



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

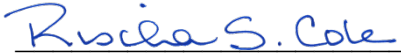
375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**NOTICE OF LOCATION CHANGE
REGULAR CLOSED SESSION
and
REGULAR BUSINESS MEETINGS
Tuesday, November 8, 2022
Virtual**

In accordance with Government Code section 54953(e), 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**. A physical location will not be provided for these meetings.

Dated: November 3, 2022



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, November 8, 2022

11:00 a.m.

****Virtual****

Location

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only**. A physical location will not be provided for this meeting.

*****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:

This memorandum sets forth the closed session agenda items for the November 8, 2022 Board meeting:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Waste Management of Alameda County, Inc. v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG21094336
 - b. *Shaunte Scott v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG20062324
 - c. *Kris Leamy, et al. v. East Bay Municipal Utility District*
Contra Costa County Superior Court, Case No. MSC21-00753
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
one matter.

(The Board will discuss Closed Session agenda items in the Training Resource Center)

REGULAR BUSINESS MEETING

1:15 p.m.

****Virtual****

Location

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only.** A physical location will not be provided for this meeting.

*****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 10 recommendations.)

1. Approve the Regular Meeting minutes of October 25, 2022.
2. File correspondence with the Board.
3. Authorize direct award contracts for supplying aftermarket automotive, truck and equipment parts.
 - 3a. Authorize direct award contracts with the following vendors for supplying aftermarket (also known as non-Original Equipment Manufacturer) automotive, truck, and equipment parts beginning on or after November 8, 2022 for three years with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed \$2,000,000: Advance Auto Parts; AutoZone Parts, Inc.; B & C Truck Parts, Inc.; City Auto Supply; Clutch & Brake Xchange; Contra Costa Auto Parts, Inc.; Dentoni's Welding Works, Inc.; Delta Truck Center; Eastburn LLC dba Calaveras Auto Supply; Fleetpride, Inc.; Kent Automotive; Monument Car Parts; NAPA Auto Parts; NAPA Heavy Vehicle Parts Group; Royal Brass, Inc.; S.T.M. Automotive dba S.P. Automotive; and Stommel, Inc. dba LEHR.
 - 3b. Authorize additional contracts for supplying aftermarket automotive, truck, and equipment parts, on an as needed basis and subject to the aggregate amount authorized by the Board for such supplies on November 8, 2022, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the vendors above to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.

CONSENT CALENDAR: (Continued)

4. Authorize direct award contract for supplying Original Equipment Manufacturer (OEM) parts for fleet vehicles and equipment.
 - 4a. Authorize direct award contracts with the following vendors for supplying OEM parts for fleet vehicles and equipment, beginning on or after November 8, 2022 for three years, with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed \$3,200,000: Big Valley Ford, Inc.; Future Ford of Concord, LLC; Garton Tractor, Inc.; Golden Gate Truck Company; Hilltop Ford; Infinite Velocity Automotive, Inc. dba FH Dailey Chevrolet; Mission Valley Ford Truck Sales; Municipal Maintenance Equipment, Inc.; Nixon-Egli Equipment Co. of Southern California, Inc.; Owen Equipment Sales; Pape Machinery, Inc.; Peterson Trucks, Inc.; Ron DuPratt Ford, Inc.; TEC of California; Unlimited Tool Repair & Fabrication, Inc.; and Walnut Creek Ford.
 - 4b. Authorize additional contracts for supplying Original Equipment Manufacturer (OEM) parts for fleet vehicles and equipment, on an as needed basis and subject to the total aggregate amount authorized by the Board for such supplies on November 8, 2022, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the above vendors to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.
5. Authorize an agreement beginning on or after November 8, 2022 with Cisco Air Systems, Inc. for three years, with one option to renew for an additional one-year period for a total amount, including the option year, not to exceed \$1,851,842 for compressor overhaul, repair, and upgrade services.
6. Authorize an agreement beginning on or after November 8, 2022 with Sequoia Ecological Consulting, Inc. in an amount not to exceed \$2,000,000 for as-needed environmental services to support capital improvement projects.
7. Authorize an agreement beginning on or after November 8, 2022 with Schneider Electric Systems USA, Inc. for three years for a total amount not to exceed \$559,985 for maintenance, support, and upgrades to the District's Supervisory Control and Data Acquisition System services at District facilities.
8. Authorize grazing lease agreements with a term beginning on or after October 1, 2022 with lessees Hoover Cattle Company, LLC, Jim Mohring, Alberta Nunes, Redwood Rangers, Moraga Horsemen's Association, Orinda Horsemen's Association, Inc., and Five Dot Land & Cattle Company for a five-year period with an option to renew for an additional five-year period for livestock grazing on District East Bay watershed lands.
9. Authorize an amendment to the Power Purchase Agreement previously authorized under Board Motion No. 009-22 with Solar Star Bear Creek, LLC to increase the energy purchase price by 8.8 percent from \$0.0616 to \$0.0670 per kilowatt hour, to account for increased material and construction costs and ensure timely project completion.

CONSENT CALENDAR: (Continued)

10. Authorize 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, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters.

DETERMINATION AND DISCUSSION:

11. Adopt a resolution commending Director Frank Mellon and acknowledging his public service achievements. (Resolution)
12. Make requisite findings and adopt a resolution to continue to hold meetings of the Board of Directors (Board) via teleconference under Government Code section 54953(e) until the State of Emergency resulting from the COVID-19 pandemic no longer impacts the ability of Board members to meet safely in person. (Resolution)
13. Adopt the Resolution Condemning Human Rights Violations Against Iranian Women and the People of Iran. (Resolution)
14. Discuss Board of Directors Officer Nomination and Election Process.
15. General Manager Report:
 - 2022 Drought Update: District operations; Water Shortage Emergency Action Plan implementation including messaging and outreach, water conservation drought programs, conservation savings, and the Excessive Water Use Penalty Ordinance; and media
 - Monthly Report – October 2022

REPORTS AND DIRECTOR COMMENTS:

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

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, November 22, 2022.

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

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, November 8	Planning Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> • Local Hazard Mitigation Plan • Wet Weather Update • Paving and Other Related Services Update
	Legislative/Human Resources Committee	10:15 a.m. Virtual	<ul style="list-style-type: none"> • Diversity, Equity, and Inclusion Strategic Plan Update
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Friday, November 11	Veterans' Day		<i>District Offices Closed</i>
Tuesday, November 22	Finance/Administration Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Thursday-Friday, November 24-25	Thanksgiving Holiday		<i>District Offices Closed</i>
Tuesday, December 13	Planning Committee	TBD	
	Legislative/Human Resources Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

2022 Board Committee Members

Finance/Administration	Patterson {Chair}, Coleman, Katz
Legislative/Human Resources	McIntosh {Chair}, Coleman, Patterson
Planning	Young {Chair}, McIntosh, Mellon
Sustainability/Energy	Young {Chair}, Katz, Mellon



Closed Session and Regular Business Meetings
Tuesday, November 8, 2022
11:00 a.m. and 1:15 p.m.

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

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

Online

<https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09>

Webinar ID: 970 6508 6667

Passcode: 238500

By Phone

Telephone: 1 669 900 6833

Webinar ID: 970 6508 6667

Passcode: 238500

International numbers available: <https://ebmud.zoom.us/u/adMXn1VnPp>

Providing public comment

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

If you wish to provide public comment please:

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

Submitting written comments or materials

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

To observe the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>

MINUTES

Tuesday, October 25, 2022
East Bay Municipal Utility District
Board of Directors
Virtual

Regular Closed Session Meeting

President Doug A. Linney called to order the Regular Closed Session Meeting of the Board of Directors at 11:01 a.m. and announced in accordance with Government Code section 54953(e), this meeting was being conducted by webinar and teleconference only. A physical location was not provided for this meeting.

ROLL CALL

Directors John A. Coleman, Andy Katz, Lesa R. McIntosh, Frank Mellon, William B. Patterson, Marguerite Young, and President Doug A. Linney were present at roll call.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Assistant General Counsel Lourdes M. Matthew (Item 1a) and Director of Customer and Community Services Andrew L. Lee (Item 1a).

PUBLIC COMMENT

- Addressing the Board was Ivette Rivera who commented on the *Shaunte Scott v. East Bay Municipal Utility District* case and records the District produced in response to a Public Records Act request submitted to the District.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Linney announced the closed session agenda and the Board convened to the Administration Building Training Resource Center for discussion.

Regular Business Meeting

President Doug A. Linney called to order the Regular Business Meeting of the Board of Directors at 1:15 p.m. and announced in accordance with Government Code section 54953(e), this meeting was being conducted by webinar and teleconference only. A physical location was not provided for this meeting.

ROLL CALL

Directors John A. Coleman, Andy Katz, Lesa R. McIntosh, Frank Mellon, William B. Patterson, Marguerite Young, and President Doug A. Linney were present at roll call.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Linney led the Pledge of Allegiance.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Ivette Rivera commented on records the District produced in response to various Public Records Act requests; and 2) Kelly A. commented on the items listed under various sections of the Regular meeting agenda.

CONSENT CALENDAR

- Motion by Director Coleman, seconded by Director Mellon to approve the recommended actions for Items 1-12 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 190-22** – Approved the Special and Regular Meeting minutes of October 11, 2022 and the Special Meeting minutes of October 18, 2022.
 2. The following correspondence was filed with the Board: **1)** Presentation entitled, “Drought Update,” dated October 25, 2022; **2)** Presentation entitled, “Service Award Recipients July 2022 - September 2022,” dated October 25, 2022; **3)** Speakers’ Bureau and CY 2023 Record dated October 25, 2022; **4)** Memo dated October 25, 2022 to Board of Directors from Kelly A. Zito, Special Assistant to the General Manager regarding List of Customers in Violation of Excessive Water Use Penalty Ordinance; and **5)** Email dated October 22, 2022 to EBMUD Board of Directors from Maya McBride regarding frequency of customer billing can help leak detection.
 3. **Motion No. 191-22** – Awarded a contract to the lowest responsive/responsible bidder, William E. Munson Company, for supplying one Munson 21-foot PackCat survey-utility boat and one EZ Loader trailer for the District’s Lodi Office, beginning on or after October 25, 2022, for a total cost, after the addition of taxes, not to exceed \$166,030 under Request for Quotation No. 2220.
 4. **Motion No. 192-22** – Awarded a contract to the lowest responsive/responsible bidder Diamond Fiberglass, for supplying three fiberglass reinforced plastic tanks for the Oakport Wet Weather Facility, beginning on or after October 25, 2022 for a total cost, after the addition of taxes, not to exceed \$552,305 under Request for Quotation No. 2301.
 5. **Motion No. 193-22** – Awarded a contract to the lowest responsive/responsible bidder, Trace3, LLC, for supplying three Dell PowerEdge servers including a hardware warranty and mission-critical technical support services for the Administration Building for five years, beginning on or after October 25, 2022 for a total cost, after the addition of taxes, not to exceed \$186,385.

6. **Motion No. 194-22** – Authorized an agreement beginning on or after October 25, 2022 with Logik Systems, Inc. in an amount not to exceed \$126,000 for three years for supplying Logikcull Discovery Solutions software for processing and review of litigation discovery documents and in-app technical support for the Office of General Counsel.
7. **Motion No. 195-22** – Authorized an agreement beginning on or after October 25, 2022 with Nautilus Data Technologies, Inc. for \$406,000 for five years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$581,000 for data center colocation services.
8. **Motion No. 196-22** – Authorized an agreement beginning on or after October 25, 2022, with Woodard & Curran, Inc. in an amount not to exceed \$246,710 for the preparation of a Wastewater Electrical Resiliency Master Plan.
- 9a-9b. **Motion No. 197-22** – Authorized agreements beginning on or after October 25, 2022 with Arrowhead Concrete Construction, Bruce Enterprises, Gary Golobe dba Cornerstone Paving, Pacific General Engineering, and Sonnikson and Stordahl Construction for one year in an aggregate amount not to exceed \$1,300,000 for concrete repair services; and authorized additional agreements for concrete repair services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on October 25, 2022, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager’s monthly report.
- 10a-
10b. **Motion No. 198-22** – Authorized amendments to the agreements previously authorized under Board Motion No. 183-21, with service providers listed below to increase the aggregate amount of those agreements by \$980,000 to a total aggregate amount not to exceed \$1,480,000 and extend the agreement terms to October 26, 2023 for hydro/air-vacuum excavation services: AIMS/PVIC CA, LLC dba AIMS Companies; Bradley Tanks, Inc.; Pipe and Plant Solutions, Inc.; Badger Daylighting Corp.; Hydro-X Services, Inc.; and Presidio Systems, Inc.; and authorized additional agreements for hydro/air-vacuum excavation services, on an as needed basis and subject to the total aggregate amended amount authorized by the Board for such services on October 25, 2022, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager’s monthly report.
11. **Motion No. 199-22** – Approved the assignment of the agreement previously authorized under Board Motion No. 182-21 from CPM Associates, Inc. to Consor PMCM, Inc. for as-needed construction management and inspection services.
12. **Motion No. 200-22** – Approved the September 2022 Monthly Investment Transactions Report.

DETERMINATION AND DISCUSSION

13. Appoint the Director of Wastewater.

General Manager Clifford C. Chan announced Amit Mutsuddy as the candidate for appointment to the position of Director of Wastewater and highlighted Mr. Mutsuddy's education and experience.

- Motion by Director McIntosh, seconded by Director Patterson to approve the recommended actions for Item 13 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35320-22 – Appointing Amit Mutsuddy As Director of Wastewater (*effective December 5, 2022*).

- Addressing the Board was Kelly A. who commented on electrical failures at the District's Main Wastewater Treatment Plant and a facility in Antioch. Kelly A. confirmed these comments were in reference to Agenda Item 8.

The Board welcomed Mr. Matsuddy who thanked the Board and General Manager Clifford C. Chan. Mr. Matsuddy recounted his previous experience in the wastewater industry which includes working on nutrient management and changing regulations.

14. General Manager Report.

2022 Drought Update: Discussion of District operations; Excessive Water Use Penalty Ordinance, including excessive user list; conservation activities; and media and advertising

Director of Operations and Maintenance David A. Briggs reported total storage in Pardee and Camanche reservoirs is 89 percent of average and 63 percent of capacity, and total storage in the East Bay reservoirs is 111 percent of average and 84 percent of capacity. The end of season storage on September 30, 2022 was 520 thousand acre-feet (TAF), including 20 TAF of purchased water from Placer County Water Agency. A gainshare obligation of 12 TAF is being released in October 2022 to benefit fisheries on the Mokelumne River. Manager of Water Conservation Alice E. Towey provided an overview of the District's administration of its Excessive Water Use Penalty Ordinance. She reviewed the customer notification process which included courtesy notices and warning letters before violation as well as the appeals process and timeline for customers that receive a violation notice. Under the California Public Records Act, the District is required to release the names, addresses, and consumption information of customers subject to the excessive water use penalty. Over 300 customers received violation notices on bills sent between September 3 and September 30. These customers did not submit an appeal within the 15-day appeal period and their information is included on the excessive use list provided at Board places. In response to Board comments during the September 27 meeting, staff has increased outreach to customers who received violations and will also begin sending additional, written violation notifications.

- Addressing the Board was Kelly A. who commented on State law requirements for excessive use penalties.

Ms. Towey reviewed next steps which are to continue diverting transfer water from Placer County Water Agency; planning for additional water transfers if 2023 is dry; drought messaging and advertising activities through October; and monitoring customers subject to the excessive water use penalty and providing services to assist with reducing water usage. The District will also announce the winners of the “I Heart My Garden” photo challenge and staff will provide additional detail on the challenge at the November 8, 2022 Board meeting. There was considerable Board discussion regarding the steps taken to reach out to customers; the number of customers on the current excessive use list that received warning letters; data on the payment history for customers that received a violation notice; and the number of entries received for the “I Heart My Garden” photo challenge (40). The Board requested information on the number of customers who received a warning letter but did not violate the Excessive Water Use Penalty Ordinance; a list of customers who violated the Excessive Water Use Penalty Ordinance sorted by water use; aggregated information on the number of customers who violated the Excessive Water Use Penalty Ordinance that are current on their bills; and information on multi-family residences that are on the current excessive use list.

Employees With Milestone Service Years

Special Assistant to the General Manager Derry L. Moten announced the District will begin acknowledging employees that have achieved employment milestones by highlighting their names and years of service in a quarterly presentation to the Board. Between July 1, 2022 and September 30, 2022, sixty-seven employees achieved employment milestones from 5 years to over 40 years. Mr. Moten noted that during this period, two employees celebrated 40 years of service and two celebrated 35 years of service. The Board viewed the presentation and applauded the employees for their years of service.

REPORTS AND DIRECTOR COMMENTS

15. Committee Reports.

- Filed with the Board were the Minutes for the October 11, 2022 Legislative/Human Resources Committee.
- President Linney reported the Board held a special meeting on October 18 and participated in tours of the Point Isabel Wet Weather Facility in Richmond; the San Pablo Water Treatment Plant in Kensington; and the UC Berkeley Center for Smart Infrastructure in Richmond.
- Sustainability/Energy Committee chair Marguerite Young reported the Committee met earlier in the day and received updates on the Resource Recovery Program; Renewable Energy; and Calendar Year 2021 Greenhouse Gas Inventory.
- Finance/Administration Committee chair William B. Patterson reported the Committee met earlier in the day and received updates on the Fiscal Year 2022 Key Performance Indicators Report; Fiscal Year 2022 Annual Power Sales Report; Monthly Investment Transactions Report for September; and Quarterly Financial Reports (Quarterly Investment Report – September 30, 2022 and Quarterly Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended September 30, 2022).

16. **Other Items for Future Consideration.**

None.

17. **Director Comments.**

Director Coleman reported presenting at the Walnut Creek City Council meeting in Walnut Creek on October 11 and attending the Rossmoor Town Hall planning meeting (remote) on October 14 and the East Bay Leadership Council Board meeting (remote) on October 21. He reported on plans to attend the Rossmoor Town Hall meeting in Lafayette on October 26; the ACWA Critical Peak Pricing meeting (remote) on October 31; and the Los Vaqueros Reservoir JPA meeting (remote) on November 9. Director Coleman acknowledged Community Affairs Representative Kathryn Horn and Manager of Water Supply Linda Hu for their assistance with preparing for the Rossmoor Town Hall meeting.

- Director Young reported attending a tour of EBMUD's Siesta Valley watershed with staff and Assembly Member Rebecca Bauer-Kahan on October 12.
- Directors Katz, McIntosh, Mellon, Patterson, and President Linney had no reports.

ADJOURNMENT

President Linney adjourned the meeting at 2:08 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: November 8, 2022

Doug A. Linney, President of the Board



Agenda Number: 3a-3b

Meeting Date: November 8, 2022

TITLE FLEET AFTERMARKET VEHICLE AND EQUIPMENT PARTS

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION


- Authorize direct award contracts with the following vendors for supplying aftermarket (also known as non-Original Equipment Manufacturer) automotive, truck, and equipment parts beginning on or after November 8, 2022 for three years with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed \$2,000,000: Advance Auto Parts; AutoZone Parts, Inc.; B & C Truck Parts, Inc.; City Auto Supply; Clutch & Brake Xchange; Contra Costa Auto Parts, Inc.; Dentoni’s Welding Works, Inc.; Delta Truck Center; Eastburn LLC dba Calaveras Auto Supply; Fleetpride, Inc.; Kent Automotive; Monument Car Parts; NAPA Auto Parts; NAPA Heavy Vehicle Parts Group; Royal Brass, Inc.; S.T.M. Automotive dba S.P. Automotive; and Stommel, Inc. dba LEHR.
- Authorize additional contracts for supplying aftermarket automotive, truck, and equipment parts, on an as needed basis and subject to the aggregate amount authorized by the Board for such supplies on November 8, 2022, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the vendors above to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager’s monthly report.

SUMMARY

These contracts will provide aftermarket parts to support the District’s fleet. Aftermarket parts are routinely used as a lower-cost alternative to Original Equipment Manufacturer (OEM) parts when OEM parts are no longer required to meet warranty standards. All aftermarket parts purchased by the District must meet or exceed the OEM standards. The widespread distribution and availability of aftermarket parts, including the price advantage over OEM parts, make them a necessary option to streamline maintenance and repairs of a large fleet with multiple District service locations.

DISCUSSION

The District maintains a fleet of over 1,300 vehicles and equipment in the service area and upcountry. Historically, the District has utilized vendors to supply aftermarket parts. The District’s fleet repairs are often unpredictable and frequently demand an urgent response, requiring a viable local network of aftermarket parts suppliers to support the District’s needs. These vendors are geographically dispersed, and some have multiple locations that can

Originating Department: Maintenance and Construction	Department Director or Manager: Michael Ambrose	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY2023	Budget Coding: 11/756/8834500/4008345		Approved: 
Attachment(s): P-035; P-061			

Title: Fleet Aftermarket Vehicle and Equipment Parts

Meeting Date: November 8, 2022

provide prompt, as-needed delivery service to multiple fleet repair locations. Centralizing these contracts under one award allows flexibility to select the vendor based on the nature of the repair or maintenance being performed, as well as the location. These contracts support the District's Long Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION

Advance Auto Parts, AutoZone Parts, Inc., B & C Truck Parts, Inc., City Auto Supply, Clutch & Brake Xchange, Contra Costa Auto Parts Inc., Dentoni's Welding Works Inc., Delta Truck Center, Eastburn LLC dba Calaveras Auto Supply, Fleetpride, Inc., Kent Automotive, Monument Car Parts, NAPA Auto Parts, NAPA Heavy Vehicle Parts Group, Royal Brass Inc., S.T.M. Automotive dba S.P. Automotives, and Stommel Inc. dba LEHR were selected based on their demonstrated abilities to offer aftermarket parts in a timely and/or urgent manner that meet the District's standards offered at government fleet or wholesale pricing.

SUSTAINABILITY**Economic**

The FY 2023 adopted operating budget includes funding for the first year of these multi-year contracts. Funding for the additional years will be considered as a part of the associated budget development process.

The selected vendors will provide these aftermarket parts at government fleet or wholesale pricing, whichever is lower. Competitive bids will be requested from the listed vendors on all parts over \$5,000. Using less expensive aftermarket parts in cases where warranted has a significant cost savings to the District and its rate payers.

Environmental

By not requiring a competitive bid process and having vendors based on proximity, the District may reduce transportation costs and greenhouse gas emissions caused by transporting parts to and from further distances by having these local vendors supply parts.

ALTERNATIVES

Solicit competitive bids. This alternative is not recommended because not all parts suppliers offer the same products. The District cannot accurately compare exact parts from all vendors across locations required in a formal Request for Quotation. The listed vendors will provide parts at government fleet or wholesale pricing, whichever is the lowest price.

Use all OEM parts. This alternative is not recommended because OEM parts are more costly.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE <i>Materials and Supplies Contract</i> Fleet Aftermarket Vehicle and Equipment Parts							DATE October 12, 2022				
CONTRACTOR: Various Firms (See below)				PERCENTAGE OF CONTRACT DOLLARS							
BID/PROPOSER'S PRICE:				FIRM'S OWNERSHIP		White Men		25%		100.0%	
				Ethnicity		Gender		White Women		2%	
				See below		-		Ethnic Minorities		25%	
CONTRACT EQUITY PARTICIPATION											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
Advance Auto Parts	\$117,647	PCH								5.9%	
AutoZone Parts, Inc.	\$117,647	PCH								5.9%	
B & C Truck Parts, Inc.	\$117,647	White	X		5.9%						
City Auto Supply	\$117,647	Asian	X					5.9%			
Clutch & Brake Xchange	\$117,647	White	X		5.9%						
Contra Costa Auto Parts Inc.	\$117,647	White	X		5.9%						
Dentoni's Welding Works Inc.	\$117,647	White	X		5.9%						
Delta Truck Center	\$117,647	White	X		5.9%						
Eastburn LLC dba Calaveras Auto Supply	\$117,647	White	X		5.9%						
Fleetpride, Inc	\$117,647	White	X		5.9%						
Kent Automotive	\$117,647	PHC								5.9%	
Monument Car Parts	\$117,647	White	X		5.9%						
NAPA Auto Parts	\$117,647	PHC								5.9%	
NAPA Heavy Vehicle Parts Group	\$117,647	PHC								5.9%	
TOTAL		\$2,000,000			64.7%	0.0%	5.9%	0.0%	29.4%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)											
	White Women	White Women	Ethnic Minorities		Total Employees						
No. of Employees:	See Attached Form P-061										
Percent of Total Employees:											
MSA Labor Market %:											
MSA Labor Market Location:											
COMMENTS											
Contract Equity Participation: 64.7% White Men and 5.9% Ethnic Minority participation. Contract Duration: Three years with 2 One-year renewal options. *Total not to exceed: \$2,000,000											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				NA							



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Materials and Supplies Contract Fleet Aftermarket Vehicle and Equipment Parts							DATE October 12, 2022				
CONTRACT EQUITY PARTICIPATION (Continued from page 1)											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
<i>PRIMES (continued):</i>											
Royal Brass Inc.	\$117,647	White	X		5.9%						
S.T.M. Automotive dba S.P. Automotive	\$117,647	White	X		5.9%						
Stommel Inc. dba LEHR	\$117,647	White	X		5.9%						
Total											
					See page 1 for total						



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							
			B	H	A/PI	AI/AN	TOTAL		
Fleet Aftermarket Vehicle and Equipment Parts		National	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/CC Counties	10.7	15.6	15.4	0.5	46.2		
Materials and Supplies Contract	DATE:								
	10/12/2022								
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	PHC	Company Wide							
Advance Auto Parts Greg Brown 4200 Six Forks Road Raleigh, NC 27609 303-319-8127		INFORMATION NOT PROVIDED							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		AA Plan on File:							
		Co. Wide MSA:							
RP	PHC	Company Wide	13,093	23,486	1,979	732	39,290	47.3%	18.8%
AutoZone Parts, Inc. Paul Schubba 123 S. Front Street Memphis, TN 38103 901-304-2173		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA: Tennessee # Employees-Co. Wide: 83,003 Bay Area: 33							
RP	WM: L/SBE	Company Wide	0	3	2	0	5	62.5%	53.9%
B & C Truck Parts, Inc. Mark Wadkins 3938 Valley Avenue Pleasanton, CA 94566 925-484-0770		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA: Alameda County # Employees-Co. Wide: 8 Bay Area: 8							
RP	EMM: A/PI	Company Wide							
City Auto Supply Shao Dyi 449 Littlefield Avenue S. San Francisco, CA 94080 650-616-4991		INFORMATION NOT PROVIDED							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	WM: L/SBE	Company Wide	1	6	2	0	9	36.0%	47.4%
Clutch & Brake Xchange Danica Aviles 900 Shaw Road Stockton, CA 95215 209-670-1714		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA: San Joaquin # Employees-Co. Wide: 25 Bay Area: 25							
RP	WM: L/SBE	Company Wide	0	0	0	0	0	0.0%	38.5%
Contra Costa Auto Parts Inc. Jim Sandmann 2560 N. Main Street Walnut Creek, CA 94597 925-934-1414		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA: Contra Costa # Employees-Co. Wide: 6 Bay Area: 33							

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Fleet Aftermarket Vehicle and Equipment Parts		Ethnic Minority Percentages From U.S. Census Data							
		B	H	A/PI	AI/AN	TOTAL			
Materials and Supplies Contract		DATE: 10/12/2022	National		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/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	WM: L/SBE	Company Wide	2	47	0	0	49	64.5%	47.4%
Dentoni's Welding Works Inc. Daniel Dentoni 801 S. Airport Way Stockton, CA 95205 209-712-1570		Manager/Prof	0	1	0	0	1	6.7%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	2	46	0	0	48	85.7%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	9	0	0	9	100.0%	
		Co. Wide MSA:	San Joaquin		# Employees-Co. Wide: 76		Bay Area: 9		
RP	WM: L/SBE	Company Wide	3	38	3	0	44	51.8%	47.4%
Delta Truck Center Paul Jaru 10182 Harlan Road French Camp, CA 95231 209-983-2400 ext. 2133		Manager/Prof	1	0	0	0	1	12.5%	
		Technical/Sales	1	34	0	0	35	57.4%	
		Clerical/Skilled	1	1	3	0	5	38.5%	
		Semi/Unskilled	0	3	0	0	3	100.0%	
		Bay Area	0	0	0	0	0	0.0%	
		Co. Wide MSA:	San Joaquin		# Employees-Co. Wide: 85		Bay Area: 0		
RP	WM	Company Wide	0	0	0	0	0	0.0%	48.4%
Eastburn LLC dba Calaveras Auto Supply Timothy Eastburn 281 E. St. Charles Street San Andreas, CA 95249 209-754-3518		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	
		Co. Wide MSA:	California		# Employees-Co. Wide: 4		Bay Area: 0		
RP	WM	Company Wide	INFORMATION NOT PROVIDED						
Fleetpride, Inc. Baron Oursler 600 E. Las Colinas Blvd., Suite 400 Irving, TX 75039 469-249-7774		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
RP	PHC	Company Wide	73	220	43	12	348	22.8%	27.8%
Kent Automotive Garfield Sallman 8770 W Bryn Mawr Avenue, Suite 900 Chicago, IL 60631 773-304-5053		Manager/Prof	18	24	19	7	68	20.5%	
		Technical/Sales	13	54	8	4	79	8.6%	
		Clerical/Skilled	18	21	9	0	48	48.5%	
		Semi/Unskilled	24	121	7	1	153	86.9%	
		Bay Area	0	0	0	0	0	0.0%	
		Co. Wide MSA:	Illinois		# Employees-Co. Wide: 1,525		Bay Area: 0		
RP	WM: LBE	Company Wide	1	14	4	1	20	15.3%	39.9%
Monument Car Parts Anne English 1055 Detroit Avenue Concord, CA 94518 925-771-2227		Manager/Prof	0	4	2	0	6	46.2%	
		Technical/Sales	0	0	1	0	1	9.1%	
		Clerical/Skilled	0	2	0	0	2	66.7%	
		Semi/Unskilled	1	8	1	1	11	10.6%	
		Bay Area	1	14	4	1	20	15.3%	
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide: 131		Bay Area: 131		

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Fleet Aftermarket Vehicle and Equipment Parts		Ethnic Minority Percentages From U.S. Census Data									
			B	H	A/PI	AI/AN	TOTAL				
		National	10.5	10.7	3.7	0.7	27.3				
Materials and Supplies Contract		DATE: 10/12/2022	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9		
			Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2		
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees									
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %		
RP	PHC: LBE	Company Wide	10	37	13	0	60	73.2%	48.4%		
NAPA Auto Parts Quyen Clifton 4425 International Blvd. Oakland, CA 94601 678-934-5153		Manager/Prof	2	13	4	0	19	76.0%			
		Technical/Sales	1	24	1	0	26	74.3%			
		Clerical/Skilled	0	0	0	0	0	0.0%			
		Semi/Unskilled	7	0	8	0	15	68.2%			
		Bay Area	0	0	0	0	-	NA	39.9%		
Co. Wide MSA:		California	# Employees-Co. Wide: 82				Bay Area: 0				
RP	PHC	Company Wide	INFORMATION NOT PROVIDED								
NAPA Heavy Vehicle Parts Group Vickie Smith 3100 Windy Hill Road Atlanta, GA 30339 678-934-5032		Manager/Prof									
		Technical/Sales									
		Clerical/Skilled									
		Semi/Unskilled									
		Bay Area									
Co. Wide MSA:											
RP	WM: SBE	Company Wide	1	17	1	0	19	55.9%	39.9%		
Royal Brass Inc. Richard Tucci 1066 10th Street San Jose, CA 95112 408-297-6642		Manager/Prof	1	6	1	0	8	66.7%			
		Technical/Sales	0	10	0	0	10	50.0%			
		Clerical/Skilled	0	1	0	0	1	50.0%			
		Semi/Unskilled	0	0	0	0	0	0.0%			
		Bay Area	1	17	1	0	19	55.9%	39.9%		
Co. Wide MSA:		9 Bay Area Counties	# Employees-Co. Wide: 34				Bay Area: 34				
RP	WM: LBE	Company Wide	INFORMATION NOT PROVIDED								
S.T.M. Automotive dba S.P. Automotive Balinda Gonzalez 3410 Pacheco Blvd. Martinez, CA 94553 925-372-4894		Manager/Prof									
		Technical/Sales									
		Clerical/Skilled									
		Semi/Unskilled									
		Bay Area									
Co. Wide MSA:											
RP	WM	Company Wide	5	24	0	0	29	33.3%	30.9%		
Stommel Inc. dba LEHR Lisa Washington 9240 Prototype Drive Reno, NV 89521 916-569-8508		Manager/Prof	1	3	0	0	4	36.4%			
		Technical/Sales	4	19	0	0	23	44.2%			
		Clerical/Skilled	0	1	0	0	1	8.3%			
		Semi/Unskilled	0	1	0	0	1	8.3%			
		Bay Area	0	0	0	0	0	0.0%	39.9%		
Co. Wide MSA:		Nevada	# Employees-Co. Wide: 11				Bay Area: 0				

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)

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BOARD ACTION

Agenda Number: 4a-4b

Meeting Date: November 8, 2022

TITLE ORIGINAL EQUIPMENT MANUFACTURER PARTS AND ACCESSORIES FOR VEHICLES

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION

- Authorize direct award contracts with the following vendors for supplying Original Equipment Manufacturer (OEM) parts for fleet vehicles and equipment, beginning on or after November 8, 2022 for three years, with two options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed \$3,200,000: Big Valley Ford, Inc.; Future Ford of Concord, LLC; Garton Tractor, Inc.; Golden Gate Truck Company; Hilltop Ford; Infinite Velocity Automotive, Inc. dba FH Dailey Chevrolet; Mission Valley Ford Truck Sales; Municipal Maintenance Equipment, Inc.; Nixon-Egli Equipment Co. of Southern California, Inc.; Owen Equipment Sales; Pape Machinery, Inc.; Peterson Trucks, Inc.; Ron DuPratt Ford, Inc.; TEC of California; Unlimited Tool Repair & Fabrication, Inc.; and Walnut Creek Ford.
- Authorize additional contracts for supplying Original Equipment Manufacturer (OEM) parts for fleet vehicles and equipment, on an as needed basis and subject to the total aggregate amount authorized by the Board for such supplies on November 8, 2022, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the above vendors to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager’s monthly report.


SUMMARY

These contracts will provide OEM parts required to maintain fleet vehicle and equipment warranties. OEM automotive and equipment parts are only available through authorized dealerships and these distributors are assigned regional rights for the sales.

DISCUSSION

The District maintains a fleet of over 1,300 vehicles and equipment in the service area and upcountry. The District’s fleet repairs are often unpredictable and frequently demand an urgent response, requiring multiple vendors to meet District needs depending on vehicle equipment manufacturer and location. The District uses OEM parts on vehicles and equipment still under warranty to ensure the District complies with existing manufacturer warranty guidelines.

Centralizing these contracts under one award allows flexibility to select the vendors as needed, based on the nature of the repair or maintenance being performed, as well as the

Originating Department: Maintenance and Construction	Department Director or Manager: Michael Ambrose	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY2023	Budget Coding: 11/756/8834500/4008345		Approved: 
Attachment(s): P-035; P-061			

Title: Original Equipment Manufacturer Parts and Accessories for Vehicles

Meeting Date:

November 8, 2022

location. These contracts support the District's Long Term Infrastructure Investment Strategic Plan goal.

**VENDOR
SELECTION**

Due to manufacturer protected regional sales rights and the District's warranty requirements, Big Valley Ford, Inc., Future Ford of Concord LLC, Garton Tractor, Inc., Golden Gate Truck Company, Hilltop Ford, Infinite Velocity Automotive Inc. dba FH Dailey Chevrolet, Mission Valley Ford Truck Sales, Municipal Maintenance Equipment, Inc., Nixon-Egli Equipment Co. of Southern California Inc., Owen Equipment Sales, Pape Machinery, Inc., Peterson Trucks Inc., Ron DuPratt Ford Inc., TEC of California, Unlimited Tool Repair & Fabrication, Inc., and Walnut Creek Ford will be used to source OEM parts at discounted pricing for each product line represented in the recommendation. The District's fleet operation utilizes multiple authorized dealerships within the service area and selects the appropriate vendor from the above list based on the location of the need for parts and which supplier represents that region.

SUSTAINABILITY

Economic

The FY 2023 adopted operating budget includes funding for the first year of these multi-year contracts. Funding for additional years will be considered as a part of the associated budget development process.

The listed vendors will provide parts to the District at wholesale or government fleet pricing rates. These pricing rates are the lowest rates available to the District.

ALTERNATIVES

Solicit competitive bids. This alternative is not recommended because the regional sales rights established by the manufacturer will not support a competitive bid process.

Use non-OEM parts. This alternative is not recommended because it will invalidate vehicle and equipment warranties and could adversely affect the value of these assets.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE <i>Materials and Supplies Contract</i> Original Equipment Manufacturer Parts and Accessories for Vehicles						DATE October 3, 2022					
CONTRACTOR: Various Firms (See below)				PERCENTAGE OF CONTRACT DOLLARS							
BID/PROPOSER'S PRICE:				FIRM'S OWNERSHIP		White Men		25%		100.0%	
				Ethnicity		Gender		White Women		2%	
				See below		-		Ethnic Minorities		25%	
CONTRACT EQUITY PARTICIPATION											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
Big Valley Ford, Inc.	\$200,000	White	X		6.3%						
Future Ford of Concord LLC	\$200,000	White	X		6.3%						
Garton Tractor, Inc.	\$200,000	White	X		6.3%						
Golden Gate Truck Company	\$200,000	White	X		6.3%						
Hilltop Ford	\$200,000	Asian	X					6.3%			
Infinite Velocity Automotive Inc. dba FH Dailey Chevrolet	\$200,000	Asian	X					6.3%			
Mission Valley Ford Truck Sales	\$200,000	White	X		6.3%						
Municipal Maintenance Equipment, Inc.	\$200,000	White		X				6.3%			
Nixon-Egli Equipment Co. of Southern California Inc.	\$200,000	White	X		6.3%						
Owen Equipment Sales	\$200,000	White	X		6.3%						
Pape Machinery, Inc.	\$200,000	White	X		6.3%						
Peterson Trucks Inc.	\$200,000	White	X		6.3%						
Ron DuPratt Ford Inc.	\$200,000	White	X		6.3%						
TEC of California	\$200,000	White	X		6.3%						
TOTAL		\$3,200,000				74.8%	6.3%	18.9%	0.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)											
	White Women		White Women		Ethnic Minorities		Total Employees				
No. of Employees:	See Attached Form P-061										
Percent of Total Employees:											
MSA Labor Market %:											
MSA Labor Market Location:											
COMMENTS											
Contract Equity Participation: 74.8% White Men, 6.3% White Women, and 18.9% Ethnic Minority participation. Contract Duration: Three years with 2 One-year renewal options. *Total not to exceed: \$3,200,000											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				NA							



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Materials and Supplies Contract Original Equipment Manufacturer Parts and Accessories for Vehicles							DATE October 3, 2022				
CONTRACT EQUITY PARTICIPATION (Continued from page 1)											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES (continued):											
Unlimited Tool Repair & Fabrication, Inc.	\$200,000	Hispanic	X					6.3%			
Walnut Creek Ford	\$200,000	White	X		6.3%						
Total											
					See page 1 for total						



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							
			B	H	A/PI	AI/AN	TOTAL		
Original Equipment Manufacturer Parts and Accessories for Vehicles		National	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/CC Counties	10.7	15.6	15.4	0.5	46.2		
Materials and Supplies Contract	DATE:	Number of Ethnic Minority Employees							
	10/3/2022								
R=Recmmd P=Prime S=Sub	Composition of Ownership								
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	WM: LBE	Company Wide	11	62	10	1	84	51.2%	48.4%
Big Valley Ford, Inc. Tanya White 3282 Auto Center Circle Stockton, CA 95269 209-870-4400		Manager/Prof	3	2	0	1	6	31.6%	
		Technical/Sales	2	14	4	0	20	47.6%	
		Clerical/Skilled	2	30	6	0	38	54.3%	
		Semi/Unskilled	4	16	0	0	20	60.6%	
		Bay Area	0	0	0	0	0	0.0%	
AA Plan on File:		NA		Date of last contract with District:		7/2/2018			
Co. Wide MSA:		California		# Employees-Co. Wide:		164		Bay Area: 33	
RP	WM: LBE	Company Wide	6	23	11	1	41	36.6%	Insert %
Future Ford of Concord LLC. Jessica Sisneroz 2285 Diamond Blvd. Concord, CA 94520 916-677-3488		Manager/Prof	0	1	1	0	2	14.3%	
		Technical/Sales	2	16	7	1	26	39.4%	
		Clerical/Skilled	1	0	2	0	3	33.3%	
		Semi/Unskilled	3	6	1	0	10	43.5%	
		Bay Area	6	23	11	1	41	36.6%	
Co. Wide MSA:		9 Bay Area Counties		# Employees-Co. Wide:		112		Bay Area: 112	
RP	WM	Company Wide	INFORMATION NOT PROVIDED						
Garton Tractor, Inc. Kimberly Garcia 2400 N. Golden State Blvd. Turlock, CA 95382 209-632-3931		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
Bay Area									
Co. Wide MSA:									
RP	WM: L/SBE	Company Wide	10	27	5	0	42	59.2%	39.9%
Golden Gate Truck Company Michael Beller 8200 Baldwin Street Oakland, CA 94621 510-632-3535		Manager/Prof	1	0	1	0	2	40.0%	
		Technical/Sales	3	10	2	0	15	60.0%	
		Clerical/Skilled	3	13	0	0	16	59.3%	
		Semi/Unskilled	3	4	2	0	9	64.3%	
		Bay Area	10	27	5	0	42	59.2%	
Co. Wide MSA:		9 Bay Area Counties		# Employees-Co. Wide:		33		Bay Area: 71	
RP	EMM: A/PI - L/SBE	Company Wide	0	4	0	1	5	71.4%	38.5%
Hilltop Ford Jason Meyer 3280 Auto Plaza Richmond, CA 94806 510-222-4444		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	4	0	1	5	83.3%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	4	0	1	5	71.4%	
Co. Wide MSA:		Contra Costa		# Employees-Co. Wide:		7		Bay Area: 7	
RP	EMM: A/PI - L/SBE	Company Wide	5	41	20	0	66	67.3%	39.9%
Infinite Velocity Automotive Inc. dba FH Dailey Chevrolet Deborah Berebrok 800 Davis Street San Leandro, CA 94577 510-746-1230		Manager/Prof	0	3	5	0	8	61.5%	
		Technical/Sales	2	20	11	0	33	70.2%	
		Clerical/Skilled	0	9	4	0	13	65.0%	
		Semi/Unskilled	3	9	0	0	12	66.7%	
		Bay Area	5	41	20	0	66	67.3%	
Co. Wide MSA:		9 Bay Area Counties		# Employees-Co. Wide:		98		Bay Area: 98	

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)



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							
			B	H	A/PI	AI/AN	TOTAL		
Original Equipment Manufacturer Parts and Accessories for Vehicles		National	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/CC Counties	10.7	15.6	15.4	0.5	46.2		
Materials and Supplies Contract	DATE:								
	10/3/2022								
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	WM	Company Wide							
Mission Valley Ford Truck Sales Michele Bennett 780 E Brokaw San Jose, CA 95112 408-933-2300		INFORMATION NOT PROVIDED							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
Bay Area									
Co. Wide MSA:									
RP	WW: L/SBE	Company Wide	0	7	2	0	9	20.0%	48.4%
Municipal Maintenance Equipment, Inc. Helen Wheeler 4634 Mayhew Road Sacramento, CA 95827 916-922-1101 ext. 212		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area		0	2	1	0	3	50.0%
Co. Wide MSA:		California		# Employees-Co. Wide: 45			Bay Area: 6		
RP	WM: SBE	Company Wide	0	34	1	0	35	46.7%	48.4%
Nixon-Egli Equipment Co. of Southern California Inc. Gabriela Scantee 2044 S. Vineyard Ontario, CA 91761 909-930-1822		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area		0	0	0	0	0	0.0%
Co. Wide MSA:		California		# Employees-Co. Wide: 75			Bay Area: 0		
RP	WM	Company Wide	0	3	3	0	6	33.3%	42.9%
Owen Equipment Sales Eileen Wrobel 1085 Horizon Drive Fairfield, CA 94533 360-787-7676		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area		0	3	3	0	6	33.3%
Co. Wide MSA:		Vallejo-Fairfield-Napa		# Employees-Co. Wide: 18			Bay Area: 18		
RP	WM: LBE	Company Wide	1	8	4	0	13	46.4%	39.9%
Pape Machinery, Inc. Lee Ballard 38600 Cedar Blvd. Newark, CA 94560 541-334-3453		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area		0	0	0	0	0	0.0%
Co. Wide MSA:		9 Bay Area Counties		# Employees-Co. Wide: 28			Bay Area: 0		
RP	WM: LBE	Company Wide	5	53	6	5	69	26.8%	27.3%
Peterson Trucks Inc. Agustin Guillen 2712 Teagarden Street San Leandro, CA 94577 503-488-1267		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area		5	46	5	0	56	41.2%
Co. Wide MSA:		Total USA		# Employees-Co. Wide: 257			Bay Area: 136		

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)

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Title: Compressor Overhaul and Upgrade Services

Meeting Date: November 8, 2022

SUSTAINABILITY**Economic**

Funding for this purpose is available in the FY2023 adopted capital budget for Routine Capital Equipment Replacement. Funding for the additional years will be considered as part of the associated budget development process.

Social

Local 444 was notified of this agreement on November 18, 2021 and did not raise any specific issues related to this agreement.

This work will provide increased operational reliability by performing important non-routine service to ensure the continued performance and longevity of this critical equipment.

Environmental

This work will help ensure the reliability of the treatment process and continued compliance with environmental regulations. The work is exempt from the requirements of the California Environmental Quality Act under 14 CCR §15301 because this work consists of the maintenance of existing mechanical equipment with no expansion of use.

ALTERNATIVES

Complete the work with District forces. This alternative is not recommended because District forces lack the special expertise and equipment to overhaul these large compressors.

Reject proposal and rebid. This alternative is not recommended because the recommended service provider is well qualified, has successfully performed prior work for the District, and their proposal offers the best value to the District.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE General Services Agreement Compressor Overhaul and Upgrade Service						DATE: October 14, 2022						
CONTRACTOR: Cisco Air Systems, Inc. Sacramento, CA 95816				Sole Proposer / Local Business		PERCENTAGE OF CONTRACT DOLLARS						
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		Availability Group		Contracting Objectives		Participation				
\$1,851,842 *		White		Men		White Men		25%		100.0%		
		Ethnicity		Gender		White Women		6%		0.0%		
		White		Men		Ethnic Minorities		25%		0.0%		
CONTRACT EQUITY PARTICIPATION												
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Cisco Air Systems, Inc.		\$1,851,842	White	X		100.0%						
SUBS: None												
TOTAL		\$1,851,842				100.0%	0.0%	0.0%	0.0%	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:			47		7		26		80			
Percent of Total Employees:			58.8%		8.8%		32.5%					
MSA Labor Market %:			28.0%		23.6%		48.4%					
MSA Labor Market Location:			California									
COMMENTS												
Contract Equity Participation: 100% White Men participation. Contract Duration: Three years with 1 One-year Renewal Option. Total not to exceed: \$1,851,842												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								



BOARD ACTION

Agenda Number: 6

Meeting Date: November 8, 2022

TITLE AS-NEEDED ENVIRONMENTAL SERVICES TO SUPPORT CAPITAL IMPROVEMENT PROJECTS

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an agreement beginning on or after November 8, 2022 with Sequoia Ecological Consulting, Inc. in an amount not to exceed \$2,000,000 for as-needed environmental services to support capital improvement projects.


SUMMARY This agreement will provide qualified/licensed biologists, arborists, paleontologists, and archaeologists to support the District’s capital improvement projects on an as-needed basis.

DISCUSSION District construction projects routinely require biological surveys and monitoring, trimming and removal of trees, and handling of cultural resources encountered during construction. The District does not employ qualified paleontologists or archaeologists. Additionally, the District’s forecasted capital construction workload for these services contains intermittent peaks that are best addressed with an as-needed services agreement. This item supports the District’s Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION A request for proposals was posted on the District’s website. Three firms submitted proposals. Sequoia Ecological Consulting, Inc. was selected based on the large roster of qualified and licensed individuals it proposed, and its experience providing these services.

SUSTAINABILITY **Economic**
Funding for this agreement is available in the FY 2023 adopted capital budget for the Pumping Plant Rehabilitation, Reservoir Rehabilitation/Maintenance, Large Diameter Pipelines, Mokelumne Aqueducts Recoating, and Dam Seismic Upgrades projects.
Social
Locals 2019 and 21 were notified of this agreement on May 17, 2022. Local 2019 issues were addressed at a meeting on June 7, 2022 and resolved. Local 21 did not raise any specific issues related to this agreement.

Local 444 was not notified as the tree trimming/removal services within the scope of the agreement are not typically performed by District forces.

Originating Department: Engineering and Construction	Department Director or Manager: Olujimi O. Yoloye	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY23, CIP #001252, Page 26; #000716, Page 30; #1006298, Page 14; #2001487, Page 18; #000861, Page 6	Budget Coding: 11-577-VariouS/VariouS-52310		Approved: 
Attachment(s): P-035; P-061			

Title: As-Needed Environmental Services to Support Capital Improvement
Projects

Meeting Date: November 8, 2022

Environmental

This agreement will ensure compliance with environmental laws and regulations, including project-specific California Environmental Quality Act provisions.

ALTERNATIVES

Perform the work with District staff. This alternative is not recommended because District staff do not possess the credentials and expertise to perform the services or are fully committed to supporting District operational and maintenance needs.

Do not perform the work. This alternative is not recommended because proper biological monitoring, vegetation management, and handling of cultural resources is required during construction to ensure compliance with environmental laws and regulations.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement As-Needed Environmental Services to Support Capital Improvement Projects	DATE: October 3, 2022
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CONTRACTOR:	PERCENTAGE OF CONTRACT DOLLARS				
Sequoia Ecological Consulting, Inc. Walnut Creek, CA 94596	Local / Small Business	Availability Group	Contracting Objectives	Participation	
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	50.0%
	Ethnicity	Gender	White Women	6%	33.3%
\$2,000,000 *	White	Women	Ethnic Minorities	25%	16.7%

CONTRACT EQUITY PARTICIPATION											
COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Sequoia Ecological Consulting, Inc.	\$333,333	White		X		16.7%					
SUBS: ESA	\$333,333	White	X		16.7%						
Horizon Water and Environment	\$333,333	White	X		16.7%						
Hanford	\$333,333	White	X		16.7%						
Tremaine & Associates, Inc.	\$333,333	White		X	16.7%						
Julian Tree Care, Inc.	\$333,333	Hispanic	X		16.7%						
TOTAL	\$2,000,000				50.0%	33.3%	16.7%	0.0%	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:	16	16	12	44
Percent of Total Employees:	36.4%	36.4%	27.3%	
MSA Labor Market %:	28.0%	24.2%	47.8%	
MSA Labor Market Location:	Oakland			

COMMENTS

Contract Equity Participation: 50% White Men, 33.3% White Women, and 16.7% Ethnic Minority participation.
Contract Duration: NA

*Total not to exceed: \$2,000,000

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	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 Minority Percentages From U.S. Census Data							
		B	H	A/PI	AI/AN	TOTAL			
As-Needed Environmental Services to Support Capital Improvement Projects		National	10.5	10.7	3.7	0.7	27.3		
		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9		
Professional Services Agreement		DATE:							
		10/3/2022	Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %	
RP	WW: L/SBE	Company Wide	1	4	3	1	9	25.7%	48.4%
Sequoia Ecological Consulting, Inc. Debie Montana 1342 Creekside Drive Walnut Creek, CA 94596 925-989-7011		Manager/Prof	0	3	2	1	6	20.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	1	1	1	0	3	60.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	3	3	0	7	30.4%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	California		# Employees-Co. Wide:		35	Bay Area: 23	
S	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
ESA 180 Grand Avenue, Suite 1050 Oakland, CA 94612 510-839-5066		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WM: L/SBE	Company Wide	INFORMATION NOT PROVIDED						
Horizon Water and Environment 266 Grand Avenue, #210 Oakland, CA 94610 510-421-7664		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WM	Company Wide	INFORMATION NOT PROVIDED						
Hanford 755 Baywood Drive, Suite 380 Petaluma, CA 94954 707-766-4905		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	WW	Company Wide	INFORMATION NOT PROVIDED						
Tremaine & Associates, Inc. Kim Tremaine 1220 Smith Court Dixon, CA 95620 707-333-5288		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	EMM: H - L/SBE	Company Wide	INFORMATION NOT PROVIDED						
Julian Tree Care Inc. Julian Cabrera 561 Julia Wood Street Richmond, CA 94804 510-256-7009		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							

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)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: As-Needed Environmental Services to Support Capital Improvement Projects		Ethnic Minority Percentages From U.S. Census Data									
		B	H	A/PI	AI/AN	TOTAL					
Professional Services Agreement R=Recmmd P=Prime S=Sub Composition of Ownership		DATE: 10/3/2022	National		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/CC Counties		10.7	15.6	15.4	0.5	46.2			
Company Name, Owner/Contact Person, Address, and Phone Number		Number of Ethnic Minority Employees									
		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %			
P	WM: LBE	Company Wide		80	264	200	0	544	23.2%	27.3%	
Kleinfelder, Inc. Patrick Scaffner 1814 Franklin Street, Suite 504 Oakland, CA 94612 619-831-4600		Manager/Prof		39	192	170	2	403	23.0%		
		Technical/Sales		16	44	11	5	0	0.0%		
		Clerical/Skilled		25	28	19	2	74	30.1%		
		Semi/Unskilled		0	0	0	0	0	0.0%		
		Bay Area		6	40	35	0	81	31.0%	39.9%	
		Co. Wide MSA: Total USA		# Employees-Co. Wide: 2,348			Bay Area: 261				
P	WM	Company Wide		3	21	20	1	45	23.6%	48.4%	
LSA Associates, Inc. Michele Douglas 20 Executive Park, Suite 200 Irvine, CA 92614 949-553-0666		Manager/Prof		1	13	17	1	32	20.9%		
		Technical/Sales		0	0	0	0	0	0.0%		
		Clerical/Skilled		2	8	3	0	13	34.2%		
		Semi/Unskilled		0	0	0	0	0	0.0%		
		Bay Area		0	0	0	0	0	0.0%	39.9%	
		Co. Wide MSA: California		# Employees-Co. Wide: 191			Bay Area: 0				

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)

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Agenda Number: 7

Meeting Date: November 8, 2022

TITLE **SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM MAINTENANCE SUPPORT AND IMPROVEMENT**


ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an agreement beginning on or after November 8, 2022 with Schneider Electric Systems USA, Inc. (SE) for three years for a total amount not to exceed \$559,985 for maintenance, support, and upgrades to the District’s Supervisory Control and Data Acquisition System (SCADA) services at District facilities.

SUMMARY The District uses a SCADA system to monitor and control over 300 power production, water supply, transmission, treatment, and distribution facilities. The SCADA system was commissioned in 1989 and has been maintained and upgraded by SE since 2017. This agreement will continue the maintenance, support, and upgrade of the SCADA system.

DISCUSSION In 2017, SE purchased Telvent USA, the original provider of the District’s SCADA system. In May 2017, under Board Motion No. 072-17, SE was assigned the Telvent agreements to complete the District’s SCADA system upgrade. In June 2018, under Board Motion No. 087-18, SE was awarded an agreement to provide software support services for the upgraded SCADA system, which expired in October 2022. The SCADA system provided by SE is proprietary software that allows remote monitoring and control of water operations facilities. SE has performed well and met all milestones from previous agreements. The agreement includes security patches, software updates, product support, and requirements for mutual indemnification for claims resulting from negligence or any willful misconduct of the indemnifying party. This agreement supports the District’s Water Quality and Environmental Protection and Long-Term Infrastructure Investment Strategic Plan goals.

CONSULTANT SELECTION This agreement is sole sourced to SE because the SCADA system is proprietary software developed by SE. SE is the only company capable of providing upgrades and software support services.

Originating Department: Operations and Maintenance	Department Director or Manager: David A. Briggs	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2023	Budget Coding: 11.739.1585.8514100.53120.000000		Approved: 
Attachment(s): P-035, P-061			

Title: Supervisory Control and Data Acquisition System Maintenance Support and Improvement Meeting Date: November 8, 2022

SUSTAINABILITY

Economic

The FY 2023 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 type of work is not performed by District forces and consequently, union notification was not required.

Environmental

Maintaining the SCADA system will ensure the District has accurate and up-to-date water system data to monitor and control the water supply, water distribution, and water treatment systems.

ALTERNATIVES

Do not authorize the agreement for SCADA services. This alternative is not recommended because District staff do not have the tools or in-house knowledge to address software issues. Also, without software updates and patches, the SCADA system could become vulnerable to cyberattack.

Authorize an agreement with another consultant. This alternative is not recommended because the current SCADA system is proprietary software that only SE can manage.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement Supervisory Control and Data Acquisition System Maintenance Support and Improvement							DATE: September 22, 2022					
CONTRACTOR: Schneider Electric Systems USA, Inc. Foxboro, MA 02035				PERCENTAGE OF CONTRACT DOLLARS								
Direct Award				Availability Group		Contracting Objectives		Participation				
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		0.0%				
		Ethnicity	Gender	White Women		6%		0.0%				
\$559,985 *		Publicly Held	-	Ethnic Minorities		25%		0.0%				
CONTRACT EQUITY PARTICIPATION												
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES: Schneider Electric Systems USA, Inc.		\$559,985	Publicly Held							100.0%		
SUBS: None												
TOTAL		\$559,985				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)												
			White Men		White Women		Ethnic Minorities		Total Employees			
No. of Employees:			INFORMATION NOT PROVIDED									
Percent of Total Employees:												
MSA Labor Market %:												
MSA Labor Market Location:												
COMMENTS												
Contract Equity Participation: Zero Contract Equity participation since firm is a Publicly Held Corporation. Contract Duration: November 8, 2022 to October 31, 2025 Total not to exceed: \$559,985												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								

Title: Grazing Leases in the East Bay Watershed

Meeting Date: November 8, 2022

land use management of the parcel. If a grazing parcel is vacated, staff issues a request for proposals and selects new tenants. All current lessees substantially met the terms of their leases.

SUSTAINABILITY**Economic**

The grazing program generates annual revenue while providing vegetation management on watershed lands.

Social

Grazing provides public safety and economic benefits to the region by reducing wildfire risks and supporting agriculture.

Environmental

The impacts of the grazing leases were analyzed in the programmatic EIR prepared for East Bay Watershed Master Plan in 1996. EBMUD prepared and adopted an Initial Study/Negative Declaration as part of an update to the East Bay Watershed Master Plan in 2018. This analyzed improvements to the grazing program. Grazing provides certain environmental benefits, including supporting biodiversity and controlling invasive vegetation.

ALTERNATIVES

Eliminate grazing on the watershed. This alternative is not recommended because it would result in excessive fuel loading, potential reductions in biodiversity, and economic impacts to the region.

Mow and masticate vegetation across the District's watershed landscape using staff or contractors. This alternative is not recommended because it would result in substantially higher costs to the District.

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Agenda Number: 9

Meeting Date: November 8, 2022

TITLE AMEND THE POWER PURCHASE AGREEMENT FOR PHOTOVOLTAIC-GENERATED ELECTRICITY

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an amendment to the Power Purchase Agreement (PPA) previously authorized under Board Motion No. 009-22 with Solar Star Bear Creek, LLC (Solar Star) to increase the energy purchase price by 8.8 percent from \$0.0616 to \$0.0670 per kilowatt hour (kWh), to account for increased material and construction costs and ensure timely project completion.


SUMMARY The proposed amendment would revise the energy purchase price and extend the completion date to December 31, 2023 for the five-megawatt (MW) Duffel photovoltaic (PV) project (Project). This Project will reduce the District’s electricity costs and increase the District’s use of renewable, emissions-free energy sources in support of District Policy 7.07 – Energy. A presentation of the Project was provided to the Planning Committee on August 13, 2019 and February 11, 2020, and was discussed at the April 28, 2020, October 27, 2021, and October 25, 2022 Sustainability/Energy Committee meetings.

DISCUSSION Since 2003, the District has successfully developed 11 PV projects under various contractual arrangements, providing nearly two MWs of PV capacity. Collectively, these projects offset approximately two percent of the District’s annual energy consumption and support the District’s goal to be carbon neutral for the water system by 2030.

On June 23, 2020, the Board authorized a 25-year PPA with Solar Star at a fixed price of \$0.0616 per kWh and \$183,000 to develop the Project. On January 11, 2022, the District authorized the first amendment increasing the development (non-energy) expenses by \$517,000 to \$700,000 to implement design changes and environmental mitigation measures. In March 2022, TotalEnergies purchased SunPower and its subsidiaries, including Solar Star.

This second amendment addresses cost increases due to increased material and construction costs under a restructured PPA. The economic viability of the Project depends on admittance into PG&E’s Renewal Energy Self-Generation Bill Credit Transfer (RES-BCT) program. This program is only available to government agencies and has a cap of 105 MW within PG&E’s service area. The District’s project is among the projects awaiting admittance along with others already admitted. Collectively, all known projects are expected to marginally exceed the entire capacity. Liquidated damages would apply to Solar Star if project completion is delayed.

Under this amendment, the District would indemnify Solar Star by capping Solar Star’s liability should Solar Star complete the Project on the agreed upon schedule but not be admitted into

Originating Department: Operations and Maintenance	Department Director or Manager: David A. Briggs	CEP Forms? Yes	Board Action Type: General Services
Funds Available: FY2023, CIP#1002593, Page 77	Budget Coding: Various/ Various/ Various/ Various/53740		Approved: 
Attachment(s): P-035; P-061			

Title: Amend the Power Purchase Agreement for Photovoltaic-Generated Electricity Meeting Date: November 8, 2022

PG&E's RES-BCT program. This amendment supports the District's Water Quality and Environmental Protection and Long-Term Financial Stability Strategic Plan goals.

**CONSULTANT
SELECTION**

In 2020, a request for proposals was sent to 19 PV vendors to design, construct, operate and maintain the PV system under a PPA. Eight service providers submitted proposals and a short-list of three service providers was established. Solar Star (then a subsidiary of SunPower) was selected based on the highest net present value, largest annual generation production, product quality, and experience.

SUSTAINABILITY**Economic**

Funding for this purpose is available in the FY 2023 adopted capital project budget for Enhanced Power Revenue Project.

The net present value of the Project over the 25-year term of the PPA will exceed \$14 million.

Social

This type of work is not performed by District forces and consequently, union notification was not required.

Environmental

The Project is estimated to offset approximately 2,000 metric tons of greenhouse gas emissions annually and support emissions reductions goals as specified in District Policy 7.07 – Energy.

ALTERNATIVES

Do not amend the PPA. This alternative is not recommended because PPA amendments are required to complete the Project.

Do not proceed with the Project. This alternative is not recommended because the Project will significantly lower the District's indirect emissions and will lower electricity costs.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE General Services Agreement - Amendment Amend the Power Purchase Agreement for Photovoltaic-Generated Electricity						DATE: October 17, 2022						
CONTRACTOR: Solar Star Bear Creek, LLC Richmond, CA 94804 <div style="text-align: right; margin-top: 5px;">Local Business</div>				PERCENTAGE OF CONTRACT DOLLARS								
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%				
		Ethnicity	Gender	White Women		6%		0.0%				
\$517,000 *		White	Men	Ethnic Minorities		25%		0.0%				
CONTRACT EQUITY PARTICIPATION												
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Solar Star Bear Creek, LLC		\$517,000	White	X		100.0%						
SUBS: None												
TOTAL		\$517,000				100.0%	0.0%	0.0%	0.0%	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:		533		166		570		1,269				
Percent of Total Employees:		42.0%		13.1%		44.9%						
MSA Labor Market %:		39.0%		33.7%		27.3%						
MSA Labor Market Location:		Total USA										
COMMENTS												
Contract Equity Participation: 100% White Men participation. Contract Duration: NA *Total not to exceed: \$700,000 = \$183,000 (Original) + \$517,000 (Amendment) NOTE: Amendment to Increase agreement amount by 8.8% from \$0.0616 to \$0.0670 per kWh in the Purchase Power Agreement.												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title: Amend the Power Purchase Agreement for Photovoltaic-Generated Electricity		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
General Services Agreement - Amendment		DATE:	National		9 Bay Area Counties		Alameda/CC Counties		
		10/17/2022	10.5	10.7	3.7	0.7	27.3		
			5.5	16.2	14.2	0.4	39.9		
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM: LBE	Company Wide	53	116	224	7	400	31.5%	27.3%
Solar Star Bear Creek, LLC Julie Williamson 1414 Harbour Way South, Suite 1901 Richmond, CA 94804 <i>(Local Office)</i> 510-260-8551		Manager/Prof	16	48	184	4	252	34.6%	
		Technical/Sales	20	53	40	2	115	29.6%	
		Clerical/Skilled	17	15	0	1	33	21.9%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	8	11	45	0	64	26.8%	
		AA Plan on File:	NA		Date of last contract with District:		1/5/2022		
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		1,269	Bay Area:	239
P	WM: L/SBE	Company Wide	9	6	6	0	21	30.9%	46.2%
Sun Light & Power Mailys Bernier 1035 Folger Avenue Berkeley, CA 94710 510-845-2997 ext. 124		Manager/Prof	2	2	1	0	5	15.2%	
		Technical/Sales	0	1	2	0	3	27.3%	
		Clerical/Skilled	7	3	3	0	13	54.2%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	9	6	6	0	21	30.9%	
		Co. Wide MSA:	Alameda/Contra Costa		# Employees-Co. Wide:		68	Bay Area:	68
P	WM	Company Wide	1	4	7	0	12	15.6%	27.3%
Distributed Solar Operations, LLC Greg Manning 2690 Balltown Road Niskayuna, NY 12309 443-386-2058		Manager/Prof	1	4	6	0	11	14.9%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	1	0	1	50.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	1	0	1	12.5%	
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		77	Bay Area:	8

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)



BOARD ACTION

Agenda Number: 10

Meeting Date: November 8, 2022

TITLE **AUTHORIZE CONTINUED EMPLOYMENT OF HANSON BRIDGETT, LLP, FOR SPECIALIZED LEGAL SERVICES**


ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize the Office of General Counsel (OGC) to continue the employment of the law firm of Hanson Bridgett, LLP, for specialized legal services related to construction, public contracts and procurement, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters in an additional amount not to exceed \$500,000.

DISCUSSION The firm of Hanson Bridgett, LLP, has been retained to assist OGC in matters related to construction, public contracts and procurement, intellectual property and technology matters, tax law, public pension law, labor and employment, and litigation matters. OGC is requesting authorization for additional funds for services described in separate confidential attorney-client privileged memoranda to the Board.

SUSTAINABILITY **Economic**
Funding for this item is included in the FY 2023 adopted operating budget.

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Originating Department: Office of General Counsel	Department Director or Manager: Derek McDonald	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY 2023	Budget Coding: 130-8851100-52310		Approved: 
Attachment(s): P-035; P-061			

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Contract - Amendment Authorize Continued Employment of Hanson Bridgett, LLP, for Specialized Legal Services						DATE: October 25, 2022						
CONTRACTOR: Hanson Bridgett, LLP San Francisco, CA 94015				PERCENTAGE OF CONTRACT DOLLARS								
Direct Award				Availability Group		Contracting Objectives		Participation				
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%				
\$500,000 *		Ethnicity	Gender	White Women		6%		0.0%				
		White	Men	Ethnic Minorities		25%		0.0%				
CONTRACT EQUITY PARTICIPATION												
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Hanson Bridgett, LLP		\$500,000	White	X		100.0%						
SUBS: None												
TOTAL		\$500,000				100.0%	0.0%	0.0%	0.0%	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:		52		99		123		274				
Percent of Total Employees:		19.0%		36.1%		44.9%						
MSA Labor Market %:		28.0%		23.6%		48.4%						
MSA Labor Market Location:		California										
COMMENTS												
Contract Equity Participation: 100% White Men participation. Contract Duration: NA *Total not to exceed: \$500,000												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								

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RESOLUTION NO. _____

COMMENDING WARD 7 DIRECTOR FRANK MELLON AND ACKNOWLEDGING
HIS SERVICE TO THE EAST BAY MUNICIPAL UTILITY DISTRICT

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, Director Frank Mellon was elected to the East Bay Municipal Utility District (EBMUD or District) Board of Directors (Board) in 1994 to represent Ward 7 and was re-elected in 1998, 2002, 2006, and 2010, and appointed in 2014 and 2018; and

WHEREAS, Director Frank Mellon has served two terms as Board President – 2003-2004 and 2015-2016. In that role and throughout his service on the Board, the District has benefited from his wealth of experience guiding the District’s efforts to build a more sustainable water supply and in employee and labor relations; and

WHEREAS, Director Frank Mellon has provided valuable leadership and has served on various EBMUD Board Committees and as a Board representative on the EBMUD Retirement Board since 1995; the DERWA Board since 1996, including chair of the DERWA Board in 2001, 2005, 2009, 2013, 2017 and 2021; and the Special Districts Association of Alameda County. He also represented the District as an ACWA Region 5 Board member; and

WHEREAS, Director Frank Mellon has worked with District staff, public officials, and local residents and businesses to develop projects that minimize environmental and community impacts while responsibly using ratepayer funds to meet seismic safety and water supply needs; and

WHEREAS, Director Frank Mellon was an active leader in the District’s efforts to develop its first supplemental groundwater supply project – the Bayside Groundwater Project and spent many nights attending meetings and working with local leaders in San Lorenzo and San Leandro to tailor an approach that met community needs; and

WHEREAS, Director Frank Mellon’s investment of time and energy was a key factor during outreach regarding the District’s plans for the Redwood Filter Plant property; the Chabot Dam upgrade project; and the Southern Loop project, which today provides a second means of moving water supplies east-to-west and west-to-east as needed; and

WHEREAS, Director Frank Mellon has been a vocal advocate and supporter of various capital improvement programs to improve the reliability of the District’s aging infrastructure, including Pipeline Rebuild and replacement of the District’s South Reservoir and has been actively involved in supporting EBMUD water conservation and Contract Equity Program outreach at community events; and

WHEREAS, Director Frank Mellon has supported the District’s efforts to increase workforce diversity and to partner with college and community employment training programs to develop

local qualified job candidates. He is a strong advocate for the District's diversity, equity, and inclusion efforts and for ensuring contracting opportunities for small and local businesses in the community; and

WHEREAS, Director Frank Mellon has a long history of community involvement as a former Scout Master, former Cub Master, and on the Board of Directors of the San Francisco Bay Area Council of Boy Scouts of America. He is a volunteer Director for a retirement facility and is a Human Resources and Labor Relations consultant to the public and private sectors;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District commends Director Frank Mellon for 29 years of dedicated public service to EBMUD, its customers, and the environment, and wishes him well in his future endeavors.

ADOPTED this 8th day of November, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

Title: Adopt a Resolution Continuing Virtual Meetings of the Board of Directors

Meeting Date: November 8, 2022

30 days to renew the findings supporting the continued use of teleconferencing. The Board has met and considered the circumstances of the State of Emergency and renewed its findings not less than every 30 days between May 24, 2022 and the October 11, 2022 meeting. The Board is being asked to again adopt a resolution at its November 8, 2022 meeting. The District's Board meetings, closed session meetings, committee meetings, special meetings, workshops, and ad hoc committee meetings are attended by District staff and the general public. Currently, the COVID-19 pandemic State of Emergency remains in effect, and state and local health authorities still recommend social distancing measures. There is still no statewide mandate requiring persons to be vaccinated to enter public facilities and the Brown Act precludes the Board from requiring meeting attendees to be vaccinated as a condition of attendance.

District employees continue to contract COVID-19 (nearly all outside of work) at a rate of one or two each day. Virus concentration in the community and hospitalization rates indicate that the Omicron subvariant surge that began last spring has not completely abated. Since it is not possible to predict how many persons will attend a Board meeting to allow for social distancing and other safety measures, staff recommends that the Board utilize its authority under the Brown Act to provide for teleconferencing for all Board meetings, closed session meetings, committee meetings, special meetings, workshops, and ad hoc committee meetings.

ALTERNATIVE

Do not make findings and adopt a resolution to continue meetings via teleconference. This alternative is not recommended because the District cannot require members of the public who wish to attend the Board meetings to be vaccinated, and the number of COVID-19 cases remain elevated in the District's service area.



RESOLUTION NO. _____

AUTHORIZING CONTINUED UTILIZATION OF TELECONFERENCING FOR MEETINGS
OF THE EAST BAY MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, Government Code section 54953(e) provides that a governing body of a local public agency may conduct public meetings via teleconferencing in any of the following circumstances: (A) the governing body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or (B) the governing body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) the governing body holds a meeting during a proclaimed state of emergency and has previously determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency under the California Emergency Service Act in response to the threat of the COVID-19 pandemic; and

WHEREAS, Governor Newsom's March 4, 2020, proclamation of a State of Emergency is still in effect; and

WHEREAS, both the California Department of Industrial Relations, Division of Occupational Safety and Health, and the Alameda County Public Health Department are currently recommending measures to promote social distancing at worksites; and

WHEREAS, East Bay Municipal Utility District (District) Board meetings, committee meetings, closed session meetings, special meetings, ad hoc committee meetings, and workshops are attended by District Board members, District employees and members of the public; and

WHEREAS, on May 24, 2022, the District Board of Directors (Board) met under California Government Code section 54953(e)(1)(B) to determine whether, as a result of the State of Emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, at the May 24, 2022, Board meeting, the Board made the requisite findings under Section 54953(e)(1)(B) and adopted Resolution No. 35291-22, which provides that the District may hold meetings via teleconference during the declared State of Emergency; and

WHEREAS, pursuant to Section 54953(e)(3), Resolution No. 35291-22 requires the Board to meet not less than every 30 days to renew the findings supporting continued use of teleconferencing; and

WHEREAS, not less than every 30 days between May 24, 2022 and October 11, 2022, the Board

has met and considered the circumstances of the State of Emergency and renewed its findings under section 54953(e)(3) and Resolution No. 35291-22 in order to continue to hold meetings via teleconferencing; and

WHEREAS, at the meeting on November 8, 2022, staff has presented the Board with current information on the COVID-19 pandemic and its impacts within the District’s service area and has recommended that the Board continue to utilize its authority under the Ralph M. Brown Act to provide for teleconferencing for all Board meetings, committee meetings, closed session meetings, special meetings, ad hoc committee meetings, and workshops;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District hereby finds and determines as follows:

1. The Board has considered the circumstances of the State of Emergency declared by Governor Newsom; and
2. As a result of the State of Emergency, meeting in person would present imminent risks to the health or safety of meeting attendees.

BE IT FURTHER RESOLVED that, based on the findings above, all District Board meetings, committee meetings, closed session meetings, special meetings, ad hoc committee meetings, and workshops will continue to be held via teleconference in accordance with the provisions of California Government Code section 54953(e).

ADOPTED this 8th day of November, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

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RESOLUTION NO. _____

CONDEMNING HUMAN RIGHTS VIOLATIONS AGAINST IRANIAN
WOMEN AND THE PEOPLE OF IRAN

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the Board of Directors of East Bay Municipal Utility District (District) determines all questions of policy and has adopted policies upholding their commitment to diversity, equity, inclusion, and justice; and

WHEREAS, the District's commitment to diversity, equity, inclusion and justice compels the recognition and condemnation of human rights abuses; and

WHEREAS, the Universal Declaration of Human Rights was adopted by the United Nations (UN) on December 10, 1948¹, as the first agreement among countries around the world identifying the rights and freedoms that belong to all human beings; and

WHEREAS, the Preamble of the Universal Declaration of Human Rights recognizes the inherent dignity and equal rights of all members of the human family as the foundation of freedom, justice, and peace in the world; and

WHEREAS, according to the UN report on human rights in the Islamic Republic of Iran (Islamic Republic), for the last 43 years, leaders of the Islamic Republic have been accused of operating a police state; torturing and killing citizens for criticizing the government; and repressing freedom of thought, expression and lifestyle especially for women and religious minorities (e.g., Baha'is); and

WHEREAS, the UN General Assembly and UN Commission on Human Rights have officially condemned Islamic Republic's human rights violations in public resolutions; and

WHEREAS, as reported by journalists and news organizations worldwide, on September 13, 2022, a 22-year-old Kurdish woman, Mahsa (Zhina) Amini, was arrested in Tehran for allegedly not wearing her hijab in accordance with the Islamic Republic's compulsory hijab laws, and was subsequently killed while in the custody of the Islamic Republic's "Morality" Police; and

WHEREAS, Mahsa (Zhina)'s killing in the custody of the Islamic Republic's "Morality" Police exemplifies more than four decades of human rights violations, repression and mistreatment of women, denial of equal treatment of women in Iranian society, systematic discrimination against religious and cultural minorities and labor activists, gender apartheid, unfair trials and forced

¹ Universal Declaration of Human Rights | United Nations

confessions, torture and extrajudicial killings, child marriage, government corruption, funding of terror, and theocracy; and

WHEREAS, the women of Iran and young girls have risked their lives to protest the human rights abuses exemplified by Mahsa (Zhinia)'s killing and are now at the forefront of the long-standing struggle for the rights of the Iranian People, with the main slogan of Woman-Life-Freedom. The bravery of these women has become a rallying cry resulting in waves of protests by the people of Iran crying out for basic human rights as outlined in the Universal Declaration of Human Rights; and

WHEREAS, the Islamic Republic has responded violently against these expressions of free speech and protests by Iranian people and allies, with the killing of hundreds and arrest of thousands of protesters and the blackouts of Internet and social media to block information flow to the outside world and within Iran; and

WHEREAS, in accordance with its commitment to diversity, equity, inclusion, and justice, the District wishes to amplify and bring attention to those protesting human rights abuses against the people of Iran as exemplified by Mahsa (Zhinia)'s killing;

NOW, THEREFORE, BE IT RESOLVED the District chooses to amplify the voices of the Iranian people and their cries for basic human rights and freedom especially for the women of Iran, and stands in solidarity with its employees, customers, and ratepayers of Iranian and similar heritage who are deeply impacted by the repressive actions of the Islamic Republic.

BE IT FURTHER RESOLVED in accordance with Universal Declaration of Human Rights, which is aligned with the mission, principles, and values of the District, the District condemns the violations of human rights exemplified by the killing of Mahsa (Zhinia) Amini and, therefore, the District commits to:

1. Acknowledging the concerns of employees of Iranian and similar heritage to promote a sense of acceptance and belonging in recognition that the District is a diverse community that stands united in upholding human rights for all people.
2. Aiding and supporting employees who are personally or tangentially impacted by historical and recent events in Iran, with listening sessions and personal support resources, such as the District's Employee Assistance Program.

3. Upholding our social responsibility to stand up against oppression, racism, xenophobia, and discrimination of all forms.

ADOPTED this 8th day of November, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:


General Counsel

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 8, 2022

MEMO TO: Board of Directors

FROM: Clifford C. Chan, General Manager 

SUBJECT: Board of Directors Officer Nomination and Election Process

SUMMARY

In April 1982, the Board of Directors voted to elect annually the President and Vice President of the Board at its first regular meeting in January. According to District records, in 1996, the Board began the practice of nominating and electing the same two members to serve as President and Vice President for two consecutive terms.

NEXT STEPS

The Board is scheduled to discuss officer terms at its meeting on November 8, 2022 to determine if revisions to the process will be made prior to Board officer elections in January 2023.

CCC:RSC

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 8, 2022

MEMO TO: Board of Directors

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

FROM: Kelly A. Zito, Special Assistant to the General Manager *KZ*

SUBJECT: 2022 Drought Update

SUMMARY

The Board declared a water shortage emergency and Stage 2 drought on April 26, 2022, and on May 10, 2022 approved a Water Shortage Emergency Action Plan and implemented a Stage 2 Drought Surcharge. This memo highlights the District's response to continued dry conditions.

DISCUSSION**District Operations**

Total storage in Pardee and Camanche reservoirs is 90 percent of average and 63 percent of capacity, and total storage in the East Bay reservoirs is 113 percent of average and 84 percent of capacity. The end of season storage on September 30, 2022 was 520 thousand acre-feet (TAF), including purchased water. A gainshare obligation of 12 TAF was released in October 2022 to benefit fisheries on the Mokelumne River.

On October 24, 2022, the District completed the delivery of 20 TAF of water purchased from the Placer County Water Agency (PCWA) and the Freeport facilities were shut down. The water diverted from the Sacramento River was delivered to the San Pablo and Upper San Leandro Reservoirs. While Freeport was operating this fall, the District diverted approximately 1.9 TAF of Contra Costa Water District's Central Valley Project water pursuant to the settlement agreement with the District.

Water Shortage Emergency Action Plan Implementation

The Board declared a Stage 2 drought on April 26, 2022. At that time, the Board set a ten percent mandatory water use reduction goal and directed staff to develop a Water Shortage Emergency Action Plan outlining how the District would meet that goal. The Board also directed staff to return in November with an assessment of the District's drought response and progress in meeting the ten percent goal.

Messaging and Outreach

The District intensified its drought outreach campaign in the spring and summer of 2022 in response to worsening statewide conditions. Outreach included broad messaging through advertisements, social media, webinars, and press releases, as well as targeted customer level communications via tools like Home Water Reports and irrigation water budgets. The following is a summary of the summer 2022 outreach campaign:

The District invested in advertising to increase awareness of the drought. Staff developed a new suite of ads using the “Make Every Drop Count” logo and identifying specific actions customers could take. These ads were run in print media in English, Spanish, Chinese, and Vietnamese. English, Spanish, and Chinese ads were also placed outdoors on west-of-hills billboards and transit shelters, and east-of-hills at digital kiosks at Broadway Plaza in Walnut Creek and Bishop Ranch in San Ramon.

The District entered a partnership with local television station KTVU. KTVU developed two thirty-second ads in both English and Spanish. Ads were run on live television and through KTVU’s streaming service. KTVU also developed a drought microsite on its website featuring relevant news stories, sponsored content provided by the District, and banner ads linked to the District’s webpage. Through its streaming platform, the KTVU English and Spanish language ads were delivered over 2 million times to households in the service area. There were almost 900,000 impressions where the ads were run prior to videos on the drought microsite. Since August 1, the KTVU’s drought microsite received 3,017 unique visitors. The District posted several articles on that page, including one on the District’s Customer Assistance Program. Those sponsored stories collectively received 574 page views.

The District reached out to customers through its Customer Pipeline newsletter, website, social media, and other tools. The District’s drought webpage (www.ebmud.com/drought) is updated regularly, and a carousel image on the District’s homepage directs customers to the drought page. Following the District’s stage 2 drought announcement in April, this webpage received 4,586 views in May and 4,745 views in June; total views since April is 20,582 as of November 2.

Social media posts focused on indoor and outdoor conservation. The top boosted post was the “I Heart My Garden” contest, and we earned a total of 74,725 impressions. Of the non-boosted posts, the top five earned an average of 463 impressions: leak detection (743); Water Wednesday on desalination (450); sharing City of Alameda’s water conservation tweet (398); flowmeter rebates (374); and general water conservation (350). The frequency was four posts per month with 250 average impressions per post.

The District also communicates with customers via targeted, personalized messages. Approximately 110,000 Home Water Reports are delivered to residential customers each month. These reports include targeted messages based on customer characteristics and are updated regularly; this summer, the messages included information on the District’s drought water use

restrictions. Irrigation customers participating in the Irrigation Reduction Information System (IRIS) program received drought messages along with their water budgets.

The District's drought outreach also includes commercial and institutional customers and cities. In June 2021, letters were mailed to city Public Works Directors, City Managers, Parks Directors, and elected officials from twenty cities and towns and two counties about the drought and ways to save water. Staff also conducted targeted outreach to cities regarding the District's landscape rebate program. Through the IRIS program, staff worked with city public works and parks staff on improving their irrigation efficiency. Reports of water waste or overirrigation on city properties result in staff reaching out to city staff to alert them to the issue and offer guidance. This winter, staff will reach out to cities again to remind them of the ongoing drought, the need to use water efficiently, and to offer services to support their efforts to conserve water.

Water Conservation Drought Programs

The District increased the dollar amount of several popular rebates on July 1, 2022. Since then, the District has received 243 applications for lawn rebates (including median and super rebates), which is greater than the total lawn rebate applications received in calendar years 2019 or 2020, combined.

The District hired additional temporary staff to respond to increased customer call volume, provide customer water audits and consultations, process rebates, and conduct outreach on water waste and leak alerts. From June through September, staff provided 1,163 water use consultations to individual customers, including both phone and virtual consultations and in-person audits.

The District sends automatic email notifications to customers with suspected leaks based on their consumption. For the calendar year to date, alerts have been sent for over 33,000 suspected leak events. For customers with Advanced Metering Infrastructure (AMI), the system sends alerts after 72 hours of continuous use. For customers without AMI, the system sends leak alerts when a bill exceeds a minimum threshold and is significantly higher than previous use during the same season. Over the past year, the District expanded its print leak alert service, mailing alerts to more customers for whom there is no email address on file. Staff conducts phone outreach to customers with suspected large leaks.

The District continues to offer educational programming both virtually and in-person. The Water Wednesday webinar series featured several drought-themed topics, including: "Drought Update: Where are we now and what's next?" on April 27 (190 attendees); "Goodbye Grass, Hello Garden: Transform your lawn into a beautiful, resilient garden with tips and rebates" on August 17 (270 attendees); "Fire Fight: Fuel management in the age of climate change" on September 21 (90 attendees); and "Demystifying Desal: Join EBMUD and leading experts to discuss desalination" on October 19 (195 attendees). The District also offered webinars on water-efficient landscaping and held biweekly virtual "office hours."

The District held its second “I Heart My Garden” photo challenge over summer 2022 to promote its landscape rebate program and recognize customers who had replaced their lawns. Forty customers submitted photos, including residential and institutional customers.

Conservation Savings

The District is comparing 2022 monthly water use against a 2020 baseline, as required by the State. Using a single year baseline can be problematic, as it can lead to over- or under-reporting actual conservation due to year-to-year changes in weather and climate, economic factors, and other considerations.

The table below shows the District’s 2022 monthly water conservation compared to 2020 since the District declared the Stage 2 drought.

	May	June	July	August	September	October
2022 Actual	165	177	176	181	175	161
2020 Baseline	175	201	210	211	200	189
% Change	-6%	-12%	-16%	-14%	-13%	-13%

Total water demand for the peak irrigation season (July through October 2022) was 14.5 percent lower than the same period for 2020. Water demand since the start of the calendar year was 9 percent lower than the same period in 2020.

Excessive Water Use Penalty Ordinance

The Excessive Water Use Penalty Ordinance (Ordinance) was activated on April 26, 2022 when the Board declared a Stage 2 drought. The effectiveness of the Ordinance and responses to questions raised by the Board at its October 25, 2022 meeting is discussed below.

Through September 30, 2022, a total of 323 customers violated the Ordinance. Of those, 18 customers, or about six percent, were delinquent on their water bills. The most recent list of violations the Board received on October 25, 2022 included several premises that appeared to be units within multifamily complexes. The Ordinance applies to any customer who “has a single-family residential account or a multi-family residential account ... and receives water service or recycled water service to a single-family residence or a multi-family residence that is individually metered or sub-metered by the District.” This language is modeled after Senate Bill 814 regarding droughts and excessive water use. Most multi-family units do not have significant irrigation demand, so high water use may be attributable to leaks.

Staff also reviewed the effectiveness of the District’s warning letters to encourage customers to reduce their water use. While there is limited data and more analysis is needed, staff reviewed customers who had been through two complete billing cycles since the Ordinance went into effect. Between July 1 and August 19, the District sent 1,690 warning letters. Of those, 877 customers, or 52 percent, received a penalty. In May 2022, the District sent courtesy notifications

to about 13,000 customers, including approximately 4,000 letters to customers who had exceeded the 132 unit/billing cycle threshold in the previous year. Staff examined water use for these 4,000 customers with high use. As a group, their water use decreased in the summer of 2022 in comparison to 2020 and 2021. However, it is unclear, at this time, whether this decrease is due to the courtesy notifications or other factors.

Media

Media coverage is currently focused on the Excessive Water Use Penalty Ordinance, including customers in violation of the Ordinance, the concept of ‘water shaming’, how customers may land on the list, and how they can avoid being on the list through leak detection and conservation. Coverage included KRON4, KTVU2, SF Chronicle, Mercury News, East Bay Times, and KCBS.

EBMUD has experienced heavy media interest in the District’s water supply situation from the start of the drought and has been tapped repeatedly as a credible resource to share the Bay Area perspective. Focus has been on the need for conservation and top tips from our experts on rebates and conservation actions. Interviews have been live, recorded, on zoom, and in studio. EBMUD partnered with regional water agencies and with Secretary Wade Crowfoot on a media event in late August to elevate the importance of conservation, especially landscape conversions. EBMUD also supported San Francisco Public Utilities Commission’s “Be a water-saving Giant” campaign with a presence at events at the Giants ballpark.

EBMUD has responded to 185 requests for interviews since April 2021.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 8, 2022

MEMO TO: Board of Directors

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

SUBJECT: Monthly Report – October 2022

HIGHLIGHTS

On October 12, staff completed the first phase of the Two Dog Fish Passage Project on Kaiser Creek in the Upper San Leandro (USL) Reservoir watershed. The fish passage project will allow rainbow trout migrating upstream from USL reservoir to access approximately 1.1 miles of quality spawning habitat in the upper reaches of Kaiser Creek. Phase 1 included removal of the Two Dog culvert, installation of rock slope protection and construction of the natural creek channel to meet fish passage guidelines. The second phase of the project will occur in the summer 2023 and include installation of concrete abutments and a prefabricated bridge over the restored creek channel.

WATER SUPPLY

San Ramon Valley Recycled Water Project update. On October 12, Crow Canyon Country Club completed their PG&E power system upgrades needed for the installation and operation of the main recycled water pumping station and completion of their pending retrofit. Staff is coordinating the final construction tasks to convert their irrigation to recycled water.

On October 4, U.S. Bureau of Reclamation (USBR) issued the Draft Environmental Assessment for the proposed Long-Term Water Transfer Project between the District and Placer County Water Agency for public review. The public comment period ended on November 3, 2022. There were no public comments received. The next step is for the USBR to issue a Finding of No Significant Impact.

On October 5, the District sent an errata sheet for the 2020 Urban Water Management Plan (UWMP) to libraries within the District's service area, the California State Library, and uploaded to DWR's Water Use Efficiency data portal. The sheet logs minor content errors identified after final adoption of the UWMP in July 2021. The Department of Water Resources (DWR) determined that the corrections are minor and do not require the UWMP to be amended.

Regional Water Authority/Folsom South Canal Connection. During the month of October, 6,125 acre-feet of supplemental supply was delivered at an average rate of 64 MGD to local reservoirs. Delivery to San Pablo Reservoir totaled 2,826 acre-feet and delivery to USL Reservoir was 3,299 acre-feet. Supplemental water operations were concluded on October 24 after a total of 20,000 acre-feet of water purchased from Placer County Water Agency was delivered to EBMUD.

Precipitation. There was no East Bay precipitation for October and the season total was 0.20 inches (11 percent of average). The Mokelumne precipitation for October was 0.11 inches (4 percent of average) and the season total was 2.86 inches (73 percent of average).

Water Releases

Camanche Reservoir. The average rate of Camanche release for October was 406 cfs (115 cfs generation, 270 cfs sluice, and 21 cfs through the hatchery), and the average flow below Woodbridge Dam was 239 cfs, both in accordance with the Joint Settlement Agreement "Dry" water year criteria.

East Bay Reservoirs. There were no East Bay reservoir releases in October.

Water Storage

Mokelumne reservoirs storage is 87 percent of average. As of October 31, 2022, Pardee was at 556.3 feet or 105 percent of average, and Camanche was at 203.2 feet or 80 percent of average. Combined Pardee and Camanche reservoir storage was 389,000 acre-feet compared to 335,000 acre-feet last year.

East Bay reservoirs storage is 108 percent of average. As of October 31, 2022, USL was at 448.5 feet or 119 percent of average, San Pablo was at 305.4 feet or 122 percent of average, and Briones was at 570.0 feet or 111 percent of average. Total terminal reservoir storage was 127,000 acre-feet compared to 107,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants (RWPPs). The average rate of Mokelumne Aqueduct draft for October 2022 was 127 MGD. Moraga RWPP pumped 3,299 acre-feet into USL Reservoir averaging 51 MGD when in operation. Walnut Creek RWPP No. 3 was shut down on October 3 and remained out of service until the 24th and 25th to flush Mokelumne Aqueduct No. 3. Walnut Creek RWPP No. 2 was turned on October 3 to facilitate supplemental water operations and was shut down October 24. Walnut Creek No 1. and Briones RWPP remained out of service for the month.

Water Production. Average rate of gross water production for October:

	October 2022	October 2021	October 2020	Average of FY 2005-2007
East of Hills	48 MGD	45 MGD	60 MGD	64 MGD
West of Hills	113 MGD	113 MGD	125 MGD	155 MGD
Total	161 MGD	158 MGD	185 MGD	219 MGD
Max Day Production	178 MGD (10/3/2022)	192 MGD (10/1/2021)	203 MGD (10/1/2020)	

Note: Data are all from preliminary daily operational reports and are subject to revision

WATER QUALITY AND ENVIRONMENTAL PROTECTION

East Bay Watershed Routine Maintenance Agreement (RMA) update. In October, staff completed biological monitoring and replacement of four failing watershed culverts and the restoration of one watershed pond. Pond 74 was deepened to increase its hydroperiod, which provides a more reliable water source for cattle and better habitat for the California red-legged frog. The RMA and the EBMUD Low Effect East Bay Habitat Conservation Plan require pre-project biological surveys and onsite biological monitoring during culvert and pond work on the East Bay watershed to protect sensitive species and their habitat.

In October, staff completed the third year of dry-weather pilot testing split plant nutrient removal at the Main Wastewater Treatment Plant. This pilot testing is critical for determining key operational parameters for reducing nutrient loading to San Francisco Bay using existing infrastructure. It also informs future capital improvements to the secondary treatment system, including the potential for new treatment processes. The District is preparing for expected nutrient load cap requirements as part of the 2024 National Pollutant Discharge Elimination System Nutrient Watershed Permit. An article by District staff describing the split-plant nutrient removal process was published in the October 2022 issue of *Clean Water* California Water Environment Association’s magazine.

In October, seasonal salmonid field monitoring was conducted on the Mokelumne River. The first Chinook salmon of the season was observed passing the Woodbridge Irrigation District dam on September 30, starting the 2022/2023 salmon run. As of October 18, a total of 498 Chinook salmon have been observed passing the dam. Staff conducted weekly redd surveys with no Chinook salmon or steelhead redds observed as of October 11. Three pulse flow events were conducted in October to attract more salmon back to the Mokelumne River. The pulse flows were implemented during the weeks of October 3, 17, and 31. The pulse flow plan was a result of a multi-agency collaboration coordinated through the Mokelumne River Technical Advisory Committee and Partnership Coordinating Committee. In addition, staff documented the inundation of recently restored floodplains within the Mokelumne River Day Use Area during the peak of each pulse flow event to assess restoration design targets with actual flows.

On October 4, staff provided environmental training to the contractor completing the Monterey Pine tree removal project this fall and winter on the east side of San Pablo Reservoir to reduce fire hazards. The EBMUD Low Effect Habitat Conservation Plan (HCP) requires staff and contractors that work on the East Bay watershed be given environmental training before work begins. The contractors were trained on HCP species and avoidance and minimization measures they must follow to reduce impacts to sensitive species and habitats on the watershed. The removal of dead pines began on October 4 following the training. Approximately 290 dead Monterey Pine trees were removed.

All authorized discharges from the Main Wastewater Treatment Plant (MWWTP) were in compliance with the permit limits for the month of October. This is the 278th consecutive month that the MWWTP experienced no exceedances.

The District received no odor complaints from the public in October.

INFRASTRUCTURE INVESTMENT

In October, staff began a pipeline replacement project in the Hazel Avenue area in East Richmond Heights in an unincorporated part of Contra Costa County. This project will replace cast iron pipe and asbestos cement pipe with approximately 2,425 feet of 6- and 8-inch structurally enhanced polyvinyl chloride pipe. This project is expected to be completed in December 2022.

In October, staff began a pipeline replacement project in the Whyte Park Avenue area in Walnut Creek. This project will replace cast iron pipe with approximately 3,295 feet of 6- and 8-inch structurally enhanced polyvinyl chloride pipe. This project is expected to be completed in January 2023.

In October, staff began two pipeline replacement projects in Richmond. The 9th Street area project will replace cast iron pipe with approximately 2,610 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe and structurally enhanced polyvinyl chloride pipe. This project is expected to be completed in January 2023. The 18th Street area project was started and is expected to be completed in October 2022. This project replaced cast iron pipe with 890 feet of 6- and 8-inch structurally enhanced polyvinyl chloride pipe.

In October, staff began two pipeline replacement projects in Oakland. The Bellevue Avenue project will replace cast iron pipe and asbestos cement pipe with approximately 3,795 feet of 6- and 8-inch structurally enhanced polyvinyl chloride pipe. This project is expected to be completed in February 2023. The upper Fruitvale Avenue area project will replace cast iron pipe with approximately 1,855 feet of 6-inch structurally enhanced polyvinyl chloride pipe. This project is expected to be completed in December 2022.

In October, staff completed a pipeline replacement project in the Lynn Avenue area in El Cerrito. This project replaced mortar-lined coated steel pipe and relocated with 1,435 feet of 6-inch structurally enhanced polyvinyl chloride pipe.

In October, staff completed a pipeline replacement project in the 33rd Street area in Richmond. This project replaced cast iron pipe with 775 feet of 6-inch of structurally enhanced polyvinyl chloride pipe.

In October, staff completed three pipeline replacement projects in Oakland. The Montgomery Street area project replaced cast iron pipe with 710 feet of 6-inch structurally enhanced polyvinyl chloride pipe. The Monte Cresta area project replaced cast iron pipe with approximately 4,420 feet of 6- and 8-inch structurally enhanced polyvinyl chloride pipe and mortar-lined zinc coated ductile iron pipe. The Clemens Road area project replaced cast iron pipe and mortar-lined coated steel pipe with 3,765 feet of 6- and 8-inch structurally enhanced polyvinyl chloride pipe.

In October, staff completed a pipeline replacement project in the Springbrook Road area in Walnut Creek. This project replaced cast iron pipe with 4,010 feet of 6-, 8-, and 12-inch structurally enhanced polyvinyl chloride pipe.

On October 13, the District submitted the quarterly report to the California Governor's Office of Emergency Services (Cal OES) in compliance with the Federal Emergency Management Agency Hazard Mitigation Grant for the Moraga Creek Flood and Erosion Control Project. The report, as required by the terms of the \$2,999,993 grant, summarized key project indicators, including progress on milestones through September 30, 2022, contract costs paid to date, and projected expenditure for the following quarter. The report requires review and approval by Cal OES.

Between October 17-21, the District hosted the Federal Energy Regulatory Commission (FERC) -mandated Potential Failure Mode Analysis workshop at Pardee Center. Attendees included staff, FERC, and GEI Consultants (the independent consultant).

Construction of the San Ramon Pumping Plant Drainage Improvements project was completed under Specification 2161. The \$1.2 million project included the installation of a perimeter drainage system consisting of drainage piping and a new sump pump and vault, repair of joints and corroded conduit and pipe supports inside the pumping plant. This work will greatly reduce the amount of groundwater entering the below-ground concrete pumping plant.

Mains repaired in October totaled 90. The attached table lists the mains repaired by staff in October, sorted by city and street. The table indicates the source of the leaks in three categories: non-surfacing leaks discovered by leak detection technologies, breaks caused by contractors or other agencies, and all other main breaks. The associated map shows the location of the main repairs.

CUSTOMER AND COMMUNITY SERVICES

In October, staff participated as guest speakers in lectures at U.C. Berkeley. The topics related to infrastructure investment, resilient and sustainable water system design, pipeline

design and pipeline failure analysis. Staff also conducted a tour of a pipeline construction project and a workshop on pipeline design for engineering students.

On October 1, the District hosted a cross country meet for Piedmont High School on the Pinole watershed. Approximately 270 people attended.

On October 5, the District held a virtual public meeting for the Oakland Inner Harbor Pipeline Crossings Project in Oakland and Alameda. Staff provided information on the project's goals, construction schedule, traffic control measures, and impact to the local community. Approximately 20 people attended.

On October 5, staff met with City of Oakland to coordinate construction activities. The two agencies shared information on current and upcoming work.

On October 6, the District held a virtual public meeting for the Sobrante Water Treatment Plant Project in El Sobrante. Staff provided information on plant upgrades, construction timeline, aesthetics, landscaping, noise, and traffic. Approximately 90 people attended.

On October 6, staff presented at the 94803 Emergency Preparedness Alliance virtual meeting. Staff provided information on the Sobrante Water Treatment Plant Reliability Improvement Project's (Project) conceptual site design visual simulations, project components and the timeline for preparation of the Environmental Impact Report (EIR). Staff committed to an additional community outreach meeting in early 2023 to address comments/questions received in the meeting. The presentation was posted on the District's Project website. The preparation of the EIR is underway with the Draft EIR scheduled for completion in winter 2024. Approximately 50 people attended.

On October 8, staff conducted a guided walk to Upper San Leandro dam along Miller Road in Castro Valley. Staff provided information on watershed activities and the history of the dam. Approximately 30 people attended.

On October 10, the District hosted Lafayette Chamber of Commerce's 30th Reservoir Run at Lafayette Reservoir Recreation Area. Approximately 400 people attended.

On October 12, the District met with Alameda County Industries and Castro Valley Sanitary District to coordinate construction activities. The three agencies shared information on current and upcoming work.

On October 12, staff led a walking tour for Assembly Member Rebecca Bauer-Kahan to demonstrate fire prevention and vegetation management efforts and ecological restoration work in the Siesta Valley watershed. Staff provided information on the importance of protecting water quality through watershed management activities, our partnership with the East Bay chapter of the California Native Plant Society on ecological restoration in Skyline Gardens, and our collaborative efforts with neighboring landowners, fire protection agencies and CAL FIRE on fire prevention efforts.

On October 13, staff met with City of Orinda to discuss coordination with East Bay Regional Park District and PG&E on wildfire prevention. Approximately 10 people attended.

On October 15, staff participated in Oktoberfest in Walnut Creek. Staff provided information on water conservation and rebates; the Water on Wheels trailer was present. Approximately 10,000 people attended.

On October 15, staff conducted a tour of the Camanche Canal Cave for Elk Grove's Boy Scouts Troop 007. The tour started from Riverview Campground. Staff provided information on watershed management and history of the area.

On October 18, staff met with City of Walnut Creek and Central Contra Costa Sanitary District (Central San) to coordinate outreach to residents and businesses for the Locust/Bonanza Cluster pipeline replacement project.

On October 19, the District hosted a virtual Water Wednesday Speaker Series Event. The presentation, which included leading subject matter experts Meagan Mauter from Stanford University and Jennifer Stokes-Draut from Lawrence Berkeley Lab, discussed the use of desalination technology and its financial and environmental challenges. Approximately 195 people attended.

On October 19, staff met with the City of San Pablo to coordinate construction activities. The two agencies shared information on current and upcoming work.

On October 19, staff presented at the Lodi Sunrise Rotary Club meeting. The presentation highlighted EBMUD's management of the lower Mokelumne River, the Mokelumne River salmon population, pulse flow implementation, and an overview of EBMUD's history and service area.

On October 20, staff met with the Town of Danville to coordinate construction activities. The two agencies shared information on current and upcoming work.

On October 22, staff coordinated a garbage cleanup event near Pardee Reservoir. The Boy Scouts of America focused their efforts around the marina and day use areas. Approximately 15 people attended.

On October 24, staff met with City of Alameda and Blue Rise Ventures to discuss traffic impacts related to the Oakland Inner Harbor Pipeline Crossings Project. Blue Rise Ventures, a commercial real estate group, represented businesses along Marina Village Parkway, Challenger Drive, and Atlantic Avenue in Alameda. Approximately 15 people attended.

On October 26, staff participated in a public forum with Central Contra Costa Sanitary District (Central San) and Rossmoor to discuss Central Contra Costa County’s future water supply. Topics included supply sources, conservation, and the possibility of providing recycled water to Central Contra Costa County. Approximately 170 people attended.

On October 26, staff met with Contra Costa County Supervisor John Gioia to discuss the Sobrante Water Treatment Plant Reliability Improvements Project in El Sobrante and Richmond. Staff provided information on the construction schedule, community impacts, landscaping, and Emergency Water Service Agreements with the county.

On October 26, staff presented at the Bay-O-Vista Improvement Association (BOVIA) general meeting. The presentation highlighted the Quarry Site Restoration Project’s (Project) background, components, conceptual site plans and visual simulations, and the timeline for preparation of the Environmental Impact Report (EIR). BOVIA requested EBMUD’s participation as a result of outreach by Alameda County as part of the Alameda County Conditional Use Permit application process required for the Project. The Bay-O-Vista neighborhood is located within the City of San Leandro and adjacent to the western boundary of the Project site. Staff noted community outreach would continue during the EIR process. The preparation of the EIR is underway with the Draft EIR scheduled for completion in early 2023. Approximately 40 people attended.

On October 28, staff provided a tour of the Sobrante Water Treatment Plant for Salesian College Preparatory School students. Approximately 25 people attended.

On October 28, staff met with the Oakland Estuary Park Improvement Planning team to discuss the Oakland Inner Harbor Pipeline Crossings Project and landscape plans. Approximately 10 people attended.

On October 31, staff presented at the City of Richmond Council meeting. The presentation highlighted the Water Emergency Plan and the Sobrante Water Treatment Plant Reliability Improvements Project. Staff discussed the construction schedule and community impacts, and how the project fits into overall Emergency Water Service Agreements with the county. Approximately 5 people attended.

As of October 31, a total of 2,767 letters were mailed to customers that have exceeded the excessive use penalty threshold. If these customers are unable to take corrective actions during the following billing cycle, they would be subject to the excessive use penalty and their information would be subject to the Public Records Act requests. Below is a breakdown of the letters sent by city and ward.

Excessive Use Letters by City Sent as of October 31, 2022					
City	July	August	September	October	Totals
Alameda	3	6	0	3	12
Alamo	290	170	62	60	582
Albany	0	0	0	0	0
Berkeley	14	4	7	2	27
Castro Valley	6	10	3	5	24
Crockett	0	0	0	0	0
Danville	343	278	57	77	755
Diablo	44	49	0	16	109
El Cerrito	2	4	1	1	8
El Sobrante	0	0	1	0	1
Emeryville	0	0	0	0	0
Hayward	10	8	3	5	26
Hercules	1	2	0	1	4
Kensington	1	1	0	1	3
Lafayette	218	125	45	49	437
Moraga	25	25	13	7	70
Oakland	100	24	24	26	174
Orinda	125	41	32	30	228
Piedmont	30	5	12	6	53
Pinole	0	2	0	3	5
Pleasant Hill	3	2	3	0	8
Richmond	24	9	5	5	43
Rodeo	3	0	2	0	5
San Leandro	14	3	4	6	27
San Lorenzo	5	1	5	1	12
San Pablo	4	0	1	0	5
San Ramon	9	11	7	9	36
Selby	0	0	0	0	0
Walnut Creek	51	16	37	9	113
Totals	1,325	796	324	322	2,767

Excessive Use Letters by Ward Sent as of October 31, 2022					
Ward	July*	August	September	October	Totals
1		8	6	6	20
2		640	207	213	1060
3		84	65	55	204
4		10	10	4	24
5		9	10	9	28
6		13	14	13	40
7		32	12	22	66
Totals	1,325	796	324	322	2,767

*Reporting started in August 2022

Media. A press release was issued on October 13 highlighting the District’s completed infrastructure improvements (\$200 million) and new work on major treatment plant upgrades in Orinda.

Stories focused on excessive use, including descriptions of the homeowners on the list, water “shaming,” and conservation tips (KRON4, KCBS, SF Chronicle); drought (SF Bay); and a deer a neighbor of 39th Ave Reservoir thought was trapped (ABC7 and Outsider). An opinion piece suggested using publicly owned lands – such as EBMUD’s – to aid the homeless crisis (Oakland Post/BlackPress USA). An article on next steps for CalShakes referenced EBMUD as the lessor (SF Chronicle). In other news, “water main break pain” in El Sobrante was reported (KQED traffic); a piece summarized Mokelumne adventurer John Silva (Amador Ledger Dispatch); and a memorial honored retiree ranger Walter Urwin Mellin (Ledger Dispatch).

Social Media:

Social Platform	Popular Topic	Impression Generation	# Followers	Change Over Last Month
Twitter	Hydropower at Pardee and Camanche Dams	790	3,999	-13
Facebook	Chinook Salmon Update	900	1,812	16
LinkedIn	Hydropower at Pardee and Camanche Dams	1,801	7,957	95
Nextdoor	Water Wednesday Desal	Entire Service Area		

Staff conducted public outreach to neighbors and interested parties on the following projects:

- Augusta Drive water main restoration (Moraga)
- Buena Vista Interceptor repairs (Alameda)
- Cornell Cluster pipeline replacement (Albany/Berkeley)
- Dover Ave, 23rd St. & Powell St. Pipeline Replacement paving (San Pablo)
- Monte Cresta Cluster pipeline replacement (Oakland)
- Orinda Water Treatment Plant Disinfection Improvements Project (Orinda)
- Overhill Rd. pipeline replacement (Orinda)
- Pine Avenue pipeline replacement paving (San Pablo)
- Pump Station M Rehabilitation (Oakland)
- Special Structures Phase 1 (Oakland)
- Sutter Avenue pipeline replacement paving (San Pablo)
- Trenton Blvd Cluster pipeline replacement paving (San Pablo)

Contract Equity

On October 6, staff participated in the Greater Stockton Chamber of Commerce’s October Trade Show and Exhibition. Staff provided information on District contract opportunities and the Contract Equity Program. Approximately 110 people attended.

Contract Equity staff participated in the following customer events and outreach activities:

- October 6 - Contractors Resource Center City of Oakland Supportive Services’ Year One Gathering – 45 attendees
- October 11 - Greater Stockton Chamber of Commerce’s Growing Unity Inclusion Diversity and Equity Luncheon – 80 attendees
- October 12 - Contract Resource Center Advisory Board Meeting – 7 attendees

- October 12 - Oakland Metropolitan Chamber of Commerce's DEI in the Supply Chain Process: How to Access Big Contracts as a Small Minority Owned Business – 20 attendees
- October 16-17 - Women Construction Owners and Executives' Annual Conference – 50 attendees
- October 19 - BuildOut California's Construction Inclusion Week – 350 attendees
- October 20 - Women Business Enterprise Council Pacific's WE-Xcel Fall Cohort Graduation and Vendor Showcase – 38 attendees
- October 21 - Oakland Latino Chamber of Commerce's Monthly Board Meeting – 12 attendees
- October 21 - Women Business Enterprise Council Pacific's Board meeting – 13 attendees

Water Conservation

On October 1, staff participated in Annie's Annuals Nursery's Water-Wise Weekend event in Richmond. Staff provided information on water conservation and available rebates. Approximately 50 people attended.

On October 4-6, staff attended the WaterSmart Innovations Conference in Las Vegas, NV. The conference focused on the water conservation industry, including updates on new technologies, incentive programs, and research. Approximately 800 people attended.

On October 13, staff presented at the annual Sensus Reach Conference in Washington D.C. The presentation highlighted the use of Advanced Metering Infrastructure for some of the District's largest water users and the resulting water and energy conservation benefits.

On October 18, staff attended San Leandro's Resiliency Hub meeting. The meeting highlighted a variety of resilience hubs being developed in San Leandro to support communities impacted by climate change and emergencies. Resiliency Hubs act as gathering places, demonstrations of sustainable concepts, and potentially distribution centers during emergencies. Approximately 25 people attended.

On October 20, staff participated in California State University, East Bay's Celebration of Campus Sustainability workshop. Staff provided information on drought status, water conservation needs, and available conservation resources. Approximately 15 people attended.

On October 22, the District hosted a fall garden maintenance workshop at the Crown Memorial State Beach's demonstration garden in Alameda. The demonstration garden previously received an EBMUD WaterSmart Garden Grant, and the workshop was a chance to demonstrate best practices for maintaining water-wise gardens. Attendees sheet mulched small areas for weed control and learned about pruning and non-toxic pest management. Approximately 25 people attended.

On October 26, staff presented at Stopwaste's Waste Management Authority & Energy Council meeting. The presentation highlighted an overview of collaborative projects and

programs between the District and Stopwaste, including the Water Efficient Landscape Design Calculator, hands-on sheet mulching events, landscape rebate virtual office hours, and the multiple benefits of the District's Landscape Super Rebate Program. Approximately 40 people attended.

On October 27, the District hosted a webinar on rainwater catchment. The webinar covered the benefits of rainwater catchment, with a focus on rain barrels and raingardens. The webinar also featured example projects throughout the service area. Approximately 75 people attended.

Water Conservation staff participated in the following customer and community events and outreach activities:

- October 29 - Sausal Creek Nursery at San Joaquin Park, Oakland – 200 attended

WORKFORCE PLANNING AND DEVELOPMENT

Staff participated in events/activities that support the District's long-term efforts to develop a diverse pipeline of candidates for future workforce needs and expand collaborative relationships with local partner organizations:

- **October 5, staff participated in the University of California, Berkeley's 2022 Science, Technology, Engineering and Math Career and Internship Fair.** Staff provided information on the District and the District's application and recruiting process. Approximately 20 people attended.
- **October 12, staff participated in the University of California, Davis' Fall Internship and Career Fair.** Staff provided information on the District and the District's application and recruiting process. Approximately 65 people attended.
- **October 13, staff participated in Junior Achievement of Northern California's job fair in Pinole.** Staff provided information on District careers, recruitments, and application processes. Approximately 1,000 people attended.
- **October 14, staff participated in American Society of Civil Engineers' career fair at San Jose State University.** Staff provided information on the District and the District's application and recruiting process. Approximately 20 people attended.
- **October 19, staff participated in Concord High School's outreach event.** Staff provided information on District careers, recruitments, and application processes. Approximately 1,200 people attended.
- **October 20, staff participated in Oakland Unified School District (OUSD) and Cypress Mandela Training Center's "Skilled Trades Fair" in Oakland.** Staff provided information on District pipeline and skilled trades careers, along with career information on the broader water and wastewater industry. Staff also engaged OUSD students and CMTC

pre-apprentices through hands-on learning activities, including a simulated water main break. OUSD students and CMTC pre-apprentice received a hands-on learning opportunity on a District service truck, leak detection van, and utilized the EBMUD-BAYWORK Learning Wall. Approximately 330 people attended.

- **October 21, staff attended Cypress Mandela Training Center’s “Celebration Fundraiser” in Alameda.** Approximately 50 people attended.
- **October 25, staff participated in Los Medanos College’s “Opportunity Fair” in Pittsburg.** Staff provided information on District careers, recruitments, and application processes. Approximately 550 people attended.
- **October 28, staff participated in San Francisco State University’s “Engineering and Computer Science Career Fair.”** Staff provided information on District careers, recruitments, and application processes, with an emphasis on engineering and information technology careers. Approximately 460 people attended.
- **October 28, staff participated in College of Alameda’s “Career Fair.”** Staff provided information on District careers, recruitments, and application processes. Approximately 125 people attended.

Tuition Reimbursement

	October 2022	FY 2023
# of Employees	4	38
# of Classes	5	59
Total Reimbursed	\$6,011.00	\$50,041.24

Employment Information

	October 2022	FY 2023
Retirements – Regular	10	41
Retirements – Vested	3	8
Hires/Rehires	10	80
Other Separations	7	40

FINANCIAL STABILITY

In October, the Oursan Ridge Conservation Bank sold 25.42 combined Alameda whipsnake / California red-legged frog conservation credits to the District for \$1,246,440 to mitigate for impacts from the Duffel Photovoltaic Project. This was the nineteenth credit sale overall. A total of \$2,379,210* has been raised from sales of conservation credits since the bank was created in April 2017. * September 2022 total was reported incorrectly and should have been \$1,132,770.

The construction contract with Flatiron West, Inc. for the Maloney Pumping Plant, Greenridge Pumping Plant, La Honda Rate Control Station, and Sobrante Water Treatment Plant Improvements Project requires an increase in the change order contingency. A rulemaking decision by the Bay Area Air Quality Management District resulted in a substantial change order to upgrade emissions control systems for the emergency backup generator installed as part of the project. The change order resulted in additional direct costs for the upgrades and delay costs for extending the contract completion date. It is estimated the change order contingency will need to be raised to \$4,051,320 or 13 percent of the original contract amount of \$31,164,000.

On October 10, staff submitted an application to the San Francisco Bay Area Integrated Regional Water Management (IRWM) Coordinating Committee for consideration in the Department of Water Resources (DWR) Prop 1 Round 2 IRWM Grant Program. The application is for the development and execution of a pilot-scale test to evaluate potential expansion of the Richmond Advanced Recycled Expansion facility, using Chevron’s refinery effluent as a new source of supply. The Coordinating Committee will rank applications received and select recommended projects to submit to DWR by the end of 2022.

As of October 31, the District received reimbursement payments from the Low-Income Household Water Assistance Program (LIHWAP) for 265 Alameda County and 32 customers Contra Costa County. LIHWAP payments are processed through designated local service providers for each county. The total amount received to date is \$257,341.39 and additional payments are expected as the state continues to roll out the program.

Low-Income Household Water Assistance Program as of October 31, 2022		
County	Total Payment Amount	Total Count
Alameda County	\$237,929.91	265
Contra Costa County	\$19,411.48	32
Grand Total	\$257,341.39	297

The estimated earned revenue from the Main Wastewater Treatment Plant Power Generation Station’s surplus power sales for October is \$57,158. The District sold renewable power and related Renewable Energy Credits (RECs) to the Port of Oakland. The sale of RECs generated \$10,836 from the Port of Oakland. Earned revenue for FY 2023 to date is estimated at \$231,446 or 31 percent of the total FY 2023 budget of \$750,000.

The estimated earned revenue from Mokelumne power sales for October is \$849,000. The District sold renewable power and related Renewable Energy Credits (RECs) to Marin Clean Energy (MCE). A total of \$99,186 was generated from MCE. Resource Adequacy (RA) capacity sales to 3 Phases Renewables, Inc. and Shell Energy collectively earned \$97,360. Earned revenue to date through October is estimated at \$3,860,000 or 77 percent of the FY23 budgeted \$5.0 million. Forecasted revenue for FY23 is \$13.5 million.

There were no material, supply, or construction contracts from \$80,001 to \$100,000 and two general and professional service agreements from \$30,001 up to \$80,000 approved by the General Manager in October 2022.

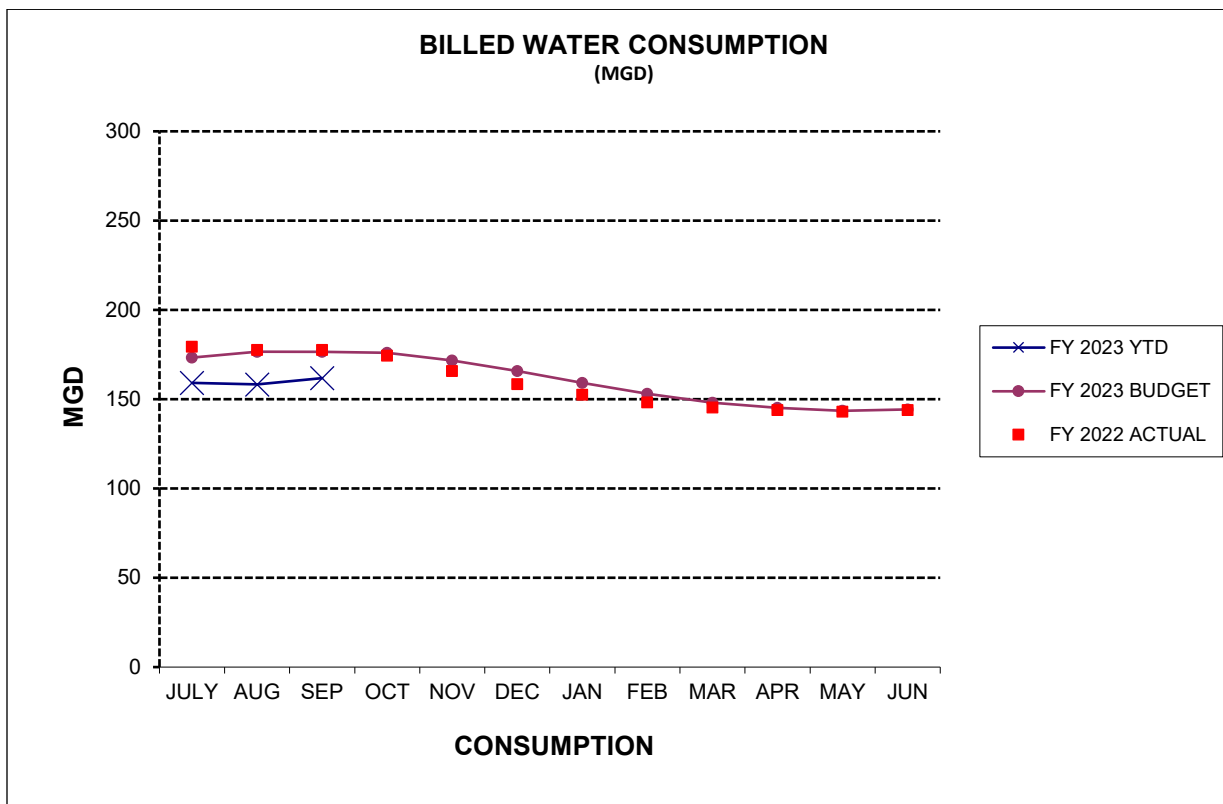
VENDOR NAME	DATE AWARDED	CEP STATUS	ITEM (S) PURCHASED	PROJECT	CONTRACT TERM	VALUE
Dr. Paulo J.M. Monteiro	10/10/22	Hispanic Male	Consulting services related to a cement mortal lining study	N/A	N/A	\$80,000
Harvest Technical Services, Inc.	10/13/22	White Female	Amendment to existing agreement under Purchase Order No. EBM210647 to increase agreement amount by \$60,000 for temporary technical staff to augment the District Laboratory staff to maintain analytical services to water and wastewater clients	N/A	N/A	\$75,000

Water Sales (Consumption)

The following consumption information is the average water consumption in millions of gallons per day (MGD) for the first three months of FY 2023. The budgeted average daily water consumption for FY 2023 is 144.3 MGD, and summer month consumption is generally higher due to outdoor watering. The table below shows the average billed water consumption information by customer class with a comparison to FY 2022 data for the same period of time.

On April 26, 2022 the Board declared a water shortage emergency and Stage 2 drought. Resolution No. 35287-22 establishes a District-wide mandatory water use reduction goal of 10 percent.

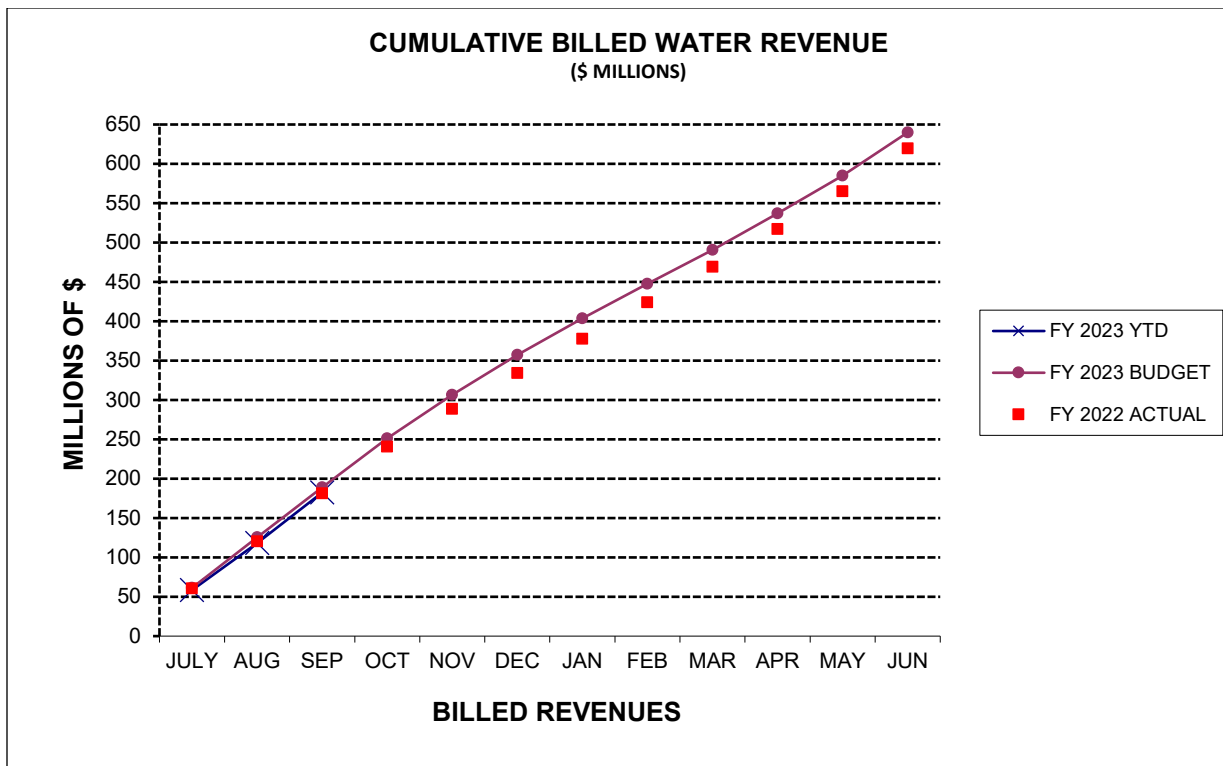
Fiscal Year-to-Date Billed Water Consumption			
Usage Type	FY 2023 (MGD)	FY 2022 (MGD)	Year-over-Year (% change)
Residential	81.3	89.9	-9.6%
Commercial	55.6	58.1	-4.3%
Industrial	16.9	21.0	-19.5%
Public Authority	8.0	8.6	-7.0%
	161.8	177.6	-8.9%



Source: Customer Information System

Water Sales (Revenue)

Water revenues billed through September were \$182.4 million or 0.6% more than the FY 2022 revenue through September of \$181.3 million. (FY 2022 revenue excludes approximately \$13.8 million collected in July 2021 resulting from a backbill to the Chevron Richmond Refinery where two meters were found to be under-registering). This increase reflects lower September 2022 water sales, partially offset by the 4.0% FY 2023 rate increase and a Stage 2 Drought Surcharge of 8.0% on Water Flow Charges. Total FY 2023 water revenues through September are \$6.4 million, or 3.4%, less than the budgeted water revenue of \$188.8 million.



Source: Customer Information System

October 2022 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ALAMEDA		FERNSIDE	BL	CAST IRON	6	1954	3,600	10/16/2022	10/16/2022	Y
ALAMO		DANIEL	DR	ASBESTOS CEMENT	6	1973	720	10/19/2022	10/19/2022	Y
ALAMO		STONE VALLEY	WAY	ASBESTOS CEMENT	6	1980	13,500	10/14/2022	10/14/2022	Y
ALAMO	S	VIA LUCIA		ASBESTOS CEMENT	8	1961	45,000	10/10/2022	10/10/2022	Y
BERKELEY		4TH	ST	CAST IRON	6	1923	45,000	10/20/2022	10/20/2022	Y
BERKELEY		BANCROFT	WAY	CAST IRON	6	1942	19,800	10/10/2022	10/10/2022	Y
BERKELEY		BOWDITCH	ST	CAST IRON	4	Unknown	0	10/20/2022	10/25/2022	Y
BERKELEY		BUENA VISTA	WAY	STEEL	16	1936	1,800	10/11/2022	10/11/2022	Y
BERKELEY		CALIFORNIA	ST	ASBESTOS CEMENT	6	1952	19,800	10/10/2022	10/10/2022	Y
BERKELEY		CALIFORNIA	ST	CAST IRON	8	1942	9,000	10/26/2022	10/26/2022	Y
BERKELEY		CALIFORNIA	ST	CAST IRON	8	1938	18,000	10/27/2022	10/27/2022	Y
BERKELEY		FAIRLAWN	DR	CAST IRON	6	1930	450	10/30/2022	10/31/2022	Y
BERKELEY		GILMAN	ST	CAST IRON	6	1939	25,920	10/20/2022	10/25/2022	Y
BERKELEY		HOPKINS	ST	CAST IRON	6	1928	12,960	10/24/2022	10/26/2022	Y
BERKELEY		JOSEPHINE	ST	CAST IRON	6	1912	0	10/20/2022	10/25/2022	Y
BERKELEY		QUEENS	RD	CAST IRON	6	1937	1,350	10/27/2022	10/28/2022	Y
BERKELEY		SACRAMENTO	ST	CAST IRON	4	1934	18,000	10/10/2022	10/10/2022	Y
BERKELEY		SACRAMENTO	ST	CAST IRON	4	1934	2,250	10/16/2022	10/17/2022	Y
BERKELEY		VIRGINIA	ST	CAST IRON	4	1928	18,000	10/9/2022	10/9/2022	Y
CASTRO VALLEY		MANCINI	DR	CAST IRON	4	1948	14,400	10/22/2022	10/31/2022	Y
CASTRO VALLEY		MAYFLOWER	DR	CAST IRON	6	1954	2,880	10/17/2022	10/18/2022	Y
CASTRO VALLEY		STANTON	AVE	STEEL	12	1955	18,000	10/27/2022	10/28/2022	Y
CASTRO VALLEY		VERONICA	AVE	ASBESTOS CEMENT	6	1952	45,000	10/12/2022	10/12/2022	Y
CROCKETT		LILLIAN	ST	CAST IRON	6	1928	1,800	10/11/2022	10/11/2022	Y
DANVILLE		CAMINO TASSAJARA		ASBESTOS CEMENT	6	1960	23,040	10/11/2022	10/12/2022	Y
DANVILLE		MISSION	PL	ASBESTOS CEMENT	6	1981	14,400	10/3/2022	10/4/2022	Y
DANVILLE		SAN YSIDRO	CT	ASBESTOS CEMENT	6	1985	9,000	10/10/2022	10/10/2022	Y
DIABLO		MT DIABLO SCENIC	BL	ASBESTOS CEMENT	8	1980	28,800	10/4/2022	10/5/2022	Y
EL SOBRANTE		GARDEN	RD	CAST IRON	4	1938	450	10/15/2022	10/16/2022	Y

**KPI = turn around time to repair the leak*

October 2022 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
EL SOBRANTE		SAN PABLO DAM	RD	CAST IRON	8	1932	9,000	10/13/2022	10/13/2022	Y
EMERYVILLE		41ST	ST	CAST IRON	4	1934	8,640	10/12/2022	10/17/2022	Y
HAYWARD		HACKAMORE	DR	ASBESTOS CEMENT	12	1956	34,560	9/27/2022	10/20/2022	Y
HAYWARD		ISRAEL	CT	CAST IRON	12	1952	900	10/5/2022	10/5/2022	Y
HAYWARD		WILDWOOD	ST	CAST IRON	4	1952	1,800	10/18/2022	10/18/2022	Y
HAYWARD		WILDWOOD	ST	CAST IRON	4	1952	2,700	10/18/2022	10/19/2022	Y
HAYWARD		WILDWOOD	ST	CAST IRON	4	1952	7,200	10/19/2022	10/19/2022	Y
HAYWARD		WILDWOOD	ST	CAST IRON	4	1952	43,200	10/20/2022	10/29/2022	Y
HAYWARD		WILDWOOD	ST	CAST IRON	6	1951	2,250	10/28/2022	10/28/2022	Y
KENSINGTON		HIGHGATE	RD	CAST IRON	16	1927	27,000	10/3/2022	10/4/2022	Y
LAFAYETTE		BROOK	ST	NON METALLIC / PLASTIC	12	1981	54,720	10/3/2022	10/21/2022	N
LAFAYETTE		HAPPY VALLEY	RD	ASBESTOS CEMENT	8	1956	4,500	10/11/2022	10/12/2022	Y
LAFAYETTE		HAPPY VALLEY	RD	ASBESTOS CEMENT	6	1960	1,800	10/14/2022	10/14/2022	Y
LAFAYETTE		MCGRAW	LN	CAST IRON	6	1954	14,400	10/22/2022	10/26/2022	Y
LAFAYETTE		MT DIABLO	BL	CAST IRON	8	1936	5,760	9/29/2022	10/2/2022	Y
LAFAYETTE		MT DIABLO	CT	ASBESTOS CEMENT	6	1985	17,280	9/30/2022	10/11/2022	N
LAFAYETTE		RELIEZ VALLEY	RD	CAST IRON	4	1941	630	10/3/2022	10/3/2022	Y
LAFAYETTE		RELIEZ VALLEY	RD	CAST IRON	4	1941	1,800	10/13/2022	10/13/2022	Y
LAFAYETTE	E	VIEW	DR	CAST IRON	4	1940	450	10/15/2022	10/15/2022	Y
LAFAYETTE		WALNUT	DR	CAST IRON	4	1941	8,640	10/14/2022	10/19/2022	Y
MORAGA		CALLE LA MESA		ASBESTOS CEMENT	6	1972	1,800	10/21/2022	10/21/2022	Y
MORAGA		KIMBERLY	DR	ASBESTOS CEMENT	6	1957	4,500	10/18/2022	10/18/2022	Y
OAKLAND		11TH	AVE	CAST IRON	6	1932	1,440	10/18/2022	10/18/2022	Y
OAKLAND	E	27TH	ST	CAST IRON	6	1930	9,000	10/28/2022	10/28/2022	Y
OAKLAND	E	28TH	ST	CAST IRON	6	1929	0	9/29/2022	10/4/2022	Y
OAKLAND		57TH	AVE	CAST IRON	6	1938	900	10/21/2022	10/21/2022	Y
OAKLAND		78TH	AVE	CAST IRON	6	1924	11,520	10/18/2022	10/25/2022	Y
OAKLAND		84TH	AVE	CAST IRON	4	1934	1,350	10/30/2022	10/30/2022	Y
OAKLAND		85TH	AVE	CAST IRON	4	1911	25,920	9/23/2022	10/10/2022	Y

**KPI = turn around time to repair the leak*

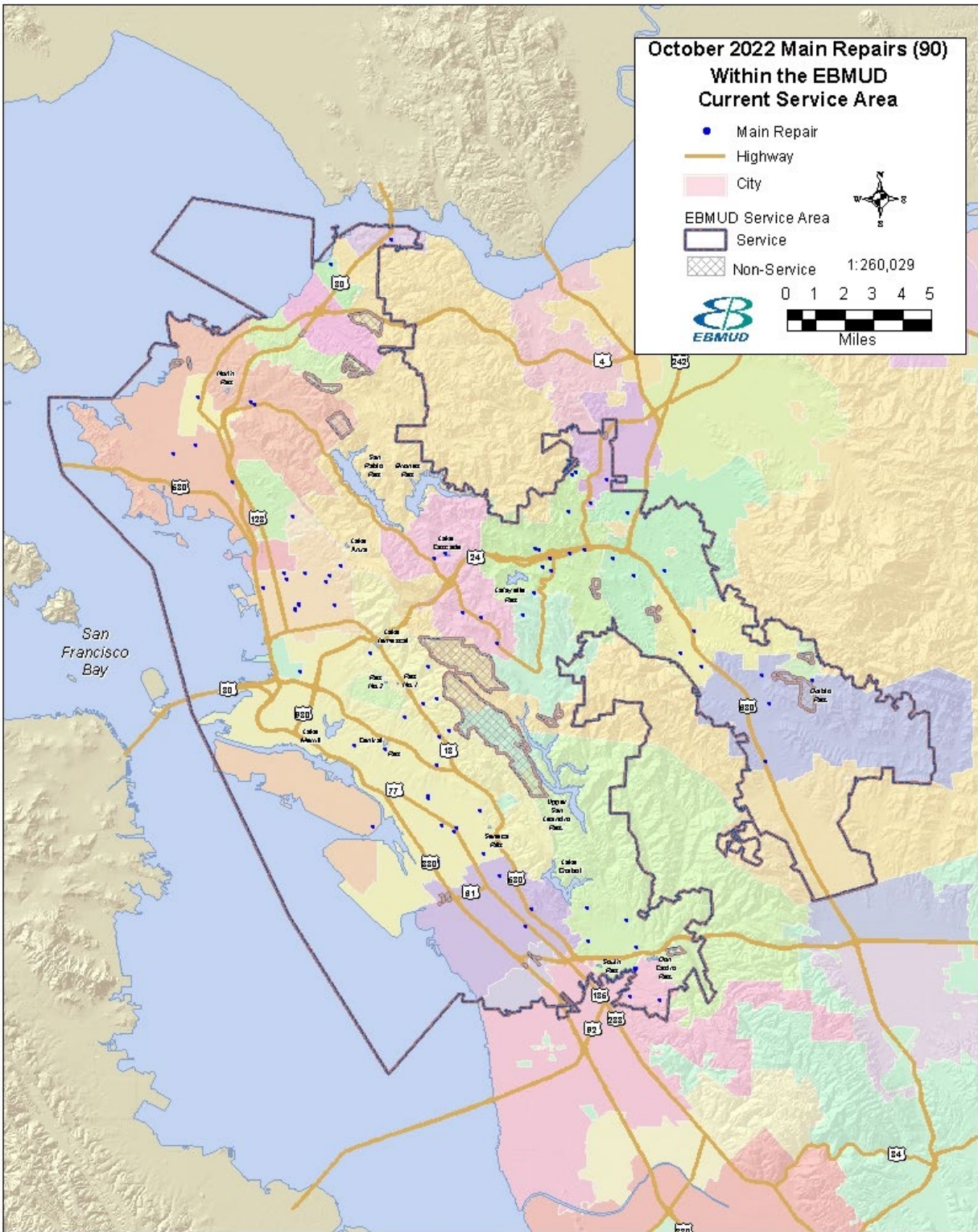
October 2022 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
OAKLAND		104TH	AVE	ASBESTOS CEMENT	6	1957	14,400	10/3/2022	10/4/2022	Y
OAKLAND		BUCKEYE	AVE	CAST IRON	6	1948	9,000	10/17/2022	10/17/2022	Y
OAKLAND		CLEMENS	RD	CAST IRON	6	1927	9,000	10/8/2022	10/8/2022	Y
OAKLAND		DETROIT	AVE	CAST IRON	6	1938	0	9/20/2022	10/20/2022	N
OAKLAND		EDES	AVE	CAST IRON	12	1941	90,000	10/16/2022	10/16/2022	Y
OAKLAND		ELIZABETH	ST	CAST IRON	6	1938	7,200	7/21/2022	10/26/2022	N
OAKLAND		HOLYROOD MANOR		CAST IRON	4	1941	8,640	9/30/2022	10/5/2022	Y
OAKLAND		MOUNTAINGATE	WAY	CAST IRON	4	1947	900	10/21/2022	10/21/2022	Y
OAKLAND		OUTLOOK	AVE	CAST IRON	6	1927	18,000	10/19/2022	10/19/2022	Y
OAKLAND		RIDGEWOOD	DR	CAST IRON	12	1925	0	10/7/2022	10/19/2022	Y
OAKLAND		ROBINSON	DR	CAST IRON	10	1949	27,000	10/28/2022	10/28/2022	Y
OAKLAND		STANLEY	AVE	CAST IRON	6	1925	0	10/24/2022	10/24/2022	Y
OAKLAND		TULIP	AVE	CAST IRON	6	1927	14,400	10/28/2022	10/29/2022	Y
ORINDA		DOS POSOS		CAST IRON	6	1934	0	9/26/2022	10/6/2022	Y
ORINDA		MINER	RD	STEEL	8	1954	7,200	10/11/2022	10/11/2022	Y
ORINDA		MORAGA	WAY	CAST IRON	8	1947	0	9/30/2022	10/11/2022	N
ORINDA		ORCHARD	RD	CAST IRON	6	1938	11,520	10/12/2022	10/19/2022	Y
ORINDA		SANBORN	RD	ASBESTOS CEMENT	6	1960	23,040	10/18/2022	10/25/2022	Y
PLEASANT HILL		LUCINDA	LN	ASBESTOS CEMENT	6	1986	4,500	10/11/2022	10/12/2022	Y
RICHMOND		9TH	ST	CAST IRON	6	1934	4,320	10/24/2022	10/26/2022	Y
RICHMOND		23RD	ST	CAST IRON	8	1925	0	10/12/2022	10/17/2022	Y
RICHMOND	S	50TH	ST	CAST IRON	4	1941	25,920	10/14/2022	10/19/2022	Y
RODEO		1ST	ST	ASBESTOS CEMENT	6	1959	18,000	10/28/2022	10/28/2022	Y
SAN LEANDRO	E	14TH	ST	ASBESTOS CEMENT	8	1948	1,080	10/19/2022	10/19/2022	Y
SAN LEANDRO		HAAS	AVE	CAST IRON	4	1928	900	10/17/2022	10/17/2022	Y
SAN LEANDRO		JOAN	DR	CAST IRON	6	1949	45,000	10/21/2022	10/21/2022	Y
SAN PABLO		BROADWAY	AVE	STEEL	12	1986	1,800	10/4/2022	10/4/2022	Y
WALNUT CREEK		DEL MONTE	CT	ASBESTOS CEMENT	4	1952	36,000	10/18/2022	10/18/2022	Y
WALNUT CREEK		GARDEN	CT	CAST IRON	4	1952	900	10/29/2022	10/29/2022	Y

**KPI = turn around time to repair the leak*

October 2022 MAIN BREAK REPAIRS										
City	Pre	Street	Suf	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
WALNUT CREEK		HOLLAND	DR	STEEL	16	1971	4,500	10/27/2022	10/28/2022	Y
WALNUT CREEK		MYRA DELL	RD	ASBESTOS CEMENT	4	1952	450	10/13/2022	10/13/2022	Y
WALNUT CREEK		WARD	DR	ASBESTOS CEMENT	6	1960	900	10/18/2022	10/18/2022	Y
SAN LEANDRO		142ND	AVE	CAST IRON	4	1942	17,280	9/17/2022	9/22/2022	Y
							1,101,150			

Non-surfacing leaks discovered by leak detection technologies	2
Breaks caused by contractors or other agencies	1
Other main breaks	87
Total water main repairs	90

**KPI = turn around time to repair the leak*



Customer Account Delinquency Information								
OCTOBER 2022								
(Data collection began September 1, 2017)								
CUSTOMER ASSIST. PROGRAM (CAP) ENROLLMENT	April	May	June	July	August	September	October²⁵	Totals
New CAP Participants	202	170	131	162	161	92	-	10,367
CAP Renewals	295	247	271	266	201	116	-	10,311
CAP Departures	527	488	499	509	381	382	-	12,483
Total Active CAP Participants w/Active Accounts	8,989	8,944	8,860	8,795	8,735	8,735	-	
PAYMENT PLANS	April	May	June	July	August	September	October	Totals
Approved Payment Plans	1,040	1,022	1,324	1,142	1,143	1,369	1,602	194,819
Payment Plans Established After Service Interruptions	-	-	-	-	-	-	-	1,320
SERVICE INTERRUPTIONS - RESIDENTIAL	April	May	June	July	August	September	October	Totals
15-day Final Collection Notices	15,832	16,967	16,609	15,670	18,109	17,683	19,302	969,018
48-hr Service Interruptions Notices ³	10,992	8,860	11,706	9,728	12,907	9,990	12,187	554,285
Service Interruption Orders Created	*	*	*	*	*	*	*	82,689
Service Interruptions Completed (Actual)	*	*	*	*	*	*	*	22,712
CAP Enrolled Service Interruptions	*	*	*	*	*	*	*	802
WATER THEFT	April	May	June	July	August	September	October	Totals
No. of Incidents	8	3	5	5	4	2	4	413
No. of 2nd or 3rd Occurrences	-	-	-	-	-	-	-	41
No. Water Theft Penalties Issued	-	-	-	-	-	-	-	227
No. of Appeals Received	-	-	-	-	-	-	-	10
No. of 1st Appeals Approved	-	-	-	-	-	-	-	5
No. of 1st Appeals Denied	-	-	-	-	-	-	-	7
Multi-Family Liens¹	April	May	June	July	August	September	October	Totals
Liens Filed	-	-	-	-	-	-	85	5,234
Released	35	76	15	64	149	105	18	4,805
Transferred to Alameda Cty.	-	-	-	-	-	-	-	1,889
Transferred to Contra Costa Cty.	-	-	-	-	-	-	-	373
Total/Month	35	76	15	64	149	105	103	12,301
BAD DEBT - WRITE OFFS²	April¹⁵	May	June²⁵	July	August	September	October	Totals
Total Referred to Collection Agency	\$ 117,704	\$ 251,221	\$ 239,390	\$ 151,099	\$ 188,227	\$ 372,744	TBD ²⁶	\$ 10,514,121
Write-Off % to Billed Revenue	0.22%	0.46%	0.39%	TBD ²⁴	TBD ²⁴	TBD ²⁵	TBD ²⁶	

¹Liens filed monthly represent delinquent accounts 4-6 months in arrears.
²Information not available until the 20th of the month is normally one month behind, however due to summer schedule July and August to be updated in September 2020.
³48-hour notices were generated, but not mailed to customers since March 23, 2020. Customers are receiving payment reminders in-lieu of 48-hours notices.
¹⁵Write Offs: Due to Elsie rollout, write-off billing revenue is delayed. October revenue adjusted from .44% to .34% from Elsie and November 21 - January 22 became available during February 2022. As of April 30, 2022 - March and April still await the final "Revenue Actual vs Budget Report" reports.
²⁴Write-off percentage of billed revenue not available for June, July, and August 2022 close
²⁵CAP distribution and new CAP participants through August 31, 2022. No new CAP applications processing occurred due to high call volume, limited resources, retirements and onboarding new call center staff.
²⁶CAP through 2022-09-27; bad debt % only for June 22; October collection agency amt. not available as of 11/1; and note: 515 CAP applications processed since last report.
 *Notes: Effective March 12, 2020, the District suspended "Disconnects Due to Non-Payment" (DNP) to residential customers, withheld mailing 48-hr notices to customers, and began restoring service to all customers shutoff as of January 2020. The DNP information will be omitted from this table until the District resumes DNP activities.

Water Theft Type/City	Alameda	Alamo	Albany	Berkeley	Castro Valley	Crockett	Danville	El Cerrito	El Sobrante	Emeryville	Hayward	Hercules
Meter	2	1	2	15	3	2	1	2	3	1	7	4
Illegal Connection	-	1	-	1	-	-	-	-	-	-	-	-
Hydrant	-	-	-	-	-	-	-	-	-	-	-	-
Total	2	2	2	16	3	2	1	2	3	1	7	4

Water Theft Type/City	Lafayette	Oakland	Piedmont	Pinole	Richmond	Rodeo	San Lorenzo	San Leandro	San Pablo	San Ramon	Walnut Creek	Totals since 9/1/2017
Meter	1	257	1	6	76	7	2	8	3	2	1	407
Illegal Connection	-	3	-	-	-	-	-	-	-	-	1	6
Hydrant	-	-	-	-	-	-	-	-	-	-	-	0
Total	1	260	1	6	76	7	2	8	3	2	2	413

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 3, 2022

MEMO TO: Board of Directors

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

FROM: Rischa S. Cole, Secretary of the District *RC*

SUBJECT: Sustainability/Energy Committee Minutes – October 25, 2022

Chair Marguerite Young called to order the Sustainability/Energy Committee meeting at 9:01 a.m. and announced that in accordance with Government Code section 54953(e), the meeting would be conducted by webinar and teleconference only. A physical location was not provided for this meeting. Director Frank Mellon was present at roll call. Director Andy Katz arrived at 9:18 a.m. (absent). EBMUD staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Interim Director of Wastewater Donald M. Gray, Director of Operations and Maintenance David A. Briggs, Senior Civil Engineer John M. Hake, Senior Civil Engineer David V. Beyer, Senior Environmental Health and Safety Specialist Chris Dembiczak, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled “Resource Recovery Program Update,” dated October 25, 2022; 2) Presentation entitled “Renewable Energy Update,” dated October 25, 2022; and 3) Presentation entitled “Calendar Year 2021 Greenhouse Gas Inventory,” dated October 25, 2022.

Resource Recovery (R2) Program Update. Senior Civil Engineer John M. Hake presented the update. In Fiscal Year (FY) 2022, the program earned \$14.5 million in gross revenue, which was nine percent higher than FY 2021 gross revenue (\$12.9 million). Mr. Hake reviewed historical gross revenues since FY 2002 and reported on surplus renewable energy sales. The Board approved an amendment to the power purchase agreement with the Port of Oakland to increase the sale price of exported surplus energy to the Port from \$58 per megawatt hour to \$66. The amendment takes effect November 1, 2022 through June 2025. Hyundai and FirstElement Fuel are partnering to develop a zero-emission drayage truck project with hydrogen fuel cell trucks. FirstElement Fuel is designing and building a hydrogen fueling station on the District’s West End property adjacent to the Main Wastewater Treatment Plant (MWWTP) to be operational in the second quarter of 2023. The project brings in lease revenue and has improved that portion of the West End property at no cost to the District. The District continues to receive food waste through an agreement with Central Contra Costa Solid Waste Authority which expires in 2025. Agreements with future vendors will consider nutrient loading. He discussed food waste partnerships with private contractors and said growth in the food waste industry is expected to continue as Senate Bill 1383 continues to take hold. Currently, the R2 program contributes approximately 20 percent of the MWWTP’s nutrient discharge to the San Francisco Bay. He reviewed the chemical characteristics and the amount of nutrients in various waste streams received at the plant. Staff is examining high-strength waste streams for their relative nutrient contribution and is considering curtailing selected waste deliveries to reduce nutrient discharges to the San Francisco Bay. It was moved by Director Mellon, seconded by Director Young and carried (2-0) to accept the report. Director Katz was absent.

Renewable Energy Update. Senior Civil Engineer David V. Beyer presented the update on the District's eleven, active renewable energy projects and the status of the Duffel Photovoltaic (PV) project in Orinda. Since 2003, the District's PV projects have been providing nearly two megawatts (MWs) of PV capacity and collectively, offset approximately two percent of the District's annual energy consumption. Construction on the five MW Duffel PV project began in September and the project is expected to be online in late 2023 and is anticipated to provide generation credit for up to fifty of the District's largest accounts that have the highest GHG emissions factor. In November 2022, the Board will be asked to consider approving amendments to the project's power purchase agreement to address cost increases that will be jointly absorbed by the District's partner, TotalEnergies and the District. Mr. Beyer discussed PG&E's Renewal Energy Self-Generation Bill Credit Transfer (RES-BCT) program which is only available to government agencies and has a program cap of 105 MW within PG&E's service area. The Duffel PV project's economic viability depends on admittance to the RES-BCT program and is among the 27 projects awaiting admittance. The District is also exploring the economic feasibility of two in-conduit hydrogeneration projects. Using grant funding, a vendor will install a 30-kilowatt (kW) hydroelectric generator parallel to the Piedmont Regulator in Piedmont this fall at no cost to the District. After two years, the District will evaluate the economic viability of the project with the option to either purchase or have the vendor remove the project at no cost to the District. A second project is under consideration at the planned new Wildcat Pumping Plant in San Pablo. This site could support up to 140 kW of generation though economic viability will depend on whether a practical sales option can be identified. The Committee discussed the future of in-conduit hydrogeneration and other District sites to potentially locate solar panels. Staff is exploring installing panels at the Adeline Maintenance Center parking lot and on the roofs of some District reservoirs and will consider potential impacts from the California updated net metering program, NEM 3.0. The Committee requested information on community choice aggregation programs that support renewable energy projects such as PV and asked staff to continue providing updates to the City of Orinda on the Duffel PV project. It was moved by Director Mellon, seconded by Director Katz, and carried (3-0) to accept the report.

Calendar Year 2021 Greenhouse Gas (GHG) Inventory. Senior Environmental Health and Safety Specialist Chris Dembiczak presented the update and reviewed the GHG goals in Policy 7.15 – Climate Action and Policy 7.07 – Energy. The 2021 GHG inventory is based on the Water Energy Nexus (WEN) 1.0 protocol developed by The Climate Registry and is comprised of direct and indirect emissions from water and wastewater operations. WEN 2.0 was published in September 2021 and contains revisions to wastewater emission estimation methods that are expected to significantly increase the District's baseline and inventory values. The District will adopt WEN 2.0 after a Princeton University study of methane and nitrous oxide emissions at several wastewater plants, including the MWWTP, is published. This study will allow the District to use more accurate estimates than the default values in the WEN 2.0. Policy 7.07 includes GHG reduction goals for the District and benchmarks annual emission reductions against a baseline year (2000). The District's GHG emissions are grouped into five areas (sectors) representing major areas of operation – buildings, fleet, raw water, treatment and distribution, and the Wastewater System. The GHG emission goal for 2021 was 33,935 metric tons or less of carbon dioxide equivalent (MT CO₂^e). Actual 2021 GHG emissions totaled 33,706 MT CO₂^e. He reviewed GHG emissions per sector and discussed the factors that contributed to the 24 percent increase in 2021 GHG emissions compared to 2020. Based on forecasted supplemental water pumping and electrical emission factors for the 2022 inventory, the District may exceed its 2022 emission goals. Staff is evaluating options for the purchase of offsets that may be needed next year to meet 2022 emission goals. There was

considerable discussion about using the methods in Policy 7.07 to proactively meet the emission goals if future increases can be anticipated; options for purchasing offsets or renewable energy certificates to meet 2022 emission goals; and options to switch the District's current accounts with East Bay Clean Energy (EBCE) and Marin Clean Energy (MCE) to their 100 percent green tariff plans. The Committee asked staff to review Policy 7.07 with respect to WEN 2.0 and its criteria to meet the District's GHG goals and to evaluate switching the District's accounts to EBCE's and MCE's 100 percent green tariff plans. It was moved by Director Mellon, seconded by Director Katz, and carried (3-0) to accept the report.

Adjournment. Chair Young adjourned the meeting at 10:09 a.m.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 3, 2022

MEMO TO: Board of Directors

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

FROM: Rischa S. Cole, Secretary of the District *RC*

SUBJECT: Finance/Administration Committee Minutes – October 25, 2022

Chair William B. Patterson called to order the Finance/Administration Committee meeting at 10:16 a.m. and announced that in accordance with Government Code section 54953(e), the meeting would be conducted by webinar and teleconference only. A physical location was not provided for this meeting. Directors John A. Coleman and Andy Katz were present at roll call. Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Finance Sophia D. Skoda, Director of Operations and Maintenance David A. Briggs, Treasury Manager Robert L. Hannay, Principal Management Analyst Nathan P. Hood, Senior Civil Engineer David V. Beyer, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled, “Strategic Plan Key Performance Indicators Fiscal Year 2022,” dated October 25, 2022; and 2) Presentation entitled, “Fiscal Year 2022 Power Sales,” dated October 25, 2022.

Fiscal Year (FY) 2022 Key Performance Indicators (KPIs) Report. Principal Management Analyst Nathan P. Hood presented the report. The District met or was on track to meet 95 percent of its FY 2022 KPIs where targets were set, and data was available. This is similar to the 96 percent in FY 2021. Mr. Hood reviewed factors for the following four targets that were not met or were on track: 20 million gallons per day of recycled water capability by 2040; water system pipeline breaks per 100 miles of pipe; percent of water system corrective work order hours classified high priority; and number of concrete digesters and concrete aerated grit tanks rehabilitated. The Committee asked questions and commented on whether the District would meet the targets set for recycled water in FY 2023; the number of digester rehabilitation projects needed to meet the FY 2023 KPI; planned audits completed in FY 2022; improving timelines for completing applicant projects; and a future KPI to track vacancies. The Committee requested an evaluation of the number of audit reports planned for each fiscal year; an update on plans to streamline the timeline for completing applicant projects; information on the developer forum to be hosted by the New Business Office in December; and to consider developing a KPI to track the number of planned vacancies that are filled in a fiscal year. It was moved by Director Katz, seconded by Director Coleman, and carried (3-0) to accept the report.

Fiscal Year (FY) 2022 Annual Power Sales Report. Senior Civil Engineer David V. Beyer presented the report which summarizes program activities for the period July 1, 2021 through June 30, 2022. Revenue during this period was \$6.98 million. This amount was 140 percent of the budgeted revenue of

\$5 million due to high energy pricing even though watershed runoff was lower than average. FY 2023 revenue is currently forecasted at \$13.5 million. Mr. Beyer reviewed data for watershed runoff and power sales between FY 2018 and FY 2022 noting a marked increase in average energy pricing in the last few years. The District earned about \$1.6 million from Resource Adequacy sales; approximately \$48,000 from additional Renewable Energy Credit sales; and \$565,000 by maximizing generation during peak pricing hours. He highlighted hydropower revenue data from the past twenty years and reported forecasted FY 2023 Mokelumne power revenue is \$13.5 million. This estimate is influenced by forecasted wholesale energy rates and based on estimated revenue earned through September 2022. In FY 2023, staff plans to implement a new Shell Energy North America Scheduling Coordinator agreement; solicit Resource Adequacy pricing for Pardee powerhouse for calendar year 2024 and possibly beyond from energy providers to maximize the value of the District's Resource Adequacy; and solicit proposals from metering companies to provide meter data services beyond December 31, 2022. Staff responded to questions from the Committee regarding the forecasted hydropower revenue for FY 2023 and confirmed revenue is budgeted at \$5 million. It was moved by Director Coleman, seconded by Director Katz, and carried (3-0) to accept the report.

Monthly Investment Transactions Report. Treasury Manager Robert L. Hannay reviewed the September 2022 report and highlighted the drivers that decreased the portfolio from \$827.4 million to \$815.8 million. The report will be submitted to the Board for consideration at its meeting in the afternoon. It was moved by Director Coleman, seconded by Director Katz, and carried (3-0) to accept the report.

Quarterly Investment, Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended September 30, 2022. Treasury Manager Robert L. Hannay reported the quarterly reports were filed in compliance with government statutes and cover the period July 1, 2022 through September 30, 2022. Mr. Hannay reported the current portfolio yield to maturity is 1.66 percent, up from 1.38 percent during the previous quarter and that properties in the Real Estate Summary report were sold and leased at fair market rates. It was moved by Director Coleman, seconded by Director Katz and carried (3-0) to accept the reports.

Adjournment. Chair Patterson adjourned the meeting at 10:55 a.m.

CCC/RSC