

MINUTES

Tuesday, August 13, 2019

**East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:00 a.m. in the Administration Building Board Room.

ROLL CALL

Directors John A. Coleman, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Marguerite Young were present at roll call. Director Doug Linney was absent (excused). Director Andy Katz arrived in Conference Room 8 at 11:10 a.m.

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant General Counsel Xanthe M. Berry (Item 1a), Attorney Ayriel A. Bland (Item 1a), Workers Compensation Manager and Risk Specialist Vladimir Bessarabov (Item 1a), Risk Management Assistant Penny Terry (Item 1a), Attorney Derek T. McDonald (Item 2), Manager of Customer and Community Services Andrew L. Lee (Item 2), and Manager of Real Estate Services Matt Elawady (Item 2).

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Marguerite Young announced the closed session agenda. The Board convened to Conference Room 8 for discussion.

Regular Business Meeting

President Marguerite Young called to order the Regular Business Meeting of the Board of Directors at 1:15 p.m. in the Administration Building Board Room.

ROLL CALL

Directors John A. Coleman, Andy Katz, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Marguerite Young were present at roll call. Director Doug Linney was absent (excused).

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Marguerite Young led the Pledge of Allegiance.

PRESENTATION

General Manager Alexander R. Coate announced the District received the National Association of Clean Water Agencies' 2019 Workforce Development Award. The award recognizes the District's Wastewater Plant Operator Trades Training Program for embodying effective, sustainable solutions that address the need for a qualified, diverse, and knowledgeable utility workforce. Since implementation, the District has maintained its perfect National Pollutant Discharge Elimination System permit compliance record, now at 19 years, while improving the diversity of the Operator applicant pool. On behalf of the Board of Directors, Director Andy Katz presented the award to the following Wastewater Department staff: Technical Training and Writing Administrator Kevin R. Dickison; Wastewater Treatment Superintendent David L. Freitas; Wastewater Plant Operator II Jason Lee; Wastewater Operations Coordinator Ryan D. Maguire; Wastewater Plant Operator I Jesse Ochoa; and Wastewater Plant Operator I Michelle M. Yee.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board was Kasie L. Evans, Chief Steward, AFSCME Local 2019, who thanked the Board for responding to the union's June 25, 2019 request regarding the job classification study for the Wastewater Construction Inspector position; and acknowledged the Board, General Manager Coate and staff for exhibiting the District's values.

CONSENT CALENDAR

- Item 12 was pulled from the Consent Calendar for comment.
 - Motion by Director McIntosh, seconded by Director Coleman, to approve the recommended actions for Items 1-11 on the Consent Calendar, carried (6-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (Linney).
1. **Motion No. 131-19** – Approved the Regular Meeting Minutes of July 23, 2019.
 2. The following correspondence was filed with the Board: **1) Speakers' Bureau and Outreach Record CY19**, dated August 13, 2019.
 3. **Motion No. 132-19** – Authorized an agreement beginning on or after August 13, 2019 with AGS, Inc. in an amount not to exceed \$293,550 for the Main Wastewater Treatment Plant Geotechnical Investigation for the Seismic Hazard Mitigation Project.

4. **Motion No. 133-19** – Authorized an agreement with Brown and Caldwell in an amount not to exceed \$275,000 for development of a Bay Area Regional Water Market Strategy Report on behalf of the Bay Area Regional Reliability partnership.
5. **Motion No. 134-19** – Authorized an agreement beginning on or after August 13, 2019 with CDM Smith, Inc. in an amount not to exceed \$601,203 for condition assessment, engineering design services, and engineering services during construction for the Wastewater Interceptors Special Structures Phase 1 Project under SD-404.
6. **Motion No. 135-19** – Authorized an agreement with the City of Orinda in a total amount not to exceed \$240,240 to upgrade District gate valve boxes after street paving for City Project Nos. 4119, 4120, and 4131.
- 7a. **Motion No. 136-19** – Authorized an agreement beginning on or after August 13, 2019 with Sierra-Cedar, Inc. in an amount not to exceed \$4,132,475. Required implementation services for the Oracle Fusion Cloud modules to replace the District's current financial, procurement, inventory, and budgeting software systems total \$3,507,475. Optional services for the design and development of a financial data warehouse will not exceed \$625,000.
- 7b. **Motion No. 137-19** – Authorized an agreement beginning on or after August 13, 2019 with DLT Solutions, LLC in an amount not to exceed \$343,675 annually for subscription fees for their Oracle Fusion Cloud financial, procurement, inventory, and budgeting software services for five years with an option to renew for an additional five-year period including a five percent escalator, for a total cost of \$3,567,562.
- 8a-b. **Motion No. 138-19** – Authorized agreements beginning on or after August 13, 2019 with the following vendors: AIMS/PVIC CA, LLC (dba AIMS Companies); Pipe and Plant Solutions, Inc.; Presidio Systems, Inc.; Diede Construction, Inc. (dba Hydro X Services, Inc.); and Bradley Tanks, Inc., in an amount not to exceed \$422,400 for fully maintained and operated (FM&O) hydro/air-vacuum excavation rental services for one year; and authorized additional agreements for FM&O hydro/air-vacuum excavation rental services with companies meeting District standards and offering pricing at or below the range in the proposed agreements above. These additional agreements may be issued, on an as-needed basis, to increase flexibility and ensure vendor availability of hydro/air-vacuum excavation rental services to the District. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
- 9a-b. **Motion No. 139-19** – Authorized agreements beginning on or after August 13, 2019, with Delta Grinding Company, Inc. and Granite Rock Company (dba FMG) in an amount not to exceed \$2,500,000 for pavement grinding services for five years; and authorized additional agreements for pavement grinding services, on an as-needed basis, with vendors that meet District standards and offer pricing at or below the range in the proposed agreements above 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.
10. **Motion No. 140-19** – Authorized an amendment to the agreement with E & M Electric and Machinery, Inc. to increase the amount by \$55,070 to a total amount not to exceed \$165,000 and extend the date to August 29, 2022 for technical support services of the Wonderware software used at the District's Folsom South Canal Connection facilities.

11. **Motion No. 141-19** – Authorized an amendment to the agreement authorized under Board Motion No. 106-16 with Amador County to increase the amount by \$645,000 to a total amount not to exceed \$1,230,000 and extend the date to June 30, 2022 for law enforcement services at Pardee and Camanche Reservoirs and on adjacent District watershed lands.
12. **Resolution No. 35152-19** – Appointing Jose D. Setka as Environmental Affairs Officer (*Effective September 2, 2019*).
 - Director Mellon pulled Item 12 to congratulate Mr. Setka. President Young and Director Coleman also congratulated Mr. Setka on his appointment. Mr. Setka thanked the Board and said he was excited for the opportunity to serve in his new capacity.
 - Motion by Director Mellon, seconded by Director Patterson, to approve the recommended action for Item 12, carried (6-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (Linney).

DETERMINATION AND DISCUSSION

13. General Manager's Report.

General Manager Coate announced the July 2019 Monthly Report had been provided in the Board's packet and he was available to answer questions regarding the report content. He also pointed out the latest Speakers' Bureau and Outreach Record had been provided at their places. Mr. Coate responded to Board questions regarding the U.S. Army Corps of Engineers' Rule Curve as it applies to the District's operational practices and flood control regulatory framework for Pardee and Camanche reservoirs and said staff would provide a memo to the Board with additional information on this topic.

REPORTS AND DIRECTOR COMMENTS

14. Committee Reports.

- Filed with the Board were the Sustainability/Energy and the Finance/Administration Committee Minutes of July 23, 2019.

Planning Committee member Lesa R. McIntosh reported the Committee met at 9:15 a.m. and received updates on Information Technology Security; the Dam Safety Program Annual Report; the Main Wastewater Treatment Plant Odor Control Program; and the Duffel Photovoltaic Renewable Energy Project.

Legislative/Human Resources Committee Chair John A. Coleman reported the Committee met at 10:30 a.m. and received an update on the District's Values and Organizational Improvements Program.

15. Other Items for Future Consideration.

None.

16. Director Comments.

- Director Coleman reported attending the UMRWA Board meeting and tour on July 26 in Avery and plans to present at the Danville Town Council on September 3 in Danville.
- Director Mellon reported attending/participating in the following events: Contra Costa County Mayors' Conference on August 1 in Brentwood; Presentation to Castro Valley Rotary on August 6 at the Redwood Country Club in Castro Valley; and the Contra Costa Women's Elected Voters meeting on August 9 in San Ramon. He reported on plans to attend the San Ramon Mayors' breakfast on August 26 in San Ramon. Director Mellon also announced the recent passing of former East Bay Regional Park District (EBRPD) Board Director Carol Severin and asked that a letter of condolence be sent to EBRPD.
- Director Patterson reported attending Cleve William Givans' memorial service on July 16 in Oakland.
- Directors Katz, Linney, McIntosh and President Young had no report.

ADJOURNMENT

President Young adjourned the meeting at 1:41 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: September 10, 2019



Marguerite Young, President of the Board

