



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

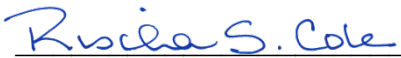
375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**NOTICE OF LOCATION CHANGE
REGULAR CLOSED SESSION
and
REGULAR BUSINESS MEETINGS
Tuesday, November 8, 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: November 3, 2022



Rischa S. Cole
Secretary of the District

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**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, November 8, 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:

This memorandum sets forth the closed session agenda items for the November 8, 2022 Board meeting:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Waste Management of Alameda County, Inc. v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG21094336
 - b. *Shaunte Scott v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG20062324
 - c. *Kris Leamy, et al. v. East Bay Municipal Utility District*
Contra Costa County Superior Court, Case No. MSC21-00753
2. 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.

*****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 10 recommendations.)

1. Approve the Regular Meeting minutes of October 25, 2022.
2. File correspondence with the Board.
3. Authorize direct award contracts for supplying aftermarket automotive, truck and equipment parts.
 - 3a. Authorize direct award contracts with the following vendors for supplying aftermarket (also known as non-Original Equipment Manufacturer) automotive, truck, and equipment parts beginning on or after November 8, 2022 for three years with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed \$2,000,000: Advance Auto Parts; AutoZone Parts, Inc.; B & C Truck Parts, Inc.; City Auto Supply; Clutch & Brake Xchange; Contra Costa Auto Parts, Inc.; Dentoni's Welding Works, Inc.; Delta Truck Center; Eastburn LLC dba Calaveras Auto Supply; Fleetpride, Inc.; Kent Automotive; Monument Car Parts; NAPA Auto Parts; NAPA Heavy Vehicle Parts Group; Royal Brass, Inc.; S.T.M. Automotive dba S.P. Automotive; and Stommel, Inc. dba LEHR.
 - 3b. Authorize additional contracts for supplying aftermarket automotive, truck, and equipment parts, on an as needed basis and subject to the aggregate amount authorized by the Board for such supplies on November 8, 2022, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the vendors above to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.

CONSENT CALENDAR: (Continued)

4. Authorize direct award contract for supplying Original Equipment Manufacturer (OEM) parts for fleet vehicles and equipment.
 - 4a. Authorize direct award contracts with the following vendors for supplying OEM parts for fleet vehicles and equipment, beginning on or after November 8, 2022 for three years, with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed \$3,200,000: Big Valley Ford, Inc.; Future Ford of Concord, LLC; Garton Tractor, Inc.; Golden Gate Truck Company; Hilltop Ford; Infinite Velocity Automotive, Inc. dba FH Dailey Chevrolet; Mission Valley Ford Truck Sales; Municipal Maintenance Equipment, Inc.; Nixon-Egli Equipment Co. of Southern California, Inc.; Owen Equipment Sales; Pape Machinery, Inc.; Peterson Trucks, Inc.; Ron DuPratt Ford, Inc.; TEC of California; Unlimited Tool Repair & Fabrication, Inc.; and Walnut Creek Ford.
 - 4b. Authorize additional contracts for supplying Original Equipment Manufacturer (OEM) parts for fleet vehicles and equipment, on an as needed basis and subject to the total aggregate amount authorized by the Board for such supplies on November 8, 2022, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the above vendors to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
5. Authorize an agreement beginning on or after November 8, 2022 with Cisco Air Systems, Inc. for three years, with one option to renew for an additional one-year period for a total amount, including the option year, not to exceed \$1,851,842 for compressor overhaul, repair, and upgrade services.
6. Authorize an agreement beginning on or after November 8, 2022 with Sequoia Ecological Consulting, Inc. in an amount not to exceed \$2,000,000 for as-needed environmental services to support capital improvement projects.
7. Authorize an agreement beginning on or after November 8, 2022 with Schneider Electric Systems USA, Inc. for three years for a total amount not to exceed \$559,985 for maintenance, support, and upgrades to the District's Supervisory Control and Data Acquisition System services at District facilities.
8. Authorize grazing lease agreements with a term beginning on or after October 1, 2022 with lessees Hoover Cattle Company, LLC, Jim Mohring, Alberta Nunes, Redwood Rangers, Moraga Horsemen's Association, Orinda Horsemen's Association, Inc., and Five Dot Land & Cattle Company for a five-year period with an option to renew for an additional five-year period for livestock grazing on District East Bay watershed lands.
9. Authorize an amendment to the Power Purchase Agreement previously authorized under Board Motion No. 009-22 with Solar Star Bear Creek, LLC to increase the energy purchase price by 8.8 percent from \$0.0616 to \$0.0670 per kilowatt hour, to account for increased material and construction costs and ensure timely project completion.

CONSENT CALENDAR: (Continued)

10. 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 contracts and procurement, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters.

DETERMINATION AND DISCUSSION:

11. Adopt a resolution commending Director Frank Mellon and acknowledging his public service achievements. (Resolution)
12. 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)
13. Adopt the Resolution Condemning Human Rights Violations Against Iranian Women and the People of Iran. (Resolution)
14. Discuss Board of Directors Officer Nomination and Election Process.
15. General Manager Report:
 - 2022 Drought Update: District operations; Water Shortage Emergency Action Plan implementation including messaging and outreach, water conservation drought programs, conservation savings, and the Excessive Water Use Penalty Ordinance; and media
 - Monthly Report – October 2022

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 22, 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, November 8	Planning Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> Local Hazard Mitigation Plan Wet Weather Update Paving and Other Related Services Update
	Legislative/Human Resources Committee	10:15 a.m. Virtual	<ul style="list-style-type: none"> Diversity, Equity, and Inclusion Strategic Plan Update
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<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
Thursday-Friday, November 24-25	Thanksgiving Holiday		<i>District Offices Closed</i>
Tuesday, December 13	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

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, November 8, 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/>
