



**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, June 22, 2021
Virtual**

Notice is hereby given that in accordance with the Governor's Executive Order N-08-21 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**. A physical location will not be provided for these meetings.

Dated: June 17, 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, June 22, 2021

11:00 a.m.

****Virtual****

Location

In accordance with the Governor's Executive Order N-08-21 which suspends portions of the Brown Act, **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. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Saji Pierce, et al. v. East Bay Municipal Utility District*
USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): three matters.

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

REGULAR BUSINESS MEETING

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

Location

In accordance with the Governor's Executive Order N-08-21 which suspends portions of the Brown Act, **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

PRESENTATIONS:

- California Water Environment Association and California Association of Sanitation Agencies 2021 Emerging Leaders Award
- California Water Environment Association Community Engagement and Outreach Person of the Year Award
- California Water Environment Association Supervisor of the Year Award
- California Water Environment Association and the Water Environment Federation Award for the District's commitment to fostering a safe work environment

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 14 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of June 8, 2021.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, CWS Construction Group, Inc., in an amount not to exceed \$5,751,500 for construction of the Main Wastewater Treatment Plant Administration/Laboratory and Dewatering/Thickening Buildings' Heating, Ventilation, and Air Conditioning Improvements project under Specification SD-402.

CONSENT CALENDAR: (Continued)

4. Authorize an agreement beginning on or after June 22, 2021 with Alameda-Contra Costa Transit District in an amount not to exceed \$103,689 for reimbursement of costs for manhole modification work on the District's South Foothill Interceptor necessary for the East Bay Bus Rapid Transit Project.
5. Authorize an agreement beginning on or after July 1, 2021 with Civicorps in an amount not to exceed \$600,000 for one year to provide vegetation control and related duties at various District properties.
6. Authorize an agreement beginning on or after June 22, 2021 with Honeywell International, Inc. in an amount not to exceed \$1,846,608 for software support services supporting the District's distributed control system at the District's water treatment plants through June 30, 2025.
7. Authorize an agreement beginning on or after June 22, 2021 with K.W. Emerson, Inc. in an amount not to exceed \$175,800 for paving replacement of the Pardee Center Administration Building parking area and walkway.
8. Authorize an agreement beginning on or after June 22, 2021 with Nichols Consulting Engineers, Chtd in an amount not to exceed \$190,183 for preparation of pavement condition assessments and pavement management services for the Pavement Management Plan for District Facilities.
9. Authorize an agreement beginning on or after June 22, 2021 with PaleoWest, LLC in an amount not to exceed \$130,000 to prepare a Historic Properties Management Plan for the Federal Energy Regulatory Commission Project No. 2916.
10. Authorize an agreement beginning on or after June 22, 2021 with Woodard & Curran, Inc. in an amount not to exceed \$219,746 to design and implement a data management system for the East Bay Plain Subbasin.
11. Authorize actions related to asphaltic cement and concrete saw cutting services.
 - 11a. Authorize agreements with Bay Line Cutting & Coring, Inc.; Concrete Demo Works, Inc.; Concrete Wall Sawing Co., Inc.; Fine Line Sawing and Drilling, Inc.; and Penhall Company for asphaltic cement and concrete saw cutting services beginning on or after June 22, 2021 for one year in an aggregate amount not to exceed \$850,000.
 - 11b. Authorize additional agreements for asphaltic cement and concrete saw cutting 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)

12. Authorize the Office of General Counsel to continue the employment of the law firm of Meyers Nave for specialized legal services related to labor and employment matters.
13. Approve the May 2021 Monthly Investment Transactions Report.
14. Appointment of General Counsel. (Resolution)

DETERMINATION AND DISCUSSION:

15. Approve the proposed financing plan for Fiscal Year 2022.
16. Authorize execution of legal documents associated with extending Bank of America's Revolving Credit Agreement for Commercial Paper (Water Series) Tax-Exempt Subseries A-2 notes until June 28, 2024 at a fee of 29 basis points (0.29%) per year based on the District's current credit ratings. (Resolution)
17. Authorize execution of legal documents associated with extending U.S. Bank's Standby Bond Purchase Agreement for Water System Revenue Refunding Bonds, Series 2008 A-2 and Series 2008 A-3 until December 27, 2024 at a fee of 30 basis points (0.30%) per year based on the District's current credit ratings. (Resolution)
18. Adopt a resolution condemning and combating discrimination, intolerance, and violence against the lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual and other gender and sexual identities community. (Resolution)
19. Adopt the District's Urban Water Management Plan 2020 (UWMP 2020) and Water Shortage Contingency Plan 2020 (WSCP 2020) in compliance with the Urban Water Management Planning (Act) of the California Water Code. (Resolutions)
 - 19.1. Adopt the UWMP 2020 in compliance with the Act.
 - 19.2. Adopt the WSCP 2020 found in Attachment 1 of the UWMP 2020 in compliance with the Act.
20. General Manager's Report:
 - 2021 Drought Update
 - Coronavirus Update

REPORTS AND DIRECTOR COMMENTS:

21. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Redistricting Ad Hoc Committee
 - Finance/Administration

REPORTS AND DIRECTOR COMMENTS: (Continued)

22. Other Items for Future Consideration.

23. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 13, 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

The dates and times of future meetings are subject to change.

Date	Meeting	Time/Location	Topics
Tuesday, June 22	Redistricting Ad Hoc Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> • Review Redistricting Guidelines
	Finance/Administration Committee	10:00 a.m. Virtual	<ul style="list-style-type: none"> • Monthly Investment Transactions Report • Proposed FY22 Financing Plan • Extend Revolving Credit Agreement for Commercial Paper Notes (Water Series) Tax-Exempt Subseries A-2 • Extend Standby Bond Purchase Agreement for Water Revenue Bonds Series 2008 A-2 and 2008 A-3
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Wednesday, June 29	Cultural Audit Report Workshop	9:00 a.m. Virtual	
Monday, July 5	Independence Day observed		<i>District Offices Closed</i>
Tuesday, July 13	Planning Committee	TBD Virtual	
	Legislative/Human Resources Committee	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 27	Finance/Administration Committee		<i>Cancelled</i>
	Board of Directors		<i>Cancelled</i>

2021 Board Committee Members

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



Closed Session and Regular Business Meetings
Tuesday, June 22, 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>

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/j/97065086667>

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 11:00 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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