

MINUTES

Tuesday, October 8, 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 11:01 a.m. in the Administration Building Board Room.

ROLL CALL

Directors John A. Coleman, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson, and President Marguerite Young were present at roll call. 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, Attorney Derek T. McDonald (Items 1a, 2a, and 2b), Engineering Manager Elizabeth Z. Bialek (Items 1a, 2a, and 2b), Assistant General Counsel Fred S. Etheridge (Item 2c – both matters), Attorney Jonathan D. Salmon (Item 2c – both matters), Director of Water and Natural Resources Michael T. Tognolini (Item 2c – both matters), and Engineering Manager Lena L. Tam (Item 2c – both matters).

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 1:16 p.m. in the Administration Building Board Room.

ROLL CALL

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

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

There was no public comment.

CONSENT CALENDAR

- Items 4.1 and 4.2 were pulled from the Consent Calendar for separate discussion.
- Motion by Director Coleman, seconded by Director Linney, to approve the recommended actions for Items 1, 3, and 5-10 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (None).
- 1. **Motion No. 165-19** – Approved the Regular Meeting Minutes of September 24, 2019.
- 2. The following correspondence was filed with the Board: **1)** Presentation entitled “Public Safety Power Shutoff Event,” dated October 8, 2019; and **2)** Speakers’ Bureau and Outreach Record CY19, dated October 8, 2019.
- 3. **Motion No. 166-19** – Awarded a contract to the lowest responsive/responsible bidder CDW Government, LLC, dba CDW Public for supplying Carbon Black cybersecurity software for three years, beginning on or after October 8, 2019 with two options to renew for additional one-year periods for a total cost not to exceed \$645,658 under Request for Quotation No. 1921A.
- 4.1. **Authorize an agreement beginning on or after October 8, 2019 with EETS, Inc., in an amount not to exceed \$550,000 for as-needed electrical engineering services to support the Camanche and Pardee Powerhouses over a two-year period.**

General Manager Alexander R. Coate discussed the need for the proposed agreements with EETS, Inc. under Agenda Items 4.1 and 4.2, to provide electrical engineering services for the District. Mr. Coate noted this item was discussed at the Planning Committee meeting earlier in the day and the committee supported staff’s recommendation.

- Addressing the Board was Justin J. Young, 1st Vice-President, AFSCME Local 2019, who commented the union opposes the proposed agreements. Mr. Young also commented on electrical engineer recruiting challenges and asked the Board to consider directing staff to review the classification’s salary for an equity adjustment to assist with recruiting efforts.

Mr. Coate responded to Board questions regarding the current salary, and overtime hours and costs for electrical engineers. Mr. Coate advised staff will be providing the Board with additional information on overtime hours and costs for electrical engineers across the District as requested by the Planning Committee.

- Motion by Director Mellon, seconded by Director Linney, to approve the recommended action for Item 4.1, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 174-19 – Authorized an agreement beginning on or after October 8, 2019 with EETS, Inc., in an amount not to exceed \$550,000 for as-needed electrical engineering services to support the Camanche and Pardee Powerhouses over a two-year period.

- 4.2. **Authorize an agreement beginning on or after October 8, 2019 with EETS, Inc., in an amount not to exceed \$160,000 for professional electrical engineering services to support repairs and upgrades of water system facilities for two years under Request for Proposal No. PES734-20-01.**

- Motion by Director Mellon, seconded by Director Linney, to approve the recommended action for Item 4.2, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, McIntosh, Mellon, Patterson, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 175-19 – Authorized an agreement beginning on or after October 8, 2019 with EETS, Inc., in an amount not to exceed \$160,000 for professional electrical engineering services to support repairs and upgrades of water system facilities for two years under Request for Proposal No. PES734-20-01.

5. **Motion No. 167-19** – Authorized an agreement beginning on or after October 8, 2019 with Brown and Caldwell in an amount not to exceed \$109,000 for implementing a pilot project to assess inflow and infiltration within sewer mains during storm events in support of the regional Wet Weather Consent Decree.
- 6a. **Motion No. 168-19** – Authorized an agreement beginning on or after October 8, 2019 with Dimension Data, Inc., in an amount not to exceed \$285,900 for replacement of the District's core network infrastructure.
- 6b. **Motion No. 169-19** – Authorized an agreement beginning on or after October 8, 2019 with Connect Tech West, Inc., in an amount not to exceed \$348,537 for implementation of a high-performance network for servers and network performance monitoring.
7. **Motion No. 170-19** – Authorized an agreement beginning on or after October 8, 2019 with Safety Holdings, Inc., in an amount not to exceed \$40,000 annually for an online driving record monitoring service, for three years for a total cost of \$120,000.
8. **Motion No. 171-19** – Authorized the execution of an 83-day ground lease with United Parcel Service, Inc., for approximately 11 acres of land located within the District's Oakport property for \$336,370.

9. **Motion No. 172-19** – Authorized a 10-year contract extension, beginning October 15, 2019, with the City of Hercules for the District to provide Utility Users Tax billing and collection services for approximately 7,200 Hercules ratepayers.
10. **Motion No. 173-19** – Authorized the Office of General Counsel to continue the employment of the law firm of Ellison, Schneider, Harris & Donlan, LLP, for specialized legal services related to water and energy law and litigation matters in an additional amount not to exceed \$140,000.

DETERMINATION AND DISCUSSION

11. General Manager's Report.

Director of Operations and Maintenance Clifford C. Chan presented an update on staff's response to potential impacts to District facilities resulting from Pacific Gas and Electric's (PG&E) Public Safety Power Shutoff (PSPS) event scheduled to start on Wednesday, October 9. Based on information from PG&E, Mr. Chan reported outages could last up to 5 days and approximately 790,000 PG&E customers across 29 counties and 35,000 EBMUD customers could be impacted. He reviewed a PSPS outage map and pointed out 133 District facilities could be impacted. As of this report, he advised no wastewater facilities would be affected. The District activated its Emergency Operations Team on Monday, October 7, and began maximizing storage in distribution reservoirs; connecting and activating rented portable pumps and generators at critical facilities; and attending meetings with PG&E and county emergency operations staff. Mr. Chan noted staff is currently determining if an additional, large generator will be needed at the Lafayette treatment plant. PG&E is scheduled to provide an update on the timing for power shutdowns by county at 5:30 p.m. Special Assistant to the General Manager Kelly A. Zito provided an update on the District's communication plan for the event. Staff is using email to update employees; local, city and county officials and stakeholders; as well as customers in areas where operations may be affected. Additionally, staff issued a media advisory and posted information on the District's social media sites. A webpage which will include a map displaying District pressure zones is being developed for customers to determine if they are located in an area that could be impacted by an outage. The Board thanked staff for their proactive planning and requested an updated copy of the outage map provided in Mr. Chan's presentation.

REPORTS AND DIRECTOR COMMENTS

12. Committee Reports.

- Filed with the Board were the Finance/Administration Committee Minutes of September 24, 2019.

Planning Committee Chair Doug Linney reported the Committee met at 9:45 a.m. and received information on Wet Weather Program Management and Electrical Engineering Support.

Legislative/Human Resources Committee Chair John A. Coleman reported the Committee met at 10:30 a.m. and received a quarterly update on the Diversity and Inclusion Action-Oriented

Programs and Outreach. Committee member Lesa R. McIntosh acknowledged the work that she, President Young, Attorney Saji T. Pierce, General Manager Coate and staff performed to implement a Diversity and Inclusion Master Plan. As requested during the Legislative/Human Resources Committee meeting, she advised staff would be providing further updates on the master plan once a consultant has been selected.

13. Other Items for Future Consideration.

None.

14. Director Comments.

- Director Coleman reported attending the Bishop Ranch Executive Forum on September 26 in San Ramon; San Francisco Estuary Institute Microplastic Symposium on October 2 in Berkeley; and UMRWA Board meeting and EBMUD Pardee Barbeque on October 4 in Pardee. He reported on plans to attend/participate in the following: DERWA Board meeting on October 14 in Pleasanton and the FRWA Special Board meeting on October 21 in Oakland. Director Coleman acknowledged staff for their work on the October 4 Pardee BBQ.
- Director Mellon reported attending the Board/staff Cal-Shakes event on September 24 in Orinda; Chevron presentation on September 26 in San Ramon; City of San Ramon Monthly Mayor's Breakfast on September 27 in San Ramon; Alameda County Democratic Party Unity Dinner on September 28 in Oakland; Contra Costa Mayors' Conference on October 3 in Antioch; EBMUD Pardee Barbeque on October 4 in Pardee; Oakland Asian Cultural Center event on October 4 in Oakland; and the Contra Costa County Democratic Party Unity Dinner on October 5 in Concord. Director Mellon acknowledged staff for their work on the October 4 Pardee BBQ.
- Director Young reported attending the EBMUD Retirement Board meeting on September 19 in Oakland and the EBMUD Pardee Barbeque on October 4 in Pardee. Director Young acknowledged staff for their work on the October 4 Pardee BBQ.
- Directors Katz, Linney, McIntosh and Patterson had no report.

ADJOURNMENT

President Young adjourned the meeting at 1:47 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: October 22, 2019



Marguerite Young, President of the Board

