



**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, November 24, 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 19, 2020



Rischa S. Cole  
Secretary of the District

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**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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**AGENDA**  
**REGULAR CLOSED SESSION**  
**Tuesday, November 24, 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. *Melvin Bailey v. East Bay Municipal Utility District.*  
WCAB Case No. ADJ11641745
2. Conference with Labor Negotiators Clifford C. Chan, General Manager, 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.
3. Significant 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**

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:**

**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 9 recommendations, including 1 resolution.)

1. Approve the Special and the Regular Meeting Minutes of November 10, 2020.
2. File correspondence with the Board.
3. Award a sole source contract to RDP Technologies, Inc. in an amount, after the addition of taxes, not to exceed \$3,059,964 to supply a complete RDP Tekkem™ lime batch slaker system and associated equipment for the Pardee Chemical Plant Improvements Project, beginning on or after November 24, 2020.
4. Authorize an agreement beginning on or after November 24, 2020 with Dynamic Systems, Inc. in an amount not to exceed \$572,003 for supplying one year of Oracle hardware and software maintenance and support services.
5. Authorize an agreement beginning on or after November 24, 2020 with Security By Design, Inc. in an amount not to exceed \$1,384,375 for five years for design and integration services for the District's Centralized Security System.

**CONSENT CALENDAR** (Continued):

6. Authorize amendments to agreements for supplying polymeric flocculants for the Main Wastewater Treatment Plant's dewatering and thickening processes.
  - 6.1.1. Ratify the extension of contract and payment of \$2,261,975 to Solenis LLC (formerly BASF Corporation) for the continuous supply of polymeric flocculants for the Main Wastewater Treatment Plant's dewatering process through December 1, 2020.
  - 6.1.2. Extend the contract awarded under Board Motion No. 161-15 with Solenis LLC (formerly BASF Corporation) through November 30, 2021 and increase the authorized amount by \$3,576,290, which incorporates the ratified amount from action 6.1.1, for a total amount not to exceed \$7,454,300 for supplying polymeric flocculants to the Main Wastewater Treatment Plant's dewatering process.
  - 6.2.1. Ratify the payment of \$363,000 to Solenis LLC (formerly BASF Corporation) for the continuous supply of thickening polymeric flocculants for the Main Wastewater Treatment Plant's thickening process through December 1, 2020.
  - 6.2.2. Extend the contract awarded under Board Motion No. 004-16 with Solenis LLC (formerly BASF Corporation) through February 1, 2022 and increase the authorized amount by \$437,219, which incorporates the ratified amount from action 6.2.1, for a total amount not to exceed \$1,038,429 for supplying polymeric flocculants to the Main Wastewater Treatment Plant's thickening process.
7. Authorize a second amendment to the agreement previously amended under Board Motion No. 099-19 with Stantec Consulting Services, Inc. to increase the agreement amount by \$4,283,667 to a total amount not to exceed \$10,472,295 for additional design services under the Water Treatment Plant Chemical Systems Safety Improvements Project.
8. Approve the October 2020 Monthly Investment Transaction Report.
9. Authorize a two-year option agreement for a potential 20-year lease with Oakport Energy Storage, LLC to install one or more Battery Energy Storage Systems on a portion of the District's property located behind the Oakport Wet Weather Facility in Oakland, California. (Resolution)

**DETERMINATION AND DISCUSSION:**

10. General Manager's Report:
  - Coronavirus Update
  - Collection Strategy for Delinquent Accounts Update – Flow Restrictors

**REPORTS AND DIRECTOR COMMENTS:**

11. Committee Reports:
  - Planning
  - Finance/Administration

**REPORTS AND DIRECTOR COMMENTS** (Continued):

12. Other Items for Future Consideration.

13. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, December 8, 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, November 24</b>	<b>Finance/Administration Committee</b> Patterson {Chair}, Coleman, Katz	8:30 a.m. <i>Virtual</i>	<ul style="list-style-type: none"> <li>• Monthly Investment Transactions Report</li> <li>• Collection Strategy for Delinquent Accounts Update – Flow Restrictors</li> </ul>
	<b>System Capacity Charge Update Workshop</b>	9:15 a.m. <i>Virtual</i>	
	<b>Board of Directors</b>	11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Thursday-Friday, November 26-27</b>	<b>Thanksgiving Holiday</b>		<ul style="list-style-type: none"> <li>• <i>District Offices Closed</i></li> </ul>
<b>Tuesday, December 8</b>	<b>Planning Committee</b> Linney {Chair}, McIntosh, Mellon	9:15 a.m. <i>Virtual</i>	
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}, McIntosh, Patterson	10:15 a.m. <i>Virtual</i>	
	<b>Board of Directors</b>	11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Tuesday, December 22</b>	<b>Finance/Administration Committee</b> Patterson {Chair}, Coleman, Katz		<ul style="list-style-type: none"> <li>• Canceled</li> </ul>
	<b>Board of Directors</b>		<ul style="list-style-type: none"> <li>• Canceled</li> </ul>
<b>Friday, December 25 and Monday, December 28</b>	<b>Christmas Holiday</b>		<ul style="list-style-type: none"> <li>• <i>District Offices Closed</i></li> </ul>
<b>Friday, January 1, 2021</b>	<b>New Year Holiday</b>		<ul style="list-style-type: none"> <li>• <i>District Offices Closed</i></li> </ul>
<b>Tuesday, January 12, 2021</b>	<b>Planning Committee</b> Linney {Chair}, McIntosh, Mellon	TBD <i>Virtual</i>	
	<b>Legislative/Human Resources Committee</b> Coleman {Chair}, McIntosh, Patterson	TBD <i>Virtual</i>	
	<b>Board of Directors</b>	11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i>	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>



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**Closed Session and Regular Business Meetings**  
**Tuesday, November 24, 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/93231540871?pwd=UnptcVZHR0VOU1hNWTdudGlFb2drZz09>

Webinar ID: 932 3154 0871

Passcode: 414034

By Phone

Telephone: 1 669 900 6833

Webinar ID: 932 3154 0871

Passcode: 414034

International numbers available: <https://ebmud.zoom.us/u/aKww7OedW>

**1:15 p.m. Regular Business Meeting**

Online

<https://ebmud.zoom.us/j/92267823644?pwd=YmtvMW9xZDdicm5TMkJOamE1cFFyQT09>

Webinar ID: 922 6782 3644

Passcode: 236282

By Phone

Telephone: 1 669 900 6833

Webinar ID: 922 6782 3644

Passcode: 236282

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

**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

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**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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