



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

---

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

---

**AGENDA  
Tuesday, February 25, 2020**

**REGULAR CLOSED SESSION  
11:00 a.m., Boardroom**

**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(a):
  - a. *Timothy Alford, et al. v. East Bay Municipal Utility District, et al.*  
Contra Costa County Superior Court, Case No. MSC16-01348
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
  - a. Town of Moraga  
Claim No. 2017-L-290
  - b. William Strauss and Suzanne Strauss  
Claim No. 2018-L-076
  - c. Two matters.

*(The Board will convene to Conference Room 8 to discuss Closed Session agenda items.)*

**REGULAR BUSINESS MEETING  
1:15 p.m., Boardroom**

**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 11 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of February 11, 2020.
2. File correspondence with the Board.
3. Award a contract to NuSpective, Inc., in an amount, after the addition of taxes, not to exceed \$460,000 for supplying next generation firewall hardware, software, support, and implementation services for three years, beginning on or after February 25, 2020.
4. Authorize an agreement beginning on or after February 25, 2020 with Kleen Solution Environmental in an amount not to exceed \$33,000 annually for two years with two options to renew for additional one-year periods for a total cost of \$132,000 for hauling and disposal of wastewater digester spoils from the Main Wastewater Treatment Plant.
5. Authorize an agreement beginning on or after February 25, 2020 with Mott MacDonald Group, Inc., in an amount not to exceed \$1,290,000 for the design and construction inspection services of the Oakland Inner Harbor pipeline crossing.
6. Authorize an agreement beginning on or after February 25, 2020 with South Bayside Waste Management Authority to waive the tip fee for loads of processed liquid food waste in support of a pilot project to assess the effectiveness of new equipment in extracting organics from municipal solid waste.
7. Authorize an agreement beginning on or after February 25, 2020 with West County Wastewater District for providing treated secondary effluent to the District's North Richmond Water Recycling Plant and Richmond Advanced Recycled Water Expansion facility for 10 years in an amount not to exceed \$4,000,000.
8. Authorize an agreement beginning on or after February 25, 2020 with WSP USA, Inc., in an amount not to exceed \$3,424,300 for planning and engineering services for the Mokelumne Aqueducts Delta Tunnel.
9. Authorize a third amendment to the agreement awarded under Board Motion No. 133-15 with Western Area Power Administration to extend the termination date from September 30, 2020 to December 31, 2024 for electricity purchases at District facilities under the Custom Product Contract for Scheduling Coordinator Services Agreement.
10. Approve the January 2020 Monthly Investment Transactions Report.

**CONSENT CALENDAR:** (Continued)

11. Take actions related to the amendment of the District's existing Long Term Renewal Contract with the United States Bureau of Reclamation (Reclamation) for Central Valley Project (CVP) water service to convert the Long Term Renewal Contract to a permanent Repayment Contract.  
(Resolution)
  - 11.1. Make the following determinations regarding California Environmental Quality Act (CEQA) compliance:
    - a. The Freeport Regional Water Project Environmental Impact Report/Environmental Impact Statement (Freeport Project EIR/EIS) fully analyzed the potential effects of diverting water under the District's Long Term Renewal Contract and under that contract as amended by conversion to a permanent Repayment Contract.
    - b. None of the conditions exist requiring preparation of subsequent or supplemental CEQA review pursuant to Public Resources Code section 21166 or CEQA Guidelines section 15162.
    - c. The District's Long Term Renewal Contract as amended by conversion to a Repayment Contract falls within the scope of the project analyzed in the Freeport Project EIR/EIS.
    - d. No further CEQA review is required.
  - 11.2. Make additional findings and determinations regarding the conversion of the District's Long Term Renewal Contract to a permanent Repayment Contract, approve the conversion, and direct the General Manager to execute a converted contract in substantially the same form attached to the enclosed Resolution.
  - 11.3. Authorize District staff to make an accelerated repayment of the District's outstanding share of the costs of construction of CVP facilities, as calculated in accordance with the Repayment Contract's terms, applicable law, and duly-adopted Reclamation policies. The accelerated payments will include an initial payment of approximately \$72,969 upon execution of the amended contract and additional payments currently estimated at approximately \$800,000 between now and 2030.

**DETERMINATION AND DISCUSSION:**

12. Amend the Fiscal Year 2020 Water System budget in the amount of \$24,000,000 and the Wastewater System budget in the amount of \$5,000,000 to pay down a portion of each system's outstanding commercial paper.  
(Resolution)
13. General Manager's Report:
  - Water Supply Update

**REPORTS AND DIRECTOR COMMENTS:**

14. Committee Reports:
  - Planning
  - Legislative/Human Resources
  - Finance/Administration
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, March 10, 2020 in the Administration Center Boardroom, 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 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

## BOARD CALENDAR

Date	Meeting	Time/Location	Topics
<b>Tuesday, February 25</b>	<b>Finance/Administration Committee</b> Patterson {Chair}, Coleman, Katz	8:15 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Fiscal Year 2020 Semi-Annual Budget Performance Report</li> <li>• Fiscal Year 2020 Water and Wastewater Systems' Budget Amendment for Commercial Paper Pay Down</li> <li>• Interest Rate Swap Portfolio Summary Report</li> <li>• 2020 Strategic Plan Update</li> <li>• Monthly Investment Transactions Report</li> <li>• Quarterly Financial Reports</li> </ul>
	<b>Long-Term Water Supply Workshop</b>	9:00 a.m. Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	
<b>Tuesday, March 10</b>	<b>Planning Committee</b> Linney {Chair}, McIntosh, Mellon	9:15 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}, McIntosh, Patterson	10:15 a.m. Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	
<b>Tuesday, March 24</b>	<b>Finance/Administration Committee</b> Patterson {Chair}, Coleman, Katz	TBD Training Resource Center	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Financial Stability Workshop</b>	TBD Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	
<b>Tuesday, March 31</b>	<b>Cesar Chavez Day 2020</b>		<i>District Offices Closed</i>