



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Location Change

**REGULAR CLOSED SESSION
and
REGULAR BUSINESS MEETINGS
Tuesday, June 8, 2021
Virtual**

Notice is hereby given that due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, 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**. In compliance with said orders, a physical location will not be provided for these meetings. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

Dated: June 3, 2021



Rischa S. Cole
Secretary of the District

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**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, June 8, 2021

11:00 a.m.

****Virtual****

Location

Due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

Board members will participate by webinar or teleconference

*****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. 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; Laura A. Acosta, Manager of Human Resources; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6: Employee Organizations International Union of Operating Engineers, Local 39; American Federation of State, County and Municipal Employees, Locals 444 and 2019; and International Federation of Professional & Technical Engineers, Local 21.
2. Personnel exception pursuant to Government Code section 54957.6 to meet with and provide instructions to the Board's designated representatives, President Doug Linney and Director Lesa R. McIntosh, on negotiating an employment contract with General Counsel candidate.

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

REGULAR BUSINESS MEETING

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

Location

Due to COVID-19 and in accordance with the most recent Alameda County Health Order, and with the Governor's Executive Order N-29-20 which suspends portions of the Brown Act, **this meeting will be conducted by webinar and teleconference only.** In compliance with said orders, a physical location will not be provided for this meeting. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing.

Board members will participate by webinar or teleconference

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

PRESENTATION:

- EBMUD/Laney College Cohort Graduation Ceremony

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 9 recommendations.)

1. Approve the Regular Meeting Minutes of May 25, 2021.
2. File correspondence with the Board.
3. Award a sole source contract to Miles Chemical Company, Inc. for supplying calcium thiosulfate for use at the Camanche Raw Water Pumping Plant for one year, beginning on or after June 8, 2021 with one option to renew for an additional year for a total cost, after the addition of taxes, including the option year, not to exceed \$1,250,000.
4. Authorize an agreement beginning on July 1, 2021 with ENS Resources, Inc. for \$140,000 for one year for continued legislative and regulatory information-gathering, analysis, representation and liaison services in Washington, D.C.
5. Authorize an agreement beginning on or after July 1, 2021 with American Custom Private Security, Inc. for three years with three options to renew for additional one-year periods for a total amount, including option years, not to exceed \$396,000 for security guard services at the District's Mokelumne River Day Use Area.

CONSENT CALENDAR: (Continued)

6. Authorize an agreement beginning on or after June 8, 2021 with Enthalpy Analytical for \$88,000 for one year with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$264,000 for laboratory sample analysis.
7. Authorize an amendment to the agreement previously authorized under Board Motion No. 102-18 with Ford Construction Company, Inc. to increase the agreement amount by \$495,000 to a total amount not to exceed \$995,000 for supply, transport, on-site sorting and placement of gravel, and development of floodplain habitat in the lower Mokelumne River for spawning and rearing enhancement.
8. Authorize the Office of General Counsel to continue the employment of the law firm of Apex Employment Law, LLP for specialized legal services related to public sector labor and employment law and litigation matters.
9. File the Report and Recommendation of the General Manager to Transfer Unpaid Liens for Delinquent Charges to Alameda and Contra Costa Counties' 2021-2022 Property Tax Rolls.

PUBLIC HEARING:

10. Conduct a public hearing to consider revisions to the water and wastewater system schedules of rates and charges, capacity charges and other fees recommended in the Biennial Report and Recommendation of the General Manager for Fiscal Years 2022 and 2023.

DETERMINATION AND DISCUSSION:

11. Adopt rates, charges, fees and regulations for Fiscal Years 2022 (FY22) and 2023 (FY23).
(Resolutions)
 - 11.1. Adopt the rates and charges subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for FY22 and FY23 filed with the Board of Directors on May 11, 2021.
 - 11.2. Adopt the rates, charges, fees and regulations not subject to Proposition 218 recommended in the Biennial Report and Recommendation of the General Manager for FY22 and FY23 filed with the Board of Directors on May 11, 2021.
12. Adopt, in accordance with the provisions of the Municipal Utility District Act, the FY22 and FY23 Operating and Capital Budgets for the Water and Wastewater Systems as recommended in the FY22 and FY23 Proposed Biennial Budget. (Resolution)
13. Adopt the proposed position resolution for FY22 and FY23 to implement necessary staffing and classification changes. (Resolution)

DETERMINATION AND DISCUSSION: (Continued)

14. Legislative Update:
 - Receive Legislative Report No. 06-21 and consider positions on the following bills: AB 418 (Valladares) Emergency Services: Grant Program; SB 63 (Stern) Fire Prevention: Vegetation Management: Public Education: Grants: Defensible Space: Fire Hazard Severity Zones: Forest Management; and H.R. 3404 (Huffman) FUTURE Western Water Infrastructure and Drought Resiliency Act; and receive information on State and Federal Government Actions Related to the Coronavirus Disease 2019 (COVID-19)
 - Update on Legislative Issues of Interest to EBMUD
15. Adopt a resolution supporting the intent of the federal Green New Deal’s goals to reduce greenhouse gas emissions, build resiliency against climate change-related disasters, and increase the use of clean, renewable, and zero-emission energy sources. (Resolution)
16. Adopt a resolution expressing the District’s opposition to annexing the Tassajara Parks Project (Project) to the District’s service area, finding the Project inconsistent with the District’s annexation policies, and making other findings and declarations regarding the unavailability of water to serve the Project. (Resolution)
17. General Manager’s Report:
 - Coronavirus Update
 - 2021 Drought Update
 - Racial Equity and Justice Project and Diversity, Equity, and Inclusion Strategic Plan Update
 - New Pride Flag
 - Monthly Report – May 2021

REPORTS AND DIRECTOR COMMENTS:

18. Committee Reports:
 - Finance/Administration
 - Planning
 - Legislative/Human Resources
19. Other Items for Future Consideration.
20. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, June 22, 2021.

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

The dates and times of future meetings are subject to change.

Date	Meeting	Time/Location	Topics
Tuesday, June 8	Planning Committee	8:30 a.m. Virtual	<ul style="list-style-type: none"> • Annual Recreation Report – 2020 • Advanced Metering Infrastructure Update • Mokelumne Aqueducts Resiliency Project Update • Oakport Development Project Update • Trail Use Permit Program Review
	Legislative/Human Resources Committee	10:00 a.m. Virtual	<ul style="list-style-type: none"> • Legislative Update • Resolution Supporting the Intent of the Federal Green New Deal’s Goal to Reduce Greenhouse Emissions, Build Resiliency Against Climate Change-Related Disasters, and Increase the Use of Clean, Renewable, and Zero-Emission Energy Sources • Human Resource Information System Replacement Project Update • Resolution Condemning and Combating Discrimination, Intolerance, and Violence Against the LGBTQIA+ Community
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, June 22	Redistricting Ad Hoc Committee	TBD	
	Finance/Administration Committee	TBD	
	Board of Directors	11:00 a.m. TBD 1:15 p.m. TBD	<ul style="list-style-type: none"> • Closed Session • Regular Meeting

2021 Board Committee Members

Finance/Administration	Patterson {Chair}, Coleman, Katz
Legislative/Human Resources	Coleman {Chair}, McIntosh, Patterson
Planning	Young {Chair}, McIntosh, Mellon
Sustainability/Energy	Young {Chair}, Katz, Mellon



APPENDIX

**Closed Session and Regular Business Meetings
Tuesday, June 8, 2021
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/95866814531?pwd=SjN1OW5FSElzNjJuRWWhXRm1BSjBZUT09>

Webinar ID: 958 6681 4531

Passcode: 810650

By Phone

Telephone: 1 669 900 6833

Webinar ID: 958 6681 4531

Passcode: 810650

International numbers available: <https://ebmud.zoom.us/u/aP8q6onTO>

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
- 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.

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/>
