



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, May 10, 2016**

**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. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
three matters.

(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 8 recommendations.)

1. Approve the Regular Meeting Minutes of April 26, 2016.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, SUEZ Treatment Solutions, Inc., in the total amount, after the addition of taxes, not to exceed \$5,500,000 for supplying six ozone generators, ozone gas destruct units, and ancillary equipment for Sobrante and Upper San Leandro Water Treatment Plants under Request for Quotation No. 1618.
4. Award a contract to the lowest responsive/responsible bidder, State Pipe and Supply, Inc. (DBA West Coast Pipe), in the estimated annual amount, after the addition of taxes, of \$1,015,245 for supplying steel pipe consisting of mortar-lined/mortar-coated and mortar-lined/plastic-coated pipe for the District's Oakport Distribution facility for two years, beginning on or after May 16, 2016, with three options to renew for an additional one-year period for a total cost of \$5,076,225 under Request for Quotation No. 1619.
5. Award a contract to the lowest responsive/responsible bidder, Give Something Back, Inc., in the estimated annual amount, after the addition of taxes, of \$73,455 for supplying recycled paper for printing the *Customer Pipeline* newsletter for the District's Print Shop for two years, beginning on or after May 16, 2016, with an option to renew for an additional one-year period for a total cost of \$220,365 under Request for Quotation No. 1621.
6. Award a contract to the lowest responsive/responsible bidder, Triple S Electric Co., in the amount of \$156,700 for construction of the Main Wastewater Treatment Plant Digester Lighting Project under Specification SD-378.
7. Authorize an amendment to the contract awarded to CH2M Hill Engineers, Inc. under Board Motion No. 048-15 dated April 14, 2015 to extend the term to December 30, 2016, and increase the value by \$165,000, for a total amount not to exceed \$290,000, to develop risk management strategies and implementation plans.
8. Approve the Water Supply Assessment requested by the City of Hayward for the Lincoln Landing Mixed-Use Development Project pursuant to California Water Code, Sections 10910-10915.

PUBLIC HEARING:

9. Conduct a Public Hearing to accept comments on the Draft Urban Water Management Plan 2015 in compliance with the Urban Water Management Planning Act of the California Water Code.

DETERMINATION AND DISCUSSION:

10. Legislative Update:
 - Update on Legislative Issues of Interest to EBMUD
11. File a report and set a Public Hearing for the Water and Wastewater System Schedule of Rates and Charges, and other fees not subject to Proposition 218, and regulations for Fiscal Year 2017.
 - 11.1. File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2017.
 - 11.2. Set a Public Hearing on Tuesday, June 14, 2016, during the Board's regular meeting to consider the report and recommendation.
12. Consider actions relating to the District's drought stage and drought surcharge.
 - 12.1. Declare a Stage 0 drought, effective July 1, 2016, based on the "TSS Scenario" contained in the District's Drought Management Program Guidelines.
 - 12.2. Suspend Stage 4 drought surcharge for Fiscal Year 2017, effective June 30, 2016.
13. Consider actions relating to the District's Water Shortage Emergency. (Resolution)
 - 13.1. Rescind the District's Water Shortage Emergency Declaration, effective June 30, 2016.
 - 13.2. Rescind Section 28 of the EBMUD Regulations Governing Water Service to Customers, which established temporary water use prohibitions and restrictions, effective June 30, 2016.
 - 13.3. Rescind District-wide mandatory 20 percent water use reduction goal, effective June 30, 2016.
14. General Manager's Report:
 - 2016 Critical Drought Action Plan Update – May
 - Monthly Report – April 2016

REPORTS AND DIRECTOR COMMENTS:

15. Committee Reports:
 - Sustainability/Energy
 - Finance/Administration
 - Legislative/Human Resources
16. Other Items for Future Consideration.
17. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 24, 2016 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, and can be viewed on our website at www.ebmud.com.

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BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, May 10	Planning Committee Linney {Chair}, McIntosh, Young Legislative/Human Resources Committee Patterson {Chair}, Coleman, Young Water Conservation Workshop Board of Directors	9:00 a.m. Training Resource Center 9:30 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<i>Cancelled</i> <ul style="list-style-type: none"> Electrical Contractor Pre-qualification Pilot Program Water Conservation Program Closed Session Regular Meeting
Tuesday, May 24	Finance/Administration Committee Coleman {Chair}, Katz, Patterson Mid-Cycle Budget & Strategic Plan Workshop Board of Directors	8:30 a.m. Training Resource Center 9:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> Closed Session Regular Meeting
Monday, May 30	Memorial Day Holiday		<i>District Offices Closed</i>
Tuesday, June 14	Planning Committee Linney {Chair}, McIntosh, Young Legislative/Human Resources Committee Patterson {Chair}, Coleman, Young Board of Directors	9:15 a.m. Training Resource Center 10:15 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> Closed Session Regular Meeting
Tuesday, June 28	Finance/Administration Committee Coleman {Chair}, Katz, Patterson Board of Directors	10:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> Closed Session Regular Meeting



Office of the Secretary

MINUTES

Tuesday, April 26, 2016

**East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Frank Mellon called to order the Regular Closed Session Meeting of the Board of Directors at 11:00 a.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, William B. Patterson, Marguerite Young, and President Frank Mellon were present at roll call.

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant General Counsel Xanthe M. Berry (Items 1a, 1b and 2), Risk Manager Karen K. Curry (Item 1a), Attorney Lourdes Matthew (Item 1b), Human Resources Manager Laura A. Brunson (Item 1b), Operations and Maintenance Department Manager Clifford C. Chan (Item 1b), Assistant General Counsel Frederick S. Etheridge (Item 1c), Attorney Jonathan D. Salmon (Items 1c and 2), Director of Water and Natural Resources Richard G. Sykes (Item 1c), and Director of Wastewater Bennett K. Horenstein (Item 2).

PUBLIC COMMENT

- Addressing the Board was Antonio Martinez, President, IFPTE Local 21 who commented on staff's presentation regarding the District's current financial status and highlighted some of the choices the Board may have to consider to address EBMUD's future financial position.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Frank Mellon announced the closed session agenda. The Board convened to Conference Room 8a/b for discussion.

Regular Business Meeting

President Mellon called to order the Regular Business Meeting of the Board of Directors at 1:15 p.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, William B. Patterson, Marguerite Young, and President Frank Mellon were present at roll call.

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, and Acting Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Mellon led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following persons: 1) Rachel Garza, representing the LGBTQ Committee, who thanked the Board and staff for investigating and addressing the committee's concerns, expressed appreciation that the Diversity & Inclusion Office would begin managing the District's Affinity Groups, expressed disappointment in the outcome of the investigation into their concerns, and expressed her opinion about the Assistant to the General Manager misapplying rules and offering special treatment to certain affinity groups; 2) Rosa Merced, representing the LGBTQ Committee, submitted a proposal requesting that the District proclaim the month of June as the annual month of Diversity and Inclusion; 3) René Anglo, representing the LGBTQ Committee, urged the Board to support the proposal presented by Ms. Merced; and 4) Laura Brunson, EBMUD Manager of Human Resources, commented that Ms. Garza had mischaracterized the findings in the investigation letter and offered to meet with her to clarify the findings. She also reminded the Board of the District's practice of keeping investigations confidential because of employee privacy rights and how publicizing investigation findings may make other employees feel uncomfortable about bringing their concerns forward.

CONSENT CALENDAR

- Item 11 was removed from the Consent Calendar for discussion.
 - Motion by Director Coleman, seconded by Director McIntosh, to approve the recommended actions for Items 1-10 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 069-16** – Approved the Regular Meeting Minutes of April 12, 2016.
 2. The following correspondence was filed with the Board: 1) Letter dated April 26, 2016 to the Board of Directors of EBMUD from M. Rosa Merced, LGBTQ Affinity Group Co-Chair

2015, 2016 regarding a proposal for the Month of June as official Diversity and Inclusion; 2) Letter (undated) from Antonio Martinez, President, IFPTE Local 21 regarding the District's financial present and possible future; 3) Memorandum dated April 26, 2016 entitled "Drought Recovery Talking Points"; 4) Revised draft copy of District Policy 4.13 – Establishing Water and Wastewater Rates; 5) Draft copy of District Policy 4.53 – Technology Use and Privacy Procedure; 6) Presentation entitled "Water Supply Board Briefing," dated April 26, 2016; 7) Presentation entitled "2016 Water Supply Availability and Deficiency Report," dated April 26, 2016; 8) A copy of a revised page 4 of the April 26, 2016 Water Availability and Deficiency Report BD1; and 9) Presentation entitled "Suspend Implementation of Excessive Water Use Penalty Ordinance," dated April 26, 2016.

3. **Motion No. 070-16** – Awarded a contract to the lowest responsive/responsible bidder Air Liquide in an annual amount, after the addition of taxes not to exceed \$50,000 for supplying liquid oxygen and maintenance and repair services for the Hypolimnetic Oxygenation System at the District's Upper San Leandro Reservoir for three years beginning on or after April 27, 2016 with two options to renew for an additional one-year period for a total cost of \$250,000 under Request for Quotation No. 1608.
4. **Motion No. 071-16** – Authorized an agreement beginning on or after April 27, 2016 with Construx Software Builders, Inc. in an amount not to exceed \$90,000 for requirements and project management training for staff.
5. **Motion No. 072-16** – Authorized an agreement with Microdesk, Inc. in an amount not to exceed \$164,824 to provide Building Information Management software support services for the design of the Happy Valley and Sunnyside Pumping Plants Project.
6. **Motion No. 073-16** – Authorized an agreement with RMC Water and Environment in an amount not to exceed \$1,076,812 to prepare an Environmental Impact Report for the Leland Reservoir Replacement Project pursuant to the California Environmental Quality Act.
7. **Motion No. 074-16** – Authorized an amendment to the agreement with Renne Sloan Holtzman Sakai, LLP, to increase the agreement ceiling by \$21,000 from \$60,000 to an amount not to exceed \$81,000 for Equal Employment Opportunity discrimination investigation services.
8. **Motion No. 075-16** – Authorized the Office of General Counsel to continue the employment of the law firm of Ellison, Schneider & Harris, LLP, for specialized legal services related to electrical energy and water law and litigation matters.
9. **Resolution No. 34078-16** – Fixing The Ward Boundaries Of The Wards For The Purpose Of Electing Directors Therefrom.
10. **Resolution No. 34079-16** – Adopting Revised Policy 4.07, Investment Policy.
11. **Resolution No. 34080-16** – Adopting Revised Policy 1.13, Identity Theft Prevention Program; Revised Policy 2.04, Contractual Agreements With Former Employees; Revised Policy 3.05, Considerations For Extension of Water Beyond The Ultimate Service Boundary; Revised Policy 4.13, Establishing Water And Wastewater Rates; Revised Policy

4.20, Use Of District Technology Resources; Revised Policy 9.01, Fire Control And Fuels Management On Watershed Lands; Revised Policy 9.03, Water Supply Availability And Deficiency; And Revised Policy 9.04, Watershed Management And Use.

President Mellon pulled Item 11 for discussion. General Manager Coate reported that the Finance/Administration Committee pulled Revised Policy 3.07, Responsibility To Serve Water Customers to allow staff the opportunity to further review and make additional revisions to the policy. Additionally, he said that there was a suggested edit to Policy 4.13 under the section regarding rate methodology to include the phrase “consistent with best management practices.” A copy of the revision was provided to the Board. Mr. Coate also reported that the Committee requested a copy of Procedure 453 - Technology Use and Privacy Procedure, which is linked to Policy 4.20. Next, Finance/Administration Committee Chair John A. Coleman summarized discussions and actions taken by the Committee.

- Motion by Director Coleman, seconded by Director Katz, to approve the revisions to Item 11 by removing Policy 3.07 and revising Policy 4.13, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

DETERMINATION AND DISCUSSION

12. Legislative Update.

Manager of Legislative Affairs Marlaigne K. Dumaine highlighted the four bills and the recommended positions contained in Legislative Report No. 06-16. There was discussion regarding the language contained in SB 1262 and SB 1263. The Board requested that staff ensure their concerns regarding portions of the bill language are communicated to the bill authors.

- Addressing the Board was Heinrich Albert, representing the Sierra Club, who commented that SB 1262 and SB 1263 are an important part of managing California’s water in a sustainable way and he urged the Board to support the staff recommendation.
- Motion by Director Young, seconded by Director Patterson, to approve the recommended positions on SB 1262 and SB 1263, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Next, Ms. Dumaine provided an update on the federal bills, both of which relate to providing funding for water infrastructure projects and a program to assist with reducing lead in drinking water supplies and delivery systems. Staff recommends support for both bills.

- Motion by Director Katz, seconded by Director Young, to approve the recommended positions on H.R. 4653 and S. 2588, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

In concluding, Ms. Dumaine provided status updates on the Water Resources Development Act along with the federal drought legislation bill and said she would keep the Board apprised on any new efforts.

Motion No. 076-16 – Received Legislative Report No. 06-16 and approved positions on the following bills: SUPPORT IF AMENDED SB 1262 (Pavley) Water Supply Planning; SUPPORT IF AMENDED SB 1263 (Wieckowski) Public Water System: Permits; SUPPORT H.R. 4653 (Tonko) Assistance, Quality, and Affordability Act of 2016; and SUPPORT S. 2588 (Cardin) Get the Lead Out Act of 2016.

- 13a. **File the Water Supply Availability and Deficiency Report in conformance with District Policy 9.03, and declare that the District's water supply is sufficient for meeting customer demands in 2016.**

Operations and Maintenance Department Manager Eileen M. White presented updates on the statewide and local water supply. She reported that the state's two largest reservoirs, Shasta and Oroville, have continued to rise in elevation and are currently at 95 percent capacity. EBMUD's water supply has seen significant improvement over the past year. The East Bay received 25.1 inches (99% of average) precipitation and the Mokelumne Basin's four-station average is 47.8 inches (108% of average). Total system storage is 551,000 acre feet (over 150,000 acre feet more than last year at this time) and projections are for runoff to be between 740-815,000 acre feet.

Ms. White reported that over the last 12 months, compared to the same period in 2013, customers have cut their water use by 25 percent. She pointed out that over the last four years as the drought worsened and the water supply continued to decline, the District's investments in conservation, recycling, and supplemental supply were key to managing operations through this critical drought. Staff projects system storage to be between 605-630,000 acre feet without importing any water from the Sacramento River and ending the water year by refilling our system. Ms. White said staff will be providing the Water Supply Availability and Deficiency Report and will ask the Board to consider suspension of the excessive water use penalty. She noted that staff will come back to the Board on May 24th after the District receives information on the Governor's and the State Water Resources Control Board's (SWRCB) direction about conservation mandates. At that time, staff will be asking the Board to consider changes to the drought stage, changes to Section 28 of the District's Regulations Governing Water Service to Customers and to consider stopping the super saver program. There was discussion regarding the timing for the change in drought stage and other drought-related actions. General Manager Coate advised that Customer and Community Services Manager Sherri A. Hong would provide information regarding the District's plan to address drought-related actions during her upcoming presentation.

Engineering Manager Lena L. Tam presented the Water Supply Availability and Deficiency Report. The report evaluates the adequacy of the current year's (2016) water supply to meet customer needs and serves as the basis for the Board to consider water conservation and demand management measures as part of the District's Drought Management Guidelines. The report also serves as the basis for the Board to determine availability of water for potential use by others. She noted that for 2016, the projected September 30 total system

storage is between 595-630,000 acre-feet, resulting in the District's water supply being sufficient to meet customer demands in 2016. The 2016 assessment also concludes that projected runoff and water storage require designating Below Normal year type flows in the lower Mokelumne River under the District's Joint Settlement Agreement (JSA). The 2016 water year falls within the Below Normal year type category under the terms of the District's JSA, which establishes fishery flow releases by water year type.

- Motion by Director Katz, seconded by Director Patterson, to approve the recommended actions carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 077-16 – Filed the Water Supply Availability and Deficiency Report in conformance with District Policy 9.03, and declare that the District's water supply is sufficient for meeting customer demands in 2016.

13b. Defer taking anticipated drought-related actions until the State Water Resources Control Board takes action on May 18.

As mandated by the SWRCB, the District is currently required to meet a 16 percent conservation goal through April 2016. The District, from June 2015 through March 2016, has achieved a 23 percent savings. Since precipitation and snowpack in parts of California in 2016 have reached average conditions, the SWRCB has indicated that it will consider modifying the Emergency Regulations. Staff is recommending that the Board defer taking anticipated drought-related actions until the SWRCB takes action on May 18. Following SWRCB action, staff will bring to the Board recommendations regarding declaring an end to the District's water shortage emergency, making associated changes in Section 28 of the District's Regulations Governing Water Service to Customers, and changes in drought stage and drought surcharge levels.

There was considerable discussion about the timing for the Board to make decisions regarding drought-related actions. There was consensus by the Board to modify the recommended action for Item 13b and to consider drought-related actions at its May 10 meeting, in advance of the SWRCB's direction regarding conservation mandates.

- Motion by Director Katz, seconded by Director Patterson, to approve the modified recommended action carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 078-16 – Approved consideration of drought-related actions at the May 10 Board meeting, in advance of the State Water Resources Control Board taking action on May 18.

14. Authorized suspending the implementation of the Excessive Water Use Penalty Ordinance effective May 3, 2016 as a result of the District's improved water supply conditions.

Customer and Community Services Manager Sherri A. Hong presented staff's recommendation to suspend implementation of the Excessive Water Use Penalty Ordinance. Projections indicate that the District's projected end of year storage will be sufficient to meet next year's water demand. As the District's water supply has improved and drought conditions have eased significantly, staff recommends suspending the implementation of the ordinance effective May 3. Suspending implementation of the ordinance will end the enforcement and collection of the \$2.00 per unit penalty for any water use in excess of 80 hundred cubic feet/bimonthly billing cycle. The ordinance structure would remain in place for implementation when needed. If approved, next steps include notifying customers of the drought status including suspension of the ordinance, continuing to encourage efficient water use and continuing to provide conservation education and services. There was Board discussion regarding the recommendation, how this information will be communicated to customers, the timing for suspending the ordinance, and how tools, such as the ordinance, will be used in future droughts.

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended action carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 34081-16 – Authorizing The Suspension Of The Implementation Of Excessive Water Use Penalties.

15. General Manager's Report.

Operations and Maintenance Department Manager Eileen M. White presented the water supply update during Item 13a. General Manager Coate reported that the 2016 Critical Drought Action Plan Update had been provided in the Board's packet.

REPORTS AND DIRECTOR COMMENTS

16. Committee Reports.

- Filed with the Board were the Planning and Legislative/Human Resources Committee Minutes of April 12, 2016.

17. Other Items for Future Consideration.

- At the request of Director Young, staff will discuss the impacts of gasoline-powered engines on water quality in District reservoirs at an upcoming Planning Committee meeting.
- At the request of Director Young, staff will provide the status of the East Bay Watershed Master Plan update.

- At the request of Director Coleman, staff will provide information on what happens during emergencies if Board members are incapacitated and cannot approve emergency actions at a future Legislative/Human Resources Committee meeting.

18. Director Comments.

- Director Coleman reported attending/participating in the following events: Las Aguilas de Diablo Dinner on April 14 in Moraga; Oakland Strokes meeting on April 18 in Oakland; ACWA teleconference meeting on April 18 in Oakland; and ACWA teleconference meeting on April 25 in Oakland. He reported on plans to attend/participate in the following upcoming events: League of Women Voters on April 28 in Oakland; Guest speaker for Troop 243-Eagle Court on April 30 in Lafayette; ACWA Conference on May 4 in Monterey; Meeting with San Joaquin County on water issues on May 4 in Monterey; Contra Costa County Mayors' Conference on May 5 in Pleasant Hill; and ACWA teleconference meeting on May 9 in Oakland.
- Director Katz reported attending/participating in the following events: Celebration honoring Jeff Hobson's 17 years of service with Transform on April 14; Meeting with Oakland Mayor Schaaf on April 19; California Water Policy 25 Conference in Davis on April 20; and Rooted in Resilience on April 23.
- Director Linney had no comment.
- Director McIntosh had no comment.
- Director Patterson shared that he would be using information from Director Katz's white paper on climate change in his speech at the District's Earth Day event on April 27. He also shared that former Major League baseball player Curt Flood will be featured on a U.S. postage stamp.
- Director Young reported attending/participating in the following events: MGO Democratic Club Legislative Reception on March 17; Joint meeting with Director McIntosh and the West County Wastewater District regarding their upgrades, operational impacts and future plans on March 24; Meeting with staff and Directors Mellon and Patterson regarding the Harvest Power project in Oakland on April 4; Rising Sun Energy Bright Night event that EBMUD sponsored on April 21; and the Upper Mokelumne Regional Water Authority meeting at Pardee Center on April 22.
- President Mellon reported attending/participating in the following events: Lake Merritt Breakfast Club meeting to provide an update on EBMUD, the drought and Delta twin tunnels on April 14 and the Contra Costa Special Districts Association meeting in Martinez.

ADJOURNMENT

President Mellon adjourned the meeting at 3:26 p.m.

SUBMITTED BY:

Rischa S. Cole, Acting Secretary of the District

APPROVED: May 10, 2016

Frank Mellon, President of the Board



AGENDA NO.
MEETING DATE

3.
May 10, 2016

TITLE SOBRANTE AND UPPER SAN LEANDRO WATER TREATMENT PLANTS OZONE
SYSTEMS EQUIPMENT AND SERVICES

☒ MOTION _____ ☐ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION



Award a contract to the lowest responsive/responsible bidder, SUEZ Treatment Solutions, Inc., in the total amount, after the addition of taxes, not to exceed \$5,500,000 for supplying six ozone generators, ozone gas destruct units, and ancillary equipment for Sobrante and Upper San Leandro Water Treatment Plants (WTPs) under Request for Quotation No. 1618.

SUMMARY

The ozone generators, gas destruct units, and ancillary equipment required under this contract will be used to replace the existing ozone equipment at Sobrante and Upper San Leandro (USL) WTPs. The equipment will be installed under a separate construction contract scheduled for Board consideration in 2017-2018. Due to the long equipment procurement lead time, this equipment will be ordered ahead of the installation construction contract. The Board was briefed on the District's drought operations and the need to upgrade the ozone systems at Sobrante and USL WTPs at the Board meeting on August 11, 2015.

DISCUSSION

The ozone systems at Sobrante and USL WTPs are used to remove the taste and odor (T&O) causing compounds in the raw water from San Pablo and USL reservoirs. See attached map for location details. The existing ozone generators at these plants are more than 25 years old and are inefficient and obsolete with no reliable technical support in the United States. The new high-efficiency ozone equipment is more reliable and capable of generating the level of ozone needed to remove higher concentrations of T&O causing compounds in the Sobrante and USL WTPs raw water. The ozone systems will be installed through a separate construction contract scheduled for Board consideration in 2017-18.

Funds Available: FY16-17; CIP #2003449; Page 53		Budget Code: WSC\557\5511\2010055:41
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR	APPROVED
Engineering and Construction	 Xavier J. Irias	 General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

VENDOR SELECTION

Requests for Quotations were sent to four potential proposers that demonstrated they could meet the District's minimum design requirements and criteria for ozone systems equipment. Four bids were received, with capital costs ranging from \$4,640,000 to \$5,847,420 (not including life cycle energy costs). The lowest bidder, Xylem Water Solutions, was deemed non-responsive because its bid package was incomplete and did not meet the RFQ requirements for the new ozone equipment. See attached bid summary. The engineer's estimate for this equipment procurement package is \$8,370,000. The bids were lower than the engineer's estimate due to very competitive market conditions for ozone equipment manufacturers and to the recent drop in the price of stainless steel.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

Funds are available for this work in the FY16/17 Capital Improvement Program budget for the Water Treatment Improvements Project under the Water Treatment and Transmission Improvement Program.

ALTERNATIVES

Do not replace the ozone equipment. This alternative is not recommended due to the high risk of failure of the existing obsolete ozone generators during normal plant operations. Failure of these systems would lead to high T&O causing compounds in the treated water from Sobrante and USL WTPs and subsequent customer complaints.

Repair ozone equipment as needed. This alternative is not recommended because the ozone generators and ancillary equipment are highly unreliable, expensive, and difficult to repair. Moreover, the existing system does not have the necessary capacity to combat high concentrations of T&O causing compounds observed in the past several years at these plants.

Attachments: Location Map
Bid Summary
P-035 – Contract Equity Program Summary
P-061 – Affirmative Action Summary

EAST BAY MUNICIPAL UTILITY DISTRICT
REQUEST FOR QUOTATION NO 1618
SOBRANTE AND USL WTPS OZONE EQUIPMENT SYSTEMS
AND SERVICES
Bid Opened April 6, 2016


	Bidder	Total Bid Amount (Capital Cost + Life Cycle Energy Cost) (Excluding Tax)	TOTAL BID AMOUNT (Excluding Tax)
1.	Xylem Water Solutions (Non- responsive)	\$6,430,981.00	\$4,640,000.00
2.	SUEZ Treatment Solutions	\$6,812,183.00	\$4,983,700.00
3.	Mitsubishi Electric	\$7,377,923.00	\$5,559,900.00
4.	Metawater USA	\$7,924,243.46	\$5,847,420.00

Engineer's Estimate: \$8,370,000



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE		MATERIALS AND SUPPLIES				QUOTATION NO: 1618				DATE:			
		Sobrante and Upper San Leandro Water Treatment Plants Ozone Systems - Equipment and Services								May 4, 2016			
CONTRACTOR:						PERCENTAGE OF CONTRACT DOLLARS							
SUEZ Treatment Solutions, Inc. Leonla, NJ						Avallablity Group		Contracting Objectives		Participation			
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP				White Men		25%		0.0%			
		Ethnicity		Gender		White Women		2%		0.0%			
		White		Men		Ethnic Minorities		25%		0.0%			
\$5,500,000													
CONTRACT EQUITY PARTICIPATION													
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION							
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign	
PRIME:													
SUEZ Treatment Solutions, Inc.		\$5,500,000	Publicly-Held Corp.	X							100.0%		
SUBS:													
None													
TOTAL			\$5,500,000			0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)													
		White Men		White Women		Ethnic Minorities		Total Employees					
No. of Employees:		44		7		67		118					
Percent of Total Employees:		37.3%		5.9%		56.8%							
MSA Labor Market %:		39.0%		33.7%		27.3%							
MSA Labor Market Location:		Total USA											
COMMENTS													
Contract Equity Participation - Zero Contract Equity participation since firm is a publicly held corporation and no subcontract opportunities exist.													
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended					
NA				NA									



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: MATERIALS AND SUPPLIES Sobrante and Upper San Leandro Water Treatment Plants Ozone Systems - Equipment and Services		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9		
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2		
Quotation #: 1618 R=Recommnd P=Prime S=Sub	DATE: 5/4/2016	Number of Ethnic Minority Employees							
Composition of Ownership Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	PHC	Company Wide	3	59	5	0	67	56.8%	27.3%
SUEZ Treatment Solutions, Inc. Anne Marie Brennan 600 Willow Tree Road Leonia, NJ 07605 201-676-2525		Manager/Prof	3	39	4	0	46	54.8%	
		Technical/Sales	0	3	0	0	3	50.0%	
		Clerical/Skilled	0	1	0	0	1	50.0%	
		Semi/Unskilled	0	16	1	0	17	65.4%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		118 Bay Area: 0		
P	PHC	Company Wide	70	28	61	1	160	17.4%	63.5%
Mitsubishi Electric Power Products, Inc. Sally Wade 530 Keystone Drive Worrendale, PA 15086 724-778-5283		Manager/Prof	14	9	50	0	73	18.1%	
		Technical/Sales	3	4	4	0	11	13.9%	
		Clerical/Skilled	48	15	5	1	69	20.5%	
		Semi/Unskilled	5	0	2	0	7	7.1%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Pennsylvania		# Employees-Co. Wide:		919 Bay Area: 0		
P	Foreign-Owned	Company Wide	0	0	11	0	11	64.7%	27.3%
Metawater USA, Inc. Keiko Tsuzoro 301 Route 17 N. Suite 504 Rutherford, NJ 07070 201-935-3436		Manager/Prof	0	0	10	0	10	58.8%	
		Technical/Sales	0	0	1	0	1	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		20 Bay Area: 0		

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



AGENDA NO.
MEETING DATE

4.
May 10, 2016

TITLE **STEEL PIPE FOR STOCK**

☒ MOTION _____ ☐ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, State Pipe and Supply, Inc. (DBA West Coast Pipe) in the estimated annual amount, after the addition of taxes, of \$1,015,245 for supplying steel pipe consisting of mortar-lined/mortar-coated and mortar-lined/plastic-coated pipe for the District's Oakport Distribution facility for two years, beginning on or after May 16, 2016, with three options to renew for an additional one-year period for a total cost of \$5,076,225 under Request for Quotation No. 1619.

SUMMARY

The pipe required under this contract is a highly critical materials purchase and will be used for ongoing repairs and new installations in the water distribution system. The estimated quantities are based on historical data and departmental input. Purchases will be made to meet actual District needs and may exceed the estimated quantities.

VENDOR SELECTION



Requests for quotations were sent to three resource organizations and to 19 potential proposers and posted to the District's website. Two bids were received.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

The funds for this expenditure are included in the FY16/17 budget.

Funds Available: FY 16/17		Budget Code: VAR/VAR
DEPARTMENT SUBMITTING Finance	DEPARTMENT MANAGER or DIRECTOR  Sophia D. Skoda	APPROVED  General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

Steel Pipe for Stock
May 10, 2016
Page 2

ALTERNATIVE

Reject all bids and support ongoing requirements by purchasing each replenishment order on the open market. This alternative is not recommended as it will increase administrative costs and the District will likely not receive volume pricing, thereby resulting in higher prices being paid for steel pipe.

Attachments

P-035 – Contract Equity Program Summary

P-061 – Affirmative Action Summary

I:\Sec\2016 Board Related Items\051016 Board Agenda Items\FIN – BD1 Steel Pipe for Stock 051016.doc



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE MATERIALS AND SUPPLIES QUOTATION NO: 1619			DATE: May 4, 2016								
Steel Pipe for Stock - Two years with 3 one-year options											
CONTRACTOR: State Pipe and Supply, Inc. dba West Coast Pipe Rialto, CA			PERCENTAGE OF CONTRACT DOLLARS								
			Availability Group	Contracting Objectives	Participation						
BID/PROPOSER'S PRICE: \$1,015,245 /year*	FIRM'S OWNERSHIP		White Men	25%	66.5%						
	Ethnicity	Gender	White Women	2%	0.0%						
	Asian	Men	Ethnic Minorities	25%	33.5%						
CONTRACT EQUITY PARTICIPATION											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W		White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit
PRIME: State Pipe and Supply, Inc. dba West Coast Pipe	\$340,245	Asian	X		33.5%						
SUBS: California Steel Industries, Inc.	\$180,000	White	X		17.7%						
Roscoe Moss MFG. Company	\$305,000	White	X		30.0%						
Mobile Pipe Lining and Coating, Inc.	\$190,000	White	X		18.7%						
TOTAL	\$1,015,245				66.5%	0.0%	33.5%	0.0%	0.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)											
	White Men	White Women	Ethnic Minorities	Total Employees							
No. of Employees:	12	3	34	49							
Percent of Total Employees:	24.5%	6.1%	69.4%								
MSA Labor Market %:	28.0%	24.2%	47.8%								
MSA Labor Market Location:	California										
COMMENTS											
Contract Equity Participation - 66.5% White Men and 33.5% Ethnic Minority participation.											
*Total Not To Exceed \$5,076,225											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				NA							



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s) P-025 Form regarding their workforce.

Title: MATERIALS AND SUPPLIES		Ethnic Minority Percentages From U.S. Census Data						
Steel Pipe for Stock - Two years with 3 one-year options			B	H	A/PI	AI/AN	TOTAL	
		National	10.5	10.7	3.7	0.7	27.3	
Quotation #: 1619		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
DATE: 5/4/2016		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT
								MSA %
RP	EMM	Company Wide	0	34	0	0	34	69.4%
State Pipe and Supply, Inc. dba West Coast Pipe Edward Johnson 2180 N. Locust Ave. Rialto, CA 92377 909-356-5670		Manager/Prof	0	0	0	0	0	0.0%
		Technical/Sales	0	2	0	0	2	33.3%
		Clerical/Skilled	0	25	0	0	25	78.1%
		Semi/Unskilled	0	7	0	0	7	100.0%
		Bay Area	0	0	0	0	0	0.0%
		AA Plan on File: NA	Date of last contract with District: 4/25/2016					
		Co. Wide MSA: San Bernardino Co.	# Employees-Co. Wide: 49				Bay Area: 0	
S	WM	Company Wide	2	66	1	0	69	75.8%
Roscoe Moss MFG. Company Ed Covarrubias 4360 Worth Street Los Angeles, CA 323-263-4497		Manager/Prof	2	0	0	0	2	25.0%
		Technical/Sales	0	0	0	0	0	NA
		Clerical/Skilled	0	0	1	0	1	50.0%
		Semi/Unskilled	0	66	0	0	66	81.5%
		Bay Area	0	0	1	0	1	1.1%
		Co. Wide MSA: Los Angeles-Long Beach	# Employees-Co. Wide: 91				Bay Area: 0	
S	WM	Company Wide	37	392	31	7	467	48.6%
California Steel Industries, Inc. Brett Guge 1 California Steel Way Fontana, CA 92335 909-350-6300		Manager/Prof	2	38	19	2	61	35.9%
		Technical/Sales	0	1	1	1	3	23.1%
		Clerical/Skilled	34	349	9	2	394	51.6%
		Semi/Unskilled	1	4	2	2	9	69.2%
		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: Los Angeles-Long Beach	# Employees-Co. Wide: 960				Bay Area: 0	
S	WM	Company Wide	1	22	0	0	23	766.7%
Mobile Pipe Lining and Coating, Inc. Stephen Stanczak 12766 Violet Road Adelanto, CA 92301 760-246-7407		Manager/Prof	0	0	0	0	0	0.0%
		Technical/Sales	0	0	0	0	0	0.0%
		Clerical/Skilled	1	9	0	0	10	76.9%
		Semi/Unskilled	0	13	0	0	-	81.3%
		Bay Area	0	0	0	0	0	NA
		Co. Wide MSA: San Bernardino Co.	# Employees-Co. Wide: 33				Bay Area: 0	
P	WM	Company Wide	0	17	0	0	17	70.8%
Imperial Pipe Services, LLC Jeremiah Thompson 12375 Brown Ave. Riverside, CA 92509 951-682-3307		Manager/Prof	0	2	0	0	2	40.0%
		Technical/Sales	0	2	0	0	2	50.0%
		Clerical/Skilled	0	12	0	0	12	100.0%
		Semi/Unskilled	0	1	0	0	1	33.3%
		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: San Bernardino	# Employees-Co. Wide: 24				Bay Area: 0	

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



AGENDA NO. 5.
MEETING DATE May 10, 2016

TITLE RECYCLED PAPER FOR CUSTOMER PIPELINE NEWSLETTER

☒ MOTION _____ ☐ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, Give Something Back Inc. in the estimated annual amount after the addition of taxes, of \$73,455 for supplying recycled paper for printing the *Customer Pipeline* newsletter for the District's Print Shop for two years, beginning on or after May 16, 2016, with an option to renew for an additional one-year period for a total cost of \$220,365 under Request for Quotation No. 1621.

SUMMARY

The *Customer Pipeline* newsletter is published and mailed bimonthly to approximately 335,000 customers, and contains information on District projects as well as water conservation and recycling tips. The District requires approximately 70 pallets per year of paper for the production of the newsletter which translates into 1,680,000 sheets of paper divided among the 70 pallets. The paper must be of high quality, with a recycled content of at least 30 percent. The selected vendor's product meets the paper specification requirements in the proposal.

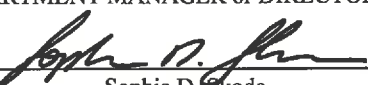

There are currently 50,000 customers enrolled in the District's paperless billing system and the District expects to see a continued decline in the printing quantities for the newsletter as customers sign up for e-bills.

VENDOR SELECTION

Requests for quotations were sent to three resource organizations and to 15 potential proposers, and posted to the District's website. Two bids were received.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

Funds Available: FY16/17		Budget Code: VAR/VAR
DEPARTMENT SUBMITTING Finance	DEPARTMENT MANAGER or DIRECTOR  Sophia D. Skoda	APPROVED  General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

FISCAL IMPACT

The funds for this expenditure are included in the FY16/17 budget.

ALTERNATIVE

Purchase paper on the open market. This alternative is not recommended since competitive bidding provides an opportunity for the District to obtain consistent quality and delivery of paper, as well as recognize the advantage of volume pricing.

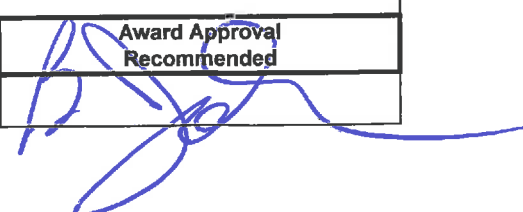
Attachments

P-035 – Contract Equity Program Summary
P-061 – Affirmative Action Summary



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE QUOTATION NO.: 1621 Recycled Paper for "Pipeline" Insert - Two-Year Contract with 1 One-Year Renewal Option						DATE: April 26, 2016									
CONTRACTOR: Give Something Back, Inc. Local Business Oakland, CA					PERCENTAGE OF CONTRACT DOLLARS										
BID/PROPOSER'S PRICE: \$73,455 /yr*		FIRM'S OWNERSHIP Ethnicity: White Gender: Men		Availability Group: White Men		Contracting Objectives: 25%		Participation: 100.0%		White Women: 2%		Ethnic Minorities: 25%		0.0%	
CONTRACT EQUITY PARTICIPATION															
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION										
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign				
PRIME: Give Something Back, Inc. SUBS: None	\$73,455	White	X		100.0%	---	---	---	---	---	---	---	---	---	
					100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)															
		White Men		White Women		Ethnic Minorities		Total Employees							
No. of Employees:		13		9		41		63							
Percent of Total Employees:		20.6%		14.3%		65.1%									
MSA Labor Market %:		28.0%		23.6%		48.4%									
MSA Labor Market Location:		California													
COMMENTS															
Contract Equity Participation - 100.0% White Men participation.															
*Total Not To Exceed \$220,365.															
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended							
NA				NA											



AGENDA NO.

6.

MEETING DATE

May 10, 2016

TITLE MAIN WASTEWATER TREATMENT PLANT DIGESTER LIGHTING☒ MOTION ☐ RESOLUTION ☐ ORDINANCE**RECOMMENDED ACTION**

Award a contract to the lowest responsive/responsible bidder, Triple S Electric Co., in the amount of \$156,700 for construction of the Main Wastewater Treatment Plant (MWWTP) Digester Lighting Project under Specification SD-378.

SUMMARY

This construction contract consists of exterior lighting improvements near the anaerobic digesters and the biogas conditioning system at the MWWTP. The existing lighting is inadequate because it does not allow staff to safely maneuver and perform operational and maintenance tasks during non-daylight hours in this area. This project will enhance safety conditions, reduce maintenance costs, and reduce power use through installation of more energy-efficient light-emitting diode (LED) lights.

DISCUSSION

The scope of work for this contract includes demolishing the existing lights, light fixtures, conduits, and wires; providing temporary lights during construction; and furnishing and installing new LED lights, light fixtures, custom support brackets, conduits, and wires. In addition to improving lighting conditions, this project will address potential safety hazards associated with performing maintenance work on existing light fixtures by installing telescoping light poles, which may be accessed at ground level.

BID RESULTS

Bid documents were issued to 25 resource organizations and 11 prospective bidders. Six bids were received, ranging from \$156,700 to \$402,117. The engineer's estimate for this work is \$220,000. The bid summary is attached. The low bid was 29 percent lower than the engineer's estimate due to the competitive bidding environment created by the large number of bidders.

The lowest responsive/responsible bidder, Triple S Electric Co., is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. Triple S Electric Co. and its listed subcontractors are properly registered with the State DIR.

Funds Available: FY16		Budget Code: WWC/927/7999/2010185/5561
DEPARTMENT SUBMITTING Wastewater	DEPARTMENT MANAGER or DIRECTOR <i>Bennett K. Horenstein</i> Bennett K. Horenstein	APPROVED <i>Michael R. Cumb</i> General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

In the past five years, Triple S Electric Co. has not filed a Government Code Claim or initiated any litigation against the District.

CONTRACT EQUITY PROGRAM EFFORTS

The completed P-035 and P-061 forms are attached.

FISCAL IMPACT

This item is included in the FY16 budget for construction of the MWWTP Digester Lighting Project.

PREVAILING WAGE

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of Industrial Relations of the State of California.

UNION NOTIFICATION

Local 444 was notified of this contract on February 17, 2016 and did not raise any specific issues related to this contract.

CEQA/ENVIRONMENTAL COMPLIANCE

The lighting improvements to be constructed under this contract were part of the project analyzed in the Negative Declaration for the Digester Upgrade Project - Phase II, which was adopted by the Board on August 12, 2008.

ALTERNATIVES

Reject all bids and immediately rebid the work. This alternative is not recommended because the bids are reasonable for the scope of work, and the rebidding process would unnecessarily delay completion of these safety-related lighting improvements.

Reject all bids and do not perform the work. This alternative is not recommended because these lighting improvements will improve safe working conditions at the MWWTP.

Attachments

Bid Summary

P-035 – Contract Equity Program Summary

P-061 – Affirmative Action Summary

EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIAL DISTRICT NO. 1

**SPECIFICATION SD-378
MAIN WASTEWATER TREATMENT PLANT DIGESTER LIGHTING**

April 20, 2016

BID SUMMARY

BIDDER		TOTAL BID
1.	Triple S Electric Co.*	\$156,700[^]
2.	ERA Construction, Inc.	\$198,200
3.	Ray's Electric	\$222,000
4.	Fort Bragg Electric, Inc.	\$249,838
5.	Blocka Construction, Inc.	\$329,000
6.	Ahtna Government Services Corp.	\$402,117

*** Apparent Low Bidder**

[^] Entered \$156,500 in Total Lump Sum Bid


Number of Proposals sent to Contractor	11
Number of Proposals sent to Resource Orgs	25
Number of Proposals sent to MBEs	2
Number of Proposals sent to WBEs	2
Number of Proposals sent to SBs	1
Number of bids received	6

Engineer's Estimate:	\$222,000
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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE SPECIFICATION NO.: SD - 378 Main Wastewater Treatment Plant Digester Lighting						DATE: April 29, 2016							
CONTRACTOR: Triple S Electric Co. Alameda, CA 94501					Local/Small Business					PERCENTAGE OF CONTRACT DOLLARS			
BID/PROPOSER'S PRICE: \$156,700		FIRM'S OWNERSHIP Ethnicity: White Gender: Men		White Men 55.3%		White Women 0.0%		Ethnic Minorities 44.7%		Contracting Objectives 25%		Participation 55.3%	
CONTRACT EQUITY PARTICIPATION													
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION								
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign		
PRIME: Triple S Electric Co. \$78,700 White 50.2% --- --- --- --- --- --- --- --- --- ---													
SUBS: Catco Services \$70,000 Black X --- --- 44.7% --- --- --- --- --- --- --- ---													
Forward Associates \$8,000 White X 5.1% --- --- --- --- --- --- --- --- --- ---													
TOTAL \$156,700 55.3% 0.0% 44.7% 0.0% 0.0% 0.0% 0.0%													
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)													
		White Men		White Women		Ethnic Minorities		Total Employees					
No. of Employees:		1		0		2		3					
Percent of Total Employees:		33.3%		0.0%		66.7%							
MSA Labor Market %:		24.5%		21.6%		53.9%							
MSA Labor Market Location:		Alameda County											
COMMENTS Contract Equity Participation - 55.3% White Men participation and 44.7% Ethnic Minority participation.													
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended					
NA				YES									



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: Main Wastewater Treatment Plant Digester Lighting			Ethnic Minority Percentages From U.S. Census Data						
				B	H	A/PI	AI/AN	TOTAL	
			National	10.5	10.7	3.7	0.7	27.3	
Spec. No.: SD - 378		DATE: 4/29/2016	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
			Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recommd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM: L/SBE	Company Wide	0	2	0	0	2	66.7%	53.9%
Triple S Electric Co. Stephen S. Slauson 2426 Otis Drive Alameda, CA 94501 510-523-8563		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	2	0	0	2	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	2	0	0	2	66.7%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		2/23/2015		
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		3		Bay Area: 0
S	EMW:B - L/SBE	Company Wide	1	0	0	0	1	100.0%	53.9%
Catco Services Carolyn Taylor 360 Grand Ave. #246 Oakland, CA 96610 510-655-4401		Manager/Prof	1	0	0	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	0	0	0	1	100.0%	39.9%
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		1		Bay Area: 1
S	WM: SBE	Company Wide	INFORMATION NOT APPLICABLE						
Forward Associates Don Scarbrough P.O. Box 1640 Novato, CA 94948 415-892-2180		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Bay Area							
		Co. Wide MSA:							
P	EMM:H - L/SBE	Company Wide	0	3	0	0	3	100.0%	38.5%
ERA Construction, Inc. Enrique Avila 1220 Marin Ave. San Pablo, CA 94806 510-830-5955		Manager/Prof	0	1	0	0	1	100.0%	
		Technical/Sales	0	0	0	0	0	NA	
		Clerical/Skilled	0	0	0	0	-	NA	
		Semi/Unskilled	0	2	0	0	2	100.0%	
		Bay Area	0	3	0	0	3	100.0%	39.9%
		Co. Wide MSA:	Contra Costa County		# Employees-Co. Wide:		3		Bay Area: 3
P	WM: L/SBE	Company Wide	1	25	2	0	28	77.8%	53.9%
Ray's Electric Greg Gruenol 411 Pendleton Way, Suite B Oakland, CA 94621 510-577-7700		Manager/Prof	0	2	1	0	3	37.5%	
		Technical/Sales	0	1	0	0	1	33.3%	
		Clerical/Skilled	0	4	1	0	5	100.0%	
		Semi/Unskilled	1	18	0	0	19	95.0%	
		Bay Area	1	25	2	0	28	77.8%	39.9%
		Co. Wide MSA:	Alameda County		# Employees-Co. Wide:		36		Bay Area: 36

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



AGENDA NO.
MEETING DATE

7.
May 10, 2016

**TITLE PHYSICAL SECURITY VULNERABILITY ASSESSMENT CONTRACT
 AMENDMENT**

☒ MOTION ☐ RESOLUTION ☐ ORDINANCE

RECOMMENDED ACTION

Authorize an amendment to the contract awarded to CH2M Hill Engineers, Inc. under Board Motion No. 048-15 dated April 14, 2015 to extend the term to December 30, 2016, and increase the value by \$165,000, for a total amount not to exceed \$290,000 to develop risk management strategies and implementation plans.

SUMMARY

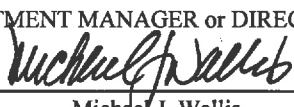

The District maintains a security program to provide a secure work place and protect its assets and operations. The security program is guided by the District's Security Vulnerability Assessment (SVA) and the basis of an SVA is a risk assessment. CH2M Hill Engineers, Inc. has completed the risk assessment for the SVA. Services under this amendment will provide specific recommendations for improvements by facility type, level of risk, and vulnerability.

DISCUSSION

On April 14, 2015, the Board authorized an agreement with CH2M Hill, Engineers, Inc. to conduct a physical SVA for seven representative District water system facilities. The consultant completed the SVA in accordance with the Risk Analysis and Management for Critical Asset Protection Standard for Risk and Resilience Management of Water and Wastewater Systems (J100 Standard). The J100 Standard was established by multiple professional organizations including the American National Standards Institute, American Society of Mechanical Engineers, and the American Water Works Association (AWWA). This contract amendment will provide engineering support to incorporate risk reduction strategies into the SVA, develop a five-year security capital improvement plan, and to provide design criteria and maintenance requirements for future implementation of security projects. The output of this work will be used by the District to design new or upgraded facilities.

FISCAL IMPACT

Funds for this assessment are included in the FY16/17 capital budget.

Funds Available: FY16/17		Budget Code: WSC/783/7999/2009910
DEPARTMENT SUBMITTING Operations & Maintenance	DEPARTMENT MANAGER or DIRECTOR  Michael J. Wallis	APPROVED  General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

CONTRACT EQUITY PROGRAM EFFORTS

Contract Equity documentation was provided when the contract was originally submitted for Board approval.

UNION NOTIFICATION

Locals 21 and 2019 were notified on April 20, 2016 of the additional scope for this contract. Locals 21 and 2019 did not raise any specific issues related to this contract.

ALTERNATIVES

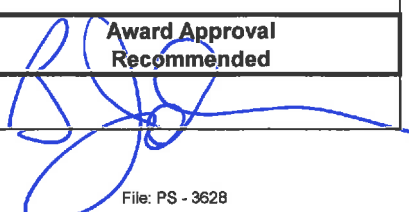
Do not perform this additional scope of work. This alternative is not recommended based upon guidance from the Department of Homeland Security, AWWA, and US EPA.

Perform this additional scope of work using District forces. This alternative is not recommended because District staff does not have the necessary technical expertise related to the J100 standard and security equipment technology and installation.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE Professional Services Agreement Physical Security Vulnerability Assessment Contract Amendment						DATE: May 5, 2016					
CONTRACTOR: CH2M Hill Engineers, Inc. San Francisco, CA					PERCENTAGE OF CONTRACT DOLLARS						
BID/PROPOSER'S PRICE: \$165,000 *		FIRM'S OWNERSHIP		Availability Group		Contracting Objectives		Participation			
		Ethnicity White	Gender Men	White Men 25%		White Women 6%		Ethnic Minorities 25%			
				90.0%		0.0%		10.0%			
CONTRACT EQUITY PARTICIPATION											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: CH2M Hill Engineers, Inc.	\$148,500	White	X		90.0%	---	---	---	---	---	---
SUBS: EPC Consultants, Inc.	\$16,500	Asian/Pacific Islander	X		---	---	10.0%	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
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					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
					---	---	---	---	---	---	---
TOTAL		\$165,000			90.0%	0.0%	10.0%	0.0%	0.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)											
	White Men		White Women		Ethnic Minorities		Total Employees				
No. of Employees:	8,082		2,309		2,435		12,826				
Percent of Total Employees:	63.0%		18.0%		19.0%						
MSA Labor Market %:	39.0%		33.7%		27.2%						
MSA Labor Market Location:	Total USA										
COMMENTS											
Contract Equity Participation - 90.0% White Men participation and 10.0% Ethnic Minority participation											
*Total Not To Exceed \$290,000											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				YES							

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

[illegible]

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and A/AN=American Indian/Alaskan Native)



AGENDA NO. 8.
MEETING DATE May 10, 2016

TITLE WATER SUPPLY ASSESSMENT FOR THE LINCOLN LANDING MIXED-USE DEVELOPMENT PROJECT

☒ MOTION _____ ☐ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION

Approve the Water Supply Assessment (WSA) requested by the City of Hayward (City) for the Lincoln Landing Mixed-Use Development Project pursuant to California Water Code, Sections 10910-10915.



SUMMARY

The Lincoln Landing Mixed-Use Development Project is located at 22301 Foothill Boulevard (State Route 238) in the City, at the northwest corner of the intersection of Foothill Boulevard and City Center Drive, bounded to the north by Hazel Avenue, and to the south and west by San Lorenzo Creek (see Attachment A). The project area consists of approximately 11 acres. The project proposes to construct a maximum of 476 multi-family residential units and 81,000 square feet of commercial space.

The site is the former Mervyn's Department Store headquarters, with a historical water use of approximately 36,000 gallons per day (gpd). The project water demand is estimated to be approximately 99,000 gpd at build out. This demand is accounted for in the District's Urban Water Management Plan (UWMP). Approval of the WSA by the Board of Directors is required prior to its submittal to the City. The WSA is described in the attached letter (Attachment B) and, upon Board approval, will be sent to the City.

DISCUSSION

On March 1, 2016, the City submitted a formal request for consultation between the District and the City regarding water service to the Lincoln Landing Mixed-Use Development Project, pursuant to California Water Code, Sections 10910-10915. The project, for which environmental documentation is being completed by the City, meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, i.e., an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling-unit project. The City is required to consult with the public water supplier to determine whether the water demand associated with the proposed project was included in its last UWMP and to assess whether its 20-year water supply (available during

Funds Available: FY		Budget Code:	
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR		APPROVED
Engineering and Construction	 Xavier J. Irias		 General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

normal, single-dry and multiple-dry water years) will meet the water demand associated with the proposed project.

The 2010 UWMP concludes that the District has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years but that deficits are projected for drought years. In March 2016, the Board of Directors adopted revised Drought Management Program (DMP) Guidelines that establish the level of water use restrictions the District may implement under varying conditions. Under the new DMP Guidelines, water use restrictions may be determined based upon either projected end-of-September Total System Storage (TSS) or water use restriction mandates from the State Water Resources Control Board (SWRCB). When state-mandated water use restrictions exceed the reductions that would otherwise be called for based upon the end-of-September TSS, the District's water use reduction requirements may be guided by the applicable state mandates. Under either scenario, while the District has a goal of maintaining mandatory water use reductions at or below 15 percent, if the drought is severe, mandatory water use reductions could exceed 15 percent. The Lincoln Landing Mixed-Use Development Project will be subject to the same drought restrictions that apply to all District customers.

On April 14, 2015, the District declared a Stage 4 Drought and a mandatory District-wide conservation goal of 20 percent water use reduction and adopted mandatory water use prohibition and restriction regulations. This 20 percent conservation goal met the requirements of both state drought emergency orders and the SWRCB extension of its emergency water conservation regulations. The SWRCB action specified a 16 percent water reduction goal for the District and extended restrictions on urban water use through October 2016.

The WSA letter requests that the City comply with the California Code of Regulations concerning water-efficient landscapes and District water service regulations in force at the time the application is made.

The District also requests a meeting to discuss water conservation opportunities in the project area. This discussion will identify timely opportunities to maximize water conservation, identify District programs, as well as state and federal best management practices applicable to the project.

The Lincoln Landing Mixed-Use Development Project is not located within the vicinity of any existing or planned District recycled water supply pipelines. Based on the project's location, the District currently does not anticipate providing recycled water to any of the project's components; however, the feasibility of providing recycled water to this area may change in the future. The District encourages the City to coordinate closely with the District during the planning of the various project elements to further explore the options relating to recycled water.

ALTERNATIVE

Do not submit a response. This alternative is not recommended. This assessment has been prepared pursuant to California Water Code, Sections 10910-10915. It is consistent with the law and the District's past WSAs.

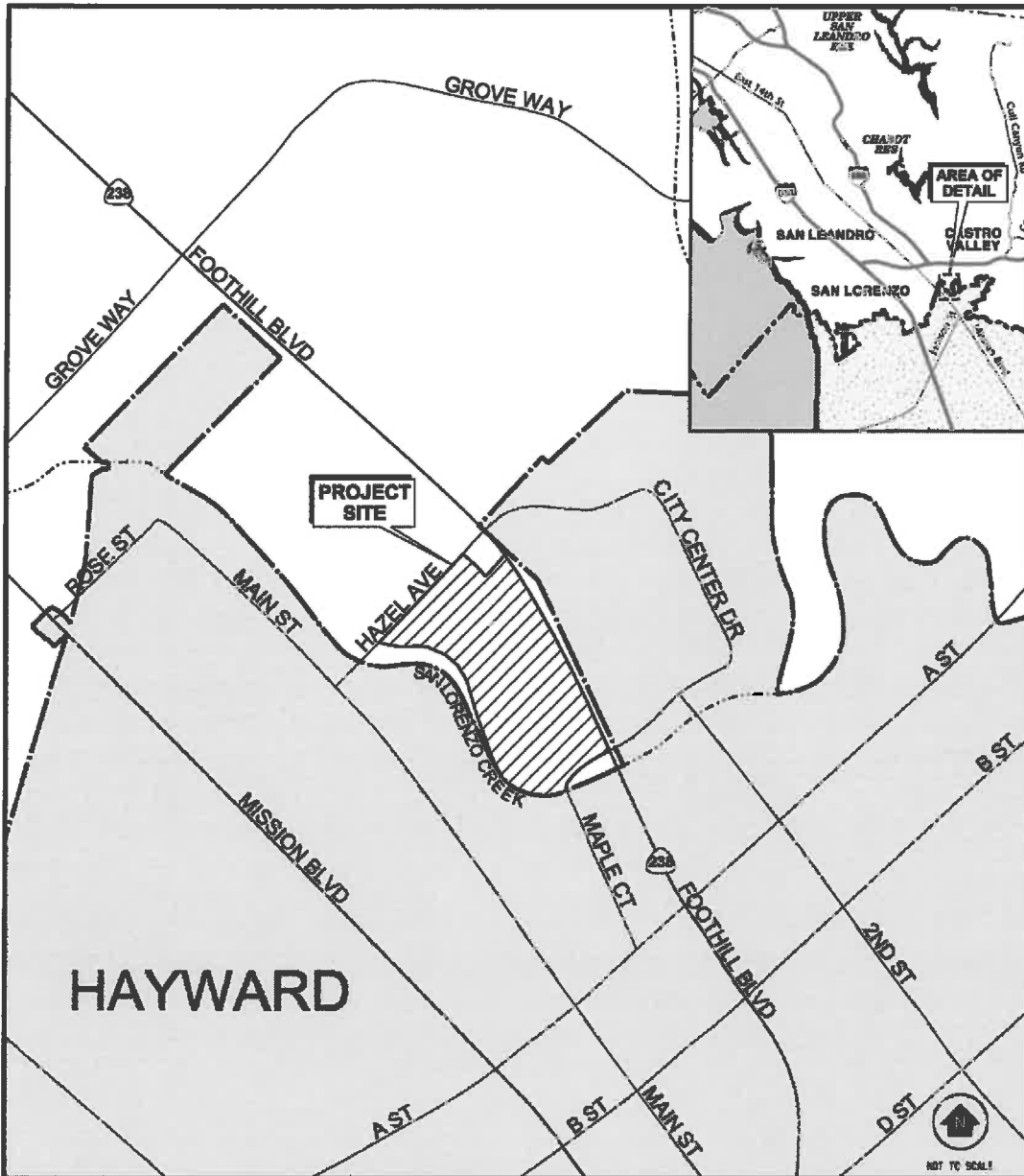
Water Supply Assessment for the Lincoln Landing Mixed-Use Development Project
May 10, 2016
Page 3

Attachments: A. Map – Lincoln Landing Mixed-Use Development Project
B. District's Response to March 1, 2016 Water Supply Assessment Request

I:\SEC\2016 Board Related Items\Board Packets 2016\051016 Board Items\ENG-Water Supply Assessment for the Lincoln Landing Mixed-Use Development Project.docx

LINCOLN LANDING MIXED-USE DEVELOPMENT PROJECT

Attachment A



-  INSIDE EBMUD ULTIMATE SERVICE BOUNDARY
-  OUTSIDE EBMUD ULTIMATE SERVICE BOUNDARY

Attachment B

DRAFT

May 10, 2016

Leigha Schmidt, AICP
Senior Planner
City of Hayward
Development Services Department
Planning Division
777 B Street
Hayward, CA 94541-3649

Re: Water Supply Assessment – Lincoln Landing Mixed-Use Development Project

Dear Ms. Schmidt:

This letter responds to the City of Hayward's (City's) request of March 1, 2016, for water agency consultation concerning the Lincoln Landing Mixed-Use Development Project (Project; Enclosure 1) located in the City, which is within the East Bay Municipal Utility District's (EBMUD's) Ultimate Service Boundary. EBMUD appreciates the opportunity to provide this response.

Pursuant to Sections 10910-10915 of the California Water Code, the proposed Project meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling-unit project.

Please note that this WSA addresses the issue of water supply only and is not a guarantee of service, and future water service is subject to rates and regulations in effect at the time.

Project Demand

The water demand for the proposed Project is accounted for in EBMUD's water demand projections as published in EBMUD's 2010 Urban Water Management Plan (UWMP) (Enclosure 2). EBMUD's water demand projections account for anticipated future water demands within EBMUD's service boundaries and for variations in demand-attributed changes in development patterns. The Project site is the former Mervyn's Department Store headquarters, with a historical water use of approximately 36,000 gallons per day (gpd). The project water demand is estimated to be approximately 99,000 gpd at build out.

EBMUD's demand projections indicate both densification and land use changes in a few existing land use classifications, including commercial and residential land use areas, thus increasing EBMUD's overall demand. EBMUD's 2010 UWMP projects water demands over time,

accounting for estimated variations in demand usage less conservation and recycled supply sources as noted in Table 4-1, Water Demand Projections for Each Water Use Sector, of the 2010 UWMP. EBMUD's water demand projections are based on the 2040 Demand Study (Demand Study), which was completed in 2009. For planning purposes, the demands are estimated in five-year increments, but it is recognized that actual incremental amounts may occur stepwise in shorter time increments. An increase in usage by one customer in a particular customer class does not require a strict gallon-for-gallon increase in conservation by other customers in that class as, in actuality, the amount of potable demand, conservation and recycled water use EBMUD-wide will vary somewhat. Future versions of the UWMP, which is updated every five years, will include an updated assessment of customer demand and water supply. The 2015 UWMP, which is currently out for public review, is expected to be finalized in June 2016.

Project Area

The proposed Project is located at 22301 Foothill Boulevard (State Route 238) in the City of Hayward, at the northwest corner of the intersection of Foothill Boulevard and City Center Drive, bounded to the north by Hazel Avenue, and to the south and west by San Lorenzo Creek. The Project area consists of approximately 11 acres. The proposed Project consists of 476 multi-family residential units and 81,000 square feet of commercial space.

EBMUD Water Demand Projections

Since the 1970s, water demand within EBMUD's service area has ranged from 200 to 220 million gallons per day (mgd) in non-drought years. The 2040 water demand forecast of 312 mgd for EBMUD's service area can be reduced to 230 mgd with the successful implementation of water recycling and conservation programs, as outlined in the 2010 UWMP. Although current demand is lower than estimated in the Demand Study, as a result of the recent multi-year drought and the downturn in the economy, the Demand Study still reflects a reasonable expectation for growth over the long term for demand in year 2040. The proposed Project's future development and operations will not change EBMUD's 2040 demand projection.

EBMUD Water Supply and Water Rights

EBMUD has water right permits and licenses that allow for delivery of up to a maximum of 325 mgd from the Mokelumne River, subject to the availability of Mokelumne River runoff and the senior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders and the terms of the appropriative water right permits and licenses, which have been issued by the State, pre-1914 rights, and riparian rights.

Conditions that could, depending on hydrology, restrict EBMUD's ability to receive its full entitlement include:

- Upstream water use by prior right holders.
- Downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources.

- Variability in rainfall and runoff.

During prolonged droughts, the Mokelumne River supply cannot meet EBMUD's projected customer demands. To address this, EBMUD has completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility, which are discussed below in the Supplemental Water Supply and Demand Management section of this assessment. EBMUD has obtained and continues to seek supplemental supplies.

EBMUD's UWMP

The 2010 UWMP, adopted on June 28, 2011, by EBMUD's Board of Directors by Resolution No. 33832-11, is a long-range planning document used to assess current and projected water usage, water supply planning and conservation and recycling efforts. A summary of EBMUD's demand and supply projections, in five-year increments for a 25-year planning horizon is provided in Table 4-3, EBMUD Demand and Supply Projections, of the 2010 UWMP (Enclosure 3).

EBMUD's evaluation of water supply availability accounts for the diversions of both upstream and downstream water right holders and fishery releases on the Mokelumne River. Fishery releases are based on the requirements of a 1998 Joint Settlement Agreement (JSA) between EBMUD, United States (U.S.) Fish and Wildlife Service, and the California Department of Fish and Game. The JSA requires EBMUD to make minimum flow releases from its reservoirs to the lower Mokelumne River to protect and enhance the fishery resources and ecosystem of the river. As this water is released downriver, it is, therefore, not available for use by EBMUD's customers.

The available supply shown in the attached table (Enclosure 3) was derived from EBMUD's hydrologic model with the following assumptions:

- EBMUD Drought Planning Sequence is used for 1976, 1977 and 1978.
- Total system storage is depleted by the end of the third year of the drought.
- EBMUD will implement its Drought Management Program when necessary.
- The diversions by Amador and Calaveras Counties upstream of Pardee Reservoir will increase over time, eventually reaching the full extent of their senior rights.
- Releases are made to meet the requirements of senior downstream water right holders, and fishery releases are made according to the JSA.
- A dry-year supply of Central Valley Project (CVP) water, through the Freeport Regional Water Facility, is available.
- The Bayside Groundwater Project, Phase 1, is available.

As discussed under the Drought Management Program section in Chapter 3 of the 2010 UWMP, EBMUD's system storage generally allows it to continue serving its customers during dry-year events. EBMUD typically imposes water use restrictions based on the projected storage available at the end of September, and based on recent changes to its Drought Management Program (DMP) Guidelines (summarized below), may also implement water use restrictions in response to a California State mandate. By imposing water use restrictions in the first dry year of potential

drought periods, EBMUD attempts to minimize water use restrictions in subsequent years if a drought persists while continuing to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies.

The 2010 UWMP concludes that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years but that deficits are projected for drought years. EBMUD's Drought Management Program, which is part of the UWMP, establishes guidelines that call for water use restrictions based on that year's storage forecast. In March 2016, EBMUD Board of Directors adopted revised DMP Guidelines that establish the level of water use restrictions EBMUD may implement under varying conditions. Under the new DMP Guidelines, water use restrictions may be determined based upon either projected end-of-September total system storage (TSS) or California State-mandated water use restrictions. When California State-mandated water use restrictions exceed the reductions that would otherwise be called for based upon end-of-September TSS, EBMUD's water use reduction requirements may be guided by applicable California State mandates and not end-of-September TSS. Under either scenario, while the District has a goal of maintaining mandatory water use reductions at or below 15 percent, if the drought is severe, mandatory water use reductions could exceed 15 percent. Despite water savings from EBMUD's aggressive conservation and recycling programs and water use restrictions called for in the Drought Management Program Guidelines, supplemental supplies are needed in significant, severe, and critical droughts while continuing to meet the requirements of senior downstream water right holders and the provisions of the 1998 JSA. The proposed Project will be subject to the same drought restrictions that apply to all EBMUD customers.

Supplemental Water Supply and Demand Management

The goals of meeting projected water needs and increased water reliability rely on supplemental supplies, improving reliability of existing water supply facilities, water conservation and recycled water programs.

By 2011, EBMUD completed construction of the Freeport Regional Water Facility and the Bayside Groundwater Facility to augment its water supply during drought periods. However, additional supplemental supplies beyond those provided through these facilities will still be needed, as noted above. Chapter 2 of the 2010 UWMP describes potential supplemental water supply projects that could be implemented to meet projected long-term water demands during multi-year drought periods.

The Freeport Regional Water Facility became operational in February 2011. EBMUD's ability to take delivery of water through the Freeport facility is based on its Long Term Renewal Contract (LTRC) with the U.S. Bureau of Reclamation. The LTRC provides for up to 133,000 acre feet in a single dry year, not to exceed a total of 165,000 acre feet in three consecutive dry years. Under the LTRC, the CVP supply is available to EBMUD only in dry years when EBMUD's total stored water supply is forecast to be below 500,000 total acre feet on September 30 of each year.

Construction of the Bayside Groundwater Project, Phase 1, was completed in 2010. A permit from the Department of Public Health, which is pending, is required before the groundwater can

be extracted and treated for municipal use. The Bayside Groundwater Project is designed to yield 2 mgd over a six-month period, resulting in an average annual production capacity of 1 mgd per year. Chapter 2 of the 2010 UWMP also lists other potential supplemental water projects, including northern California water transfers, Bayside Groundwater Project Expansion, Los Vaqueros Expansion and others that could be implemented as necessary to meet the projected long-term water supplemental need during multi-year drought periods. The 2010 UWMP identifies a broad mix of projects, with inherent scalability and the ability to adjust implementation schedules for a particular component, so that EBMUD will be able to continue to pursue the additional supplemental supplies that are projected to be necessary, while also minimizing the risks associated with future uncertainties such as project implementation challenges and global climate change. The Environmental Impact Report that EBMUD certified for the Water Supply Management Program 2040 examined the impacts of pursuing these supplemental supply projects at a program level. Separate project-level environmental documentation will be prepared, as appropriate, for specific components as they are developed in further detail and implemented in accordance with EBMUD's water supply needs.

In addition to pursuing supplemental water supply sources, EBMUD also maximizes resources through continuous improvements in the delivery and transmission of available water supplies and investments in ensuring the safety of its existing water supply facilities. These programs, along with emergency interties and planned water recycling and conservation efforts, would ensure a reliable water supply to meet projected demands for current and future EBMUD customers within the current service area.

The proposed Project presents opportunities to incorporate water conservation measures. Conditions of approval for the implementation of the proposed Project should require that the project comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). EBMUD staff would appreciate the opportunity to meet with the City. A key objective of this meeting will be to explore timely opportunities to expand water conservation via early consideration of EBMUD's conservation programs and best management practices applicable to the Project. On April 14, 2015, EBMUD declared a Stage 4 Drought and a mandatory District-wide water use reduction goal of 20 percent and adopted revised regulations regarding mandatory water use prohibitions and restrictions. This 20 percent conservation goal meets the requirements of both the California State Governor's drought emergency orders and the related February 2, 2016 California State Water Resources Control Board extended emergency water conservation regulation rulemaking, which specifically identified a 16 percent water reduction goal for EBMUD and extended restrictions on urban water use through October 2016. Conservation opportunities will need to be pursued to achieve water use reduction goals and restrictions, and EBMUD will assist the City in maximizing such opportunities.

The proposed Project is not currently a candidate for recycled water. The Project area is not located within the vicinity of any existing or future planned EBMUD recycled water supply pipeline. Based on the location of the Project boundaries, EBMUD currently does not anticipate providing recycled water to any of the Project's components; however, the feasibility of providing recycled water to this area may change in the future. EBMUD encourages the City and

its developers to continue to coordinate closely with EBMUD during the planning of the Project to further explore the options relating to recycled water.

The project sponsor should contact Jennifer L. McGregor, Senior Civil Engineer, at (510) 287-1030 for further information.

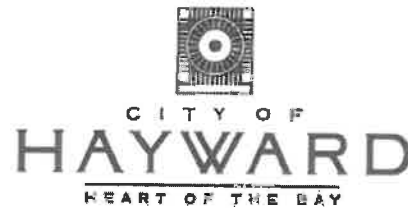
Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning Division

DJR:CW:dks
sb16_068a3 AttB District Letter

Enclosures: 1. Letter of Request for Water Supply Assessment dated March 1, 2016
2. EBMUD 2010 Urban Water Management Plan
3. EBMUD Demand and Supply Projections Table

cc: Board of Directors w/o Enclosure 2



March 1, 2016

Jennifer McGregor, PE
East Bay Municipal Utility District
Water Service Planning
375 11th Street, MS 701
Oakland, CA 94607

Subject: Request for Water Supply Assessment for Proposed Lincoln Landing Development, Hayward

Dear Ms. McGregor,

This letter shall serve as a formal request from the City of Hayward to the East Bay Municipal Utility District to prepare a water supply assessment pursuant to Section 10910 of the Water Code. The City is requesting that EBMUD determine whether the projected water demand associated with the Lincoln Landing mixed-use development was included in the Urban Water Management Plan (UWMP), and if it was not included, to prepare a water supply assessment as set forth in Water Code Section 10910 (c)(3). The assessment is required in order to determine whether an adequate water supply is available to meet the projected water demand for the project which is currently in planning stages. An initial study is being prepared by the City of Hayward as lead agency.

The proposed Lincoln Landing development project would consist of development of up to 476 residential units; 81,000 square feet of ground floor commercial uses and approximately 1.7 acres (73,000 square feet) of landscaping that would be divided into private and public open space and parking lot landscaping on an 11-acre site (Assessor Parcel Nos. 428-002-606-801 and 428-0026-067-03).

The proposed project would be accomplished in two phases; the first phase would consist of full development of the commercial portion (81,000 square feet) and up to 267 residential units and the second phase would consist of development of the remaining 209 residential units (for a total of 476 residential units). It is assumed that both phases would be constructed in approximately five years (by 2021).

The proposed project includes demolition of two structures that are currently vacant. The approximately 334,488 square foot former Mervyns office building was vacated around 2008, and the other structure on the site measures approximately 5,310 square feet. There is not a record of when it was vacated however it likely around 2008 as well.

Development Services Department
Planning Division
777 B Street, Hayward, CA 94541-5007
Tel: 510/583-4200 Fax: 510/583-3649

The City requests that EBMUD prepare a water supply assessment for the proposed project as described above. To assist with the assessment, projected water demand calculations for the proposed project are attached to this letter. The prepared assessment will be utilized as part of the environmental documentation for the project.

Please feel free to contact me at 510-583-4013 or by e-mail at leigha.schmidt@hayward-ca.gov if you require additional information in regard to this request. We appreciate your prompt attention to this matter.

Sincerely,



Leigha Schmidt, AICP
Senior Planner

Enclosures:

Project Site Plan

City of San Leandro Shoreline Development Project Water Supply Assessment request dated
April 16, 2014

Lincoln Landing Mixed Use Development – Water Demand Calculation

Use	Quantity/Unit	Water Demand Factor (gal/unit/day)*	Water Demand (gpd)
Proposed Project			
Multi-Family Residential	476 units	165	78,540
Retail/Restaurant	81,000 sq. ft.	0.22	17,820
Parking (surface and structured)**	1,180 spaces	—	—
Irrigation***	See Maximum Applied Water Allowance (MAWA) Calculation below.		2,999
Total New Construction and Water Demand			99,359
Existing Development			
Office	339,798 sq. ft.	0.9	30,581
Total Demolition and Decrease in Water Demand			30,581
Total Net Increase in Water Demand			68,778

*Water Demand Factors for multi-family residential, retail/restaurant and office uses based on the City of San Leandro Shoreline Development Project Water Supply Assessment request dated April 16, 2014.

** Parking water demand is included in the Irrigation calculation. Landscaped areas in surface parking lots are included in the Landscaped Area/Irrigation and structured/covered parking does not include landscaping/irrigation needs.

***Maximum Applied Water Allowance calculation for landscaped areas is as follows:

$$\begin{aligned} \text{MAWA} &= (\text{ET}_0)(0.62)[(0.55 \times \text{LA}) + (0.45 \times \text{SLA})] \\ \text{MAWA} &= (44.2)(0.62)[(0.55 \times 72,614) + (0.45 \times 0)] \\ \text{MAWA} &= (27,404)[(39,937.7 + 0)] \\ \text{MAWA} &= 1,094,452 \text{ Gallons per Year} \\ \text{MAWA/day} &= 1,094,452/365 = 2,999 \text{ Gallons per Day} \end{aligned}$$

"ET₀" is the Reference Evapotranspiration, in inches per year, for your climate zone and "0.6" is the adjustment factor to insure that your overall water use is moderate.

LA = Landscaped Area

SLA = Special Landscaped Area

Development Services Department
Planning Division
777 B Street, Hayward, CA 94541-6007
Tel: 510/583-4200 Fax: 510/583-3649

EAST BAY MUNICIPAL UTILITY DISTRICT DEMAND AND SUPPLY PROJECTIONS

(Reference: Table 4-3, UWMP 2010 – EBMUD)

	2010	2015	2020	2025	2030	2035 ¹	2040
PROJECTED DEMAND (MGD)							
CUSTOMER DEMAND ²	251	266	280	291	304	308	312
ADJUSTED FOR CUMULATIVE CONSERVATION ³	(26)	(32)	(43)	(49)	(56)	(59)	(62)
ADJUSTED FOR RECYCLED WATER ⁴	(9)	(11)	(16)	(18)	(19)	(20)	(20)
PLANNING LEVEL OF DEMAND	216	223	221	224	229	229	230
PROJECTED AVAILABLE SUPPLY AND NEED FOR SUPPLEMENTAL SUPPLY (MGD)⁵							
NORMAL YEAR	>216	>223	>221	>224	>229	>229	>230
SUPPLEMENTAL SUPPLY NEED	0	0	0	0	0	0	0
SINGLE DRY YEAR (MULTIPLE DRY YEARS – YEAR 1)							
AVAILABLE SUPPLY	211	217	215	218	223	222	222
CUSTOMER RATIONING ⁶	2%	3%	3%	3%	3%	3%	4%
SUPPLEMENTAL SUPPLY NEED ⁷	5	6	6	7	7	8	8
MULTIPLE DRY YEARS – YEAR 2							
AVAILABLE SUPPLY	183	189	188	190	194	194	195
CUSTOMER RATIONING ⁶	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED ⁷	21	21	21	21	22	22	22
MULTIPLE DRY YEARS – YEAR 3							
AVAILABLE SUPPLY	183	189	188	190	183	164	144
CUSTOMER RATIONING ⁶	15%	15%	15%	15%	15%	15%	15%
SUPPLEMENTAL SUPPLY NEED ⁷	21	21	21	21	33	53	73
THREE-YEAR DROUGHT							
TOTAL SUPPLEMENTAL SUPPLY NEED (TAF) ⁷	53	54	54	55	69	93	115

¹ Projected demand for 2035 is interpolated.² Customer demand values are based on the demand projections from the "2010 Demand Study," Feb 2009. These projected water demands are based on land use in EBMUD's ultimate service area and is unadjusted for conservation and non-potable water. The values are also unadjusted for the current suppressed demand due to the 2007-2010 rationing period and the economic downturn.³ Existing conservation saving from the "1994 Water Conservation Master Plan" and planned conservation program savings based on the "2011 Water Conservation Master Plan".⁴ Existing recycled water achieved per the "1993 Water Supply Management Program" and planned recycled water program savings as outlined in Chapter 5 of the UWMP 2010.⁵ Projected available supply data includes dry year supply deliveries from the Freeport Regional Water Project (FRWP) and Bayside Groundwater Project, Phase 1. Delivery rules for the FRWP follow the rules as developed in the Freeport EIR, 2003.⁶ Rationing reduction goals are determined according to projected system storage levels in the Long-Term Drought Management Program guidelines per Table 3-2 in Chapter 3 of the UWMP 2010.⁷ The supplemental supply need is based on EBMUDSIM modeling studies. It is the amount of water needed based on EBMUD's updated demand projections, the provisions of the 1998 Joint Settlement Agreement and the rationing policy stated in Table 3-2, Chapter 3 of the UWMP 2010. The actual need will be dependent on antecedent conditions and the severity of actual drought conditions. Supplemental supply stored during the initial year of the drought could be later released, diminishing supplemental supply needs. During the drought that continued into 2010, the combined effects of water rationing and an economic downturn suppressed demand below the planning level of demand to maintain a sufficient water supply and deferred the need for supplemental water. However, if the drought had continued into its second year, most likely supplemental supplies would have been obtained from the Freeport Regional Water Facility as anticipated in the Interim Drought Management Program Guidelines discussed in Appendix G-2.

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 5, 2016

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Richard G. Sykes, Director of Water and Natural Resources *R Sykes*

SUBJECT: Board Hearing on Public Draft of Urban Water Management Plan 2015

SUMMARY

Staff has updated the District's Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (WSCP), and the public draft of the UWMP was released on April 11, 2016. A formal hearing will be held at the Board meeting on May 10, 2016 to receive public comments on the draft UWMP.

BACKGROUND

Every five years, the District updates the UWMP in accordance with state law. The UWMP is a long-range planning document that provides an overview of EBMUD's current and projected water usage, water supply programs, and conservation and recycling programs. State law requires that the District's UWMP include a plan for ensuring reliable water service for its customers, especially during multi-year drought periods. The cities and counties within EBMUD's service area rely on the UWMP to verify the adequacy of water supplies in their land use planning. The UWMP also reports on EBMUD's progress in meeting the requirements of the Water Conservation Act of 2009, which seeks a statewide 20 percent reduction in urban per capita water use by the year 2020. The WSCP provides guidance in managing and implementing programs and actions to address water shortage conditions. The updated WSCP includes the Drought Management Guidelines adopted by the Board on March 22, 2016.

RGS:AET:dec

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ITEM 10

LEGISLATIVE UPDATE

WILL BE GIVEN AS AN
ORAL REPORT



AGENDA NO. 11.
MEETING DATE May 10, 2016

TITLE **REPORT AND RECOMMENDATION OF THE GENERAL MANAGER FOR REVISIONS TO THE WATER AND WASTEWATER SYSTEM SCHEDULE OF RATES AND CHARGES, AND OTHER FEES NOT SUBJECT TO PROPOSITION 218, AND REGULATIONS FOR FISCAL YEAR 2017**

☒ MOTION _____ ☐ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION



- 1) File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2017.
- 2) Set a Public Hearing on Tuesday, June 14, 2016, during the Board's regular meeting to consider the report and recommendation.

A public hearing has been scheduled for Tuesday, June 14, 2016 during the Board's regular meeting to consider the Report and Recommendation of the General Manager, and to comply with Municipal Utility District Act requirements. The proposed revisions to the FY17 rates, charges, fees and regulations are not subject to Proposition 218 requirements.

SUMMARY

In 2001, the District began implementation of a two-year budgeting and rate setting process. Every two years as part of this biennial budget process, the Board considers and adopts both the budget and rates and charges for two consecutive fiscal years. As part of the biennial budget process, the General Manager files a report and recommendation on the proposed rate adjustments and detailed budget documents with the Board in April. Biennial budget workshops are usually held in April, and a public hearing is held in June prior to the start of the fiscal year on July 1st. Proposed rate adjustments as part of the biennial budget process are subject to the requirements of Proposition 218, which requires that all customers are sent a notice of the public hearing. On June 9, 2015, the District adopted a biennial budget for FY16-FY17 and accompanying rates and charges, including the FY17 rate increase of 7% for the Water System and 5% for the Wastewater System, which will be effective July 1, 2016.

In addition to the rates that are adopted as part of the biennial process, some rates such as capacity fees are updated and approved as part of a mid-cycle update.

Funds Available FY:		Budget Code:	
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR		APPROVED
Finance	 Sophia D. Skoda		 General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

For FY17, staff is proposing to update the capacity fees and several other fees and charges that are not subject to the requirements of Proposition 218. Only fees and charges for the District's ongoing water and wastewater services are subject to Proposition 218's requirements as property-related services.

Attached, please find the Report and Recommendation of the General Manager for revisions to the rates and charges that includes the following revisions for FY17:

Water System

- Schedule B – Account Establishment Charge
- Schedule C – Charges for Special Services
- System Capacity Charges, Standard Participation Charge and Water Mitigation Fees
- Public Records Act Fee Schedule
- Real Property Use Application Fees

Wastewater System

- Wastewater Capacity Fees

The proposed changes will be reviewed as a part of the Strategic Plan Update and Mid-cycle Budget workshop scheduled for May 24, 2016. Adoption of the FY17 proposed rates and charges and other fees and regulations is also scheduled for the Board's consideration at its meeting on June 14, 2016.

Attachments

I:\SEC\05-10-16 Agenda Items\FIN - BD1 File Rates Report 051016

Report and Recommendation of the General Manager

Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2017



*East Bay Municipal Utility District
Oakland, California*

May 2016

Report and Recommendation of the General Manager

***Revisions to the Water and Wastewater System
Schedule of Rates and Charges, and Other Fees Not
Subject to Proposition 218, and Regulations
for Fiscal Year 2017***

*Submitted to the Board of Directors
by Alexander R. Coate, General Manager
May 10, 2016*

East Bay Municipal Utility District

East Bay Municipal Utility District

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Revisions to the Water and Wastewater System
Schedule of Rates and Charges, Recreation Fees and
System Capacity Charges
FY2017**

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East Bay Municipal Utility District

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Real Property Use Application Fees
Public Records Act Fee Schedule

FY17 Wastewater System

Schedule G – Capacity Fees

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 10, 2016

MEMO TO: Board of Directors

FROM: Alexander R. Coate, General Manager *ARC*

SUBJECT: Revisions to the Water and Wastewater System Schedule of Rates and Charges, and Other Fees Not Subject to Proposition 218, and Regulations for Fiscal Year 2017

In 2001, the District began implementation of a two-year budgeting and rate setting process. Every two years as part of this biennial budget process, the Board considers and adopts both the budget, and rates and charges for two consecutive fiscal years. As part of the biennial budget process, the General Manager files a report and recommendation on the proposed rate adjustments and detailed budget documents with the Board in April. Biennial budget workshops are usually held in April, and a public hearing is held in June prior to the start of the fiscal year on July 1st. Proposed rate adjustments as part of the biennial budget process are subject to the requirements of Proposition 218, which requires that all customers are sent a notice of the public hearing. On June 9, 2015, the District adopted a biennial budget for FY16-FY17 and accompanying rates and charges, including the FY17 rate increase of 7% for the Water System and 5% for the Wastewater System, which will be effective July 1, 2016.

In addition to the rates that are adopted as part of the biennial process, some rates such as capacity fees are updated and approved as part of a mid-cycle update. For FY17, staff is proposing to update the capacity fees and several other fees and charges that are not subject to the requirements of Proposition 218. Only fees and charges for the District's ongoing water and wastewater services are subject to Proposition 218's requirements as property-related services. This report contains the FY17 proposed changes to the rates for the System Capacity Charge (SCC), the Standard Participation Charge (SPC), and Water Demand Mitigation Fees, Wastewater Capacity Fees and other fees that were not contained in the biennial rate approval in 2015. The following is a summary of the proposed changes:

Water System

- Increase the fees in Schedule B – Account Establishment Charge to reflect the labor costs to set up new accounts.
- Update the fees in Schedule C – Charges for Special Services based on analysis of the District's labor, materials and county lien charges.
- Increase the Real Property Use Application Fees to reflect the updated labor costs to review applications.

- Update Public Records Act Fee Schedule with the FY16 labor costs for duplication and programming.
- For the SCC, SPC, and Water Mitigation Fees, update the water system assets and cost components used in the calculations, move non-residential 2 inch meters into the larger meter category, and update the language on the minimum SCC credit for larger meters.

Wastewater System

- For the Wastewater Capacity Fees (WCF), update the wastewater system assets and cost components used in the calculations and implement the fourth year of the five-year phase-in of impact of change in build-out capacity approved by the Board in 2013.

A Board workshop on the changes to the rates and charges and review of the mid-cycle budget is scheduled for May 24th. A public hearing on the recommendations contained in this report will occur on June 14th and the Board will consider adoption of the recommendations at the June 14th Board meeting.

The changes to water and wastewater charges, fees and regulations are recommended to be effective as of July 1, 2016, with the exception of changes to SCC, SPC, Water Mitigation and Wastewater Capacity fees that are proposed to be effective on August 15, 2016, or sixty days following adoption by the Board.

ARC:SDS:RL:rl

1. Water System Rates Charges and Fees

Chapter 1 – Water System Rates, Charges and Fees

INTRODUCTION

This report recommends revisions to District charges and fee that are in addition to the Fiscal Year 2017 (FY17) changes to Water and Wastewater System rates, fees, and charges previously adopted as part of the FY16-FY17 Biennial Report and Recommendation of the General Manager. These rates are not subject to the requirements of Proposition 218.

Copies of the fees and charges recommended for revisions are shown under Tab 5 of this report.

The District periodically reviews the rates and charges in the Schedules of Water System Charges to ensure that the fees and charges reflect the District's cost of service. For the FY17 rates and charges, the following schedules and fees are recommended for update:

- Schedule B - Account Establishment Charge
- Schedule C - Charges for Special Services
- Real Property Use Application Fees
- Public Records Act Fee Schedule and District Publication Fees

Schedule B – Account Establishment Charge

Based on the analysis of the District's cost to set up a new account or to transfer an account for a customer moving from one address to another, the Account Establishment Charge is proposed to increase from \$40 to \$52 in FY17. The charge for customers who use the EBMUD website to sign up online for a new account is lower to reflect the labor cost savings. The Account Establishment Charge for online customers increases from \$20 to \$36 in FY17. The Account Establishment Charge for customers who qualify for the Customer Assistance Program (CAP) will be \$26 in FY17, which is consistent with the CAP 50% discount on charges for monthly water service. The CAP is subsidized from the property tax revenues that the District receives.

Schedule C - Charges for Special Services

Schedule C contains the charges for special customer services such as the metering testing program, backflow prevention program, lien program, public hydrant meters, and service interruptions. After a detailed review of the cost to provide each of the services, the following recommended changes are proposed for FY17.

Meter Testing Charges

The District is responsible for the maintenance and replacement of all water meters, and recovers those costs through the monthly water service charge. When the District suspects or determines a water meter is not functioning properly, the District tests and/or replaces the malfunctioning meter. When a meter is tested at the sole request of the customer, the District bills the customer a Meter Testing Charge based on the size of the meter to recover the cost of performing this work. If the

meter is found to be over-registering water consumption, the meter testing fee is refunded. For FY17, the meter testing charges are proposed to increase by approximately 5%, reflecting actual District costs.

Service Interruption Charges

If the District is unable to collect or establish and maintain payment arrangements for payment of unpaid water bills, the District will discontinue water service to the customer. Initially, the water service is shut off at the meter, which would trigger a Service Trip Charge. The service trip charge is proposed to increase in FY17 from \$43 to \$45. After the customer pays the delinquent charges owed to the District, another Service Trip Charge is assessed to restore the service. If the customer requests the service be restored after normal business hours, an after-hours Service Trip Charge is assessed. The after-hours Service Trip Charge is proposed to be \$62 for FY17, currently \$50. If it is determined that the customer tampered with the water meter after the District has shut off water service, a \$1,000 Water Theft Penalty will be charged and an S-Lock will be placed over the meter at a charge of \$57; the S-Lock Service Interruption Charge is a new charge for FY17. If the customer is determined to have tampered with the S-Lock, the meter will be plugged at a proposed FY17 Plug Service Interruption Charge of \$394, currently \$350.

Returned Payment Charge

The cost to the District to process a returned check or electronic transaction received as payment was calculated to be \$25. The proposed FY17 returned payment charge is proposed to decrease from \$27 to \$25.

Lien Program Fees

The Lien Program Fees have been amended to reflect the District's staff costs and the fees charged to the District by Alameda and Contra Costa Counties to record and remove the liens. The updated review identified a need to increase the lien removal fees to fully recover the District's costs. The Lien Removal Fee in FY17 is proposed to increase to \$152 for Alameda County, currently \$71, and \$144 for Contra Costa County, currently \$64. The property tax transfer fee without liens recorded has been removed because this procedure is no longer performed.

Wasteful Use Charge and Flow-Restrictor Installation

If the District suspects that a customer is using water in a wasteful manner, District staff contacts the customer and investigates the customer's water use. If it is determined that the customer is violating the District's water service regulations on water waste, a Wasteful Use Charge, will be charged to recover the cost of monitoring the customer's ongoing water use. The Wasteful Use Charge for FY17 is proposed to be \$45, currently \$46. If the customer continues to violate the water service regulations on water waste, a flow restrictor may be installed at the customer's expense. The cost of installing the flow restrictor has been updated for FY17, increasing the Flow-Restrictor Installation Charge from \$53 to \$113 for small meters under 1½ inches and from \$187 to \$243 for 1½ and 2-inch meters.

Commercial Backflow Device Annual Certification and Violation Charges

To ensure that the water system is not compromised by contaminants, pollutants or plumbing hazards, the District requires a backflow prevention device on some commercial water service connections. A Backflow Device Annual Certification Charge is assessed to fund the cost to administer the program and is proposed to be \$53 for FY17, currently \$59. The District maintains a list of certified private companies that can perform the required backflow test. For a company to be included on the list of certified backflow testers, the District charges a Certified Tester Listing Charge. The Certified Tester Listing Charge for FY17 is proposed to be \$148, currently \$100. If it is determined that a customer has violated the District's backflow prevention requirements, the District charges a Commercial Backflow Device Violation Charge, which is proposed to increase from \$199 to \$470 in FY17, to recover the District's costs to shut off the water service and restore the service once the District verifies that the backflow requirements have been met.

Intervening Water Service Agreement

The District has a program that automatically transfers a property's water service account to the landlord when a tenant who is the EBMUD account holder terminates service. This program allows for water service to continue uninterrupted while the property is vacant without the landlord having to open a new account and pay an Account Establishment Charge for that property. There is a one-time processing fee for the Intervening Water Service Agreement, to recover the administrative costs to set up the agreement. For FY17, the Processing Fee for Intervening Water Service Agreement is proposed to increase from \$27 to \$55.

Service Trip Charge

The Service Trip Charge is proposed to increase from \$43 to \$45 in FY17. Service Trip Charges recoup the cost of sending a Field Services Representative or other District staff to a service for payment collection, payment extension, service interruption and restoration, and other similar account related stops.

Public Hydrant Meter Account Establishment and Site Visit Charges

The hydrant meter program provides customers with a 3-inch hydrant meter that can be hooked up to a public fire hydrant to meter water use when temporary water service has been approved by the District. The Public Hydrant Meter Account Establishment and Renewal charge to establish and annually renew the hydrant meter account is proposed to increase in FY17 from \$89 to \$109, which recovers the District's costs. The hydrant meter program relies on customers to regularly self-report meter readings and periodically exchange their meters. When a customer does not follow the terms of the agreement, a Hydrant Meter Account Site Visit Charge is charged to recover the cost of investigation and site visits by a Field Services Representative or other District staff to recover the meter. For FY17, the Hydrant Meter Account Site Visit Charge is proposed to be \$217, currently \$215.

Real Property Use Application Fees

The District may allow for use of its property by other public agencies or private entities after evaluating if the proposed use adversely impacts District operations, is compatible with District land management policies and practices, and if there are measurable benefits to the District. The Real Property Use Application Fee schedule recovers the cost of evaluating the applications based on the type of use being requested.

This fee schedule was last updated in 1997. For FY17, the District updated fees to recover the full cost of real estate staff time required to process the transactions. Because the fees had not been updated in 20 years, there are significant increases in the Real Property Use Application Fees shown in Tab 4. For the FY17 update, subcategories and fees for several use applications have been created for routine reviews that do not require significant real estate staff investigations – Fee Title for Properties for Sale \$2,000 (currently \$2,000), Easements Utility Type Fee \$2,000 (currently \$1,000), Quitclaim of Pipe Abandonment Fee \$1,000 (currently \$1,000) and Temporary Construction Easement/Encroachment Permit Fee on open land (no District facilities) \$600 (currently \$100). The majority of the use applications submitted to the District are for Revocable License Fee, proposed to increase from \$500 to \$1,600 in FY17, Lease Fee, proposed to increase from \$600 to \$2,000 in FY17, Telecommunications Lease Fee, proposed to increase from \$2,000 to \$3,400 in FY17, and Temporary Construction Easement Fee, proposed to increase from \$100 to \$600 on open land and \$2,200 other in FY17.

Public Records Act Fee Schedule and District Publication Fees

We are recommending revisions to the fee schedule that covers the costs of duplication of District records in accordance with the Public Records Act. The recommended changes to the fee schedule include updating the cost of duplication and programming labor charges to reflect direct labor costs for the job classifications of administrative assistant and senior systems programmer.

2. Water System Capacity Charges

Chapter 2 – Water System Capacity Charges/ Water Demand Mitigation Fees

INTRODUCTION

There is a continuing need to construct both water supply and water distribution system improvements to assure that there will be reliable and secure water service for each new connection to the District's system. The System Capacity Charge (SCC) was first established in 1983 as a means of assessing applicants an appropriate share of the costs of water distribution capital improvements within the SCC regions of the District. In 1986, an appropriate share of the costs of future water supply improvements was added to the SCC.

All applicants for water service are required to pay the SCC when the installation of a new service or upsizing of an existing connection is needed. The SCC is applied on a regional basis (See Exhibit 1 for map), and the SCC charge is updated annually to reflect construction cost escalation for facilities that have already been built or increased cost estimates for facilities yet to be constructed and financed.

In Fiscal Year 2008 (FY08), the Board adopted the recommendations of the SCC Study performed by a rate consultant. The proposed FY17 SCC rates are based on updates to calculations from that study, the details of which are contained in Exhibit 2. The SCC consists of three components:

1. A System-wide Buy-In Component, which is calculated to recover a portion of the cost of existing facilities that serve the system as a whole;
2. A Regional Buy-in Component, which is calculated to recover a portion of the costs of existing facilities that serve one of the three SCC Regions (notably treatment plant and distribution facilities); and
3. A Future Water Supply (FWS) Component, which is calculated to recover a portion of the costs of future water supply projects that are allocated to new connections.

The District also has a Standard Participation Charge (SPC), a District-wide connection charge that is applicable to only a few remaining contracts for service entered into prior to 1983 that was first established in 1978. The SPC was designed to recover the District-wide average cost of distribution facilities constructed to serve new connections and was superseded by the SCC in 1983. A FWS Component was added to the SPC in 1986. The SPC charge is calculated to recover the latest Water Supply Management Plan costs and will continue to be less than the SCC charge in most regions. Customers eligible for service under the SPC regulations can pay for service under the more favorable of either of the SPC or SCC terms and conditions.

RECOMMENDATIONS

1. Adopt the FY17 Schedule J for the Water System Capacity Charge (SCC). All regions reflect updates for the construction of additional facilities, construction cost escalation, financing costs, and revised estimated costs to complete the Future Water Supply projects.

2. Adopt the change to the SCC for Standard Service to require non-residential applicants with 2-inch meters to follow Section A.3 SCC for Larger Meters of Schedule J, which uses an individual determination of water use to calculate the SCC.
3. Adopt the change to the SCC credit language where an SCC was not paid on the existing service to establish the minimum credit given to applicants with larger meters as the credit given to the 1½-inch meter, which corresponds to the approach for the minimum SCC charge for larger meters for new connections.
4. Adopt the FY17 Schedule H for the Standard Participation Charge (SPC) that reflects the allowable cost for facilities necessary to serve applicants who had separate facility agreements with the District prior to July 1, 1983.
5. Adopt the FY17 Schedule N for Water Demand Mitigation Fees for “The Wendt Ranch,” “The Meadows,” “The Wiedemann Ranch Development,” the “Camino Tassajara Integrated Project” and the “Gale Ranch Phase II” projects, which reflect the latest proposed costs for the Future Water Supply Component of the SCC. In addition, the Water Use Offset Fees and Additional Water Use Offset Fees for “The Wiedemann Ranch Development” have been updated to reflect the latest U.S. City Average of the Consumer Price Index.

The changes and updates recommended for the SCC, SPC and Water Demand Mitigation Fees will be effective on August 15, 2016 or sixty days following adoption by the Board. These rates are not subject to the requirements of Proposition 218.

DISCUSSION

In 2007, with the assistance from a rate consultant, the District revised its approach to the System Capacity Charge and established the system-wide and regional buy-in components. Pursuant to the methodology outlined in the consultant report, the proposed System Capacity Charges have been updated for the Engineering News Record Construction Cost Index escalation to reflect increasing costs to reproduce existing plant assets needed to serve prospective customers. The updated asset values used in the proposed FY17 SCC rate calculations as laid out in the consultant report are shown in Exhibit 2. The Future Water Supply Component was also updated for FY17.

SCC Rate Calculations

The proposed SCC rates are shown in Table 1 for a 3/4-inch meter for single-family residential and 5/8-inch meter non-residential customers. These meter connections account for the majority of all future water service connections. Larger meters pay proportionately more based on the estimated usage of the new connections. Non-residential connections pay more in some regions due to higher consumption.

Table 1: Updated SCC Rate Charges

Region	Water Consumption		Unit Costs \$/100 gpd	Capacity Charge	
	Residential 3/4" (gpd)	Non Res 5/8" (gpd)		Residential 3/4" \$ (% incr)	Non Res 5/8" \$ (% incr)
Region 1	280	400	\$5,979	\$16,740 (2.3%)	\$23,920 (2.3%)
Region 2	360	535	\$8,067	\$29,040 (2.2%)	\$43,160 (2.2%)
Region 3	580	625	\$6,388	\$37,050 (2.3%)	\$39,930 (2.3%)
Region 3C	775	775	\$11,173	\$86,590 (3.3%)	See Note 1
Region 3D	775	775	\$12,500	\$96,870 (3.2%)	\$96,870 (3.2%)

Note 1: Calculated based on a 1993 Agreement with HCV & Associates Ltd., Wiedemann Ranch, Inc., and Sue Christensen.

The SCC charge for each region is derived from the sum of the unit charges of each of the SCC components and then multiplied by the estimated average daily water consumption in that SCC region as listed in Table 1. The District has determined average daily water consumption values for non-residential service meters up through 2 inches and single-family service connections up through 1½ inches within each SCC region, and established SCC charges based on those averages. For larger meter sizes, the SCC charge is determined using the same methodology as for smaller meters but calculated on a case-by-case basis from the unit charges of the three SCC components and multiplied by the estimated required demand of the requested service installation.

Applicants for non-potable water service have their SCC charge calculated based solely on the FWS Component. These customers are not served by the potable water system; they are served through a separate non-potable water system.

SCC Unit Charges

Table 2 shows the breakdown of the unit charges for individual components: system-wide buy-in; regional buy-in; post-2000 component (for special regions only); and future water supply costs by region.

The SCC for the two remaining special regions 3C and 3D recover the costs of the additional facilities that were built to serve new connections in the region; costs associated with these facilities are being referred to in Schedule J as the “post-2000 component” unit charge. The regional buy-in unit costs for special regions 3C and 3D are lower than the region 3 regional buy-in unit costs to account for distribution pumping and reservoir costs that are already included in the post-2000 component.

Table 2: Updated SCC Unit Charges

Region	Unit Charges \$/100 gpd				
	System-Wide Buy-In	Regional Buy-In	Post 2000	Future Water Supply	Total
Region 1	\$2,032	\$2,027		\$1,920	\$5,979
Region 2	\$2,032	\$4,115		\$1,920	\$8,067
Region 3	\$2,032	\$2,436		\$1,920	\$6,388
Region 3C	\$2,032	\$1,828	\$6,720	\$593*	\$11,173
Region 3D	\$2,032	\$1,828	\$6,720	\$1,920	\$12,500

*The FWS Component for Region 3C is \$593 per 100 gpd based on the 1993 Agreement with HCV & Associates Ltd., Wiedemann Ranch, Inc. and Sue Christensen.

The SCC unit charges are calculated by dividing the current asset values by the 2030 demand numbers from Tables 10, 11 and 16 in Exhibit 2, which are summarized in Tables 3-5 below:

Table 3: SCC Asset Values

Asset Category	Asset Value
System-Wide Buy-In	\$4,309,232,998*
Regional Buy-In Region 1	\$2,351,781,558
Regional Buy-In Region 2	\$1,238,904,209
<u>Regional Buy-In Region 3</u>	<u>\$1,605,819,731</u>
Regional Buy-In Total	\$5,196,505,498**
Adjusted Asset Values Used in Buy-In Unit Costs	\$9,505,738,496***
Future Water Supply	\$ 1,035,000,000

*Exhibit 2 Table 11 line 2

**Exhibit 2 Table 12 line 10

***Exhibit 2 Table 10 line 6

Table 4: SCC 2030 Demand

	Customer Demand MGD
Base Demand	158.2
Additional Demand	53.8
Total 2030 Demand	212.0

Table 5: SCC 2030 Demand by Region

REGION	Total Demand (MGD)	per SFR Connection (gpd)	per Non Res Connection (gpd)
Region 1	116.0	280	400
Region 2	30.1	360	535
Region 3	65.9	580	625
Total	212.0		

Future Water Supply Component Details

The unit cost of the FWS Component for FY17 will increase from \$1,870 per 100 gpd to \$1,920 per 100 gpd, an increase of 2.7%, as a result of cost changes to current and future projects and updates to the costs of financing for those projects that have already been completed. The revised costs for these projects are shown in Table 6 and are described below. The total FWS cost allocated to the SCC is divided by the total future demand of 53.8 MGD to calculate the unit cost of the FWS Component.

Table 6: Future Water Supply Project Costs and Unit Rate

FY17 Future Water Supply Projects (\$ millions)				
		Costs Allocated to SCC		
		Allocated Costs*	Allocated Capitalized Interest**	TOTAL
Major Projects	Total Costs			
Completed Projects				
WSMP Study and EIR Costs	\$77			
Water Recycling	139			
Freeport Regional Water Project	488			
Local Ground Water and Intertie	36			
Central Valley Project Capital Facilities	11			
Subtotal	751	526	223	749
Future Projects	408	286	-	286
TOTAL	\$1,159	\$812	\$223	\$1,035 ***
Future Water Supply Unit Rate	\$1,035 Million/53.8 MGD = \$1920 per 100 gpd			

*70% of the Total Costs are allocated to the Future Water Supply Component of the SCC.

**Capitalized Interest represents the financing costs of expenditures for water supply projects that were undertaken since 1986.

**The comparable amount used in the FY16 SCC calculation was \$1,006 million.

The Future Water Supply Project costs allocated to the SCC includes \$751 million for completed projects including financing costs and an additional \$286 million for future projects.

Completed Projects

Completed projects include \$77.4 million for study and EIR costs, \$139 million for current reclamation projects, \$488 million for the Freeport Regional Water Project, \$36 million for local groundwater and intertie projects, and \$11 million for the Central Valley Water Project facilities.

The current recycled water projects include the initial phase of the East Bayshore Recycled Water Project, the District's portion of the Dublin-San Ramon Services District (DSRSD) - EBMUD Recycled Water Authority (DERWA) Project, North Richmond Recycled Water Project, and other recycled water irrigation projects.

The District's portion of the expenses to construct the Freeport Regional Water Project (FRWP) and the associated Folsom South Canal Connection (FSCC) reflects the current cost information. The FRWP is a joint project with Sacramento County Water Agency. FRWP at its peak capacity can divert and treat up to 185 million gallons of water per day from the Sacramento River near the town of Freeport. The total cost of the joint project is approximately \$922 million. The District's portion of the costs is approximately \$488 million, which includes the above-mentioned intake system, pipelines and pump stations, as well as project management costs incurred by the District. FRWP has the capacity to provide the District with up to 100 million gallons of water per day.

As part of the future water supply programs, the District has completed Phase 1 of the Bayside Groundwater Project and an intertie project with Hayward-San Francisco. The intertie serves to provide an emergency connection to the San Francisco Public Utilities Commission's Hetch Hetchy water system. Construction was completed in FY09.

Capital facilities of the Central Valley Project (CVP) that are allocated to the District are included in the Future Water Supply Projects.

Future Projects

Future projects in the Future Water Supply program include conjunctive use projects, water transfers, and expansion of local groundwater and water recycling projects. Conjunctive use projects (including groundwater banking and storage options) are being developed with multiple San Joaquin County, Calaveras County and Amador County water agencies. The District water transfer efforts are focused on developing long-term dry-year water transfer agreements, but the District will also continue to implement temporary, short-term water transfers as needed. Phase 2 of the Bayside Groundwater Project is included. Another \$197 million is expected to be spent on future expansion of both the East Bayshore and DERWA projects as well as other water recycling projects in the San Ramon Valley, San Leandro, Richmond, Rodeo, and surrounding areas. The District has been participating in the Regional Desalination Project and the Bay Area Regional Reliability effort, but it is premature to include any future project costs from these efforts in the Future Water Supply plan. The District is also investigating partnering with the Contra Costa Water District to obtain storage capacity in the Los Vaqueros Reservoir.

SCC For Standard Service

Currently, when an applicant applies for residential or non-residential water service, the District determines the meter size required to serve the customer's water demand. If the required meter size is 2 inches and smaller for non-residential premises, or 1½ inches and smaller for residential premises, the SCC is determined based on the meter size and region. The tables shown in Sections A.1 and A.2 of Schedule J list the SCCs based on the corresponding meter size and region. Because the variability in water demand among customers with larger meters can result in significant differences in SCCs, a fixed table for SCCs cannot be used for larger meters. The SCCs for non-residential meters larger than 2 inches and residential meters larger than 1½ inches are calculated based on analysis of the individual customer's average annual

expected water use. In addition, Section A.3 of Schedule J (“SCC for Larger Meters”) specifies that the SCC for larger meters cannot be less than the SCC for a 2-inch meter for non-residential meters and 1½-inch meter for residential meters listed in the tables shown in Sections A.1 and A.2 of Schedule J. In review of the SCC distinction between the fixed table approach for calculating SCCs for small meters and the individual approach for calculating SCCs for larger meters, it was determined that the variability in water use for 2-inch non-residential meters can cause a significant difference in the assessed SCC that warrants the removal of the 2-inch non-residential meter from the fixed SCC table.

For FY17, staff recommends that the fixed table approach for calculating SCCs by meter size for non-residential applicants be limited to meters 1½ inches and smaller, which is consistent with the current approach for residential applicants. If adopted, the District will calculate the SCC based on an individual analysis of expected average annual water use for all applicants that require meters larger than 1½ inches. The same change in approach for meters larger than 1½ inches will be applied to the charges in Schedule N – Water Mitigation Fees. Reference to District’s regulations on metering requirements for multi-family premises was added to Schedule J and Schedule N.

SCC Credit

When an existing water service is replaced with a larger meter or separated into multiple meters on the original premises, the applicant could receive credit for their existing meter towards the new SCCs due for the replacement meter(s). If an SCC was paid on the existing meter (applies to all meters installed after 1982), a credit will be given toward the new SCC based on the customer classification, meter size or water use information that was used to calculate the initial SCC payment; such credit will reflect the SCC values of the current Schedule J. If the existing water service was installed prior to 1983 and no SCC was paid on the original meter, the SCC credit will depend on the size of the meter. For residential meters 1½ inches and smaller and non-residential meters 2 inches (proposed FY17 change to 1½ inches) and smaller, the SCC credit is currently based on the fixed tables of SCCs by meter size and SCC region listed in Sections A.1 and A.2 of Schedule J. Consistent with the approach for the SCC for larger meters for new connections, the SCC credit for larger meters installed prior to 1983 is based on individual analysis of the water use at the existing service over the prior 10 years.

The SCC credit language in Section G Credit for Existing Services of Schedule J is proposed to be updated so that the minimum credit given to larger meters is equal to the credit given to the 1½-inch meter from Sections A.1 and A.2 of Schedule J. This update corresponds to the approach for the minimum SCC for larger meters for new connections shown in Section A.3 SCC for Larger Meters of Schedule J. In the proposed update of Schedule J, a statement was added to the SCC credit language to reinforce that the SCC credit can only be applied to the premises where the existing service is located.

Exhibit 1

**East Bay Municipal Utility District
Distribution System SCC Regions**

Exhibit 2

Table 7. EBMUD Water SCC Review

Water System Fixed Asset Balances (as of 1/1/2016)

Account	Description	Original Cost	Current Value ENR	Allocation
			2016*	
1001	Auto Control System	\$69,616,886	\$125,631,637	System-wide
1005	Hydroelect Power Generation	\$50,165,544	\$138,810,558	System-wide
1015	Source of Water Supply	\$116,244,212	\$773,905,697	System-wide
1025	Raw Wtr Transmission	\$326,793,370	\$2,133,561,892	System-wide
1060	Raw Wtr Trans Pump	\$40,844,897	\$117,340,075	System-wide
1080	Terminal Reservoirs	\$193,360,238	\$877,915,938	System-wide
1100	Water Treatment	379,876,736	\$837,309,721	By Region
1130	Distribution Pumping	176,813,081	\$331,287,781	By Region
1140	Distribution Reservoirs	338,690,760	\$971,951,505	By Region
1166	Distribution Mains	1,133,134,095	\$3,802,704,865	By Region
1170	Distribution Aqueducts	89,169,460	\$303,255,742	By Region
1175	Pressure Regulators	30,625,255	\$63,437,698	By Region
1180	Venturi Meters & Cath Prot Sta	6,032,937	\$11,591,643	By Region
1185	Distribution Hydrants	55,112,392	\$193,088,842	By Region
1200	General Plant Structures	\$217,567,238	\$388,961,550	System-wide
1205	Equipment-Trans & Constr	\$50,498,327	\$73,832,748	System-wide
1210	Equipment-Office	\$19,922,148	\$32,849,509	System-wide
1215	Equipment- Eng & Lab	\$3,699,288	\$6,464,328	System-wide
1220	Equipment-Tools & Work	\$4,516,067	\$7,914,511	System-wide
1225	Equipment- Stores	\$7,894	\$13,514	System-wide
1230	Equipment- Shop	\$1,688,016	\$2,996,128	System-wide
1300	Land Source of Supply	\$7,832,091	\$100,349,572	System-wide
1310	Land Raw Wtr Trans	\$3,710,592	\$47,559,264	System-wide
1315	ROW Raw Wtr Trans	\$1,229,538	\$3,229,056	System-wide
1320	Land Terminal Reservoirs	\$18,931,841	\$214,844,931	System-wide
1330	Land Water Treatment	\$2,974,390	\$19,312,469	System-wide
1340	Land Reclamation	\$2,174,793	\$4,023,884	System-wide
1350	Land Distribution	\$7,928,007	\$60,097,454	System-wide
1355	Land	\$1,737,088	\$4,168,417	System-wide
1360	Land General Plan	\$7,714,529	\$21,723,399	System-wide
1910	Unallocated As Built Costs	\$10,304,085	\$18,239,548	System-wide
1911	Deferred Software Costs	\$66,439,595	\$88,805,097	System-wide
1981	Dfd EB Wtrshed Master Pln Costs	\$5,900,230	\$8,558,121	System-wide
1985	Dfd Lab Expansion Costs	\$8,874,204	\$16,000,862	System-wide
1986	Dfd Solids Receiving Costs	\$728,024	\$1,559,283	System-wide
1988	Prelim Eng & Environ Studies	\$74,404,275	\$113,624,288	System-wide
	Subtotal	\$1,315,807,407	\$5,402,293,730	System-wide
	Subtotal	\$2,209,454,716	\$6,514,627,796	By Region
	TOTAL	\$3,525,262,123	\$11,916,921,526	

*Original cost escalated by ENR Construction Cost Index from date of acquisition.

Source: EBMUD's ledger balance as of December 31, 2013

Table 8. EBMUD Water SCC Review
System-Wide Fixed Asset Balances in Buy-In (as of 1/1/2016)

Account Description		Current Value ENR 2016*	
	Original Cost		
1001 Auto Control System	\$69,616,886	\$125,631,637	
1005 Hydroelect Power Generation	50,165,544	\$138,810,558	
1015 Source of Water Supply	116,244,212	\$773,905,697	
1025 Raw Wtr Transmission	326,793,370	\$2,133,561,892	
1060 Raw Wtr Trans Pump	40,844,897	\$117,340,075	
1080 Terminal Reservoirs	193,360,238	\$877,915,938	
1200 General Plant Structures	217,567,238	\$388,961,550	
1205 Equipment-Trans & Constr	50,498,327	\$73,832,748	
1210 Equipment-Office	19,922,148	\$32,849,509	
1215 Equipment- Eng & Lab	3,699,288	\$6,464,328	
1220 Equipment-Tools & Work	4,516,067	\$7,914,511	
1225 Equipment- Stores	7,894	\$13,514	
1230 Equipment- Shop	1,688,016	\$2,996,128	
1300 Land Source of Supply	7,832,091	\$100,349,572	
1310 Land Raw Wtr Trans	3,710,592	\$47,559,264	
1315 ROW Raw Wtr Trans	1,229,538	\$3,229,056	
1320 Land Terminal Reservoirs	18,931,841	\$214,844,931	
1330 Land Water Treatment	2,974,390	\$19,312,469	
1340 Land Reclamation	2,174,793	\$4,023,884	
1350 Land Distribution	7,928,007	\$60,097,454	
1355 Land	1,737,088	\$4,168,417	
1360 Land General Plan	7,714,529	\$21,723,399	
1910 Unallocated As Built Costs	10,304,085	\$18,239,548	
1911 Deferred Software Costs	66,439,595	\$88,805,097	
1981 Dfd EB Wtrshed Master Pln Costs	5,900,230	\$8,558,121	
1985 Dfd Lab Expansion Costs	8,874,204	\$16,000,862	
1986 Dfd Solids Receiving Costs	728,024	\$1,559,283	
1988 Prelim Eng & Environ Studies	74,404,275	\$113,624,288	
TOTAL	\$1,315,807,407	\$5,402,293,730	

*Original cost escalated by ENR Construction Cost Index from date of acquisition.

Source: EBMUD's ledger balance as of December 31, 2013

**Table 10. EBMUD Water SCC Review
Adjustment of Fixed Asset Value**

	Value	% of Total
1/1/16 Fixed Assets Value (Escalated by ENR)	\$11,916,921,526	
6/30/15 Fixed Assets Value (Escalated by ENR)	\$11,804,042,940	100%
Adjustment to Fixed Assets:		
Less Outstanding Debt (6/30/15)	-\$2,823,075,000	
Plus Existing Cash Reserves (6/30/15)	\$434,731,000	
Net Fixed Assets Value (6/30/15)	\$9,415,698,940	79.77%
Net Fixed Assets Value (1/1/16)	\$9,505,738,496	
Adjustment Factor of Fixed Assets	79.77%	

**Table 11. EBMUD Water SCC Review
Calculation of Buy-in to System-Wide Fixed Assets**

System-Wide Fixed Assets (from Table 7)	\$5,402,293,730
Net System-Wide Fixed Assets Value	79.77%
District Projected Net 2030 Consumption (gpd)	212,000,000
Buy-in to Net System Wide Fixed Assets (\$/100 gpd)	\$2,032

Table 16. EBMUD Water SCC Review
Combined Regions Regional Fixed Assets Buy-in Calculations*
(as of 1/1/16)

Account	Descr	Region1	Region 2	Region 3	Total
1100	Water Treatment	\$414,241,680	\$136,716,100	\$286,351,942	\$837,309,721
1130	Distr Pumping	\$64,812,654	\$112,895,563	\$153,579,564	\$331,287,781
1140	Distr Reserv	\$265,876,824	\$356,876,605	\$349,198,077	\$971,951,505
1166	Distr Main	\$1,846,577,133	\$811,807,103	\$1,144,320,630	\$3,802,704,866
1170	Distr Aqueducts	\$240,735,235	\$62,520,506	\$0	\$303,255,742
1175	Pressure Regul	\$16,637,010	\$38,657,185	\$8,143,504	\$63,437,698
1180	Venturi & Cathodic	\$7,224,802	\$629,542	\$3,737,297	\$11,591,641
1185	Distr Hydrants	<u>\$92,218,592</u>	<u>\$33,056,495</u>	<u>\$67,813,755</u>	<u>\$193,088,842</u>
	Total	2,948,323,929	1,553,159,099	2,013,144,768	6,514,627,796
	Adjusted totals				
	79.77%	2,351,781,558	1,238,904,209	1,605,819,731	5,196,505,498
	Regional Consumption gpd	116,000,000	30,100,000	65,900,000	
	Regional Buy-in \$/100 gpd	\$2,027	\$4,115	\$2,436	

*Original cost escalated by ENR Construction Cost Index from date of acquisition.

3. Wastewater Capacity Fees

Chapter 3 – Wastewater Capacity Fees

INTRODUCTION

The Wastewater Capacity Fee (WCF) was implemented in 1987 to recover costs for providing wastewater treatment capacity for new or expanded system use. The WCF is based on a “buy-in” or an equity approach, whereby new users “buy-in” to a wastewater system that has adequate capacity to serve both existing demands and new growth. The wastewater system capacity is expressed in terms of wastewater flow volume (flow) and strength factors including Chemical Oxygen Demand Filtered (CODF) and Total Suspended Solids (TSS). The WCF applies to all dischargers who increase wastewater volume or strength. For example, an additional capacity fee may be required to be paid if a property is developed and connects to the wastewater system, changes use or is redeveloped and increases the volume or strength of the wastewater it discharges, or a flow review has been completed by the District and demonstrates that the volume and/or strength of the wastewater discharged from a non-residential property has significantly increased or is greater than anticipated at the time a WCF was first paid. The WCF is calculated based on the anticipated flow contributions multiplied by the average wastewater strength measured or assigned for each classification of customer and the unit capacity rates for flow and strength factors. For non-residential customers, a review of the actual flow and strength may be conducted within 24 months, once the business is fully established, to verify the estimated demand for wastewater capacity. The review may result in the assessment of additional capacity fees if the actual flow and strength exceeds the original estimate.

RECOMMENDATIONS

- Adopt the FY17 Schedule G for the Wastewater Department Capacity Fees. The proposed fees include the fourth year of the 5-year phase-in of the revised WCF calculations approved by the Board in 2013 and updates for the construction of additional facilities and construction cost escalations.

The changes and updates recommended for the WCF will be effective on August 15, 2016, or sixty days after adoption by the Board. The capacity fee is not subject to Proposition 218 notification.

DISCUSSION

In 2013 the Board approved a modification to the WCF calculation based on decreasing the design-capacity value from 120 MGD to 85 MGD to reflect the build-out capacity of the wastewater service area. The modifications to the WCF calculations were recommended by a financial rate consultant hired to conduct a comprehensive study of the District’s WCF methodology. The Board approved the change in the WCF calculation and phased the change in over 5 years. If the change to the design capacity were implemented in one step, the unit capacity rates would have increased in FY14 by 49.2% for flow, 154.8% for CODF and 45.7% for TSS and the resulting WCF increase for FY14 to the single family connection would have been 60.2%.

For FY17 staff has updated the WCF calculations for the addition of new facilities and to reflect the construction cost escalations. These calculations are shown in Tables 1 through 5. In addition, the fourth year of the 5-year phase-in of the modification of the WCF calculation was implemented. For

FY17, the WCF rate is proposed to increase by 15.6% for the single-family connection, going from \$1,860 to \$2,150. Table 1 shows the proposed unit capacity rates for FY17 for the fourth year of the 5-year phase-in. The entire list of proposed capacity fees for FY17 is contained in Schedule G Wastewater Department Capacity Fee in Tab 4.

TABLE 1 UNIT CAPACITY RATES WITH PROPOSED DESIGN FLOW MODIFICATION

Unit Capacity Rate	Current	FY17 PHASED-IN YR 4	% Incr
Flow /Ccf/ Month	\$139.19	\$159.07	14.3%
CODF / lbs/ Month	\$ 38.20	\$ 46.88	22.7%
TSS / lbs/ Month	\$ 55.41	\$ 63.10	13.9%

Single Family Connection Charge	\$1,860	\$2,150	15.6%
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EXHIBIT 1

Table 2

EBMUD Wastewater Capacity Fee Analysis
Asset Values by Class Code (as of 1/1/16)

<u>Class Code</u>	<u>Class Description</u>	Original Value	2016 ENR Adjusted Value
		<u>Class Total</u>	<u>Class Total</u>
WW0301 Total	North Interceptor	\$41,667,643	\$116,600,768
WW0302 Total	South Interceptor	34,258,339	183,118,471
WW0303 Total	Alameda Interceptor	9,630,895	41,037,630
WW0304 Total	Estuary Crossing	456,493	8,130,942
WW0305 Total	Central Avenue Interceptor	8,938,996	15,303,501
WW0306 Total	South Foothill Interceptor	21,468,263	39,615,192
WW0307 Total	Adeline Street Interceptor	18,612,785	32,687,135
WW0308 Total	Powell Street Interceptor	5,290,727	9,461,736
WW0309 Total	ANAS Interceptor	3,487,760	5,572,829
WW0310 Total	Wood St Interceptor	798,725	1,301,251
WW0311 Total	Mwwtp-Outfall Land	2,078,909	35,467,306
WW0312 Total	Mwwtp-Outfall Submarine	5,545,770	33,475,482
WW0313 Total	Mwwtp-Outfall Bridge	238,025	522,727
WW0321 Total	Pump Station A-Albany	3,671,840	6,516,346
WW0322 Total	Pump Station B-Fernside	6,626,560	12,683,892
WW0323 Total	Pump Station C-Krusi Park	13,118,647	25,692,175
WW0324 Total	Pump Station D-Oak Street	1,457,339	2,258,069
WW0325 Total	Pump Station E-Grand Street	1,437,475	2,087,070
WW0326 Total	Pump Station F-Atlantic Avenue	1,858,182	4,685,954
WW0327 Total	Pump Station G-Airport	2,676,794	5,698,459
WW0328 Total	Pump Station H-Fruitvale	11,425,516	20,261,695
WW0329 Total	Pump Station J-Frederick Street	1,353,719	3,995,362
WW0330 Total	Pump Station K-7Th Street	1,426,705	4,061,401
WW0331 Total	Pump Station L	4,860,237	8,870,260
WW0333 Total	Pump Station Q- Wet Weather Page St Berkeley	570,705	945,396
WW0334 Total	Pump Station N (new)	6,329	8,053
WW0335 Total	ANAS Pump Station	7,367,039	11,775,478
WW0341 Total	Mwwtp-Influent Pump Station	33,580,591	71,239,459
WW0342 Total	Mwwtp-Effluent Pump Station	18,614,506	46,930,832
WW0343 Total	Pt. Isabel Tp-Treatment & Pretreatment Structures	45,242,670	74,607,752
WW0344 Total	Pump Station M - Bridgeway	1,817,199	2,985,474
WW0346 Total	Mwwtp-Mid-Plant Pump Station	6,638,722	10,090,516
WW0347 Total	Mwwtp-Water Pump Station #3	896,125	1,660,067
WW0348 Total	Mwwtp-Wet Weather Pump Station	950,812	1,350,975
WW0349 Total	Mwwtp-Washdown Pump Station	215,504	399,220
WW0351 Total	Mwwtp-Aerated Grit Tanks	7,026,001	24,686,931
WW0352 Total	Mwwtp-Chlorine System	126,681	152,756
WW0354 Total	Point Richmond-Pretreatment Structure	8,000	13,917
WW0355 Total	Oakport Wet Weather-Pretreatment Structure	8,697,836	18,217,134
WW0356 Total	Oakport Wet Weather-Pretreatment Structure	737,462	1,545,849
WW0357 Total	Mwwtp-Grit Dewatering Station	12,447,091	16,631,038
WW0358 Total	Mwwtp-Channel Crossing For Bypass Channel	4,780,140	8,855,186
WW0359 Total	Mwwtp 90" Pipe-Primry Effluent Bypass	2,005,802	3,715,739
WW0360 Total	Mwwtp 72" Pipe-Primry Influent Bypass	2,540,549	4,559,631
WW0361 Total	Mwwtp-Diversion Structure	25,290,502	69,313,667
WW0362 Total	Mwwtp-Bypass Inlet Structure	15,415,976	62,378,236

Table 2 (cont.)

<u>Class Code</u>	<u>Class Description</u>	Original Value	2016 ENR Adjusted Value
		<u>Class Total</u>	<u>Class Total</u>
WW0363 Total	North Interceptor Junction Storage	341,675	1,033,203
WW0364 Total	Mwwtp-Bypass Outlet Structure	587,432	1,751,246
WW0365 Total	Mwwtp-Final Effluent Bypass Channel	1,910,831	2,383,407
WW0366 Total	Mwwtp-Storage Basin	20,495,220	38,562,661
WW0368 Total	Mwwtp-Interem Sludge Disposal Facility	528,794	1,116,284
WW0369 Total	Mwwtp-Reactor Deck Area-Oxygen Production	11,292,511	25,735,467
WW0370 Total	Mwwtp-Secondary Treatment Facility	63,097,122	170,493,828
WW0371 Total	Mwwtp-Grounds & Improvements	10,586,649	55,085,255
WW0372 Total	Mwwtp-Administration And Lab Building	14,623,984	23,446,206
WW0373 Total	Mwwtp-Service Building	85,103	1,436,664
WW0374 Total	Mwwtp-Chemical Storage Building (Relocated)	3,099,994	5,127,430
WW0375 Total	Mwwtp-Administration And Lab Center	28,694,859	57,819,910
WW0376 Total	Mwwtp-Maintenance Center	12,537,129	23,391,398
WW0381 Total	Mwwtp-Process Water Plant	3,234,026	11,439,733
WW0382 Total	Mwwtp-Dechlorination Station	11,538,235	20,533,735
WW0383 Total	Mwwtp-Sludge Digestion Facilities	70,847,958	109,856,956
WW0384 Total	Mwwtp-Sludge Dewatering Facilities	39,171,706	60,937,295
WW0385 Total	Mwwtp-Temp Sludge Dewatering Facility	1,862,957	2,684,981
WW0386 Total	Mwwtp-Power Generation Station	79,725,786	119,452,214
WW0387 Total	Mwwtp-Filter Plant Solids Handling Facility	20,576,772	27,053,678
WW0388 Total	Mwwtp-Odor Control At Sludge Thickener	15,478,993	29,749,147
WW0390 Total	Mwwtp-Compost Area	138,697	269,807
WW0391 Total	Oakport WW-Chlor System	591,003	1,233,516
WW0392 Total	Oakport WW-DeChlor System	925,477	1,807,392
WW0393 Total	Oakport WW-Control Bldg	1,439,408	3,016,457
WW0394 Total	Oakport WW-Eng Gen	708,623	1,485,398
WW0395 Total	Oakport WW-Drainage	1,160,534	2,432,681
WW0396 Total	Oakport WW-Washwtr Pump Sta.	121,075	253,795
WW0397 Total	Oakport WW-Storage Bldg.	436,931	915,884
WW0398 Total	Oakport WW-Lscape/Pav/Fence	1,996,609	4,170,002
WW0399 Total	Mwwtp-Scum Dewatering Station	8,971,497	12,880,617
WW0400 Total	Mwwtp-Chemical Trench	720,479	1,334,684
WW0401 Total	Mwwtp-Piping For Plant Utilities	26,513,219	48,165,269
WW0402 Total	Mwwtp-Chlorination Building	4,251,633	7,839,982
WW0450 Total	Mwwtp-Composting Facility	1,455,854	1,931,864
WW0500 Total	San Antonio Creek Wet Weather TP	13,470,868	23,429,851
WW0501 Total	San Antonio Creek Ww Dechlorination Facility	3,590,821	5,847,692
WW0502 Total	San Antonio Creek Ww Outfall Structure	2,682,144	4,657,494
WW0503 Total	San Antonio Creek Ww Gravity Sewer	540,029	939,442
WW0504 Total	San Antonio Creek Ww Lake Merritt Channel Crossing	1,759,796	3,061,368
WW0505 Total	San Antonio Creek Ww Outfall Subequacious Pipeline	2,278,822	3,964,274
WW0506 Total	Mwwtp-Bulk Storage Area	4,675,143	8,132,951
WW0507 Total	Mwwtp-Pre-Chlorination Facility	1,451,611	2,525,244
WW0508 Total	Mwwtp-Sodium Bisulfite Area	2,228,383	3,876,530
WW0917 Total	Mwwtp-Field Services Bldg	2,707,085	4,139,970
WWLAND Total	Wastewater Land - General	14,461,026	18,398,506
WWPEQP Total	All Wastewater Portable Equipment	14,399,671	20,973,167
Grand Total		\$921,356,762	\$2,027,943,490

Table 3
EBMUD Wastewater Capacity Fee Analysis
Summary of Grant Funded Fixed Assets (as of 1/1/16)

<u>Description</u>	<u>Original Cost</u>	<u>Year</u>	<u>2016 ENR Adjusted Value</u>
Digester	\$15,070,000	1976	\$63,612,849
Dewatering	4,435,827	1978	16,194,923
Temp. Dewatering	340,000	1978	1,241,318
Oxygen Production	4,086,325	1977	16,077,214
Secondary Reactors	16,260,000	1977	63,973,253
Secondary Clarifiers	12,040,000	1977	47,370,109
Grit Facilities	570,000	1976	2,406,060
Operations Center	760,000	1976	3,208,080
Scum Sys Equip	120,000	1976	506,539
Post Chlorination Equip	70,000	1976	295,481
Secondary Sys Channels	3,480,000	1976	14,689,629
Allocation of other SD	290,000	1976	1,224,136
Dechlorination	1,230,000	1978	4,490,652
Outfall Structure	450,000	1974	2,257,797
Operations Center	1,520,000	1976	6,416,160
Adm & Lab Bldg	1,950,000	1976	8,231,258
Maint. Bldg	780,000	1976	3,292,503
Lab Equip	320,000	1976	1,350,771
Process Water Plant	3,070,000	1977	12,078,591
Grounds & Imprvmnt	540,000	1977	2,124,573
Main pump Equip	590,000	1976	2,490,483
Effl. Pump Equip	960,000	1976	4,052,312
Grit Tanks	3,130,000	1976	13,212,224
Sedim Tanks	5,560,000	1976	23,469,638
Interim Sludge	460,000	1971	2,948,830
Post Chlorination	210,000	1967	1,981,704
Total	\$78,290,000		\$319,197,086
80% of Total			\$255,357,669

Table 4
FY17 EBMUD Wastewater Capacity Fee Analysis
Without Phasing

			Without Phasing Proposed FY17	Without Phasing Current FY16
Present Value Calculation				
Present Value (PV) of Existing Facilities (1)			\$2,027,943,490	\$1,988,124,964
Less 80% of PV of Grant Funded Facilities			(319,197,086)	(312,929,674)
Less Outstanding Bonds and Loans			(433,384,000)	(442,503,000)
Cash Reserve as Asset			68,161,200	53,578,800
Net Present Value			1,343,523,604	1,286,271,090
Unit Cost Calculation	Allocation (2)	Cost Allocation	Unit Cost/month	Unit Cost/month
Flow	44.89%	603,107,746	174.49	167.05
41477000 ccf/yr			\$/ccf	\$/ccf
CODF	20.59%	276,631,510	54.18	51.87
61274000 lbs/yr			\$/lb	\$/lb
TSS	34.52%	463,784,348	69.02	66.08
80632000 lbs/yr			\$/lb	\$/lb
Derivation of Single Family WCF				
Flow			1,169.08	1119.26
6.7 ccf/mo				
CODF			427.99	409.75
7.9 lbs/mo				
TSS			779.26	746.06
11.29 lbs/mo				
Total			\$2,376.33	\$2,275.07
% Increase			4.5%	
Notes:				
(1) Present value calculated based on escalation by ENR				
3-6 (Source of SD-1 fixed asset list - Finance Department, Accounting Systems)				
(2) Based on 2000 Carollo study model allocations.				

Table 5
FY17 EBMUD Wastewater Capacity Fee Analysis
5-Year Phase-in of Modification to WCF Calculation

	Without Phasing					
	FY13	FY14	FY15	FY16	FY17	FY18
Flow Unit Cost \$/CCF	\$97.40	\$145.30	\$158.83	\$167.05	\$174.49	
CODF Unit Cost \$/lbs	17.70	45.1	49.31	51.87	54.18	
TSS Unit Cost \$/lbs	39.40	57.4	62.83	66.08	69.02	
SFR Connection Charge	1,235	1,978	2,163	2,275	2,376	

	With 5-Yr Phase-In					
	FY13	Year 1 FY14	Year 2 FY15	Year 3 FY16	Year 4 FY17	Year 5 FY18
Flow Unit Cost \$/CCF	\$97.40	\$106.98	\$121.97	\$139.19	\$159.07	
CODF Unit Cost \$/lbs	17.70	23.18	30.34	38.20	46.88	
TSS Unit Cost \$/lbs	39.40	43.00	48.77	55.41	63.10	
SFR Connection Charge	1,235	1,385	1,607	1,860	2,150	

4. Schedule of Rates Charges and Fees

RECOMMENDED SCHEDULES OF RATES, CHARGES AND FEES

FY17

Water System

Schedule B – Account Establishment Charge

Schedule C – Charges for Special Services

Schedule H – Standard Participation Charge (SPC)

Schedule J – System Capacity Charge (SCC)

Schedule N – Water Demand Mitigation Fees

Real Property Use Application Fees

Public Records Act Fee Schedule

Wastewater System

Schedule G – Capacity Fees

Schedule B

Account Establishment Charge

FY17



SCHEDULE B

ACCOUNT ESTABLISHMENT CHARGE

The charge for establishing a new account or the transfer of an account for a customer moving from one address to another is ~~\$40.00~~\$52.00 with the following exceptions:

- Customers in the Customer Assistance Program shall be charged ~~\$14.00~~\$26.00.
- Landlords requiring temporary water service for a period not to exceed 60 days shall be charged ~~\$14.00~~\$26.00, with the balance of the account establishment charge billed for water service that exceeds 60 days.
- There will be no transfer fee to change the name of an account when the responsible party is a landlord who has signed an intervening water service agreement.
- There will be no transfer fee to change the name of an account when the same person or entity is to remain responsible.
- Upon completion of the on-line account establishment system, the charge for establishing a new account or the transfer of an account moving from one address to another on EBMUD's website over the Internet for a single family residence customer is ~~\$20.00~~\$36.00.

Schedule C

Charges for Special Services

FY17



SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

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SCHEDULE C

CHARGES FOR SPECIAL SERVICES

A. METER TESTING

Charges for meter testing will be in accordance with the following schedule:

SIZE OF METER	TESTING CHARGES
5/8", 3/4", and 1"	\$56.00 <u>\$58.00</u>
1-1/2" and 2"	\$44.00 <u>\$58.00</u> On Site \$114.00 <u>\$130.00</u> Pull/Test
3" and larger	\$268.00 <u>\$261.00</u> On Site Actual Cost Pull and Test

B. SERVICE INTERRUPTION

The charge for shutting off water service due to non-payment
of a water bill is..... ~~\$43.00~~ \$45.00

The charge for restoring service after payment has been received
during regular office hours is ~~\$43.00~~ \$45.00

The charge for restoring service between 5 p.m. and 8 a.m. or
on Saturday, Sunday or on a holiday is ~~\$50.00~~ \$62.00

A ~~S~~ervice ~~T~~rip ~~e~~Charge of ~~\$43.00~~ \$45.00 shall be paid in the event of the following
occurrences in the field: 1) payment collection; 2) payment extension; and 3) any
additional field stops to shut off service beyond the initial service interruption, including
EBMUD locking the meter if the customer self-restores water service prior to making
payment. (See Section M.)

An additional charge ~~for removing to lock or plug~~ the meter due to non-payment or
unauthorized water use is.....

S-Lock ~~\$350~~ \$57.00
Plug \$394.00

C. RETURNED PAYMENT CHARGE

A charge of ~~\$27.00~~ \$25.00 shall be paid for each check or electronic transaction received
as payment to the District that is returned unpaid from a financial institution.



SCHEDULE C

CHARGES FOR SPECIAL SERVICES
(continued)

**D. PROCESSING FEES FOR DELINQUENT CHARGE COLLECTION THROUGH LIENS
AND PROPERTY TAX BILLS ON MULTI- FAMILY RESIDENTIAL ACCOUNTS**

For multi-family residential accounts, the District may place liens on parcels with unpaid charges and collect unpaid amounts on parcels' property tax bills. Multi-family residential accounts are any residential accounts where a water meter serves two or more dwelling units.

- | | |
|---|--|
| 1. Lien Filing Fee | \$155 <u>\$167</u> per Lien |
| 2. Lien Removal Fee | \$71 <u>\$152</u> (in Alameda County) and \$64 <u>\$144</u> (in Contra Costa County) for first lien removed |
| | \$23 <u>\$59</u> (in Alameda County) and \$15 <u>\$51</u> (in Contra Costa County) for each additional lien removed at the same time |
| 3. Property Tax Transfer Fee
Unpaid Charges with Liens Recorded | \$20 <u>\$26</u> plus county auditor's fee (1.7% of collected amount for Alameda County;
\$3 per parcel for Contra Costa County) |
| 4. Property Tax Transfer Fee
Unpaid Charges without Liens Recorded | \$137 plus county auditor's fee (1.7% of collected amount for Alameda County;
\$3 per parcel for Contra Costa County) |

E. WASTEFUL USE CHARGE

A charge of ~~\$46.00~~\$45.00 shall be paid to cover the monitoring costs incurred by the District if, after written notification, excessive water use is not curtailed.

F. FLOW-RESTRICTOR INSTALLATION

The charge for District installation of a flow-restricting device on any service that continues excessive water use, after written notification, will be in accordance with the following schedule:

- | | |
|---|-----------------------------------|
| 1. On services two-inches and smaller - | |
| 5/8" and 3/4" | \$ 53.00 <u>113.00</u> |
| 1" | 53.00 <u>113.00</u> |
| 1-1/2" | 187.00 <u>243.00</u> |
| 2" | 187.00 <u>243.00</u> |



SCHEDULE C

CHARGES FOR SPECIAL SERVICES
(continued)

**F. FLOW-RESTRICTOR INSTALLATION
(Continued)**

2. All others -

The charges for installing flow-restricting devices on water services, other than those in the above schedule, shall be the actual cost of installing the device, as determined by the District, including engineering, equipment, material, labor and related overhead expenses.

G. NOTICE OF WASTEFUL USE AND FLOW-RESTRICTOR CHARGES

For the purposes of Sections E and F above, written notification shall:

1. Specify the date by which excessive use must be curtailed to avoid further enforcement action; and
2. Be sent by certified mail (return receipt requested) or by other written means which would be sufficient for obtaining personal service in a legal proceeding.

H. RESCINDED 12/10/96

I. COMMERCIAL BACKFLOW DEVICE ANNUAL CERTIFICATION CHARGE

Where it is probable that a pollutant, contaminant, system or plumbing hazard may be created by a water user, or where the water system is unstable and cross-connections may be installed or reinstalled, an approved backflow prevention device of the proper type is required for all commercial accounts at the customer's expense.

1. The charge for administering the Backflow Program
Certification for commercial accounts is (annually)~~\$59.00~~\$53.00
2. The charge for District staff to conduct a *Change of Responsible Party* or *Change of Use Survey* or to respond to a commercial customer's request for a backflow/cross connection survey, an initial or follow-up backflow inspection~~\$49.00~~\$120.00/hr.
3. The charge for backflow testers to be placed on the District's list of certified testers.....~~\$100.00~~\$148.00



SCHEDULE C

CHARGES FOR SPECIAL SERVICES
(continued)

J. COMMERCIAL BACKFLOW DEVICE VIOLATION

For those customers where the service has been terminated for failure to meet the District's Backflow Program requirements, a charge will be made to cover the District's costs pursuant to the termination and restoration of service

~~\$199.00~~ \$470.00

K. LATE PAYMENT PENALTY AND INTEREST

For those customers with outstanding overdue balances exceeding \$10 at billing, a charge equivalent to 1.5% of the overdue balance (minimum charge \$1) will be made to recover foregone interest on District money, and the District's costs to process overdue accounts. Customers in the Customer Assistance Program shall be exempt from the late payment penalty and interest.

L. PROCESSING FEE FOR INTERVENING WATER SERVICE AGREEMENT

The charge for the District to process an intervening water service agreement for a participating landlord in the District's automated landlord sign-on service is

~~\$27.00~~ \$55.00

Requests to modify intervening water service agreement property account information must be submitted in writing and can be dropped off, mailed or faxed to ~~an EBMUD~~ a District business office.

The charge for each written request to modify the original intervening water service agreement by adding to or deleting property account information from the original agreement is.....

~~\$27.00~~ \$55.00

M. SERVICE TRIP CHARGE

The charge for District staff to perform special services for customers is..... ~~\$43.00~~ \$45.00

The charge shall be applied for, but is not limited to the following:

- 1) payment collection in the field;
- 2) payment extension in the field;
- 3) additional field stops beyond the initial service interruption to shut off service due to non-payment, including a field stop to lock the meter if the customer self-restores water service prior to making payment;
- 4) follow-up site visits to customers who have not complied after the District's notification to correct an obstructed meter condition; ~~:-~~ and
- 5) field inspections conducted at the customer's request.



SCHEDULE C

CHARGES FOR SPECIAL SERVICES
(continued)

N. PUBLIC HYDRANT METER ACCOUNT ESTABLISHMENT CHARGES

Customers can request a 3-inch hydrant meter that can be hooked up to a public fire hydrant to measure water use at a property site. Customers are required to: 1) provide hydrant meter readings every two months, within 2 weeks of the meter read due date; 2) return hydrant meter equipment within one month following a meter use period; and 3) renew the hydrant meter permit and exchange the hydrant meter equipment within eleven months from the date of issuance, if continued use is desired.

The charge to establish water service
for a hydrant meter is..... ~~\$89.00~~ 109.00

The charge to renew a hydrant meter account
at the end of a 12-month period is ~~\$89.00~~ 109.00

If a field stop is required to establish a new account, a ~~\$167~~ \$217 site visit charge shall be paid in addition to the ~~\$89~~ \$109 account establishment charge. (See Section O.)

O. PUBLIC HYDRANT METER ACCOUNT SITE VISIT CHARGE

The charge for a Field Services Representative to conduct a hydrant
meter site visit to perform special services for customers is..... ~~\$215.00~~ 217.00

The charge shall be applied for, but is not limited to the following:

- 1) reading hydrant meters for which the two-month reading was not submitted by the customer;
- 2) retrieving hydrant meter equipment from a customer site;
- 3) delivering hydrant meter equipment to a customer; and
- 4) establishing or renewing a hydrant meter account in the field.

Schedule H

Standard Participation Charge

FY17



SCHEDULE H

STANDARD PARTICIPATION CHARGE
(SPC)

A. The Standard Participation Charge for each standard service installed shall be:

Standard Participation Charge

Meter Size	Gravity Zone*		Pumped Zone**	
5/8" and 3/4"	\$7,830	<u>\$7,840</u>	\$9,780	<u>\$9,820</u>
1"	19,580	<u>19,600</u>	24,440	<u>24,560</u>
1-1/2"	39,200		48,900	<u>49,100</u>
2"	62,700		78,200	<u>78,600</u>
3"	125,300	<u>125,400</u>	156,400	<u>157,200</u>
4"	195,800	<u>196,000</u>	244,400	<u>245,600</u>

The Standard Participation Charge for each meter larger than four inches shall be determined on a case-by-case basis by the District, considering such factors as the projected demand which the service would impose on the District system, the maximum intermittent flow rate of the meter compared to a 5/8" meter, and whether the service is solely domestic or is combined with a fire service. In no event shall the standard participation charge for a meter larger than four inches be less than ~~\$195,800~~\$196,000 in gravity zones or ~~\$244,400~~\$245,600 in pumped zones.

* This charge covers general water main oversizing and future water supply.

** This charge covers major facilities capacity, water main oversizing and future water supply.

Schedule J

System Capacity Charge

FY17



**SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
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SCHEDULE J

**SYSTEM CAPACITY CHARGE
(SCC)**

A. SCC FOR STANDARD SERVICE*

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	REGION					
	1		2		3	
5/8	\$23,380	<u>\$23,920</u>	\$42,220	<u>\$43,160</u>	\$39,040	<u>\$39,930</u>
3/4	35,070	<u>35,880</u>	63,330	<u>64,740</u>	58,560	<u>59,900</u>
1	58,570	<u>59,920</u>	105,760	<u>108,120</u>	97,800	<u>100,030</u>
1-1/2	117,140	<u>119,840</u>	211,520	<u>216,240</u>	195,600	<u>200,060</u>
2	187,420		338,430		312,960	

For service connections with larger meters see Sec. 3.

2. Single Family Service Connections (SCC) (dollars per connection)**

METER SIZE (INCHES)	REGION***					
	1		2		3	
3/4	\$16,370	<u>\$16,740</u>	\$28,410	<u>\$29,040</u>	\$36,230	<u>\$37,050</u>
1	27,340	<u>27,960</u>	47,440	<u>48,500</u>	60,500	<u>61,870</u>
1-1/2	54,680	<u>55,920</u>	94,880	<u>97,000</u>	121,000	<u>123,740</u>

For service connections with larger meters see Sec. 3 below.

* This charge covers the cost of System-wide Facilities Buy-in, Regional Facilities Buy-in and Future Water Supply.

**The SCC charged to the applicant will be based on the water meter size required to meet the indoor needs (excluding private fire service needs) and outdoor watering needs of the premises as determined solely by the District based on the plumbing code, the District's review, and water industry standards. The meter(s) that is installed may be larger than the meter size charged in the SCC fee if the service is combined with a private fire service or if a separate irrigation meter is required (See Sections D. Combined Standard and Fire Service and I. Required Separate Irrigation Meter for Single Family Service Connections).

***REGION	GENERAL DESCRIPTION
1	Central Area (gravity zones West-of-Hills) El Sobrante and North (pumped zones)
2	South of El Sobrante to vicinity of Highway 24 (pumped zone) South from vicinity of Highway 24 (pumped zones) Castro Valley Area (pumped zones) North Oakland Hill Area (pumped zones, formerly 4A)
3	Orinda-Moraga-Lafayette Area (pumped zones) San Ramon Valley and Walnut Creek (pumped and gravity zones)



**SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
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SCHEDULE J

**SYSTEM CAPACITY CHARGE
(SCC)
(Continued)**

3. SCC for Larger Meters

The SCC for ~~non-residential~~ service connections with meters larger than 1-1/2 inches ~~and single family residential service connections with meters larger than 1-1/2 inches~~ shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the same unit charge and criteria as apply to the SCC for smaller meters. The SCC will be calculated based on the unit charges for each of the four components listed below:

Component	Unit Charge (\$/100 gpd)	
Post-2000 (Add'l Regions 3C & 3D only)	SCC Region Specific	
Regional Facilities Buy-in	SCC Region Specific	
System-wide Facilities Buy-in	\$1,991	<u>\$2,032</u>
Future Water Supply*	1,870	<u>1,920</u>

The unit charges for the components that are specific to a SCC Region are:

Unit Charge (\$/100gpd)			
Region	Post-2000 Component	Regional Facilities Buy-In Component	
1	n/a	\$1,985	<u>\$2,027</u>
2	n/a	4,031	<u>4,115</u>
3	n/a	2,386	<u>2,436</u>
3C	\$6,200	<u>\$6,720</u>	1,791
3D	6,200	<u>6,720</u>	1,791
			<u>1,828</u>

In no instance will the SCC for a ~~non-residential meter larger than 2 inches or a single family residential meter larger than 1-1/2 inches~~ be less than the ~~respective equivalent 2 inch or 1-1/2 inch~~ price from the appropriate Section 1 or 2, above.

The SCC will be determined by multiplying the sum of the unit charge of the four components by the water use information furnished by the applicant, rounded to three significant places.

If the District has determined, based on water use information furnished, that a meter larger than 2-1/2 inches is appropriate, the SCC calculated pursuant to this subdivision shall apply irrespective of the arrangement of water metering or meter size at the premises.

*The Future Water Supply component for Region 3C is based on 1993 agreement (see Section B1).



SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

4. SCC for Standard Service to Multi-Family Premises

The System Capacity Charge for ~~new~~ water service at multi-family premises shall be as listed below. For purposes of this Schedule J, "multi-family premises" shall mean premises with two or more attached or separate residential dwelling units, rental or owner-occupied, which is determined by the District to be a single premises for receiving water service, provided that each separate dwelling unit of a multi-family premises shall be separately metered as specified in Sections 2 and 3 of the District's Regulations Governing Water Service.

Multi-Family Premises
Dollars per Dwelling Unit (DU)

	REGION*					
	1		2		3	
For each Dwelling Unit	\$9,530	<u>\$9,750</u>	\$13,260	<u>\$13,550</u>	\$12,430	<u>\$12,710</u>

*Same regions as described in A.2.

The above SCC shall apply regardless of the arrangement of water metering or meter size at the premises; however, the District may limit the size and number of service connections to a combined capacity appropriate to the anticipated water use at the premises. No additional SCC shall be applicable for separate meters installed to provide irrigation for landscaping on the premises in the immediate area contiguous to the dwelling unit structures, provided such landscaped area is to be used exclusively by the residents. All other rates and charges shall be based on actual number and size of meters and does not apply to the requirements listed below.

An SCC shall be applicable for separate meters installed to serve other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, golf courses, community clubhouse and recreational facilities, and areas designated for public use. The SCC shall be based on meter size as provided under A.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable SCC, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.



**SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
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SCHEDULE J

**SYSTEM CAPACITY CHARGE
(SCC)
(Continued)**

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS*

The System Capacity Charge for ~~new~~-non-residential and single family residential water service at premises other than multi-family premises shall be as follows (dollars per connection):

1. Non-residential water service at premises other than multi-family premises shall be as follows (dollars per connections)

METER SIZE (INCHES)	ADDITIONAL REGION**		
	3C***	3-D	
5/8	n/a	\$93,850	<u>\$96,870</u>
3/4	n/a	140,780	<u>145,310</u>
1	n/a	235,100	<u>242,670</u>
1-1/2	n/a	470,200	<u>485,340</u>
2	n/a	752,320	

For service connections with larger meters see Sec. 3 below.

2. Single-Family service connections shall be as follows (dollars per connections)

METER SIZE (INCHES)	ADDITIONAL REGION**			
	3C***	3-D		
3/4 <u>3/4</u>	\$83,830	<u>\$86,590</u>	\$93,850	<u>\$96,870</u>
1	140,000	<u>144,610</u>	156,730	<u>161,770</u>
1-1/2	280,000	<u>289,220</u>	313,460	<u>323,540</u>

For service connections with larger meters see Sec. 3 below.

- * This charge covers the cost of System-wide Facilities Buy-In, Regional Facilities Buy-In and Future Water Supply. The Additional Regions are low-density, residential in nature. It is not anticipated that meters larger than ¾ -inch (excluding fire flow requirements) will be installed in these Regions.

**** ADDITIONAL REGION**

GENERAL DESCRIPTION

3-C	South of Norris Canyon Road (pumped zones)
3-D	South of Norris Canyon Road outside Wiedemann Ranch (pumped zone)

- *** The Future Water Supply component of the SCC for Region 3C is set by the July 20, 1993 Wiedemann Agreement, indexed to the U.S. City Average of the Consumer Price Index and used by EBMUD to fund conservation programs. The total Future Water Supply component of the SCC for the common areas in Region 3C shall be paid as a condition for the issuance of the first water meter for the common area. The SCC for Non-Residential services (e.g., common area irrigation) shall be uniquely calculated in accordance with the Wiedemann Agreement.



SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
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SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)

(Continued)

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS* (Continued)

3. SCC for Larger Meters

The SCC for ~~non-residential~~ service connections with meters larger than ~~2-inches and single-family residential service connections with meters larger than~~ 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the same cost components and criteria as apply to the SCC for smaller meters. (See Section A.3)

4. Separate SCC for Standard Service to Multi-Family Premises

The System Capacity Charge for ~~new~~ water service at multi-family premises shall be as listed below. For purposes of this Schedule J, "multi-family premises" shall mean premises with two or more attached or separate residential dwelling units, rental or owner-occupied, which is determined by the District to be a single premises for receiving water service, provided that each separate dwelling unit ~~of a multi-family~~ premises shall be separately metered as specified in Sections 2 and 3 of the District's Regulations Governing Water Service.

Multi-Family Premises
Dollars per Dwelling Unit

ADDITIONAL REGIONS*			
	3-C	3-D	
For each Dwelling Unit	\$32,340	<u>\$33,410</u>	\$32,940 <u>\$34,000</u>

*Same regions as described in B.1.



SCHEDULE J

**SYSTEM CAPACITY CHARGE
(SCC)
(Continued)**

B. SEPARATE SCC FOR STANDARD SERVICE FOR ADDITIONAL REGIONS* (Continued)

The above SCC shall apply regardless of the arrangement of water metering or meter size at the premises; however, the District may limit the size and number of service connections to a combined capacity appropriate to the anticipated water use at the premises. No additional SCC shall be applicable for separate meters installed to provide irrigation for landscaping on the premises in the immediate area contiguous to the dwelling unit structures, provided such landscaped area is to be used exclusively by the residents. All other rates and charges shall be based on actual number and size of meters and do not apply to the requirements listed below.

An SCC shall be applicable for separate meters installed to serve other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, golf courses, community clubhouse and recreational facilities, and areas designated for public use. The SCC shall be based on meter size as provided under B.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable SCC, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.

C. LOW-PRESSURE SERVICE

Where a larger meter is installed because of low-pressure conditions, the applicable System Capacity Charge shall be determined on the basis of the size of the meter which would be required for a standard service as determined by the District based on plumbing code and water industry standards. All other rates and charges shall be based on actual meter size.

D. COMBINATION STANDARD AND FIRE SERVICE

Where a meter is installed to provide both standard service and a supply to a private fire protection system, at other than multi-family premises, the applicable System Capacity Charge shall be based on the meter size required for standard service exclusive of the capacity for supplying the fire protection system as determined by the District based on plumbing code, fire protection code and water industry standards. The installation charges shown in Schedule D and all other rates and charges pertaining to the service shall be based on the actual size of the meter that is installed.

E. FIRE SERVICES AND STANDBY SERVICES

For fire services and standby services (additional service connections for security of supply), there shall be no System Capacity Charges.

*Same regions as described in B.1.



SCHEDULE J

SYSTEM CAPACITY CHARGE
(SCC)
(Continued)

F. ADDITIONAL WATER USE ON PREMISES RECEIVING SERVICE

The System Capacity Charge applicable to enlargement of an existing service at other than multi-family premises shall be based on the difference in the SCC for the new service size and the existing service size.

If additional dwelling units are constructed on premises subsequent to the installation of service and payment of an SCC under B.1, then the SCC applicable to each additional dwelling unit shall be immediately due and payable.

G. CREDIT FOR EXISTING SERVICES

Where one or more new services will replace one or more existing or prior services to a premises where an SCC was paid to initiate the water service, a credit will be given toward the new SCC based on the customer classification, meter size or water use information that was used to calculate the initial SCC payment (see Section A – SCC for Standard Service). ~~In no instance will the credit be less than that of the minimum meter size for the customer classification.~~ For instances where the existing or prior services were installed prior to 1983 and no SCC was paid, the SCC credit for meter sizes under 2" will be based on Sections A.1 and A.2 - SCC for Standard Service. For existing or prior services with meter sizes 2" and greater where no SCC was paid, the annual average of the past ten years of water consumption will be used to determine the SCC credit, but in no instance will the credit be less than that of a 1.5" minimum meter size for the customer classification listed in Sections A.1 and A.2 – SCC for Standard Service. No SCC credit will be given unless prior service to the premises is verified. If the SCC is paid with the service connection to be completed by meter installation at a later date, and existing service(s) are to remain in service until that time, the applicable credit for the existing service(s) will be in the form of a refund when the existing services are removed. The SCC credit cannot be applied to a standby meter, fire service meter, or in the case of a combination standard and fire service meter, the portion of the meter oversized for the private fire protection system. Where the initial SCC payment was made under Schedule J Section I Required Separate Irrigation Meter for Single Family Service Connections, the SCC credit can not be applied to the separate irrigation meter without a SCC credit on the residential meter. The SCC credit for an existing service can only be applied to the premises where the existing service is located. "Premises" is defined in the Section 1 of the District's Regulations Governing Water Service.

For common area meters installed under the July 20, 1993 Wiedemann Agreement, credit toward a new SCC for these meters will be based on the actual SCC payment for each meter installed, not based on the size of the existing meter.



SCHEDULE J

**SYSTEM CAPACITY CHARGE
(SCC)
(Continued)**

H. TEMPORARY CONSTRUCTION SERVICE

A System Capacity Charge paid on a temporary construction service will be refunded if said service is removed within a 1-year period after installation.

I. REQUIRED SEPARATE IRRIGATION METER FOR SINGLE FAMILY SERVICE CONNECTIONS

If an irrigation meter is required for a single-family connection because the landscape exceeds the threshold for a dedicated irrigation meter in Section 31 of the Regulations, two meters will be installed – one for the indoor and private fire service (if applicable) needs of the building and a separate meter dedicated for irrigation. One single-family SCC shall be applicable based on the hydraulic capacity needed to serve the irrigation and indoor needs. The hydraulic capacity of the installed meter or meters will be equal to or exceed the hydraulic capacity of the meter size that was charged in the SCC fee. The installation charges shown in Schedule D and all other rates and charges pertaining to the service(s) based on the actual size of the meter(s) that are installed shall apply.

J. NONPOTABLE WATER SERVICE

1. Nonpotable Water Service Connections (dollars per connection)

METER SIZE (INCHES)	REGION					
	1	2	3			
5/8	\$7,480	<u>\$7,680</u>	\$10,000	<u>\$10,270</u>	\$11,690	<u>\$12,000</u>
3/4	11,220	<u>11,520</u>	15,010	<u>15,410</u>	17,530	<u>18,000</u>
1	18,740	<u>19,240</u>	25,060	<u>25,730</u>	29,280	<u>30,060</u>
1-1/2	37,470	<u>38,480</u>	50,120	<u>51,460</u>	58,550	<u>60,120</u>
<u>2</u>	59,960		80,200		93,690	

All SCC for nonpotable water service connections with meters larger than 1-1/2~~2~~ inches shall be determined by applying the Future Water Supply Component unit charge to the defined projected water demand approved by the District. The SCC will not be less than the 1-1/2~~2~~-inch meter charge from Section J.1, above.

K. DUAL STANDARD SERVICES

An SCC shall be applicable for separate meters installed to provide dual (potable and nonpotable) standard service, based on the meter size(s) for each service.



SCHEDULE J

**SYSTEM CAPACITY CHARGE
(SCC)
(Continued)**

L. ADJUSTMENT OF SCC FOR WATER-CONSERVING LANDSCAPING ON PUBLICLY OWNED PROPERTY

To further encourage water conservation, the SCC for a water service connection exclusively for irrigation of landscaping on property owned by a public agency may be reduced or not required based on long-term water service needs after an initial planting establishment period of not more than three years (the "initial period"); provided that (1) the landscape plan incorporates drought-tolerant and other low-water-use planting materials on a major part of the landscaped area, and (2) the long-term water need would result in replacement of the initial water meter with a smaller meter or water service would be discontinued and removed at the end of the initial period, as solely determined by the District.

A public agency applying for water service under such conditions shall submit a written request to the District prior to the time of payment of the SCC. The request shall set forth in detail the facts supporting an adjustment of the SCC, shall include information and plans clearly describing the planting materials and irrigation system, and shall include data and calculations clearly demonstrating the estimated initial and long-term water needs.

If the District determines that the SCC can be based on a smaller meter or discontinuation of service after the initial period, the public agency shall enter into a water service agreement which provides for (1) payment of the reduced SCC prior to installation of service; (2) verification of the long-term need at the end of the period; and (3) payment of the additional SCC required if the initial meter is not to be replaced, or the replacement meter is larger than initially determined, or water service is not discontinued and removed. If additional SCC payment is required, it shall be based on the charges in effect at the time of initial SCC payment, and shall be due and payable within 30 days of written notice from the District. The agreement shall be binding upon all subsequent owners of the property and shall be recorded.

Installation charges for the service connection shall be based on the meter size initially installed.

The above-mentioned SCC adjustments do not apply to nonpotable water service accounts.

Schedule N

Water Demand Mitigation Fees

FY17



SCHEDULE N

WATER DEMAND MITIGATION FEES

The Water Demand Mitigation Fee funds District conservation programs that are intended to achieve water savings that offset water demand from development within the territory or development where the fees are collected. The Water Demand Mitigation Fee is payable at the time application for service is made or prior to release of the distribution system pipelines and related appurtenances when the installation of water main extensions are required.

A. WATER DEMAND MITIGATION FEES FOR "THE MEADOWS" TERRITORY

For service connections within "The Meadows" territory¹ payment of a Water Demand Mitigation Fee shall be required in addition to all other applicable fees and charges, including the applicable System Capacity Charge (SCC).

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE MEADOWS TERRITORY	
5/8	\$12,740	<u>\$13,080</u>
3/4	18,340	<u>18,840</u>
1	28,540	<u>29,300</u>
1-1/2	55,030	<u>56,510</u>
2	401,920	

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE MEADOWS TERRITORY	
5/8	\$12,470	<u>\$12,810</u>
3/4	18,340	<u>18,840</u>
1	28,540	<u>29,300</u>
1-1/2	55,030	<u>56,510</u>

¹ As defined in Contra Costa Local Agency Formation Commission Resolution No. 96-33, adopted August 13, 1997.



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SCHEDULE N

WATER DEMAND MITIGATION FEES

(Continued)

3. The Water Demand Mitigation Fee for ~~non-residential~~ service connections with meters larger than ~~2 inches and single family residential service connections with meters larger than~~ 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component and multiplier (1.09) established by the Board of Directors for smaller meters.
4. For phased developments within The Meadows territory, the Water Demand Mitigation Fee is payable for all connections within the phase prior to release of the distribution system pipelines and related appurtenances.

B. WATER DEMAND MITIGATION FEES FOR "THE WENDT RANCH" TERRITORY

For service connections within "The Wendt Ranch" territory²⁴ payment of a Water Demand Mitigation Fee shall be required in addition to all other applicable fees and charges, including the applicable System Capacity Charge (SCC).

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE WENDT RANCH TERRITORY	
5/8	\$16,360	<u>\$16,800</u>
3/4	23,560	<u>24,190</u>
1	36,650	<u>37,630</u>
1-1/2	70,690	<u>72,580</u>
2	130,900	

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE WENDT RANCH TERRITORY	
5/8	\$16,020	<u>\$16,450</u>
3/4	23,560	<u>24,190</u>
1	36,650	<u>37,630</u>
1-1/2	70,690	<u>72,580</u>

²⁴ As defined in Contra Costa Local Agency Formation Commission Resolution 97-5, adopted March 12, 1997.



SCHEDULE N

WATER DEMAND MITIGATION FEES
(Continued)

3. The Water Demand Mitigation Fee for ~~non-residential~~ service connections ~~with meters larger than 2 inches and single family residential service connections~~ with meters larger than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component and multiplier (1.40) established by the Board of Directors for smaller meters.
4. For phased developments within The Wendt Ranch territory, the Water Demand Mitigation Fee is payable for all connections within the phase prior to release of the distribution system pipelines and related appurtenances.

C. WATER USE OFFSET FEES FOR THE WIEDEMANN RANCH DEVELOPMENT⁴³

For service connections within "the Wiedemann Ranch Development", payment of a Water Use Offset Fee shall be required in addition to all other applicable fees and charges, including the System Capacity Charge (SCC).⁴²

1. Common Area Offset Fee

The total Water Use Offset Fee for common areas in the Wiedemann Ranch Development is ~~\$66,856~~⁵³ \$67,774, and payable as a condition of issuance of the first meter for the common area.⁵³

2. Single Family Service Connections

The Water Use Offset Fee for each residential lot in the Wiedemann Ranch Development is ~~\$6,673~~⁵³ \$6,765, which amount shall be indexed using the same index as for the common area offset fee.

³⁴The Wiedemann Ranch Development, SCC Region 3A, a 439 acre development in Contra Costa County, is described with particularity in Exhibit A to the July 20, 1993 Agreement Between EBMUD and HCV & Associates, Ltd., Wiedemann Ranch, Inc. and Sue Christensen ("Wiedemann Agreement").

⁴²The Wiedemann Agreement specifies the amount and other terms related to the Future Water Supply Component of the SCC for the Wiedemann Ranch Development.

⁵³The Water Use Offset Fee shall be indexed to the U.S. City Average of the Consumer Price Index issued by the U.S. Department of Labor for each calendar year or portion thereof from the July 20, 1993 date of the Wiedemann Agreement to the date of payment of the offset fee.



SCHEDULE N

WATER DEMAND MITIGATION FEES

(Continued)

D. ADDITIONAL WATER USE OFFSET FEES FOR THE WIEDEMANN RANCH DEVELOPMENT⁶⁴

For water service within The Wiedemann Ranch Development, payment of Additional Water Use Offset Fees shall be required in the event the annual water budget⁷⁴ is exceeded.

1. The Additional Water Use Offset Fee shall be determined by the number of gallons of water used during the average of the two consecutive years in excess of the annual water budget times the per gallon fee of ~~\$14.40~~\$14.60.⁸⁵

⁶⁴The Wiedemann Ranch Development, SCC Region 3A, a 439 acre development in Contra Costa County, is described with particularity in Exhibit A to the July 20, 1993 Agreement Between EBMUD and HCV & Associates, Ltd., Wiedemann Ranch, Inc. and Sue Christensen ("Wiedemann Agreement").

⁷⁴The Wiedemann Agreement specifies the formula for calculating the annual water budget and the specific methodology for calculating and collecting the additional water use offset fee.

⁸⁵The Wiedemann Agreement specifies the terms related to the Additional Water Use Offset Fee. The Additional Water Use Offset Fee shall be indexed to the U.S. City Average of the Consumer Price Index issued by the U.S. Department of Labor for each calendar year or portion thereof from the July 20, 1993 date of the Wiedemann Agreement to the date of payment of the additional water use offset fee.



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SCHEDULE N

**WATER DEMAND MITIGATION FEES
(Continued)**

E. WATER DEMAND MITIGATION FEES FOR CAMINO TASSAJARA INTEGRATED PROJECT¹⁹

For service connections within the Camino Tassajara Integrated Project²¹⁰, payment of a Water Demand Mitigation Fee (WDMF) shall be required in addition to all other applicable fees and charges including the applicable System Capacity Charge (SCC). The Board of Directors adopted Section 3D to the Water Service Regulations in January 2003 to codify the WDMF and other conservation requirements imposed on the project territory by the County and Local Agency Formation Commission.

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE CAMINO TASSAJARA INTEGRATED PROJECT	
5/8	\$15,770	<u>\$16,190</u>
3/4	22,730	<u>23,330</u>
1	35,340	<u>36,280</u>
1-1/2	68,150	<u>69,970</u>
2	126,180	

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE CAMINO TASSAJARA INTEGRATED PROJECT	
5/8	\$10,840	<u>\$11,130</u>
3/4	15,920	<u>16,350</u>
1	24,800	<u>25,470</u>
1-1/2	47,800	<u>49,080</u>

⁹⁴The Water Demand Mitigation Fee shall be indexed to the unit charge of the Future Water Supply component of the EBMUD System Capacity Charge.

¹⁰²As generally described in the October 9, 2002 Miscellaneous Work Agreement between the District, Shapell Industries, Ponderosa Homes II, and Braddock and Logan Group II.



SCHEDULE N

WATER DEMAND MITIGATION FEES

(Continued)

3. The WDMF for ~~non-residential~~ service connections with meters larger ~~than 2 inches~~ and ~~single family residential service connections with meters larger~~ than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component and multiplier (1.61) established by the Board of Directors for smaller meters.

The WDMF for new water service at multi-family premises shall be as listed below. For purposes of this Schedule N, "multi-family premises" shall mean premises with two or more attached or separate residential dwelling units, rental or owner-occupied, which is determined by the District to be a single premises for receiving water service, provided that each separate ~~residential structure~~ dwelling unit of a multi-family premises shall be separately metered ~~as specified in Sections 2 and 3 of the District's Regulations Governing Water Service.~~

Multi-Family Premises – Dollars Per Dwelling Unit (DU)

Each of the first 10 DU in a single structure	\$6,500	<u>\$6,680</u>
Each additional DU in same structure	5,200	<u>5,340</u>

The above WDMF shall apply regardless of the arrangement of water metering or meter size at the premises; however, the District may limit the size and number of service connections to a combined capacity appropriate to the anticipated water use at the premises.

No additional WDMF shall be applicable for separate meters installed to provide irrigation for landscaping on the premises in the immediate area contiguous to the dwelling unit structures, provided such landscaped area is to be used exclusively by the residents. All other rates and charges shall be based on actual number and size of meters and does not apply to the requirements listed below.

A WDMF shall be applicable for separate meters installed to serve other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, recreational facilities, and areas designated for public use. The WDMF shall be based on meter size as provided under E.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable WDMF, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.



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SCHEDULE N

**WATER DEMAND MITIGATION FEES
(Continued)**

4. The WDMF is payable for all connections within phased developments prior to release for construction, the distribution system pipelines and related appurtenances.
5. Water use in excess of 120 percent of the annual water budget¹¹³ shall be subject to an Additional WDMF (on a per-occurrence basis). The Additional WDMF shall be determined by multiplying the amount of water used in excess of 100 percent of the annual water budget times the per gallon fee of ~~\$1.00~~\$1.03 per gpd.

¹¹³The water budget shall be established pursuant to the October 9, 2002 Miscellaneous Work Agreement referenced in Footnote 2.



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SCHEDULE N

**WATER DEMAND MITIGATION FEES
(Continued)**

**F. WATER DEMAND MITIGATION FEES FOR GALE RANCH PHASE 2,
SUBDIVISION 9134¹²**

For service connections within Gale Ranch Phase 2, Subdivision 9134, payment of a Water Demand Mitigation Fee (WDMF) shall be required in addition to all other applicable fees and charges including the applicable System Capacity Charge (SCC).

1. Non-Residential Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE GALE RANCH PHASE 2 SUBDIVISION 9134	
5/8	\$15,110	<u>\$15,520</u>
3/4	21,760	<u>22,350</u>
1	33,840	<u>34,740</u>
1-1/2	65,290	<u>67,040</u>
2	120,890	

2. Single Family Service Connections (dollars per connection)

METER SIZE (INCHES)	WATER DEMAND MITIGATION FEE FOR STANDARD SERVICE IN THE GALE RANCH PHASE 2 SUBDIVISION 9134	
5/8 ¹³	\$10,370	<u>\$10,650</u>
3/4	15,260	<u>15,670</u>
1	23,720	<u>24,360</u>
1-1/2	45,760	<u>46,980</u>

¹²The Water Demand Mitigation Fee shall be indexed to the unit charge of the Future Water Supply component of the EBMUD System Capacity Charge.

¹³5/8" fee based on 32,594 gpd demand LUDS demand minus 10,884 gpd middle school demand credit divided by 63 residential units resulting in 345 gpd/residential unit.



SCHEDULE N

WATER DEMAND MITIGATION FEES
(Continued)

3. The WDMF for ~~non-residential~~ service connections with meters larger ~~than 2 inches~~ and ~~single family residential service connections with meters larger~~ than 1-1/2 inches shall be determined on a case-by-case basis by the District based on water use information furnished by the applicant and applying the applicable SCC Future Water Supply component.

No additional WDMF shall be applicable for separate meters installed to provide irrigation for landscaping on the premises in the immediate area contiguous to the dwelling unit structures, provided such landscaped area is to be used exclusively by the residents. All other rates and charges shall be based on actual number and size of meters and does not apply to the requirements listed below.

A WDMF shall be applicable for separate meters installed to serve other water uses in the vicinity of the multi-family premises, such as irrigation of open space areas, parks, roadway medians, recreational facilities, and areas designated for public use. The WDMF shall be based on meter size as provided under F.1 above. If these other water uses are included in the water service connection to the multi-family premises, the District shall, for purposes of determining the applicable WDMF, determine the equivalent meter size for these uses based on plumbing code and water industry standards, as if there were a separate service connection.

Real Property Use Application Fees

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REAL PROPERTY USE APPLICATION FEES

TYPE OF USE	APPLICATION FEE
Fee Title (<i>Outright purchase of District property</i>) <u>Properties for Sale</u> <u>Unsolicited</u>	\$2,000.00 <u>\$2,000.00</u> <u>12,000.00</u>
Easement (<i>Rights for permanent use of District property, such as access, utilities, etc.</i>) <u>Utility Type</u> <u>Other</u>	1,000.00 <u>2,000.00</u> <u>5,600.00</u>
Quitclaim (<i>Removal of District's right, title and interest to property</i>) <u>Pipe Abandonment</u> <u>Other</u>	1,000.00 <u>1,000.00</u> <u>2,300.00</u>
Revocable License (<i>Permission to use District property for periods exceeding one year, subject to revocation. For such uses as utility and road crossings of aqueduct properties</i>)	500.00 <u>1,600.00</u>
Lease (<i>The right to occupy and use District land for a specified time period</i>)	600.00 <u>2,000.00</u>
Telecommunication Lease (<i>Long-term lease for PCS, cellular and/or radio uses</i>)	2,000.00 <u>3,400.00</u>
Information-only (<i>Request for information requiring research of District records. Information-only applicants will be charged a fee only if the estimated research time exceeds one hour</i>)	\$60/hr <u>130.00</u>
Processing and Review of Watershed Land Use Proposals (<i>Request for District to perform a formal evaluation of watershed land use proposal</i>)	\$60/hr <u>130.00</u> (plus all other District costs)
Property Entry Permits, Rights of Entry, Temporary Construction Permits (<i>Permission for temporary access onto District</i>)	400.00 <u>300.00</u>
Limited Land Use Permit (<i>Allows landscaping, gardening or other minor surface use of District property, subject to annual renewal</i>)	25.00 <u>100.00</u>
<u>Temporary Construction Easement/Encroachment Permit</u> (<i>Permission for temporary access onto District</i>) <u>Open Land, No District Facilities</u> <u>With District Facilities</u>	<u>600.00</u> <u>2,200.00</u>
<u>Survey Costs if needed</u> (<i>Application use fees listed above do not include survey costs if needed</i>)	<u>\$125.00/hr</u>

Public Records Act Fee Schedule

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PUBLIC RECORDS ACT FEE SCHEDULE

INTRODUCTION

The following Fee Schedule has been established by the District to cover the costs for duplicating District documents, drawings, maps, recordings, and other records, as required by the Public Records Act.

The District offers access to its records upon receipt of a request that reasonably describes an identifiable record. Any questions or requests concerning District documents should be addressed to the Secretary of the District, East Bay Municipal Utility District, P.O. Box 24055, Oakland, California 94623-1055, or by calling (510) 287-0404.

CHARGES

Pursuant to the Public Records Act, the District may recover the "direct cost of duplication" for disclosable public records, unless a different charge is provided by statute. The direct cost of duplication generally covers two types of expenses – materials & equipment costs and labor costs.

- Materials & Equipment costs generally include the capital cost of the equipment, the maintenance contract, paper supplies, and other necessary expenses that must be incurred in order to make the equipment operational.
- Labor costs ordinarily include the pro rata salary and benefits of the clerical or technical employee operating the equipment.

The total cost for providing copies is a combination of materials, labor for actual duplication time, equipment usage, and postage, if applicable. The direct cost of duplication may vary depending on the size and type of media requested and the kind of reproduction equipment required.

Photocopies of non-District materials housed in the District Library or in other areas are charged at the same rate as District documents.

Prices quoted in this fee schedule are subject to change. An estimate of cost will be provided upon request.

Any records sent outside for duplication will be billed the actual cost of duplication by the outside vendor.

PAYMENT

For requests estimated to cost over \$100 in duplication fees, a deposit in the amount of the estimated fee will be required before duplication.

For all requests, payment in advance is required before release of records. Acceptable methods of payment include cash or check (payable to East Bay Municipal Utility District).



PUBLIC RECORDS ACT FEE SCHEDULE

(Continued)

INSPECTION/DELIVERY/PICK UP

The requestor is entitled to inspect records and/or obtain copies of records during normal business hours (8:00 a.m. to 4:30 p.m., Monday through Friday).

If the requestor wishes records to be delivered, copies will be sent first class mail unless the requestor makes other arrangements for pick up or delivery with the Secretary's Office. Postage will be charged for copies mailed to the requestor.

Federal Express service is available if the requestor supplies a Federal Express account number.

LEGAL COMPLIANCE OBLIGATIONS

Responsibility for adherence to copyright law rests with the individual requesting copies.

CATEGORIES

This Fee Schedule covers the following categories of document types or formats:

- I. Paper Based Records
 - A. General Business Documents & Engineering Drawings
 - B. Printed Maps
 - C. Bid Documents for Publicly Bid Projects
- II. Electronically Stored or Generated Records
 - A. Records that already exist
 - B. Records that do not already exist
 - C. Audio Cassette Tapes
 - D. Compact Disks (CDs)
 - E. Digital Versatile Disks (DVDs)

Fees for document types/requests not covered herein will be provided upon request.



PUBLIC RECORDS ACT FEE SCHEDULE

(Continued)

I. PAPER BASED RECORDS

A. GENERAL BUSINESS DOCUMENTS & ENGINEERING DRAWINGS

The fees charged for reproducing general business documents and engineering drawings, and printed maps photocopied onto regular paper in the sizes indicated below are based on the actual cost of duplication by District.

**Fee = Labor Cost (~~\$0.52~~\$0.54 per minute duplicating time)
+ Materials & Equipment Cost (e.g., cost per sheet or media)
+ Postage (if applicable)**

- Labor Costs: Labor costs for duplication time is charged at the rate of \$0.52 per minute. Labor costs are based on the labor rate of a clerical employee and is charged only for the actual time spent on duplication.
- Material & Equipment: The duplicating cost per sheet or media type is based on the actual cost of materials and equipment needed to reproduce documents. As detailed below, fees will vary depending on the type and size of documents and the method used for duplication.

1) Regular copies

8-1/2 x 11 \$0.09/pg
11 x 17 0.17/pg

2) Color copies

Requests for color copies may be sent to an outside vendor and charged back to the requestor.

3) Facsimile copies within the continental U.S.

8-1/2 x 11 0.50/pg



PUBLIC RECORDS ACT FEE SCHEDULE

(Continued)

4) ENGINEERING DRAWINGS

Size	Bond	Vellum
8-1/2 x 11	\$0.09	N/A
11 x 17	0.17	N/A
17 width	0.33	N/A
22 width	0.66	\$1.77
28 x 38	0.96	N/A

For sizes larger than those indicated in this chart, Engineering Records will determine the cost.

Drawings having a width greater than 36 inches cannot be reproduced on District equipment and must be sent out for commercial copying. These charges will be billed to the requestor.

B. PRINTED MAPS

The fees in this section apply to the duplication of existing hard copy B-maps. The fee listed is the cost per map for duplication by the District's print shop. All other pre-printed map sizes require special formatting and the cost for duplication by an outside vendor will be determined upon request.

- **B-maps** 250' scale (11 x 17) includes Map View prints...\$0.99/map
- **Map Book Covers.** 38.64/cover

C. BID DOCUMENTS FOR PUBLICLY BID PROJECTS

Copies of plans and specifications for publicly bid construction projects are available through the District's Specifications, Cost Estimating, and Engineering Standard Records (ESR) Section at a per set cost established as each project is issued for bid. The fee will be based on the cost for duplication at the District's print shop or an outside copy service and postage, if applicable.

Pre-paid documents will be sent first class mail unless the requestor makes other arrangements for document pickup or delivery with the Specification's Clerk. Federal Express service is available if the requestor supplies a Federal Express account number.



PUBLIC RECORDS ACT FEE SCHEDULE

(Continued)

Contract Documents are also available for viewing and downloading online at EBMUD's public website: www.ebmud.com, via the "Business Opportunities" and "Construction Bid Opportunities" Link.

Copies of CD-ROM versions of contract documents in Adobe Acrobat format are available free of charge from the Specifications Clerk at 510-287-1040.

Copies of historic contract documents can be provided in accordance with the provisions of item 1: General Business Documents.

II. ELECTRONICALLY STORED OR GENERATED DATA

The fees in this section apply to records stored electronically.

In general, there are two types of electronic records: (a) records that already exist on the system and merely require printing; and (b) records that do not currently exist and require data compilation, extraction, or programming to produce. A different fee rate applies to each of these types of records.

A. RECORDS THAT ALREADY EXIST

When a requester seeks a record that already exists on the system (i.e., a record merely needs to be retrieved and printed, and does not require data compilation, extraction, or programming to produce), the following fee applies:

**Fee = Labor Cost (~~\$0.52~~\$0.54 per minute duplicating time)
Materials & Equipment Cost
+ Postage (if applicable)**

Materials & Equipment costs vary with the types/formats of records requested, as specified below:

1) Digital copies – PDF Files of B-maps

Cost of Media:

▪ CD	\$ 3.05
▪ DVD	6.35
▪ Electronic transfer	N/C



PUBLIC RECORDS ACT FEE SCHEDULE

(Continued)

2) Maps on Demand

Cost per copy:

Size	Bond	Vellum*	Bond Color
8-1/2 x 11	\$0.10	\$0.19	\$0.38
11 x 17	0.19	0.36	0.73
17 x 22	0.33	0.60	2.05
22 x 34	0.49	0.84	3.38
28 x 38	0.66	1.10	5.02

*These costs reflect color plots produced only from existing files.

3) Other Electronic Records

Description	Charge Per Unit
- 8-1/2 x 11 (PC Printer)	\$0.09/pg
- CD	3.05/ea
- DVD	6.35/ea

B. RECORDS THAT DO NOT ALREADY EXIST

When a requester seeks records that do not currently exist on the system and require data compilation, extraction, or programming to produce, the requestor shall pay the cost to construct a new record, and the cost of programming and computer services necessary to produce a copy of the record. However, the District is under no obligation to provide records that do not already exist. Accordingly, the applicable fee is:

Fee = Labor Cost (~~\$0.99~~\$1.02 per minute production time)
+ Materials & Equipment Cost (rates specified in Section II.A)
+ Postage (if applicable)

Labor cost is based on the "average technical labor" rate and is charged only for the actual time spent producing the record.



PUBLIC RECORDS ACT FEE SCHEDULE

(Continued)

This fee also applies when the request requires producing a record outside of the regularly scheduled interval.

C. AUDIO CASSETTE TAPES

Regular meetings of the Board of Directors are recorded on audiotape. Copies of tapes are available upon request.

Fee = Labor Cost (~~\$0.52~~\$0.54 per minute duplicating time)
Cost per tape (90-minute cassette tape = \$1.68/tape)
+ Postage (if applicable)

D. COMPACT DISCS (CDs)

Fee = Labor Cost (~~\$0.52~~\$0.54 per minute duplicating time)
Cost per disc (CD-R Disc, Write-Once, 700MB, 80 Minute, 52X = \$3.05/disc)
+ Postage (if applicable)

E. DIGITAL VERSATILE DISCS (DVDs)

Fee = Labor Cost (~~\$0.52~~\$0.54 per minute duplicating time)
Cost per disc (DVD+R, 16X, Single Sided, 4.7 GB/120 Minutes = \$6.35/disc)
+ Postage (if applicable)

DISTRICT PUBLICATIONS FEES

Fee =	Cost of publication (see below)
+ Sales tax	
+ <u>Postage (if applicable)</u>	
Municipal Utility District Act	\$5.15
Rules and Regulations (Customer Service Book)	8.12
Water Conserving Plants and Landscape for the Bay Area (Water Conservation Section)	
1 – 4 copies (EBMUD pickup)	12.00
1 – 4 copies (mailed)	15.00
5 or more copies	11.00
Its Name Was MUD	18.00
Educational Materials (Outside of District's Service Area)	
Teachers Guides	
1 – 50 copies	\$2.00 each
51 – 1,500 copies	1.75 each
Student Workbooks	
1 – 5,000 copies	0.50 each
5,001 – 50,000 copies	0.43 each
Captain Hydro Posters	
1 – 1,000 copies	0.70 each
1,001 and up	0.50 each
Plants and Landscapes for Summer Dry Climates of the San Francisco Bay Region	
Soft cover	\$34.95 each
District customer and employee	24.95 each
Hardcover	49.95 each
District customer and employee	29.95 each
Wholesalers	up to 60% discount
Vendors	up to 50% discount

Wastewater Department

Schedule G

Capacity Fees

FY17



SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

PAGE NUMBER

7-A

EFFECTIVE

08/10/15

08/15/16

SCHEDULE G
WASTEWATER DEPARTMENT
CAPACITY FEES

TABLE 1

Residential (\$/dwelling unit)^{1,5} \$1,860² \$2,150²

Non-Residential (\$/ccf/mo)^{3,4, 5}

2010	Meat Products	\$856	<u>\$1,027</u>
2011	Slaughterhouses	862	<u>1,003</u>
2020	Dairy Product Processing	679	<u>810</u>
2030	Fruit and Vegetable Canning	553	<u>656</u>
2040	Grain Mills	568	<u>661</u>
2050	Bakeries (including Pastries)	959	<u>1,129</u>
2060	Sugar Processing	534	<u>639</u>
2077	Rendering Tallow	1,707	<u>1,976</u>
2080	Beverage Manufacturing & Bottling	413	<u>491</u>
2090	Specialty Foods Manufacturing	1,733	<u>2,075</u>
2600	Pulp and Paper Products	489	<u>569</u>
2810	Inorganic Chemicals Manufacturing	647	<u>740</u>
2820	Synthetic Material Manufacturing	157	<u>180</u>
2830	Drug Manufacturing	344	<u>368</u>
2840	Cleaning and Sanitation Products	648	<u>734</u>
2850	Paint Manufacturing	1,195	<u>1,412</u>
2893	Ink and Pigment Manufacturing	429	<u>512</u>
3110	Leather Tanning and Finishing	1,633	<u>1,940</u>
3200	Earthenware Manufacturing	358	<u>411</u>
3300	Primary Metals Manufacturing	285	<u>327</u>
3400	Metal Products Fabricating	169	<u>194</u>
3410	Drum and Barrel Manufacturing	1,648	<u>1,968</u>
3470	Metal Coating	182	<u>210</u>
4500	Air Transportation	233	<u>272</u>
5812	Food Service Establishments	598	<u>693</u>
7000	Hotels, Motels with Food Service	436	<u>503</u>
7210	Commercial Laundries	382	<u>448</u>
7215	Coin Operated Laundromats	294	<u>339</u>
7218	Industrial Laundries	1,039	<u>1,240</u>



SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

PAGE NUMBER

7-B

EFFECTIVE

~~08/10/15~~

08/15/16

SCHEDULE G

WASTEWATER DEPARTMENT
CAPACITY FEES
(Continued)

7300	Laboratories	242	<u>246</u>
7542	Automobile Washing and Polishing	277	<u>323</u>
8060	Hospitals	274	<u>312</u>
8200	Schools	200	<u>232</u>
	All Other Business Classification Codes (includes dischargers of only segregated domestic wastes from sanitary conveniences)	278	<u>321</u>

Permit Accounts^{4, 6}

Flow (\$/ccf/mo)	139.19	<u>159.07</u>
Chemical Oxygen Demand Filtered (CODF) (\$/lb/mo)	38.20	<u>46.88</u>
Total Suspended Solids (TSS) (\$/lb/mo)	55.44	<u>63.10</u>

¹ Includes BCC 6514 and 8800.

² Residential fee is calculated as follows:

Flow:	6.7	x	\$139.19	<u>\$159.07</u>	=	\$933	<u>\$1,066</u>
CODF:	7.9	x	38.20	<u>46.88</u>	=	302	<u>370</u>
TSS:	11.29	x	55.44	<u>63.10</u>	=	625	<u>712</u>
						\$2,148	<u>\$2,148</u>
						\$1,860	<u>Rounded to</u>
							<u>\$2,150</u>

³ Capacity Fee is based on the anticipated maximum monthly flow contributions multiplied by the average wastewater strength measured or assigned for each classification of customer. The District may review the actual flow and strength within 24 months, once the business is fully established to verify the estimated demand for wastewater capacity. The review may result in the assessment of additional capacity fees if the actual flow and strength exceeds the original estimate.

⁴ For non-residential customers with projected treatment revenues equal to or greater than 0.1% of the total District treatment revenue, the calculated capacity fee will be reduced by a Rate Stabilization Factor of 25%. Projected treatment revenue will be based on permit conditions at the time of application or on average wastewater strength measured for each classification of customer if a permit is not required for discharge. Total District treatment revenue will be based on the budgeted fiscal year amount at the time of application.



**SCHEDULE OF RATES AND CHARGES TO CUSTOMERS
OF THE EAST BAY MUNICIPAL UTILITY DISTRICT**

PAGE NUMBER

7-C

EFFECTIVE

~~08/10/15~~

08/15/16

SCHEDULE G

**WASTEWATER DEPARTMENT
CAPACITY FEES
(Continued)**

⁵ A credit may be provided for existing services. Where a new service will replace one or more existing or prior services to a premise where a capacity fee was paid, a credit will be given toward the new capacity fee demand and based on the previous capacity unit paid or if the existing service had not paid a capacity fee but in service since July 1, 1987 then the credit is based on historic use contributions.

⁶ Total fee is a summation of the unit rates for flow, CODF, and TSS times permit conditions at the time of application.



AGENDA NO.
MEETING DATE

12.
May 10, 2016

TITLE DECLARE STAGE 0 DROUGHT EFFECTIVE JULY 1, 2016 AND SUSPEND DROUGHT SURCHARGE EFFECTIVE JUNE 30, 2016

☒ MOTION _____ ☐ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION

1. Declare a Stage 0 drought, effective July 1, 2016, based on the "TSS Scenario" contained in the District's Drought Management Program Guidelines.
2. Suspend Stage 4 drought surcharge for Fiscal Year 2017, effective June 30, 2016.

SUMMARY

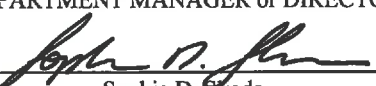

With projected 2016 end-of-September Total System Storage (TSS) indicating sufficient supply to meet customer demands and downstream obligations, current water supply conditions would result in a Stage 0 drought, with no drought surcharges per the District's Drought Management Program (DMP) Guidelines adopted on March 22, 2016.

As of May 10th, the District remains obligated to meet State-mandated water use reduction requirements as issued by the State Water Resources Control Board (State Board). The State Board will reconsider these emergency regulations for urban water suppliers in late May 2016. The District expects to meet State-mandated water use reduction requirements by continuing its conservation efforts without the need for mandatory water use restrictions or other special conservation measures. For this reason, implementation of the "State Mandate Scenario" set forth in the DMP Guidelines is not necessary.

DISCUSSION

In December 2014, the Board adopted a four-stage system of drought rates, which had been previously developed through a series of workshops and public meetings. The four stages range from Stage 0, under which no drought rates or surcharges would be applicable, to Stage 4 in which surcharges could be as high as 25 percent.

The District's drought response actions are guided by the DMP Guidelines, which include recommended actions for the Board to consider based upon the severity of the drought in question. In April 2015, the Board adopted revised DMP Guidelines to reflect the District's successful use of the Freeport Regional

Funds Available: FY		Budget Code:
DEPARTMENT SUBMITTING Finance Department	DEPARTMENT MANAGER or DIRECTOR  Sophia D. Skoda	APPROVED  General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

Water Facility, to address the continuation of the historic drought, and to be consistent with the four-stage system of drought rates previously adopted. Also in April 2015, based on the then current conditions, as well as projections showing historically low reservoir levels for the upcoming water year, the Board took a number of drought-related actions, including declaring a continuation of the Water Supply Emergency it originally declared in August 2014, adopting a revised Section 28 of the District's Regulations Governing Water Service to Customers (Section 28), declaring a mandatory district-wide water use reduction goal of 20 percent, declaring the need to use the Freeport Regional Water Facility to deliver supplemental water supplies, and declaring a Stage 4 "critical" drought.

On June 9, 2015 the Board adopted new rates which included new drought rate surcharges designed to address the financial impacts of the drought. At that time, the Board authorized up to a 25 percent drought surcharge applicable in a Stage 4 drought to recover drought-related costs, including the purchase of supplemental water supplies, increased treatment costs, outreach and conservation, and other drought expenses, and to help mitigate the financial impacts associated with reduced water demand. The drought rates adopted by the Board on June 9, 2015 became effective July 1, 2015. The drought rates were calculated assuming a full fiscal year implementation, remaining in place until the Board rescinded the Stage 4 drought declaration, assumed to remain in place throughout the 2016 fiscal year.

Since September 2015, the District's water supplies have improved dramatically due to improved rainfall and snowpack levels, successful water conservation by customers that reduced water demand by 24 percent compared to 2013, and the purchase of 58,000 acre-feet of supplemental supplies. On March 22, 2016, given improved water supply conditions and the continued applicability of the State Board's emergency regulations, the Board approved revisions to the DMP Guidelines to account for the potential scenario wherein the District's projected end-of-September Total System Storage and the resultant proposed drought stage would not correspond to the level of conservation mandated by the State. These changes to the DMP Guidelines included the addition of a State Mandate Scenario, which could be used to guide Board action when State-mandated water use reductions exceed those based solely upon the District's end-of-September TSS.

On April 26, the Board approved the District's Water Supply Availability and Deficiency Report, which projected Total System Storage at the end of September to be above 500 TAF. Under the "TSS Scenario" of the DMP Guidelines, this projection reflects the likelihood the District will adequately replenish its water supplies, thus allowing declaration of a Stage 0 drought effective July 1, 2016 with no applicable drought surcharges. In separate Board actions, staff is recommending the rescission of the District's Water Shortage Emergency and Section 28, effective June 30, 2016.

As noted, later in May 2016 the State Board will consider revising its emergency regulations requiring mandatory water use reductions to be achieved by urban water suppliers. Under its current order, the State Board has required the District to reduce its water use by 16 percent from 2013 levels. The District's customers have far exceeded this mandate and have reduced demand by 24 percent. Based on this effort, the District believes it will be able to meet any conservation level mandated by the State Board without mandatory water use restrictions or other special conservation measures such as Section 28.

While the District's water supply outlook has greatly improved, the drought surcharge has not been in effect for the full 12-month period budgeted to recover the District's drought-related costs. In addition,

conservation levels have been higher than anticipated, which has resulted in lower than budgeted year-to-date revenues. While, the Board declared the Stage 4 drought in April 2015 based on the Water Supply Availability and Deficiency Report, the implementation of the drought surcharge did not begin until July 1st, two months after the Board's decision. This delay is similar to that seen in implementation of previous District drought rates, and allowed for public outreach on the need for customer use reductions and on the upcoming drought surcharge. The drought surcharges covered by the District's recent cost-of-service study and noticed to the public were designed to recoup the costs of these actions and programs over the course of the entire fiscal year. At the end of the 2009 drought, after receiving information of improved water supply in April, the Board declared the Water Shortage Emergency over at the end of the 2009 fiscal year and stopped applying drought rates and surcharges beginning in the 2010 fiscal year. Implementing a rate change following the end of a fiscal year creates a smooth transition for customers and customer bills as it coincides within the existing structure of annual water rate changes. When Stage 0 is declared effective July 1, 2016, coincident with the FY17 rate increase, customers will see a drop in water volume charges of 18 percent (removal of the 25 percent drought surcharge combined with the overall 7 percent FY17 general rate increase).

Therefore, to be consistent with past practice, facilitate recovery of expended drought costs, and coincide cleanly with the FY17 rate increase, staff recommends the Board declare a Stage 0 drought, effective on July 1, 2016, and rescind applicability of Stage 4 drought surcharges effective on June 30, 2016.

ALTERNATIVES

Declare a Stage 0 drought and suspend the drought surcharge effective May 30, 2016. This alternative is not recommended. Suspending the Stage 4 drought surcharge prior to June 30, will reduce revenues by approximately \$5-6 million and continue to increase the drought-related revenue shortfall. As explained above, the system of drought surcharges approved by the Board on June 9, 2015 was calculated to recover drought costs, including lost water sales revenue, over a 12-month bill collection period.

Adjusting the rate prior to June 30th would also introduce a non-standard rate adjustment for the customer billing system and create potential billing issues. A non-standard change (change implemented other than at end/start of the fiscal year) to customer billing is not recommended as it deviates from the tested procedure that is proven to produce accurate bills for all customers. Further, customers are familiar with rate changes occurring on July 1st.

Declare a Stage 2 drought effective July 1, 2016. This alternative is not recommended. While projected September 30 Total System Storage meets the Stage 0 threshold from the Drought Management Program Guidelines, the revised State Mandate Scenario within the DMP Guidelines allows the District to declare a drought stage based on State-mandated customer demand reduction goals. If, in late May, the State Board mandates a 10-15 percent water use reduction standard for the District, Stage 2 could be applicable.

Over the past month, the State Board has considered continuation of the District's 16 percent mandated water use reduction. The District, along with many other California water agencies, expressed concern with the State Board's approach as local water supply conditions indicate adequate supply. In response,

Declare Stage 0 Drought and Suspend Drought Surcharge
May 10, 2016
Page 4

the State Board is currently considering relaxing the water use reduction standards and will announce their decision on May 18, 2016.

In anticipation of the State perpetuating water use reduction requirements, staff proposed a State Mandate Scenario addition to the DMP Guidelines – which allows the Board to enact certain drought provisions, including the flexibility to continue a drought surcharge to recover drought-related expenses. The new guidelines were adopted by the Board at its March 22, 2016 meeting. If implemented, a Stage 2 drought surcharge would collect approximately \$1 to 1.5 million per month in FY17. Given the anticipated relaxation of the State mandates to reflect local water supply conditions, staff does not currently recommend declaring a Stage 2 drought.

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AGENDA NO.
MEETING DATE

13.
May 10, 2016

**TITLE RESCIND WATER SHORTAGE EMERGENCY DECLARATION, SECTION 28 OF
EBMUD REGULATIONS GOVERNING WATER SERVICE TO CUSTOMERS, AND
MANDATORY TWENTY PERCENT WATER USE REDUCTION GOAL**

☐ MOTION _____ ☒ RESOLUTION _____ ☐ ORDINANCE _____

RECOMMENDED ACTION

1. Rescind District's Water Shortage Emergency Declaration, effective June 30, 2016.
2. Rescind Section 28 of the EBMUD Regulations Governing Water Service to Customers, which established temporary water use prohibitions and restrictions, effective June 30, 2016.
3. Rescind District-wide mandatory 20 percent water use reduction goal, effective June 30, 2016.



SUMMARY

On April 26, 2016, the annual Water Supply Availability and Deficiency Report (WSADR) was prepared and submitted to the Board of Directors as required under Policy 9.03. The report evaluated the adequacy of the current year's (2016) water supply and determined that there was sufficient water to meet customer demand, with September 30 Total System Storage (TSS) projected to be above the 500 thousand acre-feet (TAF) threshold for determining the adequacy of the District's water supply at the end of the water year. Because of the District's investments toward improving water supply reliability and District customers exceeding the state mandated water conservation goals, along with improved hydrologic conditions in 2016, staff is recommending that the Board rescind the current Water Shortage Emergency Declaration, effective June 30, 2016. Following rescission of the Water Shortage Emergency, Section 28 of the District's Regulations Governing Water Service to Customers (Section 28), and the currently effective District-wide mandatory 20 percent water use reduction goal will no longer be necessary to aid in the District's Water Shortage Emergency response. Accordingly, staff also recommends rescinding Section 28 and the mandatory 20 percent water use reduction goal, effective June 30, 2016.

DISCUSSION

Rescind the Water Shortage Emergency Declaration

Water Years 2014 and 2015 were two of the driest on record for the State of California and for the District, prompting the District to declare a Water Shortage Emergency in August 2014 and to continue

Funds Available: FY		Budget Code:	
DEPARTMENT SUBMITTING	DEPARTMENT MANAGER or DIRECTOR		APPROVED
Water and Natural Resources	 Richard G. Sykes		 General Manager

Contact the Office of the District Secretary with questions about completing or submitting this form.

Rescind Water Shortage Emergency Declaration, Section 28 of EBMUD Regulations Governing Water Service To Customers and Mandatory 20 Percent Water Use Reduction Goal

May 10, 2016

Page 2

that emergency declaration in April 2015. In 2015, the District also declared a Stage 4 drought under the Drought Management Program Guidelines, secured dry year supplies conveyed through the Freeport Regional Water Project, set a mandatory water use reduction goal of 20 percent, implemented a Critical Drought Action Plan, and adopted the Excessive Water Use Penalty Ordinance. In response to dire statewide conditions in 2015, the State Water Resources Control Board (State Board) also adopted emergency regulations that, among other things, set a 16 percent mandatory water use reduction target for EBMUD. District customers responded to these calls for increased conservation, meeting and exceeding the District's 20 percent mandatory water use reduction goal and the State Board's mandatory 16 percent water use reduction target.

In contrast to 2014 and 2015, the water supply outlook for 2016 has improved considerably throughout much of the state, with significant precipitation and snowpack in northern California. The District's watersheds have received much more precipitation than in the previous two years, with the East Bay Watershed receiving over 25 inches of cumulative precipitation – 97 percent of average – and the Mokelumne Basin receiving almost 48 inches of cumulative precipitation, which is 107 percent of average. The WSADR projected an end of September TSS of between 605 and 630 TAF for water year 2016. This level is well above that which is considered sufficient to meet projected customer demands for the coming year. Therefore, staff recommends rescinding effective June 30, 2016 the Water Shortage Emergency first declared by the Board in 2014 and continued in 2015.

Rescind Section 28

In compliance with Water Code Section 353, since the Board's initial Declaration of a Water Shortage Emergency in August 2014, Section 28 has been in effect. Section 28 includes prohibitions and restrictions on water use that have enabled the District to achieve significant water use reductions. Because hydrologic conditions have improved such that continuing the Water Shortage Emergency is no longer necessary, staff recommends that the Board rescind Section 28, effective June 30, 2016. Section 29 of EBMUD's Regulations, "Prohibiting Wasteful Use of Water," will remain in effect and contains prohibitions against the wasteful use of water.

Rescind Mandatory 20 Percent Water Use Reduction Goal

On April 14, 2015, in response to the District's then-deficient water supplies, the Board declared a mandatory District-wide 20 percent water use reduction goal. The District's customers met and exceeded that goal, achieving a 24 percent reduction in water use since June 1, 2015. Because conditions have improved dramatically in the past year, staff no longer anticipates the need for 20 percent reductions to protect and replenish the District's water supplies. In addition, because the State Board is expected to ease mandatory water use reduction targets this month, and given strong water conservation results achieved by the District's customers in the past year, staff believes that any future State Board requirements can be met with wise water use by District customers. For these reasons, staff recommends rescinding the District-wide mandatory 20 percent water use reduction goal, effective June 30, 2016.

Rescind Water Shortage Emergency Declaration, Section 28 of EBMUD Regulations Governing Water Service To Customers and Mandatory 20 Percent Water Use Reduction Goal

May 10, 2016

Page 3

ALTERNATIVES

Take no action. This alternative is not recommended. Given the high projected level of storage in District reservoirs, the District will not be in a Water Shortage Emergency at the conclusion of water year 2016. The ongoing implementation of Section 28 of EBMUD's Regulations is tied to the declaration of a Water Shortage Emergency and continued mandatory 20 percent water use reductions are not anticipated to be necessary to ensure ongoing conservation by the District's customers. Accordingly, rescission of the Water Shortage Emergency declaration should be accompanied by rescission of Section 28 and the District-wide mandatory 20 percent water use reduction goal.

Rescind the Water Shortage Emergency and Section 28 effective immediately. This alternative is not recommended. In other actions today, the Board will consider staff's recommendation to declare a Stage 0 drought, effective July 1, 2016, and suspend the Stage 4 drought surcharge, effective June 30, 2016. If the Board follows staff's recommendations on those actions, rescinding the Water Shortage Emergency, Section 28, and the District-wide mandatory 20 percent water use reduction goal immediately would be inconsistent with the continuation of the current Stage 4 Drought Declaration through June 30.

RESOLUTION NO. _____

RESCIND THE WATER SHORTAGE EMERGENCY
WITHIN THE DISTRICT'S SERVICE AREA, RESCIND SECTION 28,
"WATER USE DURING WATER SHORTAGE EMERGENCY CONDITION," AND
RESCIND DISTRICT-WIDE MANDATORY TWENTY PERCENT WATER USE
REDUCTION GOAL

Introduced by Director

; Seconded by Director

WHEREAS, on January 17, 2014, Governor Brown issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions, and on April 25, 2014, issued a proclamation of a continued state of drought emergency; and

WHEREAS, on July 15, 2014, the California State Water Resources Control Board (State Board) declared the existence of a drought emergency as identified in the Governor's drought emergency proclamations and adopted emergency regulations that included prohibitions on certain classes of outdoor irrigation and water use, ordered all urban water suppliers to implement mandatory conservation measures, and ordered all water suppliers with 3,000 or more connections to provide monthly data on water production; and

WHEREAS, in response to the severe drought recognized in the Governor's earlier emergency proclamations and the State Board's July 2014 emergency regulations, on August 12, 2014, the Board of Directors (Board) of the East Bay Municipal Utility District (District) adopted Resolution No. 33994-14 declaring a water shortage emergency within the District's service area, and adopting Section 28 of District regulations, entitled "Water Use During Water Shortage Emergency Condition," (Section 28) containing restrictions on water use to conserve the water supply for the greatest public benefit; and

WHEREAS, over the winter of 2014-2015, California continued to experience below-average precipitation and a record low snowpack, and on March 17, 2015, the State Board adopted expanded emergency water conservation regulations to safeguard the State's remaining water supplies by continuing its July 2014 prohibitions on potable water use and imposing new prohibitions on such use; and

WHEREAS, on April 1, 2015, the California Department of Water Resources announced that the water content of the snowpack in the Sierra Nevada Mountains was just 5 percent of normal for that time of year, the lowest it had ever been since records began to be compiled in 1950, and

WHEREAS, also on April 1, 2015, Governor Brown issued Executive Order B-29-15, which specified actions to be taken in response to the drought in addition to those actions set forth in his earlier drought-related proclamations and executive orders; and

WHEREAS, the drought severely affected the District's water supply, with January 2015 constituting the driest January on record and March 2015 constituting the second driest March on record in the Mokelumne River Basin; and

WHEREAS, despite the District's long-running, aggressive water conservation program and its utilization of recycled water supplies, due to the effects of the drought, on April 14, 2015, the District's water supply was determined to be deficient for meeting customer demands in 2015, and the Board declared a Stage 4 critical drought, declared a mandatory District-wide water use reduction goal of 20 percent, and declared the need to use the Freeport Facilities to deliver supplemental supplies to the District's service area; and

WHEREAS, given the continuing extreme and prolonged drought affecting California and the Mokelumne River watershed at the time, and to support the State Water Board's March 17, 2015 expanded emergency water conservation regulations and the Governor's April 1, 2015 Executive Order, on April 14, 2015, the Board also declared a continuation of the water shortage emergency originally declared on August 12, 2014 and amended Section 28 to add additional special restrictions on water use beyond the measures adopted by the Board on August 12, 2014; and

WHEREAS, to prohibit excessive and wasteful use of water during Stage 3 and Stage 4 droughts, on April 28, 2015, the Board adopted the Excessive Water Use Penalty Ordinance, under which single family customers using more than 60 hundred cubic feet (CCF) of potable water per month during a Stage 3 drought, or more than 40 CCF of potable water per month during a Stage 4 drought are subject to a \$2 per CCF penalty for water used in excess of the applicable water use threshold; and

WHEREAS, to help manage the District's water supplies during the drought, on April 28, 2015, the Board approved a Critical Drought Action Plan to guide public outreach in support of implementation of Section 28 mandatory water use restrictions, and to support public education and outreach on statewide mandatory water use restrictions; and

WHEREAS, to help reduce the impacts of drought on the District's water supply, in 2015 the District purchased approximately 33 thousand acre-feet (TAF) of water available under its Central Valley Project contract and an additional 25 TAF of water via one-year transfer agreements, at a total purchase cost to the District of \$18.4 million; and

WHEREAS, in response to Governor Brown's Executive Order B-29-15, on May 5, 2015, the State Board approved regulations that, among other things, required the District to reduce its potable water consumption by 16 percent for May 2015 through February 2016 as compared to the same months in 2013; and

WHEREAS, the District's customers responded to the Board and State Board's call for conservation, achieving a 24 percent reduction in water use since June 1, 2015, far exceeding both anticipated demand reductions associated with the District's response to the drought, and the State Water Resources Control Board's 16 percent mandatory water use reduction target for the District; and

WHEREAS, District staff also successfully implemented the Critical Drought Action Plan, resulting in extensive outreach to residential and nonresidential customers, distribution of water saving devices, materials, and information, response to reports of water waste, issuance of water efficiency rebates, implementation of various community outreach presentations, and contact center response to drought-related calls, emails, and requests for leak adjustments; and

WHEREAS, from July 1, 2015 through March 31, 2016, over 7,000 violations of the Excessive Water Use Penalty Ordinance occurred throughout the District, representing 5,627 accounts, or approximately 1.7 percent of the District's single family residential accounts; and

WHEREAS, in recognition of the potential impacts of the extraordinary drought affecting the State, on June 9, 2015, the Board adopted new rates which included a new drought rate surcharge structure designed to address the financial impacts of the drought and proportionally recover the costs of providing water service; and

WHEREAS, the drought rates adopted by the Board on June 9, 2015 authorized up to a 25 percent drought surcharge applicable during a Stage 4 drought, based in part on the assumptions that the drought surcharge would remain in place until the Board rescinded its Stage 4 drought declaration, and that the Stage 4 drought declaration would stay in place throughout the 2016 fiscal year; and

WHEREAS, the drought rates adopted by the Board on June 9, 2015, which became effective July 1, 2015, help recover drought-related costs including the purchase of supplemental water supplies, increased treatment costs, outreach and conservation, and other drought expenses, and also help mitigate the financial impacts associated with reduced water demand; and

WHEREAS, the District has not yet recovered the costs of the various drought-related actions and programs detailed above, such as the purchase of additional water supplies, revenue loss resulting from demand reductions, and other drought-related costs the drought surcharge is designed to recoup; and

WHEREAS, on November 13, 2015, the Governor issued an Executive Order that directed the State Board to extend until October 31, 2016 water use restrictions to achieve statewide reductions in potable usage, if drought conditions persist through January 2016; and

WHEREAS, on February 2, 2016, the State Board extended its emergency water conservation regulation rulemaking, identifying a 16 percent water reduction goal for the District and continuing to restrict urban water use through October 2016; and

WHEREAS, during the winter of 2015-2016, precipitation in the District's service area and the Mokelumne River watershed markedly improved relative to recent years, with the East Bay Watershed receiving over 25 inches of cumulative precipitation—97 percent of average—and the Mokelumne Basin receiving almost 48 inches of cumulative precipitation, which is 107 percent of average; and

WHEREAS, due to the extraordinary water use reductions achieved by the District's customers, the purchase of 58 TAF of CVP and transfer water by the District, and increased precipitation received during the precipitation season, the District's projected 2016 end-of-September total system storage is projected to be between 605 TAF and 630 TAF, which is considered adequate to meet customer demands in the coming year; and

WHEREAS, due to the District's improved water supplies, on April 26, 2016, the Board suspended implementation of the Excessive Water Use Penalty Ordinance; and

WHEREAS, on May 18, 2016, in response to improved water supply conditions statewide, the State Board is expected to modify its emergency drought regulations to ease mandatory water use restrictions; and

WHEREAS, because water supply conditions have improved, the District anticipates having sufficient supplies to meet the ordinary demands and requirements of its customers without depleting its supplies to the extent that there would be insufficient water for human consumption, sanitation, or fire protection within the meaning of Water Code Section 350; and

WHEREAS, Section 28 may be rescinded when the water shortage emergency is declared to be over;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District finds and determines and hereby declares the following:

1. The Board hereby finds and determines that the above recitals are true and correct and are incorporated herein.
2. The District's water shortage emergency is rescinded effective June 30, 2016.
3. Section 28 of the EBMUD Regulations Governing Water Service to Customers, entitled "Water Use During Water Shortage Emergency Condition," is rescinded effective June 30, 2016.

4. The District-wide mandatory 20 percent water use reduction goal is rescinded effective June 30, 2016.

ADOPTED this 10th day of May, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:


General Counsel


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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 5, 2016

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager 

FROM: Alison A. Kastama, Special Assistant to the General Manager 

SUBJECT: 2016 Critical Drought Action Plan Update – May

SUMMARY

Staff continues implementing the 2015-2016 Critical Drought Action Plan to support customer conservation and customer compliance with drought-related regulations and ordinances adopted by the Board and the state. April water production was 134 million gallons per day (which is the lowest April water production since 1978) and 47 MGD less than April 2013. The savings for April is 26% compared to April 2013, and cumulative savings since June 1, 2015 is 24%.

DISCUSSION

Excessive Use. Following the April 26 Board decision to suspend the Excessive Water Use Penalty, staff received six emails (one each from Oakland, Orinda, Alameda and Castro Valley and two from unknown locations) via ebud.com and 4 calls to the Customer Contact Center (one each from Alamo and Danville, and two from unknown locations), all expressing disappointment with the suspension. Staff responded to all inquiries. Twitter traffic was also noted with more than 20 posts related to the Board's actions. Staff responded to each customer post directly via private messages. A minor increase in page views of the Excessive Use webpage was noted (70 page views from April 25 – May 2 versus approximately 50 page views per week from January 1 – May 2).

As of April 30, 2016, 64 excessive use penalty exemption requests were received, compared to 107 requests received for the previous month. Of the 885 requests received to date, 461 requests (52%) have been approved, 371 requests (42%) have been denied and 53 requests (6%) are in progress.

The suspension of the Excessive Water Use Penalty will take effect on May 3, and there will be no further excessive use penalties assessed on customer bills after this date. The last excessive use penalty appeal accepted will be May 3 plus 15 days (May 18.) Second and third level appeals for appeals that were initially filed timely before May 3 will be accepted.

Water Theft. As of April 30, 2016, there were four water theft penalty notices mailed to customers as compared to 8 notices mailed in the previous month. Two appeals were

received this month. Two appeals were denied while no appeals were approved this month. Water theft penalty notices were mailed to a total of 88 customers since June 2015.

Customer Outreach and Activity. The District continues to work with residential and business customers to meet outdoor watering restrictions. During April:

- Staff responded to 90 drought-related phone and email inquiries regarding customer conservation efforts, rebate programs, excessive use penalties and the drought surcharge.
- Home Water Reports continue to be an effective engagement tool to help customers conserve through the personalized household comparisons, online portal savings tools and streamlined access to the District website. To date, nearly 70,000 individual households have participated in the program at one time or another, with nearly 63,000 current household participants through April. Approximately 31,000 reports were distributed during the month. Since April 2014, more than 13,000 customers have registered on the portal for access to additional conservation services.
- Water conservation rebates distributed totaled 663 for the month.
- Distribution of free water conserving devices such as showerheads, faucet aerators, toilet dye tabs and bags, and hose nozzles was lower in April at 54 total.
- Orders for conservation materials such as home survey kits, lawn signs, restaurant table tents, hotel linen cards, shower stickers, nursery plant tags and school education materials totaled 188 orders placed for the month.
- Although lower than prior months, staff continues to respond to a relatively large volume of water waste reports; 150 were received in April, with 56 percent related to residential water use. The number of water waste reports received since February 2014 totals 9,147.
- During April, staff responded to 16 drought-related media inquiries that were focused on reservoir levels and water supply. Additional drought-related media inquiries were received on water supply and outdoor restrictions.

A summary of the April water conservation activities is included in Attachment 1. Recent and upcoming speaking engagements are shown in Attachment 2.

Trucked Recycled Water Program. In March, customers picked up 85,729 gallons from the East Bayshore recycled water truck station. Customers did not collect any water from the North Richmond water treatment plant. Hydrants at the two stations remain open 24/7.

NEXT STEPS

With the suspension of the Excessive Water Use Penalty effective May 3, staff will release the next excessive use list on May 26, 2016 and one final list in June. The final list will represent customers in violation who were billed through May 2, 2016. Staff has released, on a rolling basis, names of customers who have violated the Excessive Water Use Penalty Ordinance once per month since implementation. Staff is addressing customer inquiries about positive changes to our water supply, the Excessive Water Use Penalty, the water shortage emergency scenarios and any changes to the declared stage of drought.

Critical Drought Action Plan 2016 Update
Board of Directors
May 5, 2016
Page 3

Attachments:

1. Water Conservation Outreach Update as of April 30, 2016
2. Speakers Bureau Update as of May 4, 2016

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FY16 Demand Reduction Program

As of April 30, 2016^{4,7}

Monthly Water Conservation Activity	Current Month	Activity Level to Date
Customer Outreach (on-site audits, self-survey kits, landscape consultations, high-bill inquiries, new account review, WaterSmart Home Water Reports¹) - Residential	31,579	495,637
<i>Single Family</i>	31,234	492,231
<i>Multi Family (number of dwelling units audited)</i>	345	3,406
Customer Outreach (on-site audits, landscape consultations, high bill inquiries) - Non Residential	1,140	38,491
<i>Commercial</i>	9	415
<i>Industrial</i>	1	13
<i>Institutional</i>	-	30
<i>Irrigation and IRIS Water Budget Program</i>	1,130	38,033
Devices, Materials and Information Distributed	3,655	47,576
Water Saving Devices (showerheads, aerators, dye tabs, toilet bags, hose nozzles)	54	13,459
School materials and publications ⁶	188	2,671
Table tents, hotel cards, shower stickers	3,413	31,446
Water Waste Response³	150	9,091
<i>Residential</i>	84	5,905
<i>Commercial</i>	14	1,365
<i>Institutional</i>	18	500
<i>Street and Misc.⁴</i>	34	1,321
Rebates (toilets, clotheswashers, irrigation controllers, landscape, etc.)	663	26,265
Rebates Paid (toilets, clotheswashers, irrigation controllers, landscape, etc.) :		
<i>Residential</i>	606	24,333
<i>Non-Residential</i>	57	1,932
Community Outreach Presentations/Events	7	311
Contact Center Activity	Current Month	Activity Level to Date
No. of Leak Adjustments	301	8,278
Drought Related Calls	79	5,792
Drought Related Emails	11	915

¹ WaterSmart Home Water Reports added in September 2014

² Note this is a new category as of August 2014

³ Adjustment in plant book sales versus consignments occurred January 2015

⁴ Data Collection started February 2014

⁵ Onetime adjustment of totals - correcting year-to-date

⁶ School materials and publications added to November 30, 2015 report

⁷ As of January 2016, plant book totals will not be included in this report per GM's office.

SPEAKERS' BUREAU and OUTREACH RECORD CY16

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
TBD	Harvey Mudd College	Director Coleman	Presentation		
TBD	Longfellow Community Association Oakland	Director Young, David Katzev, Margo Schueler	Presentation	Pipeline Rebuild Program	
9/21/16	San Ramon Sons in Retirement	Alex Coate	Presentation	Overview of EBMUD programs and drought	
8/18/16	Rotary Club of Pleasant Hill	Jose Setka	Presentation	Mokelumne River Salmon	30
6/20/16	Pleasant Hill City Council	Directore Coleman	Presentation		
6/15/16 11:00am-1:30pm	Director Andy Katz's Ward Briefing Berkeley	Director Katz	Presentation	Climate change, water conservation and drought, pipeline rebuild and infrastructure renewal, innovation and technology	50
6/7/16 10am-11am	Town of Danville Senior Center	Kristin Bowman	Presentation	Water conservation during a drought, even after a rainy season	25
6/4/16 11am-6pm	City of San Leandro Cherry Festival	Joseph Lerma	Booth	Water conservation	10,000
6/4/16 9am-3pm	Lake Chabot 50th Anniversary	Rolando Gonzalez	Booth	Water conservation and Chabot Dam Upgrade Project	
6/2/16 11:30am-2:00pm	UC Berkeley - Haas School of Business	Chris Timmer	Booth	Water conservation	150

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
5/31/16 2:30pm	American Indian Model School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	110
5/31/16 10:30am	Glorietta Elementary School Orinda	EarthCapades for EBMUD	Presentation	Water conservation and drought	150
5/26/16 7:30am- 9:00am	Director John Coleman's Ward Briefing - Walnut Creek	Director Coleman	Presentation	Climate change, water conservation and drought, pipeline rebuild and infrastructure renewal, innovation and technology, state water board update	65
5/24/16 8:15am	Quail Run Elementary San Ramon	EarthCapades for EBMUD	Presentation	Water conservation and drought	1,020
5/24/16	City of San Ramon	Director Coleman	Presentation		
5/19/16	Moraga Historical Society	Michelle Blackwell	Presentation	History of water storage, rights and usage in the East Bay or the greater Bay Area	35
5/18/16 12pm-2pm	Department of Energy Joint Genome Institute - Berkeley	Joseph Lerma	Booth	Water conservation	
5/14/16	Moraga-Orinda Fire Department	Joe Scornaienchii	Booth	Earthquake preparedness and water conservation	
5/14/16	Moraga Community Faire and Car Show	TBD	Booth	Water conservation	
5/11/16 10:00am- 11:30am	Kenneth Aitken Senior & Community Center - Castro Valley	Richard Harris	Presentation	Water conservation, ways to save during the drought, and incentive programs	50
5/10/16 12:45pm	Glenview Elementary School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	300
5/10/16 9am	Kaiser Elementary School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	265

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
5/7/16 9am-2pm	Pleasant Hill Garden Study Club Annual Plant Sale	Scott Sommerfeld	Booth	Water conservation	
5/6/16 12pm-3pm	Grifols Diagnostic Solutions Inc. Earth Day - Emeryville	Rolando Gonzalez	Booth	Water conservation, rebate information, home survey kits	200
5/5/16 9am	Pleasant Hill Elementary School	EarthCapades for EBMUD	Presentation	Water conservation and drought	700
5/4/16 1:00pm- 2:30pm	Escuela Bilingue Internacional Oakland	Yun Shang, Jeff Bandy, and Tim Karlstrand	Tour	Wastewater Treatment Plant	27
5/2/16	Stanford University Palo Alto	Sophia Skoda	Presentation	EBMUD, drought and financial planning, and the resource recovery program	
5/1/16 11am-1pm	San Lorenzo High School	Chris Timmer	Booth	Water conservation, native plants	250
5/1/16 11am-4pm	City of Albany Arts & Green Festival	Joseph Lerma	Booth	Water conservation	500
4/27/16 9:00am- 10:30am	CalRecycle Sacramento	John Hake, Danny Pham	Tour	Wastewater Treatment Plant	9
4/27/16	EBMUD Earth Day	Director Patterson	Presentation	Opening Remarks	
4/26/16 7:30pm- 8:30pm	Essex HOA Oakland	Jolene Bertetto	Presentation	Water conservation	

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
4/23/16 10am-3pm	Oakland Zoo Earth Day Festival	Jolene Bertetto	Booth	Water conservation activities for families	
4/23/16 10am-3pm	City of Alameda Earth Day Festival	Rolando Gonzalez	Booth	Water conservation	500
4/22/16 11am-2pm	Saint Mary's College Earth Fair Moraga	Rolando Gonzalez	Booth	Water conservation and environmental role	200
4/22/16 10:30am- 12:30pm	555 Oakland City Center	Salbra James	Presentation	Water conservation and drought	
4/22/16 9am	Marshall Elementary Castro Valley	EarthCapades for EBMUD	Presentation	Water conservation and drought	480
4/21/16 12:30pm- 1:30pm	Plaza at Walnut Creek Earth Day	Rolando Gonzalez	Booth	Home Survey Kits for Water Conservation, graywater, rebate information	300
4/21/16 10am-3pm	Laney College EcoFest Sustainability Festival - Oakland	Salbra James	Booth	Water conservation and sustainable living	2,000
4/21/16	African American Water Leadership Coalition - Southern California Forum	Director Patterson	Presentation		
4/20/16	California Water Policy Conference UC Davis	Sophia Skoda	Panel	Funding Critical State Needs: Where Should the Money Come From?	
4/20/16 9am-12pm	Skyline High School Oakland	Nadia Borisova, Joe Barge	Tour	Wastewater Treatment Plant	31
4/19/16 10am-2pm	Kaiser Walnut Creek Earth Day	Joseph Lerma	Booth	Sustainable practices at work and at home	300
4/19/16 9:40am	Harding Elementary School El Cerrito	EarthCapades for EBMUD	Presentation	Water conservation and drought	400

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
4/18/16 11:30am-2:00pm	Pixar Studios Earth Day Emeryville	Rolando Gonzalez	Booth	Water conservation and rebates	500
4/16/16 12:00pm-1:30pm	City of El Cerrito Earth Day Celebration	Richard Harris	Booth	Water conservation and drought	
4/15/16 12pm-5pm	Sustainable Rossmore Club Earth Day Fair - Walnut Creek	Scott Sommerfeld	Booth	Drip irrigation	250
4/14/16	Stifel Investor Conference	Alex Coate	Presentation	Update on state water supply and infrastructure issues	100
4/14/16 7:30am-8:30am	Lake Merritt Breakfast Club Oakland	President Mellon	Presentation		50
4/12/16 9:15am-9:45am	West Contra Costa Unified School District - Adult Education Richmond	Rolando Gonzalez	Presentation	Water conservation	25
4/12/16	Wells Fargo Building & Manager's Association - San Leandro	Dave Langridge	Presentation	Commercial irrigation program	25
4/12/16	California Water and Environment Modeling Forum Folsom	Gary Palhegyi	Presentation	Water supply planning model	50
4/9/16 10:30am-4:00pm	Friends of San Leandro Creek Watershed Festival	Jessica Woodward	Booth	Water conservation	30
4/7/16 11:30am-1:30pm	El Cerrito Rotary Club	Charles Bohlig	Presentation	Water conservation	

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
4/7/16	Rising Sun Energy Center Berkeley	Leann Gustafson	Presentation	EBMUD jobs, civil service exam	20
4/6/16 1:00pm- 2:30pm	Girl Scout Troop 33700 Corpus Christi School Piedmont	Jolene Bertetto	Presentation	Water conservation	12
4/6/16 10am-2pm	City of Oakland Earth EXPO	Rolando Gonzalez	Booth	Water conservation	500
4/6/16 8:20am	Jensen Ranch Elementary School Castro Valley	EarthCapades for EBMUD	Presentation	Water conservation and drought	450
4/6/16 8am	Las Lomas High School Walnut Creek	Rick Sakaji	Presentation	Water quality	120
4/2/16 9:30am- 11:00am	Public tour	Joe Barge	Tour	Wastewater Treatment Plant	3
4/1/16 9:15am	Beacon Day School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	100
3/30/16	UC Berkeley - Renuwit Program	Rick Sakaji, Susan Teefy	Presentation	Taste and Odor Control: Balancing water quality, water supply, and economics	20
3/29/16 9am	Dover Elementary San Pablo	EarthCapades for EBMUD	Presentation	Water conservation and drought	900
3/26/16 9:30am- 1:00pm	San Lorenzo Village Homes Association	Chris Timmer	Presentation	Landscape rebate program	45
3/23/16 12:00pm- 1:30pm	San Pablo Rotary	Director McIntosh	Presentation	Drought and the current water year	20

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
3/22/16 9am-6pm	PG&E and Green Builders Council Water Conservation Showcase San Francisco	Charles Bohlig, Rolando Gonzalez, Jessica Woodard, Jolene Bertetto	Booth/ Presentation	Innovations and developments in water conservation	450
3/25/16 8:30am	Vannoy Elementary School Castro Valley	EarthCapades for EBMUD	Presentation	Water conservation and drought	440
3/22/16 8:30am	Steg Elementary School Richmond	EarthCapades for EBMUD	Presentation	Water conservation and drought	275
3/22/16	American Water Works Association Sacramento	Gordon Williams	Presentation	Granular media filtration for surface water treatment	50
3/21/16	San Leandro City Council	President Mellon, Michelle Blackwell	Presentation	Chabot Dam project	
3/21/16	Bettencourt Ranch HOA Danville	Shirley Lu, Tim McGowan	Presentation	Water loss control initiative pilot project	6
3/17/16 1:30pm	Global Family Elementary School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	350
3/16/16	East Bay Realtors Castro Valley	President Mellon	Presentation	EBMUD efforts and programs including private sewer laterals	
3/16/16	JP Morgan Investor Conference New York	Sophia Skoda	Presentation	Drought update	40
3/15/16 1pm	Madera Elementary School El Cerrito	EarthCapades for EBMUD	Presentation	Water conservation and drought	530
3/15/16 12:00pm-1:30pm	El Cerrito Chamber	Director Katz	Presentation	Drought update	25

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
3/15/16 9am	Edward M. Downer Elementary School San Pablo	EarthCapades for EBMUD	Presentation	Water conservation and drought	600
3/14/16	Central Contra Costa Solid Waste Authority - Walnut Creek	John Hake	Tour	Wastewater Treatment Plant	2
3/11/16 8:15am	LeConte Elementary School Berkeley	EarthCapades for EBMUD	Presentation	Water conservation and drought	360
3/10/16 9:00am-11:30am	Laney College Oakland	Joe Barge	Tour	Wastewater Treatment Plant	33
3/8/16 10am	Downtown Charter Academy Oakland	Victor De Loza	Presentation	All about EBMUD, drought, and water conservation	90
3/7/16 7pm	Richmond Heights Neighborhood Council	Director McIntosh	Presentation	Drought, water conservation, rates, infrastructure, and future water supplies	30
3/4/16	Hispanic Real Estate Breakfast Castro Valley	President Mellon	Presentation	Water conservation and drought	
3/2/16 6:30pm-8:00pm	West Oakland Liaison Group Oakland	Director Linney, David Beyer, Vince De Lange, Ben Horenstein, Eileen White, Jackie Zipkin	Presentation	Drought update, interceptor projects, odor control, recycled water station, solar panels at Adeline, wastewater plant updates	30
3/2/16 4:15pm-5:30pm	League of California Cities San Ramon	Director Coleman	Presentation	Water supply and water conservation	
3/2/16 9am	Grant Elementatry School San Lorenzo	EarthCapades for EBMUD	Presentation	Water conservation and drought	450

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
2/29/16 7:00pm-7:30pm	Rochdale Village Student Coop Berkeley	Richard Harris	Presentation	Water conservation	50
2/26/16 8:30am	Chabot Elementary School Castro Valley	EarthCapades for EBMUD	Presentation	Water conservation and drought	450
2/26/16	City of Berkeley staff	Ben Horenstein, Jackie Zipkin, John Hake	Tour	Food waste to energy facilities at the wastewater plant	4
2/24/16 1:15am	Our Lady of Grace School Castro Valley	EarthCapades for EBMUD	Presentation	Water conservation and drought	85
2/24/16 10am	Chinese Christian Schools Alameda	EarthCapades for EBMUD	Presentation	Water conservation and drought	250
2/23/16 12:50pm-2:10pm	Oakland Unity High School	Gordon Williams	Presentation	Water purification, techniques and devices	26
2/19/16 3pm-4pm	UC Berkeley Spring 2016 Environmental Engineering Seminar	Alex Coate	Presentation	EBMUD water and wastewater issues and efforts	
2/18/16 5pm-6pm	Barrett Terrace Plaza Apartments Richmond	Jolene Bertetto	Presentation	Water conservation	40
2/18/16 12:00pm-1:30pm	San Ramon Valley Kiwanis Club	Charles Bohlig	Presentation	Water conservation	25
2/18/16	Lafayette Rotary Club	Director Coleman	Presentation	Drought and construction update	
2/17/16 7:30pm	East Bay Rose Society Oakland	Scott Sommerfeld	Presentation	Landscape irrigation rebates, drip irrigation benefits, water conservation, ways to stop water waste, how to read a water meter, and sheet mulching	20
2/11/16	Berkeley High School Environmental Science Class	Joshua Bergstrom	Presentation	Where water comes from, the state of the current drought, and career path	80

Date/Time	Group	Speaker/BOD Attendee	Presentation Type	Topics Requested	Estimated Audience
2/11/16 9:10am	Carl B. Munck Elementary School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	250
2/10/16 9am	Bay Elementary School San Lorenzo	EarthCapades for EBMUD	Presentation	Water conservation and drought	450
2/9/16 9:45am	James Madison Elementary School San Leandro	EarthCapades for EBMUD	Presentation	Water conservation and drought	408
2/9/16	Oakland High School Environmental Science Class	Charles Bohlig	Presentation	Overview of water in California and all about EBMUD	60
2/4/16 9am	Anna Yates Elementary School Emeryville	EarthCapades for EBMUD	Presentation	Water conservation and drought	600
2/3/16 1pm	Aurora School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	110
2/3/16 9:30am	Martin Luther King Jr. Elementary School - Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	330
2/3/16 8am	Public Works Institute Berkeley	Eileen White	Presentation	Potable water system management	30
2/2/16 1pm	Cleveland Elementary School Oakland	EarthCapades for EBMUD	Presentation	Water conservation and drought	380

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 5, 2016

MEMO TO: Board of Directors

FROM: Alexander R. Coate, General Manager *ARC*

SUBJECT: Monthly Report – April 2016

HIGHLIGHTS

On April 28, District staff gave a presentation to the Delta Stewardship Council (Council) highlighting the importance of funding Reclamation District levee projects that protect District facilities. Staff explained how the levee projects reduce the risk of levee failures in the Delta, protect assets of statewide importance, and meet the co-equal goals of ecosystem restoration and water supply reliability. Staff's presentation described the impacts of past levee failures, summarized the nine completed levee projects funded under Proposition 1E, and highlighted the benefits of the tenth levee project which will raise the crown of the Trapper Slough levee along 19,500 feet of Upper Jones Tract. When the improvements are complete, the levee will meet FEMA standards. The Council unanimously approved the \$1.7 million funding for the tenth and final levee project protecting District facilities.

On April 15, the District hosted the first meeting of the Bay Area Regional Reliability Drought Contingency Plan Task Force. Representatives from 23 stakeholder organizations attended the meeting to discuss the project team's development of a Drought Contingency Plan and the Task Force's advisory role on the plan preparation. The Task Force will meet again later this year to review work products from the project team.

WATER SUPPLY AND WATER RIGHTS PROGRAMS AND ACTIVITIES

Requests for proposals issued to conduct an Oakland Hills alternative water supply feasibility study. The feasibility study will evaluate recycled water, raw water, and secondary effluent from the Livermore-Amador Valley Wastewater Management Agency to serve the Oakland Zoo, Sequoyah Country Club and other surrounding customers in that portion of the Oakland Hills. The study is scheduled to be completed in October 2016.

Precipitation. The East Bay precipitation for April was 1.39 inches (70% of average) and the season total to date is 25.18 inches (97% of average). The Mokelumne precipitation for April was 3.64 inches (88% of average) and the season total to date is 48.19 inches (107% of average).

Water storage:

Mokelumne reservoirs storage is 86% of average. As of April 30, 2016, Pardee was at 559.3 feet or 98% of average, and the Camanche was at 208.8 feet or 79% of average. Combined Pardee and Camanche reservoir storage was 420,000 acre-feet compared to 281,000 acre-feet last year.

East Bay reservoirs storage is 98% of average. As of April 30, 2016, USL was at 457.1 feet or 104% of average, San Pablo was at 304.7 feet or 91% of average, and Briones was at 573.3 feet or 99% of average. Total terminal reservoir storage was 139,000 acre-feet compared to 115,000 acre-feet last year.

Water Releases:

Camanche Reservoir. The average rate of Camanche release for April was 365 cfs (310 cfs generation, 10 cfs sluice, and 44 cfs through the hatchery), and the average flow below Woodbridge Dam was 197 cfs, both in accordance with the Joint Settlement Agreement "Below Normal" criteria. Approximately 2,400 acre-feet of gainsharing water remains available for release. Gainsharing water releases must be completed by November 5, 2016.

East Bay Reservoirs. There were no East Bay reservoir releases in April.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft for April 2016 was 118 MGD. Walnut Creek, Moraga and Briones Raw Water Pumping Plants remained out of service for the month.

Water Production. Average rate of gross water production for April:

	April 2016	April 2015	April 2013	Average of FY 2005-2007
East of Hills	31 MGD	38 MGD	53 MGD	42 MGD
West of Hills	103 MGD	108 MGD	128 MGD	136 MGD
Total	134 MGD	146 MGD	181 MGD	178 MGD
Max Day Production	151 MGD (4/18/2016)	164 MGD (4/17/2015)	220 MGD (4/29/2013)	

Note: Data are all from preliminary daily operational reports and are subject to revision

CUSTOMER EVENTS AND PUBLIC OUTREACH

Wastewater Department retirees trained to lead public tours of the Main Wastewater Treatment Plant. Six former employees volunteered to serve as tour guides and recently completed a 1-day training program. The tours will be open to the general public and will provide key messages about wastewater treatment, pollution prevention and resource recovery.

West of Hills Northern Pipeline – Wildcat Pipeline (Berkeley). On April 19 and April 27, staff presented an update on the project at two separate informational meetings with residents living near the new alignment of the proposed pipeline. During the design phase of the project, construction challenges were discovered and an alternative alignment on Stuart and Ellsworth Streets was selected. The presentation focused on community concerns related to the alignment change and construction activities and mitigations including traffic, noise, and tree removal. A concern about potentially buried railroad tracks in Ellsworth Street is being investigated and will be analyzed in a revised Addendum. The attendees received staff contact information for use during project implementation.

On April 20, staff conducted a tour of the MWWTP and a career orientation for the Green Energy Academy at Skyline High School, Oakland. Twenty-nine high school students and five teachers toured the plant and participated in small group sessions with EBMUD employees to learn about careers on engineering, operations, maintenance, laboratory, and environmental services.

On April 20-21, the District sponsored and participated in the 25th California Water Policy Conference at UC Davis. Conference topics included water rates, California salmon, surface water storage, agricultural trends, balancing groundwater and streamflow needs and water rights. Approximately 250 people attended.

Wastewater odor management program outreach. A postcard mailer that includes the District's 24-hour odor reporting hotline phone number was sent to over 800 residents in the West Oakland community, as well as to the members of the West Oakland Liaison Group. Ongoing outreach and communication with the residents near the MWWTP is a key tool to addressing and mitigating odors in a timely and effective manner.

Annual eagle nest survey results. District staff conducted the annual survey and found a bald eagle nest and a golden eagle nest at Pardee Reservoir and four active bald eagle nests at Camanche.

Annual Wildflower Hike out of the Rich Gulch Trail Access Point. On April 2, District staff, three volunteer docents and 22 members of the public enjoy the wildflowers currently ablaze during a hike on the Mokelumne Coast to Crest Trail.

On April 6, sixty students from Pioneer Elementary School in Amador County participated in an Environmental Education Program (RLEEP) led by District rangers. The programs presented to the first and third graders focused on ecological diversity and EBMUD environmental stewardship as well as a service-learning component where the students planted 18 elderberry bushes.

Contract Equity Outreach

On April 24, staff participated in the monthly meeting of the Northern California Chapter of the American Indian Chamber of Commerce in Oakland. The meeting included a panel discussion on Bay Area contracting opportunities and staff gave a presentation on upcoming contract opportunities and enhancements to the Contract Equity Program. Approximately 20 attendees attended.

On April 8, staff attended the East Bay Economic Development Alliance's *East Bay Business Seminar: Build a Better Construction Business in Richmond*. The focus was to promote the development and growth of small construction contractors in Contra Costa County. Staff participated as a resource partner for procurement during the expo portion of the program and disseminated information on the Contract Equity Program, upcoming contract opportunities and the Small Business incentives. Approximately 50 small business representatives attended.

Staff participated in the following business community events:

- April 8 and 23, National Association of Minority Contractors (NAMC) Northern California – *Membership Meetings* (Oakland, CA)
- April 11, Astra Women Business Alliance Women in Construction Corporate Advisory Group (Teleconference)
- April 23, San Francisco Bay Area Rapid Transit (BART) – *Business Advisory Council Meeting* (Oakland, CA)
- April 25, Western Regional Minority Supplier Development Council – 36th Annual Excellence in Supplier Diversity Awards Gala (San Francisco, CA)

Diversity and Inclusion Outreach

On April 7, staff participated in Arroyo High School's Career Day and Design Challenge in San Lorenzo. Staff gave individual presentations to 60 students and shared their career journey that culminated into their current role at the District. Staff also participated in an interactive activity that taught students how to make a chair using cardboard using basic structural engineering principles. Staff's participation supports the District's long-term efforts to develop a diverse pipeline of candidates for our future workforce needs.

On April 11, staff participated in a job fair at Los Medanos College. The staff person graduated from Los Medanos' Industrial Technologies program and provided information about the District's in-house trades training programs and civil service exam process. Over 200 diverse students, graduates and alumni were encouraged to apply for upcoming, entry-level and hard-to-fill trades' jobs at the District. Staff's participation supports the District's long-term efforts to develop a diverse pipeline of candidates for our future workforce needs.

On April 15, staff participated in Itliong Vera Cruz Middle School's Career Day in Union City. Over 200 curious students visited the EBMUD booth to participate in the interactive activity, "How Much Weight Can Your Boat Float?" that taught them science and engineering concepts on density, volume, and buoyancy. Staff's involvement in engaging middle schools on STEM activities supports the District's long-term efforts in developing a diverse pipeline of future engineers for our workplace.

On April 9, staff participated on a mock interview panel to help prepare Women Build participants from Rising Sun's Green Energy Training Service for the competitive hiring process in the trades and construction industry. Women Build is a 12-month, pre-apprenticeship job training program for Bay Area women interested in pursuing various trades' careers. Twenty-two women are participating in the program and are receiving hands-on and classroom training, as well as job development skills to help them successfully apply and qualify for jobs in the construction industry. Partnering with Rising Sun and participating in these types of events are good faith efforts that demonstrate the District's commitment to diversity.

On April 22, staff participated in a speed networking event with the Women Build participants in Rising Sun's Green Energy Training Service. The event allowed staff the opportunity to speak intimately with each participant and give them advice on preparing for the upcoming Water Distribution Plumber I recruitment and other upcoming District trades

opportunities. Again, partnering with Rising Sun and the participation of District staff at these types of events are good faith efforts that demonstrate the District's commitment to diversity.

On April 27, staff participated in California State University East Bay's annual STEM Career Awareness Day in Berkeley. Staff joined other local organizations, businesses, and government in engaging over 300 high school students from Berkeley, Emeryville, Richmond, and Oakland to answer this year's theme: *What problem(s) are you trying to solve?* In addition to informing the students about EBMUD's water and wastewater services, staff also created visual maps of their education and employment history to provide insight into potential careers for the students. This information exposed these local students and their families to the available professional and trades career opportunities at the District. Staff's participation supports the District's long-term efforts to develop a diverse pipeline of candidates for our future workforce needs.

Water Conservation Outreach

On April 1, staff gave a presentation to the Aesthetic Pruners Association at Transpacific Center in Oakland. The presentation provided an update on the water supply followed by a facilitated discussion on the effects that drought conditions may have on trees and how to make landscapes more resilient to future droughts. Approximately 20 people attended.

Water Conservation Outreach Events		
Date	Event/Location	Approximate # of Attendees
April 6	City of Oakland's Earth Day at Frank Ogawa Plaza, Oakland	100
April 6	Girl Scout Troop third graders at Corpus Christi School, Piedmont	12
April 9	Friends of San Leandro Creek, San Leandro	30
April 12	Building and Managers Association (BOMA), San Leandro	25
April 19	Rossmoor's first annual Earth Day, Rossmoor	300
April 19	Earth Day Celebration held at Kaiser Hospital, Walnut Creek	300
April 19	Pixar Studios Earth Day Event, Emeryville	600
April 21	Earth Day at the Plaza, Walnut Creek	300
April 22	Saint Mary's College Earth Fair, Moraga	500
April 23	17th Annual City of Alameda Earth day Festival, Alameda	2,000
April 26	West Contra Costa Unified School District (WCCUSD) -Adult Education, ESL class, Richmond	25
April 26	The Essex Homeowners Association, Oakland	50
April 27	Earth Day Fair for the Lafayette Chamber of Commerce - Sustainable Lafayette	400
April 29	Earth Day Celebration Event for Kaiser Medical Hospital, Walnut Creek	600

CAPITAL IMPROVEMENTS AND FACILITY MAINTENANCE

On April 1, staff completed upgrades to Camanche Powerhouse power system. This system is critical to reliable operation of the powerhouse, including regulating Mokelumne River flow rates. Staff installed two new automatic transfer switches and a temporary generator and successfully met an in-service operational deadline. They are working on the second phase of the project to provide reliable backup service and reduce the arc-flash hazard at the facility. These improvements will facilitate connection of a proposed new 680kW photovoltaic system at Camanche Dam.

On April 22, the Recoat Mokelumne Aqueduct No. 3 Phases 10 & 11 project was accepted as complete. This project included abrasive blasting and recoating 12,375 linear feet of 89 inch Mokelumne Aqueduct No. 3, including steel pipe supports and appurtenances.

On April 29, the Administration Building - Building Management Control System Upgrade project was accepted as complete. This project replaced the existing building management control system and the existing fire alarm system in the building.

On April 29, the District submitted the 2015 annual Dam Safety Surveillance and Monitoring Report to the Federal Energy Regulatory Commission (FERC). The annual report, required by FERC, covered the Mokelumne dams and appurtenant structures. The report contained a summary of the District's monthly visual inspections, listed corrective maintenance items, detailed improvements at the dams for the reporting year, summarized instrumentation performance data, and provided an assessment of the dams' safety. Camanche and Pardee Dams and related facilities are considered safe and performing normally.

Pipeline installations. Staff completed 1060 feet of 8 inch water pipe installation for the City of Lafayette on Read Drive and mobilized to Lafayette Circle West in Lafayette to start preliminary excavations for the remains identified at the location. Staff worked on Lafayette Circle intermittently and installed 680 feet of 8 inch water pipe of the 780 feet total. Staff also completed installation of 1,150 feet of 6 inch water pipe on Griffin Street in Richmond ahead of a scheduled paving moratorium and mobilized to Mabel Street in Berkeley to saw cut 2,115 feet of six-inch water pipe.

Pipeline rebuild update. The District recently executed a contract to install 2.5 miles of Aqua-Pipe liner on Regatta Boulevard and Marina Way in Richmond. Staff excavated the insertion pits for three of four sites in advance of the contractor arriving to insert the liner. Aqua-Pipe is a trenchless method that injects a structural liner into older pipes, extending the life of the pipeline. This method will also be used on water main projects in San Pablo, Lafayette and Walnut Creek.

Paving. Staff completed a 1,700 linear foot restoration on Folger Ave./67th Street in Emeryville/Oakland. Pavement restoration was also completed on Reliez Station Road in Lafayette during a week-long daytime road closure and met City of Lafayette special requirements. Staff completed approximately 30,000 square feet of curb-to-curb restoration of a large main break on Fairlane Drive in Oakland.

New “mill & overlay” process increases the District’s efficiency in resurfacing roads.

Staff used the process to complete over 3,000 feet of trench-line restoration on Olympic Boulevard in Walnut Creek. This process is regularly used by cities and counties to renew road surfaces, is much more efficient and results in a far superior finished surface. Staff recently partnered successfully with several agencies to repave entire roadways, curb-to-curb, in this manner, with both parties paying their respective pro rata shares. Using this process, public agencies charged with maintaining the public right-of-way get a relatively new roadway, free of multiple patches; the District recognizes significant cost savings, yet still pays its fair share of restoration costs; and the constituents and rate-payers of both agencies receive an equitable solution to unsightly patchwork streets.

San Ramon Valley Recycled Water project update. Staff is working with the City of San Ramon to use the original 1996 pump station site and are evaluating three alternative sites for the new Pump Station R3000 near Dougherty Road south of Crow Canyon Road. On March 25, staff met with State Water Resources Control Board staff to discuss Proposition 1 funding. They advised staff to apply for a \$11 million Proposition 1 grant to offset the \$31 million total project cost. Staff is preparing documentation summarizing the project, potential pump station sites and CEQA work needed to obtain the grant funding.

Additionally, the contractor has started to install the pipeline extension on Crow Canyon Road. This stretch of pipe crosses a Kinder Morgan pipeline. The pipeline has been located in the field and the contractor continues to coordinate with the Kinder Morgan representative. The work is being performed at night and District crews are installing services on the pipeline installed by the contractor.

April main breaks. The attached table lists the main breaks that were repaired by staff in April, sorted by city and street. The associated map shows the locations of the breaks geographically.

WATER AND WASTEWATER SYSTEM OPERATIONS

All authorized discharges from the Main Wastewater Treatment Plant (MWWTP) were in compliance with permit limits for the month of April. This is the 200th consecutive month that the MWWTP experienced no exceedances.

Ten odor complaints were received at the MWWTP in April. Staff conducted investigations into all of these incidents and determined that eight complaints were attributable to the plant. The odors resulted from staff removing one of the twelve secondary clarifiers from service to perform maintenance activities. Staff has since implemented a process to schedule the work at a time that will have less offsite impacts. Staff could not confirm if the ninth complaint was due to the plant and the source of the tenth complaint was a local storm drain.

On April 5, an unplanned release of approximately 70,000 gallons of tertiary treated recycled water occurred in San Ramon near the intersection of Executive Parkway and Bishop Drive. A 16 inch PVC main split while staff was installing an irrigation lateral service. Recycled water filled the trench and overflowed into the street. The release reached the storm drain and possibly Coyote Creek. District staff deployed best management practices which included dechlorination strips and gravel bags. On April 6, staff notified the San Francisco

Regional Water Quality Control Board (SF RWQCB). On April 8, a bio-assessment was conducted in the creek by a District biologist. All of the known creeks within a mile of the discharge are underground, including tributaries of San Ramon Creek and Bollinger Creek. There were no signs of sediment deposition or any biological impacts. Staff shared these results with the SF RWQCB and submitted a final report on April 20.

Summit Reservoir construction project. On April 11, staff responded to a letter from the City of Berkeley's Toxic Materials Division, with copies to the SF RWQCB, California Department of Fish and Wildlife and the Alameda County District Attorney to provide factual information about the project, associated stormwater discharges and management of treated wood waste. Additional technical information was provided to the city and staff will be addressing the city's question about other historical District reservoir projects in Berkeley at a later date.

Glen Echo Creek restoration update. Staff is working to procure permits to implement the restoration plan for the creek area impacted by the April 2015 cellular concrete spill. The District received the necessary permit from the Army Corps of Engineers and is working to procure permits from the City of Oakland, the California Department of Fish and Wildlife and a certification from the Regional Water Quality Control Board. Staff plans to complete the work in spring/summer 2016 and to monitor the creek for two years post-implementation to ensure that the restoration efforts have been effective.

On April 5, staff met with Coastal Region Office of Emergency Services representatives to discuss mutual issues and how the agencies can support each other going forward. Topics discussed included coordination of Local Hazard Mitigation Plan updates, fuel supplies and water distribution post-earthquake, and implementation of Web EOC throughout the state.

ORGANIZATIONAL EFFECTIVENESS AND EFFICIENCY

On April 4, staff participated in a conference organized by Aarhus Water, a Danish water utility, in collaboration with the San Francisco Public Utilities Commission. The conference titled, "*Water More for Less: Sharing Knowledge and Best Practices from the U.S. and Denmark,*" highlighted challenges and initiatives in water resource management in California and Denmark. Approximately 60 people attended this conference, including representatives from various other local agencies.

On April 5-8, staff attended the Plastic Pipe Institute Municipal Advisory Board meeting. This forum provided discussions on recent research and design standards for high-density polyethylene (HDPE) pipe by utility professionals and industry leaders. The Municipal Advisory Board is an external group of utilities, researchers, designers, and contractors in the HDPE industry whose purpose is to improve the design and installation of municipal HDPE piping systems.

On April 8, staff led a roundtable discussion about the District's Pipeline Rebuild program with the District's LEAD Academy participants. The discussion centered around how the Pipeline Rebuild initiative is focusing on collaboration, communication, teamwork, and successful implementation of the District's new values in its efforts to ramp-up pipeline

replacement and create a sustainable program that cost-effectively maintains a reliable water distribution system for EBMUD customers.

On April 12, staff presented on EBMUD's October 2015 Kubota Pipe Pilot Project at the monthly Pipe Users Group meeting. Staff provided an overview of the training, installation, evaluation, and conclusions of the project. The Pipe Users Group is an external group of system owners and engineers, vendors, contractors and suppliers that shares information and technologies.

On April 14, staff presented on the District's asset management programs at the Western Water Agency Engineering Managers Group meeting in El Segundo. The presentation highlighted the District's infrastructure rehabilitation and pipeline replacement programs, its use of technology to identify risks and prioritize capital projects, and its initiatives to improve internal coordination, standardize maintenance plans and job procedures, and share lessons learned. The group is composed of engineering managers from water utilities throughout California, Arizona, Nevada, Hawaii, Oregon, and Washington.

On April 21, staff attended the National Association of Corrosion Engineers (NACE International) rededication of its Cathodic Protection Training Facility at the San Francisco Public Utilities Commission's (SFPUC) Harry Tracy Water Treatment Plant in San Bruno. The facility is being sponsored by EBMUD, SFPUC and the Santa Clara Valley Water District as well as the San Francisco Bay Area Chapter of NACE. The District's contribution to the event was an outdoor sign featuring the facility name and the logos of all the participating companies and agencies.

On April 22-28, staff attended the World Tunnel Congress in San Francisco, hosted by the Underground Construction Association of the Society for Mining, Metallurgy & Exploration Inc. The meeting included technical sessions on the latest tunneling topics, related to design, performance, urban planning, safety and construction of tunnels.

In April, staff conducted experimental weekly releases of marked Chinook salmon fry in the Mokelumne River near Elliot Road for a proposed pump screening installation project. The releases are part of a study to determine the effects of the riparian diversion on Chinook salmon fry movement, behavior, and entrainment before and after a screening install being funded by the US Fish and Wildlife Service. Information gained from the study will be used to encourage landowner participation and when requesting funding for future screening projects.

Tuition Reimbursement	April 2016	FY16 Total
# of Employees	5	162
# of Classes	6	189
Total Reimbursed	\$3,531	\$131,825

Employment Information	April 2016	FY16 Total
Retirements – Regular	7	66
Retirements – Vested	2	7
Hires/Rehires	18	201
Other Separations	8	77

FINANCIAL NEWS

There were no contracts over \$70,000 and less than \$100,000 approved by the General Manager in April 2016.

Resource Recovery Program monthly revenue exceeds previous high mark. The program billed revenue totaling \$1.10 million for the month of March 2016, exceeding the previous monthly high of \$1.06 million in December 2014.

The net Mokelumne power revenue for April was \$682,500. Inflows into Pardee Reservoir for April were 196 percent of plan allowing for increased generation. Pardee powerhouse produced approximately 20,900 MWhs of generation and Camanche powerhouse produced approximately 1,100 MWhs. The District sold Renewable power and related Renewable Energy Credits to Marin Clean Energy (MCE) under the Power Purchase Agreement. MCE will purchase all of EBMUD's hydro-generation in calendar year 2016. Sales of Resource Adequacy capacity to Shell Energy North America generated \$11,000 in revenue. Total net revenue for FY16 to date is \$2,722,074 which is 136.1 percent of the FY16 planned \$2,000,000 and 77.8 percent of the budgeted \$3,500,000.

FY16	Net Revenue		Inflow (Acre Feet)	
	Plan	Actual	Plan	Actual
February 16	\$34,820	\$284,311	33,300	50,375
March 16	\$36,760	\$639,223	40,600	116,911
April 16	\$117,220	\$682,500	39,500	77,500
FY16 YTD Total	\$1,118,640	\$2,722,074	219,800	382,623

Bold items are estimated

Water Sales

The following consumption information is the average water consumption in million gallons per day (MGD) based on the first nine months of FY16. Billed water consumption for FY16 through March 2016 averaged 129.7 MGD. This is historically low particularly given that the first half of the fiscal year generally has higher water use than the second half.

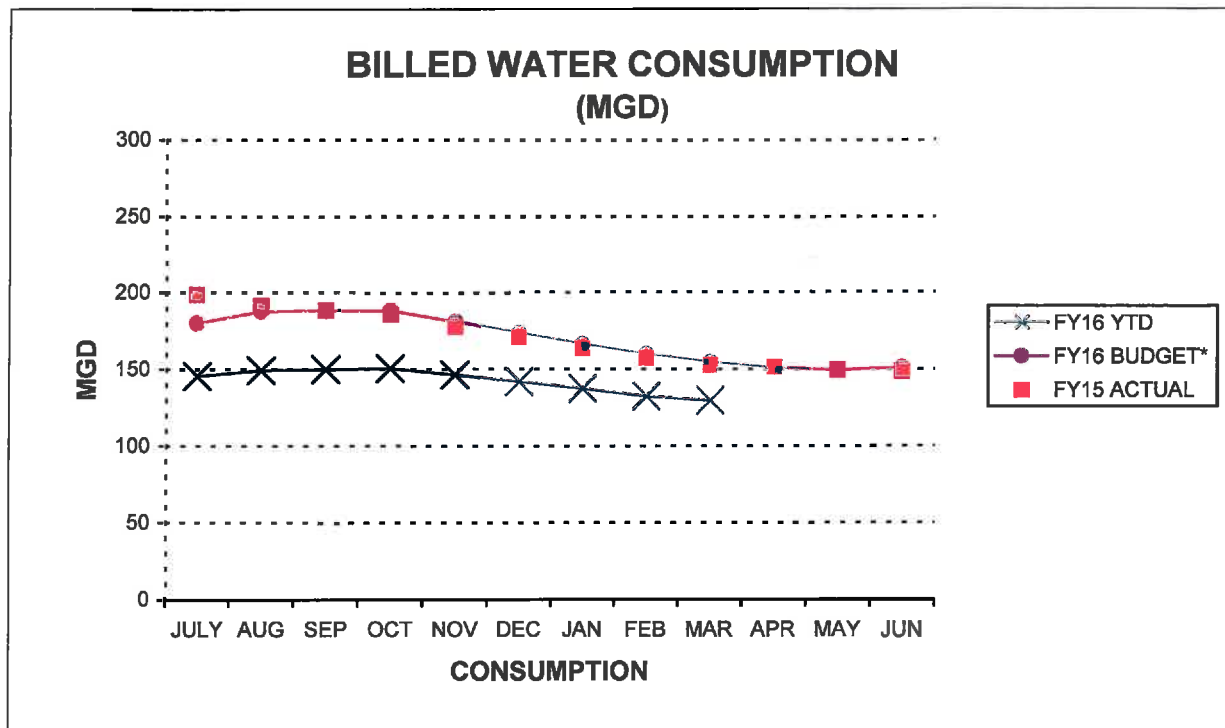
The table below breaks out the billed water consumption information by customer class with a comparison to FY15 data from the same period of time. As a reminder, the budgeted average daily water consumption budget for the 12 month period for FY16 was 151 MGD; at the start of FY16 under the Stage 4 drought, the average daily water consumption for the 12 month period was estimated to be 137 MGD. Because of the greater than planned customer water use reductions, FY16 water sales will be significantly below 137 MGD.

Year To Date Billed Water Consumption		
Usage Type (FY16 vs FY15)	FY16 (MGD)	FY15 (MGD)
Residential (20.4% lower than FY15)	63.6	79.9
Commercial (11.3% lower than FY15)	43.9	49.5
Industrial (0.6% higher than FY15)	16.6	16.5
Public Authority (15.2% lower than FY15)	5.6	6.6
Total Billed Water Consumption (15% lower than FY15)	129.7	152.5

Water revenues billed for the fiscal year through March were \$318.5 million or 7.5% more than the FY15 revenue through March of \$296.4 million. This increase reflects the net impact of lower consumption and the 8% FY16 rate increase in addition to the 25% Stage 4 Drought Surcharge. Normal water revenues through March are down \$41.8 million or 13% year-to-date compared to the budgeted water revenue. The District also incurred additional drought expenditures not included in the regular budget but included in the contingency budget. Drought surcharge revenue of \$37.7 million will help to cover lost revenues from higher than anticipated consumption and drought expenses.

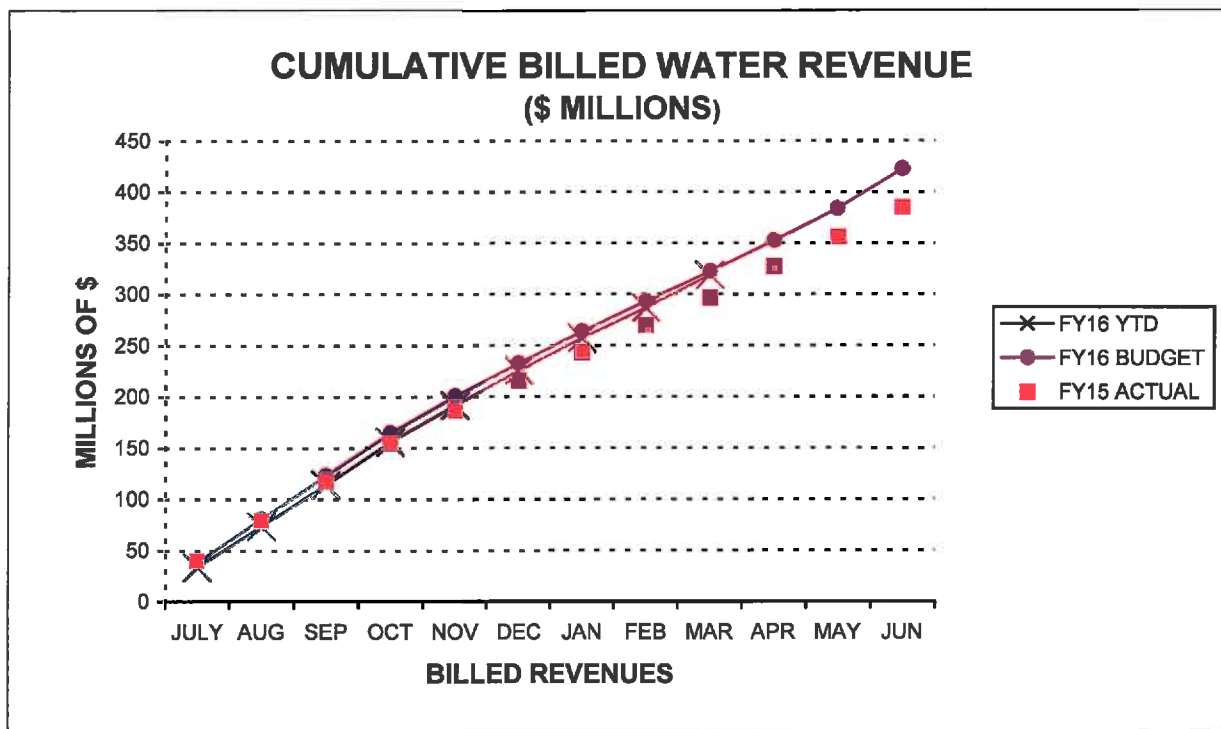
Year to Date Billed Water Revenue		
Usage Type	FY16 Actual Revenue (\$ M)	FY16 Budgeted* Revenue Seasonally Adjusted (\$ M)
Normal Water Revenue	\$280.1	\$321.9
Drought Surcharge Revenue	\$37.7	-
Drought Excessive Use Penalty Revenue	\$0.7	-
Total Billed Water Revenue	\$318.5	\$321.9

**Based on the estimated first quarter water sales for 151 MGD annual water use under normal seasonal water use patterns.*



Source: Customer Information System

*Stage 4 Drought Annual Consumption Estimated at 138 MGD



Source: Customer Information System

Billed revenue includes drought surcharge revenue. Drought expenses mean overall expenses are higher than budgeted but inside of the drought contingency budget amount.

April 2016 Main Breaks

	City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
1	ALAMEDA		OTIS	DR	STEEL	6.00	1960	0	4/21/2016	4/27/2016	Yes
2	BERKELEY		5TH	ST	STEEL	8.00	1975	360	4/9/2016	4/10/2016	Yes
3	BERKELEY		6TH	ST	STEEL	8.00	2001	18,000	4/8/2016	4/8/2016	Yes
4	BERKELEY		BERKELEY	WAY	CAST IRON	6.00	1940	0	4/8/2016	4/18/2016	Yes
5	BERKELEY		EUCALID	AVE	STEEL	8.00	1965	0	4/20/2016	4/25/2016	Yes
6	BERKELEY		MCGEE	AVE	CAST IRON	6.00	1933	28,800	3/31/2016	4/19/2016	No
7	BERKELEY		PARDEE	ST	CAST IRON	6.00	1933	9,000	4/5/2016	4/5/2016	Yes
8	BERKELEY		SHASTA	RD	CAST IRON	6.00	1938	8,640	4/21/2016	4/26/2016	Yes
9	BERKELEY		SPORTS	LN	CAST IRON	20.00	1955	46,080	4/7/2016	4/14/2016	Yes
10	CASTRO VALLEY		ORANGE	AVE	CAST IRON	4.00	1931	17,280	4/24/2016	4/27/2016	Yes
11	DANVILLE		GIL BLAS	RD	ASBESTOS CEMENT	6.00	1960	9,000	4/9/2016	4/9/2016	Yes
12	DANVILLE		SILVER OAK	LN	STEEL	12.00	1983	0	1/25/2016	4/25/2016	No
13	EL CERRITO		BLAKE	ST	CAST IRON	6.00	1925	4,500	4/3/2016	4/4/2016	Yes
14	EL CERRITO		EVERETT	ST	CAST IRON	6.00	1925	2,700	4/7/2016	4/7/2016	Yes
15	EL CERRITO		KEARNEY	ST	CAST IRON	4.00	1938	7,200	4/2/2016	4/2/2016	Yes
16	EL SOBRANTE		APPIAN	WAY	CAST IRON	12.00	1964	17,280	4/1/2016	4/6/2016	Yes
17	EMERYVILLE		ADELIN	ST	CAST IRON	8.00	1907	22,500	4/6/2016	4/6/2016	Yes
18	EMERYVILLE		SAN PABLO	AVE	CAST IRON	10.00	1939	27,000	4/5/2016	4/5/2016	Yes
19	HAYWARD		LOCUST	ST	CAST IRON	4.00	1934	13,500	4/24/2016	4/24/2016	Yes
20	KENSINGTON		HIGHLAND	BL	CAST IRON	6.00	1945	0	4/20/2016	4/20/2016	Yes
21	LAFAYETTE		CLOVER	CT	STEEL	16.00	1974	18,000	4/27/2016	4/27/2016	Yes
22	LAFAYETTE		GLENSIDE	DR	CAST IRON	4.00	1955	28,800	4/11/2016	4/12/2016	Yes
23	LAFAYETTE		SPRINGHILL	RD	CAST IRON	8.00	1941	22,500	4/22/2016	4/22/2016	Yes
24	MORAGA		AUGUSTA	DR	STEEL	12.00	1985	0	4/4/2016	4/4/2016	Yes
25	MORAGA		AUGUSTA	DR	STEEL	12.00	1985	0	4/17/2016	4/18/2016	Yes
26	MORAGA		ST MARYS	RD	CAST IRON	6.00	1942	72,000	4/2/2016	4/6/2016	Yes

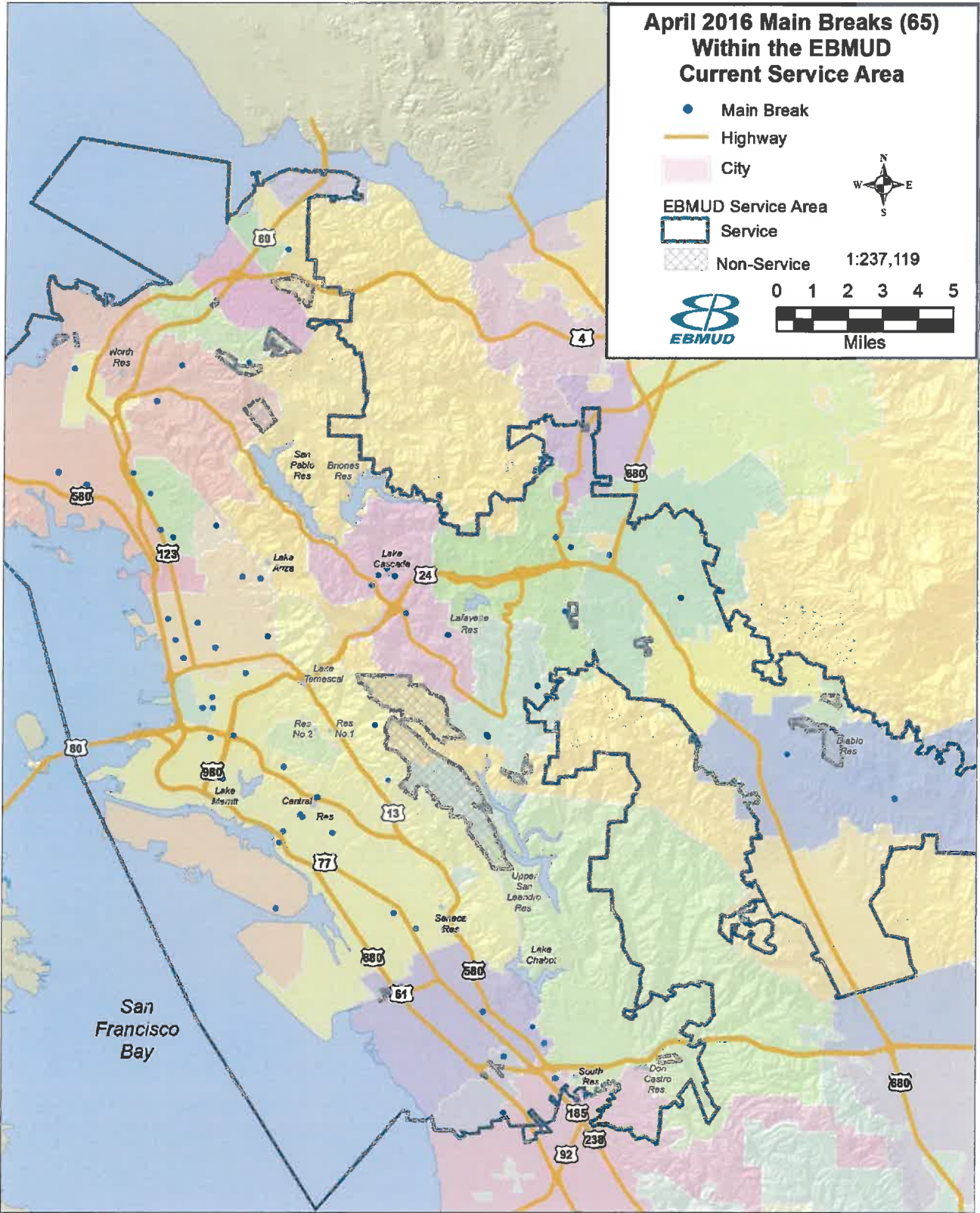
*KPI = turn around time to repair the leak

April 2016 Main Breaks

	City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
27	OAKLAND	E	12TH	ST	CAST IRON	4.00	1935	12,960	4/20/2016	4/28/2016	No
28	OAKLAND	E	25TH	ST	CAST IRON	6.00	1933	18,000	4/28/2016	4/29/2016	Yes
29	OAKLAND	E	25TH	ST	CAST IRON	6.00	1933	9,000	4/29/2016	4/29/2016	Yes
30	OAKLAND		56TH	ST	CAST IRON	6.00	1964	17,280	4/8/2016	4/19/2016	Yes
31	OAKLAND		84TH	AVE	CAST IRON	6.00	1924	30,240	3/30/2016	4/1/2016	Yes
32	OAKLAND		36TH	ST	ASBESTOS CEMENT	8.00	1961	12,960	4/4/2016	4/12/2016	No
33	OAKLAND		ALCATRAZ	AVE	CAST IRON	6.00	1895	18,000	4/18/2016	4/18/2016	Yes
34	OAKLAND		CALMAR	AVE	CAST IRON	6.00	1925	12,960	4/23/2016	4/25/2016	Yes
35	OAKLAND		DAVIS	ST	CAST IRON	4.00	1938	630	4/11/2016	4/11/2016	Yes
36	OAKLAND		INTERNATIONAL	BL	ASBESTOS CEMENT	6.00	1962	28,800	4/11/2016	4/12/2016	Yes
37	OAKLAND		LIVINGSTON	ST	CAST IRON	6.00	1920	21,600	4/16/2016	4/20/2016	Yes
38	OAKLAND		MACARTHUR	BL	CAST IRON	6.00	1908	0	4/13/2016	4/21/2016	Yes
39	OAKLAND		OLIVER	AVE	CAST IRON	4.00	1946	0	3/28/2016	4/4/2016	Yes
40	OAKLAND		RUBIN	DR	CAST IRON	6.00	1954	0	4/1/2016	4/20/2016	Yes
41	OAKLAND		SAN PABLO	AVE	CAST IRON	8.00	1894	51,840	3/16/2016	4/20/2016	No
42	OAKLAND		TELEGRAPH	AVE	CAST IRON	6.00	1884	90	4/20/2016	4/20/2016	Yes
43	OAKLAND		WALNUT	ST	CAST IRON	6.00	1927	9,000	4/2/2016	4/3/2016	Yes
44	OAKLAND		WESTOVER	DR	CAST IRON	6.00	1965	13,500	4/13/2016	4/14/2016	Yes
45	ORINDA		CAMINO SOBRANTE		CAST IRON	6.00	1934	360	4/15/2016	4/15/2016	Yes
46	ORINDA		CAMINO SOBRANTE		CAST IRON	8.00	1934	7,200	4/17/2016	4/21/2016	Yes
47	ORINDA		CAMINO SOBRANTE		CAST IRON	8.00	1934	27,000	4/19/2016	4/20/2016	Yes
48	ORINDA		CANON	DR	NON METALLIC / PLASTIC	8.00	1987	0	4/6/2016	4/7/2016	Yes
49	ORINDA		HALL	DR	CAST IRON	8.00	1949	17,280	4/15/2016	4/20/2016	Yes
50	ORINDA		OVERHILL	RD	CAST IRON	6.00	1947	180	4/6/2016	4/6/2016	Yes
51	PINOLE		PINOLE VALLEY	RD	ASBESTOS CEMENT	8.00	1959	0	4/8/2016	4/13/2016	Yes

April 2016 Main Breaks

	City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
52	RICHMOND		11TH	ST	CAST IRON	4.00	1935	0	4/12/2016	4/14/2016	Yes
53	RICHMOND		11TH	ST	CAST IRON	4.00	1935	9,000	4/19/2016	4/19/2016	Yes
54	RICHMOND		LA CRESENTA	RD	CAST IRON	4.00	1947	2,880	4/26/2016	4/26/2016	Yes
55	RICHMOND		MACDONALD	AVE	CAST IRON	6.00	1953	7,200	4/7/2016	4/11/2016	Yes
56	RICHMOND		VIRGINIA	AVE	CAST IRON	6.00	1945	25,920	4/8/2016	4/13/2016	Yes
57	RODEO		CLAEYS	CT	ASBESTOS CEMENT	6.00	1978	10,080	4/1/2016	4/7/2016	Yes
58	SAN LEANDRO		EASY	ST	CAST IRON	6.00	1949	2,880	4/19/2016	4/20/2016	Yes
59	SAN LEANDRO		LARK	ST	CAST IRON	6.00	1945	0	4/4/2016	4/18/2016	Yes
60	SAN LEANDRO		SEVERN	RD	STEEL	6.00	1953	9,000	4/21/2016	4/21/2016	Yes
61	SAN LORENZO		BERTERO	AVE	CAST IRON	12.00	1951	25,920	4/6/2016	4/11/2016	Yes
62	SAN LORENZO		HESPERIAN	BL	CAST IRON	8.00	1947	1,800	4/28/2016	4/28/2016	Yes
63	SAN PABLO		11TH	ST	CAST IRON	6.00	1940	0	4/15/2016	4/19/2016	Yes
64	WALNUT CREEK		SAN MIGUEL	DR	ASBESTOS CEMENT	6.00	1953	18,000	4/30/2016	4/30/2016	Yes
65	WALNUT CREEK		TERRACE	WAY	CAST IRON	4.00	1953	10,080	4/1/2016	4/7/2016	Yes
TOTAL								804,780			



EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 5, 2016

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Lynelle M. Lewis, Secretary of the District *Lynelle*

SUBJECT: Sustainability/Energy Committee Minutes – April 26, 2016

Director Doug Linney called to order the Sustainability/Energy Committee meeting in the Training Resource Center at 9:20 a.m. Director Marguerite Young was present at roll call and Chair Andy Katz arrived at 9:40 a.m. Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Director of Wastewater Bennett K. Horenstein, Director of Water and Natural Resources Richard G. Sykes, Senior Civil Engineer John M. Hake, Manager of Wastewater Engineering Vincent P. De Lange, Environmental Affairs Officer Douglas I. Wallace, Special Assistant to the General Manager Alison A. Kastama, and Secretary of the District Lynelle M. Lewis.

Public Comment. Eric Larsen, Member Relations Secretary, AFSCME Local 444, encouraged the District to investigate Santa Clara Valley Water District's use of advanced technology for water recycling and reclamation. Director Young asked Mr. Larsen to forward the information to the Board.

Port of Oakland Power Purchase Agreement Update. Senior Civil Engineer John M. Hake presented a status update on contract negotiations to extend the Power Purchase Agreement (PPA) with the Port of Oakland. He reported that the Port was considering future renewable energy purchase options and approached the District about extending the existing PPA. Following discussions with the Port, tentative terms for a five-year agreement extension were reached. Since the Port PPA was executed in 2012, energy prices have decreased as natural gas resources have become more abundant. Renewable energy prices have also decreased with greater competition in the renewables market as solar and wind resources grow statewide. While the lower price under the extension results in a projected revenue decrease of about 18 percent, staff believes that this price is favorable under current market conditions. The proposed extension does not change the current price until late 2017 when the existing PPA term expires and the extension goes into effect. District staff is drafting the Port PPA extension for Board consideration in May. The Committee concurred with the staff recommendation.

Compressed Renewable Natural Gas Project Update. Manager of Wastewater Engineering Vincent P. De Lange provided an update on the viability of a stand-alone renewable natural gas (RNG) facility at the Main Wastewater Treatment Plant (MWWTP). He said staff is no longer pursuing a project with Harvest Power but has completed a detailed financial assessment for developing a stand-alone RNG facility. Based on the financial analysis, staff recommends that the District proceed with developing a stand-alone project under a more traditional project planning, design, and construction approach. Staff will consider technology alternatives, facility integration issues, site locations, RNG sales mechanisms, and the availability of alternative grant funding.

Additionally, staff intends to direct Harvest Power to cancel the RNG system purchase order and recover a portion of the down payment on the RNG equipment. Staff will continue to keep the Board apprised of key developments regarding the RNG project. There was a question and answer period between committee members and staff. The Committee asked staff to investigate experience with RNG projects by other public agencies and to summarize the environmental risk of RNG technologies relative to current power generation.

Evaluating the Triple Bottom Line in BD1 Memos. Environmental Affairs Officer Douglas I. Wallace presented proposed language changes to the BD1 memo that would capture a Triple Bottom Line (TBL) evaluation to better highlight and expand upon the financial, social, and environmental aspects of each proposed action. He said that the overarching goal is to strengthen a culture at the District that promotes sustainability as part of the decision-making process. Adding the TBL evaluation will require changes to the BD1 memo format. Subject to Board approval, internal briefings will be conducted to familiarize key staff with the revised BD1 memo format and the intended goals of the TBL evaluation. The target date for converting to the new format is the beginning of Fiscal Year 2017. The Committee expressed its support for this recommendation.

Adjournment. Chair Katz adjourned the Sustainability/Energy Committee meeting at 10:04 a.m.

ARC/LML:lml

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 5, 2016

MEMO TO: Board of Directors

THROUGH: Alexander R. Coate, General Manager *ARC*

FROM: Lynelle M. Lewis, Secretary of the District *Lynelle*

SUBJECT: Finance/Administration Committee Minutes – April 26, 2016

Chair John A. Coleman called to order the Finance/Administration Committee meeting in the Training Resource Center at 10:07 a.m. Director Andy Katz was present at roll call and Director William B. Patterson arrived at 10:14 a.m. Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Director of Finance Sophia D. Skoda, Internal Auditor Supervisor Barry N. Gardin, Special Assistant to the General Manager Alison A. Kastama, and Secretary of the District Lynelle M. Lewis.

Public Comment. None.

Review of Revisions to District Policies. Internal Auditor Supervisor Barry N. Gardin reported that nine policies warrant modification to clarify their purpose and accurately reflect current procedures and/or operating practices. These include: Policy 1.13 – Identity Theft Prevention Program, Policy 2.04 – Contractual Agreements with Former Employees, Policy 3.05 – Considerations for Extension of Water Beyond the Ultimate Service Boundary, Policy 3.07 – Responsibility to Serve Water Customers, Policy 4.13 – Establishing Water Rates, Policy 4.20 – Use of District Technology Resources, Policy 9.01 – Fire Control and Fuels Management on Watershed Lands, Policy 9.03 – Water Supply Availability and Deficiency, and Policy 9.04 – Watershed Management and Use. There was discussion about revisions to Policy 3.07 and the Committee recommended that this policy be pulled to allow staff to develop language to reference the “15 percent rationing goal during droughts.” Staff will present Policy 3.07 to the Committee for consideration at a future meeting. There was discussion about Policy 4.13. The Committee requested that staff incorporate “use best current practices” language under rate methodology and bring the policy back to the Board for consideration at the afternoon meeting. Mark Foley, AFSCME Local 2019 representative, commented that the language in Policy 4.20 was much improved, but he suggested that procedures should be updated in conjunction with policy changes. It was moved (Director Katz), seconded (Director Patterson), and unanimously carried (3-0) to forward the policies with the necessary corrections to the full Board with the exception of Policy 3.07.

Investment Policy Annual Review. Director of Finance Sophia D. Skoda reviewed proposed changes to Investment Policy 4.07. She said the policy underwent a comprehensive review to ensure that it not only remains compliant with the California Government Code but also is consistent with best practices as established through review of peer agencies’ investment policies. Several changes were made to update and clarify the policy and the document was reformatted to improve its functionality. It was moved (Director Katz), seconded (Director Patterson), and unanimously carried (3-0) to forward Policy 4.07 to the full Board.

Financial Quarterly Reports. Director of Finance Sophia D. Skoda reported that the quarterly reports were filed in compliance with government statutes. The reports cover investment transactions along with quarterly payroll, disbursements and real estate summary reports for the Water and Wastewater Systems covering the quarter January 1 through March 31, 2016. It was moved (Director Patterson), seconded (Director Katz), and unanimously carried (3-0) to accept the reports.

Water Revenue Consumption Audit Update. Internal Auditor Supervisor Barry N. Gardin reported that a comprehensive review of the water revenue consumption process was initiated in order to identify any areas of potential exposure to lost revenue resulting from unbilled or unmetered water consumption and to assess the procedural controls in place to prevent their occurrence. The areas reviewed included unmetered laterals and parcels located in the service area without metered water service. Additionally, active accounts with zero consumption, delayed invoices, and inactive accounts with consumption were identified and are being reviewed to determine if there are adequate controls in place to follow up and ensure revenue is properly captured. Any control weaknesses or other conditions that have resulted or may result in lost revenue that are identified as a result of this review will be evaluated for impact and reported along with the corrective action(s) taken to prevent reoccurrence. Mr. Gardin said this audit is ongoing and results will be reported to the Committee.

Adjournment. Chair Coleman adjourned the meeting at 10:42 a.m.

ARC/LML:lml