



**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 12, 2024
11:00 a.m.
Boardroom
375 11th Street
Oakland, CA 94607

*The public will be able to participate via teleconference from
32B Haji Iskender Street, Buzovna, Baku, Azerbaijan*

*****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(d)(1):
 - a. *Adel Soltan Kashefi, et al. v. EBMUD, et al.*
Alameda County Superior Court, Case No. 24CV069180
 - b. Protest of East Bay Municipal Utility District to Water Rights Application
by Orinda Country Club State Water Resources Control Board, Application No. A033345
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 Conference Room 8.)

REGULAR BUSINESS MEETING

1:15 p.m.

*The public will be able to participate via teleconference from
32B Haji Iskender Street, Buzovna, Baku, Azerbaijan*

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Annual Presentation Honoring EBMUD Veterans

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 16 recommendations.)

1. Approve the Regular Meeting Minutes of October 22, 2024.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in an amount not to exceed \$15,981,900 for the construction of the Fay Hill Pumping Plant Replacement; Rheem and Scenic East Pumping Plants Improvements; Fay Hill Road and Right of Way 3363 Pipeline Improvements; and Ridgewood Regulator Installation, Pumping Plant and Pressure Tank Demolition Project under Specification 2183.
4. Award a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in an amount not to exceed \$1,480,683 for the construction of the Mokelumne Aqueduct No. 1 Bent Replacements at Station 2480 Project under Specification 2184.
5. Authorize an agreement beginning on or after November 12, 2024 with Alameda County Public Works Agency in an amount not to exceed \$200,000 for the Meekland Bridge Pipeline – Contract Services for Pipeline Replacement.
6. Authorize an agreement beginning on or after November 12, 2024 with Blocka Construction, Inc. in an amount not to exceed \$229,000 for the construction of the Adeline Maintenance Center Carpentry Shop Dust Collection System Upgrade.
7. Authorize an agreement beginning on or after November 12, 2024, with Carollo Engineers, Inc. in an amount not to exceed \$1,965,088 for engineering design services for rehabilitation of the South Interceptor at South Coliseum Way between maintenance holes S08 and S10 by the Oakland Coliseum and for rehabilitation and lining of maintenance holes S08, S09, and S10.

CONSENT CALENDAR: (Continued)

8. Authorize an agreement beginning on or after March 1, 2025 with Central Contra Costa Solid Waste Authority for five years and four months, with two options to renew for additional one-year periods by mutual agreement for the acceptance and digestion of preprocessed food waste at the District's Main Wastewater Treatment Plant.
9. Authorize an agreement beginning on or after November 12, 2024 with COSCO Fire Protection for three years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$405,000 for fire sprinkler and fire pump testing, inspecting, and maintenance.
10. Authorize agreements beginning on or after November 12, 2024, with MCK Americas, Inc., Consor PMCM, Inc., and Kennedy/Jenks Consultants, Inc., in an aggregate amount not to exceed \$9,000,000 for three years with one option to renew for an additional two-year period for as-needed construction management and inspection support.
11. Authorize an agreement beginning on or after November 12, 2024 with Well Industries, Inc. in an amount not to exceed \$411,263 for the construction of two required monitoring wells and one optional monitoring well in the East Bay Plain Subbasin.
12. Authorize an amendment to the agreement previously authorized under Board Motion No. 073-20 with Sherwood Design Engineers to increase the agreement amount by \$950,000 to a total amount not to exceed \$3,970,129 for additional engineering services during construction for the Recreation Area Water and Wastewater Collection System Improvements Projects to support Specification 2165 – Pardee Recreation and Pardee Center Water Treatment Plant Improvements.
13. Authorize an amendment to the agreement previously authorized under Board Motion No. 128-22 with Synagro-WWT, Inc. to increase the agreement amount by \$14,060,000 to a total amount not to exceed \$29,150,000 and extend the agreement term to June 30, 2028, for biosolids handling services at the Main Wastewater Treatment Plant.
14. Authorize an amendment to the agreement previously authorized under Board Motion No. 033-21 with Woodard & Curran, Inc. to increase the agreement amount by \$2,540,720 to a total amount not to exceed \$5,118,453 and extend the agreement term to December 31, 2027, for additional engineering services during construction for the Main Wastewater Treatment Plant Oxygen Plant Rehabilitation Project under SD-428.

CONSENT CALENDAR: (Continued)

15. Authorize actions related to flagging services.
 - 15a. Authorize amendments to the agreements previously authorized under Board Motion No. 218-22 with City Rise, LLC; Cal-Safety, Inc.; CMC Traffic Control Specialists Inc.; TPR Traffic Solutions; Traffic Control Pros; and Traffic Management Inc. to increase the aggregate amount of those agreements by \$1,800,000 to a total aggregate amount not to exceed \$8,250,000 and extend the term of the agreements to November 11, 2025 for flagging services.
 - 15b. Authorize additional agreements for flagging services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on November 12, 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.
16. Cancel the December 24, 2024 meetings of the Board of Directors.

DETERMINATION AND DISCUSSION:

17. Authorize an amendment to the Agreement for Employment of General Counsel Derek T. McDonald to extend the agreement for an additional two-year term through July 4, 2027.

(Resolution)
18. File the Report and Recommendation of the General Manager for Revisions to the existing Recreation Fee Schedule for Calendar Year 2024 to Calendar Year 2025 and set a Public Hearing.
 - 18.1. File the Report and Recommendation of the General Manager for Revisions to the existing Recreation Fee Schedule for Calendar Year 2024 to CY 2025 based on the U.S. Department of Housing and Urban Development Fair Market Rents index for 2-bedroom homes averages for Amador and Calaveras counties Not Subject to Proposition 218, and Regulations.
 - 18.2. Set a Public Hearing for Tuesday, December 10, 2024 during the Board's regular meeting, to consider the Report and Recommendation.
19. Adopt a resolution to update the District Regulations Governing Water Service Section 15A: Nonpayment of Bills by Single-Family Residential Customers.

(Resolution)
20. Review Board of Directors comments on a draft Board Governance Manual and policies and provide direction to staff on finalizing the documents for adoption by the Board at future Board meetings.
21. Appoint the Manager of Maintenance and Construction/Water Operations.

(Resolution)

CONSENT CALENDAR: (Continued)

22. General Manager's Report.

- Fiscal Year 2025 Employee Experience Survey
- Monthly Report – October 2024

REPORTS AND DIRECTOR COMMENTS:

23. Committee Reports:

- Planning
- Finance/Administration
- Sustainability

24. Other Items for Future Consideration.

25. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 26, 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 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 12	Planning Committee	9:30 a.m. Boardroom	<ul style="list-style-type: none"> • Fiscal Year 2024 Annual Readiness Report • Update on the GreenGen Pumped Storage Project • Proposed Revisions to Watershed and Recreation Rules and Regulations and Camanche Recreation Area Seasonal Alcohol Prohibition
	Legislative/Human Resources Committee		<ul style="list-style-type: none"> • <i>Canceled</i>
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, November 26	Finance/Administration Committee	TBD Boardroom	
	Infrastructure Workshop	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
Thursday, November 28 & Friday, November 29	Thanksgiving Holiday		<i>Offices closed</i>
Tuesday, December 10	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

2024 Board Committee Members

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



APPENDIX

**Closed Session and Regular Business Meetings
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 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/>

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