



**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, January 9, 2024**

**11:00 a.m.**

**Boardroom**

**375 11<sup>th</sup> Street**

**Oakland, CA 94607**

**\*\*\*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.

**BROWN ACT BRIEFING:**

- Presentation on the Ethics Policy of the EBMUD Board of Directors and Updates to the Brown Act and Ethics Laws

**ANNOUNCEMENT OF CLOSED SESSION AGENDA:**

1. Existing litigation pursuant to Government Code section 54956.9(a):
  - a. *Sasha Hashemi and Hamid Hashemi v. East Bay Municipal Utility District, et al.*  
Alameda County Superior Court, Case No. 22CV018807
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
  - a. Nicholas and Stephanie Kruger  
Claim No. 2022-L-150
  - b. Port of Oakland  
Claim No. 2022-L-208-2
3. Initiation of litigation pursuant to Government Code section 54956.9(d)(4): one matter.

***(The Board will discuss Closed Session agenda items in Conference Room 8.)***

**REGULAR BUSINESS MEETING**  
**1:15 p.m.**

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

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance
- Election of Officers
- 2024 Board Assignment Preferences for Committees, Joint Powers Authorities and Associations

**ANNOUNCEMENTS FROM CLOSED SESSION:**

**PRESENTATION:**

- Civicorps' Conservation Championship Award in recognition of EBMUD's dedication to corps member employment and Civicorps' conservation and community efforts

**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 December 12, 2023.
2. File correspondence with the Board.
3. Authorize an agreement beginning on or after January 9, 2024, with Amazon Web Services, Inc. for four years for an amount not to exceed \$1,700,000 for cloud computing services.
4. Authorize an agreement beginning on or after January 9, 2024, with Fields EAM, Inc for two years for a total amount not to exceed \$935,573 for professional services to develop prototyped processes of a Computerized Maintenance Management System for the District's Computerized Maintenance Management Software project.
5. Authorize an agreement beginning on or after January 9, 2024 with Frontier Energy, Inc. in an amount not to exceed \$371,515 for a systemwide assessment and master plan for the District's zero-emission vehicle (ZEV) needs to procure ZEVs and install infrastructure to support the ZEV fueling requirements.
6. Authorize an agreement beginning on or after January 9, 2024 with Integrated Power Services, LLC, in an amount not to exceed \$390,000 for equipment upgrades on uninterruptible power supplies for the wastewater system.
7. Authorize a direct award contract beginning on or after January 9, 2024 to PureAir Filtration, LLC, for supplying and maintaining two carbon adsorber air filtration units for Danville Reservoir for three years, with an option to renew for an additional two-year period for a total cost, after the addition of taxes, including option years, not to exceed \$420,000.

**CONSENT CALENDAR:** (Continued)

8. Authorize an agreement beginning on or after January 9, 2024, with SLR International Corporation in an amount not to exceed \$118,122 for performing a proof of concept for acoustical inspections of sanitary sewers to identify sources of inflow and infiltration, as required by the Wet Weather Consent Decree.
9. Authorize an agreement beginning on or after January 9, 2024 with Pacific Gas and Electric Company for five years in an amount not to exceed \$350,000 for the continuation of a cooperative weather modification program in the Mokelumne River watershed.
10. Authorize amendments to agreements for asphaltic cement and concrete saw cutting services.
  - 10a. Authorize amendments to the agreements previously authorized under Board Motion No. 118-23 with Bay Line Cutting & Coring, Inc.; Concrete Demo Works, Inc.; Concrete Wall Sawing Co., Inc.; Fine Line Sawing and Drilling, Inc.; and Penhall Company, to increase the aggregate amount by \$500,000 to a total amount not to exceed \$2,765,000 for asphaltic cement and concrete saw cutting services without change to the July 11, 2024 expiration date.
  - 10b. Authorize additional agreements for asphaltic cement and concrete saw cutting services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on January 9, 2024, 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.

**DETERMINATION AND DISCUSSION:**

11. Legislative Update:
  - Federal Priorities for 2024
  - State Legislative Priorities for 2024 Legislative Year
  - Update on Legislative Issues of Interest to EBMUD
12. Consider and approve an increase to the Board of Directors' salary by an amount not to exceed 5 percent effective February 1, 2024.
13. Authorize an amendment to the Agreement for Employment of General Manager Clifford C. Chan, to provide for a merit pay increase of five percent to the base salary, effective January 15, 2024.

(Resolution)
14. Authorize an amendment to the Agreement for Employment of General Counsel Derek T. McDonald to provide for a merit pay increase of eight percent to the base salary effective January 15, 2024 and to extend the agreement for an additional one-year term through July 4, 2025.

(Resolution)
15. Six-Month Forecast of Board Committee and Workshop Topics for 2024 and Summary of 2023 Committee and Workshop Topics

**DETERMINATION AND DISCUSSION:** (Continued)

16. General Manager's Report.
  - Speakers Bureau Topics for 2024
  - Water Supply Update - Previous water year and water production; precipitation to date; reservoir storage; and forecasted supply conditions for the remainder of water year 2024
  - General Manager's Monthly Report – December 2023

**REPORTS AND DIRECTOR COMMENTS:**

17. Committee Reports:
  - Planning
  - Legislative/Human Resources
18. Other Items for Future Consideration.
19. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 23, 2024.***

**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 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

# BOARD CALENDAR

*Meeting dates, times, and locations are subject to change*

Date	Meeting	Time/Location	Topics
<b>Tuesday, January 9</b>	<b>Planning Committee</b>	9:00 a.m. Boardroom	<ul style="list-style-type: none"> <li>• Accessory Dwelling Units</li> <li>• Walnut Creek Water Treatment Plant Pretreatment Design Project Update</li> </ul>
	<b>Legislative/Human Resources Committee</b>	10:00 a.m. Boardroom	<ul style="list-style-type: none"> <li>• Retirement Board Health Insurance Benefit Study</li> <li>• Proposed Revisions to EBMUD’s Campaign Finance Reform Ordinance</li> <li>• State Legislative Priorities for 2024 Legislative Year</li> <li>• Federal Priorities for 2024</li> </ul>
	<b>Board of Directors</b>	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
<b>Monday, January 15</b>	<b>Martin Luther King Jr. Day</b>		<ul style="list-style-type: none"> <li>• <i>Offices Closed</i></li> </ul>
<b>Tuesday, January 23</b>	<b>Finance/Administration Committee</b>	TBD Boardroom	<ul style="list-style-type: none"> <li>• Closed Session</li> <li>• Regular Meeting</li> </ul>
	<b>Climate Change Workshop</b>	TBD Boardroom	
	<b>Board of Directors</b>	11:00 a.m. Boardroom 1:15 p.m. Boardroom	

**2023 Board Committee Members**

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

**Closed Session and Regular Business Meetings**  
**Tuesday, January 9, 2024**  
**11:00 a.m. and 1:15 p.m.**

*EBMUD public Board meetings will be conducted in person and accessible via Zoom.  
These meetings are recorded, live-streamed, and posted on the District's website.*

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/j/97065086667>

\*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

**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.*

- 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 track time and inform each speaker when the allotted time has concluded
- 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
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the meeting room

Via Zoom

- 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

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to [SecOffice@ebmud.com](mailto:SecOffice@ebmud.com)
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject line 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 view the livestream of Board meetings, please visit:**  
<https://www.ebmud.com/about-us/board-directors/board-meetings/>

---