

MINUTES

Tuesday, March 22, 2016

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

Regular Closed Session Meeting

President Frank Mellon called to order the Regular Closed Session Meeting of the Board of Directors at 12:29 p.m. in the Administration Center Board Room.

ROLL CALL

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

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant to the General Counsel Xanthe M. Berry (Items 1a and 1b); Management Analyst Michael J. Pattenaude (Item 1a); Director of Wastewater Bennett K. Horenstein (Item 1b); Manager of Wastewater Engineering Vincent P. De Lange (Item 1b); Attorney Jonathan D. Salmon (Item 1b); Engineering Manager Elizabeth Z. Bialek (Item 1b); Senior Civil Engineer Atta B. Yiadom (Item 1b); Engineering Manager Serge V. Terentieff (Item 1b); Attorney Derek T. McDonald (Item 1b); Operations and Maintenance Department Manager Clifford C. Chan (Item 1b); and Attorney Lourdes Matthew (Item 1b).

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Frank Mellon announced the closed session agenda. The Board convened to Conference Room 8a/b for discussion.

Regular Business Meeting

President Mellon called to order the Regular Business Meeting of the Board of Directors at 1:38 p.m. in the Administration Center Board Room.

ROLL CALL

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

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, and Secretary of the District Lynelle M. Lewis.

BOARD OF DIRECTORS

President Mellon led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PRESENTATION

General Manager Alexander R. Coate presented background information on the Champion of Youth Advocacy Award. He said that in the summer of 2015, the District's Diversity & Inclusion Office partnered for the first time with Earn & Learn East Bay and the Contra Costa County Office of Education to provide eight work-based learning experiences for high school students from the West Contra Costa County Unified School District. District supervisors and staff from Operations and Maintenance, Information Systems, and Customer and Community Services pledged their time to these students during a 6-week, 150-hour summer internship. The youth had the opportunity to explore many careers including those in the welding trades, information technology, customer service, and natural resources. He noted that the experience the District provided will undoubtedly impact these local youths' abilities to be successful in their future education and employment endeavors.

The Board recognized the following District staff who participated in this experience: Supervisor of Water Conservation Charles M. Bohlig (not present), Construction and Maintenance Superintendent James E. Bradley, Information Services Supervisor Leo M. Cinco, General Pipe Supervisor John L. Ford, Instrument Supervisor Clay L. Pace, Construction and Maintenance Superintendent Antonio Martinez, Human Resources Analyst Brian M. Noeth, Senior Human Resources Analyst Katherine S. Tate, Diversity and Inclusion Officer Dorian West Blair, and Manager of Human Resources Laura A. Brunson (not present). President Mellon and Director Patterson thanked staff and said their commitment to sharing EBMUD and our unique job opportunities supports the District's long-term efforts to develop a pipeline of diverse candidates for our future workforce needs. Director McIntosh presented the award to staff and the Board applauded staff for this recognition.

PUBLIC COMMENT

- Addressing the Board was Tim Alford who commented on a recent landslide in Moraga involving District property and the subsequent damage to several homes in the area. He said that no one from EBMUD has responded to requests to meet regarding this incident. President Mellon said that the Board is limited in its response because of potential legal issues. Following discussion, General Manager Coate said he would follow up with Mr. Alford.

CONSENT CALENDAR

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Items 1-7 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 056-16** – Approved the Special and Regular Meeting Minutes of March 8, 2016.
 2. The following correspondence was filed with the Board: 1) Presentation entitled “Adopt Revised Drought Management Program Guidelines,” dated March 22, 2016; and 2) Presentation entitled “Water Supply Board Briefing,” dated March 22, 2016.
 3. **Motion No. 057-16** – Awarded a contract to the lowest responsive/responsible bidder, KW Emerson, in an amount not to exceed \$359,316 for construction of an Americans with Disabilities Act accessible ramp for visitors to the Camanche South Shore marina.
 4. **Motion No. 058-16** – Authorized a sole source contract with GE Energy Power Conversion USA, Inc. in an amount, after the addition of taxes, not to exceed \$250,000 for the purchase of spare parts for the main pump drive systems at the Main Wastewater Treatment Plant influent and effluent pump stations.
 5. **Motion No. 059-16** – Authorized a sole source agreement beginning on or after April 1, 2016 with Sanexen Water, Inc. in an amount not to exceed \$1,850,000 for structural rehabilitation of Asbestos Cement water mains using a cured-in-place pipe lining system.
 6. **Motion No. 060-16** – Authorized an agreement with AECOM Technical Services, Inc. in an amount not to exceed \$224,127 to perform a geophysical survey, potholing, soil characterization, and a pipeline condition assessment for the Crockett Aqueduct Realignment Study.
 7. **Motion No. 061-16** – Extended the contract awarded to Sage Designs, Inc. on April 14, 2009 under Board Motion 042-09 from April 14, 2016 to April 14, 2021 to continue supplying Remote Terminal Units and accessories to the District for an estimated annual amount of \$70,804 and a total amount of \$354,020.

DETERMINATION AND DISCUSSION

8. Legislative Update.

Manager of Legislative Affairs Marlaigne K. Dumaine said that Legislative Report No. 04-16 contained three bills for consideration.

- Motion by Director McIntosh, seconded by Director Patterson, to approve the recommended actions in Legislative Report No. 04-16, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 062-16 – Received Legislative Report No. 04-16 and approved positions on the following bills: SUPPORT AB 1928 (Campos) Water Efficiency: Landscape Irrigation Equipment; SUPPORT ACA 8 (Bloom) Local Government Financing: Water Facilities and Infrastructure: Voter Approval; and SUPPORT SB 995 (Pavley) Well Standards.

9. **Adopt Resolution Supporting Measure AA, the “San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program.”**

- Motion by Director Young, seconded by Director Coleman, to approve the recommended action for Item 9, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 34074-16 – Supporting Measure AA, The San Francisco Bay Restoration Authority’s Cleanwater, Pollution Prevention And Habitat Restoration Special Parcel Tax Measure.

10. **Adopt Resolution Supporting the Ratification of SB 270 on the “Referendum to Overturn Ban on Single-Use Plastic Bags.”**

- Motion by Director Coleman, seconded by Director Young, to approve the recommended action for Item 10, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 34075-16 – Supporting Ratification Of SB 270 On Referendum To Overturn Ban On Single-Use Plastic Bags.

11. **Adopt Revised Drought Management Program (DMP) Guidelines.**

Director of Water and Natural Resources Richard G. Sykes presented the recommended action. This action would revise the District’s current DMP Guidelines to allow flexibility in the first year of a drought when considering District response to customer demand reduction levels, acquiring Central Valley Project and supplemental water supply, and State Water Resources Control Board’s (SWRCB) mandatory conservation requirements. Staff is recommending changes to the DMP Guidelines based on experience gained during this current drought. The recommended changes would provide additional flexibility to enable the District to consider earlier drought actions which are advantageous and to meet the SWRCB’s mandatory water reduction targets. There was discussion about the trigger to establish the level of customer water use reduction for Stages 1 and 2.

- Motion by Director Coleman, seconded by Director Linney, to approve the recommended action for Item 11, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Patterson, Young, and Mellon); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 063-16 – Adopted the Revised Drought Management Program Guidelines.

12. General Manager's Report.

Operations and Maintenance Department Manager Eileen M. White presented updates on the statewide and local water supply. She reported on the following Water Year 2016 results: Mokelumne River basin runoff is 284 thousand acre feet (TAF); projected end of water year storage is 610-630 TAF (90% - 10% exceedance); Mokelumne River watershed season to date precipitation is 114% of average; East Bay watershed season to date precipitation is 107% of average; and the precipitation accumulation season is 80% complete. She also reported that snowpack has improved significantly since 2015 (88% of normal on March 21 compared to 10% in 2015). As a result of the above normal precipitation in the Mokelumne watershed, the Pardee Reservoir has risen significantly and full power generation operations are occurring.

The upcoming water supply schedule activities include: U. S. Bureau of Reclamation initial water allocation in late March; water supply updates and continued public outreach March through April; Department of Water Resources Snow Survey April 1; and Water Supply Availability and Deficiency Report presentation and consideration of changes in the drought stage on April 26. There was discussion about how the District would be communicating its conservation message if our system is full and how the excessive use penalty would be applied. General Manager Coate said that the District is waiting for the state to issue its drought guidelines before considering any modification to EBMUD's Drought Management Program.

General Manager Coate reported that staff had provided the Board with information on the 2016 Critical Drought Action Plan Update and the Excessive Use Penalty report. He announced that the California Water Policy Conference would be held April 20-21 at U.C. Davis and that staff would be scheduling a Water Conservation Workshop on May 10.

REPORTS AND DIRECTOR COMMENTS

13. Committee Reports.

- Filed with the Board were the Legislative/Human Resources Committee Minutes of March 8, 2016.

14. Other Items for Future Consideration.

None.

15. Director Comments.

- Director Coleman reported attending/participating in the following events: Presentation to the Walnut Creek Garden Club on March 8 in Walnut Creek; Dublin San Ramon/EBMUD Recycled Water Authority Board of Directors teleconference meeting on March 14 from Washington, D.C.; meetings from March 14-18 in Washington, D.C.; Association of California Water Agencies (ACWA) Excellence In Leadership teleconference call on March 21 in Oakland; and the Water Advisory Council meeting with Assemblywoman Catharine Baker on March 21 in Oakland. He reported on plans to attend/participate in the following upcoming

events: ACWA Executive Board meeting on March 24 in San Ramon; ACWA Board of Directors meeting on March 25 in Sacramento; East Bay Council Task Force meeting on April 1 in Oakland; ACWA teleconference meeting on April 6 in Oakland; and Freeport Regional Water Authority Board of Directors meeting on April 7.

- Director Katz had no comment.
- Director Linney announced that he would be traveling to the Grand Canyon from March 30 through April 7.
- Director McIntosh announced that she would not be able to attend the Contra Costa County Special Districts Association meeting on April 20.
- Director Patterson reported attending/participating in the following events: ACWA 2016 Legislative Symposium on March 9 in Sacramento; Oakland Unified School District meeting on March 10 in Oakland; Urban Strategies Council Retreat on March 12 in Oakland; meeting with EBMUD Board member Marguerite Young on March 14 in Oakland; Oakland Unified School District meeting on March 17 in Oakland; and the UniverSoul Circus event receiving honor as an Oakland Civil Rights Legend on March 20 in Oakland.
- Director Young announced that it was World Water Day.
- President Mellon reported attending/participating in the following events: Presentation on drought and water issues to the Hispanic Realtors Association on March 11 in Castro Valley; presentation on water supply and water issues to the East Bay Realtors Association on March 16 in Castro Valley; and presentation on the Chabot Dam Upgrade Project to the City of San Leandro on March 21.

ADJOURNMENT

President Mellon closed the meeting in recognition of World Water Day which is celebrated on March 22. The day focuses attention on the importance of fresh water and advocates for the sustainable management of freshwater resources.

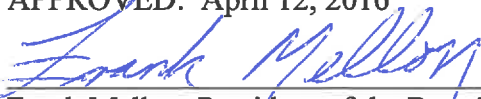
President Mellon adjourned the meeting at 2:47 p.m.

SUBMITTED BY:



Lynelle M. Lewis, Secretary of the District

APPROVED: April 12, 2016



Frank Mellon, President of the Board