



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

AGENDA

(Amended)

Tuesday, December 12, 2017

REGULAR CLOSED SESSION

11:00 a.m., Board Room

Due to unforeseen circumstances, President Lesa R. McIntosh is unable to attend the Regular Closed Session meeting in person. President McIntosh will however, participate in the meeting by phone from 801 Commodore Drive, Richmond, California 94804.

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. *East Bay Municipal Utility District, et al. v. AMBAC Financial Group, Inc., et al.*
San Francisco County Superior Court, Case No. CJC 08-004555, JCCP No. 4555
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.
3. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.
4. Conference with Labor Negotiators Gregory Ramirez, Glenn Berkheimer and Bruce Heid from the Industrial Employers Distributors Association; Alexander R. Coate, General Manager; Sophia D. Skoda, Director of Finance; and Laura A. Brunson, Manager of Human Resources, pursuant to Government Code section 54957.6: Employee Organizations International Union of Operating Engineers, Local 39; American Federation of State, County and Municipal Employees, Locals 444 and 2019; and International Federation of Professional & Technical Engineers, Local 21.
5. Conference with Board designated representatives Lesa McIntosh, William B. Patterson 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 8)

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

Due to unforeseen circumstances, President Lesa R. McIntosh is unable to attend the Regular Business meeting in person. President McIntosh will however, participate in the meeting by phone from 801 Commodore Drive, Richmond, California 94804.

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 2 resolutions.)

1. Approve the Special and Regular Meeting Minutes of November 28, 2017.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder Core and Main in an amount, after the addition of taxes, not to exceed \$463,863 for supplying 22,000 feet of ductile iron pipe and fittings for the Humboldt Avenue Pipeline Replacement Project beginning on or after December 13, 2017 under Request for Quotation No. 1806.
4. Award a contract to the lowest responsive/responsible bidder Sterling Computers in an amount, after the addition of taxes, not to exceed \$670,000 for supplying Dell 2-in-1 computers to the District for a one-time purchase, beginning on or after December 13, 2017.
5. Authorize a direct award contract beginning on or after December 13, 2017 with Galindo Construction Company, Inc. in an amount not to exceed \$200,000 annually for debris removal in Pardee Reservoir for three years with two options to renew for an additional one-year period for a total cost of \$1,000,000.
6. Authorize an agreement beginning on or after December 12, 2017 with Sensus USA, Inc. in an amount not to exceed \$1,981,975 for Advanced Metering Infrastructure (AMI) meters, AMI collector construction, and services related to the AMI Water and Energy Study.
7. Authorize an agreement beginning on or after December 12, 2017 with Stantec Consulting Services, Inc., successor following merger with MWH Americas, Inc., in an amount not to exceed \$4,389,849 for design services for the Water Treatment Plant Chemical Systems Safety Improvements Project.
8. Authorize the General Manager to enter into an agreement with the Dublin San Ramon Services District (DSRSD) - East Bay Municipal Utility District Recycled Water Authority (DERWA), DSRSD, and City of Pleasanton for the allocation of state and federal funding of the DERWA Phase 2 Recycled Water Treatment Plant Expansion Project.

CONSENT CALENDAR: (Continued)

9. Authorize a resolution to amend District participation in California State Disability Insurance and Paid Family Leave Insurance programs to include District employees in Management, Confidential and Unrepresented classifications, including non-civil service, not assigned, special non-civil service, and officer/civil service exempt employees. (Resolution)
10. Amend Position Resolution No. 35052-17 to add two confidential positions in the Human Resources Department: one Limited-Term (LT) Administrative Clerk, Confidential and one LT Human Resources Technician. (Resolution)

DETERMINATION AND DISCUSSION:

11. Consider, approve, or reject, a request from Viridis Fuels, LLC to further defer payment of the previously deferred Additional Value payment in the amount of \$260,000 until June 1, 2018.
12. Legislative Update:
 - State Legislative Initiatives for 2018 Legislative Year
 - Update on Legislative Issues of Interest to EBMUD
13. General Manager's Report:
 - Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2018 and a Summary of the 2017 Committee and Workshop Topics
 - Monthly Report – November 2017

REPORTS AND DIRECTOR COMMENTS:

14. Committee Reports:
 - Planning
 - Legislative/Human Resources
15. Other Items for Future Consideration.
16. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 9, 2018 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, December 12	Planning Committee Mellon {Chair}; Linney; Young	8:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Orinda Water Treatment Plant Disinfection Improvements Project Update • Los Vaqueros Reservoir Expansion Project Update • CEQA Compliance for East Bay Watershed Mater Plan Update • Regulation of Cannabis Facilities • State Legislative Initiatives for 2018 • Legislative Update • Management, Confidential and Unrepresented Employees Requests to Join California State Disability Insurance and Paid Family Insurance Programs • Amendment to Position Resolution No. 35052-17 • Closed Session • Regular Meeting
	Legislative/Human Resources Committee Coleman {Chair}; Patterson; Young	10:00 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Monday, December 25	Christmas Day		<i>District offices will be closed</i>
Tuesday, December 26	Finance/Administration Committee Patterson {Chair}; Coleman; Mellon		<i>Cancelled</i>
	Board of Directors		<i>Cancelled</i>
Monday, January 1	New Year's Day		<i>District offices will be closed</i>
Tuesday, January 9	Planning Committee Mellon {Chair}; Linney; Young	9:15 a.m. Training Resource Center	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
	Legislative/Human Resources Committee Coleman {Chair}; Patterson; Young	10:15 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Monday, January 15	Martin Luther King, Jr. Day		<i>District offices will be closed</i>