

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, July 8, 2025 11:00 a.m. Boardroom 375 11th 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:

- Threat to public services or facilities pursuant to Government Code section 54957: Conference with David A. Briggs, Director of Operations & Maintenance, and Steve Bonini, Manager of Security and Emergency Preparedness
- 2. Existing litigation pursuant to Government Code section 54956.9(d)(1):
 - a. *East Bay Municipal Utility District v. The 3M Company, et al.* USDC, N.D. Cal., Case No. 4:23-cv-00738

(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:

<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.

COMMITTEE REPORTS:

- Planning
- Legislative/Human Resources
- Sustainability
- Finance/Administration

<u>CONSENT CALENDAR</u>: (Single motion and vote approving 12 recommendations)

- 1. Approve the Regular Meeting Minutes of June 24, 2025.
- 2. File correspondence with the Board.
- 3. Award a sole source contract beginning on or after July 8, 2025 to LightBox Parent L.P., for supplying Lightbox parcel data, software, and support for five years for a total cost, after the addition of taxes, not to exceed \$492,500.
- 4. Award a sole source contract beginning on or after July 8, 2025 to Sprung Structures, Inc. for supplying a tension fabric structure for a total cost, after the addition of taxes, not to exceed \$224,165.
- 5. Authorize an agreement beginning on or after July 8, 2025 with BKF Engineers in an amount not to exceed \$214,492 for planning and design services for a private water service pipeline for the Lake Chabot Golf Course in Oakland.
- 6. Authorize an agreement beginning on or after July 8, 2025 with Cahorizon Industries Corporation for one year, with two options to renew for additional two-year periods for a total amount, including option years, not to exceed \$3,500,000 to receive trench soil from the District.

CONSENT CALENDAR: (Continued)

- 7. Authorize an agreement beginning on or after July 8, 2025 with MARC Builders LLC dba MARC Engineering in an amount not to exceed \$340,600 for installation of bridge abutments and associated piles for the Pinole Creek Tomato Stand Fish Passage project.
- 8. Authorize an agreement between the Oro Loma Sanitary District (OLSD) and East Bay Municipal Utility District (EBMUD) to allow OLSD to remove and demolish the EBMUD Bayside well system and related components (Bayside well facilities) located on OLSD's property and for EBMUD to reimburse OLSD for all reasonable costs related to the demolition in an amount not to exceed \$842,561.
- 9. Authorize an agreement beginning on or after July 8, 2025 with United Service Partners Private Label, Inc. dba SLWA Insurance Services, a HomeServe Company for three years, with four options to renew for additional one-year terms to allow HomeServe to use the EBMUD logo and branding to market its private water service line repair plans to District customers in exchange for payment to the District in the total amount of \$4,200,000.
- 10. Authorize a second agreement beginning on or after July 8, 2025 with The Regents of the University of California in an amount not to exceed \$2,805,214 for conducting 10 research projects with researchers at the University of California, Berkeley Center for Smart Infrastructure with the goal to improve the resilience of the District's infrastructure.
- 11. Take actions related to disposal and recycling of District asphalt, concrete, and asphalt grindings.
 - 11.1. Authorize nine agreements beginning on or after July 8, 2025 with Carone and Company, Inc. dba Diablo Valley Rock; Argent Materials Inc.; County Quarry Products, LLC; Nor-Cal Rock Inc.; Dutra Materials; Gallagher & Burk Inc.; DeSilva Gates Aggregates; Vulcan Materials Company; and Bee Green Recycling & Supply, LLC for disposal and recycling of District asphalt, concrete, and asphalt grindings in an aggregate amount not to exceed \$780,000 annually for three years with two options to renew for additional one-year periods, for a total amount not to exceed \$3,900,000.
 - 11.2. Authorize additional agreements with other disposal and recycling service providers, on an asneeded basis and subject to the total aggregate amount authorized by the Board for such services on July 8, 2025, 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.
- 12. Authorize an amendment to the agreement originally authorized under Purchase Agreement No. AGR401360 with Oppenheimer Investigations Group LLP to increase the agreement amount by \$40,000 to a total amount not to exceed \$120,000 for equal employment opportunity and workplace investigation services in limited scenarios.

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PUBLIC HEARING:

- 13. Take actions related to the transfer of delinquent EBMUD charges to the Alameda and Contra Costa counties' 2025-2026 Property Tax Rolls. (Resolution)
 - 13.1. Conduct a public hearing to consider objections and protests to the General Manager's report to Transfer Delinquent EBMUD Charges to the 2025-2026 Property Tax Rolls.
 - 13.2. Adopt the General Manager's Report dated June 10, 2025, 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, 2025, the date in which the report will be sent to Alameda and Contra Costa counties.
 - 13.3. Authorize the transfer of delinquent EBMUD charges to the Alameda and Contra Costa counties' 2025-2026 Property Tax Rolls.

PUBLIC HEARING:

- 14. Take actions related to the collection of the Wet Weather Facility Charge on Alameda and Contra Costa counties' 2025-2026 Property Tax Rolls. (Resolution)
 - 14.1. Conduct a public hearing to consider objections and protests to EBMUD's written report describing each parcel of real property subject to the Wet Weather Facilities Charge (WWFC) and amount of the WWFC to be imposed on each parcel for the Alameda and Contra Costa counties' Fiscal Year (FY) 2025-2026 Property Tax Rolls.
 - 14.2. Adopt the written Report and authorize the District to collect the FY 2026 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).
 - 14.3. Authorize District staff to adjust the FY 2026 WWFC for any affected parcels as new information is provided by the counties.
 - 14.4. Direct the Secretary of the District to file a copy of the Report on or before August 10, 2025, with the Alameda County Auditor-Controller and the Contra Costa County Auditor-Controller.

DETERMINATION AND DISCUSSION:

15. Legislative Update.

DETERMINATION AND DISCUSSION: (Continued)

- 16. Take actions related to the Memoranda of Understanding with AFSCME Locals 2019 and 444, IFPTE Local 21 and IUOE Local 39. (Resolution)
 - 16.1. Adopt a resolution to approve the 2025-2028 Memoranda of Understanding (MOU) and other special agreements between the District and American Federation of State, County and Municipal Employees AFL-CIO Locals 2019 and 444 (Locals 2019 and 444), International Federation of Professional and Technical Engineers Local 21 (Local 21), and International Union of Operating Engineers Local 39 (Local 39).
 - 16.2. Approve the salary and other benefits revisions for Senior Management Team members, Managers, Confidential employees, and Non-represented employees.
 - 16.3. Approve revisions to District salary schedules effective July 1, 2025.
 - 16.4. Amend all existing Civil Service Rules, Policy Statements and Procedures and other pertinent resolutions to align with revisions contained in the MOUs and in the resolution.
- 17. Discussion of the proposed performance criteria for the evaluations of the General Manager and the General Counsel.
- 18. General Manager's Report.
 - 2025 Customer Opinion Survey
 - Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2025 and Summary of 2025 Committee and Workshop Topics
 - Monthly Report June 2025

DIRECTOR COMMENTS:

- 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, August 12, 2025. 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 <u>www.ebmud.com</u>.

W:\Board of Directors - Meeting Related Docs\Agendas 2025\07082025_regular agenda.docx

BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, July 8, 2025	Planning Committee Legislative/Human Resources Committee Board of Directors	9:00 a.m. Boardroom 10:30 a.m. Boardroom 11:00 a.m. Boardroom 1:15 p.m. Boardroom	 Fiscal Year 2025 Pipeline Rebuild Program Update Center for Smart Infrastructure Update Water Forum 2050 Update Erosion Threat to the Mokelumne Wild and Scenic River after a Wildfire Modernization of Recruitment Division Practices Closed Session Regular Meeting
Tuesday, July 22, 2025	Finance/Administration Committee Board of Directors		 Canceled Canceled
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Tuesday, August 12, 2025	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom	
		1:15 p.m. Boardroom	
2025 Board Committee Members			
L F	inance/Administration egislative/Human Resources lanning ustainability	Lewis {Chair}, Katz, Oddie Gómez {Chair}, Oddie, Smith Chan {Chair}, Gómez, Lewis Smith {Chair}, Gómez, Katz	



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

<u>By Phone</u>* **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: <u>https://www.ebmud.com/about-us/board-directors/board-meetings/</u>

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