



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA  
Tuesday, January 9, 2018**

**REGULAR CLOSED SESSION  
10:30 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.

**BROWN ACT BRIEFING:**

- Presentation of the Brown Act and the Ethics Policy of the EBMUD Board of Directors

**ANNOUNCEMENT OF CLOSED SESSION AGENDA:**

1. Threat to public services or facilities pursuant to Government Code section 54957:  
Conference with Clifford Chan, Acting Director of Operations and Maintenance; and Michael R. Ambrose, Manager Regulatory Compliance.
2. Existing litigation pursuant to Government Code section 54956.9(d)(1):
  - a. *Gilbert Loreda v. East Bay Municipal Utility District*  
WCAB No.: ADJ9547680
3. Conference with Labor Negotiator Glenn Berkheimer from the Industrial Employers Distributors Association; Alexander R. Coate, General Manager; Sophia D. Skoda, Director of Finance; and Laura A. Brunson, Manager of Human Resources, 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.
4. Personnel exception pursuant to Government Code section 54957 to consider 2017 public employee evaluations: General Manager and General Counsel.
5. Conference with Board designated representatives Lesa McIntosh, William B. Patterson and Frank Mellon regarding employment contracts of the General Manager and the General Counsel pursuant to Government Code section 54957.6.

*(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
- Election of Officers
- 2018 Board Committee Assignment Preferences

**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 9 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of December 12, 2017 and Special Meeting Minutes of December 29, 2017.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Kiewit Infrastructure West Co., in the amount of \$890,000 for construction of San Pablo Tunnel East Access Shaft Improvements under Specification 2118.
4. Award a contract to the lowest responsive/responsible bidder, San Francisco Elevator Services, Inc., in the amount of \$2,470,000 for construction of Administration Building Elevators Upgrade Phases 1 and 2 under Specification 2122A.
5. Authorize an agreement beginning on or after January 9, 2018 with Hazen and Sawyer, DPC, in an amount not to exceed \$1,050,473 to prepare the 2050 Demand Study.
6. Authorize an agreement beginning on or after January 9, 2018 with Innovyze, Inc., in an amount not to exceed \$144,000 for six SCADAWatch™ Suite Software licenses, software installation, configuration, implementation, on-site training, and software maintenance and support for the Enterprise Hydraulic Modeling Project.
7. Authorize an amendment to Board Motion No. 015-14 to include Comcast Business Communications, LLC, as an additional provider of data services under the State of California CALNET-3 agreement and increase the annual cost by \$70,000. The additional \$70,000 will increase the annual estimated cost for data and voice services to \$1,470,000.
8. Approve a seventh and final amendment to the lease agreement between Viridis Fuels, LLC (Viridis) and the District for a portion of the West End Property adjacent to the District's Main Wastewater Treatment Plant, which allows Viridis to defer the accumulated monthly "Additional Value" payment of \$260,000 until June 1, 2018.

**CONSENT CALENDAR:** (Continued)

9. Authorize a 20-year lease agreement with the City of San Leandro for Chabot Park, a total of 9.2 acres located at Estudillo Avenue and Sylvan Circle in San Leandro. (Resolution)

**DETERMINATION AND DISCUSSION:**

10. Review the May 26, 2015 Board-adopted policy position opposing the imposition of any statewide retail water user fees.
11. Legislative Update:
- Federal Legislative Initiatives for 2018
  - Update on Legislative Issues of Interest to EBMUD
12. General Manager's Report:
- Water Supply Update
  - Appoint Ad Hoc Committee to Negotiate Amendments to Employment Agreements with General Manager and General Counsel Based on 2017 Performance Evaluations
  - 2017 Interdepartmental Committees Annual Reports
  - Monthly Report – December 2017

**REPORTS AND DIRECTOR COMMENTS:**

13. Committee Reports:
- Planning
  - Legislative/Human Resources
  - Sustainability/Energy
14. Other Items for Future Consideration.
15. Director Comments.

**ADJOURNMENT:**

*The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 23, 2018 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 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

## BOARD CALENDAR

Date	Meeting	Time/Location	Topics
<b>Tuesday, January 9</b>	<b>Planning Committee</b> Mellon {Chair}, Linney, Young	8:00 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Wet Weather Consent Decree Implementation Update</li> <li>• Leland Reservoir Replacement Project Update and Announcement of the Availability of the Draft Environmental Impact Report</li> </ul>
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}, Patterson, Young	8:30 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Review May 26, 2015 Policy Position Opposing Statewide Retail Water User Fees</li> <li>• Federal Legislative Initiatives for 2018</li> <li>• Legislative Update</li> </ul>
	<b>Sustainability/Energy Committee</b> Young{Chair}, Katz, Linney	9:00 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Renewable Energy Update</li> <li>• Integrated Pest Management Program Update</li> </ul>
	<b>Board of Directors</b>	10:30 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Monday, January 15</b>	<b>Martin Luther King Jr. Holiday</b>		<i>District Offices Closed</i>
<b>Tuesday, January 23</b>	<b>Finance/Administration Committee</b>	8:00 a.m. Training Resource Center	
	<b>Financial Stability Workshop #2</b>	8:30 a.m. Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, February 13</b>	<b>Planning Committee</b>	9:15 a.m. Training Resource Center	
	<b>Legislative/Human Resources Committee</b>	10:15 a.m. Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>