



**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, September 22, 2020
Virtual**

Notice is hereby given that due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, the Regular Closed Session Meeting scheduled for 11:00 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., **will be conducted via Zoom**. 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: September 17, 2020



Rischa S. Cole
Secretary of the District

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**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

AGENDA

REGULAR CLOSED SESSION

Tuesday, September 22, 2020

11:00 a.m.

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 via Zoom.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

*Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, Frank Mellon,
William B. Patterson and President Marguerite Young will participate via Zoom*

*****Please see appendix for public participation instructions*****

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.
2. Conference with Labor Negotiators 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 Organization American Federation of State, County and Municipal Employees, Locals 444 and 2019.

(The Board will discuss Closed Session agenda items via teleconference.)

REGULAR BUSINESS MEETING

1:15 p.m.

Location

Due to COVID-19 and in accordance with 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 via Zoom.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

*Directors John A. Coleman, Andy Katz, Doug Linney, Lesa R. McIntosh, Frank Mellon,
William B. Patterson and President Marguerite Young will participate via Zoom*

*****Please see appendix for public participation instructions*****

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

ANNOUNCEMENTS FROM CLOSED SESSION:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

CONSENT CALENDAR: (Single motion and vote approving 12 recommendations, including 1 resolution.)

1. Approve the Regular Meeting Minutes of September 8, 2020.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder Concord Polaris and Trailer World in an amount, after the addition of taxes, not to exceed \$266,232 for supplying 13 Polaris Ranger Electric Utility Task Vehicles for the District's Main Wastewater Treatment Plant under Request for Quotation No. 2019.
4. Authorize an agreement beginning on or after September 22, 2020 with Buck Global, LLC, in an amount not to exceed \$24,000 annually for two years with options to extend for three years in six-month or one-year periods, in a total amount not to exceed \$125,000 for providing a pension estimator and final calculations tool for the East Bay Municipal Utility District Employees Retirement System.
5. Authorize an agreement beginning on or after September 22, 2020 with NuSpective, Inc., in an amount not to exceed \$196,990 for three years for supplying security vulnerability scanning software, support, and training.

CONSENT CALENDAR: (Continued)

6. Authorize an agreement beginning on or after September 22, 2020 with Siegel & Strain Architects in an amount not to exceed \$307,739 for architectural design services for new treatment and operations and maintenance facilities as part of the Pardee Chemical Plant Improvements Project.
7. Authorize an agreement beginning on or after September 22, 2020 with V&A Consulting Engineers, Inc., in an amount not to exceed \$191,421 for evaluation, design services, and engineering services during construction of the Cathodic Protection Improvements Project.
8. Authorize amendments to agreements for fully maintained and operated (FM&O) hydro/air-vacuum excavation rental services.
 - 8a. Authorize amendments to the agreements awarded under Board Motion No. 138-19 with the following vendors to increase the amount by \$500,000 to a total aggregate amount not to exceed \$922,400 and extend the terms of the agreements to September 23, 2021 for the rental of FM&O hydro/air-vacuum excavation rental services: AIMS/PVIC CA, LLC dba AIMS Companies; Badger Daylighting Corp.; Bradley Tanks, Inc.; Hydro-X Services, Inc.; Pipe and Plant Solutions, Inc.; and Presidio Systems, Inc.
 - 8b. Authorize additional agreements for FM&O hydro/air-vacuum excavation rental services on an as-needed basis, with vendors that meet District standards and offer pricing at or below the range in the proposed agreements above. These agreements will increase flexibility and ensure availability of vendors to the District. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
9. Authorize an amendment to the agreement awarded under the General Manager's authority with Stantec Consulting Services, Inc., to increase the amount by \$25,000 to a total amount not to exceed \$100,000 to complete a comprehensive study to update the District's System Capacity Charge.
10. Authorize an amendment to a sole source agreement awarded under the General Manager's authority with The Regents of the University of California, Davis to increase the amount by \$50,200 to an amount not to exceed \$120,000 for a study on the effects of paving related construction impacts on District water mains and recommended pavement restoration thickness.
11. Approve the July 2020 and August 2020 Monthly Investment Transactions Reports.
12. Approve revisions to the following District policies: Policy 4.04 – Financial Planning and Budgetary Control; Policy 4.08 – Job Injury Leave/Wage Continuation; Policy 6.05 – Use of Social Media; Policy 7.07 – Energy; and Policy 9.01 – Fire Control and Fuels Management on Watershed Lands. (Resolution)

DETERMINATION AND DISCUSSION:

13. Adopt a resolution supporting Proposition 15 - Increases Funding Sources for Public Schools, Community Colleges, and Local Government Services by Changing Tax Assessment of Commercial and Industrial Property (Initiative Constitutional Amendment). (Resolution)
14. General Manager's Report:
 - Appoint an Ad Hoc Committee to Advise District Staff on the Negotiation of a Joint Powers Authority Agreement for the Los Vaqueros Reservoir Expansion Project
 - Coronavirus Update

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, October 13, 2020.

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, September 22	<p>Finance/Administration Committee Patterson {Chair}, Coleman, Katz</p> <p>Board of Directors</p>	<p>10:00 a.m. <i>Virtual</i></p> <p>11:00 a.m. 1:15 p.m. <i>Virtual</i></p>	<ul style="list-style-type: none"> • Monthly Investment Transactions Reports • Fiscal Year 2021 Insurance Summary • Equipment Lease Versus Purchase Analysis • Review of Revisions to District Policies • Closed Session • Regular Meeting
Tuesday, October 13	<p>Planning Committee Linney {Chair}, McIntosh, Mellon</p> <p>Legislative/Human Resources Committee Coleman {Chair}, McIntosh, Patterson</p> <p>Board of Directors</p>	<p>9:15 a.m. TBD</p> <p>10:15 a.m. TBD</p> <p>11:00 a.m. 1:15 p.m. TBD</p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, October 27	<p>Sustainability/Energy Committee Linney {Chair}, Katz, Mellon</p> <p>Finance/Administration Committee Patterson {Chair}, Coleman, Katz</p> <p>Board of Directors</p>	<p>TBD</p> <p>TBD</p> <p>11:00 a.m. 1:15 p.m. TBD</p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting



Closed Session and Regular Business Meetings (11:00 a.m. and 1:15 p.m.)

Beginning September 22, 2020, EBMUD public Board meetings will be conducted via Zoom.
Please note that Board meetings are recorded, live-streamed, and posted on the District's website.

Please visit this page beforehand to familiarize yourself with Zoom.
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

11:00 a.m. Closed Session Meeting (Public Comment)

Online

<https://ebmud.zoom.us/j/93407260100?pwd=RldTK0hkWURFbkE1WUVwTURNTdsUT09>

Webinar ID: 934 0726 0100

Passcode: 524462

By Phone

+1 669 900 6833

Webinar ID: 934 0726 0100

Passcode: 524462

International numbers available: <https://ebmud.zoom.us/u/ael1n9azRJ>

1:15 p.m. Regular Business Meeting

Online

<https://ebmud.zoom.us/j/95894064587?pwd=ZU1UclVJS1lZWVk5TUN6Uk5zOG53dz09>

Webinar ID: 958 9406 4587

Passcode: 205448

By Phone

+1 669 900 6833

Webinar ID: 958 9406 4587

Passcode: 205448

International numbers available: <https://ebmud.zoom.us/u/actGH3h1X0>

Providing public comment

The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

If you wish to provide public comment please:

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
 - If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic
- The Secretary will call each speaker in the order received
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will keep track of time and inform each speaker when his/her allotted time has concluded

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/>
