



**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, April 27, 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: April 22, 2021



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, April 27, 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. *Waste Management of Alameda County, Inc. v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG21094336
2. Threat to public services or facilities pursuant to Government Code section 54957:
Conference with David A. Briggs, Director of Operations & Maintenance; and Rischa S. Cole, Secretary of the District.
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.

(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

PRESENTATION:

- National Association of Clean Water Agencies Award for educating the public in innovative ways through the Wastewater Treatment Plant Virtual Tour Program

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 10 recommendations, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of April 13, 2021.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Cambridge Brass, Inc., for supplying 6-inch and 8-inch service clamps for three years, beginning on or after May 3, 2021 with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$335,945 under Request for Quotation No. 2107
4. Award a contract to the lowest responsive/responsible bidder, Condon-Johnson & Associates, Inc., in an amount not to exceed \$6,515,100 for construction of the Moraga Creek Flood and Erosion Control project under Specification 2172.

CONSENT CALENDAR: (Continued)

5. Award a sole source contract to PPI America, Inc., for supplying ductile polyvinyl chloride pipe for the District's pipeline replacement program, for one year, beginning on or after May 1, 2021, with four options to renew for additional one-year periods, for a total cost after the addition of taxes, including option years, not to exceed \$6,000,000.
6. Authorize a second amendment to the agreement previously authorized under the General Manager's authority with Northwest Industrial Engine & Compressor Co. to increase the agreement amount by \$8,000 to a total amount not to exceed \$88,000 for overhaul of the Main Wastewater Treatment Plant Power Generation Station Gas Compressors 1 and 2.
7. Authorize a second amendment to the agreement previously authorized under the General Manager's authority with Oppenheimer Investigations Group to increase the agreement amount by \$30,000 to a total amount not to exceed \$110,000 and extend the agreement term to September 30, 2021 for equal employment opportunity investigative services.
8. Approve the March 2021 Monthly Investment Transactions Report.
9. Approve revisions to Policy 4.07 – Investment Policy, which was last revised on April 28, 2020, and renew existing delegation of authority for the management of investments on behalf of the District and Joint Powers Authorities to the Director of Finance, as the Treasurer of the District. (Resolution)
10. Approve revisions to the following District policies: Policy 1.03 – Contract Equity Program; Policy 1.12 – Prevailing Wage Provisions in Contract Agreements; Policy 2.02 – Accommodation for Individuals with Disabilities in the Workplace; Policy 2.25 – Equal Employment Opportunity; Policy 6.04 – Ethics Policy of the EBMUD Board of Directors; Policy 7.13 – Security; Policy 7.14 – Unmanned Aerial Vehicle Operation; Policy 9.04 – Watershed Management and Use; and Policy 9.07 – Dam Safety Program. (Resolution)

DETERMINATION AND DISCUSSION:

11. Take actions related to the 2021 Water Supply Availability and Deficiency Report and declaration of a Stage 1 drought.
 - 11.1. File the 2021 Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 - Water Supply Availability and Deficiency; and declare the District's water supply is deficient for meeting customer demands.
 - 11.2. Adopt a resolution declaring a Stage 1 Drought, establishing a District-wide voluntary water use reduction goal of ten percent, declaring the need to purchase supplemental supplies from the Central Valley Project and to divert such supplies at the Freeport Regional Water Project, and directing additional demand management measures to promote water conservation. (Resolution)
12. Authorize successive issues of short-term indebtedness payable solely from revenues, as set forth in Chapter 7.5 of the Municipal Utility District Act, for an additional seven years and direct publication of attendant resolution. (Resolution)

DETERMINATION AND DISCUSSION: (Continued)

13. Authorize the General Manager to sign the petition on behalf of the District to support the formation of the Oakland Chinatown Community Benefit District.
14. General Manager's Report:
 - Coronavirus Update
 - Fossil Site Update

REPORTS AND DIRECTOR COMMENTS:

15. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Sustainability/Energy
 - Finance/Administration
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, May 11, 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 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

BOARD CALENDAR

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

Date	Meeting	Time/Location	Topics
Tuesday, April 27	Sustainability/Energy Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> • Annual Integrated Pest Management Program Update
	Finance/Administration Committee	10:00 a.m. Virtual	<ul style="list-style-type: none"> • Monthly Investment Transactions Report • Quarterly Financial Reports • Annual Investment Policy Review • Extend Authorization of Short-Term Indebtedness • Customer Support Program Funding • Revisions to District Policies
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, May 11	Planning Committee	TBD Virtual	
	Legislative/Human Resources Committee	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, May 17	EBRPD/EBMUD Liaison Committee	TBD Virtual	
Tuesday, May 25	Finance/Administration Committee	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

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



Closed Session and Regular Business Meetings
Tuesday, April 27, 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 the allotted time has concluded

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

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/>
