



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 – 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0404

**AGENDA
Tuesday, May 13, 2014**

**REGULAR CLOSED SESSION
11:00 a.m., Board Room**

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *United States of America, et al. v. East Bay Municipal Utility District*
USDC, N.D. Cal., Case No. CV 09-0186 RS
2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding the renegotiation of conditions and terms of payment for the existing lease of property identified as portions of Parcel No. 018-0305-003-16 in the City of Oakland, Alameda County, California, for Viridis Fuels' use as a biodiesel production and glycerin refining facility. East Bay Municipal Utility District negotiators: Ben Horenstein, Director of Wastewater, and Stephen Boeri, Manager of Real Estate Services. Negotiating parties: East Bay Municipal Utility District and Viridis Fuels.

(The Board will hold Closed Session in Conference Room 8A/B)

**REGULAR BUSINESS MEETING
1:15 p.m., Board Room**

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

ANNOUNCEMENTS FROM CLOSED SESSION:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

CONSENT CALENDAR: (Single motion and vote approving 13 recommendations including 2 resolutions)

1. Approve the Regular Meeting Minutes of April 22, 2014.
2. File correspondence with the Board.
3. Award a two-year contract to each of the lowest responsive/responsible bidders, NBC Supply Corp, Magid Glove and Safety, LLC., S&S Supplies and Solutions, and Sunwest Group, in the respective annual amounts after the addition of taxes of \$37,456.76, \$18,578.79, \$88,245.05 and \$25,681.49 for supplying protective equipment and supplies to the District with three options to renew for an additional one-year period for a total cost not to exceed \$849,810.43 under Request for Quotation No. 1416.
4. Authorize an agreement with California Generator Service in an estimated amount of \$294,040 for generator maintenance at various District locations during the period May 19, 2014 to May 19, 2017 with two options to renew for additional one-year period under Request for Quotation No. 1417 for a total cost not to exceed \$490,067.
5. Award a contract to the lowest responsive/responsible bidder, RFI Enterprises, Inc., in an amount, after the addition of taxes, not to exceed \$191,098 for supplying sixteen video recorders for fourteen District facilities for the period beginning May 13, 2014 and ending May 12, 2015 under Request for Quotation No. 1419.
6. Award a one-year contract to the lowest responsive/responsible bidder, All Industrial Electric Supply, in an amount after the addition of taxes, not to exceed \$114,840, for supplying main fused switch replacement materials for the Administration Building for the period beginning May 14, 2014 and ending May 13, 2015, under Request for Quotation No. 1422.
7. Award a contract to the lowest responsive/responsible bidder, American Construction and Supply, Inc. in the amount of \$372,277 for construction of the Mokelumne Aqueducts Cathodic Protection Improvements under Specification 2076.
8. Authorize an agreement with GHD, Inc. in an amount not to exceed \$170,000 for professional services for the predesign of upgrades to the communication systems at the District's Main Wastewater Treatment Plant during the period June 2014 to December 2014.
9. Authorize an agreement with West Yost Associates in an amount not to exceed \$200,000 for groundwater monitoring data evaluation and preparation and certification of associated reports, at the District's four Pardee Area wastewater treatment plants and Bayside Aquifer Storage and Recovery Groundwater Project, for the period May 19, 2014 to June 30, 2019, for compliance with regulatory requirements in discharge permits at these facilities.

CONSENT CALENDAR: (Continued)

10. Approve the Water Supply Assessment requested by the City of San Leandro for the City of San Leandro Shoreline Development Project pursuant to the California Water Code, Section 10910-10915.
11. Approve an increase to the existing agreement with O. C. Tanner Recognition Company in an amount not to exceed \$50,000 and extend the agreement by six months to provide employee service awards through December 31, 2014.
12. Approve a lease agreement with Cranbrook Realty Investment Fund, LP dba Lodi Wine and Business Center for 6,517 square feet of office space and 6,000 square feet of warehouse space, located at 1 Winemaster Way (aka Lodi Wine and Business Center) in Lodi for five years, commencing on June 1, 2014 thru May 31, 2019. The base rent is \$66,089 for the first year with a total scheduled base rent including escalation over the five-year term of \$345,470. (Resolution)
13. Appointment of Treasury Manager. (Resolution)

DETERMINATION AND DISCUSSION:

14. Legislative Update:
 - Receive Legislative Report No. 07-14 and consider positions on the following bills: AB 2684 (Stone) Hatchery Practices: Salmon and Steelhead; SB 1199 (Hancock) Wild and Scenic Rivers: Mokelumne River; and H.R. 4456 (Miller) To Determine the Feasibility of Additional Agreements for Long-Term Use of Existing or Expanded Non-Federal Storage and Conveyance Facilities
 - Update on Legislative Issues of Interest to EBMUD
15. File a report and set a Public Hearing for the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218 and Regulations for Fiscal Year 2015:
 - 15.1. File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2015.
 - 15.2. Set a Public Hearing on Tuesday, June 10, 2014 during the Board's regular meeting to consider the report and recommendation.
16. Approve the following actions relating to 2014 Water Shortage Action Plan:
 - 16.1. Approve the 2014 Water Shortage Action Plan in accordance with District Policy 9.03.
 - 16.2. Report to the Department of Water Resources and the State Water Resources Control Board on the District's 2014 Water Shortage Plan and the effectiveness of the plan to reduce water use pursuant to California Water Code, Section 1058.5 per the Governor's Executive Order.
 - 16.3. Continue the necessary actions to prepare for drought conditions if dry conditions worsen.

DETERMINATION AND DISCUSSION: (Continued)

17. Conduct a second and final reading, and vote on an ordinance amending the EBMUD Employees' Retirement System Ordinance (Ordinance No. 40) to update Section 6(d) and Section 2(n). (Continue Second Reading and Vote -- Ordinance No. 361-14)
18. General Manager's Report:
 - Water Supply Update
 - Monthly Report – April 2014

REPORTS AND DIRECTOR COMMENTS:

19. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Sustainability/Energy
 - Finance/Administration
20. Director Comments.

ADJOURNMENT:

In honor of those employees and retirees who have passed away in the last year.

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 27, 2014 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this Agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, May 13	<p>Planning Committee Foulkes (Chair), Linney, McIntosh</p> <p>Legislative/Human Resources Committee McIntosh (Chair), Coleman, Mellon</p> <p>Board of Directors</p>	<p>9:15 a.m. Training Resource Center</p> <p>10:15 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Panoramic Hill Water System Improvements Update • Update on Food Waste Sourcing • Bay Area Regional Reliability Principles • Distribution Valve Maintenance • Transparency in Labor Negotiations • Legislative Report
Monday, May 26	Memorial Day Holiday		<ul style="list-style-type: none"> • District Offices Closed
Tuesday, May 27	<p>Strategic Plan Update & FY15 Mid-Cycle Budget/Rates Workshop</p> <p>Finance/Administration Committee Coleman (Chair), Linney, Patterson</p> <p>Board of Directors</p>	<p>TBD Training Resource Center</p> <p>10:00 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	
Tuesday, June 10	<p>Planning Committee Foulkes (Chair), Linney, McIntosh</p> <p>Legislative/Human Resources Committee McIntosh (Chair), Coleman, Mellon</p> <p>Board of Directors</p>	<p>9:15 a.m. Training Resource Center</p> <p>10:15 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	
Tuesday, June 24	<p>Finance/Administration Committee Coleman (Chair), Linney, Patterson</p> <p>Sustainability/Energy Committee Linney (Chair), Foulkes, Katz</p> <p>Board of Directors</p>	<p>10:00 a.m. Training Resource Center</p> <p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	
Friday, July 4	Fourth-of-July Holiday		<ul style="list-style-type: none"> • District Offices Closed