

MINUTES

Tuesday, November 14, 2017

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

Regular Closed Session Meeting

President Lesa R. McIntosh called to order the Regular Closed Session Meeting of the Board of Directors at 11:10 a.m. in the Administration Center Board Room.

ROLL CALL

Directors John A. Coleman, Doug Linney, Frank Mellon, William B. Patterson, Marguerite Young, and President Lesa R. McIntosh were present at roll call. Director Andy Katz arrived at 11:18 a.m.

Staff presented included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant General Counsel Xanthe M. Berry (Item 1a), Risk Manager Karen K. Curry (Item 1a), Assistant General Counsel Fred S. Etheridge (Item 1b), Attorney Jonathan D. Salmon (Item 1b), Director of Water and Natural Resources Richard G. Sykes (Item 1b), Attorney Lourdes Matthew (Item 3), Director of Finance Sophia D. Skoda (Item 3), Manager of Human Resources Laura A. Brunson (Item 3), and Industrial Employers Distributors Association representatives Glenn Berkheimer, Bruce Heid and Gregory Ramirez (Item 3).

PUBLIC COMMENT

- Addressing the Board were the following: 1) Mark Foley, President, AFSCME Local 2019, commented on negotiations and the latest proposals presented to the District by Locals 2019 and 444; 2) Dwight George, AFSCME Local 444, commented on the status of Local 444's equity adjustment requests; 3) Ryan Quezada, EBMUD Plant Maintenance Mechanic, commented on the equity adjustment requests for the Plant Maintenance Mechanic classification; and 4) John Briceno, President, AFSCME Local 444, commented on the status of Local 444's equity adjustment requests.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Lesa R. McIntosh announced the closed session agenda. The Board convened to Conference Room 8 for discussion.

Regular Business Meeting

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

ROLL CALL

Directors John A. Coleman, Andy Katz, Doug Linney, Frank Mellon, William B. Patterson, Marguerite Young, and President Lesa R. McIntosh were present at roll call. 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 McIntosh led the Pledge of Allegiance.

PRESENTATION

General Manager Alexander R. Coate announced that the following staff is being recognized for their work on the District's acquisition of the 604-acre Carr Ranch property in the San Leandro Creek watershed and establishment of the Oursan Ridge Conservation Bank which provided funding for the Carr Ranch acquisition: Matt Elawady, Manager of Real Estate Services; Robert J. Lynn, Senior Real Estate Representative; Robert M. Korn, Real Estate Representative II; Jose D. Setka, Manager of Fisheries and Wildlife; Bert W. Mulchaey, Supervising Fisheries and Wildlife Biologist; Jessica Purificato, Fisheries and Wildlife Biologist II; Jonathan D. Price, Fisheries and Wildlife Biologist II; Derek T. McDonald, Attorney III; Rachel R. Jones, Attorney III; Rick Leong, Principal Management Analyst; Scott D. Hill, Manager of Watershed and Recreation; Mark V. Silva, Ranger Supervisor; and Richard G. Sykes, Director of Water and Natural Resources. On behalf of the Board, Director Young thanked staff for their work and presented them with a framed print from the John Muir Land Trust which commemorates the District's acquisition of Carr Ranch and the conservation of the property in perpetuity.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

There was no public comment.

CONSENT CALENDAR

- Motion by Director Coleman, seconded by Director Mellon, to approve the recommended actions for Items 1-5 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 183-17** – Approved the Regular Meeting Minutes of October 24, 2017.
 2. The following correspondence was filed with the Board: **1)** Document entitled, “Negotiations 2017 Joint 444/2019 Package Proposal J19-K, J20-E,” dated November 9, 2017; **2)** Revised Sustainability/Energy Committee Minutes – October 24, 2017 from Rischa S. Cole, Secretary of the District to the Board of Directors, dated November 9, 2017; **3)** Document entitled, “Lead Sampling for K-12 Schools: Background and Fact Sheet”; and **4)** Speakers’ Bureau and Outreach Record CY17 dated November 14, 2017.
 3. **Motion No. 184-17** – Authorized an amendment to the agreement awarded under Board Motion No. 175-16 with Carollo Engineers, Inc., for an additional amount not to exceed \$300,000, increasing the agreement ceiling to an amount not to exceed \$749,892 for additional predesign services for the development of a detailed alternative analysis and preliminary design for an alternative disinfection strategy for the Orinda Water Treatment Plant.

- 4a-b. **Motion No. 185-17** – Authorized an amendment to the agreement awarded under Board Motion No. 185-14 on November 25, 2014, to increase the estimated agreement amount by \$1,000,000 for the rental of fully maintained and operated (FM&O) asphaltic cement/concrete saw cutting services from Bay Line Cutting and Coring, Inc., Fine Line Sawing and Drilling, Inc., and Penhall International beginning on or after November 14, 2017 through the remainder of the agreement period ending November 25, 2019; and authorized additional agreements for FM&O asphaltic cement/concrete saw cutting services with vendors that meet District standards and offer pricing at or below the range in the amended agreements above. These additional agreements may be issued, on an as-needed basis, in order to increase flexibility and ensure availability of FM&O asphaltic cement/concrete saw cutting services to the District.
5. **Motion No. 186-17** – Cancelled the December 26, 2017 Closed Session and Regular Meetings of the Board of Directors.

DETERMINATION AND DISCUSSION

6. **General Manager’s Report.**

General Manager Coate reported that the Board had at their places the October 2017 General Manager’s Monthly Report and a revised, corrected copy of the October 24, 2017 Sustainability/Energy Committee Minutes. He also noted that the Board would receive electronic copies of the “Lead Sampling for K-12 Schools: Background and Fact Sheet” and a list of private schools in the District’s service area. Director Mellon thanked staff for their work on the October 29, 2017 Chabot “Run to the Dam” event which was highlighted in the General Manager’s Monthly Report and provided event t-shirts to the Board members.

REPORTS AND DIRECTOR COMMENTS

7. **Committee Reports.**

- Filed with the Board were the Sustainability/Energy and Finance/Administration Committee Minutes of October 24, 2017.

8. **Other Items for Future Consideration.**

- Develop a plan to annually recognize District employees who are veterans of the armed forces during future Board meetings scheduled near Veteran’s Day.

9. **Director Comments.**

- Director Coleman reported attending/participating in the following events: ACWA Executive Director evaluation process on October 26 in Oakland; ACWA Executive Committee teleconference on October 30 in Oakland; Contra Costa County Mayors’ Conference on November 2 in Moraga; California Emerging Technology Fund Pilot Program meeting on November 8 in Oakland; and ACWA Executive Committee teleconference on November 13 in Oakland. He reported on plans to attend/participate in the following upcoming events: Dublin-San Ramon Services District (DERWA) meeting on November 16 in Dublin; ACWA Executive Committee and Board of Directors meetings on November 17 in Sacramento;

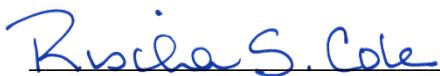
Meeting with City of Walnut Creek Mayor Rich Carlson on November 20 in Walnut Creek; ACWA Executive Committee teleconference on November 20 in Oakland; and presentation to Lafayette City Council on November 27 in Lafayette.

- Director Katz reported attending the Sierra Club's 2017 David Brower dinner on October 7 in San Francisco.
- Director Linney had no report.
- Director Mellon reported attending/participating in the following events: Chabot Dam Park reopening event on October 25 in San Leandro; Castro Valley Sports Foundation/Eden Healthcare District "Run to the Dam" event on October 29 in Castro Valley; Alameda County Mayors' Conference on November 8 in Fremont; and Swords to Plowshares 21st Annual Veterans Day Dinner and Awards event on November 10 in San Francisco.
- Director Patterson expressed appreciation to staff for their assistance with lead testing efforts in the Oakland Unified School District and for the "Lead Sampling for K-12 Schools: Background and Fact Sheet."
- Director Young reported attending the Localizing California Waters Conference November 1-3 in Groveland, CA.
- President McIntosh had no report.

ADJOURNMENT

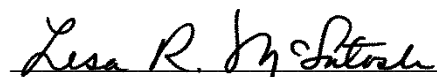
President McIntosh adjourned the meeting at 1:33 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: November 28, 2017



Lesa R. McIntosh, President of the Board