



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Tuesday, October 23, 2018**

**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. *Ivette Rivera v. East Bay Municipal Utility District*
United States Court of Appeals, Ninth Circuit, Case No. 17-16891

(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:

- Government Finance Officers Association's Fiscal Year 2017 Achievement for Excellence in Finance Reporting Award
- Association of Metropolitan Water Agencies' 2018 Sustainable Water Utility Management Award

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, including 1 resolution.)

1. Approve the Regular Meeting Minutes of October 9, 2018.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Myers Power Products, Inc., in an amount, after the addition of taxes, not to exceed \$7,001,345 for supplying two prefabricated power buildings and associated electrical equipment for Maloney Pumping Plant and Sobrante Water Treatment Plant beginning on or after October 24, 2018, under Request for Quotation No. 1818.
4. Authorize an amendment to agreements awarded under Board Motion No. 168-16 dated September 27, 2016 to increase the amount by \$850,000 to an amount not to exceed \$3,350,000 for tree trimming and related services.
5. Approve the September 2018 Monthly Investment Transactions Report.
6. Approve agreements related to the East Bay Regional Wet Weather Consent Decree (Consent Decree).
 - 6.1 Authorize a Joint Exercise of Powers Agreement among the District, the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont, and the Stege Sanitary District forming a Collection System Technical Advisory Committee and establishing cooperative contracting, funding, and governance processes to address stormwater inflow and infiltration and other issues of shared concern with respect to the East Bay regional wastewater collection and treatment system.
 - 6.2 Authorize a Side Agreement for Consent Decree Compliance among the District, the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont, and the Stege Sanitary District allocating costs of Consent Decree performance evaluation, establishing a dispute resolution process, and apportioning responsibilities for Regional Private Sewer Lateral Program administration.
7. Appoint Director of Water and Natural Resources. (Resolution)

DETERMINATION AND DISCUSSION:

8. Approve the proposed financing plan for Fiscal Year 2019.
9. Authorize execution of legal documents associated with extending Bank of America, N.A. Revolving Credit Agreement and Related Fee Agreement for Commercial Paper Notes (Water Series) Tax-Exempt Subseries A-2 until November 2021 at a fee of 0.30 percent per annum. (Resolution)
10. General Manager's Report.

REPORTS AND DIRECTOR COMMENTS:

11. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Sustainability/Energy
 - Finance/Administration
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, November 13, 2018 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 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, October 23	Sustainability/Energy Committee Young {Chair}; Katz; Linney	8:30 a.m. Training Resource Center	<ul style="list-style-type: none"> • Resource Recovery Program Update • 2017 Greenhouse Gas Inventory • Employee Commuting • Renewable Energy Update • Climate Action Policy
	Finance/Administration Committee Patterson {Chair}; Coleman; Mellon	9:45 a.m. Training Resource Center	<ul style="list-style-type: none"> • Financial Review for FY18 • FY18 Key Performance Indicators Report • Proposed FY19 Financing Plan • Extend Revolving Credit Agreement for Commercial Paper Notes (Water Series) Subseries A-1 • Monthly Investment Transactions Report • Quarterly Financial Reports
	Board of Directors	11:00 a.m. 1:15 p.m.	
Monday, November 12	Veterans' Day		<i>District Offices Closed</i>
Tuesday, November 13	Planning Committee Mellon {Chair}, Linney, Young	TBD Training Resource Center	<i>Cancelled</i>
	Legislative/Human Resources Committee Coleman {Chair}, Patterson, Young		
	Infrastructure Workshop	TBD Training Resource Center	
	Board of Directors	11:00 a.m. 1:15 p.m.	
Wednesday-Thursday, November 22-23	Thanksgiving Holiday		<i>District Offices Closed</i>