



**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, July 13, 2021
Virtual**

In accordance with the Governor's Executive Order N-08-21 which suspends portions of the Brown Act, a physical location will not be provided for these meetings. 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.**

Dated: July 8, 2021



Rischa S. Cole
Secretary of the District



**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, July 13, 2021

11:00 a.m.

****Virtual****

Location

In accordance with the Governor's Executive Order N-08-21 which suspends portions of the Brown Act, **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): two 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; 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.
4. Personnel exception pursuant to Government Code section 54957 to consider public employee evaluation: General Manager.

(The Board will discuss Closed Session agenda items in the Large Training Resource Center.)

REGULAR BUSINESS MEETING

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

Location

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ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance

ANNOUNCEMENTS FROM CLOSED SESSION:

PRESENTATIONS:

- Contra Costa County Science & Engineering Fair award for Water and Wastewater Excellence
- Partnership for Safe Water's 20-year Directors Award for the Orinda Water Treatment Plant
- Resource Recovery 20-year Commemoration

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, including 2 resolutions.)

1. Approve the Regular Meeting Minutes of June 22, 2021 and the Special Meeting Minutes of June 29, 2021.
2. File correspondence with the Board.
3. Award a contract to the lowest responsive/responsible bidder, Advanced Integrated Solutions, Inc. for the renewal of IBM Maximo Asset Management software licenses with software subscription and support for one year, beginning on or after August 1, 2021, with two options to renew for additional one-year periods for a total cost, including option years, not to exceed \$336,213 under Request for Quotation No. 2110.
4. Award a contract to the lowest responsive/responsible bidder, STAT Delivery Service, Inc., for providing courier services for two years, beginning on or after July 14, 2021, with three options to renew for additional one-year periods for a total cost, after the addition of taxes, including options years, not to exceed \$334,362 under Request for Quotation No. 2111.

CONSENT CALENDAR: (Continued)

5. Authorize an agreement beginning on or after July 13, 2021 with Examinetics, Inc. for \$135,000 for five years for mobile onsite and online health services.
6. Authorize an amendment to the agreement executed on September 13, 2018, with the University of California at Davis to increase the agreement amount to a total amount not to exceed \$172,530 for completion of a study on the water and energy savings associated with Advanced Metering Infrastructure, and analysis of reductions in distribution system leaks during the COVID-19 shelter-in-place.
7. Authorize the General Manager to cast a ballot on behalf of the District in support of the formation of the Oakland Chinatown Community Benefit District.
8. Appoint the Diversity and Inclusion Officer. (Resolution)
9. Commending Craig S. Spencer's Service as General Counsel. (Resolution)

PUBLIC HEARING: **Please see appendix for participation instructions**

10. Conduct a public hearing and take actions related to the collection of the Fiscal Year 2022 (FY22) Wet Weather Facilities Charge (WWFC) on the property tax rolls of Alameda and Contra Costa counties. (Resolution)
 - 10.1. Conduct a public hearing to consider objections and protests to EBMUD's written report (Report) describing each parcel of real property subject to the WWFC and amount of the WWFC to be imposed on each parcel for the counties' FY 2021-2022 Property Tax Rolls.
 - 10.2a. Adopt the Report by at least two-thirds of the members of the Board (i.e., five Board members).
 - 10.2b. Authorize the District to collect the FY 2022 WWFC on the property tax rolls of Alameda and Contra Costa counties.
 - 10.2c. Authorize District staff to adjust the FY 2022 WWFC for any affected parcels as new information is provided by the counties.
 - 10.2d. Direct the Secretary of the District to file a copy of the Report on or before August 10, 2021, with the Alameda County Auditor and the Contra Costa County Auditor.

PUBLIC HEARING: **Please see appendix for participation instructions**

11. Conduct a public hearing and authorize actions related to the transfer of delinquent EBMUD charges to Alameda and Contra Costa counties' 2021-2022 Property Tax Rolls. (Resolution)
 - 11.1. Conduct a public hearing to consider objections and protests to the General Manager's report to Transfer Delinquent EBMUD Charges to the 2021-2022 Property Tax Rolls.
 - 11.2. Adopt the General Manager's report (Report) dated June 8, 2021, and authorize the General Manager to exclude from the report any affected parcels or amounts as appropriate, including those that the District receives payment for on or before August 10, 2021, the date in which reports will be sent to Alameda and Contra Costa counties. A summary of the final Report will be included in the August 2021 General Manager's monthly report.

DETERMINATION AND DISCUSSION:

12. Legislative Update:
 - Receive Legislative Report No. 07-21 and consider positions on the following bills: AB 1066 (Bloom) Priority Inland Water-Contact Recreation Sites: Water Quality Monitoring; SB 222 (Dodd) Water Rate Assistance Program; and Budget Trailer Bill (TBD) SupplyBank: Oakport Street Project: Clarifying Language: Transportation; 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
13. Appoint an Ad Hoc Committee to negotiate amendments to employment agreement with General Manager.
14. General Manager's Report:
 - 2021 Drought Update
 - Coronavirus Update
 - Six-Month Forecast and Summary of Board Committee and Workshop Agenda Topics for 2021
 - Monthly Report – June 2021

REPORTS AND DIRECTOR COMMENTS:

15. Committee Reports:
 - Redistricting Ad Hoc
 - Finance/Administration
 - Planning
 - Legislative/Human Resources
16. Other Items for Future Consideration.
17. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, August 10, 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, July 13	Planning Committee	9:00 a.m. Virtual	<ul style="list-style-type: none"> • Pipeline Rebuild Program Update • Trail User Permit Review • Research and Innovation at EBMUD • Excessive Water Use Penalty Ordinance Amendment
	Legislative/Human Resources Committee	10:30 a.m. Virtual	<ul style="list-style-type: none"> • Legislative Update
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, July 27	Finance/Administration Committee		<ul style="list-style-type: none"> • Cancelled
	Board of Directors		<ul style="list-style-type: none"> • Cancelled
Tuesday, August 10	Planning Committee	TBD Virtual	
	Legislative/Human Resources Committee	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<ul style="list-style-type: none"> • Closed Session • Regular Meeting
Tuesday, August 24	Redistricting Ad Hoc Committee	TBD Virtual	
	Finance/Administration Committee	TBD Virtual	
	Board of Directors	11:00 a.m. Virtual 1:15 p.m. Virtual	<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
Redistricting Ad Hoc	Coleman, Linney, Young



Closed Session and Regular Business Meetings
Tuesday, July 13, 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/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
- 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/>
