



**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, July 14, 2020
Teleconference**

Notice is hereby given that due to COVID-19 and in accordance with Alameda County Health Order 20-14a (issued June 18, 2020), 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 9, 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, July 14, 2020

11:00 a.m.

Location

Due to COVID-19 and in accordance with Alameda County Health Order 20-14a (issued June 18, 2020), 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. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. One matter.
2. 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 Alameda County Health Order 20-14a (issued June 18, 2020), 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:

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 1 resolution.)

1. Approve the Regular Meeting Minutes of June 23, 2020.
2. File correspondence with the Board.
3. Authorize a direct award contract to Digital Map Products L.P. in an annual amount not to exceed \$45,812 for Landvision parcel data, software, and support for three years, beginning on or after July 14, 2020, with two options to renew for additional one-year periods for a total cost of \$229,060.
4. Award a contract and authorize an agreement for the purchase of automobiles, light trucks, and medium- and heavy duty trucks for the District's fleet.
 - 4.1. Award a contract to the lowest responsive/responsible bidder, Golden Gate Freightliner, Inc., dba Golden Gate Truck Center in an annual amount, after the addition of taxes, not to exceed \$2,778,273 for supplying medium and heavy duty trucks for the District fleet for three years, beginning on or after July 15, 2020 with two options to renew for additional one-year periods for a total cost of \$13,891,365 under Request for Quotation No. 2002.
 - 4.2. Authorize agreements in accordance with the timing and pricing specified in the relevant State of California's Statewide Contracts for Fleet Vehicles in the aggregate amount not to exceed \$12,566,200, after the addition of taxes, for the purchase of cars, trucks, vans, and sport utility vehicles that will remain in effect until June 30, 2025.

CONSENT CALENDAR: (Continued)

5. Authorize agreements beginning on or after July 14, 2020 with the following ten firms for inflow and infiltration investigations of the regional wastewater collection system for two years with three options to renew for additional one-year periods for a total combined cost not to exceed \$11,000,000: ADS Corp.; Hoffman Southwest Corp., dba Professional Pipe Services; Infrastructure Engineering Corporation; National Plant Services, Inc.; Pipe and Plant Solutions, Inc.; Sewer AI Corporation; Subtronic Corporation; Total Flow, Inc.; Trekk Design Group, LLC; and V&A Consulting Engineers, Inc.
6. Authorize direct award agreements for geotechnical, environmental, civil and structural design services for the Moraga Creek Flood and Erosion Control Project located in Moraga, California.
 - 6.1. Authorize a direct award agreement beginning on or after July 14, 2020 with Langan Engineering and Environmental Services, Inc. in an amount not to exceed \$971,025 for geotechnical, environmental and civil engineering design services for the Moraga Creek Flood and Erosion Control Project located in Moraga, California.
 - 6.2. Authorize a direct award agreement beginning on or after July 14, 2020 with Wiss, Janney, Elstner Associates, Inc., in an amount not to exceed \$601,306 for structural engineering design services for the Moraga Creek Flood and Erosion Control Project located in Moraga, California.
7. Authorize agreements for disposal and recycling of District asphalt, concrete, asphalt grindings and petromat trench spoils.
 - 7a. Authorize agreements with the following six vendors in the aggregate amount not to exceed \$600,000 annually during the period July 15, 2020 to July 15, 2023 for disposal and recycling of District asphalt, concrete, asphalt grindings, and petromat trench spoils with two options to renew for additional one-year periods for a total cost of \$3,000,000: Argent Materials, Inc.; Calmat Co. dba Vulcan Materials Company; County Quarry Products, LLC; The Dutra Group; Gallagher & Burk; and Nor-Cal Rock, Inc.
 - 7b. Authorize additional agreements with other disposal and recycling vendors that meet District standards and offer pricing at or below the range described in the proposed agreements above. These additional agreements may be issued, on an as-needed basis, to increase flexibility. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
8. Authorize an amendment to the contract awarded under Board Motion No. 044-19 with Honeywell International, Inc., doing business as Honeywell Process Solutions, extending the software support services for the completed Distributed Control System upgrades under this contract to include the same services at Orinda Water Treatment Plant, without change to the existing maximum agreement ceiling of \$3,700,000.
9. Authorize the execution of a 110-day ground lease with United Parcel Service, Inc. for approximately six acres of land located within the District's Oakport property for \$272,000.

CONSENT CALENDAR: (Continued)

10. Authorize the Office of General Counsel to continue employment of law firms for specialized legal services.
 - 10.1. Authorize the Office of General Counsel to continue the employment of the law firm of Foster Employment Law for specialized legal services related to labor and employment law and litigation matters.
 - 10.2. Authorize the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to tax, public pension law, litigation, and construction matters.
11. Cancel the August 25, 2020 Closed Session and Regular meetings of the Board of Directors.
12. Adopt an amended position resolution to correct an administrative error in the classification listed in Exhibit B2 of Board Resolution No. 35145-19 adopted on June 11, 2019, and to add a limited term position to support work related to EBMUD's Racial Equity and Justice Project. (Resolution)

DETERMINATION AND DISCUSSION:

13. Legislative Update:
 - Receive Legislative Report No. 06-20 and consider positions on the following bills: AB 2060 (Holden) Drinking Water: Pipes and Fittings: Lead Content; AB 2421 (Quirk) Land Use: Permitting: Wireless Communications: Emergency Standby Generators; SB 1348 (Stern) Fire Prevention: Vegetation Management: Public Education: Grants: Defensible Space: Fire Hazard Severity Zones: Forest Management; and H. Res 988 Condemning All Acts of Police Brutality, Racial Profiling, and the Use of Excessive and Militarized Force throughout the Country; and receive information on State and Federal Government Actions Related to the Coronavirus Disease 2019 (COVID-19)
 - Update on Legislative Issues of Interest to EBMUD
14. General Manager's Report:
 - EBMUD's Racial Equity and Justice Project Update
 - Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2020 and Summary of 2020 Committee and Workshop Topics
 - Monthly Report – June 2020

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, July 28, 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, July 14 | Planning Committee Linney {Chair}, McIntosh, Mellon Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson Board of Directors | 9:15 a.m. <i>Teleconference</i> 10:00 a.m. <i>Teleconference</i> 11:00 a.m. 1:15 p.m. | <ul style="list-style-type: none"> • Pipeline Rebuild Program Update • Legislative Update • EBMUD’s Racial Equity and Justice Project • Closed Session • Regular Meeting |
| Tuesday, July 28 | Sustainability/Energy Committee Linney {Chair}, Katz, Mellon Finance/Administration Committee Patterson {Chair}, Coleman, Katz Board of Directors | TBD 10:00 a.m. TBD 11:00 a.m. 1:15 p.m. | <ul style="list-style-type: none"> • Closed Session • Regular Meeting |
| Tuesday, August 11 | Planning Committee Linney {Chair}, McIntosh, Mellon Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson Board of Directors | 9:15 a.m. TBD 10:15 a.m. TBD 11:00 a.m. 1:15 p.m. | <ul style="list-style-type: none"> • Closed Session • Regular Meeting |



APPENDIX

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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