

## MINUTES

**Tuesday, February 25, 2025**  
**East Bay Municipal Utility District**  
**Board of Directors**  
**375 Eleventh Street**  
**Oakland, California**

### Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:13 a.m. in the Administration Building Boardroom.

### ROLL CALL

Directors April Chan, Luz Gómez, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call.

Staff participants included General Manager Clifford C. Chan and General Counsel Derek T. McDonald.

### PUBLIC COMMENT

There was no public comment.

### ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

### Regular Business Meeting

President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:19 p.m. in the Administration Building Boardroom.

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

### Women's History Month and EBMUD's Women Employees' Resource Opportunity Collaboration Community (WE ROCC) Affinity Group

President Young announced EBMUD is recognizing Women's History Month and the District's Women Employees' Resource Opportunity Collaboration Community (WE ROCC) Affinity Group. WE ROCC was founded in 2023 to promote understanding, goodwill, fellowship, and communication among women and

all District employees. In March, WE ROCC will host events to celebrate Women's History Month with the theme "Moving Forward Together! Women Educating & Inspiring Generations" with a series of in-person and virtual events. President Young highlighted the events which are scheduled to kick off on March 3. On behalf of the Board of Directors, President Young encouraged all employees to support WE ROCC and take part in celebrating Women's History Month.

### ANNOUNCEMENTS FROM CLOSED SESSION

President Young announced the Board met in closed session to consider a request by the General Counsel to authorize initiation of litigation. All Directors were present, and all Directors voted to authorize the General Counsel to initiate litigation in one matter. The action, parties, and particulars will be disclosed upon inquiry once the action has formally commenced. President Young also announced that this morning's Regular Closed Session was adjourned to continue immediately follow the conclusion of the Regular Meeting today, February 25, 2025. The Board will continue consideration of Item 3 on the Regular Closed Session agenda and will not consider any new items. The Board will reconvene in the Boardroom after the continued Closed Session for announcements. There were no other announcement required from closed session.

### PUBLIC COMMENT

- Addressing the Board was Kelly Taylor, Camanche South Shore Homeowners Association President, who commented on establishing a relationship with the EBMUD Board, access to bulletin boards in the mobile home parks, a packet of information from park management to mobile home park residents, concerns about fire abatement in the mobile home parks, and establishing a venue to address residents' questions.

General Manager Clifford C. Chan stated staff will follow up with Ms. Taylor.

### CONSENT CALENDAR

- Motion by Director Oddie, seconded by Director Katz, to approve the recommended actions for Items 1-8 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 027-25** – Approved the Regular Meeting Minutes of February 11, 2025 and the Special Meeting Minutes of February 13, 2025.
  2. The following correspondence was filed with the Board: 1) Presentation entitled, "Employees' Retirement System: Actuarial Valuations and Contribution Rates," dated February 25, 2025; 2) Presentation entitled, "Water Supply Update," dated February 25, 2025; and 3) Speakers' Bureau and Outreach Record CY25, dated February 25, 2025.
  3. **Motion No. 028-25** – Awarded a contract to the lowest responsive/responsible bidder, SAK Construction, LLC, in an amount not to exceed \$9,810,000 for the construction of North Interceptor Rehabilitation, Emeryville (N31 to N35) Project, under Specification SD-454.

4. **Motion No. 029-25** – Awarded a sole source contract beginning on or after February 25, 2025 to Shape, Inc., to supply a replacement pump for the Orinda Water Treatment Plant lift station for a total cost, after the addition of taxes, not to exceed \$108,167.
5. **Motion No. 030-25** – Authorized an agreement beginning on or after May 1, 2025 with California Department of Fish and Wildlife for a term of 20 years for the operations and maintenance of the Mokelumne River Fish Hatchery at a cost not to exceed \$481,000 for the period January 1 through June 30, 2025. Future annual budgets will be developed and approved based on the cost sharing criteria in the agreement.
6. **Motion No. 031-25** – Authorized an agreement beginning on or after February 25, 2025 with EETS, INC. in an amount not to exceed \$92,056 for final engineering design services for electrical system improvements at the Mokelumne River Fish Hatchery, located at 25800 North McIntire Rd, Clements, at the base of Camanche Dam on the Mokelumne River.
7. **Motion No. 032-25** – Authorized the purchase of Jira and Service Management software beginning on or after February 25, 2025, from SHI International Corp. for two years for a total amount not to exceed \$378,000. This purchase will be made under State of California contracts available for use by local governments.
8. **Motion No. 033-25** – Approved the January 2025 Monthly Investment Transactions Report.

#### **DETERMINATION AND DISCUSSION**

9. **Adopt the Actuarial Valuations of the Employees' Retirement System (ERS) as of June 30, 2024 prepared by the Retirement System's actuary. In addition, set Retirement System Contribution Rates for Fiscal Year (FY) 2026 based on the actuarially determined contribution rates in the valuations.**

Treasury Manager Robert L. Hannay provided the presentation. General Manager Clifford C. Chan announced the Finance/Administration Committee met earlier and unanimously voted to support the recommended actions. Overall, between FY 2023 and FY 2024, the pension funded ratio on a valuation value basis increased from 75.2 percent to 76.1 percent while the Health Insurance Benefit (HIB) funded ratio increased from 47.7 percent to 51.8 percent. Mr. Hannay reviewed the portfolio asset allocations and changes in the FY 2024 actuarial valuations for the pension and HIB. At its January 23, 2025 meeting, the Retirement Board adopted actuarial valuations and made a recommendation for the EBMUD Board to set FY 2026 contribution rates equal to the FY 2024 actuarially determined rates from the valuations. Recommended employer pension contribution rates for the 1955/1980 plan increased to 45.43 percent while HIB rates remained unchanged at 4.43 percent. Employer pension contribution rates for the 2013 Tier plan increased to 35.93 percent while HIB rates slightly decreased to 4.22 percent. Contribution rates increased for the pension due largely to changes in assumptions, higher-than-assumed salary increases, and higher than assumed COLAs for retirees. Contribution rates are lower for HIB due to higher-than-expected payroll. Employee contribution rates for the 1955/1980 plan are set in the Memoranda of Understanding between EBMUD and its unions and remain unchanged at 8.75 percent (8.66% for pension and 0.09% for HIB). Contribution rates for 2013 Tier members are governed by the Public Employees' Pension Reform Act and increased to 10.17 percent (10.08% for pension and 0.09% (unchanged) for HIB).

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

**Resolution No. 35439-25** – Adopting The Actuarial Valuations Of The East Bay Municipal Utility District Employees’ Retirement System And Setting The Pension And Health Insurance Benefit Employer Contribution And 2013 Tier Employee Contribution Rates For Fiscal Year 2026.

10. **General Manager’s Report.**

Water Supply Update

Manager of Maintenance and Construction/Water Operations Roberto C. Cortez presented the update on the District’s current water supply including the following data as of February 19: gross water production; total system storage (629,410 acre-feet); precipitation in the East Bay (14.6 inches) and in the Mokelumne (25.1 inches); and the snow depth (78 inches) and snow water content (21.4 inches) at Caples Lake. He reviewed snowpack levels and snow water equivalent in the Sierras as of February 19; seasonal precipitation forecasts across the states for April through June 2025; projected Mokelumne precipitation for Rainfall Year 2025; and 2025 total system storage projections. In response to a question from Director Chan, Mr. Cortez confirmed that the Castro Valley golf course is not useable at this time.

General Manager Clifford C. Chan announced the Speakers’ Bureau and Outreach Record CY25 had been provided at Board places.

**REPORTS AND DIRECTOR COMMENTS**

11. **Committee Reports.**

- Filed with the Board were the Minutes for the February 11, 2025 Planning Committee Meeting.
- President Young reported the Board met earlier for the Long-term Water Supply Workshop where staff presented information on the District’s water supply, long-term water supply strategic plan goal, water supply portfolio and key program updates, demand updates, drought planning, need for water, future supplemental supply sources, and next steps including preparation of the 2025 Urban Water Management Plan. The Board also met for a retreat during a Special Board meeting at the Joaquin Miller Community Center in Oakland on February 13, 2025.
- Chair Andy Katz reported the Finance/Administration Committee met earlier and received updates on the Monthly Investment Transactions Report; Quarterly Financial Reports; Fiscal Year 2025 Semi-Annual Budget Performance Report; Employees’ Retirement System Fiscal Year 2024 Update, Actuarial Valuations, and Fiscal Year 2026 Employee and Employer Contribution Rates; and Termination of California Shakespeare Theater Operations.

12. **Other Items for Future Consideration.**

None.

13. **Director Comments.**

- Director Chan reported attending the Alameda County Mayors Conference in Pleasanton on February 12; the Chinatown Lunar New Year parade in Oakland with Director Oddie in Oakland on February 22; and plans to attend the Asian Pacific Employees Association’s Lunar New Year luncheon in Oakland on February 27.
- Director Gómez reported attending a community meeting (virtual) regarding the Reliez Valley Road project in Lafayette on February 20.
- Director Katz reported attending the Board Retreat at the Joaquin Miller Community Center in Oakland on February 13; and plans to attend the East Bay Wildfire Coalition meeting in El Cerrito on February 27.
- Director Lewis reported attending the Board Retreat at the Joaquin Miller Community Center in Oakland on February 13; moderating a California Water Law Symposium panel on direct potable reuse at U.C. Berkeley on February 15; and attending the Barbara Lee and Elihu Harris lecture series in Oakland on February 21.
- Director Oddie reported attending the Board Retreat at the Joaquin Miller Community Center in Oakland on February 13; presenting at the Alameda City Council on February 18; attending the Chinatown Lunar New Year parade on February 22; and plans to attend the San Leandro City Council meeting on March 3; a Ward 5 meet and greet in Alameda on March 13; and the Unincorporated Services Committee meeting in San Leandro on March 26.
- Director Smith reported attending the Board Retreat at the Joaquin Miller Community Center in Oakland on February 13; the Contra Costa Mayors Conference in Moraga on February 13; the Barbara Lee and Elihu Harris lecture series in Oakland on February 21; and the Black Joy Parade in Oakland on February 23.
- President Young reported observing a couple of EBMUD crews working in downtown Oakland and plans to provide a presentation on the Camino Sobrante Pipeline Replacement Project at the Orinda City Council on March 4 and a presentation on EBMUD at the Orinda Valley Garden Club on March 12.

**ADJOURNMENT**

President Young adjourned the Regular Meeting at 1:56 p.m.

**Regular Closed Session Meeting (Continued)**

At 1:56 p.m., President Young announced the Board would now convene to Administration Building Conference Room 8 to continue consideration of Item 3 on the Regular Closed Session agenda. The Board will return to the Boardroom after the continued Closed Session for any announcements.

**ROLL CALL**

Directors April Chan, Luz Gómez, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call.

Staff participants included General Manager Clifford C. Chan and General Counsel Derek T. McDonald.

The Board convened to Administration Building Conference Room 8 to continue consideration of Item 3 on the Regular Closed Session agenda.

**ANNOUNCEMENTS FROM CLOSED SESSION**

The Board reconvened in the Boardroom at 4:52 p.m. President Young stated there were no announcements required from the continued closed session.

**ADJOURNMENT**

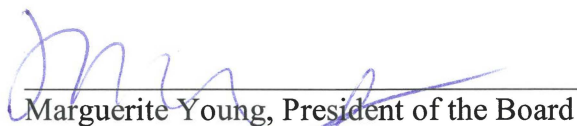
President Young adjourned the continued Closed Session Meeting at 4:52 p.m.

SUBMITTED BY:



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Rischa S. Cole, Secretary of the District

APPROVED: March 11, 2025

  
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Marguerite Young, President of the Board