



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Special Meeting

FY22 and FY23 Budget Workshop #1

Tuesday, January 26, 2021

9:00 a.m.

****Virtual****

At the call of President Doug A. Linney, the Board of Directors has scheduled a FY22 and FY23 Budget Workshop for 9:00 a.m. on Tuesday, January 26, 2021. 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 or 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.

The Board will meet in workshop session to receive information regarding the assumptions for the Fiscal Years 2022 and 2023 biennial budget and rates; a follow up on the System Capacity Charge update; and other budget and rates items.

Dated: January 21, 2021

A handwritten signature in blue ink that reads "Risha S. Cole".

Risha S. Cole

Secretary of the District

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AGENDA
Special Meeting
FY22 and FY23 Budget Workshop #1
Tuesday, January 26, 2021
9:00 a.m.
*****Virtual*****

Location

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Board members will participate via webinar or teleconference

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

ROLL CALL:

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

DISCUSSION:

- 1. FY22 and FY23 Budget Workshop #1 (Skoda)

ADJOURNMENT:

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.

FY22 and FY23 Budget Workshop #1
Tuesday, January 26, 2021
9:00 a.m.

EBMUD public Board meetings will be conducted via Zoom.
Board workshops 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>

9:00 a.m. FY22 and FY23 Budget Workshop #1

Online

<https://ebmud.zoom.us/j/91255249979?pwd=bE8wdFpGQkNzU2xnR0dZUXVlek9Ldz09>

Webinar ID: 912 5524 9979

Passcode: 611408

By Phone

Telephone: 1 669 900 6833

Webinar ID: 912 5524 9979

Passcode: 611408

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

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 FY22 and FY23 Budget Workshop #1, please visit:

<https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: January 21, 2021

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Budget Workshop #1 – January 26, 2021

SUMMARY

Budget Workshop #1, scheduled on January 26, 2021, will review the approach to develop the Fiscal Year 2022 (FY22) and 2023 (FY23) budget and rates, preliminary assumptions for rate increases, operating and capital priorities, staffing, and follow-up on the November 24, 2020 System Capacity Charge (SCC) workshop. Additional Board workshops are scheduled for March 23, 2021 and April 13, 2021 (if necessary) to prepare for the FY22 and FY23 budget and rates.

DISCUSSION

Beginning in 2014, after a series of workshops on long-term financial stability, the Board decided to move towards more cash funding of capital, improved debt service coverage ratios, and conservative water sales assumptions. These decisions have positioned the District well, especially in light of the current COVID-19 pandemic, which has created many challenges for the District. To address the uncertainties caused by the pandemic, the District is taking a cautious, realistic, and flexible approach to the FY22 and FY23 biennial budget.

The District has made significant progress in achieving its long-term financial stability goals and has achieved higher than budgeted net revenues due to better than projected water sales, the SCC, and property tax revenues, and lower than projected spending. This success, along with work to prioritize the District's infrastructure plans given the current pandemic, allows the District to consider slightly lower water rate increases for FY22 and FY23 than previously projected.

FY22 and FY23 Budget and Rate Planning

In preparing the preliminary FY22 and FY23 biennial budget and rates proposal, the District considered the impacts of the current pandemic on District operations, the regional economy, and District customers. While recent water consumption has been higher than originally projected, staff is recommending continuing to use the prior water consumption projections of 144 million gallons per day (MGD) and 146 MGD for FY22 and FY23, respectively. For wastewater, the budget includes significant increases in chemical and biosolids management costs and projected

reductions in Resource Recovery revenue and power sales as the District takes steps to reduce its nutrient loadings. In addition, the SCC will be updated consistent with the SCC study presented to the Board in November 2020, which would result in an approximately 30 percent reduction in the charges.

Given the above assumptions for revenue and expenses, the preliminary rate increase projections are 4 percent for FY22 and 4 percent for FY23 for both water and wastewater. This is a slight reduction for the Water System from the previous projection of 5 percent in FY22 and FY23, and no change for the Wastewater System. Staff believes these rate increases will provide a sustainable and resilient budget that allows the District to continue with critical maintenance activities, move forward with our highest priority infrastructure needs, and maintain progress made on long-term financial stability goals, while responding to the impact on customers due to the pandemic.

Capital Improvement Plan

The FY22-26 Capital Improvement Program (CIP) is projected to grow by a modest amount over FY20-24 – an increase of 7 percent for the Water System and 4 percent for the Wastewater System. Replacing aging infrastructure is again the dominant focus of the CIP. Significant work on the Water System includes rehabilitating water treatment plants, pumping plants and reservoirs; and replacing water distribution and large diameter pipelines. Significant work in the Wastewater System CIP includes improvements and seismic retrofits to structures at the Main Wastewater Treatment Plant (MWWTP); upgrading the oxygen plant, reactor basins and secondary clarifiers; and rehabilitating pump stations and sewer interceptors.

Staffing

The goal of the FY22 and FY23 budget is to maintain current staffing levels while continuing to move forward with critical infrastructure investments given the current economic uncertainty. The proposed budget includes additional resources to support the District's Racial Equity and Justice and Diversity and Inclusion efforts. The District needs to remain flexible given the current environment, and adding staff at this time increases vulnerability to potential impacts such as a recession and drought. Staff will discuss how work on capital projects and maintenance will continue while maintaining current staffing levels.

SCC Workshop Follow up

At the November 24, 2020 SCC workshop, the Board had a number of questions that were not addressed during the workshop. Below are the responses to those questions.

Provide additional information about state laws relative to the limiting factor of 150 square feet on Accessory Dwelling Units (ADU): The reference to 150 square feet comes from Government Code section 65852.2(f)(4)'s exemptions to imposing metering requirements and SCC assessments for ADUs located within existing accessory structures. The exemptions apply to ADUs within accessory structures so long as the ADU does not expand the existing accessory structure by more than 150 square feet. In addition, any such expansion of the existing accessory

structure may only be made to accommodate ADU ingress and egress. For ADUs meeting these requirements, the District cannot require a separate meter or assess an SCC. However, if an ADU within an existing accessory structure results in expansion of the existing accessory structure by more than 150 square feet, a separate meter may be required and an SCC may be assessed.

Provide information on the statistical distribution of water consumption for single family residential (SFR) in region 1: In general, water consumption is not normally distributed and instead, the majority of users use less water than the statistical ‘average’ user; statistically this represents a right skew. Another representation of this is that median SFR water use is less than the simple average. All three SCC regions have fairly similar skews. When assessing an SCC for a new SFR applicant, the District uses the average SFR water use by region rather than the median use to ensure the overall SCC collections reflect the total water use of all the new applicants. If the median water use were used, the District would be under-assigning water use to new applicants.

Evaluate offering a reduced SCC for SFR applicants with demonstrated low water use: This proposal would require the District ensure low water use systems installed at construction completion is maintained in the future. The District identified one jurisdiction in Maryland that offers a reduced capacity charge for applicants with Leadership in Energy and Environmental Design (LEED) certifications. However, this agency also requires periodic LEED recertification and inspection at the cost of the owner; if found to be out of compliance the owner at the time is required to pay the additional capacity fee. Given the need for ongoing monitoring and the potential for payments from future owners, this option would be difficult to manage and is not recommended at this time.

Evaluate how the proposed lower SCC for FY22 might affect development activities in FY21: Staff is in the process of notifying all applicants with current requests for new or expanded water and wastewater connections of the current proposal for a lower SCC in FY22. The notification explains that the new SCC proposal does not consider refunds for prior payments of the higher SCC and that the new installation process is always on a first come, first served basis.

Cancellation of the July 27, 2021 Board meeting

In May 2020, the Board voted to cancel the second Board meeting in July 2021 instead of the second meeting in August. In reviewing this schedule change, staff determined that there could be an issue with the Wet Weather Facilities Charge (WWFC) if the Board does not approve the proposed FY22 rates at the June 8 Board meeting as currently scheduled. If the Board postponed its decision until the June 22 meeting, the District would not be able to request that the counties place the FY22 WWFC on the tax roll in time because that fee requires an additional public notice and public hearing. Staff will present the details and options for the Board to consider at the January 26, 2021 workshop.

CCC:SDS:rl

Attachment

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FY22 & FY23 Budget Workshop #1

Board of Directors

January 26, 2021

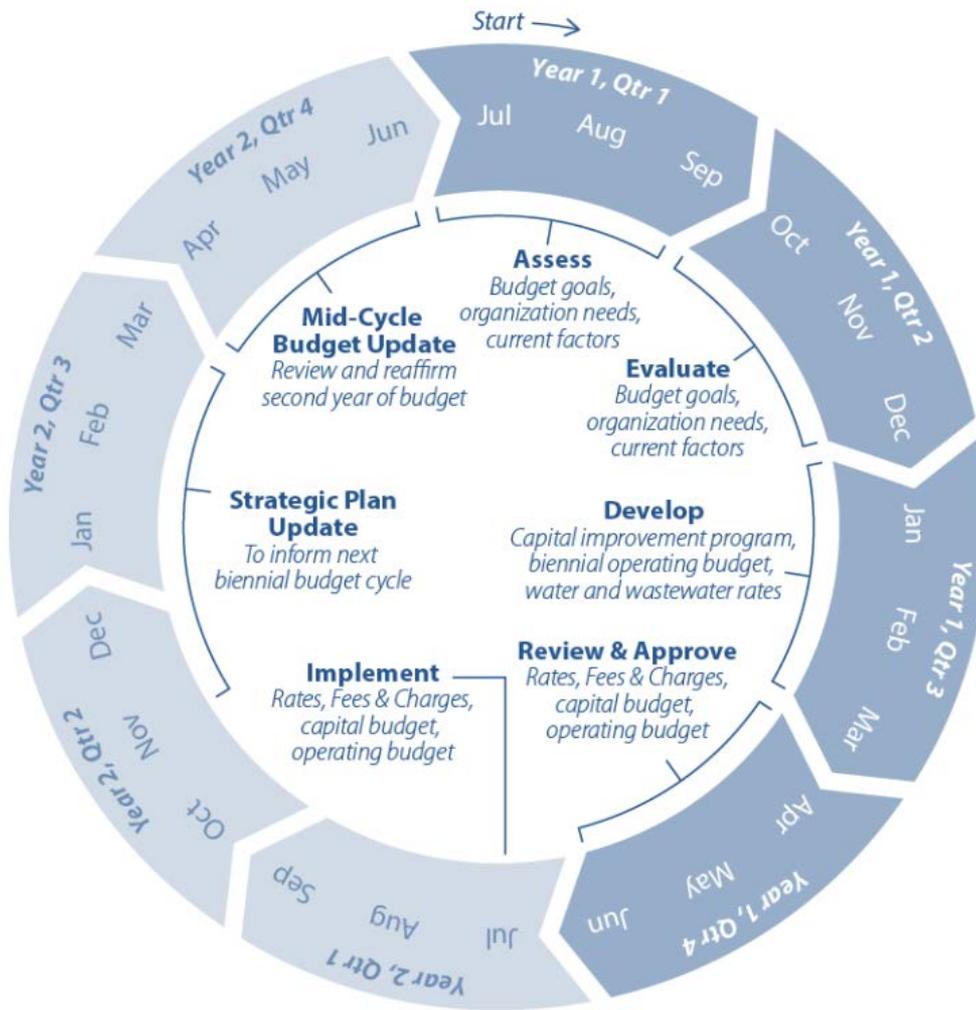
Workshop Agenda



- Strategic Plan & Budget Priorities
- Current Economic Landscape
- FY22 & FY23 Preliminary Rate Planning
- Water System Capital Improvement Program
- Engineering/O&M Staffing and Contracting
- System Capacity Charge Follow-Up
- Workshop Summary and Schedule

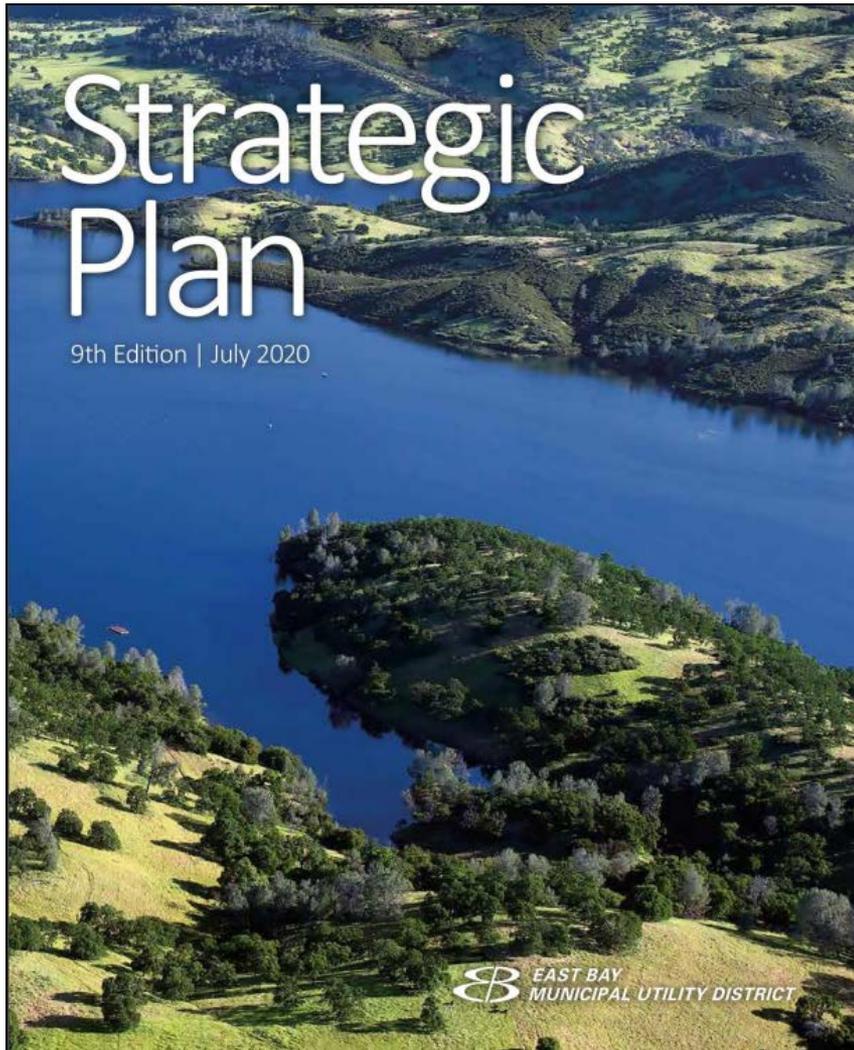
Strategic Plan & Budget Priorities

Budget Process



- Year 1
 - **Assess** and **Evaluate** goals and needs
 - **Develop** capital program, budget and rates
 - **Review** and **Approve** budget, rate, fees, and charges
- Year 2
 - **Implement** budget
 - **Evaluate** opportunity presented by Strategic Plan changes
 - **Mid-Cycle** budget update

Strategic Plan



Strategic Plan Goals

Long-Term Water Supply

Water Quality & Environmental Protection

Long-Term Infrastructure Investment

Long-Term Financial Stability

Customer & Community Services

Workforce Planning & Development

Strategic Plan Drives Budget Priorities



Strategic Plan Goals	Updates and Workshops (WS)
Long-Term Water Supply	<ul style="list-style-type: none">• Long-Term Water Supply WS• Los Vaqueros Expansion Updates
Water Quality & Environmental Protection	<ul style="list-style-type: none">• WQ & Regulatory Compliance Reports• Energy Policy and Climate Change
Long-Term Infrastructure Investment	<ul style="list-style-type: none">• Infrastructure Tours and WS• Capital Project Updates
Long-Term Financial Stability	<ul style="list-style-type: none">• Long-Term Financial Stability WS• SCC Update
Customer & Community Services	<ul style="list-style-type: none">• Customer Assistance Program WS• No water shutoff policy• Emergency Preparedness & BC Updates
Workforce Planning & Development	<ul style="list-style-type: none">• Diversity & Inclusion Master Plan Update• Racial Equity and Justice Updates• Values & Organizational Improvements

Budget Themes



- **Sustainability** and **resilience** in all aspects of the Strategic Plan
- Need for **cautious, realistic** and **flexible** outlook

Current Economic Landscape

COVID-19 Impacts

Local, State, and Federal



- Local government
 - Initial FY21 deficit projections
 - Oakland \$62M
 - Berkeley \$40M
 - Richmond \$29M
 - SF \$300M+
- California
 - Imposed 2 day per month furlough (9.2% equivalent)
 - FY21 revenues better than projected
 - Legislative Analyst projects growing budget deficits
- Prospects of federal aid to water utilities

Local Government Impacts

City of Oakland



- \$62 million budget deficit due to
 - Police overtime
 - Decreased tax revenues (\$20.6 million in past FY)
- City budget actions
 - Lay-off of temporary employees
 - Furlough of non-union staff for 10 days
 - Delay January pay raises for next 6 months
 - Institute a hiring freeze
 - Cut spending 10% to 20%

California State Impacts

Legislative Analyst's Office – Nov 2020



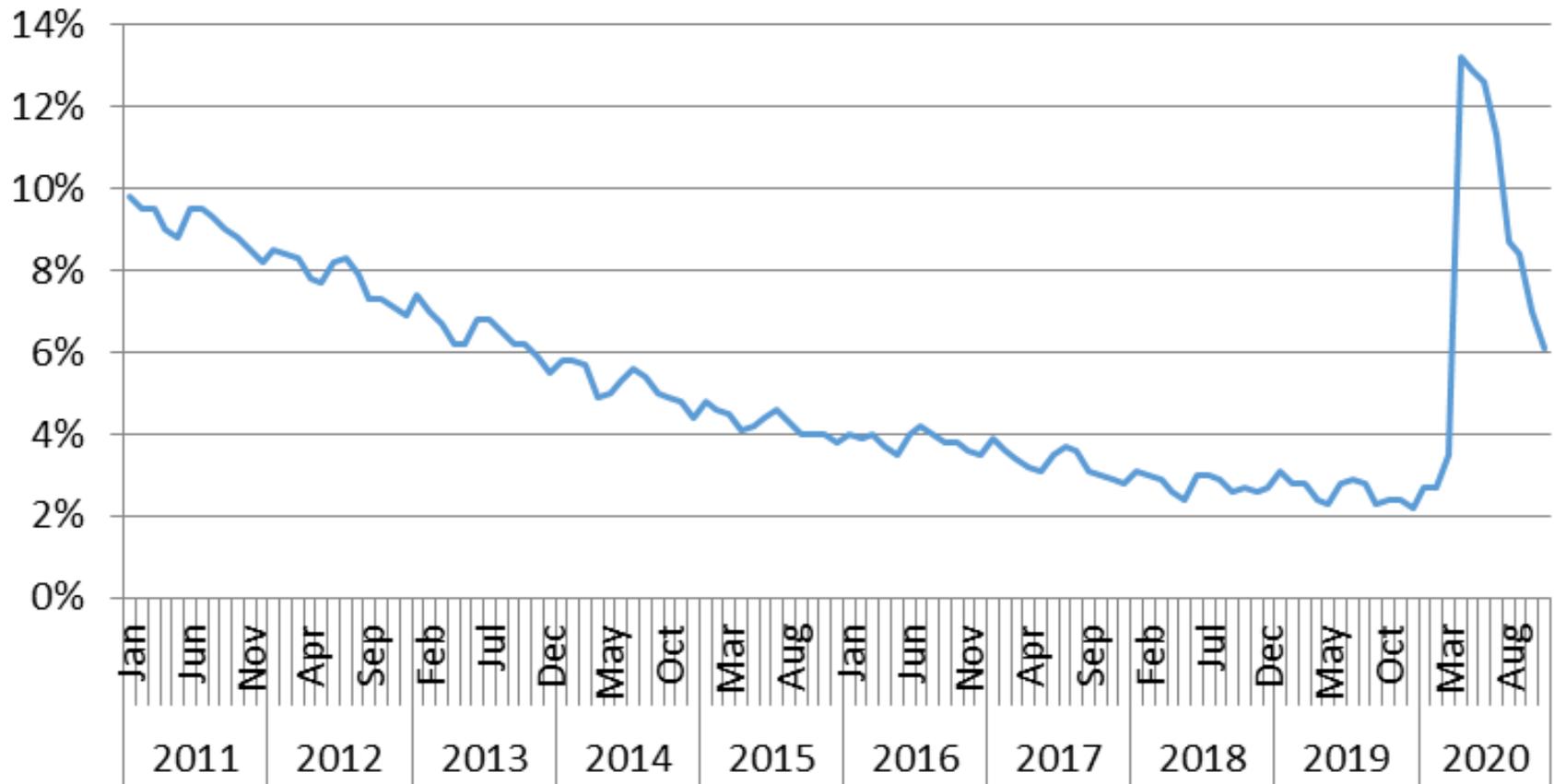
- State undergoing rapid but uneven recovery
 - Faster rebound than expected
 - Many low-income Californians remain out of work, most high-income workers still working
 - In the spring expected a \$54 billion budget deficit
 - Tax revenues have been greater than anticipated
 - Expect a one time 2021-22 windfall of \$26 billion
- State facing operating deficits
 - Expect a small operating deficit in 2021-22
 - Deficit expected to grow over next three years

Unemployment History

SF-Oakland-Hayward, CA MSA



10 Year History - SF Bay Area Unemployment



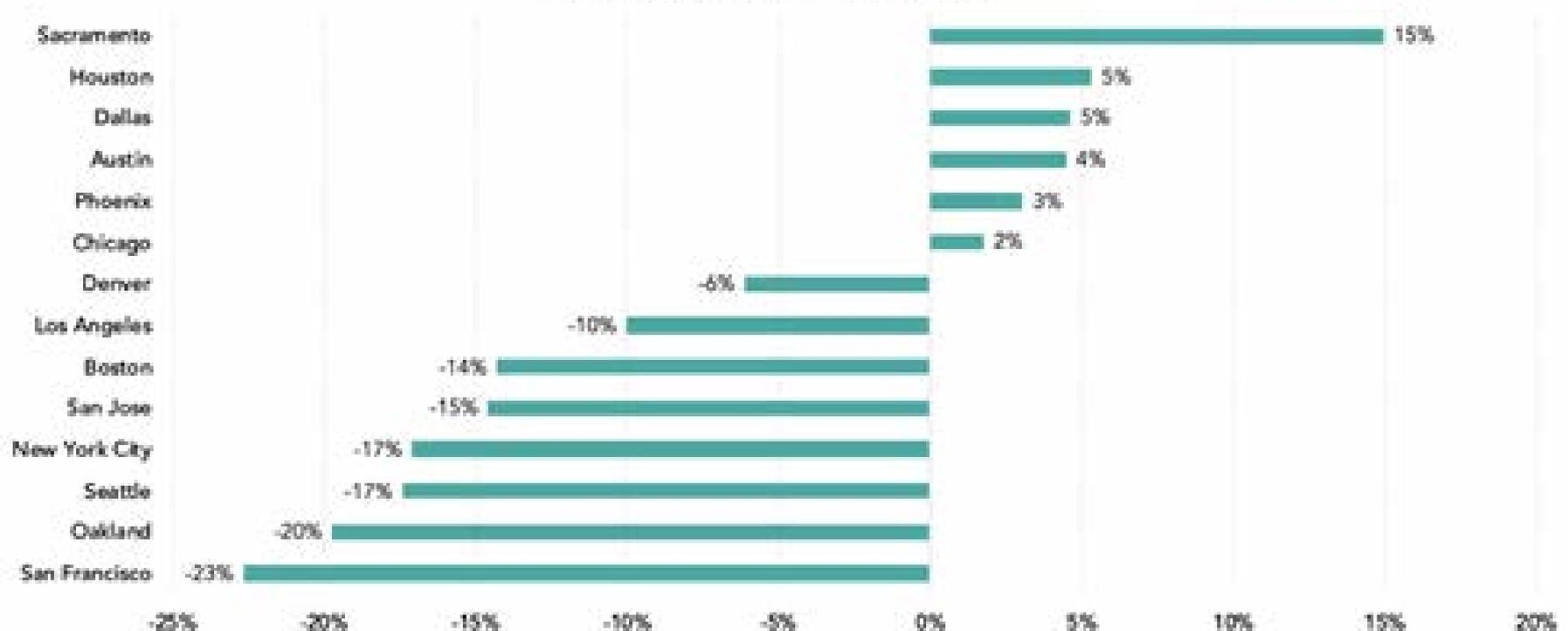
Uneven recovery from the pandemic

- Leisure/hospitality, retail, and transportation significantly impacted
 - As of October, industry employment has only recovered 73% of January pre-pandemic employment
- Construction has recovered
 - As of October, industry employment has rebounded to 99% of January pre-pandemic employment

Bay Area Rental Market



Percent Change in Average Rent for a 1-Bedroom
(November 2019-November 2020)



Source: Zumper
Analysis: Bay Area Council Economic Institute



Recovery from COVID-19



- District Recovery
 - Over 2% of staff have contracted COVID-19
 - Unclear when ‘normal’ operations will resume
 - Approximately 40% of staff continue to telecommute
- Customer and Business Recovery
 - Many local businesses will face difficult recovery
 - Some residential customers financially stressed
 - Bill payment delinquencies
- Unknown long-term impacts
 - Impacts to development
 - Patterns of economic activity may be different
 - Changes to societal activities and business practices

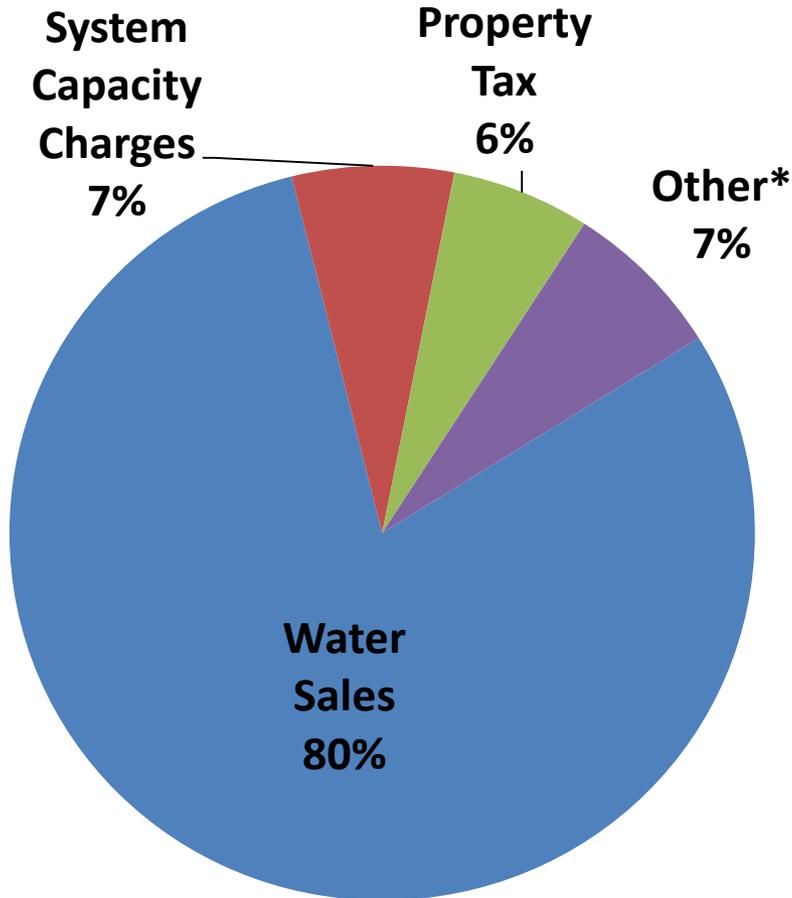
FY22 & FY23 Budget and Rate Planning

FY22 & FY23 Budget Approach

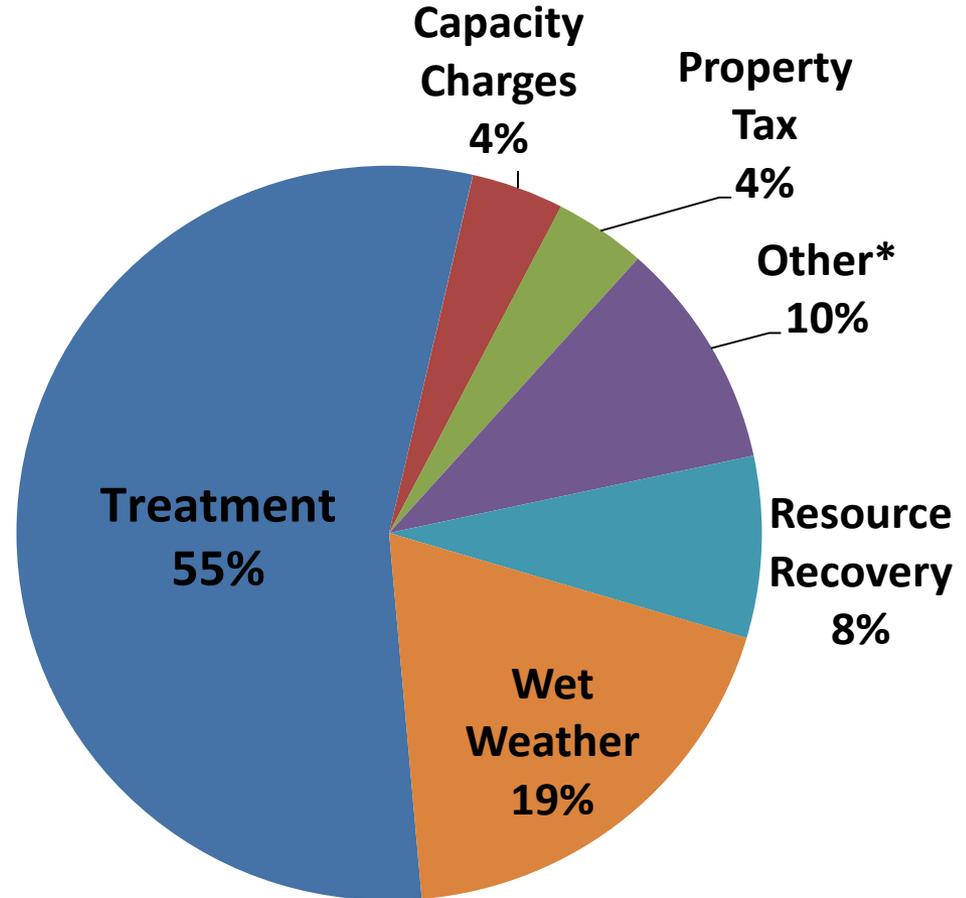


- Cautious
 - Consider pandemic impacts on regional economy, water sales and collection
- Realistic
 - Recognize financial stress on the customers, cities, and local agencies
 - Reevaluate spending, priorities, and strategies
- Flexible
 - Adapt to the current environment
 - Move forward with critical work

FY20 Revenue Sources Actual



Water Revenue



Wastewater Revenue

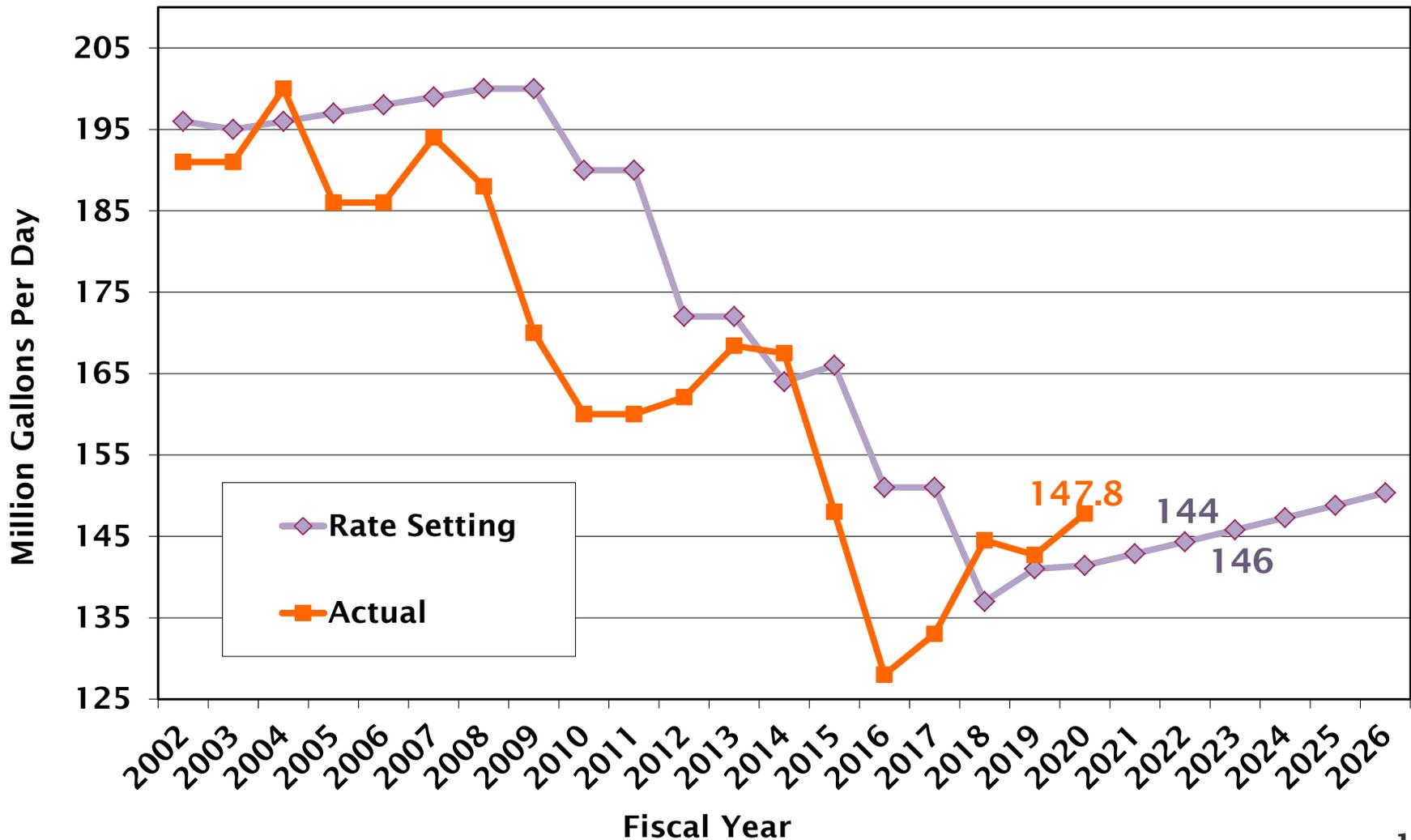
Note: *Other – Power sales, interest, leases, etc.

FY22 & FY23 Key Financial Planning Assumptions



- Water
 - Consumption: FY22:144 MGD, FY23:146 MGD
 - Reduced SCC revenue: \$25M down from \$40M
 - Reduced interest earning rate: 0.25%
 - Reduced borrowing rate: 4%
 - CIP deferrals
- Wastewater
 - Reduced Resource Recovery and PGS energy revenues optimized for nutrient loading limit
 - Reduced capacity fee revenue

Actual vs Projected Water Sales



Water and Wastewater Rate Planning



Water System	FY18	FY19	FY20	FY21	FY22	FY23
Adopted Rates	9.25%	9.00%	6.50%	6.25%		
Previously Projected	5.00%	5.00%	7.00%	7.00%	5.00%	5.00%
FY22/23 Current Planning Assumption					4.00%	4.00%
Wastewater System	FY18	FY19	FY20	FY21	FY22	FY23
Adopted Rates	5.00%	5.00%	4.00%	4.00%		
Previously Projected	5.00%	5.00%	4.00%	4.00%	4.00%	4.00%
FY22/23 Current Planning Assumption					4.00%	4.00%

Updated Rate Targets



- Given current economic landscape, worked to minimize rate increase
- Lower rate increases than previous projection requires reductions in planned operating programs and capital projects
- Continue with priorities to maintain and upgrade infrastructure
- Potential issues
 - Labor agreements
 - Recovery from pandemic

Other Agencies Rate Actions – Adopted and Implemented



Agency	Action
SFPUC	Implemented ~ 8% W/WW increase in July 2020 with expanded CAP
Contra Costa Water District	Adopted a February 2021 3.75% increase
City of Napa Water	Implemented ~ 5% increase in October 2020
DSRSD	Implemented ~ 1.6% water increase in October 2020 (increase based on June 2020 CPI)

Other Agencies Rate Actions - No Increase and/or Delayed



Agency	Action
Alameda County Water District	Voted no increase in December 2020
Bay Area Water Supply and Conservation Agency	No SFPUC wholesale rate increase this year
City of Hayward	Delayed 3.1% water increase from October 2020 to January 2021; no change to approved 4.4% wastewater
Marin Water	Delayed June 2020 vote on 4% increase until April 2021
North Marin Water	Voted to delay 6% increase from July 2020 to October 2020. Reevaluating FY22-25 recommendations
Palo Alto	No increase in W/WW FY21 or FY22 (as of present)
Pleasanton	No W/WW FY21 increase; delayed rate study due to COVID
Valley Water	Voted for no increase for July 2020, considering increases for FY22 up to 9.8%
Zone 7 (wholesaler)	Voted to not implement approved 6.7% FY21 increase

City Sewer Collection Charges



- District bills on behalf of Oakland, Berkeley, and Emeryville their Sewer Collection Charge
- Cities pay \$2.3M per year for billing services
- Oakland implementing first phase of their CAP for their sewer collection charge
- Berkeley and Emeryville have not committed to a CAP for their sewer collection charge
- Could consider not renewing contracts in 2023
- Loss of revenue would be 0.3% on rates

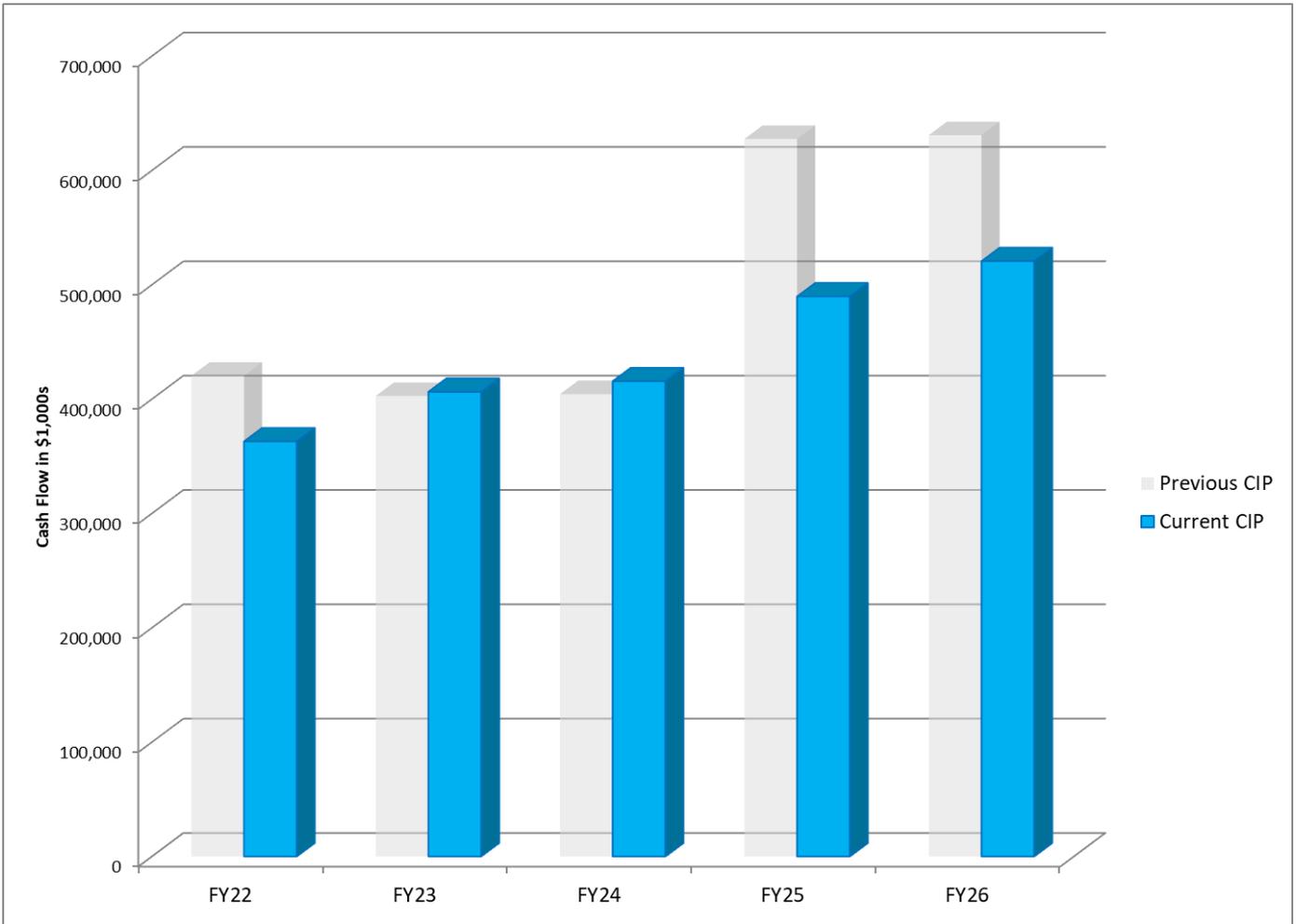
Water System Capital Improvement Program

CIP Drivers and Priorities



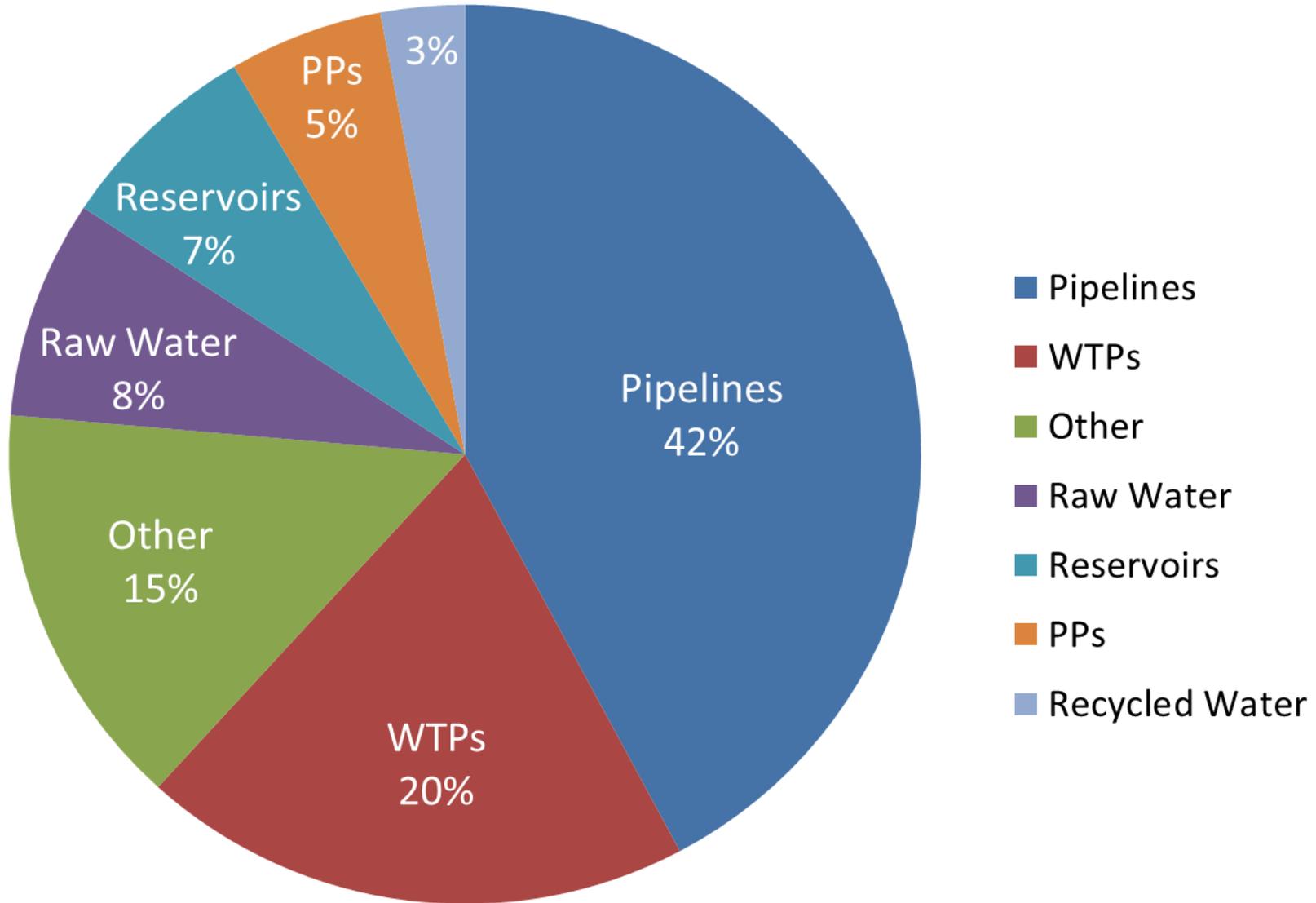
- CIP Priorities informed by plans, studies, O&M experience
- FY22-23 CIP will continue to focus on infrastructure *renewal* vs expansion
- Prioritizes
 1. Safety
 2. Reliability
 3. Water quality
- Continue to support sustainability and resilience goals

CIP Budget by Fiscal Year (FY22-26)



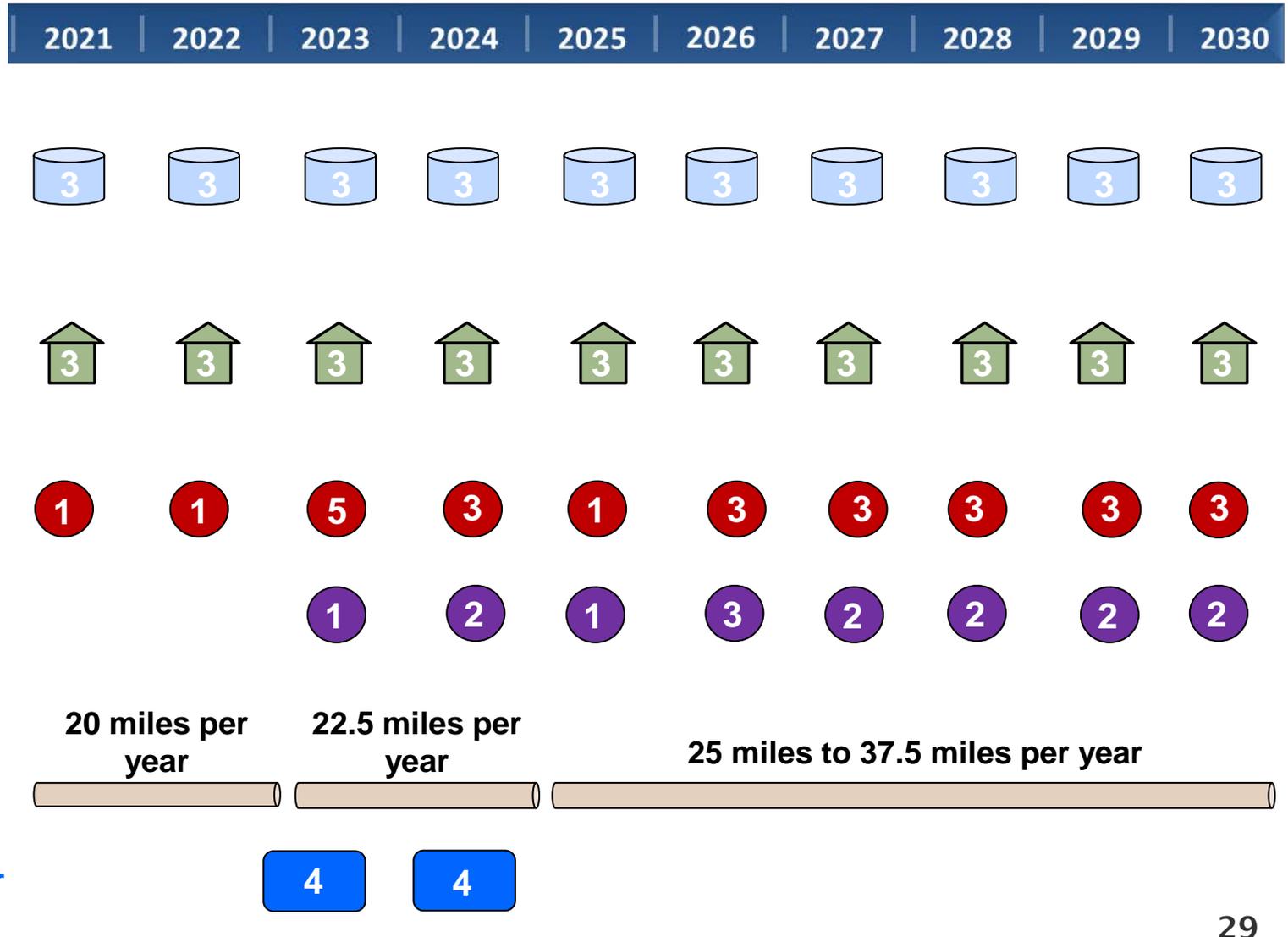
Previously planned FY22-26 CIP reduced by \$300M

CIP Budget by Asset Class (FY22-26)



CIP Project Timeline and Sequencing

Recurring Elements – Previous CIP

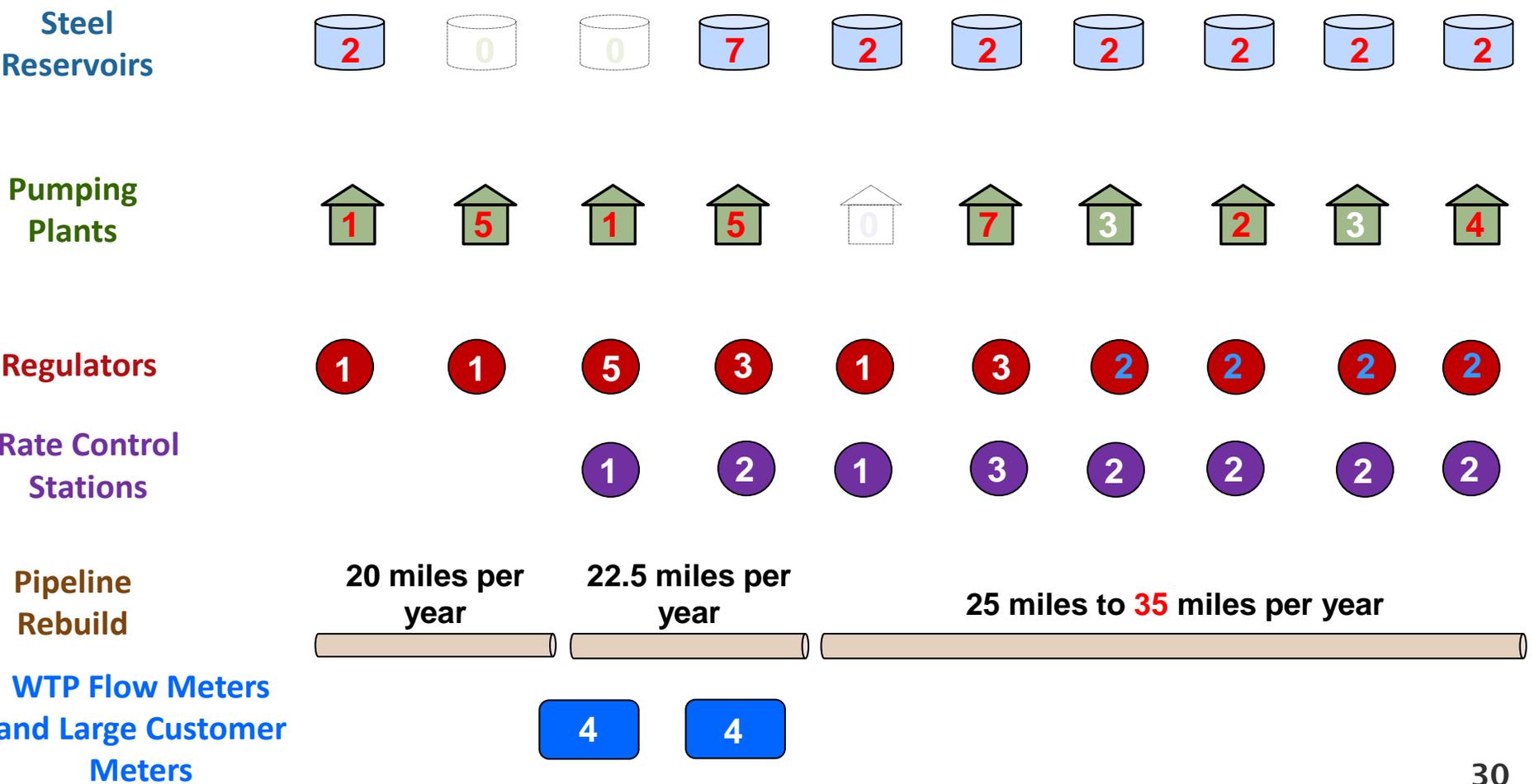


CIP Project Timeline and Sequencing

Recurring Elements - Current CIP



	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
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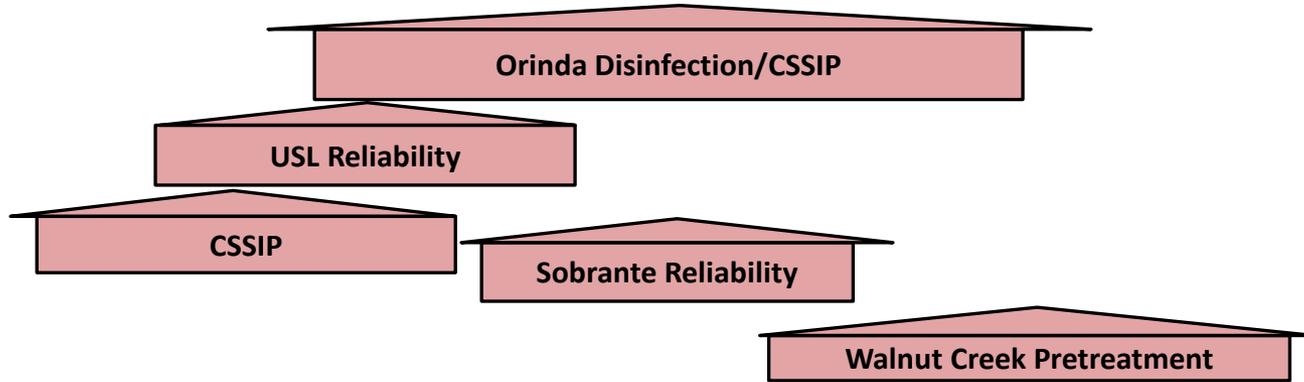


CIP Project Timeline and Sequencing

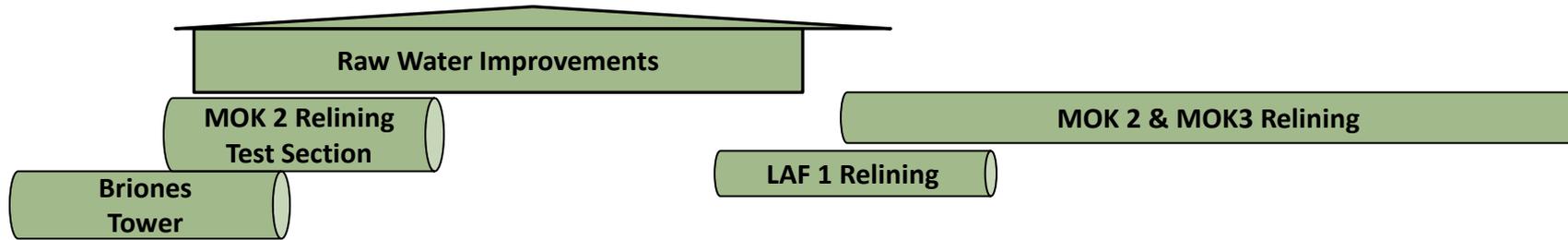
Major Projects – Previous CIP



Water Treatment Plants



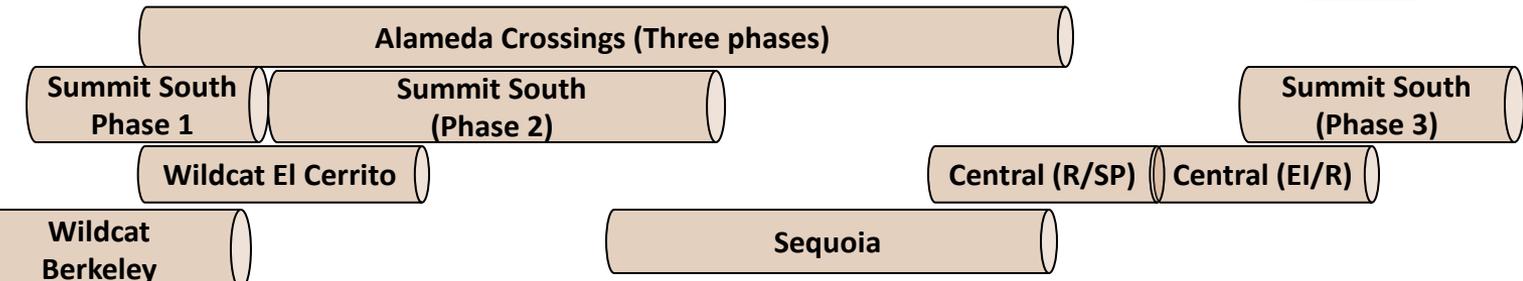
Raw Water



Open-Cut Reservoirs



Large Diameter Pipelines

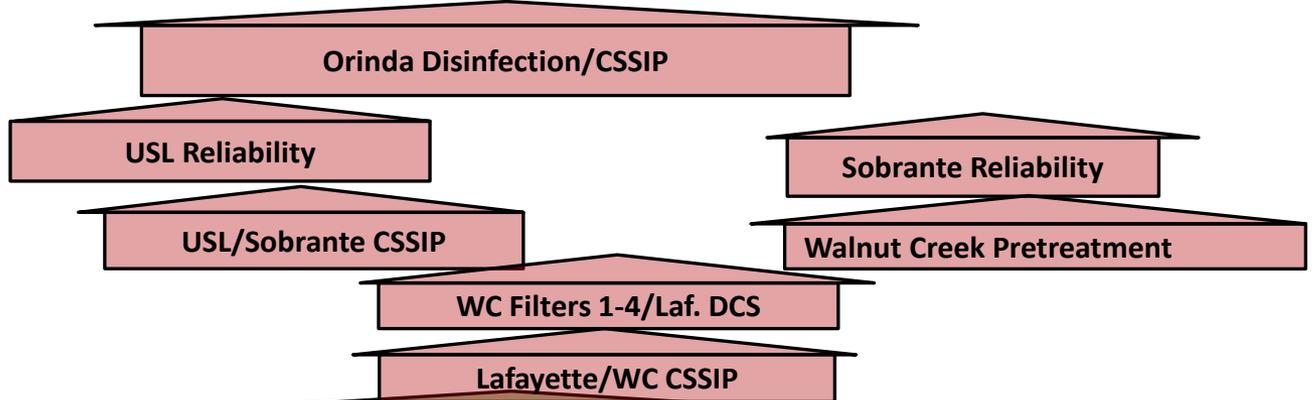


CIP Project Timeline and Sequencing

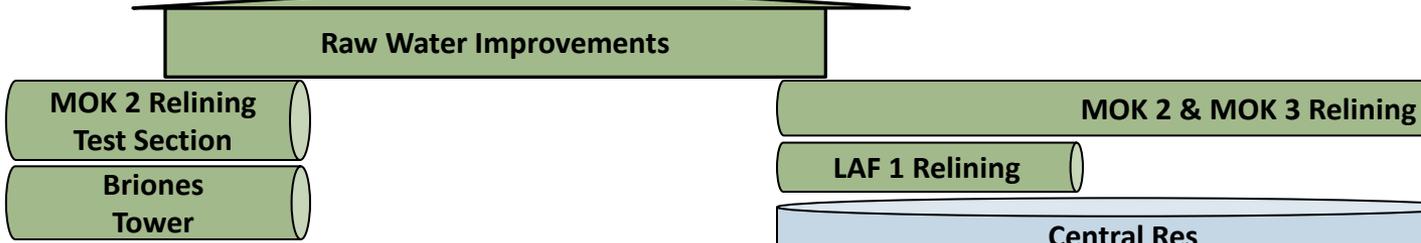
Major Projects – Current CIP



Water Treatment Plants



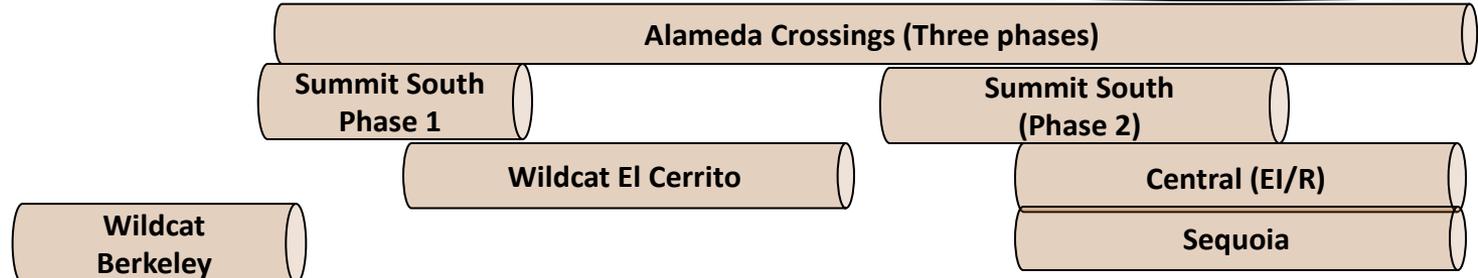
Raw Water



Open-Cut Reservoirs

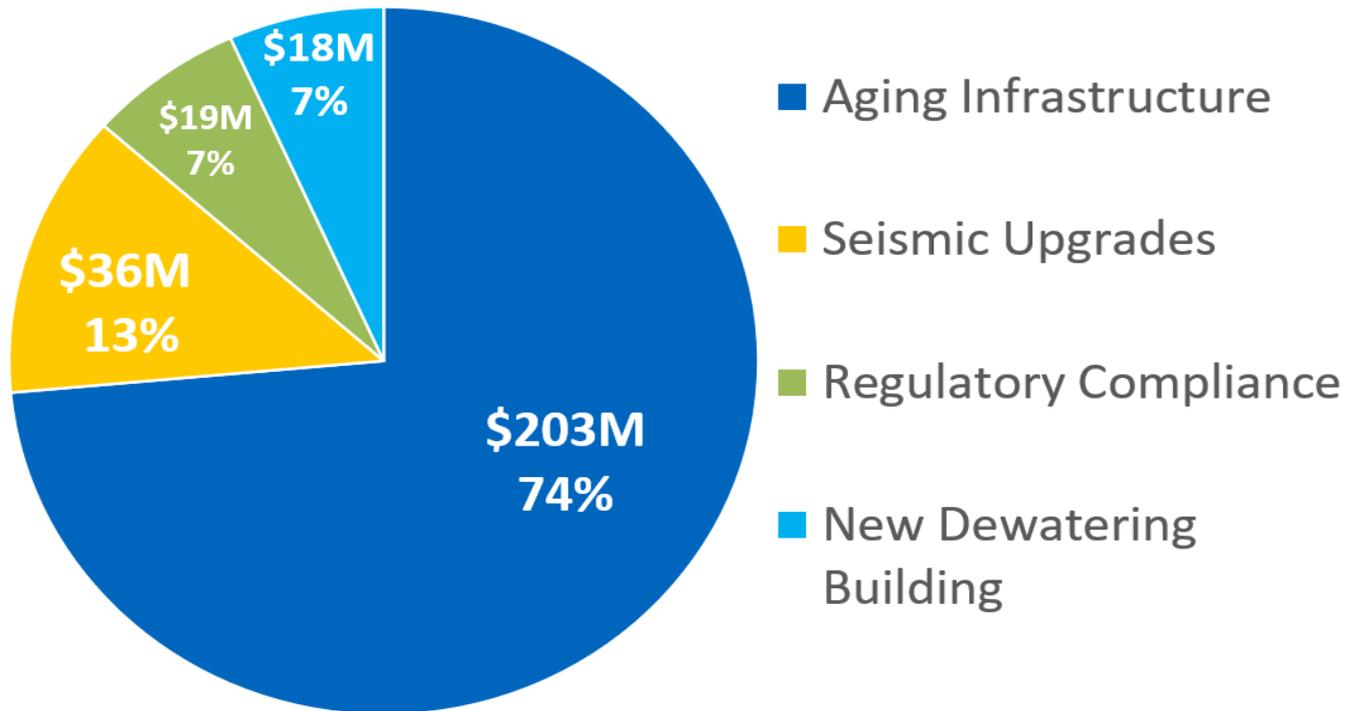


Large Diameter Pipelines



Wastewater System Capital Improvement Program

CIP Budget by Category (FY22-26)



Priorities: Aging infrastructure, seismic, regulatory compliance, and dewatering building

BREAK

Engineering and O&M Staffing and Contracting

Staffing Concerns/Constraints



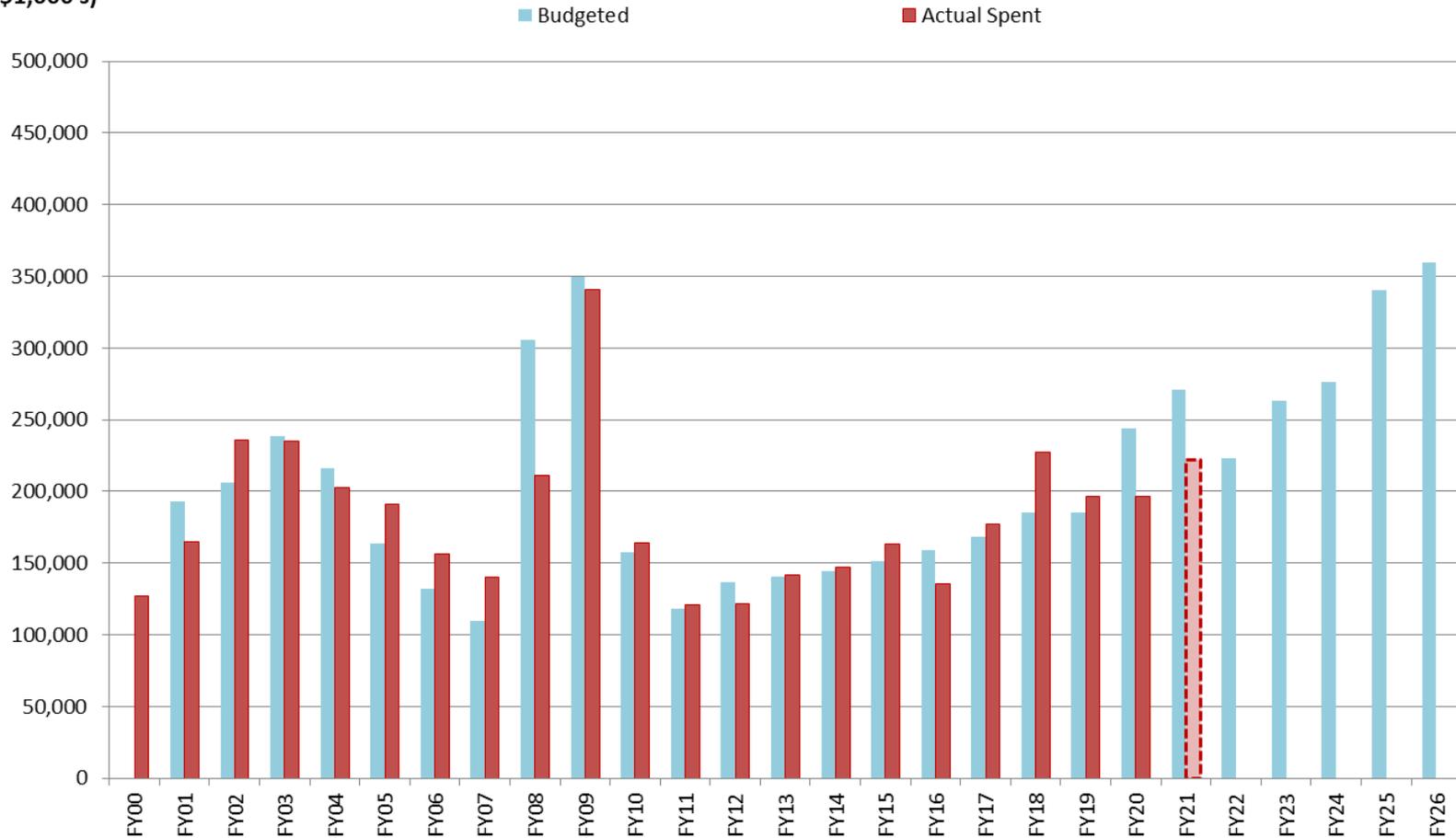
- Investment levels in capital infrastructure have doubled since 2012
- ~232 additional FTEs funded since 2012
- Increased staffing grows the long-term cost structure of the District and increases vulnerability to challenging economic (recession) and environmental (drought) impacts

Engineering and Construction CIP Workload



ENG Cash Flows

Capital Cashflow
(\$1,000's)*



*FY2000 to FY2019 cashflows are adjusted to 2020 using ENR CCI (June 2020: 11436)

Contracting Supports District Infrastructure Goals



- Contracting has always been part of past CIPs and the proposed CIP will require additional contracting
- Stretching the CIP schedule to match current staffing and contracting levels increases risk to aging facilities
- Vacancies and absences have greatest impact during construction phase. Delaying construction in progress is expensive and contracting provides greatest flexibility

District's Contracting Out Approach



- The decision to contract out work is made through a thoughtful process
- District and unions meet regularly to discuss plans and approaches
- Reasons to contract out work include:
 - Peak workloads and need for temporary support
 - Expertise or technology the District does not have
 - Work not usually performed by District staff
 - Respond to planned and unplanned absences and vacancies

Staffing Strategy (FY22 & 23)



- Projected budget funds a net of 15 FTEs compared to FY21 while continuing to move forward with critical priorities
- Adjust CIP schedules (defer projects) in response to fiscal and resource constraints
- Increase project specific and on-call contracting
- Analyze long-term capital and operating staffing needs and options by Spring 2022

Concerns with Contracting Out



- Managing performance of contractors
- A District job ensures a good job with good benefits in the community

Benefits of Contracting Out



- Promotes participation of small, local, women, BIPOC owned business, particularly during construction
- Exposes a broader range of people to the District helping recruit and build a more diverse and equitable workforce
- Assists with emergency preparedness and business continuity

Engineering and O&M Staffing Summary and Next Steps



- Significantly growing staffing at this uncertain time
 - Reduces flexibility to adjust to changing circumstances
 - Adds pressure to challenging budget
- Contracting and project scheduling are a necessary part of the resource balance
- Awarding CM and Inspection contracts could be a major contributor to meeting our CEP goals
- Discuss capital contracting with labor: L444 (January 2021); L2019 (February 2021)
- Develop long-term plan to align capital and operating resource needs by Spring 2022

System Capacity Charge Workshop Follow-up

System Capacity Charge Workshop Follow-up



- Region 1 Single Family Residential Consumption
 - Question about use of region 1 average consumption for SCC given natural distribution in data
 - While median water use is lower than average, all three regions have similar distribution and skew
 - Consistent with typical residential water use patterns
- Adjustment to SCC for Low Water Use
 - Found a utility in Maryland that requires LEED certification and periodic recertification for reduced fees
 - Staff does not recommended due to long-term monitoring, enforcement, and fee collection issues from future owners
- Developer Communications of SCC Update
 - Notices being sent to applicants with new connection requests about potential reduced capacity charges for FY22
 - Notices make applicants aware that update does not consider refunds if lower charges are approved
 - No slow down noted to date

Workshop Summary and Schedule

Workshop Summary

Sustainable and Resilient



- Budget projection maintains water affordability through lower rate increases than previously projected and supports
 - Ongoing maintenance
 - Key infrastructure investments
 - Diversity and Inclusion Master Plan
 - Racial Justice and Equity
 - Enhanced affordability efforts
- Maintains staffing levels
- Water 4%/4% (below previous projection)
- Wastewater 4%/4%

Decision Needed on Cancellation of Summer Board Meeting



- July 27th Board meeting cancelled instead of second August meeting
- Schedule to place FY22 Wet Weather Facilities Charge (WWFC) on property tax bill:
 - Prop 218 Public Hearing/approval of FY22 and FY23 WWFC – June 8th
 - Board approval of WWFC on property tax bill – July 13th (requires 2 week + notice)
 - County deadline to file WWFC on property tax bill – August 10th
- Schedule conflict if Board does not approve WWFC on June 8th – unable to hold required public hearing July 13th
 - Special meetings would have to be scheduled to fulfill requirements to place WWFC on property tax bill

Schedule



Date	Meeting
January 26, 2021	1 st Board Budget Workshop
March 23, 2021	2 nd Board Budget Workshop (includes approval to issue Proposition 218 Notice)
March 30, 2021	Contingency Special Board Meeting to issue Proposition 218 Notice if not approved at March 23 Workshop
April 2-23, 2021	Proposition 218 Notice printing and mailing
April 13, 2021	3 rd Board Budget Workshop (if needed)
June 8, 2021	Public Hearing, Board considers adoption of budget

Board Comments