



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

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375 - 11th Street, Oakland, CA 94607

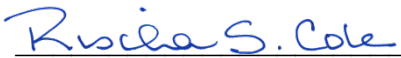
Office of the Secretary: (510) 287-0440

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**NOTICE OF LOCATION CHANGE  
REGULAR CLOSED SESSION  
and  
REGULAR BUSINESS MEETINGS  
Tuesday, September 13, 2022  
*\*Virtual\****

In accordance with Government Code section 54953(e), the Regular Closed Session Meeting scheduled for 11:00 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., **will be conducted via webinar and teleconference only**. A physical location will not be provided for these meetings.

Dated: September 8, 2022

  
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Rischa S. Cole  
Secretary of the District



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**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**  
**REGULAR CLOSED SESSION**  
**Tuesday, September 13, 2022**  
**11:00 a.m.**  
***\*\*Virtual\*\****

**Location**

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only**. A physical location will not be provided for this meeting.

**\*\*\*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.
2. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.
3. Conference with Labor Negotiators Clifford C. Chan, General Manager; Cindy R. Charan, Director of Human Resources; and David A. Briggs, Director of Operations & Maintenance, pursuant to Government Code Section 54957.6 regarding COVID-19 response—leave directive: American Federation of State, County and Municipal Employees, Locals 444 and 2019; International Union of Operating Engineers, Local 39; and International Federation of Professional and Technical Engineers, Local 21.

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



## **REGULAR BUSINESS MEETING**

**1:15 p.m.**

***\*\*Virtual\*\****

### **Location**

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only.** A physical location will not be provided for this meeting.

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

### **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 9 recommendations.)

1. Approve the Regular Meeting Minutes of August 23, 2022.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Trace3, LLC, for supplying computer data storage equipment, installation, and maintenance support for the Administration Building's Data Center for three years, beginning on or after September 13, 2022, for a total cost, after the addition of taxes, not to exceed \$257,830.
4. Award a sole source contract to Hach Company, for supplying 100 turbidimeters for the District water treatment plants for one year, beginning on or after September 13, 2022 for a total cost, after the addition of taxes, not to exceed \$473,638.
5. Authorize an agreement beginning on or after September 13, 2022 with Guaranteed Plumbing in an amount not to exceed \$198,500 for installation of 55 pressure reducing valves to rezone customers on Castle Crest Road and Sydney Drive in Alamo and installation of private houselines for 201 Sydney Drive and 264 and 272 Castle Crest Road.
6. Authorize an amendment to the interconnection facilities agreement previously authorized under Board Motion No. 155-20 with Pacific Gas and Electric Company (PG&E) to increase the agreement amount by \$100,000 to a total not to exceed \$500,000 for the interconnection facilities and the electrical upgrades needed to connect the Duffel Photovoltaic Project to PG&E's electrical grid.



**CONSENT CALENDAR:** (Continued)

7. Authorize a second amendment to the agreement previously authorized under Board Motion No. 174-21 with The Tharpe Company, Inc., dba Engage2Excel to increase the agreement amount by \$83,600 to a total amount not to exceed \$253,350 and extend the agreement term to October 1, 2023, for the provision of employee service and retirement awards and an online peer recognition platform for the District's Employee Recognition and Service Awards Program.
8. Authorize the execution of an eight-month ground lease, beginning on or after September 13, 2022, between the District and Oakland MacArthur Pacific Association, LLP, for approximately five acres of land located within the District's Oakport facility for \$439,433.
9. Authorize the Office of General Counsel to continue the employment of the Law Offices of Curtis T. White, Esq. for specialized legal services in Federal Communications Commission licensing related matters.

**DETERMINATION AND DISCUSSION:**

10. Make requisite findings and adopt a resolution to continue to hold meetings of the Board of Directors (Board) 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)
11. General Manager's Report:
  - 2022 Drought Update
  - Monthly Report – August 2022

**REPORTS AND DIRECTOR COMMENTS:**

12. Committee Reports:
  - Finance/Administration
  - Planning
13. Other Items for Future Consideration.
14. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, September 27, 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 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

*Meeting dates, times, and locations are subject to change*

Date	Meeting	Time/Location	Topics
Tuesday, September 13	Planning Committee	10:15 a.m. Virtual	<ul style="list-style-type: none"> <li>Water Quality Program Semi-Annual Update</li> </ul>
	Legislative/Human Resources Committee	<i>Cancelled</i>	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> <li>Closed Session</li> <li>Regular Meeting</li> </ul>
Monday, September 19	EBMUD/EBRPD Liaison Committee	1:30 p.m. Virtual	
Tuesday, September 27	Finance/Administration Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> <li>Closed Session</li> <li>Regular Meeting</li> </ul>
Tuesday, October 11	Planning Committee	TBD	
	Legislative/Human Resources Committee	TBD	
	Infrastructure Workshop	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> <li>Closed Session</li> <li>Regular Meeting</li> </ul>

### 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





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**Closed Session and Regular Business Meetings  
Tuesday, September 13, 2022  
11:00 a.m. and 1:15 p.m.**

EBMUD public Board meetings will be conducted via Zoom.  
*Please note that Board meetings are recorded, live-streamed, and posted on the District's website.*

*Please visit this page beforehand to familiarize yourself with Zoom.*  
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

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>

**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.

If you wish to provide public comment please:

- 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
- The Secretary will call each speaker in the order received
- 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
- 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 keep track of time and inform each speaker when the allotted time has concluded

**Submitting written comments or materials**

- Email written comments or other materials for the Board of Directors to [SecOffice@ebmud.com](mailto: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.

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**To observe the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, please visit:** <https://www.ebmud.com/about-us/board-directors/board-meetings/>

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