

MINUTES

Tuesday, November 26, 2019

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

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:56 a.m. in the Administration Building Board Room.

ROLL CALL

Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, Frank Mellon, and President Marguerite Young were present at roll call. Director William B. Patterson arrived in the Board Room at 11:58 a.m.

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Attorney Derek T. McDonald (Items 1a, 2a, 2b, and 2c (second matter)), Engineering Manager Elizabeth Z. Bialek (Items 1a, 2a, and 2b), Attorney Jonathan D. Salmon (Item 2c (first matter)), Director of Water and Natural Resources Michael T. Tognolini (Item 2c (first matter)), Attorney Rachel R. Jones (Item 2c (second matter)), Manager of Customer and Community Services Andrew L. Lee (Item 2c (second matter)), and Manager of Real Estate Services Matt Elawady (Item 2c (second matter)).

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Marguerite Young announced the closed session agenda. The Board convened to Conference Room 8 for discussion.

Regular Business Meeting

President Marguerite Young called to order the Regular Business Meeting of the Board of Directors at 1:17 p.m. in the Administration Building Board Room.

ROLL CALL

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

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Marguerite Young led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- The following persons addressed the Board and asked the District to consider rescinding the lease with Verizon to locate a cell tower at Berryman Reservoir in Berkeley: 1) Lucinda Reinold; 2) Susan Nunes Fadley; 3) Christian Raisner; 4) Angelina De Antonis; and 5) Oliver Raisner.

Director Katz thanked the speakers for their comments and advised staff would be providing a memorandum to the Board regarding this topic.

CONSENT CALENDAR

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Items 1-6, on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 190-19** – Approved the Regular Meeting Minutes of November 12, 2019.
 2. The following correspondence was filed with the Board: **1)** Memorandum dated November 26, 2019, to Board of Directors from Special Assistant to the General Manager Kelly A. Zito regarding Advertising Campaign: Private Sewer Laterals Protect the Bay; **2)** Memorandum dated November 26, 2019, to Board of Directors from General Manager Alexander R. Coate regarding Contra Costa County Civil Grand Jury Request for Information; and **3)** Speakers' Bureau and Outreach Record CY19, dated November 26, 2019.
 3. **Motion No. 191-19** – Awarded a contract to the lowest responsive/responsible bidder, Ranger Pipelines Incorporated, in the amount of \$11,720,100.20 for construction of Wildcat Pipeline Improvement – Berkeley under Specification 2111.
 4. **Motion No. 192-19** – Authorized an agreement beginning on or after December 2, 2019 with Solutionwerks, Inc. in an amount not to exceed \$109,829 for Oxygen Production Plant process support services at the Main Wastewater Treatment Plant.
 5. **Motion No. 193-19** – Authorized an amendment to the agreement awarded under Board Motion No. 005-15 with Perforce Software, Inc. to increase the amount by \$72,000 to a total amount not to exceed \$157,000 for licensing and technical support for Perforce software and extend the term five additional years.

6. **Motion No. 194-19** – Approved the October 2019 Monthly Investment Transactions Report.

DETERMINATION AND DISCUSSION

7. **General Manager's Report.**

General Manager Coate directed the Board's attention to three memoranda at their places regarding the upcoming advertising campaign on private sewer laterals; the latest Speakers and Outreach record; and the District's response to a recent request for information from the Contra Costa Civil Grand Jury.

REPORTS AND DIRECTOR COMMENTS

8. **Committee Reports.**

- Filed with the Board were the Planning and Legislative/Human Resources Committee Minutes of November 12, 2019.

Finance/Administration Committee Chair William B. Patterson reported the Committee met at 8:15 a.m. and received information on the October 2019 Monthly Investment Transactions Report, and the Fiscal Year 2019 Key Performance Indicators Report.

President Young reported the Board met at 8:45 a.m. for the Long-Term Infrastructure Investment Workshop and received updates on the District's current and planned activities to maintain and improve the District's infrastructure.

9. **Other Items for Future Consideration.**

None.

10. **Director Comments.**

- Director Coleman reported attending the East Bay Leadership Council Water Task Force meeting on November 19 in Walnut Creek; Introduction for Assemblymember Rebecca Baurer-Kahan on November 22 in Lafayette; and a meeting regarding EBMUD's Variable Rate Demand Obligations on November 25 in Oakland. He reported on plans to attend the ACWA Conference on December 3-4 in San Diego.
- Director Mellon reported attending the ACWA Board Meeting on November 21 in Sacramento.
- Director Patterson reported attending an East Oakland Bay Area Democratic Club event on November 21 in Oakland.
- President Young reported attending the EBMUD Retirement Board Meeting and the Water Foundation Open House on November 21 in Oakland and plans to speak at a Commonwealth Club meeting on November 26 in San Francisco.
- Directors Katz, Linney, and McIntosh had no report.

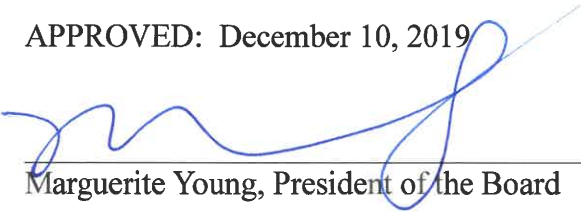
ADJOURNMENT

President Young adjourned the meeting at 1:41 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: December 10, 2019


Marguerite Young, President of the Board