



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, May 13, 2008**

**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. EBMUD v. City of Oakland, et al.
Alameda County Superior Court, Case No. RG07326552
2. Significant exposure to litigation pursuant to Government Code section 54956.9(b): one matter.

(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 9 recommendations)

1. Approve the Special and Regular Meeting Minutes of April 22, 2008.
2. File correspondence with the Board.
3. Award a contract for 5/8" water meters to the lowest responsible/responsive bidder Rupert Construction Supply, LLC in the estimated annual amount of \$505,687.50 for the period beginning May 13, 2008 and ending March 31, 2009 with four options to renew for an additional one-year period under Proposal No. 0807A.
4. Award a contract to Air-1 Moving and Storage Services in the estimated annual amount of \$50,000 to provide special coordinated moving services and general moving services for a three-year period beginning June 1, 2008 and ending May 31, 2011 with an option to extend for two additional one-year periods under Request for Proposal No. PUR 050.
5. Award a contract and authorize an agreement related to the San Pablo Dam Seismic Upgrades.
 - a. Award a contract to the lowest responsive/responsible bidder, Sukut Construction, Inc., in the amount of \$54,684,800 for construction of San Pablo Dam Seismic Upgrades under Specification 1968.
 - b. Authorize an agreement with Kleinfelder West, Inc., in an amount not to exceed \$3,244,613 for construction management services for the San Pablo Dam Seismic Upgrades project.
6. Authorize an agreement with Cameron Compression in the amount not to exceed \$780,000, to overhaul, repair and upgrade the Main Wastewater Treatment Plant gas and air compressors during the period June 1, 2008 to May 31, 2011 with two options to renew for an additional one-year period.
7. Authorize an agreement with Utility Revenue Management Company, Inc. for revenue recovery audit services to identify and correct systems and business process issues that result in unbilled revenues, and provide District staff training on revenue recovery tools and methodology. The agreement is for an initial 4 ½ -year term from May 15, 2008 through November 30, 2012 with two one-year renewal terms at the sole option of the District, and will not exceed \$6,000,000.
8. Authorize an amendment to the agreement with Frontier Technology, Inc., previously awarded under Board Motion 131-05, in an annual amount not to exceed \$20,000 for services to enhance and maintain the Electronic Timesheet System during the period June 1, 2008 to June 30, 2011.
9. Approve the Water Supply Assessment requested by the City of San Leandro for the ICI Mixed-Use Development Project, pursuant to California Water Code, Sections 10910-10915.

DETERMINATION AND DISCUSSION:

10. Legislative Update:
 - Receive Legislative Report No. 05-08 and consider positions on the following bills:
AB 1879 (Feuer) Hazardous Materials: Toxic Substances; AB 2219 (Para) Subdivisions: Water Supply; AB 2425 (Coto) State Department of Public Health: Water Quality: Pharmaceuticals; SB 1518 (Correa) Water Charges, Meters, and Submeters: Multiunit Residential Structures
 - Update on Legislative Issues of Interest to EBMUD

11. File a report and set a Public Hearing for the Water System Schedules of Rates and Charges including System Capacity Charges.
 - 11.1. File the FY09 Report and Recommendation of the General Manager for Revisions to the Water System Schedule of Rates and Charges, Regulations, and Public Records Act Fee Schedule.
 - 11.2. Set a Public Hearing on Tuesday, May 27, 2008 to consider the report and recommendation.

12. Declare a water shortage emergency and approve changes to the FY08 budget and position resolution.
 - 12.1. Conduct a Public Hearing on the proposed water shortage emergency declaration.
 - 12.2. Adopt one Resolution which:
 - a. Declares a water shortage emergency within the District's service area, and
 - b. Adopts a Drought Management Program for reducing water use that includes:
 1. Adopting Section 28 of the EBMUD Regulations Governing Water Service to Customers to establish water use reduction goals by customer group and define temporary water use prohibitions and restrictions that will be effective May 13, 2008 and remain in effect until Section 28 is either revised based on changing circumstances or rescinded at the end of the drought.
 2. Amending the Fiscal Year 2008 budget in the total amount of \$5,214,000 and amending the FY2008 position resolution to authorize 13 Limited Term (LT) and 6 Temporary positions to provide resources necessary to inform customers of their water reduction use goals, assist customers in meeting their goals, and manage and enforce the program. (Resolution)

DETERMINATION AND DISCUSSION (Continued):

13. File a report and set a Public Hearing for Drought Water Rates.
 - 13.1. File the FY09 Report and Recommendation of the General Manager for drought water rates.
 - 13.2. Set a Public Hearing on Tuesday, July 8, 2008 for consideration of the proposed drought water rates.
14. General Manager's Report:
 - Monthly Report – April 2008

REPORTS AND DIRECTOR COMMENTS:

15. Committee Reports:
 - DERWA
 - Planning
 - Finance/Administration
 - Legislative/Human Resources
16. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 27, 2008 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	Planning Committee Linney (Chair), Foulkes, Katz	9:00 a.m. Training Resource Center	<ul style="list-style-type: none"> • Round Hill Pressure Zone Improvement Project • Moraga Road Pipeline Project • Central Oakland Hills Cascade Pressure Zone Improvements Project-Dingee Pressure Zone Improvements
	Finance/Administration Mellon (Chair), Coleman, Patterson	9:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Semi-Annual Internal Audit Report • Financial Quarterly Reports
	Legislative/Human Resources Coleman (Chair), Linney, Patterson	10:15 a.m. Training Resource Center	<ul style="list-style-type: none"> • Pilot Staff Rotation Program • City of Oakland Landscaping and Lighting Assessment District Proposed Assessment Increase • Legislative Update
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, May 26	HOLIDAY		Offices Closed
Tuesday, May 27	Mid-Cycle Budget Workshop	8:30 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting