



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, February 23, 2016**

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. *George Mastorakis v. East Bay Municipal Utility District*
WCAB No. ADJ388298
 - b. *Raul Gutierrez v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG15767981
 - c. 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):
one matter.

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

REGULAR BUSINESS MEETING

1:15 p.m., Board Room

*Director John A. Coleman will participate by telephone from
1127 Connecticut Avenue, NW, Washington, DC 20036*

ROLL CALL:

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 16 recommendations including 5 Resolutions.)

1. Approve the Regular Meeting Minutes of February 9, 2016.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Ahtna Government Services Corporation, in the amount of \$249,631 for construction of the Main Wastewater Treatment Plant Motor Control Center Replacement Phase 1 Project under Specification SD-352.
4. Award a contract and authorize an agreement relating to construction for the Main Wastewater Treatment Plant Digester Nos. 6, 9, 10, and 11 Coating Repairs Project.
 - 4.1. Award a contract to the lowest responsive/responsible bidder, F.D. Thomas, Inc., in the amount of \$4,695,769 for construction of the Main Wastewater Treatment Plant Digester Nos. 6, 9, 10, and 11 Coating Repairs Project under Specification SD-372.
 - 4.2. Authorize an agreement beginning on or after February 23, 2016, with Whitley Burchett & Associates in an amount not to exceed \$400,000 for design services during construction of the Main Wastewater Treatment Plant Digester Nos. 6, 9, 10, and 11 Coating Repairs Project under Specification SD-372.
5. Award a contract and authorize an agreement for construction at the Orinda Water Treatment Plant.
 - 5.1. Award a contract to the lowest responsive/responsible bidder, C. Overaa & Co., in the amount of \$8,220,000 for construction of the Orinda Water Treatment Plant Reliability and Maintenance – Filter Underdrain Replacements under Specification 2095.
 - 5.2. Authorize an agreement with PMA Consultants, LLC in an amount not to exceed \$192,557 to provide construction scheduling services for the Orinda Water Treatment Plant Reliability and Maintenance – Shutdowns, Hypochlorite, and Electrical Improvements Project.
6. Authorize an agreement with AECOM Technical Services, Inc. in an amount not to exceed \$362,112 to complete a Value Engineering (Planning Phase) Study for the Central Reservoir Replacement Project.
7. Authorize an agreement beginning on March 1, 2016 in an estimated amount of \$311,592 with Honeywell International Inc. for control system maintenance support services for five years.
8. Authorize a direct award purchase from Trayer Engineering Corporation in the estimated amount of \$130,000 including tax, for a 12KV switch with a high-voltage enclosure for the District's Camanche Powerhouse.
9. Amend the concession contract with Pardee Lake Recreation, Inc., including a payment of \$118,444, to address compensation, operations and schedule changes resulting from unforeseen construction delays at the Pardee Reservoir Recreation Area.

CONSENT CALENDAR: (Continued)

10. Adopt Principles of Agreement between Contra Costa Water District (CCWD) and East Bay Municipal Utility District (EBMUD) regarding use of EBMUD's Freeport Regional Water Project and CCWD's Los Vaqueros Reservoir.
11. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contract and procurement, claims, trademark services, pension, employment, and litigation matters.
12. Authorize a twenty-five year lease with East Bay Regional Park District for a total of 1,213.75 acres consisting of Chabot Reservoir and adjacent properties. (Resolution)
13. Authorize the purchase of a forty-five acre parcel adjacent to the District's watershed property along the Mokelumne River for \$244,000, from the Fuller Family Partnership. (Resolution)
14. Authorize a third amendment to the agreement for employment of General Manager. (Resolution)
15. Authorize a second amendment to the agreement for employment of General Counsel. (Resolution)
16. Appointment of Treasury Manager. (Resolution)

DETERMINATION AND DISCUSSION:

17. Legislative Update:
 - Receive Legislative Report No. 02-16 and consider positions on the following bills: SB 971 (Committee on Governance and Finance) Validations; SB 972 (Committee on Governance and Finance) Validations; SB 973 (Committee on Governance and Finance) Validations; and S. 2533 (Feinstein) California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act
 - Update on Legislative Issues of Interest to EBMUD
18. Authorize an agreement with AECOM Technical Services, Incorporated, in an amount not to exceed \$2,257,763 for consultant services related to completing the Phase 1 Geotechnical Exploration Program.
19. General Manager's Report:
 - Water Supply Update
 - Water Sales Projections
 - 2016 Critical Drought Action Plan Update

REPORTS AND DIRECTOR COMMENTS:

20. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Finance/Administration
21. Other Items for Future Consideration.
22. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 8, 2016 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, February 23	Finance/Administration Committee Coleman {Chair}, Katz, Patterson Board of Directors	10:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • FY16 Semi-Annual Budget Performance Report • Major Wastewater Infrastructure Capital Improvements • Closed Session • Regular Meeting
Tuesday, March 8	Planning Committee Linney {Chair}, McIntosh, Young Legislative/Human Resources Committee Patterson {Chair}, Coleman, Young Long-Term Water Supply Workshop Board of Directors	TBD Training Resource Center TBD Training Resource Center 9:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, March 22	Finance/Administration Committee Coleman {Chair}, Katz, Patterson Board of Directors	10:00 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Thursday, March 31	Cesar Chavez' Birthday Holiday		<i>District Offices Closed</i>
Tuesday, April 12	Planning Committee Linney {Chair}, McIntosh, Young Legislative/Human Resources Committee Patterson {Chair}, Coleman, Young Board of Directors	9:15 a.m. Training Resource Center 10:15 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting