



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
REGULAR CLOSED SESSION**

Tuesday, May 24, 2022

11:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

*****Please see appendix for public participation instructions*****

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. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.

(The Board will discuss Closed Session agenda items in the Training Resource Center)

REGULAR BUSINESS MEETING

1:15 p.m., Boardroom

*****Please see appendix for public participation instructions*****

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

PRESENTATION

- Employer Support of Guard and Reserve Award – Above and Beyond

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 13 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of May 10, 2022.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Sunflower Lab LLC, for supplying network switch replacement equipment and a five-year subscription for hardware and software technical support, beginning on or after May 25, 2022 for a total cost, after the addition of taxes, not to exceed \$217,307 under Request for Quotation No. 2208.
4. Award a contract to the lowest responsive/responsible bidder, Cratus, Inc., in an amount not to exceed \$25,100,000 for construction of the Oakland Inner Harbor Pipeline Crossing under Specification 2155.
5. Award a sole source contract to Amaya Solutions Inc. dba American Water Chemicals for supplying threshold inhibitor anti-scalant for the Richmond Advanced Recycled Expansion facility for one year, beginning on or after May 24, 2022, with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$380,744.
6. Authorize an agreement beginning on or after May 24, 2022 with Pall Corporation in an amount not to exceed \$1,003,464 for the procurement and installation oversight of replacement microfiltration membrane modules at the East Bayshore Recycled Water Project and programming work at the Richmond Advanced Recycled Expansion facility.
7. Authorize agreements for installation of pressure reducing valves (PRVs) to rezone customers in Hayward from the Bayview Pressure Zone to the higher Quarry Pressure Zone.
 - 7.1. Authorize an agreement beginning on or after May 24, 2022 with Guaranteed Plumbing in an amount not to exceed \$111,360 for installation of 36 PRVs to rezone customers located on Fernwood Court, Center Street and B Street in Hayward from the Bayview Pressure Zone to the higher Quarry Pressure Zone.
 - 7.2. Authorize an agreement beginning on or after May 24, 2022 with Jackson & Son Plumbing in an amount not to exceed \$130,800 for installation of 46 PRVs to rezone customers located on Kelly Street and Wildwood Street in Hayward from the Bayview Pressure Zone to the higher Quarry Pressure Zone.
8. Authorize the Microsoft Unified Support agreement, which supersedes the Microsoft Premier Support agreement authorized under Board Motion No. 189-20 and extend the agreement term to January 23, 2023.
9. Authorize an amendment to the contract previously awarded under Board Motion No. 069-21 with Cambridge Brass Inc., to increase the contract amount by \$485,820 to a total amount not to exceed \$821,765 for supplying 6-inch and 8-inch service clamps.

CONSENT CALENDAR: (Continued)

10. Authorize the General Manager to negotiate and execute a one-year water purchase and sale agreement (PSA) with Placer County Water Agency (PCWA) for the following:
 - 10a. Purchase of up to 20,000 acre-feet (AF) of transfer water made available through reservoir reoperation;
 - 10b. Costs to include a purchase price of \$720 per AF for up to 20,000 AF, for a total maximum water purchase cost of up to \$14.4 million; and
 - 10c. Reimbursement to PCWA for permitting and administrative expenses at a maximum of \$50,000.
 - 10d. Negotiate and execute a companion Warren Act Contract with the U.S. Bureau of Reclamation (Reclamation) to set forth the terms and conditions of water moving through Folsom Reservoir and of the District's use of the Folsom South Canal to deliver the transfer water to the East Bay and reimburse Reclamation's fees and costs arising from the conveyance in an amount not to exceed \$900,000.
 - 10e. Negotiate and execute a companion Power Letter of Agreement with Reclamation, if needed, and to pay for the power bypass costs to Reclamation up to an estimated amount of \$200,000.
11. Take actions related to the Proposition 1 Round One Integrated Regional Water Management Implementation Grant from the Department of Water Resources to implement the Bay Area Regional Water Conservation Project (Regional Project).
 - 11.1. Accept a Proposition 1 Round One Integrated Regional Water Management Implementation Grant from the Department of Water Resources, made available through the Association of Bay Area Governments (ABAG), in the amount of \$4,177,875 to implement the Regional Project which will fund the water conservation projects of the East Bay Municipal Utility District (EBMUD) and 10 other Bay Area water agencies including customer rebates and outreach, training programs, device installation, and water loss analysis.
 - 11.2. Authorize a Local Project Sponsor Agreement with ABAG which provides for disbursement of the Proposition 1 grant funding by ABAG to EBMUD for the implementation of the Regional Project.
 - 11.3. Authorize a Memorandum of Understanding with Alameda County Water District, Bay Area Water Supply and Conservation Agency, City of Napa, Contra Costa Water District, Marin Municipal Water District, Santa Clara Valley Water District, San Francisco Public Utilities Commission, Solano County Water Agency, Sonoma County Water Agency, and Zone 7 Water Agency which provides for disbursement of the Proposition 1 grant funding by EBMUD to those agencies for the implementation of each of their respective individual projects within the Regional Project.
12. Approve the April 2022 Monthly Investment Transactions Report.

CONSENT CALENDAR: (Continued)

13. Approve revisions to Policy 4.07 – Investment Policy, which was last revised on April 27, 2021, and renew existing delegation of authority for the management of investments on behalf of the District and Joint Powers Authorities to the Director of Finance, as the Treasurer of the District. (Resolution)

DETERMINATION AND DISCUSSION:

14. Make requisite findings and adopt a Resolution to hold meetings of the Board of Directors via teleconference under Government Code section 54953(e) until the State of Emergency resulting from the COVID-19 pandemic no longer impacts the ability of Board members to meet safely in person. (Resolution)
15. Legislative Update:
- Receive Legislative Report No. 03-22 and consider a position on AB 2639 (Quirk) San Francisco Bay/Sacramento-San Joaquin Delta Estuary: Water Quality Control Plan: Water Right Permits
 - Update on Legislative Issues of Interest to EBMUD
16. Appoint Manager of Distribution Maintenance and Construction. (Resolution)
17. General Manager’s Report:
- Emergency Declaration Update – South Interceptor

REPORTS AND DIRECTOR COMMENTS:

18. Committee Reports:
- Planning
 - Legislative/Human Resources
 - Finance/Administration
19. Other Items for Future Consideration.
20. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, June 14, 2022.

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

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, May 24	Finance/Administration Committee	9:00 a.m. Boardroom	<ul style="list-style-type: none"> • Monthly Investment Transactions Report • Annual Investment Policy Review • Closed Session • Regular Meeting
	Long-Term Financial Stability, Key Performance Indicators Update, and Mid-Cycle Budget Workshop	9:30 a.m. Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	
Monday, May 30	Memorial Day		<i>District Offices Closed</i>
Tuesday, June 14	Planning Committee	TBD Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	
Tuesday, June 28	Finance/Administration Committee	TBD Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	

2022 Board Committee Members

Finance/Administration	Patterson {Chair}, Coleman, Katz
Legislative/Human Resources	McIntosh {Chair}, Coleman, Patterson
Planning	Young {Chair}, McIntosh, Mellon
Sustainability/Energy	Young {Chair}, Katz, Mellon

Closed Session and Regular Business Meetings
Tuesday, May 24, 2022
11:00 a.m. and 1:15 p.m.

*EBMUD public Board meetings will be conducted in person in the Boardroom and via Zoom.
These meetings are recorded, live-streamed, and posted on the District's website.*

In Person

- In accordance with county health guidance and Cal/OSHA requirements, a completed COVID-19 symptoms checklist will be required before entering the building.
- In accordance with District safety protocols, masks are required while in the building and Boardroom regardless of vaccination status.

Online*

<https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09>

Webinar ID: 970 6508 6667

Passcode: 238500

By Phone*

Telephone: 1 669 900 6833

Webinar ID: 970 6508 6667

Passcode: 238500

International numbers available: [https://ebmud.zoom.us/u/adMXn1VnPp](https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09)

*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Providing public comment - *The EBMUD 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.*

- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the foyer of the Boardroom

Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
- If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.