



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, April 25, 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):
 - a. In Re Consolidated Cases Re East Bay Municipal Utility District Pipeline Project, Specification 1861, Contra Costa County Superior Court Case No. C04-01493
 - b. Clarke v. EBMUD, Contra Costa County Superior Court, Case No.: C04-00841
2. Consideration of appointment of public employee pursuant to Government Code section 54957: General Counsel.

(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 5 Resolutions.)

1. Approve the Regular Meeting Minutes of April 11, 2006.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Farwest Corrosion Control Company, in the amount of \$117,230 for construction of Briones and Orinda Aqueducts Cathodic Protection Project under Specification 1914.
4. Award a contract to Envirex, Inc., dba US Filter's Envirex Products, in the amount of \$885,700, for supply and installation of one membrane cover at the Main Wastewater Treatment Plant Digester No. 2 under Specification SD 301.
5. Approve the exercise of two one-year options to extend contracted services from PhoneCharge, Inc. The options to renew are included in the original contract approved by the Board on April 22, 2003.
6. Authorize an amendment to an agreement with URS Corporation in an amount not to exceed \$129,800 for construction management support services for the Claremont Tunnel Seismic Upgrade Project.
7. Authorize a Rental Payment Amendment of an existing agreement between the District and Strong Capital I Funding L.P. that would allow the District to extend its license agreement for maintaining a transmission pipeline in the Walnut Creek Broadway Shopping Center parking lot until 2025 at a fixed discounted rental rate of \$331,480. (Resolution)
8. Authorize an agreement for high speed data network and Internet services with AT&T for an estimated amount of \$136,000/year for a five-year period from June 2006 through May 2011.
9. Authorize two joint funding agreements with the United States Geological Survey totaling \$1,318,350 to design and construct components of the Bayside Groundwater Project subsidence monitoring program. EBMUD's cost under these agreements will not exceed \$1,129,950.
10. Authorize an application for up to \$300,000 in United States Bureau of Reclamation Grant funding for the Water Conservation project entitled *Distribution Pipeline Acoustic Leak Detection Study*. (Resolution)
11. Authorize an application for up to \$300,000 in United States Bureau of Reclamation Grant funding for the Water Conservation *Aqueduct Leak Detection Study*. (Resolution)

CONSENT CALENDAR: (Continued)

12. Authorize the General Manager to execute all documents for a Proposition 50 Chapter 3 grant in the amount of \$2.25 million from the Department of Health Services to support the Hayward Intertie Project. (Resolution)
13. Adopt a Resolution fixing the ward boundaries from which EBMUD Directors are elected for the November 7, 2006 General Election. (Resolution)

DETERMINATION AND DISCUSSION:

14. Legislative Update:
 - Receive Legislative Report No. 6-06 and consider positions on the following bills: AB 1881 (Laird) Water Conservation in Landscaping Act; AB 2116 (Cohn) Emergency Services: Disaster Assistance Equipment; AB 2208 (Jones) Delta Levee and Conveyance System: Water User Fee; SB 1210 (Torlakson) Eminent Domain; SB 1574 (Kuehl) Sacramento-San Joaquin Delta; and SB 1612 (Simitian) Clean Drinking Water, Water Supply Security, and Environmental Improvement Bond Act of 2006
 - Update on Legislative Issues of Interest to EBMUD
15. Consider the following actions for the Freeport Regional Water Project:
 - 15.1 Review and consider the Freeport Regional Water Project (FRWP) Initial Study and Supplemental Mitigated Negative Declaration, prepared by the lead agency, the Freeport Regional Water Authority.
 - 15.2 Approve modifications to EBMUD facilities extending the FRWP joint facilities to the EBMUD Mokelumne Aqueducts, which are identified in the Initial Study and Supplemental Mitigated Negative Declaration, and Addendum to the FRWP Final EIR.
 - 15.3 Adopt the FWRP Supplemental Mitigation Monitoring and Reporting Plan. (Resolution)
16. File a report and set a Public Hearing for the Water and Wastewater System Schedules of Rates and Charges including System Capacity Charges.
 - 16.1 File the report and recommendation for revisions to the System Capacity Charges and other Water and Wastewater System Rates and Fees.
 - 16.2 Set a Public Hearing for 2:00 p.m. on Tuesday, May 9, 2006, during the Board's regular meeting to consider the report and recommendation.

DETERMINATION AND DISCUSSION: (Continued)

17. File the Water Supply Availability and Deficiency Report for 2006, in conformance with Policy 9.03.
18. General Manager's Report:
 - Winter 2006 Storm Report
 - Water Supply Update

REPORTS AND DIRECTOR COMMENTS:

19. Committee Reports:
 - Legislative/Human Resources
 - EBMUD/EBRPD Liaison
20. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 9, 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.