

Administrative Committee

Summary Notes

Meeting Date:	August 11, 2015	Start Time:	4:00 p.m.
Directors Present:	Sarah Palmer Bill Stevens John Greci	Staff Present:	Jill Duerig Kurt Arends

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

- 1. Public Comment on Items Not on the Agenda:** None.
- 2. Update on Ground Movement Study and Neighborhood Reaction**

Mr. Arends began by providing a brief summary of the neighborhood meeting held on August 5, 2015. At the meeting, Zone 7's consultant, Cal Engineering and Geology (CE&G) provided an overview of their June 2015 report which described the three main causes of ground surface movement: expansive soils, groundwater level fluctuations, and tectonic movement. The study concluded that the foundational cracking and differential settlement being experienced in the Sutter Gate Avenue area of Pleasanton is likely caused by the extensive drying of the expansive soils found under that neighborhood rather than groundwater management activities.

At the August 5th meeting, the Pleasanton residents who were present questioned Zone 7's groundwater management practices and expressed an ongoing belief that the damages they are seeing throughout the area began about the same time that Zone 7 installed and began operating Mocho Wells 3 and 4. The residents felt that if the Mocho Wells were used as aquifer storage and recovery (ASR) wells to inject treated water back into the ground as originally envisioned and considered in the 1999 environmental impact analysis, groundwater levels would be higher and they would not be experiencing the differential settlement and damage to their homes.

CE&G and Zone 7 staff explained that since Zone 7 manages the groundwater basin and operates its wells to maintain groundwater levels above historic lows, the valley will not experience permanent inelastic subsidence. Any elastic subsidence potentially caused by fluctuating groundwater levels will be very small in magnitude and manifest over a very large area with very low angular distortion. This type of movement would not cause the differential settlement which causes structural cracks and displacement.

Director Stevens stated that the report and presentation may have been too technical for some residents and was broader in scope than the Sutter Gate neighbors had expected. He would like to see a summary added to the report written in terms that lay people could understand and suggested that an outline of the neighborhood be added to some maps used in the presentation to more easily identify the neighborhood in question.

Director Stevens also suggested that Zone 7 board representatives convene a meeting with the representatives from the Pleasanton City Council to come up with a plan. He handed out a suggested investigation plan based on his experience as a geotechnical engineer which included additional soil sampling, monitoring and data gathering.

President Palmer asked the audience when the Sutter Gate neighborhood was built to which a member of the audience responded 1984. President Palmer also pointed out that any decision to perform additional work would require approval of the full Zone 7 Board.

Ms. Duerig explained that the reason the CE&G report was broad was to minimize the cost and to serve as a peer review of Zone 7 staff's knowledge. The study was also to determine if the damage the neighbors were experiencing could be related to groundwater pumping and management. Ms. Duerig stated that had the report suggested that the damage could be related to Zone 7's groundwater pumping, staff would have supported further investigations.

Director Greci described from his experience growing up in the valley how canals were built to drain the land in the Sutter Gate area and how the soil removed to build the canals was spread across areas burying vegetation and any other debris that may have been there. The land was built up with very poor soil and eventually houses were built in those areas.

President Palmer agreed that she would like to see the Sutter Gate area indicated on the maps as the neighbors appeared to have lost confidence in the study when the consultant could not identify their neighborhood on the map. A member of the audience stated that they wanted to see evidence that there is no correlation between the damage to their homes and the operation of Mocho Wells 3 and 4.

A member of the audience identified himself as Michael Grossman and read a two page statement about the CE&G report, stating that it did not address their concerns and that they wanted to hear about updates to the 1999 Negative Declaration for Mocho Wells 3 and 4 since it had included ASR but was never implemented.

Ms. Duerig explained that several studies and reports were prepared after the 1999 Negative Declaration including the Salt Management Plan and Well Master Plan. She also explained how Zone 7 uses the arroyos to recharge the groundwater basin and that the groundwater levels in the Sutter Gate neighborhood have not been near the historic lows for that area. She reiterated that the study confirmed that the effects being seen are due to soil and not groundwater pumping and that staff is comfortable with the work that was done and was not recommending any additional studies.

Director Stevens provided some history about aquifer storage and recovery (ASR) at Zone 7. The Board was fully supportive of ASR in 1999 to improve water quality and reliability. However, there was a problem with an ASR pilot project and it was determined that ASR wells are not feasible in this area. More work was done on this in subsequent studies that looked at this issue even though a new impact study was not done.

The Committee expressed to the audience that they understand the issues and were sympathetic to the concerns being expressed and felt that more discussion was needed with the City of Pleasanton to determine the next steps. President Palmer said she would reach out to members of the City Council to see how this should be addressed and let staff if any further steps need to be taken.

3. Update on Special District Leadership Foundation "District Transparency Certificate of Excellence" Application Status

Ms. Duerig introduced Osborn Solitei, the new Assistant General Manager of Finance. The Committee welcomed Mr. Solitei.

Ms. Duerig then informed the Committee that Zone 7 had received the District Transparency Certificate of Excellence from the Special District Leadership Foundation. A copy of the notice was distributed which is good for two years at which time the agency will have to reapply.

Ms. Duerig then provided a brief follow-up report on a related Administrative Committee request to explore televising Zone 7 Board meetings. Ms. Duerig explained that further study indicated that there is a difference between cities and special districts in that cable bills collect 1% to fund public access which goes to the cities. The local cities help fund cable channels like TV 30 which allows the cities to broadcast at a reduced rate. In fact, TV 30's board is made up of the mayors of Livermore, Pleasanton and Dublin. Zone 7 is still waiting for a quote from TV 30 but it is expected to cost more than what the cities pay. Some large special districts use Granicus to webcast their meetings but this service is much more expensive.

The Committee requested that once the study is completed, staff bring back the costs and evaluation of the various options to the Administrative Committee for direction and it was acknowledged that this item would not be on the August Regular Board Meeting Agenda.

4. Discussion of Grand Jury Response

President Palmer had been discussing potential responses with General Counsel David Aladjem and felt that any response should highlight the newly-awarded District Transparency Certificate of Excellence. Zone 7's General Counsel conducted a legal review of the Grand Jury's findings and recommendations and confirmed that the Brown Act has been followed by Zone 7 and that all other legal requirements have been met. Director Greci expressed his feeling that it was important to convey that Zone 7 is doing things right but that any letter should thank the Grand Jury for their suggestions and confirm Zone 7's commitment to continuing to improve its transparency. The Committee discussed how best to get Board member input prior to the response coming to the full Board for approval. The committee then asked to have the General Counsel circulate the draft response to all Board members to allow directors the opportunity to provide any suggestions before finalizing the draft and including in the August agenda package.

5. Verbal Reports

President Palmer asked that the upcoming Board Retreat include guidelines from General Counsel about how Board Members should respond when attending public meetings and what to do if more than three Board members attend a public meeting. President Palmer asked that any other suggestions for the agenda be sent to her.

Director Greci reported that he accompanied staff to a Drought Summit hosted by Congressman Swalwell. Topics included the drought and water supply. Many Bay Area water agencies and all the local retailers were present. Director Greci felt the Congressman was open minded and open to discussion and wanted to help move issues forward. Director Greci suggested that more cooperation was needed from the State and Federal Fish and Wildlife agencies to move projects quicker through the permitting processes.

6. Adjournment: President Palmer adjourned the meeting at 5:25 p.m.