



**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, April 25, 2023**

**11 a.m. and 1:15 p.m.**

**Training Resource Center, 2<sup>nd</sup> Floor**

**375 11<sup>th</sup> Street**

**Oakland, CA 94607**

The Regular Closed Session Meeting scheduled for 11:00 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., will be held in the Administration Building Training Resource Center at 375 11<sup>th</sup> Street, Oakland, California due to Board Room renovations.

Dated: April 20, 2023



Rischa S. Cole

Secretary of the District

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

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**AGENDA**  
**REGULAR CLOSED SESSION**  
**Tuesday, April 25, 2023**  
**11:00 a.m.**  
**Training Resource Center, 2<sup>nd</sup> Floor**  
**375 11<sup>th</sup> 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. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.

*(The Board will discuss Closed Session agenda items in Conference Room 8.)*

**REGULAR BUSINESS MEETING**  
**1:15 p.m.**

**\*\*\*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 13 recommendations including 1 resolution.)

1. Approve the Special Meeting Minutes of February 28, 2023 and the Regular Meeting Minutes of April 11, 2023.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Cratus, Inc., in an amount not to exceed \$22,840,000 for construction of the Wildcat Pipeline Improvement, El Cerrito under Specification 2157.
4. Award a contract to the lowest responsive/responsible bidder, Disney Construction, Inc., in an amount not to exceed \$12,323,000 for construction of the Palo Seco Pumping Plant and Madrone Regulator Replacement, Almond Pumping Plant Flowmeter Replacement, and Madrone Reservoir Demolition Project, under Specification 2145; and consent to the withdrawal of the low bid of Anvil Builders, Inc.
5. Authorize a direct award contract to Fluid Conservation Systems Inc., for supplying handheld leak detection equipment, beginning on or after April 25, 2023 for a total cost, after the addition of taxes, not to exceed \$127,986.
6. Award contracts for supplying storage servers, a security server, Distributed Control Systems host servers, and CISCO network hardware configurations.
  - 6.1. Award a contract to the lowest responsive/responsible bidder, Dell Inc., for supplying two Dell storage servers, one security server, and six Distributed Control Systems (DCS) host servers for the upgrade of the Lafayette Water Treatment Plant (WTP) and Walnut Creek WTP DCS, beginning on or after April 25, 2023, after the addition of taxes, in an amount not to exceed \$155,762.82.
  - 6.2. Award a contract to the lowest responsive/responsible bidder, NTT America, Inc., for supplying two CISCO network hardware configurations for the upgrade of the Lafayette and Walnut Creek WTP DCS, beginning on or after April 25, 2023, after the addition of taxes, in an amount not to exceed \$182,924.13.
7. Award a contract and authorize an amendment to an agreement relating to the Main Wastewater Treatment Plant (MWWTP) Operations Center Improvements Project under Specification SD-424.
  - 7.1. Award a contract to the lowest responsive/responsible bidder, Buhler Commercial, in an amount not to exceed \$7,118,690 for construction of the MWWTP Operations Center Improvements Project under Specification SD-424.
  - 7.2. Authorize an amendment to the agreement previously authorized under Board Motion No. 187-20 with Aetypic, Inc. to increase the agreement amount by \$114,832 to a total amount not to exceed \$542,989 for additional design services and engineering services during construction for the MWWTP Operations Center Improvements Project under SD-424.

**CONSENT CALENDAR:** (Continued)

8. Authorize an agreement beginning on or after April 25, 2023 with Alisto Engineering Group in an amount not to exceed \$1,070,320 for field identification and creation of an inventory of existing pipe materials on customer-service laterals formerly served by a District lead service lateral.
9. Authorize an agreement beginning on or after April 25, 2023 with the City of San Ramon (City) in an amount not to exceed \$84,700 for gate valve pot upgrades.
10. Authorize agreements regarding bare equipment rentals.
  - 10a. Authorize amendments to the agreements previously authorized under Board Motion No. 013-21, with Ahern Rentals Inc., Coast Counties Peterbilt PacLease, Doc Bailey Construction Equipment Inc., Gloria Washington Trucking, Inc., Herc Rentals Inc., Ibarra Team Construction Services, Inder Trucking, JS Cole Company, Monticello Trucking LLC, Nor Cal Rental Group dba Cresco Equipment Rentals, Pape Machinery Inc., S&L Transport, LLC, Sky Rock Inc., Sunbelt Rentals, Inc., Sunstate Equipment Co., LLC, Tri-West Tractor Inc., and United Rentals (North America), Inc. to increase the aggregate amount of those agreements by \$13,000,000 to a total aggregate amount not to exceed \$25,000,000 for bare equipment rentals through January 11, 2026.
  - 10b. Authorize additional agreements for bare equipment rentals, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on April 25, 2023, 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. Authorize an amendment to the agreement previously authorized under Board Motion No. 095-18 with Bloomberg Finance L.P. to increase the agreement amount by \$175,000 to a total amount not to exceed \$329,130 and extend the agreement term to June 30, 2028 for Bloomberg Terminal, a financial information, communication, and trading platform.
12. Approve the March 2023 Monthly Investment Transactions Report.
13. Amend the Fiscal Year 2023 Wastewater System budget in the amount of \$600,000 to accommodate higher debt service on the system's outstanding bonds. (Resolution)

**DETERMINATION AND DISCUSSION:**

14. Introduction and first reading on amending the EBMUD Employees' Retirement System Ordinance (Ordinance No. 40), Section 21 to update the actuarially assumed rate of return from 7.0 percent to 6.75 percent. (Introduction and First Reading – Ordinance No. 374-23)
15. File the 2023 Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 – Water Supply Availability and Deficiency and declare the District's water supply is sufficient for meeting customer demands in 2023.

**DETERMINATION AND DISCUSSION:** (Continued)

16. Adopt a resolution rescinding and suspending District drought response actions. (Resolution)
  - 16.1. Rescind the February 14, 2023 declaration of a Stage 1 drought and declare a Stage 0 drought in accordance with the District's Water Shortage Contingency Plan.
  - 16.2. Rescind the voluntary District-wide 10 percent water use reduction goal.
  - 16.3. Suspend implementation of the District's Water Shortage Emergency Action Plan approved by the Board on May 10, 2022.
17. General Manager's Report:
  - Service Award Recipients – January through March 2023

**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, May 9, 2023.***

**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
<b>Tuesday, April 25</b>	<b>Finance/Administration Committee</b>	9:00 a.m. Training Resource Center	<ul style="list-style-type: none"> <li>• Monthly Investment Transactions Report</li> <li>• Quarterly Financial Reports</li>   <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Long-Term Water Supply Workshop No. 2</b>	9:30 a.m. Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. Training Resource Center 1:15 p.m. Training Resource Center	
<b>Tuesday, May 9</b>	<b>Planning Committee</b>	TBD Training Resource Center	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Legislative/Human Resources Committee</b>	TBD Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. Training Resource Center 1:15 p.m. Training Resource Center	
<b>Tuesday, May 23</b>	<b>Finance/Administration Committee</b>	TBD Training Resource Center	
	<b>Sustainability/Energy Committee</b>	TBD Training Resource Center	
	<b>Board of Directors</b>	11:00 a.m. Training Resource Center 1:15 p.m. Training Resource Center	

### 2023 Board Committee Members

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

**Closed Session and Regular Business Meetings**  
**Tuesday, April 25, 2023**  
**11:00 a.m. and 1:15 p.m.**

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

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/j/97065086667>

\*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 meeting room

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](mailto:SecOffice@ebmud.com)
- Please indicate the meeting date and agenda item number or non-agenda item topic 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.