



**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, February 11, 2020**

**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. *Mujahid Islam v. East Bay Municipal Utility District*  
WCAB Nos.: ADJ10300090; ADJ10300353; ADJ10145985
  - 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

*(The Board will convene to Conference Room 8 to discuss Closed Session agenda items.)*

**REGULAR BUSINESS MEETING  
1:15 p.m., Boardroom**

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance

**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 7 recommendations.)

1. Approve the Special and Regular Meeting Minutes of January 28, 2020.
2. File correspondence with the Board.
3. Authorize the purchase of fish feed to supply the Mokelumne River Fish Hatchery from Moore-Clark U.S.A., Inc. dba Bio-Oregon (Bio-Oregon), under the terms of the existing statewide contract between the State of California and Bio-Oregon, in an average annual amount, after the addition of taxes, of \$205,000 for five years, for a total cost not to exceed \$1,025,000.
4. Authorize an agreement beginning on or after February 11, 2020 with Advanced Engine Technologies Corporation in an amount not to exceed \$294,580 for the Main Wastewater Treatment Plant Power Generation Station assessment project.
5. Authorize an agreement beginning on or after February 11, 2020 with Chain Link Fence & Supply, Inc., in an amount not to exceed \$275,931 for the installation of security fencing at two District-owned properties referred to as the Orinda Sports Field and Upper San Leandro West Portal staging areas.
6. Authorize an agreement beginning on or after February 11, 2020 with Water Systems Optimization, Inc. in an amount not to exceed \$412,960 to prepare a Water Loss Control Master Plan.
7. Authorize a second amendment to the agreement awarded under Board Motion No. 029-19 with LEE & RO, Inc., to increase the amount by \$151,613 to a total amount not to exceed \$289,325 for design services during construction of the Demonstration Recharge, Extraction, and Aquifer Management Project.

**DETERMINATION AND DISCUSSION:**

8. Legislative Update:
  - Receive Legislative Report No. 01-20 and consider positions on the following bills: SCR 77 (Glazer) Representative Ellen O’Kane Tauscher Memorial Bore and H.R. (TBD) (Huffman) Furthering Underutilized Technologies and Unleashing Responsible Expenditures (FUTURE) for Drought Resiliency Act; and receive information on: the status of public safety power shutoff discussions; AB 1839 (Bonta) Climate Change: California Green New Deal; and climate resilience/water bonds
  - Update on Legislative Issues of Interest to EBMUD
9. Take actions related to the Duffel Photovoltaic Renewable Energy Project (Project). (Resolution)
  - 9a. Adopt the Final Mitigated Negative Declaration for the Project.
  - 9b. Make findings in accordance with the California Environmental Quality Act (CEQA).
  - 9c. Adopt the Mitigation Monitoring and Reporting Plan in accordance with CEQA.
  - 9d. Adopt the Practices and Procedures Monitoring and Reporting Plan.
  - 9e. Approve the Project.

**DETERMINATION AND DISCUSSION:** (Continued)

10. General Manager's Report:
  - Water Supply Update
  - Monthly Report – January 2020

**REPORTS AND DIRECTOR COMMENTS:**

11. Committee Reports:
  - Sustainability/Energy
  - Planning
  - Legislative/Human Resources
12. Other Items for Future Consideration.
13. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, February 25, 2020 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, February 11</b>	<b>Planning Committee</b> Linney {Chair}, McIntosh, Mellon	9:30 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Duffel Photovoltaic Renewable Energy Project Update and Final Mitigated Negative Declaration</li> <li>• Main Wastewater Treatment Plant Power Generation Station Engine Generators and Auxiliary Equipment Assessment</li> <li>• Resource Recovery Program Update</li> </ul>
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}, McIntosh, Patterson	10:30 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Legislative Update</li> <li>• Semi Annual Update on District Value and Organizational Improvements Program</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>Wednesday, February 12</b>	<b>Lincoln's Birthday Holiday</b>		<i>District Offices Closed</i>
<b>Monday, February 17</b>	<b>President's Day Holiday</b>		<i>District Offices Closed</i>
<b>Tuesday, February 25</b>	<b>Finance/Administration Committee</b> Patterson {Chair}, Coleman, Katz	TBD Training Resource Center	
	<b>Long-Term Water Supply Workshop</b>	TBD 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, March 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	
	<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>