BOARD OF DIRECTOR
EAST BAY MUNICIPAL UTILITY DISTRICT

375 - 11th Street, Oakland, CA 94607 Office of the Secretary: (510) 287-0440

AGENDA

REGULAR CLOSED SESSION

Tuesday, September 8, 2026
11:30 a.m.
William "Bill" Patterson Boardroom
375 11th Street
Oakland, CA 94607

*****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(d)(1):

   East Bay Municipal Utility District, v. Monterey Mechanical Co.
   Alameda County Superior Court, Case No. 26CV200219

2. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):

   a. Alameda County Flood Control and Water Conservation District
      Claim No. 2025-L-063-1

   b. One matter

3. Conference with Board designated representatives President Luz Gómez, Director Marguerite Young, and Director Valerie Lewis regarding the employment contracts of the General Manager and General Counsel pursuant to Government Code section 54957.6.

(The Board will discuss Closed Session agenda items in Conference Room 8.)

REGULAR BUSINESS MEETING
1:15 p.m.

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Recognizing National Hispanic Heritage Month and EBMUD's Fuerza Latina Affinity Group
- Recognizing National Disability Employment Awareness Month and EBMUD's Disability Advocacy and Rights Team Affinity Group

PRESENTATION:

- EBMUD Art Committee Artist Exhibit – Mario Navasero: De Manera Amorosa/In a Loving Way

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.

COMMITTEE REPORTS:

- Planning
- Legislative/Human Resources
- Finance/Administration

CONSENT CALENDAR: (Single motion and vote approving 17 recommendations)

1. Approve the Regular Meeting Minutes of August 11, 2026, Special Meeting Minutes of August 18, 2026, and Special Meeting Minutes of August 21, 2026.

2. File correspondence with the Board.

3. Award a contract beginning on or after September 8, 2026 to the lowest responsive/responsible bidder, Agilent Technologies, Inc., to furnish, install, test, and validate one new bench top Inductively Coupled Plasma Mass Spectrometer with autosampler to the District's SD-1 Laboratory for a total cost, after the addition of taxes, not to exceed $258,768 under Request for Quotation No. 2616.

4. Award a contract beginning on or after September 8, 2026 to the lowest responsive/responsible bidder, WECO Industries, LLC, for supplying one high pressure water jetting trailer - US Jetting 6018, with Freight On Board to the District's Main Wastewater Treatment Plant, for a total cost, after the addition of taxes, not to exceed $185,239 under Request for Quotation No. 2703.

CONSENT CALENDAR: (Continued)

5. Authorize an agreement beginning on or after September 8, 2026 with Arthur J. Gallagher Risk Management Services, LLC for three years with two options to renew for additional two-year periods for a total amount, including option years, not to exceed $1,052,308 for specialized risk management and commercial brokerage services.

6. Authorize an agreement beginning on or after September 8, 2026 with Brown and Caldwell in an amount not to exceed $276,120 for Mokelumne Aqueduct No. 3 Flow Meter Calibration.

7. Authorize an agreement beginning on or after September 8, 2026, with Carollo Engineers, Inc., in an amount not to exceed $9,216,911 for owner advisor services for the Central Reservoir Replacement Project.

8. Authorize an agreement beginning on or after September 8, 2026 with RTI International in an amount not to exceed $480,261 for consultant services associated with the Upper San Leandro and Chabot Dams Site-Specific Probable Maximum Precipitation and Probabilistic Flood Hazard Analysis Project.

9. Authorize an agreement beginning on or after September 8, 2026 with Sentry Equipment Corp., in an amount not to exceed $479,000 for engineering, manufacturing and installation services to replace two clarifier drives at the Sobrante Water Treatment Plant.

10. Authorize a 20-year agreement with Amador Water Agency (AWA) regarding AWA's use of certain pre-1914 water supply, which provides for annual payments to AWA and preservation of the District's Mokelumne River water supplies for a term of 20 years.

11. Authorize the purchase of log management and analysis software licensing and support beginning on or after September 8, 2026 from NuSpective, Inc., for two years, for a total amount not to exceed $448,108. This purchase will be made under State of California contracts available for use by local governments.

12. Approve the assignment of the agreement originally authorized under Board Motion No. 169-25 from TruePoint Solutions, LLC to TrueBill Solutions, LLC for implementation of backflow prevention system software and ongoing support.

13. Approve the July 2026 Monthly Investment Transactions Report.

CONSENT CALENDAR: (Continued)

14. Take actions related to concrete repair services.

    14.1. Authorize amendments to the agreements originally authorized under Board Motion No. 197-25 with Arrowhead Concrete Construction; Integrated Concrete Construction; Solid Ground Masonry & Concrete, Inc.; Sonnikson dba Sonnikson and Stordahl Construction; and Spaulding Concrete, LLC to increase the aggregate amount of those agreements by $2,300,000 to a total aggregate amount not to exceed $4,300,000 and extend the terms of the agreements to September 15, 2027 for concrete repair services.

    14.2. Authorize additional agreements for concrete repair services on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the above service providers 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.

15. Take actions related to dump truck services.

    15.1. Authorize amendments to the agreements originally authorized under Board Motion No. 184-25 with Channa Trucking, Inc.; CIA Trucking, Inc.; Curbside Trucking, LLC; Darrah Trucking & Excavating, Inc.; E.M. Blair Trucking; East Bay Trans, Inc.; Edwards-Enterprise LLC; Galray Trucking, Inc.; Gloria Washington Trucking, Inc.; Haver Trans Inc.; Hills Trucking; Robert Ibarra, Inc. dba Ibarra Trucking; Inder Trucking, Inc.; Jackson Transportation; Mae Trucking; Paul K Transport, LLC; Royal Trucking/Maintenance; Sabie Trucking, Inc.; S & L Transport, LLC; Sky Rock, Inc.; SMG Trucking; TGI Freight, LLC; and Tri Valley Water Trucks, Inc. to increase the aggregate amount of those agreements by $7,800,000 to a total aggregate amount not to exceed $13,900,000 and extend the terms of the agreements to September 15, 2027 for dump truck services.

    15.2. Authorize additional agreements for dump truck services on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the above service providers 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.

CONSENT CALENDAR: (Continued)

16. Take actions related to flagging services.

    16.1. Authorize amendments to the agreements originally authorized under Board Motion No. 210-25 with City Rise Safety, LLC; CMC Traffic Control Specialists Inc.; Escano & Associates Inc.; National Trench Safety dba National Trench Safety Traffic Solutions; Statewide Traffic Safety and Signs Inc. dba AWP Safety; and Traffic Control Pros to increase the aggregate amount of those agreements by $3,600,000 to a total aggregate amount not to exceed $6,304,000 and extend the terms of the agreements to September 15, 2027 for flagging services.

    16.2. Authorize additional agreements for flagging services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026, 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.

17. Take actions related to providing medical evaluations and assessments required by federal and state regulations.

    17.1. Authorize agreements beginning on or after September 8, 2026 with Agile Occupational Medicine; Occupational Health Centers of California, a medical corporation, dba Concentra Medical Centers; Examinetics; Occu-Med, Ltd; and Professional Health Services, Inc, for five years with two options to renew for additional one-year periods for an aggregate amount, including option years, not to exceed $650,000 for providing medical evaluations and assessments required by federal and state regulations.

    17.2. Authorize additional agreements for providing medical evaluations and assessments required by federal and state regulations, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026 with medical facilities that meet the federal and state regulations, and District standards and offer pricing at or below the range in the proposed agreements with the consultants above to increase flexibility to ensure consultants availability. The Board of Directors will be notified of additional qualified consultants by means of the General Manager's monthly report.

DETERMINATION AND DISCUSSION:

18. Adopt a resolution to declare October 7, 2026, to be "California Clean Air Day" at the District and to encourage all employees to participate in California Clean Air Day. (Resolution)

19. Adopt a resolution approving the adoption of the updated Board of Directors Governance Manual. (Resolution)

DETERMINATION AND DISCUSSION: (Continued)

20. General Manager's Report.
    - Monthly Report – August 2026

DIRECTOR COMMENTS:

21. Other Items for Future Consideration.

22. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, October 13, 2026.

Language and Accessibility Assistance

Board meetings are open and accessible to all members of the public. The William "Bill" Patterson Boardroom is wheelchair accessible. Contact the Secretary's Office at 510-287-0404 or SecOffice@ebmud.com at least 72 hours in advance to request assistance with language interpretation, translation services and disability accommodations. The Secretary's Office will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require more than 72 hours advance notice.

Document Availability

Materials related to an item on the agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to a regular meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, CA, during normal business hours, and can be viewed on our website at www.ebmud.com. Materials submitted during a regular meeting will be made available to the public by contacting the Secretary's Office at 510-287-0404 or Secoffice@ebmud.com.

BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Unless otherwise noted, all meetings will take place in the William "Bill" Patterson Boardroom

Date	Meeting	Time	Topics
Tuesday, September 8	**Planning Committee**	8:30 a.m.	• Water Quality Program Semi-Annual Update – January 2026 to June 2026 • Fiscal Year 2026 Pipeline Rebuild Program Annual Update
	Legislative/Human Resources Committee	9:30 a.m.	• EBMUD 2026 Economic Impact Report
	Finance/Administration Committee	10:00 a.m.	• Monthly Investment Transactions Report • Fiscal Year 2027 Insurance Summary • Fiscal Year 2026 Key Performance Indicators Report • Greenhouse Gas Reduction Options • Annual Internal Audit Report • Policy 4.29 – Use of Artificial Intelligence
	Board of Directors	11:30 a.m. 1:15 p.m.	• Closed Session • Regular Business Meeting
Wednesday, September 23	**EBMUD/EBRPD Liaison Committee**	TBD	
Tuesday, September 29	**Special Board of Directors Meeting**	TBD	
Tuesday, October 13	**Planning Committee**	TBD	
	Legislative/Human Resources Committee	TBD	
	Board of Directors	11:00 a.m. 1:15 p.m.	• Closed Session • Regular Business Meeting

2026 Board Committee Members

Finance/Administration	Oddie {Chair}, Katz, Lewis
Legislative/Human Resources	Smith {Chair}, Chan, Oddie
Planning	Lewis {Chair}, Gómez, Young
Sustainability	Young {Chair}, Katz, Smith

APPENDIX

Closed Session and Regular Business Meetings

The regular meeting is divided into two segments: closed session and the regular business meeting at 1:15 p.m.

EBMUD public Board meetings will be conducted in person and accessible via Zoom.
These meetings are recorded, live-streamed, and posted on the District's website.

*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

*To familiarize yourself with Zoom, please visit https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting

The public may comment on any topic at the start of the meeting, during the public comment period. Comments on agenda items will be heard when the item is up for consideration.

- Each speaker may speak for up to 3 minutes. Those requiring an interpreter are granted additional time. Speakers are called in the order received.
- The Board President or Committee Chair has the discretion to amend public comment times.

In person
- Fill out a speaker card, located at the boardroom entryway, and submit it to the Board Secretary.
- The Board President or Committee Chair will call your name when it is your turn to speak.
- At the podium, state your name and the topic you wish to speak on.

Online
- Join online using the Zoom link on the website or agenda.
- Enter the meeting ID and access code when prompted.
- Use the "Raise Hand" feature when your name is called, turn on the microphone in Zoom, and state your name and topic.

By phone
- Dial the number listed and enter the meeting ID and access code when prompted.
- Press *9 to raise your hand. When your name is called, press *6 to unmute your phone.
- State your name and topic.

Written comments
- Written comments become part of the public record and may be subject to the California Public Records Act.
- Written comments can be sent via email to SecOffice@ebmud.com.
- Comments should include the meeting date for which you want your comment recorded and whether the topic is on the agenda for that meeting.
- Email comments should be submitted by 4:00 p.m. the day before the meeting.
- All comments received before the meeting concludes will be accepted and included as part of the official public record.

To view the livestream of Board meetings, please visit:
https://www.ebmud.com/about-us/board-directors/public-meetings

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: September 3, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Rischa S. Cole, Secretary of the District RC

SUBJECT: Planning Committee Minutes – August 11, 2026

Chair Valerie D. Lewis called to order the Planning Committee meeting at 9:31 a.m. in the Administration Building William "Bill" Patterson Boardroom. President Luz Gómez and Director Marguerite Young were present at roll call. Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Operations and Maintenance David A. Briggs, Director of Engineering and Construction Serge V. Terentieff, Manager of Regulatory Compliance David M. Woodard, Engineering Manager Elizabeth Z. Bialek, Associate Civil Engineer Dámaris Villalobos Galindo, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled "Regulatory Compliance Semi-Annual Report January through June 2026," dated August 11, 2026; 2) Presentation entitled "Dam Safety Program Annual Report," dated August 11, 2026; and 3) Presentation entitled "Central Reservoir Replacement Project Owner Advisor Services," dated August 11, 2026.

Regulatory Compliance Semi-Annual Report – January 1, 2026 through June 30, 2026.
Manager of Regulatory Compliance David M. Woodard presented the report. The Main Wastewater Treatment Plant renewed its National Pollutant Discharge Elimination System permit with the San Francisco Regional Water Quality Control Board, effective April 1, 2026. The South Area Service Center received California Green Business certification and the North Area Service Center was recertified, bringing the total number of certified District facilities to 13. The Lancha Plana retention pond embankment remains stable, and staff continues required monitoring and reporting. He highlighted two brief chlorine residual exceedances occurred at the Orinda Water Treatment Plant (WTP) in May 2026 due to a malfunctioning sodium bisulfite feed pump; no impacts to San Pablo Creek were observed. Exceedances at the Point Isabel and Oakport Wet Weather Facilities in January 2026 were attributed to sample contamination and sodium bisulfite dosing issues, respectively; no discharge impacts were observed. Mr. Woodard also reported on ongoing coordination with Alameda County and the California Environmental Protection Agency regarding the California Accidental Release Prevention Program classification for ammonia storage at the Upper San Leandro WTP and additional soil-vapor sampling requested at the Adeline Maintenance Shops. The District's Lost Time Incident Rate was 1.47 as of June 30, 2026, below the 2.5 key performance indicator. Staff provided approximately 6,700 employee hours of health and safety training, conducted an emergency response exercise involving deployment of temporary bypass hoses across a known earthquake fault zone, updated Required Safety Practices for the Workplace Violence Prevention Plan and for Fall Protection, participated in various safety program activities, and collaborated with Meter Reader/Mechanic staff to evaluate and launch an

Industrial Athlete Program to reduce risks for injuries. Mr. Woodard and General Manager Clifford C. Chan addressed Committee questions regarding emergency preparedness, lessons learned from major earthquakes, and the HayWired scenario. General Manager Chan reported staff will present lessons learned from recent earthquakes in Colombia and Japan at a future meeting and will include HayWired scenario information. Mr. Woodward reviewed employee emergency preparedness, heat illness prevention, and wildfire smoke training and discussed how District workplace safety practices compare with state regulatory requirements. The District's annual readiness report will be presented in October and will include information on employee emergency preparedness. Staff was asked to provide additional information on how District workplace health and safety efforts compare to Cal/OSHA requirements. It was moved by Director Young, seconded by President Gómez, and carried (3-0) by voice vote to accept the report.

Dam Safety Program Annual Report. Engineering Manager Elizabeth Z. Bialek presented the report. The District's program covers 23 dams. The California Department of Water Resources Division of Safety of Dams (DSOD) provides regulatory oversight of 18 dams with the Federal Energy Regulatory Commission (FERC) sharing jurisdiction over Pardee and Camanche due to their hydroelectric operations. Five District dams are not regulated by DSOD due to their small size. Based on this past year's dam-safety related activities and inspections, all District dams are considered safe for continued operation. Ms. Bialek reported on recent studies and improvements, including DSOD's approval of updated sunny-day failure inundation maps for Pardee and Camanche dams; the Lafayette Reservoir Tower Safety Upgrade Project, which is scheduled for completion by March 2028; flood studies and modeling at Upper San Leandro and in the Chabot watershed as well as upcountry; concrete repairs at the Briones spillway; surveillance and instrumentation improvements at Pardee, Camanche, Briones, and Lafayette dams; and a three-year partnership with the U.C. Berkeley Center for Smart Infrastructure to evaluate the Pardee and Camanche spillways. The District conducted the annual Pardee and Camanche emergency notification drill in September 2025 and co-hosted an emergency preparedness seminar with Jackson Valley Irrigation District, Calaveras Public Utility District, and Pacific Gas & Electric Company in November 2025. Staff will continue dam safety monitoring and maintenance; monthly and annual inspections; emergency action planning and response activities; surveillance and instrumentation improvements; spillway evaluations; and planned capital improvements. Ms. Bialek responded to Committee questions about open-cut reservoirs that are replaced with tanks; timing for piezometer improvements; online access to dam breach inundation maps during emergencies; and post-earthquake dam inspection procedures. The Committee also commented on potential plans for Pardee Dam's centennial in 2029 and cybersecurity and suggested presenting future information regarding annual exceedance probabilities using plain language instead of scientific notations. It was moved by President Gómez, seconded by Director Young, and carried (3-0) by voice vote to accept the report.

Central Reservoir Replacement Project (Project) – Owner Advisor Services. Associate Civil Engineer Dámaris Villalobos Galindo provided the presentation. Central Reservoir was constructed in 1910 and is at the end of its useful life. The Project will replace the existing reservoir with three 14-million-gallon concrete tanks and includes a new rate control station, valve structure, piping, access roads and site paving, and a bioretention area. The site layout was developed with community input during the environmental review process completed in 2021. Ms. Villalobos Galindo discussed the District's decision to deliver the Project using Progressive Design-Build (PDB) rather than the traditional Design-Bid-Build method. She explained the PDB method under which the District will contract with a single Design-Build Entity (DBE) for design and construction based on qualifications, experience, and collaborative approach rather than solely on lowest bid. Staff determined PDB is well suited for the

Project because early collaboration can help address uncertainties related to earthwork, geotechnical conditions, hazardous materials, construction sequencing, cost, schedule, and other project risks. PDB could also reduce site and tank construction from approximately five and one-half years to four years, reducing the duration of construction impacts to the surrounding community. The proposed Owner Advisor (OA) will assist the District with procuring the DBE and will provide technical advisory services throughout design and construction. She highlighted OA services noting the OA will supplement District staff while the District retains responsibility for Project oversight and decision-making. The proposed OA services agreement will be presented for Board consideration at its September 8, 2026 meeting, with the DBE contract anticipated for Board consideration in July 2027. Ms. Villalobos Galindo and General Manager Clifford C. Chan responded to Committee questions regarding the need for an OA and the OA's project-specific expertise; potential duplication of OA services with District resources, including community outreach; how PDB success will be measured; and whether the District could develop in-house expertise to reduce the need for OA services on future projects. Additional questions concerned the specific design, construction, and procurement support the OA would provide, as well as Project aesthetics, environmental considerations, and sustainability. General Manager Chan explained that PDB is new to the District and the OA provides expertise in implementing PDB and advising agencies on successful project delivery. He also explained that, similar to the Orinda WTP Project, District Public Affairs staff would remain the primary representatives to the public while the OA provides additional outreach support. Ms. Villalobos Galindo added that the OA also brings expertise specific to projects involving prestressed concrete tanks and that knowledge gained through the Project will be transferred to District staff, reducing the level of OA support needed on future PDB projects. The Committee asked staff to provide metrics for evaluating PDB success, including cost and schedule outcomes; information on the long-term staffing and consultant plans to support future PDB projects; details on how PDB knowledge and experience will be transferred to District staff; the services the OA will provide and how PDB benefits the District. General Manager Clifford C. Chan said staff will provide a memorandum responding to Committee questions before the September 8 Board meeting. It was moved by Director Young, seconded by President Gómez, and carried (3-0) by voice vote to accept the report.

Adjournment. Chair Lewis adjourned the meeting at 10:38 a.m.

CCC:RSC

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: September 3, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Rischa S. Cole, Secretary of the District RC

SUBJECT: Finance/Administration Committee Minutes – August 11, 2026

Chair Jim Oddie called to order the Finance/Administration Committee meeting at 10:41 a.m. in the Administration Building William "Bill" Patterson Boardroom. Director Valerie D. Lewis was present at roll call. Director Andy Katz arrived at 10:46 a.m. Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Acting Director of Finance Robert L. Hannay, Internal Auditor Anthony F. Ukena, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled "Board of Directors Governance Manual Updates," dated August 11, 2026.

Monthly Investment Transactions Report. Acting Director of Finance Robert L. Hannay reviewed the June 2026 report and noted the portfolio increased by about 2 percent from $822.8 million to $841.4 million. The Committee raised no questions. It was moved by Director Lewis, seconded by Chair Oddie, and carried (2-0) by voice vote to accept the report. Director Katz was absent.

Quarterly Investment, Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended June 30, 2026. Mr. Hannay reviewed the reports for April through June 2026. The investment portfolio's yield for the end of the quarter is about 3.9 percent. The five real estate transactions in the report were completed at fair market price. The Committee raised no questions. It was moved by Director Lewis, seconded by Chair Oddie, and carried (2-0) by voice vote to accept the reports. Director Katz was absent.

Adopt Two New Policies and Approve Revisions to Existing Policies. Internal Auditor Anthony F. Ukena reviewed the policies. Policy 5.02 - Conflict of Interest for Design-Build Procurement is a new policy that will establish standards and guidance for design-build procurements, including conflict-of-interest restrictions, evaluation and enforcement procedures, and ongoing disclosure requirements. Policy 6.18 - Records and Information Management, the second new policy will ensure District records continue to be retained, stored, managed, and disposed of in accordance with applicable laws and the District's Records Retention Schedule. Policy 4.20 - Use of District Technology Resources was revised to add District-owned computing and teleconferencing equipment to the section regarding technology resources recognized as District property while Policy 6.12 - Utility District Employees' Association, includes updates to the purpose statement and membership criteria, as well as clarification regarding the Association's independence and governance responsibilities. General Counsel Derek T. McDonald addressed Committee questions regarding Policy 5.02, noting statutes authorizing the District to use design-build procedures require the Board to adopt a conflict-of-interest policy. The policy addresses

when participation in an earlier project phase may preclude a contractor from bidding on a subsequent phase. The District may impose such restrictions on a case-by-case basis and will identify them in the applicable contract documents. It was moved by Director Katz, seconded by Director Lewis, and carried (3-0) by voice vote to support the staff recommendations.

Board Governance Manual Updates and Consideration of Governance Policies. General Counsel Derek T. McDonald reviewed proposed revisions to the Governance Manual based on Board feedback, prior Finance/Administration Committee discussions, and staff's experience implementing the manual. Mr. McDonald highlighted revisions made since the June 23, 2026 Finance/Administration Committee meeting, including a new provision in Section 4.02 requiring Board members to promptly forward correspondence addressed to, or reasonably intended for, multiple Board members to the Secretary of the District for distribution; grammatical revisions to Section 4.03; separating ethics violations from conduct violations in Sections 5.02 and 5.03; adding potential Board actions for violations of the principles of conduct; and revisions related to Board officer roles, meeting schedules and locations, agenda posting, committee chair assignments, Board member training requirements, and appendices. The Committee discussed the meaning of "promptly" and use of "shall" in Section 4.02; the basis for the personal-interest provision; enforceability of the Governance Manual; whether Board members are required to sign the Governance Manual; whether any policy or statute requires a candidate to agree to abide by the Governance Manual as a condition of serving on the Board. Staff clarified correspondence addressed to, or reasonably intended for, multiple Board members should be forwarded to the Secretary before the next Board meeting; that the personal-interest provision dates to 2024 and reflects practices at other agencies; and that signing the Governance Manual is requested but not required. Mr. McDonald explained the manual applies once adopted and that the Board may act on Governance Manual violations regardless of signature. He further explained that there is no statutory authority that would allow the District to require candidates to agree to abide by the Governance Manual. The Board will discuss the Governance Manual at the Board meeting in the afternoon. Feedback will be incorporated as needed and the Board will consider adopting the final Governance Manual at its Regular meeting on September 8, 2026. It was moved by Director Katz, seconded by Director Lewis, and carried (3-0) by voice vote to support the updated Governance Manual.

Adjournment. Chair Oddie adjourned the meeting at 11:00 a.m.

CCC/RSC

Draft Prepared By
RC
Secretary of the District

MINUTES

Tuesday, August 11, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Closed Session Meeting

President Luz Gómez called to order the Regular Closed Session Meeting of the Board of Directors at 11:03 a.m. in the Administration Building William "Bill" Patterson Boardroom.

ROLL CALL

Directors Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call. Director April Chan arrived in the Boardroom at 11:09 a.m.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

PUBLIC COMMENT

- Addressing the Board was Eric Larsen President, AFSCME Local 444 who commented on Closed Session Agenda Item 2, noting Local 444 had submitted its preferred process for an equity adjustment impasse hearing and asked the Board to schedule a special meeting for this purpose.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Gómez announced the closed session agenda, and the Board convened to Administration Building Conference Room 8 for discussion.

Regular Business Meeting

At 1:04 p.m. the General Manager notified the Secretary of the District that due to an extended Closed Session meeting, the Regular Business meeting would start at 1:30 p.m. At 1:26 p.m. the General Manager notified the Secretary that the Regular Business meeting would start at 1:40 p.m. At 1:39 p.m. the General Manager notified the Secretary that the Regular Business meeting would start at 1:45 p.m.

President Luz Gómez called to order the Regular Business Meeting of the Board of Directors at 1:46 p.m. in the Administration Building William "Bill" Patterson Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez 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 Gómez led the Pledge of Allegiance.

Service Award Recipients – April through June 2026

Senior Human Resources Analyst Chad R. Thigpen delivered the presentation highlighting 67 employees who have reached service award milestones ranging from five to 30 years of service during this period. These employees were also recognized by their organizational leadership through the Employee Recognition and Service Award Program and received a service award on behalf of the District. Mr. Thigpen reviewed the names of the recipients including the following employees in attendance: Water Distribution Plumber III Michael Brown; Hydrographer III David Hansen; Associate Civil Engineer Tara Sweet; Manager of Regulatory Compliance David Woodward; Engineering Manager Bradley Ledesma; Plant Maintenance Mechanic Alwin Dolino; and Administrative Clerk Christopher Nelson. The Board congratulated staff and thanked them for their service.

PRESENTATION

Director Katz announced that the District's Art Committee, established in 1993, hosts 6 to 7 exhibitions annually featuring works by local emerging to mid-career artists in EBMUD's Administration Building 2nd floor art gallery. Art Committee member Anya Kamenskaya highlighted the current exhibit, *Along the Side of the Road* by Ellen Hedfield and discussed the inspiration behind the body of work which will remain on display through August 31. Anya noted that an artist reception was held on July 22.

ANNOUNCEMENTS FROM CLOSED SESSION

President Gómez announced that by vote of the Board members present, the Regular Closed Session was adjourned to the afternoon immediately following the conclusion of the Regular Business meeting. The Board will convene to Conference Room 8 to continue consideration of Regular Closed Session Agenda Item 4 and will not consider any new items. No actions are expected to be taken and the Board will not return to the Boardroom for announcements following closed session. There were no other announcements required from closed session.

CONSENT CALENDAR

- Motion by Director Young, seconded by Director Smith to approve Items 1-13 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Motion No. 130-26** – Approved the Regular Meeting Minutes of July 14, 2026.

2. The following correspondence was filed with the Board: **1)** Presentation entitled, "Service Award Recipients: April – June 2026," dated August 11, 2026; **2)** Presentation entitled, "Board of Directors Governance Manual Updates," dated August 11, 2026; **3)** Presentation entitled, "Fiscal Year 2026 Communications Update," dated August 11, 2026; **4)** Speakers' Bureau and Outreach Record CY26, dated August 11, 2026; **5)** Oakland Tribune Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 3 and July 10, 2026); **6)** Contra Costa Times Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2 and July 10, 2026); **7)** West County Times Proof of Publication

Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2, July 3, and July 10, 2026); **8)** San Ramon Valley Times Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2 and July 10, 2026); **9)** Alameda Journal Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2, July 3, and July 10, 2026); **10)** Berkeley Voice Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2, July 3, and July 10, 2026); **11)** Daily Review Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 3 and July 10, 2026); **12)** El Cerrito Journal Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2, July 3, and July 10, 2026); **13)** Montclarion Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2, July 3, and July 10, 2026); **14)** Piedmonter Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Legal No. 0006977360 published July 2, July 3, and July 10, 2026); **15)** Oakland Post Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (CNS No. 4056877 published July 1 and July 8, 2026); **16)** El Mundo Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (CNS No. 4056876 published July 2 and July 9, 2026); **17)** Sing Tao Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (CNS No. 4056879 published July 2 and July 9, 2026); **18)** Mo Magazine Proof of Publication Notice of Election For The Office of Director of the East Bay Municipal Utility District (Published July 4 and July 11, 2026); and **19)** Notarized Affidavit of Posting Notice of Election For The Office of Director of the East Bay Municipal Utility District, dated August 13, 2026.

3. **Motion No. 131-26** – Awarded a contract beginning on or after August 11, 2026 to the lowest responsive/responsible bidder, Thomas and Associates, for supplying two 6-inch centrifugal pumps with tandem axle trailers for the District's Stockton Service Center, for a total cost, after the addition of taxes, not to exceed $240,932 under Request for Quotations No. 2602A.

4. **Motion No. 132-26** – Awarded a contract beginning on or after August 11, 2026 to the lowest responsive/responsible bidder, Thomas and Associates, for supplying one Gorman Rupp 6-inch self-priming centrifugal pump for the District's SD-1 Operations Center, for a total cost, after the addition of taxes, not to exceed $117,492 under Request for Quotations No. 2619.

5.1. – 5.2. **Motion No. 133-26** – Awarded contracts beginning on or after August 11, 2026 to 4 Brothers Trucking LLC; CM Excavating, Inc.; Darrah Trucking & Excavating, Inc.; Giving Tree Capital LLC; Green Dream International; Kariba Systems Inc.; SN SANDS Corporation DBA S & S Trucking; and Sky Rock Inc., for supplying the District backfill material for one year with four options to renew for additional one-year periods in an aggregate amount, after the addition of taxes, including option years, not to exceed $45,945,465 under Request for Quotations No. 2604; and awarded additional contracts for supplying backfill material on an as-needed basis and subject to the total aggregate amount awarded by the Board for such items on August 11, 2026, with vendors that meet District standards and offer pricing at or below the range in the proposed contracts with the vendors above to increase flexibility and ensure vendor availability. The Board of Directors will be notified of additional qualified vendors by means of the General Manager's monthly report.

6. **Motion No. 134-26** – Authorized the execution of an agreement with Calaveras County Water District for the East Bay Municipal Utility District to purchase up to 150 acre-feet of surface water supply each year from the Mokelumne River watershed at an initial cost of $206.92 per acre-foot, subject to annual price adjustment, to serve the Camanche South Shore Recreation Area.

7. **Motion No. 135-26** – Authorized an agreement beginning on or after August 11, 2026 with California Marine Diesel for three years with two options to renew for additional one-year periods for a total amount, including option years, not to exceed $1,200,000 for engine component repair and rebuild services for the Power Generation Station located at the Main Wastewater Treatment Plant.

8. **Motion No. 136-26** – Authorized an agreement beginning on or after August 11, 2026 with GE Energy Power Conversion, Inc. in a total amount not to exceed $2,433,300 for manufacturing, programming, technical advice, training, documentation, optional services, and supply services for the Effluent Pump Station Drive Upgrade Project.

9. **Motion No. 137-26** – Authorized an agreement beginning on or after August 11, 2026 with R&D Electric, Inc. in an amount not to exceed $1,652,560 for site preparation, installation, testing and commissioning a 500 kilowatt emergency diesel generator with load bank, switchboard, automatic transfer switch, control panel, and associated conduits and cabling at the Mokelumne River Fish Hatchery to retrofit the existing back-up power system.

10.1. – 10.2. **Motion No. 138-26** – Authorized amendments to the agreements originally authorized on August 12, 2025 under Board Motion No. 160-25 with Ferguson Welding Service, Inc.; John Arthur Welding, Inc.; Larsson Welding; Nicole Welding, Inc.; True Welding LLC; and Woods Welding to extend the terms of the agreements to August 10, 2027 with no change to the total aggregate amount of $230,000 for welding services; and authorized additional agreements for welding services on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on August 12, 2025, 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.

11. **Motion No. 139-26** – Authorized the purchase of VMware by Broadcom license and support subscriptions beginning on or after August 11, 2026 from Computacenter United States Inc., for one year, for a total amount not to exceed $319,126.22. This purchase will be made under State of California contracts available for use by local governments.

12. **Motion No. 140-26** – Approved the June 2026 Monthly Investment Transactions Report.

13. **Resolution No. 35505-26** – Adopting New Policy 5.02, Conflict Of Interest For Design-Build Procurement; New Policy 6.18, Records And Information Management; Revised Policy 4.20, Use Of District Technology Resources; And Revised Policy 6.12, Utility District Employees' Association.

DETERMINATION AND DISCUSSION

14. **Legislative Update.**

Manager of Legislative Affairs Kathy Viatella reviewed Legislative Report No. 06-26, which includes information regarding Proposition 45, the Building an Affordable California Act. Proposition 45 would amend the California Environmental Quality Act (CEQA) to create an alternate process for the environmental review of essential projects that project applicants can opt in to. The definition of an essential project includes "all related and ancillary public, private, and utility infrastructure" needed to serve the essential project. Proposition 45 has qualified as a voter initiative and will be on the November 2026 General Election ballot. If it is approved by a majority of voters, it would take effect in mid-December after the California Secretary of State certifies the election results. Ms. Viatella reviewed key provisions of the measure and noted Proposition 45 is a mix of potential benefits and risks to the District. She noted several provisions remain unclear and may require further clarification if approved by voters. Next, she provided an update on recent state and federal legislative activities and the status of bills of interest to EBMUD. The Board requested additional information on the authorization process to receive funding from Proposition 4 – Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.

- Director Young left the meeting at 2:04 p.m. and returned at 2:04 p.m.
- Director Chan left the meeting at 2:12 p.m. and returned at 2:15 p.m.
- Director Oddie left the meeting at 2:21 p.m. and returned at 2:22 p.m.

15. **Appoint an Ad Hoc Committee to negotiate amendments to employment agreements with the General Manager and the General Counsel.**

President Gómez requested three Board members to serve on an Ad Hoc Committee as the Board's representatives to negotiate amendments to the employment agreements with the General Manager and the General Counsel. Consistent with past practice, Director Katz recommended appointing President Gómez, Vice President Lewis and immediate past President Young to serve on the Ad Hoc Committee.

- Motion by Director Katz, seconded by Director Chan to appoint an Ad Hoc Committee consisting of President Luz Gómez, Vice President Valerie D. Lewis, and Director Marguerite Young to negotiate amendments to the employment agreements with the General Manager and the General Counsel carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 141-26 – Appointed an Ad Hoc Committee consisting of President Luz Gómez, Vice President Valerie D. Lewis and Director Marguerite Young to negotiate amendments to the employment agreements with the General Manager and the General Counsel.

16. **Review and discuss proposed revisions to the Board of Directors Governance Manual and provide guidance to staff on finalizing the Governance Manual for adoption at the September 8, 2026 Regular Board meeting.**

The Board adopted the Governance Manual in November 2024 and proposed revisions both directly to staff and through guidance provided during the March 10, 2026 Board retreat, and the

April 28, 2026, and June 23, 2026 Finance/Administration Committee meetings. Staff also recommends revisions to the Governance Manual based on their experience implementing its procedures and guidelines. Staff reviewed the most recent revisions with the Finance/Administration Committee earlier this morning and the Committee supported the proposed changes. General Counsel Derek T. McDonald noted that the signature page had been updated to reflect the current Board members and provided an overview of the proposed revisions. The Board discussed how seniority would be used in Section 3.04(c), Role of the President Pro Tem, to determine which Board member would serve as President Pro Tem and asked staff to add "most" before the word seniority for clarity. At the request of a Board member, a new provision was added to Section 4.02, Conduct Between Board Members, requiring Board members to promptly forward correspondence addressed to, or reasonably intended for, multiple Board members to the Secretary of the District for distribution. Section 4.03, Conduct at Board Meetings, is new and incorporates principles of conduct developed by the Board. The principle "listen with trust and respect for everyone" was further revised based on Finance/Administration Committee feedback. Section 5.02 was formerly entitled "Failure to Abide by Principles of Ethics and Conduct" and has been split into two sections so that provisions regarding ethics violations are in Section 5.02 and provisions on conduct violations are in Section 5.03. The Board discussed Section 7.04, Removal or Resignation of Board Officers, and Mr. McDonald responded to questions on whether removal of an officer should require a majority or unanimous vote and how the voting requirement would apply when only a quorum of the Board is present. Section 9.03, Required Ongoing Training, was updated to reflect Senate Bill 827 requirements for ethics and fiscal and financial training for Board members, while Section 11.04, Time and Place of Meetings, was updated to reflect the Board meeting schedule adopted on May 26, 2026, the updated Boardroom name, and revised start times for Closed Session and standing committee meetings. The Board discussed Brown Act considerations related to meeting start times. Mr. McDonald and Secretary of the District Rischa S. Cole explained staff's procedures for notifying and providing information to the public regarding delays in meeting start times. Next, Mr. McDonald reviewed Section 11.08, Posting Meeting Agendas, which was revised to clarify that meeting agendas must be posted at all meeting locations in accordance with the Brown Act. Section 12.01, Committee Assignments, was revised to clarify that the Board President may remove a Board member as a Committee chair and appoint a new chair if the member is also consistently absent to Committee meetings and to clarify that this section is subject to the powers of the President as outlined in Section 3. Appendix 2, Governing Laws and Regulations, was revised to reflect updated ethics training timelines and new fiscal and financial training requirements under Senate Bill 827, and Appendix 6, EBMUD Facility and Program Naming Guidelines, was added as a new appendix. Staff will incorporate today's feedback and present the final Governance Manual for Board consideration to adopt at the September 8, 2026 Regular Board meeting.

17. **General Manager's Report.**

Communications Update

Special Assistant to the General Manager Kelly A. Zito presented an overview of Fiscal Year (FY) 2026 communications activities and outlined planned outreach for FY 2027, both aligned with the District's Strategic Communications Plan. She reviewed the District's communications framework with goals to raise awareness of EBMUD as a vital, responsive, and innovative part of the Community and to unify and streamline District communications. FY 2026 communications priorities focused on emergency preparedness, infrastructure investment and the value of water. Ms. Zito highlighted emergency preparedness outreach related to wildfires, earthquakes, emergency water storage and supply awareness, and the District's response to the invasive golden

mussel. Staff held community meetings, Water Wednesday webinars, launched social media and proactive media campaigns, coordinated with partner agencies, and participated in live events. The District highlighted infrastructure investments focusing on capital improvement, infrastructure reliability, climate resilience, and long-term asset management. Efforts to promote EBMUD's high-quality drinking water included partnerships that featured "drink tap" videos and fountain messaging across the Oakland Zoo, Lawrence Hall of Science, and Oakland Ballers and Oakland Roots game days. The *H2Flow en Español* campaign generated more than 3.4 million video views while the 2025 H2Flow song and music video received the California Public Information Officers' Star Award for Video – Water Education and the Association of California Water Agencies' Huell Howser Award for Excellence in Communications. Staff joined with community partners to promote career opportunities and the Customer Assistance Program; collaborated with community organizations, local governments, schools, and workforce training programs; expanded internship and career awareness campaigns; and shared workforce success stories. These efforts generated about one million impressions and more than 24,000 visits to the District's Jobs webpage. For FY 2027, planned initiatives include the Wastewater System's 75th Anniversary Open House on September 26, 2026; an educational assembly with the Alphabet Rockers at Siesta Valley Bowl on October 23, 2026; a fire preparedness video series; the 2026-2027 Customer Opinion Survey; and outreach regarding the FY 2028/2029 budget and rates. The District developed a water conservation Science, Technology, Engineering, Arts, and Mathematics (STEAM) kit that will be available online for schools to teach children how to perform water audits. Ms. Zito closed out by recognizing staff for their work and thanked the Board and General Manager for their support.

- Director Oddie left the meeting at 2:51 p.m. and returned at 2:53 p.m.

Monthly Report – July 2026

General Manager Clifford C. Chan announced that the Speakers' Bureau and Outreach Record CY26 had been provided at Board places and the July 2026 Monthly Report had been provided in the agenda materials. He reported that FY 2026 billed water consumption was 138.3 million gallons per day, approximately 5.1 percent lower than the previous fiscal year. Water production through July was 183 million gallons per day, which was lower than the previous July and FY 2026 revenue totaled approximately $780 million, or 2.4 percent below budget.

DIRECTOR COMMENTS

18. **Other Items for Future Consideration.**

- None.

19. **Director Comments.**

- Director Chan reported attending a special DERWA Board meeting in Dublin on July 27 and a National Night Out event in Cherryland on August 4.

- Director Katz reported attending several National Night Out events on August 4.

- Director Lewis reported attending a virtual meeting with EBMUD, the City of Oakland, and the Oakland Fire Department regarding a constituent matter on July 31.

- Director Smith reported attending the Hercules City Council meeting on July 14; Contra Costa/Alameda County Joint Special Districts Association meeting in Oakley on July 15; UMRWA Board meeting at Pardee and a Blue Forest Upper Mokelumne tour in Pioneer on July 24; and several National Night Out events on August 4.

- Director Oddie reported attending the Clean Water Fund Making Waves event in Oakland on June 25; Bayside Groundwater Facility community virtual meeting on June 25; Fourth of July parade in Alameda; and plans for a joint Ward briefing with Director Lewis on October 22.

- Director Young reported attending a luncheon with California Shakespeare Theater supporters at Siesta Valley Bowl in Orinda; National Night Out events on August 4; and a concert at Siesta Valley Bowl with President Gómez on August 7. Director Young asked staff to consider providing EBMUD information packets for Directors attending future National Night Out events.

- President Gómez reported attending an East Bay Economic Development Alliance TCHO Chocolate Factory tour in Berkeley on July 24; a special DERWA Board meeting in Dublin on July 27; a Sacramento Lobby Day event on August 4; the Contra Costa Mayors Conference in Oakley on August 6; and a concert at Siesta Valley Bowl with Director Young on August 7.

ADJOURNMENT

President Gómez adjourned the Regular Business Meeting at 3:16 p.m. The Board convened to Conference Room 8 to continue consideration of Regular Closed Session Agenda Item 4.

SUBMITTED BY:

_____
Rischa S. Cole, Secretary of the District

APPROVED: September 8, 2026

_____
Luz Gómez, President of the Board

Draft Prepared By
RC
Secretary of the District

MINUTES

Tuesday, August 18, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Special Business Meeting

President Luz Gómez called to order the Special Business Meeting of the Board of Directors at 10:11 a.m. in the Administration Building William "Bill" Patterson Boardroom. The Board met to take action pursuant to Assembly Bill 408, codified as Public Utilities Code Section 11852.5, to either appoint the sole candidates running for election in Wards 2 and 4, or proceed with the elections in the wards.

ROLL CALL

Directors Andy Katz (remote), Valerie D. Lewis (remote), Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez (remote) were present at roll call. Director April Chan arriced at 10:12 a.m.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

PUBLIC COMMENT

There was no public comment.

DETERMINATION AND DISCUSSION

1. **Take actions regarding the November 3, 2026 General Election pursuant to Assembly Bill (AB) 408, codified as Municipal Utility District (MUD) Act section 11852.5, to either appoint the sole East Bay Municipal Utility District candidates running for election in Wards 2 and 4 or proceed with the elections for these candidates in the wards.**

   President Gómez announced that AB 408 codified as MUD Act section 11852.5 allows the Board to appoint a sole unopposed candidate or to proceed with an election. The terms of Directors for Wards 2, 3, 4, and 7 expire December 31, 2026. The regular election for Directors is scheduled for November 3, 2026. Appointing unopposed candidates saves the District and its ratepayers the cost of holding elections. Pursuant to AB 408, county elections officials were required to notify the District by August 12 if no one or only one person had filed a declaration of candidacy for a particular ward. On August 8, Alameda County elections officials notified the District that Ward 4 incumbent Andy Katz was the only candidate to file in the ward by the close of the nomination period. On August 11, Contra Costa County elections officials similarly notified the Secretary of the District that Ward 2 incumbent Luz Gómez and Ward 4 incumbent Andy Katz were the only candidates to file in their respective wards.

   - Motion by Director Young, seconded by Director Oddie, to appoint incumbent Andy Katz to the EBMUD Board seat in Ward 4, carried (7-0) by the following roll call vote: (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35506-26 – Appointing Andy Katz To The Board Of Directors Of East Bay Municipal Utility District.

- Motion by Director Lewis, seconded by Director Smith, to appoint incumbent Luz Gómez to the EBMUD Board seat in Ward 2, carried (7-0) by the following roll call vote: (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

  Resolution No. 35507-26 – Appointing Luz Gómez To The Board Of Directors Of East Bay Municipal Utility District.

  Director Katz said he is looking forward to working with the Board for another four years. President Gómez thanked the Board for the appointment to her first full four-year term and said she looks forward to continuing to represent Ward 2.

– Director Chan left the meeting at 10:15 a.m. and returned at 10:16 a.m.

ADJOURNMENT

President Gómez adjourned the special meeting at 10:17 a.m.

SUBMITTED BY:

_____
Rischa S. Cole, Secretary of the District

APPROVED: September 8, 2026

_____
Luz Gómez, President of the Board

Draft Prepared By
RC
Secretary of the District

MINUTES

Friday, August 21, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California

Special Business Meeting

President Luz Gómez called to order the Special Business Meeting of the Board of Directors at 4:05 p.m. in the Administration Building William "Bill" Patterson Boardroom. The Board met in closed session to discuss matters related to existing litigation pursuant to Government Code section 54956.9(d)(1): *Saji Pierce, et al. v. East Bay Municipal Utility District, et al.* USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT, Ninth Circuit Court of Appeals, Case No. 24-1260 and reconvened in the Boardroom in open session to consider approving the payment of the judgment in the case in the amount of $7,990,000.00, plus accrued interest.

ROLL CALL

Directors April Chan (remote), Andy Katz, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call. Director Valerie D. Lewis was absent and excused.

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

PUBLIC COMMENT

– Addressing the Board was Ivette Rivera who commented on the Pierce/Bland case, the interest that has been accruing on the judgement amount and stated she would be submitting a public records request for the District's costs for defending and responding to the lawsuit.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Gomez announced the Board would convene to the Board Conference room to discuss Closed Session Agenda Item 1a and would reconvene in the Boardroom following the discussion to consider Determination and Discussion Agenda Item 1.

DETERMINATION AND DISCUSSION

The Board of Directors reconvened in the William "Bill" Patterson Boardroom at 5:40 p.m. President Gomez announced all Directors (except Director Lewis) were present to consider Agenda Item 1.

1. **Approve the payment of the judgment in *Saji Pierce, et al. v. East Bay Municipal Utility District, et al.*, USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT, in the amount of $7,990,000.00, plus accrued interest.**

   General Counsel Derek T. McDonald announced that the Board is voting on payment of the judgement in the amount of $7,990,000.00, and total accrued interest as of Monday, August 24,

2026 in the amount of $1,390,474.14. The payment would be made tonight and processed on Monday, August 24, 2026.

- Motion by Director Young, seconded by Director Smith to approve payment of the judgment in the amount of $7,990,000.00, plus payment of the total accrued interest as of Monday, August 24, 2026 in the amount of $1,390,474.14, carried (6-0) by the following roll call vote: (Chan, Katz, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (Lewis).

  Motion No. 142-26 – Approved the payment of the judgment in *Saji Pierce, et al. v. East Bay Municipal Utility District, et al.,* USDC, N.D. Cal., Case No. 3:21-cv-04325-AGT, in the amount of $7,990,000.00, plus payment of the total accrued interest as of Monday, August 24, 2026 in the amount of $1,390,474.14.

ADJOURNMENT

President Gómez adjourned the special meeting at 5:42 p.m.

SUBMITTED BY:

_____
Rischa S. Cole, Secretary of the District

APPROVED: September 8, 2026

_____
Luz Gómez, President of the Board

EBMUD

BOARD ACTION

Agenda Number:	3.	Meeting Date:	September 8, 2026

TITLE **INDUCTIVELY COUPLED PLASMA MASS SPECTROMETER WITH AUTOSAMPLER**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Award a contract beginning on or after September 8, 2026 to the lowest responsive/responsible bidder, Agilent Technologies, Inc., to furnish, install, test, and validate one new bench top Inductively Coupled Plasma Mass Spectrometer with autosampler to the District's SD-1 Laboratory for a total cost, after the addition of taxes, not to exceed $258,768 under Request for Quotation (RFQ) No. 2616.

SUMMARY

This contract is for the purchase of one Inductively Coupled Plasma Mass Spectrometer (ICP-MS) with autosampler for trace metals analysis of water, wastewater, and other environmental samples. These analyses are currently performed on aging equipment that requires periodic vendor service and repairs, which can delay reporting for District programs.

DISCUSSION

The District Laboratory supports water and wastewater systems' operations by performing a wide range of analyses including trace metals for drinking water, wastewater, recycled water, resource recovery, and solids. The trace metal analyses support regulatory compliance, process controls, source water monitoring, the customer lead voucher program, hazardous waste characterization, operational and capital improvements, and special projects.

The existing Agilent 7900 ICP-MS, purchased in 2016, is the only ICP-MS in the laboratory and has required multiple significant repairs in recent years. Increasing concerns about component wear, parts availability, and potential extended downtime create a significant risk to the laboratory's ability to provide timely analytical results. Replacing the instrument will reduce the risk of unexpected failure and ensure continuity of laboratory operations.

The proposed Agilent 7850 ICP-MS will meet regulatory testing requirements while improving analytical efficiency, throughput, and reliability.

This purchase supports the District's Water Quality and Environmental Protection Strategic Plan goal.

VENDOR SELECTION

An RFQ was posted on the District's website, advertised in the East Bay Times, and sent to 14 potential proposers. Two bids were received. Agilent Technologies, Inc. was the lowest responsive/responsible bidder.

Originating Department: Finance	**Department Director or Manager:** Robert L. Hannay	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY2027; Award#7000341; Page 194	**Budget Coding:** 21.934.0000.3100125.55210		**Approved:**
Attachment(s): P-035; P-061			

Title:	Inductively Coupled Plasma Mass Spectrometer with Autosampler	Meeting Date:	September 8, 2026

SUSTAINABILITY

Economic

Funding for this purchase is available in the Fiscal Year 2027 adopted capital budget for General Wastewater.

This purchase includes six years of service at a fixed price, representing a 49 percent discount from the regular cost. This reduces District costs while improving budget predictability.

Social

This purchase will improve reliable trace metals monitoring at required regulatory levels and support source water, customer lead sample kit testing, and other District programs. Improved efficiency will reduce repeat analyses, laboratory waste, and consumable use while supporting timely environmental decision-making.

This purchase enables the District to meet or exceed regulatory requirements and maintain the District's high standard of environmental stewardship.

ALTERNATIVES

Do not replace the instrument. This alternative is not recommended because the District Laboratory would not be able to reliably perform drinking water and wastewater trace analyses of regulated metals within the required turnaround.

Reject all bids and re-bid. This alternative is not recommended because the District engaged in a fair and competitive bid process and obtained a bid that meets all specifications and is reasonable for the materials and supplies being purchased.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Materials and Supplies Contract - RFQ No. 2616 Inductively Coupled Plasma Mass Spectrometer with Autosampler	August 25, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Agilent Technologies, Inc. Santa Clara, CA			**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**0.0%**
	Ethnicity	**Gender**	**White Women**	**2%**	**0.0%**
$258,768 *	Publicly Held Corporation	-	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Agilent Technologies, Inc. ***SUBS:*** None	$258,768	Publicly Held Corporation							100.0%		
TOTAL	$258,768				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	2,301	1,349	2,169	5,819
Percent of Total Employees:	39.5%	23.2%	37.3%	
MSA Labor Market %:	24.5%	21.6%	53.9%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is a publicly held corporation.
Contract Duration : NA.

*Total not to exceed: $258,768

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Inductively Coupled Plasma Mass Spectrometer with Autosampler**

Materials and Supplies Contract - RFQ No. 2616

DATE: 8/25/2026

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership / Company Name, Owner/Contact Person, Address, and Phone Number		Number of Ethnic Minority Employees: B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	PHC	Company Wide	406	569	1,039	13	2,027	34.8%	27.3%
Agilent Technologies, Inc.		Manager/Prof	132	232	709	1	1,074	32.7%	
Emily Williams		Technical/Sales	94	178	218	9	499	28.9%	
5301 Stevens Blvd.		Clerical/Skilled	89	71	28	1	189	49.1%	
Santa Clara, CA 95051		Semi/Unskilled	91	88	84	2	265	61.9%	
		Bay Area	145	246	693	5	1089	34.4%	39.9%
802-861-8714		AA Plan on File:	NA		Date of last contract with District:			3/9/2021	
		Co. Wide MSA:	USA		# Employees-Co. Wide:		5,819	Bay Area:	3,169
P	Unclassified	Company Wide	12	43	100	0	155	34.6%	8.4%
Thermo Electron North America LLC		Manager/Prof	10	34	75	0	119	37.0%	
Sara Samuels		Technical/Sales	1	9	23	0	33	27.7%	
1400 Northpoint Pkwy, Ste 10		Clerical/Skilled	1	0	2	0	3	42.9%	
West Palm Beach, FL 33407		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	3	32	0	35	0.0%	39.9%
513-262-5147		Co. Wide MSA:	USA		# Employees-Co. Wide:		448	Bay Area:	69

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	4.	Meeting Date:	September 8,2026

TITLE **HIGH PRESSURE WATER JETTING TRAILER**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Award a contract beginning on or after September 8, 2026 to the lowest responsive/responsible bidder, WECO Industries, LLC, for supplying one high pressure water jetting trailer - US Jetting 6018, with Freight On Board to the District's Main Wastewater Treatment Plant (MWWTP), for a total cost, after the addition of taxes, not to exceed $185,239 under Request for Quotation (RFQ) No. 2703.

SUMMARY

This contract is for the purchase of a high pressure water jetting trailer – (US Jetting 6018). This trailer is an upgraded replacement to the ageing US Jetting 4018 currently in service. This trailer will be used to clean piping and valves on various systems at the MWWTP and in the regular maintenance of pump station wet wells and the District-owned wastewater collection system.

DISCUSSION

The contract will replace the ageing US Jetting 4018 high pressure water jetting trailer. The current high pressure water jetting trailer was acquired 10 years ago. The current high pressure water jetting trailer is nearing the end of its useful life and cannot meet the expanded scope of work and increasingly demanding tasks. The new US Jetting 6018 is needed to perform planned and unplanned work at the MWWTP and the wastewater collection system. This new US Jetting 6018 has 50 percent higher operating pressure, which is needed for more challenging jobs that are currently accomplished with far more labor-intensive means, such as hammers and chisels. This added capability will increase the range of critical work that staff can perform, while reducing manual labor requirements, job completion time, and potential for injury.

The procurement supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION

An RFQ was posted on the District's website, sent to three prospective bidders, and advertised in the Oakland Tribune. One bid was received. WECO Industries, LLC was the lowest responsive/responsible bidder and met all the requirements of the RFQ.

Originating Department: Finance	**Department Director or Manager:** Robert L. Hannay	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY2027; Award #7000341, Page 194	**Budget Coding:** 21-911-0000-31000127-55210		**Approved:**
Attachment(s): P-035; P-061			

Title:	High Pressure Water Jetting Trailer	Meeting Date:	September 8, 2026

SUSTAINABILITY

Economic

Funding for this purchase is available in the Fiscal Year 2027 adopted capital budget for General Wastewater.

ALTERNATIVES

Do not award this contract. This alternative is not recommended because the equipment is needed to replace the ageing equipment.

Reject received bid and re-bid. This alternative is not recommended because the District engaged in a fair and competitive bid process and the bid received met the specifications

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Materials and Supplies Contract - RFQ No. 2703 High Pressure Water Jetting Trailer	August 31, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
WECO Industries, LLC Vacaville, CA	Sole Bidder		**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**100.0%**
	Ethnicity	**Gender**	**White Women**	**2%**	**0.0%**
$185,239 *	White	Men	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: WECO Industries, LLC	$185,239	White	X		100.0%						
SUBS: None											
TOTAL	$185,239				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	4	1	10	15
Percent of Total Employees:	26.7%	6.7%	66.7%	
MSA Labor Market %:	27.8%	24.6%	47.6%	
MSA Labor Market Location:	Solano County, California			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: Three years with two options to renew for additional two-year periods.

*Total not to exceed: $185,239.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **High Pressure Water Jetting Trailer**

Materials and Supplies Contract - RFQ No. 2703

DATE: 8/31/2026

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	1	1	6	0	8	53.3%	47.6%
WECO Industries, LLC		Manager/Prof	1	0	1	0	2	50.0%	
Marie Malaca		Technical/Sales	0	1	3	0	4	66.7%	
4971 Allison Parkway, Suite A		Clerical/Skilled	0	0	2	0	2	66.7%	
Vacaville, CA 95688		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	1	6	0	8	53.3%	39.9%
707-446-6661		AA Plan on File:	NA		Date of last contract with District:		3/9/2021		
		Co. Wide MSA:	Solano		# Employees-Co. Wide:		15	Bay Area:	15

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	5.	Meeting Date:	September 8, 2026

TITLE **RISK MANAGEMENT AND COMMERCIAL INSURANCE BROKERING SERVICES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after September 8, 2026 with Arthur J. Gallagher Risk Management Services, LLC (Gallagher) for three years with two options to renew for additional two-year periods for a total amount, including option years, not to exceed $1,052,308 for specialized risk management and commercial brokerage services.

SUMMARY

The current agreement with Gallagher, at an annual cost of $121,794, expires September 1, 2026. The proposed action will approve a new agreement with Gallagher to continue providing specialized risk management and commercial insurance brokerage services.

DISCUSSION

Since the District adopted its Policy 4.17 - Risk Management in the 1970s, it has self-insured or purchased insurance with high deductibles for Commercial General Liability, Automobile Liability, Property, and Workers' Compensation insurances to cover expected losses. The District has purchased liability, property, workers' compensation, and other insurance coverage in amounts above the District's deductibles and self-insured retention to protect against catastrophic losses.

Specialized commercial insurance brokerage services are needed to market the District's program, purchase these tailored policies and provide a variety of risk management services, including loss control, risk mitigation, alternative risk transfer and claims consultation. Staff also relies on broker expertise when reviewing complex contracts and requests for proposals to ensure the indemnification language and insurance requirements protect the District from unnecessary risks.

This item supports the District's Long-Term Financial Stability Strategic Plan goal.

CONSULTANT SELECTION

A request for proposals was posted on the District's website. Three firms submitted proposals and met the request for proposal criteria. Gallagher was selected based on its experience, quality of team members, quality and availability of services, overall costs of services, and public entity experience. Gallagher is able and willing to continue the responsibilities for risk management and commercial insurance brokering services to the District with no interruption in services.

Originating Department: Finance	**Department Director or Manager:** Robert L. Hannay	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: Fiscal Year 2027	**Budget Coding:** 11.205.8851100.52310		**Approved:**
Attachment(s): P-035; P-061			

Title:	Risk Management and Commercial Insurance Brokering Services	Meeting Date:	September 8, 2026

SUSTAINABILITY

Economic

No direct expenditure of budgeted funds is expected as the cost of this agreement is expected to be covered by commissions negotiated by the District and paid by the various insurance companies, including payment of any sub-consultant fees, as well as other risk management services, as required. If commissions are not sufficient to cover the broker annual fees, the District will be responsible for paying those fees.

ALTERNATIVE

Select another consultant. This alternative is not recommended because Gallagher was determined to be the best qualified to provide risk management and commercial insurance brokering services.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement Risk Management and Commercial Insurance Brokering Services	August 27, 2026

CONTRACTOR:	PERCENTAGE OF CONTRACT DOLLARS		
Arthur J. Gallagher Risk Management Services, LLC Irvine, CA	**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE: / **FIRM'S OWNERSHIP**	**White Men**	**25%**	**0.0%**
Ethnicity / **Gender**	**White Women**	**6%**	**0.0%**
$1,052,308 * / Publicly Held Corp. / -	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Arthur J. Gallagher Risk Management Services, LLC ***SUBS:*** None	$1,052,308	Publicly Held Corporation							100.0%		
TOTAL	$1,052,308				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	6,616	10,678	6,338	23,632
Percent of Total Employees:	28.0%	45.2%	26.8%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is a publicly held corporation.
Contract Duration: Three years with two options to renew for additional two-year periods.

*Total not to exceed: $1,052,308.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Risk Management and Commercial Insurance Brokering Services**

Professional Services Agreement

DATE: 8/27/2026

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees: B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	PHC	Company Wide	1,761	2,944	1,152	47	5,904	25.0%	27.3%
		Arthur J. Gallagher Risk Management Services, LLC Susan McGrath 2050 Main St., Suit 1250 Irvine, CA 92614 630-285-3600							
		Manager/Prof	1,395	1,984	986	33	4,398	25.1%	
		Technical/Sales	113	634	107	10	864	18.7%	
		Clerical/Skilled	253	324	58	4	639	43.2%	
		Semi/Unskilled	0	2	1	0	3	100.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File: NA	Date of last contract with District: 1/1/2019						
		Co. Wide MSA: USA	# Employees-Co. Wide: 23,632				Bay Area: 0		
P	Unclassified	Company Wide	449	1,053	580	41	2,123	24.9%	27.3%
		Alliant Insurance Services, Inc. Becki Maines 560 Mission St., 6th Floor San Francisco, CA 94105 949-629-7767							
		Manager/Prof	150	298	252	11	711	25.6%	
		Technical/Sales	64	110	42	14	230	13.5%	
		Clerical/Skilled	235	644	286	16	1,181	29.1%	
		Semi/Unskilled	0	1	0	0	1	100.0%	
		Bay Area	12	26	51	1	90	36%	39.9%
		Co. Wide MSA: USA	# Employees-Co. Wide: 8,533				Bay Area: 247		
P	Unclassified	Company Wide	INFORMATION NOT PROVIDED						
		IMA Inc. Christina Manville Two Embarcadero, Floor 8 San Francisco, CA 94111 626-535-1480							
		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	6.	Meeting Date:	September 8, 2026

TITLE **MOKELUMNE AQUEDUCT NO. 3 FLOW METER CALIBRATION**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after September 8, 2026 with Brown and Caldwell in an amount not to exceed $276,120 for Mokelumne Aqueduct No. 3 Flow Meter Calibration (Project).

SUMMARY

Brown and Caldwell will calibrate two venturi flow meters on Mokelumne Aqueduct No. 3 (MOK3) at Campo Seco Center and Walnut Creek Pumping Plant No. 3 (WCPP3) using dye injection dilution testing. Calibration of the meters will help the District improve the accuracy of hydraulic modeling which is used for operational decision making and planning.

DISCUSSION

The District conveys approximately 90 percent of its water supply through the Mokelumne Aqueduct system, which extends 90 miles from Pardee Reservoir to the District's service area. The system consists of three steel pipes: Mokelumne Aqueducts No. 1, No. 2, and No. 3. The District has observed a 15 percent decrease in measured flow since 2001 for MOK3, the largest and newest aqueduct.

This Project will support the investigation into the cause of the reduced flow capacity in MOK3 by evaluating the accuracy of the most upstream and downstream venturi flow meters located at Campo Seco Center and WCPP3 (see Location Map). Dye injection dilution testing is a proven method for calibrating flow measurement. The updated flow data will improve the calibration of the District's hydraulic model which is essential for operational decision making and planning future capital improvement projects. An updated hydraulic model will also help identify next steps to restore MOK3 to full flow capacity.

This Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION

Brown and Caldwell was selected from the District-wide Professional Services Roster. Staff contacted over 30 firms with water infrastructure specialty discipline. Brown and Caldwell was the only firm to submit a proposal and was selected based on their ability to provide the necessary specialized expertise.

Originating Department: Engineering and Construction	**Department Director or Manager:** Serge V. Terentieff	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY2027; Award #7000061; Page 91	**Budget Coding:** 11-534-3100146-52310		**Approved:**
Attachment(s): P-035; P-061; Location Map			

Title:	Mokelumne Aqueduct No. 3 Flow Meter Calibration	Meeting Date:	September 8, 2026

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2027 adopted capital budget for Raw Water Infrastructure.

Social

This type of work is not performed by District forces; however, a courtesy notification of this agreement was provided to Locals 21 and 2019 on April 22, 2026.

This Project will increase the operational reliability of the untreated water system.

ALTERNATIVE

Do not perform the work. This alternative is not recommended because accurate flow meter readings are needed to ensure reliable results from the District's hydraulic model to inform operations and planning.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement - PS Consultant Roster Mokelumne Aqueduct No. 3 Flow Meter Calibration	August 6, 2026

CONTRACTOR:	Local Business / Sole Proposer
Brown and Caldwell Walnut Creek, CA	

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP	
	Ethnicity	Gender
$276,120 *	White	Men

PERCENTAGE OF CONTRACT DOLLARS		
Availability Group	**Contracting Objectives**	**Participation**
White Men	25%	100.0%
White Women	6%	0.0%
Ethnic Minorities	25%	0.0%

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Brown and Caldwell	$276,120	White	X		100.0%						
SUBS:											
TOTAL	$276,120				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	976	666	621	2,263
Percent of Total Employees:	43.1%	29.4%	27.4%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation - 100% White Men participation.
Contract Duration: NA

*Total not to exceed: $276,120.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Mokelumne Aqueduct No. 3 Flow Meter Calibration**

Professional Services Agreement

DATE: 8/6/2026

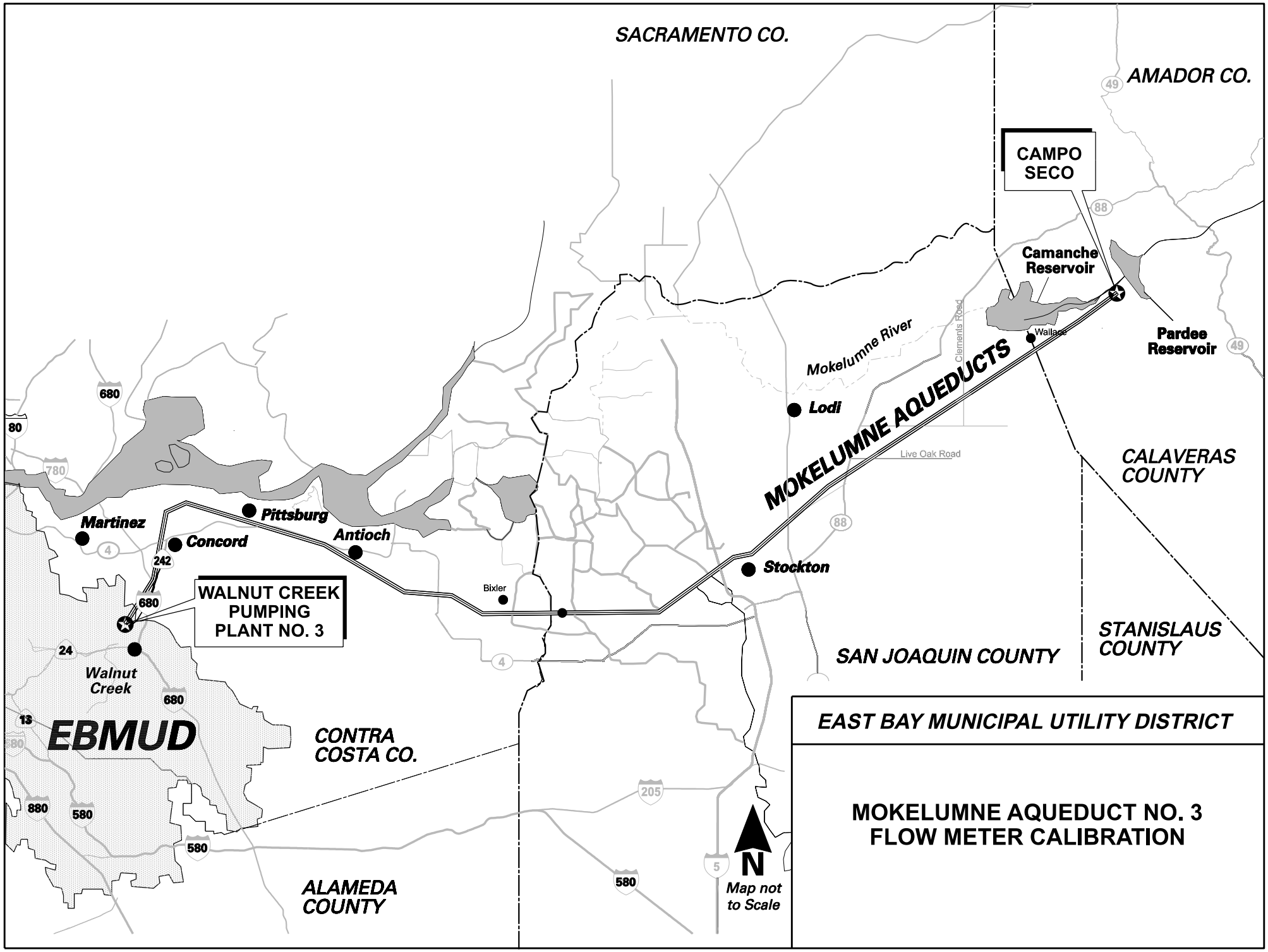
Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees						
			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM: LBE	Company Wide	98	193	249	3	543	24.0%	27.3%
		Brown and Caldwell							
		Christy Carpenter							
		201 North Civic Drive, Suite 300							
		Walnut Creek, CA 94596							
		Manager/Prof	70	164	216	2	452	22.8%	
		Technical/Sales	13	17	26	1	57	34.1%	
		Clerical/Skilled	15	12	7	0	34	29.8%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	4	16	31	0	51	48.6%	39.9%
		303-239-5410							

AA Plan on File: **NA** Date of last contract with District: **7/1/2025**

Co. Wide MSA: **USA** # Employees-Co. Wide: **2,263** Bay Area: **105**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)


SACRAMENTO CO.
AMADOR CO.
49
CAMPO SECO
88
Camanche Reservoir
Pardee Reservoir
Wallace
Clements Road
Mokelumne River
Lodi
MOKELUMNE AQUEDUCTS
Live Oak Road
CALAVERAS COUNTY
680
80
780
Martinez
Pittsburg
Antioch
Concord
4
242
680
WALNUT CREEK PUMPING PLANT NO. 3
Bixler
Stockton
88
24
Walnut Creek
680
13
EBMUD
CONTRA COSTA CO.
SAN JOAQUIN COUNTY
STANISLAUS COUNTY
4
205
880
580
580
580
5
ALAMEDA COUNTY
N
Map not to Scale
EAST BAY MUNICIPAL UTILITY DISTRICT
MOKELUMNE AQUEDUCT NO. 3
FLOW METER CALIBRATION

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EBMUD

BOARD ACTION

Agenda Number:	7.	Meeting Date:	September 8, 2026

TITLE **OWNER ADVISOR SERVICES – CENTRAL RESERVOIR REPLACEMENT PROJECT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Authorize an agreement beginning on or after September 8, 2026, with Carollo Engineers, Inc., in an amount not to exceed $9,216,911 for owner advisor (OA) services for the Central Reservoir Replacement Project (Project).

SUMMARY

This agreement provides OA services to support the District's delivery of the Project using the progressive design-build (PDB) delivery method. The OA will provide procurement support, technical reviews, risk management, project delivery support, and oversight from procurement of the design-build entity (DBE) through the design and construction of the replacement Central Reservoir facility. This project was discussed at the August 11, 2026 Planning Committee meeting and in a follow-up memorandum dated August 20, 2026.

DISCUSSION

The Central Reservoir Replacement Project (Project) replaces the 154 million gallon (MG) open cut reservoir with three new 14 MG prestressed concrete tanks to address long-standing operational constraints, hazardous materials, and structural deficiencies. To deliver the Project, the District has elected to use PDB, which is new to the District.

The OA will provide strategic advisory support throughout the PDB delivery process. During the initial phases of the Project, the OA will assist the District in refining Project requirements, developing performance-based procurement and contracting documents, establishing project controls, implementing cost and risk management processes, and preparing the procurement strategy to support a successful DBE procurement.

The OA provides specialized PDB expertise, independent cost and risk validation, and additional project-controls capacity that the District does not yet possess at the level required for this first major PDB implementation for the water system.

The agreement includes work corresponding to the procurement, design and pre-construction, and construction phases of the Project, as well as optional services, applicable to any of the work phases. Work includes:

- Procurement phase: The OA will conduct market outreach, prepare procurement documents, assist with proposal evaluations, support contract negotiations, and help select the most qualified DBE.

Originating Department: Engineering and Construction	**Department Director or Manager:** Serge V. Terentieff	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY 2027; Award 7000017; Page 111	**Budget Coding:** 11.551.3100106.52310		**Approved:**
Attachment(s): P-035; P-061			

Title:	Owner Advisor Services – Central Reservoir Replacement Project	Meeting Date:	September 8, 2026

- Design and preconstruction phase: The OA will provide independent review of design progress, validating cost estimates and schedules, managing project risks, and assisting the District in negotiating the construction contract price.
- Construction phase: The OA will provide advisory support, including project controls, quality assurance review, cost and schedule monitoring, contract administration, and construction management assistance that supports the District in delivering the Project in accordance with the District's scope, budget, schedule, quality, and risk management objectives.
- Optional services: Includes advanced foundation modeling, technical workshops, specification development support, community outreach assistance during construction, contractor underwriting review, construction management support for billing review, partnering facilitation, and quality assurance plan review.

The OA will provide expertise and knowledge on PDB and support the District during peak workload periods. The OA will conduct workshops and training sessions for staff to develop PDB skills.

This Project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION

A request for proposals was posted on the District's website, sent to 23 firms, including three diverse, small, and local firms with expertise in delivering PDB projects for California water agencies, including owner advisor services. Three firms submitted proposals, and three firms met the request for proposal criteria. Carollo Engineers, Inc. was selected based on its demonstrated experience serving as OA on PDB water infrastructure projects, strong project controls and technical expertise, and well-developed approach to PDB delivery for similarly sized and type water infrastructure projects.

Work under this agreement is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. Carollo Engineers, Inc. is licensed to perform work in California and is not on the State DIR debarment list. Carollo Engineers, Inc., and its listed subconsultants are properly registered with the State DIR.

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2027 adopted capital budget for Open-Cut Reservoir Program.

Social

Locals 2019 and 21 were notified of this agreement on December 19, 2025. Local 2019 did not raise any specific issues related to this agreement. Local 21 issues were addressed via email on January 8, 2026 and January 12, 2026, and resolved.

Environmental

A California Environmental Quality Act Environmental Impact Report (EIR) for the Central Reservoir Replacement Project was certified by the Board on April 13, 2021. This action was included in the project evaluated in the EIR.

Title:	Owner Advisor Services – Central Reservoir Replacement Project	Meeting Date:	September 8, 2026

ALTERNATIVES

Delay or do not proceed with the project. This alternative is not recommended because of the high number of deficiencies associated with the existing reservoir.

Complete the work with District forces. This alternative is not recommended because District staff lacks the specialized technical expertise and experience necessary to perform the tasks identified.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement Owner Advisor Services - Central Reservoir Replacement Project	August 7, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Carollo Engineers, Inc.	Local Business		**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**99.8%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$9,216,911 *	White	Men	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
Carollo Engineers, Inc.	$8,803,041	White	X		95.5%						
SUBS:											
Alta Planning + Design	$16,340	Unclassified						0.2%			
Divis Consulting, Inc.	$39,000	White	X		0.4%						
Environmental Science Associates	$46,000	White	X		0.5%						
Joe Hill Consulting Engineers	$43,152	White	X		0.5%						
KMP Strategies LLC	TBD	White		X		0.0%					
OrgMetrics LLC	$37,500	White	X		0.4%						
STRUCTUS, Inc.	TBD	Asian	X				0.0%				
Terraphase Engineering Inc.	$117,628	White	X		1.3%						
Canterbury Construction Management Services	$114,250	White	X		1.2%						
TOTAL	$9,216,911				99.8%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	693	420	554	1,667
Percent of Total Employees:	41.6%	25.2%	33.2%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: 99.8% White Men participation.
Contract Duration: NA.

*Total not to exceed: $9,216,911.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	YES	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Owner Advisor Services - Central Reservoir Replacement Project			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement	DATE: 8/7/2026	**9 Bay Area Counties**	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	**WM: LBE**	**Company Wide**	26	224	94	5	349	20.9%	27.3%
Carollo Engineers, Inc.		Manager/Prof	10	156	70	1	237	17.3%	
Carol Blake		Technical/Sales	8	39	15	4	66	37.7%	
2795 Mitchell Dr.		Clerical/Skilled	8	29	9	0	46	36.5%	
Walnut Creek, CA 94598		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	2	14	36	0	52	31.1%	39.9%
602-474-4034		AA Plan on File:	**NA**		Date of last contract with District:		**NA**		
		Co. Wide MSA:	**USA**		# Employees-Co. Wide:	**1,667**	Bay Area:	**167**	
S	**Unclassified: LBE**	**Company Wide**							
Alta Planning + Design		Manager/Prof							
		Technical/Sales							
304 12th St., Suite 2A		Clerical/Skilled							
Oakland, CA 94607		Semi/Unskilled							
		Bay Area							
510-540-5008		Co. Wide MSA:							
S	**WM**	**Company Wide**							
Divis Consulting, Inc.		Manager/Prof							
		Technical/Sales							
4398 Mission St.		Clerical/Skilled							
San Francisco, CA 94112		Semi/Unskilled							
		Bay Area							
415-420-3498		Co. Wide MSA:							
S	**WM: LBE**	**Company Wide**							
Environmental Science Associates		Manager/Prof							
		Technical/Sales							
180 Grand Ave., S. 1050		Clerical/Skilled							
Oakland, CA 94612		Semi/Unskilled							
		Bay Area							
510-839-5066		Co. Wide MSA:							
S	**WM: L/SBE**	**Company Wide**							
Joe Hill Consulting Engineers		Manager/Prof							
		Technical/Sales							
510 49th St., Suite 213		Clerical/Skilled							
Oakland, CA 94609		Semi/Unskilled							
		Bay Area							
415-335-7168		Co. Wide MSA:							
S	**WW: L/SBE**	**Company Wide**							
KMP Strategies LLC		Manager/Prof							
		Technical/Sales							
1721 2nd St., Suite 100		Clerical/Skilled							
Sacramento, CA 95811		Semi/Unskilled							
		Bay Area							
916-548-1982		Co. Wide MSA:							

INFORMATION NOT PROVIDED

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Owner Advisor Services - Central Reservoir Replacement Project			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement	DATE: 8/7/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
S	WM: L/SBE	Company Wide							
OrgMetrics LLC		Manager/Prof							
		Technical/Sales							
291 McLeod St.		Clerical/Skilled	INFORMATION NOT PROVIDED						
Livermore, CA 94550		Semi/Unskilled							
		Bay Area							
925-449-8300		Co. Wide MSA:							
S	EMM-A/PI: SBE	Company Wide							
STRUCTUS, Inc.		Manager/Prof							
		Technical/Sales							
159 Pine St., Suite 300		Clerical/Skilled	INFORMATION NOT PROVIDED						
San Francisco, CA 94111		Semi/Unskilled							
		Bay Area							
415-399-1710		Co. Wide MSA:							
S	WM: LBE	Company Wide	5	19	11	1	36	18.2%	27.3%
Terraphase Engineering Inc.		Manager/Prof	2	11	10	1	24	14.6%	
Hank Galindo		Technical/Sales	1	3	0	0	4	33.3%	
1300 Clay St., Suite 1000		Clerical/Skilled	2	5	1	0	8	36.4%	
Oakland, CA 94612		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	3	6	3	0	12	28.6%	39.9%
510-645-1850		Co. Wide MSA:	**USA**		# Employees-Co. Wide:		**198**	Bay Area:	**42**
S	WM	Company Wide	0	0	0	0	0	0.0%	21.6%
Canterbury Construction Management Services		Manager/Prof	0	0	0	0	0	0.0%	
William Canterbury		Technical/Sales	0	0	0	0	0	0.0%	
2679 W. Main St.		Clerical/Skilled	0	0	0	0	0	0.0%	
Littleton, CO 80120		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
303-396-9930		Co. Wide MSA:	**Colorado**		# Employees-Co. Wide:		**5**	Bay Area:	**0**
P	Unclassified: LBE*	Company Wide	415	1,298	1,507	28	3,248	24.0%	27.3%
HDR Engineering, Inc.		Manager/Prof	282	975	1,350	25	2,632	23.6%	
Bill Manhart		Technical/Sales	88	231	109	2	430	25.5%	
3003 Oak Rd., Suite 500		Clerical/Skilled	45	90	48	0	183	26.9%	
Walnut Creek, CA 94597		Semi/Unskilled	0	2	0	1	3	75.0%	
(local office)		Bay Area	5	23	126	28	182	60.5%	39.9%
402-399-1411		Co. Wide MSA:	**USA**		# Employees-Co. Wide:		**13,526**	Bay Area:	**301**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Owner Advisor Services - Central Reservoir Replacement Project			**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement	DATE: 8/7/2026	**9 Bay Area Counties**	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**	**PERCENT**	**MSA %**
P	**WM**	**Company Wide**	2	13	6	0	21	36.2%	39.9%
Tanner Pacific, Inc.		Manager/Prof	1	7	5	0	13	34.2%	
Imelda James		Technical/Sales	1	5	0	0	6	40.0%	
274 Redwood Shores Pkwy, Suite 607		Clerical/Skilled	0	1	1	0	2	40.0%	
Redwood City, CA 94065		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	9	3	0	13	38.2%	39.9%
650-585-4484 ext.761		Co. Wide MSA:	**9 Bay Area Counties**		# Employees-Co. Wide:	**58**		Bay Area:	**34**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	8.	Meeting Date:	September 8, 2026

TITLE **UPPER SAN LEANDRO AND CHABOT DAMS SITE-SPECIFIC PROBABLE MAXIMUM PRECIPITATION AND PROBABILISTIC FLOOD HAZARD ANALYSIS PROJECT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after September 8, 2026 with RTI International (RTI) in an amount not to exceed $480,261 for consultant services associated with the Upper San Leandro (USL) and Chabot Dams Site-Specific Probable Maximum Precipitation (PMP) and Probabilistic Flood Hazard Analysis (PFHA) Project.

SUMMARY

This agreement will develop an extreme design storm event for the San Leandro Creek watershed to support development of the probable maximum flood (PMF) for the USL and Chabot Dams. Technical support and training services will be provided to assist District staff in performing PFHA at the dams. The PMF and PFHA will be used to assess spillway performance and, if necessary, develop mitigation measures.

DISCUSSION

Regulatory oversight of dam safety at the District's East Bay dams is provided by the California Department of Water Resources' Division of Safety of Dams (DSOD). Per the Water Code, dam owners must update inundation mapping, including those based on an updated PMP and PMF, every 10 years for dams within their jurisdiction. The PMF is the resulting flood associated with the PMP and is analyzed as part of the safety assessment for the dams, spillways, and appurtenance structures, and for remedial design of water retaining structures. The PMP and PMF coupled with the PFHA are used to evaluate structural performance and, if necessary, develop mitigation measures.

Historically, PMP values were produced by the National Weather Service (NWS), but the last California PMP update was issued in 1999. Since then, California has experienced recent extreme rainfall events, and significant advances have been made in precipitation modeling. This agreement will provide highly specialized professional services to develop a site specific PMP for the San Leandro Creek watershed to incorporate local conditions, recent rainfall events, and more advanced precipitation modeling. The site specific PMP will support the District's PMF calculations for USL and Chabot Dams and, when combined with the PFHA results, will be used to assess the hydraulic adequacy of each dam's respective spillway system.

This project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

Originating Department: Water and Natural Resources	**Department Director or Manager:** Alice E. Towey	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY 2027; Award #7000068; Page 118	**Budget Coding:** 11.444.3100114.52310		**Approved:** Clifford Chan
Attachment(s): P-035; P-061			

Title:	Upper San Leandro and Chabot Dams Site-Specific Probable Maximum Precipitation and Probabilistic Flood Hazard Analysis Project	Meeting Date:	September 8, 2026

CONSULTANT SELECTION

A direct award was approved for RTI because no other consultants surveyed offered state-of-the-art precipitation modeling capabilities and flood hazard analysis combined with proprietary software, training, and direct technical support. RTI provides unique, specialized expertise in advancing PMP science and has developed site specific PMPs for multiple state and federal dam safety studies. RTI's modernization of the PMP process results in a more accurate estimate of the PMP, which is critical for spillway evaluations.

RTI is also the developer and licensor of the nFlow software to be used to perform the PFHA for USL and Chabot Dams. nFlow is specifically designed for dams with limited hydrologic and operational data, such as USL and Chabot Dams and integrates directly with the District's primary modeling tool, HEC-HMS. Currently, there is no other open-market or alternative software of comparable capabilities to nFlow. As the sole provider of nFlow, RTI will train and support District staff in performing the PFHA for USL and Chabot Dams.

SUSTAINABILITY

Economic

Funding for this purpose is included in the Fiscal Year 2027 adopted capital budget for Dam Operational Upgrades.

Social

This type of work is not performed by District forces; however, a courtesy notification of this agreement was provided to Locals 2019 and 21 on June 11, 2026.

ALTERNATIVE

Do not authorize this agreement. This alternative is not recommended because the current PMF is outdated and no hydrologic risk was evaluated. Specific and highly advanced updated analysis is needed to support the regulatory-required dam safety assessment.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement - PS Consultant Roster Upper San Leandro and Chabot Dams Site-Specific Probable Maximum Precipitation and Probabilistic Flood Hazard Analysis Project	July 29, 2026

CONTRACTOR:		PERCENTAGE OF CONTRACT DOLLARS		
RTI International Durham, NC	Direct Award	**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**	**White Men**	**25%**	**10.0%**
	Ethnicity / **Gender**	**White Women**	**6%**	**0.0%**
$480,261 *	Non Profit / -	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
RTI International	$432,325	Non Profit								90.0%	
SUBS:											
MGS Engineering Consultants	$47,936	White	X		10.0%						
TOTAL	$480,261				10.0%	0.0%	0.0%	0.0%	0.0%	90.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	1,029	1,925	1,342	4,296
Percent of Total Employees:	24.0%	44.8%	31.2%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: 10% White Men participation.
Contract Duration: NA

*Total not to exceed: $480,261.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:	Upper San Leandro and Chabot Dams Site-Specific Probable Maximum Precipitation and Probabilistic Flood Hazard Analysis Project		Ethnic Minority Percentages From U.S. Census Data				
			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement - PS Consultant Roster	DATE: 7/29/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number		Number of Ethnic Minority Employees						
				B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	Non Profit	RTI International Bucky Fairfax 3040 East Cornwallis Rd. Durham, NC 27713 919-541-6000	Company Wide	529	308	377	0	1,214	28.3%	27.3%
			Manager/Prof	362	172	360	8	902	25.4%	
			Technical/Sales	10	5	1	4	20	64.5%	
			Clerical/Skilled	140	131	15	0	286	41.9%	
			Semi/Unskilled	17	0	1	0	18	64.3%	
			Bay Area	1	0	7	0	8	22.9%	39.9%
			AA Plan on File:	NA		Date of last contract with District:		NA		
			Co. Wide MSA:	USA		# Employees-Co. Wide:		4,296	Bay Area:	35
S	WM	MGS Engineering Consultants 7326 Boston Harbor Rd. NE Olympia, WA 98506 360-570-3450	Company Wide	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	9.	Meeting Date:	September 8, 2026

TITLE **SOBRANTE WATER TREATMENT PLANT CLARIFIER DRIVES REPLACEMENT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize an agreement beginning on or after September 8, 2026 with Sentry Equipment Corp. (Sentry), in an amount not to exceed $479,000 for engineering, manufacturing and installation services to replace two clarifier drives at the Sobrante Water Treatment Plant.

SUMMARY

This agreement will provide for a vendor to replace the clarifier drives used to rotate the scrapers that circulate sludge generated by the treatment process at the Sobrante Water Treatment Plant.

DISCUSSION

The clarifier drives, installed in 1974, operate scrapers designed to keep sludge suspended in the water and allow for sludge removal. The existing clarifier drives have been non-operational since January 2025. Repairs cannot be made due to corrosion of bearings and structural components. District staff have manually sprayed the settled sludge with high-pressure water to agitate and circulate the sludge as an interim measure. This temporary method is not sustainable long-term, as it increases both sludge discharge volumes and operational costs, and has resulted in exceedances of the plants permitted discharge volume limits.

The services contracted for in the agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

This project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

SERVICE PROVIDER SELECTION

A request for proposals (RFP) was posted on the District's website and sent to three potential proposers. Two service providers submitted proposals, and both met the RFP criteria. Sentry was selected based on their years of expertise installing clarifiers for treatment plants and their ability to install within the required timeframe.

Work under this agreement is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. Sentry is licensed to perform work in California and is not on the State Department of Industrial Relations debarment list. Sentry and its listed subcontractors are properly registered with the State DIR.

Originating Department: Water Operations	**Department Director or Manager:** Roberto C. Cortez	**CEP Forms?** Yes	**Board Action Type:** General Services
Funds Available: FY2027; Award #7000305; Pages 18-19	**Budget Coding:** 11.734.2008884.53110		**Approved:**
Attachment(s): P-035; P-061			

Title:	Sobrante Water Treatment Plant Clarifier Drives Replacement	Meeting Date:	September 8, 2026

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2027 adopted capital budget for Small Capital Improvements.

Social

Local 444, Local 21 and Local 2019 were notified of this agreement on July 17, 2026 and did not raise any issues related to this agreement.

Environmental

This work will support continued compliance with water treatment standards and help ensure compliance with discharge permit requirements.

The project is exempt from the requirements of California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 – Existing Facilities.

ALTERNATIVES

Do not perform the work. This alternative is not recommended because the existing scrapers have failed and the interim solution is not sustainable.

Perform the work using District forces. This alternative is not recommended because District forces do not have the expertise to perform the majority of this work.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
General Services Agreement Sobrante Water Treatment Plant Clarifier Drives Replacement	July 20, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Sentry Equipment Corp. Oconomowoc, WI			**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**0.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$479,000 *	Publicly Held Corporation	-	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: Sentry Equipment Corp.	$479,000	Publicly Held Corporation							100.0%		
SUBS:											
TOTAL	$479,000				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	149	40	26	215
Percent of Total Employees:	69.3%	18.6%	12.1%	
MSA Labor Market %:	47.5%	42.8%	9.6%	
MSA Labor Market Location:	Wisconsin			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is a publicly held corporation.
Contract Duration: NA

*Total not to exceed: $479,000

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Sobrante Water Treatment Plant Clarifier Drives Replacement			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
General Services Agreement	DATE: 7/20/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
	Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	PHC	Company Wide	7	15	3	0	25	11.6%	9.6%
	Sentry Equipment Corp.	Manager/Prof	1	4	2	0	7	7.2%	
	Mikaela Gitto	Technical/Sales	3	4	0	1	8	13.3%	
	966 Blue Ribbon Circle N.	Clerical/Skilled	2	3	1	0	6	13.3%	
	Oconomowoc, WI 53066	Semi/Unskilled	1	4	0	0	5	38.5%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
	262-567-7256	AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Wisconsin		# Employees-Co. Wide:		215	Bay Area:	0
P	WM	Company Wide	INFORMATION NOT PROVIDED						
	ClearStream Environmental	Manager/Prof							
	Travis Zurcher	Technical/Sales							
	9090 South 300 West	Clerical/Skilled							
	Sandy, UT 84070	Semi/Unskilled							
		Bay Area							
	801-676-1890	Co. Wide MSA:							

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	10.	Meeting Date:	September 8, 2026

TITLE **TWENTY-YEAR AGREEMENT WITH AMADOR WATER AGENCY REGARDING USE OF CERTAIN PRE-1914 WATER SUPPLIES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize a 20-year agreement with Amador Water Agency (AWA) regarding AWA's use of certain pre-1914 water supply, which provides for annual payments to AWA and preservation of the District's Mokelumne River water supplies for a term of 20 years.

SUMMARY

The District and AWA have reached agreement resolving a dispute for the next 20 years over whether AWA may sell surplus water available under a contract AWA has with Pacific Gas and Electric Company (PG&E) to buyers located outside Amador County. Through 2046, the District would provide annual payments ranging from $0.25 million to $5.27 million in today's dollars to AWA in return for AWA's agreement to forgo using or transferring any of its contractual pre-1914 water supply outside of Amador County. The agreement preserves the existing level of reliability of the District's Mokelumne River water supply. The annual payments would vary based on the District's projected End-of-Water Year Total System Storage (TSS) and the compensable quantity of conserved water and would be adjusted for inflation based on the U.S. City Average Consumer Price Index for all Urban Consumers (CPI-U) subject to a floor of 2 percent and a ceiling of 5 percent per year during the term of the agreement.

DISCUSSION

AWA can divert up to 15,000 acre-feet of Mokelumne River water based on a 1984 contractual entitlement to PG&E's pre-1914 appropriative right. Currently, any water not diverted by AWA is released by PG&E back into the Mokelumne River and flows into Pardee Reservoir for EBMUD's use pursuant to an existing court judgement and decrees. However, AWA diversions have decreased for various reasons, including water conservation, and as a result, AWA has attempted to market this surplus pre-1914 water supply to potential buyers located outside of Amador County. Any water sold by AWA outside of Amador County would directly reduce EBMUD's Mokelumne water supply. The District contends that AWA may not use any part of the PG&E entitlement outside Amador County nor allow any third party to do so. On August 24, 2026, the District and AWA reached agreement on final terms to resolve the dispute, and AWA's Board approved the agreement on August 31, 2026.

Under the proposed agreement, the District would provide annual payments to AWA in return for AWA's agreement to forgo the use of the surplus pre-1914 water supply except to serve demand within Amador County. The District would calculate the annual payment for the "compensable quantity" of water each water year based on a tiered pricing structure that

Originating Department: Water and Natural Resources	**Department Director or Manager:** Alice E. Towey	**CEP Forms?** N/A	**Board Action Type:** Administrative
Funds Available: N/A	**Budget Coding:** 11.762.8694500.52420		**Approved:**
Attachment(s): N/A			

Title:	Twenty-Year Agreement with Amador Water Agency Regarding the Use of Certain Pre-1914 Water Supply	Meeting Date:	September 8, 2026

includes an annual inflation adjustment based on the CPI-U subject to a floor of 2 percent and a ceiling of 5 percent. The compensable quantity starts at 5,000 acre-feet each year subject to an upward adjustment if AWA proves it has conserved additional water, and to a downward adjustment if in-county use significantly increases or if new regulatory environmental flows are mandated. The District's annual payment in today's dollars is estimated to average approximately $1.8 million annually over the life of the agreement, which has a present-worth total value of $28.7 million.

The agreement also allows the District to optionally elect to receive AWA's pre-1914 water supply as a water transfer, and it allows optional transfers to a third party located outside of Amador County if both parties agree, but any out-of-county transfer is subject to the District's final approval and would reduce the District's annual payment commensurately.

The agreement contains a reciprocal indemnity requirement which requires each agency to indemnify the other agency in select circumstances. The General Manager has previously reviewed this clause with input from Risk Management and the Office of General Counsel and recommends the Board authorize this agreement.

This action supports the District's Long-Term Water Supply Strategic Plan goal.

SUSTAINABILITY

Economic

Funding for this agreement would start in December 2028 and would be included in the upcoming budget development process. The fiscal impact associated with this action is estimated to be an average of $1.8 million annually over the 20-year term of the agreement. The fiscal impact may be offset during droughts in the future by reducing the need for supplemental supplies.

Social

The proposed action would facilitate high-quality water supply reliability in the District's service area, incentivize AWA to continue responsible water conservation efforts, and maintain cooperative working relationships with upcountry agencies.

Environmental

The proposed agreement relies on the use of existing facilities to allow unused portions of AWA's Pre-1914 water supply to flow downstream into EBMUD's Pardee Reservoir and will continue a practice that exists. As such, the proposed agreement is not a project subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Section 21065 and CEQA Guidelines Section 15378 because it will not have a direct or reasonably foreseeable indirect impact on the environment.

ALTERNATIVE

Do not authorize this agreement. This alternative is not recommended because the agreement is mutually beneficial to both agencies. The agreement would resolve a legal dispute and avoid related litigation, preserve the District's Mokelumne water supply reliability, and provide financial incentives to AWA for continued water conservation.

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EBMUD

BOARD ACTION

Agenda Number:	11.	Meeting Date:	September 8, 2026

TITLE **IT SECURITY LOG MANAGEMENT AND LOG ANALYTICS**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Authorize the purchase of log management and analysis software licensing and support beginning on or after September 8, 2026 from NuSpective, Inc., for two years, for a total amount not to exceed $448,108. This purchase will be made under State of California contracts available for use by local governments.

SUMMARY

This agreement will renew licensing for the District's cloud-based centralized log management and analysis software tool. This software is needed to maintain the District's ability to identify, investigate, and mitigate cybersecurity incidents on the District network and computing infrastructure and is a key part of the District's cyber defenses.

DISCUSSION

The District has been using this centralized log management tool for the past six years to store, monitor, analyze and issue alerts on the District's network and system log data. Audit and event log collection, monitoring and analyses are a critical part of the information technology security program to protect the District's information resources and stay ahead of continually evolving cyber threats. This purchase will renew the existing log management tool for two years.

This item supports the District's Long-Term Financial Stability Strategic Plan goal.

VENDOR SELECTION

Public Contract Code, Section 10298, allows agencies, such as EBMUD, to purchase directly through State of California contracts or through State-authorized participating agreements without pursuing separate competitive bidding. Carahsoft holds State of California NASPO ValuePoint Contract No. 7-17-70-40-05/AR#2472. By leveraging the State of California contract, the District was able to receive highly favorable quotes with pre-negotiated pricing which enables the District to procure their products and services at competitively negotiated rates and terms, ensuring favorable pricing and streamlined procurement.

SUSTAINABILITY

Economic

Funding in the Fiscal Year FY2027 adopted operating budget includes funding for the first year of this multi-year agreement. Funding for the additional year will be considered as part of the associated budget development process.

Originating Department: Information Systems	**Department Director or Manager:** Sophia D. Skoda	**CEP Forms?** Yes	**Board Action Type:** Materials and Supplies
Funds Available: FY 2027	**Budget Coding:** 11-255-8877300-52430		**Approved:**
Attachment(s): P-035; P-061			

Title:	IT Security Log Management and Log Analytics	Meeting Date:	September 8, 2026

ALTERNATIVES

Select a different log management and analysis platform. This alternative is not recommended because of the additional cost, potential operational disruption, and training of staff associated with migrating to a new solution.

Do not authorize the purchase of the software licensing and support renewal. This alternative is not recommended because this software is a key part of the District cyber defenses and the District would not be able to effectively respond to cyber incidents.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Materials and Supplies Contract IT Security Log Management and Log Analytics	August 11, 2026

CONTRACTOR:		PERCENTAGE OF CONTRACT DOLLARS		
NuSpective, Inc. Pleasanton, CA	State Contract / Local / Small Business	**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**	**White Men**	**25%**	**100.0%**
	Ethnicity / **Gender**	**White Women**	**2%**	**0.0%**
$448,108 *	White / Men	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME: NuSpective, Inc.	$448,108	White	X		100.0%						
SUBS: None											
TOTAL	$448,108				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	4	2	1	7
Percent of Total Employees:	57.1%	28.6%	14.3%	
MSA Labor Market %:	24.5%	21.6%	53.9%	
MSA Labor Market Location:	Alameda County, California			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration : Two years.

*Total not to exceed: $448,108.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
IT Security Log Management and Log Analytics			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Materials and Supplies Contract	DATE: 8/11/2026	**9 Bay Area Counties**	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	**WM: L/SBE**	**Company Wide**	0	1	0	0	1	14.3%	53.9%
NuSpective, Inc.		Manager/Prof	0	0	0	0	0	0.0%	
David McMorrow		Technical/Sales	0	1	0	0	1	33.3%	
5700 Stoneridge Mall Road, Suite 220		Clerical/Skilled	0	0	0	0	0	0.0%	
Pleasanton, CA 94588		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	0	0	1	16.7%	39.9%
925-271-7556		AA Plan on File:	**NA**		Date of last contract with District:			**9/9/2025**	
		Co. Wide MSA:	**Alameda**		# Employees-Co. Wide:		**7**	Bay Area:	**6**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	12.	Meeting Date:	September 8, 2026

TITLE **ASSIGN BACKFLOW PREVENTION SYSTEM AGREEMENT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

Approve the assignment of the agreement originally authorized under Board Motion No. 169-25 from TruePoint Solutions, LLC (TruePoint) to TrueBill Solutions, LLC (TrueBill) for implementation of backflow prevention system software and ongoing support.

SUMMARY

The District's consultant for backflow prevention device inspection and testing has been acquired by TrueBill. This action would assign the existing agreement to the new entity without changing other terms. The assignment will not materially affect performance of the agreement.

DISCUSSION

In August 2025, the Board authorized an agreement under Board Motion No. 169-25 with TruePoint for $666,398 for five years, with five options to renew for additional one-year periods for a total amount, including option years, not to exceed $1,109,540 for implementation of backflow prevention system software and ongoing support. On March 17, 2026, the consultant notified the District of the acquisition of TruePoint by TrueBill. The remaining value on the agreement is $637,760 with an initial term expiration date of September 12, 2030. This assignment enables the District to continue meeting its operational goals by replacing the existing legacy backflow prevention system with a cloud-based, commercial software product to streamline inspection, testing, and reporting.

This project supports the District's Water Quality and Environmental Protection Strategic Plan goal.

CONSULTANT SELECTION

A request for proposals was posted on the District's website and sent to 29 potential proposers in 2025. Six firms submitted proposals. TruePoint was selected based on their product's configurable features and expertise with California regulations.

SUSTAINABILITY

Economic

Funding is available in the Fiscal Year 2027 adopted operating budget. Funding for the additional years will be considered as part of the associated budget development process.

Social

This type of work is not performed by District forces and consequently union notification was not required.

Originating Department: Maintenance and Construction	**Department Director:** Crystal J. Yezman	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY2027	**Budget Coding:** 11.754.8572500.52430		**Approved:**
Attachment(s): P-035; P-061			

Title:	Assign Backflow Prevention System Agreement	Meeting Date:	September 8, 2026

Environmental

The software will assist District compliance with regulations and will help protect the District's potable water supply from contamination. The new system will also reduce paper use.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement - Assignment Assign Backflow Prevention System Agreement	August 19, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
TrueBill Solutions, LLC* Provo, UT			**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**0.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$637,760 **	Unclassified	-	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
TrueBill Solutions, LLC*	$637,760	Unclassified						100.0%			
SUBS:											
None											
TOTAL	$637,760				0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	2	0	5	7
Percent of Total Employees:	28.6%	0.0%	71.4%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is unclassified.
Contract Duration: Five years, with five options to renew for additional one-year periods, with an initial term expiration date of September 12, 2030.
*TruePoint Solutions was acquired by TrueBill Solutions.

**Total not to exceed: $1,109,540.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Assign Backflow Prevention System Agreement**		Ethnic Minority Percentages From U.S. Census Data				
			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement	DATE: 8/19/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	**Unclassified**	**Company Wide**	2	0	3	0	5	71.4%	27.3%
TrueBill Solutions, LLC*		Manager/Prof	0	0	0	0	0	0.0%	
Josh Edwards		Technical/Sales	0	0	0	0	0	0.0%	
1656 S E Bay Blvd. #100		Clerical/Skilled	2	0	3	0	5	71.4%	
Provo, UT 84606		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
505-999-8235		AA Plan on File:	**NA**		Date of last contract with District:		**NA**		
		Co. Wide MSA:	**USA**		# Employees-Co. Wide:		**7**	Bay Area:	**0**
P	**EMW-A/PI**	**Company Wide**	0	-	15	0	15	57.7%	31.3%
NJBSoft, LLC		Manager/Prof	0	0	12	0	12	60.0%	
Pranam Joshi		Technical/Sales	0	0	3	0	3	100.0%	
202 E. Earll Dr., Suite 110		Clerical/Skilled	0	0	0	0	0	0.0%	
Phoenix, AZ 85012		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
602-759-1905		Co. Wide MSA:	**Arizona**		# Employees-Co. Wide:		**26**	Bay Area:	**0**
P	**WM: LBE**	**Company Wide**							
SwiftComply		Manager/Prof							
Amesia Harris		Technical/Sales							
6701 Koll Center Pkwy, Suite 250		Clerical/Skilled	INFORMATION NOT PROVIDED						
Pleasanton, CA 94566		Semi/Unskilled							
		Bay Area							
832-331-3359		Co. Wide MSA:							

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Assign Backflow Prevention System Agreement			**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement	DATE: 8/19/2026	**9 Bay Area Counties**	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
	Company Name, Owner/Contact Person, Address, and Phone Number		**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**	**PERCENT**	**MSA %**
P	**EMM-A/PI**	**Company Wide**	0	0	9	0	9	100.0%	34.2%
Truwave Software LLC		Manager/Prof	0	0	9	0	9	100.0%	
Navajeevan Pandia		Technical/Sales	0	0	0	0	0	0.0%	
170 St. Amour Pl.		Clerical/Skilled	0	0	0	0	0	0.0%	
Johns Creek, GA 30097		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
770-329-3029		Co. Wide MSA:	**Georgia**		# Employees-Co. Wide:		**9**	Bay Area:	**0**
P	**WM**	**Company Wide**	32	15	0	0	47	52.2%	34.1%
VEPO CrossConnex, LLC		Manager/Prof	5	0	0	0	5	27.8%	
Tom Moore		Technical/Sales	25	15	0	0	40	57.1%	
2417 Jericho Turnpike, PMB 414		Clerical/Skilled	2	0	0	0	2	100.0%	
Garden City Park, NY 11040		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
877-860-8376		Co. Wide MSA:	**New York**		# Employees-Co. Wide:		**90**	Bay Area:	**0**
P	**WM**	**Company Wide**	0	0	6	0	6	60.0%	34.2%
WebSoft Developers, Inc.		Manager/Prof	0	0	5	0	5	62.5%	
Manoj Desai		Technical/Sales	0	0	1	0	0	100.0%	
2020 Research Park Dr., Suite 140		Clerical/Skilled	0	0	0	0	0	0.0%	
Davis, CA 95616		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
530-759-8754 ext. 210		Co. Wide MSA:	**Sacramento**		# Employees-Co. Wide:		**10**	Bay Area:	**0**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

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EBMUD

BOARD ACTION

Agenda Number:	13.	Meeting Date:	September 8, 2026

TITLE **MONTHLY INVESTMENT TRANSACTIONS REPORT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Approve the July 2026 Monthly Investment Transactions Report.

SUMMARY In accordance with Policy 4.07 – Investments, staff prepares a monthly transactions report for the Finance/Administration Committee to review and for the Board to consider each month. The July 2026 report is being brought to the Board for consideration. This report was presented at the September 8, 2026 Finance/Administration Committee meeting.

DISCUSSION Pursuant to Policy 4.07, staff generates a monthly report of investment transactions (buys, sales, deposits, withdrawals) as well as transactions that occur as a feature of the securities held (interest, calls, maturities). Information on portfolio performance, balances, and other factors is presented in the quarterly investment report.

In July 2026, the portfolio increased from $841.4 million to $844.5 million. Net transactions increased the total by $2.1 million. Interest received added $1.0 million to the portfolio. Deposits into short-term liquidity funds totaled $24.7 million and withdrawals from the short-term liquidity funds totaled $15.8 million. The District purchased $25.0 million in securities. No securities matured, and no securities were called or sold. Net transactions at the District's commercial bank resulted in a decrease of approximately $31.8 million.

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Originating Department: Finance	**Department Director or Manager:** Robert L. Hannay	**CEP Forms?** N/A	**Board Action Type:** Financial
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): July 2026 Monthly Investment Transactions Report			

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Monthly Investment Transactions Report
July 2026

This report is presented to the Board pursuant to Government Code Section 53607 and in accordance with the District's Investment Policy 4.07.

The attached report details transactions in the District's portfolio as follows:

- **Monthly Investment Transactions Summary** **Page 1**
- **Monthly Investment Activity** **Page 2**
  - Buys Page 3
  - Deposits Page 4
  - Matured Page 5
  - Calls Page 6
  - Sales Page 7
  - Withdrawals Page 8
- **Monthly Interest Activity** **Page 9**
  - Interest Received (Transferred to Wells Fargo) Page 10
  - Interest Received (Reinvested) Page 11



Approved by: Robert L. Hannay, Acting Finance Director

Aug 24, 2026
Date

RLH:KM:MR

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Transactions Summary
July 2026

Portfolio	Beginning Balance*	Monthly Net Transaction Activity	Monthly Interest Activity	Ending Balance
001 - Water System Consolidated	644,650,641	20,000,000	475,076	665,125,717
007 - Wastewater Consolidated	123,541,665	5,000,000	190,656	128,732,321
049 - Ferc Partnership	2,306,459	-	22,515	2,328,974
009 - BACWA	2,609,302	-	25,473	2,634,775
015 - DERWA	1,153,235	-	11,260	1,164,495
002 - FRWA	1,153,235	-	11,260	1,164,495
014 - IICP	173,564	-	1,696	175,259
010 - UMRWA	73,804	-	719	74,523
003 - Employees Retirement	40,260	8,886,000	105,455	9,031,715
099 - Wells Fargo**	65,679,534	(31,772,918)	183,739	34,090,354
Total	**841,381,699**	**2,113,082**	**1,027,848**	**844,522,629**

* Portfolio balance presented at face value.

**Wells Fargo's month-end available balance per bank statement. Gross amount; not allocated by fund and not included in balances above.
A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings.

Matthew Raimondi — 8/18/2026

Prepared by: Matt Raimondi, Accounting Technician — Date

Kevin Ma — Aug 18, 2026

Reviewed by: Kevin Ma, Accounting Supervisor — Date

David Glasser — Aug 18, 2026

Approved by: David Glasser, Controller — Date

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
July 2026

Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Non-Investment Transactions*	Net Transaction Activity
001 - Water System Consolidated	20,000,000	-	-	-	-	-	-	20,000,000
007 - Wastewater Consolidated	5,000,000	-	-	-	-	-	-	5,000,000
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	24,695,000	-	-	-	(15,809,000)	-	8,886,000
Investment Activity Total	**25,000,000**	**24,695,000**	**-**	**-**	**-**	**(15,809,000)**	**-**	**33,886,000**
099 - Wells Fargo	(25,000,000)	(24,695,000)	-	-	-	15,809,000	2,113,082	(31,772,918)
Total	**-**	**-**	**-**	**-**	**-**	**-**	**2,113,082**	**2,113,082**

*Non-investment transactions are net receipts and expenditures in Wells Fargo resulting from activities other than investment and interest transactions detailed in this report.

Steven Goodman-Leibof

Approved by: Steven Goodman-Leibof, Acting Treasury Manager

Aug 18, 2026

Date

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Buys										
001 - Water System Consolidated	US Treasuries	T-Note 0 11/15/2028	912833WR7	7/15/2026	7/16/2026	11/15/2028	20,000,000	18,169,346	-	18,169,346
					Total		**20,000,000**			
007 - Wastewater Consolidated	US Treasuries	T-Note 0 11/15/2028	912833WR7	7/15/2026	7/16/2026	11/15/2028	5,000,000	4,542,337	-	4,542,337
					Total		**5,000,000**			
							25,000,000	**22,711,683**	**-**	**22,711,683**

EAST BAY MUNICIPAL UTILITY DISTRICT

Monthly Investment Activity

July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Deposits										
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/2/2026	7/2/2026	N/A	6,073,000	6,073,000	-	6,073,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/17/2026	7/17/2026	N/A	6,042,000	6,042,000	-	6,042,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/21/2026	7/21/2026	N/A	6,587,000	6,587,000	-	6,587,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/31/2026	7/31/2026	N/A	5,993,000	5,993,000	-	5,993,000
					Total		**24,695,000**			
							24,695,000	**24,695,000**	**-**	**24,695,000**

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Matured										

No Transactions this Period

-	-	-	-

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Calls										

No Transactions this Period

-	-	-	-

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Sales										

No Transactions this Period

-	-	-	-

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Withdrawals										
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/30/2026	7/30/2026	N/A	15,809,000	15,809,000	-	15,809,000
					Total		**15,809,000**			
099 - Wells Fargo	Cash	WELLS FARGO Cash	CASH2017	7/31/2026	7/31/2026	N/A	31,589,180	31,589,180	-	31,589,180
					Total		**31,589,180**			
							47,398,180	**47,398,180**	**-**	**47,398,180**

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
July 2026

Portfolio	Total Interest Received	Interest Transferred to Wells Fargo*	Net Interest Activity (Reinvested)**
001 - Water System Consolidated	489,404	(14,328)	475,076
007 - Wastewater Consolidated	310,347	(119,691)	190,656
049 - Ferc Partnership	22,515	-	22,515
009 - BACWA	27,321	(1,848)	25,473
015 - DERWA	20,671	(9,411)	11,260
002 - FRWA	19,200	(7,941)	11,260
014 - IICP	4,637	(2,942)	1,696
010 - UMRWA	6,671	(5,951)	719
003 - Employees Retirement	127,082	(21,627)	105,455
Interest Transactions Total	**1,027,848**	**(183,739)**	**844,109**
099 - Wells Fargo	-	183,739	183,739
Total	**1,027,848**	**-**	**1,027,848**

*Coupon and other interest received; reinvestment unavailable.

**Coupon and other interest payments reinvested in specific portfolio.

Matthew Raimondi — 8/18/2026

Prepared by: Matt Raimondi, Accounting Technician — Date

Kevin Ma — Aug 18, 2026

Reviewed by: Kevin Ma, Accounting Supervisor — Date

David Glasser — Aug 18, 2026

Approved by: David Glasser, Controller — Date

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Interest Received (Transferred to Wells Fargo)										
001 - Water System Consolidated	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	14,328	14,328
								Total		**14,328**
007 - Wastewater Consolidated	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	119,691	119,691
								Total		**119,691**
009 - BACWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	1,848	1,848
								Total		**1,848**
015 - DERWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	9,411	9,411
								Total		**9,411**
002 - FRWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	7,941	7,941
								Total		**7,941**
010 - UMRWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	5,951	5,951
								Total		**5,951**
014 - IICP	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	2,942	2,942
								Total		**2,942**
003 - Employees Retirement	Cash	WELLS FARGO Cash	CASH2017	7/1/2026	7/1/2026	N/A	-	-	21,627	21,627
								Total		**21,627**
							-	**-**	**183,739**	**183,739**

EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
July 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/ Dividends	Total
Interest Received (Reinvested)										
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	7/1/2026	7/1/2026	N/A	-	-	46,186	46,186
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	7/1/2026	7/1/2026	N/A	-	-	44,306	44,306
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	7/1/2026	7/1/2026	N/A	-	-	45,167	45,167
001 - Water System Consolidated	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	305,545	305,545
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	7/31/2026	7/31/2026	N/A	-	-	33,873	33,873
								Total		**475,076**
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	7/1/2026	7/1/2026	N/A	-	-	24,260	24,260
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	7/1/2026	7/1/2026	N/A	-	-	26,669	26,669
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	7/1/2026	7/1/2026	N/A	-	-	24,799	24,799
007 - Wastewater Consolidated	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	97,838	97,838
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	7/31/2026	7/31/2026	N/A	-	-	17,090	17,090
								Total		**190,656**
049 - Ferc Partnership	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	22,515	22,515
								Total		**22,515**
009 - BACWA	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	25,473	25,473
								Total		**25,473**
015 - DERWA	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	11,260	11,260
								Total		**11,260**
002 - FRWA	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	11,260	11,260
								Total		**11,260**
014 - IICP	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	1,696	1,696
								Total		**1,696**
010 - UMRWA	LAIF	LAIF LGIP	LGIP1001	7/15/2026	7/15/2026	N/A	-	-	719	719
								Total		**719**
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/14/2026	7/14/2026	N/A	-	-	105,455	105,455
								Total		**105,455**
							-	**-**	**844,109**	**844,109**

EBMUD

BOARD ACTION

Agenda Number:	14.1.-14.2.	Meeting Date:	September 8, 2026

TITLE **AMEND AGREEMENTS FOR CONCRETE REPAIR SERVICES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Authorize amendments to the agreements originally authorized under Board Motion No. 197-25 with Arrowhead Concrete Construction; Integrated Concrete Construction; Solid Ground Masonry & Concrete, Inc.; Sonnikson dba Sonnikson and Stordahl Construction; and Spaulding Concrete, LLC to increase the aggregate amount of those agreements by $2,300,000 to a total aggregate amount not to exceed $4,300,000 and extend the terms of the agreements to September 15, 2027 for concrete repair services.
- Authorize additional agreements for concrete repair services on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the above service providers 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.

SUMMARY

The District uses concrete repair services to restore concrete streets, sidewalks, curbs, and gutters following repair and replacement of water distribution infrastructure. These agreements would allow the District to contract out these services to address emergencies, unplanned work, and seasonal variations in workload for a portion of concrete repair services to augment District staff.

DISCUSSION

The District has used concrete repair services to supplement District forces since the early 1990s. The use of these services is necessary to address the existing backlog of sidewalk repair jobs, to complete peak workload and perform large jobs outside of the scope of work for District forces. The original agreements were authorized on September 23, 2025 under Board Motion No. 197-25 for $2,000,000 for one year.

In Fiscal Year (FY) 2021, the District hired four concrete finishers and purchased necessary equipment to allow the District to complete regular work and smaller repair jobs. In FY 2026, two additional limited-term (LT) positions for concrete services were approved and have been filled. These additional staffing resources are expected to lower contracting out needs in the

Originating Department: Maintenance and Construction	**Department Director or Manager:** Crystal J. Yezman	**CEP Forms?** Yes	**Board Action Type:** General Services
Funds Available: FY 2027; Award 7000005, page 38; Award 7000003, page 44; Award 7000006, page 46; and Award 7000024, page 48	**Budget Coding:** 11.Various.Various.53110		**Approved:**
Attachment(s): P-035; P-061			

Title:	Amend Agreements for Concrete Repair Services	Meeting Date:	September 8, 2026

future. The requested authorization for contracted services reflects the need to reduce the existing backlog of concrete work.

This work supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

The services contracted for in the agreements cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

SERVICE PROVIDER SELECTION

In July 2021, a request for proposals (RFP) was posted on the District's website and sent to seven potential proposers. Five service providers submitted proposals. Arrowhead Concrete Construction, Bruce Enterprises, Gary Golobe dba Cornerstone Paving, Pacific General Engineering, and Sonnikson and Stordahl Construction were selected based on the ability to provide services and meet the minimum requirements. Specific jobs will be completed on a job-by-job basis based on location and vendor availability. New service providers are put on a standby list and added to the active list as demand increases, service providers drop off, or service providers are released for poor performance. Since the initial service provider selection, several qualified service providers were added and removed based on the criteria above.

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2027 adopted operating budget and capital budget for Pipeline System Extensions, Pipeline Rebuild, Pipeline Relocations, and Pipeline System Improvements.

Social

Local 444 was notified of these amendments on July 22, 2026. Local 444 raised issues related to the proposed $300,000 increase from the prior year's Board authorization. The District and Local 444 met on August 5, 2026 and August 26, 2026. The District and Local 444 were unable to resolve the issue and Local 444 has advised the District that it may address the Board regarding their opposition at the Board meeting. The District's reasons for contracting are consistent with EBMUD's criteria for contracting out work.

ALTERNATIVES

Do not authorize the amendments for these agreements. This alternative is not recommended because these services are critical to District operations.

Perform with District forces. This alternative is not recommended because additional District forces would not be needed once the backlog of concrete repair orders is reduced.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
General Services Agreement - Amendment Amend Agreements for Concrete Repair Services	August 17, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Various Firms (See Below)			**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**20.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$2,300,000 *	See Below	-	**Ethnic Minorities**	**25%**	**80.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
Arrowhead Concrete Construction	$460,000	Hispanic	X				20.0%				
Integrated Concrete Construction	$460,000	Hispanic	X				20.0%				
Solid Ground Masonry & Concrete, Inc.	$460,000	Hispanic	X				20.0%				
Sonnikson dba Sonnikson and Stordahl Construction	$460,000	White	X		20.0%						
Spaulding Concrete, LLC	$460,000	Hispanic		X			20.0%				
TOTAL	$2,300,000				20.0%	0.0%	80.0%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	See Attached Form P-061			
Percent of Total Employees:				
MSA Labor Market %:				
MSA Labor Market Location:				

COMMENTS

Contract Equity Participation: 20% White Men and 80% Ethnic Minority participation.
Contract Duration: Amended duration extended to September 15, 2027.

*Total not to exceed: $4,300,000 = $2,000,000 (Original) + $2,300,000 (Amendment).

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Amend Agreements for Concrete Repair Services**

General Services Agreement - Amendment

DATE: 8/17/2026

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
	Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	EMM-H: SBE	Company Wide	0	6	0	0	6	85.7%	48.4%
Arrowhead Concrete Construction		Manager/Prof	0	1	0	0	1	50.0%	
Diego Ponce		Technical/Sales	0	0	0	0	0	0.0%	
12653 E. Jahant Rd.		Clerical/Skilled	0	5	0	0	5	100.0%	
Acampo, CA 95220		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	0	0	1	50.0%	39.9%
209-400-1942		AA Plan on File:	NA		Date of last contract with District:		10/8/2024		
		Co. Wide MSA:	California		# Employees-Co. Wide:	7	Bay Area:	2	
RP	EMM-H: LBE	Company Wide	0	43	0	0	43	93.5%	47.8%
Integrated Concrete Construction		Manager/Prof	0	8	0	0	8	80.0%	
Peter Cariello		Technical/Sales	0	0	0	0	0	0.0%	
3530 Depot Rd.		Clerical/Skilled	0	7	0	0	7	100.0%	
Hayward, CA 94545		Semi/Unskilled	0	28	0	0	28	100.0%	
		Bay Area	0	43	0	0	43	93.5%	39.9%
510-200-9592 ext. 21		Co. Wide MSA:	Oakland		# Employees-Co. Wide:	46	Bay Area:	46	
RP	EMM-H: L/SBE	Company Wide	0	5	0	0	5	83.3%	47.8%
Solid Ground Masonry & Concrete, Inc.		Manager/Prof	0	2	0	0	2	66.7%	
Ashley Richards		Technical/Sales	0	0	0	0	0	0.0%	
3170 Robinson Dr.		Clerical/Skilled	0	2	0	0	2	100.0%	
Oakland, CA 94602		Semi/Unskilled	0	1	0	0	1	100.0%	
		Bay Area	0	5	0	0	5	83.3%	39.9%
510-301-7035		Co. Wide MSA:	Oakland		# Employees-Co. Wide:	6	Bay Area:	6	
RP	WM: L/SBE	Company Wide	2	37	4	0	43	53.8%	39.9%
Sonnikson dba Sonnikson and Stordahl Construction		Manager/Prof	0	14	1	0	15	44.1%	
Monica Arias		Technical/Sales	0	1	0	0	1	100.0%	
4858 Sunrise Dr.		Clerical/Skilled	0	11	3	0	14	66.7%	
Martinez, CA 94553		Semi/Unskilled	2	11	0	0	13	54.2%	
		Bay Area	2	37	4	0	43	53.8%	39.9%
925-586-7019		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:	80	Bay Area:	80	
RP	EMW-H: L/SBE	Company Wide	0	9	0	0	9	81.8%	39.9%
Spaulding Concrete, LLC		Manager/Prof	0	2	0	0	2	50.0%	
Jenni Hernandez		Technical/Sales	0	0	0	0	0	0.0%	
1990N. California Blvd., 8th Floor		Clerical/Skilled	0	2	0	0	2	100.0%	
Walnut Creek, CA 94596		Semi/Unskilled	0	5	0	0	5	100.0%	
		Bay Area	0	4	0	0	4	66.7%	39.9%
925-783-5064		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:	11	Bay Area:	6	

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	15.1-15.2.	Meeting Date:	September 8, 2026

TITLE **AMEND AGREEMENTS FOR DUMP TRUCK SERVICES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Authorize amendments to the agreements originally authorized under Board Motion No. 184-25 with Channa Trucking, Inc.; CIA Trucking, Inc.; Curbside Trucking, LLC; Darrah Trucking & Excavating, Inc.; E.M. Blair Trucking; East Bay Trans, Inc.; Edwards-Enterprise LLC; Galray Trucking, Inc.; Gloria Washington Trucking, Inc.; Haver Trans Inc.; Hills Trucking; Robert Ibarra, Inc. dba Ibarra Trucking; Inder Trucking, Inc.; Jackson Transportation; Mae Trucking; Paul K Transport, LLC; Royal Trucking/Maintenance; Sabie Trucking, Inc.; S & L Transport, LLC; Sky Rock, Inc.; SMG Trucking; TGI Freight, LLC; and Tri Valley Water Trucks, Inc. to increase the aggregate amount of those agreements by $7,800,000 to a total aggregate amount not to exceed $13,900,000 and extend the terms of the agreements to September 15, 2027 for dump truck services.
- Authorize additional agreements for dump truck services on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the above service providers 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.

SUMMARY

The District uses dump truck services to haul trench soils and asphalt from job sites and to haul backfill material and hot asphalt to job sites. These resources are needed to supplement District staff during peak workload periods, during long-haul and direct haul projects, and to backfill planned and unplanned staff absences.

DISCUSSION

The District primarily uses dump truck services to support pipeline construction and repairs. The type and number of dump trucks required on any given day depends on available District resources, volume of excavation, planned activity (e.g., pipe installation), and length of haul. This variability is best resourced by contractors. District drivers and contractor drivers each support the District's shift to increase direct hauling to beneficial reuse sites. As direct hauling increases, contracted out services for managing, using, and eventually off hauling deposited soil from District-owned temporary storage facilities are reduced. The original agreements

Originating Department: Maintenance and Construction	**Department Director or Manager:** Crystal J. Yezman	**CEP Forms?** Yes	**Board Action Type:** General Services
Funds Available: FY 2027; Award 7000005, page 38; Award 7000003, page 44; Award 7000006, page 46; and Award 7000024, page 48	**Budget Coding:** 11.Various.Various.52970		**Approved:**
Attachment(s): P-035; P-061			

Title:	Amend Agreements for Dump Truck Services	Meeting Date:	September 8, 2026

were authorized on September 9, 2025 under Board Motion No. 184-25 for $6,100,000 for one year.

This work supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

The services contracted for in the agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

SERVICE PROVIDER SELECTION

In May 2023, a request for proposals was posted on the District's website and sent to three resource organizations and to 80 potential proposers. Twenty-four service providers submitted proposals. Allied Materials, Inc.; Channa Trucking; CIA Trucking; Curbside Trucking LLC; Darrah Trucking & Excavating, Inc.; EM Blair Trucking; East Bay Trans, Inc.; Edwards-Enterprise LLC; Galray Trucking Inc.; Gloria Washington Trucking, Inc.; Hills Trucking; Robert Ibarra, Inc. dba Ibarra Trucking; Inder Trucking, Inc.; Jackson Transportation; Mae Trucking; Northbay Logistics Group, Inc.; Royal Trucking/Maintenance; S & L Transport, LLC; Sky Rock, Inc.; SMG Trucking; Sudden Sam's Trucking; TGI Freight, LLC; Tri Valley Water Trucks, Inc.; and Wide Area, Inc. were selected based on good performance and work history with other employers, such as Caltrans. The District establishes a base rate for dump truck services. The rate was increased to account for higher fuel costs. The District generally attempts to maximize the number of service providers to ensure peak workloads can be resourced, but caps the number of service providers to ensure a minimum amount of work is available to each. Service providers are assigned work on a rotational basis to fairly distribute opportunities. New service providers are put on a standby list and added to the active list as demand increases, service providers drop off, or service providers are released for poor performance. Since the initial service provider selection, several qualified service providers were added and removed based on the criteria above.

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2027 adopted operating budget and capital budget for Pipeline System Extensions, Pipeline Rebuild, Pipeline Relocations, and Pipeline System Improvements.

Social

Local 444 was notified of these amendments on July 22, 2026. Local 444 raised issues related to the $1,000,000 increase to increase direct haul. The District and Local 444 met on August 5, 2026 and August 26, 2026. The District and Local 444 were unable to resolve the issue and Local 444 has advised the District that it may address the Board regarding their opposition at the Board meeting. The District's reasons for contracting are consistent with EBMUD's criteria for contracting out work.

ALTERNATIVES

Do not authorize the amendments for these agreements. This alternative is not recommended because these services are critical to District operations.

Title:	Amend Agreements for Dump Truck Services	Meeting Date:	September 8, 2026

Perform with District forces. This alternative is not recommended because these services are used to support peak workload periods, supplement resources during occasional long-haul projects, and backfill planned and unplanned staff absences.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation.
(Completed by District)

TITLE	DATE
General Services Agreement - Amendment Amend Agreements for Dump Truck Services	August 18, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Various Firms (See below)			**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**4.3%**
	Ethnicity	**Gender**	**White Women**	**2%**	**4.3%**
$7,800,000 *	See below	-	**Ethnic Minorities**	**25%**	**91.3%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
Channa Trucking, Inc.	$339,130	Asian		X			4.3%				
CIA Trucking, Inc.	$339,130	Asian	X				4.3%				
Curbside Trucking, LLC	$339,130	Mixed		X			4.3%				
Darrah Trucking & Excavating, Inc.	$339,130	White	X		4.3%						
E.M. Blair Trucking	$339,130	Black	X				4.3%				
East Bay Trans, Inc.	$339,130	Asian	X				4.3%				
Edwards-Enterprise LLC	$339,130	Black		X			4.3%				
Galray Trucking, Inc.	$339,130	Asian	X				4.3%				
Gloria Washington Trucking, Inc.	$339,130	Black		X			4.3%				
Haver Trans Inc.	$339,130	Asian		X			4.3%				
Hills Trucking	$339,130	Black	X				4.3%				
Robert Ibarra, Inc. dba Ibarra Trucking	$339,130	Hispanic	X				4.3%				
Inder Trucking, Inc.	$339,130	Asian	X				4.3%				
Total	$7,800,000				4.3%	4.3%	91.3%	0.0%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees	See Attached P-061 Forms			
Percent of Total Employees				
MSA Labor Market %				
MSA Labor Market Location				

COMMENTS

Contract Equity Participation: 4.3% White Men, 4.3% White Women, and 91.3% Ethnic Minority participation.
Contract Duration: Amended duration extended to September 15, 2027.

*Total not to exceed: $13,900,000 = $6,100,000 (Original) + $7,800,000 (Amendment).

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation.
(Completed by District)

TITLE	DATE
General Services Agreement Amend Agreements for Dump Truck Services	August 18, 2026

CONTRACT EQUITY PARTICIPATION (Continued from page 1)

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
Jackson Transportation	$339,130	Black	X				4.3%				
Mae Trucking	$339,130	Black	X				4.3%				
Paul K Transport, LLC	$339,130	Asian		X			4.3%				
Royal Trucking/Maintenance	$339,130	Black	X				4.3%				
Sabie Trucking, Inc.	$339,130	Asian					4.3%				
S & L Transport, LLC	$339,130	White		X		4.3%					
Sky Rock, Inc.	$339,130	Asian	X				4.3%				
SMG Trucking	$339,130	Asian	X				4.3%				
TGI Freight, LLC	$339,130	Black	X				4.3%				
Tri Valley Water Trucks, Inc.	$339,130	Hispanic		X			4.3%				
Total	**See page 1 for total**										

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Amend Agreements for Dump Truck Services**

General Services Agreement - Amendment

DATE: 8/18/2026

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees						
			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	EMW-A/IA: L/SBE	Company Wide	0	0	2	0	2	100.0%	38.5%
Channa Trucking, Inc. Charnjit Singh 2973 Pilar Ridge Dr. Bay Point, CA 94565		Manager/Prof	0	0	2	0	2	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	2	0	2	100.0%	39.9%
925-567-6291		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		2	Bay Area:	2
RP	EMM-AA: L/SBE	Company Wide	0	0	3	0	3	100.0%	38.5%
CIA Trucking, Inc. Ch Iftikhar Ahmad 1108 E. Leland Rd., Apt. 183 Pittsburg, CA 94565		Manager/Prof	0	0	2	0	2	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	1	0	1	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	3	0	3	100.0%	39.9%
925-260-2433		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		3	Bay Area:	3
RP	EMW-Mixed: L/SBE	Company Wide	1	1	2	0	4	80.0%	53.9%
Curbside Trucking, LLC De'Lana Picou 1300 Clay St., Suite 600 Oakland, CA 94612		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	1	1	2	0	4	80.0%	
		Bay Area	1	1	1	1	4	80.0%	39.9%
925-260-2432		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		5	Bay Area:	5
RP	WM: L/SBE	Company Wide	0	2	2	0	4	36.4%	38.5%
Darrah Trucking & Excavating, Inc. Donald Darrah 4495 Pacheco Blvd., Suite A Martinez, CA 94553		Manager/Prof	0	0	1	0	1	33.3%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	1	0	0	1	100.0%	
		Semi/Unskilled	0	1	1	0	2	28.6%	
		Bay Area	0	2	2	0	4	36.4%	39.9%
925-229-3725		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		11	Bay Area:	11
RP	EMM-B: L/SBE	Company Wide	1	0	0	0	1	100.0%	38.5%
E.M. Blair Trucking Ronald Blair 2914 Johnson Ave. Richmond, CA 94804		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	1	0	0	0	1	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	0	0	0	1	100.0%	39.9%
510-772-7312		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		1	Bay Area:	1
RP	EMM-A/IA: L/SBE	Company Wide	0	0	2	0	2	66.7%	38.5%
East Bay Trans, Inc. Harvrinder Singh Bal 3132 Marsala Dr. Bay Point, CA 94565		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	0	2	0	2	66.7%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	2	0	2	66.7%	39.9%
925-395-7413		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		3	Bay Area:	3

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Amend Agreements for Dump Truck Services			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
General Services Agreement - Amendment	DATE: 8/18/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	**EMW-B: L/SBE**	**Company Wide**	1	0	0	0	1	100.0%	47.6%
Edwards-Enterprise LLC		Manager/Prof	1	0	0	0	1	100.0%	
Pamela Edwards		Technical/Sales	0	0	0	0	0	0.0%	
943 Nightingale Dr.		Clerical/Skilled	0	0	0	0	0	0.0%	
Fairfield, CA 94533		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
707-246-3526		Co. Wide MSA:	**Solano**		# Employees-Co. Wide:		**1**	Bay Area:	**1**
RP	**EMM-A/IA: L/SBE**	**Company Wide**	0	0	2	0	2	66.7%	53.9%
Galray Trucking, Inc.		Manager/Prof	0	0	1	0	1	100.0%	
Ashish Galray		Technical/Sales	0	0	0	0	0	0.0%	
43024 Everglades Park Dr.		Clerical/Skilled	0	0	2	0	2	100.0%	
Fremont, CA 94538		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	2	0	2	66.7%	39.9%
510-376-5023		Co. Wide MSA:	**Alameda**		# Employees-Co. Wide:		**3**	Bay Area:	**3**
RP	**EMW-B: L/SBE**	**Company Wide**	6	-	0	0	6	85.7%	39.9%
Gloria Washington Trucking, Inc.		Manager/Prof	1	0	0	0	1	100.0%	
Gloria Washington		Technical/Sales	0	0	0	0	0	0.0%	
525 DeCarlo Ave.		Clerical/Skilled	5	0	0	0	5	83.3%	
Richmond, CA 94801		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	3	0	0	0	3	42.9%	39.9%
415-298-9431		Co. Wide MSA:	**9 Bay Area Counties**		# Employees-Co. Wide:		**7**	Bay Area:	**7**
RP	**EMW-A/PI: L/SBE**	**Company Wide**	0	2	5	0	7	100.0%	38.5%
Haver Trans Inc.		Manager/Prof	0	0	2	0	2	100.0%	
Navneet Bal		Technical/Sales	0	0	0	0	0	0.0%	
4000 Industrial Way		Clerical/Skilled	0	2	3	0	5	100.0%	
Concord, CA 94520		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	2	5	0	7	100.0%	39.9%
925-766-4371		Co. Wide MSA:	**Contra Costa**		# Employees-Co. Wide:		**7**	Bay Area:	**7**
RP	**EMM-B: L/SBE**	**Company Wide**	1	1	0	0	2	100.0%	53.9%
Hills Trucking		Manager/Prof	1	1	0	0	2	100.0%	
Abraham Hill		Technical/Sales	0	0	0	0	0	0.0%	
3252 Segrem Ct.		Clerical/Skilled	0	0	0	0	0	0.0%	
Hayward, CA 94541		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	1	0	0	2	100.0%	39.9%
510-693-7827		Co. Wide MSA:	**Alameda**		# Employees-Co. Wide:		**2**	Bay Area:	**2**
RP	**EMM-H: SBE**	**Company Wide**	0	8	0	0	8	88.9%	39.9%
Robert Ibarra, Inc. dba Ibarra Trucking		Manager/Prof	0	2	0	0	2	100.0%	
Robert Ibarra		Technical/Sales	0	0	0	0	0	0.0%	
401 Channel Rd.		Clerical/Skilled	0	6	0	0	6	85.7%	
Benicia, CA 94510		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	8	0	0	8	88.9%	39.9%
415-286-0615		Co. Wide MSA:	**9 Bay Area Counties**		# Employees-Co. Wide:		**9**	Bay Area:	**9**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Amend Agreements for Dump Truck Services			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
General Services Agreement - Amendment	DATE: 8/18/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
	Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	EMM-A/IA	Company Wide	0	0	1	0	1	100.0%	28.8%
Inder Trucking, Inc.		Manager/Prof	0	0	1	0	1	100.0%	
Harinderpal Singh Sidhu		Technical/Sales	0	0	0	0	0	0.0%	
3 Karly Court		Clerical/Skilled	0	0	0	0	0	0.0%	
American Canyon, CA 94503		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	1	0	1	100.0%	39.9%
925-250-5001		Co. Wide MSA:	Napa		# Employees-Co. Wide:		1	Bay Area:	1
RP	EMM-B	Company Wide	2	0	0	0	2	100.0%	39.9%
Jackson Transportation		Manager/Prof	2	0	0	0	2	100.0%	
Alfred Jackson		Technical/Sales	0	0	0	0	0	0.0%	
1744 Keesler Circle		Clerical/Skilled	0	0	0	0	0	0.0%	
Suisun City, CA 94585		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	2	0	0	0	2	100.0%	39.9%
510-213-2642		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		2	Bay Area:	2
RP	EMM-B: L/SBE	Company Wide	1	0	0	0	1	100.0%	38.5%
Mae Trucking		Manager/Prof	1	0	0	0	1	100.0%	
Kevin Moffett		Technical/Sales	0	0	0	0	0	0.0%	
268 Heron Dr.		Clerical/Skilled	0	0	0	0	0	0.0%	
Pittsburg, CA 94565		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	0	0	0	1	100.0%	39.9%
510-517-4000		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		1	Bay Area:	1
RP	EMW-A/IA: L/SBE	Company Wide	0	0	2	0	2	100.0%	53.9%
Paul K Transport, LLC		Manager/Prof	0	0	0	0	0	0.0%	
Rachhpal Singh		Technical/Sales	0	0	1	0	1	100.0%	
1911 Canyon Oaks Circle		Clerical/Skilled	0	0	1	0	1	100.0%	
Pittsburg, CA 94565		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	2	0	2	100.0%	39.9%
925-584-1224		Bay Area	9 Bay Area Counties		# Employees-Co. Wide:		2	Bay Area:	2
RP	EMM-B: L/SBE	Company Wide	1	0	0	0	1	100.0%	46.2%
Royal Trucking/Maintenance		Manager/Prof	1	0	0	0	1	100.0%	
Vaughn Royal		Technical/Sales	0	0	0	0	0	0.0%	
P.O. Box 14785		Clerical/Skilled	0	0	0	0	0	0.0%	
Oakland, CA 94614		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	0	0	0	1	100.0%	39.9%
510-455-0642		Co. Wide MSA:	Alameda/Contra Costa		# Employees-Co. Wide:		1	Bay Area:	1
RP	EM-A/IA: L/SBE	Company Wide	0	0	2	0	2	33.3%	48.4%
Sabie Trucking, Inc.		Manager/Prof	0	0	0	0	0	0.0%	
Harpreet Narwal		Technical/Sales	0	0	0	0	0	0.0%	
16798 Gold Nugget Trail		Clerical/Skilled	0	0	2	0	2	50.0%	
Lathrop, CA 95330		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	2	0	2	33.3%	39.9%
209-346-5483		Co. Wide MSA:	California		# Employees-Co. Wide:		6	Bay Area:	6

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AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Amend Agreements for Dump Truck Services			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
General Services Agreement - Amendment	DATE: 8/18/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
	Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WW: L/SBE	Company Wide	0	3	0	0	3	100.0%	46.2%
S & L Transport, LLC		Manager/Prof	0	1	0	0	1	100.0%	
Donna Leach		Technical/Sales	0	0	0	0	0	0.0%	
2226 Jacqueline Dr.		Clerical/Skilled	0	1	0	0	1	100.0%	
Pittsburg, CA 94565		Semi/Unskilled	0	1	0	0	1	100.0%	
		Bay Area	0	3	0	0	3	100.0%	39.9%
925-200-7881		Co. Wide MSA:	Alameda/Contra Costa		# Employees-Co. Wide:		3	Bay Area:	3
RP	EMM-A/IA: LBE	Company Wide	0	3	4	0	7	100.0%	47.4%
Sky Rock, Inc.		Manager/Prof	0	0	4	0	4	100.0%	
Amritpal Singh		Technical/Sales	0	0	0	0	0	0.0%	
1852 W. 11th St., #167		Clerical/Skilled	0	0	0	0	0	0.0%	
Tracy, CA 95376		Semi/Unskilled	0	3	0	0	3	100.0%	
		Bay Area	0	3	4	0	7	100.0%	39.9%
925-200-7881		Co. Wide MSA:	San Joaquin		# Employees-Co. Wide:		7	Bay Area:	7
RP	EMM-A/IA: LBE	Company Wide	0	0	1	0	1	100.0%	53.9%
SMG Trucking		Manager/Prof	0	0	1	0	1	100.0%	
Sapinder S. Grewal		Technical/Sales	0	0	0	0	0	0.0%	
1610 Lawndale Ave.		Clerical/Skilled	0	0	0	0	0	0.0%	
San Leandro, CA 94579		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	1	0	1	100.0%	39.9%
925-200-7881		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		1	Bay Area:	1
RP	EMM-B: L/SBE	Company Wide	1	0	0	0	1	100.0%	38.5%
TGI Freight, LLC		Manager/Prof	1	0	0	0	1	100.0%	
Nathaniel McGee, Jr.		Technical/Sales	0	0	0	0	0	0.0%	
1500 Goldenbay Ave., Apt. 310		Clerical/Skilled	0	0	0	0	0	0.0%	
San Ramon, CA 94582		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	0	0	0	1	100.0%	39.9%
415-632-2202		Co. Wide MSA:	Contra Costa		# Employees-Co. Wide:		1	Bay Area:	1
RP	EMW-H: L/SBE	Company Wide	0	3	0	0	3	27.3%	48.4%
Tri Valley Water Trucks, Inc.		Manager/Prof	0	1	0	0	1	33.3%	
William Schuette		Technical/Sales	0	0	0	0	0	0.0%	
7665 Hawthorn Pl.		Clerical/Skilled	0	2	0	1	3	37.5%	
Livermore, CA 94550		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	1	0	0	1	33.3%	39.9%
925-373-0603		Co. Wide MSA:	California		# Employees-Co. Wide:		11	Bay Area:	3

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

EBMUD

BOARD ACTION

Agenda Number:	16.1.-16.2.	Meeting Date:	September 8, 2026

TITLE **AMEND AGREEMENTS FOR FLAGGING SERVICES**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Authorize amendments to the agreements originally authorized under Board Motion No. 210-25 with City Rise Safety, LLC; CMC Traffic Control Specialists Inc.; Escano & Associates Inc.; National Trench Safety dba National Trench Safety Traffic Solutions; Statewide Traffic Safety and Signs Inc. dba AWP Safety; and Traffic Control Pros to increase the aggregate amount of those agreements by $3,600,000 to a total aggregate amount not to exceed $6,304,000 and extend the terms of the agreements to September 15, 2027 for flagging services.
- Authorize additional agreements for flagging services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026, 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.

SUMMARY

The District uses flagging services as needed to safely and efficiently manage traffic during infrastructure repair or replacement activities. Flagging services include labor and equipment for traffic and pedestrian control, lane closures, and detours including setup, monitoring, and removal.

DISCUSSION

The District primarily uses flagging services to safely manage vehicle and pedestrian traffic around District construction sites or other road disruptions to ensure the safety of workers and the public. Certified flaggers, appropriate signage, vehicles, and equipment are required to maintain the safety of workers and the public. The District has historically used flagging services to support District staff on an as-needed basis. The original agreements were authorized on October 28, 2025 under Board Motion No. 210-25 for $2,704,000 for one year. The use of these services has increased at a rate higher than inflation due to an increase in city and county traffic control requirements, and the size and scope of District projects.

This work supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

The services contracted for in the agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.

Originating Department: Maintenance and Construction	**Department Director or Manager:** Crystal J. Yezman	**CEP Forms?** Yes	**Board Action Type:** General Services
Funds Available: FY2027 Award 7000005, page 38, Award 7000003, page 44; Award 7000006, page 46 and Award 7000024, page 48	**Budget Coding:** 11.Various.Various.52970		**Approved:**
Attachment(s): P-035; P-061			

Title:	Amend Agreements for Flagging Services	Meeting Date:	September 8, 2026

SERVICE PROVIDER SELECTION

In August 2025, a request for proposals (RFP) was posted on the District's website. Six service providers submitted proposals. City Rise Safety, LLC; CMC Traffic Control Specialists Inc.; Escano & Associates Inc.; National Trench Safety DBA National Trench Safety Traffic Solutions; Statewide Traffic Safety and Signs Inc. DBA AWP Safety, and Traffic Control Pros were selected based on the ability to meet specific requirements as outlined in the RFP.

SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2027 adopted operating and capital budgets for the Pipeline System Extensions, Pipeline Rebuild, Pipeline Relocations, and Pipeline System Improvements.

Social

Local 444 was notified of these agreements on July 22, 2026. Local 444 issues were addressed at a meeting on August 5, 2026 and resolved.

ALTERNATIVES

Do not authorize the amendments for these agreements. This alternative is not recommended because these services are critical to District operations.

Add staff and equipment to reduce the need for services. This alternative is not recommended because these services are highly variable and historically have been supported through as-needed service providers.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
General Services Agreement - Amendment Amend Agreements for Flagging Services	August 25, 2026

CONTRACTOR:	PERCENTAGE OF CONTRACT DOLLARS		
Various Firms (See Below)	**Availability Group**	**Contracting Objectives**	**Participation**

BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP				
	Ethnicity	**Gender**	**White Men**	**25%**	**0.0%**
$3,600,000 *	See Below	-	**White Women**	**6%**	**0.0%**
			Ethnic Minorities	**25%**	**66.7%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES:											
City Rise Safety, LLC	$600,000	Hispanic	X				16.7%				
CMC Traffic Control Specialists Inc.	$600,000	Black	X				16.7%				
Escano & Associates Inc.	$600,000	Hispanic	X				16.7%				
National Trench Safety dba National Trench Safety Traffic Solutions	$600,000	Unclassified						16.7%			
Statewide Traffic Safety and Signs Inc. dba AWP Safety	$600,000	Unclassified						16.7%			
Traffic Control Pros	$600,000	Hispanic		X			16.7%				
SUBS:											
None											
TOTAL	$3,600,000				0.0%	0.0%	66.7%	33.3%	0.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	See Attached Form P-061			
Percent of Total Employees:				
MSA Labor Market %:				
MSA Labor Market Location:				

COMMENTS

Contract Equity Participation: 66.7% Ethnic Minority participation.
Contract Duration: Amended duration extended to September 15, 2027.

*Total not to exceed: $6,304,000 = $2,704,000 (Original) + $3,600,000 (Amendment).

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:		Ethnic Minority Percentages From U.S. Census Data					
Amend Agreements for Flagging Services			**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**
		National	10.5	10.7	3.7	0.7	27.3
General Services Agreement - Amendment	DATE: 8/25/2026	**9 Bay Area Counties**	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership		Number of Ethnic Minority Employees						
	Company Name, Owner/Contact Person, Address, and Phone Number		**B**	**H**	**A/PI**	**AI/AN**	**TOTAL**	**PERCENT**	**MSA %**
RP	**EMM-H: LBE**	**Company Wide**	31	324	36	5	396	76.4%	48.4%
	City Rise Safety, LLC	Manager/Prof	1	13	2	1	17	47.2%	
	Jay Montero	Technical/Sales	1	3	2	0	6	54.5%	
	44800 Industrial Dr.	Clerical/Skilled	29	305	30	4	368	79.3%	
	Fremont, CA 94538	Semi/Unskilled	0	3	2	0	5	71.4%	
		Bay Area	31	324	36	5	396	0.0%	39.9%
	925-209-0797	AA Plan on File:	**NA**		Date of last contract with District:			**11/12/2024**	
		Co. Wide MSA:	**California**		# Employees-Co. Wide:		**518**	Bay Area:	**518**
RP	**EMM-B: SBE**	**Company Wide**	8	97	5	0	110	95.7%	48.3%
	CMC Traffic Control Specialists Inc.	Manager/Prof	1	1	1	0	3	37.5%	
	Gavin Stilts	Technical/Sales	0	0	0	0	0	0.0%	
	260 Shipley St.	Clerical/Skilled	1	2	1	0	4	100.0%	
	San Francisco, CA 94107	Semi/Unskilled	6	94	3	0	103	100.0%	
		Bay Area	8	97	5	0	110	95.7%	39.9%
	415-206-1700	Co. Wide MSA:	**San Francisco**		# Employees-Co. Wide:		**115**	Bay Area:	**115**
RP	**EMM-H: L/SBE**	**Company Wide**	0	4	0	0	4	100.0%	47.8%
	Escano & Associates Inc.	Manager/Prof	0	2	0	0	2	100.0%	
	Juan Escano	Technical/Sales	0	0	0	0	0	0.0%	
	1111 Broadway, Suite 300	Clerical/Skilled	0	2	0	0	2	100.0%	
	Oakland, CA 94607	Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	4	0	0	4	100.0%	39.9%
	305-773-7756	Co. Wide MSA:	**Oakland**		# Employees-Co. Wide:		**4**	Bay Area:	**4**
RP	**Unclassified**	**Company Wide**	67	286	14	2	369	46.4%	27.3%
	National Trench Safety dba National Trench Safety Traffic Solutions	Manager/Prof	6	31	4	1	42	22.8%	
	Rachel Schauweker	Technical/Sales	2	26	1	0	29	23.4%	
	206 N Sam Houston Pkwy E #200	Clerical/Skilled	16	94	4	0	114	60.0%	
	Houston, TX 77060	Semi/Unskilled	43	135	5	1	184	61.7%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
	832-200-0988	Co. Wide MSA:	**USA**		# Employees-Co. Wide:		**796**	Bay Area:	**0**
RP	**Unclassified**	**Company Wide**	4	11	2	1	18	78.3%	38.5%
	Statewide Traffic Safety and Signs Inc. dba AWP Safety	Manager/Prof	0	0	0	0	0	0.0%	
	Sarah Johnson	Technical/Sales	0	0	0	0	0	0.0%	
	130 Grobric Ct.	Clerical/Skilled	4	11	2	1	18	78.3%	
	Fairfield, CA 94534	Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	4	11	2	1	18	78.3%	39.9%
	909-731-8866	Co. Wide MSA:	**Solano**		# Employees-Co. Wide:		**23**	Bay Area:	**23**
RP	**EMW-H: L/SBE**	**Company Wide**	2	6	0	0	8	50.0%	38.5%
	Traffic Control Pros	Manager/Prof	0	1	0	0	1	33.3%	
	Jeff Bell	Technical/Sales	2	4	0	0	6	50.0%	
	4050 Pike Lane, Suite B	Clerical/Skilled	0	0	0	0	0	0.0%	
	Concord, CA 94520	Semi/Unskilled	0	1	0	0	1	100.0%	
		Bay Area	2	6	0	0	8	50.0%	39.9%
	510-224-1735	Co. Wide MSA:	**Contra Costa**		# Employees-Co. Wide:		**16**	Bay Area:	**16**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

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BOARD ACTION

Agenda Number:	17.1.-17.2.	Meeting Date:	September 8, 2026

TITLE **MEDICAL SERVICES REQUIRED BY FEDERAL AND STATE REGULATIONS**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION

- Authorize agreements beginning on or after September 8, 2026 with Agile Occupational Medicine; Occupational Health Centers of California, a medical corporation, dba Concentra Medical Centers; Examinetics; Occu-Med, Ltd; and Professional Health Services, Inc, for five years with two options to renew for additional one-year periods for an aggregate amount, including option years, not to exceed $650,000 for providing medical evaluations and assessments required by federal and state regulations.
- Authorize additional agreements for providing medical evaluations and assessments required by federal and state regulations, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on September 8, 2026 with medical facilities that meet the federal and state regulations, and District standards and offer pricing at or below the range in the proposed agreements with the consultants above to increase flexibility to ensure consultants availability. The Board of Directors will be notified of additional qualified consultants by means of the General Manager's monthly report.

SUMMARY

Federal and state regulations require medical examinations and assessments of employees with potential exposure to specific hazards. These medical examinations and assessments can only be performed by licensed healthcare professionals. The District also utilizes the services of these clinics to perform return to work, fitness for duty exams and new hire evaluations. Approval of these agreements will ensure affected workers receive timely examinations and assessments at convenient locations to reduce operational impacts.

DISCUSSION

California Occupational Safety and Health and the U.S. Department of Transportation require medical examinations for employees performing certain tasks. These agreements allow the District to meet these regulations. Annual examinations and services provided under these agreements include approximately 125 respiratory medical evaluations, 225 commercial driver exams, 40 hazardous material exams, 950 audiograms, 50 return to work clearance exams, 20 fitness for duty exams, and 200 inoculations/immunizations.

These agreements support the District's Workforce Planning and Development Strategic Plan goal.

Originating Department: Operations and Maintenance	**Department Director or Manager:** David A. Briggs	**CEP Forms?** Yes	**Board Action Type:** Professional Services
Funds Available: FY2027	**Budget Coding:** 11.784/365.8859200.52310		**Approved:**
Attachment(s): P-035; P-061			

Title:	Medical Services Required by Federal and State Regulations	Meeting Date:	September 8, 2026

CONSULTANT SELECTION

A request for proposals was posted on the District's website and sent to 8 medical facilities, including minority-owned medical facilities with expertise in medical services. Nine firms submitted proposals, and a list of 5 medical facilities was established. The above medical facilities were selected based on cost, relevant experience, location near District worksites, and understanding of the services required.

SUSTAINABILITY

Economic

Funding in the Fiscal Year 2027 adopted operating budget includes funding for the first year of these multi-year agreements. Funding for the additional years will be considered as part of the associated budget development process.

Social

This type of work is not performed by District forces and consequently union notification was not required.

Environmental

Local medical facilities were selected to minimize employee travel and vehicle emissions.

ALTERNATIVE

Do not authorize these agreements. This alternative is not recommended because these services are required to ensure the District maintains compliance with regulations, has licensed commercial drivers, and maintains the safety and health of employees.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

This summary contains information on the contractor's workforce and contract equity participation. (Completed by District)

TITLE	DATE:
Professional Services Agreement Medical Services Required by Federal and State Regulations	August 20, 2026

CONTRACTOR:			PERCENTAGE OF CONTRACT DOLLARS		
Various Firms (See below)			**Availability Group**	**Contracting Objectives**	**Participation**
BID/PROPOSER'S PRICE:	**FIRM'S OWNERSHIP**		**White Men**	**25%**	**20.0%**
	Ethnicity	**Gender**	**White Women**	**6%**	**0.0%**
$650,000 *	See below	-	**Ethnic Minorities**	**25%**	**0.0%**

CONTRACT EQUITY PARTICIPATION

COMPANY NAME	ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
			M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIME:											
Agile Occupational Medicine	$130,000	Unclassified						20.0%			
Occupational Health Centers of California, a medical corporation, dba Concentra Medical Centers	$130,000	Publicly Held Corporation							20.0%		
Examinetics	$130,000	Unclassified						20.0%			
Occu-Med, Ltd	$130,000	Unclassified						20.0%			
Professional Health Services, Inc	$130,000	White	X		20.0%						
TOTAL	$650,000				20.0%	0.0%	0.0%	60.0%	20.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCES PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	See Attached P-061 Forms			
Percent of Total Employees:				
MSA Labor Market %:				
MSA Labor Market Location:				

COMMENTS

Contract Equity Participation - 20% White Men participation.
Contract Duration: Five years with two options to renew for additional one-year periods.

*Total not to exceed: $650,000.

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: **Medical Services Required by Federal and State Regulations**

Professional Services Agreement

DATE: 8/20/2026

Ethnic Minority Percentages From U.S. Census Data	B	H	A/PI	AI/AN	TOTAL
National	10.5	10.7	3.7	0.7	27.3
9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number	Number of Ethnic Minority Employees						
			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	Unclassified	Company Wide							
		Agile Occupational Medicine Peter Murray 3200 Bristol St. #600 Costa Mesa, CA 92626 571-224-5886	INFORMATION NOT PROVIDED						
RP	PHC: LBE*	Company Wide	22	58	212	2	294	63.0%	48.4%
		Occupational Health Centers of California, a medical corporation, dba Concentra Medical Centers Deidre Debrun 1855 Gateway Blvd., Suite 100 Concord, CA 94520 *(local office)* 214-998-4105	Manager/Prof	0	0	0	0	0	0.0%	
			Technical/Sales	0	0	0	0	0	0.0%	
			Clerical/Skilled	0	0	0	0	0	0.0%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	2	2	56	0	60	65.9%	39.9%
			Co. Wide MSA:	California		# Employees-Co. Wide:		467	Bay Area:	91
RP	Unclassifed	Company Wide	80	54	11	0	145	35.3%	27.3%
		Examinetics Nancy Burford 10561 Barkley St., Suite 400 Overland Park, KS 66212 913-748-2042	Manager/Prof	7	8	3	0	18	16.1%	
			Technical/Sales	2	0	0	0	2	8.3%	
			Clerical/Skilled	15	7	3	0	25	21.4%	
			Semi/Unskilled	56	39	5	0	100	63.3%	
			Bay Area	0	3	0	0	3	100.0%	39.9%
			Co. Wide MSA:	USA		# Employees-Co. Wide:		411	Bay Area:	3
RP	Unclassified	Company Wide							
		Occu-Med, Ltd Cayla Sobrado 2121 West Bullard Ave. Fresno, CA 93711 559-435-2800	INFORMATION NOT PROVIDED						
RP	WM	Company Wide	0	5	0	0	5	15.6%	27.3%
		Professional Health Services, Inc Michael Kleinman 600 Reed Rd., Suite #103 Broomall, PA 19008 610-304-6959	Manager/Prof	0	1	0	0	1	16.7%	
			Technical/Sales	0	4	0	0	0	0.0%	
			Clerical/Skilled	0	0	0	0	0	0.0%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	0	0	0	0.0%	39.9%
			Co. Wide MSA:	USA		# Employees-Co. Wide:		32	Bay Area:	0

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title:			Ethnic Minority Percentages From U.S. Census Data				
Medical Services Required by Federal and State Regulations			B	H	A/PI	AI/AN	TOTAL
		National	10.5	10.7	3.7	0.7	27.3
Professional Services Agreement	DATE: 8/20/2026	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9
		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2

R=Recmmd P=Prime S=Sub	Composition of Ownership	Company Name, Owner/Contact Person, Address, and Phone Number		Number of Ethnic Minority Employees						
				B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
P	Foreign	WS Audiology USA, Inc. Megan Patterson 101 Wood Ave. S., 7th Floor Iselin, NJ 08830 732-529-3729	**Company Wide**	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							
P	WM	Soundtrace, Inc. Jeff Wilse 10084 E. Kemper Rd. Loveland, OH 45140 513-583-0203	**Company Wide**	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							
P	Unclassified	WorkCare Lisa Timpone 1100 W Town & Country Rd., Suite 1300 Orange, CA 92868 206-962-0667	**Company Wide**	INFORMATION NOT PROVIDED						
			Manager/Prof							
			Technical/Sales							
			Clerical/Skilled							
			Semi/Unskilled							
			Bay Area							
			Co. Wide MSA:							
P	WM	Health-Metrics Inc. Bret Jenkins 4705 N. Sonora Ave. #116 Fresno, CA 93722 559-429-5770	**Company Wide**	0	3	0	0	3	75.0%	53.3%
			Manager/Prof	0	3	0	0	3	75.0%	
			Technical/Sales	0	0	0	0	0	0.0%	
			Clerical/Skilled	0	0	0	0	0	0.0%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	0	0	0	0.0%	39.9%
			Co. Wide MSA:	**Fresno**		# Employees-Co. Wide:		**4**	Bay Area:	**0**

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

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EBMUD

BOARD ACTION

Agenda Number:	18.	Meeting Date:	September 8, 2026

TITLE **RESOLUTION SUPPORTING CALIFORNIA CLEAN AIR DAY**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Adopt a resolution to declare October 7, 2026, to be "California Clean Air Day" at the District and to encourage all employees to participate in California Clean Air Day.

SUMMARY Since 2021, the Board has adopted annual resolutions supporting California Clean Air Day, and each year numerous employees participate by pledging to take individual actions to improve air quality.

DISCUSSION

Designed for individual action, California Clean Air Day is a non-profit, statewide program built on the idea that shared experiences unite people to improve community health. Every year, tens of thousands of Californians pledge to take individual actions that reduce air pollution and protect public health. In addition, hundreds of companies, agencies, and organizations support the California Clean Air Day, including the District. California Clean Air Day allows for virtual participation and the ability for businesses, schools, government agencies, and other organizations to engage their customers, students, and employees to reduce air pollution through a variety of activities including planting trees, changing cleaning products, and leaving their cars at home.

For many years the District has participated in the Bay Area Air District's Spare the Air Employer Program to educate employees about alternatives to driving alone and provide notifications of Spare the Air Alerts. The District's Alternative Commute Program was created to decrease motor vehicle travel and traffic congestion and reduce emissions of greenhouse gases and other air pollutants.

District Policy 7.07 – Energy and the District's Climate Action Plan outline how the District will reduce carbon emissions and become carbon neutral by 2030. Part of this strategy involves the District purchasing more efficient and cleaner vehicles, adopting renewable fuels, and expanding renewable energy generation.

To acknowledge California Clean Air Day, staff will review operation and maintenance activities to minimize air pollution. Employees will be encouraged to take individual actions to improve air quality, such as using mass transit, walking, or bicycling. The District's Sustainability Committee will host a booth in the Administration Building for pledge sign-ups for this initiative. Additionally, staff plan to host an after-hours District bike ride event.

Originating Department: Operations and Maintenance	**Department Director or Manager:** David A. Briggs	**CEP Forms?** N/A	**Board Action Type:** Administrative
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): Resolution			

Title:	Resolution Supporting California Clean Air Day	Meeting Date:	September 8, 2026

This resolution supports the District's Water Quality and Environmental Protection Strategic Plan goal.

SUSTAINABILITY

Social

Taking actions to reduce air pollution supports the health and well-being of the District's customers, visitors, and workforce, and helps to mitigate the impacts of climate change.

Environmental

Actions resulting from this resolution will help protect the District's customers, workforce, visitors, and community at large from harmful air pollutants.

ALTERNATIVE

Do not adopt the resolution. This alternative is not recommended because the goals of California Clean Air Day are consistent with the District's mission and policies: 7.05 – Sustainability and Resilience, 7.15 – Climate Action, and 7.07 – Energy.

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Draft Prepared By

G.A.C.

Office of General Counsel

RESOLUTION NO._____

RESOLUTION SUPPORTING DECLARATION OF CALIFORNIA CLEAN AIR DAY

Introduced by Director ; Seconded by Director

WHEREAS, the East Bay Municipal Utility District (District) is a municipal utility district responsible for supplying drinking water and providing wastewater treatment service to customers in parts of Alameda and Contra Costa Counties; and

WHEREAS, the District's mission is to "manage the natural resources with which the District is entrusted; to provide reliable, high quality water and wastewater services at fair and reasonable rates for the people of the East Bay; and to preserve and protect the environment for future generations;" and

WHEREAS, the District has demonstrated leadership in environmental stewardship, including adopting Policy 7.05 – Sustainability and Resilience, Policy 7.07 – Energy, and Policy 7.15 – Climate Action; and

WHEREAS, the District has a Climate Action Plan that describes actions to reduce carbon emissions and adaptation to address anticipated climate change impacts; and

WHEREAS, based on research by the American Lung Association, the Bay Area has some of the worst air quality in the United States; and

WHEREAS, air pollution contributes to higher rates of cancer and heart and lung diseases, and emissions from vehicles, industry, and household sources can significantly affect the natural environment, air quality, and well-being of East Bay residents; and

WHEREAS, the District has participated in the Bay Area Air Quality Management District's Spare the Air Employer Program for many years, and through this program educates employees about alternatives to driving alone and provides employees with notifications of Spare the Air Alerts; and

WHEREAS, the District's Alternative Commute Program was created to decrease motor vehicle travel and traffic congestion and reduce emissions of greenhouse gases and other air pollutants; and

WHEREAS, the District's implementation of a Work from Home program for employees whose job duties allow remote work reduces traffic and improves air quality; and

WHEREAS, this resolution supports the District's Water Quality and Environmental Protection Strategic Plan goals; and

WHEREAS, the District has also adopted aggressive greenhouse gas reduction goals, purchased more fuel efficient and cleaner air vehicles, adopted renewable fuels, joined industry groups supporting clean transportation, managed its watershed lands to avoid the risk of a catastrophic wildfire that would affect air quality, and expanded its renewable energy generation; and

WHEREAS, individual actions such as limiting vehicle idling, walking or biking to work and school, carpooling, and conserving energy can directly improve air quality in our region and also help to mitigate the impacts of climate change; and

WHEREAS, District employees, vendors, and elected officials have tremendous power to help lower emissions; and

WHEREAS, pledges by individuals have shown to result in greater action; and

WHEREAS, the California Clean Air Day Clean Air Pledge asks Californians to pledge to commit to taking at least one action from a list of the most common things an individual can do to clean the air on October 7, 2026; and

WHEREAS, the District has participated in California Clean Air Day for the past four years; and

WHEREAS, education about air quality can raise community awareness, encourage our community to develop better habits, and improve our community health; and

WHEREAS, the District is committed to protecting the health of our customers, workforce, visitors, and community at large;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District does hereby declare that October 7, 2026, be "Clean Air Day" in the District.

BE IT FURTHER RESOLVED that District departments shall encourage their employees to take the Clean Air Pledge for California Clean Air Day.

BE IT FURTHER RESOLVED that the District encourages all customers, businesses,

employees, and community members to participate in Clean Air Day and help clear the air for all Californians.

ADOPTED this 8th day of September, 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

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EBMUD

BOARD ACTION

Agenda Number:	19.	Meeting Date:	September 8, 2026

TITLE **ADOPT UPDATED BOARD OF DIRECTORS GOVERNANCE MANUAL**

ACTION ☐ Motion: ☒ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Adopt a resolution approving the adoption of the updated Board of Directors Governance Manual (Governance Manual).

SUMMARY

On November 26, 2024, the Board adopted a Governance Manual. Board members have proposed revisions to the Governance Manual both directly to staff and through guidance provided during the March 10, 2026 Board retreat; the April 28, 2026, June 23, 2026, and August 11, 2026 Finance/Administration Committee meetings; and the August 11, 2026 Board meeting. Staff also recommended revisions to the manual based on their experience implementing manual procedures and guidelines.

DISCUSSION

The following revisions have been made to the Governance Manual and are shown in redline in the attachment. Additions are shown in blue and deletions are shown in red strikeout.

Cover Letter

The manual's introductory cover letter has been revised to include signature lines reflecting the current Board of Directors.

Section 3.04(c), Role of the President Pro Tem

Edits have been made to clarify when and how long the president pro tem serves by stating when the Board President and Vice President are considered "absent," to state that the president pro tem shall have all the powers and duties of the President while serving, and to clarify that the Board member with the most seniority will serve as president pro tem.

Section 4.02, Conduct Between Board Members

At the request of a Board member, an item was added to this section to state that correspondence received by any Board member that is addressed to, or reasonably intended for, multiple Board members shall be promptly forwarded to the Secretary of the District for distribution to the respective Board members.

Section 4.03, Conduct at Board Meetings (new)

A list of draft "agreements" for communications at Board meetings developed by the Board during the March 10, 2026 Board retreat was added as a new section to the manual. The draft

Originating Department: Office of the Sectary	**Department Director or Manager:** Rischa S. Cole	**CEP Forms?** N/A	**Board Action Type:** Administrative
Funds Available: N/A	**Budget Coding:** N/A		**Approved:**
Attachment(s): EBMUD Board of Directors Governance Manual (redlined); Resolution			

Title:	Adopt Updated Board of Directors Governance Manual	Meeting Date:	September 8, 2026

agreements developed during the retreat have been revised based on feedback from the Finance/Administration Committee and the Board.

Section 5.02, Failure to Abide by Principles of Ethics

This section was formerly entitled "Failure to Abide by Principles of Ethics and Conduct." At the request of the Finance/Administration Committee, it has been split into two sections. Section 5.02 now states that a failure to abide by the Board's Ethics Policy will be addressed under the procedures stated in the Policy while failure to abide by Principles of Conduct is now addressed under Section 5.03.

Section 5.03, Failure to Abide by Principles of Conduct (new)

This section includes text from Section 5.02 and clarifies that the Board President is responsible for ensuring Board members abide by the Principles of Conduct stated in Section 4 of the manual and provides options for actions the Board may take if any member fails to follow those Principles of Conduct. The options are based on the existing text in Section 9.04 regarding a Board member's failure to complete required onboarding or training.

Section 7.04, Removal of Board Officers

This section was edited to clarify that a new Board Officer must be elected upon the resignation of a Board Officer, not just upon the removal of an Officer. Additionally, the statement that a new Board Officer will be elected at the next Board meeting has been removed to avoid a gap in leadership if a Board Officer is removed or resigns. This revision allows for the timely elections of a replacement Board Officer when necessary. Any election of a Board Officer would be included on a Board meeting agenda in accordance with the Brown Act.

Section 11.04, Time and Place of Meetings

Section 11.04(a) has been replaced in its entirety with updated schedules for Regular, Closed Session, and Standing Committee meetings adopted by the Board on May 26, 2026. Section 11.04(d) has been revised to state that all meetings will be held in the William "Bill" Patterson Boardroom; to clarify that the Board retains the authority to schedule special or emergency meetings as needed; and to state that the start times of closed session and committee meetings may be adjusted to accommodate the agendas for these meetings, and that any change in start time will be stated on the public notices for the meetings.

Section 11.08, Posting Meeting Agendas

Language has been added to clarify that Board meeting agendas must be posted at all locations, including remote meeting locations, as required by the Brown Act.

Section 12.01, Committee Assignments

A new provision had been added to this section stating that the Board President, pursuant to the President's powers outlined in Section 3, may remove a Board member as a committee chair and appoint a new chair if the member is consistently late to or absent from committee meetings.

Title:	Adopt Updated Board of Directors Governance Manual	Meeting Date:	September 8, 2026

Appendix 2: Governing Laws and Regulations

This appendix has been updated to include updated ethics training timelines and new fiscal responsibility training requirements for Board members under Senate Bill 827.

Appendix 6: EBMUD Facility and Program Naming Guidelines (new)

Guidelines approved by the Board for naming District facilities and programs have been added as a new appendix to the manual.

SUSTAINABILITY

Economic

The Governance Manual is intended to promote responsible fiscal management.

Social

The intent of the Governance Manual is to ensure that all business conducted by the Board of Directors complies with District policies and state law.

I:\Sec\2026 Board Related Items\Board Meeting Date 09082026\Board Agenda Items\SEC – Adopt Updated BOD Governance Manual.docx

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(Title Page)

East Bay Municipal Utility District Draft Board of Directors Governance Manual

Thank you for your commitment to the East Bay Municipal Utility District (EBMUD). Your role as an EBMUD Board member is critical in supporting the vibrant East Bay community and protecting the environment we all cherish.

You are not alone in this incredible endeavor. Your fellow Board members and skilled and dedicated staff are here to assist you. The General Manager, General Counsel, and Secretary of the District will be your primary points of contact during your tenure on the EBMUD Board.

This manual contains information to help you understand your role as an EBMUD Board member. All documents referenced in this manual are available electronically; the Secretary of the District will assist you in accessing these files.

We trust you will find your time on the EBMUD Board rewarding and an opportunity to make a significant impact on the communities we serve.

With sincere appreciation,

Luz Gomez ~~Lesa R. McIntosh~~, 202~~6~~4 President	Valerie D. Lewis~~William B. Patterson~~ 202~~6~~4 Vice President	April B. Chan
~~Luz M. Gómez~~Andy Katz	~~Andy Katz~~Jim Oddie	~~Doug A. Linney~~Joey D. Smith
Marguerite Young		
Rischa S. Cole Secretary of the District	Clifford C. Chan General Manager	Derek T. McDonald General Counsel

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Section 1. Introduction

This handbook provides guidance on the practices the Board employs in exercising its authority, complying with various legal requirements, working with the public and EBMUD staff, and otherwise conducting EBMUD business.

Throughout this manual, the terms “EBMUD” and the “District” will be used interchangeably. References throughout are provided in The Dashboard on OneDrive.[1]

1.01 What is a Special District?

State law defines a special district as “any agency of the state for the local performance of governmental or proprietary functions within limited boundaries.” In plain language, a special district is a separate local government that delivers specific public services to a geographically limited area, such as water and wastewater service. Special districts have four distinguishing characteristics – they are a form of government; have governing boards; provide services and facilities; and have defined boundaries.[2]

1.02 EBMUD Mission Statement

EBMUD’s mission is “to manage the natural resources with which the District is entrusted; to provide reliable, high-quality water and wastewater services at fair and reasonable rates for the people of the East Bay; and to preserve and protect the environment for future generations.”

1.03 Principles of Governance

The principles used in accomplishing EBMUD’s mission are:

- Exercise responsible financial management
- Ensure fair and reasonable rates and charges
- Provide responsive quality customer service
- Promote ethical behavior in the conduct of EBMUD business
- Ensure fair and open processes involving the public
- Provide a healthy work environment
- Promote diversity and equity in personnel matters and contracting
- Promote environmental, economic, and social sustainability

1.04 EBMUD Values

EBMUD has adopted the following values in support of our Board members and employees as they work to achieve EBMUD’s mission:

[1] **Resource:** The Dashboard is an electronic library of reference documents and materials in a limited-access OneDrive folder provided to the Board and maintained by the Secretary’s Office.
[2] **Reference:** *Institute for Local Governments What’s So Special About Special Districts?* https://www.ca-ilg.org/post/about-special-districts

- Stewardship: I am a steward of our resources and committed to public service
- Integrity: I act with integrity
- Respect: I treat others with respect
- Teamwork: We are EBMUD and we are one team[3]

Section 2. Municipal Utility District Act

The Municipal Utility District (MUD) Act of California, enacted in 1921, provides the legal framework for the formation and operation of municipal utility districts within the state.[4] These districts are public agencies that provide essential services such as water, wastewater, electricity, and waste collection to their communities. Unlike private utility companies such as Pacific Gas & Electric, which are regulated by the California Public Utilities Commission, municipal utility districts operate independently and derive their powers directly from the MUD Act. The government of every municipal utility district is vested in a board of directors, one from each ward, together with the other officers mentioned in Chapter 3, Article 6 of the MUD Act.[5] The MUD Act enables districts to levy taxes, issue bonds, and acquire, construct, or operate infrastructure necessary to delivery these services with the goal of ensuring reliable and cost-effective public utilities while maintaining local control over resource management.[6]

Section 3. Role of the Board of Directors

The Board of Directors is the legislative body of EBMUD. The Board sets policy for EBMUD and operates in accordance with and as outlined in MUD Act Chapter 3, Article 4, Powers and Duties of Directors and all other applicable laws. As discussed in subsection 3.03, the Board exercises legislative and ministerial powers in providing direction to EBMUD.

3.01 Purpose of the Board

The Purpose of the Board is to:

- Develop policies that implement the mission and values of EBMUD.
- Establish performance standards and outcomes that reflect the policies set by the Board.
- Provide oversight of EBMUD's performance against the standards established by the Board.
- Make decisions necessary to carry out the mission of EBMUD.

[3] **Resource:** EBMUD Values Splashpad Page, https://splashpad.ebmud.com/district/values
[4] **Reference:** Public Utilities Code § 11501 *et seq.*
[5] **Reference:** Public Utilities Code §§ 11801 & 11850.
[6] **Reference:** A hard copy of the MUD Act is provided to every new Board member.

3.02 Authority of the Board and Individual Board Members

The Board of Directors is the unit of authority for EBMUD. It is the legislative body of EBMUD and determines all questions of policy.[7] Under the MUD Act, it is empowered to supervise and regulate the utility services provided by EBMUD, including setting rates and fees, and making and enforcing rules, regulations, contracts and practices in connection with any service, product, or commodity owned or controlled by EBMUD.[8] The specific duties of the Board, as authorized by the MUD Act, are detailed in subsection 3.03.

The authority above must be exercised by a quorum of the Board, meaning four out of seven Board members. Individual Board members may not commit EBMUD to any policy, act, or expenditure unless authorized by a quorum of the Board.[9]

Individual Board members should respect the decisions made by the Board, regardless of their personal position. Individual Board members may voice their opinion about the decisions of the Board, but in doing so, should make it clear that it is their own opinion and not the opinion of the Board or other Board members. Individual Board members are encouraged to notify the General Manager in advance when they plan to speak publicly in opposition to EBMUD's decisions, policies or actions.

3.03 Board Duties

The key duties of Board members are to:

- Adopt and regularly update a Strategic Plan for EBMUD that reflects its mission, values and vision.
- Adopt written policies that further the Strategic Plan and mission of EBMUD, while ensuring a high-quality of governance and clear roles in decision-making between the Board and EBMUD staff.
- Adopt rates, rules and regulations for the services provided by EBMUD.
- Approve budgets, rates and long-range capital plans to ensure the long-term ability of EBMUD to fulfill its mission.
- Hire, regularly evaluate and, when necessary, discharge the General Manager and General Counsel.
- Identify and track the performance metrics that reflect the policies set by the Board.
- Provide oversight and track compliance with all relevant laws, regulations, permits and the performance of EBMUD.
- Ensure the organization operates effectively and efficiently to fulfil its mission.
- Comply with the open governance requirements of the Ralph M. Brown Act and the California Public Records Act.

[7] **Reference:** Public Utilities Code § 11883.
[8] **Reference:** Public Utilities Code § 11885. Additional details of the powers and duties of the Board as enumerated in the MUD Act may be found in Appendix 2, Governing Laws and Regulations.
[9] **Reference:** Public Utilities Code § 11909.

- Communicate with EBMUD customers and community stakeholders to understand their concerns, values and viewpoints.
- Serve as ambassadors for EBMUD and build relationships throughout EBMUD's service area and in those areas of the state impacted by EBMUD's policies and activities.
- Maintain open lines of communication with employee unions and approve collective bargaining agreements in alignment with EBMUD's vision and goals.
- Strive to equitably address the needs of all communities served by EBMUD, with a special emphasis on addressing the needs of impacted communities.
- Set Ward boundaries following each decennial census and in accordance with the Fair Maps Act so that each ward accurately reflects population changes and racial diversity.
- Take such actions as are required by law.

3.04 Role of Board Officers

The Board Officers are the President and Vice President.[10] While not considered Board officers, this subsection also describes the role of the President Pro Tem, the chairs of standing committees, and the representatives on the governing bodies of Joint Powers Authorities to which EBMUD is a party.

(a) Role of the Board President

The role of the President is to:

- Serve as presiding officer at all Board meetings.
- Develop and approve the regular Board meeting agenda in consultation with the General Manager.
- Administer regular Board meetings under appropriate parliamentary procedure and in accordance with this manual, by:
    - Managing the meeting time;
    - Ensuring appropriate opportunities for public participation;
    - Keeping the Board focused on the discussion at hand; and
    - Avoiding diversions from the agenda or disruptions in the conduct of EBMUD business.
- Sign resolutions, ordinances, and other Board-approved documents on behalf of the Board.
- Make appointments to Standing Board Committees, Ad Hoc Committees, Joint Powers Authorities (JPAs), and as representatives to outside agencies.
- Act as a mentor for newly elected or appointed Board members while avoiding violations of the Brown Act.[11]
- Act as an official representative of EBMUD for ceremonial purposes.

[10] **Reference:** Public Utilities Code § 11882.
[11] Any Board member who serves as a mentor to other Board members should first consult with the General Counsel for advice on providing mentorship in a manner that does not violate the Brown Act.

- Promote and exemplify EBMUD's Values of Stewardship, Integrity, Respect and Teamwork.
- Ensure Board members abide by Policy 6.04, Ethics of the Board of Directors, and the principles of conduct stated in this manual; in a prompt and timely fashion, investigate reported perceived violations of the Ethics Policy by a Board member, and consider any appropriate action warranted.

(b) Role of the Board Vice President

The Role of the Vice President is to:

- Perform the duties of the President in the President's absence or due to any conflict of interest the President may have under the law or EBMUD policies and procedures.
- Act as a mentor for newly elected or appointed Board members while avoiding violations of the Brown Act.

(c) Role of the President Pro Tem

If both the President and Vice President are absent, the Board member with highest seniority among the Board members present will~~:~~ serve as president pro tem until such time as the President or Vice President is present. The President or Vice President shall be considered "absent" if they have informed the Secretary of the District that they will not be present at a meeting or for a period of time or if the General Manager makes the determination that they are not available to serve at a meeting or for a period of time, or that both positions are otherwise vacant. The president pro tem shall have the same powers and duties as the President as set forth in this manual until such time as the President or Vice President are no longer absent.

(d) Role of Committee Chairs

The role of a Committee Chair is to:

- Serve as the presiding officer at committee meetings.
- Develop and approve the committee meeting agenda in consultation with the General Manager.
- Administer committee meetings under appropriate parliamentary procedure and in accordance with this manual.
    - Managing the meeting time;
    - Ensuring appropriate opportunities for public participation;
    - Keeping the committee focused on the discussion at hand; and
    - Avoiding diversions from the agenda or disruptions in the conduct of EBMUD business.
- Report to the Board at the next regular Board meeting following a committee meeting any discussions held at the committee meeting and any recommendations by the committee on actions to be taken by the Board.

3.05 Appointees of the Board of Directors

The Board directly appoints the General Manager, the General Counsel, and the Secretary of the District.[12]

(a) Role of the General Manager

The General Manager serves at the pleasure of the Board pursuant to the terms and conditions set forth in an employment agreement with EBMUD. The General Manager is responsible for the management of EBMUD and its employees in accordance with the policies approved by the Board.

The General Manager is responsible for:

- Administering the business affairs of EBMUD.
- Enforcing all EBMUD ordinances, rules and regulations.
- Executing Board directives and reporting back to the Board on progress.
- Administering the EBMUD civil service system.
- Hiring, managing and removing EBMUD employees necessary for the administration of the affairs of EBMUD, in accordance with the provisions of the civil service system.
- Managing communications and requests between the Board and staff.
- Attending all regular, special and committee meetings of the Board unless excused.
- Bringing to the attention of the Board matters requiring or deserving its consideration.
- Preparing an annual budget for approval by the Board reflecting the Board's policy and strategic directives.
- Preparing general and specific reports updating the Board on the affairs of EBMUD, including keeping the Board informed on the progress of programs and specific matters.
- Preparing draft agendas and all documents necessary for the Board's governance of EBMUD at regular Board meetings and committee meetings.
- Ensuring that EBMUD effectively interacts with the public it serves and other governmental agencies to inform them of matters of concern and to promote EBMUD policies and programs.
- The full charge and control of the construction of the works of EBMUD and of their maintenance and operations.
- Performing additional duties as the Board may require.[13]

The General Manager performs these duties either directly or through EBMUD staff or contractors, as necessary and appropriate, in accordance with Board policies, EBMUD procedures, and the EBMUD civil service system.

[12] **Reference:** Public Utilities Code §§ 11926 & 11931.
[13] **Reference:** Public Utilities Code §§ 11926, 11937 & 12501 *et seq.*

(b) Role of the General Counsel

The General Counsel is licensed to practice law in the State of California and shall have been actively engaged in the practice of their profession for not less than three years next preceding their appointment.[14] The General Counsel is the chief legal officer of EBMUD and serves at the pleasure of the Board pursuant to the terms and conditions set forth in an employment agreement with EBMUD. .[15]

The General Counsel is responsible for:

- Overseeing and directing EBMUD's strategy in all lawsuits and other legal proceedings in which EBMUD is a party or in which it is legally interested.
- Advising the Board on compliance with the Brown Act, conflict of interest laws, and other laws related to the Board's governance of EBMUD.
- Providing legal advice to the General Manager and members of the Senior Management Team.
- Providing legal advice in support of the work of EBMUD staff or whenever required by the Board.
- Reporting to the Board situations that present a legal risk to EBMUD that come to the General Counsel's attention.
- Approving as to form all EBMUD ordinances, resolutions, contracts, bonds, and other legal documents connected with the business of EBMUD.
- Attending all regular, special and committee meetings of the Board unless excused.
- Exercising fiscal responsibility in the management of special counsel contracts while making such expenditures as necessary to meet EBMUD's legal needs.
- Performing additional duties as the Board may require.

The General Counsel performs these duties either directly or through the attorneys and staff of the Office of General Counsel or in conjunction with special counsel retained by the Office of General Counsel, as necessary and appropriate, in accordance with Board policies and EBMUD procedures.

(c) Role of the Secretary of the District

The Secretary of the District acts on behalf of the Board members in a variety of executive, administrative, legal and record-keeping functions, and is part of the EBMUD Senior Management Team. These functions include preparation and distribution of Board and Committee agendas, notices, meeting materials, and minutes; compliance with applicable regulations, including the MUD Act, Public Health and Safety Code, Brown Act, Political Reform Act, and Public Records Act; records management; administration of elections; adherence to Fair Political Practices Commission requirements; compliance with ethics laws; maintenance of Board policies and related administrative procedures; and special projects.

[14] **Reference:** Public Utilities Code § 11932.
[15] **Reference:** Public Utilities Code § 11939.

The Secretary of the District:

- Makes independent decisions as necessary to implement Board requests, decisions and official actions.
- Provides administrative support to Board members.
- Performs all duties in compliance with applicable regulations.
- Serves as custodian of the EBMUD seal and the official records of EBMUD.
- Attends all regular, special and committee meetings of the Board unless excused.
- Produces, as appropriate, the minutes and official records of Board and Committee actions.
- Serves as the Filing Official under EBMUD's Conflict of Interest Code and serves as EBMUD's Election Officer to oversee EBMUD election procedures with the Counties of Alameda and Contra Costa.
- May perform any other duties from time to time as may be prescribed by the Board of Directors.

Section 4. Principles of Conduct

The Board is committed to acting in the best interests of its ratepayers and the public, providing excellence in leadership and prioritizing EBMUD's mission over personal or other interests. This section presents general principles of Board member conduct.

4.01 General Principles of Conduct

The following are the general principles of conduct to be observed by the Board.

- Board members must always demonstrate loyalty to EBMUD by acting in the best interest of EBMUD, its ratepayers and the public, not allowing their actions to be dictated by personal, financial or political interests.
- Board members should make decisions that prioritize the long-term sustainability, financial health, and operational efficiency of EBMUD, while ensuring reliable service to the public.
- Board members should be prepared for Board meeting deliberations in which they are required to or wish to take part.
- Board members should demonstrate EBMUD's values of Stewardship, Integrity, Respect, and Teamwork.
- Board members should endeavor to conduct themselves with civility, respect, and professionalism with each other, EBMUD staff, and the public.
- Each Board member should respect the decision-making authority of the Board and abide by Board-adopted policies and EBMUD-adopted procedures.
- Board members should familiarize themselves with and comply with all applicable laws, regulations and Board-adopted policies regarding governance of EBMUD, about which Board members may seek advice from the General Manager or Secretary of the District, or legal advice from the General Counsel, when necessary.

Board members are encouraged to:

- Stay informed about the issues facing the water and wastewater industry.
- Ask the General Manager questions about Board meeting agenda items ahead of Board and committee meetings to allow time for staff to prepare helpful responses to support the Board's discussion and decision-making.
- Manage conflict carefully and with civility.
- Be respectful of their fellow Board members, staff, guests, and the public.
- Be timely in their attendance at all Board, committee, and special meetings.

4.02 Conduct Between Board Members

The following principles apply to all conduct between Board members when interacting with each other.

- Each Board member should respect the dignity, values and opinions of other Board members, focusing on policy issues and not personalities.
- The Board is encouraged to work as a team, striving to reach consensus on policy decisions to the extent possible, recognizing that each Board member may have a unique perspective on a policy issue.
- No Board member should put the personal interests of any other Board member above the interests of EBMUD.
- Board members shall not communicate with each other outside of publicly noticed meetings in a manner that violates the Brown Act.

4.03 Conduct at Board Meetings

At all meetings, Board members shall endeavor to:

- Ensure every Board member's voice is heard before decisions are made.
- Focus on issues, not individuals.
- Provide constructive feedback, even when there is disagreement.
- Be succinct and focused when contributing to the discussion.
- Commit to truth and accuracy in discussions.
- Listen to everyone with trust and respect.
- Direct any concerns to the General Manager, not staff.
- Not raise any surprises, but instead raise concerns openly and constructively.
- Not engage in personal attacks.

~~4.03~~4.04 Conduct When Representing EBMUD in Public

The following principles apply to the conduct by Board members when interacting with constituents or representing EBMUD in public settings.

- When responding to constituent requests and concerns, Board members are expected to be courteous and respond to individuals promptly and in a positive manner. The General Manager and the Community Affairs Representative for the Board member's ward are available to provide information or assistance to a Board member in responding to members of the public.
- In communicating with the governing bodies of other agencies, the press, or other members of the public:
    - Board members may speak on behalf of EBMUD or the Board when discussing adopted EBMUD policies or stated Board decisions.
    - In all other circumstances, Board members should make it clear that their opinions and representations are their own and do not reflect the opinions or policies of EBMUD or the Board as a whole.
    - Board members are encouraged to notify the General Manager in advance if they plan to speak publicly in opposition to an EBMUD decision or policy.
- Board members should endeavor to express their individual opinions in a responsible manner that is not detrimental to EBMUD or other Board members and staff.

~~4.04~~4.05 Working with Staff

The MUD Act charges the General Manager with the day-to-day management of EBMUD staff.[16] This subsection describes how the Board works with those EBMUD officers appointed by the Board, as well as with EBMUD staff.

(a) Working with the General Manager

The Board provides policy direction and instructions to the General Manager on matters within the authority of the Board. The General Manager is responsible for execution of the Board's policy direction and instructions. Members of the Board should deal with matters within the authority of the General Manager through the General Manager.

(b) Working with the General Counsel

The General Counsel provides the legal support for the policies adopted by the Board and the procedures approved by the General Manager to implement those policies.

- Board members should consult directly with the General Counsel on any questions regarding compliance with the Brown Act, ethics laws or other laws related to Board governance.
- The General Counsel provides advice to Board members in their official capacity and cannot advise Board members in their individual capacity.
- The General Counsel cannot advise Board members in their capacities as campaign candidates except insofar as their positions as Board members may impose certain legal obligations on them under campaign finance laws.

[16] **Reference:** See Public Utilities Code §§ 11926 & 11937.

(c) Working with the Secretary of the District

The Secretary of the District and staff provides administrative support to the Board and performs additional duties as the Board may require. Board members should consult with the Secretary of the District on questions regarding but not limited to EBMUD-related travel, attending conferences, expenses and reimbursement, training requirements, schedule coordination, Board meeting material distribution, Board meeting attendance, elections, FPPC filings (e.g. Form 700), general information (outside of information requested from the General Manager or General Counsel), and other regulatory requirements that may govern their role.

(d) Working with EBMUD Staff

When working with or interacting with EBMUD staff, each Board member should:

- Consult directly with the General Manager for information or clarification regarding EBMUD policies, procedures or operations, especially those involving personnel decisions, operations and finances.
- Not exercise individual authority over staff and direct inquiries regarding the actions of any EBMUD staff member to the General Manager.
- Respect the role and authority of the General Manager and EBMUD's Senior Management Team and employees in the day-to-day management and operations of EBMUD.
- Share concerns about or criticism of the actions of EBMUD staff with the General Manager, in order to respect the privacy or due process rights afforded to all staff.
- Be mindful of requests (e.g., preparing memoranda, reports, or plans) and the impact on the use of staff time and resources, as follows:
    - Board members may work directly with the Community Affairs Representative for their ward in responding to constituent concerns, preparing for meetings with constituents, or on such other matters in which a Board member may interact with a constituent.
    - Board members are encouraged to keep the General Manager and Secretary of the District apprised of any need to work with a Community Affairs Representative.
    - Other than as set forth above, Board members should direct all individual requests for information, memoranda, plans, documents or other materials to the General Manager or the Secretary of the District.
    - Board members should recognize that they are the highest authority at EBMUD and, in order to avoid disruption to the work of EBMUD employees and allow for the free exchange of information, should avoid attending staff meetings or staff events or entering into staff offices or cubicles unless their presence is requested or by making an appointment through the General Manager, the Secretary of the District or, for legal matters, the General Counsel.

~~4.05~~4.06 Relationship with Union Representatives

Board members are encouraged to maintain open lines of communication with union leaders to understand concerns associated with pending Board matters, contracts, and employee relations concerns, but should not disclose confidential information to union representatives. Board members should inform the General Manager of discussions with union representatives, as appropriate. Board members should not represent their individual opinions as being the policy or position of EBMUD and should clearly distinguish between personal opinion and the position of EBMUD in such communications. In speaking with union members, Board members should recognize that the comments and opinions of individual union members may not represent the official position of the union and should avoid reporting such conversations as the position of the union.

Section 5. Ethics of the Board of Directors

5.01 Principles of Ethics

Board members should avoid impropriety or the appearance of impropriety in their activities. Board members will uphold the highest standards of integrity, honesty, and ethical behavior in all EBMUD-related activities and in accordance with Policy 6.04, Ethics of the EBMUD Board of Directors. Board members are encouraged to review Policy 6.04 and to direct any questions regarding the Policy to the General Counsel.

5.02 Failure to Abide by Principles of Ethics ~~and Conduct~~

~~The Board President is responsible for ensuring Board members abide by the Ethics Policy and principles of conduct stated in this manual.~~ Violations of Policy 6.04 – Ethics of the Board of Directors, will be addressed in accordance with the procedures set forth in the Policy.

5.03 Failure to Abide by Principles of Conduct

The Board President is responsible for ensuring Board members abide by the ~~Ethics Policy and~~ principles of conduct stated in Section 4 of this manual. Should any Board member have a concern about a violation of the principles of conduct, the Board member is encouraged to raise the concern in private with the Board member in question, or with the Board President, prior to raising the concern in public. Any Board member may call for censure or other actions to be taken against the Board member who has violated the principles of conduct.

Section 6. Protection of Whistleblowers

The Board promotes and oversees EBMUD's efforts to maintain a healthy and transparent work environment, free from discrimination, harassment or retaliation based

on the reporting of improper activities in the workplace. The Board's role in the protection of whistleblowers at EBMUD is described in Policy 6.16.

Section 7. Election of Board Officers

7.01 Process for Election

(a) Time of Election

Board Officers shall be elected as the first order of business during the first regular Board meeting of the calendar year.

(b) Nomination of Officers

- Each Board member has the right to nominate a Board member, including themselves, for the role of President or Vice President.[17]
- Each nomination must be seconded by a Board member.
- If more than one Board member is nominated to an Officer position, each nominee must be put to vote in the order the nomination was made.

(c) Vote for Board Officers

The positions of President and Vice President shall be elected by a majority vote of the Board (four of seven Board members).

7.02 Qualifications of Board Officers

It is important that any Board member being considered for election to an Officer position have the qualifications and experience necessary for effective governance. This includes the following:

- Service on the Board for at least one year prior to the date of the Officer election
- Completion of all required Orientation and Training described in this manual

Traditionally, a Board member shall have served as Vice President prior to serving as President.

In circumstances where none of the Board members meet the qualifications stated above, the Board may vote to elect any Board member to serve as President or Vice President.

7.03 Term of Board Officers

The term of each Board Officer shall be for one year, shall begin immediately following the vote by the Board and shall continue until a new Board Officer is elected.

[17] Traditionally, the immediate past Vice President has been nominated for the role of President.

A Board member may not serve more than two consecutive one-year terms in each Board Officer position, unless a situation arises in which the majority of the Board votes to allow an Officer to hold three or more consecutive terms.

7.04 Removal or Resignation of Board Officers

A vote to remove a Board Officer may be initiated following a motion by any Board member and seconded by another Board member. A Board Officer may be removed by a majority vote of the Board (four of seven Board members).

Upon removal or resignation of a Board Officer, the Board shall ~~calendar the appointment of~~elect a new Officer ~~for the next regular Board meeting~~. New Officers shall be nominated and approved as set forth in subsection 7.01. The Officer ~~appointed~~ elected to fill the position shall serve for the remainder of the term for the position.

Section 8. Filling Director Vacancies

When a vacancy occurs in a ward before the next general election that is scheduled 90 or more days after the effective date of the vacancy, the Board must vote to either hold a special election in that ward or to appoint a person to fill the vacancy until the next general election.[18]

If the Board chooses to appoint a person to fill the vacancy, the following process may be used.

- At a regularly scheduled or special Board meeting, the Board will appoint an ad hoc committee to facilitate the appointment process.
- A Notice of Vacancy in the ward will be posted in three conspicuous places (EBMUD's Administration Building in Oakland and two places in the ward); on EBMUD's website and social media platforms; published in newspapers; and distributed for posting with cities, towns, chambers of commerce, regional agencies, and elected officials in the ward.
- All interested candidates will receive an information packet that will include a description of the application process and a link to a page on EBMUD's website with information about EBMUD.
- Candidates will be required to mail, email, or hand deliver the following application materials by close of business on a date to be determined by EBMUD:
    - A letter expressing their interest and qualifications (no more than 2 pages);
    - A resume; and
    - A minimum of three (3) letters of reference. Additional letters of reference will not be accepted after the submission deadline.
- The Office of the Secretary will conduct the initial screening of all application materials for completeness and confirm with the county that the applicant is a resident of and registered voter in the ward.

[18] **Reference:** See Public Utilities Code § 11865.

- The ad hoc committee will screen applications to develop a shortlist of candidates, if necessary, for final interviews with the full Board.
- Candidate interviews will be conducted as follows:
    - The Board will conduct interviews with each candidate recommended by the ad hoc committee at its next regularly scheduled meeting or at a special meeting, in EBMUD's Administration Building Boardroom or at the Board's discretion, a location within the ward with the vacancy.
    - The interviews will be conducted in person, and if conducted in EBMUD's Administration Building Boardroom, viewable online, and livestreamed on EBMUD's website.
    - The Board will deliberate and, if time permits, vote for the recommended candidate at the conclusion of the interviews.
- If the Board does not vote for the recommended candidate at the conclusion of the interviews, the Board may adjourn the meeting to a future meeting to vote for the recommended candidate.
- The appointee will be sworn in and will serve as the Director for the ward exactly as if elected to office, until the next general election for EBMUD.

This process may be started before the effective date of the Board member's vacancy but must be completed within 60 days of the effective date of the vacancy.[19]

Section 9. Board Member Orientation and Training

9.01 Onboarding and Training of Newly Elected or Appointed Board Members

In order to effectively govern, new Board members should become familiar with the policies, procedures, and operations of EBMUD. During the first four months following election or appointment, the Board member will participate in the following onboarding presentations (2-4 hours) and tours (2 hours - all day):

- Organization Overview, Public Affairs, Administrative Support (Secretary's Office) and Legislative Programs, and Function of Internal Audit Office
- Water Quality and Environmental Protection
- Long-Term Water Supply and East Bay Watershed Master Plan
- Long-Term Infrastructure Investment
- Long-Term Financial Stability and Cybersecurity/Information Systems
- Customer and Community Services
- Workforce Planning and Development, including the Diversity, Equity and Inclusion Strategic Plan
- Personal Benefits Orientation and Selection

The following tours will be offered to Board members as part of the orientation and training. Attendance is optional.

[19] **Reference:** See Public Utilities Code § 11865(a).

- Local Water Distribution System
- East Bay Watershed
- Upcountry Facilities
- Wastewater Facilities

New Board members are also encouraged to complete the California Special Districts Association training for new Board members. The Secretary of the District will assist Board members with enrolling in this training.

The Board President and General Manager, in coordination with the Secretary of the District will develop the training and orientation schedule for new Board members. The Board President, with assistance from the Secretary of the District, is responsible for monitoring the progress of new Board members in the timely completion of their orientation and training.

All onboarding presentations and tours will be led by the General Manager and the Senior Management Team. General Board governance training will be conducted from time-to-time by an outside facilitator.

9.02 Office of General Counsel Presentation on Governance Laws and Litigation

In the first month following election or appointment, each Board member will receive a presentation from the Office of General Counsel on:

- The Municipal Utility District Act
- Open meeting requirements under the Ralph M. Brown Act
- Board governance and Ethics of the EBMUD Board of Directors
- California Conflict of Interest Laws
- The Public Records Act

The presentation will also include information regarding any major litigation in which EBMUD is involved.

9.03 Required Ongoing Training

All Board members, as public officials, shall complete the following trainings, as required by law:

- In accordance with Assembly Bill (AB) 1661, at least two hours of preventing harassment training within six months of assuming office and every two years following the initial training.[20]
- In accordance with AB 1234, at least two hours of ethics training no later than one year from the date the Board member assumes office and every two years thereafter.[21]

[20] **Reference:** Government Code § 53237 *et seq.*
[21] **Reference:** Government Code § 53234 *et seq.*

The Secretary of the District will assist Board members with enrolling in this training and will maintain records of compliance. Board members' ethics and preventing harassment training certificates will be posted on EBMUD's website.

9.04 Failure to Complete Required Onboarding and Ongoing Training

Board members who fail to complete the onboarding process, including the Office of General Counsel's presentation, within the first 6 months of assuming office, and required ongoing training by the prescribed deadlines may:

- Be ineligible to serve as a Board Officer (President or Vice President), chair a standing Board committee, serve on an ad hoc committee, serve on the Retirement Board or serve on the boards of Joint Powers Authorities.
- Be ineligible for approval of travel on behalf of EBMUD or reimbursement of travel expenses.
- Have information posted on the EBMUD website identifying any incomplete training required by law until such time as the required training has been completed.

Section 10. Training, Educational Programs, Conferences, and Professional Meetings

Board members are encouraged to attend training, educational programs, conferences and professional meetings when the purpose is to support EBMUD or their role as Directors. Attendance at these events must be approved by the Board President in advance. The Secretary of the District manages the budget for these activities and will track requests to attend training, educational programs, conferences, and professional meetings to assist the Board President with reviewing and approving requests. Attendance at these events should not conflict with the Board member's in-person attendance at meetings of the Board of Directors (see Section 11), unless approved in advance by the Board President.

Upon return from any conference attended on behalf of EBMUD, a Director shall file with the Secretary of the District a written report on the Director's activities at the conference (e.g., and what was learned at the conference that may be helpful to the Board or EBMUD and what meetings or sessions the Board member attended).

- The Secretary of the District shall send a copy of the report to the Board President.
- A Director shall not be eligible for reimbursement until they have filed the report with the Secretary of the District.

Section 11. Meetings of the Board of Directors

A Board "meeting," as defined by the Brown Act, is any gathering of a quorum of the Board, or of a Board committee, at the same time and place (including electronically) to

discuss the business of EBMUD and/or to take action. To comply with the Brown Act, all meetings must be publicly noticed, and the Board's discussions and actions are limited to the topics specifically stated in the noticed meeting agenda.[22]

11.01 Application of the Sturgis Standard Code of Parliamentary Procedure

The Board follows the Sturgis Standard Code of Parliamentary Procedure (Sturgis) for all aspects of the conduct of Board meetings not otherwise required by law, to the extent reasonably practicable.[23]

Deviation from Sturgis in the conduct of Board meetings shall not be grounds for the invalidation of any lawful action taken by the Board.

11.02 Types and Purpose of Meetings

There are several types of Board meetings allowed under the Brown Act. Their purpose is described here. The time and place of each meeting described below is stated in subsection 11.04.

(a) Regular Meetings

The principal type of meeting at which EBMUD business is conducted is a regular Board meeting.

(b) Closed Session Meetings

The Brown Act requires all Board meetings to be held publicly, unless one of the specific, narrow exceptions defined in the Act applies, in which case the topic may be discussed in a noticed "closed session meeting."[24] The most commonly cited exceptions for closed session at EBMUD relate to discussion of litigation, real estate negotiations, labor negotiations and the security of EBMUD infrastructure. Only individuals having an official role in the closed session subject matter may attend the closed session.

The Brown Act explicitly prohibits the unauthorized disclosure of confidential information acquired in a closed session by any person present, including Board members.[25] Some actions taken in closed session must be publicly reported during the regular Board meeting, and the votes for or against the actions must be provided. The Board President generally makes these reports following closed session.

(c) Special Meetings

Occasionally, special Board meetings are held to discuss a particular topic, conduct a workshop or study session or, if necessary, hold a meeting at a time or date and place other than a regularly scheduled Board meeting. Special Board meetings generally must be convened within EBMUD's service area. State law requires that agendas for special

[22] **Reference:** Government Code § 54950 *et seq.*
[23] **Reference:** EBMUD Board Resolution No. 32457.
[24] **Reference:** Government Code §§ 54953(a) & 54962.
[25] **Reference:** Government Code § 54963.

Board meetings be provided to each local newspaper of general circulation and each radio and television station that has requested such notice in writing and be posted in a public place and on EBMUD's website at least 24 hours prior to the meeting. These meetings are open to the public.

11.03 Role of Standing Committees

(a) Roles and Responsibilities for Standing Committees

- With the exception of the Retirement Board, each committee consists of three Board members assigned in accordance with subsection 12.01.
- The committee will receive staff updates on topics within the purview of the committee, as stated in subsection 11.03(b).
- For any action to be taken by the Board that was first presented to a committee for consideration, the committee Chair will inform the Board on its discussions regarding the action, including any relevant policy alternatives, and make a recommendation to the Board on the action to take.
- Though committees may recommend a preferred action or policy decision to the full Board, committees do not have the authority to direct staff to exclude any reasonable action or policy alternative from consideration by the full Board.
- Committees may not speak for or act on behalf of the full Board except when expressly authorized by the Board for a specific and time-limited purpose.
- The committee Chair or, in the absence of the Chair, a representative on the committee, will report on the discussions of the standing committee at the Board meeting following the committee meeting.

(b) Roles and Responsibilities for Each Standing Committee

- Finance/Administration Committee. Reviews EBMUD investments, debt service, and related policies, fees and charges, audits, contracts and grants, and policies for acquisition of equipment or services.
- Legislative/Human Resources Committee. Discusses legislative goals and programs, human resources related issues, personnel policies, EBMUD training and development, and EBMUD Diversity, Equity, and Inclusion activities.
- Planning Committee. Reviews planning of facilities, capital projects, operational standards, and the acquisition, development and disposition of real property.
- Sustainability Committee. Discusses matters related to sustainability, natural resources, and the environment.

11.04 Time and Place of Meetings

(a) Regular and Committee Meetings

The regular Board meeting is divided into two segments: a closed session and then the regular business meeting at 1:15 p.m. The schedule of regular Board meetings and standing committee meetings is listed below.

January through June, and October

Second Tuesday of the Month:

- Planning Committee: 9:00 a.m.
- Legislative/Human Resources Committee: 10:00 a.m.
- Closed Session: 11:00 a.m.
- Regular Board Meeting: 1:15 p.m.

Fourth Tuesday of the Month:

- Finance/Administration Committee: 9:00 a.m.
- Sustainability Committee (if needed): 10:00 a.m.
- Closed Session: 11:00 a.m.
- Regular Board Meeting: 1:15 p.m.

July and December

Second Tuesday of the Month:

- Planning Committee: 9:00 a.m.
- Legislative/Human Resources Committee: 10:00 a.m.
- Closed Session: 11:00 a.m.
- Regular Board Meeting: 1:15 p.m.

August, September and November

Second Tuesday of the Month:

- Planning Committee: 9:00 a.m.
- Legislative/Human Resources Committee: 10:00 a.m.
- Finance/Administration Committee: 10:30 a.m.
- Closed Session: 11:30 a.m.
- Regular Board Meeting: 1:15 p.m.

~~(a) Regular Board Meetings~~

- ~~Regular Board meetings are held on the second and fourth Tuesday of each month.~~
- ~~The regular meeting is divided into two segments: closed session at 11:00 a.m. and the regular business meeting at 1:15 p.m.~~
- ~~The regular Board meetings scheduled for the 4th Tuesdays in July and in December are canceled each year to allow for vacations and breaks.. However, the Board can schedule special or emergency meetings if needed during these periods.~~

~~(b) Planning Committee~~

~~Meetings of the Planning Committee will be held at 9:00 a.m. on the second Tuesday of each month.~~

~~(c) Legislative/Human Resources Committee~~

~~Meetings of the Legislative/Human Resources Committee will be held at 10:00 a.m. on the second Tuesday of each month.~~

~~(d) Finance/Administration Committee~~

~~Meetings of the Finance/Administration Committee will be held at 10:00 a.m. on the fourth Tuesday of each month.~~

~~(e) Sustainability Committee~~

~~Meetings of the Sustainability Committee will be held at a time to be determined on the fourth Tuesday, on a quarterly basis.~~

~~(f)~~(b) Board Workshops

Board Workshops are special meetings under the Brown Act that will be held at a time and place to be determined by the General Manager in consultation with the Board President.

~~(g)~~(c) Retirement Board

The EBMUD Retirement Board meets bi-monthly at 9:00 a.m. on the third Thursday of January, March, May, July, September, and November, respectively. The Retirement Board may change the meeting date from a third Thursday to either a second or fourth Thursday if the third Thursday in the month is in the same week as a regular Board meeting.

~~(h)~~(d) Date, Time, and Place Considerations for All Meetings

- All Board meetings will be held in the William "Bill" Patterson Boardroom of EBMUD's Administration Building located at 375 11th Street, Second Floor, Oakland, California.
- The Board retains the authority to schedule special or emergency meetings outside of the times noted above if needed.
- The meeting dates above are subject to cancellation.
- The start times of Board closed session and standing committee meetings stated above may be adjusted to accommodate ~~the agenda for a committee meeting~~ such meetings and shall be stated in the public notices of the meetings.~~.~~

11.05 Attendance at Meetings

Board members are expected to attend all assigned meetings. Failure to attend meetings, or excessive tardiness, may result in the loss of compensation for the month in question. See subsection 13.01 for more details.

11.06 Quorum and Majority

Under the MUD Act, four Board members constitutes a quorum of the EBMUD Board and no Board action is valid unless approved by four Board members.[26] If fewer than four Board members are present at a meeting, the meeting may not proceed and may be cancelled or adjourned to a future date and time.

Note that the MUD Act or other statutes may require that some actions of the Board be taken by supermajority vote, that is, five Board members.

In committee meetings, committee members may take the actions of receiving a report or voting to recommend the full Board take a certain action. For the purposes of such a vote, a quorum of a committee is two of three committee members. If fewer than two committee members are present at a committee meeting, the meeting may not proceed and may be cancelled or adjourned to a future date and time. If the meeting is cancelled or adjourned, staff may present reports on agenda items to the sole committee member present (and the public) for informational purposes only.

11.07 Setting Meeting and Committee Agendas

(a) Regular Board Meeting Agendas

- The Secretary's Office, in coordination with the General Manager, will prepare a draft of the regular Board meeting agenda. The General Manager will review the agenda with the Board President.
- The Board President may add or delete items for consideration from the regular meeting agenda as the President feels appropriate.
- The Board President shall not remove items for consideration from the regular meeting agenda that are required by law or necessary for EBMUD to conduct its business.

(b) Committee Meeting Agendas

- The Secretary's Office, in coordination with the General Manager, will prepare a draft of all committee meeting agendas. The General Manager will review committee meeting agendas with committee Chairs.
- Committee Chairs may add or delete items to committee meeting agendas.
- The Committee Chairs shall not remove items for consideration from the committee meeting agenda that are necessary for EBMUD to conduct its business.

[26] **Reference:** Public Utilities Code § 11909.

(c) Workshop or other Special Meeting Agendas

- The Secretary's Office in coordination with the General Manager will prepare drafts of workshop or other special meeting agendas. The General Manager will review these agendas with the Board President.
- The Board President may add or delete items for consideration from the workshop or special meeting agendas as the President feels appropriate.
- The Board President shall not remove items for consideration from the special meeting or workshop agendas that are required by law or for EBMUD to conduct its business.

(d) Agenda Items Originating from a Board Member

Board members may request that an item be placed on a future Board agenda by making a request to the General Manager or the Board President. Board members may also ask that an item be placed on a future Board agenda during a Board or committee meeting, either as a follow-up to an item on the meeting's agenda or under the "Other Items for Future Consideration" item on the meeting agenda prior to the close of a Board meeting.

(e) The Public's Role in Setting Meeting Agendas

Members of the public may request that items of concern be placed on a future regular or committee meeting agenda during a meeting's public comment period. The Board President and General Manager will consider the request. The Board President shall have the sole discretion to approve any requested item for consideration on an agenda.

(f) Urgency Agenda Items

In rare cases, a legitimate urgent need may arise that must be acted upon by the Board even though the item was not on the posted agenda. The Board may discuss and take action on an urgency item under the following circumstances:

- A majority of the Board determines that an emergency, as defined by Government Code section 54956.5, exists; or
- Pursuant to a two-thirds vote of the Board members present at a meeting (or all Board members if less than five are present), the Board determines that there is an immediate need to take action, and the need arose after the agenda posting deadline.

The General Counsel should be consulted on the addition of any urgency item to a meeting agenda.

11.08 Posting Meeting Agendas

All Board meeting agendas will be posted in accordance with the Brown Act at all meeting locations, including in the front window of the lobby of EBMUD's Main Administration Building and on EBMUD's website.[27]

11.09 Public Comment at Board Meetings

(a) Opportunity for Public Comment

Members of the public may address the Board at all regular meetings, committee meetings and special meetings on matters within the jurisdiction of the Board.[28]

- Comments on non-agenda items are heard during the general public comment period at the beginning of the meeting. At special meetings, public comment is limited to agenda items.
- Comments on agenda items are heard when the item is up for consideration.
- Members of the public are encouraged but shall not be required to identify themselves by name in order to make a public comment.

The Board is limited by the Brown Act to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to public comment on items that are not listed on the meeting agenda.

(b) Management of Public Comment[29]

- Each member of the public who wishes to address the Board will be given three minutes to speak. This time will be doubled if the speaker requires a translator.
- The Board President has the discretion to amend this time for any or all speakers, taking into consideration such factors as the number of speakers or whether a single speaker is representing a group of interested persons.
- The Secretary of the District will call each speaker in the order in which a speaker card was received or, in the case of remote appearances, a hand was raised.
- The Secretary of the District will track time and inform each speaker when the allotted time has concluded.

(c) Manner of Public Comment

Specific procedures for participating in Board meetings in person or via an online platform and for submitting written comments and documents to the Board is detailed on EBMUD's website.[30] This process may be updated by the Secretary of the District from time to time.

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[27] **Reference:** Government Code § 54954.2.
[28] **Reference:** Government Code § 54954.3.
[29] **Reference:** Government Code § 54954.3(b)(1).
[30] **Resource:** See https://www.ebmud.com/about-us/board-directors/board-meetings

(d) Disruption of Board Meetings[31]

- Any person who engages in behavior that disrupts, disturbs, impedes, or renders infeasible the orderly conduct of a Board meeting, including, but not limited to, failing to comply with the procedures of this Governance Policy, may be warned by the presiding officer and, if the behavior continues following the warning, removed from the meeting at the direction of the presiding officer.
- Any person who engages in behavior that constitutes use of force or a true threat of force may be removed from a Board meeting at the direction of the presiding officer without warning.
- The presiding officer may suspend a Board meeting and order the clearing of the Board room in order to stop disruption of the meeting and/or facilitate removal of disruptive persons.

Section 12. Committee, Liaison, Retirement Board, JPA Assignments

12.01 Committee Assignments

The President recommends Board members to serve on standing Board committees, the Retirement Board, and the boards of JPAs (each a "committee").

- Board members submit their request for committee assignments to the Secretary of the District by the close of business on the Friday following the first Board meeting in January of each year.
- The President of the Board, in coordination with the Secretary of the District, will prepare a proposed list of assignments, including the chair of each EBMUD committee, to be considered by the Board at the second Board meeting in January of each year.
- The Board votes to approve the proposed assignment list by a majority vote of the Board (four of seven Board members) at its second Board meeting in January.
- New EBMUD Board committee assignments become effective starting the next meeting following the approval of the assignments. JPA assignments become effective the day of the appointment.
- The Board President may remove a Board member as chair of a committee and appoint a new chair from the committee membership if the committee chair is, in the opinion of the President, consistently late to or absent from committee meetings, pursuant to the President's authority as stated in Section 3.04(a).

12.02 Creation and Role of Ad Hoc Committees

The Board may appoint ad hoc committees to serve for a limited duration to address a specific topic of interest to the Board.

[31] **Reference:** Government Code § 54957.9 & 54957.95.

- Ad hoc committees may consist of two or three Board members but must consist of less than a quorum of the Board or a quorum of a standing committee.
- The President may recommend members of an ad hoc committee or members may self-nominate for committee membership. The Board shall vote to approve the membership of an ad hoc committee by a majority vote of the Board (four of seven Board members).
- Ad hoc committees may set their own meeting schedule. Meetings of an ad hoc committee are not required to be publicly noticed or made open to the public under the Brown Act.
- Each ad hoc committee shall report its activities to the full Board at a publicly noticed regularly scheduled Board meeting, as necessary, with the exception of an ad hoc committee appointed to negotiate contracts or contract amendments with the General Manager and General Counsel, in which case the ad hoc committee may receive direction from the Board in closed session.
- An ad hoc committees will be considered to have dissolved once its purpose has been fulfilled.

12.03 Board Member Service on Joint Powers and Other Authorities

From time to time, the Board may appoint one or more Board members or EBMUD staff to serve as an EBMUD representative on a Joint Powers Authority (JPA), trade association, or liaison committee.

- Board members are expected to follow the principles of conduct in this manual and shall following Policy 6.04, Ethics of the EBMUD Board of Directors.
- At the next regularly scheduled Board meeting following a meeting of a JPA, trade association or liaison committee, the Board member representative shall report on activities of the JPA, trade association or committee.

12.04 Board Member Service on the Retirement Board

The Retirement Board is a separate governing body from the EBMUD Board of Directors. It is publicly charged with responsibility to administer the Retirement System and the Retirement Fund for the benefit of its members, and to secure the payment retirement allowances and other post-retirement benefits authorized by the Retirement Ordinance. It consists of three members (two (2) EBMUD Board members and the General Manager) appointed by the EBMUD Board of Directors, two members elected by and from the membership of the Retirement System (current employees), and one non-voting Retired Member elected by retired members.

Section 13. Board of Directors Compensation and Benefits

13.01 Determination of Compensation

Board members receive monthly compensation in an amount set at a public meeting of the Board of Directors.

- To receive compensation for service in any given month, Board members must attend a minimum of 50 percent of their assigned meetings.[32] Meetings include regular Board meetings, standing committee meetings, special meetings, joint powers authority meetings, Retirement Board meetings, and closed session meetings.
- Compensation will not be paid to a Board member for any month in which he or she has not attended at least 50 percent of their assigned meetings unless the Board President or committee chair excuses the absence(s) for good cause. Good cause includes, but is not limited to, a Board member's illness, family emergency, or schedule conflict directly related to the business of EBMUD.
- A Board member may not have excused absences for more than three meeting days per calendar year for personal reasons (i.e., vacations) or for attending conferences (even if the conference is directly related to the business of EBMUD). Each meeting day on which a Board member receives an excused absence for either a regular Board meeting, a standing committee meeting, a special meeting, or a combination of these meetings, will be counted as a day for the purposes of this subsection.
- Any Board member arriving 15 or more minutes after roll call for a regular Board meeting, closed session, committee meeting, or special meeting will be considered absent from that meeting for the purposes of determining eligibility for compensation. The Secretary of the District will call roll no later than five minutes after the noticed start time of a meeting unless special circumstances require a later start for the meeting.
- Committee chairs or presiding officers may excuse late arrivals, at their discretion, due to unforeseen circumstances.
- Board members receive compensation based only on attendance at assigned meetings as described above, and do not receive compensation for attendance at non-EBMUD activities.

13.02 Annual Review of Compensation

Any adjustment to Board member compensation will be set annually by the Board at a public Board meeting in compliance with the MUD Act and California Constitution.[33]

- The Board may adjust its compensation by providing an increase or a decrease in compensation.
- The Board may increase its compensation by not more than five percent annually.
- If the Board has elected not to increase its compensation in any calendar year, the next time the Board considers an adjustment it may vote to increase its compensation by up to five percent for each calendar year following the operative date of the last compensation increase. In the event the Board votes to increase its compensation in this manner, it should explicitly state the increase for each

[32] **Reference:** EBMUD Board Resolution No. 35000-16.
[33] **Reference:** Public Utilities Code § 11908.1.

year following the year of the last compensation increase (i.e., 2.5 percent in year one, two percent in year two, etc.).
- The Board may not apply any increase in compensation retroactively nor award itself retroactive pay in any circumstance.
- Any Board motion to adjust its compensation shall state the effective date of the compensation adjustment.
- No Board action adjusting its compensation shall provide for an automatic increase to that compensation.
- The calculation of Board member compensation will be rounded down to the nearest cent.

13.03 Board Member Benefits

Board members are entitled to the following benefits from EBMUD:

- EBMUD will provide health care benefits to Board members under the same terms and conditions as benefits are provided to EBMUD employees.
- Board members may participate in EBMUD's Employee Retirement System as provided in EBMUD's Retirement Ordinance.
- Board members may participate in EBMUD's deferred compensation plans under the same rules as eligible EBMUD employees.
- Board members may participate in the Utility District Employee Association and the Utility District Credit Union under the same rules as eligible EBMUD employees.

Section 14. Reimbursement of Director Expenses

Board members are entitled to reimbursement of expenses they incur in conducting EBMUD business, as detailed in Policy 4.14, Reimbursement of Director Expenses.

Section 15. Board Members' Role in Emergency Situations; Succession Planning

In general, the Board President and Board members have a minimal role in emergency operations. During an emergency, Board members should be available to support the General Manager.

The Board of Directors adopted an Emergency Succession Plan to ensure continuous coverage of the Board of Directors' duties, critical to the ongoing operations and sustainability of EBMUD,[34] in the event one or more Board members is unavailable following a state of war emergency or in the event of a state of emergency or a local emergency.

[34] **Reference:** EBMUD Board Resolution No. 35038-17. **Resource:** A copy of the Emergency Succession Plan is available in the Dashboard.

15.01 Selection and Appointment of Standby Officers

Each Board member shall designate a minimum of two and no more than three Standby Officers to serve in their place in the event of the Board member's unavailability in an emergency, as defined by the California Emergency Services Act (CESA). One of the standby officers must reside within the member's ward, and the other must reside outside the member's ward and may reside outside the District's service area. A Board member may choose, and the Board has the option to appoint, a third Standby Officer. That Standby Officer may reside inside or outside the same ward as the Board member, or outside the District's service area.

The list of Standby Officers shall be approved by Board Resolution and reviewed on an annual basis. The General Manager will determine the availability of the Board members in an emergency. The Board will endeavor to fill vacancies in accordance with the MUD Act and CESA within 60 days of the effective date of the vacancy. Upon appointment by the Board through a Board Resolution, the Standby Officer shall take the oath of office, remain informed of the duties, EBMUD business, and be prepared to immediately report for duty during an emergency. Details of this process will be documented in the General Manager's Business Continuity Plan.[35]

[35] **Reference:** EBMUD Policy 7.03, Emergency Preparedness/Business Continuity.

Appendix 1: How EBMUD is Organized

EBMUD is organized under the following offices and departments:

- Office of the General Manager
- Office of the General Counsel
- Administration
- Customer & Community Services
- Human Resources
- Engineering & Construction
- Finance
- Operations and Maintenance
- Wastewater
- Water and Natural Resources

Office of the General Manager (OGM)

EBMUD has approximately 1,950 full-time employees under the administrative direction of the General Manager and the Senior Management Team (SMT). The General Manager's Office is supported by an Assistant to the General Manager and an Office Assistant. EBMUD is comprised of seven departments under the General Manager's oversight along with three departments within the Office of the General Manager.

- **Intergovernmental Affairs**
  The Office of Intergovernmental Affairs is staffed by lobbyists registered with the State of California and work to further EBMUD's mission by advancing EBMUD's legislative and administrative priorities in Sacramento and Washington, DC.

- **Office of Diversity, Equity, and Culture (ODEC)**
  The Office of Diversity, Equity, and Culture exists to ensure fair and equitable treatment for all EBMUD employees, contractors, and vendors and to the best of our ability create positive outcomes for all we serve. ODEC is comprised of three organizations: the Contract Equity Office, the Diversity and Inclusion Office, and Employee and Organizational Development.

- **Public Affairs**
  The Public Affairs Office's purpose is to engage with our community and share EBMUD's story to build trust and understanding. It uses a variety of methods to execute communications strategies, engage the public and share information on behalf of EBMUD.

- **Office of the Secretary** *(reports to the Board via the General Manager)*
  The Office of the Secretary provides administrative support for the Board and performs duties prescribed in the Municipal Utility District Act, the Ralph M. Brown Act, Board resolutions, and state/federal laws.

Office of General Counsel (OGC)

The Office of General Counsel provides the legal advice and assistance necessary to implement EBMUD's mission, policies, and programs in a manner consistent with the law and to lead litigation and other legal matters in which EBMUD is a party or in which it is legally interested.

Administration

- **Customer & Community Services (CCS)**
  The Customer & Community Services Department provides high-quality, responsive customer service with efficient business practices, technology, and value-added programs/services to EBMUD's customers and stakeholders, guided by the principles of fairness, consistency, efficiency, and high standards of professionalism and fiscal responsibility. CCS also includes the Contact Center, Customer Services Support, Field Services, New Business, Real Estate Services, and Water Conservation.

- **Human Resources (HR)**
  The Human Resources Department provides EBMUD employees, departments, retirees, and members of the public with strategic human resource services that are professional, reliable, and enabling of employee excellence in support of EBMUD's mission. The HR Department works to ensure EBMUD has a skilled, diverse workforce to meet its mission.

Engineering & Construction

The Engineering & Construction Department plans and implements programs and projects to ensure the integrity of EBMUD's infrastructure now and in the future. The department also provides engineering expertise and technical support to all EBMUD departments.

Finance

The Finance Department is responsible for providing proactive and strategic management of District finances and ensuring EBMUD's long-term financial stability.

- **Information Systems Department (ISD)**
  The Information Systems Department is the centralized support organization for information technology and services at EBMUD. ISD maintains distributed and centralized computing services at EBMUD, supports staff in the effective and efficient use of these technologies, provides a broad range of computing support services, and is also responsible for EBMUD's telecommunications infrastructure.

Operations and Maintenance Department

The Operations and Maintenance Department's is responsible for the operations, maintenance, management, and improvement of the water system infrastructure, processes, and the assets to provide safe and reliable high quality water services.

- **Maintenance and Construction**
  The Maintenance and Construction Department is responsible for maintaining the local water distribution system infrastructure, performing preventative and corrective maintenance, replacing and rehabilitating EBMUD's infrastructure, reading and maintaining the nearly 400,000 customer water meters, providing support services, and maintaining all vehicles and heavy equipment.

- **Water Operations**
  The Water Operations Department is responsible for operating and maintaining water supply, water treatment, and water distribution facilities spanning six counties, including facilities of the Freeport Regional Water Authority.

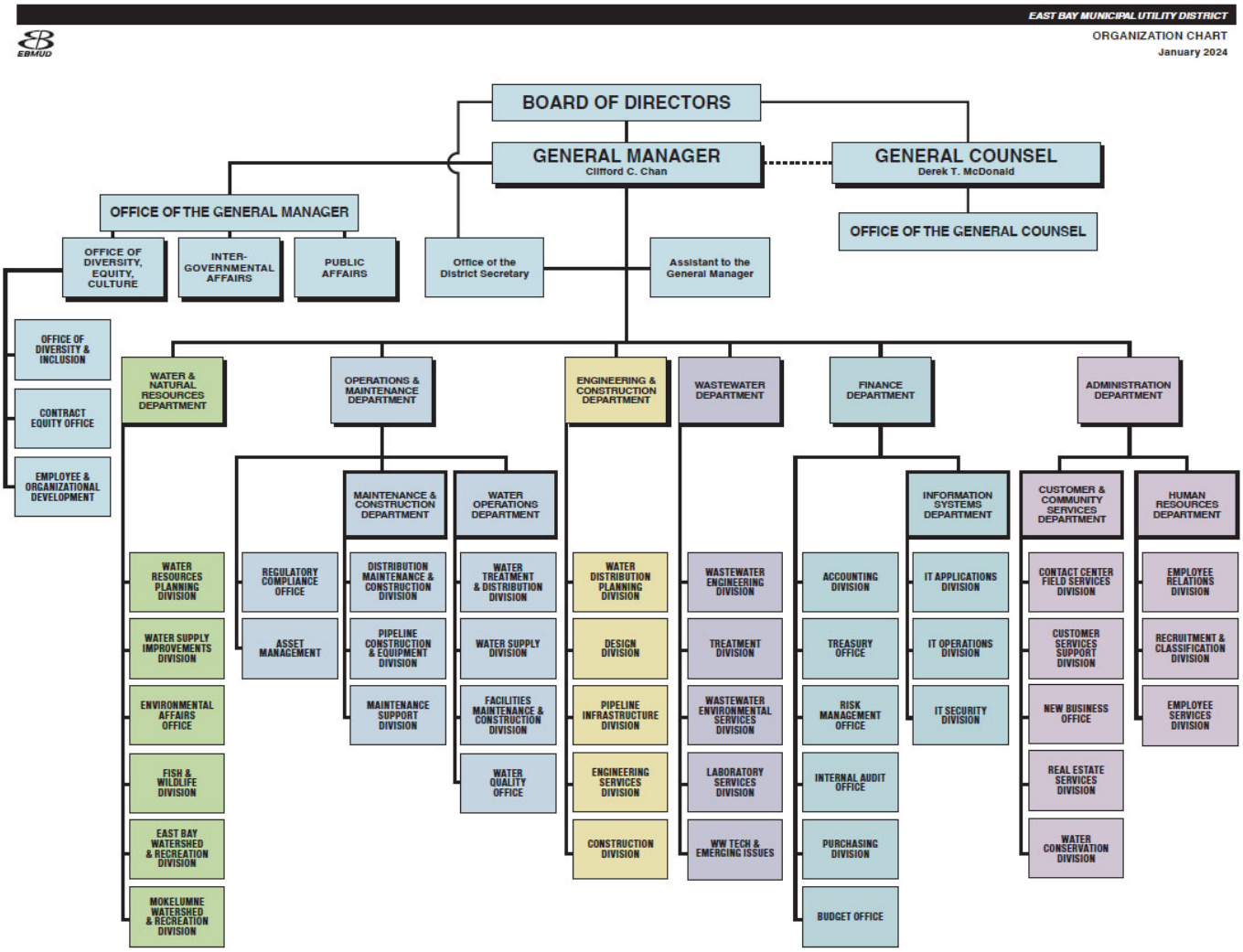
Wastewater

The Wastewater Department ensures public health and safety by meeting or surpassing federal, state, and local regulations regarding air, biosolids, and water quality. The department strives to protect the environment by reducing or eliminating the discharge of pollutants into the air, land, and San Francisco Bay and recovering water, energy, and nutrients from wastes. The Wastewater service area is comprised of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, and the Stege Sanitary District, which is comprised of El Cerrito, Kensington, and a portion of Richmond known as the Richmond Annex.

Water and Natural Resources

The Water and Natural Resources Department develops plans, policies, and programs to protect EBMUD's water resources, maintain and ensure a high-quality water supply to meet future water needs, oversee the management of watershed and recreation lands and facilities, and provide good stewardship of the natural resources with which EBMUD is entrusted.

EBMUD Organization Chart



Appendix 2: Governing Laws and Regulations

Major laws and regulations governing and affecting EBMUD include the Municipal Utility District Act, the Ralph M. Brown Act, the Public Records Act, the Political Reform Act and the California Constitution, as well as federal laws, and local ordinances. Judicial decisions that interpret and frequently resolve conflicts related to these laws and regulations may also affect EBMUD.

General descriptions of some of the primary laws related to the governance of EBMUD are provided below. Links to helpful documents explaining the laws are provided as footnoted references.

Laws Related to the Board's Governance of EBMUD

Municipal Utility District (MUD) Act

EBMUD is a publicly-owned utility formed under the MUD Act, which is codified at California Public Utilities Code Section 11501 *et seq.* The MUD Act sets forth the powers and functions of EBMUD (and other municipal utility districts), as well as the Board and EBMUD's executive officers. Relevant to EBMUD's practices, under Chapter 3, Article 4, the Board's powers and duties include:

- Choosing one member to act as President and one as Vice President;
- Determining all questions of district policy;
- Providing for all matters and things necessary for the proper administration of the affairs of the district not otherwise specified in the MUD Act;
- Supervising and regulating the utility services provided by the district;
- Setting rates and charges for district services;
- Making and enforcing district rules and regulations;
- Making contracts, including contracting for professional services for work that cannot be satisfactorily performed by district forces;
- Creating and abolishing civil service positions and setting salaries;
- Appointing employees to positions requiring "exceptional qualifications";
- Employing an auditor to annually report on the district's system of accounts; and
- Paying claims against the district.

Under Chapter 3, Article 6 of the MUD Act, the Board must appoint a general manager and may appoint an accountant, a secretary, a treasurer and an attorney.

Ralph M. Brown Act

The Ralph M. Brown Act is California's "sunshine" law for local governments. It is found in the California Government Code beginning at Section 54950. In a nutshell, it requires that Board deliberations be conducted openly and that Board actions be taken openly, at open and public meetings, except in certain limited situations. It was enacted in 1953 and has been extensively updated since. It contains a myriad of detailed and technical requirements governing the conduct of meetings of local agencies, as well as the conduct of the governing officials of those

agencies. Board members are encouraged to become familiar with the Brown Act to effectively execute their duties.

Public Records Act

The California Public Records Act (PRA) was enacted in 1968 and is codified at Government Code Section 7920 *et seq*. It is intended to give the public access to information that enables them to monitor the functioning of their government. Under the PRA, all tangible and electronic documents created in furtherance of the business of EBMUD are public records and must be produced to the public upon request unless there is a specified legal basis for withholding them. The Secretary of the District's office processes all PRA requests received on behalf of EBMUD.

Government Code Section 1090

Government Code Sections 1090 through 1099 are statutes that prohibit "self-dealing," that is, they prohibit Board members and EBMUD officers and employees from having a financial interest in contracts and other matters to which EBMUD is a party. These laws extend beyond contracting and, for example, also prohibit Board members from holding incompatible offices with other agencies. Conflict of interest laws are very complicated and could implicate non-obvious "financial interests" such as property ownership or a spouse's salary.

Political Reform Act

The California Political Reform Act, Government Code Sections 81000-91014 is a series of conflict of interest laws that are broader than the restrictions of Government Code Section 1090. The Political Reform Act prohibits public officials from making, participating in making, or in any way attempting to use their position to influence a governmental decision the official knows or has reason to know that they have a financial interest in the decision. It requires specified officials to file annual financial disclosures. The Political Reform Act also includes ethics laws related to campaign finance and restrictions on gifts and honoraria. The California Fair Political Practices Commission (FPPC) is responsible for oversight of these laws. Board members must periodically report all economic interests within EBMUD's jurisdiction on forms furnished by the FPPC.

Note: *Ethics laws, including Section 1090 and the PRA, are complex. Violations of these laws can result in civil and criminal penalties. Board members are encouraged to consult with the General Counsel regarding any questions regarding these laws.*

Assembly Bill 1234 (Ethics)

Sections 53234-53235.2 of the Government Code incorporate the provisions of Assembly Bill 1234, which became effective January 1, 2006. Among other things, this law requireds that Board members receive two hours of ethics training within one year of taking office and every two years thereafter, and mandates certain reporting requirements. Sections 53235.1 *et. seq.* of the Government Code incorporates the provisions of Senate Bill 827 (Local Agency Officials: Training) which requires officials who commence service on or after January 1, 2026, to receive their initial training within six months of commencing service and at least once every two years, as provided.

Senate Bill 827 (Fiscal and Financial)

Sections ~~s~~ 53238 *et~~.~~ seq.* of the Government Code incorporates the provisions of Senate Bill 827 (Local Agency Officials: Training). This law requires all local agency officials, as defined, to receive at least two hours of fiscal and financial training, as described. The bill would require the training to be received at least once every two years, as provided. Every local agency official who is in a local agency's service as of January 1, 2026, and commenced that service prior to January 1, 2026, shall receive the fiscal and financial training required by this article before January 1, 2028, unless that official's term of office ends before January 9, 2028. Thereafter, the local agency official shall receive the training at least once every two years.

Every local agency official who commences service with a local agency on or after January 1, 2026, shall receive the fiscal and financial training required by this article no later than six months from the first day of service with the local agency. Thereafter, the local agency official shall receive the training at least once every two years.

Assembly Bill 1661 (Sexual Harassment Prevention)

Section 53237.1 of the Government Code incorporates the provisions of Assembly Bill 1661 which became effective January 1, 2017. The law requires that Board members receive two hours of sexual harassment prevention training within six months of taking office and every two years thereafter. Senate Bill 396, which became effective January 1, 2018, added a new element to the training regarding gender identity, gender expression, and sexual orientation.

Other Major Laws Affecting EBMUD

Proposition 218

Proposition 218 was passed by California voters in 1996 and amended the California Constitution to specify both procedural and substantive limits on a local government's ability to levy fees. Under Proposition 218, a government agency has the burden of proving that any fees or charges it assesses:

(1) Do not exceed the funds required to provide the property related service;
(2) Are not used for any purpose other than that for which the fee or charge is imposed;
(3) If imposed on any parcel or person as an incident of property ownership, do not exceed the proportional cost of the service attributable to the parcel;
(4) Are not imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question; and
(5) Are not imposed for general governmental services including, but not limited to, police, fire, ambulance or library services, where the service is available to the public at large in substantially the same manner as it is to property owners.[36]

EBMUD's rates and charges for water service are subject to Proposition 218.

California Environmental Quality Act (CEQA)

[36] **Reference:** Cal Const, Art. XIII D § 6(b).

The California Environmental Quality Act is codified at Public Resources Code Section 21000 *et seq*. It requires government agencies to consider any potential, significant environmental impacts of a project and take reasonable steps to mitigate those impacts, unless the project is exempt from CEQA by law.

A "project" for the purposes of CEQA is a governmental action that may result in a direct physical change to the environment. An obvious project would be a construction project, but CEQA also applies to such actions as leasing governmental property to private parties that will use that property in a manner that may cause an environmental impact.

Before a governmental entity approves a project, CEQA requires the entity to analyze the potential environmental impacts of the project and, depending on their significance, engage in a public process and prepare a report describing the potential environmental impacts of the project and the manner in which they will be mitigated. The governing body of an agency must make findings under CEQA prior to approving the project. CEQA also allows members of the public to sue to stop a project under the theory that the CEQA analysis of its impacts was insufficient.

Meyers Milias Brown Act (MMBA)

The Meyers Milias Brown Act was adopted in 1968 and is codified at Government Code Section 3500 *et seq*. It established collective bargaining for local government employees, and governs relations between represented employees and management.

The MMBA requires local government agencies to meet and confer in good faith with union representatives regarding wages, hours and other terms and conditions of employment for represented individuals. It also requires the agency to allow union representation of employees in disciplinary matters and any meeting that may lead to discipline.

Enforcement and adjudication of matters under the MMBA has been under the jurisdiction of the Public Employees Relations Board (PERB) since 2001.

The Board's Authority to Pass Laws

Under the MUD Act, actions of the Board are expressed through motion, resolution or ordinance.

Ordinances

An ordinance is a law adopted by a local agency, and it may be amended or repealed. Once adopted or amended, the ordinance or its amendments are published in a local newspaper, though a summary may be published if the ordinance or amendments are lengthy. After the required publication period has been met, the ordinance becomes effective. EBMUD's Board has adopted multiple ordinances over the years. Listed below are some key ordinances:

- Consolidated Regional Private Sewer Lateral Ordinance
- Declaring Any Violation of Rules and Regulations Adopted Pursuant to Section 4465 or 4471 of the Health and Safety Code to Be An Infraction[37]
- East Bay Municipal Utility District Campaign Finance Reform Ordinance
- East Bay Municipal Utility District Employees' Retirement System Ordinance
- East Bay Municipal Utility District Ordinance Establishing Drug-Free Zones
- Excessive Water Use Penalty Ordinance for Drought Stages 2, 3 and 4
- Ordinance Establishing Procedures for Presenting Claim for Money or Damages Against the East Bay Municipal Utility District
- Wastewater Control Ordinance

Resolutions

Resolutions memorialize formal action taken by the Board and are retained as part of EBMUD's records. They also may be a vehicle through which the Board expresses its opinion or policy on a matter. Unlike ordinances, resolutions have no publishing requirement and are usually effective immediately upon adoption, unless otherwise stated.

[37] These are the Watershed Rules and Regulations adopted by the Board.

Relevant to governance, the Board has adopted resolutions which consolidates and clarifies the Board's delegation of authority to the General Manager to help ensure the efficient operation of EBMUD.

Appendix 3: Community Outreach

EBMUD is an active member of the communities it serves, and its comprehensive Community Outreach program employs a variety of methods to communicate with and provide information to the public.

Means of Community Outreach

Community Water Academy

In 2022, EBMUD piloted its Community Water Academy. The Academy is held every other year. The goal of the Academy is to increase public understanding of EBMUD's water and wastewater systems; provide educational opportunity for local officials/agency staff and key community leaders; and build support for long-term goals, including infrastructure investment, environmental protection, and innovation efforts. The Academy benefits civic leaders, non-profit officials, educators, local government staff, and elected officials as they learn about the core services provided by EBMUD. Participants gain knowledge to share with their communities about EBMUD's role in the East Bay over the last century and its efforts to build a sustainable water and wastewater system of the future. Participants receive a certificate of completion at the conclusion of the Academy. Board members are invited to attend every session.

Community Events

EBMUD staff and Board members may participate in multiple community events throughout the service area to provide information and materials about EBMUD. Most events are listed in a Speakers' Bureau document that is provided to Board members at each Board meeting.

Speaking Engagements

EBMUD staff and Board members communicate EBMUD messages and other relevant information to hundreds of people by speaking to groups such as:

- Boy and Girl Scouts
- Rotary Clubs
- Kiwanis Clubs
- Garden Clubs
- City Council meetings
- Community/Project meetings
- Chambers of Commerce
- Community Liaison meetings
- Senior groups
- Educational institutions and
- Realtors' groups
- Municipal Advisory Councils

Wastewater Treatment Plant Tours

EBMUD staff conducts free wastewater treatment plant tours showing hundreds of employees, students (age 11 and above), and members of the public the process and essential role the treatment plant plays in protecting waterways and the San Francisco Bay.

Virtual Treatment Plant Tours & Speaking Engagements
These tours allow EBMUD to share the processes and essential role our wastewater treatment plant plays in protecting waterways with the general public.
https://www.ebmud.com/wastewater/collection-treatment/wastewater-treatment-plant-tours.

Internet Communications/Social Media
EBMUD's website, ebmud.com, provides user-friendly information about services, programs, and job openings. EBMUD also shares news, events, and other timely announcements of interest to the community and customers via our social media channels:

- Facebook.com/EBMUD
- Instagram.com/EBMUD
- Linkedin.com/company/EBMUD
- NextDoor
- X.com/EBMUD (formerly Twitter)
- YouTube.com/EBMUD

Customer Pipeline Newsletter
Each year, EBMUD publishes and mails six issues of the Customer Pipeline customer newsletter to all residential and business customers within its service area. Electronic copies are available to customers that pay their bills online and are provided to employees). The newsletter conveys important information to customers about EBMUD. Past issues may be viewed online at https://www.ebmud.com/about-us/publications

Employee/Retiree Outreach (Splashes)
EBMUD educates its employees and retirees about EBMUD and other outreach messages so they can share this knowledge with family, friends, and the public. The primary method for doing this is the Splashes employee newsletter, which is provided to all employees and retirees each month. Splashes also serves to keep employees informed and engaged with news from across the agency.

Board Members' Role in Community Outreach

Board members may act as liaisons for each city and town within the service area and as representatives to various other organizations and agencies. Board members also choose whether to attend functions, in addition to staff, as appropriate within their liaison areas and may choose to make presentations to city councils.

Handling Inquiries/Complaints from Customers
If a Board member receives a complaint or concern from the public, it is generally recommended that the Board member refers the customer to the General Manager or the Secretary of the District for appropriate handling.

Handling Inquiries from Media and Outside Organizations

If a Board member receives an inquiry from a member of the media, the call should be referred to the Special Assistant to the General Manager responsible for Public Affairs. This person acts as EBMUD's Public Information Officer to assure any response is consistent with other EBMUD messaging. EBMUD has identified the following trained spokespersons who are equipped to respond to inquiries from the media, outside organizations and members of the community:

Kelly Zito – Special Assistant to the General Manager
Phone: (510) 287-0111 (office); (510) 510-407-2784 (cell)
Email: Kelly.Zito@ebmud.com

Tracie Morales~~Andrea Pook~~ – Senior Public Information Representative
Phone: (510) 287-014~~5~~3 (office); (510) 914-1583 ~~508-6782~~ (cell)
Email: Tracie.Morales@ebmud.com~~Andrea.pook@ebmud.com~~

Appendix 4: Board Members' Role in Emergency Situations

Periodically, staff provides the Board with presentations regarding EBMUD's preparations for responding to an emergency, such as a natural disaster, to provide the Board members with updates to the program and to go over the protocols and practices to follow during a real emergency.

In general, the Board President and Board members have a minimal role in emergency operations. During an emergency, Board members should be available to support the General Manager.

The list below, excerpted from EBMUD's Emergency Operations Plan, provides examples of support the Board members may be called to provide in an emergency:

- Establish a legal authority and policy from which EBMUD may operate in times of an emergency.
- Ratify any EBMUD emergency declaration, pass emergency resolutions, and assist as appropriate in the response and recover from a disaster.
- Receive briefings on damage, employee injuries, response objectives, response status, mutual aid requests, and public information.
- Meet with community organizations, individual customers and businesses as needed to provide information on EBMUD's response.
- Notify the General Manager or Public Information Officer when contacted by the media.
- Work with the General Manager to activate succession plan and alternative work location plan, as necessary.

Appendix 5: Orientating New Board Members

Informed decision-making and ethical conduct are central tenets of excellent governance. Newly elected or appointed Board members will undertake a comprehensive onboarding and training process so that they may engage in informed and effective decision-making. Board members will comply with all ongoing EBMUD and statutory training requirements as described in Appendix 2.

Adherence to Brown Act Begins upon Election

Newly elected Board members are subject to the Brown Act immediately upon election, even though the swearing in does not occur prior to the first Board meeting in January.

Assuming Office Form 700

New Board members must file an FPPC Form 700 – Statement of Economic Interest – assuming office statement within 30 days of taking office. Board members will also be required to file the Form 700 for any JPA to which they are assigned. These filings must be done electronically through the FPPC website. The Secretary of the District will provide information on filings; information may also be obtained from the FPPC website at www.fppc.ca.gov.

Board Member Bios

Brief biographical highlights for every Board member are posted on EBMUD's website and provided to outside entities as requested. They are accessible when clicking on the Board members' picture on the "Board of Directors" web page. The Secretary of the District will work with new Board members to develop a suitable bio for the website.

Board Member Photos

EBMUD's website portrays an individual portrait of each Board member. These individual portraits are also mounted in a display case in the 2nd floor lobby of EBMUD's Administration Building in downtown Oakland and are provided to outside entities as requested. The Secretary of the District, in conjunction with Public Affairs staff will coordinate with Board members to have portraits taken.

Building Security/Access Control Cards

Board members are issued an Access Control Card which allows general access to various District facilities, areas, and the Administration Building parking garage in downtown Oakland.

Business Cards

The Secretary of the District will work with Board members on their EBMUD business cards. The business cards are printed in-house and include a Board member's name, title (e.g. "Board Member") and phone/email information. Board members typically use the cards at conferences and other events they attend on behalf of EBMUD.

EBMUD Gear

Board members will receive safety gear (vest, hard hat, safety glasses, boots (as needed)), a personalized jacket or vest as well as a baseball-style cap for use at EBMUD-related functions. The Secretary of the District will work with Board members to obtain these items.

Calendaring and Scheduling

While regular Board meetings are calendared well in advance, from time to time it becomes necessary to arrange a special meeting or workshop on relatively short notice. To assist with this process, Board members should notify the Secretary of the District and the General Manager when they expect to be out of town or otherwise unavailable during the calendar year so the dates may be added to their EBMUD Outlook Calendar.

If a Board member's schedule will cause them to be absent from a Board meeting, the Board member should email the Board President to request an excused absence. Please copy the Secretary of the District on these emails.

EBMUD Email Accounts

An EBMUD email account will be created for all new Board members (e.g. John.Doe@ebmud.com). Because EBMUD-related communications to or from Board members may be public records, the General Counsel's Office strongly encourages Board members to use their EBMUD email account for all EBMUD-related business and communications.

Electronic Device Support

To facilitate electronic delivery of Board meeting materials and access to EBMUD email and other related information, Board members may request District-issued electronic devices (e.g., laptop, iPhone). Each device will be equipped with a cellular data plan at no cost to the Board member for conducting EBMUD business. Use of these devices is governed by EBMUD Policy 4.20 – Use of District Technology Resources and District Procedure 453 – Information Technology Use and Privacy. Board members may also elect to use their personal devices and receive a stipend from EBMUD.

The Secretary of the District will serve as the liaison for acquiring devices and will also arrange for any desired training. Ongoing support is available from the Secretary's Office and the Information Systems Department.

Event Attendance and Reporting Requirements

The Secretary of the District will make reservations for Board members to attend local events. EBMUD also regularly sponsors events and activities hosted by a range of organizations that support the mission, goals, and values of EBMUD. If a Board member wishes to attend an event on behalf of EBMUD, they should contact the Secretary of the District.

If EBMUD pays the expenses for attendance at an event, including a conference, the Board member must report out their attendance and activities at the event at the next regularly

scheduled Board meeting to comply with Board member reporting requirements under AB 1234 and EBMUD Policy 4.14.

Human Resources Documents

The Human Resources Department will provide enrollment forms and any other paperwork necessary to enroll Board members in EBMUD's benefit programs. The Secretary of the District will coordinate the initial completion of paperwork with the Board member and HR staff. Questions about benefits may be directed to the Manager of Employee Services .

Lisa Sorani – Manager of Employee Services
(510) 287-0713 (office)
Email: lisa.sorani@ebmud.com

Lapel Badges

The Secretary of the District will provide Board members with personalized magnetic lapel badges. Board members typically wear them to events, meetings and receptions when acting in an official capacity for EBMUD.

Mail

The Secretary of the District will collect any mail directed to Board members during the week and will distribute it to Board members in the closed session meeting room on Board meeting days. Mail received on weeks where no Board meeting is scheduled will be held until the next meeting date. If deemed time-sensitive, items will be mailed to Board members on Fridays.

Oath of Office/Swearing In

The Oath of Office is administered by an EBMUD Notary prior to the first Board meeting in January or if appointed during an off-election time, no later than 15 days of taking office. New Board members may invite family and close friends to witness this event and may also request a ceremonial swearing-in during the first part of the first Board meeting in January. The Secretary of the District will coordinate swearing-in events.

Paychecks

Board members are paid once per month. Paychecks will be direct-deposited directly to a Board member's bank account unless a Board member requests an alternative form of delivery. Board members will need to provide a copy of their Social Security card and a voided check to implement direct-deposit. Board members should contact Payroll staff at ext. 0222 if they have changes to their bank account or check delivery information.

Plant/Facilities Tours

Shortly after being elected to the Board, the Secretary of the District in coordination with the General Manager and senior staff usually will coordinate onboarding meetings as well as tours of various EBMUD facilities with new Board members.

Reception for Newly-Elected Board Members

The Secretary of the District typically coordinates a reception immediately following the first Board meeting in January to welcome newly-elected Board members. The reception is usually held in the Administration Building Large TRC. Board members often invite family and close friends to the reception and will be given an opportunity to say a few words to the attendees.

Training

Newly elected Board members must participate in Ethics Training and Harassment Training soon after taking office. Board members will be enrolled in online Harassment Training by District staff. The FPPC currently offers free, online Ethics Training on its website. Board members may either participate in the trainings offered by EBMUD or they may obtain the required training at a conference or other online course. The California Special Districts Association (CSDA) also offers all these trainings via webinar, workshops or at their conferences. The CSDA also offers a plethora of other training opportunities on topics of interest to new and existing Board members. Board members are encouraged to visit csda.org for a current list of training opportunities. The Secretary of the District will coordinate reimbursement for any relevant trainings.

Questions?

Questions about the orientation process or any other topic may be directed to the Secretary of the District and/or General Manager:

Rischa S. Cole – Secretary of the District
Phone: (510) 287-0440 (office)
Email: rischa.cole@ebmud.com

Clifford C. Chan – General Manager
Phone: (510) 287-0101 (office)
Email: clifford.chan@ebmud.com

Any questions regarding a Board members legal obligations or other legal matters may be directed to the General Counsel:

Derek McDonald – General Counsel
Phone: (510) 287-0168
Email: derek.mcdonald@ebmud.com

Supporting Documents

Supporting documents listed in the Appendix may be found in The Dashboard, a limited-access OneDrive folder available to all Board members.

Appendix 6: EBMUD Facility and Program Naming Guidelines

At its January 27, 2026 Regular meeting, the Board of Directors approved the following guidelines under Board Motion No. 026-26.

1. **Purpose:** To establish criteria and guidelines for naming or renaming East Bay Municipal Utility District (EBMUD) facilities, programs, and awards in honor of individuals. These guidelines ensure decisions reflect the District's mission, values, history, and long-term interests while maintaining transparency, fairness, and trust.

2. **Scope:** These guidelines apply to:
   - District buildings, facilities, rooms, centers, and other physical spaces
   - District workforce development programs, training initiatives, awards, and recognition programs
   - Collaborative programs or partnerships which may include, but are not limited to, educational or research collaborations, community or equity-focused programs, interagency efforts, or jointly operated facilities housed at or administered by the District

   These guidelines do not apply to temporary initiatives, staff-led working groups, or internal project names.

3. **Guiding Principles:** Naming decisions should:
   - Honor extraordinary public service and contributions to EBMUD.
   - Reflect the District's values, commitment to equity, and service to the community.
   - Ensure transparency, consistency, and fairness in decision-making.
   - Preserve the historic and functional significance of District facilities.
   - Maintain naming as a rare and meaningful honor reserved for individuals whose service meets high, objective standards.

4. **Eligibility Criteria:** Individuals who meet all Threshold Criteria and strong alignment with evaluative criteria.

   4.1. **Threshold Criteria (Must Meet):** An individual must meet all of the following:

   1. **Significant Service to EBMUD**
      - Minimum of 20 years of service to the District in the capacity of a Board Member, or
      - Service resulting in exceptional, demonstrable impact on EBMUD's mission.

   2. **Exceptional Contribution:** The individual made meaningful contributions in one or more of these areas:
      - Water reliability or resource stewardship
      - Environmental protection
      - Workforce development

- Equity and community service
- Leadership that advanced the District's mission

3. **Alignment With District Values:** Demonstrated commitment to stewardship, integrity, respect, teamwork, inclusion, sustainability and public engagement.

4. **Connection to the Facility or Program:** There may be a logical or symbolic connection between the individual's contributions and the asset being named.

5. **Posthumous Recognition (Suggested Standard):** Naming is typically considered posthumously, with a suggested waiting period of at least one year, unless otherwise waived by Board action.

4.2. **Evaluative Criteria:** The following criteria assess the relative strength and quality of an eligible proposal and are applied only after all Threshold Criteria in section 4.1 are met:

1. **Magnitude of Contribution:** Extent of lasting or transformative impact

2. **Historical or Regional Significance:** Influence beyond the District

3. **Leadership and Innovation:** Demonstrated advancement of policy, programs, or operations

4. **Community Impact and Equity Advancement:** Meaningful benefit to underserved communities.

5. **Public Recognition and Reputation:** Widely respected service within EBMUD's service area.

6. **Facility or Program Suitability:** Strength of the symbolic or functional alignment between the individual's contributions and the proposed facility or program.

5. Naming Proposal Process

5.1. **Submission:** A naming proposal may be submitted by:
- Board Members
- General Manager

A written proposal must include:
- Rationale and justification
- Description of the individual's contributions
- Proposed facility or program to be named
- Supporting documentation

5.2. **Staff Support:** Staff will support the review process by:
1. Applying the threshold criteria

2. Assessing the proposal using the evaluative criteria
3. Identifying any operational, financial, regulatory, or historical considerations
4. Conducting preliminary internal stakeholder reviews (Affinity / Employee Resource Groups, Values Advocates, Human Resources, Office of Diversity, Equity, and Culture, Public Affairs Office, etc.)
5. Staff will prepare a summary for Board review.

5.3. **Stakeholder Consultation:** At the direction of the Board, staff may consult:
- Employee groups and unions
- Community or partner organizations
- Representatives of the individual's family
- Relevant external stakeholders

5.4. **Board Committee Review:** A Board Ad Hoc Committee will:
- Review the criteria analysis, staff summary, and stakeholder input
- Evaluate naming suitability and impacts
- Recommend whether to advance the proposal to the Board for consideration

5.5. **Board Approval:** Naming or renaming requires Board approval.

6. **Implementation:** Upon approval, staff will:
   1. Coordinate naming-related signage, displays, or plaques
   2. Update District maps, directories, websites, and materials
   3. Communicate the naming decision internally and externally
   4. Organize any dedication ceremonies or commemorative events

~~1.~~7. **Review Cycle:** These guidelines will be re-evaluated as needed by staff and the Board to ensure they remain relevant, equitable, and appropriate.

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Draft Prepared By

Office of General Counsel

RESOLUTION NO._____

ADOPTING THE UPDATED EAST BAY MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS GOVERNANCE MANUAL

Introduced by Director ; Seconded by Director

WHEREAS, the East Bay Municipal Utility District ("District") was established in 1923 and has been governed by a Board of Directors ("Board") since its establishment; and

WHEREAS, it was the desire and intention of the Board to consolidate and update prior Board governance directives and existing practices in a single governance manual which would also serve to introduce new Board members to the mission, values and structure of the District; provide guidance to Board members on their powers and duties and the powers and duties of Board-appointed officers; and set forth principles of governance and conduct for Board members; and

WHEREAS, the Board adopted the East Bay Municipal Utility District Board of Directors Governance Manual (Governance Manual) on November 26, 2024 by Resolution No. 35428-24; and

WHEREAS, since its adoption of Governance Manual, Board members have proposed revisions to the Manual both directly to staff and through guidance provided during the March 10, 2026 Board retreat; the April 28, 2026, June 23, 2026, and August 11, 2026 Finance/Administration Committee meetings; and the August 11, 2026 Board meeting; and

WHEREAS, District staff have also recommended revisions to the Governance Manual based on their experience implementing manual procedures and guidelines, which proposed revisions have been reviewed by the Board; and

WHEREAS, the proposed revisions have been incorporated into the Governance Manual, attached hereto as Exhibit A; and

WHEREAS, the Governance Manual describes the District and its governing laws; explains the role of the Board and its appointed officers; sets forth principles of conduct for Board members; incorporates District Policies for Board member ethics, the protection of whistleblowers, and reimbursement of Director expenses; states the processes for electing Board officers, filling Director vacancies and assigning Board members to serve on Board committees; specifies the onboarding and training requirements for Board members; states the time and place of regular and committee meetings and describes the processes by which meetings are conducted; describes Board member compensation and benefits; and states the role of Board members in responding to District emergencies and the process for selecting emergency Standby Officers; and

WHEREAS, the Governance Manual includes appendices containing factual information for the Board describing how the District is organized; the primary laws governing the District; the District's community outreach efforts and the Board's role in community outreach; the Board's role in emergency situations; the administrative aspects of Board member onboarding; and guidelines for the naming of District facilities and programs;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District hereby adopts the Updated Governance Manual, attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Governance Manual may be revised only through formal action taken by the Board at a regular Board meeting.

BE IT FURTHER RESOLVED that because the appendices of the Governance Manual contain factual information that may be subject to change, the Secretary of the District may update and revise the appendices of the Governance Manual without Board action.

BE IT FURTHER RESOLVED that to the extent any Board motion or any directive of a Board President that preceded the adoption of the Governance Manual on November 26, 2024 addresses a topic covered by the provisions of this Governance Manual as the Board may amend it from time to time, such motion or directive is superseded by this Governance Manual.

ADOPTED this 8th day of September, 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President

ATTEST:

_____
Secretary

APPROVED AS TO FORM AND PROCEDURE:

_____
General Counsel

{00119738}

(Title Page)

East Bay Municipal Utility District Draft Board of Directors Governance Manual

EXHIBIT A

Thank you for your commitment to the East Bay Municipal Utility District (EBMUD). Your role as an EBMUD Board member is critical in supporting the vibrant East Bay community and protecting the environment we all cherish.

You are not alone in this incredible endeavor. Your fellow Board members and skilled and dedicated staff are here to assist you. The General Manager, General Counsel, and Secretary of the District will be your primary points of contact during your tenure on the EBMUD Board.

This manual contains information to help you understand your role as an EBMUD Board member. All documents referenced in this manual are available electronically; the Secretary of the District will assist you in accessing these files.

We trust you will find your time on the EBMUD Board rewarding and an opportunity to make a significant impact on the communities we serve.

With sincere appreciation,

Luz Gomez ~~Lesa R. McIntosh~~, 202~~6~~4 President	Valerie D. Lewis~~William B. Patterson~~ 202~~6~~4 Vice President	April B. Chan
~~Luz M. Gómez~~Andy Katz	~~Andy Katz~~Jim Oddie	~~Doug A. Linney~~Joey D. Smith
Marguerite Young		
Rischa S. Cole Secretary of the District	Clifford C. Chan General Manager	Derek T. McDonald General Counsel

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Section 1. Introduction

This handbook provides guidance on the practices the Board employs in exercising its authority, complying with various legal requirements, working with the public and EBMUD staff, and otherwise conducting EBMUD business.

Throughout this manual, the terms “EBMUD” and the “District” will be used interchangeably. References throughout are provided in The Dashboard on OneDrive.[1]

1.01 What is a Special District?

State law defines a special district as “any agency of the state for the local performance of governmental or proprietary functions within limited boundaries.” In plain language, a special district is a separate local government that delivers specific public services to a geographically limited area, such as water and wastewater service. Special districts have four distinguishing characteristics – they are a form of government; have governing boards; provide services and facilities; and have defined boundaries.[2]

1.02 EBMUD Mission Statement

EBMUD’s mission is “to manage the natural resources with which the District is entrusted; to provide reliable, high-quality water and wastewater services at fair and reasonable rates for the people of the East Bay; and to preserve and protect the environment for future generations.”

1.03 Principles of Governance

The principles used in accomplishing EBMUD’s mission are:

- Exercise responsible financial management
- Ensure fair and reasonable rates and charges
- Provide responsive quality customer service
- Promote ethical behavior in the conduct of EBMUD business
- Ensure fair and open processes involving the public
- Provide a healthy work environment
- Promote diversity and equity in personnel matters and contracting
- Promote environmental, economic, and social sustainability

1.04 EBMUD Values

EBMUD has adopted the following values in support of our Board members and employees as they work to achieve EBMUD’s mission:

[1] **Resource:** The Dashboard is an electronic library of reference documents and materials in a limited-access OneDrive folder provided to the Board and maintained by the Secretary’s Office.
[2] **Reference:** *Institute for Local Governments What’s So Special About Special Districts?* https://www.ca-ilg.org/post/about-special-districts

- Stewardship: I am a steward of our resources and committed to public service
- Integrity: I act with integrity
- Respect: I treat others with respect
- Teamwork: We are EBMUD and we are one team[3]

Section 2. Municipal Utility District Act

The Municipal Utility District (MUD) Act of California, enacted in 1921, provides the legal framework for the formation and operation of municipal utility districts within the state.[4] These districts are public agencies that provide essential services such as water, wastewater, electricity, and waste collection to their communities. Unlike private utility companies such as Pacific Gas & Electric, which are regulated by the California Public Utilities Commission, municipal utility districts operate independently and derive their powers directly from the MUD Act. The government of every municipal utility district is vested in a board of directors, one from each ward, together with the other officers mentioned in Chapter 3, Article 6 of the MUD Act.[5] The MUD Act enables districts to levy taxes, issue bonds, and acquire, construct, or operate infrastructure necessary to delivery these services with the goal of ensuring reliable and cost-effective public utilities while maintaining local control over resource management.[6]

Section 3. Role of the Board of Directors

The Board of Directors is the legislative body of EBMUD. The Board sets policy for EBMUD and operates in accordance with and as outlined in MUD Act Chapter 3, Article 4, Powers and Duties of Directors and all other applicable laws. As discussed in subsection 3.03, the Board exercises legislative and ministerial powers in providing direction to EBMUD.

3.01 Purpose of the Board

The Purpose of the Board is to:

- Develop policies that implement the mission and values of EBMUD.
- Establish performance standards and outcomes that reflect the policies set by the Board.
- Provide oversight of EBMUD's performance against the standards established by the Board.
- Make decisions necessary to carry out the mission of EBMUD.

[3] **Resource:** EBMUD Values Splashpad Page, https://splashpad.ebmud.com/district/values
[4] **Reference:** Public Utilities Code § 11501 *et seq.*
[5] **Reference:** Public Utilities Code §§ 11801 & 11850.
[6] **Reference:** A hard copy of the MUD Act is provided to every new Board member.

3.02 Authority of the Board and Individual Board Members

The Board of Directors is the unit of authority for EBMUD. It is the legislative body of EBMUD and determines all questions of policy.[7] Under the MUD Act, it is empowered to supervise and regulate the utility services provided by EBMUD, including setting rates and fees, and making and enforcing rules, regulations, contracts and practices in connection with any service, product, or commodity owned or controlled by EBMUD.[8] The specific duties of the Board, as authorized by the MUD Act, are detailed in subsection 3.03.

The authority above must be exercised by a quorum of the Board, meaning four out of seven Board members. Individual Board members may not commit EBMUD to any policy, act, or expenditure unless authorized by a quorum of the Board.[9]

Individual Board members should respect the decisions made by the Board, regardless of their personal position. Individual Board members may voice their opinion about the decisions of the Board, but in doing so, should make it clear that it is their own opinion and not the opinion of the Board or other Board members. Individual Board members are encouraged to notify the General Manager in advance when they plan to speak publicly in opposition to EBMUD's decisions, policies or actions.

3.03 Board Duties

The key duties of Board members are to:

- Adopt and regularly update a Strategic Plan for EBMUD that reflects its mission, values and vision.
- Adopt written policies that further the Strategic Plan and mission of EBMUD, while ensuring a high-quality of governance and clear roles in decision-making between the Board and EBMUD staff.
- Adopt rates, rules and regulations for the services provided by EBMUD.
- Approve budgets, rates and long-range capital plans to ensure the long-term ability of EBMUD to fulfill its mission.
- Hire, regularly evaluate and, when necessary, discharge the General Manager and General Counsel.
- Identify and track the performance metrics that reflect the policies set by the Board.
- Provide oversight and track compliance with all relevant laws, regulations, permits and the performance of EBMUD.
- Ensure the organization operates effectively and efficiently to fulfil its mission.
- Comply with the open governance requirements of the Ralph M. Brown Act and the California Public Records Act.

[7] **Reference:** Public Utilities Code § 11883.
[8] **Reference:** Public Utilities Code § 11885. Additional details of the powers and duties of the Board as enumerated in the MUD Act may be found in Appendix 2, Governing Laws and Regulations.
[9] **Reference:** Public Utilities Code § 11909.

- Communicate with EBMUD customers and community stakeholders to understand their concerns, values and viewpoints.
- Serve as ambassadors for EBMUD and build relationships throughout EBMUD's service area and in those areas of the state impacted by EBMUD's policies and activities.
- Maintain open lines of communication with employee unions and approve collective bargaining agreements in alignment with EBMUD's vision and goals.
- Strive to equitably address the needs of all communities served by EBMUD, with a special emphasis on addressing the needs of impacted communities.
- Set Ward boundaries following each decennial census and in accordance with the Fair Maps Act so that each ward accurately reflects population changes and racial diversity.
- Take such actions as are required by law.

3.04 Role of Board Officers

The Board Officers are the President and Vice President.[10] While not considered Board officers, this subsection also describes the role of the President Pro Tem, the chairs of standing committees, and the representatives on the governing bodies of Joint Powers Authorities to which EBMUD is a party.

(a) Role of the Board President

The role of the President is to:

- Serve as presiding officer at all Board meetings.
- Develop and approve the regular Board meeting agenda in consultation with the General Manager.
- Administer regular Board meetings under appropriate parliamentary procedure and in accordance with this manual, by:
    - Managing the meeting time;
    - Ensuring appropriate opportunities for public participation;
    - Keeping the Board focused on the discussion at hand; and
    - Avoiding diversions from the agenda or disruptions in the conduct of EBMUD business.
- Sign resolutions, ordinances, and other Board-approved documents on behalf of the Board.
- Make appointments to Standing Board Committees, Ad Hoc Committees, Joint Powers Authorities (JPAs), and as representatives to outside agencies.
- Act as a mentor for newly elected or appointed Board members while avoiding violations of the Brown Act.[11]
- Act as an official representative of EBMUD for ceremonial purposes.

[10] **Reference:** Public Utilities Code § 11882.
[11] Any Board member who serves as a mentor to other Board members should first consult with the General Counsel for advice on providing mentorship in a manner that does not violate the Brown Act.

- Promote and exemplify EBMUD's Values of Stewardship, Integrity, Respect and Teamwork.
- Ensure Board members abide by Policy 6.04, Ethics of the Board of Directors, and the principles of conduct stated in this manual; in a prompt and timely fashion, investigate reported perceived violations of the Ethics Policy by a Board member, and consider any appropriate action warranted.

(b) Role of the Board Vice President

The Role of the Vice President is to:

- Perform the duties of the President in the President's absence or due to any conflict of interest the President may have under the law or EBMUD policies and procedures.
- Act as a mentor for newly elected or appointed Board members while avoiding violations of the Brown Act.

(c) Role of the President Pro Tem

If both the President and Vice President are absent, the Board member with highest seniority among the Board members present will~~:~~ serve as president pro tem until such time as the President or Vice President is present. The President or Vice President shall be considered "absent" if they have informed the Secretary of the District that they will not be present at a meeting or for a period of time or if the General Manager makes the determination that they are not available to serve at a meeting or for a period of time, or that both positions are otherwise vacant. The president pro tem shall have the same powers and duties as the President as set forth in this manual until such time as the President or Vice President are no longer absent.

(d) Role of Committee Chairs

The role of a Committee Chair is to:

- Serve as the presiding officer at committee meetings.
- Develop and approve the committee meeting agenda in consultation with the General Manager.
- Administer committee meetings under appropriate parliamentary procedure and in accordance with this manual.
    - Managing the meeting time;
    - Ensuring appropriate opportunities for public participation;
    - Keeping the committee focused on the discussion at hand; and
    - Avoiding diversions from the agenda or disruptions in the conduct of EBMUD business.
- Report to the Board at the next regular Board meeting following a committee meeting any discussions held at the committee meeting and any recommendations by the committee on actions to be taken by the Board.

3.05 Appointees of the Board of Directors

The Board directly appoints the General Manager, the General Counsel, and the Secretary of the District.[12]

(a) Role of the General Manager

The General Manager serves at the pleasure of the Board pursuant to the terms and conditions set forth in an employment agreement with EBMUD. The General Manager is responsible for the management of EBMUD and its employees in accordance with the policies approved by the Board.

The General Manager is responsible for:

- Administering the business affairs of EBMUD.
- Enforcing all EBMUD ordinances, rules and regulations.
- Executing Board directives and reporting back to the Board on progress.
- Administering the EBMUD civil service system.
- Hiring, managing and removing EBMUD employees necessary for the administration of the affairs of EBMUD, in accordance with the provisions of the civil service system.
- Managing communications and requests between the Board and staff.
- Attending all regular, special and committee meetings of the Board unless excused.
- Bringing to the attention of the Board matters requiring or deserving its consideration.
- Preparing an annual budget for approval by the Board reflecting the Board's policy and strategic directives.
- Preparing general and specific reports updating the Board on the affairs of EBMUD, including keeping the Board informed on the progress of programs and specific matters.
- Preparing draft agendas and all documents necessary for the Board's governance of EBMUD at regular Board meetings and committee meetings.
- Ensuring that EBMUD effectively interacts with the public it serves and other governmental agencies to inform them of matters of concern and to promote EBMUD policies and programs.
- The full charge and control of the construction of the works of EBMUD and of their maintenance and operations.
- Performing additional duties as the Board may require.[13]

The General Manager performs these duties either directly or through EBMUD staff or contractors, as necessary and appropriate, in accordance with Board policies, EBMUD procedures, and the EBMUD civil service system.

[12] **Reference:** Public Utilities Code §§ 11926 & 11931.
[13] **Reference:** Public Utilities Code §§ 11926, 11937 & 12501 *et seq.*

(b) Role of the General Counsel

The General Counsel is licensed to practice law in the State of California and shall have been actively engaged in the practice of their profession for not less than three years next preceding their appointment.[14] The General Counsel is the chief legal officer of EBMUD and serves at the pleasure of the Board pursuant to the terms and conditions set forth in an employment agreement with EBMUD. .[15]

The General Counsel is responsible for:

- Overseeing and directing EBMUD's strategy in all lawsuits and other legal proceedings in which EBMUD is a party or in which it is legally interested.
- Advising the Board on compliance with the Brown Act, conflict of interest laws, and other laws related to the Board's governance of EBMUD.
- Providing legal advice to the General Manager and members of the Senior Management Team.
- Providing legal advice in support of the work of EBMUD staff or whenever required by the Board.
- Reporting to the Board situations that present a legal risk to EBMUD that come to the General Counsel's attention.
- Approving as to form all EBMUD ordinances, resolutions, contracts, bonds, and other legal documents connected with the business of EBMUD.
- Attending all regular, special and committee meetings of the Board unless excused.
- Exercising fiscal responsibility in the management of special counsel contracts while making such expenditures as necessary to meet EBMUD's legal needs.
- Performing additional duties as the Board may require.

The General Counsel performs these duties either directly or through the attorneys and staff of the Office of General Counsel or in conjunction with special counsel retained by the Office of General Counsel, as necessary and appropriate, in accordance with Board policies and EBMUD procedures.

(c) Role of the Secretary of the District

The Secretary of the District acts on behalf of the Board members in a variety of executive, administrative, legal and record-keeping functions, and is part of the EBMUD Senior Management Team. These functions include preparation and distribution of Board and Committee agendas, notices, meeting materials, and minutes; compliance with applicable regulations, including the MUD Act, Public Health and Safety Code, Brown Act, Political Reform Act, and Public Records Act; records management; administration of elections; adherence to Fair Political Practices Commission requirements; compliance with ethics laws; maintenance of Board policies and related administrative procedures; and special projects.

[14] **Reference:** Public Utilities Code § 11932.
[15] **Reference:** Public Utilities Code § 11939.

The Secretary of the District:

- Makes independent decisions as necessary to implement Board requests, decisions and official actions.
- Provides administrative support to Board members.
- Performs all duties in compliance with applicable regulations.
- Serves as custodian of the EBMUD seal and the official records of EBMUD.
- Attends all regular, special and committee meetings of the Board unless excused.
- Produces, as appropriate, the minutes and official records of Board and Committee actions.
- Serves as the Filing Official under EBMUD's Conflict of Interest Code and serves as EBMUD's Election Officer to oversee EBMUD election procedures with the Counties of Alameda and Contra Costa.
- May perform any other duties from time to time as may be prescribed by the Board of Directors.

Section 4. Principles of Conduct

The Board is committed to acting in the best interests of its ratepayers and the public, providing excellence in leadership and prioritizing EBMUD's mission over personal or other interests. This section presents general principles of Board member conduct.

4.01 General Principles of Conduct

The following are the general principles of conduct to be observed by the Board.

- Board members must always demonstrate loyalty to EBMUD by acting in the best interest of EBMUD, its ratepayers and the public, not allowing their actions to be dictated by personal, financial or political interests.
- Board members should make decisions that prioritize the long-term sustainability, financial health, and operational efficiency of EBMUD, while ensuring reliable service to the public.
- Board members should be prepared for Board meeting deliberations in which they are required to or wish to take part.
- Board members should demonstrate EBMUD's values of Stewardship, Integrity, Respect, and Teamwork.
- Board members should endeavor to conduct themselves with civility, respect, and professionalism with each other, EBMUD staff, and the public.
- Each Board member should respect the decision-making authority of the Board and abide by Board-adopted policies and EBMUD-adopted procedures.
- Board members should familiarize themselves with and comply with all applicable laws, regulations and Board-adopted policies regarding governance of EBMUD, about which Board members may seek advice from the General Manager or Secretary of the District, or legal advice from the General Counsel, when necessary.

Board members are encouraged to:

- Stay informed about the issues facing the water and wastewater industry.
- Ask the General Manager questions about Board meeting agenda items ahead of Board and committee meetings to allow time for staff to prepare helpful responses to support the Board's discussion and decision-making.
- Manage conflict carefully and with civility.
- Be respectful of their fellow Board members, staff, guests, and the public.
- Be timely in their attendance at all Board, committee, and special meetings.

4.02 Conduct Between Board Members

The following principles apply to all conduct between Board members when interacting with each other.

- Each Board member should respect the dignity, values and opinions of other Board members, focusing on policy issues and not personalities.
- The Board is encouraged to work as a team, striving to reach consensus on policy decisions to the extent possible, recognizing that each Board member may have a unique perspective on a policy issue.
- No Board member should put the personal interests of any other Board member above the interests of EBMUD.
- Board members shall not communicate with each other outside of publicly noticed meetings in a manner that violates the Brown Act.

4.03 Conduct at Board Meetings

At all meetings, Board members shall endeavor to:

- Ensure every Board member's voice is heard before decisions are made.
- Focus on issues, not individuals.
- Provide constructive feedback, even when there is disagreement.
- Be succinct and focused when contributing to the discussion.
- Commit to truth and accuracy in discussions.
- Listen to everyone with trust and respect.
- Direct any concerns to the General Manager, not staff.
- Not raise any surprises, but instead raise concerns openly and constructively.
- Not engage in personal attacks.

~~4.03~~4.04 Conduct When Representing EBMUD in Public

The following principles apply to the conduct by Board members when interacting with constituents or representing EBMUD in public settings.

- When responding to constituent requests and concerns, Board members are expected to be courteous and respond to individuals promptly and in a positive manner. The General Manager and the Community Affairs Representative for the Board member's ward are available to provide information or assistance to a Board member in responding to members of the public.
- In communicating with the governing bodies of other agencies, the press, or other members of the public:
    - Board members may speak on behalf of EBMUD or the Board when discussing adopted EBMUD policies or stated Board decisions.
    - In all other circumstances, Board members should make it clear that their opinions and representations are their own and do not reflect the opinions or policies of EBMUD or the Board as a whole.
    - Board members are encouraged to notify the General Manager in advance if they plan to speak publicly in opposition to an EBMUD decision or policy.
- Board members should endeavor to express their individual opinions in a responsible manner that is not detrimental to EBMUD or other Board members and staff.

~~4.04~~4.05 Working with Staff

The MUD Act charges the General Manager with the day-to-day management of EBMUD staff.[16] This subsection describes how the Board works with those EBMUD officers appointed by the Board, as well as with EBMUD staff.

(a) Working with the General Manager

The Board provides policy direction and instructions to the General Manager on matters within the authority of the Board. The General Manager is responsible for execution of the Board's policy direction and instructions. Members of the Board should deal with matters within the authority of the General Manager through the General Manager.

(b) Working with the General Counsel

The General Counsel provides the legal support for the policies adopted by the Board and the procedures approved by the General Manager to implement those policies.

- Board members should consult directly with the General Counsel on any questions regarding compliance with the Brown Act, ethics laws or other laws related to Board governance.
- The General Counsel provides advice to Board members in their official capacity and cannot advise Board members in their individual capacity.
- The General Counsel cannot advise Board members in their capacities as campaign candidates except insofar as their positions as Board members may impose certain legal obligations on them under campaign finance laws.

[16] **Reference:** See Public Utilities Code §§ 11926 & 11937.

(c) Working with the Secretary of the District

The Secretary of the District and staff provides administrative support to the Board and performs additional duties as the Board may require. Board members should consult with the Secretary of the District on questions regarding but not limited to EBMUD-related travel, attending conferences, expenses and reimbursement, training requirements, schedule coordination, Board meeting material distribution, Board meeting attendance, elections, FPPC filings (e.g. Form 700), general information (outside of information requested from the General Manager or General Counsel), and other regulatory requirements that may govern their role.

(d) Working with EBMUD Staff

When working with or interacting with EBMUD staff, each Board member should:

- Consult directly with the General Manager for information or clarification regarding EBMUD policies, procedures or operations, especially those involving personnel decisions, operations and finances.
- Not exercise individual authority over staff and direct inquiries regarding the actions of any EBMUD staff member to the General Manager.
- Respect the role and authority of the General Manager and EBMUD's Senior Management Team and employees in the day-to-day management and operations of EBMUD.
- Share concerns about or criticism of the actions of EBMUD staff with the General Manager, in order to respect the privacy or due process rights afforded to all staff.
- Be mindful of requests (e.g., preparing memoranda, reports, or plans) and the impact on the use of staff time and resources, as follows:
    - Board members may work directly with the Community Affairs Representative for their ward in responding to constituent concerns, preparing for meetings with constituents, or on such other matters in which a Board member may interact with a constituent.
    - Board members are encouraged to keep the General Manager and Secretary of the District apprised of any need to work with a Community Affairs Representative.
    - Other than as set forth above, Board members should direct all individual requests for information, memoranda, plans, documents or other materials to the General Manager or the Secretary of the District.
    - Board members should recognize that they are the highest authority at EBMUD and, in order to avoid disruption to the work of EBMUD employees and allow for the free exchange of information, should avoid attending staff meetings or staff events or entering into staff offices or cubicles unless their presence is requested or by making an appointment through the General Manager, the Secretary of the District or, for legal matters, the General Counsel.

~~4.05~~4.06 Relationship with Union Representatives

Board members are encouraged to maintain open lines of communication with union leaders to understand concerns associated with pending Board matters, contracts, and employee relations concerns, but should not disclose confidential information to union representatives. Board members should inform the General Manager of discussions with union representatives, as appropriate. Board members should not represent their individual opinions as being the policy or position of EBMUD and should clearly distinguish between personal opinion and the position of EBMUD in such communications. In speaking with union members, Board members should recognize that the comments and opinions of individual union members may not represent the official position of the union and should avoid reporting such conversations as the position of the union.

Section 5. Ethics of the Board of Directors

5.01 Principles of Ethics

Board members should avoid impropriety or the appearance of impropriety in their activities. Board members will uphold the highest standards of integrity, honesty, and ethical behavior in all EBMUD-related activities and in accordance with Policy 6.04, Ethics of the EBMUD Board of Directors. Board members are encouraged to review Policy 6.04 and to direct any questions regarding the Policy to the General Counsel.

5.02 Failure to Abide by Principles of Ethics ~~and Conduct~~

~~The Board President is responsible for ensuring Board members abide by the Ethics Policy and principles of conduct stated in this manual.~~ Violations of Policy 6.04 – Ethics of the Board of Directors, will be addressed in accordance with the procedures set forth in the Policy.

5.03 Failure to Abide by Principles of Conduct

The Board President is responsible for ensuring Board members abide by the ~~Ethics Policy and~~ principles of conduct stated in Section 4 of this manual. Should any Board member have a concern about a violation of the principles of conduct, the Board member is encouraged to raise the concern in private with the Board member in question, or with the Board President, prior to raising the concern in public. Any Board member may call for censure or other actions to be taken against the Board member who has violated the principles of conduct.

Section 6. Protection of Whistleblowers

The Board promotes and oversees EBMUD's efforts to maintain a healthy and transparent work environment, free from discrimination, harassment or retaliation based

on the reporting of improper activities in the workplace. The Board's role in the protection of whistleblowers at EBMUD is described in Policy 6.16.

Section 7. Election of Board Officers

7.01 Process for Election

(a) Time of Election

Board Officers shall be elected as the first order of business during the first regular Board meeting of the calendar year.

(b) Nomination of Officers

- Each Board member has the right to nominate a Board member, including themselves, for the role of President or Vice President.[17]
- Each nomination must be seconded by a Board member.
- If more than one Board member is nominated to an Officer position, each nominee must be put to vote in the order the nomination was made.

(c) Vote for Board Officers

The positions of President and Vice President shall be elected by a majority vote of the Board (four of seven Board members).

7.02 Qualifications of Board Officers

It is important that any Board member being considered for election to an Officer position have the qualifications and experience necessary for effective governance. This includes the following:

- Service on the Board for at least one year prior to the date of the Officer election
- Completion of all required Orientation and Training described in this manual

Traditionally, a Board member shall have served as Vice President prior to serving as President.

In circumstances where none of the Board members meet the qualifications stated above, the Board may vote to elect any Board member to serve as President or Vice President.

7.03 Term of Board Officers

The term of each Board Officer shall be for one year, shall begin immediately following the vote by the Board and shall continue until a new Board Officer is elected.

[17] Traditionally, the immediate past Vice President has been nominated for the role of President.

A Board member may not serve more than two consecutive one-year terms in each Board Officer position, unless a situation arises in which the majority of the Board votes to allow an Officer to hold three or more consecutive terms.

7.04 Removal or Resignation of Board Officers

A vote to remove a Board Officer may be initiated following a motion by any Board member and seconded by another Board member. A Board Officer may be removed by a majority vote of the Board (four of seven Board members).

Upon removal or resignation of a Board Officer, the Board shall ~~calendar the appointment of~~elect a new Officer ~~for the next regular Board meeting~~. New Officers shall be nominated and approved as set forth in subsection 7.01. The Officer ~~appointed~~ elected to fill the position shall serve for the remainder of the term for the position.

Section 8. Filling Director Vacancies

When a vacancy occurs in a ward before the next general election that is scheduled 90 or more days after the effective date of the vacancy, the Board must vote to either hold a special election in that ward or to appoint a person to fill the vacancy until the next general election.[18]

If the Board chooses to appoint a person to fill the vacancy, the following process may be used.

- At a regularly scheduled or special Board meeting, the Board will appoint an ad hoc committee to facilitate the appointment process.
- A Notice of Vacancy in the ward will be posted in three conspicuous places (EBMUD's Administration Building in Oakland and two places in the ward); on EBMUD's website and social media platforms; published in newspapers; and distributed for posting with cities, towns, chambers of commerce, regional agencies, and elected officials in the ward.
- All interested candidates will receive an information packet that will include a description of the application process and a link to a page on EBMUD's website with information about EBMUD.
- Candidates will be required to mail, email, or hand deliver the following application materials by close of business on a date to be determined by EBMUD:
    - A letter expressing their interest and qualifications (no more than 2 pages);
    - A resume; and
    - A minimum of three (3) letters of reference. Additional letters of reference will not be accepted after the submission deadline.
- The Office of the Secretary will conduct the initial screening of all application materials for completeness and confirm with the county that the applicant is a resident of and registered voter in the ward.

[18] **Reference:** See Public Utilities Code § 11865.

- The ad hoc committee will screen applications to develop a shortlist of candidates, if necessary, for final interviews with the full Board.
- Candidate interviews will be conducted as follows:
    - The Board will conduct interviews with each candidate recommended by the ad hoc committee at its next regularly scheduled meeting or at a special meeting, in EBMUD's Administration Building Boardroom or at the Board's discretion, a location within the ward with the vacancy.
    - The interviews will be conducted in person, and if conducted in EBMUD's Administration Building Boardroom, viewable online, and livestreamed on EBMUD's website.
    - The Board will deliberate and, if time permits, vote for the recommended candidate at the conclusion of the interviews.
- If the Board does not vote for the recommended candidate at the conclusion of the interviews, the Board may adjourn the meeting to a future meeting to vote for the recommended candidate.
- The appointee will be sworn in and will serve as the Director for the ward exactly as if elected to office, until the next general election for EBMUD.

This process may be started before the effective date of the Board member's vacancy but must be completed within 60 days of the effective date of the vacancy.[19]

Section 9. Board Member Orientation and Training

9.01 Onboarding and Training of Newly Elected or Appointed Board Members

In order to effectively govern, new Board members should become familiar with the policies, procedures, and operations of EBMUD. During the first four months following election or appointment, the Board member will participate in the following onboarding presentations (2-4 hours) and tours (2 hours - all day):

- Organization Overview, Public Affairs, Administrative Support (Secretary's Office) and Legislative Programs, and Function of Internal Audit Office
- Water Quality and Environmental Protection
- Long-Term Water Supply and East Bay Watershed Master Plan
- Long-Term Infrastructure Investment
- Long-Term Financial Stability and Cybersecurity/Information Systems
- Customer and Community Services
- Workforce Planning and Development, including the Diversity, Equity and Inclusion Strategic Plan
- Personal Benefits Orientation and Selection

The following tours will be offered to Board members as part of the orientation and training. Attendance is optional.

[19] **Reference:** See Public Utilities Code § 11865(a).

- Local Water Distribution System
- East Bay Watershed
- Upcountry Facilities
- Wastewater Facilities

New Board members are also encouraged to complete the California Special Districts Association training for new Board members. The Secretary of the District will assist Board members with enrolling in this training.

The Board President and General Manager, in coordination with the Secretary of the District will develop the training and orientation schedule for new Board members. The Board President, with assistance from the Secretary of the District, is responsible for monitoring the progress of new Board members in the timely completion of their orientation and training.

All onboarding presentations and tours will be led by the General Manager and the Senior Management Team. General Board governance training will be conducted from time-to-time by an outside facilitator.

9.02 Office of General Counsel Presentation on Governance Laws and Litigation

In the first month following election or appointment, each Board member will receive a presentation from the Office of General Counsel on:

- The Municipal Utility District Act
- Open meeting requirements under the Ralph M. Brown Act
- Board governance and Ethics of the EBMUD Board of Directors
- California Conflict of Interest Laws
- The Public Records Act

The presentation will also include information regarding any major litigation in which EBMUD is involved.

9.03 Required Ongoing Training

All Board members, as public officials, shall complete the following trainings, as required by law:

- In accordance with Assembly Bill (AB) 1661, at least two hours of preventing harassment training within six months of assuming office and every two years following the initial training.[20]
- In accordance with AB 1234, at least two hours of ethics training no later than one year from the date the Board member assumes office and every two years thereafter.[21]

[20] **Reference:** Government Code § 53237 *et seq.*
[21] **Reference:** Government Code § 53234 *et seq.*

The Secretary of the District will assist Board members with enrolling in this training and will maintain records of compliance. Board members' ethics and preventing harassment training certificates will be posted on EBMUD's website.

9.04 Failure to Complete Required Onboarding and Ongoing Training

Board members who fail to complete the onboarding process, including the Office of General Counsel's presentation, within the first 6 months of assuming office, and required ongoing training by the prescribed deadlines may:

- Be ineligible to serve as a Board Officer (President or Vice President), chair a standing Board committee, serve on an ad hoc committee, serve on the Retirement Board or serve on the boards of Joint Powers Authorities.
- Be ineligible for approval of travel on behalf of EBMUD or reimbursement of travel expenses.
- Have information posted on the EBMUD website identifying any incomplete training required by law until such time as the required training has been completed.

Section 10. Training, Educational Programs, Conferences, and Professional Meetings

Board members are encouraged to attend training, educational programs, conferences and professional meetings when the purpose is to support EBMUD or their role as Directors. Attendance at these events must be approved by the Board President in advance. The Secretary of the District manages the budget for these activities and will track requests to attend training, educational programs, conferences, and professional meetings to assist the Board President with reviewing and approving requests. Attendance at these events should not conflict with the Board member's in-person attendance at meetings of the Board of Directors (see Section 11), unless approved in advance by the Board President.

Upon return from any conference attended on behalf of EBMUD, a Director shall file with the Secretary of the District a written report on the Director's activities at the conference (e.g., and what was learned at the conference that may be helpful to the Board or EBMUD and what meetings or sessions the Board member attended).

- The Secretary of the District shall send a copy of the report to the Board President.
- A Director shall not be eligible for reimbursement until they have filed the report with the Secretary of the District.

Section 11. Meetings of the Board of Directors

A Board "meeting," as defined by the Brown Act, is any gathering of a quorum of the Board, or of a Board committee, at the same time and place (including electronically) to

discuss the business of EBMUD and/or to take action. To comply with the Brown Act, all meetings must be publicly noticed, and the Board's discussions and actions are limited to the topics specifically stated in the noticed meeting agenda.[22]

11.01 Application of the Sturgis Standard Code of Parliamentary Procedure

The Board follows the Sturgis Standard Code of Parliamentary Procedure (Sturgis) for all aspects of the conduct of Board meetings not otherwise required by law, to the extent reasonably practicable.[23]

Deviation from Sturgis in the conduct of Board meetings shall not be grounds for the invalidation of any lawful action taken by the Board.

11.02 Types and Purpose of Meetings

There are several types of Board meetings allowed under the Brown Act. Their purpose is described here. The time and place of each meeting described below is stated in subsection 11.04.

(a) Regular Meetings

The principal type of meeting at which EBMUD business is conducted is a regular Board meeting.

(b) Closed Session Meetings

The Brown Act requires all Board meetings to be held publicly, unless one of the specific, narrow exceptions defined in the Act applies, in which case the topic may be discussed in a noticed "closed session meeting."[24] The most commonly cited exceptions for closed session at EBMUD relate to discussion of litigation, real estate negotiations, labor negotiations and the security of EBMUD infrastructure. Only individuals having an official role in the closed session subject matter may attend the closed session.

The Brown Act explicitly prohibits the unauthorized disclosure of confidential information acquired in a closed session by any person present, including Board members.[25] Some actions taken in closed session must be publicly reported during the regular Board meeting, and the votes for or against the actions must be provided. The Board President generally makes these reports following closed session.

(c) Special Meetings

Occasionally, special Board meetings are held to discuss a particular topic, conduct a workshop or study session or, if necessary, hold a meeting at a time or date and place other than a regularly scheduled Board meeting. Special Board meetings generally must be convened within EBMUD's service area. State law requires that agendas for special

[22] **Reference:** Government Code § 54950 *et seq.*
[23] **Reference:** EBMUD Board Resolution No. 32457.
[24] **Reference:** Government Code §§ 54953(a) & 54962.
[25] **Reference:** Government Code § 54963.

Board meetings be provided to each local newspaper of general circulation and each radio and television station that has requested such notice in writing and be posted in a public place and on EBMUD's website at least 24 hours prior to the meeting. These meetings are open to the public.

11.03 Role of Standing Committees

(a) Roles and Responsibilities for Standing Committees

- With the exception of the Retirement Board, each committee consists of three Board members assigned in accordance with subsection 12.01.
- The committee will receive staff updates on topics within the purview of the committee, as stated in subsection 11.03(b).
- For any action to be taken by the Board that was first presented to a committee for consideration, the committee Chair will inform the Board on its discussions regarding the action, including any relevant policy alternatives, and make a recommendation to the Board on the action to take.
- Though committees may recommend a preferred action or policy decision to the full Board, committees do not have the authority to direct staff to exclude any reasonable action or policy alternative from consideration by the full Board.
- Committees may not speak for or act on behalf of the full Board except when expressly authorized by the Board for a specific and time-limited purpose.
- The committee Chair or, in the absence of the Chair, a representative on the committee, will report on the discussions of the standing committee at the Board meeting following the committee meeting.

(b) Roles and Responsibilities for Each Standing Committee

- Finance/Administration Committee. Reviews EBMUD investments, debt service, and related policies, fees and charges, audits, contracts and grants, and policies for acquisition of equipment or services.
- Legislative/Human Resources Committee. Discusses legislative goals and programs, human resources related issues, personnel policies, EBMUD training and development, and EBMUD Diversity, Equity, and Inclusion activities.
- Planning Committee. Reviews planning of facilities, capital projects, operational standards, and the acquisition, development and disposition of real property.
- Sustainability Committee. Discusses matters related to sustainability, natural resources, and the environment.

11.04 Time and Place of Meetings

(a) Regular and Committee Meetings

The regular Board meeting is divided into two segments: a closed session and then the regular business meeting at 1:15 p.m. The schedule of regular Board meetings and standing committee meetings is listed below.

January through June, and October

Second Tuesday of the Month:

- Planning Committee: 9:00 a.m.
- Legislative/Human Resources Committee: 10:00 a.m.
- Closed Session: 11:00 a.m.
- Regular Board Meeting: 1:15 p.m.

Fourth Tuesday of the Month:

- Finance/Administration Committee: 9:00 a.m.
- Sustainability Committee (if needed): 10:00 a.m.
- Closed Session: 11:00 a.m.
- Regular Board Meeting: 1:15 p.m.

July and December

Second Tuesday of the Month:

- Planning Committee: 9:00 a.m.
- Legislative/Human Resources Committee: 10:00 a.m.
- Closed Session: 11:00 a.m.
- Regular Board Meeting: 1:15 p.m.

August, September and November

Second Tuesday of the Month:

- Planning Committee: 9:00 a.m.
- Legislative/Human Resources Committee: 10:00 a.m.
- Finance/Administration Committee: 10:30 a.m.
- Closed Session: 11:30 a.m.
- Regular Board Meeting: 1:15 p.m.

~~(a) Regular Board Meetings~~

- ~~Regular Board meetings are held on the second and fourth Tuesday of each month.~~
- ~~The regular meeting is divided into two segments: closed session at 11:00 a.m. and the regular business meeting at 1:15 p.m.~~
- ~~The regular Board meetings scheduled for the 4th Tuesdays in July and in December are canceled each year to allow for vacations and breaks.. However, the Board can schedule special or emergency meetings if needed during these periods.~~

~~(b) Planning Committee~~

~~Meetings of the Planning Committee will be held at 9:00 a.m. on the second Tuesday of each month.~~

~~(c) Legislative/Human Resources Committee~~

~~Meetings of the Legislative/Human Resources Committee will be held at 10:00 a.m. on the second Tuesday of each month.~~

~~(d) Finance/Administration Committee~~

~~Meetings of the Finance/Administration Committee will be held at 10:00 a.m. on the fourth Tuesday of each month.~~

~~(e) Sustainability Committee~~

~~Meetings of the Sustainability Committee will be held at a time to be determined on the fourth Tuesday, on a quarterly basis.~~

~~(f)~~(b) Board Workshops

Board Workshops are special meetings under the Brown Act that will be held at a time and place to be determined by the General Manager in consultation with the Board President.

~~(g)~~(c) Retirement Board

The EBMUD Retirement Board meets bi-monthly at 9:00 a.m. on the third Thursday of January, March, May, July, September, and November, respectively. The Retirement Board may change the meeting date from a third Thursday to either a second or fourth Thursday if the third Thursday in the month is in the same week as a regular Board meeting.

~~(h)~~(d) Date, Time, and Place Considerations for All Meetings

- All Board meetings will be held in the William "Bill" Patterson Boardroom of EBMUD's Administration Building located at 375 11th Street, Second Floor, Oakland, California.
- The Board retains the authority to schedule special or emergency meetings outside of the times noted above if needed.
- The meeting dates above are subject to cancellation.
- The start times of Board closed session and standing committee meetings stated above may be adjusted to accommodate ~~the agenda for a committee meeting~~ such meetings and shall be stated in the public notices of the meetings.~~.~~

11.05 Attendance at Meetings

Board members are expected to attend all assigned meetings. Failure to attend meetings, or excessive tardiness, may result in the loss of compensation for the month in question. See subsection 13.01 for more details.

11.06 Quorum and Majority

Under the MUD Act, four Board members constitutes a quorum of the EBMUD Board and no Board action is valid unless approved by four Board members.[26] If fewer than four Board members are present at a meeting, the meeting may not proceed and may be cancelled or adjourned to a future date and time.

Note that the MUD Act or other statutes may require that some actions of the Board be taken by supermajority vote, that is, five Board members.

In committee meetings, committee members may take the actions of receiving a report or voting to recommend the full Board take a certain action. For the purposes of such a vote, a quorum of a committee is two of three committee members. If fewer than two committee members are present at a committee meeting, the meeting may not proceed and may be cancelled or adjourned to a future date and time. If the meeting is cancelled or adjourned, staff may present reports on agenda items to the sole committee member present (and the public) for informational purposes only.

11.07 Setting Meeting and Committee Agendas

(a) Regular Board Meeting Agendas

- The Secretary's Office, in coordination with the General Manager, will prepare a draft of the regular Board meeting agenda. The General Manager will review the agenda with the Board President.
- The Board President may add or delete items for consideration from the regular meeting agenda as the President feels appropriate.
- The Board President shall not remove items for consideration from the regular meeting agenda that are required by law or necessary for EBMUD to conduct its business.

(b) Committee Meeting Agendas

- The Secretary's Office, in coordination with the General Manager, will prepare a draft of all committee meeting agendas. The General Manager will review committee meeting agendas with committee Chairs.
- Committee Chairs may add or delete items to committee meeting agendas.
- The Committee Chairs shall not remove items for consideration from the committee meeting agenda that are necessary for EBMUD to conduct its business.

[26] **Reference:** Public Utilities Code § 11909.

(c) Workshop or other Special Meeting Agendas

- The Secretary's Office in coordination with the General Manager will prepare drafts of workshop or other special meeting agendas. The General Manager will review these agendas with the Board President.
- The Board President may add or delete items for consideration from the workshop or special meeting agendas as the President feels appropriate.
- The Board President shall not remove items for consideration from the special meeting or workshop agendas that are required by law or for EBMUD to conduct its business.

(d) Agenda Items Originating from a Board Member

Board members may request that an item be placed on a future Board agenda by making a request to the General Manager or the Board President. Board members may also ask that an item be placed on a future Board agenda during a Board or committee meeting, either as a follow-up to an item on the meeting's agenda or under the "Other Items for Future Consideration" item on the meeting agenda prior to the close of a Board meeting.

(e) The Public's Role in Setting Meeting Agendas

Members of the public may request that items of concern be placed on a future regular or committee meeting agenda during a meeting's public comment period. The Board President and General Manager will consider the request. The Board President shall have the sole discretion to approve any requested item for consideration on an agenda.

(f) Urgency Agenda Items

In rare cases, a legitimate urgent need may arise that must be acted upon by the Board even though the item was not on the posted agenda. The Board may discuss and take action on an urgency item under the following circumstances:

- A majority of the Board determines that an emergency, as defined by Government Code section 54956.5, exists; or
- Pursuant to a two-thirds vote of the Board members present at a meeting (or all Board members if less than five are present), the Board determines that there is an immediate need to take action, and the need arose after the agenda posting deadline.

The General Counsel should be consulted on the addition of any urgency item to a meeting agenda.

11.08 Posting Meeting Agendas

All Board meeting agendas will be posted in accordance with the Brown Act at all meeting locations, including in the front window of the lobby of EBMUD's Main Administration Building and on EBMUD's website.[27]

11.09 Public Comment at Board Meetings

(a) Opportunity for Public Comment

Members of the public may address the Board at all regular meetings, committee meetings and special meetings on matters within the jurisdiction of the Board.[28]

- Comments on non-agenda items are heard during the general public comment period at the beginning of the meeting. At special meetings, public comment is limited to agenda items.
- Comments on agenda items are heard when the item is up for consideration.
- Members of the public are encouraged but shall not be required to identify themselves by name in order to make a public comment.

The Board is limited by the Brown Act to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to public comment on items that are not listed on the meeting agenda.

(b) Management of Public Comment[29]

- Each member of the public who wishes to address the Board will be given three minutes to speak. This time will be doubled if the speaker requires a translator.
- The Board President has the discretion to amend this time for any or all speakers, taking into consideration such factors as the number of speakers or whether a single speaker is representing a group of interested persons.
- The Secretary of the District will call each speaker in the order in which a speaker card was received or, in the case of remote appearances, a hand was raised.
- The Secretary of the District will track time and inform each speaker when the allotted time has concluded.

(c) Manner of Public Comment

Specific procedures for participating in Board meetings in person or via an online platform and for submitting written comments and documents to the Board is detailed on EBMUD's website.[30] This process may be updated by the Secretary of the District from time to time.

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[27] **Reference:** Government Code § 54954.2.
[28] **Reference:** Government Code § 54954.3.
[29] **Reference:** Government Code § 54954.3(b)(1).
[30] **Resource:** See https://www.ebmud.com/about-us/board-directors/board-meetings

(d) Disruption of Board Meetings[31]

- Any person who engages in behavior that disrupts, disturbs, impedes, or renders infeasible the orderly conduct of a Board meeting, including, but not limited to, failing to comply with the procedures of this Governance Policy, may be warned by the presiding officer and, if the behavior continues following the warning, removed from the meeting at the direction of the presiding officer.
- Any person who engages in behavior that constitutes use of force or a true threat of force may be removed from a Board meeting at the direction of the presiding officer without warning.
- The presiding officer may suspend a Board meeting and order the clearing of the Board room in order to stop disruption of the meeting and/or facilitate removal of disruptive persons.

Section 12. Committee, Liaison, Retirement Board, JPA Assignments

12.01 Committee Assignments

The President recommends Board members to serve on standing Board committees, the Retirement Board, and the boards of JPAs (each a "committee").

- Board members submit their request for committee assignments to the Secretary of the District by the close of business on the Friday following the first Board meeting in January of each year.
- The President of the Board, in coordination with the Secretary of the District, will prepare a proposed list of assignments, including the chair of each EBMUD committee, to be considered by the Board at the second Board meeting in January of each year.
- The Board votes to approve the proposed assignment list by a majority vote of the Board (four of seven Board members) at its second Board meeting in January.
- New EBMUD Board committee assignments become effective starting the next meeting following the approval of the assignments. JPA assignments become effective the day of the appointment.
- The Board President may remove a Board member as chair of a committee and appoint a new chair from the committee membership if the committee chair is, in the opinion of the President, consistently late to or absent from committee meetings, pursuant to the President's authority as stated in Section 3.04(a).

12.02 Creation and Role of Ad Hoc Committees

The Board may appoint ad hoc committees to serve for a limited duration to address a specific topic of interest to the Board.

[31] **Reference:** Government Code § 54957.9 & 54957.95.

- Ad hoc committees may consist of two or three Board members but must consist of less than a quorum of the Board or a quorum of a standing committee.
- The President may recommend members of an ad hoc committee or members may self-nominate for committee membership. The Board shall vote to approve the membership of an ad hoc committee by a majority vote of the Board (four of seven Board members).
- Ad hoc committees may set their own meeting schedule. Meetings of an ad hoc committee are not required to be publicly noticed or made open to the public under the Brown Act.
- Each ad hoc committee shall report its activities to the full Board at a publicly noticed regularly scheduled Board meeting, as necessary, with the exception of an ad hoc committee appointed to negotiate contracts or contract amendments with the General Manager and General Counsel, in which case the ad hoc committee may receive direction from the Board in closed session.
- An ad hoc committees will be considered to have dissolved once its purpose has been fulfilled.

12.03 Board Member Service on Joint Powers and Other Authorities

From time to time, the Board may appoint one or more Board members or EBMUD staff to serve as an EBMUD representative on a Joint Powers Authority (JPA), trade association, or liaison committee.

- Board members are expected to follow the principles of conduct in this manual and shall following Policy 6.04, Ethics of the EBMUD Board of Directors.
- At the next regularly scheduled Board meeting following a meeting of a JPA, trade association or liaison committee, the Board member representative shall report on activities of the JPA, trade association or committee.

12.04 Board Member Service on the Retirement Board

The Retirement Board is a separate governing body from the EBMUD Board of Directors. It is publicly charged with responsibility to administer the Retirement System and the Retirement Fund for the benefit of its members, and to secure the payment retirement allowances and other post-retirement benefits authorized by the Retirement Ordinance. It consists of three members (two (2) EBMUD Board members and the General Manager) appointed by the EBMUD Board of Directors, two members elected by and from the membership of the Retirement System (current employees), and one non-voting Retired Member elected by retired members.

Section 13. Board of Directors Compensation and Benefits

13.01 Determination of Compensation

Board members receive monthly compensation in an amount set at a public meeting of the Board of Directors.

- To receive compensation for service in any given month, Board members must attend a minimum of 50 percent of their assigned meetings.[32] Meetings include regular Board meetings, standing committee meetings, special meetings, joint powers authority meetings, Retirement Board meetings, and closed session meetings.
- Compensation will not be paid to a Board member for any month in which he or she has not attended at least 50 percent of their assigned meetings unless the Board President or committee chair excuses the absence(s) for good cause. Good cause includes, but is not limited to, a Board member's illness, family emergency, or schedule conflict directly related to the business of EBMUD.
- A Board member may not have excused absences for more than three meeting days per calendar year for personal reasons (i.e., vacations) or for attending conferences (even if the conference is directly related to the business of EBMUD). Each meeting day on which a Board member receives an excused absence for either a regular Board meeting, a standing committee meeting, a special meeting, or a combination of these meetings, will be counted as a day for the purposes of this subsection.
- Any Board member arriving 15 or more minutes after roll call for a regular Board meeting, closed session, committee meeting, or special meeting will be considered absent from that meeting for the purposes of determining eligibility for compensation. The Secretary of the District will call roll no later than five minutes after the noticed start time of a meeting unless special circumstances require a later start for the meeting.
- Committee chairs or presiding officers may excuse late arrivals, at their discretion, due to unforeseen circumstances.
- Board members receive compensation based only on attendance at assigned meetings as described above, and do not receive compensation for attendance at non-EBMUD activities.

13.02 Annual Review of Compensation

Any adjustment to Board member compensation will be set annually by the Board at a public Board meeting in compliance with the MUD Act and California Constitution.[33]

- The Board may adjust its compensation by providing an increase or a decrease in compensation.
- The Board may increase its compensation by not more than five percent annually.
- If the Board has elected not to increase its compensation in any calendar year, the next time the Board considers an adjustment it may vote to increase its compensation by up to five percent for each calendar year following the operative date of the last compensation increase. In the event the Board votes to increase its compensation in this manner, it should explicitly state the increase for each

[32] **Reference:** EBMUD Board Resolution No. 35000-16.
[33] **Reference:** Public Utilities Code § 11908.1.

year following the year of the last compensation increase (i.e., 2.5 percent in year one, two percent in year two, etc.).
- The Board may not apply any increase in compensation retroactively nor award itself retroactive pay in any circumstance.
- Any Board motion to adjust its compensation shall state the effective date of the compensation adjustment.
- No Board action adjusting its compensation shall provide for an automatic increase to that compensation.
- The calculation of Board member compensation will be rounded down to the nearest cent.

13.03 Board Member Benefits

Board members are entitled to the following benefits from EBMUD:

- EBMUD will provide health care benefits to Board members under the same terms and conditions as benefits are provided to EBMUD employees.
- Board members may participate in EBMUD's Employee Retirement System as provided in EBMUD's Retirement Ordinance.
- Board members may participate in EBMUD's deferred compensation plans under the same rules as eligible EBMUD employees.
- Board members may participate in the Utility District Employee Association and the Utility District Credit Union under the same rules as eligible EBMUD employees.

Section 14. Reimbursement of Director Expenses

Board members are entitled to reimbursement of expenses they incur in conducting EBMUD business, as detailed in Policy 4.14, Reimbursement of Director Expenses.

Section 15. Board Members' Role in Emergency Situations; Succession Planning

In general, the Board President and Board members have a minimal role in emergency operations. During an emergency, Board members should be available to support the General Manager.

The Board of Directors adopted an Emergency Succession Plan to ensure continuous coverage of the Board of Directors' duties, critical to the ongoing operations and sustainability of EBMUD,[34] in the event one or more Board members is unavailable following a state of war emergency or in the event of a state of emergency or a local emergency.

[34] **Reference:** EBMUD Board Resolution No. 35038-17. **Resource:** A copy of the Emergency Succession Plan is available in the Dashboard.

15.01 Selection and Appointment of Standby Officers

Each Board member shall designate a minimum of two and no more than three Standby Officers to serve in their place in the event of the Board member's unavailability in an emergency, as defined by the California Emergency Services Act (CESA). One of the standby officers must reside within the member's ward, and the other must reside outside the member's ward and may reside outside the District's service area. A Board member may choose, and the Board has the option to appoint, a third Standby Officer. That Standby Officer may reside inside or outside the same ward as the Board member, or outside the District's service area.

The list of Standby Officers shall be approved by Board Resolution and reviewed on an annual basis. The General Manager will determine the availability of the Board members in an emergency. The Board will endeavor to fill vacancies in accordance with the MUD Act and CESA within 60 days of the effective date of the vacancy. Upon appointment by the Board through a Board Resolution, the Standby Officer shall take the oath of office, remain informed of the duties, EBMUD business, and be prepared to immediately report for duty during an emergency. Details of this process will be documented in the General Manager's Business Continuity Plan.[35]

[35] **Reference:** EBMUD Policy 7.03, Emergency Preparedness/Business Continuity.

Appendix 1: How EBMUD is Organized

EBMUD is organized under the following offices and departments:

- Office of the General Manager
- Office of the General Counsel
- Administration
- Customer & Community Services
- Human Resources
- Engineering & Construction
- Finance
- Operations and Maintenance
- Wastewater
- Water and Natural Resources

Office of the General Manager (OGM)

EBMUD has approximately 1,950 full-time employees under the administrative direction of the General Manager and the Senior Management Team (SMT). The General Manager's Office is supported by an Assistant to the General Manager and an Office Assistant. EBMUD is comprised of seven departments under the General Manager's oversight along with three departments within the Office of the General Manager.

- **Intergovernmental Affairs**
  The Office of Intergovernmental Affairs is staffed by lobbyists registered with the State of California and work to further EBMUD's mission by advancing EBMUD's legislative and administrative priorities in Sacramento and Washington, DC.

- **Office of Diversity, Equity, and Culture (ODEC)**
  The Office of Diversity, Equity, and Culture exists to ensure fair and equitable treatment for all EBMUD employees, contractors, and vendors and to the best of our ability create positive outcomes for all we serve. ODEC is comprised of three organizations: the Contract Equity Office, the Diversity and Inclusion Office, and Employee and Organizational Development.

- **Public Affairs**
  The Public Affairs Office's purpose is to engage with our community and share EBMUD's story to build trust and understanding. It uses a variety of methods to execute communications strategies, engage the public and share information on behalf of EBMUD.

- **Office of the Secretary** *(reports to the Board via the General Manager)*
  The Office of the Secretary provides administrative support for the Board and performs duties prescribed in the Municipal Utility District Act, the Ralph M. Brown Act, Board resolutions, and state/federal laws.

Office of General Counsel (OGC)

The Office of General Counsel provides the legal advice and assistance necessary to implement EBMUD's mission, policies, and programs in a manner consistent with the law and to lead litigation and other legal matters in which EBMUD is a party or in which it is legally interested.

Administration

- **Customer & Community Services (CCS)**
  The Customer & Community Services Department provides high-quality, responsive customer service with efficient business practices, technology, and value-added programs/services to EBMUD's customers and stakeholders, guided by the principles of fairness, consistency, efficiency, and high standards of professionalism and fiscal responsibility. CCS also includes the Contact Center, Customer Services Support, Field Services, New Business, Real Estate Services, and Water Conservation.

- **Human Resources (HR)**
  The Human Resources Department provides EBMUD employees, departments, retirees, and members of the public with strategic human resource services that are professional, reliable, and enabling of employee excellence in support of EBMUD's mission. The HR Department works to ensure EBMUD has a skilled, diverse workforce to meet its mission.

Engineering & Construction

The Engineering & Construction Department plans and implements programs and projects to ensure the integrity of EBMUD's infrastructure now and in the future. The department also provides engineering expertise and technical support to all EBMUD departments.

Finance

The Finance Department is responsible for providing proactive and strategic management of District finances and ensuring EBMUD's long-term financial stability.

- **Information Systems Department (ISD)**
  The Information Systems Department is the centralized support organization for information technology and services at EBMUD. ISD maintains distributed and centralized computing services at EBMUD, supports staff in the effective and efficient use of these technologies, provides a broad range of computing support services, and is also responsible for EBMUD's telecommunications infrastructure.

Operations and Maintenance Department

The Operations and Maintenance Department's is responsible for the operations, maintenance, management, and improvement of the water system infrastructure, processes, and the assets to provide safe and reliable high quality water services.

- **Maintenance and Construction**
  The Maintenance and Construction Department is responsible for maintaining the local water distribution system infrastructure, performing preventative and corrective maintenance, replacing and rehabilitating EBMUD's infrastructure, reading and maintaining the nearly 400,000 customer water meters, providing support services, and maintaining all vehicles and heavy equipment.

- **Water Operations**
  The Water Operations Department is responsible for operating and maintaining water supply, water treatment, and water distribution facilities spanning six counties, including facilities of the Freeport Regional Water Authority.

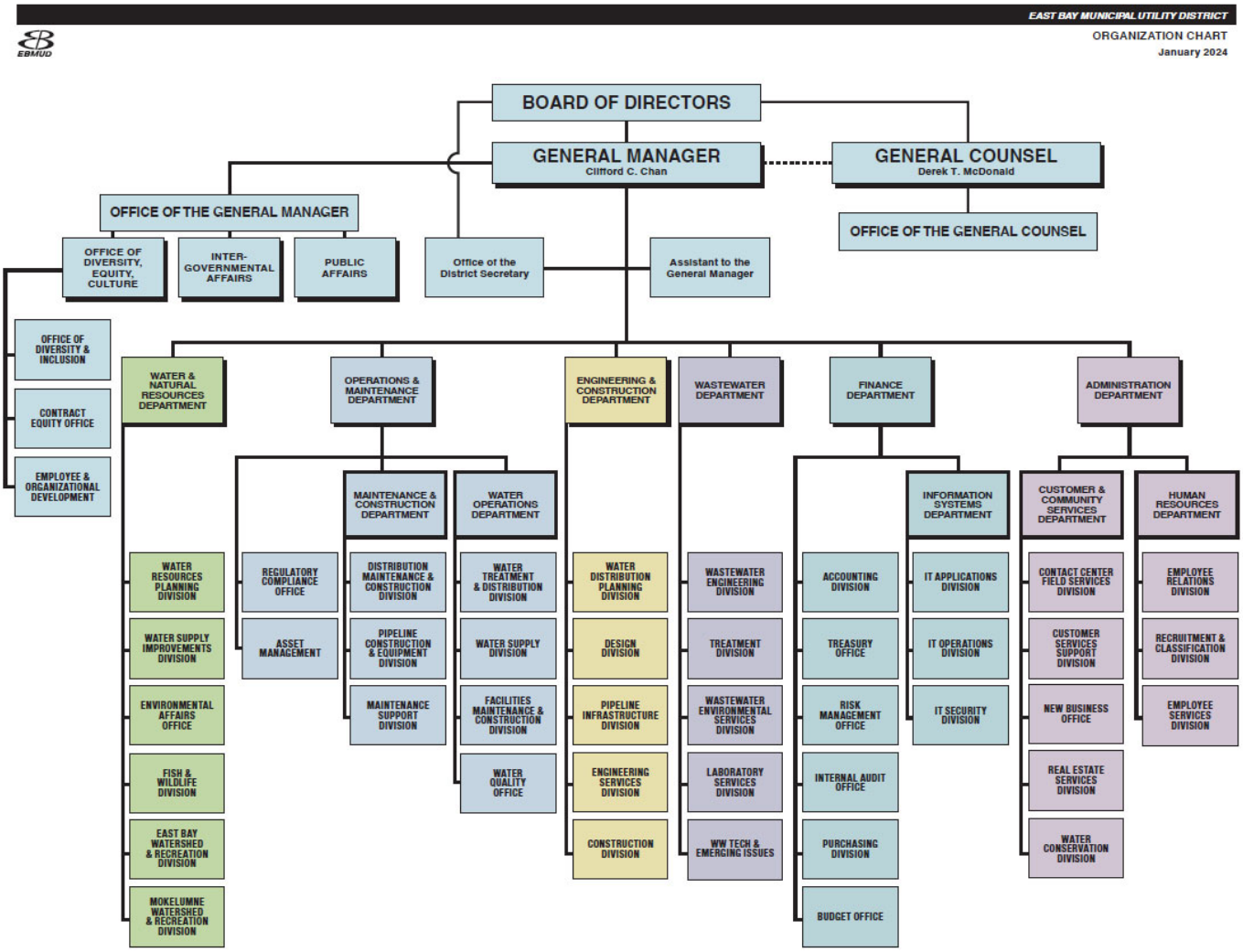
Wastewater

The Wastewater Department ensures public health and safety by meeting or surpassing federal, state, and local regulations regarding air, biosolids, and water quality. The department strives to protect the environment by reducing or eliminating the discharge of pollutants into the air, land, and San Francisco Bay and recovering water, energy, and nutrients from wastes. The Wastewater service area is comprised of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, and the Stege Sanitary District, which is comprised of El Cerrito, Kensington, and a portion of Richmond known as the Richmond Annex.

Water and Natural Resources

The Water and Natural Resources Department develops plans, policies, and programs to protect EBMUD's water resources, maintain and ensure a high-quality water supply to meet future water needs, oversee the management of watershed and recreation lands and facilities, and provide good stewardship of the natural resources with which EBMUD is entrusted.

EBMUD Organization Chart



Appendix 2: Governing Laws and Regulations

Major laws and regulations governing and affecting EBMUD include the Municipal Utility District Act, the Ralph M. Brown Act, the Public Records Act, the Political Reform Act and the California Constitution, as well as federal laws, and local ordinances. Judicial decisions that interpret and frequently resolve conflicts related to these laws and regulations may also affect EBMUD.

General descriptions of some of the primary laws related to the governance of EBMUD are provided below. Links to helpful documents explaining the laws are provided as footnoted references.

Laws Related to the Board's Governance of EBMUD

Municipal Utility District (MUD) Act

EBMUD is a publicly-owned utility formed under the MUD Act, which is codified at California Public Utilities Code Section 11501 *et seq.* The MUD Act sets forth the powers and functions of EBMUD (and other municipal utility districts), as well as the Board and EBMUD's executive officers. Relevant to EBMUD's practices, under Chapter 3, Article 4, the Board's powers and duties include:

- Choosing one member to act as President and one as Vice President;
- Determining all questions of district policy;
- Providing for all matters and things necessary for the proper administration of the affairs of the district not otherwise specified in the MUD Act;
- Supervising and regulating the utility services provided by the district;
- Setting rates and charges for district services;
- Making and enforcing district rules and regulations;
- Making contracts, including contracting for professional services for work that cannot be satisfactorily performed by district forces;
- Creating and abolishing civil service positions and setting salaries;
- Appointing employees to positions requiring "exceptional qualifications";
- Employing an auditor to annually report on the district's system of accounts; and
- Paying claims against the district.

Under Chapter 3, Article 6 of the MUD Act, the Board must appoint a general manager and may appoint an accountant, a secretary, a treasurer and an attorney.

Ralph M. Brown Act

The Ralph M. Brown Act is California's "sunshine" law for local governments. It is found in the California Government Code beginning at Section 54950. In a nutshell, it requires that Board deliberations be conducted openly and that Board actions be taken openly, at open and public meetings, except in certain limited situations. It was enacted in 1953 and has been extensively updated since. It contains a myriad of detailed and technical requirements governing the conduct of meetings of local agencies, as well as the conduct of the governing officials of those

agencies. Board members are encouraged to become familiar with the Brown Act to effectively execute their duties.

Public Records Act

The California Public Records Act (PRA) was enacted in 1968 and is codified at Government Code Section 7920 *et seq*. It is intended to give the public access to information that enables them to monitor the functioning of their government. Under the PRA, all tangible and electronic documents created in furtherance of the business of EBMUD are public records and must be produced to the public upon request unless there is a specified legal basis for withholding them. The Secretary of the District's office processes all PRA requests received on behalf of EBMUD.

Government Code Section 1090

Government Code Sections 1090 through 1099 are statutes that prohibit "self-dealing," that is, they prohibit Board members and EBMUD officers and employees from having a financial interest in contracts and other matters to which EBMUD is a party. These laws extend beyond contracting and, for example, also prohibit Board members from holding incompatible offices with other agencies. Conflict of interest laws are very complicated and could implicate non-obvious "financial interests" such as property ownership or a spouse's salary.

Political Reform Act

The California Political Reform Act, Government Code Sections 81000-91014 is a series of conflict of interest laws that are broader than the restrictions of Government Code Section 1090. The Political Reform Act prohibits public officials from making, participating in making, or in any way attempting to use their position to influence a governmental decision the official knows or has reason to know that they have a financial interest in the decision. It requires specified officials to file annual financial disclosures. The Political Reform Act also includes ethics laws related to campaign finance and restrictions on gifts and honoraria. The California Fair Political Practices Commission (FPPC) is responsible for oversight of these laws. Board members must periodically report all economic interests within EBMUD's jurisdiction on forms furnished by the FPPC.

Note: *Ethics laws, including Section 1090 and the PRA, are complex. Violations of these laws can result in civil and criminal penalties. Board members are encouraged to consult with the General Counsel regarding any questions regarding these laws.*

Assembly Bill 1234 (Ethics)

Sections 53234-53235.2 of the Government Code incorporate the provisions of Assembly Bill 1234, which became effective January 1, 2006. Among other things, this law requireds that Board members receive two hours of ethics training within one year of taking office and every two years thereafter, and mandates certain reporting requirements. Sections 53235.1 *et. seq.* of the Government Code incorporates the provisions of Senate Bill 827 (Local Agency Officials: Training) which requires officials who commence service on or after January 1, 2026, to receive their initial training within six months of commencing service and at least once every two years, as provided.

Senate Bill 827 (Fiscal and Financial)

Sections ~~s~~ 53238 *et~~.~~ seq.* of the Government Code incorporates the provisions of Senate Bill 827 (Local Agency Officials: Training). This law requires all local agency officials, as defined, to receive at least two hours of fiscal and financial training, as described. The bill would require the training to be received at least once every two years, as provided. Every local agency official who is in a local agency's service as of January 1, 2026, and commenced that service prior to January 1, 2026, shall receive the fiscal and financial training required by this article before January 1, 2028, unless that official's term of office ends before January 9, 2028. Thereafter, the local agency official shall receive the training at least once every two years.

Every local agency official who commences service with a local agency on or after January 1, 2026, shall receive the fiscal and financial training required by this article no later than six months from the first day of service with the local agency. Thereafter, the local agency official shall receive the training at least once every two years.

Assembly Bill 1661 (Sexual Harassment Prevention)

Section 53237.1 of the Government Code incorporates the provisions of Assembly Bill 1661 which became effective January 1, 2017. The law requires that Board members receive two hours of sexual harassment prevention training within six months of taking office and every two years thereafter. Senate Bill 396, which became effective January 1, 2018, added a new element to the training regarding gender identity, gender expression, and sexual orientation.

Other Major Laws Affecting EBMUD

Proposition 218

Proposition 218 was passed by California voters in 1996 and amended the California Constitution to specify both procedural and substantive limits on a local government's ability to levy fees. Under Proposition 218, a government agency has the burden of proving that any fees or charges it assesses:

(1) Do not exceed the funds required to provide the property related service;
(2) Are not used for any purpose other than that for which the fee or charge is imposed;
(3) If imposed on any parcel or person as an incident of property ownership, do not exceed the proportional cost of the service attributable to the parcel;
(4) Are not imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question; and
(5) Are not imposed for general governmental services including, but not limited to, police, fire, ambulance or library services, where the service is available to the public at large in substantially the same manner as it is to property owners.[36]

EBMUD's rates and charges for water service are subject to Proposition 218.

California Environmental Quality Act (CEQA)

[36] **Reference:** Cal Const, Art. XIII D § 6(b).

The California Environmental Quality Act is codified at Public Resources Code Section 21000 *et seq*. It requires government agencies to consider any potential, significant environmental impacts of a project and take reasonable steps to mitigate those impacts, unless the project is exempt from CEQA by law.

A "project" for the purposes of CEQA is a governmental action that may result in a direct physical change to the environment. An obvious project would be a construction project, but CEQA also applies to such actions as leasing governmental property to private parties that will use that property in a manner that may cause an environmental impact.

Before a governmental entity approves a project, CEQA requires the entity to analyze the potential environmental impacts of the project and, depending on their significance, engage in a public process and prepare a report describing the potential environmental impacts of the project and the manner in which they will be mitigated. The governing body of an agency must make findings under CEQA prior to approving the project. CEQA also allows members of the public to sue to stop a project under the theory that the CEQA analysis of its impacts was insufficient.

Meyers Milias Brown Act (MMBA)

The Meyers Milias Brown Act was adopted in 1968 and is codified at Government Code Section 3500 *et seq*. It established collective bargaining for local government employees, and governs relations between represented employees and management.

The MMBA requires local government agencies to meet and confer in good faith with union representatives regarding wages, hours and other terms and conditions of employment for represented individuals. It also requires the agency to allow union representation of employees in disciplinary matters and any meeting that may lead to discipline.

Enforcement and adjudication of matters under the MMBA has been under the jurisdiction of the Public Employees Relations Board (PERB) since 2001.

The Board's Authority to Pass Laws

Under the MUD Act, actions of the Board are expressed through motion, resolution or ordinance.

Ordinances

An ordinance is a law adopted by a local agency, and it may be amended or repealed. Once adopted or amended, the ordinance or its amendments are published in a local newspaper, though a summary may be published if the ordinance or amendments are lengthy. After the required publication period has been met, the ordinance becomes effective. EBMUD's Board has adopted multiple ordinances over the years. Listed below are some key ordinances:

- Consolidated Regional Private Sewer Lateral Ordinance
- Declaring Any Violation of Rules and Regulations Adopted Pursuant to Section 4465 or 4471 of the Health and Safety Code to Be An Infraction[37]
- East Bay Municipal Utility District Campaign Finance Reform Ordinance
- East Bay Municipal Utility District Employees' Retirement System Ordinance
- East Bay Municipal Utility District Ordinance Establishing Drug-Free Zones
- Excessive Water Use Penalty Ordinance for Drought Stages 2, 3 and 4
- Ordinance Establishing Procedures for Presenting Claim for Money or Damages Against the East Bay Municipal Utility District
- Wastewater Control Ordinance

Resolutions

Resolutions memorialize formal action taken by the Board and are retained as part of EBMUD's records. They also may be a vehicle through which the Board expresses its opinion or policy on a matter. Unlike ordinances, resolutions have no publishing requirement and are usually effective immediately upon adoption, unless otherwise stated.

[37] These are the Watershed Rules and Regulations adopted by the Board.

Relevant to governance, the Board has adopted resolutions which consolidates and clarifies the Board's delegation of authority to the General Manager to help ensure the efficient operation of EBMUD.

Appendix 3: Community Outreach

EBMUD is an active member of the communities it serves, and its comprehensive Community Outreach program employs a variety of methods to communicate with and provide information to the public.

Means of Community Outreach

Community Water Academy

In 2022, EBMUD piloted its Community Water Academy. The Academy is held every other year. The goal of the Academy is to increase public understanding of EBMUD's water and wastewater systems; provide educational opportunity for local officials/agency staff and key community leaders; and build support for long-term goals, including infrastructure investment, environmental protection, and innovation efforts. The Academy benefits civic leaders, non-profit officials, educators, local government staff, and elected officials as they learn about the core services provided by EBMUD. Participants gain knowledge to share with their communities about EBMUD's role in the East Bay over the last century and its efforts to build a sustainable water and wastewater system of the future. Participants receive a certificate of completion at the conclusion of the Academy. Board members are invited to attend every session.

Community Events

EBMUD staff and Board members may participate in multiple community events throughout the service area to provide information and materials about EBMUD. Most events are listed in a Speakers' Bureau document that is provided to Board members at each Board meeting.

Speaking Engagements

EBMUD staff and Board members communicate EBMUD messages and other relevant information to hundreds of people by speaking to groups such as:

- Boy and Girl Scouts
- Rotary Clubs
- Kiwanis Clubs
- Garden Clubs
- City Council meetings
- Community/Project meetings
- Chambers of Commerce
- Community Liaison meetings
- Senior groups
- Educational institutions and
- Realtors' groups
- Municipal Advisory Councils

Wastewater Treatment Plant Tours

EBMUD staff conducts free wastewater treatment plant tours showing hundreds of employees, students (age 11 and above), and members of the public the process and essential role the treatment plant plays in protecting waterways and the San Francisco Bay.

Virtual Treatment Plant Tours & Speaking Engagements
These tours allow EBMUD to share the processes and essential role our wastewater treatment plant plays in protecting waterways with the general public.
https://www.ebmud.com/wastewater/collection-treatment/wastewater-treatment-plant-tours.

Internet Communications/Social Media
EBMUD's website, ebmud.com, provides user-friendly information about services, programs, and job openings. EBMUD also shares news, events, and other timely announcements of interest to the community and customers via our social media channels:

- Facebook.com/EBMUD
- Instagram.com/EBMUD
- Linkedin.com/company/EBMUD
- NextDoor
- X.com/EBMUD (formerly Twitter)
- YouTube.com/EBMUD

Customer Pipeline Newsletter
Each year, EBMUD publishes and mails six issues of the Customer Pipeline customer newsletter to all residential and business customers within its service area. Electronic copies are available to customers that pay their bills online and are provided to employees). The newsletter conveys important information to customers about EBMUD. Past issues may be viewed online at https://www.ebmud.com/about-us/publications

Employee/Retiree Outreach (Splashes)
EBMUD educates its employees and retirees about EBMUD and other outreach messages so they can share this knowledge with family, friends, and the public. The primary method for doing this is the Splashes employee newsletter, which is provided to all employees and retirees each month. Splashes also serves to keep employees informed and engaged with news from across the agency.

Board Members' Role in Community Outreach

Board members may act as liaisons for each city and town within the service area and as representatives to various other organizations and agencies. Board members also choose whether to attend functions, in addition to staff, as appropriate within their liaison areas and may choose to make presentations to city councils.

Handling Inquiries/Complaints from Customers
If a Board member receives a complaint or concern from the public, it is generally recommended that the Board member refers the customer to the General Manager or the Secretary of the District for appropriate handling.

Handling Inquiries from Media and Outside Organizations

If a Board member receives an inquiry from a member of the media, the call should be referred to the Special Assistant to the General Manager responsible for Public Affairs. This person acts as EBMUD's Public Information Officer to assure any response is consistent with other EBMUD messaging. EBMUD has identified the following trained spokespersons who are equipped to respond to inquiries from the media, outside organizations and members of the community:

Kelly Zito – Special Assistant to the General Manager
Phone: (510) 287-0111 (office); (510) 510-407-2784 (cell)
Email: Kelly.Zito@ebmud.com

Tracie Morales~~Andrea Pook~~ – Senior Public Information Representative
Phone: (510) 287-014~~5~~3 (office); (510) 914-1583 ~~508-6782~~ (cell)
Email: Tracie.Morales@ebmud.com~~Andrea.pook@ebmud.com~~

Appendix 4: Board Members' Role in Emergency Situations

Periodically, staff provides the Board with presentations regarding EBMUD's preparations for responding to an emergency, such as a natural disaster, to provide the Board members with updates to the program and to go over the protocols and practices to follow during a real emergency.

In general, the Board President and Board members have a minimal role in emergency operations. During an emergency, Board members should be available to support the General Manager.

The list below, excerpted from EBMUD's Emergency Operations Plan, provides examples of support the Board members may be called to provide in an emergency:

- Establish a legal authority and policy from which EBMUD may operate in times of an emergency.
- Ratify any EBMUD emergency declaration, pass emergency resolutions, and assist as appropriate in the response and recover from a disaster.
- Receive briefings on damage, employee injuries, response objectives, response status, mutual aid requests, and public information.
- Meet with community organizations, individual customers and businesses as needed to provide information on EBMUD's response.
- Notify the General Manager or Public Information Officer when contacted by the media.
- Work with the General Manager to activate succession plan and alternative work location plan, as necessary.

Appendix 5: Orientating New Board Members

Informed decision-making and ethical conduct are central tenets of excellent governance. Newly elected or appointed Board members will undertake a comprehensive onboarding and training process so that they may engage in informed and effective decision-making. Board members will comply with all ongoing EBMUD and statutory training requirements as described in Appendix 2.

Adherence to Brown Act Begins upon Election

Newly elected Board members are subject to the Brown Act immediately upon election, even though the swearing in does not occur prior to the first Board meeting in January.

Assuming Office Form 700

New Board members must file an FPPC Form 700 – Statement of Economic Interest – assuming office statement within 30 days of taking office. Board members will also be required to file the Form 700 for any JPA to which they are assigned. These filings must be done electronically through the FPPC website. The Secretary of the District will provide information on filings; information may also be obtained from the FPPC website at www.fppc.ca.gov.

Board Member Bios

Brief biographical highlights for every Board member are posted on EBMUD's website and provided to outside entities as requested. They are accessible when clicking on the Board members' picture on the "Board of Directors" web page. The Secretary of the District will work with new Board members to develop a suitable bio for the website.

Board Member Photos

EBMUD's website portrays an individual portrait of each Board member. These individual portraits are also mounted in a display case in the 2nd floor lobby of EBMUD's Administration Building in downtown Oakland and are provided to outside entities as requested. The Secretary of the District, in conjunction with Public Affairs staff will coordinate with Board members to have portraits taken.

Building Security/Access Control Cards

Board members are issued an Access Control Card which allows general access to various District facilities, areas, and the Administration Building parking garage in downtown Oakland.

Business Cards

The Secretary of the District will work with Board members on their EBMUD business cards. The business cards are printed in-house and include a Board member's name, title (e.g. "Board Member") and phone/email information. Board members typically use the cards at conferences and other events they attend on behalf of EBMUD.

EBMUD Gear

Board members will receive safety gear (vest, hard hat, safety glasses, boots (as needed)), a personalized jacket or vest as well as a baseball-style cap for use at EBMUD-related functions. The Secretary of the District will work with Board members to obtain these items.

Calendaring and Scheduling

While regular Board meetings are calendared well in advance, from time to time it becomes necessary to arrange a special meeting or workshop on relatively short notice. To assist with this process, Board members should notify the Secretary of the District and the General Manager when they expect to be out of town or otherwise unavailable during the calendar year so the dates may be added to their EBMUD Outlook Calendar.

If a Board member's schedule will cause them to be absent from a Board meeting, the Board member should email the Board President to request an excused absence. Please copy the Secretary of the District on these emails.

EBMUD Email Accounts

An EBMUD email account will be created for all new Board members (e.g. John.Doe@ebmud.com). Because EBMUD-related communications to or from Board members may be public records, the General Counsel's Office strongly encourages Board members to use their EBMUD email account for all EBMUD-related business and communications.

Electronic Device Support

To facilitate electronic delivery of Board meeting materials and access to EBMUD email and other related information, Board members may request District-issued electronic devices (e.g., laptop, iPhone). Each device will be equipped with a cellular data plan at no cost to the Board member for conducting EBMUD business. Use of these devices is governed by EBMUD Policy 4.20 – Use of District Technology Resources and District Procedure 453 – Information Technology Use and Privacy. Board members may also elect to use their personal devices and receive a stipend from EBMUD.

The Secretary of the District will serve as the liaison for acquiring devices and will also arrange for any desired training. Ongoing support is available from the Secretary's Office and the Information Systems Department.

Event Attendance and Reporting Requirements

The Secretary of the District will make reservations for Board members to attend local events. EBMUD also regularly sponsors events and activities hosted by a range of organizations that support the mission, goals, and values of EBMUD. If a Board member wishes to attend an event on behalf of EBMUD, they should contact the Secretary of the District.

If EBMUD pays the expenses for attendance at an event, including a conference, the Board member must report out their attendance and activities at the event at the next regularly

scheduled Board meeting to comply with Board member reporting requirements under AB 1234 and EBMUD Policy 4.14.

Human Resources Documents

The Human Resources Department will provide enrollment forms and any other paperwork necessary to enroll Board members in EBMUD's benefit programs. The Secretary of the District will coordinate the initial completion of paperwork with the Board member and HR staff. Questions about benefits may be directed to the Manager of Employee Services .

Lisa Sorani – Manager of Employee Services
(510) 287-0713 (office)
Email: lisa.sorani@ebmud.com

Lapel Badges

The Secretary of the District will provide Board members with personalized magnetic lapel badges. Board members typically wear them to events, meetings and receptions when acting in an official capacity for EBMUD.

Mail

The Secretary of the District will collect any mail directed to Board members during the week and will distribute it to Board members in the closed session meeting room on Board meeting days. Mail received on weeks where no Board meeting is scheduled will be held until the next meeting date. If deemed time-sensitive, items will be mailed to Board members on Fridays.

Oath of Office/Swearing In

The Oath of Office is administered by an EBMUD Notary prior to the first Board meeting in January or if appointed during an off-election time, no later than 15 days of taking office. New Board members may invite family and close friends to witness this event and may also request a ceremonial swearing-in during the first part of the first Board meeting in January. The Secretary of the District will coordinate swearing-in events.

Paychecks

Board members are paid once per month. Paychecks will be direct-deposited directly to a Board member's bank account unless a Board member requests an alternative form of delivery. Board members will need to provide a copy of their Social Security card and a voided check to implement direct-deposit. Board members should contact Payroll staff at ext. 0222 if they have changes to their bank account or check delivery information.

Plant/Facilities Tours

Shortly after being elected to the Board, the Secretary of the District in coordination with the General Manager and senior staff usually will coordinate onboarding meetings as well as tours of various EBMUD facilities with new Board members.

Reception for Newly-Elected Board Members

The Secretary of the District typically coordinates a reception immediately following the first Board meeting in January to welcome newly-elected Board members. The reception is usually held in the Administration Building Large TRC. Board members often invite family and close friends to the reception and will be given an opportunity to say a few words to the attendees.

Training

Newly elected Board members must participate in Ethics Training and Harassment Training soon after taking office. Board members will be enrolled in online Harassment Training by District staff. The FPPC currently offers free, online Ethics Training on its website. Board members may either participate in the trainings offered by EBMUD or they may obtain the required training at a conference or other online course. The California Special Districts Association (CSDA) also offers all these trainings via webinar, workshops or at their conferences. The CSDA also offers a plethora of other training opportunities on topics of interest to new and existing Board members. Board members are encouraged to visit csda.org for a current list of training opportunities. The Secretary of the District will coordinate reimbursement for any relevant trainings.

Questions?

Questions about the orientation process or any other topic may be directed to the Secretary of the District and/or General Manager:

Rischa S. Cole – Secretary of the District
Phone: (510) 287-0440 (office)
Email: rischa.cole@ebmud.com

Clifford C. Chan – General Manager
Phone: (510) 287-0101 (office)
Email: clifford.chan@ebmud.com

Any questions regarding a Board members legal obligations or other legal matters may be directed to the General Counsel:

Derek McDonald – General Counsel
Phone: (510) 287-0168
Email: derek.mcdonald@ebmud.com

Supporting Documents

Supporting documents listed in the Appendix may be found in The Dashboard, a limited-access OneDrive folder available to all Board members.

Appendix 6: EBMUD Facility and Program Naming Guidelines

At its January 27, 2026 Regular meeting, the Board of Directors approved the following guidelines under Board Motion No. 026-26.

1. **Purpose:** To establish criteria and guidelines for naming or renaming East Bay Municipal Utility District (EBMUD) facilities, programs, and awards in honor of individuals. These guidelines ensure decisions reflect the District's mission, values, history, and long-term interests while maintaining transparency, fairness, and trust.

2. **Scope:** These guidelines apply to:
   - District buildings, facilities, rooms, centers, and other physical spaces
   - District workforce development programs, training initiatives, awards, and recognition programs
   - Collaborative programs or partnerships which may include, but are not limited to, educational or research collaborations, community or equity-focused programs, interagency efforts, or jointly operated facilities housed at or administered by the District

   These guidelines do not apply to temporary initiatives, staff-led working groups, or internal project names.

3. **Guiding Principles:** Naming decisions should:
   - Honor extraordinary public service and contributions to EBMUD.
   - Reflect the District's values, commitment to equity, and service to the community.
   - Ensure transparency, consistency, and fairness in decision-making.
   - Preserve the historic and functional significance of District facilities.
   - Maintain naming as a rare and meaningful honor reserved for individuals whose service meets high, objective standards.

4. **Eligibility Criteria:** Individuals who meet all Threshold Criteria and strong alignment with evaluative criteria.

   4.1. **Threshold Criteria (Must Meet):** An individual must meet all of the following:

   1. **Significant Service to EBMUD**
      - Minimum of 20 years of service to the District in the capacity of a Board Member, or
      - Service resulting in exceptional, demonstrable impact on EBMUD's mission.

   2. **Exceptional Contribution:** The individual made meaningful contributions in one or more of these areas:
      - Water reliability or resource stewardship
      - Environmental protection
      - Workforce development

- Equity and community service
- Leadership that advanced the District's mission

3. **Alignment With District Values:** Demonstrated commitment to stewardship, integrity, respect, teamwork, inclusion, sustainability and public engagement.

4. **Connection to the Facility or Program:** There may be a logical or symbolic connection between the individual's contributions and the asset being named.

5. **Posthumous Recognition (Suggested Standard):** Naming is typically considered posthumously, with a suggested waiting period of at least one year, unless otherwise waived by Board action.

4.2. **Evaluative Criteria:** The following criteria assess the relative strength and quality of an eligible proposal and are applied only after all Threshold Criteria in section 4.1 are met:

1. **Magnitude of Contribution:** Extent of lasting or transformative impact

2. **Historical or Regional Significance:** Influence beyond the District

3. **Leadership and Innovation:** Demonstrated advancement of policy, programs, or operations

4. **Community Impact and Equity Advancement:** Meaningful benefit to underserved communities.

5. **Public Recognition and Reputation:** Widely respected service within EBMUD's service area.

6. **Facility or Program Suitability:** Strength of the symbolic or functional alignment between the individual's contributions and the proposed facility or program.

5. Naming Proposal Process

5.1. **Submission:** A naming proposal may be submitted by:
- Board Members
- General Manager

A written proposal must include:
- Rationale and justification
- Description of the individual's contributions
- Proposed facility or program to be named
- Supporting documentation

5.2. **Staff Support:** Staff will support the review process by:
1. Applying the threshold criteria

2. Assessing the proposal using the evaluative criteria
3. Identifying any operational, financial, regulatory, or historical considerations
4. Conducting preliminary internal stakeholder reviews (Affinity / Employee Resource Groups, Values Advocates, Human Resources, Office of Diversity, Equity, and Culture, Public Affairs Office, etc.)
5. Staff will prepare a summary for Board review.

5.3. **Stakeholder Consultation:** At the direction of the Board, staff may consult:
- Employee groups and unions
- Community or partner organizations
- Representatives of the individual's family
- Relevant external stakeholders

5.4. **Board Committee Review:** A Board Ad Hoc Committee will:
- Review the criteria analysis, staff summary, and stakeholder input
- Evaluate naming suitability and impacts
- Recommend whether to advance the proposal to the Board for consideration

5.5. **Board Approval:** Naming or renaming requires Board approval.

6. **Implementation:** Upon approval, staff will:
   1. Coordinate naming-related signage, displays, or plaques
   2. Update District maps, directories, websites, and materials
   3. Communicate the naming decision internally and externally
   4. Organize any dedication ceremonies or commemorative events

~~1.~~7. **Review Cycle:** These guidelines will be re-evaluated as needed by staff and the Board to ensure they remain relevant, equitable, and appropriate.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: September 8, 2026

MEMO TO: Board of Directors

FROM: Clifford C. Chan, General Manager CCC

SUBJECT: Monthly Report – August 2026

HIGHLIGHTS

In August, staff completed repairs at Moraga, Watson, and Fay Hill reservoirs. A specialized diving contractor performed the repairs underwater, placing sealant over visible cracks and deteriorated joints to reduce leakage through the reservoirs' liners. The work has resulted in a significant reduction in leakage.

On August 14, the Oro Loma Sanitary District submitted its final invoice for the completion of the Bayside Groundwater Well Demolition Project. EBMUD staff visited the site and confirmed all demolition project work was completed. The final project cost was $478,205, approximately 43 percent below the engineer's estimate of $842,561.

WATER SUPPLY

On August 6, the U.S. Bureau of Reclamation approved inclusion of the Happy Valley Road property annexation within the District's Central Valley Project Service Area. The District is now able to provide water service to the annexed property during droughts.

On August 6, staff met with the North San Joaquin Water Conservation District and Stockton East Water District to discuss the Long-Term Groundwater Banking Project. Topics included the status of the draft project description and the upcoming meetings with San Joaquin County (SJC). The next meeting is scheduled for September 3 with the SJC Public Works Director to share information on past and current groundwater banking efforts.

On August 13, staff met with the City of Pleasanton to discuss the future recycled water demands from the Dublin San Ramon Services District- EBMUD Recycled Water Authority (DERWA) program. Topics included confirmation of existing recycled water demands and a timeline for future recycled water demands as it relates to the DERWA supply and demand projection forecast study.

Between August 13-14, staff attended the California Water Plan's virtual Technical Working Group (TWG) Workshop. The TWG informs and supports the development of the California Water Plan 2028 and 2033.

On August 19, staff met with the City of Pinole to discuss the potential for future recycled water projects. Staff will continue to meet periodically with the City to assess project feasibility.

On August 19, the State Water Resources Control Board (SWRCB) released the final draft of updates to the Bay Delta Water Quality Control Plan (WQCP), along with a final environmental document and Scientific Basis Report. The WQCP update includes a regulatory pathway based on percent of unimpaired flow and a voluntary agreement pathway. The SWRCB is offering a 30-day comment period limited to the WQCP updates. The SWRCB hearing for adoption of the plan is scheduled for October 28 and 29. Staff will prepare a comment letter.

Precipitation. The East Bay precipitation for August was 0.01 inches (14 percent of average) and the season total was 0.01 inches (11 percent of average). The Mokelumne precipitation for August was 0.32 inches (119 percent of average) and the season total was 0.65 inches (127 percent of average).

Water Releases

Camanche Reservoir. The average rate of Camanche release for August was 342 cfs (0 cfs generation, 330 cfs sluice, and 12 cfs through the hatchery), and the average flow below Woodbridge Dam was 35 cfs, both in accordance with the Joint Settlement Agreement "Below Normal" water year criteria.

East Bay Reservoirs. There were no East Bay reservoir releases in August.

Water Storage

Mokelumne reservoirs storage is 116 percent of average. As of August 31, 2026, Pardee was at 563.2 feet or 100 percent of average, and Camanche was at 227.4 feet or 127 percent of average. Combined Pardee and Camanche reservoir storage was 553,000 acre-feet compared to 510,000 acre-feet last year

East Bay reservoirs storage is 109 percent of average. As of August 31, 2026, Upper San Leandro was at 455.6 feet or 125 percent of average, San Pablo was at 303.6 feet or 107 percent of average, and Briones was at 571.5 feet or 106 percent of average. Total terminal reservoir storage was 133,000 acre-feet compared to 124,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft for August 2026 was 165 MGD. Walnut Creek, Moraga and Briones Raw Water Pumping Plants remained out of service for the month.

Water Production. Average rate of gross water production for August:

	August 2026	August 2025	August 2020	Average of FY 2005-2007
East of Hills	63 MGD	64 MGD	74 MGD	99 MGD
West of Hills	122 MGD	126 MGD	137 MGD	181 MGD
Total	**185 MGD**	**190 MGD**	**211 MGD**	**280 MGD**
Max Day Production	199 MGD (8/3/2026)	201 MGD (8/8/2025)	233 MGD (8/14/2020)	

Note: Data are all from preliminary daily operational reports and are subject to revision.

WATER QUALITY AND ENVIRONMENTAL PROTECTION

In August, seasonal salmonid field monitoring was conducted in the Mokelumne River. Video monitoring for fall-run Chinook salmon at the Woodbridge Irrigation District Dam began for the 2026/27 season on August 1. As of August 31, no Chinook salmon have been observed passing the Woodbridge Irrigation District Dam.

Between August 7-8, staff initiated the first of five fisheries and aquatic resource studies supporting Federal Energy Regulatory Commission relicensing. Staff traveled to the Sacramento River near Shasta, to help the U.S. Geological Survey and U.S. Fish and Wildlife Service retrieve winter-run Chinook salmon egg incubation boxes that had been buried to study egg-to-fry survival. Participation in this field effort provided staff training and hands-on experience to aid implementation of the Mokelumne River egg incubation study.

Between August 10-12, staff conducted the reservoir fish community survey in Pardee and Camanche reservoirs. Electrofishing sites were sampled at night to monitor fish species composition and relative abundance. Five sites were surveyed at Pardee Reservoir and eight at Camanche Reservoir, with 587 fish representing 10 non-native species collected during the survey. Largemouth bass was the most abundant species sampled, followed by bluegill and green sunfish. During the survey, Pardee Reservoir was approximately 97 percent full, while Camanche Reservoir was approximately 87 percent full. The survey documented a fish community dominated by non-native warmwater species, consistent with the recreational fish assemblages present in the two reservoirs.

Between August 19-20, staff conducted snorkel surveys in the lower Mokelumne River as part of the Healthy Rivers and Landscapes (HRL) initiative. These surveys measure how juvenile salmon use existing and restored river habitat. Results will inform habitat restoration project design improvements and support the District's habitat restoration commitments under

the HRL program. Monitoring will continue over the next five to six years, including before and after restoration activities planned for 2027 and 2028.

On August 21, staff met with the University of California, Santa Barbara's Earth Research Institute to discuss a research proposal seeking Proposition 4 funding to assess the risk of golden mussel spread from watercraft to non-infested reservoirs. Staff also began discussions about potential District participation in the research project.

Between August 26-27, staff conducted population surveys of rainbow trout in Upper San Leandro Reservoir. This population has been isolated from hatchery influence and contains unique genetic characteristics. Monitoring its status is critical to preserving the population. Results are expected in October.

All discharges from the Main Wastewater Treatment Plant (MWWTP) complied with the effluent limits in the month of August. This is the 324th consecutive month that the MWWTP experienced no effluent limit exceedances.

The District received one odor report from the public in August. Staff investigated the complaint and confirmed the MWWTP was not the source.

INFRASTRUCTURE INVESTMENT

In August, staff completed Phase 1 of a pipeline project in the Camino Sobrante area in Orinda. This project replaced cast iron pipe with approximately 2,885 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe.

In August, staff completed a pipeline project in the Wilkinson Lane area in Lafayette. This project replaced cast iron pipe with approximately 2,025 feet of 6-, 8-, and 12-inch mortar-lined zinc coated ductile iron pipe.

In August, staff completed a pipeline replacement project in the Zand Lane area in Alamo. This project replaced asbestos cement pipe with approximately 1,570 feet of 6- and 8-inch mortar-lined zinc coated ductile iron pipe.

In August, staff began a pipeline replacement project in the Matadera Circle area in Danville. This project will replace asbestos cement pipe with approximately 2,895 feet of 6-, 8-, and 12-inch mortar-lined zinc coated ductile iron pipe. This project is scheduled to be completed in October.

In August, staff began a pipeline replacement project in the Calmar Avenue area in Oakland. This project will replace cast iron pipe with approximately 4,855 feet of 6-, 8-, and 12-inch mortar-lined zinc coated ductile iron pipe. This project is scheduled to be completed in January 2027.

On August 4, the District, in collaboration with U.C. Berkeley's Center for Smart Infrastructure and US Pipe, conducted a tension test on push-on ductile iron pipe with US Pipe's Field-Lok gasket. The Field-Lok gasket provides built-in joint restraint without additional hardware and is used by the District and other water utilities. Representatives from Los Angeles Department of Water and Power, San Jose Water, San Francisco Public Utilities Commission, and Marin Water observed the test. Preliminary results exceeded District and US Pipe expectations, with failure not observed until the test reached approximately 90,000 pounds-force.

Between August 12-13, the District conducted the 2026 Physical Security Inspection of Pardee and Camanche dams and hydroelectric facilities as required by the Federal Energy Regulatory Commission (FERC). Staff from multiple departments and the Chief Dam Safety Engineer met with a FERC representative to review the District's security documents and current program. A site audit included dams, powerhouses, the valve house, and Camanche dikes. No issues were raised, and the FERC representative commended the District on its security measures. Staff anticipates receiving a letter from FERC within the next few weeks acknowledging completion of the inspection.

On August 14, staff completed final updates to long-term management plans for the Pavon and Scow Canyon mitigation sites. Wetland and upland habitat improvements for species including California red-legged frog, Alameda whipsnake, and western pond turtle were completed in 2010 on watershed lands as mitigation for the San Pablo Dam Seismic Retrofit Project. The 10-year monitoring period for sensitive species and habitats was completed in 2021. The plans will be submitted to the California Department of Fish and Wildlife for approval in September 2026 and will guide maintenance and monitoring of the properties in perpetuity.

On August 24, the State Water Resources Control Board's (SWRCB) 30-day public comment period ended for the District's hydropower water rights petitions. The District did not receive any public comments. The District will coordinate with the SWRCB to secure licenses for its hydropower water rights permits with appropriate terms and conditions for operation of the Pardee and Camanche hydropower facilities.

Construction of the Main Wastewater Treatment Plant Secondary Clarifier Rehabilitation, Phase 4 Project was completed under SD-459. This $6.7 million project included rehabilitation or replacement of sludge collector equipment, relining of return activated sludge pipes, and concrete resurfacing for Clarifiers 4 and 11. Other work included construction of sump pits and pumps, replacement of motor control center electrical equipment and valve actuators, regrading of soil around various clarifiers, and video and sonar inspection of the Secondary Effluent Channel.

Construction of the Carter Reservoir Rehabilitation, Arroyo Pumping Plant Improvement, and Arroyo Reservoir Replacement Project Update was completed under Specification 2185. This $11.5 million project included replacement of the existing wood roof at Carter Reservoir with a new aluminum dome roof, and rehabilitation of the existing valve vault. The project included demolition of the existing Arroyo Reservoir, and construction of twin

0.29-million-gallon steel tanks with aluminum dome roofs and new valve vaults. The rehabilitation of Carter Reservoir was completed, and the reservoir was returned to service. Arroyo Reservoir was subsequently removed from service and demolished.

Mains repaired in August totaled 82. The attached table lists the main repairs by staff in August, sorted by city and street. The table indicates the source of the leaks in three categories: non-surfacing leaks discovered by leak detection technologies, breaks caused by contractors or other agencies, and all other main breaks. The associated map shows the location of the main repairs.

CUSTOMER AND COMMUNITY SERVICES

In August, staff conducted five tours of the Main Wastewater Treatment Plant. Tours were provided to members of a scuba diving club, the California Water Environment Association, the California Public Utilities Commission, Lawrence Livermore National Laboratory, and the general public. Approximately 100 people attended.

In August, staff participated in the San Francisco Exploratorium Bay Day event. Attendees were invited to play the Toilet or Trash Game and interact with the Private Sewer Lateral working model. Staff also provided pollution prevention messaging. Approximately 3,900 people attended.

On August 1, staff participated in the Euniece Law the Legacy Continues backpack giveaway event in Oakland. Staff provided information on the Customer Assistance Program. Approximately 1,000 people attended the event.

On August 4, staff met with the City of Orinda to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 4, staff presented at the Alliance for Water Efficiency Annual Symposium in Chicago, Illinois. The presentation entitled “Evaluating and Enhancing the Impact of Landscape Conversion Programs” covered the District’s landscape transformation rebate program evaluation process. Approximately 30 people attended.

On August 6, staff met with the San Ramon Valley Fire Protection District (SRVFPD) to continue discussions on implementing a hydrant flow test pilot program. The program would enable collaboration with fire agencies to obtain hydrant flow test results for the District’s public hydrant flow test data map. Discussion focused on potential terms and timing of a cooperative agreement, pilot funding, and training. SRVFPD and District staff will continue to meet monthly to develop the program.

On August 6, staff participated in the Sogorea Te’ Land Trust and the City of Oakland emergency preparedness training. Staff provided information on emergency water storage and sponsored water storage bricks for participants to support household emergency preparedness. Approximately 50 people attended.

On August 6, the District held a virtual public meeting regarding the Delaware Pipeline Replacement Cluster Project in Berkeley. Staff provided information on the District's pipeline replacement strategy and expected project impacts and responded to questions from residents in the project area. Approximately 5 people attended.

On August 8, staff participated in the City of San Leandro's Touch-a-Truck Event. Staff showcased an EBMUD service truck for local children. Approximately 200 people attended.

On August 8, staff participated in a field day event hosted by the Buena Vista Rancheria of Me-Wuk Indians on Tribal land near the community of Ione. The event provided an overview of the Tribe's natural resource work on and around Tribal lands and included participants from Restore the Delta and other local environmental organizations. Staff provided information on the District's natural resource and recreation programs on the Mokelumne Watershed and watershed trail maps. Approximately 30 people attended.

On August 11, staff attended the Eden Area Municipal Advisory Council meeting to learn more about community issues.

On August 11, staff met with the City of Berkeley to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 12, staff met with the City of El Cerrito to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 12, staff attended the San Joaquin Farm Bureau Water Committee meeting to learn more about regional issues and to network with stakeholders.

On August 12, staff met with the Bentley School to discuss the upcoming Summit Pressure Zone South Pipeline Replacement Project Phase 2 Project. The discussion focused on limiting construction project impacts to school operations. Approximately 5 people attended.

On August 12, staff attended the El Sobrante Municipal Advisory Council meeting to learn more about community issues.

On August 13, staff met with the City of Emeryville to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 13, staff presented at the Woodbridge Irrigation District Board Meeting. The presentation highlighted hydrography. Approximately 20 people attended.

On August 13, staff participated in the first East Bay Stewardship Network Tribal Collaboration subgroup meeting. The subgroup was formed to share information on agency collaborations with Native American tribes in the East Bay. Staff provided information on the District's consultation and engagement efforts with the Lisjan Nation. The group will meet

quarterly to discuss ongoing collaborations and help facilitate communication with tribes to expand joint restoration and outreach opportunities. Approximately 20 people attended.

On August 14, staff met with neighbors near the proposed Glendale Regulator Project in Berkeley to discuss their concerns and gather input. The project includes installation of a new above-ground emergency pressure regulator adjacent to Glendale La Loma Park and approximately 250 feet of new 8-inch-diameter pipeline in Glendale Avenue. Neighbors raised concerns about aesthetics and periodic operational noise from the proposed regulator. Staff discussed potential aesthetic treatments, noise considerations, and alternative locations for the facility. Staff will continue to collaborate with neighbors and coordinate with the City of Berkeley regarding the alternative of locating the facility within the park.

On August 15, the District hosted a Water Walk tour of the Walnut Creek Water Treatment Plant. The tour highlighted water quality, emergency preparedness, and capital investments in water infrastructure. Approximately 25 people attended.

On August 16, staff participated in the Oakland Pride Parade and Festival. Staff provided information on water conservation, the watershed, and the Customer Assistance Program. A District truck was featured in the parade. Approximately 50,000 people attended.

On August 17, staff attended the Bayfront Chamber Mixer to network and learn more about community issues.

On August 18, staff met with the City of Pleasant Hill to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 18, staff met with the City of Albany to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 18, staff attended the Oakland Chinatown Community Improvement Council Civil Sidewalks Committee meeting to network and learn about community issues.

On August 19, staff met with the City of Piedmont to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 19, staff presented to the Padilla Group in Pleasanton. The presentation covered California's Non-Functional Turf Watering Ban (AB 1572), examples of lawn conversions, rebates, and water efficiency resources. Approximately 15 people attended.

On August 20, staff met with the City of Richmond to coordinate construction activities. The two agencies shared information on current and upcoming work.

Between August 23-24, staff participated in the Oakland Chinatown Chamber of Commerce StreetFest. Staff provided information on water conservation, rebates, pollution prevention, emergency preparedness, District careers, and the Customer Assistance Program. The Water on Wheels trailer was present. Approximately 60,000 people attended.

On August 24, staff attended the Castro Valley Advisory Council Land Use meeting to learn more about community issues.

On August 25, staff met with the City of Walnut Creek to coordinate construction activities. The two agencies shared information on current and upcoming work.

On August 25, staff attended the Oakland Chinatown Community Improvement Council Board meeting to learn more about community issues.

On August 26, staff attended the Women in Civic Leadership meeting in San Pablo to learn more about community issues.

On August 26, staff met with Diablo Country Club to discuss the upcoming Ranchitos Del Sol Phase II Pipeline Replacement Project in unincorporated Contra Costa County. The discussion focused on the construction phases, outreach, and community impacts.

On August 27, staff presented at the City of Orinda's Community Academy. The presentation highlighted water supply, investments in infrastructure and emergency preparedness. Staff also provided a tour of the Orinda Water Treatment Plant. Approximately 40 people attended.

On August 28, staff attended the Lower Mokelumne River Watershed meeting to learn more about regional issues and to network with stakeholders.

On August 29, staff participated in the East Bay Regional Park District's Fish Festival at Crab Cove in Alameda. Staff provided information on watershed stewardship, water conservation rebates, pollution prevention, and emergency preparedness. Approximately 2,000 people attended.

On August 29, staff participated in Richmond Main Street Initiative's Health & Resource Hub at Spirit & Soul Festival. Staff provided information on the Customer Assistance Program, water conservation resources, and other EBMUD program materials. Approximately 400 people attended.

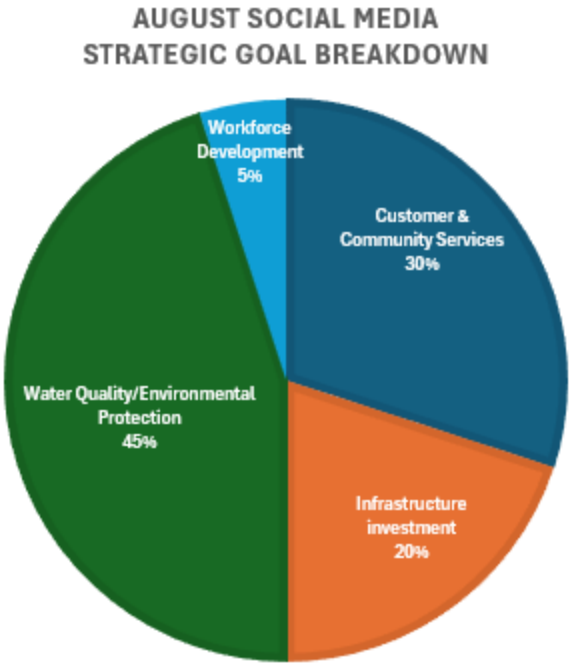
On August 31, staff attended the North San Joaquin Water Conservation District Board meeting to network and learn more about community issues.

Media. KTVU Fox 2 interviewed Board President Luz Gómez about EBMUD's partnership with SupplyBank.org to develop the Oakport Project. Staff spoke with the East Bay Times about AB 1572, which bans potable water use on nonfunctional turf statewide. Diablo Online named Lafayette Reservoir the Best of the East Bay for hiking and picnicking. The San Francisco Chronicle and Bay City News reported that a federal appeals court upheld damages awarded to two former EBMUD attorneys. Bay Area outlets reported on a fire that burned abandoned train trestles on August 22, near the District's Main Wastewater Treatment Plant. The Alameda Post reported on the San Leandro Channel Crossing Pipeline Project between Alameda and Bay Farm Island.

On August 19, the District launched Water Wednesday: Quick Drops! on YouTube, a new short-form Q&A version of the Water Wednesday series. Quick Drops! web series makes water topics quick, engaging, and easy to understand. The first Quick Drop, focused on water quality, is already making a splash—receiving more views than any Water Wednesday video released in the past two years after just one week. The video received approximately 800 views.

Social Media.

- **Platforms:** Facebook, Instagram, X, YouTube, Nextdoor
- **Topics included:** Watershed management, capital infrastructure investments, workforce recognition, water quality, the Wastewater 75th Anniversary *Celebrate a Clean Bay* Open House, and H2Flow en Español reaching 3.5 million views.
- **Collaborations:** Together Bay Area, Alphabet Rockers (H2Flow en Español).
- **Most impressions photo post:** Back-to-School workforce appreciation
- **Most viewed video:** July's top video reel about paddleboarding on the Mokelumne River received one million views in August, becoming EBMUD's top organic video post to date.
- **Ads:** $5 bill credit for new e-bill subscribers, sign up for Board Meeting notifications.



Staff conducted public outreach to neighbors and interested parties on the following projects:

- 1st Avenue and Marbi Lane Cluster Pipeline Replacement (Walnut Creek)
- Aspinwall Road Cluster Pipeline Replacement (Oakland)
- Carter and Arroyo Reservoir Rehabilitation and Demolition (Moraga)
- Fay Hill, Rheem, Ridgewood, and Scenic East Pumping Plants and Pipeline Improvements (Moraga, Alamo)
- La Cresta Pipeline Replacement (Orinda)
- Lafayette Reservoir Recreation Area - Wastewater Collection System Improvements (Lafayette)
- Lafayette Reservoir Tower Seismic Upgrade (Lafayette)
- Margarido Cluster Phase 2 Pipeline Replacement (Oakland)
- Orinda Water Treatment Plant Disinfection Improvements (Orinda)
- Ranchitos Del Sol Phase 1 Pipeline Replacement (Diablo)
- Summit Pressure Zone South Pipeline Phase 2A (Oakland)
- Walnut Creek Water Treatment Plant Pretreatment (Walnut Creek)
- Westside Pumping Plant Replacement (Orinda)

Contract Equity

Between August 20-21, staff participated in the California Hispanic Chamber of Commerce 47th Annual Convention, "Powering the Future" in Oakland. Staff participated in procurement matchmaking sessions and provided information on the District's procurement and contracting processes and upcoming contract opportunities and doing business with the District. Approximately 900 people attended.

Contract Equity staff participated in the following customer events and outreach activities:

- August 7 – National Association of Minority Contractors' Nor-Cal Industry Partnership Forum – 100 attendees
- August 13 – Oakland African American Chamber of Commerce – Small Business Mixer – 100 attendees

Water Conservation

In August, staff presented at the WateReuse California Annual Conference in San Francisco. The presentation highlighted reverse osmosis strategies for industrial reuse and the District's Recycled Water Strategic Plan Update. The Oakland Ballers, an EBMUD recycled water customer, received the Small Customer of the Year award.

WORKFORCE PLANNING AND DEVELOPMENT

Staff participated in events/activities that support the District's long-term efforts to develop a qualified, diverse pipeline of candidates for future workforce needs and expand collaborative relationships with local partner organizations:

- **Between August 21-23, staff participated at the annual Good Guys Auto Show in Pleasanton.** Staff provided information on District careers, recruitments, and the application process, highlighting mission-critical roles in electrical, instrumentation, machining/mechanical, pipeline distribution, and water/wastewater treatment and distribution operations. Approximately 300 people attended.
- **On August 24, a new intern started their six-month rotation at the District as part of the BAYWORK Stackable Internship Program.** The program provides individuals with the opportunity to experience the work environment at different Bay Area water/wastewater agencies while shadowing and assisting tradespeople. Staff provided an orientation to welcome the intern to the District and provided information about the six-month trades internship program. The intern was placed in the Facilities Maintenance Construction East Electrical group, where they will gain hands-on experience in the electrical trades through February 2027.
- **On August 28, staff conducted a virtual Train the Trainer workshop.** Staff provided information to the Alameda County Office of Education (ACOE) about District careers, recruitments, and the application process. Attendees will share this information with other ACOE job developers who work with teens in the juvenile justice center. Approximately 5 people attended.

Tuition Reimbursement

	August 2026	FY 2027 Total
# of Employees	12	26
# of Classes	15	47
Total Reimbursed	$12,648.48	$34,015.48

Employment Information

	August 2026	FY 2027 Total
Retirements – Regular	14	23
Retirements – Vested	0	0
Hires/Rehires	14	26
Other Separations	8	14

FINANCIAL STABILITY

In August, an additional qualified service provider was added to the agreements for vehicle/equipment repair and other related services. Ford of Oakland meets District standards and has been added to increase flexibility and ensure service provider availability.

In August, an additional qualified service provider was added to the agreements for equipment rentals. TST Rental LLC meets District standards and has been added to increase flexibility and ensure service provider availability.

In August, an additional qualified vendor was added to the contracts for fleet aftermarket vehicle and equipment parts. O'Reilly Auto Parts meets District standards and has been added to increase flexibility and ensure vendor availability.

On August 31, Service Line Warranties of America (SLWA) Insurance Services reported 18,201 customers have enrolled in the private water service line coverage. There were 29 claims filed in the month of July.

The estimated earned revenue from Mokelumne power sales for August is $806,006. The District sold renewable power and related Renewable Energy Certificates (RECs) to Silicon Valley Clean Energy (SVCE). Sales of RECs generated $99,539 from SVCE. Resource Adequacy capacity sales to Shell Energy North America (US), L.P. earned $448,800. Estimated earned revenue to date through August is $1,239,551 or 19 percent of the budgeted revenue for Fiscal Year (FY) 2027 ($6,600,000). The forecasted revenue for FY 2027 is $9,478,435.

The estimated earned revenue from the Main Wastewater Treatment Plant Power Generation Station's surplus power sales for August is $85,126. The District sold renewable power and related Renewable Energy Certificates (RECs) to the Port of Oakland. The sale of RECs generated $35,244 from the Port of Oakland. Earned revenue for FY 2027 is estimated at $183,844, or 14 percent of the total FY 2027 budget of $1,350,000. The total FY 2027 budget was updated from $700,000 to $1,350,000 by the Budget Office.

Vehicle Purchases. The table below provides information on vehicle purchases and payments for the last five fiscal years.

Vehicle Purchases and Payments*			
Fiscal Year	**Vehicles Ordered**	**Vehicles Received**	**Payments**
FY 2026	128	62	$6,665,151
FY 2025	37	79	$10,123,989
FY 2024	79	92	$9,496,482
FY 2023	117	36	$4,676,746
FY 2022	43	40	$5,779,414

**Due to extended lead time, order dates, date of receipt, and date of payment falling into different fiscal years, the number of vehicles ordered in a fiscal year does not correspond, in full, to the amount paid.*

Lien Transfers. The table below shows the liens transferred to the property tax rolls in Alameda and Contra Costa counties for multi-family properties and single-family, owner-occupied properties.

Table 1 - Total Multi-Family 2025/2026 Liens Transferred over to the Property Tax Roles on August 10, 2026					
Alameda County Multi-Family LIens	Total $ Amount	Contra Costa County Multi-Family Liens	Total $ Amount	Total Multi-Family Liens Filed to Property Taxes	Total $ Amount
385	$ 2,564,408.93	54	$ 384,559.90	439	$ 2,948,968.83

Table 2 - Total Single-Family, Owner-Occupied 2025/2026 Liens Transferred over to the Property Tax Roles on August 10, 2022					
Alameda County Single-Family, Owner-Occupied Liens	Total $ Amount	Contra Costa County Single-Family, Owner-Occupied Liens	Total $ Amount	Total Single-Family, Owner-Occupied Liens Filed to Property Taxes	Total $ Amount
630	$ 2,166,958.43	223	$ 633,511.60	853	$ 2,800,470.03

There were no material, supply, or construction contracts from $80,001 to $100,000 and six general and professional service agreements from $30,001 up to $250,000 approved by the General Manager in August 2026.

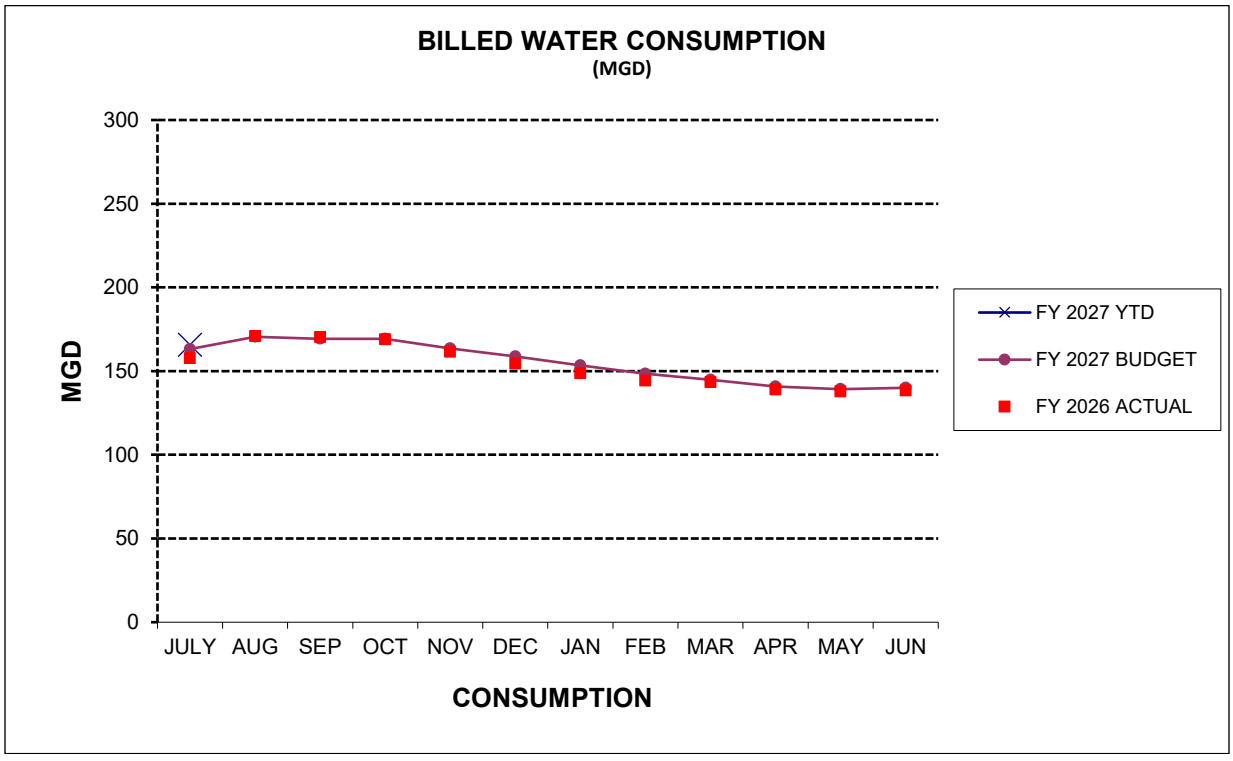
VENDOR NAME	DATE AWARDED	CEP STATUS	ITEM (S) PURCHASED	PROJECT	CONTRACT TERM	VALUE
BIOKINETIX	8/4/2026	American Indian Men	Ratify agreement for a six-month pilot program to implement Injury Prevention and Employee Well-Being Program for Meter Reading & Maintenance operations	N/A	6 months	$45,000
Prosci, Inc.	8/4/2026	Unclassified	Consultation services for change management certification program and sponsor briefing services	N/A	N/A	$104,000
J Comm, Inc.	8/17/2026	White Men	Professional video production and strategic communications services to produce a wildfire preparedness video series	N/A	N/A	$42,500
NBS Government Finance Group, dba NBS	8/20/2026	White Men	Amendment to previous agreement to increase amount by $171,000 and extend term to June 30, 2028 for continued processing of lien transfers for multi-family residential and owner-occupied accounts to the Alameda & Contra Costa counties' tax rolls and the provision of delinquent revenue recovery support services	N/A	June 30, 2028	$218,500
DLT Solutions, LLC	8/31/2026	Publicly Held Corporation	Autodesk hydraulic modeling software licensing, maintenance, and support	N/A	One year	$144,299.89
Contra Costa County Department of Agriculture	8/31/2026	Government Agency	Treatment and control of two adjacent populations of artichoke thistle in the Upper San Leandro Reservoir watershed	N/A	N/A	$40,000

Water Sales (Billed Consumption)

The following consumption information is the average water consumption in millions of gallons per day (MGD) for the first month of FY 2027[1]. Budgeted average daily water consumption for FY 2027 is 140.1 MGD, noting that summer month consumption is generally higher due to outdoor watering. The table below shows the average billed water consumption information by customer class with a comparison to FY 2026 data for the same period of time.

Fiscal Year-to-Date Billed Water Consumption			
Usage Type	**FY 2027 (MGD)**	**FY 2026 (MGD)**	**Year-over-Year (% change)**
Residential	81.0	83.6	-3.1%
Commercial	57.9	58.1	-0.3%
Industrial	18.8	7.4	154.1%*
Public Authority	8.0	8.5	-5.9%
Total Billed Water Consumption	**165.7**	**157.6**	**5.1%**

*Chevron consumption is not reflected in the July FY 2026 number above due to a delay in the billing cycle. As such, the July FY 2026 consumption shown is much lower than typical monthly consumption in this category. July FY 2027 consumption in the Industrial category is similar to previous months in calendar year 2026.

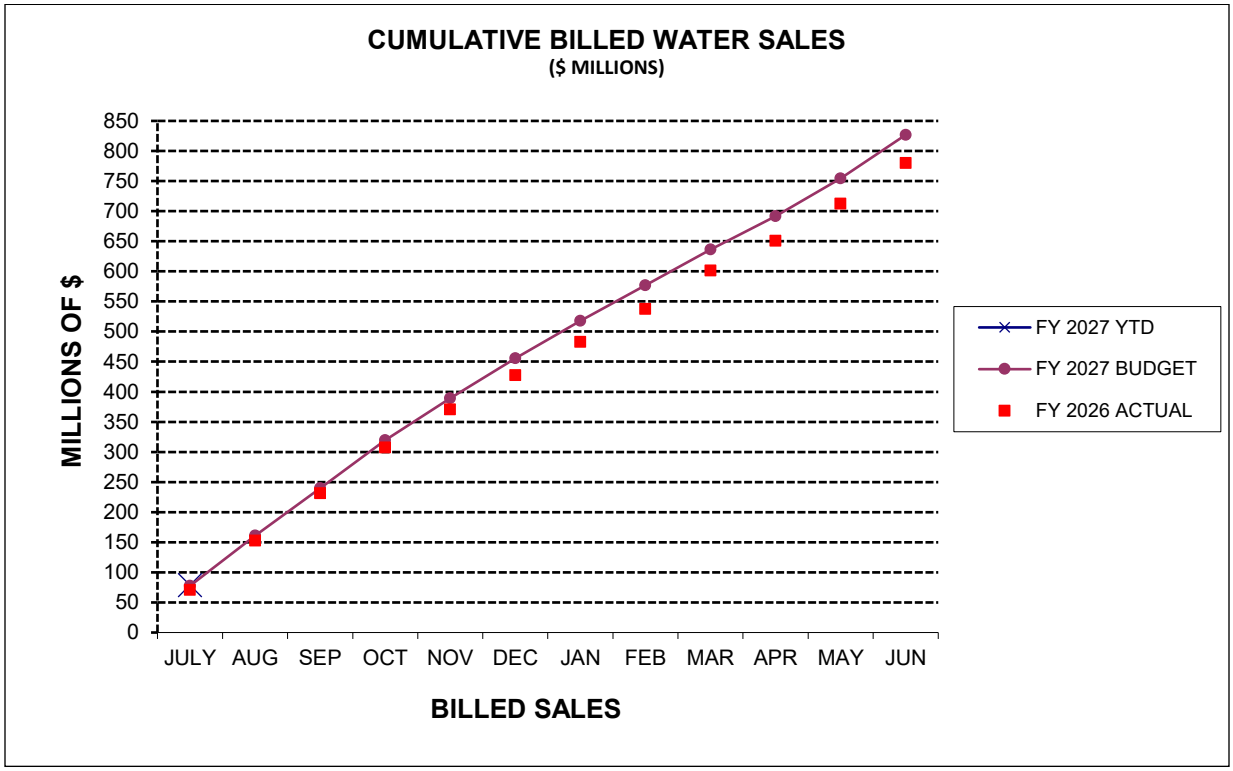


Source: Customer Information System

[1] Billed consumption is the amount of potable and non-potable water use for which EBMUD billed customers during the month and not actual customer usage within that month. During any month, roughly half of all EBMUD customers are billed for the prior two months of consumption. For example, a customer bill sent in early August would generally contain charges for water consumed in June and July.

Water Sales (Expected Revenue)

Water revenues billed through the end of July were $78.8 million[2] or 11.3% more than the FY 2026 revenue for the same period of $70.8 million. This increase in water revenues is a result of higher consumption and a 6.5% rate increase (effective July 1, 2026).[3] Total FY 2027 water revenues through July are $1.2 million (1.5%) more than the budgeted water revenue of $77.6 million.



Source: Customer Information System

[2] Water sales includes potable and non-potable water sales.

[3] As mentioned in the Fiscal Year-to-Date Billed Water Consumption table above, Chevron was not billed in July 2026 due to a delay in the billing cycle. As such, total consumption and revenue for July FY 2026 are lower than they would otherwise be and the difference between July FY 2027 and July FY 2026 revenues is higher than it would otherwise be. Chevron, a customer for which the District conducts monthly meter reading/billing, was appropriately billed twice in August 2025 (once at the beginning of the month, once at the end of the month).

AUGUST 2026 MAIN BREAK REPAIRS											
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ALAMEDA		PACIFIC	AVE	5	CAST IRON	16	1940	45,000	7/30/2026	8/1/2026	N
BERKELEY		7TH	ST	4	CAST IRON	8	1934	900	8/6/2026	8/6/2026	Y
BERKELEY		8TH	ST	4	ASBESTOS CEMENT	6	1967	0	8/27/2026	8/27/2026	Y
BERKELEY		DURANT	AVE	4	CAST IRON	6	1939	12,960	8/2/2026	8/4/2026	Y
BERKELEY		HENRY	ST	4	CAST IRON	6	1950	15,840	8/17/2026	8/27/2026	Y
BERKELEY		PIEDMONT	AVE	4	CAST IRON	6	1905	9,000	8/7/2026	8/8/2026	Y
BERKELEY		WARD	ST	4	ASBESTOS CEMENT	8	1961	0	8/31/2026	8/31/2026	Y
DANVILLE		AMIGO	RD	2	ASBESTOS CEMENT	6	1959	2,250	8/18/2026	8/18/2026	Y
DANVILLE		EL CAPITAN	DR	2	ASBESTOS CEMENT	6	1976	17,280	8/30/2026	8/31/2026	Y
DANVILLE		EL PINTADO	RD	2	ASBESTOS CEMENT	6	1961	6,750	8/21/2026	8/22/2026	Y
DANVILLE		GLENDORA	CIR	2	STEEL	4	1947	0	8/28/2026	8/28/2026	Y
DANVILLE	W	LINDA MESA	AVE	2	ASBESTOS CEMENT	6	1956	900	8/29/2026	8/30/2026	Y
DANVILLE		MONTEREY	CT	2	NON METALLIC / PLASTIC	6	1993	21,600	8/3/2026	8/17/2026	Y
EL CERRITO		WALDO	AVE	4	CAST IRON	6	1952	17,280	8/20/2026	8/31/2026	Y
EL SOBRANTE		SAN PABLO DAM	RD	3	CAST IRON	8	1932	900	8/6/2026	8/7/2026	Y
KENSINGTON		KENYON	AVE	4	CAST IRON	6	1934	900	8/7/2026	8/7/2026	Y
LAFAYETTE		2ND	ST	2	CAST IRON	6	1932	36,000	8/19/2026	8/19/2026	Y
LAFAYETTE		BENTHILL	CT	2	ASBESTOS CEMENT	6	1974	4,500	8/24/2026	8/24/2026	Y
LAFAYETTE		LOS ARABIS	DR	2	ASBESTOS CEMENT	6	1978	0	7/20/2026	8/5/2026	Y
LAFAYETTE		OAK	ST	2	CAST IRON	6	1955	0	8/27/2026	8/27/2026	Y
LAFAYETTE		PLEASANT HILL	CIR	2	CAST IRON	4	1946	0	8/3/2026	8/17/2026	Y
LAFAYETTE		VALENTE	CT	2	CAST IRON	16	1949	0	7/27/2026	8/4/2026	Y
LAFAYETTE	E	VIEW	DR	2	CAST IRON	4	1940	2,250	8/17/2026	8/17/2026	Y
LAFAYETTE	E	VIEW	DR	2	CAST IRON	2	1940	1,350	8/21/2026	8/22/2026	Y
MORAGA		DAVID	DR	3	STEEL	12	1970	6,750	8/22/2026	8/23/2026	Y
OAKLAND		11TH	AVE	5	ASBESTOS CEMENT	4	1959	9,000	8/15/2026	8/15/2026	Y
OAKLAND	E	38TH	ST	6	CAST IRON	8	1925	22,500	8/5/2026	8/5/2026	Y
OAKLAND		54TH	AVE	6	CAST IRON	6	1926	5,760	8/24/2026	8/27/2026	Y
OAKLAND		61ST	AVE	5	CAST IRON	6	1932	27,000	8/13/2026	8/13/2026	Y

KPI = turn around time to repair the leak

AUGUST 2026 MAIN BREAK REPAIRS											
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
OAKLAND		72ND	AVE	6	CAST IRON	6	1937	13,500	8/14/2026	8/14/2026	Y
OAKLAND		85TH	AVE	6	CAST IRON	8	1950	2,880	8/5/2026	8/6/2026	Y
OAKLAND		88TH	AVE	6	CAST IRON	6	1950	4,320	8/26/2026	8/28/2026	Y
OAKLAND		92ND	AVE	6	CAST IRON	6	1911	13,500	8/30/2026	8/30/2026	Y
OAKLAND		10TH	ST	5	STEEL	36	1932	0	8/14/2026	8/19/2026	Y
OAKLAND		73RD	AVE	6	CAST IRON	6	1932	2,700	8/31/2026	8/31/2026	Y
OAKLAND		BEATIE	ST	6	CAST IRON	4	1932	1,350	7/31/2026	8/1/2026	Y
OAKLAND		CHAPMAN	ST	5	CAST IRON	6	1910	8,640	8/15/2026	8/20/2026	Y
OAKLAND		CHURCH	ST	6	CAST IRON	6	1915	1,800	8/9/2026	8/9/2026	Y
OAKLAND		COVINGTON	ST	6	CAST IRON	4	1939	4,320	8/24/2026	8/26/2026	Y
OAKLAND		CRITTENDEN	ST	6	CAST IRON	4	1932	18,000	8/31/2026	8/31/2026	Y
OAKLAND		CURTIS	ST	5	CAST IRON	6	1927	36,000	8/6/2026	8/6/2026	Y
OAKLAND		FLORENCE	AVE	3	CAST IRON	6	1931	0	8/10/2026	8/10/2026	Y
OAKLAND		FOOTHILL	BL	6	CAST IRON	6	1924	0	8/16/2026	8/20/2026	Y
OAKLAND		HILLMONT	DR	6	ASBESTOS CEMENT	6	1964	12,960	8/10/2026	8/18/2026	Y
OAKLAND		HILTON	ST	6	CAST IRON	6	1951	11,520	7/28/2026	8/4/2026	Y
OAKLAND		LAGUNA	AVE	3	CAST IRON	6	1934	8,640	8/26/2026	8/31/2026	Y
OAKLAND		LINCOLN	AVE	3	CAST IRON	8	1955	0	8/18/2026	8/31/2026	Y
OAKLAND		OAK KNOLL	BL	6	CAST IRON	6	1927	36,000	8/18/2026	8/18/2026	Y
OAKLAND		SHATTUCK	AVE	4	CAST IRON	4	1920	9,000	8/13/2026	8/13/2026	Y
OAKLAND		WARFIELD	AVE	3	CAST IRON	6	1930	18,000	8/12/2026	8/13/2026	Y
ORINDA		BERKELEY	AVE	3	CAST IRON	4	1945	0	8/3/2026	8/20/2026	Y
ORINDA		HALL	DR	3	CAST IRON	8	1949	28,800	7/27/2026	8/5/2026	Y
ORINDA		LAS VEGAS	RD	3	CAST IRON	6	1934	18,000	8/6/2026	8/6/2026	Y
ORINDA		SOUTHWOOD	DR	3	CAST IRON	4	1948	0	7/30/2026	8/10/2026	Y
PIEDMONT		LATHAM	ST	3	CAST IRON	4	1927	27,000	8/21/2026	8/22/2026	Y
PIEDMONT		MAXWELTON	RD	3	ASBESTOS CEMENT	6	1975	720	8/10/2026	8/11/2026	Y
PINOLE		CALAIS	DR	1	ASBESTOS CEMENT	6	1954	45,000	8/14/2026	8/15/2026	Y
PLEASANT HILL		APOLLO	WAY	2	ASBESTOS CEMENT	12	1957	18,000	8/10/2026	8/10/2026	Y
PLEASANT HILL		MADEIRA	WAY	2	ASBESTOS CEMENT	6	1977	18,000	8/1/2026	8/1/2026	Y

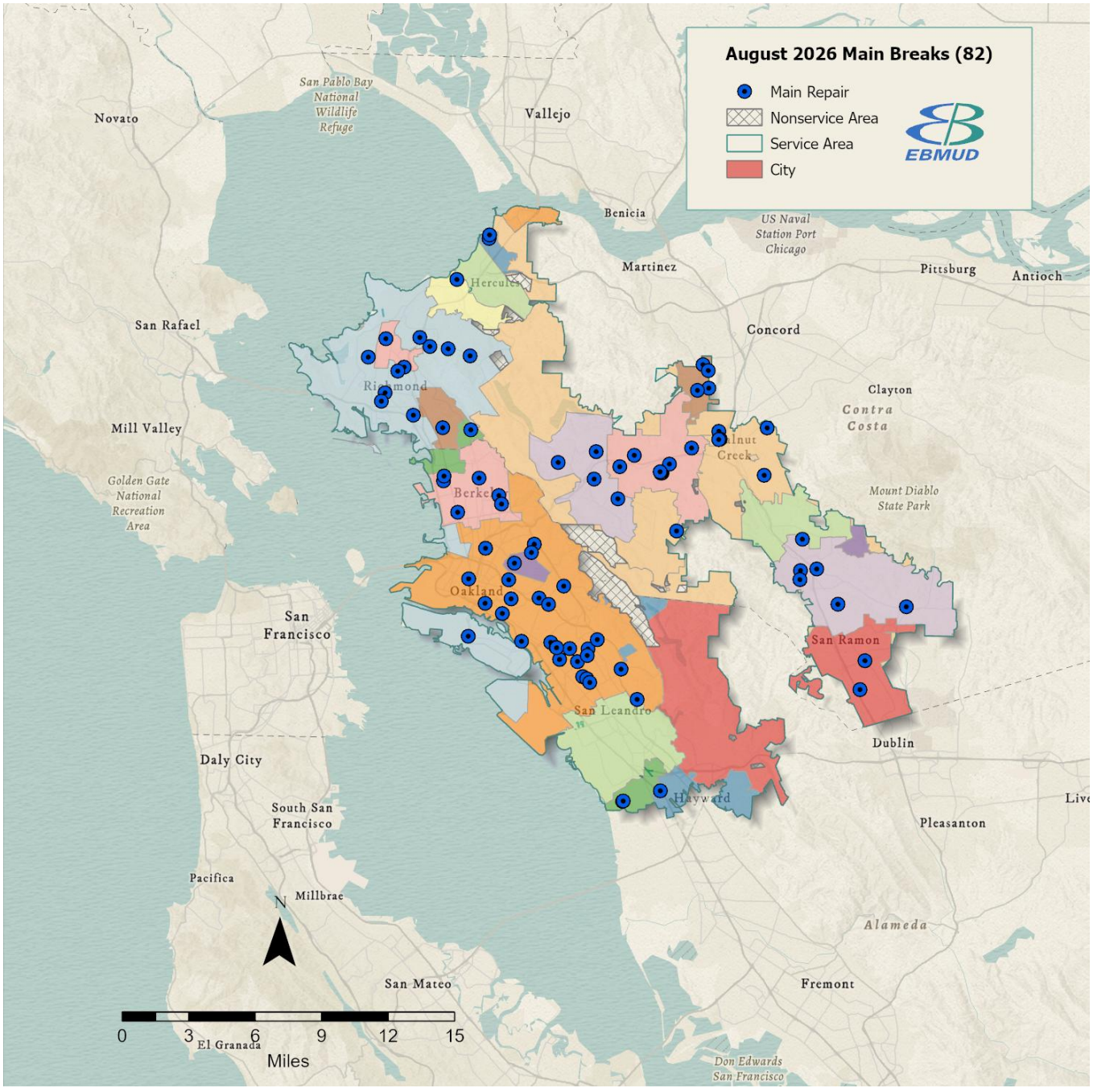
KPI = turn around time to repair the leak

AUGUST 2026 MAIN BREAK REPAIRS

City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
PLEASANT HILL		ROYAL OAKS	PL	2	STEEL	8	2003	0	8/18/2026	8/18/2026	Y
RICHMOND	S	18TH	ST	1	CAST IRON	6	1940	2,880	8/18/2026	8/19/2026	Y
RICHMOND		BISSELL	AVE	1	CAST IRON	4	1960	0	7/28/2026	8/3/2026	Y
RICHMOND		CYPRESS	AVE	1	CAST IRON	8	1925	0	8/10/2026	8/14/2026	Y
RICHMOND		ELMWOOD	RD	3	CAST IRON	6	1949	28,800	8/13/2026	8/17/2026	Y
RICHMOND		HUMPHREY	AVE	1	CAST IRON	6	1941	1,800	8/26/2026	8/26/2026	Y
RICHMOND		OLINDA	RD	3	ASBESTOS CEMENT	8	1961	1,350	8/25/2026	8/25/2026	Y
RICHMOND		SILVER	AVE	1	ASBESTOS CEMENT	6	1965	0	8/14/2026	8/20/2026	Y
RICHMOND		TULARE	AVE	1	CAST IRON	6	1939	45,000	8/15/2026	8/15/2026	Y
RICHMOND		WISWALL	DR	1	ASBESTOS CEMENT	6	1963	14,400	8/25/2026	8/26/2026	Y
RODEO		2ND	ST	1	ASBESTOS CEMENT	6	1973	2,700	8/13/2026	8/13/2026	Y
RODEO		SAN PABLO	AVE	1	STEEL	4	1955	9,000	8/14/2026	8/15/2026	Y
SAN LORENZO		HACIENDA	AVE	7	CAST IRON	6	1950	0	8/7/2026	8/7/2026	Y
SAN LORENZO		VIA AMIGOS		5	ASBESTOS CEMENT	8	1956	270	8/20/2026	8/21/2026	Y
SAN LORENZO		VIA WALTER		5	ASBESTOS CEMENT	8	1956	7,200	8/21/2026	8/25/2026	Y
SAN PABLO		MACARTHUR	AVE	1	CAST IRON	4	1942	4,320	7/30/2026	8/1/2026	Y
SAN RAMON		CANYON WOODS	PL	2	ASBESTOS CEMENT	8	1985	4,500	8/28/2026	8/28/2026	Y
SAN RAMON		MILO	WAY	2	ASBESTOS CEMENT	8	1966	25,920	8/7/2026	8/12/2026	Y
WALNUT CREEK		BUENA VISTA	PL	2	ASBESTOS CEMENT	6	1985	0	7/28/2026	8/4/2026	Y
WALNUT CREEK		KEYS	CT	2	ASBESTOS CEMENT	6	1955	9,000	8/6/2026	8/7/2026	Y
WALNUT CREEK		LOS CERROS	PL	2	ASBESTOS CEMENT	6	1956	0	8/6/2026	8/26/2026	Y
WALNUT CREEK		OVERLOOK	DR	2	ASBESTOS CEMENT	6	1959	1,350	8/2/2026	8/3/2026	Y
WALNUT CREEK		SAN MIGUEL	DR	2	ASBESTOS CEMENT	6	1953	4,320	8/25/2026	8/27/2026	Y

Non-surfacing leaks discovered by leak detection technologies	2
Breaks caused by contractors or other agencies	0
Other main breaks	80
Total water main repairs	**82**

KPI = turn around time to repair the leak


August 2026 Main Breaks (82)
Main Repair
Nonservice Area
Service Area
City
EBMUD
San Pablo Bay National Wildlife Refuge
Novato
Vallejo
Benicia
US Naval Station Port Chicago
Martinez
Pittsburg
Antioch
Concord
San Rafael
Clayton
Contra Costa
Mill Valley
Golden Gate National Recreation Area
Mount Diablo State Park
San Ramon
San Francisco
Dublin
Daly City
South San Francisco
Pleasanton
Pacifica
Millbrae
Alameda
San Mateo
Fremont
El Granada
Don Edwards San Francisco
N
0 3 6 9 12 15
Miles

Customer Account Delinquency Information
August 2026

(Data collection began September 1, 2017 - CAP applications processed through August 25, 2026)

CUSTOMER ASSIST. PROGRAM (CAP) ENROLLMENT	Mar 26	Apr 26	May 26	Jun 26	Jul 26	Aug 26 [74]	Totals (since 9/1/2017)
New CAP Participants	248	308	221	228	280	248	21,179
CAP Renewals	286	282	218	208	284	206	20,978
CAP Departures	589	495	601	530	657	515	32,628
Total Active CAP Participants w/Active Accounts	11,391	11,450	11,354	11,301	11,266	11,311	-
PAYMENT PLANS	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 9/1/2017)**
Approved Payment Plans	3,163	3,168	2,581	3,410	3,565	3,472	312,243
SERVICE INTERRUPTIONS - RESIDENTIAL	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 9/1/2017)**
15-day Final Collection Notices[51]	17,899	16,648	15,845	17,261	15,638	17,923	1,740,297
48-hr Service Interruptions Notices[3,52]	10,117	11,423	10,827	12,222	9,607	10,490	1,058,664
TENANT OCCUPIED - FLOW RESTRICTORS	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 9/1/2024)**
Service Interruption Orders/Door Hangers Generated	3	497	40	731	389	194	6,499
Service Interruptions Completed (Flow Restrictor Installed)	147	278	183	224	262	206	4,123
Number of Flow Restrictors Removed/Service Restored	150	205	210	249	242	227	3,610
Flow Restrictors Remain Installed as of End of Month	446	519	492	467	487	466	
Shutoff Subsequent to FR (Payment Plan Defaults)	45	45	13	217	75	78	947
Shutoff Subsequent to FR (Water Waste)	-	1	-	-	-	-	15
OWNER OCCUPIED - SINGLE-FAMILY LIENS	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 11/1/2024)**
Liens Filed	168	337	3	-	-	-	2,606
Released	-	91	-	-	148	20	1,109
Transferred to Alameda Cty.	-	-	-	-	-	-	329
Transferred to Contra Costa Cty.	-	-	-	-	-	-	194
Total Transactions/Month	**168**	**428**	**3**	**-**	**148**	**20**	**3,715**
FLOW RESTRICTOR TAMPERING	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals**
Flow Restrictor Tampered	1	1	1	-	4	5	87
WATER THEFT	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 9/1/2017)**
No. of Incidents	65	45	33	44	32	26	1,249
No. of 2nd or 3rd Occurrences	-	-	-	-	-	-	41
No. Water Theft Penalties Issued	-	-	-	-	-	-	228
No. of Appeals Received	-	-	-	-	-	-	10
No. of 1st Appeals Approved	-	-	-	-	-	-	5
No. of 1st Appeals Denied	-	-	-	-	-	-	8
MULTI-FAMILY LIENS[1]	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 9/1/2017)**
Liens Filed	-	-	408	-	-	-	8,310
Released	-	36	63	-	44	25	7,520
Transferred to Alameda Cty.	-	-	-	-	-	-	3,310
Transferred to Contra Costa Cty.	-	-	-	-	-	-	724
Total Transactions/Month	**-**	**36**	**471**	**-**	**44**	**25**	**18,692**
BAD DEBT - WRITE OFFS[2]	**Mar 26**	**Apr 26**	**May 26**	**Jun 26**	**Jul 26**	**Aug 26**	**Totals (since 9/1/2017)**
Total Referred to Collection Agency	$499,783	$812,928	$490,582	$474,935	TBD	TBD	$ 31,383,340.00
Write-Off % to Billed Revenue	0.69%	1.38%	0.69%	TBD	TBD	TBD	

[1] Liens filed monthly represent delinquent accounts 4-6 months in arrears.
[2] Feb 25 collection agency totals will be updated in Mar 25. Write-off revenue for Feb 25 will be finalized when the final revenue reports are posted by Accounting.
[3] 48-hour notices were generated, but not mailed to customers since 03-23-20. Customers are receiving payment reminders in-lieu of 48-hours notices.
[51] Total Final Collection Notices sent to all Single Family Residence Accounts (Renter and Owner occupied).
[52] Total Interruption/Lien Notices sent to all Single Family Residence Accounts (Renter and Owner occupied).
[74] Report as of 9/1/26. Pending: Final CAP data pending (date processed through 8/25/26). Pending Bad Debt Write Off Percentage for June, July & August. Updated CAP totals for July. Updated Bad Debt Referred amount for July. Updated CAP totals for July. Updated Bad Debt Referred amount for July.

*Notes: · Effective March 12, 2020, the District suspended "Disconnects Due to Non-Payment" (DNP) to residential customers, withheld mailing 48-hr notices to customers, and began restoring service to all customers shutoff as of January 2020. The DNP information will be omitted from this table until the District resumes DNP activities.

Water Theft Type/City	Alameda	Alamo	Albany	Berkeley	Castro Valley	Crockett	Danville	El Cerrito	El Sobrante	Emeryville	Hayward	Hercules	Kensington	Lafayette
Meter	19	2	6	58	13	3	6	6	9	4	13	8	1	7
Illegal Connection	0	1	0	4	0	0	1	0	0	0	0	0	0	0
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	1	0	0	1	0	0	0	0	0	0	1	0	0	0
Total	**20**	**3**	**6**	**63**	**13**	**3**	**7**	**6**	**9**	**4**	**14**	**8**	**1**	**7**

Water Theft Type/City	Moraga	Oakland	Orinda	Piedmont	Pinole	Pleasant Hill	Richmond	Rodeo	San Lorenzo	San Leandro	San Pablo	San Ramon	Walnut Creek	Total as of 9/1/2017
Meter	4	813	1	2	10	1	156	10	3	24	17	8	11	1215
Illegal Connection	0	11	1	0	0	0	1	1	0	0	0	1	1	22
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	5	0	0	0	0	3	0	0	1	0	0	0	12
Total	**4**	**829**	**2**	**2**	**10**	**1**	**160**	**11**	**3**	**25**	**17**	**9**	**12**	**1249**