



**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, December 10, 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. *Saji Pierce, et al. v. East Bay Municipal Utility District, et al.*
USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT
 - b. *Ralph A. Lowe, Sr., et al. v. East Bay Municipal Utility District*
Contra Costa County Superior Court, Case No. C23-00109
 - c. *Maxwell Hampton v. East Bay Municipal Utility District, et al.*
Alameda County Superior Court, Case No. RG21102437
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
one matter.

(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
- 2024 Assignments for Committees, Joint Powers Authorities, and Associations – December 10, 2024

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 11 recommendations including 2 resolutions.)

1. Approve the Regular Meeting Minutes of November 26, 2024.
2. File correspondence with the Board.
3. Authorize a direct award contract beginning on or after December 10, 2024 to DXP Enterprises for supplying one spare KSB centrifugal pump for Pump Station M for a total cost, after the addition of taxes, not to exceed \$108,377.
4. Authorize a direct award contract beginning on or after December 10, 2024 to Schwing Bioset, Inc., for supplying spare parts for dewatered sludge cake pumps at the Main Wastewater Treatment Plant Dewatering Facility for a total cost, after the addition of taxes, not to exceed \$937,125.
5. Authorize an agreement beginning on or after December 10, 2024, with the City of Berkeley in an amount not to exceed \$146,575 to upgrade 205 District gate valve boxes after street paving.
6. Authorize an agreement beginning on or after December 10, 2024 with S.P. Cramer & Associates, Inc. dba Cramer Fish Sciences in an amount not to exceed \$1,159,423 to develop and implement a long-term monitoring and adaptive management plan for the newly inundated sub-tidal wetland habitat on the McCormack-Williamson Tract.
7. Authorize an agreement beginning on or after December 10, 2024 with West Publishing Corporation in an amount not to exceed \$138,682 through June 30, 2027 for online legal research resources and tools.

CONSENT CALENDAR: (Continued)

8. Authorize actions related to customer online payment processing services.
 - 8.1. Ratify the extension of the agreement originally authorized under Board Motion No. 179-15 with Kubra Data Transfer Ltd. and the payment of \$41,000 for online payment processing services during the period of May 3, 2024 through December 10, 2024.
 - 8.2. Authorize an amendment to extend the agreement originally authorized under Board Motion No. 179-15 with KUBRA through December 10, 2029 with two options to renew for additional one-year periods, and to increase the agreement amount by \$900,000, which incorporates the ratified amount from the action above, for a total amount not to exceed \$2,400,000 for online payment processing services.
9. Authorize an amendment to the agreement originally authorized under Board Motion No. 177-22 with Schneider Electric Systems USA, Inc. to increase the agreement amount by \$1,119,423 to a total amount not to exceed \$2,693,943 and extend the agreement term to June 30, 2026 for on-site technical consulting services in support of cybersecurity protection for Industrial Controls Systems.
10. Adopt a resolution authorizing the General Manager to execute an amendment to the grant agreement originally authorized under Board Resolution No. 35372-23 with the California Department of Water Resources for implementation of Lower Mokelumne River habitat improvements to increase the maximum grant amount by \$200,000 to a total amount not to exceed \$7,700,000, and to provide for the use of the additional grant funds to reimburse the cost of a planned collaborative study with the United States Geological Survey of outmigrating juvenile Chinook salmon survival in the Mokelumne River and the Sacramento-San Joaquin Delta.

(Resolution)
11. Adopt a resolution to exercise the District's authority to collect delinquent charges from owner-occupied single-family residential accounts via the property tax rolls.

(Resolution)

PUBLIC HEARING:

12. Conduct a public hearing and take actions on the Report and Recommendation of the General Manager for Revisions to the Recreation Use Fee Schedule for Calendar Year 2025 Not Subject to Proposition 218, which was filed with the Board on November 12, 2024.
 - 12.1. Conduct a public hearing on the Report and Recommendation of the General Manager for Revisions to the Recreation Use Fee Schedule for Calendar Year 2025 Not Subject to Proposition 218, which was filed with the Board on November 12, 2024.
 - 12.2. Adopt the Recreation Use Fee Schedule for CY 2025 contained within the Report.

(Resolution)

DETERMINATION AND DISCUSSION:

13. Adopt the proposed amendments to the Watershed and Recreation Rules and Regulations. (Resolution)
14. Adopt resolutions commending Director Doug A. Linney, Director Lesa R. McIntosh, and Director William B. Patterson and acknowledging their public service achievements.
 - 14.1. Adopt a resolution commending Director Doug A. Linney and acknowledging his public service achievements. (Resolution)
 - 14.2. Adopt a resolution commending Director Lesa R. McIntosh and acknowledging her public service achievements. (Resolution)
 - 14.3. Adopt a resolution commending Director William B. Patterson and acknowledging his public service achievements. (Resolution)
15. General Manager's Report.
 - Monthly Report – November 2024

REPORTS AND DIRECTOR COMMENTS:

16. Committee Reports:
 - Finance/Administration
 - Planning
17. Other Items for Future Consideration.
18. Director Comments.

ADJOURNMENT:

The Board meetings scheduled for December 24, 2024 have been canceled. The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 14, 2025.

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, December 10	Planning Committee	9:30 a.m. Boardroom	<ul style="list-style-type: none"> • Backflow Prevention Program Update • Discovery of Golden Mussels in the Delta
	Legislative/Human Resources Committee		<i>Canceled</i>
	Board of Directors Special Meeting	10:30 a.m. Boardroom	<ul style="list-style-type: none"> • Declare 2024 Election Results
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, December 24	Finance/Administration Committee		<i>Canceled</i>
	Board of Directors		<i>Canceled</i>
Wednesday, December 25 & Thursday December 26	Christmas Holiday		<i>Offices closed</i>
Wednesday, January 1, 2025	New Year's Holiday		<i>Offices closed</i>
Tuesday, January 14, 2025	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	<i>Canceled</i>
	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}, McIntosh
Planning	Young {Chair}, Chan, Linney
Sustainability	Linney {Chair}, Katz, Young



APPENDIX

**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/>
