

## **MINUTES**

**Tuesday, January 23, 2018**

**East Bay Municipal Utility District  
Board of Directors  
375 Eleventh Street  
Oakland, California**

### **Regular Closed Session Meeting**

President Lesa R. McIntosh called to order the Regular Closed Session Meeting of the Board of Directors at 11:00 a.m. in the Administration Center Board Room.

### **ROLL CALL**

Directors John A. Coleman, Doug Linney, Frank Mellon, William B. Patterson, Marguerite Young, and President Lesa R. McIntosh were present at roll call. Director Andy Katz arrived at 11:13 a.m.

Staff present included General Manager Alexander R. Coate, General Counsel Craig S. Spencer, Assistant General Counsel Frederick S. Etheridge (Item 1), Engineering Manager Lena L. Tam (Item 1), Attorney Lourdes Matthew (Item 2), Director of Finance Sophia D. Skoda (Item 2), Manager of Human Resources Laura A. Brunson (Item 2), and Industrial Employers Distributors Association representatives Glenn Berkheimer and Gregory Ramirez (Item 2).

### **BOARD OF DIRECTORS**

President McIntosh led the Pledge of Allegiance.

### **PUBLIC COMMENT**

- Addressing the Board were the following: 1) Mark Foley, President, AFSCME Local 2019, commented on negotiations and asked the Board to support the proposal submitted by Local 2019; 2) Nanci Miller commented on labor negotiations; 3) Eric West, EBMUD Drafter III, commented on the equity adjustment for the reclassified Drafter III classification; 4) Justin Young, EBMUD Associate Electrical Engineer, commented on labor negotiations and recruitments for the Associate Electrical Engineer classification; 5) Kasie Evans, Chief Steward, AFSCME Local 2019, commented on labor negotiations; 6) Gilbert Lored, EBMUD Water Distribution Plumber III, commented on labor negotiations; 7) David Correa, EBMUD Materials Specialist, commented on labor negotiations; 8) Eric Larsen, Member Relations Secretary, AFSCME Local 444, commented on labor negotiations; 9) Dwight George, 2<sup>nd</sup> Vice-President, AFSCME Local 444, commented on labor negotiations; and 10) John Briceno, President, AFSCME Local 444, commented on labor negotiations and asked the Board to support the proposals submitted by Locals 2019 and 444.

### **ANNOUNCEMENT OF CLOSED SESSION AGENDA**

President McIntosh announced the closed session agenda. The Board convened to Conference Room 8 for discussion.

### **Regular Business Meeting**

President McIntosh called to order the Regular Business Meeting of the Board of Directors at 1:35 p.m. in the Administration Center Board Room.

### **ROLL CALL**

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

### **2018 Committee Assignments**

President McIntosh reviewed the 2018 Board Committee assignments.

- Motion by Director Mellon, seconded by Director Patterson, to approve the 2018 Committee assignments, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 012-18** – Approved the following 2018 Board Committee assignments:

#### **Planning**

Director Mellon, Chair  
Director Linney  
Director Young

*2<sup>nd</sup> Tuesday of the month at 9:15 a.m.*

Administration Center Building  
Training Resource Center, 2<sup>nd</sup> Floor

#### **Legislative/Human Resources**

Director Coleman, Chair  
Director Patterson  
Director Young

*2<sup>nd</sup> Tuesday of the month at 10:15 a.m.*

Administration Center Building  
Training Resource Center, 2<sup>nd</sup> Floor

#### **Finance/Administration**

Director Patterson, Chair  
Director Coleman  
Director Mellon

*4<sup>th</sup> Tuesday of the month at 10:00 a.m.*

Administration Center Building  
Training Resource Center, 2<sup>nd</sup> Floor

#### **Sustainability/Energy**

Director Young, Chair  
Director Katz  
Director Linney

*4<sup>th</sup> Tuesday, quarterly, time to be determined*

Administration Center Building  
Training Resource Center, 2<sup>nd</sup> Floor

#### **DSRSD/EBMUD Recycled Water Authority (DERWA)**

Director Coleman  
Director Mellon  
Director Linney, Alternate

*1<sup>st</sup> Monday of Feb.;*

*3<sup>rd</sup> Monday of May;*

*4<sup>th</sup> Monday of March, July, Sept., and Nov.*

Contact: Linda H. Hu, 287-1691

**Freeport Regional Water Authority**

Director Coleman  
Director Patterson  
Director Katz, Alternate

*2<sup>nd</sup> Thursday, quarterly at 10:00 a.m. with  
locations to be announced*

**Retirement Board**

Director Mellon  
Director Young

*3<sup>rd</sup> Thursday odd numbered months at 8:30 a.m.  
Administration Center Building  
Training Resource Center, 2<sup>nd</sup> Floor*

**Upper Mokelumne River Watershed  
Authority**

Director Coleman  
Director Patterson  
Director Young, Alternate  
Director Katz, Alternate

*4<sup>th</sup> Friday, quarterly at 1:30 p.m.  
McLean Hall, Pardee Center*

**Business Forum (Ad Hoc)**

Director Coleman  
Director Katz  
Director Patterson  
Director Mellon, Alternate

*Meeting dates, times, and location to be  
determined*

**EBMUD/EBRPD Liaison**

Director Linney  
Director Katz  
Director Mellon, Alternate

*Meeting dates, times, and location to be  
determined*

**Oakland Chamber of Commerce**

Director Linney  
Director Patterson, Alternate  
Director Katz, Alternate

**Special Districts Association of Alameda County/Special Districts Selection Committee**

President McIntosh, Member  
Director Katz, Alternate  
Director Linney, Alternate

**Special Districts Association of Contra Costa County**

President McIntosh, Member  
Director Mellon, Alternate  
Director Young, Alternate

## **ANNOUNCEMENTS FROM CLOSED SESSION**

There were no announcements required from closed session.

## **PUBLIC COMMENT**

- Addressing the Board were the following: 1) Waldon G. Carlson commented on the January 10, 2018 letter he sent to the Board regarding the District's rates and rate structure and his water bill; 2) Juan Valencia, EBMUD Gardener II, commented on the status of the 2015 classification study request for the Gardener class; and 3) Mark Foley, President, AFSCME Local 2019, voiced his support for the appointment of Clifford C. Chan as Director of the Operations and Maintenance Department.

Mr. Carlson was referred to staff and the Board requested an update on the status of the Gardener classification study.

## **CONSENT CALENDAR**

- Item 6 was pulled from the Consent Calendar for comment.
  - Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Items 1-5 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 013-18** – Approved the Regular Meeting Minutes of January 9, 2018.
  2. The following correspondence was filed with the Board: **1)** E-mail from Jesse Alcala to Juan Valencia dated January 23, 2018 regarding Classification Study, Gardener; **2)** Comments from Waldon G. Carlson to Board of Directors regarding water rates; **3)** Speakers' Bureau and Outreach Record CY18, dated January 23, 2018; **4)** Memorandum dated January 23, 2018 to Board of Directors from Alison A. Kastama, Special Assistant to the General Manager, regarding EBMUD Biennial Report for Fiscal Years 2016-2017; **5)** EBMUD 2016-2017 Biennial Report entitled "Drought to Deluge"; and **6)** Presentation entitled "Water Supply Board Briefing," dated January 23, 2018.
  3. **Motion No. 014-18** – Authorized an agreement beginning on or after January 24, 2018 with Solutionwerks, Inc. in an amount not to exceed \$90,000 for professional services to support District staff in an assessment for enhanced operation and maintenance of the Main Wastewater Treatment Plant high-purity cryogenic plant.
  4. **Motion No. 015-18** – Approved the October, November, and December 2017 Monthly Investment Transactions Reports.
  5. **Resolution No. 37072-18** – Authorizing Third Amendment To General Counsel Employment Agreement.

6. **Resolution No. 37073-18** – Appointing Clifford C. Chan As Director Of Operations And Maintenance (*effective February 5, 2018*).
  - Director Mellon congratulated Mr. Chan and the Board said they looked forward to working with him in his new role. Mr. Chan thanked the Board for the opportunity to continue serving the District in his new capacity.
  - Motion by Director Mellon, seconded by Director Linney, to approve the recommended action for Item 6 on the Consent Calendar, carried (7-0) by the following voice vote: AYES (Coleman, Katz, Linney, Mellon, Patterson, Young, and McIntosh); NOES (None); ABSTAIN (None); ABSENT (None).

### **DETERMINATION AND DISCUSSION**

#### **7. General Manager's Report.**

Manager of Maintenance and Construction David A. Briggs presented the Water Supply Briefing in which he reviewed the District's current water supply, California's current water supply and water supply projections for the remainder of Water Year 2018. As of January 21, 2018, total system storage was 626,820 acre feet or 111% of average while total system capacity was at 81% of total capacity.

General Manager Alexander R. Coate announced that the 2016-2017 Biennial Report would be distributed to elected officials, local water and wastewater agencies, and District stakeholders in early February. He reviewed upcoming Board meeting activities including the appointment and meet and greet for Board Standby Officers and a pre-meeting reception for 2017 WaterSmart award recipients on February 13, and the proposed schedule for upcoming Board workshops. The Board asked that the Biennial Report be posted on the District's website.

### **REPORTS AND DIRECTOR COMMENTS**

#### **8. Committee Reports.**

- Filed with the Board were the Planning, Legislative/Human Resources, and Sustainability/Energy Committee Minutes of January 9, 2018.

#### **9. Other Items for Future Consideration.**

None.

#### **10. Director Comments.**

- Director Coleman reported attending/participating in the following events: Freeport Regional Water Authority teleconference meeting on January 11 in Oakland; East Bay Leadership Council Water Task Force meeting on January 16 in Walnut Creek; East Bay Leadership Council dinner on January 18 in Diablo; and Black & Gray H2O meeting on January 22 in Oakland. He reported on plans to attend/participate in the following upcoming events:


East Bay Economic Development Alliance Legislative Committee meeting on January 25 in Oakland; UMRWA Board meeting on January 26 in Pardee; DERWA Board meeting on February 5 in Dublin; and Leland Reservoir Draft Environmental Impact Report meeting on February 8 in Lafayette.

- Director Katz had no comment.
- Director Linney had no comment.
- Director Mellon had no comment.
- Director Patterson had no comment.
- Director Young commented on the recent passing of Paul Booth, AFSCME international union representative and the health status of David Zwick, founder of Clean Water Action. She asked that the Board consider adjourning the Board meeting in honor of Mr. Booth and Mr. Zwick and that letters be sent to their families.
- President McIntosh had no comment.

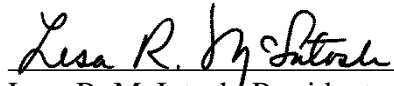
#### **ADJOURNMENT**

President McIntosh adjourned the meeting at 2:03 p.m. in memory of Mr. Paul Booth and in honor of Mr. David Zwick.

SUBMITTED BY:

  
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Rischa S. Cole, Secretary of the District

APPROVED: February 13, 2018

  
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Lesa R. McIntosh, President of the Board