



**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, August 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. Existing litigation pursuant to Government Code section 54956.9(d)(1):
 - a. *Richard Kraber and Marjorie Kraber v. East Bay Municipal Utility District, et al.*
Contra Costa County Superior Court, Case No. MSC17-01645
 - b. Protest of East Bay Municipal Utility District to Water Rights Application
by Orinda Country Club
State Water Resources Control Board, Application No. A033345
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
one matter.
3. Personnel exception pursuant to Government Code section 54957(b)(1) to consider the annual
public employee evaluation of the General Counsel.

(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
- Recognizing National Hispanic Heritage Month and EBMUD's Fuerza Latina Affinity Group

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 8 recommendations, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of June 25, 2024 and August 13, 2024, and the Special Meeting Minutes of August 20, 2024.
2. File correspondence with the Board.
3. Award a contract beginning on or after August 27, 2024 to the lowest responsive/responsible bidder, Tesco Controls, LLC, for supplying a switchboard for the Lafayette Water Treatment Plant for a total cost, after the addition of taxes, not to exceed \$158,066 under Request for Quotation No. 2406A (Schedule II).
4. Authorize an agreement beginning on or after August 27, 2024 with InVizion, LLC for \$152,307 for three years, with three options to renew for additional one-year periods for a total amount, including option years, not to exceed \$225,525 for financial modeling software, as well as implementation, training and on-going support, to manage the capital prioritization process and perform financial modeling of the capital budget and rate scenarios.
5. Authorize an amendment to the agreement previously authorized under the General Manager's authority with Trussell Technologies, Inc. to increase the agreement amount by \$45,000 to a total amount not to exceed \$100,000 for the completion of a chlorine contact basin tracer study at the North Richmond Water Recycling Plant.
6. Approve the June and July 2024 Monthly Investment Transactions Reports.
7. Adopt a resolution recognizing the Town of Moraga's 50th Anniversary. (Resolution)
8. Authorize the purchase of a 20.7-acre parcel located in Calaveras County (Hertzig Property) from John and Roxana Hertzig for \$270,000, plus closing costs, for a total amount not to exceed \$300,000. (Resolution)

DETERMINATION AND DISCUSSION:

9. Approve actions related to EBMUD’s participation in the Los Vaqueros Reservoir Joint Powers Authority and the Los Vaqueros Reservoir Expansion Project.
 - 9a. Direct the District to remain as a Los Vaqueros Reservoir Joint Powers Authority member but reduce the District’s allocated storage in the proposed Los Vaqueros Reservoir Expansion Project from 30 thousand acre feet to zero.
 - 9b. Support the LVE Project by negotiating mutually acceptable agreements to convey water for the JPA member agencies when capacity is available, including supporting Contra Costa Water District during dam construction backstop operations, with full reimbursement to the District and subject to the 2017 Revised Principles for Use of Unassigned Capacity in the Freeport Regional Water Project.
10. Declare the intention to authorize the issuance of \$970 million of additional Water System Revenue Bonds payable solely from Water System revenues and directing the publication of the attendant resolution. (Resolution)
11. Approve the proposed Fiscal Year 2025 Financing Plan.
12. General Manager’s Report.

REPORTS AND DIRECTOR COMMENTS:

13. Committee Reports:
 - Finance/Administration
 - Planning
 - Legislative/Human Resources
 - Special Finance/Administration
14. Other Items for Future Consideration.
15. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, September 10, 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, August 27	Finance/Administration Committee	9:00 a.m. Boardroom	<ul style="list-style-type: none"> • Monthly Investment Transactions Reports • Quarterly Financial Reports • Proposed Fiscal Year 2025 Financing Plan • Intention to Authorize Issuance of Additional Water System Revenue Bonds • Private Water Service Line Repair Plans Update • Draft Board of Directors Governance Policies and Proposed Governance Documents
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Monday, September 2	Labor Day Holiday		<i>Offices closed</i>
Tuesday, September 10	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, September 24	Finance/Administration Committee	TBD Boardroom	
	Recycled Water Strategic Plan Workshop	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

2024 Board Committee Members

Finance/Administration	Katz {Chair}, Chan, Patterson
Legislative/Human Resources	Patterson {Chair}, Gómez, McIntosh
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=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/u/adMXn1VnPp>

*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/>

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