



**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, March 12, 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:**

This memorandum sets forth the closed session agenda items for the February 26, 2019 Board meeting:

1. Existing litigation pursuant to Government Code section 54956.9(a):
  - a. *Woodbridge Irrigation District v. East Bay Municipal Utility District*  
Sacramento County Superior Court, Case No. 34-2018-00232142-CU-CO-GDS
  - b. *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
3. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): 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
- Director McIntosh 20 Years of Service

**PRESENTATION:**

- National Association of Clean Water Agencies 2019 Public Information & Education Award for the District's "Watershed to Bay" publication in the East Bay Express in 2018

**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 Regular Meeting Minutes of February 26, 2019.
2. File correspondence with the Board.
3. Authorize an agreement beginning on or after March 13, 2019 with McMillen Jacobs Associates in an amount not to exceed \$338,611 for the design of two new chemical feed shafts to Pardee Tunnel as part of the Pardee Chemical Plant Improvements Project.
4. Authorize an agreement beginning on or after March 12, 2019 with Pacific Rim Fall Protection, Inc., in an amount not to exceed \$333,280 for fall protection services and systems at four buildings at the Adeline Maintenance Center.
5. Consider the Addendum to the Main Wastewater Treatment Plant Land Use Master Plan Environmental Impact Report, determine that no further environmental review is required under the California Environmental Quality Act, and authorize the execution of a five-year Land Lease with an option to extend for an additional five years or less at the District's discretion with Bizon Group, Inc., dba Conexwest, for approximately four acres of land located within the District's West End property.
6. Adopt the Fiscal Year 2019 Diversity and Inclusion Program.

**DETERMINATION AND DISCUSSION:**

7. Legislative Update:
  - Receive Legislative Report No. 01-19 and consider positions on the following bills: AB 533 (Holden) Income Taxes: Exclusion: Water Conservation or Efficiency Programs: Water Runoff Management Improvement Program; ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval; SB 379 (Committee on Governance and Finance) Validations; SB 380 (Committee on Governance and Finance) Validations; SB 381 (Committee on Governance and Finance) Validations; and H.R. 1497 (DeFazio) Water Quality Protection and Job Creation Act of 2019; and receive information on the Status of Safe Drinking Water Fund Legislation
  - Update on Legislative Issues of Interest to EBMUD
8. General Manager's Report:
  - 2018 Mokelumne Fall-run Chinook Salmon and Steelhead Returns
  - Private Sewer Lateral Ordinance Changes
  - Water Supply Update
  - Monthly Report – February 2019

**REPORTS AND DIRECTOR COMMENTS:**

9. Committee Reports:
  - Sustainability/Energy
  - Finance/Administration
  - Legislative/Human Resources
10. Other Items for Future Consideration.
11. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 26, 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 11<sup>th</sup> 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, March 12</b>	<p><b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon</p> <p><b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson</p> <p><b>Long-Term Water Supply Workshop</b></p> <p><b>Board of Directors</b></p>	<p>8:15 a.m. Training Resource Center</p> <p>9:00 a.m. Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<p style="text-align: center;"><i>Cancelled</i></p> <ul style="list-style-type: none"> <li>• Legislative Update</li> <li>• FY19 Diversity and Inclusion Program</li> <li>• Discontinuance of Field Payment Collections</li>   <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, March 26</b>	<p><b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Katz</p> <p><b>Budget Workshop #2</b></p> <p><b>Board of Directors</b></p>	<p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Monday, April 1</b>	<b>Cesar Chavez Day</b>		<i>District Offices Closed</i>
<b>Tuesday, April 9</b>	<p><b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon</p> <p><b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson</p> <p><b>Budget Workshop #3</b></p> <p><b>Board of Directors</b></p>	<p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>TBD Training Resource Center</p> <p>11:00 a.m. 1:15 p.m.</p>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>