



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, November 9, 2021  
*\*\*Virtual\*\****

In accordance with Government Code section 54953(e), 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: November 4, 2021



Rischa S. Cole  
Secretary of the District

This page is intentionally left blank.



**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 9, 2021**

**11:00 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; Laura A. Acosta, Manager of Human Resources; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6 regarding COVID-19 response-vaccine directive: American Federation of State, County and Municipal Employees, Locals 444 and 2019; and International Federation of Professional & 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; Laura A. Acosta, Manager of Human Resources; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6 regarding MOUs: 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**

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

**PRESENTATION:**

- Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting

**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 13 recommendations.)

1. Approve the Regular Meeting Minutes of October 26, 2021.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Cummins, Inc., for supplying four 100 kilowatt (kW) and one 150 kW portable engine-generator package systems for a total cost, after the addition of taxes, not to exceed \$450,000 under Request for Quotation No. 2109.
4. Award a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in an amount not to exceed \$8,678,567 for construction of the San Pablo Reservoir Hypolimnetic Oxygenation System under Specification 2152.
5. Award a sole source contract to DLT Solutions, LLC, for supplying Autodesk software subscriptions to develop construction drawings for planning, design, construction, and maintenance of District assets and facilities, for two years, beginning on or after November 9, 2021 for a total cost after the addition of taxes, not to exceed \$347,241.

**CONSENT CALENDAR:** (Continued)

6. Award a sole source contract to Schwing Bioset, Inc., for supplying spare parts for dewatered sludge cake pumps at the Main Wastewater Treatment Plant Sludge Dewatering Facility for one year, beginning on or after November 9, 2021 with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including options years, not to exceed \$585,000.
7. Authorize an agreement beginning on or after November 9, 2021 with Blankinship and Associates, Inc. for three years with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$464,400 to provide Pest Control Advisor consulting services for the District's Integrated Pest Management program.
8. Authorize an agreement beginning on or after November 9, 2021 with the City of Albany for the District to provide Utility Users Tax billing and collection services for approximately 5,000 Albany ratepayers.
9. Authorize an agreement beginning on or after November 9, 2021 with the City of Orinda in an amount not to exceed \$200,000 for construction contract services for the Bear Creek Bridge Pipeline Replacement Project.
10. Authorize an amendment to the cooperating agreement with the City of Hayward (Hayward) for Groundwater Sustainability Plan (GSP) development previously authorized under Board Motion Nos. 077-18 and 202-20 to appoint a Plan Manager for the East Bay Plain Subbasin GSP and allocate legal and financial responsibility between East Bay Municipal Utility District and Hayward, including reciprocal indemnity, for new monitoring wells and aquifer testing.
11. Authorize amendments to the agreements previously authorized under Board Motion No. 093-21 with the following service providers to increase the aggregate amount of those agreements by \$3,750,000 to a total aggregate amount not to exceed \$9,250,000 for tree trimming and related services: A Plus Tree, Inc.; Absolute Best Care; Arbor Products Ltd. dba Expert Tree Service; Arboricultural Specialties, Inc. dba The Professional Tree Care Co.; Arborist Now, Inc.; Arborwell, LLC dba Arborwell & SavATree; Arborworks, Inc.; Asoemo Environmental Restoration Industry, LLC; Bay Area Tree Specialists; Graham Tree Service, Inc.; Hamilton Tree Service, Inc.; Julia Cabrera dba Julian Tree Care; Quality Tree Care; Tree Service Unlimited, Inc.; and West Coast Arborists, Inc.
12. Approve the Water Supply Assessment requested by the City of El Cerrito for the El Cerrito San Pablo Avenue Specific Plan Update pursuant to California Water Code Sections 10910-10915.
13. Authorize the Office of General Counsel to continue the employment of the law firm of Downey Brand, LLP, for specialized legal services related to natural resources and environmental regulatory and litigation matters.

**DETERMINATION AND DISCUSSION:**

14. Adopt a resolution in observance of the life and public service of Alameda County Supervisor Wilma Chan. (Resolution)
15. Ratify the General Manager's November 3, 2021 declaration of a District emergency in accordance with Policy 7.03 – Emergency Preparedness/Business Continuity as a result of catastrophic failure of a sodium hypochlorite chemical storage tank at the Oakport Wet Weather Facility. (Resolution)
16. General Manager's Report:
  - Coronavirus Update
  - 2021 Drought Update
  - Monthly Report – October 2021

**REPORTS AND DIRECTOR COMMENTS:**

17. Committee Reports:
  - Redistricting Ad Hoc
  - Sustainability/Energy
  - Finance/Administration
  - Planning
18. Other Items for Future Consideration.
19. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 23, 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 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

## BOARD CALENDAR

Date	Meeting	Time/Location	Topics
<b>Tuesday, November 9</b>	<b>Planning Committee</b>	9:15 a.m. Virtual	<ul style="list-style-type: none"> <li>• Wastewater Pretreatment and Pollution Prevention Program Update</li> <li>• South Interceptor Special Structures Rehabilitation Phase I Update</li> <li>• Main Wastewater Treatment Plant Odor Control Program Update</li> <li>• Mokelumne Watershed Routine Maintenance Project Update and Final Mitigated Negative Declaration</li> <li>• Marin Municipal Water District Drought Assistance Update and Draft Principles of Agreement</li> </ul>
	<b>Legislative/Human Resources Committee</b>	<i>Cancelled</i>	
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	
<b>Thursday, November 11</b>	<b>Veterans' Day</b>		<i>District Offices Closed</i>
<b>Tuesday, November 23</b>	<b>Redistricting Ad Hoc Committee</b>	TBD	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Finance/Administration Committee</b>	TBD	
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	
<b>Thursday, November 25 – Friday, November 26</b>	<b>Thanksgiving Holiday</b>		<i>District Offices Closed</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, November 9, 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/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](mailto: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/>

---