



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, July 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. Gas Pipeline Explosion Cases; Coordinated Actions, Contra Costa County Superior Court, Judicial Council Coordination Proceeding No. 4433
 - c. California Regional Water Quality Control Board, San Francisco Bay Region, Complaint No. R2-2006-0028
2. Significant exposure to litigation pursuant to Government Code section 54956.9(b): one matter.
3. Initiation of litigation pursuant to Government Code section 54956(c): 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

PRESENTATIONS:

- Present an award to EBMUD from the National Association of Clean Water Agencies (NACWA) for achieving 12 months of perfect NPDES permit compliance.
- Present an award to EBMUD for Excellence in Innovation in Human Resources for workforce planning from the Western Region of the International Public Management Association for Human Resources.

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 8 recommendations, including 1 Resolution.)

1. Approve the Regular Meeting Minutes of June 27, 2006 and July 11, 2006.
2. File correspondence with the Board.
3. Award a contract to the lowest responsible/responsive bidder, Flexi-Liner Corporation, in the total amount of \$566,000 for supplying and installing up to 50 vinyl polymer chemical tank liners at various District sites for the period beginning August 1, 2006 and ending July 31, 2008, with two one-year options to be exercised at the sole discretion of the District, under Proposal No. 0632. The not-to-exceed cost of the \$566,000 will cover the entire term of the contract.
4. Authorize an agreement with American Telephone and Telegraph in an amount not to exceed \$352,396 to perform design and construction services for relocating approximately 18,600 feet of fiber optic lines and approximately 2,700 feet of telephone lines that are in conflict with the proposed Folsom South Canal Connection pipeline alignment.
5. Authorize an agreement with MAXIMUS, Inc., in an amount not to exceed a total of \$118,800 to maintain the server, database, and all related software for Fleet Anywhere, the District's fleet work management system, during the period August 1, 2006, to July 31, 2009, with two one-year options to renew for a total additional cost of \$95,400 at the District's sole discretion.
6. Approve the following for the Mokelumne Watershed Master Plan:
 - 6.1 Approve the proposed principles which will serve to guide the development of the Mokelumne Watershed Master Plan.
 - 6.2 Authorize an agreement with Tetra Tech, Inc. in an amount not to exceed \$465,000 for professional services to complete the Mokelumne Watershed Master Plan and associated environmental documentation during the period July 2006 through December 2008.

CONSENT CALENDAR: (Continued)

7. Authorize an amendment to the agreement with Geologica, Inc., in an amount not to exceed \$91,300 for environmental reporting required for the property transaction of 15.9 acres of U.S. Army Reserve property located adjacent to the Main Wastewater Treatment Plant. This amendment increases the total agreement ceiling to \$431,600.
8. Approve revisions to the following District policies: Policy 4.13 – Rate Setting Guidelines for Water Rates; Policy 7.10 – Source Water Quality; Policy 8.02 – Biosolids Management; and rescind Policy 6.03 – Policies and Procedures. (Resolution)

DETERMINATION AND DISCUSSION:

9. Legislative Update:
 - Bills Related to Proposition 90
 - Update on Legislative Issues of Interest to EBMUD
10. Second and final reading and vote on an ordinance amending the EBMUD Employees' Retirement System Ordinance (Ordinance No. 40) to amend Section 18, "Safeguards on Disability Retirement," and Section 40, "Corrections of Errors."
(Second Reading and Vote – Ordinance No. 351-06)
11. General Manager's Report:

REPORTS AND DIRECTOR COMMENTS:

12. Committee Reports:
 - Planning
 - Finance/Administration
 - Utility/Energy
 - Legislative/Human Resources
 - EBMUD/EBRPD Liaison
13. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, August 8, 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.