

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, 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

Rocha S. Cole

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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, 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:

<u>PUBLIC COMMENT</u>: 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:

<u>PUBLIC COMMENT</u>: 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.

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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 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

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BOARD CALENDAR

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

Date	Meeting	Time/Location	Topics
Tuesday, March 23	Finance/Administration Committee	8:30 a.m. Virtual	 Monthly Investment Transactions Report Electronic Bill Presentment and Payment and Payment Processing Update
	FY22 and FY23 Budget Workshop #2	9:00 a.m. Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	Closed SessionRegular Meeting
Wednesday, March 31	Cèsar Chavez Day		District Offices Closed
Tuesday, April 13	Planning Committee	TBD Virtual	
	Legislative/Human Resources Committee	TBD Virtual	
	FY22 and FY23 Budget Workshop #3	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	Closed SessionRegular Meeting
Tuesday, April 27	Sustainability/Energy Committee	TBD Virtual	
	Finance/Administration Committee	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	Closed SessionRegular Meeting

Patterson {Chair}, Coleman, Katz
Legislative/Human Resources
Planning
Putterson {Chair}, McIntosh, Patterson
Young {Chair}, McIntosh, Mellon
Young {Chair}, Katz, Mellon



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

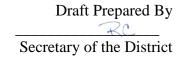
Providing public comment

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
 - o 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

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/



MINUTES

Tuesday, March 9, 2021

East Bay Municipal Utility District Board of Directors 375 Eleventh Street Oakland, California *Virtual*

Regular Closed Session Meeting

President Doug A. Linney called to order the Regular Closed Session Meeting of the Board of Directors at 11:03 a.m. He announced that due to COVID-19 and in accordance with the latest 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 remotely. In compliance with said orders, a physical location was not 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.

ROLL CALL

Directors John A. Coleman, Lesa R. McIntosh, Frank Mellon, William B. Patterson, Marguerite Young, and President Doug A. Linney were present at roll call. Director Andy Katz joined the meeting at 11:06 a.m. All Directors participated remotely.

Staff participants included General Manager Clifford C. Chan, General Counsel Craig S. Spencer, Assistant General Counsel Fred S. Etheridge (Item 1), Director of Water and Natural Resources Michael T. Tognolini (Item 1), Environmental Affairs Officer Jose D. Setka (Item 1), Engineering Manager Lena L. Tam (Item 1), Assistant General Counsel Lourdes Matthew (Item 2), Manager of Human Resources Laura A. Acosta (Item 2), Director of Finance Sophia D. Skoda (Item 2), Manager of Employee Relations Niger M. Edwards (Item 2), and Industrial Employers Distributors Association representatives Gregory Ramirez and Jeff Bailey (Item 2).

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Linney announced the closed session agenda and the Board convened for discussion (remotely).

Regular Business Meeting

President Linney called to order the Regular Business Meeting of the Board of Directors at 1:16 p.m. He announced that due to COVID-19 and in accordance with the latest 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 remotely. In compliance with said orders, a physical location was not 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.

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ROLL CALL

Directors John A. Coleman, Andy Katz, Lesa R. McIntosh, Frank Mellon, Marguerite Young, William B. Patterson, and President Doug A. Linney were present at roll call. All Directors participated remotely. Staff participants included General Manager Clifford C. Chan, General Counsel Craig S. Spencer, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Linney led the Pledge of Allegiance.

PRESENTATION

General Manager Clifford C. Chan announced the District received the California Association of Sanitation Agencies' 2020 Outstanding Capital Project of the Year Award for the District's Main Wastewater Treatment Plant Primary Sedimentation Tanks and Channel Rehabilitation, Phase 5 Project. The \$10.1 million construction project was a successful collaboration between staff from various District departments and was completed 11 months ahead of schedule. The Board viewed a video of Associate Civil Engineer and Project Construction Manager Angela El-Tebany as she highlighted some of the innovative solutions used to overcome challenges during the project. The following team members, including staff from Wastewater Engineering, Wastewater Operations, and Regulatory Compliance were recognized for their work: Joseph Barge, Assistant Wastewater Shift Supervisor; William Chaffer, Supervising Construction Inspector; Angela El-Telbany, Associate Civil Engineer; Eric Fieberling, Associate Civil Engineer; Joseph Hopkins, Senior Construction Inspector; John Kyser, Senior Civil Engineer; Edna Lehnert, Environmental Health and Safety Specialist II; Miles Mok, Assistant Engineer; and Jenny Tran, Associate Civil Engineer. On behalf of the Board, President Linney thanked staff for their contributions towards winning this award.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

There was no public comment.

CONSENT CALENDAR

- Motion by Director McIntosh, seconded by Director Coleman, to approve the recommended actions for Items 1-14 on the Consent Calendar carried (7-0) by the following roll call vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).
- 1. **Motion No. 037-21** Approved the Special Meeting Minutes and the Regular Meeting Minutes of February 23, 2021.

Regular Meeting Minutes of March 9, 2021 Page 3 of 8

- 2. The following correspondence was filed with the Board: 1) Presentation entitled, "Coronavirus Update," dated March 9, 2021; 2) Presentation entitled, "Water Supply Update," dated March 9, 2021; 3) Presentation entitled, "Racial Equity and Justice Project and Diversity, Equity, and Inclusion Strategic Plan Update," dated March 9, 2021; and 4) Speakers' Bureau and Outreach Record CY21, dated March 5, 2021.
- 3. **Motion No. 038-21** Awarded a contract to the lowest responsive/responsible bidder, Agilent Technologies, Inc., for supplying an Inductively Coupled Plasma Optical Emission Spectroscopy instrument for a total cost, after the addition of taxes, not to exceed \$128,515 under Request for Quotation No. 2102.
- 4. **Motion No. 039-21** Authorized a direct award contract to Trace3, LLC, for supplying computer data storage equipment and maintenance for the Administration Building Data Center for three years, beginning on or after March 9, 2021, for a total cost, after the addition of taxes, not to exceed \$565,000 under the State of California cooperative purchasing agreement.
- 5. **Motion No. 040-21** Authorized an agreement beginning on or after March 9, 2021 with All County Flooring in an amount not to exceed \$3,544,500 for replacement of carpet and other flooring in the District's Administration Building.
- 6. **Motion No. 041-21** Authorized an agreement beginning on or after March 9, 2021 with The Brattle Group, Inc. in an amount not to exceed \$200,000 for confidential consulting services.
- 7. **Motion No. 042-21** Authorized an agreement beginning on or after March 9, 2021 with Keller Canyon Landfill Company for \$300,000 annually for three years with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$1,500,000 for non-hazardous trench soils disposal.
- 8. **Motion No. 043-21** Authorized an agreement beginning on or after March 9, 2021 with Mott MacDonald Group, Inc. in an amount not to exceed \$1,943,678 for engineering design services for the Water Treatment Plant Effluent Meter, Large Customer Meter, Rate Control Station, and Regulator Improvements Design Project.
- 9. **Motion No. 044-21** Authorized an agreement beginning on or after March 9, 2021 with Woodard & Curran, Inc. in an amount not to exceed \$2,278,146 for site studies and preparation of an Environmental Impact Report for the Quarry Site Trench Soils Restoration Project pursuant to the California Environmental Quality Act.
- 10a-c. **Motion No. 045-21** Approved an amendment to the lease agreement between the District and Bizon Group, Inc. dba Conexwest (Lessee) for leased premises located within the District's West End property located at Engineer Road and Wake Avenue in Oakland to: a. Increase the leased premises by 10,520 square feet to a total of approximately 4.25 acres; b. Authorize Lessee to conduct paving and drainage design work to determine construction costs for necessary improvements at the leased premises in exchange for commensurate rent abatement in an amount not-to-exceed \$75,000; and c. Add two (2) five-year renewal options to the original lease agreement.

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- 11. **Motion No. 046-21** Authorized a Memorandum of Understanding with Contra Costa Water District (CCWD) to undertake a study to analyze whether and under which conditions the District could provide temporary water conveyance services to CCWD during construction and subsequent refill of the expanded Los Vaqueros Reservoir without resulting in unacceptable adverse impacts to the District or its customers, prior commitments, or capital project or operational needs.
- 12. **Motion No. 047-21** Approved the Water Supply Assessment requested by the City of Berkeley for the Ashby and North Berkeley BART Station Transit-Oriented Development Zoning Standards Project pursuant to California Water Code, Sections 10910-10915.
- 13.1. **Motion No. 048-21** Authorized the Office of General Counsel to continue the employment of the law firm of Ellison, Schneider, Harris & Donlan, LLP, for specialized legal services related to water and energy law and litigation matters in an additional amount not to exceed \$75,000.
- 13.2. **Motion No. 049-21** Authorized the Office of General Counsel to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contracts and procurement, claims, intellectual property and technology matters, tax, public pension law, labor and employment, and litigation matters in an additional amount not to exceed \$175,000.
- 14. **Resolution No. 35216-21** Approving the Application for Grant Funds for the Protecting California's Rivers, Streams and Watersheds Program.

DETERMINATION AND DISCUSSION

15. **Legislative Update.**

Manager of Legislative Affairs Marlaigne K. Dumaine reviewed the bills in Legislative Report No. 03-21. AB 818 (Bloom) would help reduce the amount of non-flushable wet wipes being disposed into sewer systems, including EBMUD's wastewater treatment system, by ensuring that non-flushable wet wipes are properly labeled. SB 810, SB 811 and SB 812 (Committee on Governance and Finance) Validations would enact the Validating Acts of 2021. The legislature usually enacts three bills known as the Validating Acts each year to retroactively correct procedural errors or omissions that public officials of state agencies, cities, counties, and special districts may make inadvertently. AB 361 (R. Rivas), which is still being developed, seeks to provide local agencies with flexibility to meet via teleconference during a governor declared state of emergency or a city or county declared local emergency. Ms. Dumaine said the bill includes language that would partially address the District's initiative to update the statutory requirements for reaching a board quorum to declare an emergency by eliminating the requirement that a quorum be present in the service area when meeting via teleconference to declare or ratify an emergency; however, the bill's provisions would only apply during an emergency that has been declared by the governor or the applicable city or county and not to emergencies that are intended to or have only been declared by other local agencies, such as special districts. Staff is monitoring this bill and will provide updates to the Board as warranted. Legislative/Human Resources Chair John A. Coleman reported the Committee met earlier (remotely) and supported the staff recommendations for the bills being presented for Board consideration. Director Coleman also reported he asked staff to consider proposing an

amendment to the authors of AB 818 to include the education and outreach component only in a new bill if AB 818 does not pass. Next, Ms. Dumaine provided an overview of state and federal actions related to COVID-19 and reported final language was now available for H.R. 1319, the American Rescue Plan Act of 2021. If approved, H.R. 1319 would provide \$1.9 trillion in additional federal relief funding to address the continued impact of COVID-19. She reviewed specific areas that could receive funding including COVID-19 vaccinations, testing, treatment, and prevention; emergency rental assistance, homeowner assistance, and other housing programs including assistance with paying utility arrearages; and small business assistance. Ms. Dumaine responded to Board questions on whether the bill contained funding specifically for Texas in light of impacts from the recent winter storms and the amount of funding that may be available for California and for local assistance.

• Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Item 15 carried (7-0) by the following roll call vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 050-21 – Received Legislative Report No. 03-21 and approved positions on the following bills: 1) SUPPORT AB 818 (Bloom) Solid Waste: Premoistened Nonwoven Disposable Wipes; 2) SUPPORT SB 810 (Committee on Governance and Finance) Validations; 3) SUPPORT SB 811 (Committee on Governance and Finance) Validations; and 4) SUPPORT SB 812 (Committee on Governance and Finance) Validations; and received information on: 1) AB 361 (R. Rivas) Open Meetings: Local Agencies: Teleconferences; and 2) State and Federal Government Actions Related to the Coronavirus Disease 2019 (COVID-19).

16. General Manager's Report.

Water Supply Update

Director of Operations and Maintenance David A. Briggs presented an update on the District's and the state's water supplies. He reviewed gross water production; East Bay and Mokelumne precipitation through March 2; snow depth and snow water content at Caples Lake which were both 76% of average as of March 2; and current U.S. Bureau of Reclamation Central Valley Project contract allocations which indicate the District could receive approximately 73,000 acrefeet if staff triggers the contract and schedules the water. The District's total system storage as of March 2 was 551,570 acre-feet or 93% of average and 72% of capacity. He concluded with a comparison of this year's precipitation in the Mokelumne watershed to previous dry years and an overview of projected District total system storage for 2021. Mr. Briggs and Director of Water and Natural Resources Michael T. Tognolini responded to Board questions regarding State Water Resources Control Board discussions on drought and current and expected storage for state and federal systems.

Coronavirus Update

Next, Mr. Briggs reported that as of noon, Alameda and Calaveras counties are in the Red Tier on the state's positivity matrix while all other District counties remain in the Purple Tier (most restrictive). No significant impacts on District operations and no significant changes to safety protocols are expected because of this. He provided the latest data on vaccinations and said staff

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is still working with the counties to qualify some District employees as emergency services workers under Phase 1B. The District is also developing educational information on vaccines and continuing to encourage staff to get vaccinated. The Safe Return to Workplace Plan is being updated and he reviewed specific areas of focus in the plan as well as the state's blueprint for a safer economy which includes guidance on staffing office workspaces. The District's Safe Return to Workplace Plan will be discussed with staff and the unions and a separate plan is being developed for the Board of Directors. Mr. Briggs provided clarification on the requirement for staff to confidentially report their vaccination status to the District. Director Coleman recounted his recent experience at Lafayette Reservoir regarding visitors not consistently wearing face coverings. General Manager Clifford C. Chan and Director of Water and Natural Resources Michael T. Tognolini responded to Board questions regarding enforcement and signage for face coverings at the reservoir and other District recreation areas. Staff was asked to provide an update on face covering compliance at Lafayette Reservoir and other publicly accessible District facilities.

Racial Equity and Justice (REJ) Project and Diversity, Equity, and Inclusion (DEI) Strategic Plan Update

Manager of Employee and Organizational Development Derry L. Moten presented an update on each initiative. Under Strategy 1 for the REJ Project, representatives from the District's Advocates and Affinity Groups received the second session of staff-led inclusive listening training to equip them to co-facilitate listening sessions with their respective groups. Discussions are also in progress regarding a joint listening session for Asian Pacific Employees Association and Black Employee Network members to discuss local tension between the Asian and Black communities. For Strategy 6, a Response Team has been created and will investigate reports of racism by customers toward District employees. Next steps for Strategy 6 include the formal rollout of the program and staff training. The task force for Strategies 7 and 8 continue to have discussions and present information about REJ Project efforts to partnering law enforcement agencies. Mr. Moten reported The Winters Group has provided the District with preliminary findings from their Cultural Audit and will present a report and recommendations at the April 13 Board meeting. He reviewed the status of work being completed by the Core and senior management teams to develop the District's DEI Strategic Plan. The teams are applying the Government Alliance for Racial Equity Tool to five pilot projects focused on addressing both internal and external equity issues: capital infrastructure investments; community engagement; contracts and procurement; hiring and recruitment; and promotion and retention. The final DEI Strategic Plan is expected to be completed by August. As reported during the February 9 update to the Board, staff recommended restructuring the Diversity and Inclusion Office to include it as part of a new Office of Diversity, Equity, and Development. The proposed office will bring together the Diversity and Inclusion Office, Contract Equity Office, and the Employee and Organizational Development Division. Staff from these offices participated in a team building session to begin the process of identifying opportunities for collaboration and developing a team culture. Mr. Moten highlighted the overall project schedule and next steps which include the April 13 presentation from The Winters Group and recruitment for the Special Assistant to the General Manager to manage the new Office of Diversity, Equity, and Development. Director Mellon commented on a CalPERS session on unconscious bias held earlier in the day and asked staff to check into obtaining a copy of the presentation and worksheet. The Board commented on the information presented by Mr. Moten

Regular Meeting Minutes of March 9, 2021 Page 7 of 8

and inquired about unconscious bias training and other areas for Board members to participate in the District's REJ Project and DEI Strategic Plan efforts.

Monthly Report – February 2021

General Manager Clifford C. Chan pointed out an update in the February 2021 Monthly Report regarding the complex work required on the District's Pardee Chemical Plant Chemical Feed Shafts project and acknowledged staff from various departments for successfully completing the work. He advised he was available to respond to any questions regarding the Monthly Report. The Board had no questions.

REPORTS AND DIRECTOR COMMENTS

17. **Committee Reports.**

- Filed with the Board were the Minutes for the February 23, 2021 Finance/Administration Committee meeting.
- Planning Committee Chair Marguerite Young reported the Committee met earlier in the day (remotely) and received updates on: Satellite Recycled Water Projects; Private Sewer Lateral Program; Wastewater Pump Station M; Water Quality Program Annual Update 2020; and Regulatory Compliance Semi-Annual Report September 2020 through February 2021.
- Legislative/Human Resources Committee Chair John A. Coleman reported the Committee met earlier in the day (remotely) and received an update on Legislative Report No. 03-21 and information on state and federal government actions related to the Coronavirus Disease 2019 (COVID-19).

18. Other Items for Future Consideration.

None.

19. **Director Comments.**

Director Coleman reported attending the ACWA Washington D.C. program (remotely) on February 24 and presenting at the Contra Costa Mayors Conference (remotely) on March 4. He reported on plans to attend the ACWA Washington D.C. federal program (remotely) on March 17 and the East Bay Leadership Council Board meeting (remotely) on March 19. He acknowledged staff, including Community Affairs Representative II Kathryn A. Horn for their assistance with the presentation for the Contra Costa Mayors Conference.

- Director Katz acknowledged staff for their assistance with the presentation and information provided during the Ward 4 virtual event held on February 24.
- Directors McIntosh, Mellon, Patterson, and Young and President Linney had no report.

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ADJOURNMENT

President Linney adjourned the meeting at 2:38 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: March 23, 2021

Doug A. Linney, President of the Board



AGENDA NO.	3.
MEETING DATE	March 23, 2021

TITLE FUSION BONDED EPOXY PIPE

TYPE	□Construction	☐General Services	⊠Materials & Supplies	☐Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	□OTHER
ACTION	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

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 (RFQ) No. 2104.

SUMMARY

This contract is for the purchase and delivery of 3,800 feet of 6-inch, 6,500 feet of 8-inch, and 600 feet of 12-inch diameter plastic coated standard weight steel pipe, lined with fusion bonded epoxy (FBE-PCS).

DISCUSSION

The District has many applicant projects located in infill areas with a combination of contaminated soils, geohazards, and dead ends where water quality is a concern. The District is piloting installation of FBE-PCS pipe in some of these areas to meet the needs of the applicant and provide a pipe that can be easily installed and maintained. The District successfully completed an installation of FBE-PCS for an applicant project in Emeryville in November 2020. A second applicant FBE-PCS project is currently being installed in Alameda as part of the Alameda Landing Phase 1 project. The FBE-PCS pipe will be used for additional pilot installations for applicant main extensions as part of the 2020 Water Service Estimates.

This purchase supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION

An RFQ was posted on the District's website, sent to three resource organizations and to 116 potential proposers, and advertised in the Oakland Tribune. Four bids were received. Ferguson Enterprises LLC was the lowest responsive/responsible bidder.

Funds Available: FY21	Budget Coding: 531/VAR/7999/5331	Contract Equity Forms? ☐ Yes ☐ No
Originating Department	Department Director or Manager	Approved
Finance	Sophia D. Skoda	Clipped On General Manager
Attachment(s): P-035, P-061		ochera mana _b e.

Fusion Bonded Epoxy Pipe March 23, 2021 Page 2

SUSTAINABILITY

Economic

Funding for this purchase is available in the FY21 adopted capital budget for the Pipeline System Extensions.

ALTERNATIVES

<u>Do not purchase this pipe.</u> This alternative is not recommended because the District has many applicant projects located in areas with a combination of contaminated soils, dead ends and liquefaction. FBE-PCS pipe will allow the District to meet the needs of the applicant and provide a pipe that can be easily installed and maintained.

Rebid the RFQ. This alternative is not recommended as the District engaged in a fair and competitive bid process. In addition, there is a long lead time to manufacture and receive delivery of the pipe and delay would affect the applicant's construction schedule.

I:\Sec\2021 Board Related Items\032321 Board Agenda Items\FIN\Fusion Bonded Epoxy Pipe.docx



CONTRACT EQUITY PROGRAM SUMMARY (P-035) This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

Fusion Bonded Epo									Ма	rch 9, 20	21
CONTRACTOR: Ferguson Enterprises LLC dba Ferguson Waterworks Newport News, VA 23602					PERCENTAGE Availability Group			OF CONTR		Participation	
BID/PROPOSER'S	FIRM	'S OWNERS	HIP			White Me	en	25%	%	100.	0%
PRICE:	Ethn	icity	Gender		٧	White Won	nen	2%	,)	0.0	%
\$1,148,985.00 *	Wh	ite	Me	en	Et	hnic Mino	rities	25%	%	0.0	%
		CONTRA	CT E	QUI	TY PAR	TICIPAT	ΓΙΟΝ			11	
	ESTIMATED		GEN	DER			CONTRA	ACTING PARTI	CIPATION		
COMPANY NAME	AMOUNT	ETHNICITY	М	w	White- Men	White- Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreigr
PRIME: Ferguson Enterprises LLC dba Ferguson Waterworks SUBS: None	\$1,148,985	White	х		100.0%						
TOTAL		\$1,148,985			100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	CONTRA	CTOR'S WO	DRKF	ORC	E PRO	FILE (Fr	om P-025	Form)			
		White Me	en	١	White Wo	men	Ethnic	Minorities	Tota	al Employe	es
No. of E	mployees:	13,730)		4,40	1	7	,730			
Percent of Total E	mployees:	53.1%	1		17.0% 2		9.9%		25,861		
MSA Labor Market %: 39.0%					33.7% 27.3%						
MSA Labor Market	Location:						Total USA	A			
			C	MMC	IENTS						
*Total not to exceed: \$1,148,		e Men partic	ipatio	on.							
Workforce Profile & Statement Submitt		rimination	(Faith Ou quireme				Award Ap Recomme		
NA					N	Α		R	male of	3	
			•					•			



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

				Ethnic Min	ority Perce	ntages Fro	m U.S. Cer	sus Data		
	usion Bonded Epoxy Pipe				В	Н	A/PI	AI/AN	TOTAL	
			Nati	onal	10.5	10.7	3.7	0.7	27.3	
Materials	s and Supplies -	DATE:	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9	
RFQ No.:		3/9/2021	Alameda/C	C Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmm	nd				Ш		I		<u> </u>	
P=Prime S=Sub	Composition of Ownership		T	Number of E	thnic Minor	ity Employ	rees	T	T	
	Name, Owner/Contact Person, Address, e Number		В	Н	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	WM	Company Wide	2,684	2,466	1,028	142	6,320	24.4%	27.3%	
	Enterprises LLC dba Waterworks	Manager/Prof	1,810	355	324	63	2,552	22.3%		
Charlotte N	Murch	Technical/Sales	203	1,014	203	53	1,473	16.8%		
12500 Jeff	ferson Avenue	Clerical/Skilled	503	734	427	18	1,682	39.8%		
Newport N	lews, VA 253602	Semi/Unskilled	168	363	74	8	613	44.3%		
		Bay Area	58	136	52	6	252	68.5%	39.9%	
724-772-1	462	AA Plan on File:	NA		Date of last	contract with	District:	NA	I.	
		Co. Wide MSA:	Total USA			s-Co. Wide:	25,861	Bay Area:	368	
							,			
			_							
Р	WW: SBE	Company Wide	0	27	0	0	27	75.0%	51.1%	
	Pipe Corporation	Manager/Prof	0	3	0	0	3	37.5%		
Lisa Cartw	•	Technical/Sales	0	0	0	0	0	0.0%		
	jave Street	Clerical/Skilled	0	20	0	0	20	95.2%		
Hesperia,	CA 92345	Semi/Unskilled	0	4	0	0	4	100.0%		
		Bay Area	0	0	0	0	0	0.0%	39.9%	
909-873-3	820	Co. Wide MSA:	San Bernadir	10	# Employee	s-Co. Wide:	36	Bay Area:	0	
Р	WM	Company Wide								
	ipe Services, LLC	Manager/Prof	†							
ponai Fi	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Technical/Sales	-							
12375 Bro	wn Avenue	Clerical/Skilled	INFORMATION NOT PROVIDED							
	CA 92509	Semi/Unskilled	-		51 (17)/ (11)					
		Bay Area								
1			-							
054 600 0	3U <i>I</i>	Co. vvide MSA:			1					
951-682-3										
951-682-3										
951-682-3			i						1	
951-682-3										
951-682-3										
951-682-3										
951-682-3										

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



AGENDA NO.	4.1.
MEETING DATE	March 23, 2021

TITLE MAIN WASTEWATER TREATMENT PLANT DECHLORINATION FACILITY IMPROVEMENTS PHASE 2B

TYPE	\boxtimes Construction	☐General Services	☐Materials & Supplies	☐Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	□OTHER
<u>ACTION</u>	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, Integra Construction Services, Inc. (Integra), in an amount not to exceed \$2,380,000 for construction of the Main Wastewater Treatment Plant (MWWTP) Dechlorination Facility Improvements Phase 2B project under Specification SD-290A.

SUMMARY

The MWWTP Dechlorination Facility, located at the foot of the Bay Bridge, is essential to dechlorinate plant effluent to meet all regulatory permit requirements before discharging to the San Francisco Bay. This project will provide seismic upgrades, chemical piping replacement, reliability and operability improvements, and site drainage improvements to address personnel safety and ensure continued compliance with regulatory requirements.

DISCUSSION

This work is part of a multi-phased series of rehabilitation projects for the MWWTP Dechlorination Facility. Phase 1, completed in 2006, included upgrades to the distributed control system and miscellaneous site improvements. Phase 2A, completed in 2012, included installation of an effluent flow meter and repair of one sodium bisulfite storage tank. Phase 2B will provide more extensive upgrades, including the installation of a new stationary backup generator, utility piping replacement, drainage and paving improvements, treatment chemical flow meter upgrades, and seismic improvements on the Injector Building. The improvements will increase the overall long-term reliability of the facility, and the safety and equipment accessibility for District staff. The work is expected to be completed in 2022. This project supports the District's Long-Term Infrastructure Investment Strategic Plan goal for meeting operational needs and reliability goals by effectively maintaining infrastructure.

Funds Available: FY21, CIP 100800; Page 83	Budget Coding: WWC/927/7999/2014176/5561	Contract Equity Forms? ☐ Yes ☐ No						
Originating Department	Department Director or Manager	Approved						
Wastewater	Eileen M. White	Geneval Manager						
Attachment(s): Bid Summary, P-035, P-061								

Main Wastewater Treatment Plant Dechlorination Facility Improvements Phase 2B March 23, 2021
Page 2

BID RESULTS

Bid documents were posted on the District's website and issued to 23 resource organizations and 19 prospective bidders. Two bids were received, ranging from \$2,278,000 to \$2,380,000, which adjusted for a small business is \$2,230,000. The bid summary is attached. The engineer's estimate for this work is \$2,250,000.

The lowest responsive/responsible bidder, Integra, is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. Integra and its listed subcontractors are properly registered with the State DIR. In the past five years, Integra has not filed a Government Code Claim nor initiated any litigation against the District.

SUSTAINABILITY

Economic

Funding for this work is available in the FY21 adopted capital budget for the Effluent Discharge Project.

Social

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the DIR of the State of California.

Local 444 was notified of this contract on March 9, 2020. Local 444 issues were addressed at a meeting on June 4, 2020 and resolved.

Environmental

A California Environmental Quality Act Notice of Exemption was posted on CEQAnet Web Portal and EBMUD.com on May 4, 2020 pursuant to Executive Order N-54-20.

ALTERNATIVES

<u>Do not perform the work.</u> This alternative is not recommended because the Dechlorination Facility needs rehabilitation to improve its reliability and operability, and to ensure continued compliance with regulatory requirements.

Reject all bids and rebid the work. This alternative is not recommended because rebidding the work would result in significant delays and increased project costs.

<u>Perform the work with District forces</u>. This alternative is not recommended because the work cannot be satisfactorily performed under civil service. The District does not have the equipment or staff to perform this type of major capital work.

EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIAL DISTRICT NO. 1

SPECIFICATION SD-290A MAIN WASTEWATER TREATMENT PLANT DECHLORINATION FACILITY IMPROVEMENTS PHASE 2B REBID

October 28, 2020

BID SUMMARY

	BIDDER	TOTAL BID
1.	Integra Construction Services, Inc.*	\$2,380,000 (\$2,230,000) ⁺⁺
2.	JMB Construction, Inc.	\$2,278,000

^{*} Apparent Low Bidder

Number of Proposals sent to Contractor	10
Number of Proposals sent to Resource Orgs	23
Number of Proposals sent to MBEs	1
Number of Proposals sent to WBEs	2
Number of Proposals sent to SBs	1
Number of bids received	2

Engineer's Estimate: \$2,250,000

^{**} Effective SB Bid (in parenthesis), 7%, not to exceed \$150,000





CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

SPECIFICATION NO.: SD-290A November 5, 2020 Main Wastewater Treatment Plant Dechlorination Facility Improvements, Phase 2B PERCENTAGE OF CONTRACT DOLLARS CONTRACTOR: Local / Small Integra Construction Services, Inc. **Business Availability Group Contracting Objectives Participation** Pleasanton, CA 94566 FIRM'S OWNERSHIP 78.1% White Men 25% **BID/PROPOSER'S** PRICE: 17.6% Ethnicity Gender White Women 9% \$2.380.000 White **Ethnic Minorities** 25% 4.3% Men **CONTRACT EQUITY PARTICIPATION GENDER** CONTRACTING PARTICIPATION **ESTIMATED COMPANY NAME ETHNICITY** White-White-Gov't/Non **AMOUNT** Ethnic Publicly W Unclassified Foreign М Men Women Minorities Held Corp Profit PRIME: \$1,173,570 White 49.3% Integra Construction Services, Inc. Χ SUBS: 2.2% AAA Fence Company, Inc. \$51.350 Hispanic Χ Blocka Construction, Inc. \$418,000 White Χ 17.6% Drill Tech Drilling & Shoring, Inc. \$126,280 White Х 5.3% \$500,000 White 21.0% James Breneman Χ Jeffco Painting & Coating Inc. \$48,800 White Х 2.1% Maven Builders Group \$50,000 Hispanic Χ 2.1% **Tidal Marine Construction** \$12,000 White 0.5% Х **TOTAL** \$2,380,000 78.1% 17.6% 4.3% 0.0% 0.0% 0.0% 0.0% **CONTRACTOR'S WORKFORCE PROFILE** (From P-025 Form) White Men White Women **Ethnic Minorities Total Employees** 2 3 No. of Employees: **Percent of Total Employees:** 22.2% 33.3% 44.4% 9 MSA Labor Market %: 24.5% 21.6% 53.9% **MSA Labor Market Location:** Alameda **COMMENTS** Contract Equity Participation - 78.1% White Men participation, 17.6% White Women participation, 4.3% Ethnic Minority participation. **Workforce Profile & Statement of Nondiscrimination Good Faith Outreach Efforts Award Approval Requirement Satisfied** Recommended Submitted YES NA



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:	Main \	Wastewater Treatment	Plant		Ethnic Mir	nority Perce	ntages Fro	m U.S. Ce	nsus Data			
	Dechl	orination Facility Impro	vements,			В	Н	A/PI	AI/AN	TOTAL		
	Phase	2B		Nati	onal	10.5	10.7	3.7	0.7	27.3		
_			DATE:	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9		
Spec.	. No.:	SD-290A	11/5/2020	Alameda/C	C Counties	10.7	15.6	15.4	0.5	46.2		
R=Reci	mmd		, 0, 2 0 2 0									
P=Prim S=Sub		Composition of Ownership		T	Number of E	Ethnic Mino	rity Employ	rees	1			
	ny Name one Num	, Owner/Contact Person, Address, ber		В	н	A/PI	AI/AN	TOTAL	PERCENT	MSA %		
RP		WM: L/SBE	Company Wide	1	2	1	0	4	44.4%	53.9%		
Integra	Constru	ction Services, Inc.	Manager/Prof	1	1	1	0	3	50.0%			
Alexand	ler Gian	nmona	Technical/Sales	0	0	0	0	0	0.0%			
4133 No	ohr Aver	nue, Suite D	Clerical/Skilled	0	1	0	0	1	33.3%			
Pleasan	nton, CA	94566	Semi/Unskilled	0	0	0	0	0	0.0%			
			Bay Area	1	2	1	0	4	44.4%	39.9%		
925-596	6-5032		AA Plan on File:	NA		Date of last	contract with	District:	2/3/2016			
			Co. Wide MSA:	Alameda		# Employee	es-Co. Wide:	9	Bay Area:	0		
S		EMM: H - SBE	Company Wide						*			
AAA Fe	nce Cor	mpany, Inc	Manager/Prof	-								
_ino Gamboa			Technical/Sales	1								
2746 Sc	cott Blvd	l.	Clerical/Skilled									
Santa Clara, CA 95050 Sem			Semi/Unskilled	1								
			Bay Area	1								
800-956	6-5465		Co. Wide MSA:	-								
s		WW: LBE	Company Wide	3	13	3	0	19	31.7%	48.4%		
Blocka (Constru	ction, Inc.	Manager/Prof	0	0	0	0	0	0.0%			
Patricia		,	Technical/Sales	0	2	1	0	3	30.0%			
445 Bou			Clerical/Skilled	3	10	2	0	15	34.9%			
Pleasan			Semi/Unskilled	0	1	0	0	1	33.3%			
			Bay Area	3	9	3	0	15	33.3%	39.9%		
510-657	7_3686		Co. Wide MSA:	California			es-Co. Wide:	60	Bay Area:	45		
s	0000	WW: LBE	Company Wide	0	50	0	0	50	16.8%	27.3%		
	oh Drillin	g & Shoring, Inc.	Manager/Prof	0	5	0	0	5	11.9%	21.07		
Scott Pr		ig & Shoring, inc.	Technical/Sales	0	1	0	0	1	9.1%			
2200 W		Nav	Clerical/Skilled	0	4	0	0	4	9.3%			
Antioch,	•	•	Semi/Unskilled	0	40	0	0	40	19.8%			
	,		Bay Area	0	27	0	0	27	22.1%	39.9%		
925-978	2-2060		Co. Wide MSA:	Total USA	21		es-Co. Wide:	298		400		
s	-2000	WM: L/SBE	Company Wide	0	12	# Liliployee	0	12	Bay Area: 80.0%	122 39.9%		
James E	Pronome		2			-	-			33.37		
Janies E		all	Manager/Prof Technical/Sales	0	0	0	0	0	0.0%	}		
154 Adr	ia Drive		Clerical/Skilled	0	8	0	0	8	88.9%			
		A 94523	Semi/Unskilled	0	4	0	0	4	80.0%	}		
	, 3	- 	Bay Area	0	7	0	0	7	77.8%	39.9%		
925-817	7_0275		Co. Wide MSA:	9 Bay Area C			es-Co. Wide:	15	Bay Area:			
923-617 S	-3013	WM: DVBE		J Day Aled C	ouniue3	# Employee	, o oo. white.	10	Day Alea.	9		
_			Company Wide	-								
	_	& Coating Inc.	Manager/Prof	-								
Mike Do			Technical/Sales	-		NEOGNA	IONINIOT T	DO\/IDEE				
P.O. Bo		00	Clerical/Skilled	-		INFORMAT	ION NOT P	KONIDED				
vallejo,	CA 945	90	Semi/Unskilled	-								
			Bay Area									
	2-1933		Co. Wide MSA:	1								

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and Al/AN=American Indian/Alaskan Native)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

	Title: Main Wastewater Treatment Plant		Ethnic Minority Percentages From U.S. Census Data							
Dechlorination Facility Improvements, Phase 2B Spec. No.: SD-290A R=Recmmd DATE: 11/5/2020		National		в н		A/PI	AI/AN	TOTAL		
				10.5	10.7	3.7	0.7	27.3		
		9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9		
			Alameda/Co	C Counties	10.7	15.6	15.4	0.5	46.2	
P=Prin S=Sub			ı	Number of E	thnic Mino	rity Employ	/ees			
	any Name, Owner/Contact Person, Address,									
	none Number		В	Н	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
s	EMM: H - LBE	Company Wide		•						
Maven	Builders Group	Manager/Prof	1							
Isaac A	rias	Technical/Sales								
2222 G	rand Canal Blvd., Suite 1	Clerical/Skilled	1	ļ	INFORMAT	ION NOT P	ROVIDED			
Stockto	on, CA 95207	Semi/Unskilled	1							
		Bay Area								
925-758	8-9078	Co. Wide MSA:	1							
s	WM	Company Wide								
	arine Construction	Manager/Prof	-							
Steve A		Technical/Sales	-							
	/ilbur Avenue	Clerical/Skilled	-	i	INFORMAT		חסעוסבם			
	i, CA 94509	Semi/Unskilled	-		INFORMAT	ION NOT P	KOVIDED			
Antioch	, CA 94509		-							
		Bay Area	_							
925-609	9-6464	Co. Wide MSA:								
	•									
Р	ww	Company Wide	2	37	0	0	39	52.7%	47.9%	
JMB Co	onstruction	Manager/Prof	0	1	0	0	1			
JMB Construction		Technical/Sales	0	_				6.3%		
Margare	Ct Duike	1 commodification	0	0	0	0	0	6.3% 0.0%		
_	uth Maple Avenue	Clerical/Skilled	0	6	0	0	0			
132 So					+	-	+	0.0%		
132 So	uth Maple Avenue	Clerical/Skilled	0	6	0	0	6	0.0% 27.3%	39.9%	
132 So	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled	0 2	6 30	0 0	0	6 32 39	0.0% 27.3% 88.9%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		
132 South S	uth Maple Avenue San Francisco, CA 94079	Clerical/Skilled Semi/Unskilled Bay Area	0 2 2	6 30	0 0	0 0	6 32 39	0.0% 27.3% 88.9% 52.7%		

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **Al/AN**=American Indian/Alaskan Native)





AGENDA NO.	4.2.		
MEETING DATE	March 23, 2021		

TITLE MAIN WASTEWATER TREATMENT PLANT SECONDARY CLARIFIER MECHANICAL REPAIRS PHASE 2

TYPE	⊠Construction	☐General Services	☐Materials & Supplies	□Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	□OTHER
ACTION	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

Award a contract to the lowest responsive/responsible bidder, NMI Industrial Holdings, Inc. (NMI), in an amount not to exceed \$1,241,494 for construction of the Main Wastewater Treatment Plant (MWWTP) Secondary Clarifier Mechanical Repairs Phase 2 project under Specification SD-430.

SUMMARY

This contract includes replacement of the secondary sludge collector mechanism and supports, repair of steel and concrete components, and electrical improvements on two secondary clarifiers at the MWWTP. This work is required to maintain effective and reliable operation of the wastewater treatment process. This item was discussed at the October 20, 2020 Virtual Wastewater Tour and Workshop and at the November 10, 2020 Long-Term Infrastructure Investment Workshop.

DISCUSSION

There are twelve 140-foot-diameter concrete secondary clarifiers with an access bridge and collector systems that collect sludge from the floor of each clarifier and skim scum off the water surface. Secondary Clarifier Nos. 8 and 12 have extensive corrosion on the steel center column and coatings on other steel mechanical components, including scrapers and skimmers, and are at the end of their useful life. The District has determined that it is more cost-effective to replace the mild steel mechanism with a stainless-steel mechanism which is more resistant to corrosion. The collector systems for Clarifier Nos. 1 and 10 were rehabilitated in 2017 under Phase 1.

The pre-purchase of new collector systems for Clarifier Nos. 8 and 12 was authorized by the Board on January 12, 2021 to allow for their fabrication and delivery in time for installation during the 2021 and 2022 dry weather seasons. This contract supports the District's Long-Term Infrastructure Investment Strategic Plan goal for meeting operational needs and reliability goals by effectively maintaining infrastructure.

Funds Available: FY21, CIP#0000932; Page #112	Budget Coding: 927/7999/2014295/5561	Contract Equity Forms? ✓ Yes □ No
Originating Department	Department Director or Manager	Approved
Wastewater	Eileen M. White	General Manager
Attachment(s): Bid Summary, P-35, P-61		

Main Wastewater Treatment Plant Secondary Clarifier Mechanical Repairs Phase 2 March 23, 2021 Page 2

BID RESULTS

Bid documents were posted on the District's website and issued to 23 resource organizations and five prospective bidders. Two bids were received, ranging from \$1,241,494 to \$1,259,914. The bid summary is attached. The engineer's estimate for this work is \$1,150,000.

The lowest responsive/responsible bidder, NMI, is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. NMI and its listed subcontractors are properly registered with the State DIR. In the past five years, NMI has not filed a Government Code Claim nor initiated any litigation against the District.

SUSTAINABILITY

Economic

Funding for this work is available in the FY21 adopted capital budget for the Secondary Project.

Social

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the DIR of the State of California.

Local 444 was notified of this contract on November 23, 2020. Local 444 issues were addressed on December 23, 2020 and resolved.

Environmental

A California Environmental Quality Act Notice of Exemption was posted on CEQAnet Web Portal and EBMUD.com on December 28, 2020 pursuant to Executive Order N-80-20.

ALTERNATIVES

<u>Do not perform the work</u>. This alternative is not recommended because not performing the work could result in reduced treatment capacity, potential regulatory violations, and unplanned maintenance costs.

Reject all bids and rebid the work. This alternative is not recommended because the bids are reasonable for the scope of work involved and rebidding the work would create a significant delay and increase project costs.

<u>Perform the work with District forces</u>. This alternative is not recommended because the work cannot be satisfactorily performed under civil service. The District does not have the equipment or staff to perform this type of major capital work.

EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIAL DISTRICT NO. 1

SPECIFICATION SD-430 MWWTP SECONDARY CLARIFIER MECHANICAL REPAIRS, PHASE 2

February 24, 2021

BID SUMMARY

BIDDER		TOTAL BID		
1.	NMI Industrial Holdings, Inc.*	\$1,241,494		
2.	Garney Pacific, Inc.	\$1,259,914		

* Apparent Low Bidder

Number of Proposals sent to Contractor	9
Number of Proposals sent to Resource Orgs	23
Number of Proposals sent to MBEs	0
Number of Proposals sent to WBEs	0
Number of Proposals sent to SBs	1
Number of bids received	2

Engineer's Estimate: \$1,150,000





CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

SPECIFICATION NO.: SD-430 March 4, 2021 Main Wastewater Treatment Plant Secondary Clarifier Mechanical Repairs, Phase 2 PERCENTAGE OF CONTRACT DOLLARS CONTRACTOR: NMI Industrial Holdings, Inc. **Availability Group Contracting Objectives Participation** Sacramento, CA 95828 FIRM'S OWNERSHIP 112.8% White Men 25% **BID/PROPOSER'S** PRICE: 9% 0.0% **Ethnicity** Gender White Women \$1.241.494 * White **Ethnic Minorities** 25% 0.0% Men **CONTRACT EQUITY PARTICIPATION GENDER** CONTRACTING PARTICIPATION **ESTIMATED COMPANY NAME ETHNICITY** Gov't/Non White-White-**AMOUNT** Ethnic Publicly W Unclassified Foreign М Men Women Minorities Held Corp Profit PRIME: NMI Industrial Holdings, Inc. \$1,091,004 White 87.9% Х SUBS: F.D. Thomas, Inc \$158,497 White Χ 12.8% Watertight Restoration, Inc. \$104,850 White Χ 8.4% 2.8% Elite Power \$34,890 White Х Subtronic Corporation \$10,750 0.9% White Χ **TOTAL** \$1,399,991 0.0% 0.0% 0.0% 112.8% 0.0% 0.0% 0.0% CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form) White Men White Women **Ethnic Minorities Total Employees** No. of Employees: 91 3 21 79.1% 2.6% 18.3% **Percent of Total Employees:** 115 MSA Labor Market %: 32.7% 30.0% 37.3% **MSA Labor Market Location:** Sacramento COMMENTS Contract Equity Participation - 100% White Men participation. *Total not to exceed: \$1,241,494 **Workforce Profile & Statement of Nondiscrimination Good Faith Outreach Efforts Award Approval** Recommended **Submitted Requirement Satisfied**

NA

YES



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: Ma	ain Wastewater Treatment I	Plant		Ethnic Min	ority Percentages From U.S. Census Data				
Se	condary Clarifier Mechanic	al Repairs,			В	Н	A/PI	AI/AN	TOTAL
Ph	ase 2		Natio	onal	10.5	10.7	3.7	0.7	27.3
		DATE:	9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9
Spec. No	o.: SD-430	3/4/2021	Alameda/Co	C Counties	10.7	15.6	15.4	0.5	46.2
R=Recmm	d	0, 1, 2021	1		<u>II</u>	l			
P=Prime S=Sub	Composition of Ownership		ı	Number of E	thnic Minor	rity Employ	rees		
	Name, Owner/Contact Person, Address,								
and Phone			В	Н	A/PI	Al/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	0	6	3	0	9	7.8%	37.3
VMI Industi	rial Holdings, Inc.	Manager/Prof	0	0	1	0	1	5.0%	
Joel Flower	•	Technical/Sales	0	0	0	0	0	0.0%	-
	and Avenue	Clerical/Skilled	0	6	2	0	8	8.6%	}
•	o, CA 95828	Semi/Unskilled	0	0	0	0	0	0.0%	}
Jaciament	0, 0A 93020								20.0
		Bay Area	0	0	0	0	0	0.0%	39.9
916-628-50	082	AA Plan on File:	NA			contract with		NA	
		Co. Wide MSA:	Sacramento		# Employee	s-Co. Wide:	115	Bay Area:	0
3	WM	Company Wide	1,463	1,993	975	654	5,085	37.9%	27.3
F.D. Thoma	as, Inc.	Manager/Prof	647	478	499	139	1,763	29.1%	
Sam Hill		Technical/Sales	69	78	86	65	298	30.2%	
217 Batema	an Drive	Clerical/Skilled	381	1,081	337	350	2,149	48.5%	
Central Poi	nt, OR 97502	Semi/Unskilled	366	356	53	100	875	44.9%	
		Bay Area	0	0	0	0	0	0.0%	39.9
907-339-62	251	Co. Wide MSA:	Total USA		# Employee	s-Co. Wide:	13.424	Bay Area:	368
3	WM: SBE	Company Wide	0	7	1	0	8	88.9%	39.99
		Manager/Prof	0	1	1	0	2	66.7%	00.0
Watertight Restoration, Inc. Leonard Grace		Technical/Sales	0	0	0	0	0	0.0%	
	Chavez Street, #202A	Clerical/Skilled	0	6	0	0	6		
	sco, CA 94124	Semi/Unskilled	0	0	0	0	0	0.0%	
Sali Flailoi	SCO, CA 94124								
		Bay Area	0	7	1	0	8	88.9%	39.99
415-984-19	940	Co. Wide MSA:	9 Bay Area C	ounties	# Employee	s-Co. Wide:	9	Bay Area:	9
3	WM: SBE	Company Wide							
Elite Power	-	Manager/Prof	1						
Curt Yarbo	rough	Technical/Sales	1						
5530 Asher	r Lane	Clerical/Skilled	1		INFORMATI	ION NOT P	ROVIDED		
Sacrament	o, CA 95828	Semi/Unskilled	1						
		Bay Area							
916-739-15	580	Co. Wide MSA:	1						
3 10 700 10	WM: L/SBE	Company Wide							
			-						
	Corporation	Manager/Prof	-						
Jon Taylore		Technical/Sales	-						
5031 Blum		Clerical/Skilled	-		INFORMATI	ION NOT P	ROVIDED		
Martinez, C	A 94553	Semi/Unskilled	-						
Bay Area									
925-228-87	71	Co. Wide MSA:							
•	WM: LBE	Company Wide	1	43	2	1	47	52.2%	47.49
Garney Pag	cific, Inc.	Manager/Prof	0	1	0	0	1	5.9%	
- HR Departr		Technical/Sales	0	0	0	0	0	0.0%	
•	Street, Suite E2	Clerical/Skilled	0	4	1	0	5	50.0%	
Tracy, CA 9		Semi/Unskilled	1	38	1	1	41	65.1%	
			· · ·		· ·				
		Bay Area	0	0	0	0	0	0.0%	39.9

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and Al/AN=American Indian/Alaskan Native)



AGENDA NO.	5.1.
MEETING DATE	March 23, 2021

TITLE PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR SOBRANTE WATER TREATMENT PLANT RELIABILITY IMPROVEMENTS PROJECT

TYPE	□Construction	☐General Services	☐Materials & Supplies	⊠Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	□OTHER
<u>ACTION</u>	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

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 Environmental Impact Report (EIR) for the Sobrante Water Treatment Plant (WTP) Reliability Improvements Project (Project), pursuant to the California Environmental Quality Act (CEQA).

SUMMARY

The work involves preparation of a comprehensive EIR to identify, assess, and determine project-specific environmental impacts and mitigation measures and prepare project-related information for public scoping meetings. This project will increase treatment capacity and reliability at Sobrante WTP to meet long-term water demands in the District's northern service area. This item was discussed at the November 13, 2018, November 26, 2019, and November 10, 2020 Long-Term Infrastructure Investment Workshops.

DISCUSSION

The Sobrante WTP, constructed in 1964 and located in the unincorporated community of El Sobrante in Contra Costa County, supplies customers in El Sobrante, Richmond, Pinole, Hercules, Rodeo, and San Pablo. The Sobrante WTP typically operates from April to November when the west-of-hills distribution system demands increase, support planned outages and emergency interruptions to the primary untreated water supply, and can operate year-round during droughts when the District operates the Freeport Regional Water Facility.

The Project will increase treatment capacity and reliability to meet projected water demands and will be completed in two phases as recommended in the West of Hills Master Plan: 60 million gallons per day (MGD) in Phase 1 (near-term) and 80 MGD in Phase 2 (long-term). Sobrante WTP has a permitted capacity of 60 MGD, but due to design and operational limitations, the sustained capacity is approximately 45 MGD. Upgrading the Sobrante WTP to be able to operate at a sustained 60 MGD will also allow for the eventual decommissioning of San Pablo WTP.

Funds Available: FY21, CIP #2001475; Page 53	Budget Coding: 523/2009040:13/5231	Contract Equity Forms? ☐ Yes ☐ No			
Originating Department	Department Director or Manager	Approved			
Engineering and Construction	Olujimi O. Yoloye	Clipped Ou			
Attachment(s): Location Map; Facilities Map; P-035; P-061					

Sobrante Water Treatment Plant Reliability Improvements Project March 23, 2021 Page 2

Phase 1 Project facilities and ancillary improvements include improvements to the existing flocculation basins and replacing the solids and reclaim handling, solids dewatering, chlorine contact facilities, pipelines, and chemical, electrical, and stormwater management facilities. Phase 1 will also replace and consolidate existing maintenance buildings/shops into a single facilities maintenance building on the site. Phase 2 Project facilities and ancillary improvements include additional flocculation, sedimentation and ozone facilities, and supporting pipelines and chemical facilities; Phase 2 improvements will be pursued if needed to meet future demand. The Project location and approximate limits of construction are shown on the attached location map. The attached facilities map shows the proposed location and approximate footprint of the new facilities and ancillary improvements throughout the Project site.

This Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION

A request for proposals was posted on the District's website and sent to 47 firms, including 15 minority-owned firms, with expertise in preparation of CEQA documents. Two firms submitted proposals and both were interviewed based on their qualifications and experience. Panorama Environmental, Inc. was selected based on their expertise with preparation of environmental documentation and an experienced team with knowledge of potential environmental impacts and local community concerns.

The optional geotechnical services work under this agreement is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. Panorama Environmental, Inc., is licensed to perform work in California, and is not on the State DIR debarment list. Panorama Environmental, Inc. and its listed subcontractors are properly registered with the State DIR.

SUSTAINABILITY

Economic

Funding for this work is available in the FY21 adopted capital budget for the West of Hills Master Plan Project.

Social

Locals 2019 and 21 were notified of this agreement on September 9, 2020. Local 2019 issues were addressed at a meeting on October 6, 2020 and resolved. Local 21 did not raise any specific issues related to this agreement.

Environmental

The District will solicit input from local agencies and the community while preparing the EIR. As part of the Project, the District will implement feasible mitigation measures to reduce environmental impacts to the community.

Sobrante Water Treatment Plant Reliability Improvements Project March 23, 2021 Page 3

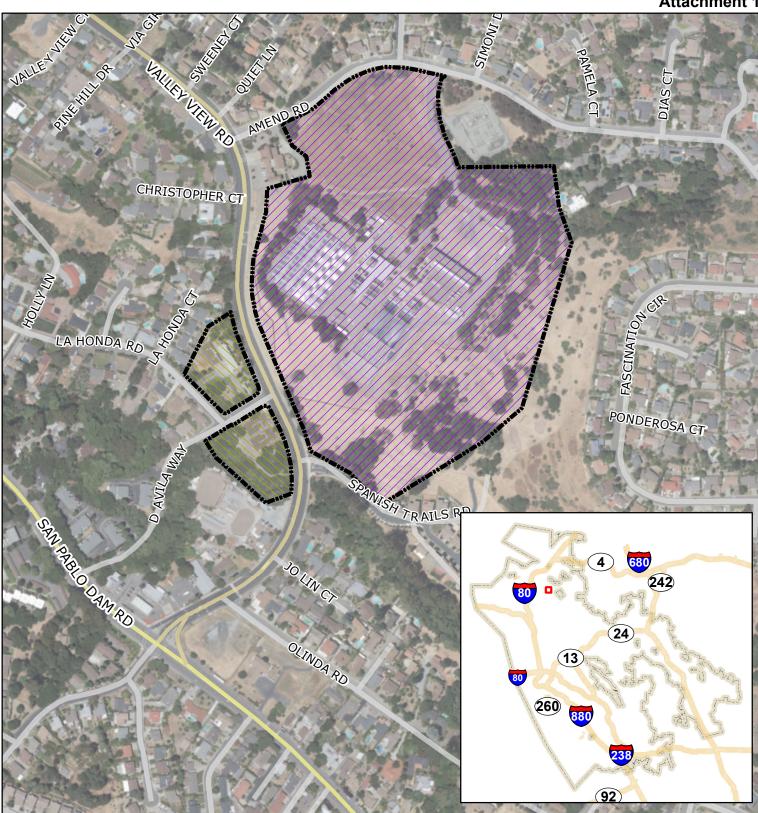
ALTERNATIVES

<u>Do not perform the work</u>. This alternative is not recommended because the Project is needed to meet future projected demands, increase reliability, increase flexibility to treat supplemental supplies, and replace aging infrastructure.

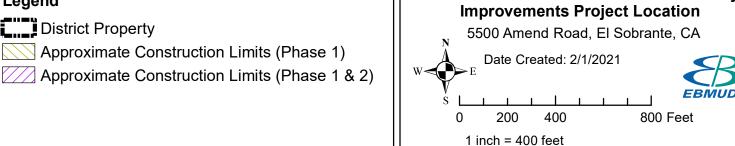
<u>Perform the work with District forces</u>. This alternative is not recommended because staff does not have the expertise to complete the work for this large, specialized project.

I:\Sec\2021 Board Related Items\032321 Board Agenda Items\E&C - Sobrante WTP Reliability Improvements Project.docx





Legend District Property



Sobrante Water Treatment Plant Reliability



Sobrante Water Treatment Plant Reliability Improvements Project

Proposed Facilities Map



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE Professional Service	Professional Services Agreement								DATE:			
Sobrante Water Tre			Impr	oven	nents Pr	oject			Ma	rch 1, 20	21	
CONTRACTOR:						PERC	ENTAGE	OF CONTE	RACT DO	LLARS		
Panorama Environmental, Inc. San Francisco, CA 94103		Small Bu	sines	s	Ava	ailability G	Group	Contracting (Objectives	Participation		
BID/PROPOSER'S	FIRM	'S OWNERSI	HIP			White Me	n	25%	6	36.9	9%	
PRICE:	Ethn	icity	Gender		White Women			6%		24.	7%	
\$1,921,527 *	As	ian	Wo	men	Eti	hnic Mino	rities	25%	6	38.4%		
		CONTRA	CT E	QUIT	Y PAR	ΓΙCΙΡΑΤ	ION					
COMPANY NAME	ESTIMATED	ETHNICITY	GEN	DER		r	CONTRA	ACTING PARTIO	CIPATION			
COMPANT NAME	AMOUNT	ETHINICITY	М	W	White- Men	White- Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign	
PRIME:	4-			.,								
Panorama Environmental, Inc. SUBS:	\$737,801	Asian		X			38.4%					
Merrill Morris Partners	\$159,049	White		х		8.3%						
MWA Architects, Inc.	\$572,666	White	Х		29.8%							
Fehr & Peers	\$69,729	White	Х		3.6%							
PaleoWest	\$34,414	White	Х		1.8%							
RCH Group, Inc.	\$32,486	White	Х		1.7%							
Saylor Consulting Group	\$15,080	White		Х		0.8%						
Sequoia Consulting Group	\$32,161	White		Х		1.7%						
TERRA Engineers, Inc.	\$251,573	White		Х		13.1%						
Northgate Environmental Consulting	\$16,568	White		х		0.9%						
TOTAL		\$1,921,527	•		36.9%	24.7%	38.4%	0.0%	0.0%	0.0%	0.0%	
	CONTRAC	CTOR'S WC	RKF	ORC	E PROI	F ILE (Fr	om P-025	Form)				
		White Me	en	١	White Wo	men	Ethnic	Minorities	Tota	I Employe	ees	
No. of E	mployees:	8			9			10				
Percent of Total E	mployees:	28.6%			32.1%	6	35	5.7%		28		
MSA Labor Market %: 2					23.6%	6	48	3.4%				
MSA Labor Market Location: California												
			C	OMN	MENTS							
Contract Equity Participation - 36.9% White Men participation, 24.7% White Women participation, and 38.4% Ethnic Minority participation.												
	*Total not to exceed: \$1,921,527											
Workforce Profile & Statemer	at of Nondice	rimination		300d	Faith Or	itroach E	fforts		Δward Δni	aroval		

Requirement Satisfied

YES

Recommended

alar

Submitted

NA



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:				Ethnic Min	ority Perce	ntages Fro	m U.S. Cer	nsus Data	
	e Water Treatment Plant R	eliability			В	Н	A/PI	AI/AN	TOTAL
Improve	ements Project		Natio	onal	10.5	10.7	3.7	0.7	27.3
		DATE:	9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9
Professional S	Services Agreement	3/1/2021	Alameda/C		10.7	15.6	15.4	0.5	46.2
R=Recmmd		3/1/2021	2021 Alameda/00 odumes 10.7 13.0 15.4 0.5						
P=Prime S=Sub	Composition of Ownership			Number of E	thnic Mino	rity Employ	rees		
Company Name, Owner/Contact Person, Address, and Phone Number			В	н	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	EMW: A/PI - SBE	Company Wide	1	3	6	0	10	35.7%	48.4%
Panorama Environ	mental, Inc.	Manager/Prof	1	3	6	0	10	35.7%	
Susanne Heim		Technical/Sales	0	0	0	0	0	0.0%	
717 Market Street,	, Suite 650	Clerical/Skilled	0	0	0	0	0	0.0%	
San Francisco, CA	A 94103	Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	3	6	0	9	40.9%	39.9%
650-373-1200		Co. Wide MSA:	California		# Employee	s-Co. Wide:	28	Bay Area:	22
s	WW: SBE	Company Wide	0	0	1	0	1	16.7%	39.9%
Merrill Morris Partr		Manager/Prof	0	0	1	0	1	20.0%	23.07
Erin Connolley	1010	Technical/Sales	0	0	0	0	0	0.0%	
249 Front Street		Clerical/Skilled	0	0	0	0	0	0.0%	
San Francisco, CA	A 94111	Semi/Unskilled	0	0	0	0	0	0.0%	
, -		Bay Area	0	0	1	0	1	16.7%	39.9%
415-291-8960	415-291-8960		9 Bay Area C	1		es-Co. Wide:	6	Bay Area:	
s	WM: SBE	Co. Wide MSA: Company Wide	2	6	9	0	17	34.0%	27.3%
MWA Architects, II		Manager/Prof	2	6	9	0	17	37.0%	
Amy Perez		Technical/Sales	0	0	0	0	0	0.0%	
135 Main Street, #	550	Clerical/Skilled	0	0	0	0	0	0.0%	
San Francisco, CA	A 94105	Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	2	4	6	0	12	66.7%	39.9%
415-957-2750		Co. Wide MSA:	Total USA		# Employee	s-Co. Wide:	50	Bay Area:	18
s	WM: LBE	Company Wide	9	25	60	0	94	31.5%	48.4%
Fehr & Peers		Manager/Prof	4	15	52	0	71	31.4%	10.17
Natasha Nicholsor	n-Rierre	Technical/Sales	1	3	1	0	0	0.0%	
100 Pringle Avenu	•	Clerical/Skilled	4	7	7	0	18	37.5%	
Walnut Creek, CA		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	4	12	27	0	43	33.9%	39.9%
925-977-3244		Co. Wide MSA:	California			es-Co. Wide:	298	Bay Area:	127
s	WM	Company Wide	Jamoinia		pioyoc		200	Day Aida.	
PalcoWest	44 141		+						
Paicovvest Penny Muzzy		Manager/Prof	-						
319 E. Palm Lane		Technical/Sales Clerical/Skilled	-		INFORMAT		BUNIDED		
Phoenix, AZ 85004	4	Semi/Unskilled	-		II OI NIVIA I	ION NOT F			
	•	Bay Area	'						
602-550-6444		Co. Wide MSA:	-						
S	WM	Company Wide							
RCH Group, Inc.	44 141	_	+						
Paul Miller		Manager/Prof Technical/Sales	-						
11060 White Rock	Road #150-A	Clerical/Skilled	-		INFORMAT		BUNIDED		
Rancho Cordova,		Semi/Unskilled	-		II OI (IVIA I	ION NOT P	NOVIDED		
n anono colucva,	5, (300) 0		+						
040 700 4407		Bay Area	-						
916-782-4427		Co. Wide MSA:							

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **Al/AN**=American Indian/Alaskan Native)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:				Ethnic Min	ority Perce	ntages Fro	m U.S. Ce	nsus Data			
	rante Water Treatment Plant R	eliability			В	Н	A/PI	Al/AN	TOTAL		
ımpr	ovements Project		Natio	onal	10.5	10.7	3.7	0.7	27.3		
		DATE:	9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9		
Profession	al Services Agreement	3/1/2021	Alameda/C		10.7	15.6	15.4	0.5	46.2		
R=Recmmd		0/1/2021			1		1	0.0	.0.2		
P=Prime S=Su	ub Composition of Ownership		I	Number of E	thnic Mino	rity Employ	yees				
Company Nan Phone Numbe	ne, Owner/Contact Person, Address, and		В	н	A/PI	AI/AN	TOTAL	PERCENT	MSA %		
S	WW: SBE	Company Wide									
Saylor Consu	lting Group	Manager/Prof									
Natalie Saylor		Technical/Sales	1								
505 Montgom	ery Street, 11th Floor	Clerical/Skilled	1	I	NFORMAT	ION NOT P	ROVIDED				
San Francisco	o, CA 94111	Semi/Unskilled									
		Bay Area									
415-399-9990		Co. Wide MSA:	1								
s	WW: L/SBE	Company Wide									
Sequoia Ecological Consulting, Inc. Manager Manager			1								
Debie Montana Techn			-								
	pad, Suite 320	Clerical/Skilled	INFORMATION NOT PROVIDED								
Danville, CA 9	•	Semi/Unskilled	IN CHIMATION NOT FROUDED								
24	7.025	Bay Area	1								
925-989-7011		Co. Wide MSA:	-								
S	WW: SBE		0	0	1 4	0	1	0.40/	40.40		
		Company Wide	0	0	1	0	1	9.1%	48.49		
TERRA Engir		Manager/Prof	0	0	1	0	1	16.7%	-		
Guilaine Rous	Street, Suite 830	Technical/Sales	0	0	0	0	0	0.0%	-		
San Francisco	·	Clerical/Skilled Semi/Unskilled	0	0	0	0	0	0.0%	-		
Sali Francisco	5, CA 94 104								00.00		
000 000 4700		Bay Area	O alifa maia	0	<u> </u>	0	0	0.0%	39.9%		
888-888-4730		Co. Wide MSA:	California		# Employee	es-Co. Wide:	11	Bay Area	6		
S Northanta En	WW: L/SBE	Company Wide	-								
Dennis Laduz	vironmental Consulting	Manager/Prof Technical/Sales	-								
428 13th Stre	•	Clerical/Skilled	-		INFORMAT		DOVIDED.				
Oakland, CA9		Semi/Unskilled	-		INFORMAT	ION NOT F	KOVIDED				
Oakialiu, CAS	74012		+								
		Bay Area	-								
510-839-0688		Co. Wide MSA:		1	1		1		1		
									-		
									-		
Р	WM: LBE	Company Wide	10	25	31	1	67	7.7%	27.3%		
Woodard & C	urran	Manager/Prof	5	21	26	1	53	7.2%			
Kathleen Wel	ter	Technical/Sales	0	0	2	0	2	13.3%			
2175 N. Califo	ornia Blvd., Suite 315	Clerical/Skilled	5	4	3	0	12	10.0%			
Walnut Creek	, CA 94596	Semi/Unskilled	0	0	0	0	0	0.0%			
	(Local office)	Bay Area	1	4	11	0	16	28.6%	39.99		
207-558-3659 Co. Wide N			Total USA			s-Co. Wide:					

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and Al/AN=American Indian/Alaskan Native)





AGENDA NO.	5.2.
MEETING DATE	March 23, 2021

TITLE PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR WALNUT CREEK WATER TREATMENT PLANT PRETREATMENT PROJECT

TYPE	□Construction	☐General Services	☐Materials & Supplies	⊠Professional Services
	□CEQA	□Grants	□Water Supply Assessment	□OTHER
ACTION	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

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 Environmental Impact Report (EIR) for the Walnut Creek Water Treatment Plant (WTP) Pretreatment Project (Project), pursuant to the California Environmental Quality Act (CEQA).

SUMMARY

The work involves preparation of a comprehensive EIR to identify, assess and determine project-specific environmental impacts and necessary mitigation measures and prepare project-related information for public scoping meetings. The project will enhance reliability and increase treatment capabilities at the plant, particularly as raw water conditions become more challenging due to fires, droughts and other events. This item was discussed at the November 13, 2018, November 26, 2019, and November 10, 2020 Long-Term Infrastructure Investment Workshops.

DISCUSSION

The Walnut Creek WTP, constructed in 1967 and located in Walnut Creek, is the primary water supply for the District's east-of-hills service area which includes portions of Pleasant Hill, portions of Walnut Creek, Alamo, Lafayette, Danville, Blackhawk, and San Ramon Valley communities. The Project will add pretreatment facilities to the Walnut Creek WTP, increasing treatment capacity from 115 million gallons per day (MGD) to 160 MGD to assist in the eventual decommissioning of the Lafayette WTP and improving reliability to accommodate changes in raw water quality. The Project will increase flexibility to treat supplemental supplies from the Folsom South Canal Connection, improve treatment capability following watershed wildfire events, increase regional reliability by increasing capacity for wheeling water, and allow for interconnections with untreated water supplies from neighboring agencies.

The Project is proposed to be constructed in two phases. Phase 1 improvements will include new ballasted flocculation, pre- and intermediate ozone, solids gravity thickening for half of the WTP, and solids

Funds Available: FY21, CIP #000437; Page 47	Budget Coding: 524/2014149:13/5231	Contract Equity Forms?							
Originating Department	Department Director or Manager	Approved							
Engineering and Construction	Olujimi O. Yoloye	Clipped On General Manager							
Attachment(s): Location Map; Facilities Map; P-035; P-061									

Walnut Creek Water Treatment Plant Pretreatment Project March 23, 2021 Page 2

dewatering treatment facilities, supporting pipelines, and chemical and electrical facilities. Phase 1 will also replace and consolidate existing maintenance buildings/shops into a single facilities maintenance building. Phase 2 improvements will include new ballasted flocculation, pre- and intermediate ozone, solids gravity thickening, and supporting pipelines for the remaining half of the WTP. Phase 2 improvements, which will increase the WTP capacity from 125 MGD to 160 MGD, will only be needed if Lafayette WTP is decommissioned. Phase 2 improvements may also be pursued in the future if water quality in Pardee Reservoir degrades in summer months when customer demands are higher (i.e., due to algae blooms that affect taste and odor or include toxin producing cyanotoxins). The Project location and construction area is shown on the attached location map. The attached facilities map shows the proposed location and approximate footprint of the new pretreatment facilities and ancillary improvements throughout the Project site.

This Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION

A request for proposals was posted on the District's website and sent to 47 firms, including 15 minority-owned firms, with expertise in preparation of CEQA documents. Two firms submitted proposals, and both were interviewed based on their qualifications and experience. Woodard & Curran, Inc. was selected based on their expertise with preparation of environmental documentation and an experienced team with knowledge of potential environmental impacts and local community concerns.

The optional geotechnical services work under this agreement is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. Woodard & Curran, Inc. is licensed to perform work in California, and is not on the State DIR debarment list. Woodard & Curran, Inc. and its listed subcontractor are properly registered with the State DIR.

SUSTAINABILITY

Economic

Funding for this work is available in the FY21 adopted capital budget for the Treatment Plant Upgrades Project.

Social

Locals 2019 and 21 were notified of this agreement on September 9, 2020. Local 2019 issues were addressed at a meeting on October 6, 2020 and resolved. Local 21 did not raise any specific issues related to this agreement.

Environmental

The District will solicit input from local agencies and the community while preparing the EIR. As part of the Project, the District will implement feasible mitigation measures to reduce environmental impacts to the community.

Walnut Creek Water Treatment Plant Pretreatment Project March 23, 2021 Page 3

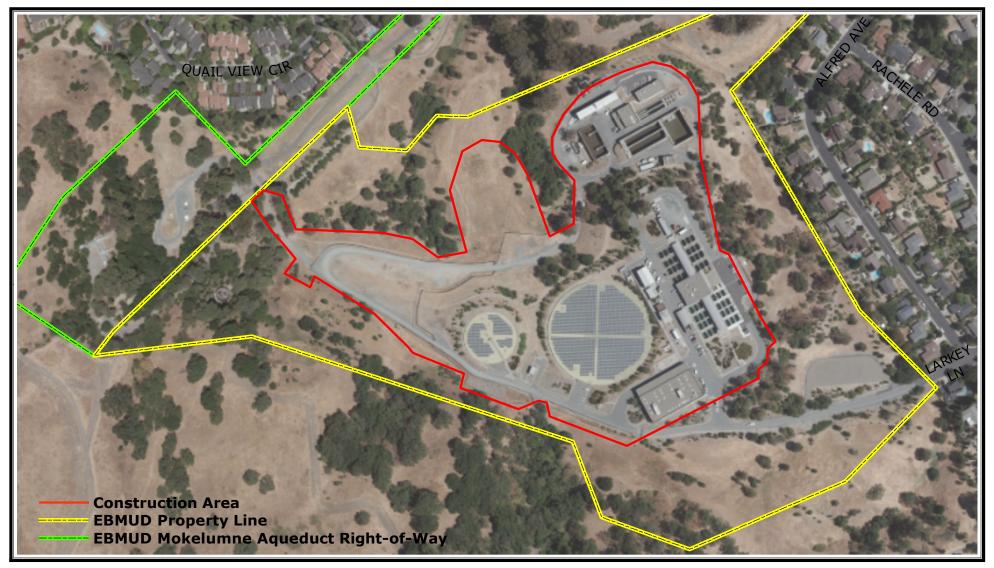
ALTERNATIVES

<u>Do not perform the work</u>. This alternative is not recommended because the Project is needed to improve reliability due to changes in untreated water quality, increase flexibility to treat supplemental supplies, and increase regional reliability by treating water from interconnections with other agencies.

<u>Perform the work with District forces</u>. This alternative is not recommended because District staff does not have the expertise to complete the work for this large, specialized project.

I:\Sec\2021 Board Related Items\032321 Board Agenda Items\E&C - Walnut Creek WTP Pretreatment Project.docx



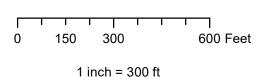


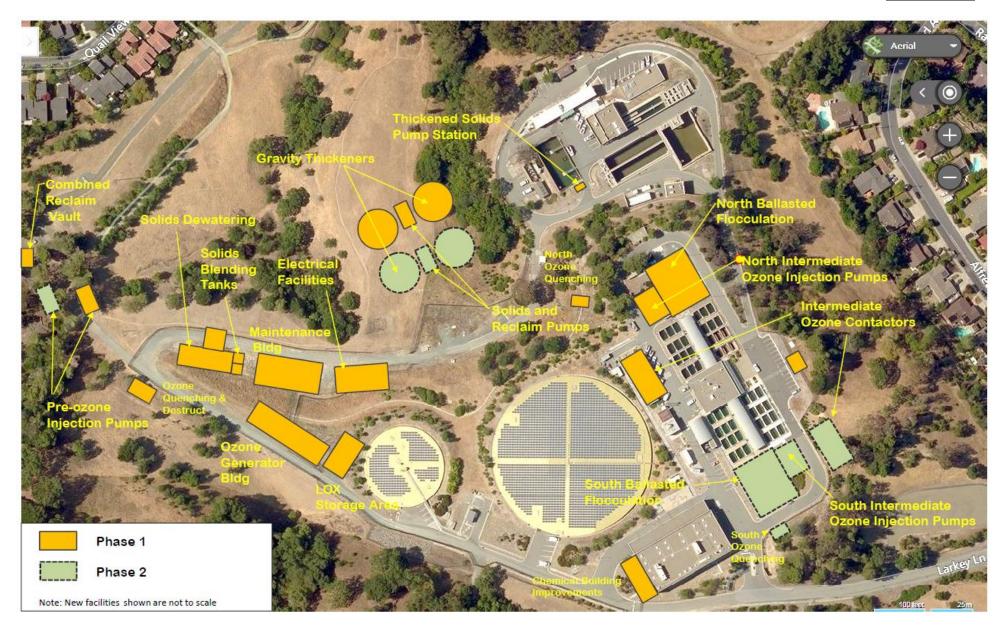


Walnut Creek Water Treatment Plant Pretreatment Project

Location Map

2201 Larkey Lane, Walnut Creek, CA





Walnut Creek Water Treatment Plant Pretreatment Project
Proposed Facilities Map



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

Walnut Creek Water CONTRACTOR: Woodard & Curran, Inc. Walnut Creek, CA 94104 BID/PROPOSER'S PRICE: \$2,408,091 *		Local Bu	ısines					OF CONTR		uary 16, 2	2021
Woodard & Curran, Inc. Walnut Creek, CA 94104 BID/PROPOSER'S PRICE:	Ethn	'S OWNERS		s	Ava			OF CONTR	RACT DO	LLARS	
Walnut Creek, CA 94104 BID/PROPOSER'S PRICE:	Ethn	'S OWNERS		s	Ava	ailability G					
PRICE:	Ethn		HIP		Availability Group White Men			Contracting Objectives		Participation	
		icity				White Me	n	25%	,	37.3	3%
\$2,408,091 *	Wh		Ger	nder	V	Vhite Won	nen	6%		52.7	7%
		nite	M	en	Et	hnic Mino	rities	25%	6	10.0)%
	,	CONTRA	CT E	QUIT	TY PAR	ΓΙCΙΡΑΤ	ION				
	ESTIMATED		GEN	DER			CONTRA	CTING PARTIC	TICIPATION		
COMPANY NAME	AMOUNT	ETHNICITY	М	W	White- Men	White- Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
Voodard & Curran	\$840,970	White	х		34.9%						
SUBS:											
Siegel & Strain Architects	\$670,140	White		x		27.8%					
Burks Toma Architects, Inc.	\$141,380	White		х		5.9%					
Royston, Hanamoto, Alley and Abey	\$446,197	White		х		18.5%					
CHS Consulting Inc. dba CHS Consulting Group	\$80,661	Asian	х				3.3%				
nsignia Environmental	\$10,506	White		х		0.4%					
Kleinfelder formerly Garcia and Associates	\$28,558	Hispanic	х				1.2%				
Vilson Ihrig	\$59,231	White	x		2.5%						
linyo & Moore	\$130,448	Hispanic	х				5.4%				
TOTAL		\$2,408,091			37.3%	52.7%	10.0%	0.0%	0.0%	0.0%	0.0%
	CONTRAC	CTOR'S WO	DRKF	1		,	om P-025	Form)			
		White Me	en	١	White Wo	men	Ethnic	Minorities	Tota	I Employe	es
No. of Er	mployees:	497			300			74			
Percent of Total Employees:		57.1%	1		34.4%	6	8	.5%		871	
MSA Labor	Market %:	39.0%			33.7%	6	27.3%				
MSA Labor Market Location:				•			Total USA	\			
			C	OMN	MENTS						

Contract Equity Participation - 37.2% White Men participation, 52.7% White Women participation, and 10.0% Ethnic Minority participation.

*Total not to exceed: \$2,408,091

Workforce Profile & Statement of Nondiscrimination	Good Faith Outreach Efforts	Award Approval
Submitted	Requirement Satisfied	Recommended
NA	YES	Bouley



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:					Ethnic Mir	ority Perce	ntages Fro	m U.S. Cei	nsus Data	
		Creek Water Treatment I	Plant			В	Н	A/PI	AI/AN	TOTAL
	Pretreati	ment Project		Natio	onal	10.5	10.7	3.7	0.7	27.3
			DATE:	9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9
Profess	sional Serv	rices Agreement	2/16/2021	Alameda/C	C Counties	10.7	15.6	15.4	0.5	46.2
R=Rec										<u>I</u>
P=Prim	ne S=Sub	Composition of Ownership		ı	Number of E	thnic Mino	rity Employ	/ees		
-	nny Name, Ow Number	vner/Contact Person, Address, and		В	Н	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP		WM: LBE	Company Wide	10	25	31	1	67	7.7%	27.3%
Wooda	rd & Curran		Manager/Prof	5	21	26	1	53	7.2%	
Kathlee	n Welter		Technical/Sales	0	0	2	0	2	13.3%	
2175 N.	California l	Blvd., Suite 315	Clerical/Skilled	5	4	3	0	12	10.0%	
Walnut	Creek, CA	94596	Semi/Unskilled	0	0	0	0	0	0.0%	
	(Local office)	Bay Area	1	4	11	0	16	28.6%	39.9%
207-558	3-3659		AA Plan on File:	NA		Date of last	contract with	District:	NA	
			Co. Wide MSA:	Total USA		# Employee	es-Co. Wide:	871	Bay Area:	56
s		WW: L/SBE	Company Wide	1	0	1	0	2	9.1%	53.9%
Siegel 8	& Strain Arc	hitects	Manager/Prof	0	0	1	0	1	6.7%	
Nancy N	√alone		Technical/Sales	1	0	0	0	1	20.0%	
6201 D	oyle Street,	Suite B	Clerical/Skilled	0	0	0	0	0	0.0%	
Emeryville, CA 94608			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	1	0	1	0	2	9.1%	39.9%
510-547-8092 ext.110		Co. Wide MSA:	Alameda		# Employee	s-Co. Wide:	22		22	
S		WW: L/SBE	Company Wide	0	0	6	0	6	8.0%	47.8%
Burks T	oma Archite	ects, Inc.	Manager/Prof	0	0	4	0	0	0.0%	
Karen Burks			Technical/Sales	0	0	2	0	0	0.0%	
814 Cai	melia Street	t	Clerical/Skilled	0	0	0	0	0	0.0%	
Berkele	y, CA 9471	0	Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	6	0	6	40.0%	39.9%
510-524	1-4255		Co. Wide MSA:	Oakland		# Employee	s-Co. Wide:	3	Bay Area:	3
S		WW: SBE	Company Wide	1	1	7	1	10	35.7%	44.0%
Rovstor	n. Hanamoto	o, Alley and Abey	Manager/Prof	0	0	3	1	4	30.8%	
Parabai			Technical/Sales	1	1	4	0	6	66.7%	
225 Mill	er Avenue		Clerical/Skilled	0	0	0	0	0	0.0%	
Mill Vall	ey, CA 949	41	Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	1	1	7	1	10	35.7%	39.9%
415-383	3-7900		Co. Wide MSA:	San Francisc	0	# Employee	es-Co. Wide:	28	Bay Area:	28
s		EMM: A/PI - L/SBE	Company Wide	1	0	6	0	7	46.7%	39.9%
CHS Co	onsulting Ind	c. dba CHS Consulting Group	Manager/Prof	0	0	4	0	4	40.0%	
Millicen	t Williams		Technical/Sales	0	0	2	0	2	66.7%	
1617 CI	ay Street		Clerical/Skilled	1	0	0	0	1	50.0%	
Oakland	Oakland, CA 94612		Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	1	0	6	0	7	46.7%	39.9%
510-272	2-9597		Co. Wide MSA:	9 Bay Area C	ounties	# Employee	es-Co. Wide:	15	Bay Area:	15
s		WW: SBE	Company Wide	1	0	2	1	4	7.1%	44.0%
Insignia	Environme	ental	Manager/Prof	0	0	2	1	3	8.1%	
Alex Mo	Graw		Technical/Sales	1	0	0	0	1	5.9%	1
258 Hig	h Street		Clerical/Skilled	0	0	0	0	0	0.0%	
Palo Alt	o, CA 9430	1	Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	1	0	2	1	4	7.1%	39.9%
650-321-6787 ext.322			Co. Wide MSA:	San Francisc	0	# Employee	s-Co. Wide:	56	Bay Area:	56

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and Al/AN=American Indian/Alaskan Native)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:	\A/-1	San ala Watan T ()	DI 4		Ethnic Mir	nority Perce	ntages Fro	m U.S. Ce	nsus Data			
		Creek Water Treatment I	Plant			В	Н	A/PI	AI/AN	TOTAL		
	Pretreati	ment Project		Nati	onal	10.5	10.7	3.7	0.7	27.3		
			DATE:	9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9		
Profes	sional Serv	ices Agreement	2/16/2021	Alameda/C	C Counties	10.7	15.6	15.4	0.5	46.2		
R=Re				1					1	ı		
P=Pri	me S=Sub	Composition of Ownership			Number of E	Ethnic Minor	ity Employ	yees				
		ner/Contact Person, Address, and		В	н	A/PI	AI/AN	TOTAL	PERCENT	MSA %		
	Number					70	741744	101742	LENGEN	11107170		
S		ЕММ: Н	Company Wide									
	•	Garcia and Associates	Manager/Prof	_								
•	Harding		Technical/Sales	INFORMATION NOT PROVIDED								
	iders Avenue		Clerical/Skilled	_		INFORMATI	ON NOT P	ROVIDED				
San Ar	nselmo, CA 9	94960	Semi/Unskilled	-								
			Bay Area									
415-45	8-5803		Co. Wide MSA:									
S		WM: L/SBE	Company Wide	1	2	2	0	5	22.7%	48.4%		
Wilson	Ihrig		Manager/Prof	0	1	2	0	3	16.7%			
Derek	•		Technical/Sales	0	0	0	0	0	0.0%			
	6001 Shellmound Street, Suite 400		Clerical/Skilled	1	1	0	0	2	50.0%			
Emery	Emeryville, CA 94608		Semi/Unskilled	0	0	0	0	0	0.0%			
			Bay Area	1	2	2	0	5	33.3%	39.9%		
510-65	510-658-6719		Co. Wide MSA:	California		# Employee	s-Co. Wide:	22	Bay Area:	15		
s		EMM: H - LBE	Company Wide	21	63	44	1	129	25.3%	27.3%		
Ninyo 8	& Moore		Manager/Prof	3	16	18	0	37	18.9%			
Elaine Autus			Technical/Sales	12	43	15	1	71	28.1%			
2020 C	hallenger Di	rive, Suite 103	Clerical/Skilled	6	4	11	0	21	35.0%			
Alame	da, CA 9450	1	Semi/Unskilled	0	0	0	0	0	0.0%			
			Bay Area	1	3	4	0	8	21.1%	39.9%		
858-57	6-1000		Co. Wide MSA:	Total USA		# Employee	s-Co. Wide:	509	Bay Area:	38		
	1		ĺ									
										1		
										•		
P		WW: SBE	Company Wide	0	3	7	0	10	35.7%	48.4%		
Panora	ıma Environi	mental, Inc.	Manager/Prof	0	3	7	0	10	35.7%			
Susanı	ne Heim		Technical/Sales	0	0	0	0	0	0.0%]		
	arket Street,		Clerical/Skilled	0	0	0	0	0	0.0%			
San Francisco, CA 94103			Semi/Unskilled	0	0	0	0	0	0.0%			
		Bay Area	0	3	6	0	9	40.9%	39.9%			
650-37	3-1200		Co. Wide MSA:	California		# Employee	s-Co. Wide:	28	Bay Area:	22		
			Ì			İ						
				1		1				1		
					1			1	1	1		
										1		
								1	<u> </u>			

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)





AGENDA NO.	6.			
MEETING DATE	March 23, 2021			

TITLE LONG-TERM VEHICLE RENTAL

TYPE	□Construction	⊠General Services	□Materials & Supplies	□Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	□OTHER
ACTION	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

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.

SUMMARY

Additional vehicles are temporarily required to reduce carpooling to and from jobsites during the pandemic to minimize employee-to-employee transmission of COVID-19.

DISCUSSION

The District owns 46 pool vehicles. Pool vehicles are used by District staff while regularly assigned vehicles are repaired or for District travel. An additional 20 rental vehicles are needed during the pandemic to minimize employee carpooling for District business. Thirteen vehicles were initially rented in May 2020. The additional 20 rental vehicles are expected to be needed through August 2021.

In October 2020, the General Manager authorized the original rental agreement for \$80,000 through May 31, 2021. Board authorization is now required to increase the authorization amount to extend rentals for the estimated period carpooling may be needed. This agreement supports the District's Workforce Planning and Development Strategic Plan goal.

SERVICE PROVIDER SELECTION

Public Contract Code, Section 10298 allows agencies such as EBMUD to purchase directly from competitively awarded state contracts without pursuing separate competitive bidding. The state has a contract with one commercial rental vehicle vendor, Enterprise Holdings, Inc., for long-term rentals (minimum of 30 days).

Funds Available: FY21	Budget Coding: 756/0780656/5296	Contract Equity Forms? ☐ Yes ☐ No
Originating Department	Department Manager	Approved
Maintenance and Construction	Michael R. Ambrose	Clippet On Geberal Manager
Attachment(s): P-35; P-61		

Long-Term Vehicle Rental March 23, 2021 Page 2

SUSTAINABILITY

Economic

The FY21 adopted operating budget includes funding for the first year of this multi-year agreement. Funding for the additional years will be considered as part of the associated budget development process.

Social

This agreement reduces risk of employee-to-employee COVID-19 transmission.

ALTERNATIVES

<u>Do not authorize this agreement.</u> This alternative is not recommended because the District does not have sufficient pool vehicles to meet the current demand.

<u>Purchase additional vehicles.</u> This alternative is not recommended because the need is only during the COVID-19 pandemic.

I:\Sec\2021 Board Related Items\032321 Board Agenda Items\OMD-Long Term Vehicle Rental.doc



CONTRACT EQUITY PROGRAM SUMMARY (P-035) This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

тпье General Services Agreement - Amendment					DATE:						
Long Term Vehicle		nenament						February 23, 2021			2021
Long remired	rtontal									•	
CONTRACTOR:						PERC	ENTAGE	OF CONTE	RACT DO	LLARS	
Enterprise Holdings, Inc. Atlanta, GA 30384		ontract		Av	ailability G	Group	Contracting	Objectives	Partici	pation	
BID/PROPOSER'S	FIRM	I'S OWNERS	S OWNERSHIP			White Me	en	25%	%	100.	.0%
PRICE:	Ethr	nicity	Ger	nder	١	White Won	nen	6%	ó	0.0	1%
\$150,000 **	W	hite	М	en	Et	hnic Mino	rities	25%	%	0.0	1%
		CONTRA	CT E	QUIT	TY PAR	TICIPAT	ION			11	
	FOTIMATED		GEN	DER			CONTRA	ACTING PARTI	CIPATION		
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	М	W	White- Men	White- Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
Enterprise Holdings, Inc.	\$150,000	White	Х		100.0%						
SUBS:											
None											
TOTAL		\$150,000	l	<u> </u>	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	CONTRA	CTOR'S WO	DRKF	ORC	E PRO	F ILE (Fr	om P-025	Form)			
		White Me		1	White Wo	•		Minorities	Tota	al Employ	ees
No. of E	mployees:			<u> </u>			<u> </u>		<u> </u>		
110.012		-									
Percent of Total E	mployees:										
MSA Labor	Morket 9/ i	-			INF	ORMAT	TON NOT	PROVIDE)		
INISA LADOI	Warket %.										
MSA Labor Marke	t Location:										
	COM			OMN	/IENTS						
Contract Equity Participation	- 100% White	e Men partic									
		•			4 ! 5		.				
*Original Title: Fleet Departm **Total not to exceed: \$230,0							agreemen	τ			
Workforce Profile & Stateme		crimination	(Faith Ou				Award Ap Recomme		
NA							· - -	P.	050		
NA			NA			Peners &					



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:		Ethnic Minority Percentages From U.S. Census Data								
Long Term Vehicle Rental				В	Н	A/PI	AI/AN	TOTAL		
				Natio	onal	10.5	10.7	3.7	0.7	27.3
Gener	al Servi	ices Agreement -	DATE:	9 Bay Area	Counties	5.5	16.2	14.2	0.4	39.9
	dment	g	2/23/2021	Alameda/C	C Counties	10.7	15.6	15.4	0.5	46.2
R=Reci	mmd ne S=Sub	Composition of Ownership		Number o		hnic Mino	rity Employ	rees	l.	1
				Number of Ethnic Minority Employees						
Compa and Ph	iny Name, (ione Numbe	Owner/Contact Person, Address, er		В	Н	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP		WM	Company Wide							
Enterpri	ise Holdin	gs, Inc.	Manager/Prof							
			Technical/Sales							
	P.O. Box 402383		Clerical/Skilled		ı	NFORMAT	ON NOT P	ROVIDED		
Atlanta,	GA 3038	4	Semi/Unskilled							
			Bay Area							
			AA Plan on File:							
866-278	3-9894		Co. Wide MSA:							
										-
										-
									ļ	
							1	1	1	
]
										1
										1
						_	_	_		_

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and Al/AN=American Indian/Alaskan Native)



AGENDA NO.	7.
MEETING DATE	March 23, 2021

TITLE CORRECTION OF ADMINISTRATIVE ERROR – AGREEMENT FOR LABORATORY INFORMATION MANAGEMENT SYSTEM SOFTWARE SUPPORT

TYPE	□Construction	☐General Services	☐Materials & Supplies	☑Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	□OTHER
<u>ACTION</u>	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

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 (LIMS).

DISCUSSION

On April 23, 2019, the Board authorized an agreement with Scott Johnston, Inc, to provide software engineering and development services for the District's LIMS for two years. The District intended for the Board to authorize two years plus one option year for an amount not to exceed \$100,000 as outlined in the executed agreement. The recommended action will correct the administrative error by making the authorized term consistent with the existing agreement. No change to the authorized amount is needed.

This item supports the District's Long-Term Financial Stability Strategic Plan goal.

SUSTAINABILITY

Economic

There is no fiscal impact associated with this correction.

ALTERNATIVE

<u>Do not correct the administrative error.</u> This alternative is not recommended because the Board's authorized term for the agreement would be inconsistent with the existing agreement. The District requires the extension for information technology support and coverage for the LIMS go-live activities and initial production support.

I:\Sec\2021 Board Related Items\022321 Board Agenda Items\Correction of Administrative Error - Agreement for LIMS Software Support.docx

Funds Available: FY21	Budget Coding: 251-8767-5312	Contract Equity Forms? ☐ Yes ☒ No	
Originating Department	Department Director or Manager	Approved	
Information Systems	Andrew J. Levine	Clipped On General Manager	
Attachment(s): N/A			





AGENDA NO.	8.
MEETING DATE	March 23, 2021

TITLE MONTHLY INVESTMENT TRANSACTIONS REPORT

TYPE	□Construction	□General Services	☐Materials & Supplies	□Professional Services
	□CEQA	□Grants	□Water Supply Assessment	⊠OTHER
ACTION	⊠MOTION	□RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

Approve the February 2021 Monthly Investment Transactions Report.

SUMMARY

In accordance with Policy 4.07 – Investment Policy, staff prepares a monthly transactions report for the Finance/Administration Committee to review and for the Board to consider each month. The February 2021 report is being submitted to the Board for consideration. This report was reviewed at the March 23, 2021 Finance/Administration Committee meeting.

DISCUSSION

Pursuant to Policy 4.07 – Investment Policy, staff generates a monthly report of investment transactions (buys, sales, deposits, withdrawals) as well as transactions that occur as a feature of the securities held (interest, calls, maturities). Information on portfolio performance, balances, and other factors are presented in the quarterly investment report.

In February 2021, the portfolio decreased from \$795.4 million to \$791.0 million. Net transactions decreased the total by \$4.5 million. Interest received added \$0.1 million to the portfolio. Deposits into short-term liquidity funds totaled \$8.4 million, and \$11.0 million was withdrawn. The District purchased \$13.5 million in securities, and \$55.5 million in securities matured. No securities were called or sold. Net transactions at the District's commercial bank resulted in an increase of \$40.0 million.

I:\Sec\2021 Board Related Items\032321 Board Agenda Items\FIN\FIN - Monthly Investment Transactions Report February 2021.docx

Funds Available: N/A	Budget Coding: N/A	Contract Equity Forms? ☐ Yes ☒ No				
Originating Department	Department Director or Manager	Clif proved				
Finance	Sophia D. Skoda	01 .				
		General Manager				
Attachment(s): Monthly Investment Transactions Report						



Monthly Investment Transactions Report February 2021

This report is presented to the Board pursuant to Government Code Section 53607 and in accordance with the District's Investment Policy 4.07.

The attached report details transactions in the District's portfolio as follows:

•	Mon	thly Investment Transactions Summary	Page 1
•	Mon	Page 2	
	0	Buys	Page 3
	0	Deposits	Page 4
	0	Matured	Page 5
	0	Calls	Page 6
	0	Sales	Page 7
	0	Withdrawals	Page 8
•	Mon	thly Interest Activity	Page 9
	0	Interest Received (Transferred to Wells Fargo)	Page 10
	0	Interest Received (Reinvested)	Page 11

Approved by: Sophia D. Skoda, Finance Director

03/09/2021

Date

SDS:AMM:aw



EAST BAY MUNICIPAL UTILITY DISTRICT Monthly Investment Transactions Summary February 2021

	Beginning	Monthly Net	Monthly Interest	Ending
Portfolio	Balance*	Transaction Activity	Activity	Balance
001 - Water System Consolidated	646,553,262.67	(37,295,000.00)	9,653.73	609,267,916.40
007 - Wastewater Consolidated	86,080,446.88	(4,645,000.00)	1,730.45	81,437,177.33
049 - Ferc Partnership	2,000,000.00	-	-	2,000,000.00
009 - BACWA	2,262,600.00	-	-	2,262,600.00
015 - DERWA	1,000,000.00	-	-	1,000,000.00
002 - FRWA	1,000,000.00	-	-	1,000,000.00
014 - IICP	150,500.00	-	-	150,500.00
010 - UMRWA	64,000.00	-	-	64,000.00
003 - Employees Retirement	11,344,961.86	(2,549,000.00)	-	8,795,961.86
099 - Wells Fargo**	44,922,494.36	39,974,825.38	111,545.23	85,008,864.97
Total	795,378,265.77	(4,514,174.62)	122,929.41	790,987,020.56

^{*} Portfolio balance presented at face value.

Anjanique Walsh	3/5/2021
Prepared by: Anjanique Walsh, Accounting Technician	Date
Sandy Lindley	3/5/2021
Reviewed by: Sandy Lindley, Accounting Supervisor	Date
Andrea Miller	3/8/2021
Approved by: Andrea M. Miller Controller	Date

^{**}Wells Fargo's month-end available balance per bank statement. Gross amount; not allocated by fund and not included in balances above.



							Non-Investment	Net Transaction
Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Transactions*	Activity
001 - Water System Consolidated	13,515,000.00	-	(50,810,000.00)	-	-	-	-	(37,295,000.00)
007 - Wastewater Consolidated	-	-	(4,645,000.00)	-	-	-	-	(4,645,000.00)
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	8,406,000.00	-	-	-	(10,955,000.00)	-	(2,549,000.00)
065 - Water S2008A DSRF	-	-	-	-	-	-	-	-
068 - Water 2010A DSRF	-	-	-	-	-	-	-	-
Investment Activity Total	13,515,000.00	8,406,000.00	(55,455,000.00)	-	-	(10,955,000.00)	-	(44,489,000.00)
099 - Wells Fargo	(13,515,000.00)	(8,406,000.00)	55,455,000.00	-	-	10,955,000.00	(4,514,174.62)	39,974,825.38
Total	-	-	-	-	-	-	(4,514,174.62)	(4,514,174.62)

*Non-investment transactions are net receipts and expenditures	in Wells Fargo resulting	from activities other than i	investment and interest transaction	ons detailed in this report.
	0 0			·

Reviewed by: Damien Charléty, Principal Mgmt Analyst	Date
mt lly	3/9/2021
Approved by: Robert L. Hannay, Treasury Manager	Date



Portfolio Name Buys	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
001 - Water System Consolidated	Federal Agency Issues Coupon	FHLB 1.625 11/19/2021	3130AHJY0	02/18/2021	02/19/2021	11/19/2021	7,260,000.00	7,344,942.00	29,493.75	7,374,435.75
001 - Water System Consolidated	Federal Agency Issues Coupon	FHLB 3 10/12/2021	3130AF5B9	02/18/2021	02/19/2021	10/12/2021	6,255,000.00	6,373,951.34	66,198.75	6,440,150.09
					Total		13,515,000.00			

13,515,000.00 13,718,893.34 95,692.50 13,814,585.84



Portfolio Name Deposits	,	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
003 - Employees Retirement	LAIF		LAIF LGIP	LGIP1005	02/05/2021	02/05/2021	N/A	4,205,000.00	4,205,000.00	0.00	4,205,000.00
003 - Employees Retirement	LAIF		LAIF LGIP	LGIP1005	02/18/2021	02/18/2021 Total	N/A	4,201,000.00 8,406,000.00	4,201,000.00	0.00	4,201,000.00

8,406,000.00 8,406,000.00 0.00 8,406,000.00



EAST BAY MUNICIPAL UTILITY DISTRICT

Monthly Investment Activity February 2021

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Matured										
001 - Water System Consolidated	Municipal Bonds	Highland Redevelopment Agency Succes	s:430034AV0	02/01/2021	02/01/2021	02/01/2021	810,000.00	810,000.00	0.00	810,000.00
001 - Water System Consolidated	US Treasuries	T-Bill 0 2/4/2021	9127963W7	02/04/2021	02/04/2021	02/04/2021	10,000,000.00	10,000,000.00	0.00	10,000,000.00
001 - Water System Consolidated	Federal Agency Issues Coupon	FHLMC 2.375 2/16/2021	3137EAEL9	02/16/2021	02/16/2021	02/16/2021	6,000,000.00	6,000,000.00	0.00	6,000,000.00
001 - Water System Consolidated	US Treasuries	T-Bill 0 2/18/2021	9127964D8	02/18/2021	02/18/2021	02/18/2021	34,000,000.00	34,000,000.00	0.00	34,000,000.00
					Total		50,810,000.00			
007 - Wastewater Consolidated	Federal Agency Issues Coupon	FHLB 1.375 2/18/2021	3130A7CV5	02/18/2021	02/18/2021	02/18/2021	1,645,000.00	1,645,000.00	0.00	1,645,000.00
007 - Wastewater Consolidated	Federal Agency Issues Coupon	FNMA 1.375 2/26/2021	3135G0J20	02/26/2021	02/26/2021	02/26/2021	3,000,000.00	3,000,000.00	0.00	3,000,000.00
					Total		4,645,000.00			



	Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Calls											

No Transactions this Period



Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Sales										

No Transactions this Period



Settlement Face Interest/ **Portfolio Name Asset Class** Description CUSIP/Ticker Trade Date **Maturity Date** Principal Total Date Amount/Shares Dividends Withdrawals 003 - Employees Retirement LAIF LAIF LGIP LGIP1005 02/25/2021 02/25/2021 N/A 10,955,000.00 10,955,000.00 0.00 10,955,000.00

Total

10,955,000.00 10,955,000.00 0.00 0.00

10,955,000.00



	Total Interest	Interest Transferred	Net Interest
Portfolio	Received	to Wells Fargo*	Activity (Reinvested)**
001 - Water System Consolidated	89,210.88	(79,557.15)	9,653.73
007 - Wastewater Consolidated	33,718.53	(31,988.08)	1,730.45
049 - Ferc Partnership	-	_	-
009 - BACWA	-	_	-
015 - DERWA	-	_	-
002 - FRWA	-	_	-
014 - IICP	-	_	-
010 - UMRWA	-	_	-
003 - Employees Retirement	-	_	-
065 - Water S2008A DSRF	-	_	-
068 - Water 2010A DSRF	-	_	-
Interest Transactions Total	122,929.41	(111,545.23)	11,384.18
099 - Wells Fargo	-	111,545.23	111,545.23
Total	122 020 //1		122 020 //1

Total 122,929.41 - 122,929.41

Anjanique Walsh	3/5/2021
Prepared by: Anjanique Walsh, Accounting Technician Sandy Lindley	Date
Sandy Lindley	3/5/2021
Reviewed by: Sandy Lindley, Accounting Supervisor	Date
Andrea Miller	3/8/2021
Approved by: Andrea M. Miller, Controller	Date

^{*}Coupon and other interest received; reinvestment unavailable.

^{**}Coupon and other interest payments reinvested in specific portfolio.



EAST BAY MUNICIPAL UTILITY DISTRICT Monthly Interest Activity February 2021

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Interest Received (Transferr	ed to Wells Fargo)									
001 - Water System Consolidated	Municipal Bonds	Highland Redevelopment Agency Successor	430034AV0	02/01/2021	02/01/2021	02/01/2021	0.00	0.00	8,100.00	8,100.00
001 - Water System Consolidated	Federal Agency Issues Coupon	FHLMC 2.375 2/16/2021	3137EAEL9	02/16/2021	02/16/2021	02/16/2021	0.00	0.00	71,250.00	71,250.00
001 - Water System Consolidated	Money Market Mutual Funds	Fidelity Investments MM	MM4022	02/26/2021	02/26/2021	N/A	0.00	0.00	207.15	207.15
								Total		79,557.15
007 - Wastewater Consolidated	Federal Agency Issues Coupon	FHLB 1.375 2/18/2021	3130A7CV5	02/18/2021	02/18/2021	02/18/2021	0.00	0.00	11,309.38	11,309.38
007 - Wastewater Consolidated	Money Market Mutual Funds	Fidelity Investments MM	MM4022	02/26/2021	02/26/2021	N/A	0.00	0.00	53.70	53.70
007 - Wastewater Consolidated	Federal Agency Issues Coupon	FNMA 1.375 2/26/2021	3135G0J20	02/26/2021	02/26/2021	02/26/2021	0.00	0.00	20,625.00	20,625.00
								Total		31,988.08

0.00 0.00 111,545.23 111,545.23



EAST BAY MUNICIPAL UTILITY DISTRICT Monthly Interest Activity February 2021

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Interest Received (Reinveste	ed)									
001 - Water System Consolidated	Local Government Investment Pool	CalTRUST LGIF	CALTRUST923	02/26/2021	02/26/2021	N/A	0.00	0.00	443.13	443.13
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	02/26/2021	02/26/2021	N/A	0.00	0.00	8,455.43	8,455.43
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	MM3767	02/26/2021	02/26/2021	N/A	0.00	0.00	210.77	210.77
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley	IMM0852	02/26/2021	02/26/2021	N/A	0.00	0.00	544.40	544.40
								Total		9,653.73
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	02/26/2021	02/26/2021	N/A	0.00	0.00	1,535.62	1,535.62
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	MM3767	02/26/2021	02/26/2021	N/A	0.00	0.00	54.39	54.39
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley	IMM0852	02/26/2021	02/26/2021	N/A	0.00	0.00	140.44	140.44
								Total		1,730.45

0.00 0.00 11,384.18 11,384.18



AGENDA NO.	9.
MEETING DATE	March 23, 2021

TITLE AUTHORIZE APPLICATION TO THE U.S. BUREAU OF RECLAMATION FOR INCLUSION OF RECENT ANNEXATIONS IN THE DISTRICT'S CENTRAL VALLEY PROJECT CONTRACTOR'S SERVICE AREA

TYPE	□Construction	☐General Services	☐Materials & Supplies	□Professional Services
	□CEQA	□Grants	☐Water Supply Assessment	⊠OTHER
ACTION	□MOTION	⊠RESOLUTION	□ORDINANCE	

RECOMMENDED ACTION

Authorize an application to the U.S. Bureau of Reclamation (USBR) to include the Meineke Trust and Magee Ranch annexations in the District's Central Valley Project (CVP) Contractor's Service Area.

SUMMARY

The Meineke Trust and Magee Ranch lands are located outside of the District's service area but within the District's Ultimate Service Boundary. The annexations were approved by the Contra Costa County Local Agency Formation Commission (LAFCO). For the District to extend water service to these newly annexed properties, the District must obtain Board approval to apply to the USBR to include these properties into the CVP Contractor's Service Area.

Meineke Trust

On November 16, 2020, LAFCO issued a certificate of completion for the Meineke annexation to EBMUD's service area, as approved by LAFCO-adopted Resolution No. 20-04. The annexation consists of three parcels (APNs 195-330-003/004 and 195-320-007) for a total of 63.4 acres that are located on Caballo Ranchero Drive in unincorporated Diablo as shown in the attached map (Exhibit A). The annexation will facilitate the development of at least one single family home with an estimated population increase of six persons.

Magee Ranch

On November 16, 2020, LAFCO issued a certificate of completion for the Magee Ranch annexation to EBMUD's service area, as approved by LAFCO-adopted Resolution No. 14-05. The general location of Magee Ranch in the Town of Danville is shown in the attached map (Exhibit B). The project site consists of seven parcels, totaling approximately 367 acres of land located on the south side of Diablo Road and Blackhawk Road in the Town of Danville. About 29 acres will include 69 single family homes; the remaining land will be preserved as permanent open space.

Funds Available: N/A	Budget Coding: N/A	Contract Equity Forms? ☐ Yes ☒ No				
Originating Department	Department Director or Manager	Approved				
Water and Natural Resources	Michael T. Tognolini	Clipped On Geberal Manager				
Attachment: (1) Contra Costa County LAFCO Certificate of Completion. Resolution No. 20-04: (2) Map: Meineke Trust Annexation - Exhibit A-LAFCO						

Attachment: (1) Contra Costa County LAFCO Certificate of Completion, Resolution No. 20-04; (2) Map: Meineke Trust Annexation - Exhibit A-LAFCO No 20-04; (3) Contra Costa County LAFCO Certificate of Completion, Resolution No. 14-05; (4) Map: Magee Ranch Annexation - Exhibit B-LAFCO No 14-05

Authorize Application to the USBR for Inclusion of Recent Annexations in the District's CV Contractor's Service Area March 23, 2021 Page 2

The District's CVP Contract requires approval from USBR to include these lands into the CVP Contractor's Service Area. USBR requires a Board resolution formally authorizing the request for inclusion before it can process the request.

DISCUSSION

In 2006, USBR and the District entered into a Long-Term Renewal Contract for CVP water service. The contract was subsequently converted into a repayment contract on February 28, 2020. The District's CVP contract includes a detailed map of the District's service area, referred to as the Contractor Service Area. Annexations to and detachments from the District's service area, approved by county LAFCOs, are not automatically included in the Contractor Service Area. The District must formally request inclusion and exclusion and USBR must complete a review of relevant environmental documentation. This application supports the District's Long-Term Water Supply Strategic Plan goal.

SUSTAINABILITY

Economic

The recommended action does not have any fiscal impact.

Social

The recommended action allows for the District to serve its customers in its service area with water delivered from CVP during drought years.

Environmental

Meineke Trust

There is no California Environmental Quality Act (CEQA) documentation required. The properties are exempt from CEQA as concluded by LAFCO.

Magee Ranch

On June 18, 2013, the Town of Danville, as Lead Agency, certified an Environmental Impact Report (EIR), adopted Findings of Fact, a Statement of Overriding Considerations, and adopted Mitigation Measures and a Mitigation Monitoring and Reporting Program in conjunction with the development project. Subsequently, a lawsuit was filed alleging that the 2013 Final EIR inadequately addressed impacts to traffic, bicycle safety, pedestrian safety, and several other factors; and that the project was inconsistent with the Town's General Plan and with other land use restrictions. The Court of Appeals rejected all allegations except the claim that the EIR did not adequately address impacts to bicycle safety. In response to the Court's ruling, the Town of Danville prepared and circulated a Draft Revised EIR. On July 2, 2019, the Danville Town Council adopted a Final Revised EIR.

USBR will also perform an environmental review and prepare any additional documentation needed to satisfy federal environmental law, including the National Environmental Policy Act. Once USBR completes its review and documentation process, it will take the necessary federal action to include the proposed lands into the Contractor's Service Area set forth in the District's CVP contract.

Authorize Application to the USBR for Inclusion of Recent Annexations in the District's CV Contractor's Service Area March 23, 2021 Page 3

ALTERNATIVE

<u>Do not approve the application to USBR for inclusion</u>. This alternative is not recommended because not seeking inclusion would violate the terms and conditions of the District's CVP contract.

I:\Sec\2021 Board Related Items\032321 Board Agenda Items\WNR - USBR Application for Annexation CVP Contractor Service Area.docx





STATE BOARD OF EQUALIZATION
PROPERTY TAX DEPARTMENT
TAX AREA SERVICES SECTION, MIC: 59
450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO CALIFORNIA, 94279-0059
1-916-274-3250, FAX 1-916-285-0130
www.boe.ca.gov
TASS@boe.ca.gov

Ms. Lou Ann Texeira, Executive Officer Contra Costa County LAFCo 651 Pine St., 6th Fl. Martinez, CA 94553



TED GAINES First District, Sacramento

MALIA M. COHEN Second District, San Francisco

ANTONIO VAZQUEZ, CHAIRMAN Third District, Santa Monica

BOE File No.: 2021-008

Received at BOE: 12/03/2020

Date of Acknowledgment: **01/22/2021**Distribution: **1**

MIKE SCHAEFER, VICE CHAIR Fourth District, San Diego

> BETTY T. YEE State Controller

BRENDA FLEMING Executive Director

This is to acknowledge receipt of the statement(s) required by Section 54900, et seq., of the Government Code for the action described below. Copies of your documents will be forwarded by us to other agencies. You are required by Section 54902 of the Government Code to file a complete set of documents, except for the processing fee, with the County Assessor and Auditor affected by this action.

Tax rate area boundaries and property tax allocations will become effective for the assessment roll indicated below.

Assessment Roll: 2021/22

County: 07 Contra Costa

District: 68 [0294] MUNI UTILITY - EAST BAY JT(01,07)

Conducting Authority: LAFCO

Short Title: MEINEKE ANNEXATION TO EAST BAY MUNICIPAL UTILITY DISTRICT

Type of Action: 01 District - Annexation

Resolution/Ord. No.:

LAFCo Res. No.: 20-04

Effective Date: 11/16/2020

Fee: \$1.500.00

Acreage: 63.4

City Boundary Change

Estimated Population: 0 Total assessed value of all property in subject territory: 0

Ric Schwarting
Research Manager (GIS)
State-Assessed Properties Division
Tax Area Services Section

Recording Requested By:



Contra Costa Local Agency Formation Commission

Return to:

LAFCO

40 Muir Road, 1st Floor Martinez, CA 94553 925/313-7133

No Fee Per Government Code § 6103



CONTRA COSTA Co Recorder Office DEBORAH COOPER, Clerk-Recorder DOC - 2020-0291142 Monday, Nov 30, 2020 15:41:00



Total Paid: No Fee

0000 - Public

Receipt#: 202003938765

211 / LFPC / 1-7

CERTIFICATE OF COMPLETION

As Executive Officer of the Contra Costa Local Agency Formation Commission, I hereby certify that the attached documents are complete and in accordance with the boundaries, modifications and conditions specified by the Commission in its Resolution No. 20-04 approving this action.

1. The kind of change of organization or reorganization and the short-form designation of the proceeding is:

LAFCO 20-04 - Meineke Annexation to East Bay Municipal Utility District.

- 2. The affected agency is located in Contra Costa County.
- 3. The territory is uninhabited, the annexation has 100% landowner consent, and all affected agencies that will gain/lose territory as a result of the change of organization have consented and the conducting authority proceedings have been waived.
- 4. The Local Agency Formation Commission's resolution of approval, which was adopted on October 14, 2020, is made a part of this certificate by reference and sets forth the description of the boundaries of the proposal and any terms and conditions that apply.

Date: November 16, 2020

LOU ANN TEXEIRA Executive Officer

RESOLUTION NO. 20-04

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING

MEINEKE ANNEXATION TO EAST BAY MUNICIPAL UTILITY DISTRICT

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, the Executive Officer has examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations therein, and the report and related information have been presented to and considered by the Commission; and

WHEREAS, at a public hearing held on October 14, 2020, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, applicable General and Specific Plans, consistency with the sphere of influence, contiguity with the District's boundary, and related factors and information including those contained in Gov. Code §56668; and

WHEREAS, information satisfactory to the Commission has been presented that no affected landowners/registered voters within the annexation area object to the proposal; and

WHEREAS, the Local Agency Formation Commission determines the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Contra Costa County.

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

- 1. Find that the project is exempt pursuant to sections 15303(a) and (d) and 15319 of the CEQA Guidelines.
- 2. The landowner/applicant has delivered to LAFCO an executed indemnification agreement providing for the landowner/applicant to indemnify LAFCO against any expenses arising from any legal actions to challenging the annexation, and
- The annexation is hereby approved.
- 4. The subject proposal is assigned the distinctive short-form designation:

MEINEKE ANNEXATION TO EAST BAY MUNICIPAL UTILITY DISTRICT

ORIGINAL

EXHIBIT "A"

All that certain real property situated in the County of Contra Costa, State of California, described as follows:

Being a portion of the South 1/2 of Section 15, Township 1 South, Range 1 West, Mount Diablo Base and Meridian, further described as follows:

BEGINNING at a point on the exterior boundary of tract of land shown on the map of "Mount Diablo Estate Park Subdivision - Third Unit," filed December 12, 1952, in Book 49 of Maps at Page 7, Contra Costa County Records, distant North 1°22'18" West, 825.27 feet along said exterior boundary from the northerly line of Caballo Ranchero Drive; thence from said Point of Beginning along said exterior boundary line [Course 1] North 61° 11' 20" West, 2,225.92 feet and [Course 2] North 75° 36' 06" West 406.83 feet to a point on the easterly line of Parcel "C," as said Parcel is shown on the Parcel Map filed October 10, 1985 in Book 118 of Parcel Maps at Page 48. Contra Costa County Records; thence along said easterly line [Course 3] North 12° 34' 45" East, 369.61 feet to a point on the southeasterly line of Parcel "B", as said Parcel is shown on the Parcel Map filed December 7, 1988 in Book 137 of Parcel Maps at Page 15, Contra Costa County Records; thence along said southeasterly line [Course 4] North 68° 57' 05" East, 129.90 feet and [Course 5] North 16° 52' 34" East, 146.77 feet to a point on the southerly line of Parcel "D," as said Parcel is shown on the Parcel Map filed September 25, 1979 in Book 81 of Parcel Maps at Page 18, Contra Costa County Records; thence along said southerly line [Course 6] North 88° 57' 03" East, 150.44 feet to the southwest corner of Lot 5, as said Lot is shown on the Amended Map of Subdivision 6933, filed June 24, 1991 in Book 357 of Maps at Page 30, Contra Costa County Records; thence along said southerly line and the southerly line of Parcel "A," as said Parcel is shown on the Parcel Map filed January 25, 1978 in Book 62 of Parcel Maps at Page 40, Contra Costa County Records, [Course 7] North 89° 00' 22" East, 1925.70 feet to the northwest corner of Parcel "D," as said Parcel is shown on the Parcel Map filed July 22, 1975 in Book 39 of Parcel Maps at Page 1, Contra Costa County Records; thence along the westerly line of said Parcel "D" (39-PM-1) [Course 8] South 0° 28' 03" East, 1129.44 feet to an angle point in said westerly line; thence continuing along said westerly line [Course 9] South 67°40'48" East, 341.61 feet, [Course 10] South 43°14'44" East, 184.22 feet and [Course 11] South 1°17'51" West, 237.99; thence along the westerly line of Parcel "B" and Parcel "A", as said Parcels are shown on the Parcel Map filed August 15, 1973 in Book 29 of Parcel Maps at Page 27, Contra Costa County Records, [Course 12] South 59°03'24" West, 329.49 feet and [Course 13] North 72°54'31" West, 145.63 feet to the Point of Beginning.

Containing an area of 62.55 acres of land, more or less.

Exhibit "B", a plat, is attached hereto and made a part hereof.

Page 1 of 2



This description is intended for annexation purposes only and is not a legal description as defined in the Subdivision Map Act, and may not be used as a basis for sale or lease of the land hereon described.

This description was made by me or under my direction in conformance with the Land Surveyors Act.

Prepared by:

James E. Diggins R.C.E. 27818

(Exp. 3/30/2022) State of California

LAFCO REQUIREMENTS

BOUNDARY DESCRIPTION CONFORMS TO DATE: 11/12 /2020

JAMES A. STEIN, **COUNTY SURVEYOR**

PLS 6571

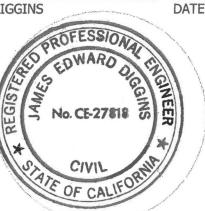
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS A BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED. 10 /12/2020

SHEET INDEX

- TITLE SHEET / VICINITY MAP
- ANNEXATION PLAT

JAMES E DIGGINS

RCE 278/18



SIJE



BOUNDARY DESCRIPTION CONFORMS TO LAFCO REQUIREMENTS

JAMES A STEIN, COUNTY SURVEYOR PLS 6571

LAFCO 20-04

SHEET 1 OF 2 SHEETS

EXHIBIT "B" PLAT TO ACCOMPANY

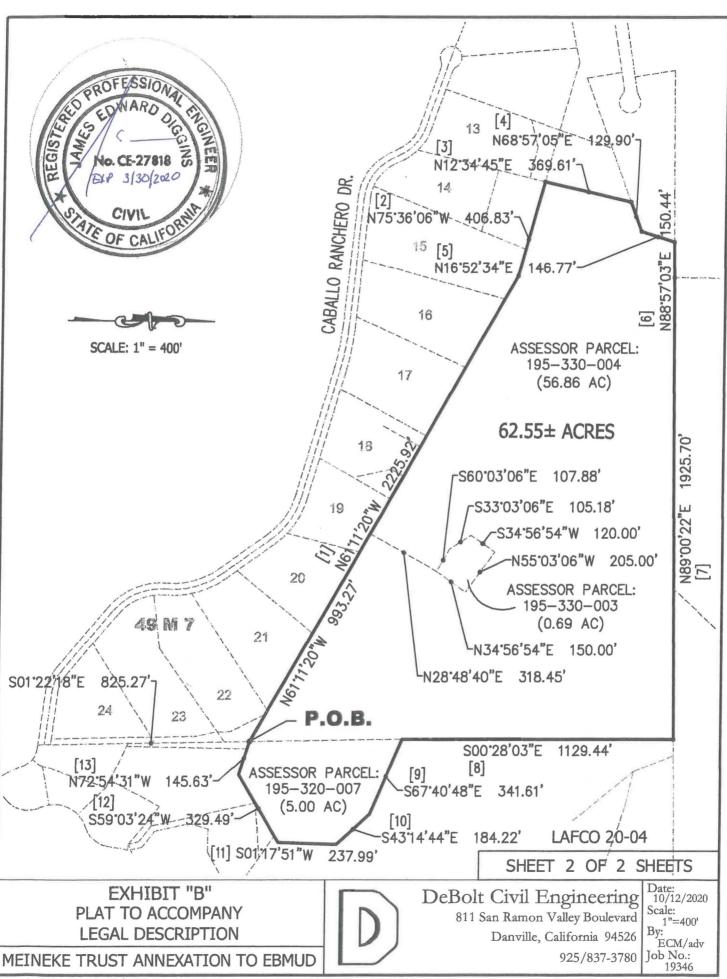
LEGAL DESCRIPTION MEINEKE TRUST ANNEXATION TO EBMUD

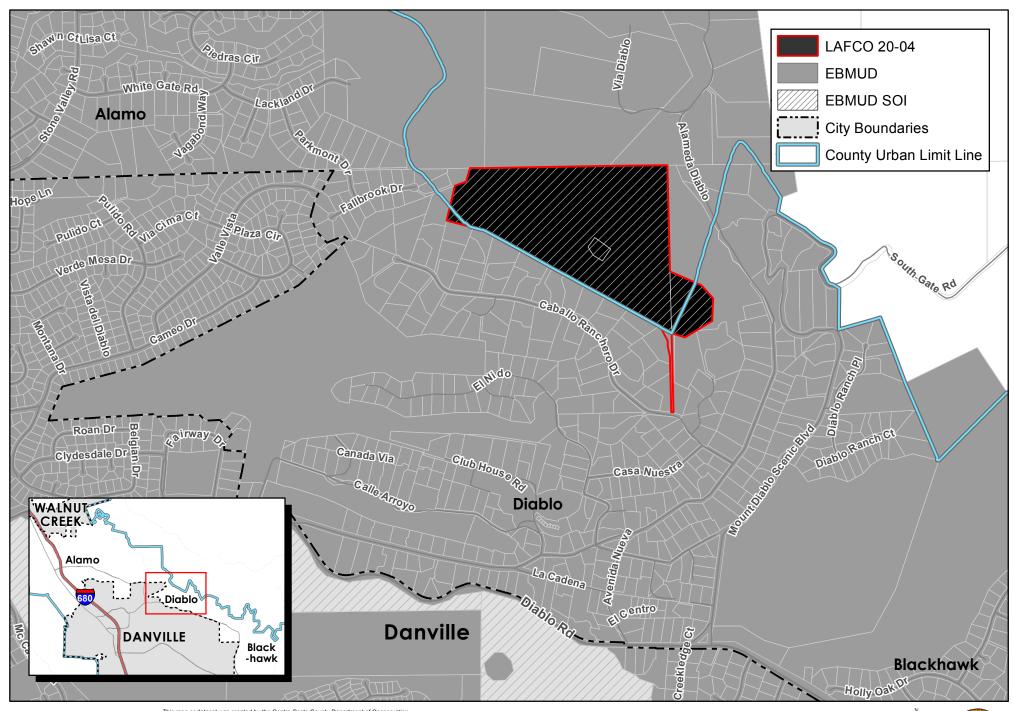


DeBolt Civil Engineering 811 San Ramon Valley Boulevard

Danville, California 94526 925/837-3780

Date: 10/12/2020 Scale: NONE By: ECM/adv Job No.: 19346





Map created 06/01/2020 by Contra Costa County Department of Conservation and Development, GIS Group 30 Muir Road, Martinez, CA 94553 37:59:41.791N 122:07:03.755W This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



Feet

2,000

1,000



Recording Requested By:

LAFCO

Contra Costa Local Agency Formation Commission

Return to:

LAFCO

40 Muir Road, 1st Floor Martinez, CA 94553 925/313-7133

No Fee Per Government Code § 6103



CONTRA COSTA Co Recorder Office DEBORAH COOPER, Clerk-Recorder DOC - 2020-0291141 Monday, Nov 30, 2020 15:41:00



Total Paid: No Fee

0000 - Public

Receipt#: 202003938765

211 / LFPC / 1-41

CERTIFICATE OF COMPLETION

As Executive Officer of the Contra Costa Local Agency Formation Commission, I hereby certify that the attached documents are complete and in accordance with the boundaries, modifications and conditions specified by the Commission in its Resolution No. 14-05 approving this action.

1. The kind of change of organization or reorganization and the short-form designation of the proceeding is:

LAFCO 14-05 - Central Contra Costa Sanitary District (CCCSD) DA 186 - Magee Preserve Boundary Reorganization Annexations to CCCSD and East Bay Municipal Utility District.

- 2. The affected agency is located in Contra Costa County.
- 3. The territory is uninhabited, the annexation has 100% landowner consent, and all affected agencies that will gain/lose territory as a result of the change of organization have consented and the conducting authority proceedings have been waived.
- 4. The Local Agency Formation Commission's resolution of approval, which was adopted on October 14, 2020, is made a part of this certificate by reference and sets forth the description of the boundaries of the proposal and any terms and conditions that apply.

Date: November 16, 2020

OU ANN TEXEIRA **Executive Officer**



RESOLUTION NO. 14-05

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING CENTRAL CONTRA COSTA SANITARY DISTRICT (CCCSD) DA 186: MAGEE PRESERVE BOUNDARY REORGANIZATION ANNEXATIONS TO CCCSD AND EAST BAY MUNICIPAL UTILITY DISTRICT

WHEREAS, the above-referenced a proposal was filed with Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code section 56000 et seq.); and

WHEREAS, the Executive Officer has examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations therein, and the report and related information have been presented to and considered by the Commission; and

WHEREAS, at public hearings held on January 14, February 11, May 13, 2015, August 12, 2015, and September 9, 2015, and October 14, 2020, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental documents or determination, applicable General and Specific Plans, consistency with spheres of influence, contiguity with the districts' boundaries, and related factors and information including those contained in Gov. Code §56668; and

WHEREAS, information satisfactory to the Commission has been presented that no affected landowners/registered voters within the subject territory object to the proposal; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the total organization of local governmental agencies within Contra Costa County.

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

- 1. As a Responsible Agency under CEQA, the Commission has considered the information contained in the Magee Ranches EIR and related environmental documents as certified by the Town of Danville on June 18, 2013, along with the Revised Final EIR adopted on July 2, 2019, and the Town of Danville's Findings of Fact and Statement of Overriding Considerations.
- 2. The applicant (CCCSD) has delivered an executed indemnification agreement providing for the District to indemnify LAFCO against any expenses arising from any legal actions challenging the reorganization.
- 3. The reorganization is hereby approved.
- 4. The subject proposal is assigned the distinctive short-form designation:



Contra Costa LAFCO Resolution No. 14-05

> CENTRAL CONTRA COSTA SANITARY DISTRICT DA 186 – MAGEE PRESERVE BOUNDARY REORGANIZATION - ANNEXATIONS TO CENTRAL CONTRA COSTA SANITARY DISTRICT AND EAST BAY MUNICIPAL UTILITY DISTRICT

- 5. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibits A and B, attached hereto and made a part hereof.
- 6. The subject territory shall be liable for any authorized or existing taxes, charges, and assessments comparable to properties within the annexing agencies.
- 7. Said territory is found to be uninhabited.
- 8. The proposal has 100% landowner consent and said conducting authority (protest) proceedings are hereby waived.
- 9. Water service is conditioned upon EBMUD receiving acceptance for inclusion of the annexed areas from the United States Bureau of Reclamation (USBR), pursuant to the requirements in EBMUD's contract with USBR for supplemental water supply from the Central Valley Project.
- 10. All subsequent proceedings in connection with this reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

PASSED AND ADOPTED THIS 14TH day of October 2020, by the following vote:

AYES:

Andersen, Blubaugh, Glover, McGill, Schroder, Skaredoff

NOES:

ABSENT:

Butt

ABSTENTIONS:

OH

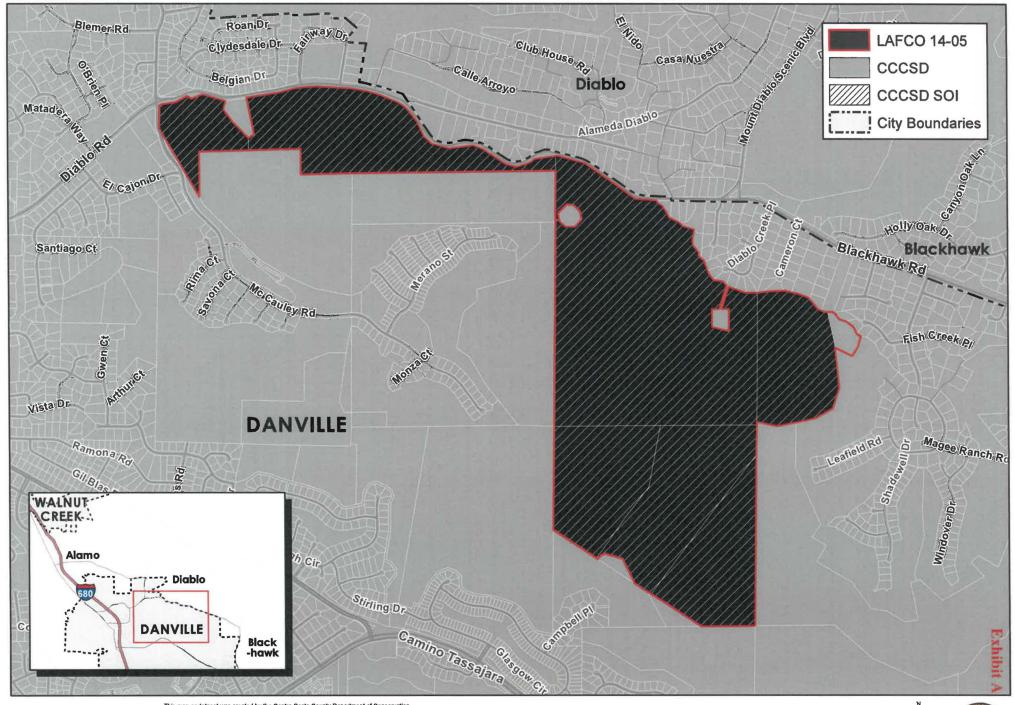
CANDACE ANDERSEN, CHAIR, CONTRA COSTA LAFCO

ATTEST: I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

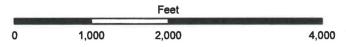
Dated: October 14, 2020

Lou Ann Texeira, Executive Officer

LAFCO No. 14-05: Annexation 186 Magee Ranch/Summerhill to Central Contra Costa Sanitary District

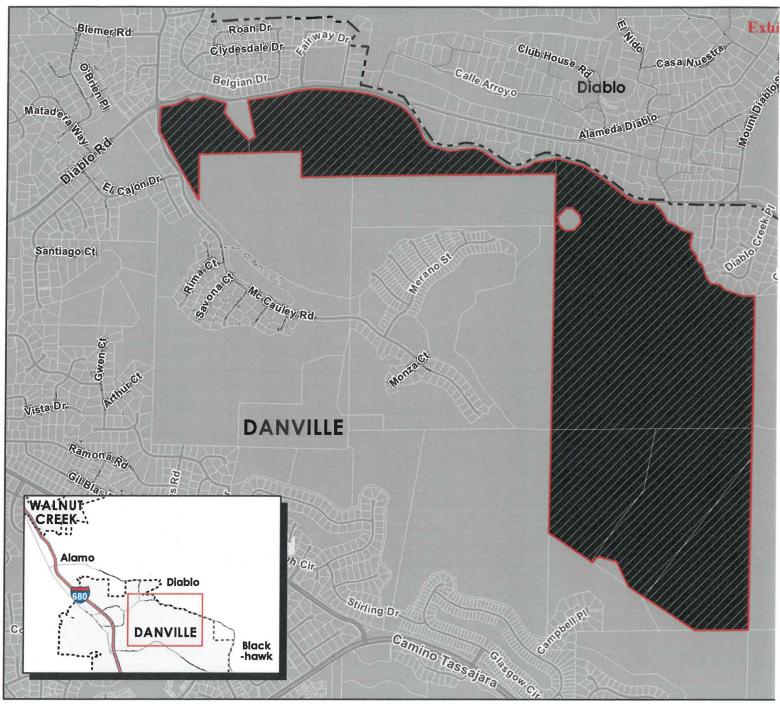


Map created 06/01/2020 by Contra Costa County Department of Conservation and Development, GIS Group 30 Muir Road, Martinez, CA 94553 37:59:41.791N 122:07:03.755W This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





LAFCO No. 14-05: Annexation 186 Magee Ranch/Summerhill to East Bay M



Map created 06/01/2020 by Contra Costa County Department of Conservation and Development, GIS Group 30 Muir Road, Martinez, CA 94553 37:59:41.791N 122:07:03.756W This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



Real property situate in the Town of Danville, County of Contra Costa, State of California, and being portions of Sections 21, 22, and 27, Township 1 South, Range 1 West, Mount Diablo Base and Meridian, also being all of "New Lot 1", all of "New Lot 2", and a portion of "New Lot 3" as described in the Grant Deed to Teardrop Partners, L.P. recorded on January 30, 2014 under document number 2014-015148 Official Records of said County, a portion of Lot 3 as described in the Grant Deed to Magee Investment Company recorded on October 22, 1998 under document number 1998-262061 Official Records of said County, all of Lot 2 as described in the Lot Line Adjustment recorded on October 22, 1998 under document number 1998-262058 Official Records of said County, and all of Parcel A as shown on the Parcel Map for Subdivision MS 152-77 recorded on September 26, 1980 and filed in Book 89 of Parcel Maps at Page 45 Official Records of said County, and being more particularly described as follows:

Commencing at the Mount Diablo Base and Meridian Initial Point;

Thence, (L110) South 45° 28′ 55″ West - 25,564.95 feet to the most southern corner of New Lot 1 (2014-015148), same being a corner on an east line of Central Contra Costa Sanitary District Annexation No. 105-1 Boundary, and for the **Point of Beginning** hereof;

Thence, along the east line of Central Contra Costa Sanitary District Annexation No. 105-1 Boundary, for the following two (2) courses:

- (L1) North 29° 54′ 06" West 1045.65 feet;
- (L2) North 01° 48′ 49″ East 299.93 feet to the northwest corner of said New Lot 1, same being a corner on the south line of Central Contra Costa Sanitary District Annexation No. A-24 Boundary, also being at the beginning of a curve to the right from which the center bears South 21° 33′ 03″ East;



Thence, along the south line of Central Contra Costa Sanitary District Annexation No. A-24 Boundary, for the following six (6) courses:

- (C3) in a northeasterly direction, 107.05 feet along the arc of said curve to the right, having a radius of 1100.00 feet, with a chord length of 107.00 feet, through a central angle of 05° 34' 33":
- (L4) South 89° 34' 35" East 110.91 feet;
- (L5) North 62° 34' 03" East 169.20 feet;
- (L6) South 57° 17' 42" East 60.00 feet;
- (L7) North 70° 56' 03" East 160.00 feet;
- (L8) South 74° 13' 19" East 290.85 feet to the northwest corner of the land described in the deed to East Bay Municipal Utility District (EBMUD) recorded on March 24, 1961 filed in Liber 3831 at Page 332 Official Records of said County

Thence, along the western, southern, and eastern lines of said EBMUD parcel for the following five (5) courses:

- (L9) South 13° 29' 47" West 115.99 feet;
- (L10) South 36° 30' 13" East 210.02 feet;
- (L11) South 44° 30' 13" East 283.39 feet;
- (L12) North 56° 29' 47" East 90.00 feet;
- (L13) North 11° 30' 13" West 479.52 feet to the northeast corner of said EBMUD parcel, same Central Contra Costa Sanitary District Annexation No. A 24 Boundary;

Thence, along the south lines of Central Contra Costa Sanitary District Annexation No. A - 24 & A - 37 Boundaries for the following nineteen (19) courses:

- (L14) North 81° 29' 47" East 465.44 feet;
- (L15) North 75° 21' 47" East 191.00 feet to the beginning of a curve to the right;
- (C16) in an easterly direction, 295.76 feet along the arc of said curve to the right, having a radius of 960.00 feet, with a chord length of 294.59 feet, through a central angle of 17° 39' 07";
- (L17) South 86° 59' 05" East 343.77 feet to the beginning of a curve to the right;
- (C18) in a southeasterly direction, 472.92 feet along the arc of said curve to the right, having a radius of 1600.16 feet, with a chord length of 471.20 feet, through a central angle of 16° 56' 00";
- (L19) South 70° 03' 05" East 199.39 feet to the beginning of a curve to the right;
- (C20) in a southeasterly direction, 246.18 feet along the arc of said curve to the right, having a radius of 440.04 feet, with a chord length of 242.98 feet, through a central angle of 32° 03' 15":
- (L21) South 37° 59' 49" East 161.34 feet;
- (L22) South 26° 06' 05" East 209.99 feet;
- (L23) South 44° 47' 05" East 140.53 feet;
- (L24) South 73° 58' 05" East 251.38 feet;
- (L25) North 71° 38' 40" East 30.29 feet;
- (L26) North 83° 57' 29" East 275.03 feet;
- (L27) South 68° 18' 14" East 130.15 feet;
- (L28) South 56° 19' 20" East 367.22 feet;
- (L29) South 77° 36' 04" East 145.81 feet;
- (L30) North 71° 30' 55" East 183.95 feet;
- (L31) North 49° 25' 24" East 67.71 feet;
- (L32) North 81° 09' 17" East 280.84 feet passing the common north corner of New Lot 2 & New Lot 3 (2014-015148) in all for a total distance of 299.66 feet to a corner on the north line of New Lot 3 (2014-015148);

Thence, continuing along the south lines of Central Contra Costa Sanitary District Annexation No. A – 37 & 95 – 1 Boundaries for the following seven (7) courses:

- (L33) North 17° 30' 00" East 2.32 feet;
- (L34) South 74° 37' 21" East 358.60 feet;
- (L35) South 55° 53' 51" East 269.99 feet;
- (L36) South 54° 08' 21" East 338.93 feet;
- (L37) South 54° 25' 06" East 200.19 feet;
- (L38) South 84° 51' 12" East 265.31 feet;
- (L39) South 89° 54' 21" East 13.94 feet to the west corner of the Central Contra Costa Sanitary District Annexation No. 3 8 Boundary;

Thence, along the south lines Central Contra Costa Sanitary District Annexation No's. 3-8 & 57-48 & 98-10 & 64-18 Boundaries for the following eighteen (18) courses;

- (L40) South 27° 05' 24" East 43.03 feet;
- (L41) South 57° 43' 41" East 75.74 feet;
- (L42) South 32° 52' 41" East 106.23 feet;
- (L43) South 23° 51' 41" East 66.35 feet;
- (L44) South 63° 48' 41" East 141.36 feet;
- (L45) South 45° 51' 41" East 59.25 feet;
- (L46) South 63° 48' 41" East 6.74 feet;
- (L47) South 72° 22' 41" East 151.07 feet;
- (L48) South 10° 21' 30" West 144.15 feet;
- (L49) South 11° 28' 00" East 73.85 feet;
- (L50) South 38° 33' 30" East 51.27 feet;

- (L51) South 39° 27' 30" East 62.08 feet;
- (L52) South 09° 02' 15" West 41.77 feet;
- (L53) South 47° 36' 10" East 102.80 feet;
- (L54) South 20° 25' 10" East 179.66 feet;
- (L55) South 38° 32' 10" East 94.32 feet;
- (L56) South 82° 11' 10" East 115.38 feet;
- (L57) South 48° 52' 10" East 63.46 feet to the northwest corner of Central Contra Costa Sanitary District Annexation No. 84-1 Boundary;

Thence, along the western, southern, and eastern lines of Central Contra Costa Sanitary District Annexation No. 84-1 Boundary for the following seven (7) courses:

- (L58) South 23° 55' 04" West 364.52 feet;
- (L59) South 85° 51' 50" West 141.36 feet;
- (L60) South 02° 36' 44" West 330.22 feet;
- (L61) South 75° 47' 41" East 322.32 feet;
- (L62) North 03° 53' 28" East 433.61 feet;
- (L63) South 85° 51' 50" West 175.00 feet;
- (L64) North 23° 55' 04" East 356.09 feet to the northeast corner of Central Contra Costa Sanitary District Annexation No. 84-1;

Thence, along the southern boundaries of Central Contra Costa Sanitary District Annexation No's. 84 - 1, 60 - 38, 78 - 10, 88 - 7, and 76 - 10 for the following nineteen (19) courses:

- (L65) South 48° 52' 10" East 31.48 feet;
- (L66) South 70° 30' 10" East 230.45 feet;
- (L67) North 89° 14' 50" East 154.41 feet;

- (L68) North 88° 04' 27" East 11.80 feet;
- (L69) North 83° 12' 45" East 179.21 feet;
- (L70) North 89° 24' 50" East 177.00 feet;
- (L71) South 76° 26' 12" East 178.24 feet;
- (L72) South 70° 15' 12" East 134.50 feet;
- (L73) South 40° 40' 56" East 18.99 feet;
- (L74) South 37° 22' 09" East 175.35 feet;
- (L75) South 76° 07' 43" East 49.77 feet;
- (L76) South 73° 26' 01" East 46.28 feet;
- (L77) North 89° 49' 26" East 80.00 feet;
- (L78) South 72° 03' 27" East 34.46 feet;
- (L79) South 40° 39' 43" East 119.59 feet;
- (L80) South 73° 23' 58" East 83.59 feet;
- (L81) South 55° 51' 58" East 124.65 feet;
- (L82) South 22° 39' 58" East 104.12 feet;
- (L83) South 58° 01' 58" East 50.94 feet to a north corner of Central Contra Costa Sanitary

 District Annexation No. 107 9;

Thence, along the north line of Central Contra Costa Sanitary District Annexation No. 107 - 9 Boundary for the following ten (10) courses:

- (L84) South 15° 21' 15" West -140.00 feet;
- (L85) South 31° 58' 02" West 140.00 feet;
- (L86) North 64° 22' 28" West 246.42 feet;
- (L87) South 05° 08' 54" East 106.74 feet;
- (L88) South 07° 04' 43" East 222.76 feet;
- (L89) South 04° 43' 44" East 214.06 feet;

LAFCO 14 - 05 Page 7 of 9

Exhibit A ANNEXATION NO. 186 TO CENTRAL CONTRA COSTA SANITARY DISTRICT AREA 1 GEOGRAPHIC DESCRIPTION

- (L90) South 18° 23' 10" West 266.12 feet;
- (L91) South 60° 29' 41" West 260.85 feet;
- (L92) South 77° 54' 40" West 509.79 feet;
- (L93) North 76° 41' 32" West 264.58 feet to the northwest corner of Central Contra Costa Sanitary District Annexation No. 107 9 Boundary;

Thence, along the west line of Central Contra Costa Sanitary District Annexation No. 107 - 9 Boundary,

(L94) South 00° 57′ 59″ West - 2666.02 feet to the southwest corner of Central Contra Costa Sanitary District Annexation No. 107 – 9;

Thence, along the north line of the Central Contra Costa Sanitary District Annexation No. 95 – 10 Boundary,

(L95) South 89° 36' 00" West - 707.72 feet to the east corner of the Central Contra Costa Sanitary District Annexation No. 115 Boundary;

Thence along the north line of the Central Contra Costa Sanitary District Annexation No. 115 – 9 Boundary,

(L96) North 56° 26' 14" West - 783.47 feet to the southeast corner of Lot 2

Thence, along the south line of Lot 2 (1998-) for the following four (4) courses:

- (L97) North 25° 57' 21" West 361.12 feet;
- (L98) North 74° 30' 39" West 231.97 feet;

- (L99) South 75° 44' 28" West 50.07 feet;
- (L100) South 38° 40' 40" West 74.41 feet to a point on the north line of Central Contra Costa Sanitary District Annexation No. 115 9;

Thence, along the north line of Central Contra Costa Sanitary District Annexation No. 115 – 9 Boundary,

(L101) North 56° 26' 14" West - 938.01 feet to the northwest corner of Central Contra Costa Sanitary District Annexation No. 115, same corner being on an eastern line of Central Contra Costa Sanitary District Annexation No. 95 – 10;

Thence, along the eastern line of Central Contra Costa Sanitary District Annexation No. 95-10,

(L102) North 00° 57' 22" East - 1370.00 feet to the common east corner of Central Contra Costa Sanitary District Annexation No's. 95 - 10 and 105 - 1;

Thence, along the eastern line of Central Contra Costa Sanitary District Annexation No. 105 - 1 Boundary for the following two (2) courses:

- (L103) North 00° 42' 06" East 2630.19;
- (L104) North 00° 43' 18" East 659.99 feet to the southeast corner of New Lot 2 (2014-015148);

Thence, along the south line of New Lot 2 (2014-015148);

(L105) South 89° 26' 55" West – 2649.86 feet to the northeast corner of Central Contra Costa Sanitary District Annexation No. 105 – 1 Boundary;

Thence, along the north line of Central Contra Costa Sanitary District Annexation No. 105-1 Boundary for the following four (4) courses:

- (L106) South 88° 37' 46" West 669.87 feet;
- (L107) North 00° 02' 46" East 330.03 feet;
- (L108) South 88° 37' 46" West 1320.11 feet; continuing along said south line of New Lot 1,
- (L109) South 00° 02' 46" West 597.28 feet to said Point of Beginning.

Excepting therefrom Parcel 1 as conveyed to East Bay Municipal Utility District in the Deed recorded on March 24, 1961 in Liber 3831 at Page 332, Official Records of said County.

Containing 403.8 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer of sale of the

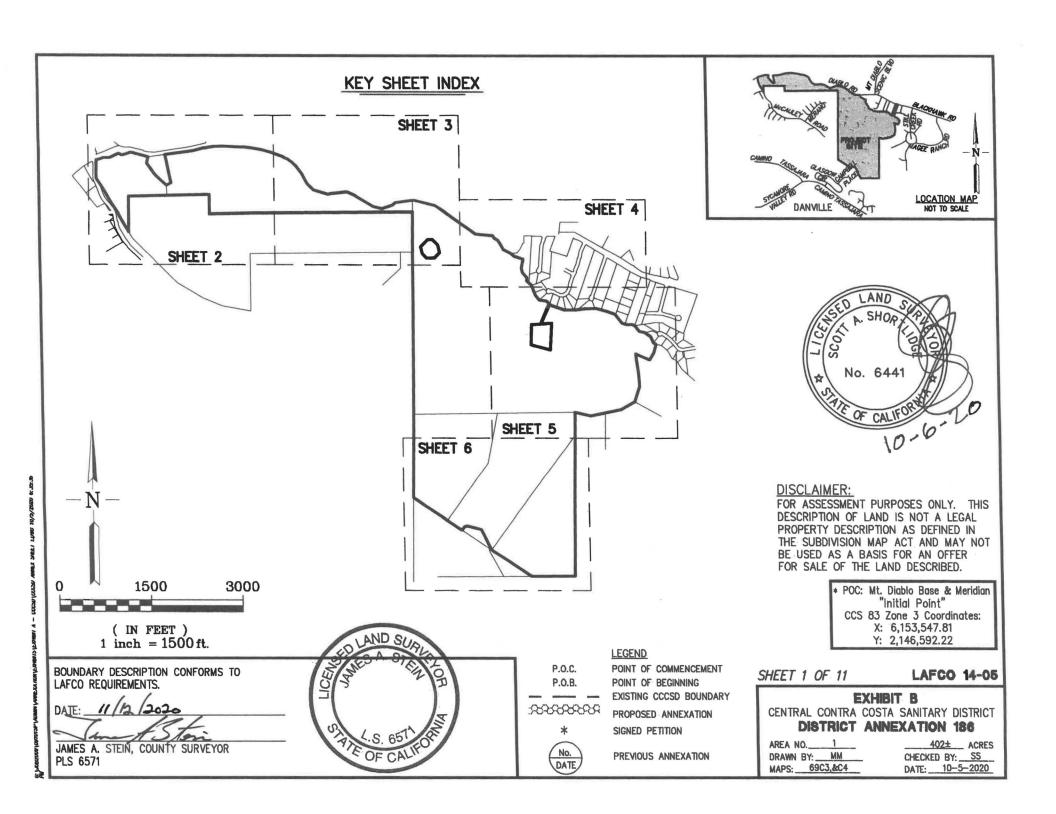
land described. END OF DESCRIPTION

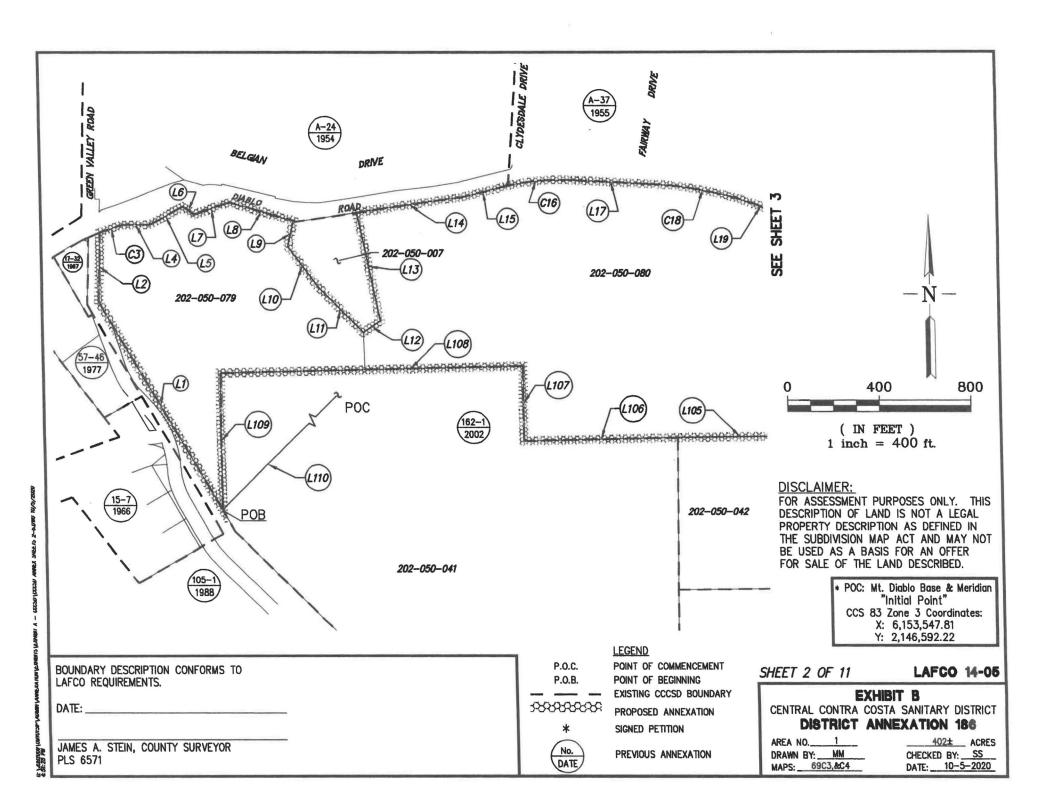
Scott A. Shortlidge, LS 6441

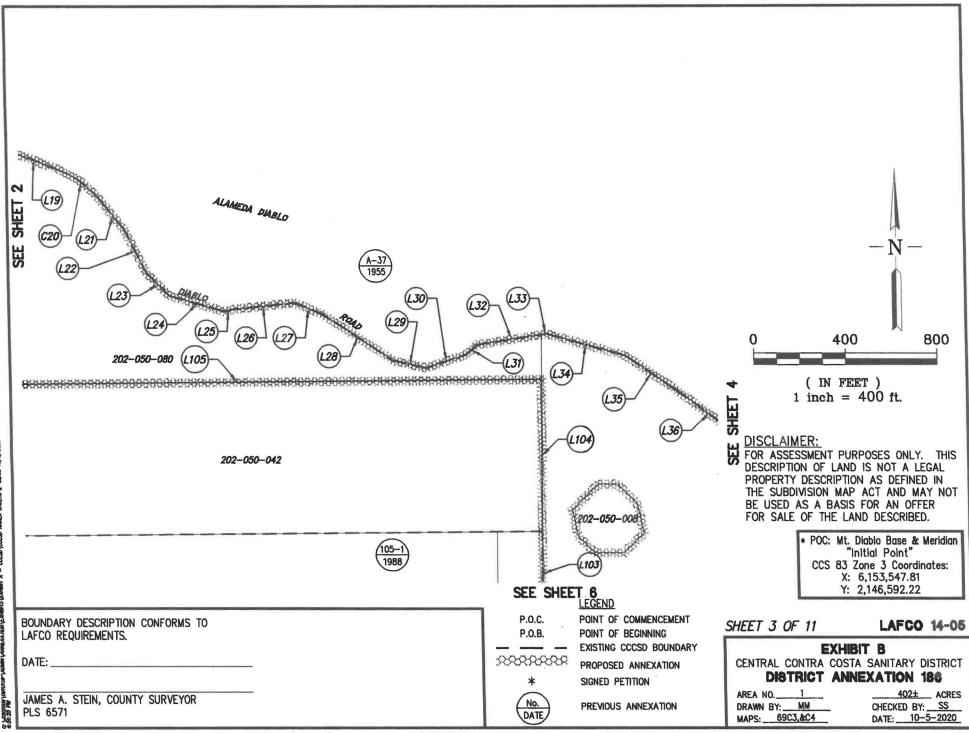
Date: 11/12/2020

Boundary description conforms to LAFCO requirements.

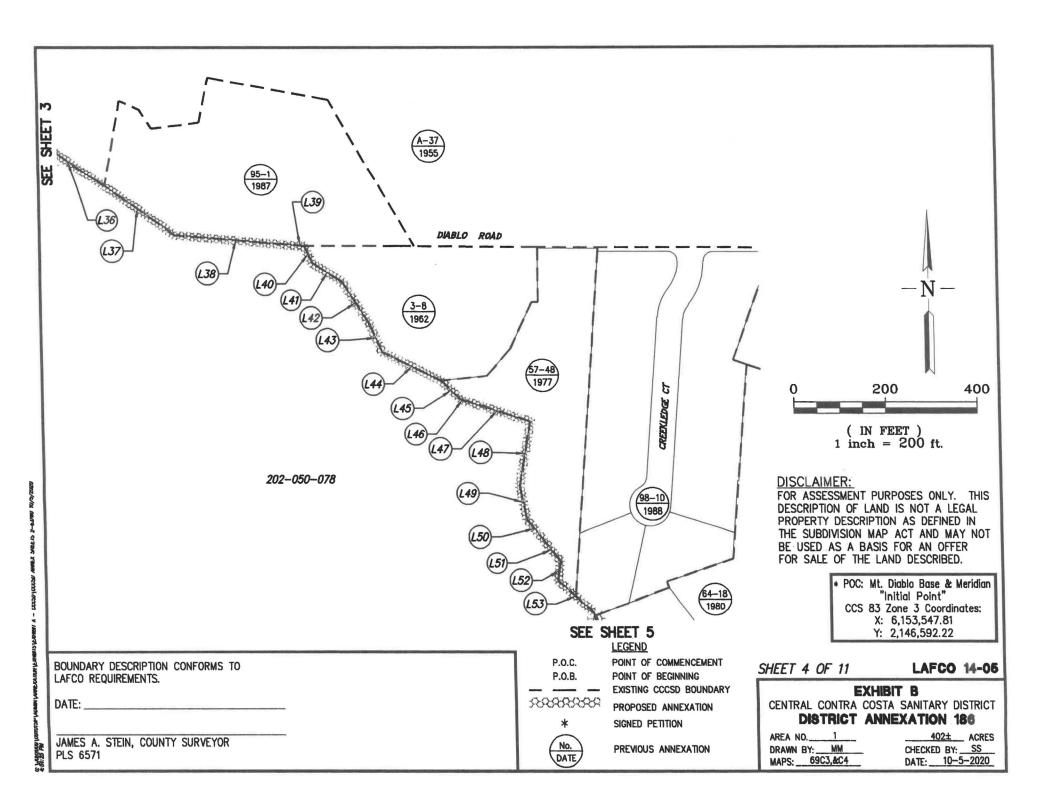
James A. Stein, LS 6571, County Surveyor

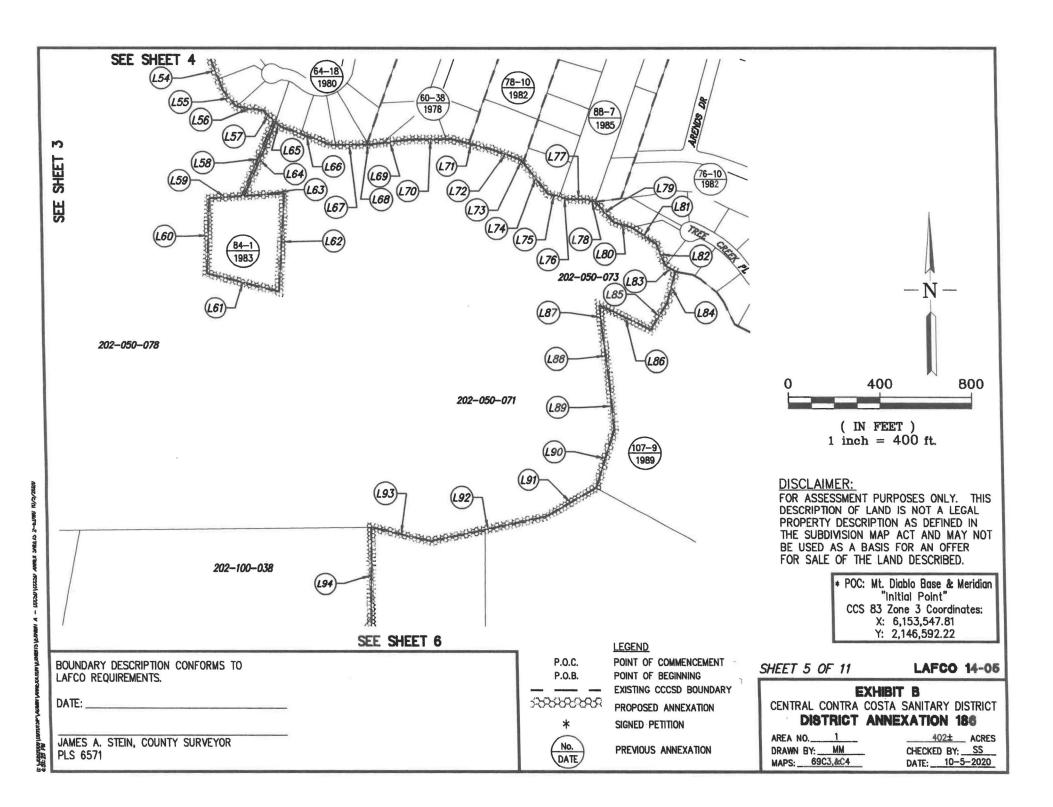






Annual Complete Communication of Street





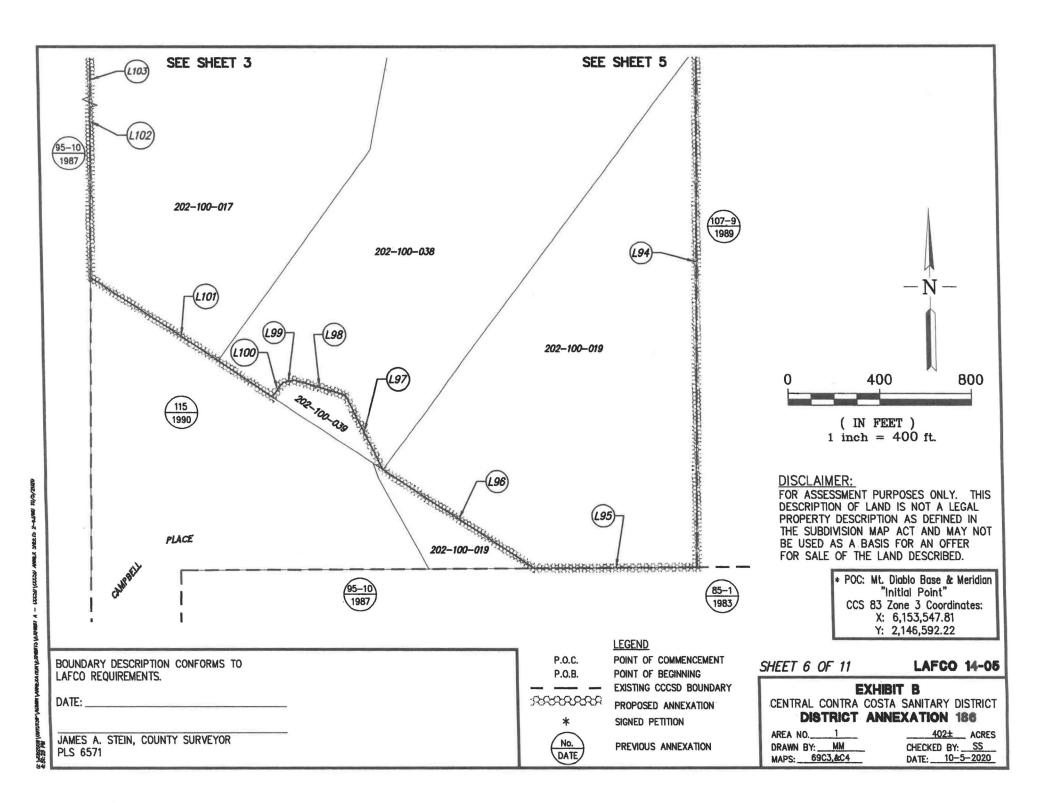


Exhibit A ANNEXATION NO. 186 TO CENTRAL CONTRA COSTA SANITARY DISTRICT AREA 1 NUMBERED COURSE INDEX TABLE

No.	Radial Bearing/	Arc Length/	Radius	Chord	Delta
	Bearing	Distance		Length	
L110	South 45°28'55" West	25,564.95 feet			

Point of Beginning on the existing Central Contra Costa Sanitary District

L1	North 29°54'06" West	1045.65 feet			
L2	North 01°48'49" East	299.93 feet			
C3	×	107.05 feet	1100.00 feet	107.00 feet	05°34'33"
L4	South 89°34'35" East	110.91 feet			
L5	North 62°34'03" East	169.20 feet			
L6	South 57°17'42" East	60.00 feet			And Andrews
L7	North 70°56'03" West	160.00 feet		1.70	EQUATION AND AND AND AND AND AND AND AND AND AN
L8	South 74°13'19" East	290.85 feet			
L9	South 13°29'47" West	115.99 feet		120	
L10	South 36°30'13" East	210.02 feet			No. 6441
L11	South 44°30'13" East	283.39 feet			
L12	North 56°29'47" East	90.00 feet		M.	SOF CALIFOR
L13	North 11°30'13" West	479.52 feet			
L14	North 81°29'47" East	465.44 feet			
L15	North 75°21'47" East	191.00 feet			
C16		295.76 feet	960.00 feet	294.59 feet	17°39'07"
L17	South 86°59'05" East	343.77 feet			
C18		472.92 feet	1600.16 feet	471.20 feet	16°56'00"
L19	South 70°03'05" East	199.39 feet			
C20		246.18 feet	440.04 feet	242.98 feet	32°03'15"
L21	South 37°59'49" East	161.34 feet			
L22	South 26°06'05" East	209.99 feet			
L23	South 44°47'05" East	140.53 feet			
L24	South 73°58'05" East	251.38 feet			

Exhibit A ANNEXATION NO. 186 TO CENTRAL CONTRA COSTA SANITARY DISTRICT AREA 1 NUMBERED COURSE INDEX TABLE

No.	Radial Bearing/	Arc Length/	Radius	Chord	Delta
	Bearing	Distance		Length	
L25	North 71°38'40" East	30.29 feet			
L26	North 83°57'29" East	275.03 feet			
L27	South 68°18'14" East	130.15 feet			
L28	South 56°19'20" East	367.22 feet			
L29	South 77°36'04" East	145.81 feet			
L30	North 71°30'55" East	183.95 feet			
L31	North 49°25'24" East	67.71 feet			
L32	North 81°09'17" East	299.66 feet			
L33	North 17°30'00" East	2.32 feet			
L34	South 74°37'21" East	358.60 feet			
L35	South 55°53'51" East	269.99 feet			
L36	South 54°08'21" East	338.93 feet			
L37	South 54°25'06" East	200.19 feet		p.	
L38	South 84°51'12" East	265.31 feet			
L39	South 89°54'21" East	13.94 feet			
L40	South 27°05'24" East	43.03 feet			
L41	South 57°43'41" East	75.74 feet			
L42	South 32°52'41" East	106.23 feet			
L43	South 23°51'41" East	66.35 feet			
L44	South 63°48'41" East	141.36 feet			
L45	South 45°51'41" East	59.25 feet			
L46	South 63°48'41" East	6.74 feet			
L47	South 72°22'41" East	151.07 feet			
L48	South 10°21'30" West	144.15 feet			
L49	South 11°28'00" East	73.85 feet			
L50	South 38°33'30" East	51.27 feet			
L51	South 39°27'30" East	62.08 feet			

Exhibit A ANNEXATION NO. 186 TO CENTRAL CONTRA COSTA SANITARY DISTRICT AREA 1 NUMBERED COURSE INDEX TABLE

No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
L52	South 09°02'15" West	41.77 feet			
L53	South 47°36'10" East	102.80 feet			
L54	South 20°25'10" East	179.66 feet			
L55	South 38°32'10" East	94.32 feet			
L56	South 82°11'10" East	115.38 feet			
L57	South 48°52'10" East	63.46 feet			
L58	South 23°55'04" West	364.52 feet			
L59	North 85°51'50" West	141.36 feet			
L60	South 02°36'44" West	330.22 feet			
L61	South 75°47'41" East	322.32 feet			
L62	North 03°53'28" East	433.61 feet			
L63	South 85°51'50" West	175.00 feet			
L64	North 23°55'04" East	356.09 feet			
L65	South 48°52'10" East	31.48 feet			
L66	South 70°30'10" East	230.45 feet			
L67	North 89°14'50" East	154.41 feet			
L68	North 88°04'27" East	11.80 feet			
L69	North 83°12'45" East	179.21 feet			
L70	North 89°24'50" East	177.00 feet			
L71	South 76°26'12" East	178.24 feet			
L72	South 70°15'12" East	134.50 feet			
L73	South 40°40'56" East	18.99 feet			
L74	South 37°22'09" East	175.35 feet			
L75	South 76°07'43" East	49.77 feet			
L76	South 73°26'01" East	46.28 feet			
L77	North 89°49'26" East	80.00 feet			
L78	South 72°03'27" East	34.46 feet			

Exhibit A ANNEXATION NO. 186 TO CENTRAL CONTRA COSTA SANITARY DISTRICT AREA 1 NUMBERED COURSE INDEX TABLE

No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
L 79	South 40°39'43" East	119.59 feet			
L80	South 73°23'58" East	83.59 feet			
L81	South 55°51'58" East	124.65 feet			
L82	South 22°39'58" East	104.12 feet			
L83	South 58°01'58" East	50.94 feet			
L84	South 15°21'15" West	140.00 feet			
L85	South 31°58'02"West	140.00 feet			
L 86	North 64°22'28" West	246.42 feet			
L87	South 05°08'54" East	106.74 feet			
L88	South 07°04'43" East	222.76 feet			
L89	South 04°43'44" East	214.06 feet			
L90	South 18°23'10" West	266.12 feet			
L91	South 60°29'41" West	260.85 feet			
L92	South 77°54'40" West	509.79 feet			
L93	North 76°41'32" West	264.58 feet			
L94	South 00°57'59" West	2666.02 feet			
L95	South 89°36'00" West	707.72 feet			
L96	North 56°26'14" West	783.47 feet			
L97	North 25°57'21" West	361.12 feet			
L98	North 74°30'39" West	231.97 feet			
L99	South 75°44'28" West	50.07 feet			
L100	South 38°40'40" West	74.41 feet			
L101	North 56°26'14" West	938.01 feet			
L102	North 00°57'22" East	1370.00 feet			
L103	North 00°42'06" East	2630.19 feet			
L104	North 00°43'18" East	659.99 feet			
L105	South 89°26'55" West	2649.86 feet			

Exhibit A ANNEXATION NO. 186 TO CENTRAL CONTRA COSTA SANITARY DISTRICT AREA 1 NUMBERED COURSE INDEX TABLE

No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
L106	South 88°37'46" West	669.87 feet			
L107	North 00°02'46" East	330.03 feet			
L108	South 88°37'46" West	1320.11 feet			
L109	South 00°02'46" West	597.28 feet			

Real property situate in the Town of Danville, County of Contra Costa, State of California, and being portions of Sections 21, 22, and 27, Township 1 South, Range 1 West, Mount Diablo Base and Meridian, also being all of "New Lot 1", all of "New Lot 2", and a portion of "New Lot 3" as described in the Grant Deed to Teardrop Partners, L.P. recorded on January 30, 2014 under document number 2014-015148 Official Records of said County, a portion of Lot 3 as described in the Grant Deed to Magee Investment Company recorded on October 22, 1998 under document number 1998-262061 Official Records of said County, all of Lot 2 as described in the Lot Line Adjustment recorded on October 22, 1998 under document number 1998-262058 Official Records of said County, and all of Parcel A as shown on the Parcel Map for Subdivision MS 152-77 recorded on September 26, 1980 and filed in Book 89 of Parcel Maps at Page 45 Official Records of said County, and being more particularly described as follows:

Beginning at the most southern corner of said New Lot 1 (2014-015148), same corner being common to existing East Bay Municipal Utility District Boundary at Annexation No. M-982 and M-1030;

Thence, along the western and northern boundaries of the parcel of said New Lot 1 (2014-015148), for the following eight (8) courses:

- (L1) North 29° 54' 06" West 1045.65 feet;
- (L2) North 01° 48' 49" East 299.93 feet to the northwest corner of said New Lot 1, same corner at the beginning of a curve to the right, from which the center bears South 21° 33' 03" East;
- (C3) in a northeasterly direction, 107.05 feet along the arc of said curve to the right, having a radius of 1100.00 feet, with a chord length of 107.00 feet, through a central angle of 05° 34' 33";
- (L4) South 89° 34' 35" East 110.91 feet;
- (L5) North 62° 34' 03" East 169.20 feet;
- (L6) South 57° 17' 42" East 60.00 feet;
- (L7) North 70° 56' 03" East 160.00 feet;

ORIGINAL

(L8) South 74° 13' 19" East - 290.85 feet to the northwest corner of the land described in the deed to East Bay Municipal Utility District (EBMUD) recorded on March 24, 1961 filed in Liber 3831 at Page 332 Official Records of said County

Thence, along the western, southern, and eastern lines of said EBMUD parcel for the following five (5) courses:

- (L9) South 13° 29' 47" West 115.99 feet;
- (L10) South 36° 30' 13" East 210.02 feet;
- (L11) South 44° 30' 13" East 283.39 feet;
- (L12) North 56° 29' 47" East 90.00 feet;
- (L13) North 11° 30′ 13″ West 479.52 feet to the northeast corner of said EBMUD parcel, same being a corner on the northern line of said New Lot 2 (2014-015148);

Thence, along said northern line for the following nineteen (19) courses:

- (L14) North 81° 29' 47" East 465.44 feet;
- (L15) North 75° 21' 47" East 191.00 feet to the beginning of a curve to the right;
- (C16) in an easterly direction, 295.76 feet along the arc of said curve to the right, having a radius of 960.00 feet, with a chord length of 294.59 feet, through a central angle of 17° 39' 07";
- (L17) South 86° 59' 05" East 343.77 feet to the beginning of a curve to the right;
- (C18) in a southeasterly direction, 472.92 feet along the arc of said curve to the right, having a radius of 1600.16 feet, with a chord length of 471.20 feet, through a central angle of 16° 56' 00";
- (L19) South 70° 03' 05" East 199.39 feet to the beginning of a curve to the right;
- (C20) in a southeasterly direction, 246.18 feet along the arc of said curve to the right, having a radius of 440.04 feet, with a chord length of 242.98 feet, through a central angle of 32° 03' 15";

LAFCO 14 - 05 Page 3 of 7

Exhibit A ANNEXATION NO. 186 TO EAST BAY MUNICIPAL UTILITY DISTRICT MAGEE PRESERVE ANNEXATION GEOGRAPHIC DESCRIPTION

- (L21) South 37° 59' 49" East 161.34 feet;
- (L22) South 26° 06' 05" East 209.99 feet;
- (L23) South 44° 47' 05" East 140.53 feet;
- (L24) South 73° 58' 05" East 251.38 feet;
- (L25) North 71° 38' 40" East 30.29 feet;
- (L26) North 83° 57' 29" East 275.03 feet;
- (L27) South 68° 18' 14" East 130.15 feet;
- (L28) South 56° 19' 20" East 367.22 feet;
- (L29) South 77° 36' 04" East 145.81 feet;
- (L30) North 71° 30' 55" East 183.95 feet;
- (L31) North 49° 25' 24" East 67.71 feet;
- (L32) North 81° 09' 17" East 280.84 feet passing the common north corner of New Lot 2 & New Lot 3 (2014-015148) in all for a total distance of 299.66 feet to a corner on the north line of New Lot 3 (2014-015148);

Thence, along said north line for the following seven (7) courses:

- (L33) North 17° 30' 00" East 2.32 feet;
- (L34) South 74° 37' 21" East 358.60 feet;
- (L35) South 55° 53' 51" East 269.99 feet;
- (L36) South 54° 08' 21" East 338.93 feet;
- (L37) South 54° 25' 06" East 200.19 feet;
- (L38) South 84° 51' 12" East 265.31 feet;
- (L39) South 89° 54' 21" East 13.94 feet to the west corner of the EBMUD Annexation M-729;

LAFCO 14 - 05 Page 4 of 7

Exhibit A ANNEXATION NO. 186 TO EAST BAY MUNICIPAL UTILITY DISTRICT MAGEE PRESERVE ANNEXATION GEOGRAPHIC DESCRIPTION

Thence, continuing along the north line of New Lot 3 and with the south line of EBMUD Annexation M-729 for the following fourteen (14) courses;

- (L40) South 27° 05' 24" East 43.03 feet;
- (L41) South 57° 43' 41" East 75.74 feet;
- (L42) South 32° 52' 41" East 106.23 feet;
- (L43) South 23° 51' 41" East 66.35 feet;
- (L44) South 63° 48' 41" East 141.36 feet;
- (L45) South 45° 51' 41" East 59.25 feet;
- (L46) South 63° 48' 41" East 6.74 feet;
- (L47) South 72° 22' 41" East 151.07 feet;
- (L48) South 10° 21' 30" West 144.15 feet;
- (L49) South 11° 28' 00" East 73.85 feet;
- (L50) South 38° 33' 30" East 51.27 feet;
- (L51) South 39° 27' 30" East 62.08 feet;
- (L52) South 09° 02' 15" West 41.77 feet;
- (L53) South 47° 36' 10" East 102.80 feet to a corner;

Thence continuing along the north line of New Lot 3 and with the south lines of the EBMUD Annexations M-729 & M-937 for the following seven (7) courses:

- (L54) South 20° 25′ 10″ East at 9.00 feet passing the southern common corner of EBMUD Annexations M-729 & M-937, in all for a total distance of 179.66 feet;
- (L55) South 38° 32' 10" East 94.32 feet;
- (L56) South 82° 11' 10" East 115.38 feet;

- (L57) South 48° 52' 10" East 105.41 feet;
- (L58) South 70° 30' 10" East 230.45 feet;
- (L59) North 89° 14' 50" East 154.41 feet;
- (L60) North 88° 04′ 27" East 9.20 feet to the common corner between EBMUD Annexations M-937 & M-817

Thence, along the west line of EBMUD Annexation 817,

(L61) South 00° 39' 48" West - 1675.89 feet to the northeast corner of said Lot 2 (1998-262058);

Thence, along the east lines of Lot 2 (1998-262058) and said Lot 3 (1998-262061), same being the west line of EBMUD Annexation 817

(L62) South 00° 57' 59" West - 2666.02 feet to the southeast corner of Lot 3, same being a common corner to EBMUD Annexations M-817 & M-962;

Thence, along the north line of EBMUD Annexation M-962 for the following two (2) courses:

- (L63) South 89° 36' 00" West 707.72 feet;
- (L64) North 56° 26' 14" West 783.47 feet to the southeast corner of Lot 2 (1998-262058);

Thence, along the south line of Lot 2 (1998-262058) for the following four courses:

- (L65) North 25° 57' 21" West 361.12 feet;
- (L66) North 74° 30' 39" West 231.97 feet;
- (L67) South 75° 44' 28" West 50.07 feet;

(L68) South 38° 40' 40" West - 74.41 feet to a corner of Lot 2 (1998-262058) on the north line of EBMUD Annexation M-962;

Thence, continuing along the north line of EBMUD Annexation M-962 for the following two (2) courses:

- (L69) North 56° 26' 14" West 938.01 feet;
- (L70) North 00° 57' 22" East 1370.00 feet to the common east corner of EBMUD

 Annexations M-962 & M-982, same being the southwest corner of said New Lot 3 (2014-015148);

Thence, along the east line of EBMUD Annexation M-982, same being the west line of New Lot 3 (2014-015148) for the following two (2) courses:

- (L71) North 00° 42' 06" East 2630.19 feet to the northeast corner of EBMUD Annexation M-982;
- (L72) North 00° 43' 18" East 659.99 feet to a north corner of EBMUD Annexation M-982, same being the southeast corner of New Lot 2 (2014-015148);

Thence, along the south line of New Lot 2 (2014-015148),

(L73) South 89° 26' 55" West – 2649.86 feet to the northeast corner of EBMUD Annexation M-1030:

Thence, along the north line of EBMUD Annexation M-1030 for the following four (4) courses:

- (L74) South 88° 37' 46" West 669.87 feet;
- (L75) North 00° 02' 46" East 330.03 feet;

(L76) South 88° 37' 46" West - 1320.11 feet;

(L77) South 00° 02' 46" West - 597.28 feet to the Point of Beginning.

Excepting therefrom that parcel or land described as Parcel 1 in a deed to East Bay Municipal Utility District recorded on March 24, 1961 in Liber 3831 at Page 332, Official Records of said County.

Containing 367.0 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer of sale of the land described.

Scott A. Shortlidge, LS 6441

Date: 10-6-2020

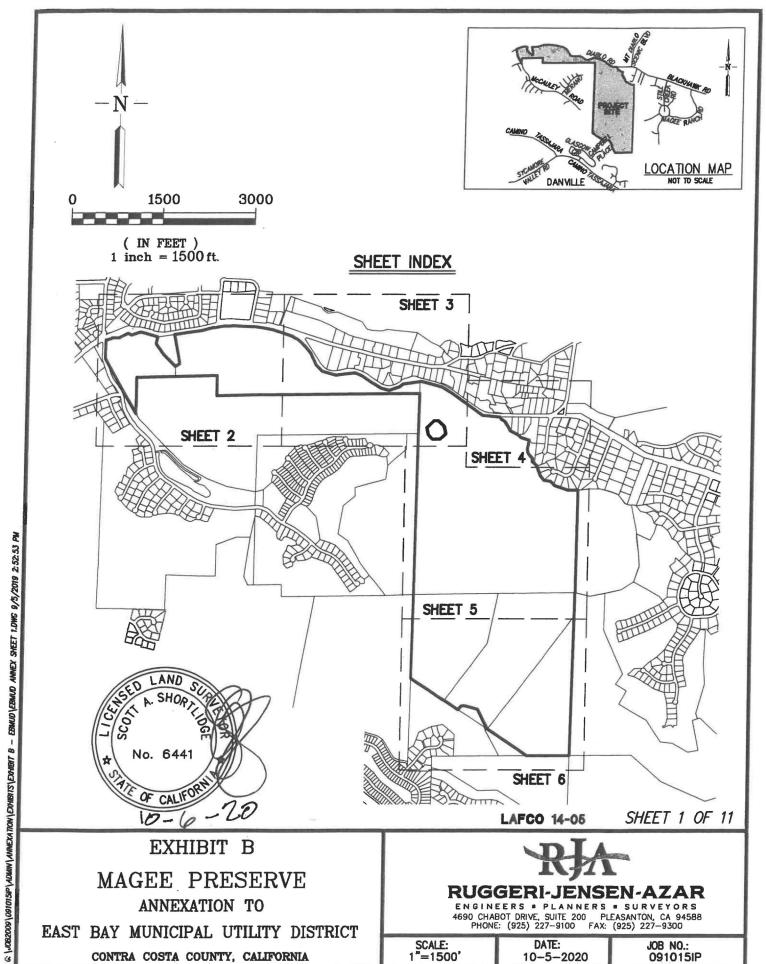
Boundary description conforms to LAFCO requirements.

Date: 11/12/2020

BY:

James A. Stein, LS 6571, County Surveyor

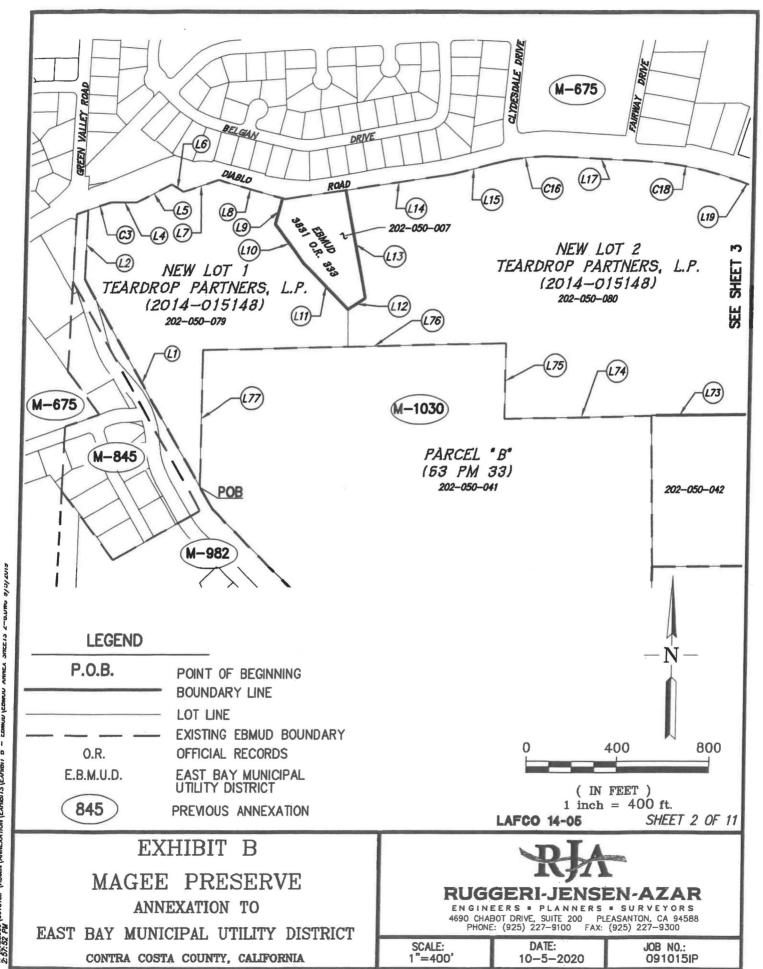




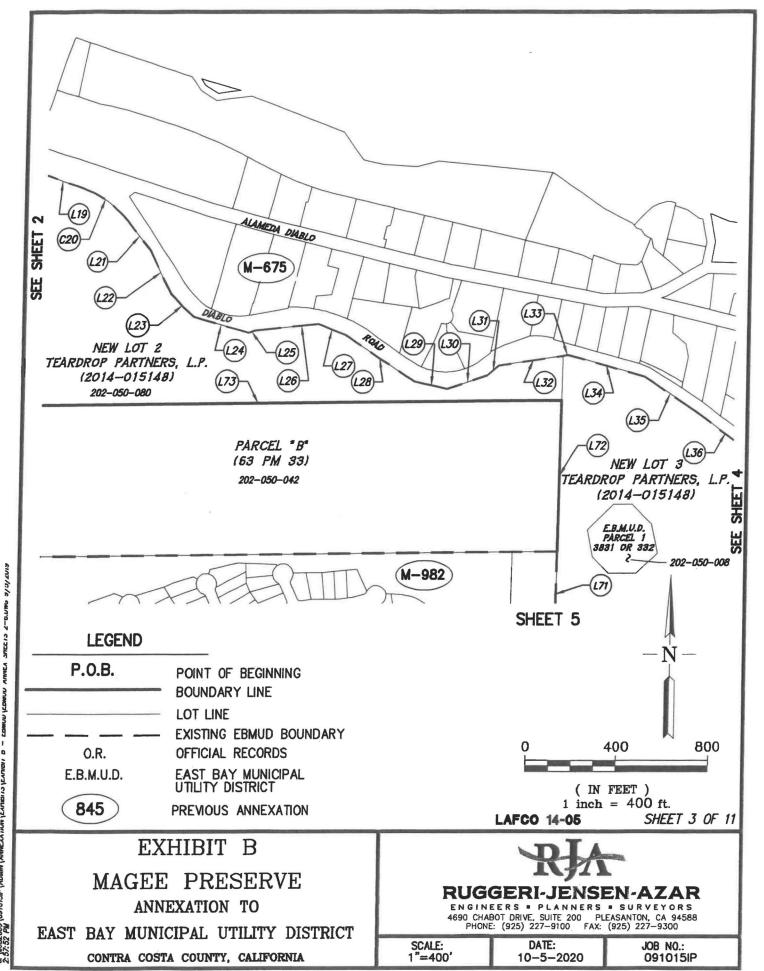
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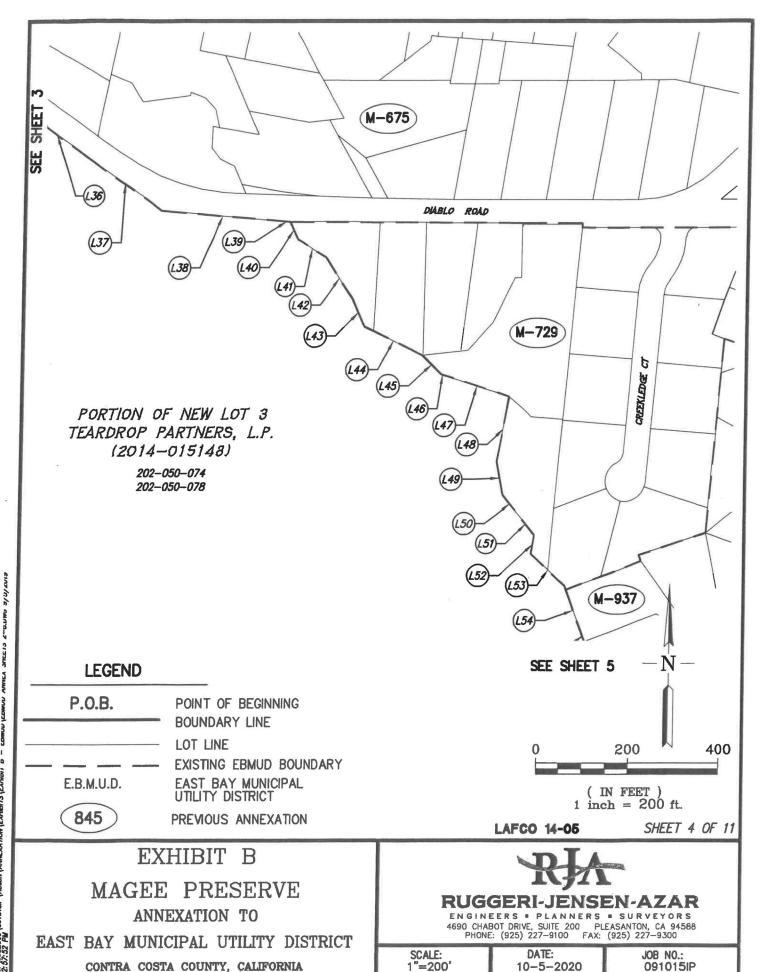
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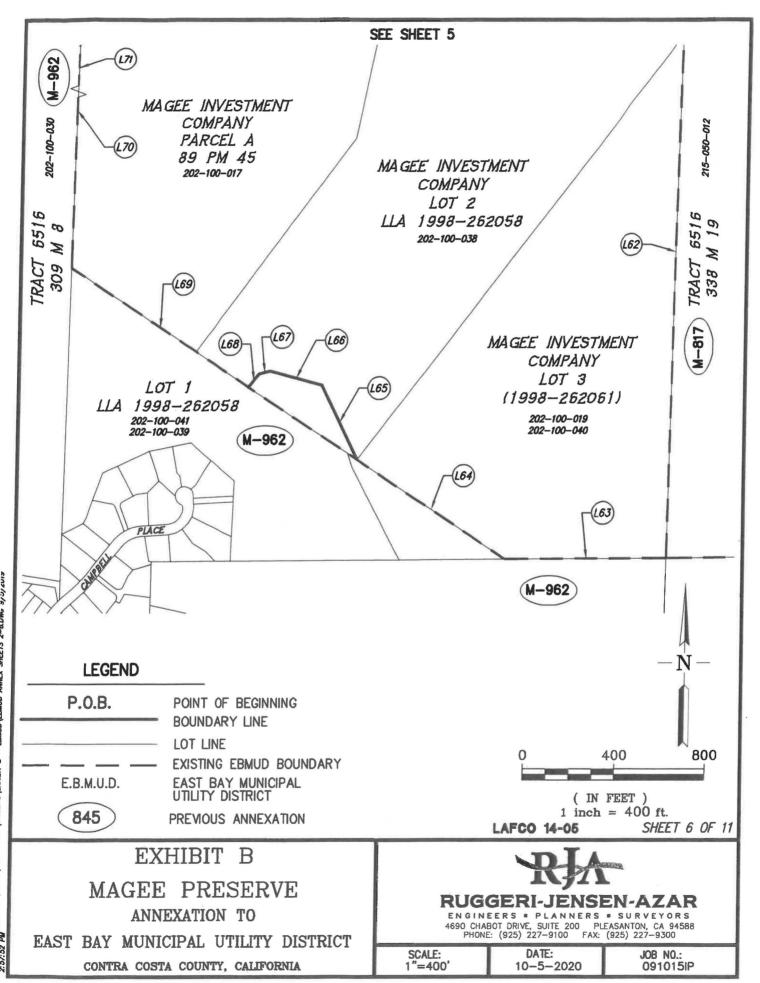
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CONTRA COSTA COUNTY, CALIFORNIA

S. JUGGENYS TUSTULINE (ATMIET ATMIETS TEATIOLIS) JEANIOLIS — EDMUN JEDMUN ATMIET STEELS E-BLING 3/U/LUIS



No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
L1	North 29°54'06" West	1045.65 feet			
L2	North 01°48'49" East	299.93 feet			
C3.		107.05 feet	1100.00 feet	107.00 feet	05°34'33"
L4	South 89°34'35" East	110.91 feet			
L5	North 62°34'03" East	169.20 feet		The state of the s	
L6	South 57°17'42" East	60.00 feet		SEO LA	HOSAS
L7	North 70°56'03" West	160.00 feet			
L 8	South 74°13'19" East	290.85 feet		No. 6	441
L9	South 13°29'47" West	115.99 feet		OF CA	
L10	South 36°30'13" East	210.02 feet		10-	6-20
L11	South 44°30'13" East	283.39 feet		W-	
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L15	North 75°21'47" East	191.00 feet			
C16		295.76 feet	960.00 feet	294.59 feet	17°39'07"
L17	South 86°59'05" East	343.77 feet			
C18		472.92 feet	1600.16 feet	471.20 feet	16°56'00"

No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
L19	South 70°03'05" East	199.39 feet			
C20		246.18 feet	440.04 feet	242.98 feet	32°03'15"
L21	South 37°59'49" East	161.34 feet			
L22	South 26°06'05" East	209.99 feet			
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No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
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L39	South 89°54'21" East	13.94 feet			
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L49	South11°28'00" East	73.85 feet			
L50	South 38°33'30" East	51.27 feet			
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L52	South 09°02'15" East	41.77 feet			
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L59	North 89°14'50" East	154.41 feet			
L60	North 88°04'27" East	9.20 feet			
L61	South 00°39'48" West	1675.89 feet			
L62	South 00°57'59" West	2666.02 feet			
L63	South 89°36'00" West	707.72 feet			
L64	South 56°26'14" East	783.47 feet			
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L72	North 00°43'18" East	659.99 feet			

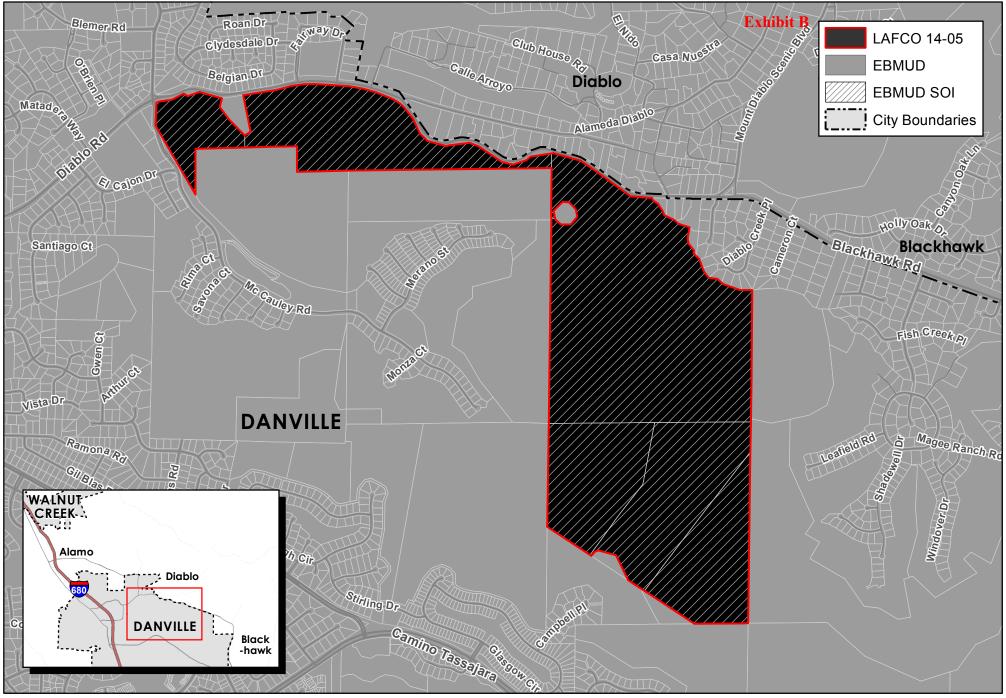
No.	Radial Bearing/ Bearing	Arc Length/ Distance	Radius	Chord Length	Delta
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L76	South 88°37'46" West	1320.11 feet			
L77	South 00°02'46" West	597.28 feet			

BOUNDARY DESCRIPTION CONFORMS TO LAFCO REQUIREMENTS DATE 11/12/2020

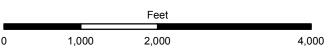
JAMES A. STEIN, COUNTY SURVEYOR PLS 6571 LICENSE EXP. 09/30/21



LAFCO No. 14-05: Annexation 186 Magee Ranch/Summerhill to East Bay Municipal Utilities District



Map created 06/01/2020 by Contra Costa County Department of Conservation and Development, GIS Group 30 Muir Road, Martinez, CA 94553 37:59:41.791N 122:07:03.756W This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





Draft Prepared By

	RESOLUTION NO	
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AUTHORIZING AND APPROVING EAST BAY MUNICIPAL UTILITY DISTRICT'S APPLICATION TO MODIFY THE CONTRACTOR'S SERVICE AREA DESCRIBED IN ITS CENTRAL VALLEY PROJECT CONTRACT WITH THE UNITED STATES BUREAU OF RECLAMATION TO INCLUDE THE MAGEE RANCH AND MEINEKE TRUST ANNEXATIONS APPROVED BY THE CONTRA COSTA COUNTY LOCAL AGENCY FORMATION COMMISSION

Introduced by Director

; Seconded by Director

WHEREAS, the Contra Costa County Local Agency Formation Commission (LAFCO) adopted Resolution No. 20-04 on October 14, 2020, approving the annexation to East Bay Municipal Utility District's (District) service area of three parcels, totaling approximately 63.4 acres, located on Caballo Ranchero Drive in unincorporated Contra Costa County (the Meineke Trust Annexation), and recorded a Certificate of Completion on November 16, 2020 certifying that annexation proceedings are complete; and

WHEREAS, LAFCO adopted Resolution No. 14-05 on October 14, 2020, approving the annexation to the District's service area of seven parcels, totaling approximately 367 acres of land located on the south side of Diablo Road and Blackhawk Road in the Town of Danville (the Magee Ranch Annexation), and recorded a Certificate of Completion on November 16, 2020 certifying that annexation proceedings are complete; and

WHEREAS, the annexed territories are within the District's Ultimate Service Boundary, as required under the District's Policy 3.01, "Annexations"; and

WHEREAS, on April 10, 2006, the United States Bureau of Reclamation (USBR) and the District entered into a Long-Term Renewal Contract for the Central Valley Project (CVP) water service (Long-Term Renewal Contract); and

WHEREAS, the Long-Term Renewal Contract was subsequently converted into a repayment contract under the Water Infrastructure Improvements for the Nation Act of 2016 on February 28, 2020 (CVP Repayment Contract); and

WHEREAS, the District's CVP Repayment Contract, like the Long-Term Renewal Contract which preceded it, permits the District to provide CVP water within the Contractor's Service Area set forth in Exhibit A to the CVP Repayment Contract; and

WHEREAS, the District now desires to modify the Contractor's Service Area set forth in Exhibit A to its CVP Repayment Contract to reflect the annexations resulting from LAFCO's approval of the Meineke Trust Annexation and Magee Ranch Annexation; and

WHEREAS, the USBR requires the District to provide a resolution adopted by the District's Board of Directors affirming the application to modify the Contractor's Service Area;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Municipal Utility District authorizes and approves the District's request to the USBR to modify the Contractor's Service Area described in its CVP Repayment Contract to include the Magee Ranch and Meineke Trust Annexations.

ADOPTED this 23 rd day of March, 2021 by the following	vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
ATTEST:	President
Secretary	
APPROVED AS TO FORM AND PROCEDURE:	
General Counsel	
{00059714;3}	

<u>ITEM 10</u>

WATER SUPPLY UPDATE

WILL BE PROVIDED AS AN ORAL REPORT



<u>ITEM 10</u>

CORONAVIRUS UPDATE

WILL BE PROVIDED AS AN ORAL REPORT



EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: March 18, 2021

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager

FROM: Rischa S. Cole, Secretary of the District

SUBJECT: Planning Committee Minutes – March 9, 2021

Chair Marguerite Young called to order the Planning Committee meeting at 9 a.m. She announced that in light of the COVID-19 pandemic, the meeting would be conducted pursuant to California Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act and allows Board members and the public to participate remotely while social distancing requirements are in effect. Directors Lesa R. McIntosh and Frank Mellon were present at roll call. All Directors participated remotely. Staff participants included General Manager Clifford C. Chan, General Counsel Craig S. Spencer, Director of Wastewater Eileen M. White, Director of Water and Natural Resources Michael T. Tognolini, Director of Operations and Maintenance David A. Briggs, Senior Civil Engineer Florence T. Wedington, Wastewater Control Representative Angelee D. Strawder, Associate Civil Engineer James K. Wang, Manager of Water Quality Susan M. Teefy, Manager of Regulatory Compliance David M. Woodard, Special Assistant to the General Manager Kelly A. Zito, Assistant to the General Manager Janetta M. Johnson, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Satellite Recycled Water Projects Update. Senior Civil Engineer Florence T. Wedington presented an update on three potential projects at the Diablo Country Club (DCC) in Diablo; the Sequoyah Country Club (SCC) in Oakland; and the Rossmoor Community in Walnut Creek. The proposed projects, which would be self-financed by the customers, would support the District's long-term water recycling goal of 20 million gallons per day (MGD). The DCC project would be constructed onsite with a preliminary capacity of 0.16 MGD. The District entered into a Memorandum of Understanding (MOU) for the project with DCC and Central Contra Costa Sanitary District (Central San) in 2012. The project was originally planned as a pilot/demonstration scheduled for construction in 2017 but was delayed due to extenuating circumstances. In January 2021, the DCC Board of Directors formally approved the project which is scheduled for construction by 2023. The SCC project would produce 0.1 MGD of recycled water, replacing approximately one-half of SCC's irrigation demand. A consultant/contractor team will design, build, operate, and finance the project. District staff is preparing an MOU to be signed by SCC and the City of Oakland to collaborate on project development and to identify roles and responsibilities. Final project design and construction is scheduled for 2024. The Golden Rain Foundation, a nonprofit corporation that provides services, including utility services to Rossmoor Community has proposed a project with a design capacity of 0.5 MGD, which would replace most of the Rossmoor irrigation demand. District staff is preparing an MOU to be signed by all parties to collaborate on this potential project and to identify roles and responsibilities. If the project proceeds, final project design and construction is scheduled for 2025. Ms. Wedington reviewed the District's role, permitting requirements, and applicable District fees for each project. She reported that although the systems would be privately run, the District would have oversight and the ability to enforce compliance. The District

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will continue to coordinate with each satellite project team. The MOUs with SCC and Rossmoor do not obligate the District to implement these projects but set a collaborative framework to evaluate each project. Ms. Wedington responded to Committee questions regarding total satellite project costs, the potential for a satellite project at the Richmond Country Club, and the feasibility of satellite projects at other facilities. It was moved by Director Mellon, seconded by Director McIntosh and carried (3-0) to accept the report.

Private Sewer Lateral (PSL) Program Update. Wastewater Control Representative Angelee D. Strawder provided an update on program activities since the last update in March 2020. She reviewed the Regional PSL Ordinance requirements and the May 2019 amendments which added an interim milestone for homeowners' associations (HOAs) and specified new deadlines for property owners with PSLs greater than 1,000 feet in length to complete their required rehabilitation work. Between 2011 and 2020, the District issued 40,711 compliance certificates which represent about 31 percent of laterals in the program area. To achieve the infiltration and inflow reductions required by the Wet Weather Consent Decree, the District increased its enforcement efforts for noncompliant properties in advance of its first Wet Weather Consent Decree check-in with the U.S. Environmental Protection Agency in 2022. Ms. Strawder highlighted compliance rates for HOAs and parcels that have been out of compliance as far back as 2012. HOAs were required to submit Statements of Responsibility to the District delineating the individual unit owner's and the HOA's maintenance responsibility for the PSLs serving the parcel(s) by November 20, 2019. Currently, approximately 65 percent of the HOAs within the program area have submitted statements. Staff continues outreach to noncompliant HOAs to ensure they meet the required July 12, 2021 deadline. Individual property owners and/or common interest developments with PSLs greater than 1,000 feet in length were required to develop a condition assessment plan by July 12, 2016 and a work plan by July 12, 2021. The May 2019 Ordinance amendments provided additional deadlines for completing the rehabilitation work by either July 12, 2026 or, if certain conditions are met, by July 12, 2029. The District has received condition assessment plans from 75 percent of property owners that are known to meet these criteria. Staff is working with additional HOAs and property owners to determine if they meet the criteria and prepare them to submit work plans. In February 2020, staff began sending violation notices to approximately 500 properties that had been out of compliance, including some dating back to 2012. Properties receiving a third violation notice were also assessed a \$380 violation follow-up fee which is used to recover the District's enforcement costs. To date, more than half of the 500 properties are now in compliance. For properties that remain noncompliant, staff will continue enforcement proceedings which will include the \$380 violation follow-up fee and could include a noncompliance fee of \$100 per month. Ms. Strawder discussed various options available to the District including seeking judicial enforcement, which could result in civil penalties of up to \$10,000 per day or, in special cases, up to \$25,000 per day. Following the May 2019 Ordinance amendments, staff used Compliance Agreements to provide property owners additional time to comply, in specific circumstances and with a monetary deposit. To date, 34 Compliance Agreements have been executed. Staff will continue efforts to contact property owners and those with special requirements due on July 12, 2021 and will monitor compliance rates. Based on compliance rates, staff may propose additional enforcement steps to the Board to ensure uniform compliance. Staff will present updates to cost recovery fees to reflect actual District costs to the Board for consideration in May 2021. Ms. Strawder responded to Committee questions on ensuring increased compliance by HOAs before the July 12, 2021 deadline and identifying nontraditional HOAs located in the Oakland hills. It was moved by Director Mellon, seconded by Director McIntosh and carried (3-0) to accept the report.

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Wastewater Pump Station M Update. Associate Civil Engineer James K. Wang presented an update on the proposed rehabilitation and improvements to Pump Station M which is located in a residential area across the Street from Earhart Elementary School in Alameda. Work on the first phase of the project began in 2017 and design for the project and for improvements to Force Mains C, G, M, N, and R will be completed by March 2021; however, to minimize delays to Pump Station M work, force main work has been deferred and will be part of the second phase of construction. Construction on Pump Station M will be confined primarily within the pump station site with some work being performed on the adjacent public right-of-way. Mr. Wang said the project is exempt from California Environmental Quality Act requirements and staff is applying for an encroachment permit and working on a traffic safety plan with the City of Alameda. He reviewed the progress made on the project to date; seismic retrofit work that will be needed; schematics of the exterior and interior of the proposed pump station structure; and the electrical and mechanical equipment that needs to be replaced. The pump station will be out of service during the dry weather season and a temporary bypass system will be used to divert sewage flows around the pump station. Other contingency planning will be incorporated to prevent sanitary sewer overflows. As a part of the force main improvements, additional underground investigations requiring additional permits from the Army Corps of Engineers and San Francisco Bay Regional Water Quality Control Board are needed to locate city-owned, high-voltage electrical transmission lines and communications cabling. He highlighted community outreach efforts and the proposed project schedule noting the construction project will be presented to the Board for consideration in July 2021. If approved, construction is expected to begin in September 2021 and completed by March 2023. Construction for the force main improvements is expected to begin in early 2023. Mr. Wang responded to Committee questions regarding the work and potential costs for a contractor to locate the city-owned cabling. It was moved by Director Mellon, seconded by Director McIntosh and carried (3-0) to accept the report.

Water Quality Program Annual Update – 2020. Manager of Water Quality Susan M. Teefy reported the District met all federal and state drinking water standards and 97 percent of the District's internal goals (120 of 124 goals were met). As in previous updates, levels of three groups of disinfection byproducts (DBPs) – total trihalomethanes, five haloacetic acids, and N-nitroso-dimethylamine – that are byproducts of the chlorination process, were higher than District goals but continue to be stable. Ms. Teefy reviewed sampling data for the three DBPs and the overall goals for water quality in the District's distribution system; regulatory updates pertaining to perfluoroalkyl substances and polyfluoroalkyl substances (collectively known as PFAS) and microplastics in drinking water; revisions to the federal Lead and Copper Rule which overlap or are inconsistent with state requirements; and provided an update on the District's efforts and programs to minimize lead exposure in drinking water. Since 2017, more than 1,700 customers have requested lead sampling vouchers and staff is exploring ways to streamline the administrative and recordkeeping aspects of the program. The District also completed a detailed inventory of all service lines and developed a removal plan for any remaining lead components. The plan was approved by the State Board and the annual target of replacing at least 125 galvanized steel service lines each year was met for FY21. Although the District completed lead sampling for schools, she reported sampling may have to be repeated based on revisions to the Lead and Copper Rule. She closed out with an overview of the winter storm in Texas which resulted in power outages and impacts to the state's water systems. Ms. Teefy responded to Committee questions regarding the District's customer lead sampling program. The Committee asked staff to begin including the District's

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internal goals on graphs depicting data for trihalomethanes and five haloacetic acids and to provide an update on more targeted outreach and streamlined processes for the District's customer lead sampling program. It was moved by Director Mellon, seconded by Director McIntosh and carried (3-0) to accept the report.

Regulatory Compliance Semi-Annual Report – September 2020 through February 2021. Manager of Regulatory Compliance David M. Woodard presented an update on key regulatory issues and compliance activities since the last update in September 2020. During this time period, the District addressed the following National Pollutant Discharge Elimination System (NPDES) and Water Discharge Requirements permit issues: discharge from the drainage system at Central Reservoir in Oakland into Sausal Creek; a sanitary sewer overflow at Pump Station M in Alameda; changes in regulatory agencies for the Pardee Recreation Area Water Treatment Plant which is currently being regulated under an expired NPDES Permit; and an exceedance in dichlorobromomethane at the Orinda Water Treatment Plant (WTP) in January 2021. Staff completed Enhanced Compliance Actions for leak detection as part of the final settlement agreement related to three water main breaks in late 2015 and early 2016 and for chlorine analyzers for a chlorine exceedance in the filter backwash discharge at the Orinda WTP. Mr. Woodward reviewed the latest Lost Time Injury Rate statistics; outcomes from two staff incidents reported to Cal/OSHA; actions to address six pH exceedances to the West County Wastewater District from the Richmond Advance Recycled Expansion facilities at the Chevron Refinery; actions to correct a violation for use of non-compliant fuel dispensing hoses at the Adeline Fuel Facility; and the status of the vacuum slurry pilot study. Staff is working closely with regulatory agencies and stakeholders on ways to ensure worker health and safety, and also to decrease District risk and liability when installing and maintaining District underground infrastructure in contaminated soils. The District received feedback on updates to its Integrated Pest Management Program guidelines during a virtual public meeting in December 2020. A final draft of the guidelines will be presented to the Sustainability/Energy Committee on April 27, 2021. Mr. Woodard responded to Committee questions regarding the District's process for additional follow-up with employees who have sustained a job injury. It was moved by Director Mellon, seconded by Director McIntosh and carried (3-0) to accept the report.

Adjournment. Chair Young adjourned the meeting at 10:29 a.m.

CCC/RSC

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: March 18, 2021

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager

FROM: Rischa S. Cole, Secretary of the District

SUBJECT: Legislative/Human Resources Committee Minutes – March 9, 2021

Chair John A. Coleman called to order the Legislative/Human Resources Committee meeting at 10:32 a.m. He announced that in light of the COVID-19 pandemic, the meeting would be conducted pursuant to California Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act and allows Board members and the public to participate remotely while social distancing requirements are in effect. Director Lesa R. McIntosh was present at roll call. Director William B. Patterson joined the meeting at 10:33 a.m. All Directors participated remotely. EBMUD staff participants included General Manager Clifford C. Chan, General Counsel Craig S. Spencer, Manager of Legislative Affairs Marlaigne K. Dumaine, Special Assistant Debbie L. Michel, Special Assistant Jennifer B. Williams, Special Assistant to the General Manager Kelly A. Zito, Assistant to the General Manager Janetta M. Johnson, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Legislative Update. Manager of Legislative Affairs Marlaigne K. Dumaine introduced Special Assistants Debbie L. Michel and Jennifer B. Williams. Ms. Williams provided an overview of four bills in Legislative Report No. 03-21 being presented for Board consideration: AB 818 (Bloom) Solid Waste: Premoistened Nonwoven Disposable Wipes, and SB 810, SB 811 and SB 812 (Committee on Governance and Finance) Validations. If approved, AB 818 would help reduce the amount of non-flushable wet wipes being disposed into sewer systems, including EBMUD's wastewater treatment system, by ensuring that non-flushable wet wipes are properly labeled. SB 810, SB 811 and SB 812 (Committee on Governance and Finance) Validations would enact the Validating Acts of 2021. The legislature usually enacts three bills known as the Validating Acts each year to retroactively correct procedural errors or omissions that public officials of state agencies, cities, counties, and special districts may make inadvertently. Ms. Williams responded to Committee questions on the failure of previous bills regarding nonflushable wet wipes. Director Coleman asked staff to consider proposing an amendment to the authors of AB 818 to include the education and outreach component only in a new bill if AB 818 does not pass. It was moved by Director Patterson, seconded by Director McIntosh, and carried (3-0) to support the staff recommendation for AB 818. It was moved by Director McIntosh, seconded by Director Patterson and carried (3-0) to support the staff recommendations for SB 810, SB 811 and SB 812. Next, Ms. Williams reviewed AB 361 (R. Rivas) Open Meeting: Local Agencies: Teleconferences. This bill seeks to provide local agencies with flexibility to meet via teleconference during a governor declared state of emergency or a city or county declared local emergency. AB 361 includes language that would partially address the District's initiative to update the statutory requirements for reaching a board quorum to declare an emergency by eliminating the requirement that a quorum be present in the service area when meeting via teleconference to declare or ratify an emergency; however, the bill's provisions

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would only apply during an emergency that has been declared by the governor or the applicable city or county and not to emergencies that are intended to or have only been declared by other local agencies, such as special districts. Staff is monitoring this bill and will provide updates to the Board as warranted. Ms. Michel provided an overview of federal actions related to COVID-19 relief. She reviewed the potential funding that would be available to the District, as well as funding amounts to assist low-income ratepayers with paying utility bills and rental arrears. If approved, funding would also be allocated for homeowners' assistance. General Manager Chan responded to Committee questions regarding the amount of funding that would be received by the state for special districts. Ms. Michel did not provide an update on state actions related to COVID-19 relief at this time.

Adjournment. Chair Coleman adjourned the meeting at 10:50 a.m.

CCC/RSC

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