



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, February 14, 2006**

**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):

In Re Consolidated Cases Re East Bay Municipal Utility District Pipeline Project, Specification No. 1861, Contra Costa County Superior Court, Case No. C04-01493.
2. Existing litigation pursuant to Government Code section 54956.9(b): Claim of Greg Coons.
3. Conference with real property negotiator pursuant to Government Code section 54956.8 regarding price and terms of payment for Oakland Army Base Property , Parcel Number 0000-0305-003-12 (portion). Negotiating parties: Director of Wastewater for East Bay Municipal Utility District, Shay Atluru, President, DTC Engineers and Constructors for DTC Engineers and Constructors and Chief, Facility Acquisition for United States Army Reserve.
4. Conference with real property negotiator pursuant to Government Code section 54956.8 regarding price and terms for possible sale of the Redwood Filter Plant property, bordered by Carlton Avenue, Sydney Way, Stanton Avenue and Jennifer Drive, Castro Valley, California. Negotiating parties: Stephen Boeri, Manager of Real Estate Services for East Bay Municipal Utility District, and for the Hayward Area Recreation & Park District, Eric Willyerd, General Manager.
5. Conference with labor negotiators Dennis Diemer, Artis Dawson, Gwen McDonald, Mark Berenberg, and Glen Berkheimer from Industrial Employers Distributors Association (I.E.D.A.) pursuant to Government Code section 54957.6: Employee organizations International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; International Union of Operating Engineers, Stationary Engineers, Local 39, AFL-CIO; and Locals 444 and 2019, American Federation of State, County and Municipal Employees, AFL-CIO.

(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

PRESENTATION:

- National Institute of Purchasing Achievement of Excellence Award in Procurement

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 7 recommendations including 2 Resolutions)

1. Approve the Regular Meeting Minutes of January 24, 2006.
2. File correspondence with the Board.
3. Award a contract to SolarBee in the amount of \$112,390 for supplying two floating hydraulic mixers installed at North Reservoir.
4. Authorize an agreement with Roger's Janitorial in an amount not to exceed \$18,000 annually for janitorial services at Pardee Center during the period March 1, 2006 to February 28, 2008, for a two-year total of \$36,000, with options to renew for two additional one-year periods, under Request For Proposal No. 031.
5. Authorize an agreement with Titan Enterprises in an amount not to exceed \$78,000 annually for security guard services at the District's Mokelumne River Day Use Area during the period February 17, 2006 to June 30, 2007, with three options to renew for additional one-year periods.
6. Authorize a three year lease with Eleventh and L Properties for 1,971 rentable square feet (1,760 useable square feet) of office space located at 1127 Eleventh Street, Suite 414 in Sacramento for the District's Office of Inter-Governmental Affairs for the monthly amount of \$4336.00 (for a three-year cost of \$156,096.00), with two one-year options to extend the lease.
(Resolution)

CONSENT CALENDAR: (Continued)

7. Authorize approval of a Purchase and Sale Agreement with DTC Engineers & Constructors, LLC that includes a newly negotiated provision, and is contingent upon the District entering into an open-ended no-cost lease with the U.S. Army for continued use of the 15.9-acre parcel until the U.S. Army Reserve is able to relocate to its replacement facilities. (Resolution)

DETERMINATION AND DISCUSSION:

8. Consider Alternatives to the Current Bid Process for the Sale of the Redwood Filter Plant Property.
9. Legislative Update:
 - Receive Legislative Report No. 1-06 and consider positions on the following bills: AB 1839 (Laird) – Water: Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010; AB 1848 (Bermudez) – Homeland Security: Interoperable Public Safety Communication Network; AB 1953 (Chan) – Lead Plumbing; SB 1121 (Kehoe) – Validations; SB 1122 (Kehoe) – Validations; SB 1123 (Kehoe) – Validations; SB 1166 (Aanestad) – Water: Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010; and SCA 20 (McClintock) – Eminent Domain: Condemnation Proceedings
 - Update on Legislative Issues of Interest to EBMUD
10. Authorize the following agreements for services for the Richmond Advanced Recycled Expansion (RARE) Water Project:
 - 10.1 Authorize an agreement with Black & Veatch Corporation (B&V) in an amount not to exceed \$1,748,000 for preparation of preliminary design documents for the RARE Water Project.
 - 10.2 Authorize an agreement with Environmental Science Associates in an amount not to exceed \$606,498 for preparation of environmental documentation for the RARE Water Project.
 - 10.3 Authorize execution of Supply Agreement Principles with the Chevron Richmond Refinery for the RARE Water Project.
11. General Manager's Report:
 - Climate Change
 - Monthly Report – January 2006
 - Water Supply Update

REPORTS AND DIRECTOR COMMENTS:

12. Committee Reports:
- Planning
 - Finance/Administration
 - Legislative/Human Resources
 - Utility/Energy
 - DSRSD/EBMUD Recycled Water Authority (DERWA)
13. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, February 28, 2006 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

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.