



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, December 10, 2019**

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

*Director Andy Katz will participate via teleconference from the following location:
10 Calle del Quinto, Madrid, Spain*

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. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Waste Management of Alameda County, Inc.
Claim No. 2017-L-183-1
 - b. One matter.

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

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

*Director Andy Katz will participate via teleconference from the following location:
10 Calle del Quinto, Madrid, Spain*

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

PRESENTATION:

- American Public Works Association's 2019 Northern California Backhoe "Roadeo" Competition Award

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 13 recommendations, including 1 resolution.)

1. Approve the Special and Regular Meeting Minutes of November 26, 2019.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, R & B Company, in an annual amount, after the addition of taxes, not to exceed \$978,000 for supplying wet barrel fire hydrants for three years, beginning on or after January 1, 2020 with two options to renew for additional one-year periods for a total cost of \$4,890,000 under Request for Quotation (RFQ) No. 2001.
4. Award a contract to the lowest responsive/responsible bidder, Teichert Energy & Utilities Group, Inc., doing business as Teichert Utilities, in the amount of \$2,859,790 for construction of the Westside Pumping Plant Replacement – El Toyonal/La Encinal Pipeline Improvements under Specification 2149.
5. Award a contract to Dynamic Systems, Inc., in an amount, after the addition of taxes, not to exceed \$565,000 for supplying Oracle hardware and software maintenance and support services for one year beginning on or after December 10, 2019.
6. Authorize an agreement with Fidelity Workplace Services, LLC (Fidelity Investments), for the recordkeeping services for the District's 401(a), 401(k) and 457 Plans beginning January 1, 2020 for three years with the option to extend for two additional one-year periods; and to approve mutual indemnification.
7. Authorize an agreement beginning on or after December 10, 2019 with the Peralta Community College District in an amount not to exceed \$104,672 for tuition, student support services, and appropriate materials required for the Cohort Learning Program.
8. Authorize an agreement beginning on or after December 10, 2019 with Towill, Inc., in an amount not to exceed \$455,000 to complete an internal survey of Lafayette Aqueduct No. 1.
9. Authorize an agreement beginning on or after December 10, 2019 with WaterSmart Software, Inc., in an amount not to exceed \$399,900 annually for two years with three options to renew for additional one-year periods for a total cost of \$1,999,500 for continuing customer water consumption reporting and engagement services.
10. Authorize an amendment to the agreement awarded under Board Motion No. 138-18 with Brown and Caldwell to increase the amount by \$299,913 to a total amount not to exceed \$1,074,991 for additional engineering services for the San Pablo Reservoir Hypolimnetic Oxygenation System Project.

CONSENT CALENDAR: (Continued)

11. Take the following actions related to the Short Term Pilot Water Transfer Project (Project):
 - 11.1. Authorize an agreement with the Bay Area Water Supply and Conservation Agency (BAWSCA) setting forth the terms and conditions upon which the District will, on a non-precedential one-time basis, convey up to 1,000 acre-feet of raw water to be purchased by BAWSCA from the Amador Water Agency (AWA) from the Mokelumne River watershed to the District's service area, treat the water conveyed to potable standards, and make the treated water, less agreed conveyance losses, available to BAWSCA at the Hayward Intertie for use by BAWSCA or its member agencies.
 - 11.2. Authorize a memorandum of understanding with AWA setting forth the District's conditional non-opposition to the Project, reserving the District's legal rights with respect to future water sales or transfers by AWA, and establishing a dispute resolution process to address legal and water rights issues relating to the transferability of the AWA's water supplies.
 - 11.3. Authorize an agreement among the District, the City of Hayward, and the San Francisco Public Utilities Commission consenting to the one-time use of the Hayward Intertie for the Project.
 - 11.4. Determine the Project is exempt from the requirements of the California Environmental Quality Act.
12. Authorize a one-time payment of \$105,000 to the Town of Moraga as consideration for entering into a Mutual Tolling Agreement with the District beginning on or after December 11, 2019.
13. Appoint Special Assistant I (Office of Intergovernmental Affairs). (Resolution)

DETERMINATION AND DISCUSSION:

14. Legislative Update:
 - State Legislative Initiatives for 2020 Legislative Year
 - Update on Legislative Issues of Interest to EBMUD
15. General Manager's Report:
 - Public Safety Power Shutoff Update
 - Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2020 and a Summary of the 2019 Committee and Workshop Topics
 - Monthly Report – November 2019

REPORTS AND DIRECTOR COMMENTS:

16. Committee Reports:
 - Finance/Administration
 - Planning
 - Legislative/Human Resources

REPORTS AND DIRECTOR COMMENTS: (Continued)

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, January 14, 2020 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, December 10	Planning Committee Linney {Chair}; McIntosh; Mellon	9:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Senate Bill 998 Update • Facility Landscape Maintenance
	Legislative/Human Resources Committee Coleman {Chair}; McIntosh; Patterson	10:15 a.m. Training Resource Center	<ul style="list-style-type: none"> • Legislative Update • Deferred Compensation Plan Recordkeeping Contract
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, December 24	Finance/Administration Committee		<i>Cancelled</i>
	Board of Directors		<i>Cancelled</i>
Wednesday-Thursday, December 25-26	Christmas Holiday		<i>District offices will be closed.</i>
Wednesday, January 1	New Year's Day		<i>District offices will be closed.</i>
Tuesday, January 14	Planning Committee Linney {Chair}; McIntosh; Mellon	TBD Training Resource Center	
	Legislative/Human Resources Committee Coleman {Chair}; McIntosh; Patterson	TBD 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, January 20	Martin Luther King Jr. Day		<i>District offices will be closed.</i>
Tuesday, January 28	Finance/Administration Committee	TBD Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

