



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

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**AGENDA  
Tuesday, September 10, 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. *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
  
  - c. Shadow Woods Homeowners Association  
Claim Nos. 2017-L-273; 2017-L-265

*(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:**

- National Association of Clean Water Agencies' 2019 Platinum Recognition Award for the Wastewater Department's 100 percent permit compliance for 19 consecutive years

**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.)

1. Approve the Regular Meeting Minutes of August 13, 2019.
2. File correspondence with the Board.
3. Authorize an agreement beginning on or after September 11, 2019 with Odyssey Power Corporation in an amount not to exceed \$179,823 for engine maintenance related to engine-driven generators at various District locations for three years under Request for Quotation No. 1917.
4. Award a contract to the lowest responsive/responsible bidder Cummins, Inc., in an amount, after the addition of taxes, not to exceed \$364,895 for supplying four mobile diesel generators for the District's wastewater facilities under Request for Quotation No. 1924.
5. Authorize an agreement beginning on or after September 10, 2019 with Bradley Tanks, Inc., in an amount not to exceed \$350,000 for the installation and maintenance of temporary slurry management systems at two District sites and waste hauling and disposal from those systems for a pilot period of one year with one option to renew for an additional one-year period, for a total amount of \$700,000.
6. Authorize three agreements beginning on or after September 10, 2019 with Brown and Caldwell, PMA Consultants, LLC, and Ewing Construction Services for as-needed cost estimating, constructability and scheduling review services, for three years with two options to renew for additional one-year periods, for a total amount not to exceed \$750,000.
7. Authorize an agreement beginning on or after September 10, 2019 with The Tharpe Company, Inc. (dba Engage2Excel), in an amount not to exceed \$65,000 for provision of employee service awards and an online peer recognition platform.
8. Take actions related to the provision and installation of new fish screens on certain surface water diversions in the lower Mokelumne River.
  - 8a. Authorize an agreement with Intake Screens, Inc., in an amount not to exceed \$300,000 for completion of site assessments and design work for new self-cleaning fish screens for three existing unscreened surface water diversions in the lower Mokelumne River, including optional services associated with provision and installation of those fish screens.
  - 8b. Direct staff not to issue any notices to proceed with optional services under the agreement until a California Environmental Quality Act review regarding installation of the proposed fish screens has been completed.

**CONSENT CALENDAR:** (Continued)

9. Authorize amendments to agreements for financial advisory services awarded under Board Motion No. 158-16 with Montague DeRose and Associates, LLC, and Backstrom McCarley Berry & Co., LLC, to increase the amount by \$760,000 to a total amount not to exceed \$3,300,000 and extend the term two additional years.
10. Approve the assignment of the Power Purchase Agreement for the Camanche Dam Photovoltaic project originally awarded under Board Motion No. 207-16 on December 13, 2016 from SolarCity to Tesla.

**DETERMINATION AND DISCUSSION:**

11. Authorize a three-year option agreement with the San Leandro Rock Company in the amount of \$150,000 to allow assessment of the viability of purchasing two real estate parcels in San Leandro totaling 58 acres: Parcel 79-100-1 and Parcel 79-100-2.
12. Adopt a resolution recognizing fifty years of labor relations between East Bay Municipal Utility District and Local 444 American Federation of State, County and Municipal Employees AFL-CIO.  
(Resolution)
13. Authorize a sixth amendment to the agreement for employment of the General Manager.  
(Resolution)
14. Authorize a sixth amendment to the agreement for employment of the General Counsel.  
(Resolution)
15. General Manager's Report:
  - Monthly Report – August 2019

**REPORTS AND DIRECTOR COMMENTS:**

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

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, September 24, 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](http://www.ebmud.com).*

## BOARD CALENDAR

Date	Meeting	Time/Location	Topics
<b>Tuesday, September 10</b>	<b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon	10:00 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• FY19 Annual Readiness Report</li> <li>• Water Quality Program Semi-Annual Update</li> <li>• Regulatory Compliance Semi-Annual Report – April 2019 through August 2019</li> <li>• Laboratory Information Management System Replacement Project</li> </ul>
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson		<i>Cancelled</i>
	<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>Friday, September 13</b>	<b>EBMUD/EBRPD Liaison Committee</b> Linney, Katz; Mellon	9:00 a.m. Redwood Canyon Golf Course 17007 Redwood Road, Castro Valley, CA	
<b>Tuesday, September 24</b>	<b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Katz	10:00 a.m. Administration Center Building	
	<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, October 8</b>	<b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon	9:15 a.m. Training Resource Center	
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson	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>