

MINUTES

Tuesday, June 22, 2021

**East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California
*Virtual***

Regular Closed Session Meeting

President Doug A. Linney called to order the Regular Closed Session Meeting of the Board of Directors at 11:01 a.m. He announced that in accordance with the Governor's Executive Order N-08-21 which suspends portions of the Brown Act, the public participation portion of this meeting would be conducted by webinar and teleconference only. A physical location was not provided for this meeting.

ROLL CALL

Directors John A. Coleman, Lesa R. McIntosh, Frank Mellon, William B. Patterson, Marguerite Young, Andy Katz and President Doug A. Linney were present at roll call.

Participants included General Manager Clifford C. Chan, and Meyers Nave Attorney Camille Hamilton Pating and staff Janice Brown and Suzanne Ruten for Items 1a and 2.

**General Counsel Craig S. Spencer was not present for Items 1a and 2.*

PUBLIC COMMENT

- Addressing the Board were the following: 1) Joey D. Smith, President, AFSCME Local 2019 urged the Board to allow employees to observe the new Federal Juneteenth holiday on July 2; 2) Eric O. Larsen, President, AFSCME Local 444 commented on the availability of District negotiators for contract negotiations; 3) George D. Cleveland, Chief Steward, AFSCME Local 2019 urged the Board to allow employees to observe the new Federal Juneteenth holiday on July 2; and 4) Ivette Rivera, EBMUD Gardener Foreman commented on a civil rights lawsuit filed against the District by former EBMUD attorneys Saji Pierce and Ayriel Bland that she submitted to be filed with the meeting record.

President Linney thanked the commenters and said the District is committed to diversity, equity and inclusion.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Linney announced the closed session agenda and the Board convened for discussion.

Regular Business Meeting

President Doug A. Linney called to order the Regular Closed Session Meeting of the Board of Directors at 1:19 p.m. He announced that in accordance with the Governor's Executive Order N-08-21 which suspends portions of the Brown Act, the public participation portion of this meeting would be conducted by webinar and teleconference only. A physical location was not provided for this meeting.

ROLL CALL

Directors John A. Coleman, Andy Katz, Lesa R. McIntosh, Frank Mellon, William B. Patterson, Marguerite Young, and President Doug A. Linney were present at roll call. Staff participants included General Manager Clifford C. Chan, General Counsel Craig S. Spencer, and Secretary of the District Rischa S. Cole.

BOARD OF DIRECTORS

President Linney led the Pledge of Allegiance.

PRESENTATION

General Manager Clifford C. Chan announced the District's Main Wastewater Treatment Plant received the California Water Environment Association's (CWEA) Safety Plant of the Year Award and Water Environment Federation's George W. Burke, Jr. Safety Award for its safety practices, protocols, and record. Additionally, three staff from the Wastewater Department were recognized for their exemplary actions over the past year: Laboratory Supervisor Jason Mitchell received the CWEA Supervisor of the Year Award, 1st place at the local and state levels for his exemplary leadership, visionary thinking, dedication to staff development, and enthusiasm about public service; Associate Civil Engineer James Hake received CWEA's Engagement and Outreach Person of the Year Award for outreach actions supporting the District's Wastewater Tour Program and pollution prevention outreach initiatives; and Research Microbiologist Melissa Lash received the CWEA's and California Association of Sanitation Agencies' 2021 Emerging Leaders Award for exhibiting initiative and leadership skills in support of her team in response to the coronavirus pandemic. Director of Wastewater Eileen M. White accepted the Safety Plant of the Year and Water Environment Federation's George W. Burke, Jr. Safety Awards. The Board thanked staff for their service and outstanding efforts.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Joey D. Smith, President, AFSCME Local 2019 urged the Board to allow employees to observe the new Federal Juneteenth holiday in 2021; 2) Ivette Rivera, EBMUD Gardener Foreman commented on a civil rights lawsuit filed against the District by former EBMUD attorneys Saji Pierce and Ayriel Bland; 3) George D. Cleveland, Chief Steward, AFSCME Local 2019 urged the Board to allow employees to observe the Juneteenth holiday on July 2; and 4) Kasie L. Evans, Steward, AFSCME Local 2019 spoke on the comments made by Ivette Rivera.

President Linney thanked the commenters and said the District is committed to diversity, equity and inclusion.

CONSENT CALENDAR

- Items 5, 10 and 14 were pulled for from the Consent Calendar for discussion.
 - Motion by Director McIntosh, seconded by Director Young to approve the recommended actions for Items 1-4, 6-9, and 11-13 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 109-21** – Approved the Regular Meeting Minutes of June 22, 2021.
 2. The following correspondence was filed with the Board: **1)** Presentation entitled “Drought Update,” dated June 22, 2021; **2)** Presentation entitled “Coronavirus Update,” dated June 22, 2021; **3)** Presentation entitled “Resolution Condemning and Combating Discrimination, Intolerance, and Violence Against the LGBTQIA+ Community,” dated June 22, 2021; **4)** Presentation entitled “Extend Revolving Credit Agreement for Commercial Paper Notes (Water Series) Subseries A-2,” dated June 22, 2021; **5)** Presentation entitled “Extend Standby Bond Purchase Agreement for Water Revenue Bonds 2008A-2 and 2008A-3,” dated June 22, 2021; **6)** Presentation entitled “Fiscal Year 2022 Financing Plan,” dated June 22, 2021; **7)** Presentation entitled, “Urban Water Management Plan 2020,” dated June 22, 2021; **8)** Letter (undated) to EBMUD Board members from Marcus Crawley, President of the Alameda County Taxpayers’ Association, Inc. regarding water fee increase; **9)** U.S. District Complaint for Case 3:21-cv-04325-AGT in the matter of Saji Pierce and Ayriel Bland versus East Bay Municipal Utility District; **10)** Appeal documents for Case 17-16891 in the matter of Ivette Rivera versus East Bay Municipal Utility District; AFSCME Local 444; American Federation of Labor and Congress of Industrial Organizations (marked Not for Publication); **11)** Copy of Regular Meeting minutes from the February 10, 2004 East Bay Municipal Utility District Board of Directors meeting; **12)** Copy of memo dated January 9, 2003 from Dennis M. Diemer, General Manager to the East Bay Municipal Utility District Board of Directors regarding Director Patterson to Receive the Department of Justice Award for Excellence for Civil Rights Work on January 15, 2003; **13)** West County Times Proof of Publication of the Notice of the Time and Place of a Public Hearing of the East Bay Municipal Utility District to Consider a Resolution Ordering the Wet Weather Facilities Charge to be Collected on the Property Tax Roll (Legal No. 6584481 published June 18 and June 25, 2021); **14)** Oakland Tribune Proof of Publication of the Notice of the Time and Place of a Public Hearing of the East Bay Municipal Utility District to Consider a Resolution Ordering the Wet Weather Facilities Charge to be Collected on the Property Tax Roll (Legal No. 6584481 published June 18 and June 25, 2021); **15)** Oakland Tribune Proof of Publication of the Notice of Public Hearing on the Collection by East Bay Municipal Utility District of Unpaid Delinquent Charges Through Property Tax Bills for Multi-Family Accounts and Filing of Report (Legal No. 6584622 published June 18 and June 25, 2021); and **16)** Contra Costa Times Proof of Publication of the Notice of Public Hearing on the Collection by East Bay Municipal Utility District of Unpaid Delinquent Charges Through Property Tax Bills for Multi-Family Accounts and Filing of Report (Legal No. 6584622 published June 18 and June 25, 2021).

3. **Motion No. 110-21** – Awarded a contract to the lowest responsive/responsible bidder, CWS Construction Group, Inc., in an amount not to exceed \$5,751,500 for construction of the Main Wastewater Treatment Plant Administration/Laboratory and Dewatering/Thickening Buildings’ Heating, Ventilation, and Air Conditioning Improvements project under Specification SD-402.
4. **Motion No. 111-21** – Authorized an agreement beginning on or after June 22, 2021 with Alameda-Contra Costa Transit District in an amount not to exceed \$103,689 for reimbursement of costs for manhole modification work on the District’s South Foothill Interceptor necessary for the East Bay Bus Rapid Transit Project.
5. **Motion No. 119-21** – Authorized an agreement beginning on or after July 1, 2021 with Civicorps in an amount not to exceed \$600,000 for one year to provide vegetation control and related duties at various District properties.
 - Director Coleman pulled Item 5 to ask about the funds budgeted for this work last year; whether this work should be scheduled year-round due to drought conditions; confirmation on whether the work can be completed with the funding requested in the agreement; tools used by Civicorps for abatement; and the ability to amend the agreement if increased vegetation management is needed in the future. Director of Operations and Maintenance David A. Briggs and Manager of Facilities Maintenance and Construction Tony J. Montano responded to the questions.
 - Motion by Director Coleman, seconded by Director Patterson to approve the recommended action for Item 5 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).
6. **Motion No. 112-21** – Authorized an agreement beginning on or after June 22, 2021 with Honeywell International, Inc. in an amount not to exceed \$1,846,608 for software support services supporting the District’s distributed control system at the District’s water treatment plants through June 30, 2025.
7. **Motion No. 113-21** – Authorized an agreement beginning on or after June 22, 2021 with K.W. Emerson, Inc. in an amount not to exceed \$175,800 for paving replacement of the Pardee Center Administration Building parking area and walkway.
8. **Motion No. 114-21** – Authorized an agreement beginning on or after June 22, 2021 with Nichols Consulting Engineers, Chtd in an amount not to exceed \$190,183 for preparation of pavement condition assessments and pavement management services for the Pavement Management Plan for District Facilities.
9. **Motion No. 115-21** – Authorized an agreement beginning on or after June 22, 2021 with PaleoWest, LLC in an amount not to exceed \$130,000 to prepare a Historic Properties Management Plan for the Federal Energy Regulatory Commission Project No. 2916.
10. **Motion No. 120-21** – Authorized an agreement beginning on or after June 22, 2021 with Woodard & Curran, Inc. in an amount not to exceed \$219,746 to design and implement a data management system for the East Bay Plain Subbasin.

- Director Coleman pulled Item 10 to comment on capturing rain runoff for groundwater banking.
- Motion by Director Coleman, seconded by Director McIntosh to approve the recommended action for Item 10 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).
- Director Young left the meeting at 1:49 p.m. and returned at 1:51 p.m.

- 11a-b. **Motion No. 116-21** – Authorized agreements with Bay Line Cutting & Coring, Inc.; Concrete Demo Works, Inc.; Concrete Wall Sawing Co., Inc.; Fine Line Sawing and Drilling, Inc.; and Penhall Company for asphaltic cement and concrete saw cutting services beginning on or after June 22, 2021 for one year in an aggregate amount not to exceed \$850,000; and authorized additional agreements for asphaltic cement and concrete saw cutting services, on an as-needed basis, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager’s monthly report.
12. **Motion No. 117-21** – Authorized the Office of General Counsel to continue the employment of the law firm of Meyers Nave for specialized legal services related to labor and employment matters in an additional amount not to exceed \$125,000.
13. **Motion No. 118-21** – Approved the May 2021 Monthly Investment Transactions Report.
14. **Resolution No. 35230-21** – Appointing Derek T. McDonald as General Counsel of East Bay Municipal Utility District and Authorizing Execution of Employment Agreement.

President Linney announced that pursuant to Section 54953(c)(3) of the Government Code, the Board of Directors is providing the following oral report prior to taking action on the salary, salary schedule and compensation paid in the form of fringe benefits paid to the General Counsel.

It is recommended that upon appointment of the General Counsel, he be paid a salary and fringe benefits detailed in the Employment Agreement with the General Counsel, consisting of a base annual salary of \$246,000 in the first year and all other employment benefits provided District employees at the department Director level under District resolutions, policies, rules, regulations, and practices related to leave, retirement, insurance, and other benefits. It is further recommended that during the terms of the employment agreement, the Board may authorize the same general salary increases and changes in fringe benefits to the General Counsel that are granted to District employees at the department Director level. As such, it is recommended that the General Counsel’s current annual salary and fringe benefits as set forth in his employment agreement be approved effective July 5, 2021.

- Motion by President Linney, seconded by Director Mellon to approve the recommended action for Item 14 carried (7-0) by the following roll call vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

The Board congratulated Mr. McDonald on his appointment. Mr. McDonald thanked the Board and said he looked forward to the challenges and opportunities in his new role. He also thanked General Counsel Craig S. Spencer for his support and leadership and thanked the Office of General Counsel staff.

DETERMINATION AND DISCUSSION

- Director Young left the meeting at 2:05 p.m. and returned at 2:07 p.m.

15. Approve the proposed financing plan for Fiscal Year 2022 (FY22).

Treasury Manager Robert L. Hannay presented an overview of the District's debt portfolio, FY21 financing activity and the proposed FY22 financing plan. In FY21, there were no new money or refunding bonds issued. Financing activities during this time included early repayment of a \$400,000 state loan, pay down of Water Commercial Paper by \$23 million, and pay down of Wastewater Extendible Commercial Paper by \$700,000. The Board also authorized extension of the District's short-term indebtedness (successive issuances of commercial paper programs) and will consider extending two liquidity agreements for Commercial Paper Notes (Water Series) and Water Revenue Bonds Series 2008 A-2 and 2008 A-3 under Agenda Items 16 and 17. In FY22, staff proposes paying down Water Commercial Paper by an additional \$10 million and Wastewater Extendible Commercial Paper by an additional \$1 million; issuing \$150 million in new Water revenue bonds and \$10 million in new Wastewater revenue bonds; and closing on a Water Infrastructure Finance and Innovation Act loan for approximately \$209–\$300 million. Staff is also exploring refunding \$116.1 million in callable Water and Wastewater bonds from 2012 which would result in significant interest savings for the District; and will continue seeking refunding and de-risking financings, based on market opportunities. Mr. Hannay responded to Director Mellon's question about anticipated interest rates.

- Motion by Director Patterson, seconded by Director Katz, to approve the recommended actions for Item 15 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 121-21 – Approved the proposed financing plan for Fiscal Year 2022.

16. Authorize execution of legal documents associated with extending Bank of America's Revolving Credit Agreement for Commercial Paper (Water Series) Tax-Exempt Subseries A-2 notes until June 28, 2024 at a fee of 29 basis points (0.29%) per year based on the District's current credit ratings.

Principal Management Analyst Samuel A. Feldman-Crough presented the recommendation to authorize extension of the Bank of America revolving credit agreement (RCA) for liquidity support for \$137 million in tax-exempt Commercial Paper (Water Series) program Subseries A-2 notes. The current RCA expires on November 30, 2021. Back up liquidity support is an

essential component of the program in the event notes coming due cannot be paid using the proceeds of newly issued notes. The District has negotiated an early extension of the RCA which includes a three-year term at a cost of 29 basis points (0.29%) annually, based on the District's current credit rating. This will provide a savings of about \$14,000 per year compared to the existing agreement, which has a base annual fee of 30 basis points (0.30%). Mr. Feldman-Crough reviewed the extension process and said extending instead of entering into a new agreement saves the District approximately \$120,000 in one-time costs.

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Item 16 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35231-21 – Authorizing the Execution of a Second Amendment to Revolving Credit Agreement and Related Fee Agreement and Other Matters in Connection Therewith.

17. **Authorize execution of legal documents associated with extending U.S. Bank's Standby Bond Purchase Agreement for Water System Revenue Refunding Bonds, Series 2008 A-2 and Series 2008 A-3 until December 27, 2024 at a fee of 30 basis points (0.30%) per year based on the District's current credit ratings.**

Principal Management Analyst Samuel A. Feldman-Crough presented the recommendation to authorize extension of the U.S. Bank National Association standby bond purchase agreement (SBPA) for liquidity support for \$48.6 million in variable rate demand bonds for Water System Revenue Refunding Bonds Series 2008 A-2 and Series 2008 A-3. The current agreement expires on November 24, 2021. Back up liquidity support is an essential component of these bonds' financing structure. The District has negotiated an early extension of the SBPA which includes renewal terms of 3.5 years at a cost of 30 basis points (0.30%) annually, based on the District's current credit rating. This will provide a savings of about \$10,000 per year compared to the existing agreement which has a base annual fee of 32 basis points (0.32%).

Mr. Feldman-Crough reviewed the extension process and said extending instead of entering into a new agreement saves the District approximately \$105,000 in one-time costs.

Mr. Feldman-Crough responded to a Board question about whether this is a competitive process, if staff solicits bids for the agreements and if rates were negotiated.

- Motion by Director McIntosh, seconded by Director Patterson, to approve the recommended actions for Item 17 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35232-21 – Authorizing the Execution of a Third Amendment to Standby Bond Purchase Agreement and Related Amended and Restated Fee Agreement and Other Matters in Connection Therewith.

- Director Mellon left the meeting at 2:24 p.m. and returned at 2:26 p.m.

18. **Adopt a resolution condemning and combating discrimination, intolerance, and violence against the lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual and other gender and sexual identities (LGBTQIA+) community.**

Assistant Engineer and Vice President of the Raining Pride Affinity Group Max A. Fefer presented an overview of the resolution which outlines actions in support of the LGBTQIA+ community. If adopted, the resolution would formalize the District's position in condemning any and all manifestations and expressions of gender and sexual orientation discrimination, intolerance, and violence against LGBTQIA+ people. Max reviewed terminology, data on the LGBTQIA+ population in the U.S., discriminatory actions and legislation against the LGBTQIA+ community, and initiatives of the District's Raining Pride Committee including proposed focus groups and training, gender-neutral bathrooms at facilities, and gender-inclusive updates to the District's information technology systems. Max provided clarification in response to a Board question regarding the proposed gender-inclusive updates to the District's information technology systems.

- Addressing the Board were the following: 1) Joey D. Smith, President, AFSCME Local 2019 commented on the Pride flag at the Administration Building and encouraged the Board to adopt the resolution; and 2) George D. Cleveland, Chief Steward, AFSCME Local 2019 commented seeing the Pride flag made him feel accepted and offered kudos to the Executive Sponsor of the Raining Pride Affinity Group Eileen M. White, Director of Wastewater.

Board members thanked the Raining Pride Affinity Group for their efforts and Director Coleman said the Legislative/Human Resources Committee received a report on the draft resolution at its June 8 meeting and voted unanimously to support the staff recommendation. The Board asked staff to review other District systems and documents to ensure alignment with the resolution and the District's Racial Equity and Justice and Diversity, Equity and Inclusion efforts.

- Motion by Director Young, seconded by Director Katz to approve the recommended actions for Item 18 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35233-21 – Resolution Condemning and Combating Discrimination, Intolerance, and Violence Against The Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Asexual, and Other Gender and Sexual Identities Community.

- Director Patterson left the meeting at 2:47 p.m. and returned at 2:51 p.m.

19.1- **Adopt the Urban Water Management Plan 2020 (UWMP 2020) in compliance with the**
19.2 **Urban Water Management Planning Act (Act) of the California Water Code and adopt the Water Shortage Contingency Plan 2020 (WSCP 2020) found in Attachment 1 of the UWMP 2020 in compliance with the Act.**

Engineering Manager Lena L. Tam reviewed the UWMP 2020 and WSCP 2020. The UWMP 2020 also includes updates to the District's Drought Management Program guidelines. The District is required to update and adopt an UWMP and submit a completed plan to the

Department of Water Resources every five years. The UWMP was last updated in 2015. The draft UWMP 2020 and WSCP 2020 was released for public review in spring 2021 and a public hearing was held on May 11, 2021 to receive comments. Ms. Tam reviewed the purpose of the UWMP 2020; major comments received from the general public, West County Wastewater, City of San Leandro, and California Sportfishing Protection Alliance; and the District's collaboration with the U.S. Bureau of Reclamation and California Department of Fish and Wildlife to transfer approximately 500,000 steelhead from Nimbus Fish Hatchery to the Mokelumne River Fish Hatchery due to projected high summer temperatures in the American River. The transfer occurred on June 1, 2021. If the Board adopts the UWMP, it will be submitted to the Department of Water Resources in July 2021. Staff will also submit copies to the California State Library, and cities and counties in the service area and Mokelumne watershed as well as post a copy on ebmud.com.

There was Board discussion and Ms. Tam responded to questions regarding the comment from the California Sportfishing Protection Alliance on establishing a District policy to keep water demand from increasing; drought planning sequencing; exploring desalination; whether Marin Municipal Water District (MMWD) has inquired about a pipeline for the District to potentially provide water to MMWD; tagging the fish transferred from the Nimbus Fish Hatchery; and highlighting how the District's water conservation, water recycling and other supplemental water supply activities connect in future UWMP updates.

The Board asked staff to consider developing policy language on keeping water demand from increasing; describe how the District's water conservation, water recycling and other supplemental water supply activities connect in future UWMP updates and include language from the District's Water Supply Management Plan; and incorporate information on water supply activities in future public presentations and meetings.

- Motion by Director Coleman, seconded by Director Patterson, to approve the recommended actions for Item 19.1 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35234-21 – Adopting the Urban Water Management Plan 2020.

- Motion by Director McIntosh, seconded by Director Young, to approve the recommended actions for Item 19.2 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35235-21 – Adopting the Water Shortage Contingency Plan 2020 for Inclusion as Attachment 1 Within the East Bay Municipal Utility District's Urban Water Management Plan 2020.

20. **General Manager's Report.**

- Director McIntosh left the meeting at 3:15 p.m. and returned at 3:17 p.m.
- Director Mellon left the meeting at 3:18 p.m. and returned at 3:27 p.m.

2021 Drought Update

Director of Water and Natural Resources Michael T. Tognolini reported the District's end of September storage projection remains at 425,000 acre-feet (AF) under median conditions and said the Department of Water Resource's Bulletin 120 forecast for total runoff is 219,000 AF under median conditions. After discussions with the U.S. Bureau of Reclamation (USBR) regarding the recent reduction in the District's Central Valley Project (CVP) allocation, on June 11, USBR reported it would increase the District's contract year 2021 CVP allocation from 24,938 AF to 33,250 AF. The revised allocation represents a 25 percent annual allocation. Diversions at Freeport will begin on September 15, 2021. Mr. Tognolini reviewed the District's drought plan which is designed to address a multi-year drought. He pointed out customers may notice a change in how their water tastes when Freeport is operated or if the District experiences increased algae blooms in its water supply. The District has made major investments in its system to address taste and odor issues and monitors the system closely for these potential changes. Mr. Tognolini, Special Assistant to the General Manager Kelly A. Zito, Director of Operations and Maintenance David A. Briggs, and General Manager Clifford C. Chan responded to Board questions on how the District informs customers about taste and odor issues; how the District monitors for taste and odors in the water supply; and a taste and odor event that happened in early June.

Next, Manager of Water Conservation Alice E. Towey presented an overview of how the District accounts for 10 percent conservation and how customers achieve these savings. She reviewed what a 10 percent reduction in use means for customers; messaging to customers on how to reduce usage; how staff is implementing the District's Drought Management Plan; and current activities to promote conservation including ad campaigns, outreach materials to cities, counties and multi-family customers and continued service to customers seeking water conservation services. Staff is also using the District's social media platforms, media outlets, community presentations and webinars to promote conservation. Staff will finalize the District's Freeport diversion schedule, work with Contra Costa Water District on a potential 2,000 AF transfer, update language regarding Stage 2 droughts in the District's Excessive Water Use Penalty Ordinance and begin working with partners on permitting and agreements for 2022 water transfers.

The Board asked staff to prepare a factsheet on District water supply management activities for the September 14 Board meeting and to provide an update on actions taken by the District to address taste and odor complaints in West County in early June as well as how the District messages to customers about taste and odor events.

Coronavirus Update

Director of Operations and Maintenance David A. Briggs presented an overview of the most recent State regulations and guidance noting that many safety protocols related to occupancy limits, social distancing, carpooling, mask wearing, and travel restrictions have been rescinded. While many safety protocols have been rescinded, he reported the State's emergency declaration and many Executive Orders remain in effect. He reviewed the number of positive COVID-19 cases at the District to date; the latest data on employee, service area counties', and State vaccination rates; the Safe Return to Workplace Plans for staff and the Board; and staff concerns regarding the plan for staff.

REPORTS AND DIRECTOR COMMENTS

21. Committee Reports.

- Filed with the Board were the Minutes for the June 8, 2021 Legislative/Human Resources Committee and Planning Committee meetings.
- President Linney reported the Redistricting Ad Hoc Committee met earlier in the day and received information on redistricting guidelines and criteria, the FAIR MAPS Act, and the 2021-2022 redistricting timeline. The next meeting is scheduled for August 24, 2021.
- Finance/Administration Committee Chair William B. Patterson reported the Committee met earlier in the day and received an update on the following items which were approved by the Board this afternoon: Monthly Investment Transactions Report; Proposed Fiscal Year 2022 Financing Plan; Extension of the Revolving Credit Agreement for Commercial Paper Notes (Water Series) Tax-Exempt Subseries A-2; and Extension of the Standby Bond Purchase Agreement for Water Revenue Bonds Series 2008 A-2 and 2008 A-3.

22. Other Items for Future Consideration.

None.

- Director McIntosh left the meeting at 4:04 p.m.

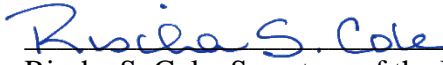
23. Director Comments.

- Director Coleman reported addressing the Danville/San Ramon Rotary and presenting at the San Ramon City Council on June 8; presenting at the San Ramon Valley Kiwanis Club on June 10; attending a retirement celebration for Sam Schuchat on June 14; presenting at the Pleasant Hill Chamber of Commerce on June 14; attending the East Bay Leadership Board meeting on June 18; and presenting at the City of Pleasant Hill on June 21.
- Director Mellon reported participating in a veteran's golf tournament in Castro Valley with District staff Michael Tognolini, Matt Elawady and Andrew Lee and in the William "Bill" Patterson Charity Golf Tournament at Sequoia Country Club in Oakland on June 21.
- Director Patterson reported attending the William "Bill" Patterson Charity Golf Tournament at Sequoia Country Club in Oakland on June 21. He thanked the District for sponsoring the National Association for the Advancement of Colored People, Oakland Branch Black Family Weekend event which included the tournament.
- Directors Katz, McIntosh, and Young and President Linney had no report.

ADJOURNMENT

President Linney adjourned the meeting at 4:06 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: July 13, 2021



Doug A. Linney, President of the Board