



**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, July 23, 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. 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. Conference with Board designated representatives Marguerite Young, Doug Linney, and Lesa McIntosh regarding employment contracts of the General Manager and the General Counsel pursuant to Government Code section 54957.6.

*(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

**PRESENTATIONS:**

- National Association of Clean Water Agencies Award – Operators
- Government Finance Officers Association’s Award for Excellence in Government Finance

**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 11 recommendations.)

1. Approve the Regular Meeting Minutes of July 11, 2019.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in the amount of \$9,608,541 for Birch, Cull Creek, and Sherwick Reservoirs Rehabilitation work under Specification 2144.
4. Authorize agreements, beginning on or after July 23, 2019, with two qualified consultants – Environmental Science Associates and Garcia and Associates – in an amount not to exceed \$90,000 annually for on-call cultural and paleontological resource management services for three years with two options to renew for additional one-year periods for a total cost of \$450,000.
5. Authorize an agreement beginning on or after August 1, 2019 with G4S Secure Solutions (USA), Inc., for contract security services for three years with two options to renew for additional one-year periods in an amount not to exceed \$18,274,555.
6. Authorize an agreement beginning on or after July 23, 2019 with Panorama Environmental in an amount not to exceed \$1,421,140 for preparing aesthetic conceptual design and technical reports for specific environmental assessments for the Fontaine, Montclair and Wildcat Pumping Plant Projects, pursuant to the California Environmental Quality Act.
7. Authorize an agreement beginning on or after July 23, 2019 with Salas O’Brien Engineers, Inc., in an amount not to exceed \$889,353 for design and construction management support services for building systems’ improvements at District-occupied facilities.
8. Authorize the purchase of wet concrete on the open market in an annual amount, after the addition of taxes, not to exceed \$300,000 for five years for a total cost of \$1,500,000.
9. Approve the assignment of the contract for agile software licenses previously awarded under Board Motion No. 094-17 on June 13, 2017 from VersionOne, Inc., to CollabNet, Inc.
10. Approve the Water Supply Assessment requested by the City of Emeryville for the Onni Christie Mixed Use Project pursuant to California Water Code, Sections 10910-10915.
11. Approve the June 2019 Monthly Investment Transactions Report.

**PUBLIC HEARINGS:**

12. Authorize actions related to the transfer of delinquent EBMUD charges to Alameda and Contra Costa counties' 2019-2020 Property Tax Rolls. (Resolution)
  - 12.1. Conduct a Public Hearing to consider objections and protests to the General Manager's report to Transfer Delinquent EBMUD Charges to the 2019-2020 Property Tax Rolls.
  - 12.2. Adopt the General Manager's report and authorize the General Manager to exclude from the report any affected parcels or amounts as appropriate, including those that the District receives payment for on or before August 9, 2019, the date in which reports will be sent to Alameda and Contra Costa counties.
13. Authorize actions related to the collection of the Wet Weather Facilities Charge on the Alameda and Contra Costa counties' Fiscal Year 2019-2020 Property Tax Rolls. (Resolution)
  - 13.1. Conduct a Public Hearing to consider objections and protests to EBMUD's written report (Report) describing each parcel of real property subject to the Wet Weather Facilities Charge (WWFC) and amount of the WWFC to be imposed on each parcel for the counties' Fiscal Year 2019-2020 Property Tax Rolls.
  - 13.2a. Adopt the Report by at least two-thirds of the members of the Board (i.e., by five Board members).
  - 13.2b. Authorize the District to collect the Fiscal Year 2020 WWFC on the property tax rolls of Alameda and Contra Costa counties.
  - 13.2c. Authorize District staff to adjust the Fiscal Year 2020 WWFC for any affected parcels as new information is provided by the counties.
  - 13.2d. Direct the Secretary of the District to file a copy of the Report on or before August 10, 2019 with the Alameda County Auditor and the Contra Costa County Auditor.

**DETERMINATION AND DISCUSSION:**

14. General Manager's Report:
  - Board Member Availability During District Emergencies

**REPORTS AND DIRECTOR COMMENTS:**

15. Committee Reports:
  - Planning
  - Legislative/Human Resources
  - Sustainability/Energy
  - Finance/Administration
16. Other Items for Future Consideration.

**REPORTS AND DIRECTOR COMMENTS:** (Continued)

17. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, August 13, 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, July 23</b>	<b>Sustainability/Energy Committee</b> Linney {Chair}, Katz, Mellon	10:00 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Employees' Retirement System Environmental, Social and Governance Considerations</li> <li>• Water Bottle Filling Stations Project Update</li> </ul>
	<b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Katz	10:30 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Financial and Procurement System Replacement Project (FIS/MMIS Replacement)</li> <li>• Annual Internal Audit Report</li> <li>• Monthly Investment Transactions Report</li> <li>• Quarterly Financial Reports</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>Tuesday, August 13</b>	<b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon	9:15 a.m. Training Resource Center	
	<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.	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, August 27</b>	<b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Katz		<i>Cancelled</i>
	<b>Board of Directors</b>		<i>Cancelled</i>
<b>Monday, September 2</b>	<b>Labor Day</b>		<i>District offices will be closed.</i>
<b>Tuesday, September 10</b>	<b>Planning Committee</b> Linney {Chair}; McIntosh; Mellon	9:15 a.m. Training Resource Center	
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}; McIntosh; Patterson	10:15 a.m. Training Resource Center	