



**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, February 9, 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: February 4, 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, February 9, 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. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Mirsad Hajro v. East Bay Municipal Utility District*
USDC, Northern District of California, Case No. 4:19-cv-03406-YGR
2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
 - a. Waste Management of Alameda County, Inc.
Date of Claim: December 28, 2020
3. Threat to public services or facilities pursuant to Government Code section 54957:
Conference with Sophia D. Skoda, Director of Finance; Andrew J. Levine, Manager of Information Systems; William L. Johnson, Information Systems Division Manager; and Barry N. Gardin, Internal Auditor Supervisor.

ANNOUNCEMENT OF CLOSED SESSION AGENDA: (Continued)

4. Conference with Labor Negotiators Clifford C. Chan, General Manager; Laura A. Acosta, Manager of Human Resources; and Niger M. Edwards, Manager of Employee Relations, pursuant to Government Code Section 54957.6 regarding COVID-19 response: American Federation of State, County and Municipal Employees, Locals 444 and 2019.
5. Personnel exception pursuant to Government Code section 54957 to consider public employee evaluation: General Manager.

(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

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 2 recommendations.)

1. Approve the Special Meeting and Regular Meeting Minutes of January 26, 2021.
2. File correspondence with the Board.

DETERMINATION AND DISCUSSION:

3. Legislative Update:
 - Receive Legislative Report No. 02-21 and consider positions on the following bills: AB 100 (Holden) Drinking Water: Pipes and Fittings: Lead Content; and SB 61 (Hurtado) Workforce Training Programs: Supportive Services; and receive information on: SB 222 (Dodd) Water Affordability Assistance Program; SB 223 (Dodd) Discontinuation of Residential Water Service; and State and Federal Government Actions Related to the Coronavirus Disease 2019 (COVID-19)
 - Update on Legislative Issues of Interest to EBMUD
4. Approve actions related to the recruitment and selection process for the General Counsel position.
 - 4a. Approve a recruitment and selection process for the General Counsel position.
 - 4b. Approve the text for the recruitment brochure.
 - 4c. Approve the proposed schedule for the recruitment, selection and hiring process.
 - 4d. Appoint a Board Ad Hoc Advisory Selection Committee.
5. General Manager's Report:
 - Water Supply Update
 - Coronavirus Update
 - Racial Equity and Justice Project; Diversity, Equity, and Inclusion Strategic Plan; and District Values Project Update
 - Monthly Report – January 2021

REPORTS AND DIRECTOR COMMENTS:

6. Committee Reports:
 - Finance/Administration
 - Sustainability/Energy
 - Legislative/Human Resources
7. Other Items for Future Consideration.
8. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, February 23, 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

Date	Meeting	Time/Location	Topics
Tuesday, February 9	<p>Planning Committee Young {Chair}; McIntosh; Mellon</p> <p>Legislative/Human Resources Committee Coleman {Chair}; McIntosh; Patterson</p> <p>Customer Assistance Program Workshop</p> <p>Board of Directors</p>	<p>8:30 a.m. <i>Virtual</i></p> <p>9:00 a.m. <i>Virtual</i></p> <p>11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i></p>	<p style="text-align: center;"><i>Cancelled</i></p> <ul style="list-style-type: none"> • Legislative Update • Closed Session • Regular Meeting
Friday, February 12	Lincoln's Birthday		<i>District Offices Closed</i>
Monday, February 15	Washington's Birthday <i>observed</i>		<i>District Offices Closed</i>
Tuesday, February 23	<p>Finance/Administration Committee Patterson {Chair} Coleman, Katz</p> <p>Long-Term Water Supply Workshop</p> <p>Board of Directors</p>	<p>TBD <i>Virtual</i></p> <p>TBD <i>Virtual</i></p> <p>11:00 a.m. <i>Virtual</i> 1:15 p.m. <i>Virtual</i></p>	<ul style="list-style-type: none"> • Closed Session • Regular Meeting



**Closed Session and Regular Business Meetings
Tuesday, February 9, 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>

11:00 a.m. Closed Session Meeting (Public Comment)

Online

<https://ebmud.zoom.us/j/96984037902?pwd=WHNHZ1F1dzFIMlpMSmVwZEY4TkNndz09>

Webinar ID: 969 8403 7902

Passcode: 990460

By Phone

Telephone: 1 669 900 6833

Webinar ID: 969 8403 7902

Passcode: 990460

International numbers available: <https://ebmud.zoom.us/j/96984037902>

1:15 p.m. Regular Business Meeting

Online

<https://ebmud.zoom.us/j/92561682899?pwd=QVFRbTIwKzBqbEYwT21LRjI5QVladz09>

Webinar ID: 925 6168 2899

Passcode: 839546

By Phone

Telephone: 1 669 900 6833

Webinar ID: 925 6168 2899

Passcode: 839546

International numbers available: <https://ebmud.zoom.us/j/92561682899>

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 his/her allotted time has concluded

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/>
