

## **MINUTES**

**Tuesday, April 26, 2022  
East Bay Municipal Utility District  
Board of Directors  
375 Eleventh Street  
Oakland, California**

### **Regular Closed Session Meeting**

President Doug A. Linney called to order the Regular Closed Session Meeting of the Board of Directors at 11:09 a.m. in the Administration Building Boardroom.

### **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 Derek T. McDonald, Attorney III Felicity L. Grisham (Items 1a, 2 and 3); Director of Water and Natural Resources Michael T. Tognolini (Items 1a, 2 and 3); and Workers Compensation Manager and Risk Specialist Penny Terry (Items 1a, 2 and 3).

### **PUBLIC COMMENT**

- Addressing the Board was the following: 1) Ivette Rivera, EBMUD ratepayer, commented on the ABC7 News story on the Ayriel Bland and Saji Pierce lawsuit.

### **ANNOUNCEMENT OF CLOSED SESSION AGENDA**

President Linney announced the closed session agenda and the Board convened to the Administration Building Training Resource Center for discussion.

### **Regular Business Meeting**

President Doug A. Linney called to order the Regular Business Meeting of the Board of Directors at 1:15 p.m. in the Administration Building Boardroom.

### **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 Derek T. McDonald, and Secretary of the District Rischa S. Cole.

## **BOARD OF DIRECTORS**

President Linney led the Pledge of Allegiance.

## **PRESENTATION**

The Board recognized Secretary of the District Rischa S. Cole for 25 years of service to the District. On behalf of the Board, President Linney presented Secretary Cole with her 25-year service award.

## **ANNOUNCEMENTS FROM CLOSED SESSION**

President Linney announced the Board, in closed session this morning, by a unanimous vote of the Directors attending, authorized the General Counsel to initiate litigation in one matter. The action, defendants and other particulars will be disclosed upon inquiry once the action is formally commenced. There were no other announcements required from closed session.

## **PUBLIC COMMENT**

- Addressing the Board were the following: 1) Joey D. Smith, President, AFSCME Local 2019, commented the week of April 25, 2022 is the 70<sup>th</sup> anniversary of Administrative Professionals Week and acknowledged the administrative staff at the District; and 2) Ivette Rivera, EBMUD ratepayer, commented on the ABC7 News story on the Ayriel Bland and Saji Pierce lawsuit. Secretary of the District Rischa S. Cole filed the following written comments with the record: 1) Email from Janet Johnson to the Board of Directors commenting on Agenda Items 11, 12-1 thru 12-5, and 13 on April 26, 2022 Board meeting; and 2) Email from Wendy Murphy to the Board of Directors commenting on the Water Surcharge Vote.

In recognition of Administrative Professionals Week, the Board thanked the District's administrative staff.

## **CONSENT CALENDAR**

- Item 4 was pulled from the Consent Calendar for separate discussion.
  - Motion by Director Coleman, seconded by Director Young to approve the recommended actions for Items 1-3 and 5-8 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. 073-22** – Approved the Regular Meeting minutes of April 12, 2022.
  2. The following correspondence was filed with the Board: 1) Presentation entitled, “2022 Waters Supply Availability & Deficiency Report” dated April 26, 2022; 2) Presentation entitled, “Water System Revenue Bonds Series 2022A, 2022B-1, and 2022B-2; Wastewater System Revenue Bonds Series 2022A and 2022B,” dated April 26, 2022; 3) Presentation entitled, “Coronavirus Update,” dated April 26, 2022; 4) Presentation entitled, “Drought Response Actions,” dated April 26, 2022; 5) Presentation entitled, “Review of Drought Surcharges,” dated April 26, 2022; 6) Speakers Bureau and Outreach Record for CY22 dated April 22, 2022; 7) Contra Costa Times Proof of Publication of East Bay Municipal Utility District Notice of Public Hearing on April 26, 2022 – Declaration of

Water Shortage Emergency (Legal No. 0006660860 published April 15, 2022); 8) Oakland Tribune Proof of Publication of East Bay Municipal Utility District Notice of Public Hearing on April 26, 2022 – Declaration of Water Shortage Emergency (Legal No. 0006660860 published April 15, 2022); 9) Certified copy of the draft resolution “Declaring a Water Shortage Emergency and Stage 2 Drought, Establishing a District-Wide Mandatory Water Use Reduction Goal of Fifteen Percent, Adopting Section 28 of the District’s Regulations Governing Water Service to Customers, Confirming and Directing Additional Drought Response Measures, and Making Necessary Findings” posted on the 1<sup>st</sup> Floor of 375 11<sup>th</sup> Street, Oakland, California on April 21, 2022; 10) Email dated April 25, 2022 from Janet Johnson to the Board of Directors regarding “Comments re Items 11, 12-1 thru 12-5, and 13 on April 26, 2022 Board meeting”; and 11) Email dated April 23, 2022 from Wendy Murphy to the Board of Directors regarding “Water Surcharge Vote.”

3. **Motion No. 074-22** – Awarded a contract to the lowest responsive/responsible bidder, Airgas USA LLC, for supplying liquid oxygen and maintenance and repair services for the Hypolimnetic Oxygenation System at the District’s Upper San Leandro Reservoir for three years, beginning on or after April 26, 2022 with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$800,000 under Request for Quotation No. 2106.
4. **Motion No. 079-22** – Awarded a contract to the lowest responsive/responsible bidder, Imperial Pipe Services, Inc., for supplying fusion bonded epoxy lined and plastic-coated standard weight steel pipe, beginning on or after April 26, 2022 for a total cost, after the addition of taxes, not to exceed \$1,610,422 under Request for Quotation No. 2209.
  - Director Mellon expressed concerns about the country where the pipe is being sourced, requested clarification on how District staff inspects pipe sourced from outside the USA, and whether the District still sends pipe to Cornell University for testing. Staff clarified raw materials will be sourced from South Korea, but the steel pipe will be fabricated and lined and coated in Southern California. This product is a standard in the industry and the District has purchased it before. District staff will visually inspect the pipe before it is lined and coated. Staff noted the testing facility at Cornell University has been relocated to University of California, Berkeley.
  - Motion by Director Mellon, seconded by Director Patterson to approve the recommended actions for Item 4 carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).
5. **Motion No. 075-22** – Authorized agreements with Carollo Engineers, Inc., CDM Smith Inc., and Kennedy/Jenks Consultants, Inc. beginning on or after April 26, 2022 for three years with two options to renew for additional one-year terms, for a total aggregate not-to-exceed cost of \$2,000,000 for as-needed services for operations and maintenance documentation development for capital projects.
6. **Motion No. 076-22** – Authorized an additional amount of \$400,000, to a total amount not to exceed \$1,300,000, to the agreement authorized under Board Resolution No. 35171-20 with Axiom Medical Consulting, LLC, for COVID-19 contact tracing services, employee interviews, return to work clearance, and recordkeeping for COVID-19 positive employees.

7. **Motion No. 077-22** – Authorized payment in the amount of \$110,000 to SRM Marina Investors LLC for the acquisition of a permanent pipeline easement for the Oakland Inner Harbor Pipeline Crossing and coverage of up to \$200,000 for losses in rental income experienced by SRM, if any, caused by construction impacts.
8. **Motion No. 078-22** – Approved the March 2022 Monthly Investment Transactions Report.

#### **DETERMINATION AND DISCUSSION**

- 9.1- **Authorize and approve the issuance of Water System Revenue Bonds, Series 2022A and**
- 9.2. **2022B in an aggregate principal amount not to exceed \$400 million, and approve the form and authorize the execution of certain documents, including a Supplemental Indenture, in connection with the issuance, securing and sale of such bonds; and authorize and approve the issuance of Wastewater System Revenue Bonds, Series 2022A and 2022B in an aggregate principal amount not to exceed \$45 million, and approve the form and authorize the execution of certain documents, including a Supplemental Indenture, in connection with the issuance, securing and sale of such bonds.**

General Manager Clifford C. Chan reported this item was discussed at this morning's Finance/Administration Committee meeting and the Committee unanimously supported staff's recommendations. Treasury Manager Robert L. Hannay provided the presentation. The District's FY22 financing plan includes issuing Water System revenue bonds in one or more series or subseries in an aggregate amount not to exceed \$400 million and issuing Wastewater System revenue bonds in one or more subseries in an amount not to exceed \$45 million. Up to \$200 million in Series 2022A Water System Revenue Bonds and \$20 million in Series 2022A Wastewater System Revenue Bonds will be issued to provide funding for the District's Capital Improvement Program. Proceeds from both will be used to pay the costs of issuance of the bonds. The District is planning to issue these bonds as "Green Bonds" based on the Guidance for Issuing Green Bonds, approved by the Board on March 22, 2022. The Series 2022B Water System Revenue Bonds are expected to be issued in two series. Series 2022B-1 Bonds will be issued to refund \$82 million in outstanding fixed-rate Series 2012A Bonds with a projected debt service savings of 21.7 percent of the refunded par amount. Series 2022B-2 Bonds will be issued to refund \$105 million of the District's outstanding variable-rate Series 2008A Bonds. In connection with the refunding of the variable-rate Series 2008A Bonds, proceeds of the bonds may also be applied to fund the costs of terminating certain interest rate swap agreements entered into by the District relating to such bonds to be refunded. The Wastewater System Revenue Bonds Series 2022B are planned to be issued to refund \$20 million of the Wastewater System's outstanding fixed-rate Series 2012A Bonds as well as paying the costs of issuance of the bonds at a projected debt service savings of 20.5 percent of the refunded par amount. Upon approval, the bonds will be scheduled to be sold via a negotiated sale in May 2022 using underwriters from the District's underwriter pool. The timing of the bond sales may be adjusted for market conditions and other factors.

- Motion by Director Coleman, seconded by Director Patterson to approve the recommended actions for Items 9.1-9.2 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. 35285-22** – Authorize and Approve the Issuance of Not to Exceed \$400 Million Aggregate Principal Amount of East Bay Municipal Utility District Water System Revenue Bonds, Series 2022A and Water System Revenue Refunding Bonds, Series 2022B; Approve the Form, and Authorize the Execution, of Certain Documents in Connection With the Issuance, Securing and Sale of Such Bonds; and Approve Certain Actions Relating Thereto.

**Resolution No: 35286-22** – Authorize and Approve the Issuance of Not to Exceed \$45 Million Aggregate Principal Amount of East Bay Municipal Utility District Wastewater System Revenue Bonds, Series 2022A and Wastewater System Revenue Refunding Bonds, Series 2022B; Approve the Form, and Authorize the Execution, of Certain Documents in Connection With the Issuance, Securing and Sale of Such Bonds; and Approve Certain Actions Relating Thereto.

10. **File the 2022 Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 – Water Supply Availability and Deficiency and declare the District’s water supply is deficient for meeting customer demands in 2022.**

Director of Water and Natural Resources Michael T. Tognolini provided the presentation. The 2022 Water Supply Availability and Deficiency Report provides information on the current water supply and rainfall projections, applicable state regulation and obligations, and other information to help the Board determine whether the water supply is sufficient to meet customer demands. Based on the 2022 report, the District’s water supply is not sufficient for meeting customer demands. Mr. Tognolini pointed out that information in the presentation does not include precipitation from last week’s storm. After last week’s storm, precipitation in the Mokelumne watershed for April was 4.89 inches instead of 2.72 inches and moved closer to average (2 inches) in the East Bay. Although October and December 2021 were wet and April 2022 rainfall was average, other months were dry, with January through March 2022 being the driest on record. Snow depth at Caples Lake is now 14 inches (26% of average) and the water content is 5.58 inches (22% of average). Total system storage in District reservoirs as of April 19 was 549,650 acre-feet (AF) and water supply projections indicate January through June 2022 will be the driest on record. Mokelumne rainfall is currently 37.34 inches with minimal precipitation expected for the remainder of the rainfall year. Including precipitation from last week’s storm, staff’s projections for total system storage through the end of September 2022 are 480,000 AF at 90 percent exceedance and 465,000 AF at 99 percent exceedance. Based on the Department of Water Resources’ April 1 snow survey, the District’s projected runoff will be 440,000 AF (average runoff is 745,000 AF), and its Joint Settlement Authority (JSA) year type is projected to be “dry.” Based on this determination, the District’s “dry” flow release obligations from Camanche Reservoir may include up to 60,000 AF of Woodbridge Irrigation District’s full base supply and up to the full maximum entitlement of 3,850 AF for Jackson Valley Irrigation District. North San Joaquin Water Conservation District will not receive any water and no surplus water will be available. Mr. Tognolini responded to Board questions on whether wet months balance out dry months; if runoff loss numbers will be similar to last year’s numbers; the other JSA water year types; the time period used to determine JSA flow releases; and clarification on how the projected total system storage levels relate to the District’s staged system of droughts.

- Motion by Director McIntosh, seconded by Director Patterson to approve the recommended actions 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).

**Motion No. 080-22** – Filed the 2022 Water Supply Availability and Deficiency Report in conformance with District Policy 9.03 – Water Supply Availability and Deficiency and declared the District’s water supply is deficient for meeting customer demands in 2022.

## **PUBLIC HEARING**

11. **Conduct a public hearing on the proposed actions listed under Item 12, including declaration of a water shortage emergency, adoption of Section 28 of the District’s Regulations Governing Water Service to Customers, declaration of a Stage 2 Drought and a mandatory District-wide water use reduction goal of 15 percent, affirming immediate implementation of the Excessive Water Use Penalty Ordinance, and directing the preparation of a Water Shortage Emergency Action Plan.**

President Linney opened the public hearing at 1:49 p.m.

Director of Water and Natural Resources Michael T. Tognolini and Manager of Water Conservation Alice E. Towey provided the presentation. Mr. Tognolini outlined the findings necessary to declare a water shortage emergency. Persistent dry conditions and reduced supplemental supplies justify the staff recommendation for the Board to consider declaring a water shortage emergency and implementing subsequent actions. He reported that while the staff report recommends the Board consider adopting a 15 percent mandatory District-wide water use reduction goal, precipitation from last week’s storm resulted in an unexpected 20,000 AF increase in the District’s storage projections. Based on updated projections, staff is now recommending the Board consider adopting a 10 percent mandatory District-wide water use reduction goal. He reviewed the District’s Drought Management Program (DMP) Guidelines noting they were created to manage multi-year, consecutive droughts. Current water supply projections would place the District in a Stage 1 Drought; however, several factors indicate the need to take a more proactive approach at this time. Projected total system storage (at 99% exceedance) is 465,000 AF, up from the original projected 445,000 AF. The District will only be able to secure approximately 30,000 AF in additional supply in 2022 instead of the 63,000 AF anticipated in the DMP Guidelines and very limited supplemental supplies are expected to be available in 2023. The state is signaling the need for water agencies to increase conservation efforts and the District is seeking to be responsive. Current conservation savings targets are not being met and the actions being presented for Board consideration will assist with achieving these targets while managing the District’s water supply. Staff is recommending the Board consider declaring a Stage 2 Drought with a 10 percent mandatory District-wide water use reduction goal.

Ms. Towey discussed plans to assist customers and the District with meeting the recommended water use reduction goal. Staff is recommending the Board adopt Section 28 “Water Use During Water Shortage Emergency Condition,” which sets District-wide restrictions on water use and enforcement measures. She reviewed water use restrictions in Section 28 which align with the state’s emergency regulations. Next, she reviewed the Excessive Water Use Penalty Ordinance, which is required by state law and becomes active if the Board declares a Stage 2 Drought. The ordinance applies to single-family residential customers who could be charged \$2 per unit (748 gallons) above the threshold of 66 units per month (approximately 1,646 gallons per day per household). Staff will conduct outreach to high water users to inform them about the ordinance and provide information on ways to reduce water use. Customers who exceed the threshold once will receive a warning letter; penalties will apply for subsequent

exceedances. If the Board declares a drought emergency, a Stage 2 Drought and a mandatory District-wide water use reduction goal, staff will finalize a Water Shortage Emergency Action Plan which details strategies to achieve the District's water reduction goal. Ms. Towey reviewed elements of the draft plan and said, based on the Board's actions today, the final plan would be presented to the Board at its meeting on May 10, 2022.

There was considerable Board discussion regarding the information presented. The Board asked if there was an option to consider a water use reduction goal between 10 and 15 percent; if a mandatory water use reduction goal can be adopted under a Stage 1 Drought; how the Stage 2 Drought recommendation aligns with the total system storage information listed in the DMP Guidelines; whether storage projections include supplemental supplies; which customer class is not meeting the current 10 percent voluntary water use reduction goal; if pressure washing is restricted in Section 28; how staff will inform customers and help them understand the water use restrictions in Section 28; if fines are included in Section 28; the funding source for the actions in the Water Shortage Emergency Action Plan; whether different mandatory water use reduction goals can be applied to different customer classes; and messaging to customers including those who are already conserving.

- Addressing the Board were the following: 1) Gary Walters II, EBMUD ratepayer, commented on drought messaging to customers, his current low water use and if penalties would apply if he is unable to further reduce water use; and 2) Richard Lukeny, EBMUD ratepayer, commended the Board for taking action and commented the Excessive Water Use Penalty Ordinance threshold of 1,646 gallons per day is too much for a single-family residence and that the District should only assess a surcharge on water wasters.

There was considerable Board discussion on whether to declare a 15 percent or 10 percent mandatory water use reduction goal as well as the other actions proposed under Items 12.1-12.5.

Director Linney asked for a motion to close the public hearing. Director McIntosh motioned to close the public hearing at 2:58 p.m.

- Motion by Director McIntosh, seconded by Director Mellon to close the public hearing carried (7-0) by the following voice vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, Young, and Linney); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion 081-22** – Conducted a public hearing on the proposed actions listed under Item 12, including declaration of a water shortage emergency, adoption of Section 28 of the District's Regulations Governing Water Service to Customers, declaration of a Stage 2 Drought and a mandatory District-wide water use reduction goal of 15 percent, affirming immediate implementation of the Excessive Water Use Penalty Ordinance, and directing the preparation of a Water Shortage Emergency Action Plan.

**DETERMINATION AND DISCUSSION (continued)**

- 12.1- Adopt a resolution taking certain actions in response to current drought water supply conditions and making necessary findings: Declare a water shortage emergency within the District's service area; declare a Stage 2 Drought and declare a mandatory District-wide water use reduction goal of 15 percent in accordance with the District's Water Shortage Contingency Plan; adopt Section 28, "Water Use During Water Shortage Emergency Condition," of the District's Regulations Governing Water Service to Customers, which defines and imposes temporary water use prohibitions and restrictions and enforcement provisions that will be effective April 26, 2022 and remain in effect until Section 28 is either revised based on changed circumstances or rescinded when the water shortage emergency is declared over; affirm the immediate implementation of the District's Excessive Water Use Penalty Ordinance (Ordinance No. 373-21); and direct staff to develop a Water Shortage Emergency Action Plan for consideration at an upcoming Board meeting.

The Board continued its discussion on whether to declare a 15 percent or 10 percent mandatory water use reduction goal. Although Director Katz made a motion during the public hearing to approve the revised staff recommendation for Item 12.2 for the Board to declare a Stage 2 Drought and declare a mandatory District-wide water use reduction goal of 10 percent (instead of 15 percent) in accordance with the District's Water Shortage Contingency Plan and Director Patterson seconded the motion, upon further discussion, Director Katz withdrew the motion and Director Patterson concurred. After additional discussion during the public hearing on the mandatory water use reduction goal, Director Katz made another motion for the Board to approve the staff recommendation for Item 12.2 to declare a Stage 2 Drought and declare a mandatory District-wide water use reduction goal of 15 percent in accordance with the District's Water Shortage Contingency Plan. President Linney restated the recommended actions for Items 12.1-12.5 and requested a roll call vote.

- Motion by Director Katz, seconded by Director Young to approve the recommended actions for Items 12.1-12.5 **failed** (4-3) by the following roll call vote: AYES (Katz, Linney, and Young); NOES (Coleman, McIntosh, Mellon, and Patterson); ABSTAIN (None); ABSENT (None).
- Substitute Motion by Director Coleman, seconded by Director Mellon to approve the recommended actions for Items 12.1-12.5 with a revision to Item 12.2 to declare a Stage 2 Drought and declare a mandatory District-wide water use reduction goal of 10 percent in accordance with the District's Water Shortage Contingency Plan carried (6-1) by the following roll call vote: AYES (Coleman, Katz, McIntosh, Mellon, Patterson, and Young.); NOES (Linney); ABSTAIN (None); ABSENT (None).

Director Young stated it is important for the District to implement a mandatory water use reduction goal and although she voted for a 10 percent reduction, she is hopeful the District can attain the 15 percent water use reduction goal. The Board asked staff to ensure that messaging to customers regarding the mandatory water use reduction goal is clear; provide an update on actual water savings versus the goal at its November 8, 2022 meeting; and an update on the District's FY23 drought response timeline if the drought continues in FY23.

**Resolution No. 35287-22** – Declaring a Water Shortage Emergency and Stage 2 Drought, Establishing a District-Wide Mandatory Water Use Reduction Goal of Ten Percent, Adopting Section 28 of the District's Regulations Governing Water Service to Customers, Confirming and Directing Additional Drought Response Measures, and Making Necessary Findings.

- Director Patterson left the meeting at 3:09 p.m. and returned at 3:12 p.m.
- Director Mellon left the meeting at 3:10 p.m. and returned at 3:14 p.m.

**13. Consideration of Stage 2 Drought Surcharge.**

Director of Finance Sophia D. Skoda provided the presentation. She reviewed the drought stages and the approved staged system of drought surcharges which outlines maximum surcharges assessed on all potable water use during a drought or water shortage emergency. The surcharge would be applied beginning in FY23 and prorated for water use after July 1, 2022. She discussed drought cost drivers which include the direct cost of water purchases, transmission costs, treatment costs, public information, and customer support programs as well as coverage for a reduction in revenue resulting from increased conservation. In FY22, the District has spent \$7 million on drought related costs and preliminary cost estimates for FY23 are between \$30 million and \$40 million. She reviewed the estimated FY23 revenue from drought surcharges ranging from 2 percent (\$8 million) to 8 percent (\$32 million). Based on projected costs and the information presented previously, staff is recommending the Board consider implementing an 8 percent surcharge. The District would use reserve funds for drought costs that exceed drought surcharge revenues and other possible funding including FY23 operations and capital savings and replacing rate funded capital with debt funding. Ms. Skoda said other water agencies have already instituted or are considering drought rates and highlighted agencies that are already assessing surcharges. Staff is conducting a survey of comparable local agencies of current and proposed surcharges and will present the findings at the May 10, 2022 Board meeting.

The Board discussed the surcharge options and asked about funding available in the District's reserves and rate stabilization fund; clarification on how other agencies apply surcharges in their rate structures; impacts if the Board does not approve implementation of a surcharge; and potential impacts to low-income customers. Ms. Skoda and General Manager Clifford C. Chan informed the Board staff is seeking feedback on the surcharge options and will present information for the Board to consider at its May 10, 2022 meeting. The Board asked staff to evaluate the District's drought surcharge structure during the next Water System cost of service study and to assess Customer Assistance Program outreach efforts as a result of a drought surcharge.

**14. General Manager's Report.**

Coronavirus Update

Director of Operations and Maintenance David A. Briggs presented the update. He reviewed COVID-19 positive cases in Alameda and Contra Costa counties and the number of employee positive COVID-19 cases (474) to date. There has been an increase in positive cases in Bay Area counties, however hospitalization and death rates remain low. As of April 6, the California Department of Public Health no longer recommends quarantine if asymptomatic, regardless of vaccination status although testing is still recommended 3-5 days from exposure. Cal/OSHA has



adopted this recommendation; however, Alameda County continues to recommend quarantine if asymptomatic and unvaccinated. The District is still requiring face coverings indoors. Employees and those with an approved religious or medical exemption continue to test weekly. There have been no positive cases in this group for two weeks and the District may suspend its weekly testing requirement if this trend continues. If weekly testing is suspended, the District will transition to offsite/as-needed testing. Staff will continue monitoring and updating safety protocols as needed. Mr. Briggs clarified asymptomatic employees can still report to work and that offsite testing would be available for Board members.

- Director Katz left the meeting at 3:39 p.m.

## **REPORTS AND DIRECTOR COMMENTS**

### **15. Committee Reports.**

- Filed with the Board were the Minutes for the April 12, 2022 Planning and Legislative/Human Resources Committees.
- Upper Mokelumne River Watershed Authority (UMRWA) representative John A. Coleman reported the JPA met on April 22 to conduct regular business and received the First Quarter FY 21 Treasurer's Report; approved the Forest Projects Report; discussed the status of the Integrated Regional Water Management Grant Applications; and approved the Mattley Meadows Restoration Project.
- Los Vaqueros Reservoir JPA representative John A. Coleman reported the JPA met on April 13 to consider claims procedures; California Environmental Quality Act and Environmental Review procedures; an investment policy; and a resolution on debt management; and discussed conducting in-person meetings, WIFIA funding and the Board policy and action calendar.
- Freeport Regional Water Authority (FRWA) representative William B. Patterson reported the JPA met on April 14 to conduct regular business and received updates on EBMUD's and Sacramento County Water Agency's water supply and San Joaquin County Water-Right Application 29657; and adopted the FY23 budget and a resolution honoring the service of former FRWA Program Manager Forrest W. Williams Jr.
- Finance/Administration Committee Chair William B. Patterson reported the Committee met earlier and received information on Customer Assistance Program Funding, the March 2022 Monthly Investment Transactions Report, Quarterly Financial Reports for the period ending March 31, 2022, Water and Wastewater Systems Revenue Bonds sales, and the Fiscal Year 2022-Semi Annual Budget Performance Report.
- Sustainability/Energy Committee Chair Marguerite Young reported the Committee met earlier and received updates on the Main Wastewater Treatment Plant Workplace Electric Vehicle Charging Pilot Results, Green Fleet Roadmap, and the Annual Integrated Pest Management Program Update.
- Director McIntosh left the meeting at 3:53 p.m.



**16. Other Items for Future Consideration.**

None.

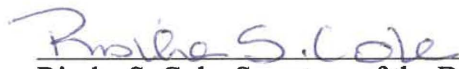
**17. Director Comments.**

- Director Patterson reported visiting McClymonds High School to meet the persons that accompanied 29 students on a tour of the District's Main Wastewater Treatment Plant and advised students about the District's High School intern program. He also attended a viewing of *American Justice on Trial* at The Roxie Theater in San Francisco, noting he has a cameo in the film.
- Director Coleman reported attending the following virtual events: Los Vaqueros Reservoir JPA Board meeting on April 13; FRWA Board meeting on April 14; and UMRWA Board meeting on April 22. He reported on plans to attend the following: Los Vaqueros JPA Finance Committee meeting on April 28 (remote); ACWA Spring Conference in Sacramento from May 3 to May 5; meeting with Board members from Contra Costa Water District and San Joaquin County and staff from Placer County Water Agency in Sacramento on May 4; Los Vaqueros Reservoir JPA Board meeting on May 11 (remote); and a DERWA Board meeting on May 16 (remote). He commented on an article in the San Francisco Chronicle about climate change and atmospheric rivers and asked staff to provide a summary of atmospheric river studies during the next water supply update to the Board.
- President Linney and Directors Katz, McIntosh, Mellon and Young had no reports.

**ADJOURNMENT**

President Linney adjourned the meeting at 3:58 p.m.

SUBMITTED BY:

  
\_\_\_\_\_  
Risha S. Cole, Secretary of the District

APPROVED: May 10, 2022

  
\_\_\_\_\_  
Doug A. Linney, President of the Board