



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, July 9, 2019**

**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. *Andrew Mizell v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG18892206
 - 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. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.
4. Personnel exception pursuant to Government Code section 54957 to consider public employee evaluations: General Manager and General Counsel.

(The Board will hold Closed Session in Conference Room 8)

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

PRESENTATION:

- American Water Works Association's "Top Ops" Awards

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 10 recommendations and 1 resolution.)

1. Approve the Regular Meeting Minutes of June 25, 2019.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder DuBois Chemicals, Inc., in an annual amount, after the addition of taxes, not to exceed \$291,304 for supplying hydrofluosilicic acid (fluoride) for water treatment for the District's water treatment plants for two years, beginning on or after August 1, 2019 with three options to renew for additional one-year periods for a total cost of \$1,456,520 under Request for Quotation No. 1907.
4. Authorize an agreement beginning on or after February 1, 2020 with Dimension Data North America, Inc., in an amount not to exceed \$509,322.81 for supplying Cisco Smart Net Total Care to repair/replace and provide technical support for data/voice equipment for five years under Request for Quotation No. 1916.
5. Authorize actions related to the Maloney Pumping Plant, Greenridge Pumping Plant, La Honda Rate Control Station, and Sobrante Water Treatment Plant Improvements Project.
 - 5.1. Award a contract to the lowest responsive/responsible bidder, Flatiron West, Inc., in the amount of \$31,164,000 for construction of Maloney Pumping Plant, Greenridge Pumping Plant, La Honda Rate Control Station, and Sobrante Water Treatment Plant Improvements under Specification 2135.
 - 5.2. Authorize an agreement beginning on or after July 9, 2019 with McMillen Jacobs Associates in an amount not to exceed \$291,836 for construction scheduling support services for the Maloney Pumping Plant, Greenridge Pumping Plant, La Honda Rate Control Station, and Sobrante Water Treatment Plant Improvements Project.
6. Award a contract to the lowest responsive/responsible bidder, Disney Construction, Inc., in the amount of \$8,633,333 for construction of the Bayfair Pumping Plant and Peralta Regulator Replacements and Peralta, South, and May Pumping Plant Demolition Project under Specification 2136.
7. Authorize an agreement beginning on or after July 9, 2019 with Allied Waste Systems, Inc., (Republic) for offsite contaminant removal preprocessing and delivery of source-separated food waste at a tipping fee discount of \$32 per ton, not to exceed \$125,000 per year or \$500,000 for the life of the agreement. The initial term would end February 28, 2025 with two options to renew for additional five-year periods.

CONSENT CALENDAR: (Continued)

8. Authorize the purchase of asphalt on the open market in the estimated annual amount, after the addition of taxes, not to exceed \$3,500,000 per year for a five-year period beginning July 10, 2019 and ending July 9, 2024 for a total cost of \$17,500,000.
9. Cancel the August 27, 2019 Closed Session and Regular meetings of the Board of Directors.
10. Appoint Assistant Attorney of the District with the title of Attorney II. (Resolution)

PUBLIC HEARING:

11. Conduct a public hearing to provide opportunity for public comment on the 2019 Public Health Goals Report.

DETERMINATION AND DISCUSSION:

12. Accept the 2019 Public Health Goals Report.
13. Legislative Update:
 - Receive Legislative Report No. 05-19 and consider positions on the following bills: AB 1080 (Gonzalez) California Circular Economy and Plastic Pollution Reduction Act; SB 54 (Allen) California Circular Economy and Plastic Pollution Reduction Act; SB 69 (Wiener) Ocean Resiliency Act of 2019; and SB 134 (Hertzberg) Water Conservation: Water Losses: Enforcement
 - Update on Legislative Issues of Interest to EBMUD
14. Adopt a resolution supporting the intent of the federal Green New Deal's goals to build resiliency against climate change-related disasters, reduce greenhouse gas emissions, and increase the use of clean, renewable, and zero-emission energy sources. (Resolution)
15. Approve actions related to the San Ramon Valley Recycled Water Program Pump Station R3000 Project (Project). (Resolution)
 - 15a. Adopt the Final Mitigated Negative Declaration (MND) for the Project.
 - 15b. Make findings in accordance with the California Environmental Quality Act.
 - 15c. Adopt the Mitigation Monitoring and Reporting Program.
 - 15d. Adopt the Practices and Procedures Monitoring and Reporting Program.
 - 15e. Select certain property along Dougherty Road, referred to in the MND as Site A2, for the Project.
 - 15f. Approve the Project.

DETERMINATION AND DISCUSSION: (Continued)

16. General Manager's Report:

- 2019 Customer Opinion Survey and Outreach Highlights
- Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2019 and a Summary of the 2019 Committee and Workshop Topics
- Appoint Ad Hoc Committee to Negotiate Amendments to Employment Agreements with General Manager and General Counsel
- Monthly Report – June 2019

REPORTS AND DIRECTOR COMMENTS:

17. Committee Reports:

- Finance/Administration
- Planning
- Legislative/Human Resources

18. Other Items for Future Consideration.

19. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 23, 2019 in the Administration Center Boardroom, 375 11th 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, July 9	Planning Committee Linney {Chair}; McIntosh; Mellon	9:00 a.m. Training Resource Center	<ul style="list-style-type: none"> • Orinda Water Treatment Plant Disinfection Improvements Project Update • Wastewater Outfall Bridge Overcrossing • Public Safety Power Shutoff Update
	Legislative/Human Resources Committee Coleman {Chair}; McIntosh; Patterson	10:00 a.m. Training Resource Center	<ul style="list-style-type: none"> • Legislative Update • Resolution Supporting the Intent of the Federal Green New Deal’s Goals to Build Resiliency Against Climate-Change Related Disasters, Reduce Greenhouse Gas Emissions and Increase the Use of Clean, Renewable, and Zero-Emission Energy Sources • Quarterly Update on Diversity and Inclusion Action Oriented Program and Outreach
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 23	Sustainability/Energy Committee Linney {Chair}, Katz, Mellon	TBD Training Resource Center	
	Finance/Administration Committee Patterson {Chair}; Coleman; Katz	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 13	Planning Committee Linney {Chair}; McIntosh; Mellon	9:15 a.m. Training Resource Center	
	Legislative/Human Resources Committee Coleman {Chair}; McIntosh; Patterson	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

