



**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, June 11, 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. *Debra Kast v. East Bay Municipal Utility District*  
WCAB No.: ADJ9917931
  - b. Water rights hearing on *Petition Requesting Changes in Water Rights of the Department of Water Resources and U.S. Bureau of Reclamation for the California WaterFix Project*  
California State Water Resources Control Board
  - c. *East Bay Municipal Utility District v. California Department of Water Resources, et al.*  
Sacramento County Superior Court, Coordinated Proceeding JCCP No. 4942
  - 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
  - c. One matter.

***(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:**

- Acterra 2019 Business Environmental Award for the Resource Recovery Program

**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, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of May 28, 2019.
2. File correspondence with the Board.
3. Authorize an agreement beginning on or after June 11, 2019 with AT&T Mobility National Accounts, LLC, and Cellco Partnership dba Verizon Wireless in the estimated amount of \$900,000 annually for providing wireless telephone and wireless broadband Internet services to District devices for five years for a total amount not to exceed \$4,500,000 under the State of California's contract.
4. Authorize an agreement beginning on or after July 1, 2019 with Civicorps in an amount not to exceed \$582,000 to provide vegetation control and related duties at various District properties.
5. Authorize an agreement with ENS Resources, Inc., in an amount not to exceed \$135,000 for continued legislative and regulatory information-gathering, analysis, representation and liaison services in Washington, D.C., for a one-year period from July 1, 2019 to June 30, 2020.
6. Authorize actions related to Fully Maintained and Operated (FM&O) backhoe services.
  - 6a. Authorize an extension to the agreement awarded under Board Motion No. 083-18 on June 12, 2018 to GRG General Engineering, MJH Excavating, Inc., and North Bay Logistics Group, LLC, from June 11, 2019 to June 12, 2020 for FM&O backhoe services.
  - 6b. Authorize additional agreements for FM&O backhoe services, on an as-needed basis, with vendors that meet District standards and offer pricing at or below the range of the current agreements to increase flexibility and ensure vendor availability to the District. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
7. Authorize an agreement beginning on or after June 11, 2019 with the Town of Danville in an amount not to exceed \$117,480 to upgrade 178 gate valve boxes after street paving.

**CONSENT CALENDAR:** (Continued)

8. Authorize an amendment to the agreement with Stantec Consulting Services, Inc., successor following merger with MWH Americas, Inc., awarded under Board Motion No. 198-17 on December 12, 2017 to increase the amount by \$1,798,779 to a total amount not to exceed \$6,188,628 for additional design services under the Water Treatment Plant Chemical Systems Safety Improvements Project.
9. Approve the nomination of Director Frank Mellon as a candidate for a regional officer position on the Association of California Water Agencies Region 5 Board. (Resolution)
10. Adopt a Climate Action Policy to affirm the District's recognition of climate change and the effects it will have on sea level, snowpack, climate variability, and ecosystems on District watersheds. (Resolution)

**PUBLIC HEARING:**

11. Conduct a public hearing to consider revisions to the water and wastewater system schedules of rates and charges, capacity charges and other fees recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2020 and 2021.

**DETERMINATION AND DISCUSSION:**

12. Adopt the following rates, charges, fees, and regulations for Fiscal Years 2020 and 2021. (Resolutions)
  - 12.1. Adopt the rates and charges subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2020 and 2021 filed with the Board of Directors on May 14, 2019.
  - 12.2. Adopt the rates, charges, fees and regulations not subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2020 and 2021 filed with the Board of Directors on May 14, 2019.
13. Adopt, in accordance with the provisions of the Municipal Utility District Act, the Fiscal Year 2020 (FY20) and Fiscal Year 2021 (FY21) Operating and Capital Budgets for the Water and Wastewater Systems as recommended in the FY20 and FY21 Proposed Biennial Budget. (Resolution)
14. Adopt the proposed position resolution for Fiscal Year 2020 and Fiscal Year 2021 to implement necessary staffing and classification changes. (Resolution)
15. Legislative Update:
  - Update on Legislative Issues of Interest to EBMUD
16. General Manager's Report:
  - Monthly Report – May 2019

**REPORTS AND DIRECTOR COMMENTS:**

17. Committee Reports:
  - Finance/Administration
  - Planning
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, June 25, 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, June 11</b>	<p><b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon</p> <p><b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson</p> <p><b>Board of Directors</b></p>	<p>10:45 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Updates on Emerging Contaminants and Regulations for Wastewater</li> <li style="text-align: center;"><i>Cancelled</i></li> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, June 25</b>	<p><b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Katz</p> <p><b>Board of Directors</b></p>	<p>10:00 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Thursday, July 4</b>	<b>Independence Day</b>		<i>District Offices Closed</i>
<b>Tuesday, July 9</b>	<p><b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon</p> <p><b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson</p> <p><b>Board of Directors</b></p>	<p>9:15 a.m. Training Resource Center</p> <p>10:15 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>