



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, June 28, 2016**

**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(d)(1):
 - a. *In Re Municipal Derivatives Antitrust Litigation*
Judicial Panel on Multidistrict Litigation (MDL) Docket No. 1950
No. 08-02516 (VM) (GWG) (S.D.N.Y.)
 - b. Water rights hearing on *Petition Requesting Changes in Water Rights of the Department of Water Resources and U.S. Bureau of Reclamation for the California WaterFix Project*
California State Water Resources Control Board
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Tim Alford, et al.
Claim No. 2016-L-070-1
 - b. Dennis P. Martel, et al.
Claim No. 2016-L-070-2
 - c. Dwight Pedersen, et al.
Claim No. 2016-L-070-3
 - d. Two matters.

(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

PRESENTATION:

- EBMUD Speaker of the Year Award

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 11 recommendations, including 1 Resolution.)

1. Approve the Regular Meeting Minutes of June 14, 2016.
2. File correspondence with the Board.
3. Authorize an agreement with ENS Resources, Inc. in an amount not to exceed \$123,600 for continued legislative and regulatory information-gathering, analysis, representation and liaison services in Washington, D.C., for a one-year period from July 1, 2016 to June 30, 2017.
4. Authorize an agreement on or after June 28, 2016 with HDR Engineering, Inc. for providing data management support for the regional Consent Decree for a period of two years in an amount not exceed to \$175,000.
5. Authorize an agreement beginning on or after June 29, 2016 with McMillen Jacobs Associates in an amount not to exceed \$154,000 for an entry plan and inspection services for the Claremont Tunnel, as part of the Orinda Water Treatment Plant Reliability and Maintenance Improvements Project.
6. Authorize an agreement with Industrial Employers and Distributors Association in an amount not to exceed \$184,940 to provide expert labor relations negotiating and consulting services during the two-year period of July 1, 2016 through June 30, 2018, with an option to extend the agreement for an additional two years from July 1, 2018 through June 30, 2020.
7. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contract and procurement, claims, trademark services, pension, employment, tax-related and litigation matters.
8. Authorize the Office of General Counsel to continue the employment of the law firm of Meyers Nave for specialized legal services related to labor and employment matters.

CONSENT CALENDAR: (Continued)

9. Extend the current contract with the State of California's Department of General Services (DGS) Natural Gas Program in an estimated annual amount of \$200,000, for supplying natural gas to the District's micro-turbines on the Administration Building's roof, for the period beginning July 1, 2016 and ending June 30, 2017, with four options to renew for an additional one-year period, for a total estimated cost of \$1,000,000.
10. File the annual General Manager's Report and Recommendation to Transfer Unpaid Delinquent Charges to the 2016-2017 Property Tax Rolls.
11. Adopt the Amended Mid-Cycle Position Resolution for Fiscal Year 2017 that was originally adopted on June 14, 2016. (Resolution)

DETERMINATION AND DISCUSSION:

12. Legislative Update
 - Receive Legislative Report No. 08-16 and consider positions on the following bills: AB 2515 (Weber) Water Conservation in Landscaping Act: Model Water-Efficient Landscaping Ordinance; SB 1233 (McGuire) Joint Powers Authorities: Water Bill Savings Act; SB 1425 (Pavley) Water-Energy Nexus Registry; and S. 2848 (Inhofe) Water Resources Development Act of 2016
 - Update on Legislative Issues of Interest to EBMUD
13. Approve adoption of the Urban Water Management Plan 2015 and updated Water Shortage Contingency Plan:
 - 13.1. Adopt the Urban Water Management Plan 2015 in compliance with the Urban Water Management Planning Act of the California Water Code. (Resolution)
 - 13.2. Adopt the updated Water Shortage Contingency Plan. (Resolution)
14. Direct the Secretary of the District to schedule August 2016 meetings of the Board of Directors to allow the Board the option to exercise its Assembly Bill 408 authority within the narrow timeframe set forth in Section 11852.5 of the Municipal Utility District Act for the 2016 general election.
15. General Manager's Report

REPORTS AND DIRECTOR COMMENTS:

16. Committee Reports:
 - Planning
 - Finance/Administration
17. Other Items for Future Consideration.
18. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 12, 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, June 28	Finance/Administration Committee Coleman {Chair}, Katz, Patterson	10:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • State Revolving Fund Loan Update
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, June 30	EBMUD/EBRPD Liaison Committee Linney, Katz	2:00 p.m. EBRPD Headquarters	<ul style="list-style-type: none"> • East Bay Watershed Master Plan Update • EBMUD Activities in the Pinole Valley Watershed • Status of the Algae Bloom Draft Response Plan at Lake Chabot • Redwood Canyon Public Golf Course RFP Update • Chabot Dam Seismic Upgrade Project • Potential Lease EBMUD Property North of Sibley Update • Policing JPA Annual Review
Monday, July 4	Independence Day Holiday		<i>District Offices Closed</i>
Tuesday, July 12	Planning Committee Linney {Chair}, McIntosh, Young	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee Patterson {Chair}, Coleman, Young	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
Tuesday, July 26	Sustainability/Energy Committee Young {Chair}, Katz, Linney	TBD Training Resource Center	
	Finance/Administration Committee Coleman {Chair}, Katz, Patterson	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

