



AGENDA
Special Business Meeting
Tuesday, December 10, 2024
10:30 a.m.
Boardroom
375 11th Street
Oakland, CA 94607

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

ROLL CALL:

BOARD OF DIRECTORS:

PUBLIC COMMENT: Members of the public shall have the opportunity to provide public comment on Agenda Item 1.

1. Adopt a resolution declaring the results of the election held on November 5, 2024 for the Directors in Wards 1, 2, 5 and 6 of the East Bay Municipal Utility District. (Resolution)

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. today, December 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.



Special Business Meeting 10:30 a.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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Title:	Election of Directors in Wards 1, 2, 5 and 6	Meeting Date:	December 10, 2024
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Candidate - Ward 6	Alameda County
Valerie D. Lewis	48,448
Richard de Vera	8,509

The Contra Costa County Registrar of Voters provided Certificates of Election and Oaths of Office for Joey D. Smith and Luz Gómez on December 5, 2024.

The Alameda County Registrar of Voters provided Certificates of Election and Oaths of Office for James H. Oddie and Valerie D. Lewis on December 5, 2024.

In accordance with MUD Act section 11865(d), the Director in Ward 2 shall take office immediately upon issuance of the certificate of election by the Secretary of the District, after qualifying according to law. The Director will take the Oath of Office on Tuesday, December 10, 2024 and will begin serving immediately thereafter. The Director will hold office for the remainder of the term through December 31, 2026.

The Directors in Wards 1, 5 and 6 will serve a four-year term beginning January 1, 2025 through December 31, 2028. The Directors in these wards will take the Oath of Office on or before the first Regular Board meeting scheduled for Tuesday, January 14, 2025.

I:\SEC\2024 Board Related Items\Board Packets 2024\121024 Regular Board Meeting\SEC-Declare Election Results – Wards 1, 2, 5 and 6.docx



RESOLUTION NO. _____

DECLARING RESULTS OF ELECTION HELD ON NOVEMBER 5, 2024 FOR
THE ELECTION OF DIRECTORS OF THE EAST BAY MUNICIPAL UTILITY DISTRICT

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the Board of Directors of the East Bay Municipal Utility District (District) did by Resolution No. 35402-24 call and order a general election to be held in said District on Tuesday, November 5, 2024 for the purpose of electing Directors from Wards numbered 1, 2, 5 and 6 of said District, as said Wards were established by Resolution Nos. 35279-22 and 35397-24; and

WHEREAS, said election was consolidated in accordance with law with the General Election, provided for by Section 10400 of the Elections Code of the State of California, to be held in the Counties of Alameda and Contra Costa and in the territory of said District on November 5, 2024, and the Boards of Supervisors of the respective Counties of Alameda and Contra Costa were authorized to canvass the returns of said elections with respect to the votes cast in their respective counties and to certify the results thereof to the Board of Directors of the District; and

WHEREAS, the election for Ward No. 2 was conducted to elect a Director to fill a position to which a vacancy appointment had been made pursuant to Section 11865 of the Municipal Utility District (MUD) Act of the State of California; and

WHEREAS, the Boards of Supervisors of the Counties of Alameda and Contra Costa have caused the results of said elections to be properly certified to the Board of Directors of the District as follows:

		Alameda County	Contra Costa County
For Ward No. 1	Joey D. Smith		34,348
For Ward No. 2	Luz Gómez		81,157
For Ward No. 5	James H. Oddie	27,985	
For Ward No. 6	Valerie D. Lewis	48,448	

NOW, THEREFORE, BE IT RESOLVED that Joey D. Smith, James H. Oddie and Valerie D. Lewis, the persons receiving the highest number of votes at said election to serve as Directors for Ward Nos. 1, 5 and 6, have been elected to the office of Director of the East Bay Municipal Utility District for the term of four (4) years starting on January 1, 2025 and ending on December 31, 2028.

BE IT FURTHER RESOLVED that Luz Gómez received the highest number of votes at said election to serve as Director for Ward No. 2 and, in accordance with Section 11865(d) of the

MUD Act, shall take office immediately upon issuance of the certificate of election by the Secretary of the District, and will take the Oath of Office on Tuesday, December 10, 2024 and will begin serving immediately thereafter as the Director of Ward No. 2 for the remainder of the term of said office, through December 31, 2026.

ADOPTED this 10th day of December, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel