



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, April 14, 2015**

**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. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding conditions and terms of payment for the purchase of up to 35,000 acre-feet of water from Placer County Water Agency and Glenn-Colusa Irrigation District for supplemental dry year supplies in 2015. East Bay Municipal Utility District negotiators: Richard G. Sykes, Director of Water and Natural Resources, and Michael T. Tognolini, Manager of Water Supply Improvements. Negotiating parties: East Bay Municipal Utility District, Placer County Water Agency and Glenn-Colusa Irrigation District.
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Cement Spill in the Broadway Branch of Glen Echo Creek.
 - b. One matter.

(The Board will hold Closed Session in Conference Room 8A/B)

**REGULAR BUSINESS MEETING
1:15 p.m., Board Room**

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

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 10 recommendations)

1. Approve the Special and Regular Meeting Minutes of March 24, 2015.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Blocka Construction, Inc., in the amount of \$685,970 for construction of 82nd Avenue and Hollis Rate Control Stations Rehabilitation under Specification 2021.
4. Award a contract to the lowest responsive/responsible bidder, Clyde G. Steagall, Inc., in the amount of \$399,450 for construction of the Large Variable Frequency Drive Replacement Phase 1 Project under Specification SD 351.
5. Award a sole source contract to Kubota Corporation, in the estimated amount of \$152,600 to purchase earthquake resistant ductile iron pipe and appurtenances for a District pilot project.
6. Authorize an agreement beginning on or after April 15, 2015 with CH2M Hill Engineers, Inc. in an amount not to exceed \$125,000 to conduct a physical security vulnerability assessment for seven representative District water system facilities during the period of April 15, 2015 through November 30, 2015.
7. Authorize an amendment to an agreement with Garcia and Associates to increase the agreement value by \$130,000 to \$200,000 for specialized services in support of exhumation, repatriation and documentation for a Native American village site and burial area.
8. Authorize renewal of an agreement with Optrics, Inc. for one year beginning on or after April 21, 2015 in an amount not to exceed \$25,000 annually for spam and virus filtering with two options to renew for an additional one-year period for a total cost of \$75,000. The additional \$75,000 will increase the total costs for Optrics' services under the agreement to \$125,600.
9. Authorize agreements for bare equipment rentals:
 - 9a. Authorize an agreement beginning on or after April 15, 2015 with the following vendors: All American Rentals, Inc.; Ahern Equipment Rentals; Baker Corp.; Coast Crane Company; Doc Bailey Construction Equipment; NorCal Rental Group DBA Cresco Equipment Rental; Pape Machinery, Inc.; and United Rentals in an amount not to exceed \$1,610,000 annually, for bare equipment rentals for three years with two options to renew for an additional one-year period for a total cost of \$8,050,000.
 - 9b. Authorize additional agreements with companies that meet District standards and offer pricing at or below the range described in the current proposed contracts to increase flexibility and ensure vendor availability pursuant to this recommendation. Vendors will be rotated based on need, availability of the requested equipment, and cost of the specific equipment required. If additional vendors are added under this authorization, the Board of Directors will be notified by means of the monthly report to the General Manager.

CONSENT CALENDAR: (Continued)

10. Authorize agreements for shoring and trench plate rental services:
 - 10a. Authorize agreements beginning on or after April 15, 2015, with All American Rentals Inc. and United Rentals Inc., in an estimated amount not to exceed \$300,000 annually, to provide shoring and trench plate equipment rentals and services throughout the District's service area for two years with three options to extend for an additional one-year period for an estimated total cost of \$1,500,000.
 - 10b. Authorize additional agreements with companies that meet District standards and offer pricing at or below the range described in the current proposed contracts to increase flexibility and ensure vendor availability pursuant to this recommendation. Vendors will be rotated based on need, availability of the requested equipment, and cost of specific equipment required. If additional vendors are added under this authorization, the Board of Directors will be notified by means of the monthly report to the General Manager.

DETERMINATION AND DISCUSSION:

11. Adopt the Revised Drought Management Program Guidelines.
12. File and declare the Water Supply Availability and Deficiency Report 2015.
 - 12.1. File the Water Supply Availability and Deficiency Report in conformance with Policy 9.03.
 - 12.2. Declare that the District's water supply is deficient for meeting customer demands in 2015.
13. Declaration of stage four drought and drought response actions for use of supplemental supply and establishment of a District-wide water use reduction goal.
 - 13.1. Declare a Stage 4 Drought.
 - 13.2. Adopt a resolution to declare the need to use the Freeport facilities in 2015 to deliver supplemental supplies and suspend the implementation of the supplemental supply surcharge for the remainder of FY 2015. (Resolution)
 - 13.3. Declare a mandatory District-wide use reduction goal of 20 percent.

PUBLIC HEARING:

14. Conduct a public hearing on the proposed water shortage emergency declaration and the proposed adoption of Section 28 of District Regulations.
15. Conduct a public hearing on the introduction and first reading of the new Excessive Water Use Penalty Ordinance.

DETERMINATION AND DISCUSSION: (Continued)

16. Consider actions regarding the water shortage emergency within the District's service area and adopt revised Section 28.
 - 16.1. Declare continuation of a water shortage emergency within the District's service area.
 - 16.2. Adopt a revised Section 28, "Water Use During Water Shortage Emergency Condition," of the EBMUD Regulations Governing Water Service to Customers. Section 28 defines and imposes temporary water use prohibitions and restrictions and enforcement provisions that will be effective April 14, 2015 and remain in effect until Section 28 is either revised based on changing circumstances or rescinded when the emergency is declared to be over. (Resolution)
17. Introduction and first reading of the new Excessive Water Use Penalty Ordinance For Drought Stages 3 and 4 ("the Ordinance") to provide the District with authority to impose administrative penalties on single-family residential customers who willfully use water in excess of the water use restrictions set forth in the Ordinance when the District has declared a Stage 3 or a Stage 4 water shortage/drought.
(Introduction and First Reading – Ordinance No. 364-15)
18. Introduction and first reading of the new Water Theft Penalty Ordinance ("the Ordinance") to provide the District with authority to impose administrative penalties on any person who attempts water theft, including the unauthorized use of water from a public fire hydrant or other facilities, as set forth in the Ordinance.
(Introduction and First Reading – Ordinance No. 365-15)
19. Legislative Update:
 - Receive Legislative Report No. 04-15 and consider positions on the following bills: AB 142 (Bigelow) Wild and Scenic Rivers: Mokelumne River; AB 356 (Williams) Oil and Gas: Groundwater Monitoring; AB 577 (Bonilla) Biomethane: Grant Program; AB 1144 (Rendon) California Renewables Portfolio Standard Program: Unbundled Renewable Energy Credits; SB 208 (Lara) Integrated Regional Water Management Plans: Grants: Advanced Payments; SB 664 (Hertzberg) Water: Integrated Regional Water Management Planning; SB 687 (Allen) Renewable Gas Standard; and SCA 5 (Hancock) Local Government: Special Taxes: Voter Approval
 - Update on Legislative Issues of Interest to EBMUD.
20. General Manager's Report:
 - Water Supply Update
 - 2015 Water Shortage Emergency Action Plan
 - Monthly Report – March 2015

REPORTS AND DIRECTOR COMMENTS:

21. Committee Reports:
 - Planning
 - Legislative/Human Resources
22. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, April 28, 2015 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, April 14	Planning Committee McIntosh {Chair}, Linney, Young	8:30 a.m. Training Resource Center	<ul style="list-style-type: none"> ▪ Biosolids Management Program Update ▪ Food Waste Update ▪ Physical Security Vulnerability Assessment Update
	Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson	9:15 a.m. Training Resource Center	<ul style="list-style-type: none"> • Legislative Update
	Budget Workshop #2	9:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Discuss follow-up items from the Budget Workshop #1
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, April 28	Finance/Administration Committee Patterson {Chair}, Katz, Young	10:00 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, May 12	Planning Committee McIntosh {Chair}, Linney, Young	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson	10:15 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, May 25	Memorial Day Holiday		<ul style="list-style-type: none"> • District Offices Closed
Tuesday, May 26	Sustainability/Energy Committee Katz {Chair}, Linney, Young	TBD Training Resource Center	
	Finance/Administration Committee Patterson {Chair}, Katz, Young	10:00 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting