



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

375 – 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0404

**AGENDA
Tuesday, March 11, 2014**

**REGULAR CLOSED SESSION
11:00 a.m., Board Room**

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *East Bay Municipal Utility District v. Laura Roytman, et al.*
Contra Costa County Superior Court, Case No. C14-00088
2. Significant exposure to litigation pursuant to Government Code section 54596.9(b): one matter.
3. Threat to public services or facilities pursuant to Government Code section 54957:
Conference with Michael J. Wallis, Director of Operations and Maintenance, and Michael R. Ambrose, Manager of Regulatory Compliance.
4. Conference with Board designated representatives Andy Katz, Katy Foulkes and Frank Mellon regarding employment contracts of the General Manager and the General Counsel pursuant to Government Code section 54957.6.

(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
- Director Lesa McIntosh's 15 Years of Service Recognition

ANNOUNCEMENTS FROM CLOSED SESSION:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

CONSENT CALENDAR: (Single motion and vote approving 9 recommendations)

1. Approve the Special and Regular Meeting Minutes of February 25, 2014.
2. File correspondence with the Board.
3. Authorize an agreement with Kone, Inc. in an estimated amount of \$280,180 for elevator maintenance services at various District locations during the period April 1, 2014 to March 31, 2017, with two options to renew for an additional one-year period for a total cost of \$471,640 under Request for Proposal No. FAC 14-1.
4. Award a contract to the lowest responsive/responsible bidder, Ray's Electric, in the amount of \$239,900 for construction of the Interceptor Level Monitoring Station (LMS)-5/S3 Enclosure Relocation under Specification SD 353.
5. Authorize an agreement with Innovyze, Incorporated in an amount not to exceed \$222,500 for the purchase of two licenses for a risk modeling software called InfoMaster™, installation of the software, and on-site training during the period March 12, 2014 to October 31, 2015, with optional services to add an extra floating seat license and to renew the license and maintenance agreements for an additional four years.
6. Authorize an agreement with Mail Finance, Inc. in an amount not to exceed \$245,000 to lease mailroom inserter equipment for a five-year term beginning May 1, 2014 through July 30, 2019 and retain ownership of the equipment upon conclusion of the lease.
7. Authorize an agreement with JDH Corrosion Consultants, Incorporated in an amount not to exceed \$210,750 for asbestos cement pipe materials laboratory testing services during the period beginning April 1, 2014 and ending April 1, 2016.
8. Authorize a second amendment to the existing Memorandum of Understanding (MOU) with the City of Orinda regarding recreational and watershed land use policies and objectives within the City of Orinda to extend the termination date from June 30, 2015 to June 30, 2018. Authorize renewals of the MOU on an annual basis thereafter by a written agreement between the City and the District.
9. Authorize approval of a dispute resolution agreement with Sacramento Municipal Utility District (SMUD), the Freeport Regional Water Authority (FRWA), and its members the Sacramento County Water Agency (SCWA) and East Bay Municipal Utility District (EBMUD), to resolve their dispute and facilitate full beneficial use of the currently-constructed capacity of the Freeport Project while addressing the effect upon water in the Folsom South Canal (FSC) utilized by SMUD at its Rancho Seco Facilities.

DETERMINATION AND DISCUSSION:

10. Legislative Update:

- Receive Legislative Report No. 02-14 and consider positions on the following bills:
AB 2636 (Gatto) CalConserve Water Use Efficiency Revolving Fund; SB 1014
(Jackson) Pharmaceutical Waste: Home-Generated; SB 1230, SB 1231, SB 1232
(Committee on Governance and Finance) Validations
- Update on Legislative Issues of Interest to EBMUD

11. Amend Position Resolution 33936-13 to create a new classification of Technical Training and Writing Administrator and reallocate one position of Management Analyst III to the new classification. (Resolution)

12. General Manager's Report:

- Water Supply Update
- EBMUD Participation in EPA Fix a Leak Week-March 17-21, 2014
- Monthly Report – February 2014

REPORTS AND DIRECTOR COMMENTS:

13. Committee Reports:

- Planning
- Legislative/Human Resources

14. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 25, 2014 in the Administration Center Board Room, 375 Eleventh Street, Oakland, California.

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this Agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, March 11	Planning Committee	9:15 am Training Resource Center	<ul style="list-style-type: none"> Water Quality Program Semi-Annual Update Regulatory Compliance Semi-Annual Report-September 2013 through February 2014 2013 Mokolumne Fall-Run Chinook Salmon Returns Wood Street Interceptor Rehabilitation Project Update
	Legislative/Human Resources Committee	10:30 am Training Resource Center	<ul style="list-style-type: none"> Legislative Update
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> Closed Session Regular Meeting
Tuesday, March 25	Finance/Administration Committee	8:30 am Training Resource Center	<ul style="list-style-type: none"> Closed Session Regular Meeting
	Long Term Financial Stability Workshop	9:30 am Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Monday, March 31	Cesar Chavez Day Holiday		<ul style="list-style-type: none"> District Offices Closed
Tuesday, April 8	Planning Committee	9:15 am Training Resource Center	<ul style="list-style-type: none"> Closed Session Regular Meeting
	Legislative/Human Resources Committee	10:15 am Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Tuesday, April 22	Finance/Administration Committee	10:00 am Training Resource Center	<ul style="list-style-type: none"> Closed Session Regular Meeting
	Board of Directors	11:00 a.m. 1:15 p.m.	