



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

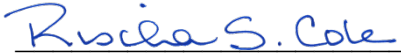
375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**NOTICE OF LOCATION CHANGE
REGULAR CLOSED SESSION
and
REGULAR BUSINESS MEETINGS
Tuesday, October 25, 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: October 20, 2022



Rischa S. Cole
Secretary of the District



**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, October 25, 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. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Shaunte Scott v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG20062324

(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 12 recommendations.)

1. Approve the Special Meeting and Regular Meeting minutes of October 11, 2022 and the Special Meeting Minutes of October 18, 2022.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, William E. Munson Company, for supplying one Munson 21-foot PackCat survey-utility boat and one EZ Loader trailer for the District's Lodi Office, beginning on or after October 25, 2022, for a total cost, after the addition of taxes, not to exceed \$166,030 under Request for Quotation No. 2220.
4. Award a contract to the lowest responsive/responsible bidder Diamond Fiberglass, for supplying three fiberglass reinforced plastic tanks for the Oakport Wet Weather Facility, beginning on or after October 25, 2022 for a total cost, after the addition of taxes, not to exceed \$552,305 under Request for Quotation No. 2301.
5. Award a contract to the lowest responsive/responsible bidder, Trace3, LLC, for supplying three Dell PowerEdge servers including a hardware warranty and mission-critical technical support services for the Administration Building for five years, beginning on or after October 25, 2022 for a total cost, after the addition of taxes, not to exceed \$186,385.
6. Authorize an agreement beginning on or after October 25, 2022 with Logik Systems, Inc. in an amount not to exceed \$126,000 for three years for supplying Logikcull Discovery Solutions software for processing and review of litigation discovery documents and in-app technical support for the Office of General Counsel.

CONSENT CALENDAR: (Continued)

7. Authorize an agreement beginning on or after October 25, 2022 with Nautilus Data Technologies, Inc. for \$406,000 for five years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$581,000 for data center colocation services.
8. Authorize an agreement beginning on or after October 25, 2022, with Woodard & Curran, Inc. in an amount not to exceed \$246,710 for the preparation of a Wastewater Electrical Resiliency Master Plan.
9. Authorize agreements for concrete repair services.
 - 9a. Authorize agreements beginning on or after October 25, 2022 with Arrowhead Concrete Construction, Bruce Enterprises, Gary Golobe dba Cornerstone Paving, Pacific General Engineering, and Sonnikson and Stordahl Construction for one year in an aggregate amount not to exceed \$1,300,000 for concrete repair services.
 - 9b. Authorize additional agreements for concrete repair services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on October 25, 2022, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.
10. Authorize agreements for hydro/air-vacuum excavation services.
 - 10a. Authorize amendments to the agreements previously authorized under Board Motion No. 183-21, with the following service providers listed below to increase the aggregate amount of those agreements by \$980,000 to a total aggregate amount not to exceed \$1,480,000 and extend the agreement terms to October 26, 2023 for hydro/air-vacuum excavation services: AIMS/PVIC CA, LLC dba AIMS Companies; Badger Daylighting Corp.; Bradley Tanks, Inc.; Hydro-X Services, Inc.; Pipe and Plant Solutions, Inc.; and Presidio Systems, Inc.
 - 10b. Authorize additional agreements for hydro/air-vacuum excavation services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on October 25, 2022, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.
11. Approve the assignment of the agreement previously authorized under Board Motion No. 182-21 from CPM Associates, Inc. to Consor PMCM, Inc. for as-needed construction management and inspection services.
12. Approve the September 2022 Monthly Investment Transactions Report.

DETERMINATION AND DISCUSSION:

13. Appoint Director of Wastewater. (Resolution)
14. General Manager Report:
 - 2022 Drought Update: Discussion of District operations; Excessive Water Use Penalty Ordinance, including excessive user list; conservation activities; and media and advertising
 - Employees with milestone service years

REPORTS AND DIRECTOR COMMENTS:

15. Committee Reports:
 - Legislative/Human Resources
 - Sustainability/Energy
 - Finance/Administration
16. Other Items for Future Consideration.
17. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 8, 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, October 25	Sustainability/Energy Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> • Resource Recovery Program Update • Renewable Energy Update • Calendar Year 2021 Greenhouse Gas Inventory
	Finance/Administration Committee	10:15 a.m. Virtual	<ul style="list-style-type: none"> • Fiscal Year 2022 Key Performance Indicators Report • Fiscal Year 2022 Annual Power Sales Report • Monthly Investment Transactions Report • Quarterly Financial Reports
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, November 8	Planning Committee	TBD	
	Legislative/Human Resources Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Friday, November 11	Veterans' Day		<i>District Offices Closed</i>
Tuesday, November 22	Finance/Administration Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

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, October 25, 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
- 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.

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/>
