Alameda is served by four crossings

Replaces the Alice Street Crossing built in 1946

Project to ensure reliability and redundancy for Alameda
  - Construction cost ~$30 million

Abandonment of existing crossing is a key project component
  - Pipeline will be repurposed to deliver recycled water to Alameda
Key Project Component: Existing Crossing Abandonment

- Barnhill Marina is currently served by two meters connected to the Alice Street Crossing.
- Relocation of existing meters is necessary to support the abandonment.
- Easement is essential to the meter relocation work.
- Condemnation is the only alternative due to Railroad’s demands and restrictions.
Initiation of Eminent Domain Proceedings

• Conduct a public hearing to allow the property owner(s) to address the Board

• Adopt a Resolution of Necessity

• To adopt a Resolution of Necessity, the Board must make four findings:
  ➢ The project is necessary;
  ➢ The property rights are necessary;
  ➢ The project will accomplish the least private injury and the most public good; and
  ➢ Offer of just compensation has been made.
The Alice Street Crossing is susceptible to damages during seismic events.

New Project Crossing is essential to ensure reliability and redundancy for Alameda.

Abandoning the Alice Street Crossing is an essential component.

Relocating the existing meter at Barnhill Marina ensures success to overall project.
The Property Right is Necessary

- The Easement is essential to relocating the Barnhill Marina meters
- Other alternatives explored, but none viable
- Obtaining this easement from Railroad is the only option to support the relocation work
- Relocation of the Barnhill Marina meters ensure water services is maintained
Accomplish Least Private Injury and Most Public Good

• Property is vacant, unused, unimproved, and considered surplus
• Cannot be developed or used for any other purpose
• No impact to Railroad operations
• The meter relocation is essential to success of a project that delivers water to Alameda residents
• Just compensation has been offered
Next Steps

• Adopt a Resolution of Necessity authorizing staff to file eminent domain actions
QUESTIONS?
Board Vacation Scheduling

Board of Directors
May 26, 2020
Overview

- History
- Other agencies’ vacation schedules
- Service area school schedules
- Potential Impacts to District Actions or Activities
- Next Steps
• **1970s – 1985** - intermittent cancellation of either 1st or 2nd set of regularly scheduled meetings in August

• **1986** - began voting consistently to cancel meetings scheduled for the 2nd Tuesday in August
• Findings from informal survey of water and wastewater agencies and JPA partners

• Review of service area school districts and college calendars
# Potential Impacts to District Actions/Activities

<table>
<thead>
<tr>
<th>Proposed Vacation Period</th>
<th>Actions/Activities Impacted</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cancel 2&lt;sup&gt;nd&lt;/sup&gt; meeting in June 2021 Vacation June 9 – July 12</td>
<td>None; in a budget and rates year, could impact ability to be flexible with budget and rates approval date</td>
<td>ex. FY20/21 rates approval had to be pushed to July 11; staff needed time to prepare for this process</td>
</tr>
<tr>
<td>Cancel 1&lt;sup&gt;st&lt;/sup&gt; meeting in July 2021 Vacation June 23 – July 26</td>
<td>Legislative activities (Even years; 2&lt;sup&gt;nd&lt;/sup&gt; year of legislative session)</td>
<td>May necessitate adding a Legislative/HR Committee to 2&lt;sup&gt;nd&lt;/sup&gt; meetings in July to facilitate action on bills in first weeks of the last month of the 2-year session. Though the legislature is out in July, many bill changes occur in June that may necessitate Board action</td>
</tr>
<tr>
<td>Cancel 2&lt;sup&gt;nd&lt;/sup&gt; meeting in July 2021 Vacation July 14 – August 9</td>
<td>Multi-family lien process including public hearing</td>
<td>Public hearing date (normally scheduled for 2&lt;sup&gt;nd&lt;/sup&gt; meeting in July) would have to move up; staff would have to revise schedule to notify customers, gather data, and prepare documentation since liens have to be filed with the counties on or by August 10</td>
</tr>
<tr>
<td>Cancel 1&lt;sup&gt;st&lt;/sup&gt; meeting in August 2021 Vacation July 28 – August 23</td>
<td>Legislative activities (Even years; 2&lt;sup&gt;nd&lt;/sup&gt; year of legislative session)</td>
<td>Could impair Board ability to act on measures in time to affect the outcome. Leaves Board with the last opportunity to act on bills via a Legislative/HR Committee in early July, prior to many of the last-minute changes that occur near the end of the legislative session</td>
</tr>
<tr>
<td>Cancel 2&lt;sup&gt;nd&lt;/sup&gt; meeting in August 2021 Vacation August 11 – September 13</td>
<td>None</td>
<td>Traditional Board vacation schedule</td>
</tr>
</tbody>
</table>
Next Steps

• Board consider information presented
• Discuss potential revisions to vacation schedule for 2021 and going forward
Board Appointment Authority
Under Assembly Bill 408

Board of Directors
May 26, 2020
Overview

• Background

• Election Timeline/AB 408 Authority

• Board Consideration

• Next Steps
• Assembly Bill 408 (AB 408) amended the Municipal Utility District (MUD) Act to *allow, but not require*, the Board to appoint uncontested Board candidates in lieu of holding an election.

• The District sought this amendment to have the same authority to use an appointment process that other local governmental entities have and to help save ratepayer $$ when a Ward seat is unopposed.

• The bill went into effect in January 2014; **this is the fourth election** where the Board has the opportunity to exercise its appointment authority.
• Candidate filing period for Ward seats is July 13–August 7

• If incumbent does not file by 5pm on 8/7, non-incumbents have until 5pm on 8/12 to file

• AB 408 authority is triggered once county(ies) send notice stating *no or only one candidate* has filed by 8/12 deadline (83 days before election)

• AB 408 authority can only be exercised between 8/12 and 8/19 (76 days before the election)

• Regularly scheduled Board meetings in August are 8/11 and 8/25
If county(ies) send notice that *no candidate or only one candidate* has filed for an open Ward seat by 8/12, AB 408 authorizes Board to do one of three things *by 8/19*: 

- Appoint sole candidate
- If no candidate, appoint an eligible person or adopt a process to appoint an eligible person before the November 6 election
- Proceed with the election

*If every open Ward seat has two or more candidates, AB 408 authority not triggered; election must go forward.*
• Narrow timeframe in statute to exercise AB 408 authority (8/12 – 8/19)

• Both regularly scheduled meetings fall outside the timeframe (8/11 and 8/25)

• Board has discretion to direct the Secretary to schedule August 2020 meetings as follows:
  
  • If notice received from county(ies), schedule a special meeting between 8/12 and 8/19
  • Do not schedule a special meeting or exercise AB 408 authority and proceed with an election regardless of the number of candidates running for an open ward seat
Next Steps

Direct the Secretary to schedule August 2020 Board meetings to allow the Board to exercise AB 408 authority

- Hold first meeting on 8/11
- Cancel second meeting scheduled for 8/25
- Schedule special meeting between 8/12 and 8/19

Alternatively, Board can waive AB 408 authority this year and proceed with an election regardless of the number of candidates running for an open Ward seat