



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

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**AGENDA  
Tuesday, March 28, 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. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): two matters.
2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding conditions and terms of payment for the telecommunications site leases for the East Bay Regional Communications System Authority. East Bay Municipal Utility District negotiators: Sherri A. Hong, Manager of Customer & Community Services, and Matt Elawady, Manager of Real Estate Services. Negotiating parties: East Bay Municipal Utility District and the East Bay Regional Communications System Authority.
3. Conference with Labor Negotiators Bruce Heid and Glenn Berkheimer from the Industrial Employers Distributors Association, Alexander R. Coate, Sophia D. Skoda, 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.
4. Conference with Board designated representatives Lesa R. 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**

**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 7 recommendations, including 2 resolutions.)

1. Approve the Special and Regular Meeting Minutes of March 14, 2017.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, C. Overaa & Co., in the amount of \$3,219,000 for construction of the Main Wastewater Treatment Plant Primary Sedimentation Tanks Rehabilitation, Phase 4 under Specification SD-388.
4. Authorize a second amendment to the agreement with SR Bray LLC, dba Power Plus approved under Board Motion No. 018-16 dated January 26, 2016, to increase the authorization by \$133,440, to an amount not to exceed \$356,370, for the rental of a standby generator at Lafayette Water Treatment Plant beginning on or after March 28, 2017.
5. Approve the assignment of the contracts for liquid oxygen supply and system maintenance for Upper San Leandro Reservoir originally awarded under Board Motion No. 070-16 on April 26, 2016, from Air Liquide, to Airgas USA, LLC.
6. Approve revisions to the following District policies: Policy 2.25 – Equal Employment Opportunity and Policy 2.26 – Prevention of Sexual Harassment in the Workplace. (Resolution)
7. Appointment of Secretary of the District. (Resolution)

**DETERMINATION AND DISCUSSION:**

8. Legislative Update:
  - Receive Legislative Report No. 04-17 and consider positions on the following bills: AB 594 (Irwin) Water Supply Planning: California Environmental Quality Act: Photovoltaic or Wind Energy Generation Facility and SB 49 (De Leon) California Environmental, Public Health and Workers Defense Act of 2017
  - Update on Legislative Issues of Interest to EBMUD
9. General Manager's Report:
  - Storm Operations Update

**REPORTS AND DIRECTOR COMMENTS:**

10. Committee Reports:
  - Planning
  - Finance/Administration
11. Other Items for Future Consideration.
12. Director Comments.

**ADJOURNMENT:**

*The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, April 11, 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 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
Tuesday, March 28	<p><b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Mellon</p> <p><b>Long-Term Water Supply Workshop</b></p> <p><b>Board of Directors</b></p>	<p>9:00 a.m. Training Resource Center</p> <p>9:30 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Franchise Tax Board Intercept Collection Pilot Program</li> <li>• Private Well Water Testing</li> <li>• Revisions to District Policies</li>   <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
Wednesday, March 29	<p><b>EBMUD/EBRPD Liaison Committee</b> Linney, Mellon</p>	<p>2:00 p.m. Training Resource Center</p>	<ul style="list-style-type: none"> <li>• Chabot Dam Seismic Upgrade Project</li> <li>• Upper San Leandro Reservoir Water Storage Management</li> <li>• Update on San Leandro Creek Watershed Plan</li> <li>• Update on East Bay Watershed Master Plan</li> <li>• Redwood Canyon Public Golf Course</li> </ul>
Friday, March 31	<p><b>Cesar Chavez's Birthday</b></p>		<p><i>District offices will be closed</i></p>
Tuesday, April 11	<p><b>Planning Committee</b> Mellon {Chair}; Linney; Young</p> <p><b>Legislative/Human Resources Committee</b> Coleman {Chair}; Patterson; Young</p> <p><b>Budget Workshop #3</b></p> <p><b>Board of Directors</b></p>	<p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>