



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

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375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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***Notice of Location Change***

**REGULAR CLOSED SESSION  
and  
REGULAR BUSINESS MEETINGS  
Tuesday, March 8, 2022  
*\*\*Virtual\*\****

In accordance with Government Code section 54953(e), the Regular Closed Session Meeting scheduled for 11:00 a.m., and the Regular Business Meeting scheduled for 1:15 p.m., **will be conducted via webinar and teleconference only**. A physical location will not be provided for these meetings.

Dated: March 3, 2022

A handwritten signature in blue ink that reads "Rischa S. Cole".

Rischa S. Cole  
Secretary of the District

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

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Office of the Secretary: (510) 287-0440

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**AGENDA  
REGULAR CLOSED SESSION**

**Tuesday, March 8, 2022**

**11:00 a.m.**

**\*\*Virtual\*\***

**Location**

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only.** A physical location will not be provided for this meeting.

**\*\*\*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(a):
  - a. *Saji Pierce, et al. v. East Bay Municipal Utility District*  
USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):  
three matters.
3. Conference with Labor Negotiators Gregory Ramirez and Jeff Bailey from the Industrial Employers Distributors Association; Clifford C. Chan, General Manager; Sophia D. Skoda, Director of Finance; and Winnie W. Anderson, Interim Director of Human Resources, pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Local 2019.

***(The Board will discuss Closed Session agenda items via webinar or teleconference.)***

**REGULAR BUSINESS MEETING**

**1:15 p.m.**  
***\*\*Virtual\*\****

**Location**

In accordance with Government Code section 54953(e), **this meeting will be conducted by webinar and teleconference only**. A physical location will not be provided for this meeting.

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

**ROLL CALL:**

**BOARD OF DIRECTORS:**

- Pledge of Allegiance

**PRESENTATION:**

- Award to the District from the National Association of Clean Water Agencies for discharger-regulator collaboration to reduce chemical overdosing to San Francisco Bay

**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 3 recommendations.)

1. Approve the Special Meeting and Regular Meeting minutes of February 22, 2022.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Anvil Builders, Inc., in an amount not to exceed \$15,739,814 for construction of the Orinda, Lafayette, and Walnut Creek water treatment plants Carbonic Acid Storage and Feed Control systems under Specification 2137.

**PUBLIC HEARING:**

4. Conduct a public hearing to receive comments on Redistricting Proposal 1 (Proposal 1) and approve Proposal 1.
  - 4a. Conduct a public hearing, in accordance with California Elections Code section 22001, to receive public comment on Redistricting Proposal 1 (Proposal 1), as recommended by the Redistricting Ad Hoc Committee and accepted by the Board of Directors on January 11, 2022.
  - 4b. Approve Proposal 1 to establish the legal ward boundaries of the East Bay Municipal Utility District as a result of the 2020 federal census.

**DETERMINATION AND DISCUSSION:**

5. Appoint Assistant Attorney. (Resolution)
6. Take actions related to the 2021-2025 Memorandum of Understanding (MOU) and other special agreements with the American Federation of State, County and Municipal Employees (AFSCME) Local 444. (Resolution)
  - 6a. Approve the 2021-2025 MOU and other special agreements between the District and AFSCME Local 444.
  - 6b. Approve revisions to District salary schedules.
  - 6c. Amend all existing Civil Service Rules, Policy Statements and Procedures, and other pertinent resolutions to conform to revisions contained in the MOU and in the resolution.
7. Legislative Update:
  - Receive Legislative Report No. 01-22 and consider positions on the following bills: AB 1817 (Ting) Product Safety: Textile Articles: Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS); AB 2142 (Gabriel) Income Taxes: Exclusion: Turf Replacement Water Conservation Program; AB 2247 (Bloom) Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Products: Disclosure: Publicly Accessible Reporting Platform; AB 2374 (Bauer-Kahan) Crimes Against Public Health and Safety: Illegal Dumping; AB 2771 (Friedman) Cosmetic Products: Safety; AB 2787 (Quirk) Microplastics in Products; SB 936 (Glazer) California Conservation Corps: Forestry Training Center: Formerly Incarcerated Individuals: Reporting; H.R. 4602 (Lowenthal) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act; H.R. 6591 (McClain) Protecting Infrastructure and Promoting Environmental Stewardship Act; and receive information on AB 2639 (Quirk) Water Quality Control Plans and Water Rights Permits
  - Update on Legislative Issues of Interest to EBMUD
8. Declare an end to the District emergency initiated on January 4, 2022, and ratified on January 11, 2022, under Board Resolution No. 35264-22 to repair sections of the South Interceptor. (Resolution)
9. Presentation on teleconference meetings under the Brown Act.
10. General Manager's Report:
  - Coronavirus Update
  - 2022 Drought Update
  - Water Supply Update
  - Monthly Report – February 2022

**REPORTS AND DIRECTOR COMMENTS:**

11. Committee Reports:
  - Finance/Administration
  - Planning
  - Legislative/Human Resources

**REPORTS AND DIRECTOR COMMENTS:** (Continued)

12. Other Items for Future Consideration.

13. Director Comments.

**ADJOURNMENT:**

***The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, March 22, 2022.***

**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 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*

## BOARD CALENDAR

Date	Meeting	Time/Location	Topics
Tuesday, March 8	Planning Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> <li>Water Quality Program Annual Update – 2021</li> <li>Regulatory Compliance Semi-Annual Report – July through December 2021</li> <li>Trench Soils Removal Update</li> </ul>
	Legislative/Human Resources Committee	10:15 a.m. Virtual	<ul style="list-style-type: none"> <li>Legislative Update</li> </ul>
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> <li>Closed Session</li> <li>Regular Meeting</li> </ul>
Tuesday, March 22	Finance/Administration Committee	TBD	
	Long-Term Water Supply Workshop #2	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> <li>Closed Session</li> <li>Regular Meeting</li> </ul>
Thursday, March 31	Cesar Chavez's Birthday		<i>District Offices Closed</i>
Tuesday, April 12	Planning Committee	TBD	
	Legislative/Human Resources Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> <li>Closed Session</li> <li>Regular Meeting</li> </ul>
<b><u>2022 Board Committee Members</u></b> <div> <div>Finance/Administration</div> <div>Legislative/Human Resources</div> <div>Planning</div> <div>Sustainability/Energy</div> </div> <div> <div>Patterson {Chair}, Coleman, Katz</div> <div>McIntosh {Chair}, Coleman, Patterson</div> <div>Young {Chair}, McIntosh, Mellon</div> <div>Young {Chair}, Katz, Mellon</div> </div>			



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**Closed Session and Regular Business Meetings**  
**Tuesday, March 8, 2022**  
**11:00 a.m. and 1:15 p.m.**

EBMUD public Board meetings will be conducted via Zoom.  
*Please note that Board meetings are recorded, live-streamed, and posted on the District's website.*

*Please visit this page beforehand to familiarize yourself with Zoom.*  
<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

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>

**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.

If you wish to provide public comment please:

- 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
- The Secretary will call each speaker in the order received
- 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
- 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 keep track of time and inform each speaker when the allotted time has concluded

**Submitting written comments or materials**

- Email written comments or other materials for the Board of Directors to [SecOffice@ebmud.com](mailto: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.

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**To observe the public portion of the 11:00 a.m. Closed Session Meeting and the entirety of the 1:15 p.m. Regular Business Meeting, please visit:** <https://www.ebmud.com/about-us/board-directors/board-meetings/>

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