



BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Time and Location Change

REGULAR CLOSED SESSION
11:30 AM
and
REGULAR BUSINESS MEETINGS
1:15 PM
Tuesday, February 22, 2022
****Virtual****

Notice is hereby given that the Tuesday, February 22, 2022 Regular Closed Session Meeting of the Board of Directors has been rescheduled from 11:00 a.m. to 11:30 a.m.

In accordance with Government Code section 54953(e), the Regular Closed Session Meeting scheduled for 11:30 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., **will be conducted via webinar and teleconference only**. A physical location will not be provided for these meetings.

Dated: February 17, 2022



Rischa S. Cole
Secretary of the District

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**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, February 22, 2022

11:30 a.m.

****Virtual****

Location

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only.** A physical location will not be provided for this meeting.

*****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. Conference with Labor Negotiators Clifford C. Chan, General Manager; David A. Briggs, Director of Operations & Maintenance, and Winnie W. Anderson, Interim Director of Human Resources, pursuant to Government Code section 54957.6 regarding COVID-19 response—leave directive: American Federation of State, County and Municipal Employees, Locals 444 and 2019; International Union of Operating Engineers, Local 39; and International Federation of Professional and Technical Engineers, Local 21.
2. Conference with Labor Negotiators Gregory Ramirez and Jeff Bailey from the Industrial Employers Distributors Association; Clifford C. Chan, General Manager; Sophia D. Skoda, Director of Finance; and Winnie W. Anderson, Interim Director of Human Resources, pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Locals 444 and 2019.

(The Board will discuss Closed Session agenda items via webinar or teleconference.)

REGULAR BUSINESS MEETING

1:15 p.m.
****Virtual****

Location

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only**. A physical location will not be provided for this meeting.

*****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 9 recommendations, including 1 resolution.)

1. Approve the Special Meeting and Regular Meeting minutes of February 8, 2022.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Ranger Pipelines Incorporated, in an amount not to exceed \$17,345,000 for construction of the Happy Valley and Sunnyside Pumping Plants, and Happy Valley Pipeline Phase 2 Improvements under Specification 2120.
4. Authorize agreements for towing and vehicle relocation services.
 - 4a. Authorize agreements with Berry Bros. Towing & Transport, Inc. and Freeman's Tow Service, Inc. beginning on or after February 22, 2022 for three years with two options to renew for additional one-year periods, in an aggregate amount, including option years, not to exceed \$425,000 for towing and vehicle relocation services.
 - 4b. Authorize additional agreements for towing and vehicle relocation services on an as-needed basis, 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.

CONSENT CALENDAR: (Continued)

5. Authorize additional funds for the contract previously awarded under Board Motion No. 016-21 with CDW Government LLC to increase the contract amount by \$415,732 to a total amount not to exceed \$1,856,507 for supplying Microsoft Office 365 licenses for additional staff.
6. Authorize the Office of General Counsel to continue the employment of the law firm of Best, Best & Krieger, LLP, for specialized legal services related to federal and state water law, rates, charges, taxes, liens, real estate and bankruptcy, and litigation involving such matters.
7. Approve the financing plan for the upcoming bond sales in Fiscal Year 2022.
8. Approve the January 2022 Monthly Investment Transactions Report.
9. Adopt the Actuarial Valuations of the Employees' Retirement System (Retirement System) as of June 30, 2021 prepared by the Retirement System's actuary. In addition, set Retirement System Contribution Rates for Fiscal Year 2023 (FY23) equal to the contribution rates currently in effect for FY22 for the pension and Health Insurance Benefit plans. (Resolution)

DETERMINATION AND DISCUSSION:

10. Take actions related to the Fontaine Pumping Plant Replacement Project (Project). (Resolution)
 - 10a. Adopt the Final Mitigated Negative Declaration for the Project.
 - 10b. Make findings in accordance with the California Environmental Quality Act (CEQA).
 - 10c. Adopt the Mitigation Monitoring and Reporting Plan in accordance with CEQA.
 - 10d. Adopt the Practices and Procedures Monitoring and Reporting Plan.
 - 10e. Approve the Project.
11. Adopt the District's Diversity, Equity, and Inclusion Strategic Plan.
12. Take actions related to the 2021-2025 Memorandum of Understanding (MOU) and other special agreements with the International Federation of Professional and Technical Engineers (IFPTE) Local 21. (Resolution)
 - 12a. Approve the 2021-2025 MOU and other special agreements between the District and the IFPTE Local 21.
 - 12b. Approve revisions to District salary schedules.
 - 12c. Amend all existing Civil Service Rules, Policy Statements and Procedures, and other pertinent resolutions to conform to revisions contained in the MOU and in the resolution.

DETERMINATION AND DISCUSSION: (Continued)

13. General Manager's Report:
- Coronavirus Update
 - Water Supply Update

REPORTS AND DIRECTOR COMMENTS:

14. Committee Reports:
- Finance/Administration
15. Other Items for Future Consideration.
16. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 8, 2022.

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

Date	Meeting	Time/Location	Topics
Tuesday, February 22	Finance/Administration Committee	8:30 a.m. Virtual	<ul style="list-style-type: none"> • Monthly Investment Transactions Report • Quarterly Investment Report – December 31, 2021 • Semi-Annual Internal Audit Report • Interest Rate Swap Portfolio Summary Report • Financing Plan for Fiscal Year 2022 Bond Sales • Employees' Retirement System Fiscal Year 2021 Actuarial Valuations and Fiscal Year 2023 Employer Contribution Rates
	Long-Term Water Supply Workshop	9:30 a.m. Virtual	
	Board of Directors	11:30 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, March 8	Planning Committee	TBD	
	Legislative/Human Resources Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, March 22	Finance/Administration Committee	TBD	
	Long-Term Water Supply Workshop	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

2022 Board Committee Members

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



Closed Session and Regular Business Meetings
Tuesday, February 22, 2022
11:30 a.m. and 1:15 p.m.

EBMUD public Board meetings will be conducted via Zoom.
Please note that Board meetings are recorded, live-streamed, and posted on the District's website.

Please visit this page beforehand to familiarize yourself with Zoom.
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

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>

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.

If you wish to provide public comment please:

- 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
- The Secretary will call each speaker in the order received
- 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
- 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 keep track of time and inform each speaker when the allotted time has concluded

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 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.

To observe the public portion of the 11:30 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>
