



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, June 27, 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. Gas Pipeline Explosion Cases; Coordinated Actions, Contra Costa County Superior Court, Judicial Council Coordination Proceeding No. 4433
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
- Present General Counsel Robert C. Helwick with 30-years of service pin, commend him for his service as General Counsel, and wish him well in his retirement. (Resolution)

PRESENTATIONS:

- Present the Northern California Supplier Developer Council 2006 Hall of Fame Award to EBMUD for Diversity in the Market Place.

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 14 recommendations, including 2 Resolutions.)

1. Approve the Special Meeting and Regular Meeting Minutes of June 13, 2006.
2. File correspondence with the Board.
3. Approve the assignment of the optical imaging services contract, previously awarded under PUR 010 by Board Motion No. 087-03, from Image Max, Inc. to DataBank IMX, LLC. The remaining value on this contract is an estimated amount of \$122,457 for the remaining contract term, which ends June 30, 2008.
4. Award a contract to the lowest responsible/responsive bidders George Reed, Inc. and Ford Construction in the estimated amounts of \$240,550 and \$70,550, respectively, for supplying and placing Mokelumne River gravel in the lower Mokelumne River for spawning habitat enhancement during the period July 1, 2006 through September 30, 2008.
5. Award contracts to SAF-r-DIG Utility Surveys, Inc., Exaro Technologies Corporation, and Bess TestLab Inc. for a total estimated annual amount of \$40,000 for vacuum extraction potholing services for the period beginning July 1, 2006 and ending June 30, 2009, with two District options to renew the agreement for two additional one-year periods under Proposal No. PUR039.
6. Award a contract to US Filter Wastewater Group, Inc. 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 No. SD 301 and authorize the subsequent transfer of this contract from US Filter Wastewater Group, Inc. to Siemens Water Technologies Corporation provided that the transfer makes no changes to the terms and conditions of the contract.
7. Authorize an amendment to an agreement with Recovery Solutions, Inc. (RSI) to continue a pilot project for processing delivered liquid containing fats, oil and grease (FOG) for the period beginning July 30, 2006 and ending July 30, 2008, with an optional one year extension. The terms include payment of \$0.055/gallon of FOG delivered to and processed by RSI and require RSI to provide brown grease feedstock for the District's biodiesel pilot project.
8. Authorize an agreement with Bentley Systems, Incorporated in an amount not to exceed \$98,000 annually for licensing fees and support for the microstation software during the period July 1, 2006 to June 30, 2007, with options to extend for four additional one-year periods.

CONSENT CALENDAR: (Continued)

9. Authorize an agreement with Farallones Catering in an amount not to exceed \$220,000 annually for food service and operation of the Administration Building and Adeline Maintenance Center cafeterias for a period of three years beginning July 1, 2006 through June 30, 2009, with two options to renew for an additional one-year period.
10. Authorize the Director of Finance to enter into an agreement with Kelling, Northcross & Nobriga and Backstrom McCarley Berry & Co. in an estimated amount of \$100,000 per bond issue and up to \$20,000 annually for ancillary financial advising on the District's debt financing program for the period from July 2006 through June 2011, with the option to renew for two additional years.
11. Authorize an agreement with Subtronics Corporation in an amount not to exceed \$160,934 for identifying needed improvements in a recycled water transmission pipeline along Highway 80.
12. Approve the water supply assessment requested by the City of Oakland for the Mandela/Grand Mixed-Use Redevelopment Project, pursuant to California Water Code Sections 10910-10915.
13. Adopt revisions to existing District Policy 3.07 - Responsibility to Serve Water Customers – and new Policy 8.03 – Wastewater Service to Residential Customers – addressing the granting of a priority for water and sewer services to proposed developments within EBMUD's existing service area that include housing units affordable to lower income households. (Resolution)
14. Appoint Manager of Maintenance and Construction effective June 27, 2006. (Resolution)

DETERMINATION AND DISCUSSION:

15. Legislative Update:
 - Receive Legislative Report No. 10-06 and consider positions on the following bills: AB 798 (Wolk) – Delta Levee Maintenance; AB 2644 (Montanez) – Vended Water; and SB 1795 (Machado) – Groundwater Storage: Beneficial Use
 - Update on Legislative Issues of Interest to EBMUD
16. Adopt a resolution in support of the Water Quality, Safety and Supply, Flood Control, Natural Resource Protection, Park Improvements Bonds (Initiative Statute), an initiative providing bonds for water resources and parks that is scheduled for consideration by voters in the November 7, 2006 statewide general election. (Resolution)
17. General Manager's Report:
 - Results of Election of Employee Member to the Retirement Board

REPORTS AND DIRECTOR COMMENTS:

18. Committee Reports:
- Legislative/Human Resources
 - Planning
 - Finance/Administration
19. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 11, 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.