



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, July 11, 2017**

**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. 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. Waste Management of Alameda County, Inc.
Claim No. 2017-L-183-1
3. Conference with Labor Negotiators Bruce Heid and Glenn Berkheimer from the Industrial Employers Distributors Association, Alexander R. Coate, Laura A. Brunson and David Pak 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.

(The Board will hold Closed Session in Conference Room 8)

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

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 13 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of June 27, 2017.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Armorcast Products Company, Inc., in the estimated annual amount of \$352,383, after the addition of taxes, for supplying polymeric concrete vault/meter boxes and covers for three years, beginning on or after July 18, 2017, with two options to renew for an additional one-year period for a total cost of \$1,761,915 under Request for Quotation No. 1716.
4. Award a contract to the lowest responsive/responsible bidder, Anderson Pacific Engineering Construction, Inc., in the amount of \$2,674,000 for construction of the Main Wastewater Treatment Plant Gallery Drainage and Piping Improvements Project under Specification SD-341.
5. Authorize an agreement beginning on or after July 11, 2017 with Westin Engineering, Inc., in an amount not to exceed \$104,200 for reviewing the District's work management systems and advising the District on developing a project roadmap for modernizing these systems.
6. Authorize an amendment to the agreement beginning July 12, 2017 with Aspen Technology, Inc., in an amount not to exceed \$218,000 for software for the District's operations/network data historian system through June 30, 2022.
7. Approve assignment of the lease for grazing in the East Bay watershed originally awarded under Board Motion No. 127-12 on September 24, 2012 from Alfred Mendoza to John Hoover.
8. Authorize a cost-share agreement with the United States Department of the Interior, Bureau of Land Management for the District to contribute a one-half share, not to exceed \$300,000, of the costs to construct a remediation project at a legacy contaminated mine tailing site partially on District property near Camanche Reservoir and determine this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15330 of the CEQA Guidelines.
9. Approve the Water Supply Assessment requested by the City of San Leandro for the Bay Fair Transit-Oriented Development Specific Plan pursuant to California Water Code, Sections 10910-10915.
10. Authorize the Office of General Counsel to continue the employment of the law firm of Ellison, Schneider Harris & Donlan, LLP, for specialized legal services related to water and energy law and litigation matters.
11. Authorize the Office of General Counsel to continue the employment of the law firm of Liebert Cassidy Whitmore for specialized legal services related to labor and employment matters.
12. Authorize the Office of General Counsel to employ the law firm of Somach Simmons & Dunn for services of special counsel related to providing representation in litigation arising under the California Environmental Quality Act and/or the National Environmental Policy Act.

CONSENT CALENDAR: (Continued)

13. Approve an application to the Alameda County Local Area Formation Commission to initiate a reorganization of the District's Service Area Boundary with the City of Hayward, consistent with the Agreement on Water Service Boundary within the City of Hayward executed by the East Bay Municipal Utility District and the City of Hayward on May 4, 2016. (Resolution)

PUBLIC HEARING:

14. Conduct a public hearing to consider revisions to the water and wastewater systems schedules of rates and charges, capacity charges and other fees recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2018 and 2019.

DETERMINATION AND DISCUSSION:

15. Adopt the following rates, charges, fees, and regulations for Fiscal Year 2018 and Fiscal Year 2019: (Resolutions)
- 15.1. Adopt the rates and charges subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2018 and 2019 submitted to the Board of Directors on June 13, 2017.
- 15.2. Adopt drought surcharges subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2018 and 2019 submitted to the Board of Directors on June 13, 2017.
- 15.3. Adopt the rates, charges, fees and regulations not subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2018 and 2019 submitted to the Board of Directors on June 13, 2017.
16. Adopt the Position Resolution for Fiscal Year 2018 and 2019 to implement necessary staffing and classification changes. (Resolution)
17. General Manager's Report:
- Six-Month Forecast of Board Committee and Workshop Agenda Topics and Summary of 2017 Committee and Workshop Topics
 - 2017 State of the District Address and Recognition Program Launch
 - Monthly Report – June 2017

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 25, 2017 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, July 11	Finance/Administration Committee Patterson {Chair}; Coleman; Mellon	8:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Water Theft Penalty Ordinance
	Planning Committee Mellon {Chair}; Linney; Young	10:00 a.m. Training Resource Center	<ul style="list-style-type: none"> • Lead Sampling at K-12 Schools • DREAM Project Update • Work Management Systems Replacement Project
	Legislative/Human Resources Committee Coleman {Chair}; Patterson; Young		<i>Cancelled</i>
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 25	Sustainability/Energy Committee Young {Chair}; Katz; Linney	TBD Training Resource Center	
	Finance/Administration Committee Patterson {Chair}; Coleman; Mellon	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
Tuesday, August 8	Planning Committee Mellon {Chair}; Linney; Young	9:15 a.m. Training Resource Center	
	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.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting