MINUTES

Tuesday, June 9, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California
Regular Closed Session Meeting

President Luz Gómez called to order the Regular Closed Session Meeting of the Board of Directors at 11:02 a.m. in the Administration Building William "Bill" Patterson Boardroom. President Gómez announced Director Andy Katz's participation via teleconference from Platz der Vereinten, Nationen 4, Bonn, Germany.

ROLL CALL

Directors April Chan, Andy Katz (remote), 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 and General Counsel Derek T. McDonald.

President Gómez announced staff would like to add an item to the closed session agenda, specifically to discuss a letter received the evening of June 8, 2026 from the Building Industry Association of the Bay Area contesting the proposed new System Capacity Charges to be considered at this afternoon's Board meeting as they apply to townhomes, condominiums and duets, and which appears to threaten legal action. The Brown Act provides that the Board may discuss an item which was not previously placed upon an agenda when the Board determines that there is a need to take immediate action and that the need for action came to the attention of District after the meeting agenda has already been posted.

- Motion by Director Lewis, seconded by Director Smith, to add Item 1.b. to the June 9, 2026 Closed Session agenda, entitled "Letter from Building Industry Association of the Bay Area dated June 8, 2026" carried (7-0) by the following roll call vote: (Chan, Katz, Lewis, Oddie, Smith, Young and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 098-26 – Added Item 1.b. to the June 9, 2026 Closed Session Agenda, entitled "Letter from Building Industry Association of the Bay Area dated June 8, 2026."

PUBLIC COMMENT

There was no public comment.

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

President Luz Gómez called to order the Regular Business Meeting of the Board of Directors at 1:17 p.m. in the Administration Building William "Bill" Patterson Boardroom. President Gómez announced Director Andy Katz's participation via teleconference from Platz der Vereinten, Nationen 4, Bonn, Germany.

ROLL CALL

Directors April Chan, Andy Katz (remote), 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.

PRESENTATION

Construction Management Association of America (CMAA) – Northern California Chapter 2026 Project Achievement Award

General Manager Clifford C. Chan announced the District's Happy Valley and Sunnyside Pumping Plants and Happy Valley Pipeline Phase 2 Improvements Project received the CMAA Northern California Chapter 2026 Project Achievement Award. This award recognizes outstanding achievements in construction management and highlights the efforts of the project team, including District staff, construction management partners, consultants, and the contractor who contributed to the successful delivery of the project. He highlighted key project components and construction challenges associated with the $19 million project, one of the final projects in the District's Water Treatment and Transmission Improvements Program. The project, located in Orinda, enhances water transmission, storage capacity, and service reliability in a high fire-risk area. He recognized the many staff, consultants, and project partners who contributed to this award-winning project. Representing the project team were Chloe Ashiegbu, Senior Administrative Clerk; Billy Boidock, MCK Americas, Resident Engineer; Daniel Eng, Senior Civil Engineer; Paresh Gandhi, Assistant Engineer; Sanna Garcia, Associate Civil Engineer; Patti Luba, Senior Administrative Clerk; Jim Mangini, Land Surveyor Supervisor; Craig Roberts, Assistant Land Surveyor Supervisor; Barmak Saemian, Associate Electrical Engineer; and Joe Voelker, Community Affairs Representative II. On behalf of the Board, Director Marguerite Young presented the award to the project team and thanked them for their work.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Kevin Holden, President of Service Worker Project for Affordable Utilities and Water (SWPAUW) who asked the Board to consider providing additional assistance for customers beyond the Customer Assistance Program, described how customers living in affordable housing risk losing their housing if their utilities are turned off, and commented on water affordability and interactions with Contact Center staff; 2) Marisol Ramirez, advocating for Rosa Ochoa commented on Ms. Ochoa's experience seeking assistance from the District, concerns with EBMUD customer service and language access, and requested solutions to reconnect Ms. Ochoa's water service; 3) Rosa Ochoa via translator Alex D., described efforts to restore water service, difficulties paying her bill, and requested assistance and options to restore service; 4) Anthony Severo, Lafayette resident and filmmaker, commented on the documentary, *The Bill Patterson Story*, which has been featured at film festivals, and will be the opening film at the Roxbury International Film Festival in Boston. He thanked Board members for their input on the documentary, and offered to make the film available for internal District use while it remains on the film festival circuit; and 5) Justin Young, President, AFSCME Local 2019, expressed concerns regarding the Maintenance and Construction Department reorganization, meeting with management, and the reorganization's potential impacts on Senior Administrative Clerks and Administrative Clerks. He requested that the reorganization be paused until the job classifications have been updated.

Director of Customer and Community Services Andrew L. Lee followed up with Ms. Ochoa and advocates. General Manager Clifford C. Chan referred Mr. Severo to Public Affairs staff for follow up and responded to Justin Young's comments noting it will be important for Local 2019 to identify the impacts to staff as part of the meet and confer process.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the May 26, 2026 Finance/Administration Committee Meeting.

- Director Lewis reported the Planning Committee met today and received an update on the East Bay Stewardship Network Collaboration.

- Director Smith reported the Legislative/Human Resources Committee met earlier and received Legislative Report No. 04-26 which included Budget Trailer Bill (TBD) SupplyBank: Oakport Street Project Funding Request and that the Committee voted to support the staff recommendation. The Committee also received updates on Employee Dental Benefits; Diversity, Equity, and Inclusion Strategic Plan; and Strengthening Labor and Employee Relations Services.

CONSENT CALENDAR

Items 1, 9, and 10.1. – 10.3 were pulled from the Consent Calendar for separate discussion.

- Motion by Director Smith, seconded by Director Young to approve Items 2-8 on the Consent Calendar carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Approve the Special Meeting Minutes and Regular Meeting Minutes of May 26, 2026.**

   Director Chan requested clarification on the proposed key performance indicator for fire hydrant inspections and reference to a 10 percent goal in the special meeting minutes for the May 26, 2026 Mid-cycle Budget Workshop. Secretary of the District Rischa S. Cole and General Manager Clifford C. Chan provided clarification and Director Chan agreed to the meeting minutes as presented.

   - Motion by Director Oddie, seconded by Director Smith to approve Item 1 carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

   Motion No. 091-26 – Approved the Special Meeting Minutes and Regular Meeting Minutes of May 26, 2026.

2. The following correspondence was filed with the Board: **1)** Presentation entitled, "Public Hearing Proposed Rates, Charges, & Fees Not Subject to Proposition 218 for Fiscal Year 2027," dated June 9, 2026; **2)** Presentation entitled, "Assembly Bill 2561 Compliance Reporting for Fiscal Year 2025-2026," dated June 9, 2026; **3)** Presentation entitled, "2025 Urban Water Management Plan/Water Shortage Contingency Plan," dated June 9, 2026; **4)** Presentation entitled, "Emergency Declaration for Repair of the Alameda Interceptor," dated June 9, 2026; **5)** Speakers' Bureau and Outreach Record CY26, dated June 9, 2026; **6)** Draft Resolution Adopting the 2025 Water Shortage Contingency Plan for Inclusion as Attachment 1 within the East Bay Municipal Utility District's 2025 Urban Water Management Plan; **7)** Email dated May 22, 2026 from George Cleveland with attachments, to Rischa Cole regarding Splashes – May 21, 2026; **8)** Email dated May 29, 2026 from Lisa Vorderbrueggen with attachment, to Board of Directors regarding BIA Bay Area Comment Letter Proposed Capacity Fee Restructuring; **9)** Contra Costa Times Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027 Legal No. 0006969826 Published May 22, 2026 and May 29, 2026; **10)** Oakland Tribune Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027 Legal No. 0006969826 Published May 22, 2026 and May 29, 2026; **11)** West County Times Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027 Legal No. 0006969826 Published May 22, 2026 and May 29, 2026; **12)** Amador Ledger Dispatch Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027 Ad ID Y959 Published May 22, 2026 and May 29, 2026; **13)** Lodi-News Sentinel Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027

Published May 21, 2026 and May 28, 2026; **14)** Calaveras Enterprise Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027 Published May 21, 2026 and May 28, 2026; **15)** Contra Costa Times Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Legal No. 0006970804 Published May 29, 2026 and June 5, 2026; **16)** Oakland Tribune Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Legal No. 0006970804 Published May 29, 2026 and June 5, 2026; **17)** West County Times Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Legal No. 0006970804 Published May 29, 2026 and June 5, 2026; **18)** Amador Ledger Dispatch Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Ad ID Y979 Published May 29, 2026 and June 5, 2026; **19)** Lodi-News Sentinel Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) Published May 28, 2026 and June 4, 2026; **20)** Calaveras Enterprise Proof of Publication Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) June 4, 2026; **21)** Notarized Affidavit of Posting Notice Of The Time And Place Of A Public Hearing On The Report And Recommendation Of The General Manager For Revisions To The Water And Wastewater Schedules Of Rates And Charges, Capacity Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027, dated June 10, 2026; and **22)** Notarized Affidavit of Posting Notice Of The Time And Place Of A Public Hearing On The Status Of Vacancies And Recruitment And Retention Efforts Of The East Bay Municipal Utility District In Accordance With Government Code Section 3502.3 (Assembly Bill 2561) dated June 10, 2026.

3. **Motion No. 085-26** – Awarded a contract beginning on or after June 9, 2026 to the lowest responsive/responsible bidder, Pape Machinery, Inc., for supplying a 6-wheel drive motor grader for a total cost, after the addition of taxes, not to exceed $496,360 under Request for Quotation No. 2610.

4. **Motion No. 086-26** – Authorized an agreement beginning on or after July 1, 2026 with Civicorps for one year in an amount not to exceed $678,570 for vegetation control and related services at various District properties.

5. **Motion No. 087-26** – Authorized an agreement beginning on or after June 9, 2026 with Woodard & Curran, Inc. in an amount not to exceed $503,354 for the design of plans and specifications for the San Pablo Recreation Area Sewer Force Main Rehabilitation Project.

6.1. – 6.2. **Motion No. 088-26** – Authorized amendments to the agreements originally authorized under Board Motion No. 189-24 with Badger Daylighting Corp.; Bradley Tanks, Inc.; Diede Construction, Inc. dba Hydro X Services; Jaeger Vacuum Excavation; and Presidio Systems, Inc., to increase the aggregate amount of those agreements by $1,150,000 to a total aggregate amount not to exceed $2,300,000 and extend the terms of the agreements to September 9, 2027 for hydro/air-vacuum excavation services; and authorized additional agreements for hydro/air-vacuum excavation services, on an as needed basis and subject to the total aggregate amount authorized by the Board for such services on June 9, 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.

7. **Motion No. 089-26** – Authorized the purchase of information technology research and advisory services to support District IT strategy, governance, leadership development, technology research, innovation, planning, change management, continuous improvement, contract price benchmarking, surveys and diagnostics, and optional services beginning on or after June 9, 2026 from Info-Tech Research Group for three years for a total amount not to exceed $481,111.89. This agreement will be made under State of California contracts available for use by local governments.

8. **Motion No. 090-26** – Filed the Report and Recommendation of the General Manager to Transfer Unpaid Liens for Delinquent Charges of multi-family residential and owner-occupied single-family residential accounts to Alameda and Contra Costa counties' 2026-2027 Property Tax Rolls.

9. **Direct the Secretary of the District to schedule August 2026 meetings of the Board of Directors to allow the Board to exercise its Assembly Bill 408 authority within the narrow timeframe set forth in Section 11852.5 of the Municipal Utility District Act for the 2026 general election.**

Director Young pulled this item and commented on the intent of Assembly Bill 408 (AB 408) which allows the Board to appoint a candidate in lieu of holding an election under certain uncontested circumstances which can result in potential cost savings. Secretary of the District Rischa S. Cole provided an overview of AB 408, including its statutory requirements, the limited timeframe for Board action, and the purpose of scheduling a special Board meeting in August for the Board to exercise its AB 408 authority. She clarified that today's action does not decide the outcome of any ward election but is to preserve the Board's ability to exercise its AB 408 authority, if applicable.

- Motion by Director Young, seconded by Director Lewis to approve Item 9 carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 092-26 – Directed the Secretary of the District to schedule August 2026 meetings of the Board of Directors to allow the Board to exercise its Assembly Bill 408 authority within the narrow timeframe set forth in Section 11852.5 of the Municipal Utility District Act for the 2026 general election.

10.1. – 10.3. **Adopt a resolution calling and ordering the election of four Directors of the East Bay Municipal Utility District on November 3, 2026, and consolidating the election with the November 3, 2026 statewide general election; adopt a resolution requesting the Board of Supervisors in Alameda and Contra Costa counties consolidate EBMUD's election for the office of Director with the November 3, 2026 statewide general election; and adopt a resolution establishing the criteria for publication of candidates' statements and authorizing the Secretary of the District to bill candidates for certain costs.**

Director Young pulled this item for discussion in relation to Agenda Item 9. Secretary of the District Rischa S. Cole provided an overview of administrative actions required for the November 3, 2026 general election, noting that Alameda and Contra Costa counties administer Board of Director elections on behalf of the District. Ms. Cole also reviewed historical District election costs and noted that utilizing the AB 408 process (as discussed under Agenda Item 9), when available, could significantly reduce District election costs.

- Motion by Director Young, seconded by Director Lewis to approve Items 10.1.-10.3. carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

10.1. **Resolution No. 35490-26** – Ordering, Calling, Providing For, And Directing That Notice Be Given Of An Election To Be Held In Wards Of The East Bay Municipal Utility District, State Of California, On Tuesday, November 3, 2026, For The Purpose Of Electing Four Directors, And Consolidating Said Election With The General State Election To Be Held On The Same Date.

10.2. **Resolution No. 35491-26** – Requesting The Boards Of Supervisors Of Alameda And Contra Costa Counties To Consolidate With The November 3, 2026 General Election, The East Bay Municipal Utility District Election To Be Held In Four Wards On The Same Date For The Election Of Directors.

10.3. **Resolution No. 35492-26** – Establishing Criteria For Candidates' Statements To Be Filed By Candidates For The November 3, 2026 Election To The East Bay Municipal Utility District's Board Of Directors And Authorizing The Secretary Of The District To Bill Candidates For Certain Costs.

PUBLIC HEARING

11. **Conduct a Public Hearing to consider the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year 2027 as recommended in the Report and Recommendation of the General Manager Revisions to the Water and Wastewater Schedules of Rates, Charges, and Fees Not Subject to Proposition 218 for Fiscal Year 2027, filed with the Board of Directors on May 12, 2026.**

President Gómez opened the public hearing at 1:59 p.m. and announced the public hearing is to consider adoption of the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year 2027 as recommended in the Report and Recommendation of the General Manager Revisions to the Water and Wastewater Schedules of Rates, Charges, and Fees Not Subject to Proposition 218 for Fiscal Year 2027, filed with the Board of Directors on May 12, 2026.

The Board will consider adoption of the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year 2027 under Agenda Item 14.

Treasury Manager Robert L. Hannay provided the presentation. Staff filed the Report and Recommendation of the General Manager with the Board on May 12, 2026 and reviewed the proposed revisions to the rates, fees and charges during the May 26, 2026 Mid-Cycle Budget Rates Workshop. He highlighted the recommended changes to the following schedules of rates, charges, and fees for the Water and Wastewater systems:

Water System Schedules of Rates, Charges, and Fees
- Schedule B – Account Establishment Charge
- Schedule C – Charges for Special Services
- Schedule D – Water Service Installation Charges
- Schedule E – Private Fire Service Installation Charges
- Schedule F – Public Fire Hydrant Installation Charges
- Schedule G – Water Main Extension Charges
- Schedule H – Standard Participation Charge (SPC) – *proposed for recission*
- Schedule J – System Capacity Charges (SCC)
- Schedule M – Water Service Estimate Application Fees

Wastewater System Schedules of Rates, Charges and Fees
- Schedule C – Wastewater Department Industrial Permit Fees
- Schedule D – Wastewater Department Other Fees
- Schedule E – Wastewater Department Testing Fees
- Schedule F – Wastewater Department Resource Recovery Fees and Prices
- Schedule G – Wastewater Capacity Charges (WCC)
- Schedule H – Wastewater Department Wastewater Interceptor Connection Review, Coordination and Inspection Fee

Other Fees
- Public Records Act Fee Schedule
- Real Property Use Application Fees
- Recreation Use Fees for Calendar Year 2027

Staff is recommending the Board adopt the resolution approving the Fiscal Year 2027 rates, charges, and fees not subject to Proposition 218 under Agenda Item 14. If adopted, the changes become effective July 1, 2026 unless otherwise indicated.

President Gómez called for public comment.

- Addressing the Board was Lisa Vorderbrueggen, Director of Governmental Affairs – East Bay for the Building Industry Association Bay Area, who referenced a letter the agency submitted to the Board and expressed concerns regarding proposed capacity charge increases and their potential impact on housing development. She requested a transition period for projects already in the development pipeline and encouraged continued collaboration on fee and design alternatives.

Next, President Gómez called for Board comments. There was no Board discussion. President Gómez closed the public hearing at 2:06 p.m.

Motion No. 093-26 – Conducted a Public Hearing to consider the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year 2027 as recommended in the Report and Recommendation of the General Manager – Revisions to the Water and Wastewater Schedules of Rates, Charges, and Fees Not Subject to Proposition 218 for Fiscal Year 2027, filed with the Board of Directors on May 12, 2026.

- Motion by Director Smith, seconded by Director Chan to close the Public Hearing carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 094-26 – Closed the Public Hearing to consider the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year 2027 as recommended in the Report and Recommendation of the General Manager – Revisions to the Water and Wastewater Schedules of Rates, Charges, and Fees Not Subject to Proposition 218 for Fiscal Year 2027, filed with the Board of Directors on May 12, 2026.

PUBLIC HEARING

12. **Conduct a Public Hearing to receive a report on job vacancy rates for the International Federation of Professional and Technical Engineers Local 21, International Union of Operating Engineers Local 39, and the American Federation of State, County and Municipal Employees Locals 444 and 2019, as required by California Assembly Bill 2561: Local Public Employees: Vacant Positions, including vacancy status, recruitment efforts, and retention initiatives.**

President Gómez opened the public hearing at 2:07 p.m. and announced the public hearing is to receive a report on job vacancy rates for the International Federation of Professional and Technical Engineers Local 21, International Union of Operating Engineers Local 39, and the American Federation of State, County and Municipal Employees Locals 444 and 2019, as required by California Assembly Bill 2561: Local Public Employees: Vacant Positions, including vacancy status, recruitment efforts, and retention initiatives.

Manager of Recruitment and Classification Vincent L. James provided the presentation and presented the District's Fiscal Year 2025-2026 vacancy compliance report required under Assembly Bill (AB) 2561. Mr. James reviewed key provisions in AB 2561 which is codified in Government Code section 3502.3 and requires public agencies to annually report vacancy rates and recruitment and retention efforts prior to adoption of its budget. He reported the following vacancy rates as of March 30, 2026: AFSCME Local 2019 (10.1%); AFSCME Local 444 (6.1%), IUOE Local 39 (2.0%), and IFPTE Local 21 (7.6%), noting that no bargaining unit met the 20 percent vacancy threshold that would trigger additional reporting requirements. He reviewed ongoing recruitment efforts for vacant positions and highlighted strategies to attract and retain employees, including market equity adjustments, compensation studies, expanded outreach to trade schools, community colleges, apprenticeship programs, and universities, and the development of internship and workforce pipelines. He also discussed workforce retention initiatives, including training academies, career advancement pathways, succession planning,

tuition reimbursement, and certification support. He noted employee feedback and exit surveys indicate staff departures are primarily driven by retirement, family, and lifestyle considerations rather than compensation which affirmed the District's commitment to maintaining a competitive workforce and filling vacancies.

President Gómez called for public comment.

- Addressing the Board was Justin Young, President, AFSCME Local 2019, who commented on the purpose of AB 2561 and encouraged the District to explore potential reimbursement for vacancies, emphasized the importance of monitoring vacancy trends, and expressed support for ongoing efforts to address vacancies.

Next, President Gómez called for Board comments. General Manager Clifford C. Chan and Mr. James responded to Board questions to clarify that the funded positions listed were approved in the FY 2026/2027 budget and that funded and unfunded positions were included in the vacancy rate percentages. Mr. James noted an error in the presentation and that the percentages reported account for funded and unfunded vacancies. President Gómez closed the public hearing at 2:20 p.m.

Motion No. 095-26 – Conducted a Public Hearing to receive a report on job vacancy rates for the International Federation of Professional and Technical Engineers Local 21, International Union of Operating Engineers Local 39, and the American Federation of State, County and Municipal Employees Locals 444 and 2019, as required by California Assembly Bill 2561: Local Public Employees: Vacant Positions, including vacancy status, recruitment efforts, and retention initiatives.

- Motion by Director Smith, seconded by Director Chan to close the Public Hearing carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 096-26 – Closed the Public Hearing to receive a report on job vacancy rates for the International Federation of Professional and Technical Engineers Local 21, International Union of Operating Engineers Local 39, and the American Federation of State, County and Municipal Employees Locals 444 and 2019, as required by California Assembly Bill 2561: Local Public Employees: Vacant Positions, including vacancy status, recruitment efforts, and retention initiatives.

DETERMINATION AND DISCUSSION

13. **Legislative Update.**

Manager of Legislative Affairs Kathy Viatella reviewed Legislative Report No. 04-26, which includes Budget Trailer Bill (TBD) SupplyBank: Oakport Street Project Funding Request for which staff is recommending Board support. Although SupplyBank has secured funding for portions of the project, it plans to seek an additional $10 million in the FY 2026-2027 state budget to close the remaining funding gap and support construction of the EBMUD portion of the project. Ms. Viatella noted the project would advance development of EBMUD's Oakport property under a Board-authorized 65-year lease; enhance emergency preparedness and

resiliency; and provide community benefits including essential supply distribution, nonprofit office space, flood management, neighborhood revitalization, public access, and shared EBMUD warehouse space. California Environmental Quality Act (CEQA) review is complete, final permits are expected by June 2026, and groundbreaking is anticipated in September 2026. In response to Director Oddie's question during the Legislative/Human Resources Committee meeting earlier, Ms. Viatella reported on the legislators within the District's delegation that SupplyBank has contacted for support. Next, she provided an update on the CEQA reform bill, the state budget, and recent federal legislative activities.

- Director Young left the meeting at 2:30 p.m. and returned at 2:32 p.m.

- Motion by Director Oddie, seconded by Director Young to approve Item 13 carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 097-26 – Received Legislative Report No. 04-26 and approved a position on the following bill: SUPPORT Budget Trailer Bill (TBD) SupplyBank: Oakport Street Project Funding Request.

14. **Adopt the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year 2027 as recommended in the Report and Recommendation of the General Manager Revisions to the Water and Wastewater Schedules of Rates, Charges, and Fees Not Subject to Proposition 218 for Fiscal Year 2027, filed with the Board of Directors on May 12, 2026.**

General Manager Clifford C. Chan referred to the comments from Lisa Vorderbrueggen, Director of Governmental Affairs – East Bay for the Building Industry Association Bay Area during the public hearing under Agenda Item 11 and reported staff has been working with the agency to address their concerns outlined in their letter to the Board. Director Lewis commented that if there are any updates to system capacity charges following discussions with the Building Industry Association of the Bay Area staff also consider providing the same updates for single-family residential applicants. Director Smith commented on the importance of transparency with cities, developers, and prospective homebuyers regarding the District's updated fees and charges. Director Katz lost connectivity during the roll call vote. Once he regained connectivity, for the record, he confirmed his intent to support Agenda Item 14.

- Motion by Director Young, seconded by President Gómez to approve Item 14 carried (6-0) by the following roll call vote: AYES (Chan, Katz, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (Lewis); ABSENT (None).

Resolution No. 35493-26 – Adopting Revised Water And Wastewater Systems Schedules Of Rates, Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2027; Confirming The Exemption Determination Under The California Environmental Quality Act; And Directing Staff To File A Notice Of Exemption.

15. **Affirm the Fiscal Year (FY) 2027 Operating, Debt Service, and Capital Budgets for the Water and Wastewater systems as recommended in the FY 2026 and FY 2027 Mid-Cycle Budget Update presented to the Board of Directors on May 26, 2026, and establish the terms and conditions for the payment of demands against the District. The FY 2027 appropriations are unchanged from the amounts adopted by the Board on June 10, 2025.**

President Gómez announced the item and noted the appropriations remain unchanged from those previously adopted by the Board. Director Katz lost connectivity during the roll call vote. Once he regained connectivity, for the record, he confirmed his intent to support Agenda Item 15.

- Motion by Director Oddie, seconded by Director Smith to approve Item 15 carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35494-26 – Affirming The Budget Of The East Bay Municipal Utility District Water And Wastewater Systems For Fiscal Year 2027 And Establishing The Terms And Conditions For The Payment Of Demands Against The District.

16. **Approve the Mid-Cycle Position Resolution for Fiscal Year 2027 to implement necessary classification changes as recommended to the Board of Directors during the May 26, 2026 Mid-Cycle Budget Workshop.**

- Motion by Director Young, seconded by Director Oddie to approve Item 16 carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35495-26 – Mid-Cycle Resolution For Fiscal Year 2027 Authorizing The Number And Character Of Positions And Authorizing The General Manager To Take Action in Connection Therewith.

17.1.-17.2. **Adopt the 2025 Urban Water Management Plan (UWMP) in compliance with the Urban Water Management Planning Act (Act) of the California Water Code; and adopt the 2025 Water Shortage Contingency Plan found in Attachment 1 of the 2025 UWMP in compliance with the Act.**

Senior Civil Engineer Priyanka Jain provided the presentation. The Urban Water Management Plan (UWMP) is a legally required document updated every five years pursuant to the Urban Water Management Planning Act. The UWMP serves as the District's long-term water supply planning document and incorporates the Water Shortage Contingency Plan (WSCP) to evaluate water supply reliability, provide a framework and response to emergencies, and act as a reference for the public and the District. It is administered by the California Department of Water Resources, which manages the California Water Plan. The final UWMP and WSCP must be submitted to the California Department of Water Resources (DWR) no later than 30 days after adoption. A certified UWMP is a prerequisite to receiving state and/or federal grants. Ms. Jain reviewed the update timeline and key milestones and the public outreach process which included a Board workshop in January 2026, a public comment period between April 6 to May 12, 2026, a virtual public meeting April 28, 2026, and a public hearing during the May 12, 2026 Board meeting. The District received one formal comment letter from the Sierra Club San Francisco Bay

Chapter expressing concerns regarding long-term demand projections and requesting greater collaboration. Staff met with Sierra Club representatives to review the District's methodology. Ms. Jain highlighted revisions to the final UWMP which included updated population projections consistent with Plan Bay Area 2050 and references to a low-demand scenario discussed during the January 2026 Board workshop. Staff is recommending adoption of the 2025 UWMP and WSCP. Following adoption, the plans will be submitted to the DWR and distributed to local agencies and libraries. During Board discussion, staff was asked to provide additional information on the WSCP in future updates, consider earlier and broader collaboration with stakeholders, non-governmental organizations, tribal communities, and the Board during development of the 2030 UWMP, and to consider discussing UWMP updates during future ward briefings.

- Motion by Director Chan, seconded by Director Lewis to approve Items 17.1. – 17.2. carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

17.1. **Resolution No. 35496-26** – Adopting The 2025 Urban Water Management Plan.

17.2. **Resolution No. 35497-26** – Adopting The 2025 Water Shortage Contingency Plan For Inclusion As Attachment 1 Within The East Bay Municipal Utility District's 2025 Urban Water Management Plan.

18.1. – 18.3 **Declare and determine that a great emergency exists as a result of damage to the Alameda Interceptor located near the intersection of Mariner Square Drive in Wilma Chan Way in the City of Alameda; ratify the General Manager's June 1, 2026, declaration of a District emergency in accordance with Policy 7.03 – Emergency Preparedness/Business Continuity; and authorize the General Manager to expend sums as needed in response to such emergency pursuant to California Public Utilities Code section 12753.**

General Manager Clifford C. Chan announced that on May 28, 2026, the City of Alameda notified District staff that city staff had damaged the District's Alameda Interceptor (interceptor) during excavation and repair of their 30-inch diameter storm drain that crosses over the interceptor, a 60-inch diameter reinforced concrete pipe. District staff assessed the damage and determined that emergency action is needed to prevent further damage to the interceptor and prevent groundwater and stormwater from infiltrating the sewer collection system. Immediate repair of the pipe will ensure no further deterioration of the pipe from wet weather events and prevent sanitary sewer overflows. Pursuant to District Policy 7.03, the General Manager, in consultation with the Board President, declared a District emergency on June 1, 2026. Manager of Wastewater Engineering Garin D. Warren presented an overview of the incident highlighting the location and damage to the pipe, inspection findings, emergency actions taken to secure the site and assess the interceptor, the repair plan, and the project timeline. Mr. Warren emphasized the need to complete repairs before the upcoming wet weather season with repairs anticipated to be completed in July 2026. Repair costs are expected to remain below $500,000 and the District will seek reimbursement from the City of Alameda for costs associated with the damage. The Board discussed responsibility for the repair costs and Mr. Warren clarified that reimbursement by the city had not yet been determined. Project manager John C. Law responded to Board questions about seeking reimbursement from the city.

– Director Chan left the meeting at 2:56 p.m. and returned at 2:58 p.m.

- Motion by Director Oddie, seconded by Director Lewis to approve Items 18.1. – 18.3. carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Smith, Oddie, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35498-26 – Ratifying The General Manager's Declaration Of The Existence Of A District Emergency, Declaring And Determining That Such Emergency Exists, And Authorizing Expenditure Of Sums As Needed In Response To Such Emergency.

19. **General Manager's Report.**

General Manager Clifford Chan reported that the Monthly Report for May 2026 had been provided in the agenda materials and highlighted information regarding year-to-date water consumption and average daily consumption. The six-month summary and forecast of Board and committee meetings, workshops, and events were included in the agenda materials, and he reminded the Board that only one Board meeting is scheduled for August, September, and November, and that the annual Infrastructure Workshop is planned for October. He also announced that the Speakers' Bureau and Outreach Record CY26 had been provided at Board places.

DIRECTOR COMMENTS

20. **Other Items for Future Consideration.**

President Gómez asked Directors to provide their individual priorities and goals for Board consideration over the next six months to her by the end of June.

21. **Director Comments.**

- Director Chan reported participating in the San Leandro Cherry Festival and Parade along with Director Oddie on June 6.

- Director Lewis reported attending a Bay Delta update meeting with staff along with Director Chan in the Administration Building on June 2.

- Director Oddie reported attending the Oakland Ballers game in Oakland on May 30; San Leandro Cherry Festival and Parade on June 6; and plans to attend the Bayside Facility virtual meeting on June 25. He gave kudos to Community Affairs Representative Sun Kwong Sze for assisting during the parade and Heavy Transport Operators Gilbert Pence and Jeffrey Moore for driving in the parade.

- Director Smith reported attending the Oakland Ballers Game in Oakland on May 30; and plans to provide an update on EBMUD to the San Pablo Rotary on June 10.

- Director Young reported attending the Oakland Ballers game in Oakland and the soft opening of the Siesta Valley Bowl in Orinda on May 30; the Siesta Valley Bowl official opening in Orinda on June 5; a Siesta Valley Foundation Board meeting the week of June 8; and plans to attend the Alameda County Mayors Conference along with Director Lewis in Piedmont on June 10.

- President Gómez reported attending Congressman DeSaulnier's Town Hall meeting in Danville on May 28; the Oakland Ballers game in Oakland on May 30; serving as a judge for the Alamo Homeowners Association Drought-Tolerant Landscaping Competition on June 3; meeting with Lafayette City Council liaisons on June 4; and attending the Contra Costa Mayors Conference in Walnut Creek on June 4.

- Director Katz had no report.

ADJOURNMENT

President Gómez adjourned the Regular Meeting at 3:16 p.m.

SUBMITTED BY:

Rischa S. Cole

Rischa S. Cole, Secretary of the District

APPROVED: June 23, 2026

Luz Gómez

Luz Gómez, President of the Board

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