



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

375 – 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0404

**AGENDA
Tuesday, February 25, 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. *Fran Baskin v. East Bay Municipal Utility District, et al.*
Contra Costa County Superior Court, Case No. C12-01720

2. Significant exposure to litigation pursuant to Government Code section 54596.9(b):
 - a. Wareham Development Corporation
Claim No.: 2012-L-066
 - b. Jimmy Shrader
Claim No.: 2013-L-202
 - c. One matter.

3. 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

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 14 recommendations)

1. Approve the Regular Meeting Minutes of February 11, 2014.
2. File correspondence with the Board.
3. Award contracts to the lowest responsive/responsible bidder, Alliance Welding Supplies, Inc., in the estimated annual amount of \$55,000 for supplying pure and specialty gases for the District Laboratory for the period beginning March 1, 2014 and ending February 28, 2016 with three options to renew for additional 1-year periods for a total estimated cost of \$275,000 under Request for Quotation No. 1410.
4. Award a contract to the lowest responsive/responsible bidder Matheson Tri-Gas, Inc., in the annual estimated amount after the addition of taxes of \$177,888 for supplying an oxygenation system and required oxygen for Camanche Reservoir for the period beginning March 15, 2014 and ending March 14, 2019 for a total cost of \$889,440 under Request for Quotation No.1414.
5. Award a contract to the lowest responsive/responsible bidder, Pantano Demolition, in the amount of \$216,091 for construction of the West End Property Demolition, Phase 1 under Specification SD 360.
6. Award a contract to Polydyne, Inc. in the estimated amount of \$500,000 after the addition of taxes for supplying approximately 150,000 gallons of polymer for water treatment at three of the District's water treatment plants for the period beginning February 26, 2014 and ending December 31, 2014.
7. Authorize the Affirmative Action Office to continue the employment of the law firm of Jane Kow & Associates for Equal Employment Opportunity investigative services for an additional \$70,000.
8. Authorize an agreement with Fuel Serv in an amount not to exceed \$760,061 for the supply, installation and maintenance of a fuel management system at 13 District fueling sites during the period of March 1, 2014 to March 1, 2017, with one option to renew for an additional one-year period for maintenance only.
9. Authorize an agreement with Kimley-Horn and Associates, Inc. in an amount not to exceed \$154,500 for environmental and engineering design services related to the Briones Raw Water Aqueduct in Orinda.
10. Authorize an agreement with Laserlink International, Inc. in an amount not to exceed \$35,000 annually for printer, plotter, and desktop scanner repair service for the District during the period March 1, 2014 to February 29, 2016, with 2 options to renew for an additional 1-year period for a total amount not to exceed \$140,000.
11. Authorize an agreement with WaterSmart Software, Inc. in an amount averaging \$300,000 annually to provide customer water consumption reporting and engagement services for the period March 3, 2014 through September 30, 2017 at a total cost of \$900,000.

CONSENT CALENDAR: (Continued)

12. Authorize the following actions relating to a One-Year Water Purchase Agreement With Placer County Water Agency:
 - 12.1 Authorize the General Manager to execute a one-year water purchase agreement with Placer County Water Agency (PCWA) for an option to purchase up to 20,000 acre-feet (AF) of water at a cost of \$75 per acre-foot for a maximum total cost of \$1,500,000 in 2014; and to pay PCWA a \$100,000 non-refundable processing fee that would be credited towards 2014 water purchases.
 - 12.2 Authorize the General Manager to exercise options to purchase up to 20,000 AF of water from PCWA to be used for testing of the Freeport Regional Water Facility and supplementing the District's water supply.
 - 12.3 Authorize the General Manager to enter into a Warren Act contract with the United States Bureau of Reclamation to move up to 20,000 AF of PCWA transfer water through Folsom Reservoir and the Folsom South Canal at a cost not to exceed \$600,000.
13. Authorize the Office of General Counsel to continue the employment of the law office of Remcho, Johansen & Purcell, LLP for specialized legal services related to elections and conflicts of interest matters.
14. Authorize the Office of General Counsel to continue employment of the law firm of Barg, Coffin, Lewis & Trapp, LLP, for specialized legal services related to environmental regulatory and environmental litigation matters.

DETERMINATION AND DISCUSSION:

15. Legislative Update:
 - Receive Legislative Report No. 01-14 and consider positions on the following bills: S. 224 (Feinstein) San Francisco Bay Restoration Act; H.R. 843 (Speier) San Francisco Bay Restoration Act; S. 2016 (Feinstein) California Emergency Drought Relief Act of 2014; H.R. 4039 (Costa) California Emergency Drought Relief Act of 2014; information on H.R. 3964 (Valadao) Sacramento-San Joaquin Valley Emergency Water Delivery Act, and information on California Emergency Drought Legislation.
 - Update on Legislative Issues of Interest to EBMUD
16. General Manager's Report:
 - Water Supply Update

REPORTS AND DIRECTOR COMMENTS:

17. Committee Reports:
 - Planning
 - Legislative/Human Resources
18. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 11, 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, February 25	<p>Long Term Water Supply Management Program Workshop</p> <p>Finance/Administration Committee</p> <p>Board of Directors</p>	<p>9:00 am Training Resource Center</p> <p>10:00 am Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Long Term Water Supply Management Update <p style="text-align: center;"><i>Cancelled</i></p> <ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, March 11	<p>Planning Committee</p> <p>Legislative/Human Resources Committee</p> <p>Board of Directors</p>	<p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, March 25	<p>Long Term Financial Stability Workshop</p> <p>Finance/Administration Committee</p> <p>Board of Directors</p>	<p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, March 31	Cesar Chavez Day Holiday		<ul style="list-style-type: none"> • District Offices Closed

