



**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, October 22, 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. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
  - a. Amador Water Agency Water Transfer
  - b. 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:**

- Government Finance Officers Association's Fiscal Year 2018 Achievement for Excellence in Finance Reporting

**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 9 recommendations, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of October 8, 2019.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder Superior Tank Solutions, Inc., in an amount, after the addition of taxes, not to exceed \$126,530 for replacing partial guardrail systems and gates with full perimeter guardrail systems with self-closing gates on five above-ground water distribution tanks, at several upcountry facilities beginning on or after October 24, 2019 under Request for Quotation No. 1923.
4. Authorize an agreement beginning on or after October 22, 2019 between the City of Albany and the District to provide as-needed sanitary sewer overflow sampling and analysis services for Albany through September 30, 2023.
5. Authorize actions related to Fully Maintained and Operated (FM&O) asphaltic cement/concrete saw cutting services.
  - 5a. Authorize an amendment to the agreements awarded under Board Motion No. 140-18 to increase the amount by \$1,200,000 to a total amount not to exceed \$6,400,000 for the rental of FM&O asphaltic cement/concrete saw-cutting services, and extend these agreements through November 25, 2020 with the following vendors: Bay Line Cutting & Coring, Inc.; Cal-West Concrete Cutting, Inc.; Concrete Demo Works, Inc.; Fine Line Sawing and Drilling, Inc.; and Penhall Company.
  - 5b. Authorize additional agreements for FM&O asphaltic cement/concrete saw-cutting rental services with vendors meeting District standards and offering pricing at or below the range in the amended agreements above. These additional agreements may be issued, on an as-needed basis, to increase flexibility and ensure availability of asphaltic cement/concrete saw-cutting services to the District. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
6. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to tax, public pension law, litigation and construction matters.
7. Approve the September 2019 Monthly Investment Transactions Report.
8. Adopt a resolution authorizing the General Manager to submit an application for an amount up to \$1 million, for a Sustainable Groundwater Planning Grant (Round 3) for development of a Groundwater Sustainability Plan for the East Bay Plain Subbasin and, if funding is awarded, to execute a grant agreement on terms approved as to form by the Office of the General Counsel. (Resolution)
9. Appoint Director of Engineering and Construction. (Resolution)

**DETERMINATION AND DISCUSSION:**

10. Legislative Update:
  - Mid-Session Report on State Legislation - Status of EBMUD Position Bills for the First Year of the 2019-20 State Legislative Session
  - Update on Legislative Issues of Interest to EBMUD
11. Authorize execution of legal documents associated with extending Standby Bond Purchase Agreements and Fee Agreements with Wells Fargo Bank, National Association for the Water System Revenue Refunding Bonds, Series 2008A-1 and 2008A-4 until December 9, 2022 at a fee of 30 basis points (0.30%) per year. (Resolution)
12. General Manager's Report:
  - Upcoming Long-Term Financial Stability Related Activities

**REPORTS AND DIRECTOR COMMENTS:**

13. Committee Reports:
  - EBMUD/EBRPD Liaison – September 13, 2019
  - Planning
  - Legislative/Human Resources
  - Sustainability/Energy
  - Finance/Administration
14. Other Items for Future Consideration.
15. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 12, 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, October 22</b>	<b>Sustainability/Energy Committee</b> Linney {Chair}; Katz; Mellon	8:15 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Fiscal Year 2019 Sustainability Report</li> <li>• 2018 Greenhouse Gas Inventory</li> <li>• Energy Policy Update</li> <li>• Biosolids Management Program Update</li> <li>• Resource Recovery Program Update</li> <li>• Climate Change Monitoring and Response Plan</li> </ul>
	<b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Katz	10:00 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Financial Review for Fiscal Year 2019</li> <li>• Fiscal Year 2019 Key Performance Indicators Report</li> <li>• Extend Standby Bond Purchase Agreement for Variable Rate Demand Bonds Series 2008A-1 and 2008A-4</li> <li>• Monthly Investment Transactions Report</li> <li>• Quarterly Financial Reports</li> <li>• Investment Policy Certification</li> <li>• Fiscal Year 2019 Annual Power Sales Report</li> </ul>
	<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>Monday, November 11</b>	<b>Veteran’s Day Holiday</b>		<i>Offices Closed</i>
<b>Tuesday, November 12</b>	<b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon	9:15 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<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.	