



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, March 10, 2020**

**REGULAR CLOSED SESSION
11:00 a.m., Boardroom**

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(a):
 - a. *CSAA Insurance Exchange v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG17880371
 - b. *Timothy Alford, et al. v. East Bay Municipal Utility District, et al.*
Contra Costa County Superior Court, Case No. MSC16-01348
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Town of Moraga
Claim No. 2017-L-290
 - b. William Strauss and Suzanne Strauss
Claim No. 2018-L-076
3. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding terms of payment for one parcel of land located near Briones Reservoir, Orinda, California. East Bay Municipal Utility District Negotiators: Andrew Lee, Manager of Customer & Community Services, and Matt Elawady, Manager of Real Estate Services. Negotiating parties: East Bay Municipal Utility District and John Naylor.
4. Personnel exception pursuant to Government Code section 54957 to consider selection for the position of General Manager.

(The Board will convene to Conference Room 8 to discuss Closed Session agenda items.)

REGULAR BUSINESS MEETING
1:15 p.m., Boardroom

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

PRESENTATION:

- State of California Reciprocity Partner of the Year Bronze Award for the District's Efforts Promoting Small and Disabled Veteran Business Programs

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 8 recommendations.)

1. Approve the Special and Regular Meeting Minutes of February 25, 2020.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder Valley Truck and Tractor, Inc., in an amount, after the addition of taxes, not to exceed \$120,174 for supplying one John Deere tractor and one Alamo mower for the District's fleet to support vegetation management under Request for Quotation No. 2004.
4. Award a contract to the lowest responsive/responsible bidder, Western Water Constructors, in the amount of \$6,439,450 for the Orinda Water Treatment Plant Maintenance and Scouring Air System Upgrade under Specification 2143.
5. Authorize an agreement beginning on or after March 10, 2020 with M. E. Simpson Company, Inc., in an amount not to exceed \$126,160 to prepare a large meter improvements plan.
6. Authorize an amendment to the agreement awarded under Board Motion No. 037-13 with Athens Administrators to increase the amount by \$250,000 annually for three years to a total amount not to exceed \$2,500,000 to serve as the District's Third Party Administrator in support of the District's Liability and Subrogation program.

CONSENT CALENDAR: (Continued)

7. Authorize actions related to tree trimming and related services.
 - 7a. Authorize a second amendment to agreements awarded under Board Motion No. 152-18 to increase the amount by \$700,000 to an amount not to exceed \$4,050,000 for tree trimming and related services through September 26, 2021, from the following vendors: A-Plus Tree, Inc.; Arbor Products dba Expert Tree Service; Arborwell, Inc.; Arborworks, Inc.; East Bay Tree Service; Graham Tree Services, Inc.; Hamilton Tree Service; The F.A. Barlett Tree Experts Co.; and The Professional Tree Care Co.
 - 7b. Authorize additional agreements for tree trimming and related services with vendors that meet District standards and offer pricing at or below the range in the amended agreements above. These additional agreements may be issued, on an as-needed basis, to increase flexibility and ensure availability of tree trimming services to the District. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
8. Authorize the Office of General Counsel to continue the employment of the law firm of Olson Remcho, LLP, for specialized legal services related to elections and conflicts of interest matters.

DETERMINATION AND DISCUSSION:

9. General Manager's Report:
 - Water Supply Update
 - Public Safety Power Shutoff 2020 Preparation
 - Monthly Report – February 2020

REPORTS AND DIRECTOR COMMENTS:

10. Committee Reports:
 - Finance/Administration
 - Planning
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, March 24, 2020 in the Administration Building Boardroom, 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, March 10	Planning Committee Linney {Chair}, McIntosh, Mellon	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Orinda Water Treatment Plant Disinfection Improvements Project Update • Private Sewer Lateral Program Update • Railroad Property Acquisition – Initiation of Eminent Domain Proceedings • Annual Recreation Report – 2019 • 2019 Mokelumne Fall-run Chinook Salmon and Steelhead Returns <p style="text-align: center;"><i>Cancelled</i></p>
	Legislative/Human Resources Committee		
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, March 24	Finance/Administration Committee Patterson {Chair}, Coleman, Katz	TBD Training Resource Center	
	Financial Stability Workshop	TBD 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, March 31	Cesar Chavez Day 2020		<i>District Offices Closed</i>
Tuesday, April 14	Planning Committee Linney {Chair}, McIntosh, Mellon	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson	10:30 a.m. Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	