

MINUTES

Tuesday, April 11, 2017

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

Regular Closed Session Meeting

President Lesa R. McIntosh called to order the Regular Closed Session Meeting of the Board of Directors at 11:30 a.m. in the Administration Center Board Room.

ROLL CALL

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

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant General Counsel Xanthe M. Berry (Items 1a, 2a and 2b), Risk Manager Karen K. Curry (Item 1a and 2a), Assistant General Counsel Fred S. Etheridge (Item 1b), Director of Water and Natural Resources Richard G. Sykes (Item 1b), Director of Engineering and Construction Xavier J. Irias (Item 1b), Manager of Customer and Community Services Sherri A. Hong (Item 2b), Attorney Lourdes Matthew (Item 3) Director of Finance Sophia D. Skoda (Item 3), Human Resources Manager Laura A. Brunson (Item 3), Manager of Employee Relations David M. Pak (Item 3), and Industrial Employers Distributors Association representatives Glenn Berkheimer and Bruce Heid (Item 3).

PUBLIC COMMENT

- Addressing the Board were the following: 1) Mark Foley, President, AFSCME Local 2019, commented on negotiations; 2) Jay Morgan, Negotiating Team Member, AFSCME Local 2019, commented on Local 2019's equity adjustment proposal for Senior Programmer Analysts; 3) George Cleveland, 1st Vice-President, AFSCME Local 2019, commented on Local 2019's equity adjustment proposal for Materials Testing Technicians; and 4) Jae Park, Negotiating Team Member, AFSCME Local 2019, commented on Local 2019's equity adjustment proposal for Associate Electrical and Associate Control Engineers.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Lesa R. McIntosh announced the Closed Session agenda. The Board convened to Conference Room 8 for discussion.

Regular Business Meeting

President Lesa R. McIntosh called to order the Regular Business Meeting of the Board of Directors at 1:18 p.m. in the Administration Center Board Room.

ROLL CALL

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

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President McIntosh led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from Closed Session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Jacqueline Parson, customer representing brother Rudolph Parson, requested assistance on her brother's water bill; and 2) Dick Evans, Information Services Supervisor, commented on his upcoming retirement and thanked the Board for the opportunity to serve the District.

Ms. Parson was referred to staff and the Board requested an update on the outcome.

CONSENT CALENDAR

- Item 5 was removed from the Consent Calendar for discussion.
 - Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Items 1-4 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).
- 1. **Motion No. 050-17** – Approved the Special and Regular Meeting Minutes of March 28, 2017.
- 2. The following correspondence was filed with the Board: 1) Memorandum dated April 11, 2017, to Board of Directors from Eileen M. White, Manager of Water Operations through Alexander R. Coate, General Manager, regarding the Freeport Regional Water Authority April 13, 2017 Board of Directors Special Meeting; 2) Memorandum dated April 11, 2017, to Board of Directors from Clifford C. Chan, Manager of Maintenance and Construction through Alexander R. Coate, General Manager, regarding Aitken Drive Slide in Oakland dated April 11, 2017; and 3) Speakers' Bureau and Outreach Record CY17 as of April 11, 2017.

3. **Motion No. 051-17** – Authorized an amendment to the agreement with Engineering/Remediation Resources Group, Inc., for general environmental services approved under Board Motion No. 113-15 dated June 23, 2015, to increase the authorization by \$1,000,000, to an amount not to exceed \$1,800,000 for three years with two options to renew for an additional one-year period at \$600,000 each, for a total cost of \$3,000,000 over five years.
4. **Resolution No. 35031-17** – Authorizing Application To The United States Department Of The Interior Bureau Of Reclamation For A WaterSMART Water Marketing Strategy Grant To Fund The Bay Area Regional Reliability Regional Water Market Project.
5. **Resolution No. 35032-17** – Appointing Eileen M. White As Director of Wastewater (*effective April 17, 2017*).
 - Director Mellon pulled Item 5 to congratulate Ms. White on her appointment to her new role. Ms. White thanked the Board for the opportunity, expressed her enthusiasm about continuing her service at the District and thanked her District team members for their support.
 - Motion by Director Mellon, seconded by Director Patterson, to approve the recommended action for Item 5, carried (7-0) by the following voice call vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

DETERMINATION AND DISCUSSION

6. **Legislative Update.**

Manager of Legislative Affairs Marlaigne K. Dumaine highlighted the bills and recommended actions contained in Legislative Report No. 05-17.

- Motion by Director Young, seconded by Director Linney to approve the recommended positions in Legislative Report No. 05-17, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 052-17 – Received Legislative Report No. 05-17 and approved positions on the following bills: SUPPORT IF AMENDED AB 885 (Rubio) Pupil Health: Drinking Water: Lead; and SUPPORT SB 427 (Leyva) Public Water Systems: Lead User Service Lines.

Next, Ms. Dumaine provided an update on bills regarding water supply assessments and affordability and access to safe drinking water. She also discussed the State's recently released report on a long-term conservation plan and staff's review of four bills, including two budget trailer bills, related to implementing the plan.

7. General Manager's Report.

Manager of Water Operations Eileen M. White provided an update on District storm operations. She reviewed the season-to-date precipitation and cumulative runoff in the Mokelumne watershed and the snow depth and snow water content at Caples Lake.

As of April 3, the Pardee and Camanche reservoir system is encroached 24,000 acre-feet (AF) (15 percent). Remaining storage capacity in Pardee and Camanche Reservoirs has increased by 33,730 AF in the past two weeks and totals 134,965 AF.

The District began decreasing Camanche releases on April 3 from 5,000 cubic feet per second (cfs) to 4,000 cfs. With the historic precipitation and snow in the Mokelumne watershed, the District made the maximum allowable release of 5,000 cfs from Camanche for 80 days, which is the greatest number of days at this rate of release in any year since the construction of Camanche Dam. Planned releases and storage projections are shared daily with the U.S. Army Corps of Engineers.

Next she reviewed East Bay rainfall, cumulative season-to-date precipitation and the status of local reservoirs:

- Briones Reservoir is 7.1 feet from spill.
- Lafayette Reservoir is 1.8 feet from spill.
- San Pablo Reservoir is 4.9 feet from spill.
- Upper San Leandro (USL) Reservoir is 5.5 feet from spill. USL release is 50 cfs.
- Chabot Reservoir is spilling 50 cfs.

There was a question regarding Pacific Gas and Electric's proposed plan to divest their Mokelumne facilities. Staff advised they would check into this and update the Board.

General Manager Coate noted that the Monthly Report for March 2017 had been provided in the Board's packets and reminded them of documents at their places on the dais. There was a question regarding outreach to schools in the service area during Infrastructure Week. General Manager Coate advised staff will provide the Board with a summary of overall District outreach to service area schools.

REPORTS AND DIRECTOR COMMENTS

8. Committee Reports.

- Filed with the Board were the Finance/Administration Committee Minutes of March 28, 2017.

9. Other Items for Future Consideration.

- Update on the City of Hayward's application to be the Groundwater Sustainability Agency for a portion of the East Bay Plain sub basin.

10. **Director Comments.**

- Director Coleman reported attending/participating in the following events: San Ramon City Council meeting on March 28 in San Ramon; Association of California Water Agencies (ACWA) Executive Committee teleconference meeting on March 31 in Oakland; ACWA Excellence in Water Leadership and Executive Committee teleconference meetings on April 3 in Oakland; Meeting with River Partners on April 5 in Oakland; Contra Costa County Mayors' Conference on April 6 in Orinda; KPIX Morning Show interview on April 9 in San Francisco; and ACWA teleconference meeting on April 10 in Oakland. He reported on plans to attend/participate in the following upcoming events: Freeport Regional Water Authority Board teleconference meeting on April 13 in Vallejo; ACWA Executive Committee teleconference meeting on April 17 in Oakland; League of Women Voters luncheon on April 19 in Oakland; HayWired kickoff and ACWA Executive Committee teleconference meetings on April 24 in Oakland.
- Director Katz had no comment.
- Director Linney reported attending the Western Service Workers Association meeting on April 10.
- Director Mellon reported attending/participating in the following events: EBMUD/EBRPD Liaison Committee meeting on March 29 in Oakland; State of the City for City of San Leandro on April 4 in San Leandro; and California Water Policy Conference April 6-7 in San Diego.
- Director Patterson reported attending the NAACP General Membership meeting on April 8 in Oakland. He reported on plans to attend/participate in the following upcoming events: Oakland Elders Council on April 12 in Oakland and Robert A. Schwartz Memorial on April 14 Oakland. Director Patterson requested that today's meeting be adjourned in Mr. Schwartz's memory.
- Director Young had no comment.
- President McIntosh had no report.

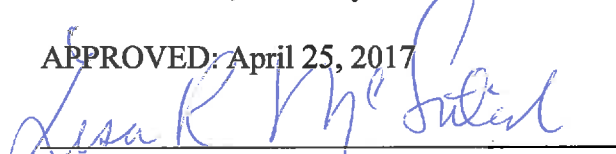
ADJOURNMENT

President McIntosh adjourned the meeting at 2:02 p.m. in honor of Robert A. Schwartz and requested that a letter of condolence be sent to his family.

SUBMITTED BY:


Rischa S. Cole, Secretary of the District

APPROVED: April 25, 2017


Lesa R. McIntosh, President of the Board

