



**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, October 11, 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: October 6, 2022

A handwritten signature in blue ink, reading 'Rischa S. Cole', is positioned above a horizontal line.

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, October 11, 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:

1. Existing litigation pursuant to Government Code section 54956.9(a):

- a. *Shaunte Scott v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG20062324

(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

PRESENTATION:

- American Society of Civil Engineers, San Francisco Section, Outstanding Civil Engineer Public Sector Award
- California Public Information Officials Award

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 6 recommendations.)

1. Approve the Regular Meeting Minutes of September 27, 2022.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Guerra Bros. Plumbing Inc., in an amount not to exceed \$174,957 for installation of 50 pressure reducing valves to allow for water pressure rezoning on Kingsley Street, Excelsior Avenue, Emerson Street, 13th Avenue, Park Boulevard, and Park Boulevard Way in Oakland.
4. Authorize an amendment to the agreement previously authorized under Board Motion No. 006-22 with Black & Veatch Corporation to increase the amount by \$40,730 to a total amount not to exceed \$153,268 for evaluating the business case of Advanced Metering Infrastructure.
5. Authorize an amendment to the Power Purchase Agreement previously awarded under Board Motion No. 129-16 with the Port of Oakland to change the sale price from \$58 per megawatt-hour (MWh) to \$66/MWh and extend the agreement term to June 30, 2025 for the sale of surplus renewable electricity generated at the Main Wastewater Treatment Plant.
6. Authorize the Office of General Counsel to continue the employment of the law firm of Apex Employment Law, LLP, for specialized legal services related to public sector labor and employment law and litigation matters.

DETERMINATION AND DISCUSSION:

7. Appoint Special Assistant IV (Manager of Legislative Affairs). (Resolution)
8. Legislative Update:
 - Final Status of EBMUD Position Bills for the 2021-2022 State Legislative Session
 - Update on Legislative Issues of Interest to EBMUD
9. Make requisite findings and adopt a resolution to continue to hold meetings of the Board of Directors 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)
10. General Manager Report:
 - Monthly Report – September 2022

REPORTS AND DIRECTOR COMMENTS:

11. Committee Reports:
 - Finance/Administration
 - Legislative/Human Resources
12. Other Items for Future Consideration.
13. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, October 25, 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, October 11	Planning Committee	<i>Cancelled</i>	
	Legislative/Human Resources Committee	8:00 a.m. Virtual	<ul style="list-style-type: none"> Diversity, Equity, and Inclusion Strategic Plan Update
	Infrastructure Workshop	8:30 a.m. Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> Closed Session Regular Meeting
Tuesday, October 18	Infrastructure Tour	TBD	
Tuesday, October 25	Sustainability/Energy Committee	TBD	
	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
Tuesday, November 8	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, October 11, 2022
11:00 a.m. and 1:15 p.m.**

Please note that Board meetings are recorded, live-streamed, and posted on the District's website.

<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

<https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDZF2UDg2b0IyUT09>

Passcode: 238500

Telephone: 1 669 900 6833

Passcode: 238500

International numbers available: <https://ebmud.zoom.us/j/adMXn1VnPP>

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.

- 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

- 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/>