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

REGULAR MEETING

January 18, 2012

President Figuers called the regular meeting to order at 7:00 p.m. The following were present:

DIRECTORS:	SANDS FIGUERS JOHN GRECI A J MACHAEVICH CHRISTOPHER MOORE SARAH PALMER RICHARD QUIGLEY BILL STEVENS

DIRECTORS ABSENT: NONE

ZONE 7 STAFF:	JILL DUERIG, GENERAL MANAGER KURT ARENDS, ASSISTANT GENERAL MANAGER, ENGINEERING TOM HUGHES, ASSISTANT GENERAL MANAGER, ADMINISTRATIVE SERVICES CAROL MAHONEY, INTEGRATED PLANNING MANAGER JUDY RECTOR, BOARD SECRETARY
COUNSEL:	DAVID ALADJEM, DOWNEY BRAND

Item 3 - Citizens Forum - None.

Item 4 - Minutes of the Regular Meeting of December 21, 2011

On a motion by Director Moore with a second by Director Quigley, the minutes of the Regular Meeting of December 21, 2011, were approved by a voice vote of 7-0.

Item 5 - Consent Calendar

On a motion by Director Greci with a second by Director Palmer, the following resolutions were passed on the consent calendar by a voice vote of 7-0 with the following resolutions:

Resolution 12-4151 Authorized the General Manager to execute the new Agreement to Implement the Alameda Countywide Clean Water Program. (Item 5a)

Resolution 12-4152 Authorized the General Manager to execute a contract with ESA PWA for a not-to-exceed amount of $150,000 to finalize design and assist with developing construction specifications for the Arroyo Mocho - Stanley Reach Project. (Item 5b)

Resolution 12-4153 Authorized the General Manager to execute a contract with Cardno ENTRIX for a not-to-exceed amount of $80,000 to provide specialized technical assistance conducting environmental analysis. (Item 5c)

Resolution 12-4154 Authorized and requested that the Alameda County Board of Supervisors call an election, to be consolidated with the Direct Election to be held on June 5, 2012, for the purpose of electing three (3) Members of the Board of Directors of Zone 7 of Alameda County Flood Control and Water Conservation District. (Item 5d)

Item 6 - Staffing Updates

Item 6 (a) - Employee of the Month Recognition

Ms. Duerig congratulated Ms. JaVia Green, Staff Analyst in Financial and Systems Services, who was present, as the November Employee of the Month. JaVia has been at Zone 7 for several years and is known by the Board due to her presentations at Board meetings and to the Finance Committee. In complex times of getting the budget together, she is one of our stanchions of support. She is professional, respectful, takes time to listen and understand the issues and addresses peoples' concerns. Ms. Duerig thanked JaVia for doing a wonderful job.

Item 7 - Ordinance 2012-01 - Flood Protection and Storm Water Drainage Development Impact Fee

Assistant General Manager, Engineering, Kurt Arends reminded the Board that there was a public hearing last month to defer the planned increase to the storm drain impact fee. The second public hearing at this Board meeting is to insure that there is no public comment. Mr. Arends clarified that the purpose of adopting the ordinance is to delete the last step in the proposed fee increases for the development impact fee for impervious surfaces, not connection fees.

In response to Director Steven's request for information showing the amount of development in the last five years, Mr. Arends referred to a graph that was part of the agenda item. A study to re-evaluate the fee in the next year and a half will be conducted and the results brought to the Board to establish a new fee and any future increases.

President Figuers opened the public hearing, but there were no public comments or board member comments, so the public hearing was closed. Director Greci moved and Director Moore seconded the motion and the Ordinance was approved by a roll call vote of 7-0.

Item 8 - Grant Agreement with California State Coastal Conservancy and Contract with Urban Creeks Council for Stream Management Master Plan Update

Carol Mahoney, Integrated Planning Manager, discussed the background of the Stream Management Master Plan (SMMP) and the integrated approach. Ms. Mahoney emphasized that staff has been reaching out to local flood control districts in the Bay Area to ask how they implement things, i.e., maintenance permits, dealing with sediment, and working with regulatory agencies, and how to figure out the best way to approach funding projects. Staff has been looking for alternatives to move SMMP projects forward without having to ask the residents of the Valley to help out financially.

The contracts approved under the Consent Calendar for this board meeting will help in the way Zone 7 is going to be able to implement flood control in the future. There are five elements: the Alameda County Stormwater Memorandum of Agreement that deals with federal and state regulations and helps with Zone 7 NPDES permits; Stanley Reach with the ESA-PWA contract; the Ordinance for the flood protection and storm water drainage development impact fee; the grants from California Coastal Conservancy and Urban Creeks; and the Cardno-ENTRIX contract. Contracts with ESA-PWA and Cardno-ENTRIX will provide expertise not currently available in-house. Zone 7 staff working with these groups will augment their education so eventually staff will do this work for future projects and regulations. As Zone 7 moves forward and starts to implement the projects in the SMMP, the public will get the message through outreach efforts that Zone 7 is actually implementing flood protection and habitat enhancement projects we have been looking at for quite some time.

All elements work together to update the SMMP and it is part of the grant process to make staff think about what do we think we need, what costs can be paid by a grant, and what opportunities are there to partner with other agencies and collaborate.

Director Moore said that when the SMMP was passed, the dollar amounts were staggering but it was a planning document moving forward. Now it is great to see what works, what doesn't, and applying for funds as part of the implementation.

Director Quigley stated that since Zone 7 has flood control responsibility, integrated planning should include recreation and stakeholders should be actively involved.

Director Palmer added that there could be career tech educational opportunities.

Director Machaevich commented on how positive it is to see three or four groups getting together to talk about SMMP and making an overall plan that will give congruency throughout the network to give better flow throughout history.

The Board was asked to adopt a resolution authorizing the General Manager to negotiate and execute: (1) the grant agreement with the California State Coastal Conservancy for $190,000 of reimbursement; and (2) associated matching funds contract with Urban Creeks Council for a not-to-exceed amount of $330,000 (of which $190,000 will be reimbursed).

Director Stevens moved and Director Machaevich seconded the motion. Resolution No. 12-4155 was passed by a roll call vote of 7-0.

Item 9 - Refund of Water Connection Fees to KB Homes

Mr. Arends explained that KB Homes had requested a refund for two meters that were purchased and paid for under the water connection fee program. After the connection fees were paid, KB Homes redesigned their project, decided they do not need the meters, and requested a refund of $220,077. Director Greci moved and Director Machaevich seconded a motion. Resolution 12-4156 was approved by a roll call vote of 6-0 with Director Stevens abstaining.

Item 10 - Committees - Zone 7/DSRSD Liaison Meeting, December 13, 2011 - minutes (no discussion).

Item 11 - Items for Future Agendas - Directors

Director Quigley requested a fleet audit of Zone 7 vehicles and discussed alternative vehicles. He feels fuel efficient vehicles are important and wants Zone 7 staff to look into them as an alternative.

Director Quigley noted that his request to attend the ACWA Conference in Washington DC meeting will be on the Board agenda for February.

Item 12 - Reports - Directors

Director Quigley commented on energy savings and how saving money helps avoid water rate increases. He also remarked on the Water for Tomorrow brochure included in the Board agenda packet.

Director Palmer reported on the January 4th informational meeting at Metropolitan Water District attended by General Manager Jill Duerig, President Figuers, and Director Palmer. Representatives from seven water agencies explored possible alternatives for Delta water conveyance, discussed ideas and listened to proposals.

Item 13 - Staff Reports (Information items)

a. General Manager's Report
b. Recent Public Outreach Activities
c. Legislative Update
d. Status Report on Separation Efforts
e. Quarterly Update of Expansion fund
f. Verbal Reports

Director Greci questioned a contract that was noted on the attachment to the General Manager's staff report. The purpose of the contract is for support services for purchasing. Ms. Duerig explained that hiring a contractor or temporary employee is an alternative to hiring a permanent employee until it is determined if there is a long term need. This contractor assists the Buyer and helps prepare the paperwork required by the County for Small, Local and Emerging Businesses (SLEB).

The Board went into closed session at 8:00 p.m.

Item 14 - Closed Session

a) Conference with Labor Negotiators:
Agency Negotiator: G.F. Duerig
Employee Organizations: Alameda County Management Employees Association; Alameda County Building and Construction Trades Council, Local 342, AFL-CIO; International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; Local 1021 of the Service Employees International Union, CTW; Unrepresented Management.

b) Conference with Legal Counsel--Existing Litigation, Government Code Section 54956.9(a): Petition for Extension of Time, Water Right Permit No. 11319 (Application No. 17002), State Water Resources Control Board.

c) Conference with Legal Counsel--Initiation of litigation; Government Code Section 54956.9(c): Sacramento Regional County Sanitation District v. California Regional Water Quality Control Board, Central Valley Region, et al., Sacramento County Superior Court Case No. 34-2011-80001028.

Item 16 - Open Session and Report Out of Closed Session

The Board came out of closed session at 9:25 p.m.

President Figuers reported that the Board of Directors approved a two-year agreement with Local 1021 of the Service Employees International Union, contingent on ratification of the agreement by Local 1021.

Resolution No. 12-4157 was approved by the Board for no salary increases for SEIU-represented classifications. There will be a one-time payment of $1,000 less applicable taxes and deductions on SEIU members' March 2, 2012, paycheck.

The meeting was adjourned at 9:30 p.m.