

## **MINUTES**

**Friday, November 3, 2023**

**East Bay Municipal Utility District  
Board of Directors  
Richard C. Trudeau Conference Center  
11500 Skyline Blvd.  
Oakland, California**

### **Special Meeting**

Vice President Lesa R. McIntosh called to order the Special Meeting of Board of Directors at 9:50 a.m. in the Richard C. Trudeau Conference Center Main Conference Room in Oakland, California. The Board met for a retreat to discuss key staff support for the Board; meetings and workshops; District policies and procedures; mission and vision statements; and Board expectations and governance.

### **ROLL CALL**

Directors April Chan, John A. Coleman, Doug A. Linney, Lesa R. McIntosh, William B. Patterson, and Marguerite Young were present at roll call. President Andy Katz arrived at 9:55 a.m.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Special Assistant to the General Manager Kelly A. Zito, Assistant to the General Manager Janetta M. Johnson and Secretary of the District Rischa S. Cole. Participants also included Robert David and Andy Billings, facilitators with Silicon Valley Executive Education.

### **PUBLIC COMMENT**

- Addressing the Board was the following: 1) Ivette Rivera commented on hiring outside counsel to draft disciplinary policies and procedures for Office of General Counsel staff and played an excerpt of a recording from a previous Board meeting.

### **DISCUSSION**

- Filed with the Board were the following: Presentation entitled, "Board of Directors Retreat," dated November 3, 2023.

General Manager Clifford C. Chan provided opening comments and reviewed the agenda topics for the morning discussions with staff which included staff communications and interactions with the Board; Board meetings and workshops; District policies and procedures; draft Board governance documents; onboarding Board members; emergency operations at the District; and a District vision statement. During the afternoon, President Katz, Vice President McIntosh, and General Manager Chan provided opening comments before facilitators Robert David and Andy Billings led the Board and staff through interactive activities and discussions regarding insights into how the Board functions (current and desired states); identifying a North Star; feedback on draft Board governance documents; and individual contributions to achieving a North Star. There was considerable Board discussion regarding each agenda topic.

The Board requested the following based on the activities and discussions during the morning and afternoon sessions:

- Provide a heat map of main breaks in the service area (by ward)
- Provide information clarifying the District's definition of critical customers
- Provide information on how the General Counsel advises Board members on potential conflicts of interest
- Provide information on how to handle memos marked confidential regardless of whether the information in the memo is subject to a public records request
- Provide information to Board members regarding topics staff may hear from the public while participating in events or other activities
- Provide Board members with speaker notes at least one week in advance of a speaking engagement
- Provide Director Chan the Brown Act language related to communications amongst Board members regarding scheduling meetings
- Include information on the time water service is restored for customers in the notices sent to the Board regarding main breaks and repairs
- Inform Board members when a customer has reached out to them through staff (e.g., Secretary's Office, General Manager's Office, Public Affairs, Customer and Community Services)
- Give Board members an opportunity to provide a quote when media is present at an event in their ward
- In addition to the Speaker Bureau, send an email to Board members regarding upcoming events in their ward
- Explore improvements to the Board of Directors emergency notification process (Everbridge and Marconi)
- Add Administration Building, Board offices, and Boardroom security protocols to onboarding materials for Board members
- Consider an East Bay and upcountry helicopter tour for Board members
- Discuss a vision statement for the District during the next update to the Strategic Plan
- Consider creating an EBMUD foundation that can accept donations
- Target District outreach/sponsorship events in areas that may need more attention
- Cancel the Long-Term Water Supply workshop in 2024 and schedule in 2025
- Reschedule the Customer Assistance Program workshop until later in 2024 or early 2025
- Schedule an annual Infrastructure Workshop
- Calendar a discussion regarding cancellation of the 4<sup>th</sup> Tuesday in July for the Board's vacation
- Hold a Board workshop on labor negotiations
- Conduct advance discussions with the Board regarding workshop schedules and topics
- General Manager hold discussions with Committee chairs in advance of upcoming committee topics
- Consider holding Board workshops in the afternoon instead of in the morning
- Consider presenting items to the full Board under General Manager Reports when committee agendas are constrained.
- Prepare draft governance documents and calendar for discussion with Board committees and at Board meetings
- Develop a code of conduct for Board members and a code of conduct for Board members and staff by July 2024

- Expand the District's education program to prioritize including watershed tours for youth by spring 2024
- Schedule tours of the District's Emergency Operations Center for city officials and constituents
- Conduct additional promotion of innovative ideas developed at the District

**ADJOURNMENT**

Director John A. Coleman adjourned the Special Meeting at 4:37 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: November 28, 2023



Andy Katz, President of the Board

