



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

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**Notice of Location Change**

**REGULAR CLOSED SESSION  
and  
REGULAR BUSINESS MEETINGS  
Tuesday, July 28, 2020  
*\*\*Teleconference\*\****

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 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: July 23, 2020



Rischa S. Cole  
Secretary of the District



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

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Office of the Secretary: (510) 287-0440

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## **AGENDA**

### **REGULAR CLOSED SESSION**

**Tuesday, July 28, 2020**

**11:00 a.m.**

#### **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 via 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.

*Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson and President Marguerite Young will participate via 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. Water Rights Hearing on Amador Water Agency's Petition for Partial Assignment of State Filed Application 5647 and Accompanying Application 5647X03, and Reversion of Rights Previously Assigned to Jackson Valley Irrigation District Under State Filed Application 5648 (Permit 12167)
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
  - a. Bay Area Air Quality Management District Notices of Violation A56067, 56070, 56072, 56391, 58320 and 58828 Issued to East Bay Municipal Utility District
3. Threat to public services or facilities pursuant to Government Code section 54957:  
Conference with David A. Briggs, Acting Director of Operations and Maintenance; and Laura A. Acosta, Manager of Human Resources.

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

**REGULAR BUSINESS MEETING**

**1:15 p.m.**

**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 via 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.

*Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, Frank Mellon, William B. Patterson and President Marguerite Young will participate via teleconference*

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

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance

**ANNOUNCEMENTS FROM CLOSED SESSION:**

**PRESENTATIONS:**

- Acknowledging the East Bay Municipal Utility District's 2020 High School Virtual Internship Program

**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 12 recommendations, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of July 14, 2020.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Integra Construction Services, Inc., in the amount of \$1,375,000 for construction of Sobrante Water Treatment Plant Control Systems Improvements under Specification 2134.
4. Award a contract to the lowest responsive/responsible bidder, TCB Industrial, Inc., in the amount of \$1,265,449 for construction of the Demonstration, Recharge, Extraction and Aquifer Management - Mokelumne Aqueduct Tie-In under Specification 2148A.
5. Authorize an agreement beginning on or after July 28, 2020 with Allied Crane, Inc. for an estimated annual amount of \$136,598 for crane certification and minor repairs for three years with two options to renew for additional one-year periods for a total cost of \$682,990 under Request for Proposal No. FMC736-20-04.

**CONSENT CALENDAR:** (Continued)

6. Authorize an agreement beginning on or after July 28, 2020 with Innovyze, Inc., to upgrade the District's hydraulic modeling software and to provide one year of software maintenance and support, with four options to renew the software maintenance and support for additional one-year periods in an amount not to exceed \$990,000.
7. Authorize an agreement beginning on or after July 28, 2020 with MoneyGram Payment Systems, Inc., in an amount not to exceed \$250,000 to provide customers with cash payment services for five years.
8. Authorize an agreement beginning on or after July 28, 2020 with Unico Mechanical Corporation in an amount not to exceed \$802,578 for the refurbishment of four 42-inch diameter ball valves for the Main Wastewater Treatment Plant Influent Pump Station.
9. Authorize amendments to agreements for paving, striping, sealing, and other related services.
  - 9a. Authorize amendments to agreements awarded under Board Motion No. 021-20 to seven vendors and various public agencies in the District's service area for an additional \$2,750,000, increasing the aggregate amount not to exceed \$4,000,000 for paving, striping, sealing, and other related services at locations throughout the District's service area through January 29, 2021: American Asphalt Repair & Resurfacing Co., Inc.; Bond Blacktop, Inc.; Bruce Enterprises; Carone & Company, Inc.; J.V. Lucas Paving, Inc.; O.C. Jones & Sons, Inc.; MCK Services, Inc.; and Public Agencies.
  - 9b. Authorize additional agreements with vendors that meet District standards to increase flexibility and ensure vendor availability during peak workload. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
10. Approve the June 2020 Monthly Investment Transactions Report.
11. Adopt a debt management policy and approve revisions to Policy 4.02 – Cash Reserves and Debt Management. (Resolution)
12. Appointment of the Controller. (Resolution)

**PUBLIC HEARING: \*Please see appendix for participation instructions\***

13. Authorize actions related to the transfer of delinquent EBMUD charges to Alameda and Contra Costa counties' 2020-2021 Property Tax Rolls. (Resolution)
  - 13.1. Conduct a public hearing to consider objections and protests to the General Manager's report to Transfer Delinquent EBMUD Charges to the 2020-2021 Property Tax Rolls.
  - 13.2. Adopt the General Manager's report (Report) dated June 23, 2020 and authorize the General Manager to exclude from the report any affected parcels or amounts as appropriate, including those that the District receives payment for on or before August 10, 2020, the date in which reports will be sent to Alameda and Contra Costa counties. A summary of the final Report will be included in the August 2020 General Manager's monthly report.

**DETERMINATION AND DISCUSSION:**

14. Approve the proposed financing plan for Fiscal Year 2021.
15. General Manager's Report:
  - Coronavirus Update

**REPORTS AND DIRECTOR COMMENTS:**

16. Committee Reports:
  - Planning
  - Legislative/Human Resources
  - Sustainability/Energy
  - Finance/Administration
17. Other Items for Future Consideration.
18. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, August 11, 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 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, July 28</b>   | <b>Sustainability/Energy Committee</b><br>Linney {Chair}, Katz,<br>Mellon               | 9:00 a.m.<br><i>Teleconference</i>  | <ul style="list-style-type: none"> <li>• Managing Fleet Emissions</li> <li>• Main Wastewater Treatment Plant Electric Vehicle Charging Pilot</li> <li>• Biogas to Hydrogen Grant Funding Opportunity</li> <li>• Energy Policy Update</li> </ul>  |
|                           | <b>Finance/Administration Committee</b><br>Patterson {Chair}, Coleman,<br>Katz          | 10:15 a.m.<br><i>Teleconference</i>                                       | <ul style="list-style-type: none"> <li>• Monthly Investment Transactions Report</li> <li>• Quarterly Financial Reports</li> <li>• Annual Internal Audit Report</li> <li>• Proposed Fiscal Year 2021 Financing Plan</li> <li>• Review New Policy 4.27 – Debt Management and Revisions to Policy 4.02 – Cash Reserves</li> </ul> |
|                           | <b>Board of Directors</b>   | 11:00 a.m.<br><i>Teleconference</i><br>1:15 p.m.<br><i>Teleconference</i> | <ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>  |
| <b>Tuesday, August 11</b> | <b>Planning Committee</b><br>Linney {Chair}, McIntosh,<br>Mellon                        | 9:15 a.m.<br>TBD  |  |
|                           | <b>Legislative/Human Resources Committee</b><br>Coleman {Chair}, McIntosh,<br>Patterson | 10:15 a.m.<br>TBD   |  |
|                           | <b>Board of Directors</b>   | 11:00 a.m.<br>1:15 p.m.   | <ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>  |
| <b>Tuesday, August 25</b> | <b>Finance/Administration Committee</b><br>Patterson {Chair}, Coleman,<br>Katz          |   | <ul style="list-style-type: none"> <li>• <i>Canceled</i></li> </ul>  |
|                           | <b>Board of Directors</b>   |   | <ul style="list-style-type: none"> <li>• <i>Canceled</i></li> </ul>  |



**APPENDIX**

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**Closed Session and Regular Business Meetings**  
*(11:00 a.m. and 1:15 p.m.)*

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.

**To participate in the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting via telephone, please:**

**\*DIAL 855-369-0450 and ENTER 49-281-364 # when prompted\***

**To listen to the live audio stream of the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, but not provide public comment, please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>**

If you participate via telephone and wish to speak on **an agenda or non-agenda item**, you will be asked to:

- State your name, affiliation if applicable, and topic
- The Secretary will compile a list of those who wish to make public comment and will call each speaker in the order received
- The Secretary will keep track of time and inform each speaker when his/her allotted time has concluded
- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- Comments **on agenda items** will follow the same process and will be heard when the item is up for consideration.

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**Public Hearing on Agenda Item 13**

**Transfer delinquent EBMUD charges to 2020-2021 Property Tax Rolls**  
*(Noticed to start at 1:15 p.m.)*

*To discuss your account without providing comment or objection to the actions being considered by the Board, please contact Teri Alderson, Customer Services Manager at 510-287-1824 or [teri.alderson@ebmud.com](mailto:teri.alderson@ebmud.com); otherwise:*

**To participate in the public hearing via telephone, please:**

**\*DIAL 855-369-0450 and ENTER 49-281-364 # when prompted\***

If you participate via telephone and wish to 1) provide comment or 2) object or protest the actions being considered by the Board during the public hearing, you will be asked to:

- State your name and the Assessor Parcel Number (APN) for the affected property, if applicable
- The Secretary will compile a list of those who wish to speak and will call each speaker in the order received
- The Secretary will keep track of time and inform each speaker when his/her allotted time has concluded

- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers

**To listen to the live audio stream of the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, *but not provide public comment*, please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>**

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