



**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, March 23, 2021  
*\*\*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: March 18, 2021



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, March 23, 2021**

**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. *Angela Long v. East Bay Municipal Utility District.*  
WCAB Case No. ADJ11081960
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.
3. Conference with Labor Negotiators Gregory Ramirez and Jeff Bailey from the Industrial Employers Distributors Association; Clifford C. Chan, General Manager; Laura A. Acosta, Manager of Human Resources; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6: 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.
4. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.
5. Personnel exception pursuant to Government Code section 54957 to consider selection for the position of General Counsel.

*(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 Regular Meeting Minutes of March 9, 2021.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Ferguson Enterprises, LLC, dba Ferguson Waterworks, for supplying fusion bonded epoxy pipe beginning on or after March 23, 2021 for a total cost, after the addition of taxes, not to exceed \$1,148,985 under Request for Quotation No. 2104.
4. Award contracts related to construction of the Main Wastewater Treat Plant (MWWTP) Dechlorination Facility Improvements Phase 2B and the MWWTP Secondary Clarifier Mechanical Repairs Phase 2 projects.
  - 4.1. Award a contract to the lowest responsive/responsible bidder, Integra Construction Services, Inc., in an amount not to exceed \$2,380,000 for construction of the MWWTP Dechlorination Facility Improvements Phase 2B project under Specification SD-290A.
  - 4.2. Award a contract to the lowest responsive/responsible bidder, NMI Industrial Holdings, Inc., in an amount not to exceed \$1,241,494 for construction of the MWWTP Plant Secondary Clarifier Mechanical Repairs Phase 2 project under Specification SD-430.

**CONSENT CALENDAR:** (Continued)

5. Authorize agreements for the preparation of Environmental Impact Reports (EIR) for the Sobrante Water Treatment Plant (WTP) Reliability Improvements and the Walnut Creek WTP Pretreatment projects pursuant to the California Environmental Quality Act (CEQA).
  - 5.1. Authorize an agreement beginning on or after March 23, 2021 with Panorama Environmental, Inc., in an amount not to exceed \$1,921,527 for preparation of an EIR for the Sobrante WTP Reliability Improvements Project, pursuant to CEQA.
  - 5.2. Authorize an agreement beginning on or after March 23, 2021 with Woodard & Curran, Inc., in an amount not to exceed \$2,408,091 for preparation of an EIR for the Walnut Creek WTP Pretreatment Project, pursuant to CEQA.
6. Authorize an amendment to the agreement previously authorized under the General Manager's authority with Enterprise Holdings, Inc., to increase the agreement amount by \$150,000 to a total amount not to exceed \$230,000 and extend the agreement term to August 31, 2021 for long-term vehicle rental.
7. Correct an administrative error under Board Motion No. 065-19 to authorize a one-year option to extend the agreement term with Scott Johnston, Inc., for providing software engineering and development services for the District's Laboratory Information Management System.
8. Approve the February 2021 Monthly Investment Transactions Report.
9. Authorize an application to the U.S. Bureau of Reclamation to include the Meineke Trust and Magee Ranch annexations in the District's Central Valley Project Contractor's Service Area.

(Resolution)

**DETERMINATION AND DISCUSSION:**

10. General Manager's Report:
  - Water Supply Update
  - Coronavirus Update

**REPORTS AND DIRECTOR COMMENTS:**

11. Committee Reports:
  - Planning
  - Legislative/Human Resources
  - Finance/Administration
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, April 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 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

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

Date	Meeting	Time/Location	Topics
<b>Tuesday, March 23</b>	<b>Finance/Administration Committee</b>	8:30 a.m. Virtual	<ul style="list-style-type: none"> <li>• Monthly Investment Transactions Report</li> <li>• Electronic Bill Presentment and Payment and Payment Processing Update</li> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>FY22 and FY23 Budget Workshop #2</b>	9:00 a.m. Virtual	
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	
<b>Wednesday, March 31</b>	<b>Cèsar Chavez Day</b>		<i>District Offices Closed</i>
<b>Tuesday, April 13</b>	<b>Planning Committee</b>	TBD Virtual	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Legislative/Human Resources Committee</b>	TBD Virtual	
	<b>FY22 and FY23 Budget Workshop #3</b>	TBD Virtual	
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	
<b>Tuesday, April 27</b>	<b>Sustainability/Energy Committee</b>	TBD Virtual	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Finance/Administration Committee</b>	TBD Virtual	
	<b>Board of Directors</b>	11:00 a.m. Virtual 1:15 p.m. Virtual	

### 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



**APPENDIX**

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**Closed Session and Regular Business Meetings  
Tuesday, March 23, 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 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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