

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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

# AGENDA <u>REGULAR CLOSED SESSION</u> Tuesday, April 9, 2024 11:00 a.m. Boardroom 375 11<sup>th</sup> Street Oakland, CA 94607

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

### ROLL CALL:

**<u>PUBLIC COMMENT</u>**: 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): two matters.

(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

### **PRESENTATION:**

• American Society of Civil Engineers Region 9 Award for Outstanding Water Project of the Year: San Pablo Clearwell and Rate Control Station

### ANNOUNCEMENTS FROM CLOSED SESSION:

**<u>PUBLIC COMMENT</u>**: 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.

**<u>CONSENT CALENDAR</u>**: (Single motion and vote approving 8 recommendations including 2 resolutions.)

- 1. Approve the Special Meeting and Regular Meeting Minutes of March 26, 2024.
- 2. File correspondence with the Board.
- 3. Award a sole source contract beginning on or after April 9, 2024, to Volvo Construction Equipment and Services for supplying one Volvo JL25H fully electric compact wheel loader with attachments for the Main Wastewater Treatment Plant for a total cost, after the addition of taxes, not to exceed \$189,157.
- 4. Authorize an agreement beginning on or after April 9, 2024, with Environmental Science Associates in an amount not to exceed \$205,909 for one year to conduct biological field surveys to verify the presence of groundwater dependent ecosystem (GDEs) in the East Bay Plain Subbasin and recommend a subset of verified GDEs for baseline and ongoing ecological health monitoring.
- 5. Authorize an agreement beginning on or after April 9, 2024 with Woodard & Curran, Inc. for one year, with one option to renew for an additional one-year period for a total amount, including option years, not to exceed \$756,197 for a Value Engineering and Rate Study for the Camanche and Pardee Recreation wastewater facilities.

#### **CONSENT CALENDAR:** (Continued)

- 6. Authorize actions related to paving and other related services.
  - 6a. Authorize amendments to the agreements previously authorized under Board Motion No. 121-22 with ALB, Inc.; American Asphalt Repair & Resurfacing Company; Carone & Company, Inc.; Forticon, Inc.; J.V. Lucas, Inc.; MCK Services, Inc.; and Public Agencies to increase the aggregate amount of those agreements by \$5,000,000 to a total aggregate amount not to exceed \$15,000,000 and extend the agreement terms to April 9, 2025 for paving and other related services.
  - 6b. Authorize additional agreements for paving and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on April 9, 2024, 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. Reauthorize the Accounting Systems Supervisor, Manager of Security and Emergency Preparedness, and Controller to execute for and on behalf of the District all documents required for the purpose of obtaining federal and/or state financial assistance, through the California State Office of Emergency Services (Cal OES), including Form 130 Designation of Applicant's Agent Resolution. (Resolution)
- Adopt a resolution authorizing the District to accept grant funding from the Federal Emergency Management Agency (FEMA), in the amount of \$2,406,282 for Phase 1 of the Influent Pump Station Seismic Retrofit Project. (Resolution)

### **DETERMINATION AND DISCUSSION:**

- 9. Discuss and consider options for amending the EBMUD Employees' Retirement System Ordinance No. 40 with respect to pension benefits for EBMUD Board members.
- 10. General Manager's Report.
  - Water Supply Update water production; precipitation to date; reservoir storage; and forecasted supply conditions for the remainder of water year 2024
  - Monthly Report March 2024

### **REPORTS AND DIRECTOR COMMENTS:**

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

Regular Meeting of April 9, 2024 Page 4 of 5

#### ADJOURNMENT:

*The Board of Directors will adjourn the Regular Business Meeting at the conclusion of Item 13 – Director Comments and will reconvene at 4:00 p.m. to continue the Regular Business Meeting.* 

# **<u>REGULAR BUSINESS MEETING</u>** (Continued) **4:00 p.m.**

President Lesa R. McIntosh will participate via teleconference from 1207 Melville Square #112, Richmond, CA 94804

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

#### ROLL CALL:

#### **DETERMINATION AND DISCUSSION:**

14. Conduct public interviews with the following candidates: Kurt Arends, James Cervantes, Bill Clarkson, Luz Gomez, and Mariah Lauritzen, and adopt a resolution appointing one of the candidates to serve as the Director representing East Bay Municipal Utility District Ward 2 until the General Election on November 5, 2024. Ward 2 includes Alamo, Lafayette, the Town of Danville; portions of Pleasant Hill, San Ramon, and Walnut Creek; and the communities of Blackhawk and Diablo. (Resolution)

**<u>PUBLIC COMMENT</u>**: Members of the public shall have the opportunity to provide public comment on Agenda Item 14.

#### ADJOURNMENT:

#### The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, April 23, 2024.

**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 <u>www.ebmud.com</u>.

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# **BOARD CALENDAR** Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, April 9	Planning Committee	9:00 a.m. Boardroom	<ul> <li>Wastewater Pretreatment and Pollution Prevention Programs Update</li> <li>Los Vaqueros Reservoir Expansion Project Update</li> <li>Annual Watershed and Recreation Report – 2023</li> </ul>
	Legislative/Human Resources Committee	10:00 a.m. Boardroom	<ul> <li>Maximizing Employee Retention and Engagement through Stay Interviews</li> <li>Diversity, Equity, and Inclusion Strategic Plan Update</li> </ul>
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom 4:00 p.m. Boardroom	<ul> <li>Closed Session</li> <li>Regular Meeting</li> <li>Conduct Interviews for Vacant Board Seat in Ward 2</li> </ul>
Tuesday, April 23	Finance/Administration Committee	TBD Boardroom	
	Sustainability Committee	TBD Boardroom	
	Cost of Service Study Workshop	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul><li>Closed Session</li><li>Regular Meeting</li></ul>
2024 Board Committee MembersFinance/AdministrationKatz {Chair}, Chan, PattersonLegislative/Human ResourcesPatterson {Chair}, McIntosh, YoungPlanningYoung {Chair}, Chan, LinneySustainabilityLinney {Chair}, Katz, Young			



# Closed Session and Regular Business Meetings 11:00 a.m.; 1:15 p.m.; and 4:00 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.* 

#### <u>Online</u>\*

https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09 Webinar ID: 970 6508 6667 Passcode: 238500

<u>By Phone</u>\* **Telephone:** 1 669 900 6833 **Webinar ID:** 970 6508 6667 **Passcode:** 238500 International numbers available: <u>https://ebmud.zoom.us/u/adMXn1VnPp</u>

\*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 line 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 view the livestream of Board meetings, please visit: https://www.ebmud.com/about-us/board-directors/board-meetings/