



**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, July 11, 2023

11:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

*President Andy Katz will participate via teleconference from
1127 11th Street, #414, Sacramento, CA 95814*

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

BOARD OF DIRECTORS:

1. Consider the request of Director April Chan to appear remotely pursuant to Government Code section 54953(f)(2)(A).

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. *East Bay Municipal Utility District v. Contra Costa County, et al.*
Contra Costa County Superior Court, Case No. N21-1274
2. Conference with Labor Negotiators Clifford C. Chan, General Manager; Cindy R. Charan, Director of Human Resources; Adam Smyer, Manager of Employee Relations; Vincent L. James, Manager of Recruitment and Classification; and Andrew L. Lee, Director of Customer and Community Services, pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Local 2019.

(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*****

BOARD OF DIRECTORS:

1. Consider the request of Director April Chan to appear remotely pursuant to Government Code section 54953(f)(2)(A).

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 8 recommendations.)

1. Approve the Regular Meeting Minutes of June 27, 2023.
2. File correspondence with the Board.
3. Authorize the purchase of networking hardware and support services beginning on or after July 11, 2023 through September 15, 2026 from ConvergeOne, Inc., for a total cost, after the addition of taxes, not to exceed \$450,000. This purchase will be made under State of California contracts available for use by local governments.
4. Authorize an agreement beginning on or after July 11, 2023 with Ford Construction Company, Inc. for five years in an amount not to exceed \$250,000 for supply, transport, on-site sorting and placement of gravel, and development of floodplain habitat in the Lower Mokelumne River for fish spawning and rearing enhancement.
5. Authorize an amendment to the agreement previously authorized under Board Motion No. 114-18 with Rimini Street, Inc. to increase the agreement amount by \$707,349 to a total amount not to exceed \$2,337,349 and extend the agreement term to August 12, 2028, for software maintenance services for PeopleSoft Human Resources Information System.

CONSENT CALENDAR: (Continued)

6. Authorize amendments to agreements for asphaltic cement and concrete saw cutting services.
 - 6a. Authorize amendments to the agreements previously authorized under Board Motion No. 139-22 with Bay Line Cutting & Coring, Inc.; Concrete Demo Works, Inc.; Concrete Wall Sawing Co., Inc.; Fine Line Sawing and Drilling, Inc.; and Penhall Company, to increase the aggregate amount of those agreements by \$650,000 to a total aggregate amount not to exceed \$2,265,000 and extend the term of the agreements to July 11, 2024 for asphaltic cement and concrete saw cutting services.
 - 6b. Authorize additional agreements for asphaltic cement and concrete saw cutting services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on July 11, 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.
7. Authorize amendments to agreements for welding services.
 - 7a. Authorize amendments to the agreements previously authorized under Board Motion No. 013-22 with Eyeball Enterprises, Inc.; Ferguson Welding Service, Inc.; John Arthur Welding, Inc.; Larsson Welding; Mid Mountain Mechanical, Inc.; Nicole Welding, Inc.; and Woods Welding, to extend the term of the agreements to July 11, 2024 for welding services.
 - 7b. Authorize additional agreements for welding services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on January 11, 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.
8. Adopt the Reporting Year 2022 Equal Employment Opportunity Program.

PUBLIC HEARING:

9. Take actions, pursuant to Municipal Utility District Act section 12811.1 et seq., related to the transfer of delinquent EBMUD charges to the Alameda and Contra Costa counties' 2023-2024 Property Tax Rolls. (Resolution)
 - 9.1. Conduct a public hearing to consider objections and protests to the General Manager's Report to Transfer Delinquent EBMUD Charges to the 2023-2024 Property Tax Rolls.
 - 9.2. Adopt the General Manager's Report dated June 13, 2023 and authorize the General Manager to exclude from the report any affected parcels or amounts as appropriate, including those that the District receives payment for on or before August 10, 2023, the date in which the report will be sent to Alameda and Contra Costa counties.
 - 9.3. Authorize the transfer of delinquent EBMUD charges to the Alameda and Contra Costa counties' 2023-2024 property tax rolls.

PUBLIC HEARING:

10. Take actions, pursuant to Health & Safety Code section 5473 et seq., related to the collection of the Wet Weather Facility Charge (WWFC) on Alameda and Contra Costa counties' 2023-2024 Property Tax Rolls. (Resolution)
 - 10.1. Conduct a public hearing to consider objections and protests to EBMUD's written report describing each parcel of real property subject to the WWFC and amount of the WWFC to be imposed on each parcel for the Alameda and Contra Costa counties' Fiscal Year 2023-2024 Property Tax Rolls.
 - 10.2a. Adopt the written report and authorize the District to collect the FY 2024 WWFC on the Alameda and Contra Costa counties' property tax rolls by at least two-thirds of the members of the Board (i.e., five Board members).
 - 10.2b. Authorize District staff to adjust the FY 2024 WWFC for any affected parcels as new information is provided by the counties.
 - 10.2c. Direct the Secretary of the District to file a copy of the report on or before August 10, 2023, with the Alameda County Auditor-Controller and the Contra Costa County Auditor-Controller.

DETERMINATION AND DISCUSSION:

11. Legislative Update.
 - Receive Legislative Update No. 06-23 and consider positions on the following bill: S. 2162 (Feinstein) Support To Rehydrate the Environment, Agriculture, and Municipalities Act.
 - Update on Legislative Issues of Interest to EBMUD
12. General Manager's Report.
 - Monthly Report – June 2023
 - Forecast and Summary of 2023 Board Committee and Workshop Agenda Topics

REPORTS AND DIRECTOR COMMENTS:

13. Committee Reports:
 - Sustainability
 - Finance/Administration
 - Planning
 - Legislative/Human Resources
14. Other Items for Future Consideration.
15. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, August 8, 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 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, July 11	Planning Committee	8:45 a.m. Boardroom	<ul style="list-style-type: none"> • Pipeline Rebuild Program Update • Los Vaqueros Reservoir Expansion Project Agreements Update
	Legislative/Human Resources Committee	10:00 a.m. Boardroom	<ul style="list-style-type: none"> • Diversity, Equity, and Inclusion Strategic Plan Update • Legislative Update
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 25	Finance/Administration Committee		<i>Canceled</i>
	Board of Directors		<i>Canceled</i>
Tuesday, August 8	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, August 22	Finance/Administration Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

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, July 11, 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/u/adMXn1VnPp>

*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
- 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.

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