



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, January 28, 2020**

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

*Director Lesa R. McIntosh will participate via teleconference from the following location:
801 Commodore Drive, Richmond, CA 94804*

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. *Reed Robertson v. East Bay Municipal Utility District, City of Orinda*
Contra Costa County Superior Court, Case No. MSC17-01395
 - b. *Woodbridge Irrigation District v. East Bay Municipal Utility District*
Sacramento County Superior Court, Case No. 34-2018-00232142-CU-CO-GDS
 - c. *Ivette Rivera v. East Bay Municipal Utility District*
United States Court of Appeals, Ninth Circuit, Case No. 17-16891
 - d. *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

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

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

*Director Lesa R. McIntosh will participate via teleconference from the following location:
801 Commodore Drive, Richmond, CA 94804*

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Approve 2020 Board Committee Assignments

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, including 1 resolution.)

1. Approve the Regular Meeting Minutes of January 14, 2020.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, CDW Government, LLC, dba CDW Public (CDW-G), in an annual amount, after the addition of taxes, not to exceed \$102,261 for supplying the Microsoft Enterprise Agreement for operating system and management software required for the District's workstation fleet for three years beginning on or after January 28, 2020 for a total cost of \$306,783.
4. Authorize an agreement beginning on or after January 28, 2020 with an air emission credit broker in an amount not to exceed \$100,000 for a one-time purchase of nitrogen oxides offsets for the Main Wastewater Treatment Plant gas flares.
5. Authorize actions related to paving, striping, sealing, and other related services at locations throughout the District's service area.
 - 5a. Authorize agreements with the following seven vendors: American Asphalt Repair & Resurfacing Co., Inc.; Bond Blacktop, Inc.; Bruce Enterprises; Carone & Company, Inc.; J.V. Lucas Paving, Inc.; O.C. Jones & Sons, Inc.; MCK Services, Inc.; and various public agencies in our service area in an aggregate amount not to exceed \$1,250,000 for paving, striping, sealing, and other related services at locations throughout the District's service area beginning on or after January 29, 2020 through January 29, 2021.
 - 5b. Authorize additional agreements with vendors that meet District standards to increase flexibility and ensure vendor availability during periods of peak workload. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.

CONSENT CALENDAR: (Continued)

6. Authorize the Office of General Counsel to continue the employment of the law firm of Ellison, Schneider, Harris & Donlan, LLP, for specialized legal services related to water and energy law and litigation matters.
7. Approve the November and December 2019 Monthly Investment Transactions Reports.
8. Adopt a resolution to confirm and appoint the following individuals as Standby Officers for the East Bay Municipal Utility District Board of Directors for Calendar Year 2020 as outlined in the Director's Emergency Succession Plan. (Resolution)
 - 8a. Confirm the following individuals as Standby Officers:

Ward No. 1 – 1) Celia McCoy; 2) Linda Jackson-Whitmore; 3) Lynelle Lewis
Ward No. 2 – 1) Dennis Diemer; 2) Carol Rowley; 3) Robert Dean
Ward No. 3 – 1) Jennifer Jackson; 2) Peter Vorster; 3) Randeale Kanouse
Ward No. 4 – 1) Margo Schueler; 3) Helen Burke
Ward No. 5 – 1) Heinrich Albert; 2) James Prola; 3) Ronald M. Stork
Ward No. 6 – 1) Robert Harris; 2) Jose Guzman; 3) Kevin S. Blackburn
Ward No. 7 – 1) Calvin Sakamoto; 2) Gene Ashford, Jr.; 3) Gregory Chan
 - 8b. Appoint Xanthe M. Berry to serve as Standby Officer No. 2 for Ward 4.

DETERMINATION AND DISCUSSION:

9. Discuss standing board committees.
10. General Manager's Report:
 - Water Supply Update
 - EBMUD Biennial Report for Fiscal Years 2018-2019
 - Water on Wheels Trailer, Season Summary and 2020 Event Schedule

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, February 11, 2020 in the Administration Center 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, January 28	Finance/Administration Committee Sustainability/Energy Committee Linney {Chair}, Katz; Mellon Customer Assistance Program Workshop Board of Directors	8:00 a.m. Training Resource Center 9:30 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<i>Cancelled</i> <ul style="list-style-type: none"> • Climate Change Monitoring and Response Plan • Greenhouse Gas Inventory Methodology Update • Energy Policy Update • Managing Vehicle Emissions <ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, February 11	Planning Committee Legislative/Human Resources Committee Board of Directors	9:15 a.m. Training Resource Center 10:15 a.m. Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Wednesday, February 12	Lincoln's Birthday Holiday		<i>District Offices Closed</i>
Monday, February 17	President's Day Holiday		<i>District Offices Closed</i>
Tuesday, February 25	Finance/Administration Committee Long-Term Water Supply Workshop Board of Directors	TBD Training Resource Center TBD Training Resource Center 11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting