

MINUTES

Tuesday, February 26, 2019

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

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:08 a.m. in the Administration Center Board Room.

ROLL CALL

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

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant General Counsel Xanthe M. Berry (Item 1a); Risk Manager Karen K. Curry (Item 1a); Assistant General Counsel Frederick S. Etheridge (Item 2); Director of Water and Natural Resources Michael T. Tognolini (Item 2); and Engineering Manager Lena L. Tam (Item 2).

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Young announced the closed session agenda. The Board convened to Conference Room 8 for discussion.

Regular Business Meeting

President Young called to order the Regular Business Meeting of the Board of Directors at 1:15 p.m. in the Administration Center Board Room.

ROLL CALL

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

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

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Ivette Rivera commented on the findings in the Blankinship and Associates report and requested that the District consider including a recommendation from the report to implement a District-wide standard that anyone making a pesticide application on District property have a qualified applicator certificate or be in training to become certified; 2) Justin Young, EBMUD Associate Electrical Engineer, commented on recruitment and retention for the District's Electrical Engineer classification and expressed opposition to the staff recommendation for Consent Calendar items 8.1 and 8.2; and 3) Mark Foley, President, AFSCME Local 2019, commented on recruitment and retention for the District's Electrical Engineer classification.

CONSENT CALENDAR

Items 8.1, 8.2, and 16 were removed from the Consent Calendar for comment.

- Motion by Director McIntosh, seconded by Director Linney, to approve the recommended actions for Items 1-7 and 9-15 on the Consent Calendar, carried (6-0) by the following voice vote: AYES (Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (Coleman).
1. **Motion No. 031-19** – Approved the Regular Meeting Minutes of February 13, 2019.
 2. The following correspondence was filed with the Board: 1) Memo to EBMUD Board of Directors from Ivette Rivera, Gardener Foreman regarding “Public Comments Regarding EBMUD Sustainability/Energy Committee Determination and Discussion of Item 4: Integrated Pest Management Program Update,” dated February 26, 2019; 2) Memo to EBMUD Board of Directors from Ivette Rivera, Gardener Foreman regarding “This morning I spoke at the EBMUD Sustainability/Energy Committee Meeting to bring a matter of public concern to the forefront,” dated February 26, 2019; 3) Revised Policy 7.14R - Unmanned Aerial Vehicle Operation; 4) Presentation entitled “Water Supply Update,” dated February 26, 2019; and 5) Speakers’ Bureau and Outreach Record CY19, dated February 26, 2019.
 3. **Motion No. 032-19** – Awarded a contract to the lowest responsive/responsible bidder Contour Sierra Aebi Terratrak, LLC, in the total amount of \$182,966, after the addition of taxes, for supplying one tractor mower and one trailer under Request for Quotation No. 1910.
 4. **Motion No. 033-19** – Awarded a contract to the lowest responsive/responsible bidder Nixon-Egli Equipment Company, in the total amount of \$605,846, after the addition of taxes, to supply one compact front loading cold milling machine for the District’s fleet to support paving work under Request for Quotation No. 1911.
 5. **Motion No. 034-19** – Awarded a contract to the lowest responsive/responsible bidder, ERS Industrial Services, Inc., in the amount of \$842,790 for recoating and miscellaneous improvements to Solid/Liquid Waste Receiving Station Tanks 4 and 5 under Specification SD-408.

6. **Motion No. 035-19** – Authorized an agreement beginning on or after February 26, 2019 between the City of Piedmont (Piedmont) and the District to provide as-needed sanitary sewer overflow sampling and analysis services for Piedmont through September 30, 2023.
7. **Motion No. 036-19** – Authorized an agreement beginning on or after February 26, 2019, with Environmental Systems Research Institute, Inc. (ESRI), for services under their ESRI Enterprise Advantage Program in support of its ArcGIS system for one year with two options to renew for an additional one-year period in an amount not to exceed \$553,000.
- 8.1. **Motion No. 044-19** – Awarded a sole source contract to Honeywell International, Inc., doing business as Honeywell Process Solutions, after the addition of taxes, not to exceed \$3,700,000 to supply two distributed control system Experion software packages and associated hardware for the Sobrante and Upper San Leandro Water Treatment Plants.
- 8.2. **Motion No. 045-19** – Authorized an agreement beginning on or after February 26, 2019 with Honeywell International, Inc., doing business as Honeywell Process Solutions, in an amount not to exceed \$1,500,040 for engineering services for control systems improvements for the Sobrante and Upper San Leandro Water Treatment Plants.
 - Director of Engineering and Construction Xavier J. Irias provided an overview of the proposed project which will replace outdated distributed control system (DCS) equipment at the Sobrante and USL Water Treatment Plants and use the services of two Honeywell engineers to assist staff with DCS-related tasks for up to two years. Mr. Irias responded to Board questions regarding current staffing levels for the District's Electrical Engineer classification, the District's previous experience working with Honeywell on similar projects, and how staff will evaluate and supervise the Honeywell engineers assigned to the project. The Board requested information on recruitment and retention efforts for the Electrical Engineer classification and a project status update in twelve months.
 - Motion by Director Linney, seconded by Director McIntosh, to approve the recommended actions for Items 8.1 and 8.2, carried (6-0) by the following voice vote: AYES (Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (Coleman).
9. **Motion No. 037-19** – Authorized an agreement beginning on or after March 4, 2019 with Solutionwerks, Inc., in an amount not to exceed \$129,133 for perlite insulation removal, storage, and installation services for the Oxygen Production Plant (cryogenic facility) at the Main Wastewater Treatment Plant.
10. **Motion No. 038-19** – Authorized an agreement beginning on or after February 26, 2019 with Suarez & Muñoz Construction, Inc., in an amount not to exceed \$450,800 to establish and maintain the landscaping at the Summit Reservoir site for three years.

11. **Motion No. 039-19** – Authorized a cost-sharing agreement with Contra Costa Water District, Alameda County Water District, Bay Area Water Supply & Conservation Agency, Byron Bethany Irrigation District, City of Brentwood, Grassland Water District, San Francisco Public Utilities Commission, San Luis & Delta-Mendota Water Authority, Santa Clara Valley Water District, and Zone 7 Water Agency in an amount not to exceed \$354,129 for planning, environmental review, preliminary design, financial evaluation, and governance development activities for the Los Vaqueros Reservoir Expansion Project.
- 12a-b. **Motion No. 040-19** – Authorized amendments to agreements awarded under Board Motion No. 070-17 dated May 9, 2017 to increase the combined amount by \$4,644,000 to a total amount not to exceed \$15,044,000 for paving, striping, sealing, concrete repair, and other related services beginning on or after February 27, 2019 through the remainder of the agreement period ending December 31, 2019 with the following vendors: AJW Construction; American Asphalt Repair; Black Gold Paving & Sealing; Bond Black Top, Inc.; Bruce Enterprises, Inc.; California Pavement Maintenance Company; Carone & Co., Inc.; Cliff Swisher Custom Concrete; Coastal Paving; Conerstone Paving Co.; County Paving Co., Inc.; John W. Hertzig; JV Lucas Paving, Inc.; MCE Corporation; MCK Services, Inc.; Morgan-Bonnano Development; O.C. Jones & Sons, Inc.; Pacific General Engineering; Ransome Co.; Sonnikson and Stordahl Construction; VSS-International; and public agencies; and authorized additional agreements with vendors that meet District standards to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager’s monthly report.
13. **Motion No. 041-19** – Authorized an amendment to the contract awarded under Board Motion No. 025-16 to Integrated Archive Systems, Inc., to increase the amount by \$299,000 to a total amount not to exceed \$1,303,174 for providing NetApp hardware and software support through April 30, 2021.
14. **Motion No. 042-19** – Authorized a 10-year contract extension, beginning March 31, 2019, with the City of El Cerrito for the District to continue providing Utility Users Tax billing and collection services for approximately 9,500 El Cerrito ratepayers.
15. **Motion No. 043-19** – Approved the January 2019 Monthly Investment Transactions Report.
16. **Resolution No. 35131-19** – Adopting Revised Policy 2.25, Equal Employment Opportunity; (EEO); Revised Policy 6.04, Ethics Policy Of The EBMUD Board Of Directors; Revised Policy 7.13, Security; And Revised Policy 7.14, Unmanned Aerial Vehicle Operation.
 - General Manager Alexander R. Coate advised that during the Finance/Administration Committee earlier in the day, the Committee requested an additional revision to bullet four in the UAV Operational Limitations section of Policy 7.14 to read, “Permit commercial *and educational* use of UAVs consistent with the District’s mission and operations.”
 - Motion by Director Mellon, seconded by Director Linney, to approve the recommended action for Item 16, carried (6-0) by the following voice vote: AYES (Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (Coleman).

DETERMINATION AND DISCUSSION

17. General Manager's Report.

Manager of Maintenance and Construction/Water Operations David A. Briggs presented the Water Supply update as of February 24 including supply projections for the remainder of the rain year. He reviewed the gross water production, the current snow water content at Caples Lake (178% of average), and precipitation in the East Bay (96% of average) and the Mokelumne (128% percent of average). He reported the District continues to make flood control releases from Camanche Reservoir and that staff continues to remain in contact with downstream neighbors about the releases. As of February 24, the District's total system storage was 628,210 acre feet, which is 107% of average and 81% of capacity. Mr. Briggs responded to Board questions regarding outflow from Camanche Reservoir and whether the District will be able to provide water for the Demonstration, Recharge, Extraction and Aquifer Management Project.

REPORTS AND DIRECTOR COMMENTS

18. Committee Reports.

- Filed with the Board were the Planning and Legislative/Human Resources Committee Minutes of February 13, 2019.

19. Other Items for Future Consideration.

None.

20. Director Comments.

- Director Linney reported attending the Planning and Conservation League 2019 California Environmental Assembly on February 23 in Sacramento.
- Director Mellon reported attending the Alameda County Mayors Conference on February 13 in Newark and the San Ramon Mayor's Breakfast on February 22 in San Ramon.
- Director Patterson reported attending/participating in the following events: East Bay Black Elected Officials membership meeting on January 24 in Oakland; EBMUD Black History Committee kickoff luncheon on January 31 in Oakland; East Oakland Democratic Club speaking engagement on February 2 in Oakland; State Black Chamber of Commerce Policy Luncheon on February 20 in Sacramento; and plans to attend the Oakland City Council meeting on February 26 in Oakland where he will be honored for his contributions to the City of Oakland and civil rights.
- Directors Coleman, Katz, McIntosh and President Young had no comment.

ADJOURNMENT

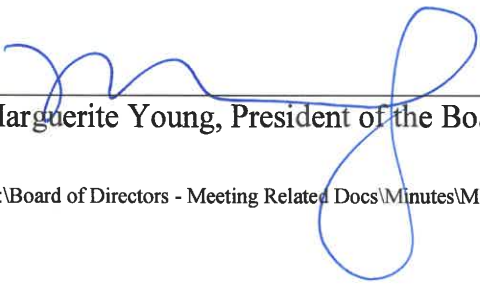
President Young adjourned the meeting at 2:10 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: March 12, 2019



Marguerite Young, President of the Board