



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, April 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. *Kevin Best and Hope Young v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG18888299
 - b. *Tyrone Rabb v. East Bay Municipal Utility District*
WCAB No.: ADJ10665643
 - c. *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 hold Closed Session in Conference Room 8)

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

PRESENTATIONS:

American Society of Civil Engineers-San Francisco Section Awards:

- Water/Wastewater Project of the Year award for the Sobrante and Upper San Leandro Water Treatment Plants Ozone Systems Improvements Project
- Small Project of the Year award for the San Pablo Tunnel East Access Shaft Improvement Project

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 6 recommendations.)

1. Approve the Special and Regular Meeting Minutes of March 26, 2019.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Nutrien Ag Solutions, Inc., in an annual amount, after the addition of taxes, not to exceed \$143,184 for supplying spray and pre-emergent herbicide materials and related services to control vegetation at various District facilities and properties for three years, beginning on or after April 15, 2019 with two options to renew for an additional one-year period for a total cost of \$715,920 under Request for Quotation No. 1817.
4. Award a contract to the lowest responsive/responsible bidder Ferguson Waterworks in an annual amount, after the addition of taxes, not to exceed \$989,576 for supplying resilient seated gate and butterfly valves for two years, beginning on or after April 9, 2019 with three options to renew for an additional one-year period for a total cost of \$4,947,880 under Request for Quotation No. 1905A.
5. Authorize an agreement beginning on or after April 15, 2019 with Shaw Law Group, PC, in an amount not to exceed \$46,000 for Harassment Prevention Training for one year with two options to renew for an additional one-year period for a total cost of \$138,000.
6. Approve the assignment of contracts from Cooper Pugeda Management, Inc., to CPM Associates, Inc., effective April 9, 2019.
 - 6a. Approve the assignment of the contract previously awarded under Board Motion No. 128-18 on September 11, 2018 in an amount not to exceed \$87,708 from Cooper Pugeda Management, Inc., to CPM Associates, Inc., for special inspection services for the Carisbrook Reservoir and Skyline Pumping Plant Replacements Project.
 - 6b. Approve the assignment of the contract previously awarded under Board Motion No. 058-17 on April 25, 2017 in an amount not to exceed \$1,692,170 from Cooper Pugeda Management, Inc., to CPM Associates, Inc., for construction support services for the Sobrante and Upper San Leandro Water Treatment Plants Ozone System Improvements Project.

DETERMINATION AND DISCUSSION:

7. Legislative Update:
 - Receive Legislative Report No. 02-19 and consider positions on the following bills: AB 292 (Quirk) Recycled Water: Raw Water and Groundwater Augmentation; AB 834 (Quirk) Freshwater and Estuarine Harmful Algal Bloom Program; AB 1180 (Friedman) Water: Recycled Water; AB 1672 (Bloom) Solid Waste: Flushable Products; SB 1 (Atkins) California Environmental, Public Health, and Workers Defense Act of 2019; SB 332 (Hertzberg) Wastewater Treatment: Recycled Water; and SB 785 (Committee on Natural Resources and Water) Public Resources: Parklands, Freshwater Resources, and Coastal Resources
 - Update on Legislative Issues of Interest to EBMUD
8. Introduction and first reading of amendments to the Regional Private Sewer Lateral Ordinance (Ordinance No. 359-13, as previously amended) to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 18. (Introduction and First Reading – Ordinance No. 369-19)
9. Authorize actions related to employee salary ranges, salaries and wage rates. (Resolution)
 - 9a. Approve implementation of the third year general salary increase of 3.8% in accordance with the 2017-2021 Memoranda of Understanding between the District and AFSCME Locals 2019 and 444, IUOE Local 39 and IFPTE Local 21.
 - 9b. Authorize a 3.8% general salary increase for Senior Management Team Members, Managers, Confidential employees and other Non-Represented employees in accordance with Resolution No. 35074-18. For purposes of Section 54953(c)(3) of the Brown Act, Senior Management Team Members referenced herein include: General Manager, General Counsel, Secretary of the District, Manager of Customer and Community Services, Director of Engineering and Construction, Director of Finance, Manager of Human Resources, Director of Operations and Maintenance, Director of Wastewater, Director of Water and Natural Resources, Special Assistant IV (Legislative Affairs), and Special Assistant IV (Public Affairs).
10. General Manager's Report:
 - Monthly Report – March 2019

REPORTS AND DIRECTOR COMMENTS:

11. Committee Reports:
 - Planning
 - Legislative/Human Resources
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, April 23, 2019 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, April 9	Planning Committee Linney {Chair}; McIntosh; Mellon	8:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Earthquake Preparedness • Water Quality Program Annual Update - 2018 • Regulatory Compliance Semi-Annual Report – September 2018 through March 2019 • Advanced Metering Infrastructure Water-Energy Nexus Study Update • South Interceptor 3rd Street Rehabilitation Phase 2 Project • Annual Recreation Report – 2018
	Legislative/Human Resources Committee Coleman {Chair}; McIntosh; Patterson	10:15 a.m. Training Resource Center	<ul style="list-style-type: none"> • Legislative Update • Electrical Engineer Recruitment and Retention Efforts
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, April 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, May 14	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
Monday, May 27	Memorial Day		<i>District Offices Closed</i>