



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

375 – 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0404

**AGENDA
Tuesday, June 10, 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. *Walnut Creek Associates 5, Inc. dba Acura of Oakland v. East Bay Municipal Utility District* Alameda County Superior Court, Case No. RG13669775
 - b. *Dorothy Okamoto, et al. v. East Bay Municipal Utility District, et al.* Alameda County Superior Court, Case No. RG13681711
2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding the negotiation of conditions and terms of payment for the potential lease of property identified as portions of Parcel No. 018-0305-003-16 in the City of Oakland, Alameda County, California, for California Waste Solutions, Inc.'s use as a solid waste transfer facility. East Bay Municipal Utility District negotiators: Ben Horenstein, Director of Wastewater, and Stephen Boeri, Manager of Real Estate Services. Negotiating parties: East Bay Municipal Utility District and California Waste Solutions, Inc.
3. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding the renegotiation of conditions and terms of payment for the existing lease of property identified as portions of Parcel No. 018-0305-003-16 in the City of Oakland, Alameda County, California, for Viridis Fuels' use as a biodiesel production and glycerin refining facility. East Bay Municipal Utility District negotiators: Ben Horenstein, Director of Wastewater, and Stephen Boeri, Manager of Real Estate Services. Negotiating parties: East Bay Municipal Utility District and Viridis Fuels.

(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:

PRESENTATION:

- Alameda County's Science & Engineering Award
- EBMUD Speaker of the Year Award

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

CONSENT CALENDAR: (Single motion and vote approving 8 recommendations, including 4 resolutions)

1. Approve the Special and the Regular Meeting Minutes of May 27, 2014.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder Softchoice, Inc. in an annual amount, after the addition of taxes, not to exceed \$85,000 for supplying Microsoft license and maintenance of desktop operating system and systems management software for District-wide use for three years under state contract #RIVCO-20800-006-12/14.
4. Authorize an increase in the sole source purchase of calcium thiosulfate under the brand name "Captor" from Pacific Coast Chemicals from \$70,000 to \$225,000 through July 31, 2014.
5. Authorize an agreement with Digital Bond, Inc. in an amount not to exceed \$300,000 to conduct industrial control system assessments at the District's water and wastewater facilities during the period June 11, 2014 through June 30, 2015.
6. Approve the Water Supply Assessment requested by the City of Emeryville for the Emeryville Public Marketplace Redevelopment Project pursuant to the California Water Code, Section 10910-10915.
7. Approve the sale of the former Oakland Business Office property at 250 17th Street, Oakland to CRC Development, LLC for \$2,300,000. (Resolution)

CONSENT CALENDAR: (Continued)

8. Approve required actions for election of EBMUD Directors:
 - 8.1. Adopt a resolution to take actions to address election matters: 1) adopt a resolution calling for the election of four directors at the November 4, 2014 statewide General Elections, and 2) establish a process for addressing changes to the Municipal Utility District elections procedures by directing the Secretary of the District to schedule a special Board meeting in years when either no candidate or only one candidate has filed a declaration of candidacy for an open Board seat in a particular ward by the deadline of the 83rd day before the election. (Resolution)
 - 8.2. Adopt a resolution requesting the Board of Supervisors of Alameda and Contra Costa Counties to consolidate the District election for the office of Director with statewide General Election on November 4, 2014. (Resolution)
 - 8.3. Adopt a resolution establishing the criteria for publication of candidates' statements and authorizing the Secretary to bill candidates for certain costs. (Resolution)

PUBLIC HEARING:

9. Conduct a public hearing to consider Water System and Wastewater System proposed changes to the Schedules of Rates and Charges beginning FY15.

DETERMINATION AND DISCUSSION:

10. Adopt the water system rates and charges, regulations, public records act fees and recreation use fees recommended in 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 2015 submitted to the Board on May 13, 2014. (Resolution)
11. Affirm the Fiscal Year 2015 (FY15) Operating and Capital Budgets for the Water System and Wastewater System as recommended in the Fiscal Year 2014-2015 Mid-Cycle Budget Report submitted to the Board of Directors on May 22, 2014, and in accordance with the provisions of the Municipal Utility District Act. The FY15 Operating and Capital Budgets remain unchanged from that which was initially adopted by the Board on June 11, 2013. (Resolution)
12. Adopt the Mid-cycle Position Resolution for Fiscal Year 2015 to implement necessary staffing and classification changes. (Resolution)
13. Adopt the 2014 update of the District's Strategic Plan.
14. Legislative Update:
 - Receive Legislative Report No. 08-14 and consider positions on the following bills: SB 1199 (Hancock) Wild and Scenic Rivers: Mokelumne River, and H.R. 3080 (Conference Report) Water Resources Reform and Development Act.
 - Update on Legislative Issues of Interest to EBMUD

DETERMINATION AND DISCUSSION: (Continued)

15. Certify the Final Environmental Impact Report for the Chabot Dam Seismic Upgrade Project and make findings in accordance with the California Environmental Quality Act (CEQA) including a Statement of Overriding Considerations; Adopt the Mitigation Monitoring and Reporting Program in accordance with CEQA; and Approve the Chabot Dam Seismic Upgrade Project using the Cement Deep Soil Mixing construction method.
(Resolution)
16. General Manager's Report:
 - Monthly Report – May 2014
 - Retirement Board Update
 - Water Supply Update

REPORTS AND DIRECTOR COMMENTS:

17. Committee Reports:
 - Planning
18. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, June 24, 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, June 10	Planning Committee Foulkes (Chair), Linney, McIntosh	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Chabot Dam Seismic Upgrade Project • Biosolids Management Program Update • Wood Street Interceptor Rehabilitation Project Update • Industrial Control System Vulnerability Assessment • Alameda-North Bay Farm Island Crossings Master Plan Update
	Legislative/Human Resources Committee McIntosh (Chair), Coleman, Mellon Board of Directors	11:00 a.m. 1:15 p.m.	<p><i>Cancelled</i></p> <ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, June 24	Finance/Administration Committee Coleman (Chair), Linney, Patterson	10:00 a.m. Training Resource Center	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
	Sustainability/Energy Committee Linney (Chair), Foulkes, Katz	TBD Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Friday, July 4	Fourth-of-July Holiday		<i>District Offices Closed</i>
Tuesday, July 8	Planning Committee Foulkes (Chair), Linney, McIntosh	9:15 a.m. Training Resource Center	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
	Legislative/Human Resources Committee McIntosh (Chair), Coleman, Mellon	10:15 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Tuesday, July 22	Long Term Financial Stability Workshop	8:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
	Finance/Administration Committee Coleman (Chair), Linney, Patterson	TBD Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	

