

MINUTES

Tuesday, January 27, 2015

**East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Frank Mellon called to order the Regular Closed Session Meeting of the Board of Directors at 11:04 a.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Doug Linney, Lesa R. McIntosh, William B. Patterson, Marguerite Young, and President Frank Mellon were present at roll call. Director Andy Katz arrived later in Conference Room 8A/B.

Staff present included General Manager Alexander R. Coate (Item 1) and General Counsel Jylana Collins.

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Mellon announced the closed session agenda. The Board convened to Conference Room 8A/B for discussion.

Regular Business Meeting

President Frank Mellon called to order the Regular Business Meeting of the Board of Directors at 1:18 p.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, William B. Patterson, Marguerite Young, and President Frank Mellon were present at roll call.

Staff present included General Manager Alexander R. Coate, General Counsel Jylana Collins and Secretary of the District Lynelle M. Lewis.

BOARD OF DIRECTORS

President Mellon led the Pledge of Allegiance.

2015 Committee Assignments

President Mellon announced modifications to the memorandum regarding 2015 Committee Assignments (placed Director Linney on Planning; Director Patterson on Finance/Administration as chair; and Director Katz on EBMUD/EBRPD Liaison).

- Motion by Director McIntosh, seconded by Director Coleman, to approve the 2015 Committee Assignments (as modified), carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 010-15 -- Approved the following 2015 Board Committee assignments:

Planning

Director McIntosh, Chair
Director Linney
Director Young

2nd Tuesday of the month at 9:15 a.m.
Administration Center Building
Training Resource Center, 2nd Floor

Legislative/Human Resources

Director Coleman, Chair
Director McIntosh
Director Patterson

2nd Tuesday of the month at 10:15 a.m.
Administration Center Building
Training Resource Center, 2nd Floor

Finance/Administration

Director Patterson, Chair
Director Katz
Director Young

4th Tuesday of the month at 10:00 a.m.
Administration Center Building
Training Resource Center, 2nd Floor

Sustainability/Energy

Director Katz, Chair
Director Linney
Director Young

Meets quarterly on 4th Tuesday

**DSRSD/EBMUD Recycled
Water Authority (DERWA)**

Director Coleman
President Mellon
Director Young, Alternate

4th Monday of even calendar months at 6:00 p.m.
Contact: Linda H. Hu, 287-1691

Freeport Regional Water Authority

Director Coleman
Director Patterson
Director Linney, Alternate

*2nd Thursday at 10:00 a.m. on a quarterly basis,
with locations to be announced*

Retirement Board

President Mellon
Director Young

3rd Thursday odd numbered months at 8:30 a.m.
Administration Center Building
Training Resource Center, 2nd Floor

**Upper Mokelumne River Watershed
Authority**

Director Coleman
Director Patterson
Director Katz, Alternate
Director McIntosh, Alternate

4th Friday, quarterly at 1:30 p.m.
McLean Hall, Pardee Center

Business Forum (Ad Hoc)

Meeting dates, times, and location to be determined

Director Patterson, Chair
Director McIntosh
President Mellon
Director Coleman, Alternate

EBMUD/EBRPD Liaison

Meeting dates, times, and location to be determined

Director Linney
Director Katz
Director Young, Alternate
President Mellon, Alternate

Oakland Chamber of Commerce

Director Patterson
Director Linney, Alternate
Director Young, Alternate

Special Districts Association of Alameda County/Special Districts Selection Committee

President Mellon
Director Katz, Alternate

Special Districts Association of Contra Costa County

Director McIntosh
Director Young, Alternate

PRESENTATION

President Mellon presented Director Andy Katz a plaque in recognition of his leadership as President of the Board in 2013 and 2014.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

Addressing the Board were the following persons: 1) Brian Blum, resident of Berkeley, commented that the water rate structure is regressive and suggested that EBMUD implement a structure which reduces fixed costs and increases variable costs to encourage conservation; and 2) Cheryl Franklin, representing AFSCME Local 444, suggested that the District provide instructions to staff on how to report water theft. General Manager Coate reported that a presentation on water theft was given to the Finance/Administration Committee and said that staff would notify employees on how to report instances of water theft.

CONSENT CALENDAR

- Items 1 and 9 were removed from the Consent Calendar for separate discussion.
 - Motion by Director Linney, seconded by Director Coleman, to approve Items 2-8 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 016-15** -- Approved the Special and Regular Meeting Minutes of January 13, 2015.
 - Director Young pulled the Regular Meeting Minutes of January 13 to note a correction to the bill number referenced in the Legislative Report (AB 42 should read AB 142).
 - Motion by Director Young, seconded by Director Linney, to approve the minutes as amended, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).
 2. The following correspondence was filed with the Board: 1) Memorandum dated January 27, 2015 to Board of Directors, from Frank Mellon, President, regarding 2015 Committee Assignments; and 2) Presentation entitled "Water Supply Update," dated January 27, 2015.
 3. **Motion No. 011-15** -- Awarded a contract to the lowest responsive/responsible bidder Univar USA, Inc. in an annual amount, after the addition of taxes, of \$591,500 for supplying bulk liquid lime for the Pardee Chemical Plant for one year, beginning on or after February 1, 2015 with four options to renew for an additional one-year period for a total cost of not to exceed \$2,957,500 under Request for Quotation No. 1505.
 4. **Motion No. 012-15** -- Authorized an agreement beginning on or after January 28, 2015 with Schaaf & Wheeler Consulting Civil Engineers in an amount not to exceed \$830,349 for the design of the Pump Station Q Force Main/Gravity Interceptor Reverse Flow Project and the Urban Runoff Diversion Project.
 5. **Motion No. 013-15** -- Authorized an increase to the contract with the University Corporation at Monterey Bay for a bathymetric survey of Upper San Leandro and Briones Reservoirs from \$45,000 to a not-to-exceed amount of \$120,000 through September 30, 2015.
 6. **Motion No. 014-15** -- Authorized renewal of an agreement with DataBank IMX LLC beginning on or after January 28, 2015 in an amount not to exceed \$8,500 annually for services to maintain OnBase software for the District's Human Resources document management system for one year with four options to renew for an additional one-year period for a total cost of \$42,500. The additional \$42,500 will increase the total cost for DataBank's services under the agreement to \$70,000.

7. **Motion No. 015-15** -- Amended the Pardee Reservoir Recreation Area Concession Management Contract with Pardee Lake Recreation, Inc. to extend the contract by an additional year and to adjust fees and other elements to account for an abbreviated 2015 season resulting from planned construction.
8. **Resolution No. 34022-15** -- Authorize Application To The U.S. Bureau Of Reclamation To Include The Podva Residential Development Annexation In The District's Central Valley Project Contractor Service Area.
9. **Resolution No. 34023-15** -- Appointing Clifford Chan As Operations And Maintenance Department Manager (Maintenance and Construction Department).
 - Director Mellon pulled Item 9 to recognize Mr. Chan. Board members congratulated Mr. Chan on his appointment and he thanked the Board for the opportunity.
 - Motion by Director Mellon, seconded by Director Linney, to approve the recommended action for Item 9, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAINED (None); ABSENT (None).

DETERMINATION AND DISCUSSION

10. Legislative Update.

Manager of Legislative Affairs Marlaigne K. Dumaine reported that Assemblyman Frank Bigelow and Senator Tom Berryhill introduced AB 142 that centers on Wild and Scenic designation for the Mokelumne River. There are no official positions yet but staff will keep the Board apprised as more information becomes available on this measure. President Mellon requested that staff provide the Board with a copy of the bill. Next, Ms. Dumaine provided a brief update on federal legislation related to the drought.

President Mellon announced his schedule of meetings with Sacramento legislators. He asked Board members interested in participating in these meetings to confirm with Secretary Lewis.

11. General Manager's Report.

Operations and Maintenance Department Manager Eileen M. White presented the water supply update. She reported that since the last briefing there has been no rainfall and January 2015 is tracking to be the driest January on record. Customer demand is 36 million gallons per day less than last year and total system storage is 54 percent. California's overall water supply is significantly below average and state water allocations are expected in late February. In concluding, Ms. White reviewed the water supply schedule of activities for Water Year 2015 which will conclude in late April with the Water Supply Availability and Deficiency Report and consideration of approval of using Freeport water. Staff will continue updating the Board.

General Manager Coate reported that staff provided copies of the 2015 Water Shortage Emergency Action Plan Update along with a memorandum that outlines the approach for recording regular EBMUD Board Meetings. The Board raised no questions.

REPORTS AND DIRECTOR COMMENTS

12. Committee Reports.

- Filed with the Board were the Minutes of the January 13, 2015 Legislative/Human Resources Committee.

13. Director Comments.

- Director Coleman reported attending/participating in the following events: Bay Planning Coalition dinner on January 14 in Long Beach; ACWA meeting on January 15 in Los Angeles; ACWA Executive Committee teleconference meeting on January 20 in Oakland; EBMUD/East Bay Leadership Council dinner on January 22 in Concord; Upper Mokelumne River Water Authority (UMRWA) Board meeting on January 23 at Pardee; and ACWA Executive Committee teleconference meeting on January 26. He reported his plans to attend/participate in the following upcoming events: EBMUD presentation for Save Mt. Diablo Executive Council meeting on January 28 in Walnut Creek; ACWA strategic planning meeting on January 29 in Sacramento; ACWA Board meetings on January 30 in Sacramento; ACWA Executive Committee meeting on February 2 in Oakland; and ACWA Executive Committee meeting on February 9 in Oakland.
- Director Katz reported attending/participating in the following events: Alameda County Mayors' Conference on January 14 in Fremont, and the Green California Conference on January 20 in Sacramento.
- Director Linney commented on constituent concerns about water bills. General Manager Coate said staff would provide an information memo summarizing issues related to renters who have concerns about what they are charged for water.
- Director McIntosh reported attending/participating in the following events: ACWA Region 5 Board meeting on January 8; Richmond Chamber of Commerce 2015 installation dinner on January 23; and San Pablo Chamber of Commerce 2015 installation dinner. She asked Secretary Lewis to provide her with a regular reminder of upcoming meetings of the Special Districts Association of Contra Costa County.
- Director Patterson reported on his attendance at the Peralta Community College District's 50th year celebration.
- Director Young reported taking a tour of the District's upcountry facilities including the fish hatchery and Pardee and attending the UMRWA Board meeting as a guest on January 23.

- President Mellon reported on attending/participating in the following events: Alameda County Special Districts meeting on January 14 in Castro Valley; Alameda County Mayors' Conference on January 15 in Fremont; EBMUD Retirement Board meeting on January 15 in Oakland; Castro Valley Kiwanis Club on January 26; and Contra Costa Special Districts Association on January 26 in Martinez. He announced his schedule of meetings with local and state officials and asked Secretary Lewis to provide a copy to all Board members.

Board members thanked and congratulated General Counsel Jylana Collins on her retirement and years of service to the District.

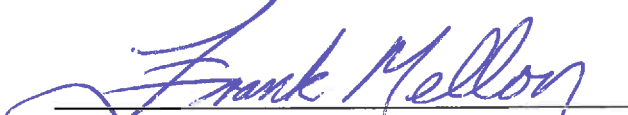
ADJOURNMENT

President Mellon adjourned the meeting at 2:05 p.m.

SUBMITTED BY:


Lynelle M. Lewis, Secretary of the District

APPROVED: February 10, 2015


Frank Mellon, President of the Board

