



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Location Change

**REGULAR CLOSED SESSION
and
REGULAR BUSINESS MEETINGS
Tuesday, January 12, 2021
Virtual**

Notice is hereby given that due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, the Regular Closed Session Meeting scheduled for 11:00 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., **will be conducted via webinar and teleconference only**. In compliance with said orders, a physical location will not be provided for these meetings. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

Dated: January 7, 2021



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, January 12, 2021

11:00 a.m.

****Virtual****

Location

Due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

Board members will participate by webinar or teleconference

*****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.

BROWN ACT BRIEFING:

- Presentation of the Brown Act and the Ethics Policy of the EBMUD Board of Directors

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Pacific Bell v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG20050948
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Waste Management of Alameda County, Inc.
Claim No. 2017-L-183-1

ANNOUNCEMENT OF CLOSED SESSION AGENDA (Continued):

3. Threat to public services or facilities pursuant to Government Code section 54957:
Conference with Sophia D. Skoda, Director of Finance; Andrew J. Levine, Manager of Information Systems; William L. Johnson, Information Systems Division Manager; and Barry N. Gardin, Internal Auditor Supervisor.
4. Conference with Labor Negotiators Clifford C. Chan, General Manager; Laura A. Acosta, Manager of Human Resources; David A. Briggs, Director of Operations & Maintenance; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6: Employee Organizations International Union of Operating Engineers, Local 39; American Federation of State, County and Municipal Employees, Locals 444 and 2019; and International Federation of Professional & Technical Engineers, Local 21.

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

REGULAR BUSINESS MEETING

1:15 p.m.

****Virtual****

Location

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Board members will participate by webinar or teleconference

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Election of Officers
- 2021 Board Committee Assignment Preferences

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, including 1 resolution.)

1. Approve the Special Meeting Minutes of November 24, 2020, the Regular Meeting Minutes of December 8, 2020, and the Special Meeting Minutes of December 15, 2020.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Lhoist North America of Arizona Inc., for supplying bulk liquid lime for the Pardee Chemical Plant for two years, beginning on or after January 25, 2021 with three options to renew for an additional one-year period for a total cost, after the addition of taxes, including option years, not to exceed \$2,642,500 under Request for Quotation No. 2007A.
4. Award contracts to A.Y. McDonald Mfg. Co., Cambridge Brass. Inc., and Mueller Co., LLC for supplying non-lead brass water service fittings, beginning on or after February 1, 2021 for three years with two options to renew for additional one-year periods, in an aggregate amount, including option years, not to exceed \$6,761,060 under Request for Quotation No. 2015.
5. Award a contract to the lowest responsive/responsible bidder, Alisto Engineering Group, in the amount of \$912,775, for the Cathodic Protection Anode Wells Demolition under Specification 2160.
6. Award a contract to the lowest responsive/responsible bidder, Silverado Contractors, Inc., in the amount of \$2,990,506 for Seneca Property Sale – Seneca Reservoir Demolition under Specification 2163.
7. Award a contract to the lowest responsive/responsible bidder, Blocka Construction, Inc., in an amount not to exceed \$262,000 for construction of the Point Isabel Wet Weather Facility Distributed Control System Remote Input/Output Addition under Specification SD-421.
8. Authorize an agreement beginning January 13, 2021 through December 31, 2025 with Shell Energy North America (US), L.P. for the sale of energy, Renewable Energy Credits, and authorization for sale of Resource Adequacy capacity from the District's Camanche and Pardee hydropower facilities.
9. Authorize an agreement beginning on or after January 12, 2021 with Solutionwerks, Inc., in an amount not to exceed \$178,650 for specialized consulting and inspection services for Main Wastewater Treatment Plant liquid oxygen production facility improvements.
10. Authorize an agreement beginning on or after January 12, 2021 with Syrinix, Inc., in an amount not to exceed \$513,870 for pressure monitoring equipment and data services for three years.
11. Authorize an agreement beginning on or after January 12, 2021 with Waterproofing Associates, Inc., in an amount not to exceed \$83,585 to replace the roof on Briones Pumping Plant No. 1.

CONSENT CALENDAR (Continued):

12. Authorize agreements for bare equipment rentals.
 - 12a. Authorize agreements with the following service providers: Ahern Rentals, Inc.; Coast Counties Peterbilt PacLease; Doc Bailey Construction Equipment, Inc.; Gloria Washington Trucking, Inc.; Herc Rentals, Inc.; Ibarra Team Construction Services; Inder Trucking; JS Cole Company; Monticello Trucking, LLC; Nor Cal Rental Group dba Cresco Equipment Rentals; Pape Machinery, Inc.; S&L Transport, LLC; Sky Rock, Inc.; Sunbelt Rentals, Inc.; Sunstate Equipment Co., LLC; Tri-West Tractor, Inc.; and United Rentals (North America), Inc. for bare equipment rentals beginning on or after January 12, 2021 for three years with two options to renew for additional one-year periods, in an aggregate amount, including option years, not to exceed \$12,000,000.
 - 12b. Authorize additional agreements for bare equipment rentals, 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 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.
13. Award a sole source contract to Evoqua Water Technologies, LLC for the purchase of two clarifier sludge collectors and to rebuild two drives for the Main Wastewater Treatment Plant Secondary Clarifier Mechanical Repairs, Phase 2 Project for a total cost, after the addition of taxes, not to exceed \$1,010,563.
14. Approve the assignment of the concession contracts previously authorized under Board Motion Nos. 151-17 (Pardee Recreation Area) and 046-11 (San Pablo Recreation Area) with Pyramid Recreation Enterprises dba Rocky Mountain Recreation Company to Ortega National Parks, LLC for the Pardee Reservoir Recreation Contract and the San Pablo Reservoir Recreation Area Contract.
15. Authorize a second amendment to the contract previously awarded under Board Motion No. 019-20 with CDW Government, LLC to increase the contract amount by \$76,511 to a total amount not to exceed \$1,440,775 for supplying Microsoft Software Assurance and Microsoft Extended Security Updates for Windows Server 2008.
16. Authorize a two-year Option Agreement with Champion Outdoor Ventures, LLC for Champion to complete California Environmental Quality Act and permitting requirements as a prerequisite for a potential 25-year lease with Champion to develop, install, and operate up to three outdoor electronic billboards on portions of two District properties in Oakland, California. (Resolution)

DETERMINATION AND DISCUSSION:

17. Legislative Update:
 - Receive Legislative Report No. 01-21 and consider a position on the following bill: ACA 1 (Aguiar-Curry) Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval; and receive information on State and Federal Government Actions Related to the Coronavirus Disease 2019 (COVID-19)
 - Federal Initiatives for 2021
 - Update on Legislative Issues of Interest to EBMUD
18. Consider adjusting the Board of Directors' monthly compensation.
19. General Manager's Report:
 - Water Supply Update
 - Execution of Contracts under Declaration of Emergency to the Coronavirus Disease 2019 (COVID-19)
 - Coronavirus Update
 - Racial Equity and Justice and Diversity, Equity, and Inclusion Strategic Plan Projects Update
 - Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2021 and Six-Month Summary of the 2020 Committee and Workshop Topics
 - 2020 Interdepartmental Committees Annual Reports
 - Monthly Report – December 2020

REPORTS AND DIRECTOR COMMENTS:

20. Committee Reports:
 - EBRPD/EBMUD Liaison – August 18, 2020
 - Planning
 - Legislative/Administration
21. Other Items for Future Consideration.
22. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 26, 2021.

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, January 12	<p>Planning Committee Linney {Chair}, McIntosh, Mellon</p> <p>Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson</p> <p>Board of Directors</p>	<p>9:15 a.m. <i>Virtual</i></p> <p>10:15 a.m. <i>Virtual</i></p> <p>11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i></p>	<ul style="list-style-type: none"> • Wet Weather Consent Decree Implementation Update • Richmond Salmon Net Pen Proposal • California Water Futures Market • Legislative Update • Federal Initiatives 2021 • Closed Session • Regular Meeting
Monday, January 18	Martin Luther King Jr. Day		<ul style="list-style-type: none"> • <i>District Offices Closed</i>
Tuesday, January 26	<p>Finance/Administration Committee</p> <p>Sustainability/Energy Committee</p> <p>Long-Term Financial Stability – Budget Workshop #1</p> <p>Board of Directors</p>	<p>TBD <i>Virtual</i></p> <p>TBD <i>Virtual</i></p> <p>TBD <i>Virtual</i></p> <p>11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i></p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting



**Closed Session and Regular Business Meetings
Tuesday, January 12, 2021
11:00 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>

11:00 a.m. Closed Session Meeting (Public Comment)

Online

<https://zoom.us/j/92152240043?pwd=TXNqNk9ZQmN4QmtEZUswUUF4M2hSUT09>

Webinar ID: 921 5224 0043

Passcode: 331799

By Phone

Telephone: 1 669 900 6833

Webinar ID: 921 5224 0043

Passcode: 331799

International numbers available: <https://zoom.us/u/acLjTIAMM>

1:15 p.m. Regular Business Meeting

Online

<https://zoom.us/j/98383540160?pwd=MDYxT2tSdHRBekpSdE1wZTBTVVE1wQT09>

Webinar ID: 983 8354 0160

Passcode: 695253

By Phone

Telephone: 1 669 900 6833

Webinar ID: 983 8354 0160

Passcode: 695253

International numbers available: <https://zoom.us/u/aepeGn0GtJ>

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 his/her allotted time has concluded

To observe the public portion of the 11:00 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/>

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