



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Time Change

**FINANCE/ADMINISTRATION
COMMITTEE**

Tuesday, June 25, 2024

10:30 a.m.


Boardroom

375 11th Street

Oakland, CA 94607

Notice is hereby given that the Tuesday, June 25, 2024 Finance/Administration Committee meeting of the Board of Directors has been rescheduled from 10:00 a.m. to 10:30 a.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: June 20, 2024



Janetta M. Johnson
Acting Secretary of the District

W:\Board of Directors - Meeting Related Docs\notices 2024\06252024_fin-admin_notice_time_change.docx

This page is intentionally left blank.



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

375 – 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Finance/Administration Committee
Tuesday, June 25, 2024
10:30 a.m.
Boardroom
375 11th Street
Oakland, CA 94607**

Committee Members Andy Katz {Chair}, April Chan, and William B. Patterson

***** 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.

DETERMINATION AND DISCUSSION:

1. Monthly Investment Transactions Report (Skoda)
2. Revisions to District Policy 7.03 - Emergency Preparedness/Business Continuity (Gardin)

ADJOURNMENT:

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.

W:\Board of Directors - Meeting Related Docs\Agendas 2024\2024 Finance-Adm Committee\06252024 finance-admin agenda.docx



Finance/Administration Committee Meeting

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

Online*

<https://ebmud.zoom.us/j/92433162059?pwd=emM4YjRrQTJtK3M0NnAxTDRoVzh5Zz09>

Webinar ID: 924 3316 2059

Passcode: 282322

By Phone*

Telephone: 1 669 900 6833

Webinar ID: 924 3316 2059

Passcode: 282322

International numbers available: <https://ebmud.zoom.us/u/kjdx0Kd06>

*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 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 view the livestream of Board meetings, please visit:

<https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: June 20, 2024

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *mlf for SDS*

SUBJECT: Monthly Investment Transactions Report

SUMMARY

In accordance with Policy 4.07 – Investments, staff prepares a monthly transactions report for the Finance/Administration Committee to review and for the Board to consider each month. The Committee will review the May 2024 report at the June 25, 2024 Finance/Administration Committee meeting.

DISCUSSION

Pursuant to Policy 4.07, staff prepares a monthly report of investment transactions (buys, sales, deposits, withdrawals) as well as transactions that occur as a feature of the securities held (interest, calls, maturities). Information on portfolio performance, balances, and other factors are presented in the quarterly investment report.

In May 2024, the portfolio decreased from \$820.9 million to \$621.1 million. The large decline is due to the regularly scheduled principal and interest payments on the District’s revenue bonds at the end of May. Net transactions decreased the total by \$204.7 million. Interest received added \$4.9 million to the portfolio. Deposits into short-term liquidity funds totaled \$101.7 million, withdrawals totaled \$133.9 million, and \$160.0 million in securities matured. The District did not purchase any securities and no securities were called or sold. Net transactions at the District’s commercial bank resulted in a decrease of \$12.5 million.

NEXT STEPS

This item will be brought to the Board for consideration at its June 25, 2024 meeting.

CCC:SDS:rlh

Attachment: May 2024 Monthly Investment Transactions Report

This page is intentionally left blank.

Monthly Investment Transactions Report
May 2024

This report is presented to the Board pursuant to Government Code Section 53607 and in accordance with the District's Investment Policy 4.07.

The attached report details transactions in the District's portfolio as follows:

- **Monthly Investment Transactions Summary** **Page 1**
- **Monthly Investment Activity** **Page 2**
 - Buys Page 3
 - Deposits Page 4
 - Matured Page 5
 - Calls Page 6
 - Sales Page 7
 - Withdrawals Page 8
- **Monthly Interest Activity** **Page 9**
 - Interest Received (Transferred to Wells Fargo) Page 10
 - Interest Received (Reinvested) Page 11



Approved by: Robert Hannay, Treasury Manager

Jun 13, 2024

Date

SDS:KM:mr



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Transactions Summary
May 2024

Portfolio	Beginning Balance*	Monthly Net Transaction Activity	Monthly Interest Activity	Ending Balance
001 - Water System Consolidated	631,211,587.20	(161,000,000.00)	525,852.37	470,737,439.57
007 - Wastewater Consolidated	126,306,303.49	(29,000,000.00)	132,579.68	97,438,883.17
049 - Ferc Partnership	2,112,706.20	-	-	2,112,706.20
009 - BACWA	2,390,109.37	-	-	2,390,109.37
015 - DERWA	1,056,357.93	-	-	1,056,357.93
002 - FRWA	1,056,357.93	-	-	1,056,357.93
014 - IICP	158,983.14	-	-	158,983.14
010 - UMRWA	67,607.27	-	-	67,607.27
003 - Employees Retirement	8,745,317.98	(2,260,000.00)	-	6,485,317.98
099 - Wells Fargo**	47,773,322.47	(12,475,366.66)	4,279,375.43	39,577,331.24
Total	820,878,652.98	(204,735,366.66)	4,937,807.48	621,081,093.80

* Portfolio balance presented at face value.

**Wells Fargo's month-end available balance per bank statement. Gross amount; not allocated by fund and not included in balances above.

A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings.

Matthew Raimondi

Prepared by: Matt Raimondi, Accounting Technician

Kevin Ma

Reviewed by: Kevin Ma, Accounting Supervisor

David Glasser

David Glasser (2011.12.29.04.14.03 PDF)

Approved by: David Glasser, Controller

6/6/2024

Date

Jun 12, 2024

Date

Jun 12, 2024

Date



EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Investment Activity
 May 2024

Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Non-Investment Transactions*	Net Transaction Activity
001 - Water System Consolidated	-	72,000,000.00	(137,000,000.00)	-	-	(96,000,000.00)	-	(161,000,000.00)
007 - Wastewater Consolidated	-	18,000,000.00	(23,000,000.00)	-	-	(24,000,000.00)	-	(29,000,000.00)
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	11,662,000.00	-	-	-	(13,922,000.00)	-	(2,260,000.00)
065 - Water S2008A DSRF	-	-	-	-	-	-	-	-
068 - Water 2010A DSRF	-	-	-	-	-	-	-	-
Investment Activity Total	-	101,662,000.00	(160,000,000.00)	-	-	(133,922,000.00)	-	(192,260,000.00)
099 - Wells Fargo	-	(101,662,000.00)	160,000,000.00	-	-	133,922,000.00	(204,735,366.66)	(12,475,366.66)
Total	-	-	-	-	-	-	(204,735,366.66)	(204,735,366.66)

*Non-investment transactions are net receipts and expenditures in Wells Fargo resulting from activities other than investment and interest transactions detailed in this report.

Approved by: Robert L. Hannay, Treasury Manager

Jun 13, 2024

Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
May 2024

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
----------------	-------------	-------------	--------------	------------	-----------------	---------------	--------------------	-----------	--------------------	-------

Buys

No Transactions this Period

0.00 0.00 0.00 0.00



EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Investment Activity
 May 2024

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Deposits										
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	5/17/2024	5/17/2024	N/A	24,000,000.00	24,000,000.00	0.00	24,000,000.00
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	5/17/2024	5/17/2024	N/A	24,000,000.00	24,000,000.00	0.00	24,000,000.00
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	5/17/2024	5/17/2024	N/A	24,000,000.00	24,000,000.00	0.00	24,000,000.00
					Total		72,000,000.00			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	5/2/2024	5/2/2024	N/A	616,000.00	616,000.00	0.00	616,000.00
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	5/10/2024	5/10/2024	N/A	5,531,000.00	5,531,000.00	0.00	5,531,000.00
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	5/24/2024	5/24/2024	N/A	5,515,000.00	5,515,000.00	0.00	5,515,000.00
					Total		11,662,000.00			
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	5/17/2024	5/17/2024	N/A	6,000,000.00	6,000,000.00	0.00	6,000,000.00
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	5/17/2024	5/17/2024	N/A	6,000,000.00	6,000,000.00	0.00	6,000,000.00
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	5/17/2024	5/17/2024	N/A	6,000,000.00	6,000,000.00	0.00	6,000,000.00
					Total		18,000,000.00			
							101,662,000.00	101,662,000.00	0.00	101,662,000.00



EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Investment Activity
 May 2024

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Matured										
001 - Water System Consolidated	US Treasuries	T-Bill 0 5/23/2024	912797HR1	5/23/2024	5/23/2024	5/23/2024	32,000,000.00	32,000,000.00	-	32,000,000.00
001 - Water System Consolidated	US Treasuries	T-Note 0.25 5/15/2024	91282CCC3	5/15/2024	5/15/2024	5/15/2024	16,000,000.00	16,000,000.00	-	16,000,000.00
001 - Water System Consolidated	US Treasuries	T-Note 0.25 5/15/2024	91282CCC3	5/15/2024	5/15/2024	5/15/2024	89,000,000.00	89,000,000.00	-	89,000,000.00
						Total	137,000,000.00			
007 - Wastewater Consolidated	US Treasuries	T-Bill 0 5/23/2024	912797HR1	5/23/2024	5/23/2024	5/23/2024	6,000,000.00	6,000,000.00	-	6,000,000.00
007 - Wastewater Consolidated	US Treasuries	T-Note 0.25 5/15/2024	91282CCC3	5/15/2024	5/15/2024	5/15/2024	4,000,000.00	4,000,000.00	-	4,000,000.00
007 - Wastewater Consolidated	US Treasuries	T-Note 0.25 5/15/2024	91282CCC3	5/15/2024	5/15/2024	5/15/2024	13,000,000.00	13,000,000.00	-	13,000,000.00
						Total	23,000,000.00			
							160,000,000.00	160,000,000.00	-	160,000,000.00



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
May 2024

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
----------------	-------------	-------------	--------------	------------	-----------------	---------------	--------------------	-----------	--------------------	-------

Calls

No Transactions this Period

0.00 0.00 0.00 0.00



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
May 2024

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Sales										

No Transactions this Period

0.00 0.00 0.00 0.00



EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Investment Activity
 May 2024

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Withdrawals										
001 - Water System Consolidated	Local Government Investment	F CAMP LGIP	CAMP6035	5/23/2024	5/23/2024	N/A	12,000,000.00	12,000,000.00	-	12,000,000.00
001 - Water System Consolidated	LAIF	LAIF LGIP	LGIP1001	5/23/2024	5/23/2024	N/A	12,000,000.00	12,000,000.00	-	12,000,000.00
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	5/23/2024	5/23/2024	N/A	24,000,000.00	24,000,000.00	-	24,000,000.00
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	5/23/2024	5/23/2024	N/A	24,000,000.00	24,000,000.00	-	24,000,000.00
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	5/23/2024	5/23/2024	N/A	24,000,000.00	24,000,000.00	-	24,000,000.00
						Total	96,000,000.00			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	5/31/2024	5/31/2024	N/A	13,922,000.00	13,922,000.00	-	13,922,000.00
						Total	13,922,000.00			
007 - Wastewater Consolidated	Local Government Investment	F CAMP LGIP	CAMP6035	5/23/2024	5/23/2024	N/A	3,000,000.00	3,000,000.00	-	3,000,000.00
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	5/23/2024	5/23/2024	N/A	6,000,000.00	6,000,000.00	-	6,000,000.00
007 - Wastewater Consolidated	LAIF	LAIF LGIP	LGIP1001	5/23/2024	5/23/2024	N/A	3,000,000.00	3,000,000.00	-	3,000,000.00
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	5/23/2024	5/23/2024	N/A	6,000,000.00	6,000,000.00	-	6,000,000.00
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	5/23/2024	5/23/2024	N/A	6,000,000.00	6,000,000.00	-	6,000,000.00
						Total	24,000,000.00			
							133,922,000.00	133,922,000.00	-	133,922,000.00



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
May 2024

Portfolio	Total Interest Received	Interest Transferred to Wells Fargo*	Net Interest Activity (Reinvested)**
001 - Water System Consolidated	4,219,227.37	(3,693,375.00)	525,852.37
007 - Wastewater Consolidated	718,580.11	(586,000.43)	132,579.68
049 - Ferc Partnership	-	-	-
009 - BACWA	-	-	-
015 - DERWA	-	-	-
002 - FRWA	-	-	-
014 - IICP	-	-	-
010 - UMRWA	-	-	-
003 - Employees Retirement	-	-	-
065 - Water S2008A DSRF	-	-	-
068 - Water 2010A DSRF	-	-	-
Interest Transactions Total	4,937,807.48	(4,279,375.43)	658,432.05
099 - Wells Fargo	-	4,279,375.43	4,279,375.43
Total	4,937,807.48	-	4,937,807.48

*Coupon and other interest received; reinvestment unavailable.

**Coupon and other interest payments reinvested in specific portfolio.

Matthew Raimondi

Prepared by: Matt Raimondi, Accounting Technician

Kevin Ma

Reviewed by: Kevin Ma, Accounting Supervisor

David Glasser

Approved by: David Glasser, Controller

6/6/2024

Date
Jun 12, 2024

Date
Jun 12, 2024

Date




EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Interest Activity
 May 2024


Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Interest Received (Transferred to Wells Fargo)										
001 - Water System Consolidated	US Treasuries	T-Note 0.25 5/15/2024	91282CCC3	5/15/2024	5/15/2024	5/15/2024	-	-	131,250.00	131,250.00
001 - Water System Consolidated	US Treasuries	T-Note 0.75 11/15/2024	91282CDH1	5/15/2024	5/15/2024	11/15/2024	-	-	172,500.00	172,500.00
001 - Water System Consolidated	US Treasuries	T-Note 2.25 11/15/2024	912828G38	5/15/2024	5/15/2024	11/15/2024	-	-	172,125.00	172,125.00
001 - Water System Consolidated	US Treasuries	T-Note 2.75 5/15/2025	91282CEQ0	5/15/2024	5/15/2024	5/15/2025	-	-	1,512,500.00	1,512,500.00
001 - Water System Consolidated	US Treasuries	T-Note 3.625 5/15/2026	91282CHB0	5/15/2024	5/15/2024	5/15/2026	-	-	435,000.00	435,000.00
001 - Water System Consolidated	US Treasuries	T-Note 4.5 11/15/2025	91282CFW6	5/15/2024	5/15/2024	11/15/2025	-	-	900,000.00	900,000.00
001 - Water System Consolidated	US Treasuries	T-Note 4.625 11/15/2026	91282CJ8	5/15/2024	5/15/2024	11/15/2026	-	-	370,000.00	370,000.00
						Total			3,693,375.00	
007 - Wastewater Consolidated	US Treasuries	T-Note 0.25 5/15/2024	91282CCC3	5/15/2024	5/15/2024	5/15/2024	-	-	21,250.00	21,250.00
007 - Wastewater Consolidated	US Treasuries	T-Note 0.75 11/15/2024	91282CDH1	5/15/2024	5/15/2024	11/15/2024	-	-	20,625.00	20,625.00
007 - Wastewater Consolidated	US Treasuries	T-Note 1.625 5/15/2026	912828R36	5/15/2024	5/15/2024	5/15/2026	-	-	40,625.00	40,625.00
007 - Wastewater Consolidated	US Treasuries	T-Note 2.25 11/15/2024	912828G38	5/15/2024	5/15/2024	11/15/2024	-	-	30,375.00	30,375.00
007 - Wastewater Consolidated	US Treasuries	T-Note 2.25 11/15/2025	912828M56	5/15/2024	5/15/2024	11/15/2025	-	-	45,000.00	45,000.00
007 - Wastewater Consolidated	US Treasuries	T-Note 2.75 5/15/2025	91282CEQ0	5/15/2024	5/15/2024	5/15/2025	-	-	226,875.43	226,875.43
007 - Wastewater Consolidated	US Treasuries	T-Note 3.625 5/15/2026	91282CHB0	5/15/2024	5/15/2024	5/15/2026	-	-	108,750.00	108,750.00
007 - Wastewater Consolidated	US Treasuries	T-Note 4.625 11/15/2026	91282CJ8	5/15/2024	5/15/2024	11/15/2026	-	-	92,500.00	92,500.00
						Total			586,000.43	
							0.00	0.00	4,279,375.43	4,279,375.43

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: June 20, 2024

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Barry N. Gardin, Internal Auditor Supervisor 

SUBJECT: Revisions to District Policy 7.03 – Emergency Preparedness/Business Continuity

SUMMARY

District policies are reviewed bi-annually to ensure they reflect Board objectives and priorities as well as accurately codify District operating and business practices. Occasionally, interim reviews are necessary to codify regulatory, structural, or other changes which have occurred. Updates to Policy 7.03 – Emergency Preparedness/Business Continuity were made at the request of the Board and were discussed at the May 14, 2024 Planning Committee meeting. The updated policy will be presented at the June 25, 2024 Finance/Administration Committee meeting.

DISCUSSION

Policy Recommended for Revision

The proposed changes include modifications to require Board members to designate a minimum of two Standby Officers and incorporate gender-neutral pronouns.

Policy 7.03 – Emergency Preparedness/Business Continuity

This policy is being modified to require Board members to designate a **minimum of two** and no more than three Standby Officers. Under the California Emergency Services Act (CESA), the Board may appoint up to three Standby Officers for each Board member to ensure the District can respond to and recover from emergencies. Board members are not required to appoint three under the law. Staff believes a minimum of two Standby Officers would adequately serve the District during an emergency, with one residing within and one residing outside of each Board member's ward. A third Standby Officer, who resides within or outside the ward, may be appointed by a Board member if they choose. The process for designating Standby Officers is described in the District's Business Continuity Plan. Standby Officers are approved by Board resolution and reviewed on an annual basis. A minor modification to incorporate gender-neutral pronouns is also proposed by staff.

FISCAL IMPACT

This policy change has no fiscal impact.

NEXT STEPS

This policy will be brought to the Board for consideration and approval at its June 25, 2024 meeting.

CCC:BNG

Attachment: Policy 7.03



Policy 7.03R

EFFECTIVE [27 JUN 23](#)
[25 JUN 24](#)

SUPERSEDES [24 MAR 20](#)
[27 JUN 23](#)

EMERGENCY PREPAREDNESS/BUSINESS CONTINUITY

IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Ensure the District can respond to and recover from emergencies. The District will create and maintain an active Emergency Preparedness Program that includes an Emergency Operations Plan (EOP) written and administered to help manage the District's critical operations during any emergency and protect people, property, and the environment. The District will coordinate the emergency planning and response with federal, state, and local agencies and private entities charged with emergency duties. The District will also create and maintain a Business Continuity Program Plan (BCPP) to minimize impacts to critical business functions and enhance its capability to recover operations expediently and successfully following an emergency.

The EOP and BCPP shall include provisions to:

- Make employee and community life safety the highest priority.
- Anticipate, prevent, protect against, and mitigate the greatest risks to the extent practicable.
- Periodically review the plans and incorporate lessons learned from exercises, incidents, and industry.
- Comply with all applicable legal requirements and be consistent with state and federal guidance.

Emergency

An emergency includes actual or threatened existence of conditions of disaster or extreme peril to critical District operations, its infrastructure, and/or the health and safety of staff and/or the public. An emergency may be caused by an earthquake, power outage, cyber security breach, pandemic, dam failure, freeze, water supply contamination, national security incident, storm event, and other conditions that may be beyond the capability of District forces and may require support from other government agencies, non-profit organizations, or the private sector.

Emergency Preparedness Program

The District's Emergency Preparedness Program will include an EOP written and administered in accordance with the guidelines of the National Response Framework (NRF), the National Incident Management System (NIMS), and the California Standardized Emergency Management System (SEMS). In accordance with NIMS and SEMS, the Emergency Preparedness Program will consist of five areas of readiness: prevention, protection, mitigation, response, and recovery. The EOP will describe the District's emergency response organization based on NIMS; include guidelines for identifying and training District staff in NIMS; designate District staff to critical positions identified in the EOP, and designate staff to represent the District in negotiations or consultations with public and private agencies on matters pertaining to response to the emergency and recovery of damaged systems and financial costs. The Regulatory Compliance Office will facilitate progress on the Emergency Preparedness Program.

Authorization of Contracts During District Emergency Response and Reporting of Emergency Contracts

When an emergency condition arises that necessitates immediate action to minimize damage and inconvenience resulting from such condition, the General Manager or his or her designee, in consultation with the President of the Board of Directors (Board) or their designee, may declare a District emergency. The Board may also declare a District emergency under the Municipal Utility District Act (Public Utilities Code) Section 12753. The General Manager or his or her designee is authorized, after a District-declared emergency, to enter into emergency contracts not to exceed \$500,000, per contract, without bids or notice during the emergency response period.

For emergency contracts higher than \$500,000, Board approval is required. The Board shall meet to ratify the declaration of emergency by the General Manager as soon as possible after the declaration, but no later than the next regularly scheduled Board meeting.

At the next regular or special meeting of the Board of Directors following such emergency, a report shall be made to the Board of Directors summarizing contracts executed in response to said emergency. Periodic reports on the status of response and additional contracts shall be provided to the Board of Directors until the emergency is concluded. The emergency declaration will remain in effect until formal Board action is taken to conclude the emergency.

Note that under federal law (2 CFR § 200.320(c)), for procurements using federal funding or that may be reimbursed by the federal government, a noncompetitive procurement process may be used only when the public emergency will not permit a delay resulting from publicizing a competitive solicitation.

**Emergency
Operations
Director**

The District's EOP will identify a District Director or member of the Senior Management Team (SMT) to serve as the Emergency Operations Director (EOD) who will have the authority for developing plans, training staff and managing the District's response to an emergency through the Emergency Operations Team (EOT). The EOT will be structured consistent with the NIMS in sections managed by Section Chiefs. In consultation with the General Manager, the EOD will identify staff to fulfill the planning, response, and recovery duties listed in the EOP. As the need arises, the EOD may direct all staff or material resources of the District to combat the effects of a threatened, declared or actual emergency. In an emergency, the EOD may delegate approval authority to the EOT Section Chiefs up to \$80,000 per purchase for material purchases and up to \$30,000 for services. These expenses would be included as part of the \$500,000 authorization above for the General Manager.

The General Manager or his or her designee may engage EBMUD retirees to provide staffing support for operations and activities deemed critical, necessary, or essential during a District declared emergency, provided such engagement is consistent with the California Public Employees' Pension Reform Act (PEPRA) or any executive order issued by the Governor of the State of California to suspend the requirements of PEPRA.

The EOD or his or her designee is authorized to take all necessary action to apply for incoming state or federal resources and to represent the District in requesting and/or negotiating for needed resources.

**Mutual Aid/
Assistance**

The General Manager, EOD, and their designees, in accordance with the EOP, may either request mutual aid/assistance from other local government agencies, including public and private water and wastewater utilities, or commit District resources to other agencies requesting aid.

**Business
Continuity
Program
Plan**

The District provides products and services that support the economic, human, and environmental health of the East Bay. Therefore, the District must have a program that facilitates the performance of essential functions during an emergency situation that disrupts normal operations and/or the timely resumption of normal operations once the emergency has ended. The District will maintain a BCPP consistent with federal, state, and industry guidance that provides the overall framework for the program and outlines the basic priorities for recovery of business functions in

individual Work Group Business Continuity Plans (BCPs). The Regulatory Compliance Office will manage and maintain the BCPP. Individual Work Group BCPs outline the critical functions that must be performed before, during, and after an event; identify the personnel responsible for completing the necessary actions; and list the vital records, equipment, supplies, tools and systems required to accomplish the identified tasks. The Work Groups are responsible for ensuring that their BCPs are maintained, employees trained, plans tested, and their vital records necessary to maintain operations are available. Vital records include all information and records that if lost, would place significant financial, operational, or legal restrictions on the continuation of District services.

**Continuity of
Management**

All of the District's BCPs, including that of the Office of the General Manager, will designate up to three successors to serve as the primary critical staff person in the event there is an activation of the EOT so day-to-day operations may continue. In the event the primary critical staff person is unable to respond to an emergency, the designee, in the order listed, may assume all the duties and powers of the primary critical staff person.

Status Reports

The General Manager will provide periodic Emergency Preparedness Program and Business Continuity Program progress reports to the Board of Directors, as necessary, and the District's response to a declared District emergency, when applicable.

**Board of Directors
Succession Plan**

Each Board Member shall designate [a minimum of two and](#) no more than three Standby Officers to serve in ~~their~~ ~~his or her~~ place in the event of the Board Member's unavailability in an emergency, as defined by the California Emergency Services Act (CESA). The list of Standby Officers shall be approved by Board Resolution and reviewed on an annual basis. The General Manager will determine the availability of the Board Members in an emergency. The Board will fill vacancies in accordance with the Municipal Utility District Act and CESA within 60 days of the effective date of the vacancy. Upon appointment by the Board through a Board Resolution, the Standby Officer shall take the oath of office, remain informed of the duties, District business, and be prepared to immediately report for duty during an emergency. Details of this process will be documented in the General Manager's BCP.

Authority

Resolution No. 33014-96, November 12, 1996
As amended by Resolution No. 33027-02, September 24, 2002
As amended by Resolution No. 33460-05, February 8, 2005
As amended by Resolution No. 33564-06, November 14, 2006
As amended by Resolution No. 33703-09, February 24, 2009
As amended by Resolution No. 33793-10, November 23, 2010
As amended by Resolution No. 33904-12, November 27, 2012
As amended by Resolution No. 33941-13, September 24, 2013
As amended by Resolution No. 34052-15, September 22, 2015
As amended by Resolution No. 34094-16, July 26, 2016
As amended by Resolution No. 35037-17, May 23, 2017
As amended by Resolution No. 35098-18, June 26, 2018
As amended by Resolution No. 35156-19, September 24, 2019
As amended by Resolution No. 35168-20, March 24, 2020
As amended by Resolution No. 35355-23, June 27, 2023
[As amended by Resolution No. XXXXX-24, June 25, 2024](#)

References

Business Continuity Program Plan
California Emergency Services Act (CESA), Government Code 8635 *et seq.*
District Emergency Operations Plan
FEMA Procurement Disaster Assistance Team (PDAT) Field Manual
Municipal Utility District Act – Public Utility Code Section 12753
National Incident Management System (NIMS)
National Preparedness Goal
National Response Framework (NRF)
Policy 7.13 – Security
Procedure 415 – Emergency Purchases
Standardized Emergency Management System (SEMS)



Policy 7.03

EFFECTIVE 25 JUN 24

SUPERSEDES 27 JUN 23

EMERGENCY PREPAREDNESS/BUSINESS CONTINUITY

IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Ensure the District can respond to and recover from emergencies. The District will create and maintain an active Emergency Preparedness Program that includes an Emergency Operations Plan (EOP) written and administered to help manage the District's critical operations during any emergency and protect people, property, and the environment. The District will coordinate the emergency planning and response with federal, state, and local agencies and private entities charged with emergency duties. The District will also create and maintain a Business Continuity Program Plan (BCPP) to minimize impacts to critical business functions and enhance its capability to recover operations expediently and successfully following an emergency.

The EOP and BCPP shall include provisions to:

- Make employee and community life safety the highest priority.
- Anticipate, prevent, protect against, and mitigate the greatest risks to the extent practicable.
- Periodically review the plans and incorporate lessons learned from exercises, incidents, and industry.
- Comply with all applicable legal requirements and be consistent with state and federal guidance.

Emergency

An emergency includes actual or threatened existence of conditions of disaster or extreme peril to critical District operations, its infrastructure, and/or the health and safety of staff and/or the public. An emergency may be caused by an earthquake, power outage, cyber security breach, pandemic, dam failure, freeze, water supply contamination, national security incident, storm event, and other conditions that may be beyond the capability of District forces and may require support from other government agencies, non-profit organizations, or the private sector.

Emergency Preparedness Program

The District's Emergency Preparedness Program will include an EOP written and administered in accordance with the guidelines of the National Response Framework (NRF), the National Incident Management System (NIMS), and the California Standardized Emergency Management System (SEMS). In accordance with NIMS and SEMS, the Emergency Preparedness Program will consist of five areas of readiness: prevention, protection, mitigation, response, and recovery. The EOP will describe the District's emergency response organization based on NIMS; include guidelines for identifying and training District staff in NIMS; designate District staff to critical positions identified in the EOP, and designate staff to represent the District in negotiations or consultations with public and private agencies on matters pertaining to response to the emergency and recovery of damaged systems and financial costs. response to the emergency and recovery of damaged systems and financial costs. The Regulatory Compliance Office will facilitate progress on the Emergency Preparedness Program.

Authorization of Contracts During District Emergency Response and Reporting of Emergency Contracts

When an emergency condition arises that necessitates immediate action to minimize damage and inconvenience resulting from such condition, the General Manager or his or her designee, in consultation with the President of the Board of Directors (Board) or their designee, may declare a District emergency. The Board may also declare a District emergency under the Municipal Utility District Act (Public Utilities Code) Section 12753. The General Manager or his or her designee is authorized, after a District-declared emergency, to enter into emergency contracts not to exceed \$500,000, per contract, without bids or notice during the emergency response period. For emergency contracts higher than \$500,000, Board approval is required. The

Board shall meet to ratify the declaration of emergency by the General Manager as soon as possible after the declaration, but no later than the next regularly scheduled Board meeting.

At the next regular or special meeting of the Board of Directors following such emergency, a report shall be made to the Board of Directors summarizing contracts executed in response to said emergency. Periodic reports on the status of response and additional contracts shall be provided to the Board of Directors until the emergency is concluded. The emergency declaration will remain in effect until formal Board action is taken to conclude the emergency.

Note that under federal law (2 CFR § 200.320(c)), for procurements using federal funding or that may be reimbursed by the federal government, a noncompetitive procurement process may be used only when the public emergency will not permit a delay resulting from publicizing a competitive solicitation.

**Emergency
Operations
Director**

The District's EOP will identify a District Director or member of the Senior Management Team (SMT) to serve as the Emergency Operations Director (EOD) who will have the authority for developing plans, training staff and managing the District's response to an emergency through the Emergency Operations Team (EOT). The EOT will be structured consistent with the NIMS in sections managed by Section Chiefs. In consultation with the General Manager, the EOD will identify staff to fulfill the planning, response, and recovery duties listed in the EOP. As the need arises, the EOD may direct all staff or material resources of the District to combat the effects of a threatened, declared or actual emergency. In an emergency, the EOD may delegate approval authority to the EOT Section Chiefs up to \$80,000 per purchase for material purchases and up to \$30,000 for services. These expenses would be included as part of the \$500,000 authorization above for the General Manager.

The General Manager or his or her designee may engage EBMUD retirees to provide staffing support for operations and activities deemed critical, necessary, or essential during a District declared emergency, provided such engagement is consistent with the California Public Employees' Pension Reform Act (PEPRA) or any executive order issued by the Governor of the State of California to suspend the requirements of PEPRA.

The EOD or his or her designee is authorized to take all necessary action to apply for incoming state or federal resources and to represent the District in requesting and/or negotiating for needed resources.

**Mutual Aid/
Assistance**

The General Manager, EOD, and their designees, in accordance with the EOP, may either request mutual aid/assistance from other local government agencies, including public and private water and wastewater utilities, or commit District resources to other agencies requesting aid.

**Business
Continuity
Program
Plan**

The District provides products and services that support the economic, human, and environmental health of the East Bay. Therefore, the District must have a program that facilitates the performance of essential functions during an emergency situation that disrupts normal operations and/or the timely resumption of normal operations once the emergency has ended. The District will maintain a BCPP consistent with federal, state, and industry guidance that provides the overall framework for the program and outlines the basic priorities for recovery of business functions in

individual Work Group Business Continuity Plans (BCPs). The Regulatory Compliance Office will manage and maintain the BCPP. Individual Work Group BCPs outline the critical functions that must be performed before, during, and after an event; identify the personnel responsible for completing the necessary actions; and list the vital records, equipment, supplies, tools and systems required to accomplish the identified tasks. The Work Groups are responsible for ensuring that their BCPs are maintained, employees trained, plans tested, and their vital records necessary to maintain operations are available. Vital records include all information and records that if lost, would place significant financial, operational, or legal restrictions on the continuation of District services.

**Continuity of
Management**

All of the District's BCPs, including that of the Office of the General Manager, will designate up to three successors to serve as the primary critical staff person in the event there is an activation of the EOT so day-to-day operations may continue. In the event the primary critical staff person is unable to respond to an emergency, the designee, in the order listed, may assume all the duties and powers of the primary critical staff person.

Status Reports

The General Manager will provide periodic Emergency Preparedness Program and Business Continuity Program progress reports to the Board of Directors, as necessary, and the District's response to a declared District emergency, when applicable.

**Board of Directors
Succession Plan**

Each Board Member shall designate a minimum of two and no more than three Standby Officers to serve in their place in the event of the Board Member's unavailability in an emergency, as defined by the California Emergency Services Act (CESA). The list of Standby Officers shall be approved by Board Resolution and reviewed on an annual basis. The General Manager will determine the availability of the Board Members in an emergency. The Board will fill vacancies in accordance with the Municipal Utility District Act and CESA within 60 days of the effective date of the vacancy. Upon appointment by the Board through a Board Resolution, the Standby Officer shall take the oath of office, remain informed of the duties, District business, and be prepared to immediately report for duty during an emergency. Details of this process will be documented in the General Manager's BCP.

Authority

Resolution No. 33014-96, November 12, 1996
As amended by Resolution No. 33027-02, September 24, 2002
As amended by Resolution No. 33460-05, February 8, 2005
As amended by Resolution No. 33564-06, November 14, 2006
As amended by Resolution No. 33703-09, February 24, 2009
As amended by Resolution No. 33793-10, November 23, 2010
As amended by Resolution No. 33904-12, November 27, 2012
As amended by Resolution No. 33941-13, September 24, 2013
As amended by Resolution No. 34052-15, September 22, 2015
As amended by Resolution No. 34094-16, July 26, 2016
As amended by Resolution No. 35037-17, May 23, 2017
As amended by Resolution No. 35098-18, June 26, 2018
As amended by Resolution No. 35156-19, September 24, 2019
As amended by Resolution No. 35168-20, March 24, 2020
As amended by Resolution No. 35355-23, June 27, 2023
As amended by Resolution No. XXXXX-24, June 25, 2024

References

- Business Continuity Program Plan
 - California Emergency Services Act (CESA), Government Code 8635 *et seq.*
 - District Emergency Operations Plan
 - FEMA Procurement Disaster Assistance Team (PDAT) Field Manual
 - Municipal Utility District Act – Public Utility Code Section 12753
 - National Incident Management System (NIMS)
 - National Preparedness Goal
 - National Response Framework (NRF)
 - Policy 7.13 – Security
 - Procedure 415 – Emergency Purchases
 - Standardized Emergency Management System (SEMS)
-