside of the channel area. This triangular parcel is 1,290 square feet in area and would be conveyed to DSRSD with the reservation of an easement. This easement would allow Zone 7 access to the abutting Line G-1-1 Channel and at the same time preclude any structures from being installed near the channel bank.

Zone 7's flood control staff has reviewed the plans for the service lines and quitclaim deed for the triangular parcel and determined that there is no conflict or interference with the use of the channel property by Zone 7 for flood control purposes.

The legal title to all real property owned by the Alameda County Flood Control and Water Conservation District, including Zone 7 property, is held in the name of the District. As the legal owner of the property proposed to be conveyed to DSRSD, the Board of Supervisors of the Alameda County Flood Control and Water Conservation District need to approve the grant of easements and quitclaim deed. To that end, the Zone 7 Board of Directors would request and authorize the District Board to approve the proposed conveyances.

As previously mentioned, the Line G-1-1 Channel is located along the easterly boundary of DSRSD's WWTP. In addition, the channel is also located adjacent to its southerly boundary. Furthermore, Alamo Canal is adjacent to the westerly side of DSRSD's WWTP. Line G-1-1, an earthen channel, has experienced a lot of instability in the past and is prone to slides. The channel banks adjacent to DSRSD's WWTP are not easily assessable without entering DSRSD's property. Repairs would be difficult and expensive to this channel without accessing from the WWTP site. Likewise, Alamo Canal has a history of slope instability and requires periodic repairs. The nearest point of access from public streets is approximately 1 mile from the north and 0.8 miles from the south.

To access damaged areas needing repair along these reaches of Line G-1-1 and Alamo Canal, Zone 7 needs DSRSD's permission to enter the property. To facilitate this maintenance access, Zone 7 and DSRSD respective staff have drafted a mutually agreeable License Agreement. This agreement permits access via the WWTP site in coordination with DSRSD staff. The term of the agreement is for 25 years with the option to renew for additional periods of 25 years.

The value of the easements to be granted to DSRSD, which are basically for underground utilities beneath the channel as well as the small parcel within the fenced area, would be nominal. Likewise, the value of the License for use of DSRSD WWTP property for access and channel repair is also nominal. Accordingly, compensation for conveying the easements and quitclaim deed to DSRSD is proposed to be a no-cost exchange for the License Agreement to be granted to Zone 7.

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

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY  
SECONDED BY

**APPROVAL OF GRANT OF EASEMENTS AND  
QUITCLAIM DEED TO DSRSD**

WHEREAS, Alameda County Flood Control and Water Conservation District, Zone 7 is the owner of the real property known as Line G-1-1 consisting of a trapezoidal earthen channel; and

WHEREAS, in connection with the Dublin San Ramon Services District underground project, DSRSD has requested easements (Nos.70027-70131) for service lines crossing Line G-1-1 in the City of Pleasanton; and

WHEREAS, grant documents have been prepared conveying to DSRSD said easements located on Line G-1-1, to which reference is made to said easements for the description of said property, and by said reference is made a part hereof as though fully set forth herein; and

WHEREAS, DSRSD has also requested a 1,290 square feet portion of Line G-1-1 channel in fee from Zone 7 which is located within the DSRSD WWTP fence line.

WHEREAS, a quitclaim deed has been prepared conveying to DSRSD said parcel (No. 70148) located on Line G-1-1, to which reference is made to said parcel for the description of said property, and by said reference is made a part hereof as though fully set forth herein; and

WHEREAS, said real property was acquired for flood control purposes;

NOW, THEREFORE, BE IT RESOLVED, that this Board of Directors hereby finds and determines that the conveyance of said easements and quitclaim deed is in the public interest and will not substantially conflict nor interfere with the use of said property by Zone 7 for flood control purposes; and

BE IT FURTHER RESOLVED, that this Board of Directors hereby requests and recommends that the Board of Supervisors of Alameda County Flood Control and Water Conservation District approve granting said easements and quitclaim deed and does 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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

By \_\_\_\_\_

President, Board of Directors

Line G-1-1

Nos. 70027-70131 & 70148

Map: RF 10088-92 & RF 10109

ZONE 7  
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY  
SECONDED BY

**APPROVAL OF LICENSE AGREEMENT WITH DSRSD**

BE IT RESOLVED, that this Board hereby does approve that certain License Agreement between the Dublin San Ramon Services District and Zone 7 of Alameda County Flood Control and Water Conservation District; and

BE IT FURTHER RESOLVED, that this Board hereby authorizes and directs the General Manager to negotiate and execute said License Agreement on behalf of Zone 7.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

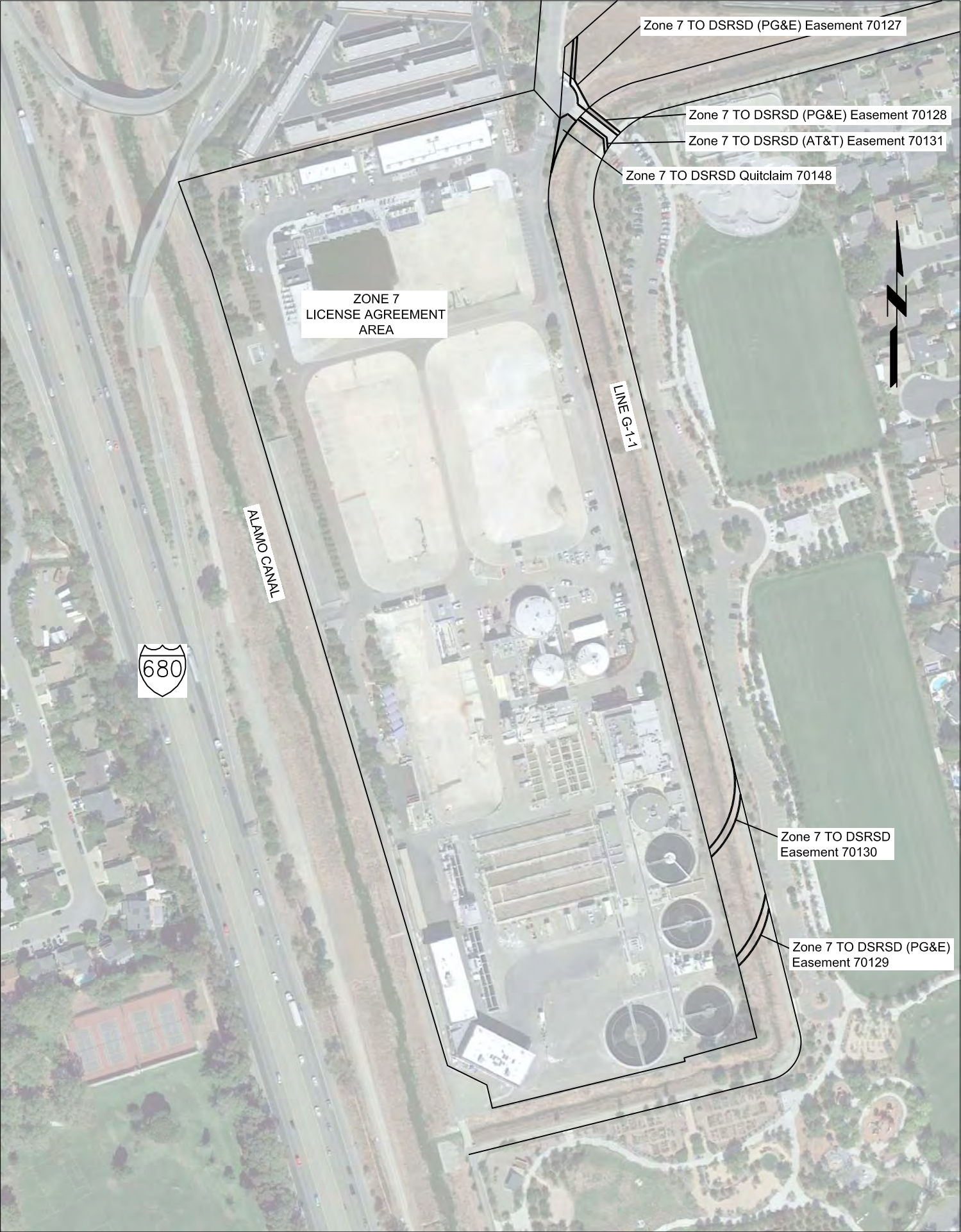
ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on

August 17, 2011

By \_\_\_\_\_  
President, Board of Directors

# LOCATION MAP



**RECORDING REQUESTED BY AND RETURN TO:**

Dublin San Ramon Services District  
7051 Dublin Boulevard  
Dublin, CA 94568

**And When Recorded Mail To:**

Dublin San Ramon Services District  
7051 Dublin Boulevard  
Dublin, CA 94568

Location: City/Uninc. \_\_\_\_\_  
Recording Fee \$ \_\_\_\_\_  
Document Transfer Tax \$ \_\_\_\_\_  
☐ This is a conveyance where the consideration and  
Value is less than \$100.00 (R&T 11911).  
☐ Computed on Full Value of Property Conveyed, or  
☐ Computed on Full Value Less Liens  
& Encumbrances Remaining at Time of Sale

\_\_\_\_\_  
Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD#

**EASEMENT DEED**

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, Zone 7, a  
body corporate and politic,

hereinafter called Grantor, hereby grants to DUBLIN SAN RAMON SERVICE DISTRICT, a  
public agency, its successors and assigns, hereinafter called Grantee, the right from time to time to  
construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type  
hereinafter specified, together with a right of way therefor, within the easement area as hereinafter set  
forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the  
City of Pleasanton, County of Alameda, State of California, described as follows:

(APN 941-1302-002-30)

The parcel of land, situate in Section 12, Township 3 South, Range 1 West, MDM, described in the  
quitclaim deed from the City of Pleasanton to Alameda County Flood Control and Water Conservation  
District, dated August 15, 1986 and recorded in Official Record Series Number 86-223561, Alameda  
County Records.

Said facilities and easement area are described as follows:

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors;  
aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses,  
terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to

any and all thereof, as Grantee deems necessary for the distribution of electric energy and communication purposes located within the strip of land described as follows:

FOR COMPLETE LEGAL DESCRIPTION SEE EXHIBIT "A" AND  
EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Any proposed future modifications to Grantee's facilities shall be reviewed and approved by Grantor to assure they do not unreasonably interfere with safe and reliable operations of Grantor's flood control channel.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement area.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Dated: \_\_\_\_\_, \_\_\_\_\_.

ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, Zone 7, a  
body corporate and politic,

By \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

North Coast Area, Mission Division  
Land Service Office: Concord RMC  
Operating Department: Electric Distribution  
USGS location (MDB&M T3S, R1W, S12, SE¼ NE¼)  
FERC License Number(s): N/A  
PG&E Drawing Number(s): N/A  
PG&E Document Name: 2-Distribution Easement-A.doc  
PLAT NO.: I-14-16  
LD of any affected documents: R/W 6779  
LD of any Cross-referenced documents: N/A  
TYPE OF INTEREST: 4, 6, 43  
SBE Parcel Number: N/A  
(For Quitclaims, % being quitclaimed) N/A  
Order # or PM #: 30635067  
JCN: N/A  
County: Alameda  
Utility Notice Numbers: N/A  
851 Approval Application No. N/A Decision N/A  
Prepared By: JKSZ  
Checked By: R9M1  
Reviewed By: RMBF  
Approved By: MJG6  
Revision Number: 2

No. 70127  
RF - 10088

State of California

County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,

Here insert name and title of the officer

personally appeared \_\_\_\_\_

\_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(Seal)

**CAPACITY CLAIMED BY SIGNER**

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other \_\_\_\_\_

EXHIBIT "A"

DESCRIPTION FOR ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, ZONE 7 WATER AGENCY

DESCRIPTION OF EASEMENT AREA TO BE CONVEYED TO DUBLIN SAN RAMON SERVICE DISTRICT:

MAP: RF-100088  
APN: 941-1302-002-30 (POR.)

NO. 70127  
MAY 17, 2011

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

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE QUITCLAIM DEED TO THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED SEPTEMBER 12, 1986, AS SERIES NO. 86-223561, ALAMEDA COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A CONCRETE MONUMENT AT THE CENTER LINE INTERSECTION OF STONERIDGE DRIVE AND JOHNSON DRIVE; THENCE ALONG THE CENTER LINE OF JOHNSON DRIVE SOUTH  $06^{\circ}08'14''$  WEST (THE BEARING SOUTH  $06^{\circ}08'14''$  WEST OF SAID CENTER LINE TAKEN AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION) 148.68 FEET TO THE SOUTHERN LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT OF EASEMENT FROM THE DEPARTMENT OF THE ARMY TO THE CITY OF PLEASANTON, DATED APRIL 24, 1978, AND RECORDED JUNE 13, 1978, IN REEL 5437 OF OFFICIAL RECORDS AT IMAGE 376 THEREOF (78-111414), RECORDS OF ALAMEDA COUNTY, CALIFORNIA, SAID POINT BEING DISTANT ALONG SAID SOUTHERN LINE, NORTH  $76^{\circ}42'46''$  EAST, 75.19 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL OF LAND (78-111414); THENCE ALONG SAID SOUTHERN LINE, NORTH  $76^{\circ}42'46''$  EAST, 26.37 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF JOHNSON DRIVE; THENCE SOUTHERLY ALONG SAID EASTERN RIGHT-OF-WAY LINE OF JOHNSON DRIVE SOUTH  $06^{\circ}08'14''$  WEST, 48.28 FEET TO A POINT ON THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE QUITCLAIM DEED TO THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED SEPTEMBER 12, 1986, AS SERIES NO. 86-223561, ALAMEDA COUNTY RECORDS; THENCE ALONG THE SAID NORTHERLY LINE NORTH  $51^{\circ}08'14''$  EAST, 35.64 FEET TO **THE POINT OF BEGINNING**; THENCE CONTINUING NORTH  $51^{\circ}08'14''$  EAST, 15.80 FEET; THENCE LEAVING SAID NORTHERLY LINE SOUTH  $11^{\circ}51'40''$  WEST, 54.03 FEET; THENCE SOUTH  $16^{\circ}35'10''$  EAST, 46.53 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 15.00 FEET; THENCE SOUTHEASTERLY 8.26 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $31^{\circ}33'12''$ ; THENCE SOUTH  $48^{\circ}08'22''$  EAST, 6.88 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID ALAMEDA COUNTY FLOOD CONTROL PARCEL (86-223561); SAID POINT BEING AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 218.00 FEET AND TO WHICH BEGINNING A RADIAL LINE BEARS NORTH  $40^{\circ}27'26''$  WEST; THENCE SOUTHWESTERLY 3.19 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $00^{\circ}50'18''$  TO THE MOST EASTERLY CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO THE CITY OF PLEASANTON, A MUNICIPAL CORPORATION, RECORDED AUGUST 1, 1995, AS SERIES NO. 95169278, ALAMEDA COUNTY RECORDS; THENCE ALONG THE GENERAL EASTERLY LINE OF SAID PARCEL (95169278) NORTH  $47^{\circ}21'08''$  WEST, 21.60 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 45.00 FEET AND TO WHICH BEGINNING A RADIAL LINE BEARS SOUTH  $81^{\circ}23'45''$  EAST; THENCE NORTHERLY AND NORTHWESTERLY 43.57 FEET ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF  $55^{\circ}28'17''$ ; THENCE NORTH  $16^{\circ}35'10''$  WEST, 3.68 FEET; THENCE NORTH  $11^{\circ}51'40''$  EAST, 44.34 FEET TO **THE POINT OF BEGINNING**.

CONTAINING 833 SQUARE FEET, MORE OR LESS

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B" WHICH BY THIS REFERENCE IS MADE A PART HEREOF.

  
DARRYL ALLEN ALEXANDER, PLS 5071





STONERIDGE

P.O.C.  
DRIVE

N 06°08'14" E  
148.68'

DRIVE

JOHNSON

CITY  
(76-6497)

N 76°42'46" E  
75.19'

N 06°08'14" E  
48.28'

N 11°51'40" E  
35.64'

N 16°35'10" W  
3.68'

ACFCD  
(86-223561)

P.O.B.

N 51°08'14" E  
15.80'

S 11°51'40" W  
54.03'

S 16°35'10" E  
46.53'

S 81°23'45" E (R)  
21.60'

N 47°21'08" W  
4.72'

ACFCD  
(86-223561)  
LINE G-1-1

$\Delta=31^{\circ}33'12''$   
C1 R=15.00'  
L=8.26'  
 $\Delta=0^{\circ}50'18''$   
C2 R=218.00'  
L=3.19'  
 $\Delta=55^{\circ}28'17''$   
C3 R=45.00'  
L=43.57'

70127

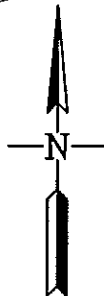
APN 941-1302-002-30 (POR)

EASEMENT  
833 S.F.

S 48°08'22" E  
6.88'

N 40°27'26" W (R)

10' EASEMENT



1"=30'

**ALEXANDER & ASSOCIATES INC.**

SURVEYORS - PLANNERS - ENGINEERS  
147 OLD BERNAL AVENUE, SUITE 10  
PLEASANTON, CALIFORNIA

EXHIBIT "B"

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION  
CITY OF PLEASANTON  
ALAMEDA COUNTY CALIFORNIA  
JUNE 2011 10139 RF-10088

**RECORDING REQUESTED BY AND RETURN TO:**

Dublin San Ramon Services District  
7051 Dublin Boulevard  
Dublin, CA 94568

**And When Recorded Mail To:**

Dublin San Ramon Services District  
7051 Dublin Boulevard  
Dublin, CA 94568

Location: City/Uninc. \_\_\_\_\_

Recording Fee \$ \_\_\_\_\_

Document Transfer Tax \$ \_\_\_\_\_

☐ This is a conveyance where the consideration and  
Value is less than \$100.00 (R&T 11911).

☐ Computed on Full Value of Property Conveyed, or

☐ Computed on Full Value Less Liens  
& Encumbrances Remaining at Time of Sale

\_\_\_\_\_  
Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD#

EASEMENT DEED

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, Zone 7, a  
body corporate and politic,

hereinafter called Grantor, hereby grants to DUBLIN SAN RAMON SERVICE DISTRICT, a  
public agency, its successors and assigns, hereinafter called Grantee, the right from time to time to  
construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type  
hereinafter specified, together with a right of way therefor, within the easement area as hereinafter set  
forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the  
City of Pleasanton, County of Alameda, State of California, described as follows:

(APN 941-1302-002-30)

The two parcels of land, situate in Section 12, Township 3 South, Range 1 West, MDM, one described  
in the quitclaim deed from the City of Pleasanton to Alameda County Flood Control and Water  
Conservation District, dated August 15, 1986 and recorded in Official Record Series Number 86-  
223560, Alameda County Records, and the other described and designated PARCEL 1 in the deed from  
Qualified Investments, Inc. to Alameda County Flood Control and Water Conservation District,  
recorded March 1, 1971 and recorded in Official Record Series Number 71-23011, Alameda County  
Records.

Said facilities and easement area are described as follows:

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors;  
aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses,  
terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to  
any and all thereof, as Grantee deems necessary for the distribution of electric energy and  
communication purposes located within the strip of land described as follows:

FOR COMPLETE LEGAL DESCRIPTION SEE EXHIBIT "A" AND  
EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Any proposed future modifications to Grantee's facilities shall be reviewed and approved by Grantor to assure they do not unreasonably interfere with safe and reliable operations of Grantor's flood control channel.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement area.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Dated: \_\_\_\_\_, \_\_\_\_\_.

ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, Zone 7, a  
body corporate and politic,

By \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

North Coast Area, Mission Division  
Land Service Office: Concord RMC  
Operating Department: Electric Distribution  
USGS location (MDB&M T3S, R1W, S12, SE¼ NE¼)  
FERC License Number(s): N/A  
PG&E Drawing Number(s): N/A  
PG&E Document Name: 1-Distribution Easement-A.doc  
PLAT NO.: I-14-16  
LD of any affected documents: R/W 6779  
LD of any Cross-referenced documents: N/A  
TYPE OF INTEREST: 4, 6, 43  
SBE Parcel Number: N/A  
(For Quitclaims, % being quitclaimed) N/A  
Order # or PM #: 30635067  
JCN: N/A  
County: Alameda  
Utility Notice Numbers: N/A  
851 Approval Application No. N/A Decision N/A  
Prepared By: JK SZ  
Checked By: R9M1  
Reviewed By: RMBF  
Approved By: MJG6  
Revision Number: 2

No. 70128  
RF - 10089

State of California

County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,

Here insert name and title of the officer

personally appeared \_\_\_\_\_

\_\_\_\_\_ ,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(Seal)

**CAPACITY CLAIMED BY SIGNER**

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other \_\_\_\_\_

EXHIBIT "A"

DESCRIPTION FOR ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, ZONE 7 WATER AGENCY

DESCRIPTION OF EASEMENT AREA TO BE CONVEYED TO DUBLIN SAN RAMON SERVICE  
DISTRICT:

MAP: RF-10089  
APN: 941-1302-002-30 (POR.)

NO. 70128  
MAY 17, 2011

AN EASEMENT, BEING A STRIP OF LAND, 10.00 FEET WIDE, THE CENTER LINE DESCRIBED  
AS FOLLOWS:

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

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO  
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED  
MARCH 1, 1971, SERIES NO. 71-23011, ALAMEDA COUNTY RECORDS AND ALSO A PORTION  
OF THAT 7.00 FOOT STRIP OF LAND DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA  
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED  
SEPTEMBER 12, 1986, SERIES NO. 86-223560, ALAMEDA COUNTY RECORDS AND MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF THAT 7.00 FOOT STRIP OF LAND  
DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT (86-223560); THENCE ALONG THE EXTERIOR LINE OF SAID 7.00  
FOOT STRIP (86-223560) THE FOLLOWING FIVE COURSES:

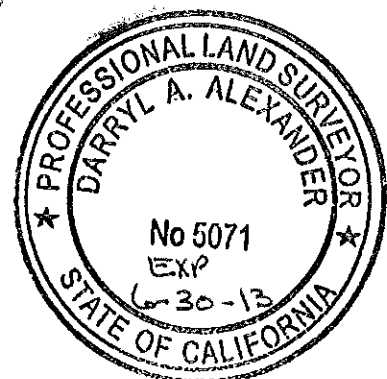
SOUTH 13°14'39" EAST (THE BEARING SOUTH 13°14'39" EAST OF SAID EXTERIOR LINE  
BEING TAKEN AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION) 7.00 FEET; THENCE  
SOUTH 76°42'46" WEST, 254.96 TO THE BEGINNING OF A CURVE CONCAVE TO THE  
SOUTHEAST HAVING A RADIUS OF 162.47 FEET; THENCE SOUTHWESTERLY 85.51 FEET  
ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°09'25" TO THE BEGINNING OF A  
COMPOUND CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 144.00 FEET, TO  
WHICH BEGINNING A RADIAL LINE BEARS NORTH 43°26'39" WEST; THENCE  
SOUTHWESTERLY 2.69 FEET ALONG SAID COMPOUND CURVE THROUGH A CENTRAL  
ANGLE OF 01°04'15" TO THE POINT OF BEGINNING; THENCE LEAVING SAID EXTERIOR LINE  
AND ALONG THE CENTER LINE OF A STRIP OF LAND, 10.00 FEET WIDE, NORTH 48°08'22"  
WEST, 82.84 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL (71-23011)

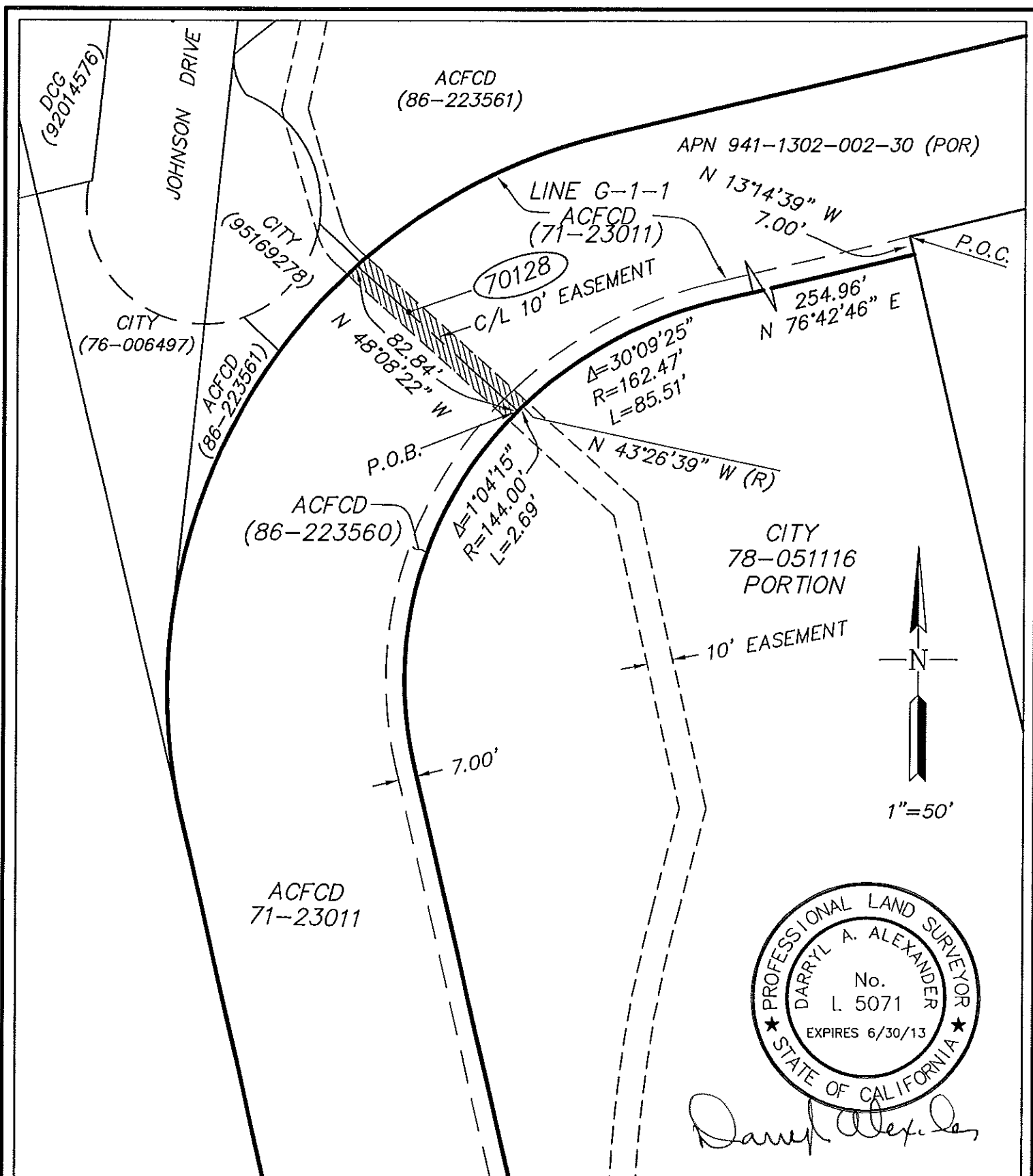
CONTAINING 829 SQUARE FEET, MORE OR LESS

THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE SHORTENED OR LENGTHENED TO  
TERMINATE AT THE NORTHERLY LINE OF SAID PARCEL (71-23011) AND THE SOUTHERLY  
LINE OF PARCEL (86-223560).

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B" WHICH  
BY THIS REFERENCE IS MADE A PART HEREOF.

  
DARRYL ALLEN ALEXANDER, PLS 5071





**ALEXANDER & ASSOCIATES INC.**

SURVEYORS - PLANNERS - ENGINEERS  
147 OLD BERNAL AVENUE, SUITE 10  
PLEASANTON, CALIFORNIA

EXHIBIT "B"

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION  
CITY OF PLEASANTON  
ALAMEDA COUNTY CALIFORNIA  
JUNE 2011 10139 RF-10089

**RECORDING REQUESTED BY AND RETURN TO:**

Dublin San Ramon Services District  
7051 Dublin Boulevard  
Dublin, CA 94568

**And When Recorded Mail To:**

Dublin San Ramon Services District  
7051 Dublin Boulevard  
Dublin, CA 94568

Location: City/Uninc \_\_\_\_\_  
Recording Fee \$ \_\_\_\_\_  
Document Transfer Tax \$ \_\_\_\_\_  
☐ This is a conveyance where the consideration and  
Value is less than \$100.00 (R&T 11911).  
☐ Computed on Full Value of Property Conveyed, or  
☐ Computed on Full Value Less Liens  
& Encumbrances Remaining at Time of Sale

\_\_\_\_\_  
Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD#

**EASEMENT DEED**

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, Zone 7, a  
body corporate and politic,

hereinafter called Grantor, hereby grants to DUBLIN SAN RAMON SERVICE DISTRICT, a  
public agency, its successors and assigns, hereinafter called Grantee, the right from time to time to  
construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type  
hereinafter specified, together with a right of way therefor, within the easement area as hereinafter set  
forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situate in the  
City of Pleasanton, County of Alameda, State of California, described as follows:

(APN 941-1302-002-30)

The two parcels of land, situate in Section 12, Township 3 South, Range 1 West, MDM, one described  
in the quitclaim deed from the City of Pleasanton to Alameda County Flood Control and Water  
Conservation District, dated August 15, 1986 and recorded in Official Record Series Number 86-  
223560, Alameda County Records, and the other described and designated PARCEL 1 in the deed from  
Qualified Investments, Inc. to Alameda County Flood Control and Water Conservation District,  
recorded March 1, 1971 and recorded in Official Record Series Number 71-23011, Alameda County  
Records.

Said facilities and easement area are described as follows:

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors;  
aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses,  
terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to

any and all thereof, as Grantee deems necessary for the distribution of electric energy and communication purposes located within the strip of land described as follows:

FOR COMPLETE LEGAL DESCRIPTION SEE EXHIBIT "A" AND EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Any proposed future modifications to Grantee's facilities shall be reviewed and approved by Grantor to assure they do not unreasonably interfere with safe and reliable operations of Grantor's flood control channel.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations.

Grantor shall not erect or construct any building or other structure or drill or operate any well within said easement area.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Dated: \_\_\_\_\_, \_\_\_\_\_.

ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, Zone 7, a  
body corporate and politic,

By \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

North Coast Area, Mission Division  
Land Service Office: Concord RMC  
Operating Department: Electric Distribution  
USGS location (MDB&M T3S, R1W, S12, SE¼ NE¼)  
FERC License Number(s): N/A  
PG&E Drawing Number(s): N/A  
PG&E Document Name: 3-Distribution Easement-A.doc  
PLAT NO.: I-14-16  
LD of any affected documents: R/W 6779  
LD of any Cross-referenced documents: N/A  
TYPE OF INTEREST: 4, 6, 43  
SBE Parcel Number: N/A  
(For Quitclaims, % being quitclaimed) N/A  
Order # or PM #: 30635067  
JCN: N/A  
County: Alameda  
Utility Notice Numbers: N/A  
851 Approval Application No. N/A Decision N/A  
Prepared By: JKSZ  
Checked By: R9M1  
Reviewed By: RMBF  
Approved By: MJG6  
Revision Number: 2

No. 70129  
RF - 10090

State of California

County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
Here insert name and title of the officer

personally appeared \_\_\_\_\_  
\_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(Seal)

**CAPACITY CLAIMED BY SIGNER**

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other \_\_\_\_\_

EXHIBIT "A"

DESCRIPTION FOR ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, ZONE 7 WATER AGENCY

DESCRIPTION OF EASEMENT AREA TO BE CONVEYED TO DUBLIN SAN RAMON SERVICE  
DISTRICT:

MAP: RF-10090  
APN: 941-1302-002-30 (POR.)

NO. 70129  
MAY 17, 2011

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

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO  
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED  
MARCH 1, 1971, SERIES NO. 71-23011, ALAMEDA COUNTY RECORDS AND ALSO A PORTION  
OF THAT 7.00 FOOT STRIP OF LAND DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA  
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED  
SEPTEMBER 12, 1986, SERIES NO. 86-223560, ALAMEDA COUNTY RECORDS AND MORE  
PARTICULARLY DESCRIBED AS FOLLOWS

AN EASEMENT, BEING A STRIP OF LAND, 10.00 FEET WIDE, THE CENTER LINE OF WHICH  
IS DESCRIBED AS FOLLOWS:

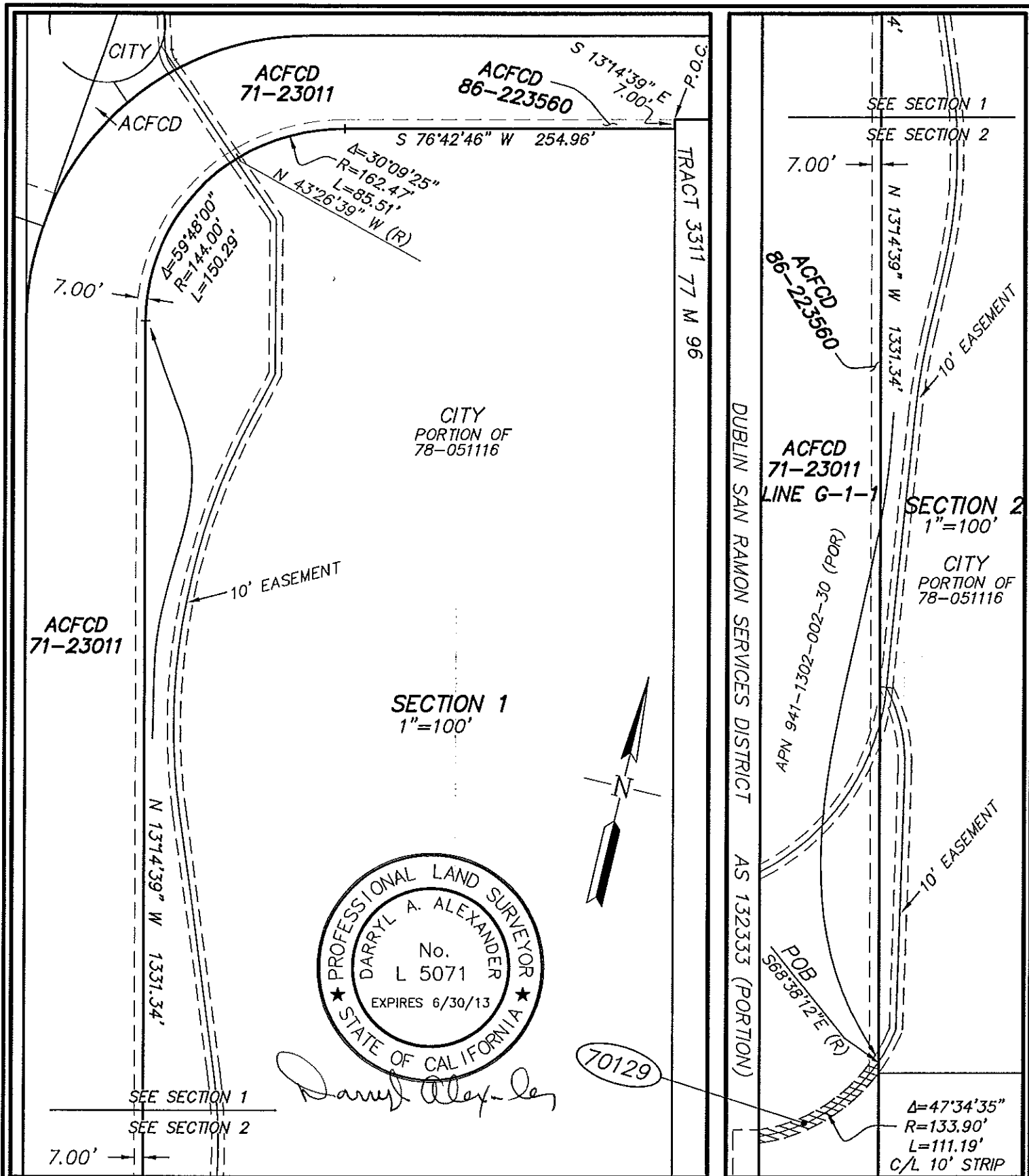
COMMENCING AT THE NORTHEAST CORNER OF THAT 7.00 FOOT STRIP OF LAND  
DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT (86-223560); THENCE ALONG THE EXTERIOR LINE OF SAID 7.00  
FOOT STRIP (86-223560) SOUTH  $13^{\circ}14'39''$  EAST, 7.00 FEET; THENCE SOUTH  $76^{\circ}42'46''$  WEST,  
254.96 TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS  
OF 162.47 FEET; THENCE SOUTHWESTERLY 85.51 FEET ALONG SAID CURVE THROUGH A  
CENTRAL ANGLE OF  $30^{\circ}09'25''$  TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO  
THE SOUTHEAST HAVING A RADIUS OF 144.00 FEET, TO WHICH BEGINNING A RADIAL LINE  
BEARS NORTH  $43^{\circ}26'39''$  WEST; THENCE SOUTHWESTERLY 150.29 FEET ALONG SAID  
COMPOUND CURVE THROUGH A CENTRAL ANGLE OF  $59^{\circ}48'00''$ ; THENCE SOUTH  $13^{\circ}14'39''$   
EAST, 1331.34 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID EXTERIOR LINE  
OF SAID 7.00 FOOT STRIP (86-223560) AND ALONG A NON TANGENT CURVE HAVING A  
RADIUS OF 133.90 FEET AND TO WHICH BEGINNING OF CURVE A RADIAL LINE BEARS  
SOUTH  $68^{\circ}38'12''$  EAST; THENCE SOUTHWESTERLY 111.19 FEET ALONG SAID CURVE  
THROUGH A CENTRAL ANGLE OF  $47^{\circ}34'35''$  TO A POINT ON THE WESTERLY LINE OF SAID  
PARCEL (71-23011).

THE SIDELINES OF SAID 10.00 STRIP TO BE SHORTENED OR LENGTHENED TO TERMINATE  
AT THE WESTERLY LINE OF SAID PARCEL (71-23011) AND THE EASTERLY LINE OF THE SAID  
7.00 FOOT STRIP OF LAND (86-223560),

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B" WHICH  
BY THIS REFERENCE IS MADE A PART HEREOF.

  
DARRYL ALLEN ALEXANDER PLS 5071





**ALEXANDER & ASSOCIATES INC.**

SURVEYORS - PLANNERS - ENGINEERS  
147 OLD BERNAL AVENUE, SUITE 10  
PLEASANTON, CALIFORNIA

EXHIBIT "B"

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION  
CITY OF PLEASANTON  
ALAMEDA COUNTY CALIFORNIA  
JUNE 2011 10139 RF-10090

Recording Requested By:

Dublin San Ramon Services District

And When Recorded Mail to:

Dublin San Ramon Services District

7051 Dublin Blvd

Dublin, CA 94568

Attention: District Secretary

Documentary Transfer Tax \$ Exempt R&T Code 11922

By:

City of Livermore ☒

Recording Fee \$0.00 Gov't Code 27383

|            |  |            |  |
|------------|--|------------|--|
| <b>APN</b> |  | <b>GEO</b> |  |
| <b>RC</b>  |  | <b>LOC</b> |  |
| <b>JOB</b> |  | <b>BK</b>  |  |

### GRANT OF EASEMENT

The undersigned Grantor(s), "Grantor(s)," hereby grant(s) to PACIFIC BELL TELEPHONE COMPANY, a California corporation, dba AT&T California ("AT&T"), its associated and affiliated companies, its and their successors, assigns, lessees and agents, hereinafter referred to as "Grantee(s)," an easement to construct, reconstruct and maintain (place, operate, inspect, repair, replace and remove) such aerial and underground communication facilities as Grantee(s) may from time to time require (including ingress thereto and egress therefrom) consisting of poles, anchors, guys, cables, wires, crossarms, braces, conduits, pipes, manholes, aboveground markers, risers, pedestals, terminal equipment cabinets, handholes, service boxes, associated electrical conductors, underground terminals, structures with electronic communication equipment therein and associated paving, fencing, necessary fixtures and appurtenances in, over, under and upon that certain real property in the City of Pleasanton, County of Alameda, State of California, described as follows:

APN 941-1302-002-30 (POR.)

The two parcels of land, described and designated EXHIBIT "A" one described in the deed to Alameda County Flood Control and Water Conservation District recorded March 1, 1971, Series No. 71-23011, Alameda County Records, and the other a portion of the 7 foot strip of land described in the quitclaim deed to Alameda County Flood Control and Water Conservation District, recorded September 12, 1986, Series No. 86-223560, Alameda County Records.

This legal description was prepared pursuant to Section 8730c of the Business and Professions code.

Grantor(s) also grant(s) to Grantee(s) the right to trim such trees and other foliage and to cut such limbs and roots on said property as may be necessary for the protection of said facilities.

Any proposed modification to Grantee's facilities shall be reviewed and approved by Grantor to assume they do not unreasonably interfere with safe and reliable operations of Grantor's flood control channel

Grantor(s), his / her / their successors and assigns, shall not erect, construct or maintain any building or other structure or drill or operate any well within said easement.

Grantee(s) shall be responsible for damage caused intentionally or by any negligent act or omission of Grantee(s), its agents or employees, while exercising the rights granted herein.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Executed this       day of       , 20       .

Alameda County Flood Control and  
Water Conservation District

By:

\_\_\_\_\_  
Print Name and Title

EXHIBIT "A"

DESCRIPTION FOR ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, ZONE 7 WATER AGENCY

DESCRIPTION OF EASEMENT AREA TO BE CONVEYED TO DUBLIN SAN RAMON SERVICE  
DISTRICT:

MAP: RF-10092  
APN: 941-1302-002-30 (POR.)

NO. 70131  
MAY 17, 2011

AN EASEMENT, BEING A STRIP OF LAND, 10 FEET WIDE, THE CENTER LINE OF WHICH IS  
DESCRIBED AS FOLLOWS:

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

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO  
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED  
MARCH 1, 1971, SERIES NO. 71-23011, ALAMEDA COUNTY RECORDS AND ALSO A PORTION  
OF THAT 7.00 FOOT STRIP OF LAND DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA  
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED  
SEPTEMBER 12, 1986, SERIES NO. 86-223560, ALAMEDA COUNTY RECORDS AND MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

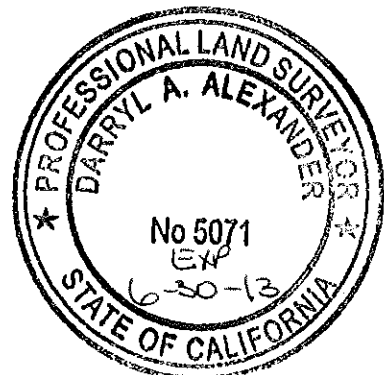
COMMENCING AT THE NORTHEAST CORNER OF THAT 7.00 FOOT STRIP OF LAND  
DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT (86-223560); THENCE ALONG THE EXTERIOR LINE OF SAID 7.00  
FOOT STRIP (86-223560) THE FOLLOWING FOUR COURSES:  
SOUTH 13°14'39" EAST, 7.00 FEET; THENCE SOUTH 76°42'46" WEST, 254.96 TO THE  
BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 162.47 FEET;  
THENCE SOUTHWESTERLY 85.51 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
OF 30°09'25" TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO THE SOUTHEAST  
HAVING A RADIUS OF 144.00 FEET, TO WHICH BEGINNING A RADIAL LINE BEARS NORTH  
43°26'39" WEST; THENCE SOUTHWESTERLY 49.46 FEET ALONG SAID COMPOUND CURVE  
THROUGH A CENTRAL ANGLE OF 19°40'42" TO THE POINT OF BEGINNING; THENCE LEAVING  
SAID EXTERIOR LINE AND ALONG THE CENTER LINE OF A STRIP OF LAND, 10 FEET WIDE,  
NORTH 13°28'04" WEST, 30.82 FEET; THENCE NORTH 50°26'58" WEST, 63.38 FEET TO THE  
NORTHERLY LINE OF SAID PARCEL (71-23011)

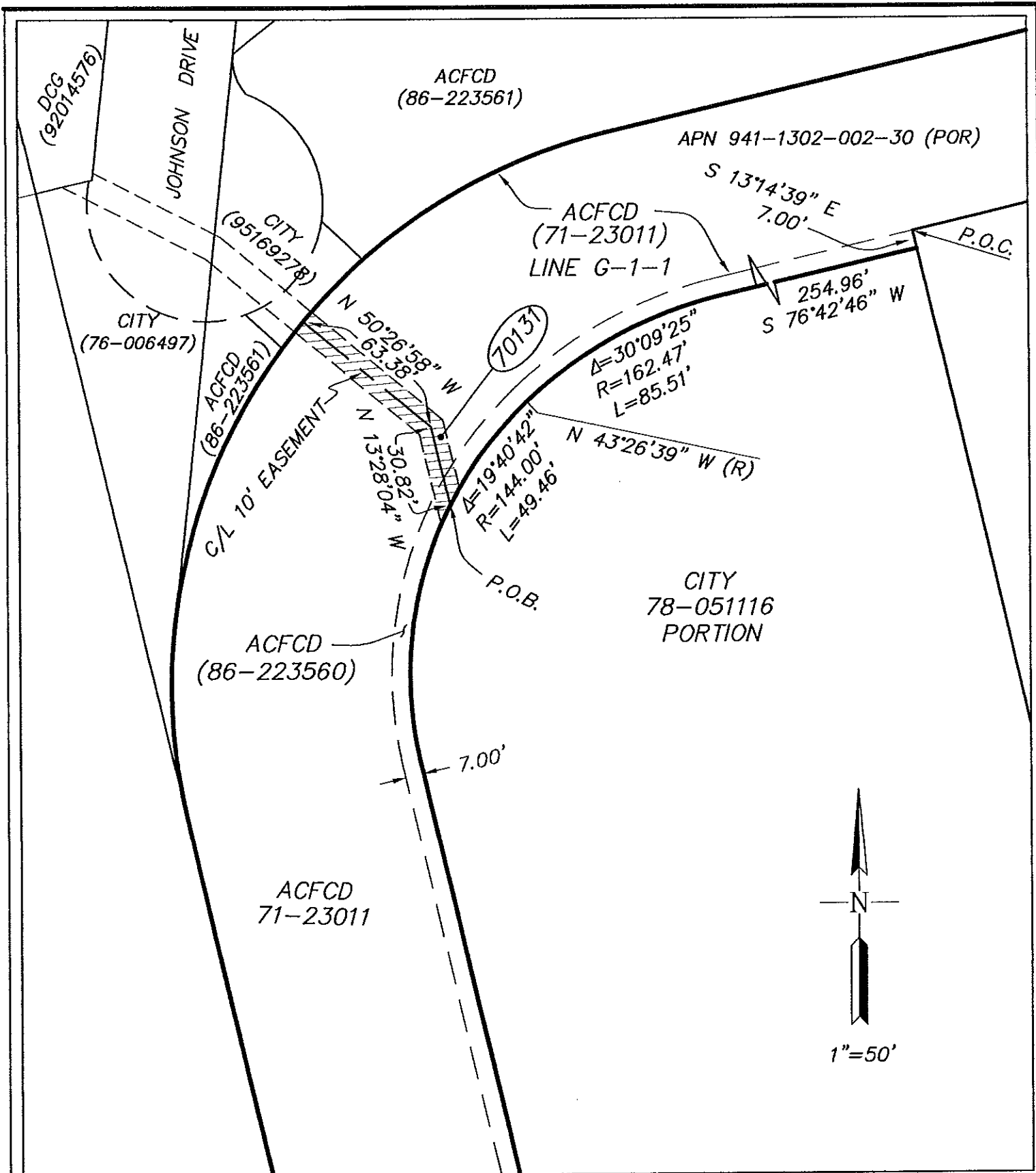
CONTAINING 943 SQUARE FEET, MORE OR LESS

THE SIDELINES OF SAID 10.00 FOOT STRIP TO BE SHORTENED OR LENGTHENED TO  
TERMINATE AT THE NORTHERLY LINE OF SAID PARCEL (71-23011) AND THE SOUTHERLY  
LINE OF PARCEL (86-223560).

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B" WHICH  
BY THIS REFERENCE IS MADE A PART HEREOF.

  
DARRYL ALLEN ALEXANDER, PLS 5071





**ALEXANDER & ASSOCIATES INC.**

SURVEYORS - PLANNERS - ENGINEERS  
147 OLD BERNAL AVENUE, SUITE 10  
PLEASANTON, CALIFORNIA

EXHIBIT "B"

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION  
CITY OF PLEASANTON  
ALAMEDA COUNTY CALIFORNIA  
MAY 2011 10139 RF-10092

Recording Requested By:

Dublin San Ramon Services District

And When Recorded Mail to:

Dublin San Ramon Services District

7051 Dublin Blvd

Dublin, CA 94568

Attention: District Secretary

Documentary Transfer Tax \$ Exempt R&T Code 11922

By:

DSRSD ☒

Recording Fee \$0.00 Gov't Code 27383

Space Above This Line for Recorder's Use

## **GRANT OF EASEMENT**

(Electric Service)

APN 941-1302-002-30 (Por.)

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a  
body corporate and politic, ("GRANTOR"), does hereby GRANT unto DUBLIN SAN  
RAMON SERVICES DISTRICT, a special district, its successors and assigns, ("GRANTEE"),

a perpetual non-exclusive Easement for ingress, egress, electric service purposes and related construction and maintenance purposes and incidents thereto under and across that certain real property, situated in the City of Pleasanton, County of Alameda, State of California, described and depicted in Exhibit "A," attached hereto and incorporated herein by reference.

This Grant of Easement is executed and delivered to GRANTEE upon the following terms and conditions, to wit:

- a) To the extent permitted by law, GRANTOR and GRANTEE shall each indemnify and hold the other, and their respective officers, agents, employees, and instrumentalities harmless from any and all losses, damages, liability on account of personal injury, death or property damage, or claim for personal injury, death or property damage of any nature whatsoever and by whomsoever made, arising out of the activities of the other Party, its employees, subcontractors, or agents under this License.
- b) Prior to installation of any or making any additions or modifications to the electric service installed therein GRANTEE shall submit plans and specifications to GRANTOR for review and approval. The electric service, including additions and modifications, shall not be installed by GRANTEE without first securing written approval of GRANTOR, which shall not be unreasonably withheld. GRANTOR shall approve said electric service including additions and modifications, unless such interfere with the primary use of said Easement area for flood control and water management purposes.

- c) GRANTEE agrees that the electric service be constructed and maintained at a depth of at least ten (10) feet below the designed channel bottom to the top of pipe.
- d) Except in emergencies, GRANTEE shall not enter upon the adjacent property of GRANTOR or make any major additions or modifications or reconstruct the electric service installed therein without securing an encroachment permit from GRANTOR and the issuance thereof shall not be unreasonably withheld.
- e) GRANTEE agrees that upon the completion of any of its work within the Easement area to restore as near as possible the surface of the ground to the condition in which it was prior to the commencement of said work to the satisfaction of Zone 7.
- f) In the event of any emergency, GRANTEE shall notify GRANTOR of the need for emergency access as soon as reasonably possible, but in no case more than twenty-four hours.
- g) GRANTEE shall be obligated to maintain and repair the electric service and will utilize and maintain the Easement area in such a manner that there is no interference with the use of the Easement area by GRANTOR. GRANTEE shall be responsible for repairing any damage to GRANTOR'S property caused by the electric service as well as the cleanup of any leaks discharged to the channel.
- h) GRANTOR reserves the right to convey easement rights to others so long as such easement(s) do not conflict or interfere with GRANTEE'S Easement rights herein conveyed, but prior to making such a conveyance, GRANTOR will provide written notice to GRANTEE.
- i) GRANTOR reserves the right to use the Easement area for any purpose not in conflict with the Easement rights being granted herein, but prior to any use that may be in conflict with GRANTEE'S rights, GRANTOR will provide GRANTEE a copy of the plans and specifications and will make a good faith effort to address any concerns GRANTEE may have to protect GRANTEE'S Pipelines.
- j) GRANTOR, its successors and/or assigns, shall not place or permit to be placed on the Easement area, any above-ground structures.
- k) GRANTEE shall not assign the Easement rights herein conveyed to another without the express written permission of GRANTOR, which shall not be unreasonably withheld.
- l) GRANTOR shall pay no fees, charges or transfer taxes of any kind in connection with the Easement rights herein conveyed.
- m) Insurance. GRANTEE may be self-insured or shall procure and maintain, at Grantee's sole expense, for the duration of this Agreement, and shall ensure that its agents, consultants, and contractors procure and maintain for the duration of entry upon the GRANTOR'S real property, insurance insuring against claims for injuries to persons or damages to property which may arise from or in connection with the construction, maintenance, or repair on the

Easement, the use of the Easement granted herein, or the use of the temporary access by GRANTEE or its agents, representatives, employees, contractors, subcontractors, and invitees.

The policy of insurance or self-insurance coverage maintained by GRANTEE shall include the equivalent of the following, and the insurance maintained by its agents, consultants, and contractors shall include the following: (i) Commercial General Liability coverage: \$2,000,000 combined single limit per occurrence for injury to or death of one or more persons in an occurrence, and for damage to property (including loss of use), \$2,000,000 general aggregate; \$2,000,000 products and completed operation aggregate; coverage is to be provided on an "occurrence" basis ; (ii) Excess Liability coverage: \$2,000,000 each occurrence; \$2,000,000 aggregate; (iii) Workers' Compensation: statutory limits; (iv) Business Automobile Liability coverage (will apply to the permissive use of owned or hired vehicles): \$2,000,000 each accident; the agents, consultants, and contractors' insurance shall also include the following: shall contain, or be endorsed to contain, the following provisions: (i) name GRANTOR and their successors as additional insureds without limitations, (ii) provide a cross liability provision, and (iii) provide that the insurance shall be primary, excess, and non-contributing with any other insurance available to GRANTORS. GRANTEE has a \$500,000 self-insured retention. GRANTEE's agents, consultants, and contractors' policies shall provide that coverage shall not be cancelled, except for non payment of premium, except after thirty (30) days prior written notice to GRANTORS, and ten (10) days prior written notice for cancellation for non-payment of premium.

Prior to execution of this Agreement, GRANTEE shall furnish GRANTOR with certificates of insurance and with original endorsements affecting the coverage required herein. All certificates and endorsements, and, in addition, for GRANTEE's agents, consultants, and contractors, evidence of Worker's Compensation coverage must be received.

- n) Any notice which GRANTOR or GRANTEE are required to provide related to this Easement shall be given in writing and may be personally served, sent by overnight courier delivery, or deposited in the United State Mail as certified mail, return receipt requested, postage prepaid, addressed to the other party at the following address:

GRANTOR:           Zone 7  
                          Attention: General Manager  
                          Alameda County Flood Control and Water Conservation District  
                          100 N. Canyons Parkway  
                          Livermore, CA 94551  
                          925 454-5020

GRANTEE:           Dublin San Ramon Services District  
                          Attention: General Manager  
                          7051 Dublin Blvd  
                          Dublin, CA 94568  
                          925-828-0515

- o) Acceptance and recordation of the Grant of Easement by GRANTEE shall signify GRANTEE's acceptance of the terms and conditions of the conveyance.

IN WITNESS WHEREOF, this instrument is duly executed pursuant to Alameda County Flood Control and Water Conservation District Resolution No. \_\_\_\_\_ adopted \_\_\_\_\_, 2011, a certified copy of which is attached hereto and made a part hereof.

IN WITNESS WHEREOF, this instrument is duly executed pursuant to said resolution.

Dated: \_\_\_\_\_

ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT

By: \_\_\_\_\_

Nate Miley, President  
The Board of Supervisors  
Alameda County Flood Control and  
Water Conservation District

(Line G-1-1)  
Map: RF-10091  
No. 70130

EXHIBIT "A"

DESCRIPTION FOR ALAMEDA COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT, ZONE 7 WATER AGENCY

DESCRIPTION OF EASEMENT AREA TO BE CONVEYED TO DUBLIN SAN RAMON SERVICE  
DISTRICT:

MAP: RF-10091  
APN: 941-1302-002-30 (POR.)

NO. 70130  
MAY 17, 2011

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

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED TO  
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED  
MARCH 1, 1971, SERIES NO. 71-23011, ALAMEDA COUNTY RECORDS AND ALSO A PORTION  
OF THAT 7.00 FOOT STRIP OF LAND DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA  
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED  
SEPTEMBER 12, 1986, SERIES NO. 86-223560, ALAMEDA COUNTY RECORDS AND MORE  
PARTICULARLY DESCRIBED AS FOLLOWS

A UTILITY EASEMENT, BEING A STRIP OF LAND, 10.00 FEET WIDE, THE CENTER LINE OF  
WHICH IS DESCRIBED AS FOLLOWS:

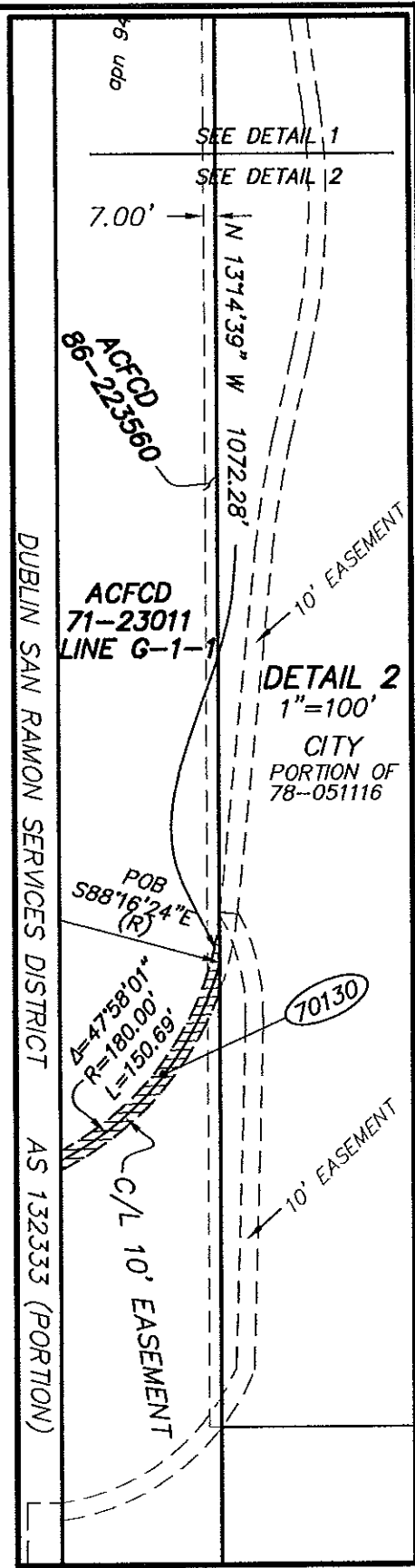
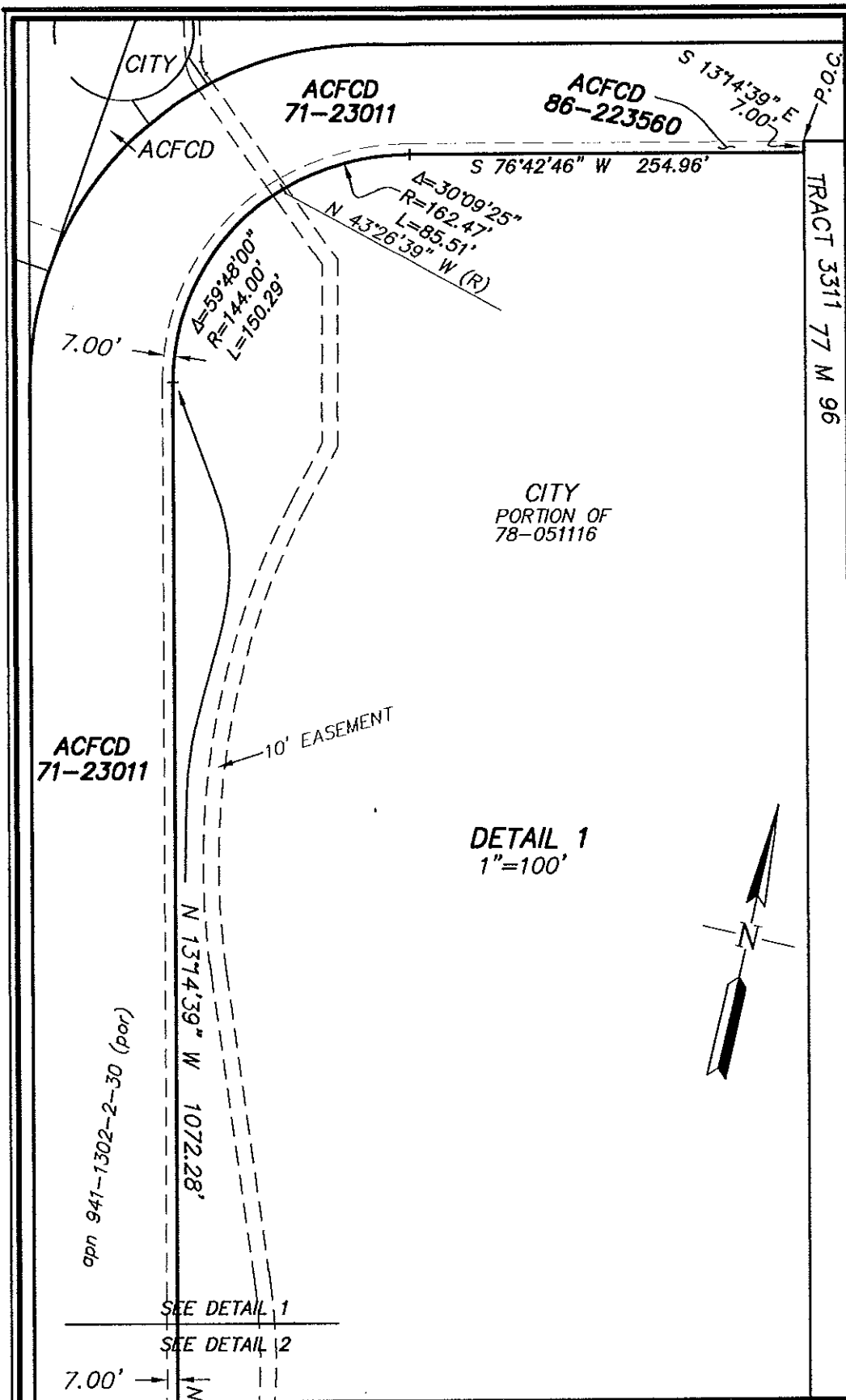
COMMENCING AT THE NORTHEAST CORNER OF THAT 7.00 FOOT STRIP OF LAND  
DESCRIBED IN THE QUITCLAIM DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT (86-223560); THENCE ALONG THE EXTERIOR LINE OF SAID 7.00  
FOOT STRIP (86-223560) SOUTH  $13^{\circ}14'39''$  EAST (THE BEARING SOUTH  $13^{\circ}14'39''$  EAST OF  
SAID EXTERIOR LINE TAKEN AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION) 7.00  
FEET; THENCE SOUTH  $76^{\circ}42'46''$  WEST, 254.96 TO THE BEGINNING OF A CURVE CONCAVE  
TO THE SOUTHEAST HAVING A RADIUS OF 162.47 FEET; THENCE SOUTHWESTERLY 85.51  
FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $30^{\circ}09'25''$  TO THE BEGINNING  
OF A COMPOUND CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 144.00 FEET,  
TO WHICH BEGINNING A RADIAL LINE BEARS NORTH  $43^{\circ}26'39''$  WEST; THENCE  
SOUTHWESTERLY 150.29 FEET ALONG SAID COMPOUND CURVE THROUGH A CENTRAL  
ANGLE OF  $59^{\circ}48'00''$ ; THENCE SOUTH  $13^{\circ}14'39''$  EAST, 1072.28 FEET TO THE POINT OF  
BEGINNING; THENCE LEAVING SAID EXTERIOR LINE OF SAID 7.00 FOOT STRIP (86-223560)  
AND ALONG A NON TANGENT CURVE HAVING A RADIUS OF 180.00 FEET AND TO WHICH  
BEGINNING OF CURVE A RADIAL LINE BEARS SOUTH  $88^{\circ}16'24''$  EAST; THENCE  
SOUTHWESTERLY 111.19 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  
 $47^{\circ}58'01''$  TO A POINT ON THE WESTERLY LINE OF SAID PARCEL (71-23011).

THE SIDELINES OF SAID 10.00 STRIP TO BE SHORTENED OR LENGTHENED TO TERMINATE  
AT THE WESTERLY LINE OF SAID PARCEL (71-23011) AND THE EASTERLY LINE OF THE SAID  
7.00 FOOT STRIP OF LAND (86-223560),

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B" WHICH  
BY THIS REFERENCE IS MADE A PART HEREOF.

  
DARRYL ALLEN ALEXANDER, PLS 5071





**ALEXANDER & ASSOCIATES INC.**

SURVEYORS - PLANNERS - ENGINEERS  
147 OLD BERNAL AVENUE, SUITE 10  
PLEASANTON, CALIFORNIA

EXHIBIT "B"

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION  
CITY OF PLEASANTON

ALAMEDA COUNTY CALIFORNIA  
MAY 2011 10139 RF-10091

**Recording Requested By:**

Dublin San Ramon Services District  
7051 Dublin Blvd  
Dublin, CA 94568

**And When Recorded Mail to:**

Dublin San Ramon Services District  
7051 Dublin Blvd  
Dublin, CA 94568

Recording Fee \$0.00 Govt. Code 27383

Space Above This Line for Recorder's Use

**QUITCLAIM DEED**

APN: 941-1302-002-30

The undersigned grantor(s) declare(s):

**Documentary Transfer Tax is \$ 0**

- ( ) unincorporated area, ( **X** ) City of Pleasanton  
( ) computed on full value of property conveyed, or is  
( ) computed on full value less value of encumbrances

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic (DISTRICT), does hereby QUITCLAIM, RELEASE AND RELINQUISH unto DUBLIN SAN RAMON SERVICES DISTRICT, a public agency, its successors and assigns (DSRSD), 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, and is described in Exhibit "A" and depicted in Exhibit "B," attached hereto and incorporated herein by reference.

Reserving there from to Grantor, a perpetual non-exclusive access easement for canal maintenance and repair purposes, under and across the real property herein above described.

IN WITNESS WHEREOF, this instrument is duly executed pursuant to Alameda County Flood Control and Water Conservation District Resolution No. \_\_\_\_\_ adopted \_\_\_\_\_, 2011, a certified copy of which is attached hereto and made a part hereof.

ALAMEDA COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

By:\_\_\_\_\_

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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

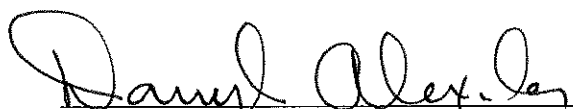
BEING A PORTION OF THAT CERTAIN PARCEL DESCRIBED IN THE  
QUITCLAIM DEED FROM THE CITY OF PLEASANTON TO THE ALAMEDA  
COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT,  
RECORDED SEPTEMBER 12, 1986, UNDER SERIES NO. 86-223561, OFFICIAL  
RECORDS OF ALAMEDA COUNTY, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE STANDARD CITY MONUMENT NEAR THE  
INTERSECTION OF CENTERLINES OF STONERIDGE DRIVE AND JOHNSON  
DRIVE, IN PLEASANTON, ALAMEDA COUNTY, CALIFORNIA, THENCE  
SOUTHERLY ALONG THE CENTERLINE OF JOHNSON DRIVE SOUTH  $06^{\circ}08'14''$   
WEST 408.71 FEET; THENCE AT RIGHT ANGLES TO SAID CENTERLINE  
SOUTH  $83^{\circ}51'46''$  EAST 24.87 FEET TO THE MOST SOUTHERLY CORNER OF  
SAID QUITCLAIM DEED (86-223561), SAID POINT BEING THE ACTUAL **POINT  
OF BEGINNING** OF THIS DESCRIPTION AND THE BEGINNING OF A NON-  
TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 218  
FEET, TO WHICH BEGINNING A RADIAL LINE BEARS NORTH  $83^{\circ}51'46''$  WEST;  
THENCE NORTHEASTERLY 115.87 FEET ALONG SAID CURVE THROUGH A  
CENTRAL ANGLE OF  $30^{\circ}27'17''$  TO THE MOST SOUTHERLY CORNER OF THAT  
CERTAIN PROPERTY GRANTED TO THE CITY OF PLEASANTON BY THE  
GRANT DEED RECORDED AUGUST 1, 1995, SERIES NO. 95169278, OFFICIAL  
RECORDS OF ALAMEDA COUNTY, THENCE ALONG THE SOUTHERLY  
BOUNDARY OF SAID CITY PARCEL (95169278) THE FOLLOWING TWO  
COURSES:

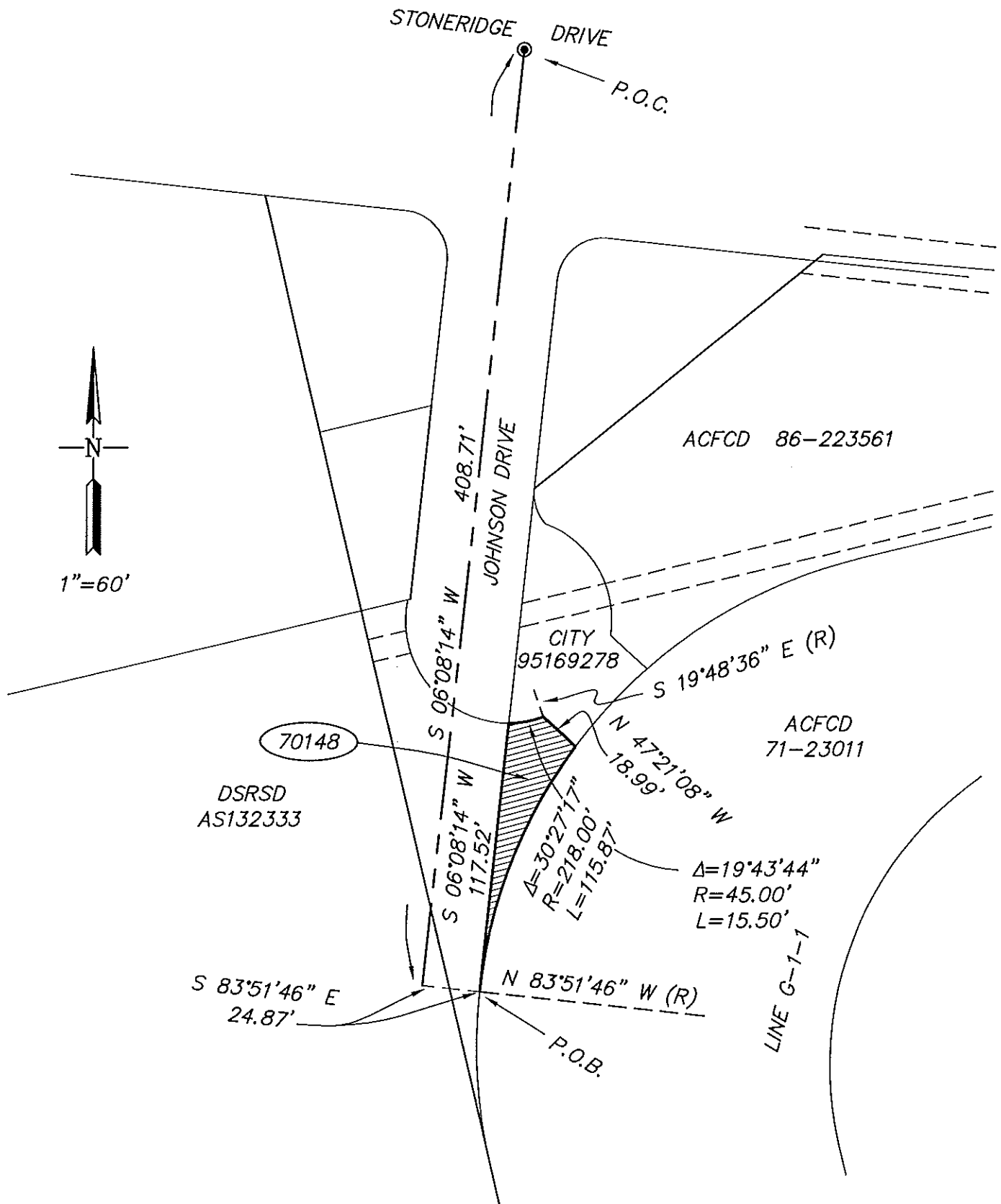
1. NORTH  $47^{\circ}21'08''$  WEST 18.99 FEET, TO THE BEGINNING OF A NON-  
TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS  
OF 45.00 FEET, TO WHICH BEGINNING A RADIAL LINE BEARS SOUTH  
 $19^{\circ}48'36''$  EAST;
2. THENCE SOUTHWESTERLY ALONG SAID CURVE 15.50 FEET  
THROUGH A CENTRAL ANGLE OF  $19^{\circ}43'44''$ ;

THENCE LEAVING SAID CITY PARCEL (95169278) SOUTH  $06^{\circ}08'14''$  WEST  
117.52 FEET, MORE OR LESS, TO THE **POINT OF BEGINNING**.

CONTAINING 1,290 SQUARE FEET, MORE OR LESS

  
DARRYL ALEXANDER, PLS 5071  
LICENSE EXPIRES JUNE 30, 2013





**ALEXANDER & ASSOCIATES INC.**

SURVEYORS - PLANNERS - ENGINEERS  
147 OLD BERNAL AVENUE, SUITE 10  
PLEASANTON, CALIFORNIA  
(925) 462-2255 (925) 462-8092 FAX

EXHIBIT "B"  
PLAT TO ACCOMPANY  
LEGAL DESCRIPTION  
CITY OF PLEASANTON  
ALAMEDA COUNTY CALIFORNIA

|                             |   |
|-----------------------------|---|
| JOB NO.: 07278              |   |
| FILE NO.: ACFCD TO DSRSD    |   |
| DATE: APR 2008              |   |
| SHEET NUMBER: TOTAL SHEETS: |   |
| 1                           | 1 |
| RF-10109                    |   |



## 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/ELKE RANK**

**AGENDA DATE:** August 17, 2011

**ITEM NO.** 5f

**SUBJECT:** Consultant Selection for Design Services to Facilitate Improvements and Seek Grant Funding for Arroyo Mocho - Stanley Reach

### **SUMMARY:**

- The Stream Management Master Plan (SMMP) identified Project R.3-5 (Stanley Reach) for stream channel enhancements, increased riparian vegetation, and fish passage improvements. A location map is attached.
- CalTrans and Alameda County Surplus Property both approached Zone 7 Staff in 2010 to seek mitigation sites for riparian impacts being caused by other projects of those agencies. Staff has been working with CalTrans and environmental permitting agencies for many months to develop a mitigation design concept for the Stanley Reach that would not only meet their mitigation requirements but also satisfy Zone 7's goals and objectives for the site. In working through negotiations in preparation for a cooperative agreement, CalTrans tentatively agreed to contract to perform the design work for the entire site and be reimbursed for those portions falling outside of the proposed CalTrans area.
- Due to litigation and unforeseen circumstances, CalTrans has placed a "stop work" order on this project, ceasing all survey and design work that had been initiated. It is unclear if or when they may wish to re-initiate work on this project. In the meantime, Surplus Property Authority, Zone 7, and possibly ACTC, wish to continue progress towards construction in 2012.
- To accommodate the project schedule, meet the needs of the other project partners, and provide enough of a design to seek grant funding in upcoming rounds, Zone 7 reconvened a short-list of design firms to determine which firm was best suited to create 30% design drawings and cost estimates. The design and cost estimate will be necessary to seek grant funding this fall, so time is of the essence.
- Three firms were invited to interview based on their specific experience at and near the site. These firms are ESA-PWA, Kamman Hydrology & Engineering, and Stantec. ESA-PWA was identified as the best qualified candidate based on design experience and project team qualifications.

### **FUNDING:**

Project funding is available in Fund 50.

### **RECOMMENDED ACTION:**

Adopt attached Resolution authorizing the General Manager to negotiate a contract with ESA-PWA for a not-to-exceed amount of \$76,500 to create 30% design drawings and cost estimates for the Stanley Reach Project of the Arroyo Mocho.

### **ATTACHMENTS:**

- Memo Providing Additional Background and Discussion
- Exhibit A
- Resolution

## **Interoffice Memo**

**Date:** August 17, 2011  
**To:** Jill Duerig, General Manager  
**From:** Carol Mahoney, Acting Senior Geologist  
**Subject:** Consultant Selection for Design Services to Facilitate Improvements and Seek Grant Funding on Arroyo Mocho - Stanley Reach

### **BACKGROUND:**

Zone 7 adopted the Stream Management Master Plan (SMMP) in August 2006. Project R.3-5 (now known as „Stanley Reach“) was identified as an area where stream channel enhancements, increased riparian vegetation, and fish passage improvements could be made. The project also identified this area as a location that is of interest for inclusion in the City of Livermore’s trail system. This reach of the Arroyo Mocho runs roughly east-west along Stanley Boulevard between Murrieta Boulevard and Isabel Avenue in the City of Livermore.

#### 2010: Outside Agency Mitigation Needs

In 2010, Zone 7 was approached by various outside entities, City of Livermore, the California Department of Transportation (CalTrans), Alameda County Surplus Property Authority (ACSPA), Alameda County Transportation Authority (ACTA), and private developments, inquiring about mitigation within Zone 7-owned channels. Staff began exploring if allowing such mitigation would be an option for accomplishing the habitat enhancement projects of the SMMP without increasing the financial burden to Zone 7. Such an option also meets the goals of partnering to accomplish the non-flood protection aspects of the SMMP. Project R.3-5 (Stanley Reach) was identified as a potential pilot site because hydraulic modeling indicated that the mainstem channel has adequate freeboard for 100-year flood flows and had excess capacity to allow increased vegetation and the associated additional roughness.

It was determined that CalTrans and ACSPA both required mitigation that would be suitable for the Stanley Reach, and the regulatory agencies were in favor of approving the site for this purpose. The CalTrans portion of the Stanley Reach project encompassed roughly 60% of the site.

#### April 2011: Board Action

In April 2011, Staff presented “Pilot Use of Mitigation Funds for Restoration/Enhancement Projects: Caltrans and Alameda County Surplus Property Authority (ACSPA) Mitigation at Stanley Reach on Arroyo Mocho” to the Board. The Board authorized a resolution allowing the use of Zone 7 property for mitigation purposes at Stanley Reach. Since that time, the circumstances have changed considerably, requiring additional action from the Board to allow the project to continue and for Zone 7 to seek grant funds. Due to litigation on a separate but related project, CalTrans issued a „stop-work“ order that impacts their mitigation plans for a portion of the Stanley Reach. To replace the funding for the work on this portion of the project, Zone 7 proposes to seek grant funding and/or explore other options for completing the project, including partnering with a different entity on mitigation work.

#### May – June 2011: CalTrans Initial Design

In working through negotiations in preparation for a cooperative agreement, it was tentatively agreed that CalTrans would contract to perform the design work for the entire site and be reimbursed for those portions falling outside of the proposed CalTrans area. Zone 7 and Urban Creeks Council (UCC) began working with CalTrans to select a firm to create this design. One challenge was that to meet the aggressive design and construction schedule necessary to construct the project in summer 2012, a design firm needed to start as soon as possible

With this in mind, CalTrans requested that Zone 7 use one of the design firms that they already had under contract or subcontract for other projects, if possible. Zone 7 and UCC began vetting firms with CalTrans and interviewed the following firms: Northwest Hydraulic Consultants, New Fields River Basin Services, Kamman Hydrology & Engineering Inc., and ESA-PWA. Although Zone 7 had previously been working with Stantec at the Stanley site, it was determined that CalTrans had no existing contracts or subcontracts with this firm, therefore they were not invited to participate in the initial interviews. Once the initial interviews were completed a short list of Kamman Hydrology and ESA-PWA was selected to perform field visits at the site and Zone 7 toured other project sites designed and/or constructed by these firms. Although it was determined that either firm would be adequately qualified to create the design at Stanley, Kamman Hydrology was selected to work for CalTrans on the design.

#### July 2011: CalTrans Issues Stop Work Order

In early July 2011, Zone 7 was informed of the stop-work order that had been issued on CalTrans's Niles 1 project (the project requiring mitigation). Unfortunately, this stop-work order has been interpreted by CalTrans's legal team to include the Stanley Reach mitigation. In their July 20, 2011 letter to CalTrans, the San Francisco Bay Regional Water Quality Control Board (SF-RWQCB) interprets the Stanley Reach mitigation as being for impacts already incurred at the Caltrans Niles 1 site and suggested that the stop-work order was being interpreted too broadly. Despite this letter, all contract work associated with the project has been put on hold indefinitely, which impacts Zone 7's ability to work with the other partners and complete Stanley Reach.

#### August 2011: Zone 7 Initiates Process to Continue Project

Zone 7 Staff checked in with Caltrans at the beginning of August to determine if the SF-RWQCB's letter had altered their legal opinion regarding the stop-work order for the Stanley Site. Finding that CalTrans was unchanged in their opinion, Staff chose to initiate an expedited consultant review process to allow Zone 7 and the other project partners to continue work and seek grant funds to replace the funding that would have been provided from Caltrans.

#### **DISCUSSION:**

Zone 7 Staff have been tracking upcoming funding rounds on various grants. The most promising grant round for the Stanley Reach project is from the Proposition 84: River Parkways Grant, applications for which are due October 14, 2011. In general, the further along a design is, the more likely the project is to receive grant funds. The CalTrans preliminary design efforts had not proceeded beyond a conceptual phase, so Zone 7 needs to move quickly to reach a preliminary design stage for use in the grant process.

To accommodate the project schedule, meet the needs of the other project partners, and provide enough of a design to seek grant funding in upcoming rounds, Zone 7 reconvened a short-list of design firms to determine which firm would be best suited to create 30% design drawings and cost estimates. The design and cost estimate will be necessary to seek grant funding this fall, so time is of the essence. Three firms were invited to interview based on their specific experience at and near the site. These firms were ESA-PWA, Kamman Hydrology, and Stantec. Interviews were held on August 10, 2011. ESA-PWA was identified as the top firm based on project team experience, qualifications, and design recommendations. The attached preliminary cost estimate (Exhibit A) will be revised and a well-defined scope of work will be created prior to entering into a contract with ESA-PWA. Due to the circumstances created by the stop-work order and the grant application deadline, this process has been expedited. It is anticipated that the final cost estimate for this portion of the design work will be lower than the Board authorization request listed below based on preliminary discussions.

#### **RECOMMENDED ACTION:**

Adopt attached resolution authorizing the General Manager to negotiate a contract with ESA-PWA for a not-to-exceed amount of \$76,500 to create 30% design drawings and cost estimates for the Stanley Reach Project of the Arroyo Mocho.

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

RESOLUTION NO.

INTRODUCED BY

SECONDED BY

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 and execute a professional services contract with ESA PWA, for design services on the Arroyo Mocho – Stanley Reach Project, in an amount not-to-exceed \$76,500.

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

August 17, 2011

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: ADMINISTRATION**  
**CONTACT: JILL DUERIG**

AGENDA DATE: August 17, 2011

ITEM NO. 5g

**SUBJECT: EXTENDING CONTRACT TO PROVIDE PART-TIME GENERAL COUNSEL  
LEGAL SERVICES**

**SUMMARY:**

On October 21, 2009, the Board received a copy of the results of Phase One and Phase Two of the Classification and Staffing Review Study. The findings and recommendations of that report relate to staffing levels and advise the General Manager on positions that, should they become vacant through attrition, are best left vacant as part of the Soft Hiring Freeze. One of the positions thus identified was that of in-house General Counsel. On March 22, 2010, the position of General Counsel became vacant. Based on the Study, the General Manager has decided not to fill that position at this time.

Since there would be no in-house, full-time General Counsel appointed at the time, the Board selected Downey Brand, LLP, to provide as-needed part-time General Counsel legal support services. The Resolution authorized a contract with Downey Brand through June 30, 2011. To date, Zone 7 has been satisfied with the services provided by Downey Brand so this item is a recommendation that the board authorize a contract extension with Downey Brand.

**FINANCIAL:**

Funds are available FY 2010/11 from Fund 50 – General Fund/Flood Control, Fund 52 – Water Enterprise, Fund 72 – Renewal and Replacement/System-Wide Improvements, Fund 73- Expansion Fund and Fund 76 – Flood Protection & Stormwater Drainage.

**RECOMMENDED ACTION:**

Adopt attached Resolution to authorize the President of the Board to execute an extended contract with Downey Brand to continue to provide such services.

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

RESOLUTION NO

INTRODUCED BY  
SECONDED BY

WHEREAS, on October 21, 2009, the Board received a copy of the results of Phase One and Phase Two of the Classification and Staffing Review Study recommending that the position of General Counsel, should it become vacant, remain unfilled; and

WHEREAS, the position of General Counsel became vacant and the General Manager decided not to fill that position for now as part of the ongoing Soft Hiring Freeze; and

WHEREAS, on June 30, 2010, the Board selected Downey Brand, LLP to provide as-needed part-time General Counsel legal support services and authorized a contract with Downey Brand through June 30, 2011; and

WHEREAS, to date, Zone 7 has been satisfied with the performance of Downey Brand;

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 and the Board President to execute an amended professional services contract with Downey Brand to provide continuing as-needed part-time General Counsel legal support services for the period beginning July 1, 2011.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

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: FINANCE & BUSINESS SERVICES**  
**CONTACT: DENNIS GAMBS/JOHN YUE**

AGENDA DATE: August 17, 2011

ITEM NO. **5h**

SUBJECT: ACCEPT QUITCLAIM OF EASEMENT FROM LEGACY PARTNERS  
COMMERCIAL, LLC FOR A PORTION OF LAKE I

**SUMMARY:**

- The 1981 Specific Plan for the Livermore-Amador Valley Quarry Area Reclamation (LAVQAR) as well as the contracts between Zone 7 and the gravel quarry owners call for granting certain quarry pits to Zone 7, including a 25-foot wide access area along the perimeters of the excavations.
- In the 2003 grant of land from Hanson Aggregates, Zone 7 did not receive sufficient property to provide a 25-foot wide access area along the southern perimeter of Lake I. Currently, Zone 7 does not have sufficient area to allow for vehicle access along the southern perimeter of Lake I.
- Legacy Partners Commercial, LLC, as sole and managing member of Legacy Pleasanton Land, LLC, successor to Hanson Aggregates, has executed a Quitclaim Deed for the property needed to provide the 25-foot wide access area, which is 15,006 square feet or just over 1/3 acre.

**FUNDING:**

The property is being conveyed to Zone 7 at no cost.

**RECOMMENDED ACTION:**

Adopt the attached resolution accepting the easement and authorizing the General Manager to record same.

**ATTACHMENTS:**

Resolution  
Location Maps  
Quitclaim Deed (No. 70147)

## INTEROFFICE MEMO

**Date:** August 17, 2011  
**To:** Jill Duerig, General Manager  
**From:** Dennis Gambs, Principal Engineer  
**Via:** John Yue, AGM Finance and Business Services  
**Subject:** ACCEPT QUITCLAIM OF EASEMENT FROM LEGACY PARTNERS  
COMMERCIAL FOR A PORTION OF LAKE I

### BACKGROUND:

The Specific Plan for the Livermore-Amador Valley Quarry Area Reclamation (LAVQAR), adopted by the Alameda County Board of Supervisors in 1981, provided for converting certain quarried pits into a chain of lakes to mitigate the effects of mining on the water resources and ultimately that the quarry owners granting these certain pits to and allow operation by Zone 7 for the purpose of water resource management.

Pursuant to the LAVQAR Specific Plan, in 1987 Kaiser Sand & Gravel Company and Zone 7 entered into an agreement which provided that, "Upon completion of Lake I, Kaiser shall grant to Zone 7, at no cost, fee title to the lands containing all areas of Lake I, together with exterior and interior perimeters thereof *sufficient to provide a minimum of 25 foot wide access.*" This applied to Hanson Aggregates as one of the successors in interest to Kaiser Sand & Gravel Company.

In addition, the County of Alameda's Surface Mining Permit SMP-31 and Surface Mining Ordinance both required a minimum 25 foot distance between the edge of mine excavation and the boundary of any adjacent private property.

### DISCUSSION:

Lake I was completed and granted to Zone 7 by Hanson Aggregates in 2003. However, the property description of the Lake I Parcel mistakenly failed to include an area sufficient to provide a 25 foot access area. While the western end of the southern perimeter line is set back 25 feet from the excavation, the boundary line angles in toward the excavation such that the eastern end is approximately 11.29 feet inside the setback needed to provide 25 feet of access.

The mistake in the Lake I parcel description was discovered and brought to the attention of Hanson by Zone 7 in 2004. However, Hanson did not take action to correct the property description of Lake I and in 2007 sold the remaining quarry property to Legacy Pleasanton Land, LLC,, including the property just south of Lake I needed for the 25-foot wide access. Accordingly, it is Legacy that needs to convey the property to provide the 25-foot wide access area to Zone 7.

Legacy has executed a Quitclaim Deed to Zone 7 for the area needed to provide the 25-foot wide access area, which is 15,006 square feet or just over 1/3 acre.

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

RESOLUTION NO

INTRODUCED BY  
SECONDED BY

ACCEPT AND RECORD QUITCLAIM DEED

WHEREAS, Legacy Partners Commercial, LLC, as sole and managing member of Legacy Pleasanton Land, LLC, is Quitclaiming to Zone 7 of the Alameda County Flood Control and Water Conservation District the lands designated and described in the attached, and by said reference is made a part hereof as though fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED, that the General Manager be authorized to accept said Quitclaim Deed from Legacy Partners Commercial, LLC, as sole and managing member of Legacy Pleasanton Land, LLC, and to execute a certificate of acceptance causing the same to be recorded at the Office of the Recorder of Alameda County.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

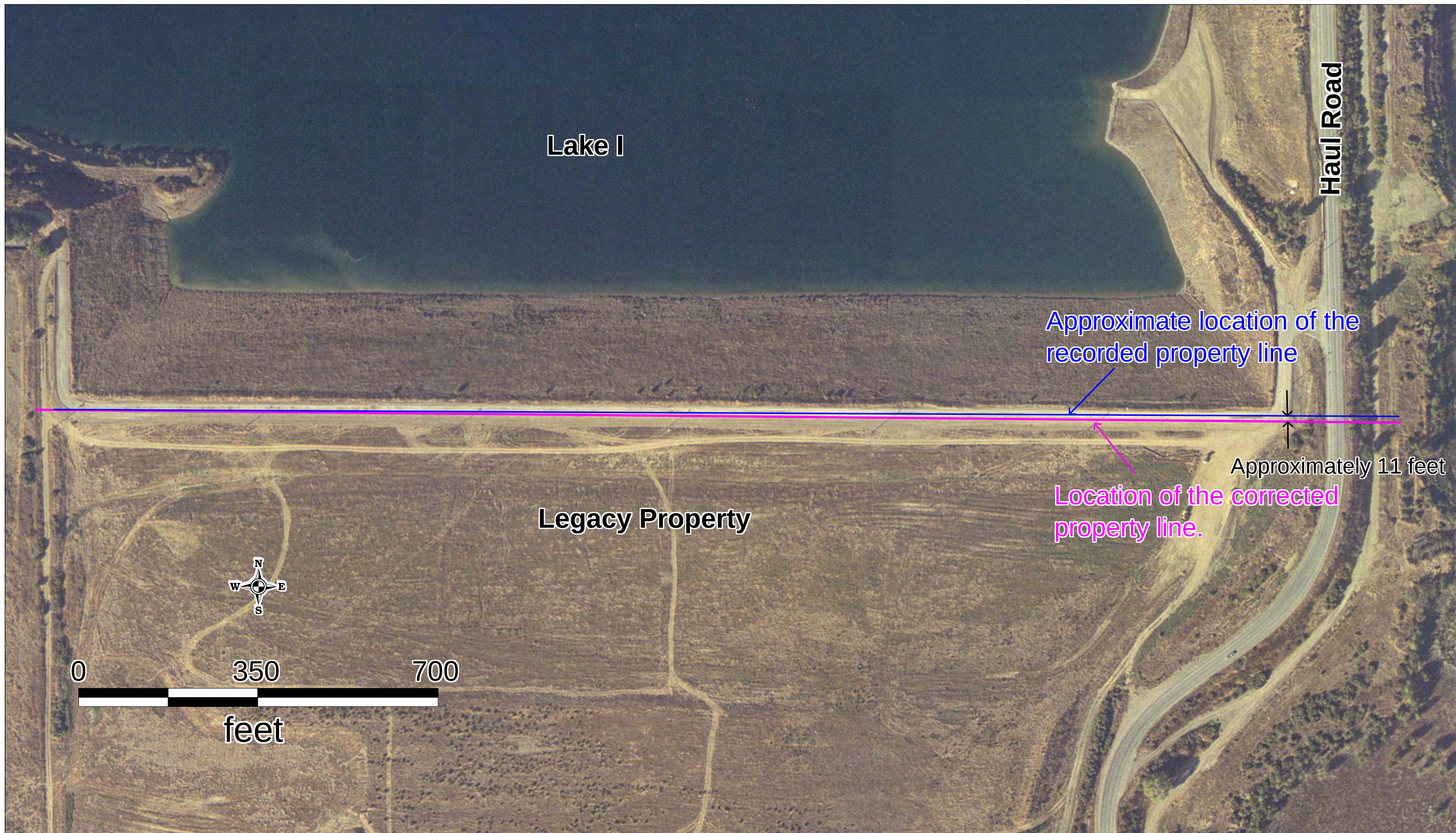
ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a resolution adopted by the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District on August 17, 2011.

By \_\_\_\_\_  
President, Board of Directors

Lake I  
No. 70147  
Map: RF-10108



ZONE 7 WATER AGENCY  
100 NORTH CANYONS PKWY  
LIVERMORE, CA 94551

**FIGURE 1**  
**LAKE I SOUTHERN BOUNDARY**  
**PROPERTY LINE**

Date: December 16, 2009

By: CWiney

File: E:\ChainofLakes\Mapinfo\Lake I Boundary.wor



**Legend**

-  Lake I Transfer Parcel
-  Streams
-  Future Chain of Lakes and Cope Lake

|                                                                                    |                                                                                |                                                                                                         |                                                               |                                     |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------|
|  | <p><b>ZONE 7 WATER AGENCY</b><br/>100 North Canyons Parkway, Livermore, CA</p> | <p>DRAWN: C. Winey</p> <p>REVIEWED:</p> <p>E:\Chain of Lakes\MapInfo Workspaces\Lake I Site Map.mxd</p> | <p><b>LOCATION MAP</b><br/><b>LAKE I - PLEASANTON, CA</b></p> | <p>Scale:</p> <p>Date: 8/2/2011</p> |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------|

WHEN RECORDED MAIL TO:

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

DOCUMENTARY TRANSFER TAX

\$ 0\*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

.X....Computed on the consideration or value of property conveyed; OR

.....Computed on the consideration or value less liens or encumbrances

remaining at time of sale. \*R&T 11911

## QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, LEGACY PARTNERS COMMERCIAL, LLC, a Delaware limited liability company ("**Grantor**"), does hereby REMISE, RELEASE AND QUITCLAIM to THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT-ZONE 7, all of Grantor's right, title and interest in and to that certain real property described in Exhibit "A" attached hereto and incorporated herein by this reference.

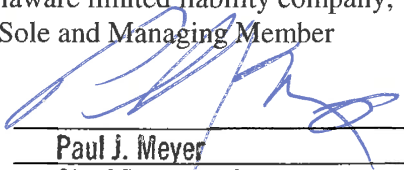
Dated: July 14, 2011

LEGACY PLEASANTON LAND, LLC,  
a Delaware limited liability company

By: Legacy Pleasanton Associates, LLC,  
a Delaware limited liability company  
Its: Sole and Managing Member

By: Legacy Pleasanton Investments, LLC,  
a Delaware limited liability company,  
Its: Administrative Member

By: Legacy Partners Commercial, LLC,  
a Delaware limited liability company,  
Its: Sole and Managing Member

By:   
Its: Paul J. Meyer  
Chief Financial Officer

Lake I  
No. 70147  
Map RF - 10108

STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF San Mateo                )           ss.

On 14 July, 2011, before me, Brenda L. Moran, Notary Public, personally appeared Paul J. Meyer, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



  
\_\_\_\_\_  
Notary Public  
In and For Said County and State

EXHIBIT "A"

DESCRIPTION FOR ALAMEDA COUNTY FLOOD CONTROL AND WATER  
CONSERVATION DISTRICT, ZONE 7 WATER AGENCY

CHAIN OF LAKES, LAKE I

TRANSFER PARCEL  
LANDS TO BE ACQUIRED FROM LEGACY PLEASANTON LAND, LLC

Map: RF-10108  
APN: 946-1250-006-02

No.70147  
August 3, 2010

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

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL ONE IN THE GRANT DEED TO LEGACY PLEASANTON LAND, LLC, RECORDED AUGUST 31, 2007 AS INSTRUMENT NO. 2007-318642, OFFICIAL RECORDS OF ALAMEDA COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF SAID PARCEL ONE (2007-318642), SAID POINT ALSO BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS "NORTH 0° 54' 22" WEST, 338.87 FEET " IN THE GRANT DEED TO ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT - ZONE 7, RECORDED JUNE 27, 2003 AS INSTRUMENT NO. 2003-378544, OFFICIAL RECORDS OF ALAMEDA COUNTY;

THENCE ALONG THE GENERAL NORTHERLY LINE OF SAID PARCEL ONE (2007-318642), SAID NORTHERLY LINE ALSO BEING THE GENERAL SOUTHERLY LINE OF SAID ZONE 7 PARCEL (2003-378544), SOUTH 89° 41' 49" EAST, 2657.73 FEET TO AN ANGLE POINT THEREIN;

THENCE LEAVING SAID GENERAL SOUTHERLY LINE, CONTINUING ALONG SAID GENERAL NORTHERLY LINE, SOUTH 0° 18' 11" WEST, 11.29 FEET;

THENCE LEAVING LAST SAID LINE, NORTH 89° 27' 13" WEST, 2657.75 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 15,006 SQUARE FEET, OR 0.3445 ACRES OF LAND, MORE OR LESS.

KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.

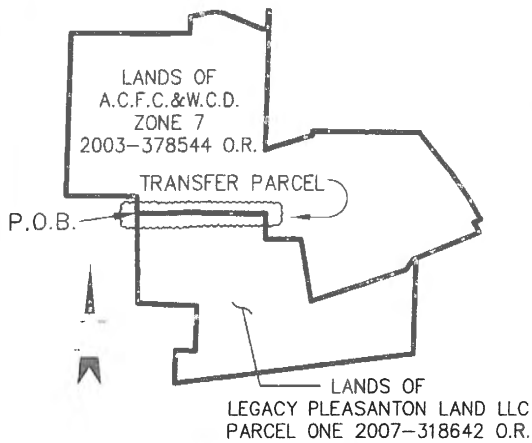
  
ANTHONY C. McCANTS, L.S. 5944  
LICENSE EXPIRATION DATE: 12-31-12

7/5/11  
DATE



# EXHIBIT B

0 100' 200' 400'  
Scale 1" = 200 ft



**VICINITY MAP**  
NOT TO SCALE

ALAMEDA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

NORTHWEST  
OFFICIAL RECORD  
SQUARE FEET  
TOTAL

LEGEND:

A.C.F.C. & W.C.D.  
N.W.  
O.R.  
S.F.  
(T)

**POINT OF BEGINNING**  
N.W. CORNER  
PARCEL ONE  
2007-318642 O.R.

338.87'

N0°54'22"W

LANDS OF  
A.C.F.C. & W.C.D.  
ZONE 7  
2003-378544 O.R.

GENERAL NORTHERLY LINE  
PARCEL ONE 2007-318642 O.R.  
S89°41'49"E 2657.73'  
N89°27'13"W 2657.75'

LANDS OF  
LEGACY PLEASANTON LAND LLC  
PARCEL ONE 2007-318642 O.R.

**TRANSFER PARCEL**  
AREA=15,006± S.F.

**70147**

LANDS OF  
A.C.F.C. & W.C.D.  
ZONE 7  
2003-378544 O.R.

GENERAL NORTHERLY LINE  
PARCEL ONE 2007-318642 O.R.  
S89°41'49"E 2657.73'  
N89°27'13"W 2657.75'

LANDS OF  
LEGACY PLEASANTON LAND LLC  
PARCEL ONE 2007-318642 O.R.

S0°18'11"W  
11.29'

S0°18'11"W  
532.00'(T)  
520.71'

MATCHLINE



## ZONE 7

ALAMEDA COUNTY FLOOD CONTROL  
AND  
WATER CONSERVATION DISTRICT

CHAIN OF LAKES  
LAKE I  
TRANSFER PARCEL  
LANDS TO BE ACQUIRED FROM  
LEGACY PLEASANTON LAND, LLC

|              |         |                      |           |    |
|--------------|---------|----------------------|-----------|----|
| DRAWN: CH    | TRACED: | DATE: AUGUST 3, 2010 |           |    |
| CHECKED: ACM | (K&W)   | SCALE: 1" = 200'     |           |    |
| APVL. REC:   |         | FILE NO.             | SHEET NO. | OF |
| APPROVED:    |         | RF-10108             | 1         | 1  |



**KIER & WRIGHT**  
CIVIL ENGINEERS & SURVEYORS, INC.  
2850 Collier Canyon Road, Livermore, CA 94551  
Tel (925) 245-8788 Fax (925) 245-8796



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: EMPLOYEE SERVICES**

**CONTACT PERSON: TOM HUGHES / GINGER STATON**

AGENDA DATE: August 17, 2011

ITEM NO. 6a

SUBJECT: Staffing Update: Congratulations to Retirees

**SUMMARY:**

Continuing our practice of advising the Board of Directors on staffing changes, we are recognizing the name and service time for two employees who have retired from Agency service.

*Retirement of Jeanne France, Account Clerk*

We would like to recognize Jeanne France, Account Clerk who retired from the Agency on August 5, 2011 after almost 25 years of service.

Jeanne joined Zone 7's Accounting Section as an Account Clerk in November 1986. Many of us have come in daily contact with Jeanne through her work processing payroll, accounts receivable and accounts payable and appreciate her knowledge and experience. Jeanne was recently recognized by the Agency as the December 2010 Employee of the Month.

*Retirement of Suzanne Alaksa, Associate Civil Engineer*

We would also like to recognize Suzanne Alaksa, Associate Civil Engineer who retired from the Agency on July 22, 2011 after over 15 years of service.

Suzanne joined Zone 7 as a Water Resources Engineer II (Assistant Engineer) in July 1996. Suzanne was promoted to Associate Civil Engineer in May 2000. Suzanne has worked in Water Resources, Flood Control, Advance Planning, and Water Supply Engineering during her tenure with Zone 7.

We hope you will join us in wishing the best to both Jeanne and Suzanne in their retirements

**RECOMMENDED ACTION:**

Adopt the attached resolutions acknowledging service to the Agency of Jeanne France and Suzanne Alaksa.

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

RESOLUTION NO.

INTRODUCED BY  
SECONDED BY

WHEREAS, Jeanne A. France diligently served the citizens of the Livermore-Amador Valley during her employment with the Zone 7 Water Agency which began in November 1986; and

WHEREAS, Ms. France provided service to Zone 7 as an Account Clerk; and

WHEREAS, Ms. France, in her work assignments, served the critical needs of many Zone 7 staff processing accounts receivable and accounts payable; and

WHEREAS, Ms. France, through diligent work and experience, became an expert in processing more complex 24-hour shift timekeeping effectively helping Operations staff and contributing to an accurate Operations payroll; and

WHEREAS, Ms. France, through her professionalism and advocacy in volunteering to represent her fellow SEIU employees, served those employees and, by extension, the Agency, in furthering the best interests of the community at large; and

WHEREAS, Ms. France, for her commendable level of professionalism, initiative and persistence when working with other employees, contractors and Alameda County personnel, was recognized by the Agency as the December 2010 Employee of the Month; and

WHEREAS, Ms. France retired from Zone 7 service effective August 5, 2011;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby acknowledge, commend, and thank Ms. France for her fine public service to Zone 7 Water Agency and the people of the Livermore-Amador Valley.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

By \_\_\_\_\_  
President, Board of Directors

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

RESOLUTION NO.

INTRODUCED BY  
SECONDED BY

WHEREAS, Suzanne H. Alaksa served the citizens of the Livermore-Amador Valley during her employment with the Zone 7 Water Agency which began in July 1996; and

WHEREAS, Ms. Alaksa began her service to Zone 7 as a Water Resources Engineer II (Assistant Engineer), advancing to Associate Civil Engineer in April 2000; and

WHEREAS, Ms. Alaksa, has provided significant contributions within the Water Supply, Flood Control, and Water Resources Sections of Zone 7; and

WHEREAS, Ms. Alaksa has contributed to the success of the Agency throughout her service with Zone 7; and

WHEREAS, Ms. Alaksa has had many important accomplishments while employed with Zone 7, including:

- Design and construction management of Patterson Pass Treatment Plant modifications for pre-chlorination, mixing systems, and sump overflows at \$500,000, under the budget of \$800,000;
- Design and construction management of the Patterson Pass Treatment Plant ferric chloride storage expansion;
- Managing the design of the Del Valle Water Treatment Plant booster pump station;
- Providing engineering support for the Cross Valley and Santa Rita Pipeline relocation projects;
- Assisting in the development of Zone 7's distribution system hydraulic modeling; and

WHEREAS, Ms. Alaksa retired from Zone 7 service effective July 22, 2011;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby acknowledge, commend, and thank Ms. Alaksa for her fine public service to Zone 7 Water Agency and the people of the Livermore-Amador Valley.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

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: HUMAN RESOURCES**  
**CONTACT PERSON: TOM HUGHES**

AGENDA DATE: August 17, 2011

ITEM NO: 6b

SUBJECT: Employee of the Month Recognition

SUMMARY:

The Employee Recognition Program Nomination Committee met in July and selected the Employee of the Month for June 2011 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.

Mona Olmsted, Associate Civil Engineer, has been chosen from among those nominated as the June 2011 Employee of the Month. Mona has worked in the Water Supply Engineering Section based at the North Canyons Office for the past nine years. According to the recommendation the committee received, Mona has a very positive and optimistic attitude, shows great initiative and takes on new assignments willingly and enthusiastically. Mona produces high quality work products and is very efficient in completing her assignments. Mona is described as a great team player and is always willing to help others while never complaining about other people or situations. In short, Mona has a “Blue” attitude. Therefore Mona is recognized as a valuable employee and an asset to Zone 7.

RECOMMENDED ACTION:

It is recommended that the Zone 7 Board of Directors recognize and congratulate Mona Olmsted as June 2011 Employee of the Month.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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**ORIGINATING SECTION:** Water Supply Engineering

**CONTACT:** John Koltz/Jarnail Chahal

**AGENDA DATE:** August 17, 2011

**ITEM NO.** 7

**SUBJECT:** Award of Contract for the Santa Rita Pipeline Relocation Project

**SUMMARY:**

- The project scope includes relocating approximately 700 feet of 16-inch Santa Rita Pipeline out of the CalTrans right-of-way on the north side of Interstate Hwy I- 580 in Dublin as required to accommodate a highway widening project per the terms of the existing 1983 Caltrans encroachment permit. The new alignment includes 203 feet of 16-inch pipe and 603 feet of 30-inch.
- The project is categorically exempt from CEQA review. The Notice of Exemption is scheduled to be filed with the County on August 19, 2011.
- Zone 7 advertised the construction contract and on July 21, 2011, nine bids ranging in cost from \$346,350 to \$440,375, were received. The Engineer's Estimate is \$550,000.
- Based upon the number of bids received, it appears that the current poor economic conditions resulted in bids that are extremely competitive in price.
- Bids were reviewed by Zone 7 staff and it was determined that the lowest responsive and responsible bidder is Platinum Pipeline, Inc., with a bid of \$346,350.
- The lowest bidder, Platinum Pipeline, has complied with the bid requirements.

**FUNDING:**

Funding for the project is available in Fund 72 – Renewal and Replacement/System-Wide Improvements.

**RECOMMENDED ACTION:**

Consider bids for the construction of the Santa Rita Pipeline Relocation Project and adopt the attached resolution to:

- Approve plans, specifications, appendices and addenda;
- Accept the bid and award a contract to Platinum Pipeline, Inc., as the lowest responsive and responsible bidder for the bid amount of \$346,350;
- Authorize the General Manager to negotiate and execute the contract with Platinum Pipeline, Inc.;
- Authorize the General Manager to issue change orders as and when required for an amount not-to-exceed \$34,635 (10% of contract amount).

**ATTACHMENTS:**

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

## Interoffice Memo

**Date:** August 17, 2011  
**To:** Jill Duerig, General Manager  
**From:** John Koltz, Senior Engineer  
**Subject:** Award of Contract for Santa Rita Pipeline Relocation - Project No. 212-11

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

### **BACKGROUND:**

The Santa Rita Pipeline is approximately 1,200 feet of 16-inch diameter pipe which branches off the Santa Rita- Dougherty Pipeline in Dublin and provides water service to the Dublin San Ramon Services District Turnout Number 4. A portion of the pipeline parallels Interstate 580 and is located within the State of California, Department of Transportation's (Caltrans) right-of way. The attached map shows the location of the project. The original construction was completed under a 1983 Caltrans Encroachment Permit (No. 483-NUL5169) which dictated that any required relocation shall be at Zone 7's expense. In compliance with the permit, Caltrans has requested the relocation of the pipeline so that the Interstate 580 retaining wall, needed to accommodate the addition of a Westbound HOV Lane, could be constructed at that location.

Zone 7 staff studied the existing conditions east of the Dublin/Pleasanton BART Station including all utilities within Altamirano Avenue (the frontage road north of the present pipeline alignment). The most cost effective alternative was to construct the pipeline just north of Altamirano Avenue within an Alameda County Surplus Property right-of way. The design work was coordinated with the Alameda County Congestion Management Agency and the CalTrans project design consultants, as well as Dublin San Ramon Services District, the City of Dublin and Alameda County Surplus Property.

### **DISCUSSION:**

The project scope includes the relocation of approximately 700 feet of the 16-inch Santa Rita Pipeline out of the CalTrans right-of-way on the north side of Interstate Hwy I- 580 in the City of Dublin. The new pipeline will consist of 218 feet of 16-inch diameter pipe and 603 feet of 30-inch diameter pipe located north of the existing alignment in an Alameda County Surplus Property right-of-way. The project is categorically exempt from CEQA review under Article 19, Section 15302 "Class 2 – Reconstruction of Facilities." The Notice of Exemption is scheduled to be filed with Alameda County by August 19, 2011. The project was advertised on June 23 and again on June 30, 2011 in two local newspapers, on Onvia, and on the Zone 7 website. Copies of the plans and specifications were posted at twenty-three Northern California Building Exchanges. Subsequent to advertising, over seventeen (17) contractors attended the required pre-bid site visit. On July 21, 2011, in accordance with established procedures, the following nine bids were received:

| CONTRACTOR NAME                | BID AMOUNT |
|--------------------------------|------------|
| 1. Platinum Pipeline Inc.      | \$346,350  |
| 2. Preston Pipeline            | \$352,928  |
| 3. Mountain Cascade            | \$359,359  |
| 4. RGW Construction            | \$363,945  |
| 5. J & M Inc.                  | \$381,318  |
| 6. Tidelands Construction      | \$391,670  |
| 7. California Trenchless, Inc. | \$406,995  |
| 8. J.W. Ebert Corp.            | \$433,996  |
| 9. Ranger Pipelines            | \$440,375  |

The Engineer's Estimate was \$550,000. Upon review of the bids and given the degree of interest shown during advertising, it appears that the current poor economic conditions are resulting in a greater number of bids than anticipated all of which are extremely competitive in price.

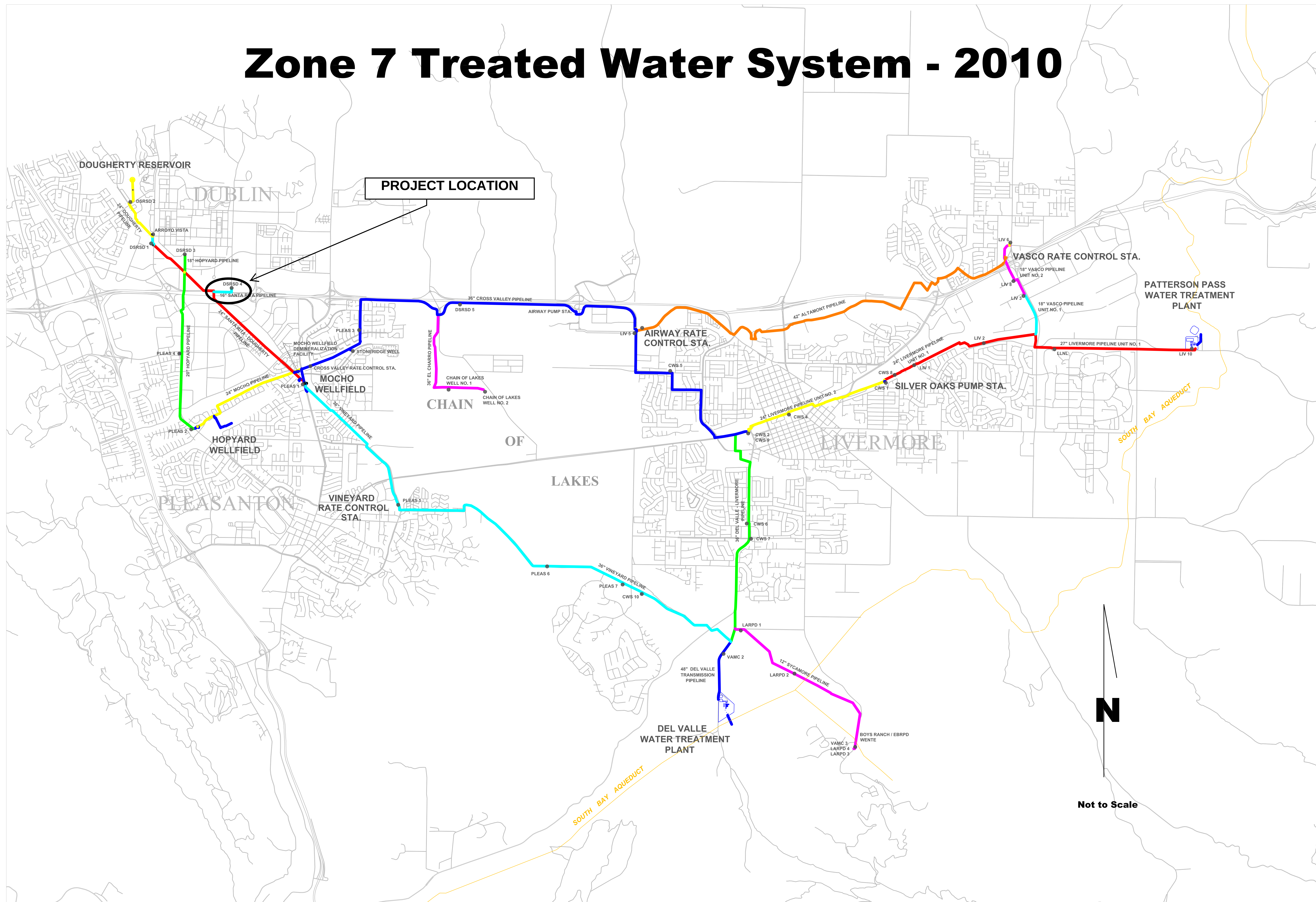
The bids were reviewed by Zone 7 staff. The low bidder has complied with the bid requirements and was determined to be responsive to the contract requirements. Staff recommends awarding the contract to the lowest responsive and responsible bidder in an amount not-to-exceed \$346,350. Staff also recommends authorizing the General Manager to negotiate and issue change orders as and when required in an amount not to exceed \$34,635 (10% of contract amount).

#### **SCHEDULE:**

Construction is scheduled to commence in September 2011. Final completion of the project is anticipated by February 2012.

Attachment:  
Treated Water System 2010 Location Map

# Zone 7 Treated Water System - 2010



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

RESOLUTION NO.

INTRODUCED BY  
SECONDED BY

**Resolution Awarding Contract for the Santa Rita Pipeline Relocation Project,  
Project No. 212-11**

WHEREAS, Zone 7 of the Alameda County Flood Control and Water Conservation District has a project, the Santa Rita Pipeline Relocation Project; Project No. 212-11; and

WHEREAS, given the terms of the 1983 CalTrans Encroachment Project, requiring relocation should a CalTrans project require it, the Project is a Class 2 project categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15302; and

WHEREAS, the Project plans, specifications and addendum were developed and advertised for bids in accordance with the California Public Contract Code; and

WHEREAS, bids were received and publicly read by the Zone 7 General Manager's authorized representatives at the Zone 7 Administration Building, 100 North Canyons Parkway on July 21, 2011, at 2:00 pm; and

WHEREAS, nine bids were received and the lowest responsive responsible bid received for Project No. 212-11 is the bid by Platinum Pipeline Inc., with a bid amount of \$346,350.

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 Project No. 212-11, for the Santa Rita Pipeline Relocation Project; and

BE IT FURTHER 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 Project No. 212-11; and

BE IT FURTHER RESOLVED that the bid of the lowest responsive and responsible bidder, Platinum Pipeline Inc., be accepted, and that the contract for the work be awarded to Platinum Pipeline Inc. for an amount not to exceed \$346,350; 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 upon such presentation and approval of the contract and each of the bonds presented by Platinum Pipeline Inc., and

BE IT FURTHER RESOLVED that the General Manager be authorized to negotiate and issue change orders as and when required for an amount not to exceed \$34,635.

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 Alameda County Flood Control and Water Conservation District on

August 17, 2011

By \_\_\_\_\_  
President, Board of Directors

**8/17/11 Board Written/Narrative Comments by Dick Quigley**

**Friday 7/22:** Met with Kurt Arends and Brad Ledesma with questions and suggestions on the 2011 Water Supply Evaluation and risk-based “Monte Carlo” new approach. Thanks, Brad and Kurt, for listening to my concerns!

**Thur- Fri 7/28-7/29:** Attended ACWA board meeting in Hemet as back up alternate to Katy Foulkes, EBMUD.

Key issues:

- Delta fix, stakeholders, co-equal values. Moving forward for maximum statewide/national success and security.
- New modeling group water supply.
- Legislative action.
- Education & outreach needs (balanced portfolio approach).
- Tour of Eastern Municipal Water District and storage/recycling/desal, environmental education success story.
  - New 185,000 acre ft reservoir (Diamond Valley) 26 miles of shore line.
  - Prime source Colorado River/from tunnel.
  - Can also receive CVP and SWP water when and if available.

Tour was very impressive as was issues causing hic ups and delays. A major one was the kangaroo rat. The Diamond Valley Lake Academy and Interpretative Center was very impressive. Public trails, fishing and recreation and energy attributes were clearly visible and helped promote a win-win.

**Tuesday, 8/9:** Met with and gave a Zone 7 facilities and Tri Valley tour to Water Resources Manager, East Bay Regional Parks District, Matt Graul. After Rotary breakfast, we toured North Canyons Administration Center, Patterson Pass Water Treatment Plant and the South Bay Aqueduct, the Del Valle Branch line dam and treatment plant, Chain of Lakes and Shadow Cliffs. I discovered EBRPD uses EBMUD for sample analysis and may be looking for a closer venue for their Tri-Valley water needs. I introduced Matt to Gurpal and Colter at Del Valle Water Treatment Plant. Thanks, gentlemen!

I am a believer that EBRPD would be a good ACWA member and help with the co-equal value discussion that is on going and at times contentious. I got to see the Del Valle Solar project and understand it is working and saving us money! Thanks again, Colter!

**From my last month's notes: (no response yet)** I would again like to suggest a step two renewable energy look at Patterson Pass Water Treatment Plant and Altamont Water Treatment Plant as future opportunity areas for strategic planning. Also would like to suggest a fleet inventory review for: 1) energy efficient opportunities (e-vehicles); and 2) new smart locator vehicle technology. Maybe a discussion topic for the board workshop agenda.

Handouts and pictures are available.

Let me know if you have any questions.

Thanks! Dick Quigley



## ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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**ORIGINATING SECTION: ENGINEERING**  
**CONTACT: KURT ARENDS**

**AGENDA DATE:** August 17, 2011

**ITEM NO.** 11a

**SUBJECT:** Update Related to the Bay Delta Conservation Plan

### **BACKGROUND:**

As reported in staff's May 2011 update, Dr. Jerry Meral, the new deputy secretary of the California Natural Resources Agency in the Brown administration, has assumed the lead role on the Bay Delta Conservation Plan (BDCP) efforts. Work has been continuing on the BDCP and the Delta Habitat Conservation and Conveyance Program (DHCCP).

### **DISCUSSION:**

#### **Bay Delta Conservation Plan and Delta Habitat Conservation and Conveyance Program:**

Recently, the BDCP and DHCCP efforts have been more closely integrated in order to streamline the process. An Administrative Draft of the BDCP is currently expected at the end of 2011, with the associated Administrative Draft of the Environmental Impact Report/Statement (EIR/S) due in mid-2012. The Final EIR/S is planned for completion by December 2012.

Zone 7 Water Agency, along with other participating contractors of the State Water Project (SWP), is determined to meet the proposed schedule in an efficient and cost-effective manner. To that end, contractors have developed the "First Amendment to the Memorandum of Agreement (MOA) Regarding Collaboration on the Planning, Preliminary Design and Environmental Compliance for the Delta Habitat Conservation And Conveyance Program in Connection with the Development of the Bay Delta Conservation Plan" ("First Amended MOA"). This amendment replaces in its entirety the MOA executed in March 2009. The goal of the First Amended MOA is to improve the governance structure of the BDCP/DHCCP effort, allowing for more direct input by participating contractors and a more streamlined decision-making process, and to clarify financial responsibilities. The First Amended MOA is currently being reviewed and finalized by the affected parties.

The original estimated cost of the DHCCP was \$140 million. As approved by the Board in December 2008, Zone 7 committed approximately \$1.5 million towards DHCCP work to be completed in 2009 and 2010. As presented to the Board in August 2010, DWR has determined that an additional \$100 million is needed to complete the work, including \$14 million for the cost to complete the BDCP. At that time, the Board authorized the General Manager to negotiate and execute an agreement for supplemental funding with an estimated cost of \$900,000. This Agreement is currently being finalized to reflect the provisions of the First Amended MOA and will likely be signed by October 2011.

**Delta Smelt Ruling:**

A preliminary injunction hearing on Fall X2 requirements was conducted in late July. Delta Fall X2 requirements are effective starting in September so a decision is required as soon as possible to avoid potential Delta water supply restrictions and to give the State Water Project (SWP) more flexibility in conveying available water. No decision has been made as of August 3rd; however, Judge Wanger appears to be open to an alternative Fall X2 compliance location that would reduce the impacts to the SWP.

**Delta Stewardship Council:**

Formed as part of the 2009 water package legislation, the primary purpose of the Delta Stewardship Council (DSC) is to develop, by January 1, 2012, a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh—the Delta Plan—that achieves the coequal goals and does this in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta as an evolving place.

The fifth Draft Staff Delta Plan was released in early August 2011, with the Draft EIR planned to be released approximately two weeks later. Zone 7 staff is coordinating with the State Water Contractors in reviewing the document and providing comments. We anticipate that much of the EIR comment focus will be assuring that the ag/urban coalition's alternative is fairly evaluated, given the ongoing flow-centric approach that the DSC has favored to date.



## ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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**ORIGINATING SECTION:** ADMINISTRATION

**CONTACT:** Jill Duerig

**AGENDA DATE:** August 17, 2011

ITEM NO. **11b**

**SUBJECT:** GENERAL MANAGER'S REPORT

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

### Engineering and Flood Control:

- The 24 replacement UF membrane modules have arrived at Patterson Pass Water Treatment Plant (PPWTP), too late for installation prior to this year's high-demand period (due to the delays in processing through the County's Purchasing Department). Plans are to replace the oldest modules (on UF Rack 1) and to plan to replace about one rack per year (at a material cost of about \$350,000 per year plus labor, in 2011 dollars). Membrane life remains significantly less than projected by the manufacturer (seven years per manufacturer but actually much less than the five-year replacement cycle since the plant is only operated a few months a year). This results in an extraordinarily costly approach to filtration.
- The PPWTP Expansion Feasibility Study is nearly complete. The focus has been on a conventional filtration plant expansion with ozone treatment, similar to the Water Treatment Plants of other agencies using the same source water since the membrane alternative (tested at both Zone 7's UF and Alameda County Water District's Treatment Plant #1) has encountered difficulties including frequent membrane replacement, proprietary constraints, additional chemical treatment complexities and integration constraints with existing and planned facilities.
- DWR's contractor continues work on the South Bay Aqueduct Enlargement & Improvement Project. This project is now entering the phase of installation of a new barrel as part of the siphon under Mines Road, which will result in approximately a three-week minor detour along a small section of Mines Road.

### Finance & Administration

- The California Department of Water Resources (DWR) is currently estimating that overall costs to Zone 7 for State Project water will increase \$5.5 million in 2012 over the 2011 charges, based on increases for the South Bay Aqueduct (SBA) project, as well as an increased transportation minimum.
- The California Department of Water Resources (DWR) is starting to prepare for the relicensing of State Water Project power generation facilities in Southern California, which will need to be completed by 2022. Since the Lake Oroville relicensing effort (in its final stages and with an estimated total cost of \$80 million) set the record for the most expensive relicensing effort in the industry, contractors want to ensure that this effort will be more efficient and cost-effective.

- A draft Memorandum of Agreement (MOA) amendment has finally been negotiated by the State Water Contractors and DWR and is now under review by the US Bureau of Reclamation. This is related to the supplemental funding of the Bay-Delta Conservation Plan (BDCP) and the Delta Habitat Conservation and Conveyance Plan (DHCCP) that was approved by the Zone 7 Board on August 18, 2010. The actual dollar amount of the supplemental funding and the material terms of the proposed agreement remain unchanged from those the board approved in concept last year (approximately \$900,000).

#### Operations and Maintenance:

- The Del Valle Water Treatment Plant (DVWTP) had an emergency shutdown on July 2<sup>nd</sup> when one of the pulsator blower motors failed causing a series of electrical trips and shutting down SCADA system. Staff from Engineering, Operations and Maintenance were called upon to assist in emergency repairs. The Hopyard 6 Well was started locally. Pleasanton and Livermore helped by temporarily decreasing flows. With the 100°F heat and a three-day holiday weekend, this event could have been much worse without the combined efforts of retailers and numerous staff from Zone 7, all of which brought us quickly back online and kept it transparent to our customers. All our water heroes should be applauded.
- Relocation of the Airport Pump Station is nearly complete. Cable has been received and final installation is scheduled. Once completely operational, if the Patterson Pass Water Treatment Plant's (PPWTP) clarifier were to fail (due to the deferred replacement project), water deliveries to the east side of Livermore could continue without reduction or interruption using a portable generator that is kept at DVWTP for security reasons.
- Various problems with the South Bay Pumping Plant resulted in DWR being unable to provide full requested amounts of State Project water. Two of the pump units (totaling 29 Million Gallons per Day/MGD) have been out of service for an extended period of time. Through June and July, staff estimates that Zone 7 lost approximately 132 million gallons (404 acre feet) of recharge and 30 million gallons (92 acre feet) of treated water production due to the DWR's delayed reactive maintenance for their pump outages.

#### Environmental & External Affairs:

- On July 12<sup>th</sup>, staff conducted a tour of Zone 7 facilities for Frances Spivy-Weber, Vice-Chair of the State Water Resources Control Board. Ms. Spivy-Weber was very complimentary and appreciative of time spent with her.
- The City of Livermore is in the early stages of developing an "Adopt-a-Creek/Spot" program, which would be done mostly as part of the city's compliance with its Municipal Regional Permit from the Regional Water Quality Control Board. The city has requested LARPD and Zone 7 to consider being initial partners in this effort, with later regional participation throughout the valley.

## Monthly List of GM Contracts

July 2011

### Contracts:

|                                       |          |                                                                                                   |
|---------------------------------------|----------|---------------------------------------------------------------------------------------------------|
| WRECO                                 | \$29,200 | Training and Support for HEC Program being performed as part of Flood Control DIF Analysis        |
| Biggs Cardosa Associates              | 35,000   | Structural Engineering Services                                                                   |
| Consolidated Engineering Laboratories | 36,000   | Materials Testing Support Services                                                                |
| BKF Engineers                         | 34,500   | Surveying Support Services                                                                        |
| Target Safety                         | 8,000    | License and Subscription for Online Training                                                      |
| Southeast Region Stantec              | 18,684   | Arroyo de la Laguna Watershed Assessment of River Stability & Sediment Supply (WARSSS) Validation |

|                        |                  |  |
|------------------------|------------------|--|
| <b>Total July 2011</b> | <b>\$161,384</b> |  |
|------------------------|------------------|--|



## 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:** OFFICE OF THE GENERAL MANAGER

**CONTACT:** BONI BREWER / MIKE WALLACE

AGENDA DATE: August 17, 2011

ITEM NO. 11c

SUBJECT: Recent & Upcoming Public Outreach Activities

### **Recent Public Outreach Activities**

#### Valley Children's Museum Promotion, July 21

Staff partnered with DSRSD staff in providing fun and informative water-related activities for children at Emerald Glen Park, the site of the new Dublin Farmer's Market, to help promote the Valley Children's Museum's (VCM) "Moving Mission" mobile unit.

#### Website Update

Information and applications for new water conservation rebate programs, including weather-based irrigation controllers and water-efficient landscaping, have been posted to our website.

#### Livermore SIRs #101, August 2, 2011

Staff made a presentation that included an overview of services the Agency provides, along with providing a discussion of Valley water-supply reliability issues related to Delta conveyance, during a luncheon of the Livermore Sons in Retirement (SIRs) Branch No. 101. About 90 people attended the presentation, which was well-received.

### **Upcoming Public Outreach Activities**

#### Valley Children's Museum Promotion, Aug. 18, Sept. 15 & Oct. 20

The mobile museum will be on display at Emerald Glen Park, from 4 to 8 p.m. each Thursday through October. VCM is having rotating themes at the Mobile Museum site. The third Thursday of each month has been designated for Zone 7 and DSRSD water-themed activities. The idea is to incorporate some fun activities relating to the role of water in our region's history, while also making the activity relevant to key issues today – including water conservation.

#### California Coastal Cleanup, September 17

Zone 7 is again assisting the City of Pleasanton and the City of Dublin with this annual event in which dozens of volunteers pick up trash and other debris along local creeks as part of the statewide California Coastal Cleanup Day. Pleasanton has been participating in Coastal Cleanup Day for 13 years and this is the second year for Dublin. One of Zone 7's roles is to promote the event and publicize results. Last year, volunteers in each city collected a total of about 280 pounds of trash (for a total 560 pounds) plus 53 tires along local creeks. In addition to preventing pollution in streams that drain to the Bay and coast, the annual cleanup at the end of summer helps make sure that local waterways are ready to handle flows for the upcoming season's storms.



## ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7

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**ORIGINATING SECTION:** Administration  
**CONTACT:** Mike Wallace/Tim Hunt

**AGENDA DATE:** August 17, 2011

ITEM NO. 11d

**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, monitor legislation that is being considered in Sacramento.
- Staff, with recommendations from the agency's lobbying firm, determines a number of bills of interest to Zone 7 for the current legislative session, such as those related to the Delta. Bills being monitored are summarized in the attached Executive Summary.
- The citizens redistricting committee has tentatively approved new district maps. The Tri-Valley is included in an Assembly district with the San Ramon Valley and the Lafayette-Moraga-Orinda area. The Senate district is similar with the Tri-Valley plus most of Eastern Contra Costa, the San Ramon Valley, all of Central Contra Costa and Lafayette-Orinda-Moraga. Assemblywoman Joan Buchanan and state Sen. Mark DeSaulnier have their current residences within those districts. The Congressional district runs east-west with the Tri-Valley joined with Fremont, Hayward and San Leandro. Representative Pete Stark has represented the Bay-side of this area for decades. Representative Jerry McNerney of Pleasanton has announced he plans to move to and run in a San Joaquin County district with Stockton, Lodi and Eastern Contra Costa County cities. Final approval, barring legal challenges, was due by August 15<sup>th</sup>.
- The Legislature took a month-long recess after Governor Brown signed the budget. Legislators were scheduled to return on August 15<sup>th</sup> for the final month before adjournment is scheduled for the year.
- SB 224 (Pavley), which would have given the DWR significantly more flexibility in executing contracts, appeared headed to easy approval in the Assembly when it was pulled from the consent calendar due to concerns from the Department of General Services about overly broad language. Negotiations are underway to alleviate the concerns. .
- Governor Jerry Brown appointed Matt Rodriguez, a Castro Valley resident, secretary of the California Environmental Protection Agency. Previously, Rodriguez had been a chief deputy attorney general. He's worked for the state Department of Justice since 1987 and represented bodies such as the State Lands Commission, the Coastal Commission and the San Francisco Bay Conservation and Development Commission.
- Pending in the Assembly are votes on SB 293, which would limit retention on public works contracts to 5 percent, and SB 931 (Vargas), which would limit public agencies' ability to contract with outside counsel or consultants when dealing with labor organizing efforts or negotiations. Zone 7 staff submitted letters opposing both.

**RECOMMENDED ACTION:** Information only.

**ATTACHMENT:** Executive Summary



## EXECUTIVE SUMMARY State Legislation

Prepared for the Zone 7 Water Agency, Eastern Alameda County, Board of Directors  
by The Gualco Group, Inc.  
August 9, 2011



| BILL                                  | TOPIC                        | SYNOPSIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | STAFF'S RECOMMENDED POSITION                                                                                      | STATUS OF THE BILL/COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Delta Stewardship Council</b>      |                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <a href="#">AB 576 (Dickinson)</a>    | Fees                         | This bill was "guttred" and rewritten on March 31. As amended on March 31, AB 576 would, by January 1, 2013, require the Delta Stewardship Council to develop a long-term plan to pay for the costs of implementing the Delta Plan; would authorize the council, before adopting and collecting long-term revenues, to seek to obtain early funding contributions from entities that may benefit from implementation of the Delta Plan and to track those contributions to provide credit against future funding requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Watch                                                                                                             | "DEAD" for 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Groundwater</b>                    |                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <a href="#">AB 359 (Huffman)</a>      | Groundwater Management Plans | AB 359 was amended for the third time on June 30. As amended on June 30, 2011 this bill requires a local agency that develops a groundwater management plan and drafts a resolution to adopt a plan to provide a copy of a resolution of intention to the Department of Water Resources (DWR) within 30 days of the date of adoption; Would authorize any person to be placed on a list established by the local agency for purposes of receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps and other relevant documents; Would require these "interested persons" and DWR to receive notice of the date, time and place prior to the second hearing to determine whether to adopt the plan; Would require, if a groundwater management plan is not adopted within two (2) years of the date of the adoption of a resolution of intention and the local agency is operating under a previously adopted groundwater management plan, that the previously adopted plan remain in effect; Requires DWR to post on its Internet Web site the information DWR possesses regarding the local agencies that have jurisdiction to develop groundwater management plans and maps, including agencies who have submitted resolutions of intention to adopt groundwater management plans or agencies that have opted to assume groundwater basin level monitoring functions; Requires, commencing January 1, 2013, that a groundwater management plan include a map identifying recharge areas, as defined, for the groundwater basin; Requires, after adoption of the groundwater management plan that the map of recharge area be provided to local planning agencies; Allows a local agency to request state funds to map groundwater recharge areas if eligible funding is available. | Watch                                                                                                             | August 15: Hearing by the Senate Committee on Appropriations. The May 27 version of AB 359 passed the Assembly on June 1 by a vote of 74-1. The CA. Groundwater Coalition and the Groundwater Resources Association are the co-sponsors of this bill. The Assembly Water, Parks and Wildlife Committee's analysis of this bill stated that the most recent version of DWR's Bulletin 118, produced in 2003, estimated that 43% of all Californians obtain their drinking water from groundwater. |
| <a href="#">AB 1152 (Chesbro)</a>     | Groundwater                  | This bill would add to the list of entities that may assume responsibility for monitoring and reporting groundwater elevations, a local agency that has been collecting and reporting groundwater elevations and that does not have a groundwater management plan, if the local agency adopts a groundwater management plan in accordance with specified provisions of existing law by January 1, 2014. The bill would permit the Department of Water Resources to authorize the local agency to conduct monitoring and reporting of groundwater elevations on an interim basis, until the local agency adopts a groundwater management plan or until January 1, 2014, whichever occurs first.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Watch                                                                                                             | August 15: Hearing by the Senate Committee on Appropriations.                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Peripheral Canal</b>               |                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <a href="#">AB 550 (Huber)</a>        | Peripheral Canal             | The introduced version of AB 550 is identical to the bill (AB 1594) Ms. Huber introduced last year, and which was "held" in the first policy committee. The bill would prohibit the construction of a peripheral canal, as defined, unless expressly authorized by the Legislature; would require the LAO to complete an economic feasibility analysis prior to enactment; would require that the canal's construction and operation not diminish or negatively affect the water rights, supplies, or quality of water within the Delta.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | OPPOSE. Zone 7 was one of 44 signatories to a 3-18 letter to Assembly Member Alyson Huber in opposition to AB 550 | "DEAD" for 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <a href="#">AB 627 (B. Berryhill)</a> | "Delta Corridors Plan"       | As amended on March 31, AB 627 directs the Department of Water Resources to expedite their evaluation of the feasibility for a through-Delta conveyance plan known as the "Delta Corridors Plan". This study must include an evaluation of ways the Delta Corridors Plan could incorporate the Two-Gates Fish Protection Demonstration Project and shall assess the potential impacts and benefits of operating that project in conjunction with the Delta Corridors Plan. If DWR determines the plan is "feasible", AB 627 requires that DWR include recommendations regarding specific facilities to be constructed and identify potential funding sources for implementation of the plan. Finally, the bill states "it is the intent of the Legislature to appropriate money to DWR to pay the costs of the feasibility study..."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | OPPOSE. Zone 7 was one of the signatories to a letter to Assembly Member Berryhill in opposition to his bill      | "DEAD".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <a href="#">SB 200 (Wolk)</a>         | Delta Conveyance Facility    | As amended on March 24, SB 200 would add numerous new conditions that each state agency must meet before it can take or authorize any action to implement a conservation measure with the Bay Delta Conservation Plan (e.g. the action shall not result in significant unmitigated negative impacts to another entity or region; funding for the action shall be consistent with the beneficiary pays principle) would require "full mitigation" absent any definition and would require multiple state agencies to exercise their authority "consistent with protecting and maintaining public trust resources" BACKGROUND: According to the author's "Fact Sheet" on her measure, "SB 200 establishes specific criteria and assurances to meet the statutory co-equal goals of a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem." And, "These assurances are based on the same provisions negotiated by Governor Jerry Brown in 1980"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OPPOSE. Zone 7 was one of 45 signatories to two letters to Senator Lois Wolk in opposition to SB 200              | "DEAD" for 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| BILL                                             | TOPIC                                                     | SYNOPSIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | STAFF'S RECOMMENDED POSITION                                                                                           | STATUS OF THE BILL/COMMENTS                                                                                                                                  |
|--------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Public Employment</b>                         |                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                        |                                                                                                                                                              |
| <a href="#">AB 325 (Lowenthal, B.)</a>           | Employee's right to bereavement leave                     | This bill would prohibit an employer from refusing to grant a request by any employee to take up to 3 days of bereavement leave. The provisions of the bill would not apply to an employee who is covered by a valid collective bargaining agreement that provides for bereavement leave and other specified working conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Watch                                                                                                                  | Heard in Senate Committee on Appropriations, passed on July 7, 2011. To the Senate Floor.                                                                    |
| <a href="#">AB 1155 (Alejo)</a>                  | Workers' compensation                                     | This bill would state the intent of the Legislature to prohibit the use of risk factors and specified characteristics to deny an injured worker his or her rightful benefit when disabled in the workplace. The bill would also state the intent of the Legislature to prohibit the apportionment of risk factors and characteristics without prohibiting the apportionment of documentable pre existing non industrial causes of disability or holding an employer liable for any percentage of permanent disability not directly caused by an injury arising out of and occurring in the course of employment .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Watch                                                                                                                  | Pending on the Senate Floor.                                                                                                                                 |
| <a href="#">AB 1184 (Gatto)</a>                  | Public employees' retirement benefits                     | This bill would state the intent of the Legislature that a contracting agency not experience a significant increase in actuarial liability due to increased compensation paid by another contracting agency to a nonrepresented employee. The bill would require the Board of Administration of PERS to develop guidelines in this regard and to implement program changes to ensure that a contracting agency that creates a significant increase in actuarial liability due to increased compensation bears the associated liability. The bill would require the system actuary to assess an increase in liability in this regard to the employer that created it at the time the increase is determined and to make adjustments to that employer's rates as needed. The bill would apply these requirements to any significant increase in actuarial liability due to increased compensation paid to a nonrepresented employee regardless of when the increase in compensation occurred. The bill would require the board to report to the Legislature on the implementation of these provisions .                                                                                                                                                                                                                                                                                                                                                                                                                                         | Watch                                                                                                                  | August 15: Hearing by the Senate Committee on Appropriations.                                                                                                |
| <a href="#">AB 1320 (Allen)</a>                  | Public employees' retirement: employer contribution rates | This bill, on and after January 1, 2013, would establish in the retirement fund for each employer a Taxpayer Adverse Risk Prevention Account. The account would be an employer asset, but would not be counted as an asset for the purpose of determining the employer's contribution rate. Deposits into the account would be made when the actuarial value of assets exceeds the accrued liability , as specified. The bill would provide that the assets of the account would be drawn upon to pay a portion of the employer contribution when the employer contribution rate is greater than the employer normal cost of benefits, as specified. The bill would require the employer to make an additional contribution when the employer's contribution rate is less than the employer normal cost of benefits, as defined, and that additional contribution would be credited to the employer's Taxpayer Adverse Risk Prevention Account . The bill would provide that the employer would not be required to make that additional contribution when the employer's Taxpayer Adverse Risk Prevention Account exceeds an amount equal to 50% of the employer's assets, exclusive of the assets in the Taxpayer Adverse Risk Prevention Account. The bill would permit assets in an account to be used for specified transfers and contributions authorized under existing law. The bill would provide that assets in an account would be invested according to investment strategies established by the Board of Administration of PERS . | Watch                                                                                                                  | August 15: Hearing by the Senate Committee on Appropriations.                                                                                                |
| <a href="#">AB 1344 (Feuer)</a>                  | Local governance                                          | This bill would require a city charter or charter amendment, whether submitted to the voters by a charter commission or the governing body of the city or city and county, to be submitted at the next established statewide general, statewide primary, or regularly scheduled municipal election date, provided there are at least 95 days before the election. This bill would also require a proposal to adopt a charter, whether submitted to the voters by a charter commission or the legislative body of a city or city and county to include in the ballot description an enumeration of new city powers as a result of the adoption of the charter, including, but not limited to, whether the city council will, pursuant to an adopted charter, have the power to raise its own compensation and the compensation of other city officials without voter approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Watch                                                                                                                  | August 15: Hearing by the Senate Committee on Appropriations.                                                                                                |
| <a href="#">SB 931 (Vargas)</a>                  | Public Employee Organizations                             | As amended on April 25, SB 931 would prohibit public agencies from using public funds to pay external consultants or legal advisors to counsel the public employer on how to minimize or deter the exercise of guaranteed public employee rights related to employer-employee relations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | OPPOSE                                                                                                                 | Pending on the Assembly Floor                                                                                                                                |
| <b>Water Conservation, Supply &amp; Delivery</b> |                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                        |                                                                                                                                                              |
| <a href="#">AB 275 (Solorio)</a>                 | Rainwater Capture Act of 2011                             | Under existing law, the State Water Resources Control Board (state board) and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act. Existing law authorizes a city, county, or special district to develop, jointly or individually, stormwater resource plans that meet certain standards. This bill would enact the Rainwater Capture Act of 2011, which would authorize residential, commercial, and governmental landowners to install, maintain, and operate rain barrel systems, as defined, and rainwater capture systems, as defined, for specified purposes, provided that the systems comply with specified requirements. The bill would require a local agency to provide notification to the operator of a public water system, as defined, if the local agency chooses to adopt a permitting program for rainwater capture systems and approves a permit for a rainwater capture system connected to the public water system.                                                                                                                                                                                                                                                                                                                                                                              | Watch                                                                                                                  | Pending on the Senate Floor.                                                                                                                                 |
| <a href="#">AB 779 (Fletcher)</a>                | Municipal water districts: oversight                      | Existing law, the Municipal Water District Law of 1911, authorizes the formation of a municipal water district to acquire and sell water, and specifies the powers and purposes of a municipal water district. This bill would authorize a municipal water district to establish an independent oversight committee to assist in tracking and reviewing revenues of the district to advance capital improvements, operations and maintenance of district facilities, and allocation methodologies. The bill would authorize an independent oversight committee to perform specified functions for those purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Watch                                                                                                                  | "DEAD" for 2011                                                                                                                                              |
| <a href="#">SB 215 (Huff)</a>                    | Mussels                                                   | SB 215, as amended on April 26 would extend the existing repeal date from January 1, 2012 to January 1, 2017 of provisions which exempt suppliers from civil or criminal liability IF the supplier is in full compliance with a plan to control and eradicate Quagga Mussels.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SUPPORT.                                                                                                               | In the Assembly Committee on Appropriations. Referred to Suspense File on July 14, 2011.                                                                     |
| <a href="#">SB 224 (Pavley)</a>                  | Public Contracts: DWR                                     | As amended on April 14, SB 224 would exempt the following contracts from the review of approval by the Department of General Services: "Any contract of a type specifically mentioned and authorized to be entered into by the Department of Water Resources under the Water Code" "Any contract entered into by the Department of Water Resources that is not funded by money derived from state tax sources, but rather, is funded by money derived from federal and local sources"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SUPPORT. Zone 7 is one of the signatories to a letter to Senator Pavley in support of the April 14 version of her bill | Pending on the Assembly Floor; Passed the Assembly Business, Professions and Consumer Protection Committee unanimously; Passed the Senate by a vote of 37-0. |

| BILL                                                    | TOPIC                                                | SYNOPSIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | STAFF'S RECOMMENDED POSITION | STATUS OF THE BILL/COMMENTS                                                                                                                                                                                                                      |
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| <a href="#">SB 263 (Pavley)</a>                         | Wells: reports: public availability                  | Existing law requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well, or abandons or destroys a well, or deepens or reperforates a well, to file a report of completion with the Department of Water Resources. Existing law prohibits those reports from being made available to the public, except under certain circumstances. This bill would instead require the department to make the reports available to the public. The bill would require the department to provide a specified disclaimer when providing the reports to the public. The bill would prohibit the State Department of Public Health from preventing the disclosure of information provided in the reports .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Watch                        | August 17: Hearing by the Assembly Committee on Appropriations.                                                                                                                                                                                  |
| <a href="#">SB 571 (Wolk)</a>                           | Master Plan for Financing/Developing Water Resources | As amended on April 13, SB 571 would establish the California Water Commission as an independent agency, revise the requirements of the California Water Plan, and create a new division in the Water Code titled " Water Resources Investment Planning". The bill would establish the process for the Commission to develop and adopt the "California Water Investment Plan," similar to the State Transportation Improvement Plan by establishing the process for the Commission to make the fund allocations for specific projects and programs, establish the process for the state agencies to develop and implement the "State Water Investment Plan" consistent with the most recently adopted update to the California Water Plan; establish "regional water planning agencies"; establish the process for the regional water planning agencies to develop and implement the "regional water investment plan" As introduced on February 17, SB 571 would require the California Water Commission to, on or before January 1, 2013, develop a master plan for financing and developing water resources in the state, including specified assessments, and would require the commission to update the plan every five years; would require the commission to annually review and audit the award of state funds for water resources projects and programs; to develop, consistent with the master plan, a prioritized list of projects and programs relating to water supply, water quality, water conservation, water use efficiency, ecosystem and watershed restoration, and integrated regional water management planning and implementation for purposes of awarding state financial assistance for those projects and programs and to establish guidelines for the award of state financial assistance allocated for integrated regional water management plans. The bill would also declare legislative intent that the commission be given authority to allocate specified state funds for water resources projects and programs. | Watch                        | "DEAD" for 2011                                                                                                                                                                                                                                  |
| <a href="#">SB 710 (La Malfa)</a>                       | Project: County Services State Water Project         | As amended on March 25, would authorize a county, in accordance with prescribed procedures, to prepare and adopt a county services impact report containing, among other things, a description of the costs of county services, as defined, related to the operation of specified dams and reservoirs as State Water Project facilities within the county.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Watch                        | "DEAD" for 2011                                                                                                                                                                                                                                  |
| <a href="#">SB 834 (Wolk)</a>                           | IRWM Plans                                           | As amended on June 29 SB 834 specifies that the minimum content of an Integrated Regional Water Management Plan eligible for state funding, for a region that depends on water from the Delta, must also included an identification of the way the IRWMP will reduce reliance on the Delta and increase regional self-reliance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Watch                        | Pending on the Assembly Floor. Passed the Senate by a vote of 24-14 on May 19.                                                                                                                                                                   |
| <b>California Regional Water Quality Control Boards</b> |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                              |                                                                                                                                                                                                                                                  |
| <a href="#">SB 607 (Walters)</a>                        | Water Quality: Brackish Groundwater Treatment        | As amended on April 27, SB 607 requires the State Water Resources Control Board ("SWRCB"), on or before January 1, 2012, to either amend the California Ocean Plan, or adopt separate standards, to address water quality objectives and effluent limitations that are specifically appropriate for brackish groundwater treatment system facilities that produce municipal water supplies for local use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Watch                        | Pending on the Assembly Floor: Consent Calendar.                                                                                                                                                                                                 |
| <a href="#">SB 900 (Steinberg)</a>                      | Regional Water Quality Control Boards                | As amended on May 9 SB 900 would, with regard to a regional water quality control board, provide that a person would not be disqualified from being a member of that board because that person receives, or has received during the previous two years, a significant portion of his/her income directly or indirectly from a person subject to waste discharge requirements, or an applicant for waste discharge requirements, provides that this revised eligibility provision relating to members of a regional board shall be implemented only if certain requirements are met.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Watch                        | SB 900 was placed on the Assembly's Inactive File at the request of Senator Steinberg after passing the Assembly Committee on Environmental Safety and Toxic Materials by a vote of 9-0 on June 28 Passed the Senate by a vote of 34-0 on May 19 |

| BILL                                                  | TOPIC                                          | SYNOPSIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | STAFF'S RECOMMENDED POSITION                                                                                                                                                   | STATUS OF THE BILL/COMMENTS                                                             |
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| <b>Special Districts</b>                              |                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                |                                                                                         |
| <a href="#">AB 54 (Solorio)</a>                       | Drinking water                                 | As amended on June 22 , AB 54 would specify in statute that a corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for domestic use shall be known as a mutual water company; Requires, no later than December 31, 2012, each mutual water company operating as a public water system to submit to the LAFCO a map depicting the approximate boundaries of the property that the company serves; States that if the LAFCO requests information, in connection with the preparation of a municipal service review or spheres of influence, from a mutual water company, the corporation shall, within 45 days of the request, provide all reasonably available information and explain, in writing, why any requested information is not reasonably available; Requires a mutual water company that operates a public water system to maintain a financial reserve fund for repairs and replacements to its water production, transmission, and distribution facilities equal to the reserve fund for these purposes required for a public water system or equal size; Requires each board member of a mutual water company operated as a public water system to, within six months of taking office, complete a two-hour course offered by a qualified trainer regarding the duties of board members of a mutual water company, duties of a corporate director to avoid financial conflicts of interest in contracts, and the duties of public water systems to provide clean drinking water that complies with the federal and state Safe Drinking Water Acts; Defines the qualification requirements of a qualified trainer; Requires a mutual water company to be liable for the payment of any fines, penalties, expenses, and other amounts that may be imposed; Authorizes a mutual water company to levy an assessment in order to pay the fines, penalties, expenses, and other amounts so imposed and specifies that if these exceed 5% of the annual budget of the mutual water company, then the assessment must be imposed; Requires all improvements to public water systems operated by a mutual water company to be designed and constructed to comply with the applicable California Water Works standards; Gives LAFCO the power to review and approve or disapprove, at the LAFCO's discretion, the annexation of territory served by a mutual water company into the jurisdiction of a city, a public utility, or a special district that operates a public water system, with the consent of the respective public agency or public utility and mutual water company; Specifies that any annexation approved shall be subject to the state and federal constitutional prohibitions against the taking of private property without the payment of just compensation; Gives LAFCO the power to request information, as part of a municipal service review, from identified public or private entities that provide wholesale or retail supply of drinking water, including mutual water companies and private utilities; Provides that in conducting a municipal service review, the LAFCO may include a review of whether the agencies under review, including any public water system, are in compliance with the Safe Drinking Water Act; States that a public may satisfy any request for information as to compliance with the Safe Drinking Water Act by the submission of the consumer confidence or water quality report prepared by the public water system; Authorizes the CDPH to issue a "letter of no prejudice" that allows an applicant for Safe Drinking Water Revolving Fund money to start clean drinking water project construction before final approval of funding without prejudicing CDPH's final decision on funding; Allows CDPH to impose an alternative penalty on a small public water system for violation of the Safe Drinking Water Act that would require completion of a project that brings the small public water system into compliance, instead of imposing monetary fines. | Watch                                                                                                                                                                          | August 15: Hearing by the Senate Committee on Appropriations.                           |
| <a href="#">AB 59 (Swanson)</a>                       | Family and medical leave                       | Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. Under the act, "child" means a biological, adopted, foster, or stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under 18 years of age or an adult dependent child. The act defines "parent" to mean the employee's biological, foster, or adoptive parent, stepparent, legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Watch                                                                                                                                                                          | "DEAD" for 2011                                                                         |
| <a href="#">ACA 4 (Blumenfield)</a>                   | Local government financing: voter approval     | This measure would lower to 55% the voter-approval threshold for a city, county, or city and county to incur bonded indebtedness, exceeding in one year the income and revenue provided in that year, that is in the form of general obligation bonds to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police or fire protection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Watch                                                                                                                                                                          | In the Assembly Committee on Appropriations. Referred to Suspense File on July 6, 2011. |
| <a href="#">SB 31 (Correa)</a>                        | Local government: lobbyist registration        | The Political Reform Act of 1974 provides for the comprehensive regulation of lobbyists, as defined. As amended on March 23, SB 31 would enact a comprehensive scheme to regulate lobbying entities, as defined, that lobby local government agencies, including requirements to register and make periodic reports regarding certain lobbying activities; would require each local government agency to create a commission to implement and enforce the provisions of the bill.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Watch                                                                                                                                                                          | "DEAD" for 2011                                                                         |
| <b>Sacramento Regional County Sanitation District</b> |                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                |                                                                                         |
| <a href="#">AB 134 (Dickinson et al.)</a>             | Appropriation of water                         | As amended on April 15, AB 134 would authorize the Sacramento Regional County Sanitation District to file an application with the State Water Resources Control Board for a permit to appropriate "an amount of water up to the amount of treated wastewater that is discharged into the Sacramento River in order to facilitate sale and transfer beyond SRCSD's service area. The bill would authorize, but not require, the board to grant the permit "subject to the terms and conditions as in the board's judgment are necessary for the protection of the rights of any legal user of the water".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Initially Opposed/Now Neutral as a result of the April 15 amendments. Zone 7 was one of 47 signatories to a letter to Assembly Member Roger Dickinson in opposition to AB 134. | Pending on the Senate Floor.                                                            |
| <a href="#">SB 52 (Steinberg)</a>                     | Sacramento Regional County Sanitation District | As introduced on December 15, 2010, SB 52 would appropriate \$50 million dollars from Propositions 1E and 84 to DWR to provide financial assistance to the SRCSD to offset a portion of the costs of capital improvements at the SRCSD wastewater treatment plant to meet the requirements of the SRCSD discharge permit adopted by the Central Valley Regional Water Quality Control Board.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Watch                                                                                                                                                                          | "DEAD" for 2011                                                                         |

| BILL                                       | TOPIC                                                     | SYNOPSIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | STAFF'S RECOMMENDED POSITION | STATUS OF THE BILL/COMMENTS                                                            |
|--------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------------------------------------------------|
| <b>Financing</b>                           |                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                              |                                                                                        |
| <a href="#">AB 157 (Jeffries)</a>          | Water Bond                                                | Existing law creates the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters at the November 6, 2012, statewide election, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. This bill would reduce by 25% the total amount of bonds authorized to be issued pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, and would make conforming reductions to amounts specified to be allocated from these bond funds for certain purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Watch                        | "DEAD" for 2011                                                                        |
| <a href="#">AB 983 (Perea)</a>             | Safe Drinking Water State Revolving Fund                  | This bill would authorize the department to take specified actions to improve access to financial assistance for projects serving small community water systems, as defined. The bill would require the State Department of Public Health to give priority in funding to projects that include consolidation with a small community water system and that will enable that system to meet drinking water standards, without regard to the project proponent, as provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Watch                        | In the Senate Committee on Appropriations. Referred to Suspense File on July 11, 2011. |
| <a href="#">AB 1292 (Hernandez, Roger)</a> | Safe Drinking Water State Revolving Fund: revenue bonds   | The Bergeson-Peace Infrastructure and Economic Development Bank Act establishes the California Infrastructure and Economic Development Bank for the purpose of funding specified types of infrastructure development projects, including public development facilities, that are defined to include sewage collection and treatment facilities and water treatment and distribution facilities. The act authorizes the executive director of the bank to contract with specified agencies to enable the bank to properly perform its duties and authorizes the bank to issue revenue bonds for prescribed purposes. This bill would specify that the executive director may contract with those agencies for technical services, and would provide that, where a state agency is authorized under state law to request that the bank issue bonds on its behalf, the agency may request, and the bank may issue, the bonds for the purpose authorized by state law and to fund any necessary reserves, capitalized interest, and costs of issuance associated with the bonds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Watch                        | August 15: Hearing by the Senate Committee on Appropriations.                          |
| <a href="#">SB 34 (Sicilian)</a>           | California Water Resources Investment Act of 2011         | As amended on April 13, SB 34 would enact the California Water Resources Investment Act of 2011. The Act finds that it is necessary to establish a sustainable revenue source to fund the public benefits of water related projects and programs. A charge would be levied on all retail water suppliers consistent with the "beneficiaries pay" and "polluters pay" principles. There would be a charge for "non-agricultural water uses" on a per-acre-foot of use basis and an assessment imposed on "agricultural water uses" on a per-acre of irrigated lands basis. The proceeds of the revenue source would be shared between the state and regions, half allocated to the state to fund statewide and interregional public benefits, half would be allocated among the regions to fund the regional and local public benefits associated with water related projects and programs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Watch                        | "DEAD" for 2011.                                                                       |
| <a href="#">SB 293 (Padilla)</a>           | Payment bonds: laborers.                                  | As amended on July 5, among other provisions, SB 293 reduces the time a claimant must give notification that he or she is enforcing a claim against a bond for a public works project and prohibits a public entity from retaining more than 5% of a contract price until final completion and acceptance of a project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | "OPPOSE UNLESS AMENDED"      | August 17: Hearing by the Assembly Committee on Appropriations.                        |
| <a href="#">SB 475 (Wright et al.)</a>     | Infrastructure Financing                                  | Existing law authorizes a governmental agency, as defined, to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law permits these agreements to provide for infrastructure facilities owned by a governmental entity, but constructed by a private entity, to be leased to or owned by that private entity for a period of up to 35 years. As amended on June 20, AB 475 would the statutory authorization for local governmental agencies to utilize private sector financing alone or in concert with public financing, to study, plan, design, construct, develop, finance, maintain, rebuild, improve, repair, or operate, or any combination thereof, fee-producing infrastructure facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Watch                        | "DEAD" for 2011                                                                        |
| <a href="#">SB 907 (Evans et al.)</a>      | Infrastructure Financing                                  | As amended on May 3, this bill would create the 11-member Master Plan for Infrastructure Financing and Development Commission. By December 1, 2013, the Commission must submit a final report to the Governor and the Legislature which contains a long-term plan and strategy for the state's infrastructure needs and a prioritized plan to meet those needs. The Commission must also submit periodic progress reports.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Watch                        | "DEAD" for 2011.                                                                       |
| <b>Energy</b>                              |                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                              |                                                                                        |
| <a href="#">AB 512 (Gordon)</a>            | Local government renewable energy self-generation program | This bill would expand the definition of an eligible renewable generating facility for the purposes of the program to include a facility that has a generating capacity of no more than 5 megawatts. The bill would prohibit an electrical corporation from being required to compensate a local government for electricity generated from a facility in excess of the bill credits applied to the designated benefiting account. The bill would prohibit a local government from being eligible for any other tariff or program that requires an electrical corporation to purchase generation from an eligible renewable generating facility participating in the program. The bill would exempt an electrical corporation with 60,000 or fewer customer accounts from the program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Watch                        | Pending on the Senate Floor.                                                           |
| <b>Hazardous Materials</b>                 |                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                              |                                                                                        |
| <a href="#">AB 291 (Wieckowski)</a>        | Underground storage tanks: petroleum: charges             | Under the existing Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989, which is repealed on January 1, 2016, every owner of an underground storage tank is required to pay a storage fee for each gallon of petroleum placed in the tank. The fees are required to be deposited in the Underground Storage Tank Cleanup Fund and the board is authorized to expend the moneys in the fund, upon appropriation by the Legislature, for various purposes, including the payment of claims to aid owners and operators of petroleum underground storage tanks who take corrective action to clean up unauthorized releases from those tanks, corrective actions undertaken by the board, a California regional water quality control board, or a local agency, the cleanup and oversight of unauthorized releases at abandoned tank sites, and grants to small businesses to retrofit certain hazardous substance underground storage tanks. This bill would continue the requirement to pay that increased amount of \$0.006 per gallon until January 1, 2014. By operation of existing law, the revenue resulting from the increased fee would be required to be deposited in the fund and be available, upon appropriation, for expenditure for the purposes authorized under existing law for money in the fund. This bill would constitute a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature. | Watch                        | August 15: Hearing by the Senate Committee on Appropriations.                          |

| BILL                                 | TOPIC                                                              | SYNOPSIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | STAFF'S RECOMMENDED POSITION                                                                                                              | STATUS OF THE BILL/COMMENTS                                   |
|--------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <a href="#">AB 358 (Smyth)</a>       | Hazardous substances: underground storage tanks: releases: reports | Existing law generally regulates the storage of hazardous substances in underground storage tanks, including requiring underground storage tanks that are used to store hazardous substances to meet certain requirements. Existing law requires tank owners and operators to report unauthorized releases to local agencies and requires the State Water Resources Control Board to continuously post and update on its Internet Web site reports of information concerning unauthorized releases. This bill would instead require each regional board and local agency to submit a report to the board for all unauthorized releases using the board's Internet-accessible database, thereby imposing a state-mandated local program by imposing new duties upon local agencies. The bill would require the board to annually post and update on its Internet Web site the information in those reports concerning unauthorized releases.                                                                                                                                                                                                                                                                                                                                                                              | Watch                                                                                                                                     | August 15: Hearing by the Senate Committee on Appropriations. |
| <a href="#">AB 408 (Wieckowski)</a>  | Hazardous substances and materials: hazardous waste transportation | Existing law provides that the expense of a public agency's emergency response to the release, escape, or burning of hazardous substances is a charge against the person whose negligence caused the incident if the incident necessitated an evacuation beyond the property of origin or results in the spread of hazardous substances or fire beyond the property of origin. Existing law defines "hazardous substance" for purposes of these provisions. This bill would instead provide that these expenses are a charge against the person whose negligence caused the incident if the incident necessitated an evacuation from the building, structure, property, or public right-of-way where the incident originates, or the incident results in the spread of hazardous substances or fire beyond the building, structure, property, or public right-of-way where the incident originates. The bill would also revise the definition of "hazardous                                                                                                                                                                                                                                                                                                                                                              | Watch                                                                                                                                     | August 15: Hearing by the Senate Committee on Appropriations. |
| <a href="#">AB 681 (Wieckowski)</a>  | Aboveground storage tanks: enforcement                             | The Aboveground Petroleum Storage Act (act) defines, for purposes of the act, an "aboveground storage tank" as a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground, except as specified. Existing law requires every county to apply to the Secretary for Environmental Protection to be certified to implement the unified hazardous waste and hazardous materials management regulatory program (unified program) and allows a city or local agency to implement the unified program. Existing law requires the unified program agencies (UPAs) to implement that act. This bill would revise the definition of "aboveground storage tank" to include tanks located in underground areas, as defined. The bill would require the UPAs to implement the act in accordance with the regulations adopted by the Office of the State Fire Marshal and would authorize the Office of the State Fire Marshal to adopt these regulations, thereby imposing a state-mandated local program by imposing new requirements upon local agencies with regard to the act. The bill would also require the office to interpret the act and oversee the implementation of the act by the UPAs and would make conforming changes in that regard. | Watch                                                                                                                                     | August 15: Hearing by the Senate Committee on Appropriations. |
| <b>Natural Resources/Environment</b> |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                           |                                                               |
| <a href="#">AB 591 (Wieckowski)</a>  | Oil and gas production: hydraulic fracturing                       | This bill would define "hydraulic fracturing" and require a person carrying out hydraulic fracturing on behalf of an owner or operator at a well to provide to the owner or operator a list of the chemical constituents used in the hydraulic fracturing fluid and the amount of water and hydraulic fracturing fluid recovered from the well . The bill would additionally require the history of the drilling of the well to include certain information regarding the amount and source of water used in the exploration or production from the well and the radiological components or tracers injected into the well. The bill would also require the history to include, if hydraulic fracturing was used at the well, a complete list of the chemicals used in the hydraulic fracturing and the amount and disposition of water and hydraulic fracturing fluid recovered from the well .                                                                                                                                                                                                                                                                                                                                                                                                                         | Watch                                                                                                                                     | August 15: Hearing by the Senate Committee on Appropriations. |
| <b>Water Quality</b>                 |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                           |                                                               |
| <a href="#">AB 1194 (Block)</a>      | Drinking water                                                     | The Calderon-Sher Safe Drinking Water Act of 1996 requires the State Department of Public Health to, among other things, adopt regulations relating to primary and secondary drinking water standards for contaminants in drinking water. The act authorizes the department to enter into primacy delegation agreements with local health officers for enforcement of these provisions. The act defines various terms, including human consumption, which means the use of water for drinking, bathing or showering, hand washing, or oral hygiene. This bill would include cooking, including, but not limited to, preparing food and washing dishes, in the definition of human consumption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Watch                                                                                                                                     | August 15: Hearing by the Senate Committee on Appropriations. |
| <b>Water Use/Diversion</b>           |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                           |                                                               |
| <a href="#">AB 685 (Eng)</a>         | State water policy: regional water management planning             | An act to amend Section 10540 of, and to add Section 106.3 to, the Water Code; Water as a Human Right Vs. Other Domestic Purposes. This Bill would; 1. Declare that it is the established policy of the state that every human being has the right to clean, affordable, and accessible water for human consumption, cooking, and sanitary purposes, that is adequate for the health and well-being of the individual and family. The bill would require all relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health, to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria. 2. Authorize a regional water management group to coordinate its planning activities to address or incorporate into its IRWMP a basin plan developed and adopted by a California regional water quality control board.                                                                                                                                                                                                                                                                                                                                                          | OPPOSE: ACWA makes a compelling argument against this bill namely "to what extent water agencies would be forced to comply with the law." | August 15: Hearing by the Senate Committee on Appropriations. |
| <a href="#">AB 849 (Gatto)</a>       | Water use efficiency: graywater building standards                 | Existing law authorizes a city, county, or other local agency to adopt, after a public hearing and enactment of an ordinance or resolution, building standards that prohibit entirely the use of graywater, or building standards that are more restrictive than the graywater building standards adopted by the Department of Housing and Community Development and published in the California Building Standards Code. This bill would repeal the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater and instead authorize the adoption, under specified requirements, of standards that are more restrictive than that adopted pursuant to state requirements . The bill would require that an ordinance enacted pursuant to this authority include the local climatic, geological, topographical , or public health conditions requiring different building standards The bill would also require a city, county, or other local agency to consult with the local public health department prior to permitting graywater systems, as specified .                                                                                                                                                                                            | Watch                                                                                                                                     | Pending on the Senate Floor.                                  |



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:** Mike Wallace /John Yue/Tom Hughes

**AGENDA DATE:** August 17, 2011

ITEM NO. 11e

**SUBJECT:** STATUS REPORT ON SEPARATION EFFORTS

**SUMMARY:**

Business Administration:

- Staff received an updated payroll transition project schedule and held a coordination meeting with the Alameda County Auditor-Controller's, Human Resources and Information Technology group representatives and Zone 7's payroll service provider (ADP) on July 27, 2011, to discuss the schedule and tasks needed for transitioning the current county system ("HRMS") to ADP so that tracking is not lost for such benefit issues as sick leave, vacation, etc.
- The initial stage of engagement with service provider ADP commenced with staff receiving assigned system security protocol and access to training modules.
- Staff also met with Alameda County Employees' Retirement Association (ACERA) and their Actuary (The Segal Company) on July 18<sup>th</sup> to launch discussions and identify respective points of contact, forthcoming questions of service parameters, legal procedures, and actuary requirements of working directly with ACERA.
- Furthermore, staff met with a representative from Union Bank to discuss checking account requirements in support of ADP payroll processing. The discussion also covered other available banking services related to the transition of the accounts payable function from the county to Zone 7.
- Staff continue to move forward on converting from the old Zone 7 accounting software (FundWare), which is outdated and no longer supported, to a new software package. Four new software proposals were received last week. A financial software review committee has been formed and will review the proposals together as the first step in developing a staff recommendation; the next step will be to invite the top two candidates to schedule demonstrations. While this is not directly related to separation, proper software selection will certainly facilitate the transition.

Employee Services:

- Transition Agreement status:
  - ACMEA membership signed and ratified the agreement in July 2011.
  - The agreement was ratified by SEIU membership on August 5, 2011.

- A meeting is being scheduled with Local 21 to discuss cleanup language for the agreement.
  - Building Trades membership rejected the agreement and staff will begin the process of scheduling time to discuss next steps with Building Trades.
- Staff met with Alameda County Human Resources Services (HRS) representatives via conference call on Friday July 29, 2011 as a follow-up to the June 28 meeting to discuss the County points of contact for each separation function. A follow-up conference call meeting with HRS and County Counsel is being scheduled.
- A master list of policies and procedures continues to be developed and draft documents are being reviewed by staff, which includes coordination with policy drafts being developed by Finance staff that may have labor or Meet and Confer impacts.