

MINUTES

Tuesday, July 24, 2018

**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 11:02 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), Attorney Derek McDonald (Items 1a, 2a and 2b), Director of Operations and Maintenance Clifford C. Chan (Items 1a, 2a and 2b), Engineering Manager Elizabeth Z. Bialek (Items 1a, 2a and 2b), Assistant General Counsel Fred S. Etheridge (Item 2c), Attorney Jonathan D. Salmon (Item 2c), Director of Water and Natural Resources Richard G. Sykes, and Engineering Manager Lena L. Tam (Item 2c).

PUBLIC COMMENT

- Addressing the Board was Eric Larsen, EBMUD Wastewater Plant Operator II, who introduced himself as the newly elected 1st Vice-President for AFSCME Local 444. The role was previously held by EBMUD Wastewater Plant Operator II Ruben Rodriguez.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

President McIntosh called to order the Regular Business Meeting of the Board of Directors at 1:17 p.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Andy Katz, Doug Linney, Frank Mellon, Marguerite Young, William B. Patterson, 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

There was no public comment.

CONSENT CALENDAR

- Motion by Director Mellon, seconded by Director Young, to approve the recommended actions for Items 1-12 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. 108-18** – Approved the Regular Meeting Minutes of July 10, 2018.
 2. The following correspondence was filed with the Board: **1)** Document entitled “Attachment 1 – Delinquent EBMUD Charges for Transfer to the Alameda County 2018-2019 Property Tax Roll – As of July 24, 2018”; **2)** Document entitled “Attachment 2 – Delinquent EBMUD Charges for Transfer to the Contra Costa County 2018-2019 Property Tax Roll – As of July 24, 2018”; **3)** Speakers’ Bureau and Outreach Record CY18, dated July 24, 2018; **4)** Proof of Publication – Oakland Tribune Legal No. 0006183473, Notice of Public Hearing on the Collection by East Bay Municipal Utility District of Unpaid Delinquent Charges Through Property Tax Bills for Multi-Family Accounts and Filing of Report, dated July 6 and July 13, 2018; and **5)** Proof of Publication – Contra Costa Times Legal No. 0006183473, Notice of Public Hearing on the Collection by East Bay Municipal Utility District of Unpaid Delinquent Charges Through Property Tax Bills for Multi-Family Accounts and Filing of Report, dated July 6 and July 13, 2018.
 3. **Motion No. 109-18** – Awarded a contract to the lowest responsible/responsive bidder, Badger Meter, Inc., in the estimated annual amount of \$2,371,813.25 for supplying various sized water meters to be installed throughout the District, for the period beginning July 25, 2018 and ending July 10, 2019 with four options to renew for additional one-year periods for a total cost of \$11,859,066.25 under Request for Quotation No. 1805.
 4. **Motion No. 110-18** – Authorized an agreement with National Plant Services, Inc., in an amount not to exceed \$980,796 for cleaning of the Alameda siphons under Request for Proposal No. 927-1813.

5. **Motion No. 111-18** – Authorized a contract beginning on or after July 24, 2018 with Hyas Group, LLC, in the amount of 115,000 for a term of 17 months with two options to renew for an additional one-year period in the amount of \$52,000 per option, for a total cost not to exceed \$219,000 for investment and consulting services for the District’s 401(a), and 401(k) and 457 Deferred Compensation Committees and Deferred Compensation Plan Recordkeeper Request for Proposal Development Services.
6. **Motion No. 112-18** – Authorized an agreement with Sharper Technology, Inc., in an amount not to exceed \$98,984 for maintenance support of all District Check Point firewall equipment for a one-year period beginning on or after August 1, 2018.
7. **Motion No. 113-18** – Authorized the sole source purchase of 15,000 feet of six-inch and 5,000 feet of eight-inch diameter Polyvinyl Chloride (PVC) pipe called iPVC from PPI America, Inc., in the amount of \$178,897 including taxes for a District pilot project.
 - Director Coleman requested information on the manufacturer’s warranty terms for iPVC pipe. General Manager Coate advised staff will provide an information memo to the Board.
8. **Motion No. 114-18** – Authorized an amendment to the existing agreement with Rimini Street, Inc., beginning August 12, 2018 in an amount not to exceed \$198,000 annually for software maintenance services for the PeopleSoft Human Resources Information Systems and Financial Information Systems for two years with three options to renew for an additional one-year period for a total cost of \$880,000.
9. **Motion No. 115-18** – Authorized an amendment to the agreements awarded under Board Motion No. 051-15 dated April 14, 2015 to increase the estimated combined amount by \$7,910,000 for rental of equipment beginning on or after July 24, 2018 through the remainder of the agreement period ending April 14, 2020 with the following vendors: Pape Machinery – Newark; Sky Rock, Inc.; Ibarra Team Construction Services, Inc.; Inder Trucking; Herc Rentals, Inc.; Coast Crane Company; Doc Bailey Construction Equipment, Inc.; BakerCorp; Nor Rental Group dba Cresco Equipment Rentals; Sunbelt Rentals, Inc.; Adam Moreno & Sons, Inc.; and Coast Counties Peterbilt PacLease.
10. **Motion No. 116-18** – Approved the June 2018 Monthly Investment Transactions Report.
- 11a-b. **Resolution No. 35104-18** – Authorizing Execution Of An Exclusive Negotiating Agreement With K To College, Doing Business As SupplyBank.Org.
12. **Resolution No. 35105-18** – The City Of Lafayette 50th Anniversary.

PUBLIC HEARING

13. **Conduct a Public Hearing to consider objections and protests to the General Manager’s Report to Transfer Delinquent EBMUD Charges to the 2018-2019 Property Tax Rolls.**

President McIntosh opened the public hearing at 1:18 p.m. She announced that the hearing is to consider objections and protests to the General Manager’s Report to Transfer Delinquent EBMUD Charges to the 2018 - 2019 Property Tax Rolls. She noted that staff is available to

meet with customers who are protesting and/or want to make payment arrangements. There were no comments from the public. President McIntosh closed the public hearing at 1:19 p.m.

DETERMINATION AND DISCUSSION

14. **Adopt the General Manager's Report to Transfer Delinquent EBMUD Charges to the 2018-2019 Property Tax Rolls and authorize the General Manager to exclude from the report any affected parcels or amounts as appropriate, including those that the District receives payment for on or before the reports are sent to Alameda and Contra Costa counties in electronic form by August 10, 2018.**

- Motion by Director Patterson, seconded by Director Coleman, to approve the recommended actions for Item 14, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35106-18 – Approving Transfer Of Unpaid Delinquent Charges To Alameda And Contra Costa Counties' 2018-2019 Property Tax Rolls.

15. **Approve a tax exchange agreement between East Bay Municipal Utility District (District) and the City of Hayward (City) for the exchange of property tax revenue in connection to the reorganization of the District's Service Area Boundary with the City, consistent with the Agreement on Water Service Boundary within the City of Hayward executed by the District and the City on May 4, 2016.**

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Item 15, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35107-18 – Approving Property Tax Revenue Exchange Agreement Between East Bay Municipal Utility District and The City Of Hayward.

16. **General Manager's Report.**

General Manager Coate stated that the latest version of the Speakers' Bureau and Outreach Record for CY18 was at Board places and requested that updates be provided to staff.

REPORTS AND DIRECTOR COMMENTS

17. **Committee Reports.**

- Filed with the Board were the Planning Committee and Legislative/Human Resources Committee Minutes of July 10, 2018.

18. **Other Items for Future Consideration.**

- None.

19. **Director Comments.**

Director Coleman reported on attending the DERWA Board meeting on July 23 in Dublin and plans to attend/participate in the following events: ACWA Executive Committee and Board meetings on July 27 in Sacramento; UMRWA Board meeting on July 27 in Pardee; San Ramon/Danville Realtor Marketing Association and Contra Costa Mayors' Conference meetings in Danville on August 2; Lafayette City Council meeting on August 13 in Lafayette; and a meeting with representatives from Central Contra Costa Sanitary District, Dublin-San Ramon Services District and DERWA on September 4 in Martinez.

- Director Katz had no comment.
- Director Linney had no comment.
- Director Mellon reported attending/participating in the following events: Alameda County Special Districts Association meeting and LAFCo election on July 11 in Hayward; Alameda County Mayors' Conference on July 11 in Livermore; Contra Costa Mayors' Conference on July 12 in Pittsburg; Contra Costa Special Districts Association meeting on July 16 in Martinez; Hayward Area Recreation District Foundation golfing event on July 18 in Hayward; EBMUD Retirement Board meeting on July 19 in Oakland; EBMUD Utility District Employee Association Golf Tournament on July 21 in Castro Valley; and the DERWA Board meeting on July 23 in Dublin.
- Director Patterson reported on participating in the EBMUD Briefing event for Wards 3, 5 and 6 on July 11 in Oakland and plans to attend the UMRWA Board meeting on July 27 in Pardee.
- Director Young had no comment.
- President McIntosh had no comment.

ADJOURNMENT

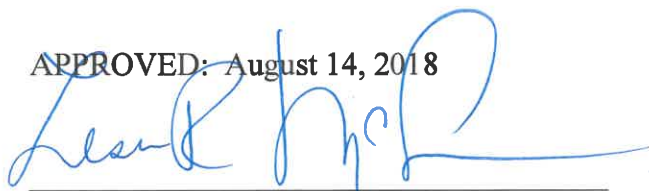
President McIntosh adjourned the meeting at 1:24 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: August 14, 2018



Lesa R. McIntosh, President of the Board

