



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, November 8, 2016**

REGULAR CLOSED SESSION

11:00 a.m., Board Room

(Director Andy Katz will participate by phone from Residence Ezzahia, Avenue Abdelkrim El Khattabi Gueliz, Marrakech 40000, Morocco)

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(d)(1):
 - a. *Ivette Rivera v. Public Employment Relations Board, et al.*
Alameda County Superior Court, Case No. RG16813608
 - b. *Timothy Alford, et al. v. East Bay Municipal Utility District, et al.*
Contra Costa County Superior Court, Case No. MSC16-01348
 - c. *AFSCME Local 444 v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG16820998.
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Pedro and Ann Urista
Claim No. 2015-L-085-2
 - b. Barbara Vanek and John Kerry
Claim No. 2015-L-158-1
 - c. Two matters

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

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

*(Director Andy Katz will participate by phone from Residence Ezzahia, Avenue
Abdelkrim El Khattabi Gueliz, Marrakech 40000, Morocco)*

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, including 3 resolutions.)

1. Approve the Regular Meeting Minutes of October 25, 2016.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, CDW Government, LLC, in an amount, after the addition of taxes, not to exceed \$225,000 for the purchase of Microsoft desktop productivity software for one year beginning on or after December 1, 2016.
4. Award a contract to the lowest responsive/responsible bidder, Monterey Mechanical Co., in the amount of \$7,097,000 for construction of the Main Wastewater Treatment Plant Influent Pump Station Odor Control System Upgrade Phase 1 and Aerated Grit Piping Replacement Project under Specification SD-361.
5. Authorize an agreement beginning on or after November 8, 2016 with Honeywell International, LLC, in an amount not to exceed \$133,000 for five years for the Building Management Control System upgrade and support services.
6. Authorize the Office of General Counsel to continue the employment of the law firm of Downey Brand, LLP, for specialized legal services related to natural resources and environmental regulatory and litigation matters.
7. Approve the City of San Leandro's request to provide recycled water within the City of San Leandro (City) via the City's Recycled Water Fill Station (Fill Station) at the City's Water Pollution Control Plant.
 - 7.1. Approve a Resolution allowing the City of San Leandro to provide recycled water from the Fill Station to San Leandro residents and commercial trucks. (Resolution)
 - 7.2. Authorize the District to sign an agreement with the City of San Leandro for the construction, operation, and maintenance of the Fill Station.

CONSENT CALENDAR: (Continued)

8. Approve actions related to the sale of Laguna No. 2 Pumping Plant property. (Resolution)
 - 8a. Approve the sale of the surplus Laguna No. 2 Pumping Plant property in Orinda to Christopher and Julia Stenzel for the purchase price of \$150,000.
 - 8b. Authorize District staff to execute the Property Purchase Agreement and Joint Escrow Instructions for the sale of the property to Christopher and Julia Stenzel.
9. Approve actions related to the Oursan Ridge Conservation Bank enabling instrument. (Resolution)
 - 9a. Consider and approve the addendum to the Programmatic Environmental Impact Report for the East Bay Watershed Master Plan.
 - 9b. Determine that no further environmental review is required under the California Environmental Quality Act and find that the Oursan Ridge Conservation Bank (ORCB) is within the scope of the East Bay Watershed Master Plan.
 - 9c. Authorize the District to enter into a conservation bank enabling instrument beginning on or after November 8, 2016, with the California Department of Fish and Wildlife and the United States Fish and Wildlife Service establishing the ORCB on EBMUD-owned watershed lands in the Pinole Valley with EBMUD as Bank Sponsor and Owner.
 - 9d. Authorize the District to enter an endowment agreement on or after November 8, 2016, with the Wildlife Heritage Foundation (WHF) establishing the WHF as the ORCB Endowment Fund holder and the funds required for ORCB administration, operations, and maintenance activities.
 - 9e. Authorize the recording of a permanent conservation easement in Contra Costa County on the 429.9 acre ORCB project site and establishment of the WHF as the conservation easement holder.

DETERMINATION AND DISCUSSION:

10. Adopt the EBMUD Principles Regarding Major Delta Initiatives to guide EBMUD efforts in this area and to supplement guidance established in EBMUD Policy 9.06 – Bay-Delta Protection.
11. General Manager’s Report:
 - Chevron Recycled Water Contract Negotiations Update
 - Monthly Report – October 2016

REPORTS AND DIRECTOR COMMENTS:

12. Committee Reports:
 - Sustainability/Energy
 - Finance/Administration
 - Legislative/Human Resources
 - Planning
13. Other Items for Future Consideration.
14. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 22, 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.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, November 8	Legislative/Human Resources Committee Patterson {Chair}, Coleman, Young	8:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Hazardous Materials in District Watersheds • Dakota Access Pipeline Project and Protest • District Employee Recognition and Service Award Program
	Planning Committee Linney {Chair}, McIntosh, Young	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Customer Lead Tap Sampling Program • Customer Assistance Programs Update • Groundwater Update in Sacramento and San Joaquin Counties • Joint Exercise of Powers Agreement with City of Alameda
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Friday, November 11	Veteran's Day Holiday		<i>District Offices Closed</i>
Tuesday, November 22	Finance/Administration Committee Coleman {Chair}, Katz, Patterson	9:00 a.m. Training Resource Center	
	Food Waste Workshop	9:30 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
Thursday, November 24 - Friday, November 25	Thanksgiving Day Holiday		<i>District Offices Closed</i>
Tuesday, December 13	Planning Committee Linney {Chair}, McIntosh, Young	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Patterson {Chair}, Coleman, Young	10:15 a.m. Training Resource Center	
	Long-Term Financial Stability Workshop	TBD Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting