



**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, February 27, 2024

11:00 a.m.

Boardroom

375 11th 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.

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Jerry Luzar & Linda Luzar
Claim No.: 2023-L-213
 - b. Town of Moraga
Claim No.: 2023-L-115

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

REGULAR BUSINESS MEETING
1:15 p.m.

*Director April Chan will participate via teleconference from the
InterContinental The Willard Washington D.C., 1401 Pennsylvania Ave Nw, Washington, D.C. 20004*

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

ROLL CALL:

BOARD OF DIRECTORS:

- Proclamation recognizing Director John A. Coleman's 33 years of service on the East Bay Municipal Utility District Board of Directors

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, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of February 13, 2024.
2. File correspondence with the Board.
3. Award a contract beginning on or after February 27, 2024 to the lowest responsive/responsible bidder, Airgas USA LLC, for supplying liquid oxygen and maintenance and repair services for the Hypolimnetic Oxygenation System at the District's San Pablo Reservoir for two years, with three options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$1,666,005 under Request for Quotation No. 2403.
4. Award a contract beginning on or after February 27, 2024 to the lowest responsive/responsible bidder, Trace3, Inc., for supplying computer data storage equipment, installation, and maintenance support for the District's main data center for three years, for a total cost, after the addition of taxes, not to exceed \$403,049.56.
5. Authorize an agreement beginning on or after February 27, 2024 with Comprehensive Construction Services, Inc. in an amount not to exceed \$214,010 for materials and labor for renovations at Pardee Center's McLean Hall and Garage 115.
6. Authorize an agreement beginning on or after February 28, 2024, with Jacobs Engineering Group, Inc. in an amount not to exceed \$1,488,047 for engineering, condition assessment, and infrastructure planning services for the Interceptor Master Plan.

CONSENT CALENDAR: (Continued)

7. Authorize actions related to the agreement with Aquatic Informatics ULC (AQI) for the continuous licensing of software facilitating repair and public communication of main break repairs as well as hydrant and valve inspections.
 - 7.1. Ratify the extension of the agreement with AQI authorized under Board Motion No. 050-18 to February 26, 2024 and the total payment of \$308,010 to AQI for the continuous licensing of Sedaru software facilitating repair and public communication of main break repairs as well as hydrant and valve inspections between April 23, 2023 and February 26, 2024.
 - 7.2. Authorize an amendment to extend the agreement previously authorized under Board Motion No. 050-18 with AQI from February 27, 2024 through December 31, 2024, and to increase the agreement amount by \$215,705, which incorporates the ratified amount from the action above, for a total amount not to exceed \$2,377,615 for licensing of Sedaru software facilitating main break repairs, as well as hydrant and valve inspections.
8. Approve the January 2024 Monthly Investment Transactions Report.
9. Approve revisions to the following District policies: Policy 3.01 – Annexations and Policy 7.04 – Access to District Property for Tours; and rescission of Policy 3.08 – Advisory Election for Annexations Outside the Contra Costa County Urban Limit Line. (Resolution)
10. Adopt a resolution to appoint a Standby Officer in Ward No. 1 for the East Bay Municipal Utility District Board of Directors as outlined in the Director’s Emergency Succession Plan. (Resolution)

DETERMINATION AND DISCUSSION:

11. Adopt a resolution to recognize Black History Month and the 30th Anniversary of the Black Employee Network. (Resolution)
12. Adopt the Actuarial Valuations of the Employees’ Retirement System as of June 30, 2023 prepared by the Retirement System’s actuary. In addition, set Retirement System Contribution Rates for Fiscal Year 2025 based on the actuarially determined contribution rates in the valuations. (Resolution)
13. Introduction and first reading of an ordinance to amend the East Bay Municipal Utility District Campaign Finance Reform Ordinance No. 316. (Introduction and First Reading – Ordinance No. 375-24)
14. Consider approving the following actions related to filling the anticipated vacant Board seat in East Bay Municipal Utility District Ward 2 as recommended by the Board of Directors’ Ad Hoc Committee.
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

REPORTS AND DIRECTOR COMMENTS:

16. Committee Reports:
 - Planning
 - Legislative/Human Resources
 - Finance/Administration
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, March 12, 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 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, February 27	Finance/Administration Committee	9:00 a.m. Boardroom	<ul style="list-style-type: none">• Monthly Investment Transactions Reports• Fiscal Year 2024 Semi-Annual Budget Performance Report• Employees’ Retirement System Annual Financial Update• Employees’ Retirement System Fiscal Year 2023 Actuarial Valuations and Fiscal Year 2025 Employer Contribution Rates• Revisions to District Policies• Semi-Annual Internal Audit Report• Camanche Mobilehome Park Rent
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none">• Closed Session• Regular Meeting
Tuesday, March 12	Planning Committee	TBD Boardroom	<ul style="list-style-type: none">• Closed Session• Regular Meeting
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	
Tuesday, March 26	Finance/Administration Committee	TBD Boardroom	<ul style="list-style-type: none">• Closed Session• Regular Meeting
	2024 Recycled Water Strategic Plan Update Workshop	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	
2024 Board Committee Members			
	Finance/Administration	Katz {Chair}, Chan, Patterson	
	Legislative/Human Resources	Patterson {Chair}, McIntosh, Young	
	Planning	Young {Chair}, Chan, Linney	
	Sustainability	Linney {Chair}, Katz, Young	

**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
- 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/>
