



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

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**AGENDA  
REGULAR CLOSED SESSION**

**Tuesday, January 23, 2024**

**11:00 a.m.**

**Boardroom**

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

**Oakland, CA 94607**

*Director Marguerite Young will participate via teleconference  
from The Sonder the Windfield Hotel  
406 West 7th Street, Los Angeles, CA 90014*

**\*\*\*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. *Ana Doris Quiros and Ana Doris Orellana Vda de Quiros v. East Bay Municipal Utility District*  
Contra Costa County Superior Court, Case No. MSC19-01530
  - b. *Regina Frazier v. East Bay Municipal District, et al.*  
Alameda County Superior Court, Case No. RG20079752
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one matter.
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.**

*Director Marguerite Young will participate via teleconference  
from The Sonder the Windfield Hotel  
406 West 7th Street, Los Angeles, CA 90014*

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

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- 2024 Board Assignments for Committees, Joint Powers Authorities and Associations

**ANNOUNCEMENTS FROM CLOSED SESSION:**

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

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

1. File correspondence with the Board.
2. Award a contract beginning on or after January 23, 2024 to the lowest responsive/responsible bidder, Carbon Supply Inc., for supplying activated carbon for the District's Main Wastewater Treatment Plant for one year, with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$569,751 under Request for Quotation No. 2401.
3. Award a sole source contract beginning on or after January 23, 2024 to G3 Engineering Inc., for supplying one Morris replacement pump for the Main Wastewater Treatment Plant Returned Activated Sludge system for a total cost, after the addition of taxes, not to exceed \$295,000.
4. Award a sole source contract beginning on or after January 23, 2024 to MISCO Water for supplying a fixed acid feed system for the Camanche South Shore Water Treatment Plant for a total cost, after the addition of taxes, not to exceed \$141,741.
5. Authorize an agreement beginning on or after January 23, 2024 with Carollo Engineers, Inc. in an amount not to exceed \$11,215,126 for pre-design services for the Walnut Creek Water Treatment Plant Pretreatment Project.
6. Authorize an agreement beginning on or after January 23, 2024 with Peralta Colleges Foundation for \$465,000 for three years, with one option to renew for an additional two-year period for a total amount, including option years, not to exceed \$775,000 to cover administrative costs and provide stipends to District interns participating in a variety of internship programs as guided by the long-term workforce development strategy.

**CONSENT CALENDAR:** (Continued)

7. Authorize an 87-month lease with Senator Seagate, LP, commencing on March 1, 2024, for a 2,183 square foot office suite in the Senator Building located at 1121 L St Suite 809, Sacramento, CA 95814. The term of the lease is March 1, 2024, through May 31, 2031. The base monthly rent is \$7,968 with an annual three percent increase beginning one year after the lease commences.
8. Authorize the Office of General Counsel to continue the employment of the law firm of Liebert Cassidy Whitmore for specialized legal services related to labor and employment law and litigation matters in an additional amount not to exceed \$75,000.
9. Authorize an amendment to the contract previously awarded under Board Motion No. 066-23 with Fluid Conservation Systems Inc. to increase the contract amount by \$281,535 to a total amount not to exceed \$428,177 for supplying handheld leak detection equipment.
10. Authorize an amendment to the agreement previously authorized under Board Motion No. 059-23 with Cupertino Electric, Inc. to increase the total amount of the agreement by \$250,000 for a total amount not to exceed \$600,000 for as-needed electrical maintenance for wastewater facilities.
11. Approve the November and December 2023 Monthly Investment Transactions Reports.
12. Authorize an application to the U.S. Bureau of Reclamation to include an annexation of two adjacent parcels located at 4949 Happy Valley Road in unincorporated Lafayette into the District's Central Valley Project Contractor's Service Area. (Resolution)

**DETERMINATION AND DISCUSSION:**

13. Adopt a resolution to confirm the following Standby Officers for the East Bay Municipal Utility District Board of Directors for Calendar Year 2024. (Resolution)

Ward No. 1 – 1) Vacant; 2) Linda Jackson-Whitmore; 3) Lynelle Lewis  
Ward No. 2 – 1) Dennis Diemer; 2) Carol June Rowley; 3) Robert Dean  
Ward No. 3 – 1) Vacant; 2) Crystal Zermeno; 3) Vacant  
Ward No. 4 – 1) Margo Schueler; 2) Vacant; 3) Helen Burke  
Ward No. 5 – 1) Heinrich Albert; 2) James C. Prola; 3) Ronald Stork  
Ward No. 6 – 1) Vacant; 2) Jose Guzman; 3) Vacant  
Ward No. 7 – 1) Katharine G. Wellman; 2) Vacant; 3) Gregory Chan

**DETERMINATION AND DISCUSSION:** (Continued)

14. Take actions related to the issuance of Water System and Wastewater System Revenue Bonds and Water System Revenue Refunding Bonds. (Resolutions)
  - 14.1. Authorize and approve the issuance of Water System Revenue Bonds, Series 2024A and Water System Revenue Refunding Bonds, Series 2024B in an aggregate principal amount not to exceed \$525 million and approve the form and authorize the execution of certain documents, including Supplemental Indentures, in connection with the issuance, securing and sale of such bonds.
  - 14.2. Authorize and approve the issuance of Wastewater System Revenue Bonds, Series 2024A in an aggregate principal amount not to exceed \$30 million and approve the form and authorize the execution of certain documents, including Supplemental Indentures, in connection with the issuance, securing and sale of such bonds.
15. General Manager's Report.
  - Water Supply Update – Water production; precipitation to date; reservoir storage; and forecasted supply conditions for the remainder of water year 2024
  - Nutrient Discharge Compliance Update
  - Service Award Recipients - October through December 2023
  - 2023 Interdepartmental Committees Annual Reports

**REPORTS AND DIRECTOR COMMENTS:**

16. Committee Reports:
  - 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, February 13, 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
Tuesday, January 23	Finance/Administration Committee	8:30 a.m. Boardroom	<ul style="list-style-type: none"><li>Monthly Investment Transactions Reports</li><li>Quarterly Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems and Quarterly Investment Report for Quarter Ended December 31, 2023</li><li>EBMUD Series 2024A and 2024B Water System Revenue Bonds</li><li>EBMUD Series 2024A Wastewater System Revenue Bonds</li></ul>
	Climate Action Plan Workshop	9:30 a.m. Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	
Monday, February 12	Lincoln’s Birthday Holiday Observed		Offices Closed
Tuesday, February 13	Planning Committee	TBD Boardroom	<ul style="list-style-type: none"><li>Closed Session</li><li>Regular Meeting</li></ul>
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	
Monday, February 19	Presidents Day Holiday Observed		<ul style="list-style-type: none"><li>Offices Closed</li></ul>
Tuesday, February 27	Finance/Administration Committee	TBD Boardroom	<ul style="list-style-type: none"><li>Closed Session</li><li>Regular Meeting</li></ul>
	2024 Recycled Water Strategic Plan Update Workshop	TBD Boardroom	
	Board of Directors	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  
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=eUdZSGh5SG82akZiRDZlUDg2b0lYUT09>

**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/adMXnlVnPp>

\*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.

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**To view the livestream of Board meetings, please visit:**  
<https://www.ebmud.com/about-us/board-directors/board-meetings/>

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