



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, February 13, 2007**

**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. City of Oakland v. East Bay Municipal Utility District, Alameda County Superior Court, Case No. G07308738.
 - b. California State Water Resources Control Board Review Upon Own Motion of EBMUD Wet Weather Permit (Order No. R2-2—5-0047 [NPDES No. CA003840]) and Time Schedule Order (Order No. R2-2005-0048), San Francisco Bay Region.
2. Significant exposure to litigation pursuant to Government Code section 54956.9(b): one matter.
3. Conference with labor negotiators Dennis Diemer, Gwen McDonald, Mark Berenberg, Tamara Wickland, Glen Berkheimer, and Bruce Heid 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

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 10 recommendations including 1 Resolution)

1. Approve the Regular Meeting Minutes of January 23, 2007.
2. File correspondence with the Board.
3. Award a contract to the Lane Family Partnership No. 1 (Lane) in the amount of \$555,210 to provide 5.703 vernal pool and 7.8 California Tiger Salamander preservation credits to mitigate environmental impacts of the Folsom South Canal Connection (FSCC) project in San Joaquin County under Proposal No. 0704.
4. Award a contract to the lowest responsible/responsive bidder, Polydyne Inc., in the estimated annual amount of \$448,594 to supply Poly DADMAC for District Water Treatment Plants for the period beginning February 13, 2007, and ending February 12, 2008, with two options to renew for additional one-year periods under Proposal No. 0708.
5. Award a contract to the lowest responsive/responsible bidder Merrick Industries, Inc. in the amount of \$227,961 for supplying two potassium permanganate feed systems for the Sobrante and Upper San Leandro Water Treatment Plants (WTPs) under Proposal No. 0712.
6. Award a contract to the lowest responsive/responsible bidder, Ranger Pipelines Inc., in the amount of \$1,421,400 for construction of the Happy Valley Road Pipeline Improvement Project under Specification No. 1966.
7. Authorize an agreement with Brown and Caldwell in an amount not to exceed \$2,695,822 for the design of the District's Main Wastewater Treatment Plant (MWWTP) Digester Upgrade Phase 2 Project.
8. Authorize an agreement with Informatix Incorporated in an amount not to exceed \$50,000 annually for assistance in maintaining the Legacy Customer Information System (CIS) between February 14, 2007 and January 31, 2008 with an option to renew for four additional one year periods.
9. Authorize amendment of an agreement with Dublin San Ramon Services District (DSRSD) for the operation of additional interconnections for the transfer of water between DSRSD and the District in the event of an emergency.
10. Appoint Director of Administration. (Resolution)

DETERMINATION AND DISCUSSION:

11. Legislative Update:
 - Receive Legislative Report No. 02-07 and consider positions on the following bills: AB 14 (Laird) – Discrimination: Civil Rights Act of 2007; AB 70 (Jones) – Flood Liability; SB 141 (Committee on Local Government) – Validations; SB 142 (Committee on Local Government) – Validations; SB 143 (Committee on Local Government) – Validations
12. General Manager’s Report:
 - Claremont Tunnel Update
 - Monthly Report – January 2007

REPORTS AND DIRECTOR COMMENTS:

13. Committee Reports.
14. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, February 27, 2007 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

If you require a disability-related modification or accommodation to participate in an EB MUD 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.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Monday, February 12			<ul style="list-style-type: none"> • <i>Lincoln's Birthday Holiday District Offices Closed</i>
Tuesday, February 13	<p>Finance/Administration Committee Patterson (Chair), Coleman, Mellon</p> <p>Planning Committee Foulkes (Chair), Katz, Linney</p> <p>Legislative/Human Resources Committee Linney (Chair), Coleman, Patterson</p> <p>Board of Directors</p>	<p>8:00 a.m. Training Resource Center</p> <p>8:45 a.m. Training Resource Center</p> <p>10:00 a.m. Training Resource Center</p> <p>8:30 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • <i>Cancelled</i> • <i>Cancelled</i> • <i>Cancelled</i> • Strategic Plan Update Workshop • Closed Session • Regular Meeting
Tuesday, February 27	<p>Special Finance/Administration Committee Patterson (Chair), Coleman, Mellon</p> <p>Board of Directors</p>	<p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • San Pablo Recreation • Semi-Annual Budget Performance Report • Investment Policy • Quarterly Financials • Closed Session • Regular Meeting
Wednesday, February 28	EBMUD/EBRPD Liaison Committee	3 p.m. Training Resource Center	

All regular business meetings of the Board of Directors are held at 1:15 p.m. on the 2nd and 4th Tuesday of each month. Unless otherwise noted, all meetings are held in the Administrative Center Board Room, 375 Eleventh Street, Oakland, California.