



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA  
Tuesday, April 24, 2018**

**REGULAR CLOSED SESSION  
11:00 a.m., Board Room**

**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
  - 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
  - c. One matter.

*(The Board will hold Closed Session in Conference Room 8)*

**REGULAR BUSINESS MEETING  
1:15 p.m., Board Room**

**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 17 recommendations, including 3 resolutions.)

1. Approve the Regular Meeting Minutes of April 10, 2018.
2. File correspondence with the Board.
3. Award contracts to lowest responsive/responsible bidders Peterson Tractor Co., Pape Machinery, Inc., California Diamond Products, and Edward R. Bacon Company, Inc., for an annual amount of \$2,366,403, after the addition of taxes, for supplying construction equipment for the District Fleet for three years, beginning on or after May 1, 2018 with two options to renew for an additional one-year period in an amount not to exceed \$11,832,015 under Request for Quotation No. 1720.
4. Award a contract to the lowest responsive/responsible bidder, F.D. Thomas, Inc., in the amount of \$3,844,128 for construction of the Main Wastewater Treatment Plant Digester Nos. 10 and 11 Coating Repairs under Specification SD-395.
5. Award a contract to the lowest responsive/responsible bidder, Monterey Mechanical Co., in the amount of \$9,440,000 for construction of the Main Wastewater Treatment Plant Primary Sedimentation Tanks and Channels Rehabilitation – Phase 5 under Specification SD-396.
6. Award a contract to CDW Government, LLC, in an amount, after the addition of taxes, not to exceed \$225,000 for supplying Microsoft licensing of Windows server operating system and Exchange email software for District-wide use, beginning on or after April 24, 2018 under State Contract No. ADSPO16-130652.
7. Award a contract to IDModeling, Inc., beginning on or after May 1, 2018, in an amount not to exceed \$578,660 for Sedaru software, customization, and training for one year, with four options to renew for an additional one-year period for annual licensing and services at \$266,760 each year, plus optional services not to exceed \$88,200, for a total cost of \$1,733,900.
8. Authorize an agreement with AECOM Technical Services, Inc., in an amount not to exceed \$1,057,403 for the design of retrofits to the Lafayette Reservoir Outlet Tower.
9. Authorize actions related to agreements with Amador Water Agency (AWA).
  - 9.1. Authorize execution of an agreement with AWA for the provision of wholesale raw water service to provide a water supply for the Camanche North Shore Recreation Area facilities.
  - 9.2. Authorize execution of Amendment Number 2 to the existing Transmission Project Agreement, at the request of AWA, to terminate that agreement on December 31, 2022.
  - 9.3. Determine that the project is exempt from the requirements of the California Environmental Quality Act.
10. Authorize an agreement with Panorama Environmental, Inc., in an amount not to exceed \$626,079 to prepare the required environmental documentation and related permitting for the Large Scale Photovoltaic Project.

**CONSENT CALENDAR:** (Continued)

11. Authorize an amendment to the existing agreement with Walls Inspection Company, Inc. to increase the agreement amount by \$700,000 to a total amount not to exceed \$1,160,000 for specialty plant inspection services for various construction projects.
12. Authorize an amendment to the contracts awarded to various companies in accordance with the timing and pricing specified in the relevant State of California annual vehicle purchase contracts under Board Motion No. 073-15 dated April 28, 2015 for supplying automobile and light trucks for the District's fleet to increase the amount by \$5,326,000 for a total cost of \$17,981,400 for the remainder of the five-year period ending April 30, 2020.
13. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contract and procurement, claims, intellectual property and technology matters, tax, public pension law, labor and employment, and litigation matters.
14. Approve the February and March 2018 Monthly Investment Transactions Reports.
15. Approve revisions to Policy 4.07 – Investment Policy which was last revised on April 25, 2017, and affirm existing delegation of authority for the management of investments on behalf of the District to the Director of Finance, who is also acting as the Treasurer of the District. (Resolution)
16. Appoint Manager of Maintenance and Construction/Operations. (Resolution)
17. Appoint Treasury Manager. (Resolution)

**DETERMINATION AND DISCUSSION:**

18. Adopt a resolution of support for the Mokelumne River Wild and Scenic River Study Report including its recommendation for designation of approximately 37 miles of the river into the California Wild and Scenic Rivers System. (Resolution)
19. Legislative Update:
  - State Legislative Initiative No. 4 for 2018 Legislative Year
  - Update on Legislative Issues of Interest to EBMUD
20. Consider a revised policy on statewide retail water user surcharges.
21. File the Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 – Water Supply Availability and Deficiency, and declare that the District's water supply is sufficient for meeting customer demands in 2018.
22. General Manager's Report.

**REPORTS AND DIRECTOR COMMENTS:**

23. Committee Reports:
  - Planning
  - Legislative/Human Resources

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

24. Other Items for Future Consideration.

25. Director Comments.

**ADJOURNMENT:**

*The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, May 8, 2018 in the Administration Center Board Room, 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, April 24</b>	<b>Finance/Administration Committee</b> Patterson {Chair}; Coleman Mellon  <b>Sustainability/Energy Committee</b> Young {Chair}; Katz; Linney  <b>Board of Directors</b>	9:45 a.m. Training Resource Center   10:30 a.m. Training Resource Center  11:00 a.m. 1:15 p.m.	<ul style="list-style-type: none"> <li>• Quarterly Financial Reports</li> <li>• Monthly Investment Transactions Reports</li> <li>• Investment Policy Annual Review</li> <li>• Liquidity Facility Contract Extension</li> <li>• Wastewater Cost of Service Study</li> <li>• Employee Commuting</li> <li>• Renewable Energy Update</li> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, May 8</b>	<b>Planning Committee</b> Mellon {Chair}; Linney; Young  <b>Legislative/Human Resources Committee</b> Coleman {Chair}; Patterson; Young  <b>Board of Directors</b>	9:15 a.m. Training Resource Center  10:15 a.m. Training Resource Center  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, May 22</b>	<b>Finance/Administration Committee</b> Patterson {Chair}; Coleman; Mellon  <b>Strategic Plan &amp; FY/19 Mid-Cycle Budget Workshop</b>  <b>Board of Directors</b>	TBD Training Resource Center  11:00 a.m. 1:15 p.m.	<p style="text-align: center;"><i>Cancelled</i></p> <ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Monday, May 28</b>	<b>Memorial Day</b>		<p style="text-align: center;"><i>District Offices Closed</i></p>