



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, June 27, 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. Existing litigation pursuant to Government Code section 54956.9(d)(1):
 - a. *Ivette Rivera v. East Bay Municipal Utility District, et al.*
USDC, N.D. Cal., Case No. C15-00380-DMR
 - b. *Ivette Rivera v. East Bay Municipal Utility District*
PERB Case Nos. SF-CE-1309-M; SF-CE-1310-M; SF-CE-1404-M
 - c. *Ivette Rivera v. Public Employment Relations Board (East Bay Municipal Utility District, et al., as Real Parties in Interest)*
Alameda County Superior Court, Consolidated Case Nos. RG16813608 and RG16843374
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
one matter.
3. 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.
4. Conference with Labor Negotiators Bruce Heid and Glenn Berkheimer from the Industrial Employers Distributors Association, Alexander R. Coate, 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.

(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

PRESENTATION:

- EBMUD Speaker of the Year Award

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 13 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of June 13, 2017.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, JMB Construction, Inc., in the amount of \$7,936,359 for construction of the MacArthur/Davenport Pipeline Replacement under Specification 2099.
4. Authorize an agreement beginning on or after July 1, 2017 with Civicorps (formerly East Bay Conservation Corps) in an amount not to exceed \$473,872 to provide vegetation control and related duties at various District properties.
5. Authorize an agreement with ENS Resources, Inc., in an amount not to exceed \$130,000 for continued legislative and regulatory information-gathering, analysis, representation and liaison services in Washington, D.C., for a one-year period from July 1, 2017 to June 30, 2018.
6. Authorize an agreement beginning on or after June 27, 2017 with GEI Consultants, Inc., in an amount not to exceed \$791,000 to complete a geotechnical investigation for the Oakland Inner Harbor Pipeline Crossing.
7. Authorize the extension of agreements with Oracle America, Inc., and Dynamics Systems, Inc., through November 30, 2018 in the amounts of \$398,493 and \$123,909, respectively, for Oracle technical support services.
8. Authorize an amendment to an existing agreement beginning July 1, 2017 with APX, Inc., in an amount not to exceed \$604,200 for three years to provide power scheduling and California Independent System Operator settlement services for the Camanche and Pardee Power Plants and Main Wastewater Treatment Plant gas turbine and Power Generation Station.
9. Award a contract to CXT, Inc., in an amount not to exceed \$134,261.47 for replacement of the Lafayette Recreation Area restroom facility at the main parking lot.

CONSENT CALENDAR: (Continued)

10. Authorize the Office of the General Counsel to continue employment of the Law Offices of Curtis T. White for specialized legal services in Federal Communications Commission related matters.
11. File the General Manager's Report and Recommendation to Transfer Unpaid Delinquent Charges to the 2017-2018 Property Tax Rolls.
12. Approve the April 2017 and May 2017 Monthly Investment Transactions Reports.
13. Approve actions related to the Mokelumne watershed land exchange. (Resolution)
 - 13.1. Approve a land exchange between the District and John W. Hertzig.
 - 13.2. Authorize District staff to execute the grant deeds and all documents related to the transaction.

DETERMINATION AND DISCUSSION:

14. Adopt, in accordance with the provisions of the Municipal Utility District Act, the Fiscal Year 2018 (FY18) and Fiscal Year 2019 (FY19) Operating and Capital Budgets for the Water and Wastewater Systems as recommended in the FY18 and FY19 Proposed Biennial Budget. (Resolution)
15. General Manager's Report.

REPORTS AND DIRECTOR COMMENTS:

16. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Finance/Administration
17. Other Items for Future Consideration.
18. Director Comments.

ADJOURNMENT:

- Annual Memorial Presentation

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 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 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, June 27	Finance/Administration Committee Patterson {Chair}; Coleman; Mellon	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Annual Update on Employees' Retirement System • Monthly Investment Transactions Report • Water Theft Penalty Ordinance and Guarantee Deposits
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 4	Independence Day		<i>District offices will be closed</i>
Tuesday, July 11	Planning Committee Mellon {Chair}; Linney; Young	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee Coleman {Chair}; Patterson; Young	10:15 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 25	Sustainability/Energy Committee Young {Chair}; Katz; Linney	TBD Training Resource Center	
	Finance/Administration Committee Patterson {Chair}; Coleman; Mellon	10:00 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, August 8	Planning Committee Mellon {Chair}; Linney; Young	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee Coleman {Chair}; Patterson; Young	10:15 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting