



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, June 13, 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. East Bay Municipal Utility District v. Shell Oil Company et al., San Francisco County Superior Court, Case No. CGC-04-431386
 - b. Gas Pipeline Explosion Cases; Coordinated Actions, Contra Costa County Superior Court, Judicial Council Coordination Proceeding No. 4433
 - c. Parker, et al. v King Security Services, San Francisco County Superior Court, Case No. CGD-06-449368

2. 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.

(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 17 recommendations and 3 Resolutions.)

1. Approve the Regular Meeting Minutes of May 23, 2006.
2. File correspondence with the Board.
3. Implement a Photovoltaic Roof Project at the Sobrante Water Treatment Plant:
 - 3.1 Authorize acceptance of two agreements with Pacific Gas and Electric Company (PG&E) to support the Sobrante Water Treatment Plant Photovoltaic Project:
 - a. Self Generation Incentive Program contract which provides a rebate award of \$1,204,000; and
 - b. Interconnection Agreement establishing provisions to connect the photovoltaic system to the PG&E electrical distribution system.
 - 3.2 Award a contract to the lowest responsible/responsive bidder PowerLight Corporation in the amount of \$3,164,625 for supplying a 430 kilowatt photovoltaic system at the Sobrante Water Treatment Plant, under Proposal No. 0629.
4. Award a contract to the lowest responsible/responsive bidder Manito Construction, Inc. in the total amount not to exceed \$317,325 to lease a membrane bio-reactor (MBR) wastewater treatment package plant for Pardee Center for the period beginning August 15, 2006 and ending August 15, 2007, with an option to purchase the MBR at any time in this period, for an additional amount not to exceed \$525,525, under Proposal No. 0630.
5. Award a contract to the lowest responsive/responsible bidder ERS Industrial Services, Inc. in the amount of \$2,218,993 for construction of the Lafayette Water Treatment Plant Filter Rebuild Project under Specification 1953.
6. Approve a ten-year contract with Camanche Hills Hunting Preserve, Inc. for operation and maintenance of the Camanche Hills Hunting Preserve. This contract will be in effect from July 1, 2006 through June 30, 2016 unless terminated earlier or extended as provided by the contract.
7. Award a contract to the East Bay Conservation Corps in the amount of \$451,000 to provide vegetation control landscaping and related duties at various District properties for a period of one year beginning July 1, 2006 through June 30, 2007.

CONSENT CALENDAR: (Continued)

8. Authorize an agreement with Black & Veatch Special Projects Corporation in an amount not to exceed \$750,000 for electrical design services for the Security System Improvements Project at the Sobrante, Upper San Leandro, and Walnut Creek Water Treatment Plants, and Upcountry and Aqueduct Facilities
9. Amend an agreement with CheckFree Corporation in the estimated amount of \$22,500 annually to provide Internet (electronic) bill presentment and payment services from July 1, 2006 to June 30, 2008, with three one-year options to renew.
10. Authorize an agreement with ENS Resources, Inc. in the amount of \$111,199 for continued legislative and regulatory information-gathering, analysis, representation, and liaison services in Washington, D.C., from June 30, 2006 to June 30, 2007.
11. Authorize an amendment to an existing agreement with Frontier Technology, Inc. to extend the contract term from June 30, 2006 to June 30, 2007 to provide application maintenance and enhancements for the Electronic Timesheet System and conversion of legacy applications to web technologies.
12. Amend an agreement with Pacific EcoRisk Laboratory in the amount of \$45,000 for analytical services related to Richmond Advanced Recycled Expansion Water Project.
13. Authorize amendments to existing agreements with S.N. Sands Company dba S&S Trucking and Fleet Transportation Services LLC pursuant to Proposal No. 0403 to add five additional one-year options to the agreement terms and potentially extend the agreements through December 31, 2013, to provide biosolids hauling and disposal services at their current estimated annual amounts of \$1,200,000.00 and \$500,000.00, respectively.
14. Authorize an amendment to an existing agreement with Verizon Wireless authorized under Board Motion 162-01 to increase the contract amount by \$85,000 from \$375,000 to \$460,000.
15. Approve required actions for Election of EBMUD Directors:
 - 15.1 Adopt a resolution calling for the election of four Directors at the November 7, 2006 statewide General Election. (Resolution)
 - 15.2 Adopt a resolution requesting the Board of Supervisors of Alameda and Contra Costa Counties to consolidate the District election for the office of Director with the statewide General Election on November 7, 2006. (Resolution)
 - 15.3 Adopt a resolution establishing the criteria for publication of candidates' statements and authorizing the Secretary to bill candidates for certain costs. (Resolution)

CONSENT CALENDAR: (Continued)

16. Authorize the Office of the General Counsel to continue employment of the law firm of Bowles and Verna for specialized services related to construction and insurance litigation matters.
17. Authorize the Office of the General Counsel to continue employment of the Law Offices of Curtis T. White for specialized legal services in Federal Communications Commission related matters.

DETERMINATION AND DISCUSSION:

18. Legislative Update:
 - Receive Legislative Report No. 9-06 and consider positions on the following bills: AB 463 (Tran) – Subsurface Installations: Excavation; AB 1877 (Nakanishi) – Flood Control: Natural Community Conservation Plan; SB 1169 (Cox) – Municipal Utility Districts: Purchases; and SB 1242 (Lowenthal) – Integrated Regional Water Management Plan Act of 2002
 - Update on Legislative Issues of Interest to EBMUD
19. Authorize approval of the Bay Area Water Forum Memorandum of Understanding to indicate EBMUD's support for continuation of this regional forum for discussion of water issues.
20. Determination to cast EBMUD ballots in favor of City of Oakland and City of San Ramon proposals to levy increases in landscaping and lighting assessments on various District properties.
 - 20a. City of Oakland Landscape and Lighting Assessment District Proposed Assessment Increase
 - 20b. City of San Ramon Landscape and Lighting District Proposed Assessment Increase
21. General Manager's Report:
 - Monthly Report – May 2006

REPORTS AND DIRECTOR COMMENTS:

22. Committee Reports:
 - Planning
 - Legislative/Human Resources

REPORTS AND DIRECTOR COMMENTS: (Continued)

23. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, June 27, 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 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.