



**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 10, 2020
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: November 5, 2020



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, November 10, 2020

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.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Robert Brock v. East Bay Municipal Utility District, et al.*
Alameda County Superior Court, Case No. RG19010530
 - b. *Ivette Rivera v. East Bay Municipal Utility District, et al.*
USDC, N.D. Cal., Case No. C15-00380-SBA
 - c. *Moraga Country Club Homeowners' Association v. East Bay Municipal Utility District*
Contra Costa County Superior Court, Case No. MSC16-01348
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.

ANNOUNCEMENT OF CLOSED SESSION AGENDA: (Continued)

3. Conference with Labor Negotiators Clifford C. Chan, General Manager; David A. Briggs, Director of Operations and Maintenance; and Laura A. Acosta, Manager of Human Resources, pursuant to Government Code section 54957.6: Employee Organization American Federation of State, County and Municipal Employees, Local 444.
4. Exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.

(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

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 8 recommendations, including 1 resolution.)

1. Approve the Special Meeting Minutes of October 20, 2020 and the Regular Meeting Minutes of October 27, 2020.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, C. Overaa & Co., in the amount of \$4,423,000, for construction of Sobrante Water Treatment Plant Maintenance and Safety Improvements under Specification 2159.

CONSENT CALENDAR: (Continued)

4. Authorize agreements related to replacing Oracle servers.
 - 4.1. Authorize an agreement beginning on or after November 10, 2020 with Groupware Technology, Inc. in an amount not to exceed \$373,389 for the delivery and five-year support and maintenance of Dell server hardware and VMware vSphere software licenses, and the delivery and one-year support and maintenance of Red Hat Enterprise Linux software licenses.
 - 4.2. Authorize an agreement beginning on or after November 10, 2020 with Dynamic Systems, Inc., in an amount not to exceed \$24,401 for the delivery of Oracle University Database Learning Subscriptions.
5. Authorize amendments to agreements for fully-maintained and operated (FM&O) dump truck services.
 - 5a. Authorize amendments to the agreements previously authorized under Board Motion No. 104-19 with the following vendors to increase the combined amount of those agreements by \$3,750,000 to a total combined amount not to exceed \$10,550,000 and extend the terms of the agreements to November 10, 2021 for the rental of FM&O dump truck services: Allied Materials, Inc.; Channa Trucking; CIA Trucking; Curbside Trucking LLC; JD Trucking Company; Darrah Trucking & Excavating, Inc.; Tri Valley Water Trucks, Inc.; E.M. Blair Trucking; Gloria Washington Trucking, Inc.; Hills Trucking; Ibarra Trucking; Inder Trucking; Jackson Transportation; Just Because Trucking, Inc.; Mae Trucking; Royal Trucking/Maintenance; S&L Enterprises; S&L Trucking LLC; Sky Rock, Inc.; S.M.G. Trucking; Sudden Sam's Trucking; Sunny Motors Transport, Inc.; Tom Aiken General Engineering; and Wide Area, Inc.
 - 5b. Authorize additional agreements for FM&O dump truck services, on an as-needed basis, with vendors that meet District standards and offer pricing at or below the range in the proposed agreements with the vendors above to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
6. Authorize an amendment to the agreement previously authorized under Board Motion No. 181-16 with National Plant Services, Inc. to increase the agreement amount by \$500,000 to a total amount not to exceed \$3,500,000 and extend the agreement term to October 31, 2022 for flow monitoring and related services for the Satellite Field Services Project in support of the East Bay communities' infiltration and inflow reduction activities in their collection systems. The agreement costs will be reimbursed to the District by the participating Satellite agencies.
7. Cancel the December 22, 2020 Board Committees, and Closed Session and Regular meetings.
8. Adopt a resolution to approve an 18-month renewal and extension to the Exclusive Negotiation Agreement (ENA) between the District and K to College, d.b.a. SupplyBank.Org, previously approved by Board Resolution No. 35104-18, to renew the ENA and extend its term to February 23, 2022. (Resolution)

DETERMINATION AND DISCUSSION:

9. General Manager's Report:
- Coronavirus Update
 - Racial Equity and Justice and Diversity and Inclusion Master Plan Projects Update
 - Monthly Report – October 2020

REPORTS AND DIRECTOR COMMENTS:

10. Committee Reports:
- Sustainability/Energy
 - Finance/Administration
 - Planning
11. Other Items for Future Consideration.
12. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 24, 2020.

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, November 10	<p>Planning Committee Linney {Chair}, McIntosh, Mellon</p> <p>Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson</p> <p>Long-Term Infrastructure Investment Workshop</p> <p>Board of Directors</p>	<p>8:30 a.m. <i>Virtual</i></p> <p>9:00 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"> • Urban Water Management Plan 2020 and Revised Drought Management Program Guidelines <p style="text-align: center;"><i>Cancelled</i></p> <ul style="list-style-type: none"> • Closed Session • Regular Meeting
Wednesday, November 11	Veterans Day		<i>District Offices Closed</i>
Tuesday, November 24	<p>Finance/Administration Committee Patterson {Chair}, Coleman, Katz</p> <p>System Capacity Charge Workshop</p> <p>Board of Directors</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
Thursday-Friday, November 26-27	Thanksgiving Holiday		<i>District Offices Closed</i>
Tuesday, December 8	<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"> • Closed Session • Regular Meeting



Closed Session and Regular Business Meetings
Tuesday, November 10, 2020
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://ebmud.zoom.us/j/91742559023?pwd=R0lqQ2N4VEFHdWlGdm5RQTYvQ1dCZz09>

Webinar ID: 917 4255 9023

Passcode: 453781

By Phone

Telephone: 1 669 900 6833

Webinar ID: 917 4255 9023

Passcode: 453781

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

1:15 p.m. Regular Business Meeting

Online

<https://ebmud.zoom.us/j/95097754573?pwd=cVc2TVBHdWlGdm5RQTYvQ1dCZz09>

Webinar ID: 950 9775 4573

Passcode: 832926

By Phone

Telephone: 1 669 900 6833

Webinar ID: 950 9775 4573

Passcode: 832926

International numbers available: <https://ebmud.zoom.us/u/afpTb1X65>

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/>
